CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-THIRD CONGRESS, THIRD SESSION.

VOLUME LII.

WASHINGTON:
1915.

AUTHENTICATED
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VOLUME LII, PART IV.

CONGRESSIONAL RECORD,

SIXTY-THIRD CONGRESS, THIRD SESSION.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 7, 1915.*

The House met at 12 o'clock noon, and was called to order by Mr. FITZGERALD as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, we thank Thee for the gift of life, its wonderful opportunities and far-reaching purposes, the earnest of that personal immortality which Thou hast woven into the warp and woof of our being, which through faith, hope, love, lifts us in our better moments up even to the throne of Thy divinity, and fills our hearts with longing, hopes, and aspirations; forces, though unseen, which are ever moving us on to the betterment of conditions in our homes, in society, in governments, in religion.

We are here on this sacred day to memorialize the life and character of two Members of this great body who, though dead, still live in our hearts and in the works they wrought as servants of the people. Make us strong to emulate, wise to pursue, earnest, faithful, that we may achieve and leave the impress of our personality behind us and be worthy of the gifts Thou hast bestowed upon us. May we look forward with those to whom the departed were near and dear in the unbroken continuity of life which shall bring us to them in the realms of larger light, life, and purity; through Him who taught us the way, and the truth, and the life. Amen.

THE JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal of the proceedings of yesterday.

Mr. CALDER. Mr. Speaker, I move that the reading of the Journal be dispensed with.

The motion was agreed to.

THE LATE REPRESENTATIVES PAYNE AND MERRITT.

The SPEAKER pro tempore. The Clerk will read the order of the day.

The Clerk read as follows:

On motion of Mr. CALDER, by unanimous consent,

Ordered, That Sunday, February 7, 1915, be set apart for services upon the lives, characters, and public services of Hon. SERENO E. PAYNE and Hon. EDWIN A. MERRITT, late Representatives from the State of New York.

Mr. CALDER. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from New York offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 725.

Resolved, That the business of the House be now suspended, that an opportunity may be given for tributes to the memory of the Hon. SERENO E. PAYNE, late a member of the House of Representatives from the State of New York, and to the memory of the Hon. EDWIN A. MERRITT, Jr., late a member of the House of Representatives from the State of New York.

Resolved, That as a further mark of respect to the memory of the deceased, and in recognition of their eminent abilities as distinguished public servants, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the families of the deceased.

The resolution was agreed to.

Mr. CALDER. Mr. Speaker, SERENO ELISHA PAYNE, our fellow Member, and a distinguished statesman, was, on December 10, 1914, to our great loss and bereavement, suddenly called from his sphere of usefulness in the House of Representatives of the United States, where for more than a third of a century he had served his State and his country with great distinction and honor.

He was born at Hamilton, N. Y., June 2, 1843, was graduated from the University of Rochester in 1864, was admitted to the bar in 1866, was city clerk of Auburn, N. Y., 1868–1871, was supervisor of Auburn, 1871–72, was district attorney of Cayuga County, 1873–1879, was president of the board of education at Auburn 1879–1882, and was elected a Member of the House of Representatives to the Forty-eighth Congress, where he served continuously with the exception of the Fiftieth Congress to the time of his death. He had been recently elected to the Sixty-fourth Congress.

He was appointed a member of the Ways and Means Committee of the House December 10, 1889, in the Fifty-first Congress and served as chairman of that great committee from January 20, 1899, to 1913. By a strange coincidence he was a member of the committee for exactly a quarter of a century. During his service in Congress he assisted in the preparation of five great tariff measures. He was an ardent believer in the Republican doctrine of protection. By many his views on the tariff question were not correctly understood. He was not, as was popularly supposed, a high or extreme protectionist. He believed that the organization of great industries in this country which lessened competition between manufacturers made it necessary to readjust our tariff rates. On the fundamental principles of protection he never wavered, but was ready at all times to readjust the tariff rates to meet changing conditions. As chairman of the Committee on Ways and Means of the House he prepared the last Republican tariff measure, which bears his name. In all of its schedules it did not express his individual views, but the provisions in it for a maximum and minimum tariff were framed by him and marked that measure as a great advance in the tariff legislation of the country. To the preparation of that measure he devoted untiring energy, skill, and labor. He was an acknowledged authority on all questions relating to the tariff and fiscal policies of the United States.

He was active in the councils of his party, twice served as chairman of the Republican State convention of New York, and was a delegate to the Republican national conventions of 1892, 1896, 1900, 1908, and 1912.

In recognition of his ability as a statesman he was appointed a member of the American-British Joint High Commission in January, 1899.

Thus for nearly half a century SERENO E. PAYNE was identified with the public life of his State and country. His career was marked by integrity of character, firmness of purpose, and adherence to principle. He commanded the respect of members of all political parties and the affection of a large circle of friends by a blameless, useful, and honorable life.

It was my privilege 10 years ago to be elected to Congress from a district in the State of New York, and on entering upon my duties here I felt it was incumbent upon me to pay my respects to Mr. PAYNE, who was the dean of the delegation. In all of these years I found him not only a party associate, but a warm personal friend, willing at any time to help guide the younger men in their efforts to secure consideration for legislation in which they were interested. In all these years I came to know him intimately.

His good wife, with whom he had lived for over 40 years, was called to the better world two years ago, and her death seemed to leave a void in his life. While he continued his activities in the House those who knew him well observed in him a marked change.

When I entered the House of Representatives in the Fifty-ninth Congress Mr. PAYNE had as his associates from the State of New York in the House such distinguished men as the late Vice President Sherman, Alexander, Wadsworth, Littauer, Dwight, Fassett, Driscoll, Parsons, Bennet, Olcott, Vreeland, GOULDEN, Cockran, FITZGERALD, Cocks, Andrus, Ketcham, Bradley, Draper and Law—all men of high character and large influence in the determining of the important legislation of that day. All but Representative FITZGERALD and myself have left the service here and some have passed to the great beyond. Of the Republicans from New York State who served in that Congress I am the only one left, and so I am accorded the privilege to speak of Mr. PAYNE'S leadership of these great men. I was honored by the Speaker when selected as one of the committee to accompany Mr. PAYNE'S remains to his old home in Auburn, a beautiful city in the great agricultural section of central New York. Mr. PAYNE was known there to every man, woman, and child. He was truthfully the first citizen of the city. It was a bleak December day; the streets were covered with snow, and over the whole city there hung the dull gray veil of sorrow, which only the death of a man well beloved and widely known will make itself felt.

The church of which he was a member and officer was thronged with his saddened friends, and the splendid eulogies of the two distinguished clergymen who officiated at his funeral service portrayed faithfully the life work and the noble character of the deceased.

I recall distinctly the rendering by the Rev. Dr. Cyril of Tennyson's beautiful poem, Crossing the Bar:

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea,

But such a tide as moving seems asleep,
Too full for sound or foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;

For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

Though the flood did bear him far upon the boundless deep of life and strife, his devotion to the Christian Church and his years of service to his fellow men and to his country will bear him safely over the bar to face the great Pilot who so gently bade him sleep at the close of his working day.

Mr. Speaker, I am pleased to read the following letters from two of Mr. PAYNE'S former associates in the House of Representatives.

From former Representative McCall, of Massachusetts:

I served with Hon. SERENO E. PAYNE for 20 years in the House of Representatives. For 14 years of that time I was with him upon the Ways and Means Committee. I understand that he had a longer period of service upon that committee and was also for a longer time its chairman than any other man in our history. In my opinion Mr. PAYNE has never been surpassed by any of his countrymen in his broad and at the same time exact knowledge of all matters relating to tariff taxation. His mind was a great storehouse of facts, which upon occasion he would state in lucid order and in a way that would give the strongest possible support to the principles of taxation in which he believed. He was resolutely high minded and firm and never easily swerved. One could not know him well without deeply respecting his ruggedness of character and his ability and accomplishments. He was one of the notable figures in the history of the House and was identified in a responsible way with much of the most important legislation of more than a quarter of a century.

Sincerely, yours,

S. W. MCCALL.

From former Representative Bennet of New York:

How rapidly after all the personnel of Congress changes. When Mr. PAYNE passed away the other day the last representative of the old red-carnation group, which was so powerful when you and I came to Congress 10 years ago, disappeared from this Congress. Mr. PAYNE was an American good to have known; a product of a time when partizanship was more intense throughout the country; an active leader in the struggle for the supremacy of our party for nearly a quarter of a century; a believer in our party principles; another one in that long and honorable list of American statesmen who had power over millions of money; lived modestly always and left no great estate. One of the triumphs of our institution is the number of our politically powerful men in public office who have so lived and died.

If it could be planned in advance, one could wish for no more useful career than Mr. PAYNE'S was; a man of ability, successful professionally, with a comfortable environment, a staunch believer in the principles of his particular party and in their advocacy as a patriotic duty, he was able to devote the bulk of his mature years and his great ability to a sturdy fight for that party and those principles.

In both 1912 and 1914 I had the pleasure of campaigning in Mr. PAYNE'S District and was impressed by the affection and respect which the people whom he had served so long had for their Congressman.

I am personally glad that at the close of this busy American life there was no twilight zone of sickness, or material decay of the faculties, and that he was occupied to the last in the business of the House, in which for so many years he had been one of its most useful members.

Yours, very truly,

WILLIAM S. BENNET.

Mr. CLARK of Missouri. Mr. Speaker, there is an old saying to the effect that it is folly to reserve kind words about a man until after he is dead, and that they should be uttered while he still lives. I have always acted on that dictum. In some preliminary remarks in my five hours' speech on the Payne tariff bill, March 24, 1909, I made the following remarks:

"I desire to congratulate the distinguished chairman of the Ways and Means Committee [Mr. PAYNE]. I do it from the bottom of my heart. He has now become a great historical personage. The history of the United States can not be written now and leave out the name of SERENO E. PAYNE, of New York. He takes his place in the company of Henry Clay, Robert J. Walker, Justin S. Morrill, William McKinley, William L. Wilson, and Nelson Dingley as father of a great tariff bill, which must be referred to as long as men discuss the tariff in the United States, which, judging the future by the past, will be until Gabriel blows his trumpet.

"There is another thing on which I congratulate the chairman of the Committee on Ways and Means, and I do it as honestly as I did the other, that during the course of these hearings, and by his nine and one-half hours' speech, he has knocked higher than a kite the idiotic theory of Dr. Osler.

"Be it understood that I am not complaining in any degree whatever because he spoke nine and a half hours; it was a superb vindication of his physical and mental strength, and under the circumstances of the case and the character of the speech he was making, explanatory and defensive, answering a good many questions from this side, and carrying on an extended debate with his political confreres on that side, I do not see how it could have been shorter; and what is more, I am not dead sure but that it was the wisest thing he could have done from a political standpoint, because a good many Republican gentlemen, having fired their shots, will not want to make speeches on the bill.

"While I am making these preliminary statements—and I do not think I am wasting time in making them—I want to say a word about the Committee on Ways and Means. I say now that no 18 men—because there were only 18, Mr. Granger being sick with the disease which finally proved fatal to him—no 18 men, Democrats and Republicans both, in the history of this country ever did harder, more tedious, or more fatiguing work than the 18 members of the Ways and Means Committee did in these hearings.

"Think of it! We began at half-past 9 in the morning and worked until 1 o'clock, took an hour for lunch, then worked until 7 o'clock, taking an hour for dinner, as we call it in the city and supper in the country, and worked until 11 and 12 o'clock at night; keyed up, on edge, tussling with intellectual men who had facts in their possession about the tariff which they were determined not to give up, while we were determined that they should stand and deliver.

"The chairman of the Ways and Means Committee, the gentleman from New York [Mr. PAYNE] is nearly old enough to be my father. I have always been credited with having an iron constitution, but I believe that he came out of the exhausting work fresher than I did, which was an absolute marvel to me.

"One other thing about that committee. In my time I have done many things to earn a living, among them every species of farm work, clerking in a country store, teaching in all sorts of schools, from a log-cabin schoolhouse in Kentucky to the presidency of a college in West Virginia, editing a newspaper, and practicing law. For three days I was a sort of a special deputy sheriff in Cincinnati, guarding a defaulter. I have tried a multitude of cases in court, including betwixt 1,000 and 2,000 criminal cases, ranging from murder and highway robbery to assault and battery and petty larceny; but nowhere, at no time, under no circumstances have I ever performed any other labor so exhaustive of nervous energy as I performed at these tariff hearings. I am not complaining. We simply did our duty; but I have no doubt that it shortened all our lives. We not only worked like galley slaves while other people were taking their ease, but we tried to ascertain the truth."

These were my honest sentiments in March, 1909. They are my sentiments in February, 1915. They will remain my sentiments so long as I live. I can not improve on them now.

There is little to add, except one incident demonstrating how we sometimes misjudge each other. Everybody knew that Mr. PAYNE was a man of ability and a strong debater. Those of us who had opportunity to study him closely knew that he possessed a vast store of information, particularly on the tariff. No wonder, for he was a student and partcipated in five revisions of the tariff. In debate he was irritable and brusque to such an extent that he frequently hurt the feelings of Members who interrupted him in his speeches. I did not like the way in which he sawed me off on several occasions and for a long time had it in my heart to catch him in the right situation and assail him hip and thigh.

Finally, however, I was placed on the Committee on Ways and Means, of which he was chairman. During the Christmas holidays succeeding I was in New England and New York on a lecture tour. When I entered a parlor car in New York, en route to Washington, I had Mr. PAYNE as a fellow passenger. He came and sat down by me and gave me a cordial welcome to his committee. He talked to me all the way here, and as I had never talked with him 10 minutes privately before that trip, I was amazed to discover that he was a most pleasant gentleman, an unusually fine raconteur, and that his stock of personal and interesting reminiscences seemed inexhaustible. He spoke most entertainingly of Thurlow Weed, William H. Seward, Horace Greely, Horatio Seymour, Gov. Morgan, Roscoe Conkling, Samuel Sullivan Cox, Henry J. Raymond, and other New York worthies of a past generation. Those five hours were not only delightful, but also instructive to me and added much to the sum total of my historical knowledge. That trip laid the foundation of a close personal friendship between Mr. PAYNE and myself, which grew stronger and more tender with the passing years till the day of his death. He was the most distinguished Member of the House to die in harness, as no doubt he wished to die, after the death of Gov. Dingley, his immediate predecessor as chairman of the great Committee on Ways and Means. The House decreed him a public funeral, as was eminently proper, and we mournfully parted company with the honored and well-beloved father of the House.

Mr. MANN. Mr. Speaker, the generous tribute which has just been paid to Mr. PAYNE by the distinguished and beloved Speaker of this House is characteristic of the gentleman from

Missouri, the Speaker, and also, I am pleased to think, is characteristic of American politics.

The Republicans of this House and elsewhere also deeply appreciate the courtesy and respect which was paid to the memory of Mr. PAYNE by the Democratic majority in this House in according to him a public funeral and exercises held in this Chamber while the House itself was in session. I think that had not occurred before the funeral services of Mr. PAYNE's predecessor as Chairman of the Ways and Means Committee, Mr. Dingley.

It is not my intention, Mr. Speaker, to dwell upon the public services of Mr. PAYNE. They are written in the legislative pages of this body, as well as in the five tariff bills which were enacted while he was a member of the Ways and Means Committee. Three of these tariff bills were Republican bills, in which he was one of the men who framed the bill. Two of them were Democratic tariff bills, in which he actively participated in opposition.

I came into this House at the special session when the Dingley tariff bill was passed. Coming from a great city with many industries affected by the tariff legislation, it became my duty to frequently ask questions, privately, of the members of the Ways and Means Committee. I know, as everybody knows, that Mr. PAYNE when he was very busily engaged in work sometimes was rather brusque in manner, but it became my habit when I wanted to know anything about that bill to go to Mr. PAYNE. He was always courteous to me, was always able to give the information asked for, and I became rather deeply attached to him from a distance. I did not enjoy his close personal friendship. For years I used to watch Mr. PAYNE and Mr. Dalzell as they would leave the House and go to luncheon together. They were both high up on the Ways and Means Committee, Mr. PAYNE for a series of years chairman of the committee. The close friendship between the two was remarkable. Both were very active in the House and both very attentive to their duties in the House. They frequently went to luncheon together, sometimes taking somebody else with them. These, of course, are purely side lights upon his character.

When I became the Republican leader in the House in the last Congress, knowing as I did that much of the feeling toward the Payne bill and also toward Mr. PAYNE throughout the country was unjustified, in so far as his personal desires were concerned, I gave especial attention to the consulting of Mr. PAYNE, and very early learned that no one could have a better adviser as to the use of common sense than Mr. PAYNE. During the last two summers the House remained in session during the entire summer. It became the habit of Mr. PAYNE and myself and some others, whenever the opportunity afforded, to take a little fresh air on the outside and forget the cares of state by going to the ball game. Mr. PAYNE, strange to say, with all of his enthusiasm for work, with his great knowledge and study relating to legislative matters, with his solemn tones in debate, was a lover of decent outdoor sports and was very fond of baseball. As we sat together in the front row of seats in this Chamber during the consideration of the Underwood tariff bill, every day while there was a ball game in progress in the city of Washington, and usually anywhere else, in the midst of strong and sometimes somewhat bitter partisan debate on items in the tariff bill, the telephone clerk on the Republican side of the House would quietly drop down a number of times during the debate and inform Mr. PAYNE how the score stood. Mr. Speaker, that is what makes men men. That is characteristic of great men. He enjoyed the fight while the people on the outside were enjoying life. He liked to have other people happy, and when he was with them personally, in personal conversation, there was no man more delightful, more good tempered, more entertaining than was Mr. PAYNE. His name will live in the history of legislation, but to those who knew him best he will live in their memory as a sweet-tempered, wholesome, and enjoyable character.

Mr. GOULDEN. Mr. Speaker, it was my privilege to serve with our late associate, SERENO ELISHA PAYNE, who was unexpectedly called to his reward in December last. Coming from the same State and for many years a trustee of the Soldiers and Sailors Home, at Bath, N. Y., near his home, and meeting many of his friends and constituents there, I learned much regarding his home life. As a friend and neighbor, he was ever true and helpful; as a citizen, ever loyal and patriotic.

He faithfully served his district in Congress for 30 years, ever mindful, not alone of his devoted people whom he loved, but of the interests of those of the State and Nation. His services to the good people of Auburn and of Cayuga County as district attorney, city clerk, and president of the board of education, with that of a Member of Congress, in all of which he showed a high purpose, a civic pride, and a faithful devotion to duty, endeared him to his home people. That is the best test of work well done and of high moral worth; of his splendid services here, the country is familiar. No man stood higher in the esteem of his associates than did SERENO E. PAYNE. For 10 years of my service here he was the able, vigilant, courteous majority leader. While he dealt our side hard blows frequently, he was always a gentleman, always kindly hearted and willing to respect the rights and opinions of others.

Of him it will be said, "None knew him but to love him." The day of his untimely death I sat by his side talking about old friends that had passed away. He seemed in his usual good health, cheerful and smiling.

In praising him for the work accomplished in this House, and congratulating the country upon his achievements, we are forced to lament his taking off at a time when he could be of so much more value. We can mourn for him with the same feelings that we mourn the loss of Lincoln before he had given to his country all of which he was capable.

We applaud the man and his work to-day while sadly lamenting his loss to us. We are met to pay a last tribute of honor and respect to a beloved fellow worker whose character we admired and whose rugged honesty was inspiring.

His death has left a void that can not be filled, and his deeds, his kindness, and loving, cheerful disposition will ever live in the minds of his friends and associates. Well may we exclaim:

"Shall I say that what Heaven gave
Earth has taken?
Or that sleepers in the grave
Reawaken?
One sole sentence can I know,
Can I say:
You, my comrade, had to go,
I to stay."

Mr. AUSTIN. Mr. Speaker, we have met to-day to pay a willing tribute to a great leader, a worthy son of the great Empire State, and a wise, just, and patriotic American, the Honorable SERENO E. PAYNE, who died at his post of duty after 30 years of faithful and efficient service in this House. That his record was above criticism and reproach is attested by his unfailing success in 16 elections in a district made up of a sturdy, conservative, and highly intellectual constituency.

His life was full of useful activities and for more than a quarter of a century he had a prominent part in writing many of our wisest and best laws; his good deeds as a citizen and public servant were countless. No man in this House, composed of a membership of 435, and coming from every State and Territory, and our islands in the distant seas, has a record which excels that of our departed friend and colleague. He was a prominent figure in the Republican national conventions which nominated three of our greatest Presidents, McKinley, Roosevelt, and Taft, and an active and influential leader in framing and passing the many useful, progressive, and patriotic laws during their administrations. As a Member of this House he played a conspicuous part in the preparation and enactment of the three great tariff laws which bore the names of McKinley, Dingley, and Payne. If you will impartially study the history of our country during the life of these great measures, you will proclaim the most marvelous commercial growth and development of our country—not one section of it, but North, South, East, and West, every State, Territory, city, village, farm, and home. Prosperity and happiness was in evidence on every hand and in every nook and corner of the Republic. The wonderful strides in every line of industry, of every human endeavor, the matchless progress of this great Republic in foreign and domestic trade, in population, wealth, greatness, and glory; in all things that go to make us a great and envied people, fell to our happy lot during the period covered by the administrations of Presidents McKinley, Roosevelt, and Taft, and under the operation of tariff legislation in which Mr. PAYNE had an important part in creating. The men he aided in nominating and electing to the Presidency, and the laws he materially assisted in making, gave to the American Republic its happy, golden epoch, and showered upon its people countless blessings. More opportunities, more contentment, more progress, more prosperity, and more happiness crowded into this period of our country's history than can be named to the credit of any tariff legislation in the entire history of our country.

What a debt we owe as a people; what a debt due from our Nation to the grand old man whose memory we honor on this occasion. No words, no tongue, can truly tell the lasting obligation we owe to our late colleague. He led a life filled with usefulness, not alone to his faithful and devoted constituents, but to the country at large.

Mr. Speaker, the great Empire State has furnished a long line of able, useful, and distinguished men to the American Republic, in peace and in war, and the impartial historian in giving their names and recounting their great, useful, and patriotic deeds will place high on the list the name and fame of SERENO E. PAYNE. He was faithfulness itself in his attendance as a Member of this House; in his committee and departmental work; in caring for his correspondence, for the interests of his immediate constituents; nothing of an official nature, great or small, escaped his attention. There was never a more worthy, zealous, industrious, hard-working member. He left a faithful and illustrious record which should influence and inspire all of us. It would be to our credit and the benefit of those we represent if we would, in the discharge of our duties, follow the splendid example he left behind.

I saw much of Mr. PAYNE during the past six years in this House, and for a portion of the time we lived under the same roof. We almost daily, during the past two years, occupied adjoining seats in the front row on the Republican side of the Chamber. My admiration, interest, and fondness for him was ever increasing, and his sudden death was a painful shock and great loss to me. He was a kind, genial, whole-souled, companionable man, and though a leading statesman and great leader he was plain and unassuming.

As an admiring friend, as a representative from a Southern district which for 60 consecutive years has sent a protectionist to this body, I offer my simple but sincere tribute of respect, admiration, and esteem for our able, worthy colleague, for New York's honored son, for the Nation's invincible champion, and defender of the American protective system, who I rejoice to know lived to see his great life work—the Payne tariff law—approved and vindicated in the hearts and thoughts of the American people.

Mr. HAMILTON of Michigan. Mr. Speaker, the night of December 10, 1914, SERENO E. PAYNE was found dead in his room with the open Bible beside him. "The gentleman's time had expired."

The personality, which for 71 years had borne and honored the name of SENERO E. PAYNE, had gone into the region where we dimly suppose character is the only means of identification.

Tariff questions, of which he was one of the most profound and practical students of his time, no longer concerned him. "Life's candle had burned out."

He had carried with him on his journey down to the very instant of transition the only guide vouchsafed humanity on earth.

All the honors which the years had brought to him and all the malice of political misrepresentation were as nothing to him as he sat there quietly in the austerity of death, with dead eyes looking into the mystery of eternity just revealed to him.

A little later his body lay in state in the Hall of the House of Representatives, with a jungle of flowers around it, where the temporary occupants of places of dignity had gathered to do him honor, but to PAYNE these things were as nothing.

Here he had gained his greatest triumphs, here he had undergone his discipline, here he had gained his reputation, and here his body lay in state for a little time on its journey to the grave.

He was a lawyer and had gained eminence in his profession.

He was a statesman and had been honored time and again by the party with which he was associated.

He first came to Congress in 1883 and served continuously, except during the Fiftieth Congress, until his death.

He was chairman of the Committee on Merchant Marine and Fisheries from 1895 to 1899, and in that position rendered valuable service; but his chief work in Congress was in connection with the tariff.

He went upon the Ways and Means Committee in 1890, served there until his death, and was its chairman from 1899 until 1910, when the House became Democratic.

His was the longest chairmanship of the Ways and Means Committee in the history of the country, and his the longest membership of that committee.

He helped to frame the McKinley law of 1890.

As a minority member of the Ways and Means Committee he opposed the Wilson law of 1894.

He was senior member of the Ways and Means Committee when the Dingley law of 1897 was enacted.

He was chairman of the committee which framed the Payne-Aldrich law of 1909 and ranking minority member of the committee which reported the law of 1913.

He helped to frame the war-revenue act of 1898, and as chairman of the Committee on Ways and Means helped to frame the Porto Rican tariff law of 1900, the Philippine tariff law of 1902, its revision in 1908, and the Cuban reciprocity law of 1903.

"At all times a man who will do faithfully needs to believe firmly." Mr. Payne had convictions.

His services ran through an era of change the magnitude of which was not perceived by those who were a part of it. He lived in an age in which the accumulated science of the past was constantly applied to improved means of production, manufacture, transportation, and exchange.

In the performance of his duties he helped to give shape to national policies in an era of geographical and trade expansion, in which men combined their capital to produce at central points commodities to supply increasing areas of trade created by increasing facilities of transportation and communication. This movement was not confined to America, but extended throughout the commercial world.

The era of his legislative services was a part of a world-wide adjustment to the rapidly increasing use of steam, supplemented by electricity, the rapidly increasing use of machinery, and the rapidly increasing adaptation of the corporate form of management to industrial enterprises.

In his public service he was a practical, working, constructive personality in a tariff world.

He helped to put in legislative form the tariff policies of a party, based upon its conviction that it is better for us to keep our own capital and labor employed than it is to keep the capital and labor of foreign nations employed; that it is better for us to keep our money in use and circulation among ourselves than to send it abroad in exchange for commodities which we can make and produce as well as foreigners; that it is better to maintain the standard of American citizenship by protection of American labor and American industry than it is to lower the level of American citizenship by lowering the wages of American labor.

He had seen the country pass from the simple to the complex.

In the language of Goldwin Smith, he had "seen the collapse of many a political waterspout and the ebb of many a political tide."

There was nothing sensational about Mr. PAYNE. He never posed. He was incapable of posing. He never advertised. He had no press agent. He did his work.

He was brave, honest, robust, unpretentious, truthful. His eloquence was the eloquence of logic and of facts ably stated.

As Cromwell is reported to have said, "If the words were true words, they could be left to shift for themselves." He feared God and was without any other fear.

It is a saying of Guizot that "one must have been of great worth indeed to deserve not to be forgotten," and the name of SERENO E. PAYNE is indelibly written into the history of our country among the names of its practical patriots.

Mr. UNDERHILL. Mr. Speaker, I would feel that I had failed to perform a duty that I owe to the memory of our dear friend, SERENO ELISHA PAYNE, were I not to add a brief tribute to his memory.

Residing in the adjoining congressional district, and being whole-souled, generous, and earnest in his nature, he could not fail to have friends in all the counties near where he lived, and consequently he was invited and on several occasions accepted invitations to advocate the cause of his party in my home town years before I met him in this hall. My early recollections of him are of the pleasantest character. Genial in temperament, he was a delightful man to meet, and evidently enjoyed becoming acquainted with young men.

His popularity with the people is indicated by the long succession of honors in his career. He received preferment in his home city and county before he came to Congress, more than 30 years ago, and no matter what the issue was against his party, his personal strength and popularity were always sufficient to insure his return to Congress. Here he advanced steadily in influence until he became the chairman of the most influential committee in the House, the great Ways and Means Committee, showing that his merit was duly appreciated and that his ability was recognized.

While Mr. PAYNE was a partisan, he was honest in the discharging of his duties, as was evident in the framing of the great tariff bill which bore his name. It is but fair to state that the bill, as written by him, was a far fairer measure than it was when it became law, and that the changes made in it were generally contrary to his wishes and against his protest.

His death has removed one of our ablest and most popular Members, and in his death Congress and the country have sustained a severe loss.

It fell to my sad lot to be one of the congressional party that journeyed to Auburn to attend his funeral. The ceremonies were held in the Baptist Church where he had worshiped when at home throughout his entire life. They were simple, beautiful, and impressive, and everybody who was present on that occasion must have been impressed with the belief that SERENO ELISHA PAYNE throughout his life had tried to live according to the Divine command.

The loss of such a man is of great consequence to any country. Never in the history of our country have we needed Christian statesmen more than to-day, men who fear God and walk with him, as our former colleague did. In these days when men often rush madly after wealth, position, and power, God is too often forgotten. It can be truthfully said of our departed friend for whom these memorial eulogies are offered that he was a Christian statesman. His departure is sincerely mourned as a national loss, and among those who associated with him and those who knew him best his memory will be cherished as a loyal and delightful friend, a congenial associate, a patriotic and devoted servant to his people, and a lover of his country.

Death came to him without warning.

He so lived that when his summons came to join
The innumerable caravan which moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
He went not, like the quarry slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust.

Mr. FORDNEY. Mr. Speaker, we meet to-day in memory of a man whose life was spent in bestowing on his fellow countrymen the blessings of opportunity. He believed the greatest good that can be done to a healthy man is to give him a chance to earn his living and the greatest calamity that can befall him is to take from him his opportunity for daily work. With this idea ever in mind, he was able to crystallize it into laws that brought happiness to millions of Americans.

Length of service in this House is a conspicuous honor achieved by few, and never except by deserving it. And on all the bright roll of famous American representatives it is hard to find a name that shines with greater luster than that of SERENO E. PAYNE. He had within him a remarkable combination of fitting qualities that a discerning constituency were fortunate enough to recognize. The people of Mr. PAYNE'S district in electing him to a generation of membership here did a service to the country which is beyond human power to calculate, for they gave a great man the rare opportunity to carry to full fruition the results of broad constructive statesmanship. The present Speaker of the House gave him nothing more than just recognition when, on March 24, 1909, he said that Mr. PAYNE had become a great historical personage, and that—

"The history of the United States can not be written now and leave out the name of SERENO E. PAYNE, of New York. He takes his place in the company of Henry Clay, Robert J. Walker, Justin S. Morrill, William McKinley, William L. Wilson, and Nelson Dingley, as father of a great tariff bill, which must be referred to as long as men discuss the tariff in the United States, which, judging the future by the past, will be until Gabriel blows his trumpet."

It is not difficult to see why Mr. PAYNE achieved this proud eminence. He never for a moment forgot the one great, central, overwhelming fact that this country can be happy and prosperous only by giving steady employment to its people at ample compensation. He knew, always, that it is folly to try to buy too cheaply if thereby an American is deprived of employment. His great mind was like a beacon light, forever warning of the hidden rocks that lie beneath the frothy breakers of free trade. He knew the disaster that always comes to a country when it takes bread from the mouth of labor at home by trying to buy abroad for less than free and manly labor is entitled to receive. To this basic principle of protecting American manhood in the right to earn a living he applied the resources of his luminous mind and wonderful memory. He served his tariff apprenticeship under Thomas B. Reed, William McKinley, and Nelson Dingley. He saw the ruin wrought by the visionary pilotage of William L. Wilson, when the industrial progress of this country suffered a head-on collision with bankruptcy, poverty, and starvation. He saw the values of railroad stocks shrink from par to 12 cents on the dollar, and the armies of the destitute recruited to millions of men as the result of bad tariff legislation. He saw the revenues of the Government fail and the Treasury balance shrink to a deficit because of the theorizing folly of those who guided the legislation of this Nation.

Then he saw that army of hunger drive from power in this Capitol the enemies of prosperous employment, and he saw those hosts of misery change to millions of contented, hopeful, happy workers. He saw those depleted properties prosper once more till their stocks rose again to par. He saw the Treasury of the Nation filled again, and confidence shed its sunshine over all the land.

And then, with the years of plenty, he saw the old men who knew these things pass away and young men arise who dreamed of power and who beheld rainbows in the clouds. He saw his party torn asunder in the effort to present to the country two Presidents at once, and he saw the dreamers again hold high place. Thus it was given to him to witness, in his own legislative career, a complete cycle, from the industrial destruction wrought in 1892–93 to the industrial stagnation and depression in 1913–14. And he was the only Member of the House of Representatives who survived the vicissitudes of those changing times. Of those Members who voted for the McKinley bill in this House in 1890, Mr. PAYNE alone remained to vote against the Underwood bill in 1913.

Mr. PAYNE'S devotion to the principles of protection was the foremost fact of his legislative career. His knowledge of the details of the subject was amazing. How vast that knowledge was, and how untiring his industry, no one can fully realize, except those of us who had the privilege of serving with him on the great Committee on Ways and Means. He also knew much about many other subjects, but he did not talk a great deal. His greatest speeches were five in number—on the McKinley, Wilson, Dingley, Payne, and Underwood bills, respectively. If every other speech ever made in Congress on the tariff should be lost, those five speeches by Mr. PAYNE would enable the statesmen of the future to trace the tariff history of the United States, and the principles laid down by him would unerringly point the way to individual and national prosperity. He was not a polished orator in the rhetorical sense, but he had a remarkably direct and forcible way of stating things. He went directly to the heart of his subject, and so commanded instant attention. Thus, he began his speech on the Dingley bill, on March 23, 1897, as follows:

Mr. Chairman, that we need more revenue would seem to be so self-evident a proposition that no man who has by accident or design been elected to a seat in Congress would dare deny it. If the gentleman from Missouri [Mr. De Armond], who has just taken his seat, or my colleague upon the committee from Tennessee (Mr. McMillin) would take pains some evening to consult the proprietor of the corner grocery store in the little villages in which they live, they would find that experience had taught this man in business that even a small groceryman, running his business for four years by borrowing at the end of each year sufficient capital to keep his head above water, could not forever continue in that condition of borrowing.

And as I have been reading that speech, delivered nearly 18 years ago, it has seemed to me, Mr. Speaker, that it must have been written to apply to the conditions that exist to-day. I can not forbear to read one more brief extract. Listen:

For some reasons, I could never exactly understand why, the people desired and obtained a change. They said it made no difference about the House of Representatives if it did go Democratic; that the Senate would stand a bulwark against any tariff tinkering by the incoming administration. They were careless, and bitterly have they repented that carelessness in sackcloth and ashes since that fateful day. We had a Democrat in the White House; we had a Democratic House of Representatives, and finally, on the 4th of March, 1893, it was determined that we had a Democratic majority at the other end of this Capitol.

Confidence forsook the people. Business men began to pale before the prospect of that administration. Manufacturers dare not make their stock of goods for the succeeding market, and wage earners found that their employment and wages were uncertain under the new order of things. There was a prospect of lower duties; there was a prospect that if merchants could hold off their importations they might get them into the country at a less rate of duty. Importations ceased. Buying ceased, and under the influence of that administration, which was coming in like a black cloud over the industries of this country, they succeeded in cutting down the income under the McKinley bill so that for the year ending June 30, 1894, there was a deficiency of $69,000,000 in the revenue.

Twelve years to a day after that speech was delivered, Mr. PAYNE completed the most remarkable oratorical effort that any of us has ever heard in this House, when, in a speech nine and one-half hours long, he explained in detail the Payne tariff bill, and answered freely every question put to him by every Member of the House, until all had asked him what they pleased. It was this exhibition of mental and physical vigor that led Mr. Speaker CLARK to say:

There is another thing on which I congratulate the chairman of the Committee on Ways and Means, and I do it as honestly as I did the other, that during the course of these hearings and by his nine and one-half hours' speech, he has knocked higher than a kite the idiotic theory of Dr. Osler.

Mr. PAYNE was a delegate to six national Republican conventions, and in 1912 made an appeal for harmony and obedience to convention law which, if it had been heeded, would have prevented the split that elected Mr. Wilson.

Mr. Speaker, time will not permit reference to the many incidents that crowd the memory of the older Members of the

House, which remind us of the wisdom, the kindliness, the ever-present sense of humor that characterized our beloved friend, whose greatness we are only beginning to realize.

One of the greatest poets of antiquity boasted, truthfully, that he had by his own words put forth a monument more enduring than brass and higher than the Pyramids. The public utterances of Mr. PAYNE, preserved in our RECORD, form a monument to his memory, the magnificence of which will be recognized by our descendants when countless years have flown.

Mr. MOTT. Mr. Speaker, there are special personal reasons why I should have a few words of tribute to pay to the memory of SERENO E. PAYNE. Mr. PAYNE represented my home county of Oswego in the Forty-ninth Congress, and again in the Fifty-first and Fifty-second Congresses, after which a new apportionment was made. During that time he introduced several bills of local interest to my townsmen. Mr. PAYNE told my small son, when he met him last spring, that he was the fifth generation of my family he had known. He had not been in my home city of Oswego for 25 years until Thanksgiving eve, only a few days before his death, when he addressed a Republican dinner in what proved to be his last public speech.

For the last year or two of his congressional career Mr. PAYNE was known as the "father of the House," being the oldest member here in point of service. But his few Republican colleagues from the State of New York liked to regard him more intimately as the father of our delegation. We did not merely call him that, but we treated him as such, and he was very good to us. If we had troubles of any sort or difficult problems to solve, we took them to Mr. PAYNE, who was always ready to listen and to give a kindly word. Relieved of the great responsibility he had been carrying as chairman of the Ways and Means Committee, he found time to enjoy things he had not had time for before. We had many meetings of one sort or another, and my visits with Mr. PAYNE will ever remain among the most precious memories of my stay here.

SERENO E. PAYNE was a busy man during all his stay in Congress. He never spoke unless he had something to say, yet the records show that he made over a thousand speeches in the House. He began his committee service on two inconspicuous committees, but for the last 20 years he served on the Committee on Ways and Means, and for 12 years he was its chairman. In this position he gave his name to a great tariff bill, not only because he was chairman, but because he really did the work of writing the bill as it passed the House. When he talked to the House about the tariff, he did not need a note or a written speech. He had all the facts in his wonderful mind ready to use as was necessary. He was the Republican floor leader under three Presidents—McKinley, Roosevelt, and Taft—and did valiant service for our party in that capacity. Only four days before his own death he announced on the floor the death of our colleague, Representative Merritt, and on the very day he passed away he spoke briefly on the schools of Washington. Truly it can be said of him that he died as he would have wished—in the harness and serving the country until the very last hours.

SERENO E. PAYNE was a keen partisan. He believed in parties and in party government. He believed in his own party, and his best thoughts were for its advancement. The great men of the party for years past were his intimate friends, and he was repeatedly honored in its councils, State and National. For many years the State platforms of the Republican Party in New York were largely written by him, and in 1908 he was chairman of the committee on resolutions at the national Republican convention.

While it was as an expert on the tariff and allied questions that Mr. PAYNE was best known throughout the country, a study of the bills introduced by him shows his interest and activity in many other questions. He was the author of the Spanish-American War revenue act. Many years ago he introduced a bill for the American registry of foreign-built vessels owned by Americans, similar to that passed last summer. He was the author of a number of other bills relating to our merchant marine and the local needs of his district received his constant attention. For many years he gave unsparingly of his time, not only during the sessions of Congress but in the recesses as well, to the tariff, and it was as a result of this great labor that he was able to become, perhaps, the greatest authority on this question in Congress.

SERENO E. PAYNE was a splendid example of the kind of men we need in American public life. He performed his duties unflinchingly. He did not care for what has come too frequently to be regarded as associated with our officeholders—literary bureaus, political agencies, and the many other helps—which so many deem necessary for the obtaining of applause and favor from the public were unknown to him; yet his district and his colleagues in the House of Representatives continued to honor and revere him for 30 years. He believed in organization, but he did not need help from any organization to hold his office. If he had personal ambitions, he was never willing to compromise or temporize to attain them. He did not know how to associate personal gain with the holding of public office. He won his fights because he led them armed with personal honesty, unswerving devotion to principle, and unremitting adherence to what he deemed the best interests of the country.

The great leaders in the House of Representatives, of all parties, who served with Mr. PAYNE on the Committee on Ways and Means and so grew to know him intimately can best testify as to the value of his services to the country. They had almost daily opportunity to see the evidences of his splendid mind and his thorough grasp of the many problems coming before that committee.

Those of us from his own State and of his own party who have been closely associated with him in the present Congress bear witness as to his nobility of character, his loyalty and his devoted friendship, and to the kindly interest he always took in the junior members of his delegation.

Although we shall miss his eloquent voice from this Hall and although his sympathetic heart will never beat again, his memory will remain with us for years to come and SERENO E. PAYNE will stand out as a type of the great men who have occupied seats in the House of Representatives and have played the most important part in its deliberations. He was not only honored and trusted to an unusual degree, but he was well beloved by all those who knew him. He had the dignity which goes with a lofty character, he had the sympathy which goes with an understanding mind and a feeling heart. He had that abiding faith in the future of his country which goes with lofty patriotism. He kept the faith.

Mr. PARKER of New York. Mr. Speaker, on the 10th of last December there came to a close the long and useful life of SERENO E. PAYNE. It had been a life in which much had been accomplished both for his generation and for his country, and it is most fitting that we, his companions and friends, should pause for a moment and pay tribute to his most illustrious memory.

I think I can say without fear of contradiction that Mr. PAYNE represented the highest type of American manhood. A man of tremendous force of character and energy, combined with a love and capacity for hard work, he gave his life and his talents to his country with no expectation of reward except the conscientious belief that he was bettering the conditions under which the great American people lived.

He was a violent partisan and a hard fighter, but recognized by friend and foe alike as a fair fighter. During his long years of service he had had to do with all the great constructive legislation of the last generation, and on account of his great mental capacity and capabilities for hard work his mind was a veritable storehouse for accurate and intricate information on almost any legislative subject, but particularly with legislation that referred to economic questions; and this information which he had been a lifetime acquiring was freely given to friend and foe alike. There are many men in this House on both sides of the aisle who felt that they could freely go to Mr. PAYNE and ask and receive information which otherwise it would have taken long and laborious work to have acquired, and many times this information has been used against him on the floor in the argument of a party adversary.

I doubt if there is a man on the floor on either side of the aisle that did not feel that he had sustained a personal loss when Mr. PAYNE went to his final reward. His life and accomplishments can well be taken as the example and guide of any young man who is about to enter public life, for while a bitter partisan, no one ever questioned his absolute honesty of conviction and his own great personal honesty and integrity.

Personally he was a kindly and fatherly gentleman; one who was universally beloved by his colleagues in the New York State delegation, and especially so by the younger men whose counselor and guide he always was. He would spend hours refreshing his memory to give accurate information to some of us younger men who lacked the experience and the knowledge to enable us to ascertain facts and figures, and he did it all with a cheerfulness that won for him our highest esteem and affection. We shall miss his cool, dispassionate judgment, his wise counsel, his unerring sagacity, and his vast information. His life is a valuable lesson to the boys of America. It illustrates fully that genius is the capacity for hard work. Bril-

liancy often discourages patient toil, while natural genius is ever a failure without eternal vigilance and constant effort.

Mr. PLATT. Mr. Speaker, my acquaintance with SERENO E. PAYNE was of such comparatively short duration that I hesitate to speak of him in the presence of men who have known him long and intimately, many of whom have worked with him in the preparation of great measures and have fought with him in great legislative and political battles. I had perhaps met him once or twice at conventions in the State of New York, but can hardly say that I knew him until this Sixty-third Congress met in special session in the spring of 1913. Mr. PAYNE was for years a friend of my father, and I naturally sought him for advice and counsel when I became a Member of this House, and during the long summer of 1913, when the House of Representatives was waiting upon the action of the Senate and few Members were in Washington, except members of the two or three committees concerned in the pending legislation, I was much with him and came to feel toward him a strong affection. From his conversation, with its reminiscences of men and of former legislative and political events of importance, I learned much that was invaluable. His mind was richly stored with information upon all public questions, and he was always kindly and patient and ready to answer the many inquiries of a novice like myself.

Nothing impressed me more than Mr. PAYNE's high patriotism and devotion to principle. He was a man who voted on every question that came before him as a Member of Congress in accordance with his own convictions. His example and his able and forceful expressions of the reasons for his convictions have been an invaluable tonic to the small minority of Republican survivors in this Congress. To them, and especially to the Republicans of the New York delegation, the death of SERENO E. PAYNE was an irreparable loss, and the loss is felt only in less degree by men of other parties.

The Sixty-third Congress is in very large degree a Congress of new men, and the new men naturally became acquainted with each other a little more easily and rapidly than with the men of longer service. As I began to know Mr. PAYNE well I became particularly interested in the expressions of opinion of the younger men about me concerning him. There were men from the West, Progressives, Democrats, and even Republicans, who came into this Congress with the firm conviction that SERENO E. PAYNE was a "tool of the interests," an advocate of "special privilege," in league with the "malefactors of great wealth," etc., and they looked upon him with great suspicion. Mr. PAYNE had been grossly misrepresented in the heat of the campaign of 1912 by publications and political orators, and it is extremely gratifying to know that he lived long enough to live down those misrepresentations among all who had an opportunity of knowing the man and of knowing the truth about him and about his work. Several of the younger Members whom I have mentioned told me long ago that they had completely changed their opinions when they came to know Mr. PAYNE. Their feeling of suspicion soon broke down, and with further acquaintance they came to respect, to admire, and to love the grand old man who had endured undeserved abuse so patiently and so uncomplainingly, preserving his serenity with his readiness to serve undiminished.

A well-known Democratic Member of this House, first elected to the Sixty-second Congress, told me recently that he knew full well that he would never have been elected to Congress if the Payne tariff bill had become a law as Mr. Payne and his colleagues prepared it and first passed it through the House of Representatives. No one could fairly have questioned, he said, the fact that the original Payne bill was a full compliance with the Republican platform pledges of 1908.

The State of New York has lost a great leader in the death of Mr. PAYNE. I doubt if the public men of the State have realized the full worth of his counsel and influence. His courageous advocacy of good men and good measures often turned the scale at conventions and conferences of great importance, and his was frequently the influence which really accomplished things for which other men received most of the credit. He looked to the accomplishment, to the service he could render, not to the applause.

[Mr. FITZGERALD addressed the House. See Appendix.]

Mr. GREENE of Massachusetts. Mr. Speaker, when I became a Member of this House in 1898 Mr. PAYNE had been designated as Speaker by Speaker Reed, and he administered the oath of office to me. Speaker Reed was not present on that day, as I was then informed, because he did not wish to attach his name as Speaker to the bill which admitted the Hawaiian Islands to the United States. Within one hour from the time Mr. PAYNE administered the oath to me the yeas and nays were ordered, and I voted for the admission of the Hawaiian Islands, and I have always considered it one of the best acts of my life. I was assigned by Speaker Reed to the Committee on the Merchant Marine and Fisheries, of which committee Mr. PAYNE was then chairman. I have been a member of that committee ever since that time. The committee were considering a ship-subsidy bill when I became a member, and I became very much interested in the testimony presented in that interest. In the succeeding Congress a ship-subsidy bill was reported to the House which passed this body subsequently, but it failed of passage in the Senate because of a filibuster similar to the one that is now meeting the project of a ship-purchase bill which originated with the President of the United States.

I became somewhat familiar with Mr. PAYNE on account of being associated with him on the committee and because we were nearly of the same age, and both of us had been lifelong Republicans. We talked matters over together very freely. In 1880 I was sent as a delegate to the Republican convention, which was one of the memorable conventions, where the contest was between Grant and Blaine and which finally resulted in the nomination and election of President Garfield.

During the activities of that campaign there appeared in the opening to be some doubt as to whether the Republican Party would be successful. The result of the campaign of 1876 was of such a complex character that the question of determining the result of the election was settled by the appointment of an electoral commission, and on account of the controversy resulting therefrom there seemed to be some grave doubt as to whether the Republican Party would be successful in that campaign; but a chance remark spoken by the Democratic candidate in the campaign, wherein he stated that the tariff was a local issue, made an entire change on the face of the situation. My own city, which never has cast a majority for any candidate except a Republican candidate, was at that time in a realm of doubt, but upon that expression of Gen. Hancock the Republicans thought if it were a local issue they would make it a local issue, with the result that my city gave a very handsome majority for President Garfield, and the tariff issue overshadowed all other questions in the general issue of the campaign throughout the country. Mr. Payne and myself frequently spoke of the general result of that election, and of the vital issue that determined it. Neither of us believed that the tariff question would cease to be a controverted question between the contending political parties until long after our days on earth should be numbered.

The only time in the life of the Republican Party since 1854 that the Democratic Party has ever been able to have a plurality in that great manufacturing city was in the campaign of 1912, when the Republican Party was divided.

I recall another time when Mr. Payne presided in this House. In February, 1899, there was a very severe snowstorm, the most severe that I had ever seen, although I had lived in the North all my life. There were about 50 members who came to the House that day, and I was one of that number. I had an experience that I never had before. I froze both ears in that storm.

Mr. PAYNE was elected Speaker for that day, Speaker REED not being present. The means of conveyance for Members to come to the Capitol were very limited. Some Members came in tip carts, but I walked, a track having been broken by the street railroad company, although they could not move any cars. I watched Mr. PAYNE's career in this body with a great deal of interest. In the matter of the Payne-Aldrich tariff act, as it is known, if Mr. PAYNE himself could have written that tariff bill according to his own ideas, it would have been a very much broader bill even than it was when he reported it to the House. After it passed from this House to the Senate many changes were made in that bill which caused the principal difficulties and misunderstandings which aroused severe opposition that the friends and believers in the bill could not seem to overcome. But I recollect particularly that Mr. PAYNE stated when presenting the bill to the House that it would be a great revenue producer, and he said also that it would be a means of opening up our foreign trade. Every word he had stated in his remarks before the House was fully verified by the results of the bill that was finally enacted into law, for we had the greatest development of our industries and the largest domestic trade under that bill, and the largest foreign trade, that has every been recorded in the pages of history.

In the lapse of time I became chairman of the Committee on the Merchant Marine and Fisheries of the House. I did not hold that position long, for the change in the political status of this House in 1910 caused me to be retired from the chairmanship; but I have still remained a member and have taken

an active interest in the work of that committee, and I frequently conferred with Mr. PAYNE during this session of Congress in regard to the ship-purchase bill that was reported out of the committee in September, 1914, and that still remains, safely reposing in the Committee on Rules of this House awaiting, I presume, action in the Senate.

I never had written a minority report in opposition to any legislation in that committee until I wrote the minority report upon this shipping bill providing for Government ownership, for the reason that the gentleman who now presides over that committee, and who was associated with me during the time that I was chairman of that committee, Judge ALEXANDER, of Missouri, had been so fair and open in all the work that he presented in the committee that I deemed it unwise to make factious opposition to any legislation that he thought was for the best interests of this House and of the country.

My association with the Members of this House has been extremely pleasant. I have always been a strong believer in the policy of protection to American industries, of which Mr. PAYNE was the ablest advocate.

I was assigned by the Speaker to the sad duty as a member of the committee to attend the funeral and to pay the last tribute of respect to Mr. PAYNE at his home. When we left this city it was a very bleak day. There was a hard rainstorm, and it was very disagreeable indeed. When we arrived at his home city we found the ground covered with snow, the cold rather more extreme and severe than we had found it here. We were received by a committee of citizens, who demonstrated to us the affection and esteem they bore to Mr. PAYNE in that dear old city where he lived, and where he had received so many honors during his long and honorable career.

The schools on the day of his funeral were closed, as were also the business houses of the city, as a mark of respect to his great work and his active life among his people for so many years. I noticed Mr. PAYNE when he came into the House in December last year at the opening of this Congress and recognized that he seemed quite considerably changed, that he did not have his usual vivacious appearance, and yet when he participated in debates he seemed to be full of vigor and was able to handle himself with great credit to himself and the membership of this House.

I was very glad to hear the present Speaker of this House repeat what he said after Mr. PAYNE had finished his remarks in presenting the Payne bill to this House in 1909. It showed the broad spirit that the present Speaker has, and it was a very creditable tribute to the able and distinguished work that Mr. PAYNE did in the preparation of that bill and in the presentation of it to this House. I never have seen a bill of any character presented during my experience here that demonstrated such carefulness in its preparation, nor have I seen such a knowledge of all the material things contained in that great bill as was demonstrated by Mr. PAYNE during the nine and one-half hours that he occupied in laying out the beginning and continued to develop to the end of that great tariff bill.

His name will go down in history as one of the great men of this country. His work will live and it will be examined and used in the legislation which will yet be placed on the statute books when time and season shall bring about a change of policy of administration regarding the great questions of the tariff.

I am glad to come here to-day to pay this tribute of respect, love, and veneration for this beloved man, who passed away so suddenly and who finished his work in this House, where his triumphs and successes had been the greatest.

Mr. MONDELL. Mr. Speaker, in the death of Mr. PAYNE the House mourns the loss of one of its oldest, ablest, and best beloved Members; his family loses one whom they had every reason to love, respect, and honor; and the country one of its most useful, upright, and valuable citizens.

It was my good fortune to know Mr. PAYNE well during my entire service in the House. He was one of those then in commanding position in the House I found kindly and considerate when I entered as a new Member nearly 20 years ago.

The acquaintance then made ripened into a regard which increased, at least on my part, continuously with the passing of the years; for our late friend was a man who, above all things, wore well. The better one knew him the better one liked him and the more one appreciated his sterling qualities.

SERENO E. PAYNE will be most widely and longest remembered as the author of the Payne tariff bill, though his work in connection with that legislation was but a fragment of the great volume of his highly important, long-continued, and valuable service in the House.

Our friend suffered the fate that seems the lot of most sponsors for tariff legislation. He lived to see the measure that bore his name criticized, misrepresented, and anathematized the country over; to become a veritable football of politics in a time of extraordinary political upheaval and disruption. While all of this must have been very painful to him, he gave comparatively little outward sign of his regret and disappointment.

The bill was not everything that Mr. PAYNE would have had it, as we well know. Things might have been very different had it been more nearly in accord with his views. He was not, however, given to criticizing those whose views had differed from his own, in the enactment of the legislation; and at no time seriously doubted the fundamental soundness of the measure.

This is neither the time nor the place to discuss the merits or demerits of legislation; but I am sure that no one, whether they agreed with him or not, ever begrudged our departed friend the satisfaction that he felt, for a considerable time prior to his death, in what he believed to be a practical demonstration of the soundness of the bill which bore his name and of the unwisdom of its repeal.

There are many of the finest products of nature that improve with age. In the main they are products that were always good, always wholesome, and time slowly, gradually, and almost imperceptibly enriches, mellows, and strengthens them. It pleases me to think that this desirable development which nature reserves for her best and rarest products was exemplified in the life and character of our friend. We always knew him as honorable, upright, conscientious, able, loyal, and as the years passed there came to him, it seems to me, in increasing measure a kindly philosophy, which embraced all mankind, and a wider tolerance of the views and opinions of others, however widely they differed from his own, than characterized his earlier and more active years.

There is a wide difference of opinion among men as to what constitutes the most desirable theater and setting for our last days on earth and our answer to the inevitable summons to another sphere of activity; but the better judgment of mankind seems most to incline to an experience of usefulness and helpful activity until the hour of our departure shall strike, and to the hope of a peaceful and painless passing into the shadows.

From this viewpoint of a desirable ending to a life of usefulness our late friend was most fortunate indeed in the manner of his approach to and his passage through the portals. To the very day of his death he occupied his accustomed place in the halls of legislation, with a mind as clear and logical and a memory as dependable as ever; with a body free from any serious taint, malady, or weakness of age. Thus, without lingering pain or illness, with honors thick upon him, in the midst of useful labors, respected by all, loved by those who knew him best, a good man, a faithful citizen, a devout Christian, having lived more than the allotted span of life and set an example which we may all well emulate, he passed to his reward.

Blessed are those whose ways are the ways of uprightness, whose days are days of usefulness, and who, answering the last summons, die in the Lord. Thus lived and thus died our friend.

Mr. PARKER of New Jersey. Mr. Speaker, I only wish to say a word or two as a personal tribute to a friend. I came back to Congress on the 7th of December, and on the 10th of December Mr. PAYNE passed away, dying in harness and in the service of his country as truly as any soldier; and if it is sweet and fair to die for one's country, his was that end.

He was devoted to that service. Nothing turned him from it. We could say of him, as was said of another, that he was not greedy for gold or feverish for gain, but went about his work knowing that "man's honest will must heaven's good grace command."

I had known him for 16 years. When I met him first he was in his prime, just over 50, buoyant in life, broad in mind, strong in courage, large in heart, what can be truly called a great and not a small man—great in every respect that makes a man.

So he remained, as our friend from Wyoming has just said, only mellowing with time into a kindliness that was felt by every Member of this House and that made them all his friends.

There was a difference when I came back. He seemed to be thinking more of the past; he seemed always to have in his mind the touch of a vanished hand and the sound of a voice that is still, and we did not so much lament when we found that he was gone where he could be happy once more.

There is one trait of his character that has not been touched upon. We know that he was unselfish and devoted. His self-abnegation in his devotion to duty was very marked.

I really had forgotten, until I looked over the old records of the House, that he had been the senior member of the Com-

mittee on Ways and Means when his party came into power in 1895, and that he was not then made the chairman of that committee. But no man would have found that out from anything that he said or did. His devoted friendship to that great man, Nelson Dingley, who was put at the head of that committee, was a marked and wonderful thing in all of his service from that year down to the time of Mr. Dingley's lamented death. Mr. PAYNE thought nothing of self. He went on with his work and came into his own. He proved the adage, "Blessed are the meek, for they shall inherit the earth." And as years went on, and now that he has gone to his reward, we can also say of him more forcefully than of most others that we have known here, "Blessed are the pure in heart, for they shall see God."

Mr. SLOAN. Mr. Speaker, SERENO E. PAYNE has passed. In his passing the credit side of this great body has been more than ordinarily diminished. He occupied and filled a place which caucus action, conference decree, or official appointment could not confer.

He was the "Father of the House." But we who knew him did not dwell upon his age or length of service. He had been the chairman of the greatest legislative committee in the republics of the world. He was its ranking minority member when the summons came. He was not usually referred to as either of these. Supporter and opponent, the press and public, knew him as SERENO PAYNE. These positions he adorned; him they did not exalt.

Four years I knew him as a young Member to whom on occasion he had kindly spoken. However, public print and picture had given me an estimate of him which was not greatly modified by personal contact.

Eulogies are spoken and epitaphs carved for men who have opened new fields, evolved new theories, or directed revolutions. SERENO PAYNE'S fame will not be so stated. His just claim for remembrance and distinction will rest largely upon the careful study, clear conception, and enthusiastic advocacy of that already existant which he believed to be sound and knew to be good. He might properly be characterized a defender of the faith rather than a reformer or crusader. Had he been a military man he would have chosen to defend the home and citadel rather than campaign for foreign conquest.

In this great body are all conceivable shades and colors of forensic talent, sometimes rising to genius—the word painter, the master of pathos, the adept at sarcasm and invective, the reveller in humor and wit, the student of detail, the repository of history, the cold, uncompromising logician, the magnetic personality, and the dramatic declaimer. SERENO PAYNE had his distinctive power. He stood at the head of this House in the comprehensive mastery, with ability to deliver with maximum force the controlling facts affecting the controversy. A Jove-like presence, a lifetime of study behind him, confidence in the rectitude of his cause, he carried conviction to his colleagues which often swept over and beyond the party aisle.

During the last campaign I was asked by a newspaper of his district for something that PAYNE had done for the farmers that it might be published in his behalf. I sent a copy of that part of the law bearing his name, relating to that industry in whose prosperity he was always concerned. It was sent; not as what PAYNE had said, but the highest evidence of what PAYNE had accomplished and believed in. I remember well the rich glow of pleasure which suffused his face when I told him what had been done. His statute, their experience; he was content to abide their judgment.

Partisan? Yes. The great characters of the nation nearly always have been. Narrow in partisanship? No. His partisanship seemed to be of that degree and extent to make a compact, virile, responsible organization, a reliable and efficient means for the accomplishment of his country's good.

The culminating accomplishment of his career, the great law which bears his name, modified in another body beyond his wishes, became the storm center of criticism which would have broken a weaker man supported by a less loyal constituency. My four years in this House witnessed a marvelous change which must have, in recent months, been gratifying to Mr. PAYNE. That law anathematized by partizans, ridiculed by opponents, undefended by friends—SERENO E. PAYNE stoutly stood for its general wisdom and expedience. Since the last vote of confidence which his people gave him, he remained long enough here to see that no more reproaches were cast upon that measure, and when he last defended it his defense remained unanswered. I do not at this time discuss its merits or demerits. What I have said was intended to show the pride and satisfaction he must have felt upon the apparent reversal of public sentiment upon a work to which he had given the best of a life of industry, honesty, patriotism, and far more than ordinary mental power. Like the lawgiver of old, he was denied entry to the land of promise—restored power of his party—but the full view from Nebo's height must have been gratifying, indeed.

He was steadfast in his confidence that people when well counseled would arrive at a wise judgment. He was more so in the ultimate mercy, righteousness, and judgment of the great Father whom he served and adored. His last hour was in communion with Him "who doeth all things well." The sacred Book was open before him when his eyes were sealed from earthly vision, but were opened to the endless beauties and sublimities of the eternal.

In that Book he found solace for his sorrow, comfort for his bereavement, inspiration for his conflict, hope for his ambition, and faith in the promise of that final reward which awaits a well-spent life.

His life has been an object lesson to all who would serve their country, and the circumstance of his death adds the final touch. It makes the Christian statesman the highest appellation we can give to those who serve their State or country.

Mr. WALLIN. Mr. Speaker, a deserved tribute in memorial of the late SERENO E. PAYNE is a task for men who knew him more intimately than did I and whose command of terms of admiration, whose opportunities for close inspection and familiarity with his many strong and noble characteristics were better than my own.

Before I came to Congress I knew Mr. PAYNE slightly and, in common with all thinking men of the State of New York, ranked him as one of our most able and sturdy citizens. His work in this House early attracted attention and grew more and more conspicuous as he laid before the country his views, especially as to the question of the revenues, on which he became an expert.

Out of his close study and wide experience he gave us the Payne tariff law, and the day it was signed was undoubtedly the proudest and most satisfactory period of his lift as a legislator. His work had its reward in the tide of prosperity which swept over this nation as a result of his labors and the expression in practice of his long, patient, and careful study and effort. He was justly jealous of this measure and defended it ably and convincingly on many occasions on and off this floor. Though superseded by a hostile administration and majority, it to-day stands and will ever stand as a monument to him, its originator as one of the most successful, most clearly drawn, most comprehensive and able documents of its character enacted in the history of the United States Congress.

Closer acquaintance and relation convinced me that one of Mr. PAYNE'S strongest qualities was faithfulness. He was faithful to every detail of life great or small. His attendance in this House to within a few hours of his death was an example of this great and admirable attribute which he possessed. As a husband and father he was faithful, loving, generous, and wise. As a friend he was helpful, ready, and kind. Always gentlemanly, solicitous, and quick to comprehend, he gave to his acquaintances more than he received of courtesy, gentleness, and consideration.

In a word, Mr. PAYNE was a man whose personality and accomplishments impressed themselves upon those whom he met in an unusual and pleasant manner. Deceit or equivocation he had not. He was an aristocrat of the old school, but never an autocrat in any sense. Success did not elate him beyond the ordinary plane, and failure did not place upon him, either in face or in mind, the mark with which it sometimes delights to disfigure an otherwise noble nature.

SERENO PAYNE has been taken from us. He has been called home by a Father All Wise and Omnipotent. His going is a loss to his district, his family, his friends, and, through this House, to the Nation. No really great man, such as was he, can pass away without leaving not only aching hearts, but a void in affairs which is a long time in the filling and a wound which is not soon healed. Particularly is this the case with a man of Mr. PAYNE'S character and disposition. His daily life, sunny, radiating with friendship and kindness, we shall always admire and never forget. As a legislator, as a factor in affairs of his country, and at his home, his career was at once an example and an inspiration. He was no laggard. He shouldered responsibilities and made history. Broad was his mind, keen his foresight, and brave and manly his course along right lines. His constituents recognized his good qualities and his prominence and returned him here to serve them and the country with but one break, for over a quarter of a century.

Peace to his ashes. We shall, indeed, miss him.

Mr. MOORE. Mr. Speaker, our modern conception of human greatness sometimes induces us to underestimate the public services of the great men who are around and about us, and to unduly exaggerate the merits of those whose fame has been made illustrious by time and history, although in the glibness of an admiration for those of our contemporaries whose patriotic or partisan services we may for the moment extol, it is often the practice to borrow and apply the adjectives without regard to a fine discrimination which distinguishes the man who is truly great. And yet to-day there are great men rendering public service with as much patriotism and as much ability as is generally and historically conceded to those who have gone before, the difference being that they are less conspicuous in the popular mind to-day because they are more numerous than they were a century or more ago.

Of SERENO E. PAYNE there are critics who might say he was not a great man. Our modern spirit of iconoclasm, and that familiarity which makes it impossible for the modern mind to realize that greatness of human intellect, like the growth and development of the world's resources, exceed all in preceding centuries, may in some degree account for it. But that SERENO E. PAYNE possessed elements of greatness which, upon the strength of his recorded works, at some belated day may give him that niche in history which is vouchsafed to few, may not be denied.

Mr. PAYNE was a product of American soil and he grew up and developed in the environment surrounding his place of birth. He advanced step by step, after the fashion of the typical American boy, until he was sent to be a spokesman for the people in the House of Representatives. His long and faithful services here brought to him a distinction for industry and devotion to the public welfare that all men might envy. He led the charge to victory, and in many battles received and turned the assault. He stood for the principles in which he believed and so well sustained them that the whole Nation came to look upon him as a champion to be relied upon in times of adversity as well as in times of prosperity. He had the public confidence. What greater honor can come to an American citizen than this?

Before I came to Congress, having faith in the economic principles for which Mr. PAYNE contended, I had come to regard him as one of the great men in our national life. He was the central figure of the Ways and Means Committee, shaping tariff legislation. I had read of him as one who could keep his own counsel; as one who could be intrusted with the custody and determination of questions vital to the welfare of industries and communities, and who could yet turn aside those who would disturb or thwart the work of his committee, with a smile. When I arrived in Congress and found it was necessary to consult Mr. PAYNE upon many questions affecting the welfare of industries in my city and State, I found him in fact the strong, firm character about whom I had read, but courteous withal and determined that the scales of justice as between the conflicting elements should be evenly adjusted. I had occasion to observe the careful and painstaking work which he took upon himself to do in the shaping of the Payne tariff law. It was in the completion of this task that he again revealed those elements of greatness which even the minority members of the committee, on more than one occasion, conceded to him.

If there be those who believe that Mr. PAYNE was not entirely satisfied with the great work to which his name has been attached, let it be remembered that the effect of the Payne tariff law, no matter how men may have differed as to its separate schedules, was not to detract from the progress or prosperity of the country, but to advance it to its highest state of achievement.

When the Payne law was repealed and the general who had led the hosts to victory was called upon to cover the retreat he was still forceful, still brave, still great. He did not hesitate to defend the principles for which he stood, even though defeated, but took up the gage of battle and cheerfully and faithfully continued to fight just as he did when the tide was in his favor.

Mr. Speaker, it was an honor to serve on the Ways and Means Committee with SERENO E. PAYNE. When I was added to the minority in that committee I took up the work with respect and reverence for our distinguished leader. To him it was necessary to appeal upon disputed points. To him it was wise to go when troubled by doubts. And, oh, what a relief it was, when controversies arose in committee or on the floor of the House, to have this towering giant of the protective policy rush to the rescue. In such emergencies his knowledge and experience were invaluable. Though I came to know Mr. PAYNE far better than I had hoped, the genuine respect I entertained for him in the beginning continued until the end. The better I knew him, indeed, the greater I respected him. And when, on the morning after his death, I gazed upon his rigid body as it lay in his apartments in this city, majestic even in death, I was grateful that I had served with him, for I felt that a great public servant—one who would long be remembered—had been called to his reward.

And when, Mr. Speaker, you were pleased to add me to the committee to escort his mortal remains to the beautiful town of Auburn, to be laid away under the sod and the snow in the local hilltop cemetery, I knew I was not mistaken. For in the town where his early life had been spent and in the church where he worshiped I had witnessed the poignant regret and sorrow of a people who knew him best and whose trust in him had never been shaken. Monuments to great men may tower high in public places where the multitude can come to do them reverence, but no memorial of granite or bronze is more to be desired than the love and esteem of the "home folks"—and these, we learned on that sad journey, had been earned, and retained through all his earthly battles, by our lamented colleague, SERENO E. PAYNE.

Mr. DANFORTH. Mr. Speaker, we have met this morning in memory of a great man—one whose greatness was shown at its best by the manner in which he lived his life from day to day and from year to year, performing each day his full and exact duty as he saw it in all its details. He was a devoted husband and father, a steadfast friend, a public-spirited citizen, a conscientious official, and representative of the people.

SERENO ELISHA PAYNE was born at Hamilton, N. Y., in 1843, and was graduated from the University of Rochester, N. Y., in 1864. In that institution it was his privilege to study under a remarkable teacher, Martin B. Anderson, then president of the university, and he was fond of quoting a precept of that eminent educator, "Bring something to pass, young man," and how thoroughly he absorbed and lived up to that injunction his after life is proof. He was admitted to the bar in 1866, and thereafter practiced his chosen profession in the city of Auburn. In 1868 he became city clerk and held that position until 1871, when he served as supervisor for one term. From 1873 he was for six years district attorney of Cayuga County, and in the many important cases he tried he was noted for the skill and fairness he showed as prosecuting officer. He was then, in 1879, elected president of the board of education of Auburn, and after holding that office for three years he was chosen for what proved to be his life work—Representative in Congress; and with the exception of one term he was returned regularly and had been reelected again in November, 1914.

His alma mater and Colgate University honored him and themselves by conferring upon him the degree of doctor of laws.

In all the offices he held before coming to Washington he did his work so thoroughly that each was but a stepping stone to the next, and this early acquired habit of complete devotion to the task at hand proved to be the secret of his success here.

For 25 years a member of the great Committee on Ways and Means, he studied and became an expert on the subject of the tariff. In the preparation of the McKinley and Dingley bills he was an important factor, and as chairman of the committee he framed the bill in 1909 which bore his name. No better illustration of the mental and physical endurance of the man could be given than the labor involved in preparing in one lifetime three tariff bills and his complete mastery of such an intricate and complex subject. But this capacity for close study and persistent application might not have brought to him preeminence in this subject had he not been blessed with a most retentive memory.

Mr. PAYNE was a master of debate, always ready and sometimes in his zeal giving hard blows, but I believe his adversaries, though vanquished, seldom bore him lasting grudge for their defeat.

It was my good fortune to secure a seat next his when I became a member of this body, and what had been but an acquaintance ripened into a true friendship, and, as opportunity served to let me know him better, I readily understood how he had attained the predominating position he enjoyed in the councils of the Republican Party, of which he was always a staunch and devoted member, and also how he came to have so many friends in the ranks of both parties.

His public life had been so long and had been lived in such an eventful period of our country's history that an evening passed in his company when he was wont to review the events in which he had taken part was always one of deep interest, and his audience was certain to be thrilled by his recitals. I deem myself singularly fortunate in having enjoyed many such evenings in the past four years.

He is and will be missed by many friends, but the memory of his life and deeds will be cherished by those friends, and they will have the consoling thought that he died without protracted illness or suffering, retaining to the end his full mental vigor and the power to enjoy with them the simple pleasures of which he was so fond.

THE LATE REPRESENTATIVE EDWIN A. MERRITT, JR.

Mr. CALDER. Mr. Speaker, a man who rises to distinction above his fellow men does so by reason of some exception as a public servant and as a man, and this question of the value of a man in the public service is the question I desire to discuss briefly in connection with EDWIN A. MERRITT, Jr., whose memory we revere in the ceremonies to-day.

Mr. MERRITT entered the Sixty-second Congress to fill the vacancy caused by the death of another great man from New York State, Hon. George R. Malby. He took his seat at the convening of the short session of the Sixty-second Congress in December, 1912. He had been elected to the Sixty-third Congress and, recognizing his unusual ability as a legislator, he was selected by the Republican membership in the House to represent them on the Committee on Rules. Just at that period, however, he was taken ill and was unable to render very much service. Last November he was reelected to the Sixty-fourth Congress, although at the time confined to his home. In December he passed away at his home in Potsdam, in the northern part of New York State.

Mr. MERRITT's public service was largely performed in the Legislature of the State of New York. He began his service as a member of the assembly in 1902, and served in that body continuously for 11 years. For much of that time he was the Republican leader of that body, and in his last year of service was speaker of the assembly. It was my privilege to become acquainted with Mr. MERRITT during the first year he was a member of the legislature, and I learned to regard him as a very strong character. He devoted himself to mastering all the State's business. He familiarized himself with the intricacies of the different departments. He was easily the best informed man upon the needs of government in New York State during his period of service. I can recall a conversation with former Gov. Hughes, now a member of the Supreme Court of the United States. He told me that the man who was most helpful to him in the matter of the State's finances was our deceased friend. I have heard him often discuss New York matters of great moment. When he rose to speak it was with the fullest of information, and when he presented a case it was with a wealth of illustration. Not only his supporters but his opponents profited by his industry and his painstaking labor.

The people of a community can receive and deserve no higher encomium for their intelligence, their integrity, steadfastness, and patriotism than by their continued and hearty support of such a man as Mr. MERRITT, who for many years was afforded an opportunity for such public service. He earned and received and appreciated it, and the people reaped their full reward by the dedication of a rare life solely to their welfare. The close of such a long, useful, and honored life could not arouse a poignant sorrow, except as one would sincerely mourn that such a departure is the divine dispensation and that such a friend has finally left us.

To his dear old father, a hero of our great war between the States, now an old man, and to his loving wife and daughter, all of us here extend our heartfelt sympathy, and in their sorrow I am sure it will be some comfort to them to feel that their beloved one had the confidence and esteem of the strong men with whom he had come in contact during his years of service for the State and the Nation.

I do not know to whose memory could be more fittingly applied this tribute to a moral hero:

He never failed to march breast forward,
Never doubted clouds would break;
Never thought though right were worsted
Wrong would triumph;
Held we fall to rise, are beaten to fight harder,
Sleep to wake.

Mr. UNDERHILL. Mr. Speaker, I did not know the late EDWIN A. MERRITT, Jr., intimately. He came to this body in the last session of the Sixty-second Congress, and attended, so far as he was able, the first session of the Sixty-third Congress. His reputation in the State of New York was very high, as he had given his services to the State from 1896 until 1912. He had served his town as supervisor for 7 years, his assembly district in St. Lawrence County for 11 years, and the last 4 years he was the Republican leader in that body. When he was elected to Congress, he occupied the position of speaker of the assembly. He was one of the best informed men in the State, regarding affairs that affected that Commonwealth, and had his health permitted, he would have undoubtedly taken high rank in the Congress of the United States. He was a successful man in political work because he loved to work. He was interested in legislation and enjoyed the game of politics. He worked hard and the success of his career is due not only to his ability and his education, but in great part to his industry. He did not succeed because he was lucky. He succeeded because he worked—constant work and close attention to duties.

I was one of the delegation who attended his funeral at his former home, Potsdam. A finer tribute could not have been rendered than that which took place there, that cold December day, when the pulse of business was still, and people gathered from many parts of northern New York, Albany and New York City, as well as from the National Capital, to offer their last tribute of respect to one whom they had learned to love and admire. The services were of the most dignified character. It was remarked that those who participated and those who attended seemed to be filled with a personal obligation which they were endeavoring to discharge in the most fitting manner possible.

A man of the life, character, works, and faith of EDWIN A. MERRITT, Jr., does not die, for in the words of an unknown author—

There is no death; the stars go down
To rise upon some fairer shore,
And bright in heaven's jeweled crown
They shine forevermore.

There is no death; an angel form
Walks o'er the earth with silent tread;
He bears our best-loved things away,
And then we call them dead.

Born into that undying life,
They leave us but to come again;
In all, in everything, the same,
Except in grief and pain.

And ever near us, though unseen,
The dear immortal spirits tread,
For all the boundless universe is life;
There are no dead!

Mr. LENROOT. Mr. Speaker, Mr. MERRITT was not as well known to his colleagues as he would have been had not the hand of illness fallen upon him early in his service here. However, he was a man of such strong personality that he gained for himself in a few months a position that it often requires years of service of men of more than average ability to secure. At the beginning of his second term he was appointed a member of the Committee on Rules, one of the most important committees of the House, and in some respects the most important. Membership upon this committee is eagerly sought, and usually attained only after many years of service. Mr. MERRITT's appointment, however, was recognized by all who knew him as being due to his special qualifications for service in this important place. As a leader in his great State, as speaker of the New York Assembly, he had not only a special knowledge of parliamentary law, but intimate knowledge of the many important subjects of legislation.

He attended only a few of the meetings of the Committee on Rules, for the illness which caused his death came upon him shortly after his appointment to that committee; but in the meetings he did attend he so impressed himself upon his colleagues, that we have a keen realization of what the committee, the House, and the country has lost by his death. He was a man of but few words, as we knew him, but when he did speak we knew that it was from a mature and well-considered judgment, formed after carefully considering all sides of the question involved. His modesty, his kindliness, and his wise counsel we shall always remember. The House has lost a valuable member, his State and country a faithful servant.

[Mr. FITZGERALD addressed the House. See Appendix.]

[Mr. HAMILTON of New York addressed the House. See Appendix.]

Mr. MOTT. Mr. Speaker, EDWIN A. MERRITT, Jr., represented the largest district in area in the State of New York. It was the great Adirondack district, comprising the counties of Clinton, Essex, Franklin, and St. Lawrence. Mr. MERRITT was in touch with the district as thoroughly as a Representative could have been. The leading manufacturing interest was in the making of paper, and he was an officer or stockholder in several companies. It is the hunting and fishing ground of New York State, and Mr. MERRITT knew the woods and waters well. He knew the wants of his people by intimate association with them, and tried to see that they were filled. He was a born leader whether in public or private life, and his people in his

own home county of St. Lawrence honored him by sending him eleven terms to the State legislature, and, afterwards, the congressional district twice elected him to the House of Representatives.

EDWIN A. MERRITT, Jr., was a big man; that was the impression he left on all who met him. Not alone a big man physically for he had a giant's frame and strength, but proportionally big mentally. It was just the strength of body and mind that one would expect, knowing his splendid father, who still lives at the family home, and knowing the kind of men who succeed in the north country where courage and perseverance and ability to fight are brought into daily play. He was the typical giant of the north.

But few men at Washington came to know Mr. MERRITT well. He was not here long before he was attacked with what proved to be a fatal sickness. But he was here long enough to study out things and long enough for his friends to realize that if he were continued in service, as he would have been, he would have been as successful and useful a Member to this House as he had proved to be at Albany in the assembly of the State of New York.

At Albany Mr. MERRITT spent the best years of his career. Elected to the assembly in 1902, in 1908 he became leader of the majority in that house, under Speaker James W. Wadsworth, just elected to the United States Senate. In 1912 he was elected speaker of the assembly. In these two offices he left his mark on all the leading legislation passed by the legislature. Our highway law and our public-service law were matters of careful study to him, and not a bill passed the assembly with which he was not familiar. The men who served with him during these 11 years, even if all of them could not agree with him on various questions, all respected Mr. MERRITT as a leader and loved him as a friend. The State of New York, without regard to party, paid tribute to him at his death.

EDWIN A. MERRITT, Jr., was brave, generous, loyal, and true. He will long live in the affectionate regard of those who knew him, and they will not cease to mourn for him. He has passed on to rest, but his hold on the hearts and affections of his friends is undiminished.

Mr. MOORE. Mr. Speaker, it is a sad commentary upon human affairs that life must end, not always in youthful maturity or ripened old age, but sometimes at that period when it is best equipped for useful public service. The career of our late colleague, Mr. MERRITT, at the bar and in the legislature of the State of New York, had prepared him for those higher duties which are imposed upon a Representative of the people at the Nation's Capitol. In good part and with becoming enthusiasm he had entered upon that work. One of his first assignments was to the Committee on Immigration and Naturalization, of which I am a member. It was there we began to know him better and to understand him and the purposes which animated him in coming to the House. His legislative experience and the readiness and ability with which he took up the duties assigned him, gave promise of excellent future service. He was of the minority of the Immigration Committee and the benefit of his counsel and advice had just begun to be appreciated when word came of his illness. Then followed the last sad message. Our colleague had passed from the responsibilities placed upon him by his constituents to that higher service which none may resign. Mr. MERRITT was stricken when we were beginning to avail ourselves of his mental powers and his legislative experience. What may we say of so sudden a taking off? It was not our way, nor is it for us to complain. The grief we share with those who knew and loved him best may in part be assuaged by the satisfaction we have in knowing that the work he did here was well and faithfully done. In tribute to his memory we can truthfully say what is most commendable of the public servant, that the silver cord which bound our colleague to his earthly task was broken when the best that was in him had been dedicated to the public weal.

Mr. WALLIN. Mr. Speaker, to-day it is mete to pay tribute to EDWIN A. MERRITT, who died while in the service of this House. Mr. MERRITT was a man of such pronounced physical attainments that rash would he have been considered who should have forecasted his demise at a period so early in his career. Strong as he was bodily, his mentality was fully as great. For years a member of the New York Legislature, he soon took rank with the leaders in that capital and the State, and was everywhere looked upon as unquestionably among the most able of his colleagues, both as an originator and a framer of legislation. From a modest newcomer in the assembly, in less than 10 years he had worked his way up until he attained the leadership of that body and acquired an acquaintance and distinction with the public men of the State enjoyed by few in recent years.

Mr. MERRITT was well educated, graduating from Yale College in 1884. He was possessed of a comprehensive mind and mental attainments which soon marked for more than ordinary heights in his chosen field. How well he fulfilled the early expectations of his many home friends the record shows. His influence in public affairs was always toward the right. He was forceful and ardent in his labors and once having formed his opinion nothing could change his position save proof that his conclusion was wrong. He was man enough to realize that every question has two sides and his ambition was to be in the right, whether the matter was one relating to public or private affairs. His rapid development as a statesman was a matter of gratification, especially to those whose good fortune it was to know him intimately, and thus, when he was selected to fill in this body the place made vacant by his former leader and associate, the Hon. George R. Malby, his constituents were commended for their recognition of those abilities which make for good representation in the councils of the Nation.

Mr. MERRITT'S service here was brief, but it was sufficiently long to premise a brilliant and useful career in the House, when a fatal malady attacked him and he gradually succumbed to the inevitable. When his life went out a bright light was extinguished and a wide circle mourned. The sympathy of an Empirical State and of his colleagues in this Chamber from every State in the Union was extended in their sorrow and affliction to the members of his family, and it is now we place on the record our tribute of appreciation and recognition of his ability and worth in every walk of life, and our expression of grief that he will be with us no more.

Of him, as of another, it may be said:

> A man that Fortune's buffets and rewards
> Has ta'en with equal thanks.

Mr. PARKER of New York. Mr. Speaker, I consider it indeed an honor to pay my tribute to the memory of the Hon. EDWIN A. MERRITT, Jr., a truly great and remarkable man. Probably no man in this body knew Mr. MERRITT as intimately as I, having been associated with him in legislative work for over a decade, and during that time having been his intimate friend.

He was a giant in stature, with a mental equipment to match. The surroundings of one's youth have a great influence upon the habits and characteristics of life. Mr. MERRITT was raised among the rugged foothills of the Adirondacks. He came of a hardy race of pioneers, men who had blazed the trail into that north country, and his natural character of mind and body was that of the hardy, capable, self-reliant pioneer. Endowed with a brilliant mental equipment which was polished and trained by his education at Yale, his was indeed a mind that was fitted to grasp and deal with the complex questions that confronted him during his legislative career.

He entered public life early in the struggle of the people to control vast corporate interests. He had given this question much study and thought, and he had very certain and pronounced convictions, as years before the final creation of a commission to regulate public-service corporations, I had discussed this matter with him and understood his views. He believed in the power of the Government, and believed that that power should be exercised to regulate, and regulate for the people's interests. The first legislation along this line which he drafted was legislation which made the then existing railroad commission in the State of New York, a State charge instead of having the expenses of the commission paid by assessment on the railroad corporations. This proposed legislation was misunderstood and defeated, but I well remember Mr. MERRITT'S remarks concerning it, when he said that no adequate regulation can be had when the regulators are paid by the corporations that are to be regulated.

Soon after the defeat of this bill he was a dominant figure in an investigation regarding the conditions of the gas companies of New York City, and drew and introduced a bill which created a gas commission, and saw his theory put into effect by seeing the expenses of the gas commission paid by the State. He was a great admirer of Gov. Charles E. Hughes, Gov. Hughes attaining wide public recognition on account of having been counsel for this investigating committee. When Mr. Hughes was elected governor, it was natural that Mr. MERRITT should be the man selected to draw the public service corporations bill, which was to regulate the great corporate interests of our State. He saw what few men see, his theory, which had been called impractical only a few years before, put into full force and operation in the great State of New York.

He had the most accurate mind of any man that it has ever been my privilege to be intimately associated with; few spectacular flights of brilliancy, but his mind always worked like an accurate, well-oiled machine. His final determination and opinions were universally accurate, so much so that his opinions and judgment were eagerly sought by his friends and acquaintances. He gave the best years of his life to the service of his State, and there is no question but what the same energy and ability expended in private life would have brought him tremendous personal advantages.

He left his decided imprint upon the policy of the State of New York, and knowing him as I did, I am absolutely certain that had he lived his tremendous force of character would have made the same imprint upon the policies of the national legislation.

Personally, he was a most lovable man. The primitive surroundings of his youth strengthened his regard for friendship, and a man that was his friend was indeed fortunate, for there was no sacrifice that he would not make for that friendship. One of his strongest characteristics was his entire and absolute loyalty to his friends. He was big-hearted, generous, intolerant of the petty meannesses of little minds, but always tolerant of honest convictions although differing from his.

He was a man of unlimited courage, the kind of moral courage that permitted him to stand by his friends if he thought they were right, and to stand by his convictions on public questions although those convictions were at the moment unpopular. The most dominant characteristics of his nature, to us who knew him well, were his accuracy of judgment and his unflinching courage; characteristics that are indeed rare. I doubt if there was a man in the State who had more friends than Mr. MERRITT, and these friends were not confined to his political associates, but numbered many of his political adversaries, all of whom recognized that he was a hard, courageous fighter, but that he always fought fair. He had the gift of so many able men, of illustrating a point or administering a rebuke with an anecdote, which was always to the point, and many times illustrated the point and made unnecessary the harsh and cutting statement that must have been uttered had it not been for the milder way which he used to accomplish the same result.

In the death of Mr. MERRITT the National Legislature loses the influence of a great, big, broad-minded, able man, and we who knew him well lose an esteemed and loyal friend.

Mr. Speaker, I desire to ask unanimous consent to print in the Record the proceedings of the memorial services held in honor of the late EDWIN A. MERRITT, Jr., in the assembly chamber at Albany, N. Y., on January 20, 1915, and also to include the proceedings of the public memorial services held at Potsdam, N. Y., on December 14, 1914.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The proceedings referred to are as follows:

EXERCISES IN MEMORY OF HON. EDWIN A. MERRITT, JR., AT ALBANY, N. Y.

Exercises in memory of Hon. EDWIN A. MERRITT, Jr., held in the assembly chamber, State capitol, Albany, N. Y., Wednesday evening, January 20, 1915, 8 p. m., Hon. Thaddeus C. Sweet, speaker of the assembly, presiding. In the presence of Hon. Charles S. Whitman, governor of the State of New York, and the members of the senate and the assembly.

Speaker SWEET. Prayer will be offered by the Rev. W. J. Hamilton, of Potsdam, N. Y.

Rev. HAMILTON. We will read a part of the Ninetieth Psalm:

"Lord, Thou hast been our refuge, from one generation to another. Before the mountains were brought forth, or ever the earth and the world were made; Thou art God from everlasting and world without end. Thou turnest man to destruction; again Thou sayest, Come again, ye children of men. For a thousand years in Thy sight are but as yesterday; seeing that is past as a watch in the night. As soon as Thou scatterest them they are even as asleep; and fade away suddenly like the grass. In the morning it is green, and groweth up; but in the evening it is cut down, dried up, and withered. For we consume away in Thy displeasure and are afraid at Thy wrathful indignation. Thou hast set our misdeeds before Thee, and our secret sins in the light of Thy countenance. For when Thou art angry all our days are gone; we bring our years to an end, as it were a tale that is told. The days of our age are threescore years and ten; and though men be so strong that they come to fourscore years; yet is their strength then but labor and sorrow; so soon passeth it away, and we are gone. Oh, teach us to number our days that we may apply our hearts unto wisdom."

So endeth the lesson. Let us pray.

Direct, O Lord, in this and all our doings with Thy most gracious favor, and further us with Thy continual help, that in this and all our works, begun, continued and ended in Thee, we may always glorify Thy holy name, through Jesus Christ, our Lord.

O merciful God, the Father of our Lord Jesus Christ, who is the resurrection and the life, in whom whosoever believeth shall live, though he die, and whosoever liveth and believeth in him shall not die eternally; who also has taught us, by His holy apostle St. Paul, not to be sorry, as men without hope, for those who sleep in Him. We humbly beseech Thee, O Father, to raise us from the death of sin unto the life of righteousness, that, when we shall depart this life, we may rest in Him, and that, at the general resurrection in the last day we may be found acceptable in Thy sight and receive that blessing which Thy well-beloved Son shall then pronounce to all who love and fear Thee, saying, Come, ye blessed children of My Father, receive the kingdom prepared for you from the beginning of the world. Grant this, we beseech Thee, O merciful Father, through Jesus Christ, Our Lord.

O most merciful Father, who hast been pleased to take unto Thyself the soul of our brother, grant to us who are still in our pilgrimage and who walk as yet by faith that having served Thee with constancy on earth we may be joined hereafter with Thy blessed saints in glory everlasting, through Jesus Christ, our Lord.

O Lord, who by Thy death didst take away the sting of death, grant unto us, Thy servants, so to follow in faith where Thou hast led the way, that we may at length fall asleep peacefully in Thee and awake up after Thy likeness, through Thy mercy, who livest with the Father and the Holy Ghost, one God, world without end.

O God, whose days are without end and whose mercies can not be numbered, make us, we beseech Thee, deeply sensible of the shortness and uncertainty of human life, and let Thy holy spirit lead us through this valley of misery in holiness and righteousness all the days of our lives, that, when we shall have served Thee in our generation, we may be gathered unto our fathers in the confidence of a certain faith, in the comfort of a reasonable religious and holy hope, in favor with Thee, our God, and in perfect charity with the world. And all we ask through Jesus Christ, our Lord.

Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory forever. Amen.

Speaker SWEET. Those who were associated with him as a member of assembly, who served under his helpful direction as speaker, and those who are familiar with his faithful and intelligent service in the State and National Legislatures, meet to-night to honor the memory of EDWIN A. MERRITT, Jr.

Those who served with him can bear witness to his high qualities of mind and heart and to his charming personality, which drew around him at all times a band of faithful and admiring friends and which endeared him to all his associates. Possessed of great mental vigor and physical strength, he used to the best of advantage in his long service in the assembly and in the House of Representatives his intellectual powers in the highest interests of the State and of the Nation.

We can not lose sight of such a man, the work he performed, or the influence he exerted upon the interests and activities of the Commonwealth. He had a wide knowledge of the affairs of state. He was interested in its financial, commercial, and educational welfare, was always active in promoting all measures which had for their object the uplift of the people, and throughout his legislative career was a faithful and energetic public servant.

He exerted an influence among his associates which they will long remember, and all who believe in the power of education and honor to advance the integrity, usefulness, and power of good citizenship will cherish his memory and hold his example in loving remembrance. It is character only which lives, and his character, combined with honorable public service, can not be forgotten.

Selection, "Lead, Kindly Light," by double quartette, composed of the following: Sopranos, Mrs. Charlotte Bord Gilbert, Miss Alice E. Taylor; contraltos, Mrs. Edith Cleghorn Weaver, Mrs. Edna Herrick Peck; tenors, Ben Franklin, George W. Franklin; bassos, Roy H. Palmer, John N. Edwards.

"Lead, kindly light, amid the encircling gloom,
Lead, Thou me on!
The night is dark, and I am far from home,
Lead Thou me on!
Keep Thou my feet! I do not ask to see
The distant scene; one step enough for me.

I was not ever thus, nor prayed that Thou
Shouldst lead me on;
I loved to choose and see my path; but now
Lead Thou me on!
I loved the garish day; and, spite of fears,
Pride ruled my will. Remember not past years.

So long Thy power has blest me, sure it still
Will lead me on
O'er moor and fen, o'er crag and torrent, till
The night is gone;
And with the morn those angel faces smile,
Which I have loved long since, and lost awhile."

Speaker SWEET: It has been the purpose of your committee to conduct the exercises of the evening in harmony with the life led by our departed brother and friend, and we have invited as the speakers of the evening his former and closest associates. I take great pleasure in presenting to you the first speaker of the evening, Hon. Frank L. Young.

Mr. YOUNG. Mr. Speaker, ladies and gentlemen: Memorial services are as old as recorded history, and even in the days before written history the memory of leading men in every land and clime was perpetuated in the manner characteristic of their country.

In his oration on the Athenian dead, Pericles, after speaking eloquently on the characteristics of his country, the elements which had made it great, and the resources of its strength, stated of the men who were being memorialized, the honored dead, "Such did these men prove themselves as became the character of their country."

In every land there is an ideal manhood, expressed or unexpressed. This ideal is composite, made up of the opinions of all the different grades of men and of every school of thought, and yet is, on the whole, capable of definition.

The man who receives honor is the man whose life and work are most consonant with the ideal of the country in which he lives. To be true to such an ideal means honor and renown. In no land has such honor ever been purchased by wealth. It comes along from service, self-sacrifice, and patriotic devotion to duty. In every land honor and renown are accorded to every citizen who fills his life with service, self-sacrifice, and patriotism in any walk of life, public or private, civil or martial.

No one can point out the source of the American ideal of manhood. Like our people, the source of our ideals seems to have been drawn from every part of the civilized globe. In them are to be discerned the religious teachings of all denominations, the self-sacrifice of the early founders of our Republic, who were willing to endure anything that they might enjoy freedom of conscience, and the courage and bravery

39405

of the early colonists whose bold patriotism compelled them to take up arms to fight for a place where their ideals might be worked out in human conduct.

From whatever source this well-recognized American spirit came, in these days and times it expresses itself in self-reliance, fair play, and the giving of equal opportunity. We visualize the American ideal in the self-reliant man who asks no favors but demands an opportunity as his right; in the self-sacrificing man who is willing to spend and be spent that good may prevail; and in the patriotic man who, under heaven, finds his country's demand superior and undeniable.

The American ideal demands honesty, clean living, fair dealing, equal opportunity to all, industry and devotion to her institutions, and the American citizen who is true to that ideal, who is alert, active, unrestrained, and devoted in the performance of his duty, the American people have always crowned and will always continue to crown with honor.

And as men who have lived consistently and honorably up to that ideal pass away, the hearts of the American people are proud to acknowledge their service with the highest measure of praise, and, whether or not their memorials consist of statues or other material constructions, they earn and they possess an indestructible memorial in the hearts and affections of the American people.

We are now observing a simple memorial service in appreciation of a really great man, who was more than a friend to many in this chamber who grieve with his honored father and his gracious wife and lovely daughter in their sorrow and affliction.

It is not an empty, formal service, but it is a sincere and spontaneous expression of esteem from his personal and political associates. His great soul has passed to "that bourne from which no traveler returns." We have gathered in honor of his memory because we appreciated and loved him. Weakly we say that EDWIN A. MERRITT, Jr., is dead—weakly, because in the friendships he established he is not dead, nor has his enduring work for the State of New York been diminished by his demise. We remember him for his wonderful powers of body, brain, and heart which he consecrated without limit to his friends and to his State. We remember him because he was an intensely human, big-brained, big-hearted man. We remember him because he fulfilled and represented the very clear and definite ideal which the American people accept as the best expression in human form of American manhood.

This ideal is beautifully and eloquently expressed in the metrical prayer of John G. Holland:

"God, give us men! A time like this demands
Strong minds, great hearts, true faith, and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office can not buy;
Men who possess opinions and a will;
Men who love honor, men who will not lie;
Men who can stand before a demagogue,
And damn his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking;
For while the rabble, with their thumb-worn creeds,
Their large professions, and their little deeds,
Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land, and waiting Justice sleeps."

The salvation and the benefits of the American Republic depend upon the fact that from time to time, in various places, exemplars of the American ideal appear to give substantial proof that our institutions and our laws are not based upon hopes that are impossible of human achievement. EDWIN A. MERRITT, Jr., is one such exemplar.

Useful and inspiring as were the lives of Washington and Lincoln to their own times, they have been more useful and more inspiring to the American people since.

They gave back their honors to the world,

"Their better part to heaven, and slept in peace."

For the generations which succeeded them have drawn, are still drawing, and will continue to draw useful inspiration from their works and their characters.

Doubtless history will not record the name of EDWIN A. MERRITT, Jr., as high on the roll of fame as the name of Washington stands, but it is true, nevertheless, that Mr. MERRITT solved greater financial problems than ever confronted our first President, and in that work for his State his rugged honesty, his spotless integrity, and his magnanimous unselfishness were as great as those of the "Father of his Country."

Nor will his name appear on the pages of American history as luminous as that of Abraham Lincoln, and yet it is a fact that in his discernment, his measure of men, his hatred of sham and hypocrisy, his faith in the American people, his courage while under attack, and in the humor which saves, he was not so unlike that martyred President.

God forbid that we should be fulsome in this service, for our deceased friend was a plain, truthtelling man, to whom such praises would have been abhorrent, but those of us who knew him best in his public life accord to him as high a place as any other statesman who ever gave his services to the State of New York.

Entering the assembly in 1902, he gave 11 years of his life to the State, and in his last year he was the speaker. During four of those years I knew him intimately, and counseled and advised with him about many topics of great importance. Without meaning to draw invidious comparisons, I want to say that he had a more comprehensive and accurate knowledge of the State's affairs than any man connected with the State government in those days. His great brain was a veritable storehouse of information, and, regardless of physical consequences, he devoted all his mental powers unselfishly and without stint to his public duty.

He came to the legislature in his mature years, in the plentitude of his physical and intellectual powers, and he immediately rose to first rank among the lawmakers of the State. It is not too much to say that in all the recent constructive legislation in this State his was a guiding, if not a controlling hand.

But in addition to these great mental powers, the possession of which has always been conceded by those who knew him, he possessed other attributes which made him a positive and beneficent force among his associates. Among these traits was his great magnanimity. Even in the heat of conflict he was generous to his opponents, caring nothing for the adventitious issues, but always looking forward to the accomplishment of his purposes with a firm reliance in their righteousness.

It was easy, too, for him to make acknowledgment of the assistance of others, and to give full credit to all to whom credit was due, notwithstanding the fact that his own prestige might not seem so great by so doing. He seemed able to forget and forgive everything except meanness and littleness of soul. But, even for such men, he almost invariably exhibited a tolerant charity.

He was never known to tear down the reputation of another that his own reputation might be thereby enchanced—a somewhat exceptional record in these days of self-constituted professional reformers.

Friendship was to him a sacred thing to be cherished and not to be lightly forfeited. I well remember an occasion when the fortunes of one of his friends, who is even now in this company, were being discussed. A bitter attack was made upon his friend, and, after listening patiently to the arraignment which was made against him, he said, with more feeling than was usual with him, "That man may be all you say he is, but I do not believe it. He is my friend. That may mean much or little to you, but it means a lot to me, and I will hear nothing further about him."

This is one instance only of the tenacity and sincerity of his friendship. In fact, I never knew him to be severe except when dealing with a fakir or a hypocrite; with his keen insight into the intricacies of human conduct, he was never deceived by them, and with remarkable swiftness he could dissect their flattering and deceitful propositions and expose insincerity in all its nakedness.

In such circumstances, his wit and humor were as keen as a rapier, and many a time have I witnessed the discomfiture and defeat of a fraud by the simple telling of a story which illustrated the point.

He was well adapted by nature and training for the very highest legislative and executive offices. I believe that circumstances prevented a proper recognition of his wonderful powers. He knew perfectly well the enmities he created by plainness of speech, which to him seemed necessary. He knew that in public life—

"Men will hate thee,
Men will love thee;
Men will flatter,
Men will slight."

but looked upon all his experiences as merely necessary, temporary incidents, and kept true to the spirit that was within him. He was willing at all times to pay the price of his popularity whenever he felt the justice of his cause.

In this brief manner I have summarized the characteristics of our deceased friend, as I saw him and understood him. He was a truly great man, worthy of all the best traditions of American manhood, entitled to full praise for the self-sacrificing and efficient service which he gave to our State. May his example be a stimulus to all of us, to prepare for that practical patriotism which gives service as well as tribute to the State!

Long may the memory of our great associate remain among us for the betterment and improvement of the American commonwealth. True to his times, and true to himself, he performed his fullest obligations both as a man and as a citizen.

"The friendly social, honest man,
Whate'er he be,
'Tis he fulfills great nature's plan,
And none but he."

The State has lost a capable servant and may well mourn for him, but the keenest loss is felt among those who personally enjoyed the honor of his friendship and the inspiration of his character.

"We shall remember him as
One who never turned his back, but march'd breast forward;
Never doubted clouds would break;
Never dream'd, though right were worsted, wrong would triumph;
Held, We fall to rise, are baffled to fight better, sleep to wake."

Selection by double quartet, "Crossing the Bar":

"Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell
When I embark;

For though from out our bourne of time and place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar."

Speaker SWEET. Men in all walks of life may oppose one another, whether it be commercially or politically, but though opposed they may still be friends. I take pleasure in presenting to you the next speaker of the evening, the political opponent but the fast friend, Hon. Alfred E. Smith.

Mr. SMITH. Mr. Speaker, ladies and gentlemen: I feel very deeply honored to be permitted to speak a word at this memorial service to our late lamented friend and comrade, EDWIN A. MERRITT, Jr. I met him in 1904 when I entered this chamber for the first time. He was then a prominent member on the majority side of the House. I served with him through the years until 1912, when he was elected Speaker, and in that time I developed for him as strong an affection as it is possible for one man to have for another, not of his own relationship. His many noble qualities of heart and mind endeared him to every man that sat in this chamber, and it is gratifying to see so many of them here to-night from all parts of the State to join in this gathering and to do honor to his memory.

In the memoir of his distinguished father, I read this passage from the retrospect: "Without boasting, I can truly say that in a long life which has not been free from any contests, I have never knowingly taken unfair advantage of my opponents and if I have fought hard, I have fought fairly." I thought, as I read, how forcefully this trait was impressed on the life and character of EDWIN A. MERRITT, Jr. He was a strong partisan. He believed very firmly in the principles and precepts of the Republican party, but he put the good of the State first and supported any measures he believed to be in the interest of the commonweal. He was a forceful orator and drew the sword of debate with as much strength and vigor as any man that ever stood on this floor, and better than all, he left behind no sting—no bitterness.

He was a good friend. His friendship was really worth having. He helped me to success when my failure may have meant something of advantage to his party. Public life makes many fair weather friends. Many there are that shake your hand and pat your back when you are in the heyday of your power, but MERRITT'S friendship was of the kind that was more powerful when the clouds of political adversity frowned upon you.

He had a smile and a good word for everybody, from the highest to the lowest, that were connected with the busy life of the Capitol.

He loved the State that he served so faithfully. He loved to talk of its future greatness. He knew it better than any man I ever met, and was more at home in the assembly than in the larger field of activity to which he was called by an admiring constituency. He knew the legislature thoroughly—its methods, its habits of thought—and no man more jealously guarded its prerogatives. He had the most profound respect for its authority as a branch of the Government and an inflexible belief in the ultimate rectitude of its purposes.

Time there is indeed, and I could spend it in the memory of "Ed." Time and time again, he asked me to go up and stay at Potsdam, where he might show to me what he called "Our Great North Country." It shall always be to me a matter of regret that I did not see the little village until I found it plunged in mourning the day of his funeral—its business places darkened and the countryside gathered in it to pay tribute to his memory. I brought with me my eldest son, and I gave him a copy of the Red Book of 1912 and I asked him to always remember what it was that brought him on his first long journey from home.

I could talk through the night about ED. MERRITT, and all that I could say would be inadequate to express what I really thought of him. I will conclude, therefore, leaving with you this thought: "Almighty God asks nothing for nothing, and when we say to him 'Thy will be done on earth as it is in heaven'—if we mean that—if it comes from the heart. He responds with a balm for every wound and a joy to balance every sorrow, and he gives to us to-night in an hour of affliction abundant consolation in that almost universal belief that Divine Providence makes all things equal and solves for the just man the mystery of death as life everlasting."

Selection by the double quartette, "Peace, Perfect Peace."

"Peace, perfect peace, in this dark world of sin?
The blood of Jesus whispers peace within.
Peace, perfect peace, by thronging duties pressed?
To do the will of Jesus, this is rest.
Peace, perfect peace, with sorrow surging round?
On Jesus' bosom naught but calm is found.
Peace, perfect peace, with loved ones far away?
In Jesus' keeping, we are safe, and they.
Peace, perfect peace, our future all unknown?
Jesus we know, and He is on the throne.
Peace, perfect peace, death shadowing us and ours?
Jesus has vanquished death and all its powers.
It is enough; earth's struggles soon shall cease,
And Jesus call us to heaven's perfect peace."

Speaker SWEET. Side by side, shoulder to shoulder, fighting the battles of State, stood EDWIN A. MERRITT, jr., and James W. Wadsworth, jr. As his closest associate and constant counselor, I present to you at this time, Hon. James W. Wadsworth, jr.

Mr. WADSWORTH. Mr. Speaker, Members of the Legislature, Ladies, and Gentlemen: The invitation to say something of the life and public services of EDWIN A. MERRITT, Jr., upon this occasion and in this presence touches me very deeply. It is indeed an honor which I appreciate, and I rejoice at being afforded an opportunity to testify to the high character and great achievements of that dear friend, with whom I was so intimately associated here in this Capitol.

So vivid and so deep is the impression he made during the years of that association that it seems but yesterday that he stood towering in the center aisle there, his voice reverberating through the uttermost spaces of this great chamber, welding the laws of New York. It seems but yesterday that he gathered us about him in our leisure hours and won and held our deep affection. It is difficult for us to understand that we will never again experience that inspiring and delightful human contact. And now that we long to tell the world our estimate of him, I, for one, realize that my poor words must fall far short of describing that picture of him which will reside in my mind as long as I shall live.

It can not be denied that heredity and environment are powerful factors in the formation of character and habit of mind; and in order to possess an intelligent understanding of Mr. MERRITT, we must take into consideration these elements in relation to him. His forbears were of sturdy American stock—simple, God-fearing, self-reliant, typical of the early pioneers. His father—who still lives, honored and respected by thousands of his fellow citizens in his old age—has for years been a commanding figure in northern New York. By occupation an outdoor man, who in the early days helped blaze the way through the northern wilderness, he transmitted to his son a vigor and strength of constitution remarkable even in a country renowned for its strong men, and that simplicity and directness of mental operation so characteristic of the early American. The father, true to the type, from early manhood has maintained an active and intelligent interest in public affairs. He has been a friend and confidant of leading Americans since the days of the great Civil War, has held high positions of trust and power, and has been a leader of thought and molder of opinion in that great northern country in which he has lived so long and which he loved so well.

It is not surprising, therefore, that the son whose memory we now revere drew inspiration in his early manhood from the example of his sire and found himself equipped with the same attributes of public spirit and devotion to country. Born in 1860, he attained manhood at a time when it was still possible for him to absorb a vivid conception from his father and his father's neighbors of those great principles which were fought for and vindicated in the trying days of the sixties. He absorbed readily the story of sacrifice and heroism relating to those times, and from that story he learned the great principles of human liberty upon which this Republic was founded. Through all his active life he never ceased deriving inspiration from the deeds of the generation just preceding him, and he never wavered in his admiration and reverence of the men who saved the Nation. There was no more potent influence in his life than his contact with those men. By their example he was inspired to that simple manly courage which was his predominating trait.

Graduating from Yale College at New Haven, Conn., in 1884, he joined his father at London, where the latter at that time was holding the high and responsible position of consul general of the United States. After spending a year assisting his father in that interesting and broadening atmosphere, he returned to his home in Potsdam, St. Lawrence County, and immediately embarked upon that active career to which he later gained such distinction.

Although actively engaged in business, he found time to take part in the public affairs of the community in which he lived. In fact, the stress and contention of politics and the satisfaction of public service well performed held a peculiar fascination for him, and, commencing with his election to the St. Lawrence County board of supervisors, he was continually in public life until the day of his death. His strength of mind, his clarity of vision, and his integrity soon made their impression upon the people of St. Lawrence, and in 1902 he was elected a member of assembly from the district in which he resided. From that year up to and including the legislative session of 1912 his constituents, with unwavering confidence in him as their representative, continued to send him to the State capital.

It was in this chamber the great work of his life was performed. It was in this arena that he made his name known over the length and breadth of this great State; and while he was later promoted to a wider field of activity at the National Capitol at Washington his place in history rests upon the services he rendered in the assembly.

So long was his service, so many and varied the legislative tasks which he undertook and carried to a successful completion that time will not permit upon this occasion an attempt upon my part to recite them all. With no thought of minimizing the importance of his efforts in a score of directions, it shall be my endeavor to set forth that achievement of his which colleagues considered the greatest of all and which has exercised a most profound effect upon the government of the State of New York.

It is a matter of history that the dawn of the new century was signalized by a remarkable and almost phenomenal development of the economic and industrial life of America. That period will go down in history as the one which witnessed the formation of great combinations of capital and gigantic organizations for the carrying on of industry in all its branches. The intricacies of modern civilization seem to have made this development logical and therefore inevitable. This growth, however, created evils new and unlooked for in our civic life. So powerful did these organizations become that they appeared in the minds of many to constitute a grave danger to our form of government. As they grew so did the public impression grow that unless a remedy was applied self-government would be poisoned at its source.

When MERRITT took his seat in the assembly in 1902 the first mutterings, as it were, of the storm which was to break over American politics could be heard by the discriminating ear. In later years MERRITT'S friends learned that he, almost from the day of his taking his seat in this chamber, saw the cloud upon the horizon and commenced preparing himself to take part in the solution of the mighty problem which he felt would confront the people later on. It is not necessary for me to describe in detail the rise of that great wave of public sentiment which finally brought to bear such irresistible pressure for the solution of the problem of the relations existing between the public, on one hand, and the great public service corporations, created by the public, upon the other. We know now that the demand for a remedy which was fearlessly and irresistibly made at that time had its justification in the misdeeds and abuse of power on the part of some who cynically disregarded the sensibilities and the rights of the average man.

Those of us who served in the legislative sessions of 1905–6 can never forget the tension and stress of those days when the storm reached its greatest fury. Some there were who persisted in maintaining an attitude of indifference, and declaring that it would blow over in good time. There were even some, although their number was few, who refused to admit that there was anything genuine or important in the demand of the hour. The great majority of men in public life at that time, however, realized that mighty forces were at work and that something must be done to meet the sentiment of the people—and prevent chaos.

It is true also that the great majority of men, buffeted by the contending forces and perplexed by conflicting counsel, were groping in the dark, conscious of their unpreparedness. Of all the men in the New York Legislature of those days, MERRITT seemed to have the clearest conception of the situation, and, starting almost alone in his efforts, he proceeded to lay the foundation for a great piece of constructive legislation which we believe to-day has solved the problem.

It was characteristic of MERRITT'S viewpoint toward life in general that he should believe in the power of government, and that he should contend that government should exercise its power to do a certain thing when no other agency is capable of doing that thing. For four years he had been a keen observer of the play of contending forces in and about the legislature and the State government. He weighed and analyzed the good and the bad, the useful and the useless, and when he had made up his mind to act, he knew what ought to be done and where the power resided.

His first move in the direction which he had marked out attracted little public attention, but to those who knew his purpose and his mind it was of vast significance. During the administration of Gov. Higgins MERRITT introduced a bill in the assembly providing that all the expenses incident to the support of the then existing State railroad commission should be borne by the treasury of the State instead of requiring the railroad companies to meet the expense of supervision, as was then the case. He stood almost alone in his contention. Men said, "If we are to discipline these corporations, why do we commence by relieving them of this comparatively light burden?" MERRITT'S answer was that the Government must shortly assume new powers of supervision and regulation over these corporations, and in preparation for that day the Government must free itself of any sense of obligation, however remote, toward the corporations which it proposed to regulate.

This act of Assemblyman MERRITT, while failing of success for the moment, was the planting of the seed in the legislative mind. More and more from that time men listened to his proposal and came to recognize its ultimate wisdom. Events moved quickly. The pressure was enormous. In 1905 a special committee of the legislature was appointed to investigate the distribution and the sale of illuminating gas by public-service corporations in the city of New York. The work of this committee attracted wide attention. MERRITT was one of its strongest members.

By far the most significant act resulting from this investigation was the drafting and final enactment of a bill entrusting to a State commission, known at the time as the "State Gas Commission," the function and duty of regulating the rates charged for illuminating gas and electricity by all the lighting companies of the State. The strong hand of MERRITT was readily seen in the provisions of this bill. It was his first definite proposal directed toward the solution of this great problem. Imperfect in many respects, it nevertheless amounted

to a declaration on the part of the government of New York that henceforth it intended to exercise its powers.

I remember well the gratification which MERRITT derived from this acceptance of the principle which he had laid down a year before and which had met such discouragement. And I remember well the intense gratification which came to him in the following year, in 1907, when the newly elected governor of New York, Charles E. Hughes, laid such tremendous emphasis upon the necessity for a solution of this sort to be applied over a much wider field. MERRITT hastened to his support, confident that through the great influence and ability of that exceptional executive success would come, as come it did.

He was one of the responsible authors of the public-service commissions bill of 1907. He worked in collaboration with others day after day and week after week until that measure was complete. His influence can be read in every line of it. When it was enacted into law it bore his name jointly with that of Senator Page. If I may be permitted to express an opinion, this law, establishing as it did a standard of relationship between the government, representing all the people on one hand, and the railways, the street railways, the gas companies, and electric lighting companies on the other, is the greatest monument of the four years of the administration of Gov. Hughes.

MERRITT'S work did not end with this achievement. The following year the legislature appointed a special committee to investigate the feasibility of bringing the telephone and telegraph companies under the jurisdiction of the commission. MERRITT was one of the strong men on that committee and was largely instrumental in drafting the bill reported by that committee and almost immediately enacted, extending the power of the public-service commissions over the wire companies.

The student of government will admit that Mr. MERRITT, in inaugurating this great movement in 1905, assisting powerfully in its progress through 1906–1907–1908, performed a service for the State of New York of immeasurable importance and vast significance. Throughout all of that struggle, through all the varying phases of the conflict in which he took part, two of his traits of character stood out conspicuously: First, his clear courage. He never faltered; he never wavered, no matter what the obstacle. Second, his lack of vanity. He had convictions, deep-rooted and sound, but he had no false pride or conceit. He never claimed or demanded special recognition for his achievement. In fact, of all eminently successful men, men endowed with power and subject to the temptations which go with it, MERRITT was the least vain. His simplicity, directness, and his sense of humor saved him from that which has destroyed or impaired the usefulness of many a distinguished man.

In order to give some idea of the tremendous and varied work which MERRITT did in the assembly, in addition to the great achievement which I have attempted to describe, it should be noted that he was first chairman of the committee on agriculture, then chairman of the committee on general laws, chairman of the committee on railroads, chairman of the committee on ways and means, which at that time carried with it the majority leadership, and which he held for three years; minority leader in 1911, and finally speaker of the assembly in 1912.

The State will not forget the great work he did in helping to revise the highway law and inaugurating the building of improved highways through the Commonwealth. Nor will the State forget the three years of arduous service he rendered in helping to formulate the financial policy of the State as expressed in the appropriation bills. The burden he carried was enormous. Only a man of his great mental and physical strength could have stood up under it. His career in the assembly culminated in his election to the speakership.

He was permitted to hold that difficult and responsible position for but one year. The death of his long-time friend, George R. Malby, left vacant the seat in Congress held by that representative of the north country congressional district. It was inevitable that the people of that district should demand that MERRITT represent them in Washington. They did so demand and he acquiesced and accepted an election to Congress from his district.

I think it is accurate to say that he left Albany with reluctance. He felt that he was entering upon a new and strange field, although he deeply appreciated the honor and the opportunity. He was familiar with this atmosphere here in the capital where he had spent the greater part of his public life, where he had impressed himself upon the life of the State which he loved; here were his intimate friends—and their name was legion. He felt that other additional tasks awaited his efforts here; he felt that the State had not as yet solved the highway problem. He realized that the financial operations of the State were subject to vast improvement; that the question of taxation, income, and expenditure needed close study and application. He longed to address himself to this work, but his sense of duty to his people at home, his gratitude for their loyalty and friendship, compelled him to relinquish his work here and assume the duties of a national legislator.

It is a matter of record that he quickly assumed a prominent place in the House of Representatives. Although a member of the minority, his strength and wisdom were soon recognized by his colleagues, a fact which is made evident by his appointment to the great Committee on Rules of the lower House at Washington shortly after he took his seat.

He had scarcely embarked upon a career of usefulness and distinction in the National Congress when with a suddenness that is incomprehensible, he was attacked by a combination of maladies which called forth every atom of his gigantic strength and will and physique to combat. Accompanied by his faithful, loving wife, he was taken to the sanitarium at Dansville, near my own home, in Livingston County. There he waged a battle which can never be forgotten by those of us, who, from time to time, were permitted to see him. His great frame stricken and shattered to an inconceivable degree, his mighty intellect never lost its clarity, his soul never lost its courage.

For thirteen months he endured physical and mental suffering seldom demanded of a human being. Crisis after crisis was surmounted through the might of his will power. Naturally a somewhat impatient man in the ordinary walks of life, he yielded to the necessities of his fight with a confiding trust and patience which was sublime. He knew his loving family and faithful attendant were struggling bravely all through these weary months to save him, and he set himself to help them help him. The time came in the autumn of 1914 when it seemed that his efforts and those of his loved ones had been crowned with victory. With indomitable courage and implicit confidence, he started on his journey homeward. I shall never forget the day of his departure and the words he uttered on that occasion: "I have won my fight; I am going back to my people; I have work to do."

He was renominated and reelected to Congress by a constituency who had known him all his life and loved him best. The future looked bright, and then suddenly, when we were all filled with confidence that he would live to attain an even higher degree of usefulness and distinction, his malady returned in a new and unexpected form, and after a brief but heroic struggle he succumbed to the will of an all-wise Providence.

His father is left stricken and without the sustaining hand of his great son in his old age; his wife and daughter crushed with grief. Hundreds of us, his former associates, have lost a dear friend, and the realization of our loss quickens and deepens the sympathy which we extend to his devoted family in this trying hour. Our consolation must be that we men who knew him are better men and this State a better State because he lived.

Selection by the double quartette, "Beautiful Isle of Somewhere":

"Somewhere the sun is shining,
Somewhere the song birds dwell;
Hush, then, thy sad repining,
God lives, and all is well!

Somewhere, somewhere,
Beautiful Isle of Somewhere;
Land of the true, where we live anew,
Beautiful Isle of Somewhere.

Somewhere the load is lifted,
Close by an open gate;
Somewhere the clouds are rifted,
Somewhere the angels wait.

Somewhere, somewhere,
Beautiful Isle of Somewhere;
Land of the true, where we live anew,
Beautiful Isle of Somewhere."

Speaker SWEET. With the pronouncing of the benediction the services of the evening will close.

Rev. HAMILTON. The peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and love of God and of His Son Jesus Christ, our Lord, and the blessing of God Almighty, the Father, the Son, and the Holy Ghost be amongst you and remain with you always. Amen.

PUBLIC MEETING IN MEMORY OF HON. EDWIN A. MERRITT, JR., HELD AT VILLAGE HALL, POTSDAM, N. Y., DECEMBER 14, 1914.

An informal public meeting to pay tribute to the memory of the late Hon. EDWIN A. MERRITT, Jr., Representative in Congress, was held in Village Hall, Potsdam, St. Lawrence County, N. Y., on the evening of December 14, 1914. The meeting was attended by personal friends and neighbors of Congressman MERRITT. Hon. Clarence S. Ferris presided as chairman of the meeting, and Howard E. Thompson acted as secretary. Judge Ferris opened the meeting with the following remarks:

"We have come together at this time to pay fitting tribute to the memory of our deceased friend.

"For many years he had been in the public service. He had attained great influence with all with whom he was associated. His services to the State have left their impress on much important legislation, and our laws are better for his having had a part in framing them.

"At some future time I assume appropriate services will be held by the House of Representatives, which will emphasize and commemorate the value of his public service. However, these services must be to some extent different.

"While we, as his neighbors, appreciate his great service as a public servant, we think of him more as a friend and familiar figure in our midst, who has suddenly been removed by death. It is most fitting that we should meet here to-night to give expression of his worth, not only as a public official but as a friend whom we loved and whose death we mourn."

Dr. F. L. Dewey gave the following tribute of appreciation of Mr. MERRITT:

"Mr. Chairman, friends, and neighbors:

"We are gathered here to-night to express our sincere and honest sorrow over the demise of Hon. EDWIN A. MERRITT, Jr., Representative of this district in Congress. To each and every one of us his death brings a sense of personal loss. Long and serious as had been his illness, the announcement that his spirit had taken its flight and passed on over the Great Divide came as a surprise and a shock.

"To me he had always been 'Big ED. MERRITT,' tireless, undaunted, and invincible. Born in the foothills of our own Adirondacks, passing his boyhood life in Potsdam, he was a simple, plain north-country gentleman. Completing his course in our normal school, which owes its existence to the efforts of his father, he passed on to Yale University. Graduating there in due course, he supplemented his school and university training by travel abroad and efficient and successful work in the consular service.

"I first met ED. MERRITT in the fall of 1885. He impressed me then as a great big whole-souled fellow. We read law together in the offices of John G. McIntyre, and the association there formed led to a lifelong friendship. With his training and inherited tendencies it was natural that he should early turn his attention to the field of politics. His ability and fitness for public service were soon recognized, and once given an opportunity to prove his worth, his constituents never consented to his return to private life.

"ED. MERRITT was an educated and cultivated man. It will surprise many of his friends to know that during his long illness he passed many hours in reading the classics. Nothing gave him greater pleasure than to read or to recite a favorite passage to his friends who came to call upon him. Yet he spent his life largely among men and affairs. Never posing as an orator, he was never a 'victim of words nor a phrasesmith.' Never, as an editorial in the New York Sun read, was he afflicted with the 'pen and mouth disease.' He was simple and direct in thought and action; frank, truthful, and free from cowardice. Naturally, he had an unconscious courage. He was an excellent judge of men and measures, and never had I known a man in this State who, in the halls of legislation or in the marts of trade, won a larger or more loyal following. The attendance at his funeral bore silent testimony to this.

"Strenuous at times as were his political contests they never left bitterness or revengeful feelings with him. He was always charitable to all, and many a poor soldier or a bereft widow to-day will miss the efforts which ED. MERRITT was wont to put forth in their behalf. Not always understood or appreciated by his own townsmen, among all the multitudes who knew him in boyhood and in manhood, in private and

in public life, not one can recall a mean, vindictive, or deceitful word. Sincere in his beliefs, faithful to his convictions, steadfast in his friendships, he was loyal to every cause he espoused. His life has made many men happier, his example will make many better, and his service to his constituency and to this State will endure so long as our north country shall last."

Hon. Edward A. Everett, being called upon by the Chair, responded as follows:

"Mr. Chairman and gentlemen, putting our thoughts in language that will properly express our feelings toward a departed friend is indeed a hard task. I first became acquainted with ED. MERRITT about 35 years ago, from an accidental meeting while enjoying an outing in the woods on Raquette River, and our relationship ripened into a friendship that was mutually enjoyed. He was of the type of manhood that brightened with use and there was always something that linked us closer together after each meeting. We were interested in the business affairs of each other, not as actual business partners, but from a true feeling of a desire to help each other. It has been truly said that character is not made in a day; neither is it possible for one to become acquainted with character that is worth while in a short period of time. The individuals who stand out in prominence the world over are the ones whose honesty and simplicity first attract you and whose gigantic ability to perform the tasks afterwards impresses you. Words of praise can be used in the description of anybody who has ceased to exist, but truthful words describing a character that had to do with all of the different phases of human nature and came through without a scar is indeed the exception. This, however, I can truthfully say concerning our departed friend and fellow townsman, 'ED. MERRITT.' His ambition may have mapped out a task that his early departure left uncompleted, but the honesty of purpose in every day's transaction is well defined in the course of his everyday life, and I sincerely offer him the following tribute:

"Here is to ED. MERRITT, born in this world of trouble and care; dies, and he goes, he knows not where, but he was a thoroughbred here and he will be a thoroughbred there."

Mr. Harry M. Ingram made the following remarks:

"Mr. Chairman and gentlemen, it is difficult for me to talk upon this occasion. I can not properly give expression to my feelings. I must be content with stating some personal facts. Had Congressman MERRITT lived until the 1st day of January next I would have been associated with him as his partner in the practice of law for six years. Except for the fact that Mr. MERRITT, then a member of the assembly, had asked me to come to Potsdam and form a law partnership, I would probably be practicing in another part of the State at this time. He wanted to maintain a law office. He told me it was a desire which he had long entertained, and in the expectation of its fulfillment he had kept together the old Dart & Erwin and the Tappan law libraries. I went to Potsdam and looked over the library and met some of the people of the village. Finally I made up my mind to locate here, and I did so. Our law firm dated from January 1, 1909. During the years we were together I learned to know Mr. MERRITT as I had never known him before. I came to realize more than ever his great broadness of mind, the vastness of his intellect, and above all, perhaps, the extraordinary kindliness and warmth of his most unusual personality. I shall always prize the recollections of my friendship with him. I feel that under the circumstances I can never regret that I came to Potsdam as I did.

"It was perhaps my fortune to have seen Mr. MERRITT in the performance of his duties at Albany more than any other person here to-night. I know the great subjects and works of importance to the people of the State with which he labored during the years, and particularly the latter years of his service in the assembly. He was regarded as the leader not only of the assembly, but, by many, the leader of the legislature. Often I have felt that the people of his home county did not at all appreciate the prominence of their representative in the legislature. I had this same feeling regarding the late Senator Malby. Malby and MERRITT were indeed a strong and powerful combination of representatives for any county to have in the State legislature at the same time. No wonder the county of St. Lawrence became so widely known in political and State affairs. These men had an unusual State-wide acquaintance. Their suggestions, advice, and counsel were sought and heeded.

"When Congressman Malby passed suddenly away, St. Lawrence County and the whole north country felt keenly its great loss, but was comforted in a measure in the thought that Mr. MERRITT remained. In the death of Mr. MERRITT, so soon after, we will feel more than ever the loss of Mr. Malby, and now that both are gone we have indeed much reason to mourn. It requires years of time for a county to prepare for public life two such men as these, strong men, influential legislators, representative citizens.

"Mr. MERRITT made a wonderful fight for life. He wanted so much to enter upon the public service again. His plans were all made for the future. We can rejoice in the fact that such a man, stricken down largely because of overwork in the service of the people, was permitted to end his days still in the service. His vast plurality at the November election and the great tribute rendered him at his funeral are worthy testimonials of the general and sincere esteem in which Congressman MERRITT was held by the voters of his congressional district and his associates in public life."

Mr. John L. Brown spoke as follows:

"Mr. Chairman and gentlemen, I knew Mr. MERRITT very well and counted him one of my best friends. During his stay in Albany I had occasion to write him several times. Some of my letters were on matters that seemed to me quite small, and I am sure must have seemed to him very small and trivial, but I always received a prompt reply. Several of these replies I prized very highly, as they were not cold, expressionless, typewritten letters, dictated by "E. A. M.," but were personal pen written letters that make one feel that in the writer he had a friend worth while.

"In the passing of Mr. MERRITT I know I have lost, and I believe we all have lost, a big-hearted, loyal, personal friend."

Mr. Sylvester Nicolette spoke as follows:

"Mr. Chairman, I met Mr. MERRITT and began to work for him many years ago. He was always my good friend. I had many business dealings with him, and my contracts were for many thousand dollars in labor and construction work. Always I found him fair in settlement and in adjusting any questions which might arise. I can say the same also of Mr. Tappan, who was his partner in the work at Hannawa Falls. We never had any difficulties about our work. It was a great pleasure to work for such men as these. They always treated me squarely and paid me every cent owing to me for all the work I did for them. From my dealings with Mr. MERRITT I can say of him that he was the most honest man I ever knew."

Remarks were also made by Mr. John Pert, president of the village of Potsdam, Mr. F. L. Cubley, Dr. F. T. Swan, Mr. C. E. Haywood, and Mr. E. M. Perkins.

RESOLUTIONS ADOPTED BY THE MEMBERS OF THE BAR OF POTSDAM ON DECEMBER 7, 1914.

Resolved, That the members of the bar of Potsdam feel deep sorrow at the untimely death of Hon. EDWIN A. MERRITT, Jr. That they have long felt pride in his ability and power.

That they appreciate the value of his many services and deeply deplore his loss. They realize that he has left a void that can not well be filled.

The many public capacities in which he has acted are too well known to need enumeration here, and in all of them he has reflected credit and honor upon this community as well as upon the State.

Resolved, That we extend our deepest sympathy to his bereaved family.

L. E. WADLEIGH,
Chairman of Committee.
WM. H. MCCORMICK,
Secretary.

LEAVE TO PRINT.

Mr. CALDER. Mr. Speaker, as there are several Members of the House who desired to take part in these memorial proceedings, who are unable to be present to-day, I ask unanimous consent that all Members of the House who desire to do so have leave to print.

The SPEAKER pro tempore. If there be no objection, unanimous consent will be given to print remarks appropriate to the occasion.

There was no objection.

ADJOURNMENT.

The SPEAKER pro tempore. Pursuant to the resolution heretofore adopted, and as a further tribute to the memory of the deceased, the House will now adjourn.

Accordingly (at 2 o'clock and 15 minutes p. m.) the House adjourned until Monday, February 8, 1915, at 11 o'clock a. m.

SENATE.

MONDAY, *February 8, 1915.*

(Legislative day of Friday, February 5, 1915.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

RESOLUTIONS OF MISSOURI LEGISLATURE.

Mr. STONE. Mr. President, I desire to present two resolutions of the General Assembly of Missouri, one of which I ask may be read and that the other, which is almost if not exactly similar, be inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Before that is done, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Nelson	Smith, Ariz.
Bankhead	Gallinger	Newlands	Smith, Ga.
Borah	Goff	Norris	Smith, Mich.
Brady	Gore	O'Gorman	Smith, S. C.
Brandegee	Gronna	Oliver	Smoot
Bristow	Hitchcock	Overman	Stephenson
Bryan	Hollis	Owen	Sterling
Burleigh	Hughes	Page	Stone
Burton	James	Penrose	Sutherland
Camden	Johnson	Perkins	Swanson
Catron	Jones	Pittman	Thomas
Chamberlain	Kenyon	Poindexter	Thornton
Chilton	Kern	Ransdell	Townsend
Clapp	La Follette	Reed	Vardaman
Clark, Wyo.	Lane	Robinson	Walsh
Clarke, Ark.	Lea, Tenn.	Root	Warren
Colt	Lippitt	Shafroth	Weeks
Culberson	Lodge	Sheppard	White
Cummins	McCumber	Sherman	Williams
Dillingham	McLean	Shields	Works
du Pont	Martin, Va.	Shively	
Fall	Martine, N. J.	Simmons	

The VICE PRESIDENT. Eighty-six Senators have answered to the roll call. There is a quorum present. The Senator from Missouri asks unanimous consent for the reading of a resolution. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

JEFFERSON CITY, MO., *February 4, 1915.*

Hon. WILLIAM J. STONE,
United States Senate, Washington, D. C.:

I am instructed by the senate to inform you that they have this day adopted the following resolution:

"Whereas there is now pending in the Congress of the United States a bill which has for its object the establishment of a merchant marine; and

"Whereas the two Senators from Missouri, the Hon. WILLIAM J. STONE and the Hon. JAMES A. REED, are aiding in a hard fight against the Shipping Trust: Therefore be it

"*Resolved*, That the above-mentioned Senators from Missouri are hereby congratulated by the Senate of the Forty-eighth General Assembly of Missouri for their support of the administration in regard to this measure; and be it further

"*Resolved*, That the secretary of the senate be instructed to wire a copy of this resolution to each of the Missouri Senators and to the Secretary of the United States Senate, respectively."

W. A. NORMAN,
Secretary Missouri Senate.

Mr. STONE. There is a like telegram, I think in exactly the same language, certainly in substance the same, notifying my colleague and myself of the adoption of the resolution by the House of Representatives of the Missouri General Assembly, which I ask may be inserted in the RECORD without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The telegram is as follows:

[Telegram.]

JEFFERSON CITY, MO., *February 4, 1915.*

Hon. WILLIAM J. STONE,
United States Senate, Washington, D. C.:

The following resolution was adopted by the House of Representatives of the Forty-eighth General Assembly of Missouri to-day:

"Whereas there is now pending in the Congress of the United States a bill which has for its object the establishment of a merchant marine; and

"Whereas the two Senators from Missouri, the Hon. WILLIAM J. STONE and the Hon. JAMES A. REED, are aiding in a hard fight against the Shipping Trust: Therefore be it

"*Resolved*, That the above-mentioned Senators from Missouri are hereby congratulated by the House of Representatives of the Forty-eighth General Assembly of Missouri for their support of the administration in regard to this measure; and be it further

"*Resolved*, That the chief clerk of this house be instructed to wire a copy of this resolution to each of the Missouri Senators and to the Secretary of the United States Senate."

ROBERT E. LEE MARS,
Chief Clerk House of Representatives.

PROPOSED INTERNATIONAL PEACE CONFERENCE.

Mr. RANSDELL. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana.

Mr. LA FOLLETTE. I ask the Senator from Louisiana if he will yield to me that I may ask unanimous consent to introduce a joint resolution?

Mr. RANSDELL. I yield for that purpose.

Mr. LA FOLLETTE. I ask unanimous consent to introduce a joint resolution and that it be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. ROOT. Let it be reported.

Mr. GALLINGER. Let it be read.

The joint resolution (S. J. Res. 234) authorizing the President of the United States to convey to all neutral nations the desire of the Government for an international conference for the purpose of promoting by cooperation and through its friendly offices the early cessation of hostilities and the establishment of peace among the warring nations of Europe, and for other purposes, was read the first time by its title and the second time at length, as follows:

Whereas the most powerful nations of Europe have been engaged for over half a year in a terrible war of cumulative intensity and increasing destruction of human life; and

Whereas recent inventions have revolutionized methods of warfare giving rise to unprecedented situations and conditions; and

Whereas the ever-widening field of hostile operations in the war zone encroaches more and more day by day upon the common highways of commerce, inviting to complications which may at any moment entangle one or more of the neutral nations in situations of the gravest peril; and

Whereas it becomes of the utmost importance that at the earliest moment a conference of the neutral nations should be called to consider the rights of neutrals under existing conditions, to work out a policy for the preservation of their own peace, and to tender their best offices of mediation to the belligerent nations; and

Whereas we, the people of the United States, are bound to each of the warring nations by ties of blood and country, compelling in us a profound interest in the cessation of hostilities and the restoration of peace, and by inheritance are best fitted to make initial appeal to each nation: Now, therefore, be it

Resolved, etc., That the President be authorized to convey to all neutral nations the desire of this Government that an international conference be held for the purpose of promoting by cooperation and through its friendly offices:

First. The early cessation of hostilities and the establishment of peace among the warring nations of Europe;

Second. The consideration of uniform rules and regulations for the general limitation of armaments and the nationalization of the manufacture of all equipment and supplies used exclusively for military and naval purposes;

Third. The consideration of rules and regulations for the prohibition of the export of arms, ammunition, artillery, vessels of war, armor plate, torpedoes, or any other thing designed to be used exclusively for military and naval purposes from one country to another;

Fourth. The ultimate establishment of an international tribunal where any nation may be heard on any issue involving rights vital to its peace and the development of its national life, a tribunal whose decrees shall be enforced by the enlightened judgment of the world;

Fifth. The consideration of plans for the federation of the neutral nations in the adoption of rules and regulations which will provide for the neutralization of certain waters and maritime trade routes, and such other and further action as shall insure, if possible, the peaceful maintenance and preservation of the sovereign rights of neutral commerce against dangers to which it is exposed through the extraordinary conditions developed by the world's greatest war; and

Sixth. For such other and further action as may tend, however remotely, to establish permanent world peace.

Resolved further, That the President be authorized to appoint commissioners to represent the United States at any such conference whether called by the United States or any other nation.

SEC. 2. That in case such international peace conference shall be called by the United States or any other nation the sum of $25,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the expenses of the representatives of the United States at said conference.

The VICE PRESIDENT. The Chair did not catch the request of the Senator from Wisconsin. Is it for the present consideration of the joint resolution?

Mr. LA FOLLETTE. No; just that I might have permission to introduce it. I ask that it may lie on the table.

The VICE PRESIDENT. The joint resolution will lie on the table.

POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. RANSDELL. I do.

Mr. BANKHEAD. I ask unanimous consent to submit a report from the Committee on Post Offices and Post Roads.

Mr. RANSDELL. I yield for that purpose, but I can not yield any further. I must go on with my speech after this report is presented. I wish to be courteous to my colleagues, but I should like to go on with my speech.

The VICE PRESIDENT. Without objection, the report will be received. Is there any objection? The Chair hears none.

Mr. BANKHEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, reported it with amendments and submitted a report (No. 967) thereon.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On February 5, 1915:

S. 5614. An act for the improvement of the foreign service.

On February 6, 1915:

S. 6839. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 19424) to extend the time for the completion of the municipal bridge at St. Louis.

The message also announced that the House had passed a bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills:

H. R. 20818. An act to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; and

H. R. 20933. An act extending the time for completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. RANSDELL. Mr. President, I shall discuss the pending ship-purchase bill from a business viewpoint and explain reasons for supporting it.

In order that we may have a clearer understanding of the present condition of our foreign shipping and the various causes that contributed to its decline, I shall review briefly the history of our merchant marine.

HISTORY OF AMERICAN MERCHANT MARINE.

The early colonists of the United States were peculiarly fitted for the calling of the sea. Of English and Dutch extraction, they had in their veins the tang of the sea, and they or their immediate forefathers had braved the unknown perils of the trackless Atlantic to find a home in the New World.

They inhabited a mere fringe of the coast; to the east was the broad ocean, while to the west lay a vast wilderness swarming with savage tribes of Indians. Roads between the Colonies were few and poor, and possibly menaced by roving Indians; timber suitable for shipbuilding—pine and oak—grew in almost inexhaustible supply, while the virgin forests of the South yielded tar, pitch, and turpentine. All these things served to make the ocean the natural means of communication between the Colonies and the great highway of commerce. From intercolonial trade it was but a step to foreign commerce, and soon American vessels, braving the terrors of uncharted coasts, fierce hurricanes, and ferocious pirates, were to be found in the harbors of the West Indies. Commerce between England and the New World developed, and no port was too distant to be the destination of these daring traders. The expansion of the shipping industry is shown by the fact that in 1769 the colonists built 389 ships, aggregating 20,000 tons. Edmund Burke, in his famous speech on conciliation with America, stated that in 1772 the export trade to the American Colonies amounted to more than one-third of England's entire commerce.

But not alone for peaceful pursuits were these vessels useful. When the Revolutionary War broke out and the newborn Nation locked with its mother country in mortal combat American merchantmen became American privateersmen. It is unnecessary for me to recite their exploits or sing their praises. Their names are emblazoned in immortal characters on the manuscript of our Nation's history, and we, their children, are heirs to the fruit of their labors, a free and independent Republic. Suffice it to say that while the Continental Government had but 30 cruisers, 449 privateers swarmed the sea, capturing or destroying in two years 733 British vessels, and conveying envoys and dispatches, and carrying arms and ammunition, gold, and provisions to the struggling Colonies.

At last peace was declared and the star of the United States shone in the firmament of nations.

It has been said that the years from 1783 to 1789 were the most trying time of the Republic, and this is no less true in regard to our merchant marine.

By hostile legislation, encouragement of the attacks of the Barbary pirates, and every other possible means England endeavored to crush our commerce. Benjamin Franklin wrote that the London merchants declared "if there were no Algiers it would be worth England's while to build one." So heavy were the blows that fell upon our shipping that national encouragement became imperative, and in 1789 almost the first enactment of the new Congress was a law giving a 10 per cent preferential tariff to imports in American built and owned vessels, placing a heavy tax on tea imported in foreign bottoms, and imposing lower tonnage charges on American vessels.

The result was immediate, and our foreign commerce leaped from 123,893 tons in 1789 to 576,733 tons in 1796, an increase of 460 per cent in seven years. In that year 94 per cent of our imports and 90 per cent of our exports were carried in American vessels.

From 1793 on England and France were almost continually at each other's throats. The meteoric rise of Napoleon, the marvelous triumph of French arms upon the Continent, the fierce and sanguinary naval conflicts, and the consequent total abandonment of peaceful trading on the part of France, and the greatly diminished and harassed commerce of Great Britain, beset as were the trade routes by French privateers, opened up to American enterprise golden opportunities. The commerce of the world lay in our grasp. Of ships we had plenty, and vast fleets of American merchantmen sped to every part of the globe, carrying on the sugar trade with Cuba, importing ingots, coffee, hides, and indigo from South America, trading with the farthermost parts of the Orient, and in a word exchanging the produce of the New World and the costly fabrics of the Far East for the manufactured products of Europe. "In two years," says McMaster in his History of the American People, "almost the whole carrying trade of Europe was in their hands."

But England saw our success with envious eyes and regarded our rapidly growing shipping with a fierce hatred. We were threatening her commercial supremacy and giving indirect aid to her enemies. American commerce had to be crushed at all hazards, and drastic measures were taken toward this end. Everything was placed on the contraband list and England endeavored to blockade most of the civilized world to our vessels. Our ships and their cargoes were seized upon the slightest pretext. Napoleon retaliated in like manner, declaring every vessel which touched at any port of Great Britain to be a belligerent. England being short of men impressed into her service some 7,000 American seamen and threw every possible impediment in the way of neutral trading. The situation was graphically summed up by Thomas Jefferson in his message to Congress, advocating the famous embargo act of 1807, in which he said:

> The whole world is thus laid under interdict by these two nations—England and France—and our vessels, their cargoes, and crews are to be taken by one or the other for whatever place they may be destined out of our limits.

History records the complete failure of the embargo act, which absolutely prohibited the departure from the United States of any of our merchant vessels bound for foreign ports, and this, combined with the continued aggressions of England and France, dealt a severe blow to our foreign trade.

In 1810 we had 984,264 tons, which shrank in 1811 to 768,854. The tonnage of 1810 was not again equaled until 1847—37 years later.

A GRAPHIC PARALLEL—1800 AND 1915.

Let me digress for a moment to draw a parallel. Trade conditions existing in the beginning of the nineteenth century were almost identical with those of the present day. If we put Germany and Austria in the place of France and the allies in the place of Great Britain, the parallel is almost perfect. The supremacy of the allies upon the ocean has destroyed the vast trade of Germany, and the exigencies of this terrible war have, in a great measure, paralyzed the commerce of England and France. If we had ships, a rich harvest would be ours. A little more than a hundred years ago our forefathers took advantage of the opportunities that came to them, though the hostile legislation and unjust oppressions of England and France prevented them from reaping full benefit.

We, with equal opportunities, without a foreign merchant marine, are bound hand and foot. Not alone are we unable to send the Stars and Stripes to those ports where only the flags of England and Germany formerly flew, but the partial paralysis of our own foreign trade, due to the withdrawal of foreign vessels, has choked the great arteries of commerce and inflicted heavy loss and suffering upon all the people of the United States.

A little more than a century ago we had ships, but were too weak to protect them; now we have the power to protect, but lack the ships.

The War of 1812 again afforded opportunities for American seamen and vessels to show their worth, and during that conflict our 517 privateers captured British ships valued at $39,000,000. Indeed, without exaggeration, it can be said that our converted merchant marine bore the brunt of the naval war.

After peace was declared by the treaty of Ghent, the United States and Great Britain entered into a so-called commercial reciprocity convention, which bound them to impose no discriminating duties on ships or products in direct trade between this country and the United Kingdom. In accordance with this treaty, in 1815 Congress passed a law repealing the discriminatory duties on British vessels, and also enacted a general measure offering to withdraw all discriminating duties in favor of any nation which did the same thing. Of course this only referred to direct trade between the countries.

England, however, had reserved the right to regulate trade with her Canadian and West Indies colonies, and the ink with which the treaty was signed was scarcely dry when she absolutely prohibited any American vessels from trading with the West Indies. This put out of commission an American fleet of 80,000 tons burden.

Provoked by this and various other acts, Congress passed a law in March, 1817, forbidding the importation of goods from any foreign country except in American vessels or vessels of the country from which the goods came, with an all-important proviso, however, that the provisions of this act should not apply to those countries which did not impose similar prohibitions against us.

The act of 1815, as has been said, applied only to direct trade between this and other countries; that is, we bound ourselves

not to discriminate in regard to British vessels dealing between England and the United States or French vessels plying between France and the United States, and so forth. By the reciprocity act of May 24, 1828, however, we offered to open the indirect trade on the same nondiscriminatory terms to the vessels of all foreign nations that would open their indirect trade to us. This would allow, for example, British vessels to ply between Russia, France, or South America, and so forth. and the United States, if Great Britain would permit our vessels to trade between these countries and the United Kingdom.

Under the terms of these acts we have since entered into 30 or 40 commercial reciprocity treaties with all maritime nations. These treaties forbid us to impose discriminating duties on foreign vessels or their cargoes or to grant preferential tariff rates to goods carried in American vessels. Nor, can we discriminate in the matter of port charges. This makes it impossible, without the repeal of all these treaties, for us to foster American foreign commerce by the means which we used in the first days of the Republic.

These were the golden days of American shipping. In 1847 our foreign marine totaled 1,047,454 tons, the highest figure attained till then. Our ships were to be found in every sea, battling the icy blasts of the Arctic Zone and traversing the furnace heat of the Indian Ocean. Swift-sailing packet lines, the forerunners of our great trans-Atlantic steamships, were established between England and America. Our American sailing ships and seamen were at the top notch of efficiency, but their very confidence, in a great measure, proved their undoing.

THE ADVENT OF STEAM.

Though steamboats had been invented many years previous, it was not until 1840 that any real attempt was made to establish steamship lines in transocean service.

At that time England had a highly developed iron, steel, and coal industry which gave her an initial advantage in the building of boilers and steam engines. In 1839 the British Government subsidized a trans-Atlantic steamship line, established by Samuel Cunard, to the extent of $425,000 per year, and one year later four steamships, the beginning of the great Cunard Line, began to make regular voyages on the broad bosom of the Atlantic in competition with our sailing lines. This annual subsidy was later increased to $850,000, for without Government aid it would have been practically impossible for private enterprise to initiate the experiment.

In the contest between sail and steam the latter was sure to win, but such was the confidence of American shipowners in their vessels that four years after the introduction of steam into transocean service a new sailing packet line was established between Boston and Liverpool. The contest was fierce and protracted, but unequal, and the result inevitable. The sailing lines operated until the opening of the Civil War, 20 years later, but the British lines captured a large proportion of the ocean trade. Quick to see her advantage, England subsidized the Peninsular Co., now the wealthy Peninsular & Oriental Line to the Far East, which encroached upon the business of Yankee East Indiamen. She also gave a liberal subsidy to the Pacific Steam Navigation Co., which traded on the west coast of South America.

It is true that American shipowners could build steamships just as well, though not as cheaply, as the British, but without Government aid they could not operate them successfully in opposition to the heavily subsidized lines of England. In 1845 Congress granted liberal mail subsidies to American steamship lines, and immediately American steamships sprang into being. Transocean lines were operated in active competition with British vessels; indeed, so rapid was our growth that in 11 years we drew close to the lead which our English rivals had secured in steam navigation.

In 1849 the discovery of gold in California created a tremendous demand for transportation facilities, and as cargo space in steamships was very expensive our sailing industry was given another lease of life for a half score of years. The famous clipper vessel was built to meet the emergency, and had regular routes between New York or Boston and San Francisco, though when opportunity offered they made trans-Atlantic trips. Subsidies, however, were never popular with the people of the United States, and a widely voiced outcry was made against them.

In 1856 the heavy hand of disaster fell swiftly upon the Collins Line, the largest of our trans-Atlantic carriers. Two of their four stately steamships were lost at sea, and in the same year Congress cut the subsidy in two. In 1858, in obedience to an almost universal demand, Congress altogether abolished subsidies, and this, combined with the outbreak of the Civil War, swept the flag of the United States completely from the steam routes of the North Atlantic. Our West India and Pacific mail lines, though handicapped, were not destroyed by this change in our laws. Just at this time, in 1861, England expended $4,537,223 per annum and France $2,860,000 in subsidies.

From 1847 to 1861 our foreign merchant marine had more than doubled, for in the latter year our vessels in foreign commerce aggregated 2,496,894 tons. In 1846 we carried 81 per cent of the exports and imports of the United States, while in 1861 the figures had shrunk to 65 per cent.

CIVIL WAR CRUSHES OUR MERCHANT MARINE.

But while heavy foreign subsidizing had worked disastrously to many of our new steamship lines, the main cause of the decline of our merchant marine was the havoc wrought by Confederate cruisers during the Civil War. The *Florida*, the *Shenandoah*, the *Georgia*, and, above all, the *Alabama*, under Admiral Raphael Semmes, scoured the seas and destroyed or captured hundreds of northern vessels. About 110,000 tons of shipping were destroyed by Confederate cruisers, but that represents only a small proportion of the loss they actually caused. Owing to their depredations rates of insurance rose to an exorbitant figure, merchants refused to ships their goods in American vessels, and noble merchantmen were laid up in the docks to rot or were sold outright at a heavy sacrifice to foreign traders.

On page 200 of the Report of the Commissioner of Navigation for 1914 we find that from June 30, 1861, to June 30, 1865, a period of four years, 774,652 tons of American shipping were sold to foreigners—a truly colossal tonnage, more than seven times as much as was actually destroyed by Confederate cruisers.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Ohio?

Mr. RANSDELL. I do.

Mr. POMERENE. Can the Senator give us the number of vessels that were thus sold during that period?

Mr. RANSDELL. I have not the number of vessels that were sold; but the tonnage, as reported by the Commissioner of Navigation, was 774,652. The vessels actually destroyed amounted to a fraction over 110,000 tons; so, you see, the tonnage of those sold was more than seven times as great as that of those actually destroyed.

In addition to this, the North converted many of the merchant vessels into warships, and used them to blockade southern ports. Others, again, were made to serve as transports for troops, guns, ammunition, and provisions, proving invaluable naval auxiliaries. By means of these vessels, Gen. Burnside's expedition was conveyed to the North Carolina sounds, and Gen. Butler's force was sent to New Orleans. This mobility by sea gave the Union Army a great advantage over the Confederates, and should be an object lesson for us in the future. A merchant marine that can be converted into naval auxiliaries is an indispensable adjunct in time of war. But in another way did the American marine prove its usefulness. Many thousands of trained seamen were transferred to United States battleships, and thus the United States had a seasoned body of sailors upon which to draw.

All these things combined caused our deep-sea shipping to drop from 2,496,894 tons in 1861 to 1,387,756 tons in 1866, a decrease of 1,109,000 in five years. In this year we carried only 32 per cent of our imports and exports, instead of 66 per cent, as in 1861. The ships of foreign competitors naturally were also filling the vacancies caused by the withdrawal of our vessels, and the American flag almost completely disappeared from the trading routes, where once it was so well known.

SWIFT DECLINE AFTER CIVIL WAR.

After the war the people of the whole country were to a great extent impoverished by the drains of this terrible internecine conflict, and their resources were strained to the limit to repair the internal ravages it had caused. Little capital was available, therefore, to engage in foreign shipping.

Ships were now beginning generally to be constructed of iron, and British shipyards, owing to the lower cost of labor and their more highly developed iron and steel industry, could build them cheaper than American yards.

Our navigation laws prohibited the introduction of foreign-built ships into our merchant marine, and this and other provisions of these laws were a serious handicap to the American shipowner.

Another cause of paramount importance in the seventies, and even at the present day, was the fact that the wonderful internal growth of our country, the opening up of the great West, and the unparalleled opportunities for paying investments on land rendered private capital unwilling to go into the shipping business. No longer was the United States a mere strip of land on the coast; our territory stretched from ocean to ocean, and

industries and enterprises unconnected with the sea occupied the attention of a great majority of our people.

From this time until 1890 there is nothing to record save a steady shrinking of our deep-sea shipping. In 1866 we had 1,387,756 tons of shipping, and in 1890 only 928,062 tons. In the former year we carried 32 per cent of our imports and exports, and in the latter only 12 per cent.

In 1891 Congress enacted a measure known as the postal-aid law, which granted a mail subsidy to certain steam vessels of the United States. While this measure worked some good, it was only by a strange combination of circumstances that it helped to establish a line of steamers operated by the International Navigation Co. and running between New York and Southampton. This company now has four ships, the *New York*, the *Philadelphia*, the *St. Louis*, and the *St. Paul*, and is the only regular American trans-Atlantic line operating in the North Atlantic.

When the War with Spain broke out 12 steamships from our merchant marine, including the 4 in trans-Atlantic service, were chartered or purchased by the United States, guns were placed upon them, and they became part of the fighting Navy of this country as commerce destroyers.

In order to transport our troops to Cuba, Porto Rico, and the Philippines, the United States was forced to purchase or charter more than 50 merchant steamers, of which about half were foreign vessels. If in a brief conflict with a third-class power the United States found it impossible to secure sufficient suitable American vessels for use as naval auxiliaries, transports, and so forth, it is evident that our facilities would be entirely inadequate and we would be under a very heavy handicap in the event of our being involved in a war with a first-class power.

From 1890 to 1914 our foreign merchant marine has increased about 142,000 tons, and in June of last year we had a shipping of 1,066,288 tons. In 1890, however, we carried 12 per cent of our imports and exports, and in 1914 we carried only 8.6 per cent, with one exception the lowest in our history.

Let me make one more comparison. In 1861 our combined imports and exports amounted to $584,995,000, of which 65 per cent was carried by our foreign merchant marine of 2,496,894 tons. In 1914 our combined imports and exports totaled the colossal sum of $4,258,504,000, of which only 8.6 per cent was transported in our deep-sea shipping of 1,066,288 tons. Since June, 1914, we have added to our foreign marine 62 vessels from our coastwise trade, aggregating 136,146 tons, and 123 vessels built abroad and recently admitted to American registry, aggregating 455,000 tons; since June, 1914, according to the Commissioner of Navigation, there have been built in the United States and registered in our foreign merchant marine, 578 vessels aggregating 123,004 tons, or a total addition since June last of 714,150 tons. This gives us a total foreign merchant marine of about 1,780,150 tons at the present time.

I have endeavored to trace the general outlines of the history of our foreign merchant marine. I have shown its wonderful vigorous growth, and its equally swift and disastrous decline. Some of the causes of these great changes have been set down, and I have reached the conclusion that is forced upon every man who carefully investigates the subject with an open mind, namely, that it is absolutely imperative that something should be done, and that promptly, to rehabilitate our waning foreign merchant marine. No longer can we remain idle and inactive while our deep-sea shipping, once the pride and glory of the American Nation, disappears from the ocean.

REPUBLICANS ARE RESPONSIBLE.

Upon whose shoulders has the blame, in great measure, rested until now? From the close of the Civil War until 1912—a period of 46 years—the Republicans held the reins of government 38 years and the Democrats 8. During all this time comparatively nothing was done to give genuine aid to our merchant marine. The short periods of Democratic control were necessarily occupied with the enactment of needed legislation in accordance with Democratic principles, and even if the Democrats are to be blamed to some extent for their inaction, it can not be denied that the great weight of the responsibility rests upon the Republicans.

Nothing they can say or do can exonerate them. But, worse than this, now that a measure has been introduced, which offers the first practical definite proposition in many years in line with a constructive deep-sea shipping policy, they have banded themselves together to obstruct its passage by means of an infamous filibuster, and have offered nothing in lieu thereof.

I see the Republican Senators smile, and I hope they will continue to smile until they offer something better in lieu thereof.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from New Hampshire?

Mr. RANSDELL. I do.

Mr. GALLINGER. Did I understand the Senator to say that it was an "infamous" filibuster?

Mr. RANSDELL. Yes; I think it is, under the circumstances.

Mr. GALLINGER. The Senator is running pretty close to the rule, which does not admit of language of that kind.

Mr. RANSDELL. I do not wish to give any offense to the Senator, and if that language does offend him I will withdraw it and put in the RECORD a milder term.

Mr. GALLINGER. Oh, Mr. President, it is a mere matter of taste; that is all.

AN INDEFENSIBLE REPUBLICAN FILIBUSTER.

Mr. RANSDELL. Mr. President, for days and days the Republicans have erupted in denunciation of this bill. They have launched their verbal thunderbolts, and the forked lightning of their eloquence has played over our heads; like a swollen stream the torrent of their frenzied oratory has rushed on, bearing upon its turgid bosom a thousand things, both connected and unconnected with the question of the upbuilding of our merchant marine. They have viciously attacked the bill from every point of view; they have thrown up their hands in holy horror at the thought of the Government, even to relieve the crisis caused by an almost world-wide war, entering temporarily upon the shipping business; and they have drawn heavily upon their almost limitless vocabulary to execrate the so-called iniquities of the measure, and then, assuming the guise of prophets, they have permitted their imaginations to take flight in the wildest realms of fancy and have predicted all manner and kind of evils that would befall the country as a necessary consequence of the enactment of the pending shipping bill. But, Mr. President and Senators, mark you, their efforts have been purely destructive, and nothing of a constructive character has been proposed. For 38 long years the Republican majority has sat here in the Halls of Congress and watched our once powerful foreign merchant marine shrink and shrivel, and though they forced through the House and Senate under whip and spur their own pet legislation on a variety of subjects, they did practically nothing to give renewed life and vitality to our deep-sea shipping. They have never built it up, and now they strive to prevent the Democrats from doing so.

I wish to call attention to the fact that in spite of their caustic criticism they have not proposed anything in lieu of the pending bill. If the Republicans are sincere in their opposition as statesmen and constructionists and not destructionists, they should propose a substitute measure. But they have done nothing of the kind. No adequate plan to upbuild our merchant marine has been suggested by them. They are eager only to destroy.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I do.

Mr. JONES. Has the Senator overlooked the fact that the Senator from Iowa [Mr. CUMMINS] and also the Senator from Massachusetts [Mr. LODGE] have each offered a substitute, a whole substitute, for this bill?

Mr. RANSDELL. I have not overlooked that fact, but I should like to ask the Senator from Washington if his party is seriously supporting those two measures?

Mr. JONES. I think the Senator will find that the vote on this side will be pretty solidly behind those propositions, if they ever come to a vote.

Mr. RANSDELL. Will the Senator please state which one of them he will support?

Mr. JONES. I shall probably support both.

Mr. RANSDELL. Can the Senator support both, I ask him?

Mr. JONES. Certainly.

Mr. RANSDELL. Why is it, may I ask, that your party did not attempt for 38 years to do something and it is not until the Democrats attempt to pass a measure that you find something you can support?

Mr. JONES. The Republicans have been supporting measures during the last 15 or 20 years, but our Democratic friends were voting solidly against them and proposing nothing in return.

Mr. GALLINGER. And filibustering against them.

Mr. JONES. This is not the first time a filibuster has been used on a shipping bill, either. Not only is there a filibuster at this time on the shipping bill by the other side, but they have done it heretofore. I am rather surprised that the Senator from Louisiana, after his fulminations against filibustering,

should be apparently filibustering on the proposition now before the Senate to recommit. Whether he is supporting the motion to recommit or not, he is taking the time of the Senate.

Mr. RANSDELL. The Senator from Louisiana is not filibustering, and you can get all the voting you want before the day is over.

Mr. JONES. Possibly we can reach a vote before the day is over, but it may be that we shall not.

Mr. MARTINE of New Jersey. Mr. President——

Mr. RANSDELL. I yield to the Senator from New Jersey.

Mr. MARTINE of New Jersey. I wish to ask, if the Senators are so sincere on the other side, when during the past 30 years, except in the past two years, they have been almost uninterruptedly the dominant party, why in the name of God they have not formulated and perfected something like a shipping marine measure?

Mr. WALSH. Mr. President——

Mr. RANSDELL. I will yield in a moment. I was going to ask the Senator from Washington, if his party seriously is in favor of either the measure introduced by the Senator from Massachusetts [Mr. LODGE] or that introduced by the Senator from Iowa [Mr. CUMMINS], why it has not prepared and offered it as a substitute and given support to it as a party? Why has it not been presented to the country as a measure that the Republican Party is supporting? The country knows what the Democratic Party is supporting, and we are entitled to have a Republican substitute, if there be one, and not a measure presented by individual Senators. If the party is behind it, let it say so and present it so that the country may see exactly what it is presenting and just where it stands. I now yield to the Senator from Montana.

Mr. WALSH. I should like to inquire of the Senator from Washington which of the coming substitutes we are to understand receives the approval of the Republican side of the Chamber, the one offered January 9, 1915, or the one offered February 2, 1915?

Mr. JONES. I will say, Mr. President, the chances are that if we get an opportunity to vote on either one of them either of them will probably have almost the unanimous support of this side of the Chamber.

Mr. WALSH. I am glad to hear that. I should like to inquire of the Senator from Washington if he will be able to tell us before the debate closes what the difference in principle is between the substitute of February 2, 1915, and the pending bill?

Mr. JONES. When I have an opportunity to do that I shall certainly take the time, and be very glad to do it.

Mr. WALSH. I shall listen to the Senator with great interest, because I have read it carefully and I am unable to distinguish the difference in principle from the bill now pending.

Mr. JONES. I am very glad to know that we are likely to get some recruits from the other side for this substitute.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Iowa?

Mr. CUMMINS. Inasmuch as the substitute which I have offered has been under discussion for the last few moments, I desire to say that so far as I am concerned no bill of mine will ever be offered to any caucus. I do not believe in caucuses upon legislation. I never attended one in my life, nor would I be bound by one. Therefore if I offer a measure which commends itself to a majority of the Senators I am very glad of it, but I think my disinclination, where the other Republican Senators would consider a legislative proposal and agree upon it and be bound by a majority whc may attend the conference, is the reason why my substitute is not presented as the declaration of a party caucus or conference.

I desire to say further that nearly five years ago I offered substantially the same proposal to the Senate, and if at that time the Democrats in the Senate had been willing to vote for it it would have passed the Senate. It did not satisfy a number of my Republican associates. I am very glad that in the progress of time there has been some change of opinion, so that at this time it is likely to be supported by substantially all my party colleagues and I sincerely hope by a great number upon the other side, because there is nothing in this question that has aught to do with a party organization or a partisan problem.

Mr. POMERENE. Mr. President——

Mr. RANSDELL. I will yield in a moment. I am glad to see that the Senator from Iowa is so earnestly in favor of legislating to upbuild our American merchant marine. I believe he has always been in favor of it, and I give him credit for his action not only in that particular but in many others during his career in the Senate. But he has just stated that his party associates would not help him in that measure of his and therefore it failed. They were in the majority and they could have passed it if they had wanted to do so. If that was not satisfactory to them, they knew full well that the American merchant marine had shrunk until it amounted to practically nothing, and it was their duty as the party in power in both Houses of Congress and with a President in the White House to legislate on this most important measure for the welfare of the country, and they failed to do it.

Now, I want to ask the Senator if he objects to caucuses, as he is pleased to call them, does he deny the truth of the old saying that in "unity of counsel there is much wisdom"; and if he does not refuse to go into a conference with his fellow Republicans on a great business question like this why have they not conferred, and if they have conferred is it a fact that they have agreed to support his measure?

Mr. CUMMINS. Mr. President, I do believe in counsel. I think there is nothing more helpful than a conference among men who may be supposed to have a common object in view. I say that I do not think there is great wisdom in that sort of procedure, but I am unalterably opposed to such a conference in a form that will bind the judgment or the conscience or the action of anybody. That is the difference between a conference in order to secure the views of those who may enter it and a conference or a caucus which ends with a binding obligation that, no matter what one may believe with regard to the measure, he must vote for it or be subjected to criticism such as we heard so volubly and so emphatically and so disagreeably uttered the other day.

Mr. RANSDELL. Mr. President, I am sorry to see that the Senator does not answer my question. I do not want to force him to say whether there has been a conference on his measure or not, but I should like him, if he can with due propriety, tell us whether or not his side of the Chamber has conferred on his measure; and if so, whether they intend to present it as a substitute for this bill?

Mr. CUMMINS. If the Senator from Louisiana wants a definite and specific answer, I will say there has been no conference; but I am interested in the subject. I am firmly persuaded of the wisdom of the substitute that I have offered, and I have taken occasion, therefore, to consult the greater number of my party associates, and in that way I have gathered their views with regard to the substitute.

Mr. RANSDELL. Mr. President, without carrying it further, the Senator and his friends seem to have conferred enough to be a unit against this bill.

I now yield to the Senator from Ohio [Mr. POMERENE], who wished to interrupt me.

Mr. POMERENE. The Senator from Louisiana discussed the question which I intended to advert to.

Mr. RANSDELL. All right.

Mr. President, to resume. Not content with setting forth their reasons for opposing the shipping bill, if they honestly oppose it, they resort to preventive tactics that can not fail to merit the condemnation of all right-thinking men.

VARIOUS REMEDIES PROPOSED.

Various methods of rehabilitating our foreign merchant marine have been suggested, and I shall examine them briefly.

First. Subsidies: The Democratic Party is on record as being unalterably opposed to subsidies. Its principle is "equal rights to all and special privileges to none," and the Democratic platform of 1912 says explicitly:

> We believe in fostering, by constitutional regulation of commerce, the growth of a merchant marine which shall develop and strengthen the commercial ties which bind us to our sister Republics of the south, but without imposing additional burdens upon the people and without bounties or subsidies from the Public Treasury.

This is in strict accord with Democratic doctrine and practice, and therefore subsidies need no longer be discussed. Even the Republicans during their 38 years of power since the Civil War either could not or would not pass a ship-subsidy bill.

I wish to say in passing, Mr. President, if they failed to pass anything else they wanted to pass, I never heard of it.

Public sentiment generally is opposed to and would not stand for subsidies.

Second. Discriminating tariff rates and tonnage charges: As I have already stated, under the acts of 1815, 1817, and 1828 we have entered into commercial treaties with all maritime nations under the terms of which we can not discriminate in favor of American vessels. The last Democratic tariff bill of 1913 contained a provision for discriminatory duties, but the Attorney General held that this provision violated our treaty obligations with many foreign nations, hence it has not been put into effect.

Third. Government guaranty of private bonds: This is nothing but another form of subsidy which is abhorrent to the principles of the Democratic Party.

Fourth. Revision of our navigation laws: This last is the only one that needs any extended discussion; but the charge has been so repeatedly made that our obsolete navigation laws have restricted the growth of our foreign commerce that I feel it my duty to set forth a few facts to refute this groundless accusation.

CONSTRUCTIVE DEMOCRATIC LEGISLATION.

In enumerating some of the causes of the shrinkage of our American shipping I mentioned briefly that formerly our navigation laws had imposed severe restrictions on the American shipowner, but on August 18, 1914, a Democratic Congress revised those laws and repealed their most objectionable features, including the provision prohibiting the entrance of foreign-built vessels into American registry, and since this legislation has been enacted by the Democrats it can no longer be urged that it is our antiquated navigation laws that hamper our foreign marine.

In examining the question of ships in American registry competing with those in foreign registry two main things are to be considered:

First. The original cost of construction, on which depends (a) interest, (b) insurance, (c) depreciation; and

Second. Cost of maintenance and operation, which includes (a) officers, (b) crews or manning, (c) provisions, (d) repairs, (e) coal and oil, (f) equipment and safety appliances, (g) port charges, (h) general administration.

Without going into the various causes that have created the situation, it may be stated as a fact that it costs less to build a ship in Europe than it does here. According to Mr. Bernard N. Baker, of Baltimore, an acknowledged authority on the subject, a 10,000-ton cargo vessel costing $500,000 in Europe would cost $650,000 in the United States, or about one-third more. Mr. Baker told me personally that he secured these figures from a comparison of actual bids for the construction of the same vessel made by American and European shipyards. Previous to August 18, 1914, our navigation laws provided that ships in American registry should be American built and owned, and prohibited the registration of foreign-bulit ships.

It follows, then, that an American shipowner of a 10,000-ton cargo vessel formerly started with an initial handicap of $150,000. He lost the interest on that sum during the life of the boat, had to pay for additional insurance to cover the increased cost of the vessel, and at the end of 20 years, at which time it is estimated by marine experts a ship has outlived its usefulness and is fit only for junk, he lost $150,000 more than did his European competitor.

It is evident, then, that the foreign shipowner had a tremendous advantage at the very outset over the American, which it was difficult, if not impossible, to overcome.

Realizing this fact, the Democratic Congress last session enacted a law admitting foreign-built ships to American registry, and thereby at one swoop leveled the barriers and made possible the beginning of a real competition, so far as the original cost of the vessel was concerned.

I wish to call the attention of the Senate especially to this fact: The Democratic Senate and House had to repeal this objectionable law. Now you can go into the markets of the world and buy ships. Formerly you were forced to buy them in America with a terrible handicap against you in the greater cost of the vessels.

Let us now take up the cost of maintenance and operation and consider briefly in this connection the various items already listed:

(a) Formerly our navigation laws required that all watch officers on merchant vessels of the United States should be Americans, but by Executive order of September 4, 1914, President Wilson, by authority of the act of August 18, 1914, declared that all watch officers on foreign-built vessels admitted to American registry could be retained without regard to citizenship for a period of seven years.

As a matter of fact, however, both native and foreign officers on American vessels receive higher wages than do those on ships of other countries.

In regard to the number of officers a provision of the Hardy Act of March 3, 1913, requires on some American vessels one more officer than is demanded on corresponding foreign vessels. In the saving of this salary and because of their smaller salaries generally foreign vessels have a slight advantage.

(b) Our navigation laws impose no restrictions in regard to the nationality of the crews on American vessels, and the number is about the same as on foreign ships. The wage scale is, however, somewhat higher, and in this the foreign ship has some advantage.

(c), (d), (e), (f) In regard to the next four items, provisions, repairs, coal and oil, and equipment and safety appliances, in the long run there is little difference between the cost on American and on foreign vessels.

(g) On account of the various commercial treaties already mentioned, tonnage and port charges are the same on foreign and domestic ships practically the world over.

(h) The last item is general administration, and in this, from the very bulk of their business, the British, for example, have the better of us. The expense of running a company which has two ships is much greater proportionately than that of a company which has 20 vessels. Evidently, as our commerce increases, however, this difficulty will disappear.

We have examined briefly the various items that enter into the cost of constructing and operating a merchant vessel, and we find that the charge that our merchant marine is hampered and restricted by antiquated navigation laws is practically without foundation. Whatever cause for criticism there may have been in this direction in the past has been removed by the enlightened and farseeing action of the present Democratic Congress, which, by the act of August last, admited foreign-built, but American-owned, vessels to American registry. Since this amendment was made to our laws 123 vessels, aggregating 455,021 tons, have been admitted to American registry to date.

Let those glib critics who so freely attack our navigation laws, who make such sweeping accusations, who speak in glittering generalities, give us a bill of particulars and specify what section or sections of our navigation laws are faulty and handicap our shipping, and wherein and in what manner they compare unfavorably with the laws of other nations.

But while our navigation laws are in a good condition, the foreign shipowner, as already mentioned, has a real advantage in the matter of wages. In addition to this, our competitors—the British, for instance—have a firmly established and well-organized business; they have regular lines to all parts of the globe, and their agents are in every market of the world. Their reputation is made, and they have many customers of long standing. They have their ships, docks, and all necessary adjuncts, and many of them receive heavy subsidies from their Governments.

On page 6 of a publication issued by the Bureau of Navigation, entitled "Ocean Mail Systems and Ship Subsidies of the World," we note that the aggregate amount of subsidies and other forms of contributions granted by foreign nations to their vessels is upward of $46,000,000 per year.

By countries, the amounts of subsidies, and so forth, granted are as follows:

Great Britain and colonies	$9,689,384
France	13,423,737
Japan	5,413,700
Italy	3,872,917
Spain	3,150,012
Austria-Hungary	2,984,530
Germany	2,301,029
Russia	1,878,328
Norway	1,102,143
Netherlands	880,011
Sweden	277,752
Denmark	145,000
Belgium	55,970
Portugal	50,000
Chile	253,195
Mexico	75,000
Egypt	54,000
Brazil	1,300,000
Total	46,907,220

On the other hand, the only form of contribution by the United States to its merchant marine in 1914 was the sum of $1,406,014 as compensation for carrying mails.

All these things combined and the further fact that the attention of our people has been turned so completely away from the ocean, their activities bent in other directions and their capital invested in other ventures, make it imperative that our National Government take some action to give new impetus to our shipping industry. The past six months have afforded us a costly lesson. The value, aye, the necessity, of a merchant shipping has never been made so apparent.

EXTORTIONATE FREIGHT RATES.

The outbreak of the present war brought about a sudden withdrawal of belligerent vessels from our commerce; this caused a tremendous scarcity of cargo space, and thereby forced freight rates up to prohibitive figures. To European ports rates increased from 50 to 1,000 per cent. Thousands of tons of commodities unable to secure shipment were piled up on wharves or stored in warehouses.

In a strong report by Mr. McAdoo, Secretary of the Treasury, and Mr. Redfield, Secretary of Commerce, to the United States Senate, published as Senate Document No. 673, Sixty-third Congress, third session, on page 15, we find that the rates on grain from New York to Rotterdam have increased 900 per cent since the outbreak of the war; on flour, 500 per cent; and on cotton, 700 per cent.

On page 14 we find that the rates from New Orleans to continental Europe, excluding Germany, on grain increased from

300 to 488 per cent and on cotton from 369 to 759 per cent. I am informed by the State Department that the present rate on cotton from New York to Bremen is $15.60 per bale and to Russia $18.85 per bale. When we remember that the rate last July to Europe was $1.25 per bale we can understand how great is the increase and how exorbitantly high freight rates are. The difficulty is not in finding markets for our products, but in securing transportation. Our small tonnage engaged in the foreign trade is entirely inadequate to cope with the situation. The vessels are earning tremendous profits, however, and it is perfectly apparent that the great opposition to this bill comes from shipowners and shipping combines. These, perhaps, are like the proverbial dog in the manger—they can not do the business themselves and yet they are unwilling for anyone else to do it. The small amount which they do handle is carried at such unreasonably heavy charges that it is said the freight on a recent cargo from Wilmington, N. C., to England and return exceeded the value of the vessel. Anyone can make the estimate for himself. On cotton, for instance, the charge is $15.60 per bale to Germany and $18.85 per bale to Russia. At those rates a ship carrying 11,000 bales to Bremen—as, for instance, the *Dacia*, which was purchased recently by Mr. Breitung from its German owners for $165,000—would receive $171,600 for its load of cotton; and if the same vessel had carried the cotton to Russia, its freight charge would have equaled $206,350. If we assume that the charges were equally as large on the return cargo, the amount for the round trip to Bremen would be $343,200 and to Russia $413,700, or considerably more than the first cost of an ordinary vessel of that capacity.

Mr. KENYON. May I ask the Senator what would be the value of that cotton?

Mr. RANSDELL. The value of that cotton would be something like $40 to $45 per bale in the market at Galveston or New Orleans. The last quotation I saw as to the price of cotton in Germany was 16½ cents per pound, which would make it something like $85 per bale in the market of Bremen. Previous quotations in Bremen had been considerably higher than that.

SHIPPING TRUST FIGHTING BILL.

These figures in regard to freight rates and the total for a shipload of cotton, and so forth, demonstrate how colossal must be the profits of the shipowners. The placing by the Government of a fleet of merchant vessels upon the ocean would help to supply the demand for cargo space and inevitably lower freight rates; this touches the shipping combine in its most tender point, its pocket; and here we have unearthed the moving force behind the opposition to this bill. The Shipping Trust, through the tears and blood of Europe, is wringing from the American people extortionate freight charges, and at the first suggestion of a cut in its profits, through the medium of the present shipping bill, there arises a tremendous outcry against the measure engendered and fostered by the Shipping Trust.

Mr. GALLINGER. Mr. President, will the Senator permit me to ask him a question?

Mr. RANSDELL. I yield to the Senator.

Mr. GALLINGER. Will the Senator explain just what is the Shipping Trust? Is it a European or an American trust?

Mr. RANSDELL. I am inclined to think it is a combination of parties in both countries. We have not had it thoroughly examined yet by any committee appointed to find out about it; but it works, as is usual in such cases, in such an elusive manner that I do not know that you could exactly put your hands on it; but that it exists there is no doubt.

Mr. GALLINGER. Did the Senator observe a few days ago that the district court of the United States for the State of New York, after hearing and inquiry, rendered an opinion that there was no such thing as an American Shipping Trust?

Mr. RANSDELL. I did not see that.

Mr. LEWIS. Mr. President, may I take the liberty to remind the able Senator from New Hampshire that the ruling was not that there was not such a trust, but that the conditions of the war had practically dissolved it.

Mr. GALLINGER. Yes; then it does not exist.

Mr. LEWIS. Intimating not that there had not been such a trust, but leaving only the conclusion to the American public as to whether or not the European war had dissolved it.

Mr. GALLINGER. But the contention, which the Senator from Louisiana is now making with great force, is that the Shipping Trust is interfering with this legislation. The only man who ever spoke to me about this bill is Mr. Bernard N. Baker, of Baltimore, who is supporting this bill, as the Senator from Louisiana has suggested.

Mr. RANSDELL. Mr. President, I do not know whether or not anyone is interfering, but I hold in my hand a letter signed by Wallace Downey, which purports to emanate from the United States Merchant Marine Association, of 15 Church Street, New York. It is addressed to R. J. Corbitt, of the Corbitt Buggy Co., of Henderson, N. C. The letter was furnished me, I may say, by the Senator from North Carolina [Mr. SIMMONS], it having been sent to him by one of his constituents. It reads as follows:

UNITED STATES MERCHANT MARINE ASSOCIATION,
50 Church Street, New York, January 29, 1915.

Mr. R. J. CORBITT,
Corbitt Buggy Co., Henderson, N. C.

DEAR SIR: We are going to ask you to do two things, because we have got to do two things:

First. We believe it a patriotic duty for every friend of the merchant marine to write to the Senators and Representatives from his State, or any other Senators or Representatives whom he can properly appeal to, to oppose the so-called ship-purchase bill (the Alexander bill) by vote and voice as hard as he can; that socialistic proposition would surely involve our country in no end of difficulties abroad and at home. Will you not do this writing?

Second. We have got to ask you to join us in our work by becoming a member of the association. This $10 membership fee, we venture to say, is about the smallest sum which any organization has ever invited you to subscribe, but we will make every dollar of it do the work of two—or ten—because we are spreading the organization and the propaganda everywhere we can just as fast as the backing of our friends will permit.

You can mail us a check for this trifling sum—becoming thereby a member of the association for one year—in the positive assurance that it will be devoted to combating this dangerous legislation and to proposing constructive and correct legislation at the right time, and in the positive assurance that we shall win, because we are right.

Will you not help us? Will you not do the writing to your Senators and Representatives? Will you not enable us to use your $10 to help make the work successful? Many are looking to us to defeat this socialistic shipping bill and then to take the lead in the constructive program. We don't shirk the responsibility, but we must have your help. Will you not give it?

Faithfully, yours,

WALLACE DOWNEY, *Director.*

Mr. LEWIS. Mr. President, will the Senator from Louisiana yield to me for a moment?

Mr. RANSDELL. I yield to the Senator.

Mr. LEWIS. May I read to the Senator from New Hampshire the ruling of the court in the case to which he referred a moment ago? It is taken from the Associated Press dispatches, and is as follows:

NEW YORK, *February 3.*

The Government's antitrust suits against the Prince, Hamburg-American, Lamport & Holt—

Demonstrating what the Senator from Louisiana has well stated—the combination of foreign and American lines—

and other steamship lines, charging restraint of trade in freight and passenger business between America and Brazil, and against the American Asiatic Steamship Co. and others whose ships ply between New York and Asiatic ports, were dismissed to-day.

In dismissing the petition against the Prince Line and its codefendants, which include a British line and two German lines, Judge Lacombe asserted the combination complained of had been practically dissolved as a result of the European war.

A dispatch from Washington quotes officials as saying an appeal probably will be taken to the Supreme Court.

Mr. RANSDELL. I thank the Senator for his very appropriate contribution. Continuing my remarks about the Shipping Trust: Immediately every agency is started at work, and a systematic, organized campaign of opposition is begun. Money is contributed, letters written, speeches delivered, appeals made, the catchwords of "Government ownership" and "socialism" sounded throughout the length and breadth of the land, and heaven and earth moved to prevent—what? To prevent the Democratic Party from interposing the strong arm of the United States between the oppressor and the oppressed, and dragging the hand of the Shipping Trust out of the pockets of the American people.

Mr. GALLINGER. Mr. President, will the Senator from Louisiana permit me to interrupt him further?

Mr. RANSDELL. I yield to the Senator.

Mr. GALLINGER. The Senator has read a letter from Mr. Wallace Downey. I do not see anything bad in that letter. Mr. Downey is opposed to the present legislation, and he is using all the means at his command to defeat it. On the other hand, the Secretary of the Treasury and the Secretary of Commerce are traveling over the country at the expense of the Government advocating this legislation. I believe that that is more reprehensible than the attitude that a private citizen has taken on this bill.

Mr. RANSDELL. Mr. President, it seems strange, if Mr. Wallace Downey is such a patriot that he and his friends in the past have not attempted to secure some legislation to correct the awful evil under which we are suffering now. It seems strange that he does not present something at this time. He says, at the "right time" they are going to present some remedy. When will the "right time" ever come? Is not 38 years long enough? They have not done anything in 38 years.

Mr. GALLINGER. Mr. President, the Senator is courteous; and I will ask him if he will yield to me a moment further?

Mr. RANSDELL. I am very glad to do so.

Mr. GALLINGER. The Senator a little while ago said that no substitutes had been offered for this bill. If the Senator will turn to a publication on his table, the Journal of the proceedings of last Friday, he will find, on page 13, that I offered a substitute for this bill and that it was laid on the table by the unanimous Democratic vote as opposed to the unanimous Republican vote in opposition to that motion; and if the Senator will turn to the proceedings at the conclusion of the Fifty-ninth Congress, he will find that a bill that I had offered similar to the substitute referred to passed the Senate, went to the House of Representatives, was slightly amended there, came back, and I made a motion to concur in the amendment of the House of Representatives, and it was filibustered to death by Democratic Senators.

Mr. RANSDELL. May I ask the Senator if that was a ship-subsidy bill? I have not had a chance to examine it.

Mr. GALLINGER. It was a postal-subvention bill, enlarging the subventions in the act of 1891.

Mr. RANSDELL. Was it not what is commonly known as a subsidy bill?

Mr. GALLINGER. It was known as a subsidy bill by Democratic Senators, because whatever the Republicans offer in this direction is a subsidy, while the bill now before the Senate, which is the most abominable subsidy that was ever offered to the Senate, is not a subsidy, in the opinion of Democratic Senators.

Mr. RANSDELL. I will ask the Senator if he can draw a distinction between a measure where the Government, as the representative of the people, would get the benefit of any profits that might be made and a measure where individuals would get it, as in the case he would seek to remedy by his bill?

Mr. GALLINGER. I do not see where the profits are going to come from, inasmuch as both the President and the Secretary of the Treasury say this will be a losing venture.

Mr. RANSDELL. Mr. President, it seems to me that there would be a very considerable profit if the business were properly handled. It is a fact well established by the official reports that the ships of the Panama Railway Co. have earned something like $735,000 in the last 10 years.

Mr. GALLINGER. Mr. President, if the Senator will yield again, I would like to suggest to him that in my own time, which doubtless will come before this bill is finally voted upon, I will show that the figures the Senator has preesnted as to the profits from the Panama Railway service are utterly illusory and that, as a matter of fact, such profits do not exist.

Mr. RANSDELL. I should be very glad to see those figures. The ones I have used were furnished to me by the highest officials of the company, and I believe them to be correct. An actual profit of $735,723 is given as the earning of the Panama Railway ships in the last 10 years.

To resume, Mr. President, this letter which I have read is an endeavor by shipowners, or their friends, to create an artificial opposition to the shipping bill. Note how cunningly it is composed:

> That socialistic proposition would surely involve our country in no end of difficulties abroad and at home.

No proof, no facts; mere assertion. The two bugbears of socialism and international complications shaken before the faces of the American people, because the Shipping Trust does not want to yield its monopoly of transportation. I shall refer later to the question of Government ownership, but suffice it to say now that it was not socialism for the United States to realize the dream of centuries and link the Atlantic and Pacific Oceans by excavating at a cost of $400,000,000 that masterpiece of engineering skill and monument to American enterprise, the Panama Canal; it was not socialism for the United States to appropriate $40,000,000 to build railroads that will cross the wilds of Alaska and open up to the world the incalculable mineral treasures of that ice-clad land; it was not socialism for the United States to operate the ships of the Panama Railroad Co. at a total profit in less than 10 years of $735,723; it was not socialism for the United States to operate the Panama Railroad Co. crossing the Isthmus at a profit of $16,099,742.25 in 10 years.

Mr. President, I submit at this point a table showing the profits of the Panama Railroad Co. by years, which I should like, without objection, to insert in my remarks.

The VICE PRESIDENT. If there is no objection, it will be so ordered.

The matter referred to is as follows:

By years, the profits of the Panama Railroad were as follows:

1905	$1,079,892.92
1906	838,939.48
1907	1,430,373.44
1908	$1,710,295.03
1909	1,910,842.58
1910	1,574,409.66
1911	1,675,329.45
1912	1,997,280.80
1913	1,828,852.68
1914	1,825,919.82
4 months from June 30 to Oct. 31, 1914	227,606.39
Total for 10 years	16,099,742.25

Mr. RANSDELL. These figures are given me by Mr. Rossbottom, secretary of the Panama Railroad Co., and are a clear refutation of the charge that the Government can not operate a business profitably.

It was not socialism for the United States to pour millions of the taxpayers' money as subsidies into the pockets of shipowners during the period prior to the Civil War; but, say these Shipping Trust propagandists, it is socialism for the United States to pay out its money, get ships in return, and operate those ships in this pressing emergency for the benefit of the whole people. And that is socialism. Why? Because that is different; that pinches the corns of the Shipping Trust and will loosen its grasp on the American shipper.

But let us look a little further in this letter. Listen to this:

> You can mail us a check for this trifling sum in the positive assurance that it will be devoted to combating this dangerous legislation and to proposing constructive and correct legislation at the right time—

"At the right time!" When? This phrase has a familiar smack. It is the old yelp of the special interests and the Republican Party. It means postponement, procrastination, delay—anything but immediate action. It is this cry that has caused these long, long years of Republican inaction and has fastened the grip of the Shipping Trust upon the throats of the American people. Sirs, this is constructive legislation, this is correct legislation, this is remedial legislation, this is emergency legislation, this is necessary legislation, and the right time is now, just as soon as we can pass this measure, in the teeth of opposition conceived and encouraged by such propagandas as this.

GERMAN MARKET OPENED TO COTTON.

Mr. President, through the efforts of the Departments of State and Commerce the German market was recently opened for cotton. The American ambassador in Berlin says that a conservative estimate of the market for cotton in Germany is 2,000,000 bales, while there is also a market for 800,000 bales in Austria.

Our ambassador further states the question is now how much of a market there is in Germany, but how much cotton we can get to Germany.

In this connection I wish to say a word about the manner in which the German markets were first opened to our cotton, and to give credit to the man who was the pioneer in the movement.

When the Government official intrusted with the work of facilitating the shipment of cotton to Germany first called on the cotton exporters he was told by the largest firm that they would sell Germany all the cotton wanted, f. o. b. New York, cash against shipping documents. He went from cotton exporter to cotton exporter without obtaining encouragement. At last he saw a young man named W. L. Harriss, of the Harriss-Irby Cotton Co. He explained to Mr. Harriss that cotton was not contraband, and under the London agreement was the first of the excepted articles which would not become contraband in the future. Mr. Harriss replied, "Then my Government tells me that I can ship cotton to Germany?" The official replied, "Yes." "Then I will ship it," he said.

He shipped 6,000 bales of cotton to Germany by Goteborg, Sweden. The banks would not finance the shipment, and he took $300,000 out of his own firm to finance it. Then he chartered the *El Monte*, and on being told that he could ship it directly into Bremen, sent a full cargo into Bremen. He carried marine insurance himself to the extent of $175,000 on the hull. The *El Monte* arrived safely, and the first cotton shipped directly into Bremen in the first ship carrying the American flag into Bremen for 40 years was sent by W. L. Harriss. He has now other boats going over, including two sailboats, which must be towed for a large part of the voyage.

I believe that to W. L. Harriss is due much of the credit of getting cotton into Germany. He blazed the way and demonstrated that such shipments were possible. With what result? Shippers are now endeavoring to get boats to supply the German market, and cotton to-day, instead of selling at 6 cents, is selling at 9 cents in New York City. When we take into consideration the amount of money this increase will mean to the South, and then realize that it was one of the young Americans who came to the rescue of those Government officials intrusted with the work of opening up this market, I do not think too much credit can be given him.

In spite of all the efforts that have been made, however, there is still a tremendous shortage of ships, transportation facilities are inadequate, freight rates have risen and remain above all bounds, and the fact that is strikingly apparent is that something must be promptly done to afford material aid to our foreign merchant marine and to bring relief to our country, to enable present and future crops to be moved, for no one knows how long the war will last. The time for talking is past and the hour of action has come.

I do not know that the pending bill proposes the most effective means to help our shipping industry. If anyone can suggest something better, my mind is open to receive it. I am not wedded to this measure, but in my opinion it is the first practical proposition advanced in many years which seems to promise a meed of success, and I am for it until a better is offered.

PROVISIONS OF SHIP-PURCHASE BILL.

The shipping bill provides that a corporation shall be organized with a capital stock not exceeding $10,000,000, each share having a par value of $100. The United States, through a shipping board composed of the Secretary of the Treasury, Secretary of Commerce, and three civilians, two of whom must be men of large practical experience in foreign shipping, shall subscribe to 51 per cent of this stock and a like per cent of every increase, and the remainder shall be offered for public subscription. Its purpose shall be the purchasing, chartering, constructing, maintaining, and operating of merchant vessels in the trade between the United States and other countries, and it shall begin business as soon as 51 per cent of the stock shall have been paid for by the United States. The Secretary of the Treasury shall sell what are known as Panama Canal bonds to an amount not exceeding $30,000,000, and the sum so realized shall be used to purchase or construct the vessels of the corporation. In return for these vessels the corporation shall issue to the United States its gold bonds, bearing not less than 4 per cent interest, and these bonds shall constitute a first lien on the property of corporation.

The shipping board, subject to the direction of the President, is vested with power to vote the stock of the United States in the corporation. The bill authorizes the President to charter, lease, or transfer to the corporation vessels belonging to the War and Navy Departments fit for commercial purposes and not needed by these departments in time of peace. The vessels of the Panama Railroad Co. are also authorized to be transferred.

One very important provision of the measure provides that the vessels purchased or constructed by the corporation shall, so far as the purposes of commerce permit, be of a type suitable for use as transports or naval auxiliaries, and that under certain conditions, in times of emergency, the President may take possession of such vessels, absolutely or temporarily, for use as naval auxiliaries or transports.

It is further provided that, except as stipulated in the bill, the vessels of this corporation shall be subject to our navigation laws and to all rules, regulations, and liabilities governing merchant vessels under the principles of international law, to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

These are the essential features of the bill. It provides for the immediate creation of that which is most necessary to our interests—the nucleus of an adequate foreign merchant marine. Never in all the history of the United States has there been a greater need for ships and more ships than at the present time, and the pending measure will place upon the ocean a fleet of modern merchant vessels, aggregating more than 600,000 tons, flying the Stars and Stripes and belonging to a corporation in which the United States Government is a stockholder, which will be able to take full advantage of the golden trade opportunities now opened to us.

NECESSITY FOR GOVERNMENT AID.

Mr. President, the opponents of the measure have made the echoes ring with the cry of "Government ownership!" They have charged that the Government is going into the shipping business, that it is encroaching upon the domain of private enterprise, that one step will lead to another, and then they flaunt in our faces the bugbear of a universal Government ownership tending toward socialism.

The gentlemen on the other side, however, permit their imaginations to run away with their good judgment. The United States does not propose to enter indiscriminately upon the proper sphere of private industry. The situation existing at the present time is unusual, and must have some prompt and efficacious remedy. In a great measure through the culpable inaction of the Republicans since the Civil War, our foreign shipping has shrunk, until now we carry only 8 per cent of our imports and exports. The unparalleled conflict in Europe, coming like a bolt from a clear sky, deprived us at one fell swoop, by the withdrawal of belligerent vessels from peaceful trading, of the major portion of our ocean carriers. This shortage of vessels has produced a terrible congestion of one of the great agencies of commerce and inflicted heavy loss and suffering upon the entire United States, especially the South. Private capital is either unable or unwilling to meet the emergency, and to relieve the situation the United States must step into the breach.

The principle involved is this: In times of pressing emergency, such as this, when a titanic war has clogged the wheels of commerce and private enterprise is either unable or unwilling to cope with the situation, it is the right and the duty of the Government, with its vast resources, to come to the rescue, at least temporarily, even to the extent of engaging in private industry, for the benefit of the whole people.

When we add to this the fact that the proposed measure will provide the nucleus of a greater foreign merchant marine of the United States, which will enable us in time to carry the larger portion of our exports and imports, as we did in days of yore, instead of having foreign shipowners earn the colossal annual freight toll of $275,000,000 paid by our foreign commerce prior to the present war; when we consider that such a merchant marine will prevent the recurrence of the present disastrous situation it can not be denied that the shipping bill is entirely justifiable and bears much promise of future good.

COOPERATION AND NOT COMPETITION.

"But," we hear our opponents say, "the shipping bill will not encourage and increase our foreign shipping. It will stifle competition. No one will go into business in opposition to the Government, and on whatever trade route you find a Government-owned ship breasting the ocean waves, there you will not find a private-owned vessel."

Mr. President, this assertion is made without proof, and I deny it flatly.

The object of this venture is cooperation and not competition. The corporation will not be so foolish as to defeat its own purpose by cutting its freight rates so low as to drive private vessels out of business. It will seek to place the American flag upon the ocean and not try to wipe it out. Its purpose will be to place freight carriers where none now exist, and where there are not enough to carry the commerce at fair rates, and when other American vessels are able and willing to assume the burden it will gradually withdraw its vessels from that trade route and place them on other less frequented fields where they can be advantageously used.

The corporation will help to supply a need and will not endeavor to crush those private vessels which are also trying to supply that need, for that would be diametrically opposed to its main object. And it will fix its freight charges at rates at which private-owned ships can profitably operate.

WE CAN SECURE SHIPS.

Another statement repeatedly made upon the floor of the Senate is that the corporation can not secure ships except those German and Austrian vessels bottled up in our ports, and that purchase of these would involve, probably, a breach of neutrality.

Mr. President, I have given this point considerable thought and investigation and am convinced that this is not the case. There are five sources from which the corporation can secure vessels:

First. The Panama Railroad Co.
Second. American coastwise vessels.
Third. Ships of neutral countries.
Fourth. Ships of belligerent countries.
Fifth. Construction of vessels.

First. Panama Railroad Co. ships: The shipping bill authorizes the transfer to the corporation of the vessels of the Panama Railroad Co. These are 9 in number and aggregate 36,500 tons, which would form a nucleus for a larger fleet.

Second. American coastwise ships: The inducements offered by greatly increased freight rates have caused a number of our coastwise vessels to register for the foreign trade, and, according to a special report of the Commissioner of Navigation, 62 vessels, aggregating 136,146 tons, have entered our foreign commerce to date. Many of our coastwise vessels are structurally fitted to engage in transocean trade between the United States and foreign countries. Surely quite a number of these spacious ships that ply between New York and New Orleans, or New Orleans and San Francisco, or San Francisco and Hawaii, or Seattle and Alaska, though coastwise vessels, are entirely qualified to engage in foreign trade. A letter to me from the Bureau of Navigation states that on June 30, 1913, there were 361 steam vessels of over 1,000 gross tons, aggregating 948,856 tons, in the coasting trade on the Atlantic and Gulf coasts, and 117 steamships of over 1,000 gross tons, aggregating 282,666 tons, in the

coasting trade on the Pacific coast, making a total of 478 steam vessels of over 1,000 tons, aggregating 1,231,522 tons, engaged in the coasting trade of the United States more than a year and a half ago. Since then the number has undoubtedly increased. Already 62 of these vessels, totaling 136,146 tons, have registered in the foreign trade, and there is no reason why the corporation should not secure a number of available suitable vessels from those still plying in the coastwise trade. The vacancies made in that trade by the withdrawal of these vessels can easily be filled in time by the construction of new ships or otherwise. In my judgment the shipping corporation will be able to secure from our coastwise commerce quite a number of vessels suitable for deep-sea shipping.

Third. Ships of neutral countries: Although the leading nations of Europe are at war, still there are quite a number of neutral maritime countries, whose ships, if necessary, the corporation could purchase without any suspicion of a violation of neutrality. Norway, Sweden, The Netherlands, Denmark, Italy, Spain, Greece, and Portugal all have merchant vessels that could be secured by the corporation to satisfy its immediate needs.

Fourth. Ships of belligerent countries: There are interned in the ports of the United States 57 German and Austrian vessels, with a combined tonnage of 483,600 tons. The most important thing in this connection, even if we never acquire a single one of these vessels, is that there should be no breach of neutrality. I am convinced, however, that the President of the United States, who has shown himself to be a staunch and true friend of peace, will permit no action to be taken that would in any way involve this country in a controversy with any one of the belligerent nations. Assuming, therefore, for the sake of argument, that the corporation would not secure any ships from the warring countries, I still believe that, with the nucleus of the vessels of the Panama Railroad Co., it could obtain a sufficient number of ships for its immediate needs from our coastwise trade and from neutral countries, and what further vessels it might desire at a later date could quickly be constructed by American shipyards.

Fifth. Construction of vessels: The assertion has been made by the opponents of the bill that it takes from 18 months to 2 years to build a vessel. Practical shipbuilders tell me that a freight vessel of from 5,000 to 10,000 tons can be constructed in 7 to 10 months. Mr. Bernard N. Baker, of Baltimore, informs me that two shipyards have made him offers to build 10,000-ton freighters within 10 months. The Maryland Steel Co. shipyard at Sparrow Point, Md., could build a 6,000 to 10,000 ton freight vessel in 11 and possibly 10 months. The president of the New York Shipyard Co., Camden, N. J., with whom I conferred personally, told me that they had under construction 7,500-ton cargo ships that would be completed within 8 months from the time they were begun. The Newport News Co. builds the large Southern Pacific liners in a little over 8 months, and there can be no question that within 10 months of the issuing of the orders to build, the corporation could have constructed in American shipyards a great number of freighters. It is highly probable that the need for ships will continue. There is no immediate prospect of a cessation of hostilities, and a year from now the world may still be convulsed in the throes of this terrific struggle.

As we have seen, the freight situation in the United States is very bad at the present time, exorbitant rates are being charged on cotton, and so forth, to Europe, and we have every reason to believe that it will continue to be bad for a long time in the future, certainly until the end of the war, a period of time which no one can predict.

The Napoleonic war lasted for practically 20 years; the war between the States of our Union lasted more than four years; Lord Kitchener is reported as having said that the war would be just beginning from the English point of view about the 1st of next May; and when we consider the marvelous resources of the countries engaged in this struggle on both sides, it is fair to assume that it will continue for several years. Some argue that the grain and cotton produced last fall have passed out of the hands of the farmer and say that farmers will get no benefit from this shipping measure, as their crops are now in the hands of speculators. Even if this statement be true, which I do not admit, it is also true that the farmer will have to market another crop of grain and cotton within the next 6 to 10 months, and it will be just as necessary to have shipping for the next crop as for the last. And not only will shipping be needed for our crops, but for lumber and everything else which goes to make up the colossal foreign commerce of the Nation, of which lumber, for instance, can not be carried now at any price. Plainly, then, there is, and probably will continue to be, a great need of ocean carriers, and the only practical way to secure them and to afford thereby the nucleus of a greater American foreign merchant marine is proposed by the pending ship-purchase bill.

BILL PROVIDES NAVAL AUXILIARIES.

There is another very important phase of this subject that I wish to discuss. We hear a great deal these days about the necessity for an adequate Army and Navy and strong coast defenses. Congressmen and Senators are urging the building of dreadnaughts and submarines in order that we may be prepared for a possible war. But it must not be forgotten that battleships and submarines without naval auxiliaries are almost useless, and in the event of an over-seas war, troops without transports would be worthless. Naval auxiliaries and Army transports are just as important for the national defense as an adequate fighting Navy and Army.

One provision of the pending bill specifies that the ships of the corporation shall, so far as the commercial requirements of the foreign trade of the United States may permit, be of a type suitable for use as naval auxiliaries, and the President is authorized in time of emergency to take possession of these vessels, absolutely or temporarily, for such purposes. Hence the enactment of this measure will make available a fleet of vessels that can, should necessity arise, be used as Naval auxiliaries or Army transports.

Considering the measure from the military and naval viewpoint alone, therefore, and ignoring the commercial advantages that would flow from its passage, I contend that the $40,000,000 it appropriates would be well expended in the creation of a fleet of vessels useful and, indeed, almost indispensable to both arms of the national defense in time of war. Let us be guided by the lamp of experience and take warning from the lessons taught by the Spanish-American War. During that war the United States chartered 4 merchant ships, which were converted into cruisers, and purchased 7 merchant ships, which were also converted into cruisers, and we purchased 31 tugs, 17 colliers, 27 yachts (1 yacht loaned), 16 vessels of special classes—101 vessels, at a cost of $11,418,027. Of these 101 vessels used as naval auxiliaries, the department was forced to purchase 21 from foreign nations, as an adequate number of American vessels was not available.

In his letter of January 30, 1915, to me, Hon. Josephus Daniels, Secretary of the Navy, says:

> The records of the Navy Department indicate that the purchase of foreign vessels for use as auxiliaries by the Navy at the outbreak of hostilities in 1898 was made necessary by the lack of suitable merchant vessels under the flag of the United States.

Speaking of the war, Admiral George Dewey, in a letter to the Secretary of the Navy dated November 23, 1905, says:

> Considering the unpreparedness of the Navy Department at this time as regards outlined plans for the procurement and fitting out of auxiliary vessels in time of war, the time within which this auxiliary fleet was obtained was highly commendable to the board charged with this duty, but the commanders in chief of the fighting fleets were embarrassed for lack of fast scouts and colliers, which embarrassment would have been still greater if the operations of war had been more unexpected than they were and against a more active enemy.

Is it the part of wisdom to place the United States at the mercy of foreign shipowners, who might by their refusal to sell us vessels place the United States in a most embarrassing situation?

Out of 57 vessels chartered by the War Department to transport troops during the Spanish War, 6 were secured from foreigners; and out of the 27 transports purchased for use during that war and the Philippine insurrection, 21 were obtained from foreign shipowners.

Think of it, out of 27 vessels purchased 21 were secured from foreigners.

In a special report dated December 22, 1905, Lieut. Col. Smith S. Leach says:

> For the transportation of the Santiago expedition in 1898 the Quartermaster's Department chartered every American vessel that could be obtained in the Atlantic ports during the 20 days following the declaration of war and succeeded in obtaining a fleet of 36 vessels averaging 2,500 gross tons. The official records afford ample evidence that the safe arrival was due to the good fortune of continued fine weather. A severe storm encountered would have scattered the fleet, probably with great loss of life, and would have defeated the object of the expedition. There is nothing except its successful arrival to justify its departure.

But the question naturally arises, granted that our facilities were inadequate in 1898, are we not better prepared now? Could we not now secure sufficient suitable American vessels to serve as auxiliaries and transports? Let us see.

A letter received by me from the Secretary of the Navy, dated January 26 last, states that in the event of war the Navy would require the following auxiliaries:

> Forty scout ships of great speed, of which 15 are now in service; 5 mine-depot vessels, of which 2 are now in service; 25 colliers of great capacity and speed, of which 10 are now in service; 10 tankers of great

speed, of which 3 are now in service or building; 5 supply and refrigerating ships, of which 5 are now in service or building; 5 hospital ships, of which 1 is now in service; 5 repair ships, of which 2 are now in service; 6 transports, of which 4 are now in service or building; 10 dispatch boats of 18 knots, of which none is now in service and building; 10 seagoing tugs, of which 5 are now in service; 5 ammunition ships, of which 1 is now in service; 4 destroyers and repair ships, of which 4 are now in service or building.

It will therefore be necessary at the outbreak of hostilities to acquire for naval purposes, by purchase, charter, or otherwise, at least the following number of auxiliary vessels:

Twenty-five merchant vessels suitable for scouting purposes, 3 mine-depot vessels, 15 fleet colliers, 7 oil-fuel vessels, 4 ammunition ships, 4 hospital ships, 3 repair ships, 2 transports, 10 dispatch boats, 5 seagoing tugs; 78 vessels in all.

The next question is how many of these vessels could be secured from our present American merchant marine, and in regard to the most important of these classes, the following table, compiled by the Secretary of the Navy at my request, gives the best and most succinct answer:

Type.	Minimum required for charter.	Total American vessels available.	American vessels probably procurable.	Number necessary to obtain from foreign source.
Scouts: Speed at least 23 knots	25	10	6	19
Tankers: 14 knots	7			7
Colliers: 14 knots	15	23	6	9
Tankers	23	79	20	3
Colliers	77	170	43	34

From this it will be noted that we would have to secure from foreign sources 19 large scout ships of at least 23 knots speed, 7 large and swift tankers, 9 large and swift colliers, and 3 tankers and 34 colliers of ordinary speed, a total of 72 vessels which we would have to procure from foreign nations.

MILITARY IMPORTANCE OF MEASURE.

Let us turn now to the Army. In his letter of January 27, 1915, addressed to me, Hon. Henry Breckinridge, Acting Secretary of War, says:

We have found it necessary at times to ship supplies to our military forces in the Philippine Islands in foreign bottoms in time of peace; that is, when there was no abnormal military activity in the Philippine Islands.

From this letter it is evident that if the War Department has not always a sufficient number of transports in time of peace it would have to secure all additional ones made necessary by war from American or foreign merchant marines.

To move our entire Regular Army with equipment would require 53 vessels of 6,000 to 8,000 tons and 50 vessels of 4,000 to 6,000 tons, or a total of about 596,000 tons of shipping. To move that portion of our Army that could be mobilized in 15 days would require a fleet of approximately 460,000 tons.

The War Department estimates that about 155 American vessels operating out of Atlantic or Pacific ports and aggregating, roughly, 600,000 to 700,000 tons would be suitable for transporting troops, animals, equipment, and so forth. Military experts generally assume that not more than one-third or one-fourth of these could be immediately secured, the others being at sea, and so forth, and without taking into consideration the fact that many of our vessels in port would be required by the Navy, there would be available only about 200,000 to 250,000 tons of vessels as an outside assumption. This would not be sufficient to transport more than one-half of that portion of our Army that could be mobilized in 15 days, and we would be obliged to secure the other necessary transports from foreign sources. Let me mention in this connection that so short a time ago as 1907, during the Cuban intervention, out of 23 vessels chartered by the War Department 14 were foreign.

To summarize, then, in event of the outbreak of hostilities the United States would be forced to secure from foreign sources 72 naval auxiliaries and a great many Army transports. It is unquestionably the part of wisdom to take steps to create a suitable merchant marine in order that in time of war we would not be dependent upon foreign nations for one of the essentials of national defense. The pending bill will help to create this merchant marine, and, in my judgment, considered alone from the naval and military point of view, the expenditure of $40,000,000, which it provides, would be entirely justified.

Indeed, if there were no necessity for shipping legislation except to provide an auxiliary Navy and suitable Army transports, a greater expenditure than $40,000,000 would be fully warranted; and while I stand for the bill in its present form, believing it to be a wise and good measure, it would be a very decided forward step, even if it should be so changed before final passage as to provide only for suitable auxiliary ships for our Navy and transports for our Army, so constructed that in time of peace they might be used to carry the Nation's commerce to foreign lands. These vessels are liable to be greatly needed by the Navy and Army at any time, as I have shown. They are really essential to our national defense, and no true patriot can raise just objection to providing for them. If we had such a fleet now, they could be used effectively as commerce carriers, and would be of immense help in the present distressing situation. Such a fleet of auxiliary and transport ships would aggregate about 600,000 tons and cost approximately $40,000,000, practically the same in tonnage and cost as the shipping contemplated in the pending bill.

SOUTH'S VITAL INTEREST.

In conclusion, Mr. President, I wish to say that my section of the country is particularly interested in the pending ship-purchase measure. The South has suffered more than any other part of the United States from the war in Europe. Cotton is our principal crop, and the closing, to a great extent, of European markets to our great product has worked a dreadful hardship upon our people. Cargo space is so inadequate that freight rates to Germany, Austria, and Russia are upward of $15 per bale, or more than 3 cents per pound, and even at that price transportation can not be secured. This rate of over 3 cents per pound means the difference between ruin and prosperity for the cotton planter. It is needless for me to elaborate upon the situation. Everyone knows that the food products of the North and West—wheat, corn, cattle, hogs, potatoes, grain, and so forth—have risen enormously in price, while the cotton of the South has glutted the markets of the United States and is far below its true value because of the inability of our ships to carry it to foreign markets.

President Wilson in his very able address to Congress on December 8 last elucidated the situation forcibly in the following words:

The Government must open these gates of trade, and open them wide—open them before it is altogether profitable to open them or altogether reasonable to ask private capital to open them at a venture. It is not a question of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw.

The South realizes the necessity of an American foreign merchant marine sufficiently large to carry its products and the products of the entire United States, as the terrible war in Europe has resulted in the withdrawal of foreign vessels from our commerce.

We should, as far as possible, be independent of foreign ocean carriers in the transportation of our exports and imports, and the pending measure is the most practical means so far presented tending toward this end. I can do no better than to close by calling to your attention the prophetic words of Thomas Jefferson, the great apostle of Democracy, which are directly applicable to the existing situation. They seem dictated by the voice of a seer, for he says:

Our navigation involves still higher considerations. As a branch of industry it is valuable, but as a resource of defense essential.

Its value as a branch of industry is enhanced by the dependence of so many other branches on it. In times of general peace it multiplies competitors for employment in transportation, and so keeps that at its proper level; and in times of war—that is to say, when those nations who may be our principal carriers shall be at war with each other—if we have not within ourselves the means of transportation, our produce must be exported in belligerent vessels at the increased expense of war freight and insurance, and the articles which will not bear that must perish on our hands.

Mr. MARTINE of New Jersey and Mr. OLIVER addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Senator from New Jersey.

Mr. MARTINE of New Jersey. Mr. President, I view with deep regret the situation in the Senate to-day on the so-called shipping bill. I regret it for my party and also for my country's welfare, for I earnestly favor this measure. It is not all I desire, for I would eliminate the so-called shipping board and have the Government deal directly with the question, but it is a step in the right direction.

I hail with great satisfaction a Government-owned marine measure. For years I have pressed the Government ownership of railroads, telegraphs, telephones, and ocean transportation. Ready communication and transportation between the people of the world is a great civilizer and will prove a great blessing to our land.

I regret the heat and hot words used by some of our Democrats to our colleagues. I do not sympathize with it. We are all Democrats and, I feel, patriots, however much we may disagree on questions of policy. I have disagreed with the President on some administration measures and may again, but I know I was and will be honest in my action. And I feel we

should be as charitable to our fellows who may disagree with us as we are to ourselves.

Mr. President, it must not be and it shall not be said that the great Democratic Party would ostracize from its membership men who think for themselves. Mr. President, I love a contender for his honest convictions.

Who was it who wrote the lines?—

In the world's broad field of battle,
In the bivouac of Life,
Be not like dumb, driven cattle!
Be a hero in the strife!
Trust no Future, howe'er pleasant!
Let the dead Past bury its dead!
Act, act in the living Present!
Heart within, and God o'erhead!

It will not do to charge the splendid Senator from New York [Mr. O'GORMAN] as a traitor to and conspirator against the Democratic principles. Ah, no; the Empire State Democracy will repel the charge in stentorian tones. Nor will the country allow the charge of being controlled by selfish interests to be laid to the brilliant Senator from Arkansas [Mr. CLARKE]. And so I might go on, taking in the Senator from Mississippi [Mr. VARDAMAN] and the other Senators who voted against us on this question. I have been a rebel once or twice myself and I may be again if my conscience and judgment shall so dictate. But, fellow Democrats, we can not afford to call each other names. I know we are patriots. We have a splendid mission to perform. Let us cease our quarrels and forgive and forget, that we may advance legislation for the people's good. This can not be accomplished in an atmosphere of hate and bickering. It shall not be said that the great Democratic Party finds fault with men who honestly think for themselves.

Here I quote from an address of the President, delivered in this city on February 4 before the United States Chamber of Commerce:

There are thinking spaces in this country, and some of the thinking is very solid thinking indeed—the thinking of the sort of men that we all love best, who think for themselves, who do not see things as they are told to see them, but look at them and see them for themselves, and if they are told they are white when they are not white plainly say that they are black—men with eyes and with a courage back of those eyes to tell what they see.

I believe this to be a patriotic, wise, and needed measure. These Senators are friends; they have stood with us in many battles for the people's rights, and they will again. Senators, we want you; the country needs you and your aid in this measure. A dire need exists to-day in this land for ships. I have here a clipping from the New York World of January 27, 1915, insisting that now is the time of need and that the opponents of this measure have not proposed any remedy or method by which this relief can be given which, with the permission of the Senate, I shall ask to print in the RECORD without taking up the time of the Senate to read it.

The PRESIDING OFFICER. Without objection, permission to do so will be granted.

The clipping referred to is as follows:

WHAT OTHER REMEDY?

There is no dispute in Congress or anywhere else over the conditions which the Government ship-purchase bill is designed to remedy. These are admitted.

The insufficiency of shipping to move American exports and imports offering is admitted. The burden of excessive ocean rates on American industries is admitted. The immediate expansion of trade and employment in response to any increase in deep-sea shipping facilities is admitted.

Senator ROOT makes no denial in the course of his long speech against the pending bill, so far as it is reported. He is evidently agreed, but he offers no remedy. He is content merely to attack the remedy offered by the administration.

Mr. ROOT has a reputation for constructive statesmanship. Does he expect to improve it in pursuing his present course? What is his remedy for these agreed-upon conditions which are hampering our industrial revival?

Mr. MARTINE of New Jersey. I quote from the Sunday Star of yesterday a similar thought. The article is as follows:

If the ship bill fails now, the question presented to the next Congress and to the voters next year will be much larger than that covered by what even the President calls an emergency measure. We need and we want a merchant marine. We see the value and necessity of such a possession as never before. We are in the plight of a man at a ferry with pressing business on the other side of the stream and yet without a boat.

We must have boats, not for an emergency, but for every day and Sunday, too. We must be prepared at all times to carry our own ocean freights to whatever quarter of the globe there is sale for them. It will be a reflection on our intelligence and business capacity if we are ever again caught with no bottoms of our own to do our own carrying in.

Mr. President, I desire it to be distinctly understood that I have no apologies for supporting this bill. I support it because I believe it a wise and patriotic step.

The Senator from New Hampshire [Mr. GALLINGER] a day or two ago in his address made reference to our Spanish transports which we bought in an emergency, and said they were sold at 50 per cent of their cost. Well, Mr. President, suppose they were; suppose they had all been sunk; they had served their purpose, and the Government and the people of the United States had had value received for all of them. It matters little to me if we had to sell these proposed ships for less than their cost. They will meet this emergency and will lift the burdens that now rest upon us. When the ship-registry bill was under consideration I then expressed my views in this direction. I felt, and I have felt ever since I have been of thinking age—and I think more intensely to-day than ever—that the fear of the Government going into business is a bugaboo. Why, we are in business to-day. We are in the post-office business, which is colossal in its magnitude; we are carrying on a parcel post; we shall build the Alaskan railroad; and we have built the Panama Canal. Then, in Panama we are running successfully hotels, mercantile houses, and other things for the benefit of the people; and last, but not least, we are carrying on a very successful laundry there. I think some of us might look well to that.

Then, with reference to the Panama Railroad and the shipping, we are carrying them on, and have been carrying them on ever since we acquired that property 12 or 14 years ago; and, as has been asserted here, we have realized over $750,000 net, while reducing freights half or more.

As I said here a day or two ago, when the Senator from New Hampshire was speaking with reference to Government ownership, the Government to-day runs the railroad down there. It has a railroad 47 miles long, which, in the days of its private ownership—I well knew the president of the road, Mr. Hoadley, and Mr. Smith, its treasurer—there was charged for a trip for a passenger to cross that 47 miles of road $25. Since the Government has become the owner of the property the fare has been reduced to $2.50 for the trip of 47 miles, large numbers of workmen being carried free. That was the result. When this Panama Railroad was under private ownership they declared dividends of 20, 25, and 30 per cent, sweating it out of each one of the pioneers who attempted to cross the Isthmus. Their stock was sold on the market at 335 per cent of its par value after having declared bounties and stock and scrip dividends every little while.

The New York American of January 23, 1915, has an editorial that to me is most convincing and forceful. With the permission of the Senate, I ask that it be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection permission to do so will be granted.

The editorial referred to is as follows:

WHY THE SHIPPING BILL SHOULD PASS.

WASHINGTON, D. C., *January 23.*

Much attention has been given by the press of the country to the detention by the British of American cargoes.

Not enough attention has been given to the blockade against American commerce due to inadequate shipping facilities.

The importance of the British detentions is largely diplomatic. The detentions of cargoes due to lack of ships are vital to the commerce and prosperity of the country.

Cargoes seized by the British unjustly ultimately must be paid for in full. Cargoes detained in the freight yards of New York, Jersey City, and other ports because of lack of ships on which to load them will not be paid for. They will be a loss instead of a profit.

The cry of scarcity of ships and exorbitant rates comes from every Atlantic and Gulf port.

Since the outbreak of the European war 5,803,014 gross tons of ocean-going vessels have been withdrawn from commercial use. In July last the rate on grain from New York to English ports was from 4 cents to 5 cents a bushel. In December it was 16 cents to 17 cents a bushel, an increase of 300 per cent. The rate on cotton from New York to Liverpool in July last was 20 cents per hundredweight. In December it was 75 cents per hundredweight, an increase of 275 per cent.

The export trade situation, briefly stated, is this: The United States never had more products to ship than are now available, never had a greater demand for its products, and never had less facilities to meet the demand.

Congress is seeking to relieve this unparalleled situation by enacting a bill which provides for the investment of $30,000,000 in ships to be run by a Government-controlled corporation, just as the Panama steamship line is now run.

There can be no doubt that an era of great prosperity for the United States would commence the moment sufficient ocean-carrying capacity was provided to fill the world-wide demand for American exports.

Yet, strange and beyond comprehension as it may seem, a determined effort is now being made by leading Republicans in the Senate to prevent the enactment of legislation which would raise the disastrous blockade against United States export trade due to shortage of ships.

For 30 years Republicans in their national platform have declared in favor of the upbuilding of the American merchant marine. But when it came to the point of making good their party pledge by legislation, the invariable method proposed was the subsidizing of private shipping interests. They never could get enough public support for that proposal to put it through. Yet they persisted in its advocacy for 30 years and accomplished nothing toward the upbuilding of the merchant marine.

Now, in a world-wide emergency, which presents to the United States an unprecedented commercial opportunity, Republican Senators are still

fighting vigorously for private interests as against the national interests

They won't countenance the proposal to have the Government itself furnish the much-needed ships.

Intentionally, or mistakenly, they are fighting the fight of the Ship Trust, which does not want Government-owned ships, because it does not want to lose any of the enormous profits it is now raking in through plundering of the helpless exporters. The Ship Trust is backed by the Money Trust, and both are bringing to bear their powerful influences to defeat the pending bill. These influences are organized, and their work usually is effective. If the producers of the country want the ship bill passed, they must, without delay, make it clear to the Republican filibustering Senators that there will be a day of political reckoning for the opponents of the bill if it fails of passage.

Mr. MARTINE of New Jersey. The Senator from Kentucky [Mr. CAMDEN] said a day or two ago, "I warn you, do not pass this bill." On the contrary, I say to you, Democratic Senators, and to you, Republican Senators, I urge that you do pass this bill. It will again deck the blue ocean with our craft, each floating our starry banner to the breeze. I plead that it may go on and on to greet and reflect the morning sun of every clime; that it may dip and droop only to kiss the water of every sea.

Our Republican friends have for 30 years promised an ocean marine, but their promises have been like the fruit of the Dead Sea, falling to ashes on the lips.

Pass this bill and we will start up shipyards with the busy whirl of industry; the shafts and spindles will hiss and grow hot; the anvils will clang, crying out the notes of industry and of liberty; and all mankind will wear brighter and happier faces in consequence.

Oh, but what do we run against? The Constitution of our country. Mr. President, what crimes and wrongs have been committed in its name! It is too often used as a buffer between men's desires and the people's right. In this crisis and situation the Constitution is, as usual, rolled in as a breastwork behind which the opponents of this bill seek shelter. Mr. President, I think it was Tim Campbell, of New York, who once said, "What is the Constitution, anyway, between friends?" Now, I do not go quite as far as that; but I will say that when the rights and needs of 100,000,000 of my countrymen stand on one side and the Constitution on the other, I will be found on the side of my countrymen though it may strain that ancient and honored document even to the bending point. This is a crisis. Why, you would roll our country back 100 years. This same argument was used when the pure food and drug act was pending. It was said, "Oh, go on and sell people sawdust and poison them for fear the Constitution in some clause might be infringed." The parcel post, the Alaskan Railway, and other measures were stoutly opposed on like grounds.

Senators, I plead with you to pass this bill. It will bring relief, in part, to our country, for what avail bounteous crops beyond our needs if we can not sell them? Our wharves and channels of trade are clogged with treasure because of the lack of an outlet.

To you, Senators of the South, I say it will bring relief for your cotton and your tobacco, and it will relieve your burdens there; to you of the Middle West and of the Northwest I say it will relieve you with your wheat and corn situation; to those Senators from New England and the Middle Atlantic States I say that, as I believe God lives, I believe the enactment of this measure will start the spindles in your mills with a whirr of industry and the clang of your anvils will resound to the very borders of our blessed land. Who will by vote or voice rise to stay the onward march of this giant Republic? Oh, it must not be; it can not be a Member of this great body who will interpose.

Senators, a new dawn and a brighter day is near at hand. Your fellow countrymen ask—yes, they demand—your aid. Will you refuse it in the face of evidence on every side of returning and renewed prosperity and activity in trade and industry, the starting up of great plants in all lines of work?

Our friends on the other side roll as a sweet morsel under their tongues the fact that business has been out of joint and that there are still some idle shops and idle men.

Mr. GALLINGER. Mr. President, will the Senator from New Jersey yield for a question?

Mr. MARTINE of New Jersey. Certainly.

Mr. GALLINGER. The Senator called attention to the fact that the passage of this bill would start up the spindles of New England.

Mr. MARTINE of New Jersey. Yes.

Mr. GALLINGER. Did the Senator observe that two or three days ago Faneuil Hall rang with the denunciation of this bill, and that the Democratic mayor of Boston made the principal address on that occasion?

Mr. MARTINE of New Jersey. I did not know that the Democratic mayor of Boston did that; but God help him if he did [laughter], for, if he did so, he has lost his patriotism, he has lost his individuality and character, in my mind, by denouncing and opposing this measure.

Mr. GALLINGER. Mr. President, the Senator from New Jersey is approaching me in a threatening attitude. [Laughter.]

Mr. MARTINE of New Jersey. Oh, well, Heaven knows such a thing is far from my heart. I love my fellows, and particularly I love my fellow from New Hampshire as a brother. I would not throw a straw in his way. He has led a wise, industrious, and patriotic life; but still I say, with Dr. Watts—

While the lamp holds out to burn,
The vilest sinner may return.

[Laughter.]

I believe I have said you were patriotic. I believe you are; but my understanding of what constitutes a patriot and a statesman is that, among other qualifications, he should be one who would allay excitement, who would quell alarms, false rumors, and false impressions, and not fan the flame.

Mr. GALLINGER. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New Hampshire?

Mr. MARTINE of New Jersey. I yield.

Mr. GALLINGER. I rise simply to say that I forgive my friend from New Jersey for having characterized me as he has done.

Mr. MARTINE of New Jersey. I characterized the Senator only in the loveliest light.

Mr. GALLINGER. There are a great many sinners in the world if all those who oppose this bill are sinners.

Mr. MARTINE of New Jersey. I only meant a political sinner.

Mr. GALLINGER. I want again to say to the Senator—I shall not take time to read into the RECORD even a synopsis of what was said at that great meeting at Boston—that New England does not appreciate the solicitude that the Senator has for her industries, which, he says, are to be revived by the passage of this bill.

Mr. MARTINE of New Jersey. Mr. President, I do not know just what was the meeting to which the Senator from New Hampshire refers, but I can imagine that probably it was like a meeting which they had down at the chamber of commerce, in Broadway, New York. I know the domination and the influences that exist around there. I say they are not all patriotic, but they are most uncanny and unholy in very many instances.

A day or two ago the distinguished and entertaining Senator from Michigan [Mr. SMITH], who is a genius in the art of painting word pictures, with no better material than fog and air—some might say "hot air"—painted in lurid glare and with highest coloring the picture of to-day, as, per his words, that the great metropolis of this country, the city of New York, had 480,000 idle men because of Democratic policy and the Democratic tariff. That is sad, if true. That great city has over 5,000,000 souls within its borders; it is the chief port of entry in our land. Each ship entering that port leaves a large part of its human cargo there; and, for reasons that I need not now explain, other than to say that its fame has gone abroad as the center and seat of wealth, culture, art, progress, charity, humanity, and hospitality in the Western Hemisphere, is it not most natural that some—yes, many—of idle humanity should drift and settle there?

But, Mr. President, that you may grasp just what this great city of New York is, let me say that New York City is the second largest city in the world, with a population of 5,000,000. This is a 39 per cent increase in 10 years, or 1,300,000 human beings, equivalent to the combined population of Boston, Kansas City, and San Francisco. Only three States in the Union have a greater population, our own New York, Pennsylvania, and Illinois.

Do you realize that the area of New York City is 327 square miles; that it contains 5,000 miles of highways, 2,000 miles of sewers, and 341 miles of water front? In 1910 alone $225,000,000 was invested in building operations. There were 136,000 births in 1910—a birth every 4 minutes, a death every 7 minutes, and a marriage every 11 minutes.

Eight hundred thousand children attend public schools in New York City, and $30,000,000 is expended annually on educational work. There has been spent $140,000,000 for the 45 bridges over navigable streams. Assesed valuation (full value) of taxable real estate in New York City is $8,000,000,000; in addition $2,000,000,000 are exempt, covering, for example, Government, State, city, and church property. Fifteen and one-half million dollars were expended for police protection and eight

and one-fourth million dollars for fire protection in 1911. New York City gives $10,000,000 annually out of the city treasury for public charity.

But, Mr. President, what are the real facts as to idleness in that great city? After the extravagant statement of the Senator from Michigan I wrote to the mayor of New York for his best estimate, and then verified his statement by two great newspapers of that city—the New York Tribune and the New York World—and I find that these authorities all prove that this word painter of the Senate was only 400,000 men out of the way. Senators, I beg that this fact may not alarm you, for the soil of the State of Michigan, whence the Senator comes, is fertile to a degree, the air is invigorating; wheat, corn, and even figures grow beyond measure in that wonderful clime under the magic touch of her marvelous sons. What is the fact as to New York City? Let us see. The mayor writes:

In response I will say that there are in New York about 2,250,000 workers. According to the best estimate available, the number of idle men is between 150,000 and 160,000.

The New York World says it is estimated that 150,000 men now lack work in New York. Professional agitators and others are trying to make the number appear larger—and, of course, I have no reference to the agitation which I heard here—but the number of unemployed dependents is only a small percentage. The number of professional vagrants is 8,000. The increase for December last over that of 1912 is shown by the following figures: In December, 1912, the number was 1,162; in December, 1913, 2,260; and in December, 1914, 3,552—not an alarming figure. Mr. President, 2,250,000 workers are employed, and according to the best estimates I have been able to obtain the number of unemployed is about 150,000 or 160,000. So I feel that the statement of the Senator from Michigan is punctured totally and completely in the respect to which I have referred.

Mr. President, in this connection I desire to call attention to a newspaper clipping detailing the story of business failures in the neighboring country of Canada, where no tariff changes have recently been made:

CANADA BAD LAST YEAR.

For the benefit of the political kinds of economists who were ascribing all the business troubles of the last year to the change in the tariff rates, the study is commended of the figures from the neighboring Dominion of Canada, which have just been made public. These show the failures for 1914 to have been more than double those of the preceding year, the liabilities being, respectively, $35,000,000 as against about $17,000,000. Railway earnings fell during the year by $15,400,000, or over 6 per cent. The exports decreased over $20,000,000 and the imports for 11 months were over $60,000,000 less. The building permits for the four largest cities showed a shrinkage of over $29,000,000. As no tariff changes occurred in Canada, the cause or causes of the depression must be sought elsewhere, particularly as it also happened that a similar state of affairs existed in many other countries in North and South America and in Asia and Europe as well.

Mr. President, it was my privilege during the absence of the Vice President to occupy the chair some evenings ago as Presiding Officer. It was then and there that the listeners in this Senate were thoroughly alarmed as with the burst of a cyclone with the cry of "Soup houses! soup houses! soup houses!" The Senator from Michigan ran the gamut from high to low and also, contrawise, to mansions in the skies. Why, God bless you, who would roll this as a sweet morsel under his tongue? I never knew of a soup house or a bread line in the great city of New York until the advent and the régime of the Republican Party with its iniquitous methods of legislation. I have seen with my own eyes a bread line a thousand deep and a thousand long standing at Fleischman's, at the corner of Broadway and Tenth Street, in the very dead of night. This sad sight was not, however, under the régime of the Democratic Party, but under the régime and Presidency of the late lamented President McKinley.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New Hampshire?

Mr. MARTINE of New Jersey. I yield.

Mr. GALLINGER. I should like to suggest to the Senator, Mr. President, that that bread line of a thousand deep and a thousand long was greater than the Russian Army. [Laughter.]

Mr. MARTINE of New Jersey. That may be a very bright observation, but the Senator knows when I said "a thousand deep and a thousand long" what I meant, anyway. [Laughter.] That condition, I beg to emphasize, was under the administration of President McKinley, under the régime of this highly moral party that would sacrifice heaven and earth to fill the mouths of the hungry man they so much love. What mockery and humbug is this charge! I beg to add, Mr. President and fellow Senators, this was under the very shadow of the spire of the wealthy Grace Church of New York, and as this cheerless, shivering throng stood with shrugged shoulders and chattering teeth in that cold, cold night, what rich comfort it was to hear the splendid, glorious chimes ring out on the still of the night, "Praise God from whom all blessings flow." Why, Mr. President, I can almost see my friend the Senator from Michigan rise to offer an amendment to that beautiful hymn by striking out the words "Praise God" and substituting therefor the words "Praise the Republican Party."

Oh, Mr. President, how about Homestead? I went there during that reign of horror, terror, and bloodshed; I went to see for myself and to counsel with the unfortunate ones. I do not want to revive its memories and its horrors; memory is too green to forget—I sicken at the thought—no more! No more! But I beg you, Senators, in the name of truth, do not hold up the theory of protection as the panacea for the evils that to-day exist. Mr. President, no human mind could have foretold the conditions that to-day exist. O God, for the day of peace! O God, for the day when men shall speak the truth!

Mr. JONES. Mr. President——

Mr. OLIVER. Mr. President, I suggest the absence of a quorum.

Mr. JONES. Mr. President, I always listen with much pleasure——

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Norris	Smith, Ga.
Bankhead	Gronna	O'Gorman	Smith, Md.
Brady	Hardwick	Oliver	Smith, Mich.
Brandegee	Hitchcock	Overman	Smith, S. C.
Bristow	Hollis	Owen	Smoot
Bryan	Hughes	Page	Stephenson
Burleigh	James	Penrose	Sterling
Burton	Johnson	Perkins	Stone
Catron	Jones	Pittman	Sutherland
Chamberlain	Kenyon	Poindexter	Swanson
Chilton	Kern	Pomerene	Thomas
Clapp	Lane	Ransdell	Thompson
Clark, Wyo.	Lea, Tenn.	Reed	Thornton
Clarke, Ark.	Lee, Md.	Robinson	Tillman
Colt	Lewis	Root	Vardaman
Culberson	Lippitt	Saulsbury	Walsh
Cummins	Lodge	Shafroth	Warren
Dillingham	McCumber	Sheppard	Weeks
du Pont	McLean	Sherman	White
Fall	Martin, Va.	Shields	Works
Fletcher	Martine, N. J.	Shively	
Gallinger	Myers	Simmons	
Goff	Nelson	Smith, Ariz.	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum of the Senate is present. The Chair recognizes the Senator from Washington.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. The Senator from Washington.

Mr. JONES. I wish to ask the Chair if I am correct in understanding that the proposition before the Senate is the motion of the Senator from Arkansas [Mr. CLARKE], to recommit this bill to the Committee on Commerce?

The PRESIDING OFFICER. Such is the understanding of the Chair.

Mr. JONES. That is the proposition to which I desire to address myself.

I always listen with a great deal of interest and pleasure to the eloquent, fervid, and earnest exhortations of the Senator from New Jersey [Mr. MARTINE]. I have heard these exhortations quite frequently during the last two years, and yet it seems that the beneficent results promised by the Senator never come; at least, they have not yet come. At the close of the first part of the Senator's address I was about persuaded to vote as he desired. He showed such a terrific picture and state of affairs and promised such glowing things as a result of the passage of this bill that I had about concluded to vote for it; but the latter part of his speech was devoted to an attempt to show that no such conditions exist; and so I am now in about the same condition that I was at the beginning of his speech. I doubt the advisability of passing the measure.

I think a great deal of the Senator from Louisiana [Mr. RANSDELL], but I do not think he treated us just right in the eloquent and splendid speech that he delivered. Some of us who have been expecting to get in to assist in the filibuster carried on by the other side have been waiting to address the Senate. When the Senator from Louisiana rose he had in his hand what looked like 8 or 10 pages of typewritten matter. I was congratulating myself, when I saw him get down to the last page, that he was about through; but as he concluded the last page he reached down inside of his desk and pulled out 15 or 20 pages more; and when he got through with that, and I was congratulating myself that the filibuster over there was about to end, he reached down and pulled out 25 or 30 more pages, and it worked us up con-

siderably on this side. It was a splendid speech, however; it gave us a great deal of information and it was presented in a very splendid way.

Mr. President, the motion before the Senate is to recommit this bill to the Committee on Commerce. Those of us on this side of the Chamber have been ready to vote on that proposition for a week. We have been anxious to vote on it for a week. We are ready to vote now. The Senators on the Democratic side of the Chamber have been filibustering against reaching a vote on that proposition. They have not only been promoting this filibuster by talking, but they have also been carrying it on by adjourning from day to day and by recessing over from Friday until Monday, absolutely and wholly neglectful of all the important measures on the calendar. They have been casting aside and putting back all the business that is pressing upon the Senate in order to prevent a vote upon this measure to recommit.

The Senator from Louisiana [Mr. RANSDELL] said that we had been hurling our thunderbolts, and that lightning had been flashing, and that nimbus clouds had been threatening on this side of the Chamber. He is entirely mistaken. He has located this terrific state of nature on the wrong side of the Chamber. All the thunderbolts that I have heard have been on that side of the Chamber for the last three or four days. All of the lightning flashes have been over there. All of these nimbus clouds have been over there. We have been very peaceful on this side, and in what discussion we have been able to carry on we have been discussing in a dispassionate sort of way the merits of the bill that was before the Senate.

Mr. President, on the motion that is now pending I want to use just a little of the time of the Senate. I am doing it, to a certain extent, to help out the other side of the Chamber. I know they do not want to come to a vote on this motion. I know that they want time to be used, and I am glad to accommodate them. I like to do it; and while they have not exactly asked me to use a little time before they press to a vote on the motion, I know they will be glad to have me do it. So I am going to use a few minutes, and to that extent assist them in the filibuster they have been carrying on for a week, and have been carrying on to-day for three hours.

In his speech to the American Electric Railway Association at Washington City a few days ago President Wilson is quoted as saying:

> Enterprise has been checked in this country for almost 20 years.

This is a strange statement and, coming from such a source, an amazing one. Any man who stops one moment to reflect knows it is not a correct statement. That the President of the United States should make it in all seriousness is almost incredible. It was made, however, in all seriousness before a body of representative business men, every one of whom knew it was wholly without foundation. It was no doubt made in perfect good faith and with the utmost sincerity. It forcibly illustrates the remarkable mental processes of the President and his utter obliviousness to actual facts. It is a clear, unambiguous statement as a fact of what every man and woman knows is not a fact.

When I saw it I wondered if I had been or was dreaming. I wondered if figures of our growth, development, and activity of enterprise would not verify what my experience and observation taught me.

Why did the President make this statement? Where has he been living during the last 20 years? Does he know of what has been done during that time? Has he been in a cloister, shut out from all the great activities that have made the last 20 years the most wonderful in our whole history of industrial development? Surely not. Then why such a statement? Under his leadership certain legislation has been passed. He has settled in his own mind that this legislation is going to be a good thing for business and enterprise. Because it has not been in force during the last 20 years he concludes in his mind that business could not have progressed, and so he declares as a fact that, waiting for this legislation, "Enterprise has been checked in this country for almost 20 years."

He is most unfortunate in the period selected. Within that period it can be shown conclusively that enterprise was actually checked while his party was in power and that it has been moving forward with amazing strides during the remainder of that period. The facts will also demonstrate that the statement he has made can be explained upon no other ground than that it is solely and purely a "state of mind."

What of our foreign commerce? Has it been checked during the last 20 years? In 1889 our exports to foreign countries were $742,401,000, while in 1893 they were $847,665,000, or an increase of $105,264,000. Our imports in 1889 were $745,131,000 and in 1893 they had risen to $886,400,000, or an increase of $140,269,000. A Democratic administration went into power and Democratic legislation was enacted, and what was the result? In 1896 our exports were $882,606,000, or an increase of only $34,941,000. Our imports were $779,724,000, or a decrease of $6,676,000. That shows a very decided check to enterprise in the foreign trade. What has occurred since then? In 1913—and, mark you, this closes an uninterrupted period of Republican policies and legislation—our exports were $2,465,884,000, or an increase of $1,583,272,000, and our imports $1,813,008,000, or an increase of $1,033,284,000, or a total increase in our foreign trade or enterprise of $2,616,562,000. And yet the President says that enterprise has been checked during this period.

What of bank deposits? Have they been standing still? In 1889 the deposits in national banks amounted to $1,442,137,000 and in 1893 they were $1,556,761,000, or an increase of $114,624,000. In 1896 they were $1,668,413,000, or an increase of $111,652,000. What has occurred since and after the close of a Democratic administration? In 1913 these deposits amount to $5,953,461,000, or an increase of $4,285,047,000. And yet he says enterprise has been checked. This is not all, however, in this field of endeavor. In 1889 the deposits in savings banks were $1,444,391,000 and in 1893 they amounted to $1,808,800,000, or an increase of $364,409,000. In 1896 they amounted to $1,935,466,000, or an increase of only $126,666,000. Some little check in the savings of the people during that period, but what has happened since? The deposits in 1913 were $4,727,403,000, or an increase of $2,691,937,000. Total deposits in all the banks of the country in 1889 amounted to $3,776,410,000 and in 1893 they amounted to $4,627,223,000, or an increase of $850,813,000. In 1896 they amounted to $4,945,124,000, or an increase of only $317,901,000 during Democratic policies. In 1913 they amounted to $17,482,344,000, or an increase of $12,537,220,000, and yet the President says that enterprise was checked during this time.

What of manufacturing enterprise and industry? Is there any basis for the President's statement in the condition and progress of manufacturing? Let us see. We have the figures only by census periods. In 1890 the value of the products of our manufactures was $9,372,378,000. In 1900, after a period including four years of Democracy, the value of the product was $11,406,926,000, or an increase of $2,034,548,000. After 10 years of uninterrupted Republican policies the value of the product in 1910 was $20,672,051,000, or an increase of $9,265,125,000. In 1890 wages earned by employees in manufacturing industries were $1,891,209,000. In 1900 they amounted to $2,008,361,000, or an increase of $117,152,000. I expect most of this increase came during the six years of Republican policies. At any rate in 1910 the wages earned amounted to $3,427,037,000, or an increase of $1,418,676,000. Let these figures speak as to the truth of the President's statement that industry has been checked.

The tin-plate industry is one of the most eloquent illustrations of the beneficence of the Republican policy. In 1889 we produced no tin plate in this country and imported from abroad 735,779,000 pounds. In 1893, after we had placed a tariff upon such imports, we manufactured 123,606,000 pounds and imported 628,425,000 pounds. In 1896 we made 359,209,000 pounds and imported 385,138,000 pounds, even with the check to industry given by a Democratic tariff; but in 1912 we made 2,157,055,000 pounds and imported only 6,613,000 pounds. Would the President call that a check in this enterprise? He might if he has in mind foreign enterprise.

What of farming enterprise? Has it been checked? Let us see. In 1890 the value of our farms and farm property, according to the census, was $16,082,267,000, and in 1900 the value was $20,439,901,000, or an increase of $4,357,634,000, and I venture to say that this increase came about under the six years of Republican policies. I am justified in this statement from the fact that after 10 years of Republican policies the value of farms and farm property in 1910 was $40,991,449,000, or an increase of $20,551,548,000. In 1889 the value of farm animals was $2,507,050,000, and in 1893 the value was $2,483,506,000, or a decrease of $23,544,000. I expect this decrease came about in anticipation of Democratic legislation, because in 1896, after four years of Democratic policies, the value was $1,727,926,000, or a decrease—a decrease, mark you—of $755,580,000, while in 1913, after 17 years of uninterrupted Republican policies, the value was $5,501,783,000, or an increase—not a decrease—of $3,773,857,000. And yet the President would tell the farmers of the country that their enterprise has been checked for 20 years and seriously expect them to believe it.

What of railroad enterprise? Has it been checked? Has it been at a standstill? Let us see. In 1889 there were 161,276 miles of railroad, carrying 492,430,865 passengers in 1890 and 631,740,636 tons of freight, at 0.927 cent per ton per mile, while in 1893 there were 179,834 miles, carrying 593,560,612 passengers

and 733,558,341 tons of freight, at 0.879 cent per mile, or an increase of 18,558 miles, and of passengers carried 101,129,747, and of freight, 101,817,705 tons, at a decreased rate of 0.121 cent per ton per mile. In 1896, 186,681 miles and 511,772,737 passengers and 753,716,562 tons of freight, carried at 0.806 cent per ton per mile, or an increase of 6,847 miles of road and a decrease of 81,787,875 passengers carried and an increase of 20,158,221 tons of freight, at a decrease of 0.073 cent per ton per mile. While a little more freight was carried during that period of Democratic depression, the people did not do so much traveling. But see what they have done since that time. In 1912 railroad mileage was 258,033, and passengers carried 1,004,081,346, and freight 1,844,977,673, at 0.744 cent per ton per mile, or an increase in mileage of 71,352, and of passengers carried 492,308,609—mark you, this is an increase, not a decrease—and of freight 1,091,261,111, at a decrease of 0.062 cent per ton per mile; and yet the President says "enterprise has been checked" for 20 years. Does he really mean it, or was he "chuckling" when he said it?

In 1889 the Western Union Telegraph Co. had 647,697 miles of wire and transmitted 54,108,326 messages and received $20,783,194, while in 1893 it had 739,201 miles of wire and transmitted 66,591,853 messages and received $24,978,443. This showed an increase of 91,512 miles of wire, 12,483,527 messages, and $4,195,249 in receipts. In 1896 it had 826,929 miles of wire and sent 58,760,444 messages and received $22,612,736, or, while there was an increase of 87,726 miles of wire, it sent 7,831,409 fewer messages and received $2,365,707 less in business. That was during the four years of Democratic policy. In 1913 it had 1,562,497 miles of wire, and in 1912—these are the latest dates for which I have these figures—it sent 90,000,000 messages and received $47,423,443, or an increase in mileage wire of 735,568 miles. That is more mileage than it had in 1889, almost as much mileage as it had at the close of the four years of Democratic policy in 1896 and 1897; yet from 1896 until 1912 there was an actual increase in mileage wire of 735,568 miles, in messages sent of 31,239,556, and in money received of $24,810,707. If other enterprises have not been checked more than the Western Union, they have not suffered much, and all of them would be glad to continue being "checked" in that sort of way.

Government enterprises have not been "checked" either, and their progress indicates what has been common to all industries or enterprises. In 1889 we spent in salaries to teachers in our public schools $87,568,000, and for all purposes $132,539,000, and in 1893 we spent for salaries $104,560,000, and for all purposes $164,171,000, or an increase of salaries of $16,992,000 and for all purposes $31,632,000. In 1896 we spent for salaries $117,139,000, and for all purposes $183,498,000, or during the Democratic period we increased our expenditures for teachers only $12,579,000, and for all purposes only $19,327,000. In 1912 we spent for salaries $283,798,000, and for all purposes $482,315,000, or an increase for salaries of $166,659,000, and for all purposes an increase of $298,817,000.

Mr. President, while industrial enterprise was going with leaps and bounds we also went with leaps and bounds in our educational development and in our civilizing advantages.

Would the President have us believe that our great educational enterprise has been checked for almost 20 years in the face of such evidence of progress as this?

What of our postal business? Does it show that business has been "checked"? Let us see. In 1889 stamps issued were 1,961,980,000 and postal receipts were $56,175,000, and in 1893 stamps issued were 2,750,293,000 and gross receipts were $75,896,000, or an increase in stamps of 788,313,000 and an increase in gross receipts of $19,721,000. In 1896 the stamps issued were 3,025,481,000 and the gross receipts $82,499,000, or an increase in stamps issued of 275,188,000, or only about one-third of the increase of the four preceding years under Republican policy.

Of gross receipts the amount was $6,603,000, while near the close of this 20-year period during which the President says that enterprise was checked and during the year 1913 the stamps sold were 10,962,358,000 and the gross receipts $266,619,000, or an increase in stamp sales of 7,936,877,000 and of gross receipts $184,120,000.

Need any more be said? Need any more facts be presented to show the utter absurdity of the statement that "enterprise has been checked in this country for almost 20 years"? What sort of "psychology" leads to a declaration of this sort in the face of experience and such facts as these? It is a sort new, strange, and unknown to me. Mr. President, where the figures are available they will confirm what everyone knows, that "enterprise has been checked" during the last two years, not for 20 years, but during the last two years; and that the only time it has been checked during the last 20 years has been while the Democratic Party has been in power and Democratic policies in force.

Mr. COLT. Mr. President——

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. COLT. Mr. President, in this world crisis, when the most powerful nations of the earth are engaged in a life-and-death struggle, the Government of the United States proposes by this bill to enter upon a novel experiment never before attempted by any nation and which can not but lead to serious international complications.

Under international law the rights and duties of the sovereign and the rights and duties of the subject are absolutely inconsistent and irreconcilable. This is because international law is a law between sovereign States solely and exclusively and because the subject owes no duty to any government or sovereign other than his own. And yet the United States in this proposed legislation is attempting to occupy this dual position of sovereign and subject in a most important branch of our international relations. In other words, under this bill the United States will have two classes of ships in which it will occupy the position of sovereign with respect to one class and the position of subject with respect to the other class. International law makes no provision for such a situation, and no nation has ever attempted to carry out such a scheme. For a great neutral Nation like the United States to make the attempt at this critical time is certainly a hazardous undertaking.

A neutral sovereign under international law is charged with the duty of maintaining a strict neutrality toward belligerents. Neutrality signifies impartiality. It means that the neutral sovereign shall in no way favor one side or the other; that he shall not do anything for one which the other regards as injurious; that he shall not aid, directly or indirectly, either belligerent. For a neutral sovereign to carry contraband or conditional contraband to one of the belligerents would clearly be a breach of neutrality, and for a neutral sovereign to carry other supplies to a belligerent—except those intended to relieve the sick and wounded—might under some circumstances be considered an unneutral act; and, again, the purchase by a neutral sovereign of the interned ships of one of the belligerents would manifestly be regarded by the other belligerent as an unneutral act. This question is entirely outside of the question about which there has been so much discussion—whether the bona fide transfer of a belligerent ship to a neutral flag is valid or void. That rule contemplates the purchase by a neutral subject, and it has little or no bearing on the broad question of neutrality involved in such purchase by a neutral sovereign.

On the other hand, the doctrine of neutrality has no application to a neutral subject. A neutral subject owes no neutral duty to belligerents. His purchase of interned ships from a belligerent, his carriage of contraband or conditional contraband to a belligerent involves no breach of neutrality. To be sure, the other belligerent may seize and confiscate his ships and their cargoes, but this is simply the right of self-protection conferred upon a belligerent by international law.

This distinction between the rights and duties of the sovereign and of the citizen or subject is illustrated in a recent circular issued by the Department of State on the subject of contraband and neutrality:

> For the Government of the United States itself to sell to a belligerent nation would be an unneutral act, but for a private individual to sell to a belligerent any product of the United States is neither unlawful nor unneutral nor within the power of the Executive to prevent or control.

Again, the ships of a neutral sovereign, under international law, are protected from the right of search, seizure, and confiscation. This is one of the privileges which attach to sovereignty under international law.

On the other hand, the ships of a neutral subject are liable to search, seizure, and confiscation. This, as already stated, is a right accorded to a belligerent on the ground of self-protection.

The United States stands before the world to-day as a great neutral power charged with the high duty of maintaining a strict neutrality and with all her public ships enjoying the immunities and privileges accorded a sovereign under international law.

Now, it is proposed by this bill that the United States shall purchase and operate merchant ships to engage in foreign commerce. It is further provided that all these ships shall be owned by a corporation in which the Government shall be the sole or majority stockholder. It is in this way that the Government is to become merely a stockholder in a private corporation, so that its position with respect to these ships will be that of a subject or private individual, and by this means it is

sought to avoid all the complications which might arise if the Government were the owner.

As Secretary of the Treasury, Mr. McAdoo, says:

> The idea in having the Government take the controlling interest in the company instead of operating these ships directly as a Government operation is, of course, to avoid any possible complication resulting from the Government itself going into the shipping business.
> The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested.

According to the theory of this bill, then, the United States is to descend from its high position of sovereign with respect to these ships and become a mere subject, and thus escape all the duties and responsibilities of neutrality which only attach themselves to the sovereign under international law. Such being the status of these ships they may be seized and confiscated for the carriage of contraband or conditional contraband as any private-owned ship; and here the responsibility of the Government would end and no charge could be made that there had been any breach of neutrality.

In order to fortify this position, the bill further provides:

> And all vessels acquired under this act or in which the United States shall otherwise be interested as owner, in whole or in part, * * * shall, when and while employed solely as merchant vessels, be in all respects subject to all laws, regulations, and liabilities governing merchant vessels, in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

We have then the attempt made by this bill to relegate the United States from the position of sovereign to that of subject with regard to these ships, so that the Government will then have two classes of ships—its public ships, in which it stands in the position of sovereign with all the responsibilities of neutrality, and at the same time with all the privileges which are incident to sovereignty; and a merchant marine, in which the United States stands in the position of a neutral subject with all the rights and liabilities which attach themselves to a subject.

Now, it should be observed in this connection that while a neutral sovereign may waive his sovereign right against seizure and confiscation as to his ships, he can not in any way escape from the great neutral duty he owes to belligerents with respect to any ships he controls, directly or indirectly. A sovereign may waive a right, but he can not waive a duty, and the violation of a neutral duty is an international wrong.

The difficulty with the legal position in which it is sought by this bill to place the United States is that by the very terms of the bill itself these ships are to be controlled by the Government through a Government shipping board. From a legal standpoint, therefore, there is no escape from the proposition that these are Government-controlled ships, and that with respect to these ships the Government would be held to all the responsibilities which attach to neutrality.

But, further, the fact is that this corporation is an attempted evasion of the real truth, which is that this bill contemplates a scheme of Government ownership and control of our merchant marine. The report of the House committee on the bill bears this title, "Government ownership and operation of merchant vessels in the foreign trade of the United States," and the whole discussion in the Senate has proceeded on this theory.

When international law declares that the commerce of the seas is free to neutrals in time of war it means that it is free to neutral subjects and not to neutral sovereigns. The great principle of neutrality forbids a neutral sovereign from engaging in commerce in time of war.

A neutral sovereign in time of war has all he can do to protect the rights of his neutral subjects with respect to foreign commerce, and the situation becomes most perplexing and embarrassing if the sovereign himself becomes interested and thus attempts to occupy the position of both a judge and a party in interest.

For the United States to go into the shipping business at this critical time would be a perilous undertaking, unknown in the history of civilized nations, and it would surely involve grave international complications.

Mr. DU PONT. Mr. President——

The VICE PRESIDENT. The Senator from Delaware.

Mr. DU PONT. Mr. President, I deem it a duty not only to my constituents but to the business interests of the country to make some remarks in opposition to the pending bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

In an address to Congress made by the President of the United States on the 8th of December last the statement was made that—

> We have grossly erred in the way in which we have stunted and hindered the development of our merchant marine.

I fully agree with this statement, Mr. President, and have always voted, since I have been in Congress, for the various propositions which sought to develop our maritime interests by the payment of suitable subsidies, if for no other reason, because this is a method which other countries have long and successfully employed for this very purpose. In this connection may be quoted the highly appropriate remarks of one of my Democratic predecessors in this body, Senator James Ashton Bayard, of Delaware, who said in 1852:

> I am willing to trust American skill and industry in competition with any people on the globe when they stand, nation to nation, without Government interference. But if the treasury of a foreign nation is poured into the lap of individuals for the purpose of destroying the interests of my country or for building up a commercial marine at the expense of the commerce and prosperity of the United States, I for one will count no cost in counteracting such Government action on the part of Great Britain or any foreign power.

The Underwood tariff act of 1913 contains a provision which discriminates in favor of goods imported into the United States in American bottoms, but its terms are such as to make it entirely inefficient as a practical measure for the encouragement of our merchant marine, and no suggestion in regard to putting the provision in question on any effective basis has been brought forward as yet by the Democratic Party, which up to the present time has contented itself by uniformly opposing in Congress all subsidies for the relief of American shipping, and by declaring in the national platform of 1912 its opposition to "bounties or subsidies from the Public Treasury" for the development of our merchant marine.

Exactly one month after the above-mentioned address to Congress the President of the United States, in his speech at Indianapolis, described the bill now before us as "a temporary measure of relief"; but it is not material whether its professed object is to permanently develop our merchant marine or to devise some temporary means for the export of our commodities during the continuance of the present European conflict. The bill now under consideration, whether supposed to bring about either or both of the objects just named, embodies an entirely novel plan, involving an investment of some $50,000,000 of the public funds, a large part of which will be money throw away. The whole scheme is of very doubtful constitutionality, absolutely vicious in its economic principles, highly dangerous as a precedent for future legislation, and fraught with infinite peril to the maintenance of our peaceful relations with other countries. It is proposed that the Government itself should go into the shipping business, not directly, but by the artifice of subscribing to the stock of a corporation which Congress is to create for that purpose, this corporation to be managed by a shipping board consisting in part of members of the Cabinet, who are to purchase or build ships and operate a vast transportation business on the basis of "moderate charges."

As it is admitted, even by the advocates of the bill, that the business of the proposed corporation will be conducted at a loss, "at least at first," it is evident that the minority stockholders, if any, will be confined to those who would be willing to lose their money in the enterprise for political or even for sentimental reasons. When we consider that the cost of shipbuilding in America is from 25 to 50 per cent higher than in other countries and that it costs about $17,000 more a year to operate a ship of 3,000 tons under the American flag than under the British flag, it is plain to be seen that no one would think of subscribing to the stock of the proposed corporation on the basis of a remunerative investment. Further, the pending bill is in plain disregard of the spirit if not of the letter of the Democratic national platform of 1912, since the money which will be lost by reason of the "moderate charges," or otherwise, in the operation of the vessels controlled by the shipping board, will come out of the Public Treasury, and is nothing more nor less than a money subsidy masquerading under the guise of a deficit in the cost of operating.

Notwithstanding the various protestations made, it strikes me, Mr. President, that the fallacious anticipation of the Government's supposed ability to purchase and use the foreign ships now lying in neutral ports and the large patronage which would be controlled by the administration through the shipping board are the two considerations which have had most weight in the formulation and advocacy of the proposed bill.

The first of these considerations is set forth as follows by Secretary McAdoo, in his speech before the Commercial Club of Chicago on the 9th ultimo:

> Some timid people have argued that if the Government is interested as a stockholder in a shipping company and a ship of such company would be seized by a belligerent and brought into a prize court, the sovereignty of the Government would be involved. There is no ground whatever for this view. If the Government operated ships outright, just as it operates the vessels of our Navy, an awkward situation of this character might arise, but where a nation is merely a stockholder or the sole stockholder in a private corporation its sovereignty is not and can not be directly involved if the ships of such a corporation become the subjects of litigation in a prize court concerning any issue which does not involve the Government itself. The Government would stand in relation to such a corporation exactly as any individual stockholder does to a corporation in which he is interested. A suit against the corporation does not necessarily involve the shareholders.

As the senior Senator from New York has conclusively shown, the above contentions of the Secretary of the Treasury are based upon wholly erroneous misconceptions of international law. Although it is denied that the State Department has received as yet any communication on the subject from Sir Edward Grey, there can be little doubt but that a statement from him will be forthcoming in due course of time. If our Government should buy and attempt to utilize the German or Austrian ships, the United States would inevitably be brought into direct collision with Great Britain and other belligerent powers.

The other consideration, in regard to which a discreet silence has been observed up to the present moment, is that the regulations of the classified civil service can not be applied to the multitude of employees of the proposed corporation, which is to be organized under the laws of the District of Columbia, and that the appointment of such employees will be controlled and their salaries fixed by the shipping board, in which two members of the Cabinet are to sit. No doubt this feature commends itself to some of the advocates of the bill, and particularly to a certain member of the Cabinet who, in a recently published letter, stated to his correspondent that he "had enough experience in politics to know how valuable workers are when a campaign is on and how difficult it is to find suitable rewards." No "deserving Democrat," it is apparent, need have any apprehensions of his failure to pass a civil-service examination, as political influence will be the only requirement needed to secure a coveted appointment at the hands of the Democratic shipping board.

In considering the details of the pending bill we are confronted, in the first place, by the highly socialistic feature of the Government's undertaking, either directly or indirectly, to enter into the domain of private business, a step which would be followed by the entire destruction of our privately owned merchant marine, as it could not hope to compete with the Government, which would have no interest to pay on the cost of its investment and be in position to disregard all considerations of business profit in the operation of its lines.

Further, the advocates of the proposed bill lay particular stress upon the high freight rates which now obtain and upon the deficiency of vessels in the ocean carrying trade. It is to be observed that the lack of ships is not the only factor which has determined the advance in freight rates. These have been seriously affected by the very high rates of insurance on vessels and cargoes incident to the danger of their capture, as well as of their destruction by mines, and by the fact, so far as Europe is concerned, that the deficiency in dockage room and the lack of stevedores have involved excessive delay in foreign ports, which necessarily puts the owners of vessels to greatly enhanced expense. It is entirely true, however, that the number of steamships engaged in international trade has been reduced by the absorption of many of them for war purposes, by the destruction of many others by the different belligerents, and, lastly, by the elimination from the carrying business of a great number of German and Austrian merchant vessels, which are tied up in their home or in neutral ports to avoid capture. In view of the fact that all the other steamships of the merchant marine throughout the world are now actively engaged in the transportation of freight, it is not easy to see how the number of ocean carriers can be increased immediately, except by purchasing and putting under our flag the German and Austrian ships just mentioned, which, if attempted, would result in their immediate capture by the other belligerent powers. As it is evident, then, that new vessels must be constructed, which would take at the very least a year to accomplish, how far safer and more economical is the suggestion of the New York Chamber of Commerce that the Government should induce private parties to build new ships by agreeing for a term of years to pay them a bonus equal to the excess of the cost of construction at home over the cost of construction abroad. Such a plan would involve a comparatively small outlay of Government funds and at once give employment to thousands of idle and needy workmen all over the country; and, when coupled with proper amendments to our navigation laws, would go far to reestablish our merchant marine in the shortest possible time. In brief, Mr. President, my judgment is that private enterprise should be encouraged, not stifled.

Another question which arises, even more serious in its consequences, is the precedent which would be established by the passage of the bill. If the Government is to create a corporation in which it is to own at least 51 per cent of the stock and ultimately takes over all transportation of goods by water, which would be the inevitable result, a direct precedent is established for the Government to likewise absorb and take over all interests which transport goods by land. The present Secretary of State, some years ago, advocated a measure of this very kind, and it would not be at all surprising if it were seriously proposed later to create a national railroad corporation for such a purpose in which the Government was to be the controlling stockholder. A member of the Cabinet is already advocating the public ownership of all telegraph and telephone systems of the country, and Mr. Walsh, chairman of the United States Commission on Industrial Relations, in a recent address says that the "control of the coal fields in this country should be taken from the hands of all private corporations and vested in the Government." Mr. President, if the management of all these vast interests is to be under Government control, what unlimited power would be given to the Chief Magistrate of the Nation, and what revolutionary changes would be made in our institutions! Those who objected to a third presidential term would promptly be called "reactionaries," and no doubt we would have before long fourth and fifth terms, and probably Presidents for life. As to the rights of the States, they would become purely imaginary.

I shall now endeavor to briefly discuss some of the international features which are germane to the present bill. The fifty-fifth article of the declaration of London of February 26, 1909, provides that—

> The transfer of an enemy vessel to a neutral flag, effected before the outbreak of hostilities, is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, as such, is exposed. * * *
>
> Where the transfer was effected more than 30 days before the outbreak of hostilities there is an absolute presumption that it is valid if it is unconditional, complete, and in conformity with the laws of the countries concerned, and if its effect is such that neither the control of, nor the profits arising from the employment of, the vessel remain in the same hands as before the transfer. * * *

In regard to the transfer of an enemy vessel to a neutral flag after the outbreak of hostilities, the fifty-sixth article of the above declaration lays down the following rule:

> The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

While it is true that this declaration was never ratified by the President of the United States and consequently does not bind our Government, it is important to note that the principles enunciated in the articles just quoted have been accepted by Great Britain, France, Russia, and Germany as being international law in the case. These countries are the most important participants in the present European conflict, and were the United States to purchase a German vessel and put it under the protection of our flag, the other belligerents would inevitably ignore such action on our part and be guided by the provisions of the fifty-fifth and fifty-sixth articles of the declaration referred to by which they are bound. The pretense that this Government can escape its liability by hiding behind a corporation of its own creation is, as previously stated, absolutely untenable. Unless the purchase of the vessels of any belligerent be expressly prohibited, as proposed in the amendment which was offered by the senior Senator from Massachusetts, there is very great danger of our being drawn into international complications and possibly of being forced to take sides in the present European war, a step to which the immense majority of our American people are inalterably opposed.

Mr. President, the occupant of the exalted office, who, if he has not drawn up, has proposed and inspired the measure we are now discussing, and upon which he so urgently insists, has seen fit to assert that the "self-styled friends of business," as he calls those Members of the Senate who do not agree with his views, "are seeking to defy the Nation." There are all kinds of assertions, Mr. President, including those with which we are all familiar, either made in utter ignorance of the facts or in utter disregard of the facts—usual known as "bluff." Then there are other assertions which, though made in good faith, are entirely worthless, either from lack of proper information or from an intense partisanship which seems to benumb the perceptive faculties. But it all comes to this, Mr. President, that assertions are not arguments and count for little unless supported by proof. I shall endeavor to show that the contention

of the Chief Magistrate of the United States that the Members of the Senate who do not agree with him "are defying the Nation" is an untenable proposition. In the first place, this statement involves the assumption that the Nation, irrespective of party, has rallied to the support of President Wilson and his shipping bill. Mr. President, a state of mind which believes that the national Republican Party of this country is behind the President of the United States in any of his policies is beyond my powers of conception. The Republicans, almost as a unit, strongly disapprove of his Mexican policy, which has resulted in the sacrifice of so many American lives, in the destruction of such an enormous amount of private property belonging to citizens of the United States, and in the expenditure of so many millions of public funds as a sequence to the occupation of Vera Cruz, and the maintenance of large military and naval forces along the Mexican border and seacoast. It is my belief, also, that the great mass of Republican voters have disagreed with President Wilson on the question of the imposition of tolls on American ships passing through the Panama Canal. Both of these issues, however, fade into insignificance when compared with the emphatic Republican disapproval of his tariff policy as enacted in the Underwood bill—a policy which has done incalculable damage to business, thrown millions of people out of employment, and brought about intense want and suffering throughout the land, and especially in the industrial centers of our population. I shall read in this connection a recent circular of the "home relief committee" of my own county and State, which is engaged in the good work of relieving the most serious cases of distress. The chairman of this committee is the wife of the governor of the State of Delaware, and the other officers and members of the committee are the wives or sisters of our best citizens, some of whom are of Democratic faith:

HOME RELIEF.

To the citizens of New Castle County:

Probably never before in your lifetime has there been so much real suffering and lack of the necessaries of life among our people here in Delaware as there is to-day. A man with a wife and little ones who earns but $10 or $12 a week when at work can never live more than a day or two ahead of actual want, and a few months of enforced idleness bring hunger and destitution to his home and those dependent upon him. If you would be convinced, go into almost any section of our city and look for yourself, or inquire of those who know, and you will learn at least a part of the misery around you. A few dollars wisely expended will go far.

Realizing this condition and the impossibility of meeting it through the ordinary channels of public or private charity, the resources of which are sadly overtaxed, the Home Relief Committee was organized to do what it can through the collection of money, clothing, food, and fuel, and the distribution of these where a careful investigation shows they are sadly needful.

We Delawareans must do our duty to our own people here at home. We must see to it that men, women, and little children are not cold and hungry at our very doors, and we must further remember that many men and women are too proud to ask for assistance.

We can assure you that anything you may give will be wisely used where it is most needed, and we earnestly request that you will send what you can in money, clothing, food, fuel, or a job for the unemployed man or women to

HOME RELIEF COMMITTEE,
Clayton House, Wilmington, Del.

Officers of home relief committee: Chairman, Mrs. Charles R. Miller; vice chairman, Mrs. Preston Lea; treasurer, Mrs. Henderson Weir; secretary, Mrs. William G. Coxe.

Finance committee: Mrs. Henry P. Scott, Mrs. Charles Gawthrop, Miss E. N. Draper.

Committee on sewing: Mrs. J. P. Nields, chairman.

Committee on clothing, provisions, and coal: Mrs. Samuel Rumford, chairman.

Committee on employment: Mrs. W. C. Spruance, chairman.

Committee on investigation: Mrs. W. S. Bergland, chairman.

In further evidence of the existing conditions in my State, I quote the following letter which appeared in a Delaware newspaper under date of January 26:

To the farmers attending the Wilmington markets:

On account of the depression in business at the present time there are many people of our city out of employment and in need of the necessaries of life. When they had employment they patronized our city markets. Now, in their trouble, can you give them help by sending donations on Saturday, January 30, from 9 a. m. to 4 p. m., to the Odd Fellows' Building, banquet room, Tenth and King Streets. Every little help from you will be appreciated by the committee.

JAMES F. PRICE,
R. M. BURNS,
JOHN BIGGS,
Mrs. CHARLES R. MILLER,
Mrs. PRESTON LEA,
Committee.

It is true that recent orders from foreign Governments have put life here and there into some of the industrial establishments throughout the United States, which, to a limited extent, has alleviated the general situation; but these orders are sporadic in their nature and uncertain in their duration, as they largely depend upon the fortunes of war and must cease upon the conclusion of peace.

I repeat, Mr. President, that the attitude of Republicans in general in regard to the Chief Magistrate of the Nation and his policies has been largely brought about by the deplorable character of the tariff legislation enacted upon his recommendation and with his full approval, and possibly I may be tempted later to enlarge somewhat on this issue. It seems hardly worth while, however, at the present time to elaborate further upon the opposition of the Republican Party to President Wilson, and although he styles this party a "minority party," the presidential elections next year will definitely settle that question, and perhaps not at all to his liking.

Now, Mr. President, I go a step further, and claim that the opposition to the ship-purchasing bill is not by any means confined to the Republican Party, but that there are a very large number of Democrats who are opposed to the policies of the bill, and do not hesitate to say so. This fact is established not only by frequent individual expressions of opinion, but by the statements openly made in the columns of many Democratic newspapers.

Mr. President, a very fair indication of the feeling throughout the United States in regard to this shipping bill—certainly among the merchants and business men of the country—is afforded by an examination of the resolutions in regard to the bill which have been adopted by the chambers of commerce, boards of trade, and other nonpartisan mercantile associations of our cities and towns. The object, in general terms, of these organizations is to promote the commercial and industrial development as well as the civic welfare of such cities or towns, and on the rolls of membership are found the names of the vast majority of the intelligent, efficient, and successful men of affairs in their respective localities. The resolutions emanating from the business organizations of the cities of New York, Philadelphia, Boston, and New Orleans are worthy of particular attention not only because they are exceedingly strong and outspoken in their condemnation of the shipping bill, but because many of the business men who framed them are speaking as experts thoroughly familiar with the various questions relating to over-sea traffic. The Chamber of Commerce of New York suggests some alternative measures to meet the situation, to one of which I have already referred, and which would seem to be much wiser and more efficacious, as well as infinitely safer, than the radical provisions of the pending bill. Had the parties interested been accorded a public hearing, which would have been the natural and proper course to take in view of the far-reaching importance of the proposed legislation, all alternative measures could have been considered and discussed on their merits; but it would seem that the majority of the Committee on Commerce was determined to press the bill to its passage at all hazards and to deny it the full and careful investigation which its importance demanded. I shall now read the resolutions adopted in my own State by the Chamber of Commerce of Wilmington, Del., an organization composed of all the leading business men of that city, both Republicans and Democrats:

CHAMBER OF COMMERCE,
Wilmington, Del.

Whereas it appears that a bill, commonly known as the Government shipping bill, is now pending for final action in the Congress of the United States; and

Whereas it appears that this bill, if enacted, would work a hardship upon the business interests of the country and tends directly toward government ownership of common carriers, a policy to which we are unalterably opposed; and

Whereas it would appear that this proposal is without genuine merit: Now therefore be it

Resolved, That it be the sense of the board of directors and of the membership council of the chamber of commerce, representing as they do every trade and profession in the city of Wilmington, that the passage of this act is hurtful and detrimental to the interests of the United States in general and Wilmington and Delaware in particular; and be it further

Resolved, That the Senators and Representatives from Delaware be furnished a copy of this resolution and a letter forwarded to them by the president of the chamber of commerce requesting them to vote against the so-called Government shipping bill; and be it further

Resolved, That this resolution be spread upon the minutes of both the board of directors and the membership council.

Adopted January 19, 1915.

Attest:

NEIL B. SINCLAIR,
Managing Secretary.

Now, Mr. President, notwithstanding the views of the Chief Magistrate of the Nation, as expressed in his Indianapolis speech, in regard to the small measure of importance to be attached to newspaper editorials so far as their influence on public opinion is concerned, a great many people will be found to disagree with him. As the newspapers of the country are conducted on a business basis the editors or owners, in spite of personal bias, are forced to reckon with public sentiment if they do not wish to see their profits curtailed; and, therefore, Mr. President, when newspapers and periodicals all over the country seem to develop a certain unanimity of view in regard to any public question it is an indication, to my mind, of the trend of public opinion and a very strong indication at that. I

shall not unduly extend my speech by citing a great mass of newspaper articles in opposition to the bill which have appeared in both Republican and Democratic newspapers, but will content myself with reading a few of these as indicative of their general tone.

From the New York Sun, January 15, 1915:

WHAT BUSINESS FREEDOM MEANS.

One of President Wilson's favorite phrases is "setting business free." As he conceives the mission of the Democratic Party under his administration, it has been the emancipation of economic enterprise in the United States. In some of his more fervid rhetorical moments he has proclaimed again and again that "We," alluding to Congress and himself, or himself and Congress, "have freed business."

There will be two opinions about this, but there ought to be no difference of opinion about the splendid opportunity which offers to set the American shipping business free. Once the country had a shipping industry which filled the ports of all the world. The American merchant marine was a just cause of American pride. That marine has all but gone, and although the chance presented by the European war is the chance of the country's lifetime, the Wilson administration not only proposes to do nothing which would release American energy and ambition to assert themselves in the ocean carrying trade, it proposes to do something which would make it impossible for our shipping industry to regain its lost laurels.

In his recent annual message the President said:

"To correct the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country, to retrace the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas, except where, here and there, a ship of war is bidden carry it or some wandering yacht displays it, would take a long time and involve many detailed items of legislation, and the trade which we ought immediately to handle would disappear or find other channels while we debated the items."

Can anybody look about him and believe that statement after seeing what is going on in our commerce and finance? Our foreign trade is fast attaining new record aggregates. In the six weeks to January 9 there was an average export balance of $23,666,000 a week. This is at the rate of $1,237,000,000 a year, and the results so far achieved have been accomplished by private enterprise, by American business, without the least adulteration of any governmental content. * * *

If the Government is launched in the shipping industry by the establishment of a Government merchant marine, the American shipping business will not be freed; it will be put in heavier irons. This is as certain as the taxes which have been increasing in the Wilson régime.

The possibilities of growth of a Government merchant navy will be strictly limited by the wholly artificial character of the undertaking. The experiment will prevent private capital and effort from engaging in shipping ventures, and when the governmental mistake is publicly recognized it will be too late. The opportunity of which advantage might now be taken to foster the creation of a great American merchant fleet will have passed away—probably forever.

All that we shall have to show for it will be the Government merchant ships selling at their junk price and a pile of Government bonds issued to pay for the initial cost of the Government fleet and fund the deficit left by operating costs. Yet if American business were to be set free by a prompt removal of the shipping-trade shackles described in the President's annual message, what vast employment for American brains, labor, and capital is assured by the exhibit which the facts of our external commerce and the figures of our foreign exchange are now making.

From the Washington Post, January 24, 1915:

GOVERNMENT-OWNED SHIPS.

Is there a shortage in shipping which requires the Government to come to the rescue of American commerce by building or buying ships?

Steamship men insist that there is no shortage. They admit that rates are high, but they suggest that the demand of European nations for supplies are so insistent that increased rates naturally follow, especially in view of the withdrawal of German and Austrian vessels from the seas. The rates to European countries are from 50 to 500 per cent higher than they were before the war. From the United States to South America the rates have increased somewhat on account of high insurance rates, etc., while the rates to Asia are hardly above normal.

The increased rates, however, are temporary. The Government could not count upon receiving the rates that are now paid. At the end of the war, with more shipping released and the war's demands satisfied, rates would tumble, probably below normal. The Government lines would then be facing hard times and ships owned by individual Americans would be driven out of business. Probably the United States Treasury would be drawn upon to prevent a deficit in the Government steamship business.

Cotton is going forward to Europe in nearly normal quantities. Wheat, horses, and other supplies urgently needed by warring nations are being shipped in unprecedented quantities. Evidently there is no lack of ships for this very lucrative trade.

As for South America, shipping men offer vessels for all the freight that is in sight. The United Fruit Co.'s steamers come to this country loaded with bananas, and return to Central and South America empty. The president of that company recently testified that he would make special rates to any American exporters who desired to ship goods to South America.

Is it the cost of shipping and not the scarcity that calls for a Government-owned line? Then the Government must be prepared to meet foreign competition. In peaceful times foreign ships are operated much more cheaply than American ships. This is accomplished by the employment of Lascar and Chinese crews, and by reason of more lenient shipping laws in foreign countries. Would the United States Government employ Chinese crews or would it employ Americans at the American rate of wages? If it did the latter, it would have to charge higher freight rates than its foreign competitors or make up the difference out of the Treasury.

From the New York Times, January 20, 1915:

"FINISHING" THE SHIPPING BILL.

Washington dispatches say that the Senate committee is putting the "finishing touches" upon the Government shipping bill. That seems superfluous for two reasons. The action of the caucus was almost fatal, and the trade returns published yesterday ought to be quite so. An increase of exports in December, 1914, over the figures of December, 1913, by $13,070,419 indicates no such deficiency of shipping that the Government should intervene to supply it at the cost and risk of the taxpayers. That is true also of the year's total exports, which have been exceeded but twice. The excess of exports over imports by the great sum of $131,863,077 surpasses every previous December, and has been equaled only in a single month in the Nation's history. The fact is that only one considerable class of exports might have been increased by shipments in Government boats. A Government line might have carried contraband in ships acquired from the belligerents more freely than privately owned shipping. But that way of making trouble will hardly be proposed as a reason for proceeding with the Government line. Those who have our moral approval of their contentions are in control of the seas, and can get all the contraband they need. To supply contraband at a profit to those who, on the merits, we think ought not to win this war, questions of friendship apart, is not a duty of government.

It is especially fatuous to provide Government shipping, or private shipping with Government aid, when the necessity of the case is not so much shipping as facilities for loading and unloading. To the facts on this point as given by carrier's spokesmen on this side the ocean may now be added incontestable evidence from the other side. Twenty-one vessels arrived at Liverpool last Thursday, and not one of them was able to get a berth to discharge its cargo. Sir Norman Hill, in an official report on the situation, said: "The main cause, beyond question, is the shortage of labor, not only on the quays but in the transport services, by which the quays are cleared."

It would be idle to add to such congestion by providing more ships. The trouble is not one of trade, but of war. Some ports are closed, throwing more business upon others than they could do in favorable times. Many dock laborers have enlisted, and others are earning such high wages that they are independent. Commerce is not running in accustomed lines. Strange boats are on unfamiliar routes and require more attention than liners running on routine. If any government should intervene, it is not ours. We are shipping full volumes of goods at our own prices, and the freight is paid by the buyers. They should worry, not we. We should worry only if those who are more eager than wise should thrust us into an experiment which is not only unnecessary from a commercial sense, but is obnoxious politically. No Democrat can keep the name and support a subsidy scheme concealing Government ownership and operation. In proportion as the "finishing touches" meet these objections, the bill will lose attractiveness to those who now support it because of these defects.

From the New York Tribune, January 15, 1915:

THE TROUBLE WITH THE GOVERNMENT-OWNERSHIP SHIPPING BILL.

The report of the chamber of commerce's special committee on the American merchant marine in the foreign trade, presented yesterday, * * * offers some suggestions for Government aid in rebuilding a satisfactory merchant marine. To clear the way for these it announces its absolute opposition to President Wilson's Government purchase and operation measure. In that, we believe, it reflects the nearly unanimous sentiment of the commercial bodies of the country. These bodies realize that a restored merchant marine must rest on a broader economic basis than Government ownership. It must be a growth in which the business world itself has vital interest. The entry of the Government into this field as an owner and operator would practically limit the development of the merchant marine to the extent of the Government's participation. Private enterprise would be frozen out, instead of being encouraged to take a hand in the restoration.

What the United States hopes to get is a real deep-sea service of its own, such as it used to have. But the Government would be reluctant to go beyond the minimum limit of investment. There development would stop, private competition having been killed off. What is the great fault of the Wilson scheme? It would not spend a dollar out of the Treasury to encourage the private investor to spend four or five dollars. It would simply use the Government's credit to drive all private capital out of the ocean-carrying trade.

The special committee naturally prefers some plan which will bring the Government and the private investor into helpful cooperation. It suggests that the Government create a fund to guarantee the bonds of American shipping companies which put new vessels into commission. That is a form of Treasury aid similar in character to subventions, subsidies, and the other devices through which other countries have stimulated the growth of their merchant marine. But any form of aid involves financial assistance, and there is no difference in results between taking money out of the Treasury to aid private shipping ventures and running Government vessels at a loss and then charging the deficit to the taxpayers.

The South American trade would be helped, the special committee says, by amending the ocean-mail law so as to allow $4 a mile to vessels of 16 knots as well as to those of 20 knots, and $2 a mile to all vessels making 12 knots. These changes have been several times advocated in the Tribune, but Congress would never sanction them.

If we are to get anywhere in re-creating an American merchant marine, we must build on what we have and stick to the general theory of Government aid, not Government monopoly. National ownership might be tolerable as a means of starting one or two new lines to South America for use after trade conditions in South America become more normal. But the national ownership on a big scale would cost more than it is worth, and would leave us eventually worse off as a maritime nation than we now are.

From American Industries for January, 1915:

GOVERNMENT-OWNED SHIPS.

Judged by the standards of sound business, the proposed Government line of merchant ships is foredoomed to failure. There is no pressing demand for ships to carry American cargoes to justify the entry of the United States Government into the marine carrying trade, as President Wilson urges in his recent message to Congress. A sincere policy of economy in national affairs would dictate caution in investing the money of the people in an enterprise which is so very uncertain in its results that private capital, proverbial in its wise timidity, hesitates to enter it under present laws. And if the bill now pending in the Senate is passed and a line of Government-owned ships established, it is certain, in the light of past experience, that they will only add unnecessarily to the increasing cost of government with no adequate compensation to the taxpayers for the expenditure.

After reviewing the trade conditions occasioned by the war, President Wilson, in urging the passage of the shipping bill, premises his demands upon the assumption that there is a dearth of bottoms available for the transportation of American products to foreign lands, and that this dearth must immediately be removed if the United States is not to be outstripped in the race for foreign trade. He said: "How are we

to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation, upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop them? To correct the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country; to retrace the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas, except where, here and there, a ship of war is bidden to carry it or some wandering yacht displays it, would take a long time and involve many detailed items of legislation, and the trade which we ought immediately to handle would disappear or find other channels while we debate the items."

The President has evidently been misinformed as to the bottoms available for the transport of American goods. In war times freights are always unusually high, and despite the 5,000,000 tons of belligerent shipping now idle, the high rates of which shippers complain have attracted many small craft to American waters, which are anxious but unable to obtain charters.

The Boston Maritime Association reports that there are tied up in Boston four steel steamships for which cargoes can not be found, and the association has a list of 200,000 tons of shipping available at rates high enough to warrant a round trip. It is reported that a French line is sending 18 small boats to American harbors for grain cargoes because these boats can not operate on their usual routes abroad. A great number of Scandinavian tramps have been attracted to our neutral ports, and shippers experience little difficulty in obtaining ships at prevailing rates.

Obviously the Government could not profitably cut the prevailing freight rates. It would be forced to compete with private shipowners on an equal footing or literally throw into the sea the money of the taxpayers. If President Wilson desires to establish a permanent American merchant marine to compete with the ships of other nations, let him urge the repeal of those laws which in his message he admits have driven our flag from the seas.

It should be written as the first axiom of economics that no business will thrive unless it be profitable. It matters not whether that business be conducted by the Government or by private individuals, unless it be profitable it will die. If the pernicious labor laws with regard to American ships are repealed and that business freed from Government restrictions, aided instead of oppressed, the American flag will again be restored to the seas. Other expedients are useless.

Other reasons are not wanting to argue against the President's proposition, and among them, as we have said before, is that out-and-out socialism has no place in our national life.

The Boston Post of January 9, 1915, says:

As evidences multiply that the administration leaders in Congress are determined to push for the passage of the ship-purchase bill, so do the outspoken protests of many Democratic newspapers against the measure.

The following appeared in the Philadelphia Public Ledger of the 11th ultimo:

The more the ship-purchase bill is discussed the weightier the objections to it are seen to be. It is false in principle and would be pernicious in practice.

The following is from the Chicago Daily Tribune of January 25:

The Democrats have decided to let the opponents of the shipping bill do all the discussing and "debating" on the floor of the Senate. They are charging a filibuster, which is absurd—since there has been no real discussion of the bill in Congress—and thus furnishing an excuse for their silence.

Whom do they expect to deceive? The case against the bill is so strong and so conclusive that the silence of its sponsors can but be construed to mean sheer inability to defend it or to meet the many objections that have been raised against it by business bodies, by leading newspapers, including Democratic organs, and by sound thinkers in and out of public life.

Let us briefly state some of these objections.

The bill spells serious complications with foreign powers, seizures and captures that may lead to perilous war agitation. It is a "purchase" bill, and it is plain that ships now in profitable use can not be purchased and ought not to be purchased, for they would add nothing to available facilities, and the cost of purchase would be excessive and abnormal because of the war and the ill-timed appearance of our Government as a purchaser of ships. On the other hand, to buy idle, interned ships is to offend certain powers and to invite seizure, delay, strife, and hazard. It is to take a leap into the dark zones of international law and belligerent policies. The French, for example, have never recognized the right to sell or buy an interned ship during the progress of a conflict.

The bill is neither an emergency measure nor a permanent one. It has the faults of both kinds of crude shipping legislation and the merits of neither.

It is based on a misrepresentation of the facts. There is no "lack of carrying facilities." What difficulty there is is due to the war, and that can not be magically removed by a government line of ships.

As to trade with Latin America, what is wanting is credit, banking, advertising facilities, knowledge of Latin needs and tastes, and the wherewithal to pay for our goods. If we had cargoes to carry there and back, the ships would be forthcoming.

The bill does not remedy a single defect in our navigation laws. It can not develop a merchant marine, because it falsely diagnoses the trouble and prescribes the wrong and futile remedy—nay, it prescribes a remedy that would aggravate the trouble. The bill has discouraged and, if enacted into law, would handicap and stop private enterprise where the great need admittedly is the fostering and stimulating of such enterprise. Private capital can not compete with the Government, as the latter neither counts cost nor keeps books properly and pays deficits out of taxation.

Should the war end soon, the "emergency" theory of the bill would fall to the ground, while the "permanent" theory would simply fail to stand up and take its place. The Government would find itself in a business for which it is not fitted, and politics and spoils would prevent its letting go and acknowledging its egregious blunder.

This is the worst of all possible times to plan or legislate for "permanent" upbuilding of a merchant marine. Everything in foreign trade and shipping is abnormal and artificial and "the wisdom of Congress" is grotesquely unequal to the task of separating the accidental obstacles from those attributable to our own laws, our safety standards, our wages, our financial conditions, our national habits and ideas of investment and profit.

I will now read a remarkable editorial from the Lexington Herald of Tuesday, January 12, 1915, the only daily morning paper in central Kentucky:

In a striking speech delivered by President Wilson at Indianapolis on Jackson Day, which is well worth perusal by those who wish to become acquainted with the thoughts of the President and to understand his purposes, he states: "Many of those who are fighting the ship-purchase bill now before Congress are misguided, others are blind, but most of them are ignorant."

There is an old story that a man away from home received a telegram saying, "Your mother-in-law is dead. Shall we embalm, cremate, or bury?" Promptly answered the living son-in-law, "Take no chances. Do all three."

We feel somewhat as did that son-in-law. We know the President, as always, is accurate in his statement that those who oppose the ship-purchase bill are misguided, blind, or ignorant, and our opposition to that bill is so strong that we plead guilty to being all three—misguided in our belief that it is in violation of every Democratic principle and tenet; blind in our inability to see how it will benefit American commerce; ignorant of the purposes of those who advocate such a bill instead of frankly advocating subsidies, from which greater benefits would come.

We have been utterly misguided in our study of history if such a bill is in accord with any principle enunciated by a Democratic platform or approved heretofore by a Democratic President or a Democratic Congress.

We know of nothing in any handbook of Democratic principles that justifies the Government entering into competition with private capital. We are unable to understand or to appreciate that conception of Democratic policy that thinks it proper to blaze the way for the Government to enter into business in competition with private enterprise, and that, too, in a business that requires expert knowledge and long training.

We are blind, utterly blind, to the advantages that will come from this bill. No reasonable man can advocate the use of Government-owned ships in European trade. No man who appreciates the temper of the American people can contemplate the possibility of the seizure of a Government-owned ship by the warships of a foreign nation without realizing the imminent danger of involving us in war with the country making the seizure.

The President saw fit to protest to England—which is, in fact, a protest to all the allies—against the seizure, examination, and detention of ships carrying goods to neutral countries. In the papers of Sunday, the day after the publication of the President's speech, there were accounts that the allies would probably seize a ship that, after the declaration of war, had been purchased and transferred to American register upon the ground that the purchase was not bona fide.

Is the United States Government to purchase ships that are now interned and pay to the citizens of the warring countries millions of dollars without protest from the other countries involved in this war? Are we to use such ships in the European trade with the practical certainty that we will become involved through the seizure, search, and detention of those ships? We do not believe that one even so blind as we admit ourselves to be can face with equanimity such a prospect.

There has been no revelation of a method by which we can promptly use such Government-owned ships for the purpose of developing the South American trade, about which we hear so much, and which will eventually be of so great value, but which must be developed along the lines that have been laid through the centuries by the prejudices and the customs of the residents of South America.

There is no intimation of the plan of the Government to secure warehouses and docking privileges in the South American republics. The bagatelle of $30,000,000 proposed in the bill, which is but a fraction of the ultimate amount that would be required, for the ostensible purpose of creating a navy of merchant ships, would not in any appreciable way relieve conditions as they now exist.

Admitting, as we frankly do, and always shall, that the President is accurate and just in branding those who disagree with him as misguided and blind, we admit also that we are ignorant and plead with all earnestness that we be enlightened. From whom are the ships to be purchased? What plans have been made for the purchase of ships? To the citizens of what country is the money for the purchase to be paid? What is the plan for the handling of the ships? How are we to secure warehouses and docking privileges? Why does the bill provide that the Secretary of the Treasury shall be the virtual dictator of the purchase, management, and operation of these Government-owned ships? Why is it that the Secretary of the Interior and the Secretary of Commerce, under one or the other of which surely such a traffic should be operated, are overlooked and the Secretary of the Treasury is chosen as the one to operate a commercial enterprise?

There are many other questions about which we are ignorant, but we at present are intensely anxious to be enlightened as to these. And with all the deference possible we suggest most humbly that the President would be more apt to win the approval of the country by giving reasons than by uttering denunciation of those who disapprove this bill and question the plan that has been proposed.

In conclusion, I will quote a few extracts from Delaware newspapers, irrespective of party, in order to give some idea of the public opinion in my own State.

The Morning News, of Wilmington, Del., under date of the 25th ultimo, says:

Despite the many and formidable objections to the ship-purchase bill President Wilson and the Democratic leaders at Washington are determined in order to force the measure through to go to the extent of holding Congress in extra session. The bill has been made a party caucus measure, which means that Democratic Senators who oppose it when a vote is taken will be accused of party disloyalty. * * *

The bill as it now stands provides for the purchase by the Government of a controlling interest in a corporation to be organized under the laws of the District of Columbia for the purchase and operation of merchant steamers. The controlling board will consist of the Secretary of the Treasury, the Secretary of Commerce, and three members to be appointed from private life. In other words, the Government is to enter the marine business in competition with private capital, a rather strange proceeding for the Democrats to foster, judging by Democratic principles of the past.

The obstacle that the Democrats have to overcome is filibustering to prevent a vote. Many of the Republican leaders are so thoroughly convinced, aside from other objections, that the measure would lead this country into entanglements with foreign nations that they pur-

pose to debate the bill until the end of this session at the risk of having an extra session held.

The Democrats are flying in the face of sound public sentiment. They should take no risk of stirring up new complications with any of the nations at war. * * *

I now quote from the same paper, under date of January 28, 1915:

Aside from the probable complications with other nations that would follow the passage of the ship-purchase bill, former President Taft in an interview objects to it on the ground that the measure would be extending the policy of Government ownership, something that he thinks unwise. The Democrats hope to win the support of the Progressives on this Government-ownership plea. Should the bill become a law and the Government purchase and operate ships, although the proposal is said in some quarters to be for temporary emergencies alone, it might be a very long time before the Government would decide to give up this marine business.

Despite traditional Democratic principles, which have been averse to the Government meddling in private business, the present administration and the Democratic Party, as a consequence of the teachings of Mr. Bryan and those of his school, have done more to promote governmental activity, have taken longer steps toward Federal usurpation of private business, than any Republican administration has ever done.

If the Government engages in the shipping business, it will be difficult to induce private capital to compete with it. * * *

Considered from this point of view—the Government engaging in private business—the wisdom of passing the ship-purchase bill may well be questioned, and this phase of the proposal is sufficient to condemn the measure and to justify the Republicans in strenuously opposing it, notwithstanding the determination of the Democrats to go to extraordinary length to force the project through, their latest move being the decision to hold night sessions of the Senate in order to wear out the Republicans.

The Every Evening, of the same city, under date of January 25, says:

It is most unfortunate that the Democratic leaders of the United States Senate permitted consideration of the ship-purchase bill to degenerate in a partisan struggle, with Republicans endeavoring to prevent the the passage of the measure, and the Democrats fighting strenuously to force a vote upon it. If a partisan fight was at all necessary, the positions of the combatants should be reversed—the Republicans fighting for the measure, because it is in accord with Republican policy and practice, and Democrats opposing it, because it is in direct opposition to the attitude long maintained by the Democratic Party in respect of the assumption of unusual powers by the General Government. Yet the Democratic Senators have gone to the extent of making it a caucus measure.

Partisan feelings have been aroused, the fight will continue; but notwithstanding the natural inclination of Democrats to resist any kind of domination of the Democratic Senate by the Republican minority, it will be an exceedingly difficult matter to secure the support of a sufficient number of Democratic Senators to pass the measure. It is too obnoxious in its purposes and too strongly contradictory to true Democratic policy to overcome natural repugnance of Democratic Senators and command their support.

"The Government of the United States should engage in but one business—the governing business," said Senator THOMAS W. HARDWICK, of Georgia, in the course of a recent interview, and this sentiment should receive hearty indorsement from all his party colleagues. It is sound Democratic doctrine, and sound Democratic doctrine is opposed to the Government going into any kind of business except the business of governing. And especially dangerous, as well as impolitic, would be the entrance of our Government upon the business of conducting ocean shipping at a time when this business, under private control, is so likely to run counter to foreign complications growing out of the war in Europe.

The Evening Journal, of Wilmington, Del., under date of January 29, says:

In engaging in a filibuster to prevent the passage of President Wilson's ship-purchase bill the Republican minority in the United States Senate is performing an exceedingly valuable service to the people of the United States. Diplomatically and economically the proposed legislation is exceedingly dangerous. It is a menace to the peace of the Nation and to private American capital engaged in the shipping trade.

Within the last week former President Taft, Senator ROOT, of New York, and many other prominent and patriotic Americans have added to the wave of denunciation that has been aroused by the President's determined effort to shove this unwise administration measure through Congress.

Commenting upon the dangers lurking in the bill the New York Sun, which is favorably disposed toward the President, says:

"The economic objections to the ship-purchase bill which Mr. Wilson wants to force through Congress may not be clearly understood by everybody, but it requires no great information about the intensity of the war spirit in Europe or about our foreign relations of the past few years to realize that the United States could not become involved in hostilities with England without having to reckon with all her allies. On the international law that governs seizures at sea, or at least upon the interpretation of the law, it is a foregone conclusion that England and France would stand together.

"It is equally certain that the binding obligation of the Anglo-Japanese treaty as it affects common interests in Asia would bring Japan into the conflict. As to Russia, our relations with her are still strained rather fine, and it is a fact to remember that in her war with Japan, Russia went to the extreme of defining and dealing with contraband. * * *

"The folly, the madness, of embarking upon any unnecessary and un-American policy that might in its workings blow our neutrality sky high and embroil us not only with one great power, but with four great powers is manifest to the plainest understanding."

That is merely one of thousands of expressions of warning emanating from patriotic American sources and to all of which President Wilson has closed his ear.

If by resort to a filibuster the Republican Senators can block this dangerous scheme, they will be deserving of the lasting gratitude of their fellow countrymen.

To sum up, Mr. President, the development of our merchant marine, as well as the extension of temporary relief to our foreign commerce, involve economical and international questions of far-reaching importance which ought not to have been treated in a purely partisan spirit, as in the bill before us, nor should they have been used as a means to increase the influence of the Chief Executive of the Nation and to promote the political fortunes of the Democratic Party. We are told by our friends on the other side of the Chamber that they have the votes to pass the bill and that they intend to get a vote. In brief, the whole question has been treated as a Democratic asset, and a strongly partisan measure has been presented so hastily and so badly drawn that its framers have found it necessary to offer first one and then another substitute for their original bill, which action, it is to be regretted, has not eliminated the radical and objectionable features upon which I have already animadverted.

Mr. President, so far as the proceedings of parliamentary bodies are concerned, it has been an axiom heretofore that all legislation is the result of compromise, but this time-honored epitome of past experience seems now to be superseded by the formula that all legislation is the result of dictation. My duty, as I see it, is to offer all possible resistance to such dictation.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. Mr. President, on Friday last the following colloquy occurred between the Senator from Nebraska [Mr. NORRIS] and myself:

Mr. NORRIS. * * * but I want to have it presented now in order that it may receive such consideration as it will deserve, with a view to passing it at the extra session, which everyone admits is soon to follow * * *.

Mr. GALLINGER. Did I understand the Senator to say that everyone admits we are to have an extra session?

Mr. NORRIS. Whether everyone admits it or not, I presume it is unavoidable, under all circumstances.

Mr. GALLINGER. Suppose we should be wise enough to take up the appropriation bills and pass them, would there be any necessity for an extra session?

Mr. NORRIS. No; I should not think so.

Mr. GALLINGER. I hope that may be done.

Mr. NORRIS. I doubt whether we are going to be wise enough to get through with the business of the session.

Mr. President, the question as to the procedure of the Senate during the remainder of this session is a very important one. We have under consideration at the present time a bill which, in all human probability, will not become a law, whether the debate on it continues a longer or a shorter time. The consideration of that bill is blocking every other bill and preventing us from proceeding to the consideration of the appropriation bills, which provide money for the wants of the Government during the next fiscal year. There are 16 appropriation bills all told. One of them, the urgent deficiency bill—a small affair—has passed both Houses of Congress and been agreed to in conference. The District of Columbia appropriation bill is in conference at the present time. There are remaining the legislative, executive, and judicial appropriation bill, the Agricultural appropriation bill, the Army appropriation bill, the Diplomatic and Consular appropriation bill, the fortifications appropriation bill, the general deficiency appropriation bill, the Indian appropriation bill, the Military Academy appropriation bill, the Naval appropriation bill, the pensions appropriation bill, the Post Office appropriation bill, the rivers and harbors appropriation bill, the sundry civil appropriation bill, and a further urgent deficiency appropriation bill. Of those bills the rivers and harbors appropriation bill and the Post Office appropriation bill are on the calendar, the legislative, executive, and judicial appropriation bill is about ready for report, and others will speedily follow. The probabilities are that if at any time during the present week the further consideration of the shipping bill should be discontinued, and the appropriation bills taken up, they could all be passed and become laws before the 4th day of March, while if their consideration is much longer postponed some of them will undoubtedly fail of passage, necessitating a special session, which, if called, can not be confined to the consideration of any special class of bills. It is safe to say that no one wants a special session. No one on either side of this Chamber is in favor of a special session if it can possibly be avoided. The party in power does not desire it, nor does the President, according to current rumor, look upon it with favor. Under those circumstances why should we not pursue the path of wisdom and lay aside a bill which will, if insisted on, result in further debate of a prolonged nature, and which in the end, whatever form it may assume, will, in all human probability, fail to receive the indorsement of this body?

In addition to the appropriation bills, the calendar is literally loaded down with other measures of greater or less importance, scores of which may well engage our attention.

Mr. President, my appeal may be in vain, but, nevertheless, I make it. The country is not in favor of the shipping bill, and the country expects us to pass the appropriation bills, thus

avoiding the expense and turmoil of an extra session. At best, the deficit at the end of the present fiscal year will be large. Why add to it by failing to pass the great supply bills, thus forcing Congress into extra session next summer? A little tolerance and wisdom will solve the problem, and our constituents will applaud us for exercising good sense and sound judgment.

Again, I say, pass the appropriation bills, and then give the country a much-needed rest from legislative agitation. It ought to be done by unanimous consent.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. Mr. President, I move to amend the pending motion made by the Senator from Arkansas [Mr. CLARKE] by adding thereto the following:

With instructions to report forthwith as a substitute for the bill S. 6856 the amendment in the nature of a substitute moved by Mr. FLETCHER on behalf of the Committee on Commerce on January 26, 1915 (the amendment upon which the Senate has ordered the ayes and nays), with amendments thereto, as follows:

Insert, after line 12, page 2, of the pending substitute, changing the period after the word "share" to a colon, the words *"And provided further,* That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months; and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by said corporation, firm, or individuals chartering or leasing such vessel or vessels as the maximum to be charged during the life of such charter or lease; and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same."

Also, to insert, after the word "corporation," in line 3, page 5, the words:

"Provided, That in making purchases of ships during the continuance of the present European war no purchase shall be made in a way which will disturb the present conditions of neutrality."

And as so amended the said committee is hereby instructed to report said substitute to the Senate in lieu of the pending bill.

Mr. CLARKE of Arkansas and Mr. LODGE addressed the Chair.

The VICE PRESIDENT. The Senator from Arkansas.

Mr. CLARKE of Arkansas. I ask the Senator from Florida if it would not be agreeable to him to have the amendment printed and to proceed to its consideration at 12 o'clock on Tuesday? It seems to me that it ought to be printed, as some of us do not exactly understand it as the Senator read it. I do not think the Senator will expedite matters by refusing the request to let the amendment go over and be printed. I do not know whether the proposition now is to adjourn or to take a recess.

Mr. FLETCHER. Mr. President, I have simply offered an amendment to the motion which has been made by the Senator from Arkansas.

Mr. CLARKE of Arkansas. I am sure of that; but I do not know whether the Senator expects to get a vote on it before we recess or adjourn this afternoon.

Mr. FLETCHER. I had hoped that we might get a vote on it right away, without any delay.

Mr. CLARKE of Arkansas. That is satisfactory to me, so far as I am concerned, because my purpose is not to delay anything. I assumed that the amendment would not be taken up for final action this afternoon, although I am ready to vote on it.

Mr. LODGE. Mr. President, I think it would be only fair to Senators that the amendment should be printed. There are three separate propositions there, as I see it, which can be divided on request. I may be mistaken; it is rather hard to judge from the mere reading; but I think there are three distinct propositions. I think there is a proposition there to put in something about a neutrality clause; there is a proposition about leasing; and I think there is a proposition about altering the board as it was provided for in the original bill. Those, of course, are three propositions, and we are entitled under the rules to a division, but I am speaking without really knowing. It seems to me we ought not to be asked to discuss or consider or vote upon the propositions until we have had an opportunity to at least read them and see just what they are. I hope the Senator will be willing to take a recess or an adjournment, to give us an opportunity to have it printed and laid before the Senate. I ask for a division, if I understand the amendment. If I can see it, I will——

Mr. SMITH of Georgia. Mr. President, they are the same propositions that are printed in the Gore bill, are they not?

Mr. FLETCHER. Yes. I ask for the yeas and nays on the amendment.

Mr. LODGE. I ask for a division of the question, Mr. President.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

Mr. LODGE. Mr. President, I think I had the floor, and I asked for a division of the question.

The VICE PRESIDENT. Yes.

Mr. LODGE. I see here two distinct propositions. I do not see the proposition which was in the Gore bill about changing the board. Perhaps that was changed in the original Fletcher bill; I am not sure. There are two totally distinct propositions here, however. One is the proposition about leasing and the other is as to making purchases of ships. I ask that those be divided before the yeas and nays are ordered on either of them.

The VICE PRESIDENT. The Chair has not ordered the yeas and nays yet.

Mr. LODGE. I am aware of that.

The VICE PRESIDENT. The Chair has not examined the amendment, but thinks it is one of those questions which is divisible, so that the Senate has a right to vote separately on each of the questions.

Mr. LODGE. I think there are two. The Chair will find that there are two.

Mr. VARDAMAN. Mr. President, I entered the Chamber after the Senator from Florida had finished reading the amendment, and I will ask to have it read. I ask to have the Secretary state it.

The VICE PRESIDENT. The Secretary will read it again.

The SECRETARY. The Senator from Florida moves to amend the pending motion, made by the Senator from Arkansas [Mr. CLARKE], by adding thereto the following words:

With instructions to report forthwith as a substitute for the bill (S. 6856) the amendment in the nature of a substitute "moved by Mr. FLETCHER on behalf of the Committee on Commerce, on January 26, 1915"—the amendment upon which the Senate has ordered the yeas and nays—with amendments thereto, as follows:

Insert, after line 12, page 2, of the pending substitute—changing the period after the word "share" to a colon—the words *"And provided further,* That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by said corporation, firm, or individuals chartering or leasing such vessel or vessels as the maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual party to such charter or lease shall violate the provisions of the same."

The VICE PRESIDENT. That is the first proposition.

Mr. LODGE. I think, as I heard it read, that it says "the following amendments."

The VICE PRESIDENT. The Secretary is now about to state the second amendment, as the Chair understands.

The SECRETARY. Also, insert after the word "corporation," in line 3, page 5:

"Provided, That in making purchases of ships during the continuance of the present European war no purchase shall be made in a way which will disturb the present conditions of neutrality."

And as so amended the said committee is hereby instructed to report said substitute to the Senate in lieu of the pending bill.

The VICE PRESIDENT. The Senator from Massachusetts asks that the question be divided, and the Chair thinks under the rules he is entitled to a division.

Mr. CLARKE of Arkansas. Mr. President——

The VICE PRESIDENT. The Senator from Florida asks for the yeas and nays. The question is, Will the call for the yeas and nays be seconded?

Mr. CLARKE of Arkansas. I rise to a parliamentary inquiry—to know what is meant by "forthwith" in the text of the amendment. Does that mean that it is never to go to the committee, or that the committee is foreclosed as against any discretion it might possess as to other amendments? What is the nature of it?

If it is intended that the motion to recommit shall be carried in such form that the bill and amendments shall never go to the committee, but shall remain upon the calendar, it is equivalent to a motion to discharge the committee from the further consideration of the bill, and under our rules ought to lie over for a day. If it is intended that "forthwith" means with reasonable diligence, for instance, the Committee on Commerce meets every Thursday. Would that be "forthwith" in the sense of the amendment, or any other time when there could be an actual meeting of the committee?

I want it understood that I have not engaged in any plan and am not now a party to any understanding by which any unnecessary delay is to be resorted to in the consideration of this bill or any of its amendments. I therefore ask the Chair whether the word "forthwith" contemplates that the amendment shall ever go to the committee; and, if it is necessary to make it clearer by an amendment, I shall offer one when the opportunity is presented. If it is intended that it shall go to the committee and leave the committee the discretion to deter-

mine what "forthwith" means, of course I shall say nothing further about it.

Mr. LODGE. Mr. President, will the Senator from Arkansas allow me a moment?

Mr. CLARKE of Arkansas. Certainly.

Mr. LODGE. I do not recall the exact words, but if the language is "to report forthwith" that constitutes a third instruction, a wholly different one—an instruction as to time.

Mr. CLARKE of Arkansas. The word "forthwith" is not self-explanatory. Of course, the Chair will take notice of the fact that reference to a committee means giving the committee an opportunity to assemble; otherwise it would be a mere subterfuge, and, of course, the Senate would not commit itself to that. If it is intended to deprive the committee of the opportunity to meet at all, and the legal effect of the use of those words in that particular connection is to leave the bill upon the calendar, then it is merely a pro forma reference to the committee, and equivalent to a motion to discharge the committee from further consideration of the matter, which would result in a day intervening before it could be considered.

The VICE PRESIDENT. The Chair does not think that is a parliamentary inquiry. The Chair believes that is simply a construction of the language of the proposed amendment. The Chair thinks it would not mean in law——

Mr. CLARKE of Arkansas. The Chair, then, thinks that is not a parliamentary inquiry, a question to be determined by the Chair, but that it is to be determined by the committee?

The VICE PRESIDENT. If the motion is agreed to, and it should be subsequently contended that the bill should be immediately reported to the Senate, it would be a matter for the determination of the Senate as to whether the adoption of the motion meant immediately or whether it meant within a reasonable time after the committee had assembled.

Mr. CLARKE of Arkansas. That, in the first instance, to be decided by the committee? Well, that is all right.

Mr. LODGE. Mr. President, there are two propositions. The committee is instructed to report two amendments, and it is further instructed to report forthwith, which constitutes a third instruction. The votes will come on those three instructions. It may be quite possible that the amendments will be adopted and the time instruction voted down. The time instruction might be maintained and one or both of the amendments defeated. They are three separate instructions, and I think we have a right to demand a separate vote on each one, and I make that request.

The VICE PRESIDENT. The Chair has not any doubt about that.

Mr. WORKS. Mr. President——

Mr. SIMMONS. Mr. President, did I understand the Chair to hold that there is to be a separate vote upon the question of instructions to the committee?

The VICE PRESIDENT. The Chair has held that under the rules of the Senate it is a divisible question. It embraces three propositions—one, with reference to the amendment touching the leasing of vessels; two, with reference to the purchase of vessels of belligerents; third, with reference to the question whether the committee shall or shall not report forthwith.

Mr. SIMMONS. Of course, if the Chair has made up his mind about that, there is no necessity of saying anything.

The VICE PRESIDENT. The Chair can not see how, under Rule XVIII, it can be otherwise than that it embraces three propositions submitted to the Senate now for determination.

Mr. SIMMONS. If the Chair will permit me, while I am not controverting the position of the Chair that there are two propositions—one as to each one of the amendments—I do not see how there can be a third, a proposition growing out of the fact that we recommit the bill to the committee with instructions to make certain amendments. The instructions are a part of the two propositions, and they are a part of each one of the propositions. If we should vote to refer the bill to the committee with instructions to incorporate the first amendment, then the instructions would be a part of the propositions contained in the proposed amendment, and when we propose to refer the two amendments to the committee the instructions to incorporate these two amendments are a part of those two propositions.

I want to say for myself that I am entirely satisfied as to the status of this matter before the committee. I think it is pretty well settled, certainly by the precedents in another body, a coordinate branch of Congress, that recommitment to a committee with instructions is binding upon that committee, and the committee is bound by the instructions and can not report back anything except the original bill with the amendments attached; but this particular amendment of the Senator from Florida provides in express terms—

> And as so amended the said committee is hereby instructed to report the said substitute to the Senate in lieu of the pending bill.

That would mean, to my mind, if it means anything, that this matter is referred back to the committee with instructions to report back the bill with these specific amendments in lieu of the pending bill.

Mr. LODGE. Mr. President, there is no question that the committee are bound to follow the instructions of the Senate. If the Senate instructs them to report one amendment and no more, they are bound, in my judgment, by those instructions. If the Senate simply directs them to report certain amendments, and does not cut them off from reporting others, the power of the committee still remains; but that is not a point that has been raised. The point that I raised was that this contains three separate instructions. I am not going to argue it further. The Chair has so decided, and decided, in my opinion, with absolute correctness.

The VICE PRESIDENT. The yeas and nays——

Mr. LODGE. The yeas and nays are to be ordered on what?

The VICE PRESIDENT. If nobody else wants to say anything now, the Chair is going to order the yeas and nays on each of these propositions.

Mr. LODGE. Mr. President, the yeas and nays can not be ordered on more than one pending question.

Mr. CUMMINS. Mr. President, I desire to be heard upon the motion of the Senator from Florida before it is submitted.

Mr. LODGE. So do I.

The VICE PRESIDENT. The yeas and nays are not ordered yet.

Mr. WEEKS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Newlands	Smith, Md.
Bankhead	Goff	Norris	Smith, Mich.
Brady	Gore	O'Gorman	Smith, S. C.
Brandegee	Gronna	Oliver	Smoot
Bristow	Hardwick	Overman	Stephenson
Bryan	Hitchcock	Page	Sterling
Burleigh	Hollis	Penrose	Stone
Burton	Hughes	Perkins	Sutherland
Camden	James	Pittman	Swanson
Catron	Johnson	Pomerene	Thomas
Chamberlain	Jones	Ransdell	Thompson
Chilton	Kern	Reed	Thornton
Clapp	Lane	Robinson	Tillman
Clark, Wyo.	Lea, Tenn.	Root	Townsend
Clarke, Ark.	Lee, Md.	Saulsbury	Vardaman
Colt	Lewis	Shafroth	Walsh
Crawford	Lippitt	Sheppard	Warren
Culberson	Lodge	Sherman	Weeks
Cummins	McLean	Shields	White
Dillingham	Martin, Va.	Shively	Williams
du Pont	Martine, N. J.	Simmons	Works
Fall	Myers	Smith, Ariz.	
Fletcher	Nelson	Smith, Ga.	

The VICE PRESIDENT. Ninety Senators have answered to the roll call. There is a quorum present.

Mr. CLARKE of Arkansas. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts has the floor, as the Chair remembers. Does he yield to the Senator from Arkansas?

Mr. LODGE. I yield.

Mr. CLARKE of Arkansas. Evidently we are not going to get through with this matter very readily, and therefore I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. FLETCHER. Mr. President, I hope we can get a vote on these questions to-day. I have no objection to the division, or any way you want to fix it about a division, only I want a vote. I hope we can get a vote to-night. There is a full attendance here.

Mr. LODGE. These amendments alter the character of the bill very much, and I do not think it is probable that we shall vote this evening.

Mr. FLETCHER. Would the Senator be willing to agree to take a vote to-morrow at 12 o'clock?

Mr. LODGE. No, Mr. President; we are making no agreements after the treatment which has been extended to us.

Mr. FLETCHER. I ask unanimous consent that we may vote to-morrow at 12 o'clock.

Mr. GALLINGER. I object.

The VICE PRESIDENT. There is objection.

Mr. FLETCHER. Then I hope the Senate will decline to take a recess.

The VICE PRESIDENT. The question is on the motion to take a recess until 11 o'clock to-morrow.

Mr. JAMES. On that I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 47, nays 48, as follows:

YEAS—47.

Bankhead	Colt	Lippitt	Sherman
Borah	Crawford	Lodge	Smith, Mich.
Brady	Cummins	McCumber	Smoot
Brandegee	Dillingham	McLean	Stephenson
Bristow	du Pont	Nelson	Sterling
Burleigh	Fall	O'Gorman	Sutherland
Burton	Gallinger	Oliver	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Weeks
Clark, Wyo.	Hitchcock	Poindexter	Works
Clarke, Ark.	Jones	Root	

NAYS—48.

Ashurst	La Follette	Pittman	Smith, Ga.
Bryan	Lane	Pomerene	Smith, Md.
Chamberlain	Lea, Tenn.	Ransdell	Smith, S. C.
Chilton	Lee, Md.	Reed	Stone
Culberson	Lewis	Robinson	Swanson
Fletcher	Martin, Va.	Saulsbury	Thomas
Gore	Martine, N. J.	Shafroth	Thompson
Hollis	Myers	Sheppard	Thornton
Hughes	Newlands	Shields	Tillman
James	Norris	Shively	Walsh
Johnson	Overman	Simmons	White
Kern	Owen	Smith, Ariz.	Williams

NOT VOTING—1.

Kenyon.

So the Senate refused to take a recess.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I wish to say, first, that I can not agree with the ruling that was made on the famous Friday night, that ordering the yeas and nays cut off either debate or amendment, and the Senate took my view by a decided vote last Monday. It is also perfectly clear that it is impossible to order the yeas and nays on a whole series of questions. By the ruling of the Chair there are three questions here, and it is the correct ruling of the Chair, as I believe.

I wish to call attention to what is said in Jefferson's Manual, page 125:

> When a question is divided, after the question on the first member, the second is open to debate and amendment, because it is a known rule that a person may rise and speak at any time before the question has been completely decided by putting the negative as well as affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put.

There is a reference to the Executive Journal, June 25, 1795. The same decision was made earlier by John Adams when he was Presiding Officer, and it has been the rule of the Senate ever since.

Now, if the yeas and nays are to be ordered—which I say, in my opinion, cuts off neither amendment nor debate—I do not see how it is possible to order them except when the question has been divided on one question at a time.

I make that point now, before any further question is raised upon it.

Now, Mr. President, I want to say a word——

Mr. CUMMINS. Mr. President——

Mr. LODGE. I yield to the Senator for a question.

Mr. CUMMINS. I rise to make an inquiry. The Senator from Massachusetts has indicated his understanding that the ruling on Friday night was to the effect that the ordering of the yeas and nays cut off debate. I understood the ruling to be——

Mr. LODGE. No; I did not mean to say that. If I did, I made a mistake. Of course the ruling was that it would cut off amendments, but not debate. I do not think it cuts off either.

Mr. CUMMINS. I do not think it cuts off amendment either, but the Senator from Massachusetts seemed to assume that the ruling was that it cut off debate as well as amendment.

Mr. LODGE. Oh, no; I certainly did not intend to say that.

Mr. President, as I understand it, the first of the amendments in the instructions is now the pending question.

Mr. CUMMINS. I thought the Senator from Massachusetts had made a mistake in stating the effect of the ruling on last Friday night. I understood him to say that the ruling was that the yeas and nays when ordered prevented debate as well as amendment. I did not so understand the ruling, and I wanted to ask the Chair with regard to the matter. But the Senator from Massachusetts now says that it was not his understanding that it extended to debate.

Mr. LODGE. Oh, no; that was clear.

Mr. CUMMINS. I thought we ought to have the matter clearly understood at this point.

Mr. LODGE. The ruling about the yeas and nays being ordered cutting off amendments was reversed on Monday by a decisive vote of the Senate, because the motion to recommit in its essence, as all authorities recognize, is a motion to amend.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. LODGE. Certainly, I yield for an inquiry.

Mr. ROOT. Mr. President, I rose for the purpose of making a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York.

Mr. ROOT. As I understand it by the ruling of the Chair a few minutes ago, the question has been divided. May I ask if I am correct?

The VICE PRESIDENT. There is no doubt in the mind of the Chair that there are three propositions which have been proposed to the Senate in the nature of instructions to the committee, one to insert one amendment, a second to insert another amendment, and a third to report forthwith.

Mr. ROOT. Mr. President, with that understanding I fully agree. I do not see how any other conclusion could be reached. My question is whether the ruling has been made so that the question is divided.

The VICE PRESIDENT. The Chair has so ruled, and there has been no appeal yet from the Chair's ruling.

Mr. ROOT. I therefore proceed to the further question, Which of the three separate propositions is now before the Senate?

The VICE PRESIDENT. The first proposition the Chair would rule would be the first one before the Senate.

Mr. REED. What is that?

Mr. ROOT. That is to say, the question now before the Senate is the instruction to the committee to insert the clause relating to the leasing of ships. I describe it as well as I can without an opportunity to see the paper.

The VICE PRESIDENT. That is the way the Chair thinks, the propositions are to be taken up in their order.

Mr. LODGE. It was my understanding that the first instruction is now the pending question.

Mr. CRAWFORD. May we have that instruction read?

Mr. CHILTON. It has been read twice.

Mr. CRAWFORD. Very well, I withdraw the request.

Mr. LODGE. Mr. President, I wish now to say a few words upon the subject which is now pending, and as I do not want to rise on every instruction, I will take occasion at the same time to refer to the others which are not now before the Senate. I will say to the Senator from New York I am going to speak on the first instruction, which is the one before the Senate, and I shall also take occasion to speak on the others, not desiring at this time to take them up as they arrive.

Mr. President, we are asked to pass upon this first instruction, which I am informed is embodied in the bill introduced by the Senator from Oklahoma [Mr. GORE], an ingenious but now abandoned device of getting the question before us, and we are to proceed by way of instructions. As I understand it—and if I am wrong, of course I can be corrected—it is the proviso on page 2, beginning on line 13:

> That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same.

That is a very complicated provision. Its purpose, I suppose, was to convince those who are deeply interested in the Government-ownership feature that the Government ownership was to be permanent. The third edition of the bill—I speak of it in that way for convenience merely—the third edition of the bill which we are now going to reform by a recommittal with instructions puts no limitation on the leases. This puts a limitation on a lease of 12 months. That does not prevent their leasing or chartering ships under this new proviso, for there is nothing there to prevent its renewal. It can be renewed indefinitely for 40 years. For those who are aiming at Government ownership that seems to me to be rather a barren concession, but I suppose that is considered to be made effective by requiring the specification in the charter or lease of "the rates, charges, and fares to be observed by such corporation, firm, or individual"; that is, the rates are to be fixed beforehand. Ocean rates are very fluctuating. It is easy to fix fares, but freight rates are very fluctuating, indeed. We have seen them fluctuate enormously in the last six months. I suppose that is relied upon to prevent anybody from being willing to take a lease or charter under this provision.

That is a very slight analysis of it. I have had no time, and no other Senator has had any time, to examine it with any thoroughness. I think while they were instructing, I may say in passing, that it would be desirable to instruct the committee to change the language in lines 5, 6, and 7, on page 4, which reads:

Such officers and trustees shall be subject to removal at any time by vote of a majority of the stockholders at any meeting thereof.

Therefore, if a hundred men each buy a share of stock, they can go to the meeting and vote down 99 men, who may hold all the rest of the stock. It is usual in making provision for voting stock to vote the stock. The United States holds 51 per cent of the stock under this bill, but it will be only one of the stockholders. It will be very easy to get a few men in there who would remove the trustees. I point that out for the good of the bill. It seems to me it would be just as well to change that. If a man with one share of stock of the par value of $100 and the United States with over $5,000,000 of the stock should have an equal vote, it would be rather an awkward arrangement. That apparently, however, was not considered worthy of consideration. I think the committee, if they had been allowed any power in the premises, would have probably changed that provision.

I now come to the other instruction:

That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

That, of course, amounts to absolutely nothing. The great objection, to my mind, to the bill is that it leaves open the power to buy belligerent ships; that it does not prevent the purchase of belligerent ships. It is only that if the Secretary of the Treasury, the Secretary of Commerce, and one of the additional members think that purchasing a certain ship may lead to a violation of neutrality they are not to buy it; and if they do not think so, they will buy it. It seems to me that that is too important a question to be left in that way, but that is just the way it now is. Therefore, to my thinking, that instruction is valueless.

I have had no time, Mr. President, to go into these instructions with any thoroughness. I have had only an opportunity to glance at them; but they seem to me utterly defective, even for the purpose to which they were supposed to be put in. I should like to go on and analyze this new version—because, although it is never to come before us in the paternal hands, it is coming before us practically in the instructions—I should like to go over it with some care; and I shall hope to do so later, when speaking on this or one of the other instructions.

I should like now to call attention to one or two of the provisions which seem to me objectionable. One is that extraordinary provision on page 8 which gives to the proposed shipping board the right overnight to change the rules and regulations applicable to the shipping of the United States. They put into the hands of one competing line—for that is what it is—the power to change all the rules and regulations affecting all the water-borne commerce of the United States—for our rules and regulations apply both to the coastwise and to the foreign trade—without notice or without any opportunity to prepare for it. They then propose to pay this out of the Panama bonds. Those bonds were authorized by Congress for the purpose of paying for the Panama Canal. Owing to good management on the part of the Government a large portion of the expenses of that canal have been paid out of current revenues in the past; but the authority to issue those bonds still remains. Those bonds, as I have said, were authorized for a specific purpose—the construction of the Panama Canal—to the amount, I believe, of $240,000,000. They still remain unissued.

That is a debt, I believe, of which it is right to have posterity pay its share. The burden of that debt certainly ought to go upon posterity, because the canal is an enduring work, which we hope and believe will be of value to many generations. Now, it is proposed to take those bonds, created for one purpose, and to devote them to paying the expenses of a measure which its authors, or some of its authors and finishers, say is temporary—merely temporary—a matter of a few years, a matter to be carried only beyond the present European war. Others take a different view and regard it as permanent; but we have been told over and over again that it was a temporary and emergency measure to relieve the present pressure of high freight rates upon the people of the United States. For the relief of the people of to-day at this moment we are to take these bonds, issued for a special purpose, and to use them in this way and put the burden of this special purpose upon posterity. It seems to me an invasion of a trust fund. If we are going to make this emergency measure now, we ought to pay for it now. It will have to be paid for by the people of the United States at some day or other.

But I suppose, Mr. President, it is all done in the interest of economy. The condition of the Treasury is not overgood. There is a deficit threatening. The other day in the House of Representatives we had an example of the administration's conception of economy. They are ready to spend $50,000,000 on buying German ships and setting them afloat under our flag; they are ready to spend $35,000,000 for railroads in Alaska; they are prepared to spend $40,000,000 or more on rivers and harbors; they are proposing to give Colombia $25,000,000 and Nicaragua $3,000,000 more; and then they turn to the House of Representatives with a plan of economy, and what is the economy? To cut off the appropriation for submarines! The testimony on that subject shows that we have practically no effective submarines—not more than two or three at the most. It shows that we have no torpedoes of suitable length; we have only short torpedoes; and yet, although passing before our eyes to-day in Europe, is being demonstrated the enormous effectiveness of this new arm in naval warfare, and it is there that they have seen fit to economize by two or three million dollars!

Why, Mr. President, they have declined to give us a proper personnel for the Navy. There are ships out of commission, tied up at the docks, not fit, perhaps, to be put in the battle line, but fit to protect entrances to our harbors. It is easy, as this war has shown, for one vessel in a night to sow the entrance to a harbor with mines. A half dozen vessels could sow with mines in a night the entrance to Delaware Bay, to New York Harbor, to Boston Harbor, to Norfolk, and these vessels now lying tied up—it would take two or three months to put them in commission—have no crews to put upon them. We can not even use for that necessary defense the vessels that we have, but we economize by leaving our Navy short of enough men to man the ships we already have.

In the pursuit of economy they have cut down the provision for aeronautics in the Navy. Mr. President, in this war they have started—it is easy to do it—aeroplanes or hydroplanes from a ship, and they will go over a fortified city like New York—I say "fortified" because that gives them the right to do so, I suppose—and drop bombs. We have 73 men in the aeronautical department of our Navy; we have 23 aeroplanes in both the Army and the Navy. There is where economy is to be practiced; but they are going to spend $50,000,000 under this bill to buy—what? The bill is so written that they can do what they meant to do from the beginning and what they mean to do now, and that is to buy the interned German ships. I do not care where they buy them or where they build them; this is no time for an experiment in Government ownership in shipping. To send any Government-owned ship into the North Sea, the Irish Sea, or the British Channel is deliberately running the risk of war. It is one thing to take a privately owned ship, but it is a very different thing to capture or destroy a Government-owned ship.

Germany has given notice that in a certain zone she will destroy neutral ships carrying aid to their opponents. We all know the allies would not recognize the transfer of the flag from German ships, and yet it is proposed to send those ships owned by the United States and carrying the United States flag into that whirlpool of war.

The United States, Mr. President, can not hide behind a corporation. They own the ships; they control the ships; they are their ships; and when they are seized or when they are sunk the blow is directed against the flag of the United States Government and not against a ship owned by a private individual.

Mr. President, that is the danger, and it is increased by the German notice. If they should sink a Government-owned ship carrying passengers and freight, the American people would come very near to demanding war. We do not want war with Germany; we do not want war with any nation; we wish to keep on good terms with all the world and preserve an honest neutrality; but we are risking it all at this time by this scheme to buy these ships and put them on the ocean as Government-owned ships. They will not go on the Pacific; they are not needed there; they will not go to South America; there is more cargo space in vessels to South America than there are markets there. If they are needed at all, they are needed in the trade to Europe—to England—and it is that danger which accounts for the opposition which this bill is encountering and which is not met by that empty amendment of the second instruction.

Mr. President, I have been speaking merely offhand in regard to these instructions, because I wish to call attention to them now at the opening of the debate upon them, and I wish to call the attention of the Senate to the reason for the opposition to this bill. I can assure Senators on the other side that the intensity of the opposition, which makes every Senator on this side determined to defeat this bill if it is a possibility, an opposition which has enabled us to demonstrate

to this country that it never has had a majority as it stood at the time when it was being debated, is actuated by the belief that the safety and peace of the country are imperiled by what it is proposed to do. No men would subject themselves to such a contest as we are making for any mere supposed political advantage, still less for any imaginary personal advantage. The thing that binds us together is that we believe this to be a bill of great danger, and that point and many other points have never been successfully or even intelligently met.

Further, Mr. President, we have been joined in our opposition by seven Senators of an opposite political faith. I have sat here and heard those seven Senators villified as I have never heard Senators attacked in this Chamber before; and yet no man can imagine any motive actuating those men in the course they took which could have any personal advantage. All the personal advantage was the other way. If ever it was clear that men took a position because they felt it to be their duty to do it and did it with the utmost reluctance and were guided by their conscientious convictions, it was those men. I believe and I know they are actuated by the same feelings that we are in presenting the opposition to this bill, namely, that we believe it is a bill dangerous in present conditions to the peace and safety of the United States.

Some of us, of course, are utterly opposed to Government ownership, especially on the ocean, and, above all, we are opposed to Government ownership at this time. We do not, we can not, tamely accept the proposition that such a bill as this should be passed and its provisions carried out by the purchase of these German ships, which has been the underlying and the stimulating cause of this bill from the beginning, around which there are dark suspicions and sinister stories. With that purpose in view, it seems to us that the passage of this bill would bring this country within measurable distance of war as soon as those ships are set afloat, and the German notice broadens it into a danger to any Government-owned ship.

This is all I desire to say at this moment. I shall take occasion later to discuss these instructions more fully, more adequately, and as their importance deserves.

I had in mind an amendment, which I will reserve and offer later. I have not the right words here at this time.

Mr. JONES. Mr. President——

Mr. ROOT. Mr. President, will the Senator excuse me for a moment?

Mr. JONES. Yes.

Mr. ROOT. I wish to offer an amendment to one of the instructions, but I find myself unable to do it through not having the matter in such form as to indicate it. I express the hope that the proposed instructions may be printed, so that when another calendar day comes we may have them before us for use.

Mr. JONES. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. JONES. I wish to ask the Chair what proposition is now before the Senate?

The VICE PRESIDENT. The question now before the Senate is the adoption of the first proposed instruction to the committee.

Mr. JONES. That is the proposition to which I desire to address myself.

The Senator from Massachusetts [Mr. LODGE] has just stated the principal ground of my opposition to this measure. I believe it means war. I believe it means that this country will be involved in the terrific conflict that is now being waged in all the civilized world—at least, among all the great countries except this. I may be mistaken. I do not question the sincerity of the beliefs and the motives of those who think otherwise and who support this measure. Believing as I do as to what the probable results of the passage of the bill will be to the people of this country, I feel that it is my duty to oppose this measure in every possible way.

If I should occupy this floor from now until the 4th day of March, no matter what the results might be to me, feeling as I do about it, I think I would be doing nothing more than my duty to the people who have honored me with a place on this floor. No greater calamity could come to this country than for us to be involved in this struggle, and I want to say, in all frankness, to our friends on the other side that this bill shall not pass if there is any possible way in which I can prevent it.

There are three propositions involved in the pending motion. Under the rules of the Senate I can speak twice on each one of these propositions, and I propose to do so. If I can speak one or two days each time, that will consume a little bit of the time between now and the 4th of March; and I want to say to the Senators on the other side that I propose to use every bit of the time I can use between now and the 4th of March to prevent the passage of this bill. I shall go into the proposition with reference to the probability of this measure involving us in war more fully a little later on. The Senator from Massachusetts has well stated the situation, so far as that is concerned.

Mr. President, there is no partisanship in this matter with me. I have tried since I have been a Member of the Senate, and especially during this administration, to act just as free from partisanship as possible. I think I have said once before here that there is only one question before the American people upon which I recognize any party lines, and that is the tariff. I think I have shown by my record during this administration that I have not been actuated by party bias. I have voted for more of the important propositions this administration has urged than I have voted against, and if I have had any doubt with reference to my action it has been with reference to those measures for which I have voted.

I did not consider the currency bill a party measure. I knew no party bias with reference to that proposition. I knew of no declaration in the Democratic platform or in the Republican platform that sharply divided the people of the country with reference to currency legislation. So, when that measure was presented I tried to consider it regardless of the source from which it came or the administration that was in power. I considered it in exactly the same way that I would have considered it had it been a Republican administration. I voted for the measure on its final passage. I did so in the belief and in the hope—I had very much doubt about it, I will admit—that it would improve the condition in the country; that it would give us a better financial system than we then had. I believed that there was a system that would have been very much better for the country, and it seemed to me our Democratic friends lost a great opportunity when they rejected it.

I am satisfied that they rejected that idea very largely because of some declaration that they had in their platform that they seemed to think committed them against the proposition of a central bank. I should have preferred a great central bank, operated and controlled by the Government, and the stock owned by the people of the country, instead of the various institutions we have provided for in different sections of the country, which I feared then, and which I fear now, will eventually result in a great political machine and in political influence and power controlling, or at least very injuriously influencing, the financial situation and the finances of the country. I think that will be a great calamity. I hope it will not come about, but I fear it will.

Then, when the Federal Trade Commission bill was presented, I am sorry to say that was made a party proposition by the Democratic majority of this Senate, just as the banking bill was. They called their caucus. They do not seem to be able to consider these measures in the open. They do not seem to feel free to take the people of the country into their confidence in the discussion of these great measures, so far as the differences among themselves are concerned; but they must take these measures behind closed doors, exclude the representatives of the press, exclude the people of the country from knowing what takes place behind those closed doors, consider those measures in that way, reach a decision as a party, and then endeavor to throttle independent action and manacle the views, opinions, and convictions of their party associates.

The Trade Commission bill, framed up in this way, was then brought into his body. I treated that as a nonparty proposition. I voted for or against the various amendments that were offered to it upon their merits, regardless of the source from which they came. On the final passage of the bill I voted for it with very much doubt, and my doubts have been made stronger since the bill was passed. I shall refer to that measure a little bit later on.

Then the so-called Clayton bill was treated in the same way. Our Democratic friends developed differences over it which they did not feel justified in thrashing out on the floor of the Senate, taking the consensus of opinion of the majority of the Senate, but they must have conferences and caucuses binding their members to support the will of the majority of the caucus; but when amendments were offered on the floor of the Senate these were acted upon in a nonpartisan way, as far as Republicans were concerned. I supported a great many propositions here in the Senate. The bill, when it came up on the conference report, I could not support, and I did not vote for it.

This bill is an absolutely nonpartisan measure, and it ought to be treated as such. It ought to be considered in the Senate in a nonpartisan way; and, as I said a moment ago, my opposition to it is not based upon politics at all, but simply upon the fear I have with reference to the consequences that may come from it. I will say right here that I am not alarmed at the proposition of Government ownership. I am not so violently opposed

to that as some of my colleagues on this side of the Chamber are. I supported the proposition for the Government construction and operation of a railroad in Alaska, and in a speech that I made with reference to that measure I said that while I hoped we would not come to Government ownership and operation of railroads in this country, yet that if a few more incidents occurred like the New Haven, and some others that the country knows about, we would come to Government ownership and operation of railroads.

I do not consider the precedent with reference to Alaska as a precedent for ownership and operation of railroads in this country by the Government. I supported that proposition because of the special circumstances and conditions in that particular case. I think we were fully justified then in doing what we did, and I am glad that measure was treated as a nonpartisan measure. I am glad that we had the support of the President of the United States, and I am glad to give to him and his administration any credit to which they may be entitled by reason of that legislation.

It is true that that legislation was simply carrying out what had been inaugurated by the preceding administration. No one had come out more strongly in favor of Government ownership or construction of a railroad in Alaska than the President of the United States who just preceded the present President; and it was under his administration and under Republican legislation passed by a Republican Senate that that matter was started, that a railway commission was provided for under which a report was submitted recommending it. The President recommended it, and I am glad the present Chief Executive adopted the suggestion and urged it strongly, and that it was taken up and passed. I believe that the results will fully justify the action of the Congress and the President eventually in the development of that great territory in Alaska.

I am glad that in a way this measure is being considered or has been considered here in a nonpartisan way by some of the Members of the Senate. I am sorry that it has practically been made a party measure through a party caucus. I think it augurs well for the Senate and for the people that there are some representatives on this floor who refuse to be bound by these secret conclaves and these secret caucuses. I am glad that there are some Members of the Senate who seem to consider their duty to the people greater than their duty to their party; and in saying that I do not question the sincerity of the Members who take another position, because I suppose they think that by following the direction of the President and by following the decree of the majority of their party they are best promoting the welfare of their country. I must say that I can not see it that way myself.

There are certain Members of the majority who have not accepted the caucus decree. They have not obeyed the orders that have come from those who should be the administrators of the law rather than the makers of it. There are those who recognize the fact that they represent those who sent them here rather than that they are here to carry out the mandates of some one whom the people selected to carry out and execute the law. There are some here who seem to recognize the fact that they are representatives of a great constituency rather than the members of a team. Of course, the members of a team are expected to do what the captain tells them to do, and there are those here who recognize as their captain the people who sent them here, and not somebody who assumes to himself the position of captain of the legislative team, who is made by the Constitution of the United States nothing more than the executor of the law which the people's team is supposed to enact.

Some of these Senators have expressed their views on the floor of the Senate. They have made their position very clear. They did not wait to express their views until the matter came up for a vote in the Senate. Some of them took the people into their confidence sometime ago, and at the risk of repeating some things that may have possibly been said on the floor of the Senate I am going to take the liberty of reading some statements made by them in the press sometime ago by which they advised their people and their colleagues of their position on this important matter.

I have here a statement made by the junior Senator from Georgia [Mr. HARDWICK] with reference to this important measure. The position taken by the junior Senator from Georgia was exactly what I expected from him. I had the pleasure and the honor of serving in the House of Representatives with him. I knew there his independence and his devotion to what he believed to be the people's interests and his conscientious adherence to his convictions of duty. I felt satisfied that when he came to this body the same independence which marked his course in the House of Representatives would mark it here and so I was not surprised when I saw in one of the papers sometime ago a statement from him with reference to this measure, giving the grounds upon which he opposed it and upon which he felt that he would have to part company with his party colleagues in the consideration of it.

I am going to read this statement. I will read the preliminary statement in the paper:

Senator HARDWICK, Democrat, of Georgia, who, both on the floor of the Senate and in the party caucus, has been aggressive in his opposition to the administration ship-purchase bill, yesterday gave the Post a characteristic statement of his reasons for not agreeing with the President and other members of his party.

Right here I want to say I was a little surprised at the statement of the junior Senator from Georgia the other day on the floor of the Senate that he had been told by his party colleagues they had not been holding any party caucuses for a great many years and that whatever meetings were held were simply conferences.

Mr. President, I, of course, am not a member of the Democratic caucus or conference, and I have not been inside their meetings, but I know it has been common report, commonly stated in the newspapers ever since this administration came into power, that caucuses were being held. They have been held upon every important measure. I remember very distinctly the account of the caucuses of the Democratic Party on the tariff, and that is a question I think they are justified in caucusing on. I do not find any fault with them for it. That is a party question, and it has been ever since the foundation of the Government, and I suppose it ever will be. There are two lines of thought on the tariff, and these lines of thought form a very distinct cleavage in the minds and action of the people in political parties. They, the different parties, made their declarations with reference to this question, and so I find no particular fault with our Democratic friends for holding a caucus on the tariff in order to frame their tariff in accord with their party declaration. We would have been a great deal better off if we had held some caucuses on it when we framed our last tariff law. They have been talking about our holding caucuses with reference to the tariff. I was in the Senate when the Payne-Aldrich tariff law was framed and passed. I was never in a caucus connected with that bill myself, and I never knew of any caucus having been called. I thought at the time that we would have been better off if we had gotten together and had a caucus and thrashed out our differences.

If we had made mutual concessions, as I have no doubt concessions could have been made, we would not have had the division we did have in the party. But we did not do it. We had our division, and our Democratic friends got in by reason of it. Probably in the economy of an All-Wise Providence it was the best thing for the country in the end, because it was bound to come. The people—that is, the new generation that had come up—had forgotten and did not know about conditions under Democratic rule, and so it was necessary that they should have another experience. They have had it.

Then when the banking and currency bill was up they had caucuses over that, and so practically on every important measure that this administration has passed they have held their caucuses. We have had reports given out by the papers as to the votes in caucus on different propositions.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. Of course I would like very much to yield, but I do not like to take any time that is unnecessary. However, I will yield to the Senator for a question.

Mr. REED. The Senator has just stated that there has not been an important question before Congress upon which there has not been a caucus held by the Democratic side. I should like to have him name the time we have caucused on any bill except the tariff bill, the banking and currency bill, and the pending bill.

Mr. JONES. That is a pretty good list.

Mr. REED. That is three. It is not every bill at all. That is an important accuracy such as, I suppose, we ought to expect.

Mr. JONES. There are only two other important measures of this administration—that is, measures attracting the thought of the country and great discussion—the Clayton bill and the trade commission bill. It may be they were not caucused on. We have heard so much about caucuses that it seems we have had them pretty regularly. There are three, and that is a majority. Of course I do not say that every measure has been taken to caucus, but the great majority of the great and im-

portant measures have been taken into caucus, and as a matter of fact have been made party measures.

Mr. PAGE. Mr. President——

Mr. JONES. I yield to the Senator for a question.

Mr. PAGE. The Senator has been a Member of this body for at least four years.

Mr. JONES. For nearly six years.

Mr. PAGE. I should like to ask the Senator if his experience has been substantially that of my own. In the six years I have been here there has never been a Republican caucus in which the Republicans gathered together, either as a conference or caucus, and pledged themselves to support any particular measure.

Mr. JONES. There never has been.

Mr. PAGE. There has nothing been held on our side that approaches anything like a caucus?

Mr. JONES. There never has been; and I think I will say here I was a Member of another body for ten years, and in that whole time, though a great deal has been said about caucuses among Republicans in some other body, there was never held a Republican caucus except at the beginning of each Congress for the nomination of candidates for Speaker and officers of the House.

Now, I want to read the statement from the Senator from Georgia [Mr. HARDWICK] with reference to this matter.

> The objections to the pending ship-purchase bill continue to multiply and grow in strength day by day. In the first place, where and how will we get the ships if the bill should pass?

Mr. President, that is a very pertinent question. It has never yet been answered. No answer to that question has come from anybody on the other side of the Chamber or by anybody supporting this bill. I heard a statement here one day to the effect that ships could be gotten from Norway, Sweden, and other neutral countries. They have ships; I will admit that. They have ships, but there is no proof shown anywhere that they have them for sale or that, if they have them for sale, they can be bought now at any reasonable rate. I shall notice that matter later on, if I have the time in which to do it. I will say here—and I am simply repeating what others have well said—the vessels of no neutral people can be bought now, if the statements made by the friends of this bill are true, except at exorbitant prices. It is contrary to all business experience that any man will sell any tool by which he is making a tremendous profit except at a price based on that profit or that income.

If the shipowners of Norway are making 50 or a hundred per cent profit carrying freight now with a vessel that cost them $50,000 at a time when they were securing only an ordinary rate of income, what will they ask for that vessel now if the Government of the United States goes to buy it? Instead of asking $50,000 for it they will ask $150,000.

Mr. President, it is almost an insult to the intelligence of our people to suggest anything different. Everybody has had that sort of experience. I know that out in my part of the country we have had some pretty valuable land lately. A few years ago that land could be bought for $25, $50, and $75 an acre. Why? Because the income from the land, from the crops that it produced, would pay a reasonable profit upon that valuation. The same land, Mr. President, a couple of years ago was selling at $1,000 and $2,000 an acre. Why? Why this great increase in price? Why was it that a man two years ago would ask a thousand dollars an acre for a tract of land which 10 years ago he would sell at $50 an acre? The reason is simple and plain. Two years ago he was getting an income on those lands from fruit of from $250 to $500 an acre a year, while 10 years ago he was getting an income of $10 to $15 an acre a year. That is exactly the situation we have now. These shipowners are getting a tremendous income from their ships. When this Government comes to buy them, it will have to buy them on the basis of that income. Then what will be the result a little bit later on? Why, the Government will have these ships; these tremendous profits will have disappeared; and if we want to sell the ships we will have to sell them on the basis of a low profit.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Pennsylvania?

Mr. JONES. I yield for a question only.

Mr. OLIVER. The Senator from Washington speaks of a "low profit." Does the Senator mean a small profit or no profit at all.

Mr. JONES. Probably the result would be that there would be no profit at all; and I will even admit that we may make some profit, but it will be small. Then the price of the ships will be very much lower than what we paid for them. Of course the chances are that there will be no profit at all. But, Mr. President, if I have the time I shall notice this matter a little bit further on. This article continues:

> If so, from whom? Certainly not to any considerable amount or at anything like a reasonable figure from Great Britain, whose merchant marine must serve her own great commerce, and is, besides, now subject to demands made upon it for aid to the military and naval operations, as well as an increased demand from the world's carrying trade growing out of the elimination of German competition.
>
> SHOWS BRITAIN'S PROBABLE ATTITUDE.
>
> From Germany? If this be the purpose or one of the purposes of the bill, it seems certain that it will involve us in serious complications with Great Britain. It is not probable that the Government of that country will permit us to purchase and transfer to our registry the interned ships of Germany that could probably be bought at a most reasonable figure, and then operate them on the high seas.
>
> "It seems certain that Great Britain will insist that if the transfer of the ship under the registry of one of her enemies is made to a neutral registry after the declaration of war that Great Britain is neither bound to recognize nor respect such transfer and does not propose to do so.
>
> SAYS NEUTRALITY MAY VANISH.
>
> "Besides, the transfer of these German vessels to a corporation, of which the United States is the principal, if not the sole, stockholder, will greatly add to the gravity of the situation by making this Government a direct party with an immediate interest of its own in the controversy, and will seriously endanger our continued peace.
>
> "Therefore this step ought not to be taken lightly, and not at all unless we are prepared for any eventuality. If we can not safely buy these German vessels, then what ships are we to purchase under this bill, and from whom? From other neutral nations or their citizens? We can certainly hope to secure no considerable supply from that source.
>
> PROSPECT OF PURCHASE IN UNITED STATES.
>
> "Nor can we hope to purchase these ships either from our own citizens or from the citizens of other countries, if it be true, as asserted and urged by the proponents of this measure, that the rates have risen so enormously and the profits of these ships increased so largely since this war began. If that be true, what inducement would be held out to private capital invested in this business to sell its ships just when they are reaping the richest harvest?"

Our friends on the other side of the Chamber admit that that is true. They say that; they say that these vessel owners are getting higher freight rates than ever before. The cost of operation, they contend, is no greater. They seem to overlook the adverse conditions under which these people are running; they seem to think that if the United States can just get a ship and start it out on the ocean the freight rates will come down, not only with that ship but with other ships. This article continues:

> Where, then, are we to get the necessary ships? Obviously by construction. And yet this measure is urged as a temporary one—a war measure, as it were, to be promptly abandoned when the war is over and the present emergency past—certainly as soon as it becomes a "profitable" enterprise again, and therefore becomes attractive to capital.

I might insert right there what has been called attention to many times, that the President himself, not only in his message to Congress, but in his speech at Indianapolis urging the passage of this measure, expressly stated that it would be simply an emergency measure; that just as soon as the war was over—no; not that soon, Mr. President—would they turn the ships over to private parties; but when they became a paying proposition then they would turn them over to private capital. That is the kind of a bill they brought in here; that is the sort of proposition they put up to the Senate and presented to the people of this country; and that is substantially the proposition that they have now, if I understood the reading of this motion, that we are not permitted here to see and that we are asked to vote on without having been able to read it. I want to call to the attention of the people of the country, through the RECORD, that this afternoon about 5 o'clock an amendment is offered to a motion that is pending, providing for a report from the committee; as a matter of fact, framing a report for a committee of the Senate to bring to the Senate certain provisions that are to be inserted in this bill by way of amendment that most of us have not been able to see.

Is that the way the people of this country want legislation enacted? Is that what they expect of the representatives they have sent to this body? When a Senator arose and asked that we should have an opportunity to have this printed, so that we could see it, examine it, study it, and read it, it was refused. I venture to assert—and if I am wrong I should like to be corrected—that the Senators on the other side who are not friendly to this bill had not had this matter called to their attention before it was presented here; that they had not been permitted to examine it. True, the Senator from Oklahoma [Mr. GORE] introduced a bill—not a substitute, not an amendment, but a bill—a few days ago containing certain provisions. Of course that was printed; we have all seen it. He entered a motion to discharge the committee from the consideration of that bill, and that is what we supposed would come up in case the motion of the Senator from Arkansas to recommit the substitute presented by the Senator from Florida should be voted down; but instead of that the Senator from Florida offers, on

the floor of the Senate, an amendment to the motion to recommit. It was not printed, but simply read, and the Senator then expressed the hope of having a vote on it right away. Not many Senators on this side had seen it; not many on this side knew what it contained; not many on this side knew anything about it; and yet we, as representatives of the people of the country, sent here in their interest and for their benefit, were asked to accept this proposition as it was read and as a report from the great Committee on Commerce of this body.

I submit, Mr. President, that the people of this country do not want legislation enacted in that way. No apparent exigency can justify such action, and the people of the country will not approve it. That is the way jokers are put in legislation. That is the way the people's interests are jeopardized and given away. That is not the way to legislate.

Now, I must finish this interview. I was just reading where Mr. HARDWICK states that we can not purchase these ships from the citizens of other countries. He says:

If that be true what inducement would be held out to private capital invested in this business to sell its ships just when they are reaping the richest harvest?

Where, then, are we to get the necessary ships? Obviously by construction. And yet this measure is urged as a temporary one—a war measure, as it were, to be promptly abandoned when the war is over and the present emergency passed, certainly as soon as it becomes a "profitable enterprise" again and therefore becomes attractive to capital.

POINTS TO TARIFF REMEDY.

The Congress of the United States in the recent tariff bill adopted a plan that in the past has proved most efficacious and practicable in building up and maintaining an American merchant marine, namely, a discriminating duty in favor of goods carried in American bottoms. The discriminatory rate may not be large enough to accomplish the purpose sought. If not, let us raise it. Certain treaties with foreign powers forbid its enforcement, the Attorney General held. If so, let us give the necessary notice to the powers in question to modify these treaties in this respect and then proceed to enforce the law we have enacted, and so restore our merchant marine.

I think, Mr. President, I will say just a word or two with reference to that. Our friends on the other side say, "Why do you not offer something? You have offered nothing." They seem to think that because they have offered a proposition and nothing better is offered therefore their measure should be passed. Mr. President, there is no argument in that. If their proposition is a bad one it ought not to be passed, whether anybody proposes anything else or not; if their proposition is a dangerous one it ought not to be passed; if their proposition will accomplish no good it ought not to be passed.

Personally, Mr. President, I am strongly in favor of a system of discriminating duties. I have long been in favor of that proposition. Two years ago, when the tariff bill was pending, along about 12 o'clock at night, I made a speech on that proposition, urging a provision in the tariff bill for a discriminating duty upon imports brought into this country in American ships or imposing a higher duty on imports brought in foreign ships. I had hoped that my Democratic friends would support something of that kind, because in the House they had put in a provision along that line. I know there were several Senators on this side of the Chamber who were opposed to that proposition, but I was not prepared for the opposition that came from the other side of the Chamber. There was, however, almost a unanimous voice on the other side of the Chamber in opposition to it, and before the bill went to conference they struck out the clause that the House had put in under the able leadership of Mr. UNDERWOOD, of Alabama, who made a powerful speech in favor of the proposition and who was largely responsible for the insertion of the plank in the Democratic platform of 1912 with reference to the merchant marine, because that platform, as I think I will show later, clearly committed the Democratic Party to a system of discriminating duties for the upbuilding of the merchant marine. He was on the conference committee, and he insisted upon such a provision being incorporated in the bill, and a provision along that line was incorporated in the bill. What has this administration done in regard to it? It has not only refused to carry it out, but, I suppose, it directed the legal representatives of the Governmen to appear—or, at least, the legal representatives of the Government did appear—in a case, contending that the law was not enforcible. The Attorney General's office was represented in a case, contending that the provision which they had put into the law could not be enforced and ought not to be enforced; and it is not being enforced to-day, notwithstanding the fact that the board of appraisers of the port of New York, where the question arose, in a very well considered decision held that the provision was enforcible. How can we hope to have the laws we pass carried out when the executive officers themselves appear in court and argue against them and the people's interests? I shall refer to that a little later on.

Mr. HARDWICK concludes:

Long have we Democrats insisted that business and government should be divorced; that the Government should keep out of business and business should keep out of the Government. Were our protestations insincere? Were our principles unsound? I believe not.

Now, Mr. President, I leave the question as to whether or not this bill involves Democratic principles to our friends on the other side. They know more about what are Democratic principles than I do.

I have here an interview from another Senator who has dared to take his stand on this floor against his party colleagues and against the apparent mandates of the self-constituted captain of the legislative "team."

I will say frankly that I had not a very good opinion of the junior Senator from Mississippi when he entered this Chamber. I had seen many accounts in the papers with reference to him, and I suppose all of us are prone to form our opinions of men by what we see in the papers, whether we ought to believe those statements or not. My opinion in regard to the Senator has entirely changed since I have come in contact with him on this floor, and I have as sincere and high an admiration for him as for any Member of the Senate. I admire his courage and his independence of thought and action and his devotion in the highest degree to what he believes to be right and for the best interests of the people; he is a man after my own heart; he is careful, conscientious, courageous, true to his constituents and his conviction of duty as the people's representative, and believes in doing his part as a representative independent of Executive interference or dictation; and I was not surprised, from what I had seen of him, that he proposed to act on the floor of the Senate as his judgment dictated rather than as some one else told him, whether it be from the aggregate vote of his colleagues or whether it come from the Executive chair. So I was not surprised when I saw an interview in the paper from Senator VARDAMAN, of Mississippi, announcing not only his opposition to this measure, but that he was determined to oppose it on the floor of the Senate; and he gave an interview to the paper which was very interesting, almost as interesting as the speech he made on the floor of the Senate the other day. I hope everybody who may have access to the CONGRESSIONAL RECORD will read that address. They will get some idea as to how things are done, or attempted to be done, on this floor, and they will also get some idea not only as to the independence of the Senator from Mississippi but as to his ability to use the English language.

He said:

I am opposed to this bill because I believe it is the most indefensible form of subsidy yet proposed.

That suggests a thought to me. Our friends on the other side denounce the Republican policy in the past because they are opposed to subsidies; and they point to their platform declarations and say: "Our platform commits us against any form of subsidy." I have not seen very much regard paid to that platform during the last two years. Possibly when this legislation is passed, if it ever is passed—not at this session, but at some time in the distant future—they will have then repudiated the last plank in their platform that they have not heretofore repudiated, because this proposed legislation is not only a repudiation of the direct terms of their platform but it is a repudiation and a violation of the very principle of the platform itself.

They seem to think that if they say that what they are advocating is not a subsidy that settles it, and no further question can be made, and there is no further room for argument. I am not surprised that they take that attitude. I am not surprised that they have gotten inoculated with that idea. That seems to be the theory upon which the "captain of the team" acts. The captain of the team seems to think that when he says a thing is so, it is; that that ends it; that that settles it. When he asserts that there is prosperity, prosperity is, whether anybody has any of it, or knows where it can be found, or has ever experienced it or not. Any thought to the contrary is a mere state of mind—a mere psychological delusion. And so our friends on the other side seem to think that all they have to do to clear their skirts of advocating a subsidy is to say that what they advocate is not a subsidy.

The people will not be fooled by any such statement or line of action as that. The people of this country will know that, even if this bill should pass and the Government should acquire a few ships and operate those ships, if any benefit comes to anybody it will come almost solely to the people whose products are carried in those ships, and nobody else. If they carry my apples in a Government ship at 5 cents a bushel, and there are no other ships but private ships to carry my neighbor's apples, and he has to pay 10 cents a bushel for their carriage,

you have contributed to me a subsidy of 5 cents a bushel on my apples, and you can not make anything else out of it. It is absolutely ridiculous to contend that 30 or 40 or 50 or 100 Government ships will reduce the freight rates upon all the products to be shipped throughout the country when there are 45,000,000 tons used in the carrying of the world's commerce—absolutely ridiculous.

As has been said, and as is said here by the Senator from Mississippi [Mr. VARDAMAN], this is the very worst form of a subsidy. The Senators on the other side can not shake their locks at me, so far as the subsidy proposition is concerned, either. I have not been one of the strong advocates or one of the earnest advocates, you might say, of a subsidy. I have voted for some of the subsidy measures. My recollection now is that I voted against one of them in the House. I did it largely on this ground—at least, this is my recollection: The bill provided for a subsidy not only to ships that might be hereafter built, but also to ships already built. I have always been absolutely opposed to the use of the Government money, whether as a subsidy or otherwise, for the operation of ships constructed and built prior to the passage of such legislation.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Vermont?

Mr. JONES. I will yield for a question.

Mr. PAGE. Only for a question. We have been sitting here for some little time with two members of the majority present, and only two, so far as I can see. A third has just come in. I should like to ask the Senator if he feels willing to yield for the suggestion of the lack of a quorum?

Mr. JONES. No, indeed. No, Mr. President; I do not complain because our friends on the other side are not here, nor our friends on this side, so far as that is concerned. I thought I made it clear when I started out that I proposed, so far as I am concerned—and I want to be perfectly frank about it—to do everything in my power to prevent the passage of this bill, for the reason that I stated, not because it provides for Government ownership and operation of ships, because if I were opposed to that I would express my views and then let it come to a vote and let the majority be held responsible for the results; but I have a firm conviction that the passage of this bill before this war closes will involve us in that struggle. You Senators on the other side do not believe it, as I said awhile ago, and you are just as honest as I, and you may be more nearly right than I am; but believing that, as I do, I feel that it is my duty as a representative of the people of this country to do everything in my power to prevent the passage of a bill which I think will lead to such tremendous consequences, and so I do not care whether anyone is present or not.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES. I yield to the Senator from Florida for a question only.

Mr. FLETCHER. I will ask the Senator whether he means that the mere passage of the bill would bring about complications?

Mr. JONES. Oh, no. Of course I do not mean that the mere passage of it would. The mere yea-and-nay vote here and the signing of the bill by the President would not have that effect. What I mean is that if the bill is passed and is carried out, I believe we are going to get involved in this struggle. I am going to go into that question further if I have the time.

Mr. FLETCHER. I should be very glad to have the Senator furnish some light on that subject. I can not for a moment appreciate the standpoint of the Senator.

Mr. JONES. I have no doubt the Senator from Florida is just as honest in his position as I am in mine, and from his standpoint I find no fault with him for trying to pass this bill—not at all. My conviction is as strong as it can be; and having that conviction, I feel that I am doing my duty in talking upon this measure without the presence of Senators on either side, so far as that is concerned, and if necessary to defeat the bill, for the sole purpose of delaying a vote.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Vermont?

Mr. JONES. I yield for a question.

Mr. PAGE. I should like to have the Senator tell me whether, in his opinion, we are justified in this contest over one single measure, when we know that in doing so we are postponing the consideration of every one of the important appropriation bills that are to come before the Senate?

Mr. JONES. Why, Mr. President, I do not believe that the other side is justified, as a majority, in keeping this bill before the Senate to the exclusion of everything else, under the circumstances. The responsibility is on them. It is not on us. They are responsible for legislation, in a way.

Mr. WILLIAMS. Mr. President, may I ask the Senator a question?

Mr. JONES. In just a moment. Of course I recognize that every Senator here has a responsibility to his constituents and to the Government, and before the Senator from Mississippi came in I had expressed regret that this measure, as other measures, had been made a party measure, because I have no party bias on it at all. As I said, I do not recognize any party bias on any question except the tariff. I do recognize a party bias on that. As I said—the Senator was not here, and that probably necessitates my going over a little of this again—I have voted for a good many of the important measures of this administration, and I have been criticized at home to a certain extent for it, but I did it because I thought they were right and were better than what we had. I thought it was my duty as a representative—not as a Republican, but as a representative of the people—to vote for what I thought was right, and that is what I am going to do during the entire administration, so far as that is concerned.

Mr. WILLIAMS. Now does the Senator yield for a question?

Mr. JONES. Yes; I will yield to the Senator for a question.

Mr. WILLIAMS. I wanted to ask the Senator a moment ago—he said the responsibility was over there—whether he did not think it was a dual responsibility? We are charged with the responsibility of trying to get a vote. That is all we are trying to do now on this question. Does not the Senator think that that is an ordinary parliamentary responsibility that could not be evaded, and does he not think that his side is assuming the responsibility not of defeating the legislation by a square vote, but of preventing a vote upon the legislation?

Mr. JONES. I was going on, Mr. President, to talk about that situation.

Mr. WEEKS. Mr. President——

Mr. JONES. I yield to the Senator from Massachusetts for a question.

Mr. WEEKS. I wish to ask the Senator from Washington if the positions of the two parties are not changed from what they were last week? The Republicans last week were willing and anxious to vote on this proposition, and we were unable to obtain a vote on account of the filibuster conducted by the majority.

Mr. WILLIAMS. Now, Mr. President, if the Senator from Washington will pardon me——

Mr. JONES. If I can yield without yielding the floor, Mr. President, I will do so.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. I yield for a question.

Mr. WILLIAMS. The Senator can yield to me without yielding the floor, because I shall ask a question.

Mr. JONES. Very well.

Mr. WILLIAMS. I have ingenuity enough, I think, to put it in an interrogative form. Does not the Senator think that after the Senator from Massachusetts has interrogated me through him I have a right to make this reply?

Mr. JONES. The Senator has a perfect right to make any reply he wants to, so he does not take me from the floor.

Mr. WILLIAMS. I am asking the Senator a question now, as to whether the Senator does not think I have a right to this reply which was caromed off of him onto me?

Mr. JONES. Well, Mr. President, I want to answer that question. I would be glad to give the Senator from Mississippi the right to answer that question. The trouble is——

Mr. WILLIAMS. I am not going to answer the question.

Mr. JONES. Just wait a moment, now. The Senator and his party, in order to carry out their desires with reference to this legislation, have overturned the whole practice of the Senate of many years, so that now when a Senator is interrupted he must rather look with suspicion upon the Senator who interrupts him for fear he is trying to get the advantage of him in some way; that he is trying to take him off the floor, or that he is trying—which amounts to the same thing—to end his speech, so that he can not speak more than once more on the proposition in the same legislative day. Now, that course by the majority has put us in the position—which I think is a very humiliating one—where a Senator must say when he is interrupted, "Yes; I will yield for a question. I can not yield for anything else." The Senator and his party are responsible for that. I am sorry. I always like to yield to the Senator from Mississippi.

Mr. WILLIAMS. I simply rose for an interrogation——

The PRESIDING OFFICER. The Senator from Mississippi is not in order.

Mr. WILLIAMS. Merely for a question.

Mr. JONES. I will yield to the Senator for a question, and a question only.

Mr. WILLIAMS. That question is this: Whether the Senator from Washington does not think I have a right to ask him whether he does not think the question propounded by the Senator from Massachusetts might be properly answered by saying that during the entire proceedings we have been attempting to proceed to get a vote upon the main question, and to avoid a vote upon a collateral issue which was introduced merely for the purpose of sidetracking the main question?

Mr. JONES. Mr. President, I will say to the Senator from Mississippi he ought to have the privilege, at any rate, not only of asking me a question but to make a statement or suggest an answer to anything that might present.

Mr. WILLIAMS. May I ask the Senator if he did not think that was proper?

The PRESIDING OFFICER. The Senator from Mississippi is not in order.

Mr. JONES. I think it was proper; but I go further and say that the Senator ought to have a right to interrupt me for almost any purpose. Mr. President, under the practice of our friends on the other side they have actually throttled legitimate debate on this floor. They are actually preventing the interchange of ideas and that legitimate debate which reaches correct conclusions. That is what they have done. I am going to take that up a little further on, if I have time to do so.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Vermont?

Mr. JONES. I yield to the Senator for a question.

Mr. PAGE. I should like to ask the Senator whether, based upon his long experience as a Senator and a Representative—and he has been in the two Houses for a long time—for how many years?

Mr. JONES. For sixteen years.

Mr. PAGE. I ask the Senator if he does not believe that the rulings which now control the debate in this body serve to throttle every proper effort to reach the best results in the discussion of any question?

Mr. JONES. Absolutely. I am going to take that up a little further on in my remarks, unless the time to act upon this bill should come around before I am able to do it.

Now, before coming back to this interview with the junior Senator from Mississippi [Mr. VARDAMAN] I was diverted by these interruptions from the thought I was on at the time. I wanted to state my position in reference to the subsidy question. I have not been a very earnest or strong advocate of subsidy. I have taken this position, and I have expressed it before my people, many time during my service here. I am willing to vote for any measure that will upbuild and develop a merchant marine for this country. I voted for some of the subsidy propositions, not because I thought they would do what their advocates thought they would do but in the hope that they would accomplish the results, to a certain degree at any rate. I have always felt that we could not pass any subsidy measure that would compensate our owners of ships in the operation of our ships under the handicap they act by our law in competition with other countries.

Furthermore I have felt that if we did pass a law that would give a subsidy to an American-operated ship, which would compensate for the difference because of subsidies given to other ships and the difference in the cost of operation, just as soon as it was demonstrated that we had fixed a proper amount the other countries would then raise their subsidy and their subvention and we would again be at a disadvantage, and I knew that under their systems of government they could do that, while we could not turn around and raise our subsidy to meet theirs.

Senators understand the situation with reference to legislation better probably than the public generally, although I think the public generally pretty well understands the situation. No question of this kind can come up but that there is more or less politics brought up in connection with it, and we have difficulties in the way of enacting legislation growing out of it which, as has been stated, prevailed while we have been in the majority in this body and in the other House. For a great many years we have not had any substantial legislation for the upbuilding of the merchant marine. Why have we not had it? Because the Democratic Party has solidly opposed every proposition that we have presented and a small number on our side. Not only that, but you have done exactly what you now condemn us for doing, or for not doing. You have not offered any proposition in the 20 or 30 years we had control of this Government. You have satisfied yourselves with simply opposing what we have presented. So it comes with very ill grace from you to say that we must pass this because we have not proposed anything else.

As was suggested awhile ago, there are propositions coming from this side of the Chamber that in my judgment will meet with the full support of every Senator on this side and would enact legislation under which benefits would come without in any possible way endangering the peace of this country.

I know that in another body, which it might be unparliamentary for me to name, when these subsidy measures were proposed there were propositions presented by our friends on the other side for discriminating duties. Those propositions had my support every time, but you did not seem to present them very seriously on the floor.

Mr. PAGE. Mr. President——

Mr. JONES. I will yield in just a moment. If you would present some proposition of that kind on this floor, it would have much support on this side, but I admit there are some of our friends on this side who think it is an unworkable proposition. I do not take that view. I think we ought to say to the nations of the earth with whom we have treaties that bind us hand and foot, we will take advantage of the provision of those treaties which provide that they can be abrogated upon one year's notice. I would abrogate those treaties. I would liberate our Government so that it could put into force and operation a policy under which our Government would build up and maintain a merchant marine in this country.

Yet our friends on the other side almost unanimously voted against the proposition two years ago. "Oh," they said, "we must ask the consent of other nations in order to do this." It was not very many years ago when under "the peerless leader" you were saying "we want to do things without the consent of any other nation on the face of the earth." If you had a little of that independence now we would accomplish something in the way of building up a merchant marine.

I yield for a question to the Senator from Vermont.

Mr. PAGE. I should like to ask the Chair a question of order. I see there is only one Democrat in the Chamber aside from the occupant of the chair. It seems to me that something ought to be done to enliven these proceedings in some way so that we may have more Senators here. I should like to ask, if I may interrupt——

Mr. JONES. I yield to the Senator only for a question.

Mr. PAGE. I make a point of order. May I be allowed to proceed with the understanding that the Chair will call me to order if I get beyond the proper limit of asking a question?

The PRESIDING OFFICER. The Chair thinks the Senator from Vermont has not stated a point of order, and the Senator from Washington will proceed.

Mr. JONES. As I have said, I have been very strongly in favor of and I am now in favor of going to the policy of discriminating duties. I believe under that we would build up a merchant marine in this country. But I did vote for some of the subsidy propositions. I voted against some of them, as I said a moment ago, for the reason that they were not confined to ships built after the passage of the law. I have offered amendments to the pending bill that would confine it to ships built hereafter. Of course, I know that that would not meet the emergency situation very well, but it would insure us getting some good ships. It would not only insure us getting some ships, but it would insure employment for the labor of this country, the consumption of American material, the upbuilding of American shipyards that would be a most desirable thing to attain. As I said, I am going into that proposition a little further later on.

Now, I want to come back to this interview with the junior Senator from Mississippi [Mr. VARDAMAN]. He said:

> It is one of those peculiarly dishonest measures which will "keep the word of promise to the ear and break it to the hope."

Of course, the junior Senator from Mississippi did not mean that Senators were dishonest or anything of that sort, but the effect of this measure is to deceive the people, making them think they are getting something when they would not get anything.

> It is violative of every tradition—

Says the Senator—

> and platform declaration of the Democratic Party. The scheme as interpreted by the President is a mistake of policy, wrong in morals, pernicious in principle, and therefore will be disappointing in its ultimate results.

That is very strong language. I think it is justified by the character of the measure and by what is likely to come from it.

> If the Government ownership and operation of steamboat and railroad lines is to become a permanent policy, there might be some little excuse or justification for this measure; but when we are told by the

President that it is only a temporary makeshift—and who will question the authority of the President to speak in this matter?—it leaves it without excuse or justification.

Mr. President, the Senator is absolutely right in that. The President will control absolutely in this matter, no matter who he may be. If he does not want this shipping board to take action after the emergency, so called, passes, it will not take any action. So, those who want a permanent policy on the part of the Government, those who want permanent ownership and operation of these vessels, will be disappointed if the President does not believe in that policy, and those who want it as a temporary proposition will be disappointed if the President should believe in the permanent ownership and operation of these ships. So the Senator from Mississippi was well within the truth when he said that this is a dishonest measure, a deceitful measure.

In his address to Congress on the 8th of December last the President said: "It should take action to make it certain that transportation at reasonable rates will be promptly provided, even when the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital and engage it in abundance, the Government ought to withdraw."

That is a wonderful proposition, it is an amazing proposition to be presented by the Executive of a great people. The President suggests that here is an enterprise that is unprofitable, an enterprise that private capital will not go into. Now, let the people take of their money, take of their taxes, and start a line, bearing all the loss, work up the trade, get it profitable, and then do what with it? Turn it over to private capital. It is an amazing proposition. It is one that, in my judgment, the people of this country would not tolerate for a moment. Yet that is what the President says we should do.

I saw in a paper the other day—it may not be correct; I do not know about that—that there had been conferences with the President by Members of the Senate, not only on that side but on this side, and that the President was willing to accept some amendments and some changes; but the President said these amendments would make no substantial difference in the bill in its operation and effect.

It seems to me it would be a very substantial change to provide in the bill a different policy from that set out by the President in his message, and when the President says that the amendments he is willing to accept will not make any substantial change in the bill I assume that he still has in mind the carrying out of this policy, and that he still expects, if he is given authority, to operate the ships until they become profitable and then turn them over to private capital.

Mr. President, it would be better not to pass such legislation as that. We can not afford to pass legislation that will use the people's money to make a business profitable and as soon as it is profitable turn it over to private capital. We are recreant, it seems to me, to our duties and our obligations to the people and the trust reposed in us when we propose to do anything of that kind. But that is what the President said in his message to Congress and that was the theory upon which our friends on the other side began to act. The Senator said:

It is a peculiar character of mind which reasons to a conclusion and justifies the appropriation and expenditure of funds contributed by all the people to an enterprise of this character, which it is admitted must be a losing and unprofitable investment from the start. Congress has just as much right to donate funds from the Public Treasury to the cotton growers of the South who, because of the war in Europe, have lost by the depreciation of the product of their farms something like $450,000,000 this year. Congress has just as much authority to subsidize the cane growers of Louisiana, the beet growers of the Northwest, and the manufacturers of the Northeast as it has to appropriate money to buy ships to carry the manufacturers' products to foreign markets at the cost of all the taxpayers.

The Senator from Mississippi can not see but what that is a subsidy, and I can not see it, either. The mere fact that it is a subsidy would not give it any terrors, however, to me, so far as that is concerned. I attach no especial importance to the word "subsidy." If I can use some of the money of the people to help all the people to a greater degree and to a greater extent than the money used, I think I have done good. So the question of whether or not a thing is a subsidy has nothing to do with my judgment in determining my action upon a measure. Our Democratic friends seem to think just because they have declared in their platform against subsidies that, if there is anything that they think is a subsidy, the mere fact that it is a subsidy, no matter whether it brings any good to the people or not, no matter if it might be the most beneficent act that could be done, they must oppose it; they must not wink at it. Nevertheless they take up a proposition, and they say it is not a subsidy, but which is the most insidious and unfair subsidy that could be proposed. Some of them see it; some of them admit it; some of them know that it is a subsidy. Others seem to be a good deal like the ostrich who sticks his head in the sand and hides his eyes and then thinks his whole body is hidden. So our friends on the other side say "this is not a subsidy," and they seem to think the people will accept that, and that will settle it. The Senator from Mississippi does not see it in that way. He says:

If their demand was without merits or wrong in principle, who will say this measure is right?

Before I go on with that, I want to say that I voted for the measure that was proposed to help out our southern people in their great distress. I am not in favor of that as a general proposition and as a general practice, and I have been taken to task at my home by some of my people for voting for what they called such a socialistic proposition as that; yet I think I was justified in my action. I think when a great section of the country is threatened with ruin, when 20,000,000 people are threatened with industrial ruin, if the Government can help those people it can not engage in any better business than in doing so. I acted upon that legislation not upon a general principle, but I acted upon it because of peculiar conditions and extraordinary circumstances existing at the time. I would do the same again under similar circumstances and similar conditions.

So, if I thought this great emergency here could be met by legislation of this kind without involving us in a greater danger, I would cheerfully and gladly vote for it; but, Mr. President, no financial considerations, no industrial conditions can offset or balance the possible destruction of life and the tremendous suffering that may be brought to the people of this country by the passage of this legislation.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. I yield for a question.

Mr. MARTINE of New Jersey. I should like to ask in what way the question of life and the tremendous suffering of the people of this country can be involved or is designed to be involved by this bill? The Senator would have the country believe that we were planning a system whereby we were to annihilate the population and bring disaster, misery, and woe upon every man, woman, and child, when the reverse is the proposition.

Mr. JONES. Mr. President, I am yielding only for a question.

Mr. MARTINE of New Jersey. Well, I ask that question. With what reason and on what ground can the Senator base such an unreasonable and preposterous assumption?

Mr. JONES. Of course, I want to say to the Senator that the Senator shows by his question what I would not have said.

Mr. MARTINE of New Jersey. I was not quoting the Senator literally, but I have not sought to put words into the Senator's mouth.

Mr. JONES. I am not complaining of that at all; but I am complaining that the Senator has not been present during my remarks.

Mr. MARTINE of New Jersey. But I am present just at this juncture, and it was what the Senator was then saying that prompted my question.

Mr. JONES. I know that if the Senator had been present all the evening he would have understood the reason for that statement; and I am not criticizing the Senator for not being here, either.

Mr. MARTINE of New Jersey. I sincerely trust that I have not misunderstood the Senator.

Mr. JONES. No; the Senator from New Jersey has not misunderstood me, but he does not understand the basis I assume in making that statement.

I want to say to the Senator that I regretted to say, when he rose to interrupt me, that I would have to yield only for a question. I should like to yield to the Senator for any purpose whatever.

Mr. MARTINE of New Jersey. I realize that.

Mr. JONES. Yes; but the Senator——

Mr. MARTINE of New Jersey. I realize the Senator's courtesy.

Mr. JONES. I can only yield for a question; but, as I said awhile ago, the Senator and his colleagues of the majority over there have overridden the ancient and time-honored customs of the Senate that permit a Senator to allow another Senator to interrupt him to interchange ideas and reach a correct conclusion; so I am not responsible for having to do that; the Senator himself is responsible for it.

Mr. MARTINE of New Jersey. Oh, no, Mr. President——

Mr. JONES. But, Mr. President——

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. I yield only for a question.

Mr. MARTINE of New Jersey. I only want to repel that thought.

Mr. JONES. I can not yield for that.

Mr. MARTINE of New Jersey. I am not responsible for any such stifling process.

Mr. JONES. I can not yield for that. I made that statement because I had not noticed the Senator from New Jersey voting against rulings of that character. If he is against them, I am glad of it, and I hope at the first opportunity he will exercise his right, and what I think to be his duty as a Senator on this floor, to express himself in that way and assist us in going back to those rules under which we did have legitimate debate and proper interchange of ideas and views.

Now, with reference to my statement, the Senator was not here when I said—and I hate to take the time to make this statement, but I feel that in justice to the Senator I ought to do so—that I have a conviction that if we pass this measure and it is attempted to be carried out it will involve us in the war in Europe. The Senator does not believe that.

Mr. MARTINE of New Jersey. No.

Mr. JONES. I do. I have an abiding conviction of it. I have a great fear of it. I may be mistaken; I hope I am; but I think I will show later on that there is good ground for my fear; that there is good basis for my fear; but whether there is a basis for it or not, I believe it. I believe it just as firmly as I know that I am standing here; and having that belief and having that conviction I feel it is my duty as a representative of the people, even if I thought it would bring the industrial relief that our friends on the other side say it will bring and hope it will bring—I say, with my belief that the ultimate results and ultimate consequences would mean war, loss of life, broken homes, broken hearts, devastation of cities, and destruction of property, it is my duty as a Senator, as I see it, to do everything in my power to defeat this bill. That is the reason why I said I could not weigh against the loss of life and the destruction of homes and the breaking of hearts a few paltry dollars for a few shipowners or a few producers who may be favored by any possible ships that we may get or any possible lines that we may establish. That is the basis for my statement. I may be wrong; and, a I have said, I hope I am wrong; and I know the Senator is just as sincere in his belief that it will not bring those conditions about as I am in my fear that it may.

But, continuing this interview and rereading one sentence where the junior Senator from Mississippi refers to the failure to enact this legislation for the relief of the cotton growers of the South:

> If their demand was without merits or wrong in principle, who will say this measure is right? I am opposed to this bill because it is class legislation, pernicious in its conception, and necessarily unjust in its execution.
>
> It will be remembered that the bill provides for ships to engage in the foreign trade exclusively. The cast-iron, rock-ribbed, Government-favored coastwise monopoly is treated as a sacred thing—too sacred to be touched.

I differ somewhat from my friend from Mississippi with reference to the character of the coastwise shipping, but he believes what he says, and, believing that way, we can not be surprised that he should take such a strong attitude against this foreign proposition, because, as has been often shown here, as a matter of fact, there is a combination in foreign shipping. I have a report of the Merchant Marine Commission here that I may read, if I have the time, which shows these combinations. But do you think that if the Government should establish a line that it will keep out of such combinations and conference agreements? My recollection is that the Panama Railroad & Steamship Line, about which we have heard so much, itself entered into some of these conferences. They have to do it for their protection from these monopolies. Government ships and a Government line would not prevent that and would not destroy it, but would be destroyed by it, unless it should provide for certain and definite lines.

> The Government-owned boats are to be mere pioneers or business missionaries, as it were. Regardless of the expense, they are expected to go to the waste places and work up the business, to be turned over later to private individuals, who are to reap the profits of a business which has been built up at the expense of all the people. The whole scheme, to my mind, involves an unwarranted, illegal, and immoral prodigality of money coined by the sweat and blood of the masses of this country and extorted from them by unjust and immoral laws.
>
> It is a dangerous departure, an innovation upon our time-honored system, violative of the spirit of our Government, and, I fear, the issue will be trouble to the party that proposes it and chagrin for the men who conceive it.

Oh, Mr. President, if there was no danger to anybody except to the Democratic Party, I would not worry a particle; if there were no ill results to come to anyone except the party that proposes the measure, I would be content with stating my grounds of opposition and then let it go.

> I am in favor of an American merchant marine. I shall vote for such measures as may be necessary to put our ships on the dead level of opportunity with the ships of all other countries that come into our ports. If we shall by law, which we have a right to do, improve the standard of living for the sailors, we will at the same time elevate the standard of character and manhood of the men who operate the ships.

Right there I want to refer to a peculiar legislative situation. The Senate passed a bill a long time ago to provide better conditions for American seamen and provide better conditions under which boats might be operated. That legislation is greatly desired by the seamen and the laboring men of the country. It went to the House of Representatives. The measure has been passed there. It came over to this body and has been sent to conference. What is the matter? Why is it not brought out here and passed? Why do they not reach an agreement and bring in a report and let the Senate act upon it? Why not pass legislation that will put our seamen upon an equality in opportunity with the seamen of other countries? Why not pass this legislation that will go a long way toward placing the shipping of this country, what little there is, and what shipping may come, upon an equal basis with the shipping of foreign countries?

Oh, they can not do that, because they must pass this legislation. That legislation, in which humanity is interested, can not be brought up, but legislation that may help some people get a few paltry dollars must be pressed to the exclusion of everything else. I want to say here and now to the seamen of the country, to the laborers of the country, that they will not get that legislation from this Congress if this bill is pressed. I doubt if they will get it, anyhow. I hope that when our friends on that side become convinced that they can not pass this legislation—and they can not do it—they will recognize the inevitable and go to work on something that they can pass and that will do some good. What is the use of actually wasting the time of the Senate in trying to do what you can not do and what the country does not want done?

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. I yield to the Senator for a question.

Mr. OWEN. If the Senator would not mind my asking him a question, I should like to ask him, after his declaration at the beginning of his remarks, which are expected to extend for 12 to 14 hours, in which he stated that he would take whatever steps were necessary to prevent the majority having the right to reach a vote on this question, if he does not think that when the minority deliberately sets itself up to throttle the majority, the majority would be justified in throttling the minority?

Mr. JONES. Mr. President, that is very much in line with a great deal of the argument of our friends on the other side. I have heard time after time, as an excuse for legislation on that side, "Oh, you Republicans did so and so." Why, I expected when our Democratic friends got in that they would not follow in our footsteps, and yet they seem to be doing it all the time. But, Mr. President, I did not say that we wanted to throttle the majority. I will say to the Senator now that there is not one-third of the membership on that side of the Chamber in favor of this legislation.

Mr. OWEN. I should like the Senator to answer my question now.

The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from Oklahoma?

Mr. JONES. Just wait until I get through answering the Senator's question. There is not one-third of the membership on that side of the Chamber that would vote for this legislation free from Executive dictation and domination.

Mr. OWEN. I should now be glad to have the Senator answer my first question.

The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from Oklahoma?

Mr. OWEN. I did not ask the Senator to yield. I asked him to answer my first question.

Mr. JONES. If the Senator will just hold himself in patience——

Mr. OWEN. Oh, I am quite patient.

Mr. JONES (continuing). And if I have the time to do it, I shall try to answer it. I believe, granting that you have a majority on that side—and you have not; you know you have not; it has been shown that you have not. You had to come over to this "team" to get somebody to help out your team, in order to put your legislation through in some shape or form.

Mr. OWEN. We needed a few recruits to take the place of those we lost.

Mr. JONES. You have not got a majority over there for this legislation; but granting that you have, I thought the Sen-

ator, from his first remarks in connection with this question, was here and heard my position, in which I stated——

Mr. OWEN. If the Senator will permit me, I heard him state in substance that he intended to occupy the floor at great length for the deliberate purpose of preventing action——

Mr. JONES. Oh, no, Mr. President.

Mr. OWEN (continuing). And he concluded by saying that he was going to kill the bill by talking against time.

Mr. JONES. Oh, no; the Senator did not hear me say anything of the kind, Mr. President. The Senator did not hear me make any such statement. I have not stated on this floor that I was going to occupy a whole lot of time; but I have said, and I say it again, as far as that is concerned, believing as I do—and I am only speaking for myself; I am not a great leader like the Senator from Oklahoma, but I am speaking for myself only—believing as I do that this measure will involve us in this terrific strife in Europe, I consider it my duty as a Senator and as a representative of the people to do everything in my power to prevent the passage of the bill. It would not make any difference if I were the only Senator upon this floor opposed to it. It is not a question of throttling the majority; it is a question, so far as I am concerned, of doing my duty.

Mr. OWEN. Of preventing the Senate from coming to a vote is what the Senator means.

Mr. JONES. Of defeating this bill.

Mr. OWEN. Of preventing a vote, is what the Senator means, and he knows it.

Mr. JONES. Well, suppose I do mean that?

Mr. OWEN. He knows that.

Mr. JONES. Suppose I mean that?

Mr. OWEN. The Senator can not deny it.

Mr. JONES. I do not deny it.

Mr. OWEN. Very well; the Senator confesses it.

Mr. JONES. I will prevent a vote on this bill if I can.

Mr. OWEN. Then it is time to move the previous question on the Senator.

Mr. JONES. Oh, yes. I have heard the Senator suggesting "previous questions." I have not any doubt but that the Senator went about over this country denouncing "gag rule" in a certain body in this country. Why, Mr. President, I am sorry the Senator is turning upon the instrument that brought his party into power, because there is not any one thing that is more responsible for the Democratic majority in this Senate than the cry throughout the country of "gag rule," suspension of debate, the rule of the caucus, the limitation upon the power of the representatives of the people. It did not apply to this body. It would be unparliamentary for me to say what body it did apply to, but nevertheless it is the truth that this charge was made; and now, after the Senator and his party got into power on this cry, they want to inaugurate this system in this body. They want to shut off debate here, legitimate debate.

At the risk of having to go over it again a little later on I am going to refer to something that I shall take up more fully further on, and that is the situation in the Senate. Talk about debate on this bill! Mr. President, this bill is not yet completed. You do not know yourselves what you are going to pass.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. I will yield for a question.

Mr. OWEN. The question which I should like to ask the Senator is whether he seriously says to the country that his course of conduct now, in talking all night on this bill, is honest and serious and sincere debate?

Mr. JONES. Mr. President, the Senator from Oklahoma never was more sincere than I am now. Oh, yes, Mr. President; we are going to have a censor on this floor! The Senator from Oklahoma, just the other day, wanted to regulate the tone of voice in which we should speak!

Mr. OWEN. Mr. President——

Mr. JONES. I do not yield just now.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. Now he is trying to censor our motives on this floor. Ah, Mr. President, it will be a sad day for the United States Senate when the Senator from Oklahoma becomes its censor and its master. Then we will have to wear, possibly, a certain cut of clothing. Then we will have to comb our hair in a certain way, after a certain style. Then we will have to regulate the sort of sentences we use. Then we will have to be careful about the authorities we read. Then we will have to be careful how much we read, how often we read, how we stand on the floor. Ah, Mr. President, this body is not the place for gag rules. This body is not the place for the previous question. It is not the place for a partisan censor.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. Not just now. This body is not the place for censorship. This is the only real deliberative legislative body in the world; and yet under the Democratic Party—the party of the people, the party of free government, the party of deliberation—it is ceasing, just as fast as it can, to be a legislative body and a representative body; and the Senator from Oklahoma, who so loudly professes his belief in free and deliberative government, is most imperious in striving to gag this body and stifle free and deliberative action.

Mr. President, I am going to take up that line of thought a little bit later on, but I shall be very glad to yield to the Senator for a question if he desires to interrupt me at this time. If not, I shall proceed with this interview, and I will touch on that matter a little bit later on.

Mr. President, this seamen's bill is not going to pass. You are not going to pass it. You will not do it. I hope the seamen and the laboring people who are so much interested in that legislation will recognize the fact that the Democratic Party has cast aside every form of legislation and every kind of legislation and every legislative act of any importance in order to try to push through this bill without consideration and without discussion.

Our merchant marine must be built up by the free exercise and operation of economic laws and sound business principles. The Government of the United States has the power to put the forces in motion which will build up a prosperous and adequate merchant marine. I am opposed to the hothouse methods of economics in governmental matters. I do not think it is fair to take the money from the pocket of the wealth producers of this country and donate it to the owners of ships. Such a policy can not be justified by any other rule than that of the rule of might. It can not be defended upon any other theory than that might is right. The contention that the ships be bought under the terms of this bill will facilitate the transportation of cotton grown in the South to the foreign markets is not the proper spissitude to fool anybody.

There is no scarcity of ships. If the seas shall be rid of the mines and the obstacles brought about by the war shall be removed, there are plenty of ships to carry all our products to the foreign markets. The suggestion that the Government of the United States will send its ships to places where privately owned ships flying the American flag will not go is absurd. As a matter of fact, Government-owned ships will be more careful not to violate the laws of neutrality. They will be more careful to avoid every possible complication with the belligerent powers of Europe than will ships owned by private individuals.

But there is one thing that would happen, I am quite sure. A lot of unprofitable property in ships that are floating idly in the ports of this country in order to hide from the gunboats of hostile nations would be unloaded upon the Government of the United States at a good profit. And I am sure that after the war is over, and especially after the people of the United States shall have had an opportunity to pass judgment upon this proposed bill, that these same ships will be resold to private owners, and the American people will pocket a loss of $75,000,000 to $100,000,000. No; to my mind the bill is a legislative evil without a mitigating incident, and from the depths of my heart I sincerely hope it may be defeated.

Mr. President, in addition to the gentlemen who gave these interviews, we have five other Senators of the majority who have taken a bold stand in opposition to this measure. They have expressed their independence of any dictation from the outside, and they have shown that they propose to act as representatives of the people rather than as members of a team, subject to the orders and the decrees and the punishments of a captain, and they are among the ablest and most experienced Senators on this floor.

Mr. President, I have taken a much longer time than I had intended or expected to take in showing that I do not treat this as a partisan measure, and also in showing the character of support that it has. Now, I want to come to another proposition. Out in the city of Tacoma they have what they call the Amen Corner. At noon there are certain of the business men who gather together for lunch at a restaurant or hotel—I think it is in a club—and around their noonday lunch they discuss the various matters at issue before the people, and they call it the Amen Corner. A short time ago I received a letter from a good friend of mine, who is a member of this Amen Corner, and he attached a postscript to his letter in which he said:

Amen Corner hardly approves filibustering.

Of course that would please my friends on the other side. That would please my friend from Oklahoma very much. Then he goes on to say this:

Prefers frontal attack.

Mr. President, I am going to talk just a little while to the Amen Corner, not only the Amen Corner in Tacoma but to the Amen Corners throughout the country. That, as the Senator from Minnesota [Mr. CLAPP] suggests to me, will include Squash Center and Hoosiertown and Podunk Creek, and so on.

I have not any doubt but that in a great many cities and towns and villages of the country at every noonday there are little Amen Corners talking over what we are doing, and how we are doing it. They are intelligent people; they know pretty well what is going on, but they do not know all the details of things as they happen here. They are generally, of course, opposed to filibustering, and so am I. I would never engage in a filibuster unless I felt that there was some very unjust action proposed or that the consequences of the legislation, as I believe in this case, would be of tremendous, far-reaching injury to the people. I do not believe generally in filibustering. I am for the rule of the majority whenever the majority is a real majority and favored by reason and discussion.

I wish to call the attention especially of the Senator from Oklahoma [Mr. OWEN], who is so much afraid of filibustering, who is so down on filibustering, to the fact that no important legislation, no legislation of great benefit to the people of this country has ever been defeated by filibustering. Only legislation that has been thought to be by a great section of the country or by a great body of this body most injurious and most dangerous has been defeated by filibustering.

I remember since I came to this body a filibuster, carried on by whom? By the Senator from Oklahoma. It was not a frontal attack, either, like they ask for here. What was it? In the closing hours of the closing day of a short session of Congress when we were getting ready to pass the final appropriation bills to run the Government, without warning, when an appropriation bill was up, the Senator from Oklahoma rose in that aisle and said that legislation should not pass unless certain things were done. It was not a frontal attack. It was something like they have charged on the other side—a submarine attack. He did not begin to filibuster early in the session. He waited until the very last day and the last night, and then threatened to kill an appropriation bill unless certain things were done. He accomplished his purpose and delayed the admission of New Mexico as a State for one year.

Now, I do not complain of that; not at all. Things like that do not happen very often. That is the only time it has happened since I have been here in six years. No disastrous results came from that. They did not need the previous question.

I do not know but that I would be in favor of a proposition that would bring us to a vote on the appropriation bills in a short session of Congress. When I came over here from another body, where I had kicked quite frequently about the gag rule, and where several times I had voted against my party and voted to overthrow the Speaker's decisions, I thought, "Well, now, when I get over there to the Senate I will do what I can to have these long-winded debates cut short." But I wish to say frankly, Mr. President, the longer I have been here the more I hesitate about limiting debate on this floor. There have not been very many things killed by filibustering, by long debate. When we talk about filibustering our minds naturally go back to what? They go back to the force bill. That was defeated, and I expect justly so. Debate may sometimes seem unduly long here, but it has most generally resulted in great good to the people. It has been rather exasperating to a few impatient Senators, who could not get things done just as they wanted or just when they wanted, but no one can point to a time when the interests of the people have really suffered by debate in this body.

Right here I am going to warn my friends on the other side, and I am going to repeat it a little later on, if I have time. I want to warn you that the methods which you adopt in trying to drive through legislation that you have been ordered to put through will be used against you when another majority comes in, as it will. It may not come in your time; I think it will, but it may not. However, it will come when your successors are here.

Gentlemen, there is a great question which is sleeping in this country. It is not dead. And the methods that you adopt will be used to put legislation on that question through this body. You had better think about that. You had better study about it.

We are disappointed sometimes that we do not get through what we think ought to go through, and we get impatient; but we should stop and look and listen. We had a sign out in our State last fall—I saw it in the papers—about legislation. It said, "Stop, look, and listen." We used to say in railroad trials, "Stop, look, and listen." You had better stop, look, and listen in reference to the methods that you use to enact legislation here to which there is great opposition.

Mr. President, if there were only one or two or three Members on this side opposed to this legislation, you would not have any serious trouble in getting it through. The majority, if it is a real substantial majority, can pass this legislation. It can always do it, except possibly in a short session, where there is a limit upon the term of the session. But what is the situation here now? It is very much as it was with the force bill, if you please. My recollection is you were united on that side against it and you defeated it. There was a majority for it, but a bare majority. They could not force the legislation against a united and determined minority. If there had been only three or four on that side against that bill, it would have gone through; it would have been enacted into law, filibuster or no filibuster.

No, Mr. President, the rules of the Senate, it may be, ought to be changed in some respects; but I believe it would be a sad day to this country when debate is limited in the United States Senate. We ought to have one deliberative body in this country, anyhow, and whenever the Senate ceases to be a deliberative body its usefulness ends, and we will have an autocracy in fact, if not in name.

It is also true that all the important legislation I have any recollection of has really been framed and put in shape in the United States Senate. It has been put in under the practice of free and open debate, the interchange of ideas and views, and not under a system by which, when a Senator gets up and interrupts you, you have got to say, "I yield for a question only."

I know we have a rule in the Senate which says that a Senator can not farm out the time. That is proper. That is all right. I make no complaint of it, and its enforcement in a proper way is well. But the idea that a Senator can only be interrupted by a mere question is not a very dignified position for the United States Senate to take.

Mr. President, I want to say to the Amen Corners of the country that we want to fight in the open, but the majority will not let us. They will not permit us to make a frontal attack. Why? Because you, the Democrats, get together in secret, shut the door, have a caucus, work out your legislation, and discuss it; nobody knows about it; nobody knows what reasons are given for a change of mind, and you agree upon what you say ought to go through. Then you come in here a mere majority by force, by the power of might, not by the power of logic and reason and of good judgment, but by the power of might, and say, "We are going to put this through." What is it you are going to put through? We are going to put through something that is framed up in secret. Talk about frontal attack; whenever we begin to attack you in front you retreat to your caucus and shut your doors. I should like to meet you in the open.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. I gladly yield for a question.

Mr. CLAPP. I wish to ask the Senator if he does not think at this particular point it would be a good plan to explain to the Amen Corners what they evidently do not understand, that beginning with a committee of the Senate, say, of 17, 9 constitute a majority. The 9 are of the majority side. Five constitute a majority of the 9. Any power that can coalesce 5 makes it a party measure of a majority, to which the other 4 must subscribe or be charged with want of loyalty to party. It then becomes a caucus matter, and, instead of a majority framing the bill a small minority frames it, after which it is utterly impossible to put most desirable and meritorious amendments upon the bill unless the little coterie of five, the beginning of the power, consent to it. Does not the Senator think that right in this connection it would be well to let the Amen Corners understand that there can be under this system no frontal attack?

Mr. JONES. Mr. President, I am very much obliged to the Senator from Minnesota for asking me that question. It is a very pertinent one, and it brings out the situation much more clearly and much more concisely than I could bring it out. His question answers itself. That is correct, and what he has described is the way things are done under the present method of procedure.

I am going to call attention a little later on to how this bill has been brought out from time to time and then sent back, and all that sort of thing. It goes, as the Senator says, to the committee, and a majority of the majority of the committee agree upon it and they bring it out. It is just like any caucus; if they have 40 members in the caucus, 21 is a majority of that caucus, and they say that a certain amendment shall go on, and its goes on, and the other 20 probably, very generally, surrender their views with reference to it. It comes on the floor of the Senate with a vote of 21, but back of it are the 40, and the 20 on this side or the other side trying to amend it are just like running their heads against a stone wall; they can not accomplish anything.

In another body, that I will not name here, it used to be that when an amendment was offered from the opposite side on any

kind of a bill it was voted down if the chairman of the committee opposed it. Now, we are getting that way here in the Senate. We are getting so now that when a bill comes in and an amendment comes from somebody the chairman says the committee is opposed to it, and they expect everybody on that side then to vote against the amendment.

That is the way we are trying to legislate now. That is not the way we ought to legislate. That practice, followed very long, will destroy the usefulness of the Senate. They complain about long speeches that we have been making, and they call it filibustering. They started out before we even began the discussion on this bill and said that the Republicans were filibustering and were going to filibuster. They took the position that the bill would be passed without discussion, without consideration, and just as it was sent to us from the executive branch of the Government. The only comment of the majority leader [Mr. KERN] when the President delivered it was, "We have the votes to pass the bill," and that has been the theory of their action from that time on. We made some long speeches, it is true. Why? Because we had to do so or else not consider the bill at all. What did they say? Well, they said if a Senator yields for anything but a question he has lost the floor; he has closed his speech. Then what did they say? They said, "We are going to invoke the rule which says a Senator can not speak more than twice on the same subject on the same day."

They have construed that to mean the legislative day. So to prevent a Senator speaking more than twice they extend a legislative day over a week and threaten to extend it a month, and they said they were going to extend it from that time to the 4th of March.

Mr. President, this bill involves many great fundamental principles and policies of Government that ought to be discussed, that should be discussed fully and completely. Every speech that has been made, except possibly one, has been made on the bill; those speeches have been made on the provisions of this bill. Even the Senator from Utah [Mr. SMOOT], who spoke all night, discussed the bill from beginning to end. It has been legitimate discussion, able discussion, discussion that Senators on the other side have profited by listening to.

To get this bill through they have set aside the practice of the Senate in order to prevent legitimate discussion; but who has been filibustering up to this time? The Democrats. They have been filibustering; they have been filibustering to pass this legislation; they have been laying aside and holding back every kind of legislation and all the legislation of this body. Why? In order to force this legislation through. They evidently concluded that they could not put this legislation through by legitimate discussion, by reasonable debate. Therefore they said, "We will not permit any other legislation to go through; we will not take up the calendar; we will not let appropriation bills pass; we will not let the seamen's bill come up; we will not let other matters of importance come up; we will not let them even be considered." They filibustered against it.

Why, my friends, almost before this bill was framed—at least, before it was in anything like the condition in which it now is—the leader of the majority gave a notice to this side of the Chamber. He told us what we might expect. There had not been any filibustering up to that time. The Senator from New York [Mr. ROOT] had made a powerful speech upon the merits of the bill, I think it was three or four hours long, but it was a very instructive, a very powerful, and a very persuasive speech. It was entirely on the bill; it was not on any side issue at all. The Senator from Massachusetts [Mr. LODGE] had talked a couple of hours; he had discussed the bill; he had discussed the merits of it. The Senator from New Hampshire [Mr. GALLINGER] had spoken several hours, but everything he said was germane; everything he said was able and learned and directed to the bill and to the terms and policies of the bill. By no significance that has ever heretofore attached to filibustering could that term be properly applied to what had taken place, and yet, on the 26th day of January, after, I think, we had had a legislative day running since the 15th of January, and on the very day that the Senator from Florida [Mr. FLETCHER] brought in from the caucus by caucus direction, by the direction of a majority of a majority, reported to the Senate a substitute that we had not seen, that had not been printed; on the very day that that substitute was presented here, before we had had time to consider it, before we had had time to examine it, what did the Senator from Indiana [Mr. KERN] say? He said:

> I think, however, it is fair that notice should be served upon Members on both sides of the Chamber that it is the purpose of the majority that there shall be night sessions hereafter throughout this week, and that hereafter, in case of one Senator becoming exhausted, it will be necessary that some other Senator shall be prepared to take his place; otherwise, a vote will be insisted upon.

Gentlemen of the Amen Corner in the city of Tacoma, gentlemen of the Amen Corners all over the country, that is the way we are attacked; gentlemen of the Amen Corners of this country, that is the method of the majority; gentlemen of the Amen Corner, the majority brings from a secret caucus an entire substitute for the bill that we had been discussing legitimately, and before that substitute is printed, before we have a chance to examine it, they tell us that we must be prepared to consider the bill day and night, and that if a Senator becomes exhausted some other Senator must take his place or that a vote will be had. Gentlemen of the Amen Corner, they were not going to debate it; they did not propose to discuss it on the floor of the Senate. They had discussed it how long? For a week, day after day. Where—in the Senate? No. Gentlemen of the Amen Corner of Tacoma and of all over the country, do you know what arguments they presented to each other in behalf of this substitute? No. Why do you not? Because they had the doors locked and the press shut out, and they talked in whispers to each other. Could we make a frontal attack on such proceedings? No. Gentlemen of the Amen Corner, do you know by what vote that substitute was agreed to? No; you do not; I do not; nobody does. We get a few of the secrets once in a while on this floor. I was rather struck the other day with a remark of the Senator from Georgia [Mr. SMITH], for whom I have the greatest admiration, and whose ability commands the attention of every Member of this body. What did he say? He said that in the caucus he wanted this bill to be brought out on the floor of the Senate subject to debate and amendment. They voted him down. Where? In the caucus. Where? Behind closed doors. For what reason? I do not know. The Amen Corner does not know, and they will never find out, except from what he said on the floor of the Senate—that he wanted the bill brought in here and debated and amendments considered, and they would not consent. That is what we would like to have done; but the caucus decreed otherwise. A frontal attack we can not make. What caused the substitute to be reported? The debate we had had; the arguments Republicans had presented.

On the 26th of January the legislative day had lasted for, I think, 11 days. Why? In the hope that Senators opposing the bill would have made two speeches on that legislative day, and therefore their mouths would be closed, and when the substitute came in they would not be able to discuss it. Then we were notified that we had to discuss this measure day and night or a vote would be taken upon it.

Mr. CLAPP. Mr. President, may I make an inquiry?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. Certainly, for a question.

Mr. CLAPP. Was that before or after the first substitute was brought in?

Mr. JONES. Oh, I think that was after the second substitute was presented.

Mr. CLAPP. The second substitute?

Mr. JONES. I think so. I will cover that a little bit later squarely; but I think that was after the second substitute was brought in. At any rate, it was after the bill had been reported by the committee with amendments, and then a substitute was brought in, I think the second substitute.

Mr. President, I have tried to explain why it is that when a Senator rises to interrupt the Senator holding the floor he has to say he will permit an interruption only for a question. The Amen Corner may wonder about that. They may look at the RECORD of a few years ago, and will not see anything of that kind; if they examine the RECORD they will see that when a Senator is speaking and another Senator gets up and addresses the Chair and asks the Senator if he will yield, and the reply is, "Why, certainly, I am glad to yield," and they will see a debate between those two Senators that results in something; there is light thrown upon the question, as the Senator from Minnesota well suggests; they will see an interchange of ideas, a combating of ideas, and a reaching out to get at and arrive at the truth. Now, when they examine the RECORD for some weeks past they will read where a Senator rises the Chair asks the Senator having the floor whether he yields, and that Senator replies, "Yes; I yield for a question, but for a question only," they will wonder what it means, and I want to tell them. I want to tell the Amen Corners and the country just why we have to do that. It is because the other side hope to shut off debate. They have had their debate in the caucus and they want to stop legitimate debate on this floor, and they use that method to do it. So they got a ruling from the Chair that if a Senator yields for anything but a question, he yields the floor, and it ends his speech. The Chair is not to blame. The majority insisted upon it; they

sustained a ruling of that kind, and have made it a rule of this body by the force of numbers. That is the reason, gentlemen of the amen corner, why we have to do that way when another Senator interrupts the Senator occupying the floor. That is the method which our Democratic friends have adopted to shut off debate, to prevent us from arriving at the truth in regard to these matters and overturning the caucus action and the caucus decrees.

Why, Mr. President, the course that we have had to pursue would be laughable if it were not so serious, if it were not so much beneath the dignity of the Senate. Many times in the course of this debate it has looked as if the Senator having the floor had to watch, had to be on his guard for fear some advantage would be taken of him; he had to watch his fellow Senators for fear they might take what we would call really an underhand advantage of him. Mr. President, there have been methods and practices while we have been trying to carry on this debate beside which the practice of justice of the peace courts would be a paragon of fairness; and I want the Amen Corner to know that; I want them to understand that; I want them to see why we can not make frontal attacks.

Mr. CLAPP. Mr. President, will the Senator allow me to interrupt him?

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. I will be glad to yield for a question.

Mr. CLAPP. Yes, for a question. I have a great deal of sympathy with the Amen Corner because I am a good deal of an amen sort of man myself; but would it not be well for the Senator, while discussing that phase of the matter, to point out to the Amen Corner how a large section of the country through caucus domination is actually deprived of any representation here? If it so chances that politically one section may be of one party largely and another of another, a great group of sovereign States absolutely have no voice whatever in the framing of a bill under a system that permits of no amendment because a caucus has decreed that there shall be no amendment.

Mr. JONES. That is true, lamentably true. I regret that it is true; but it is the inevitable result of caucus legislation and caucus rule that it practically eliminates great States and great sections of the country from participation in legislation.

Mr. CLAPP. Whole groups of States.

Mr. JONES. Whole groups of States, as the Senator suggests. Why, Mr. President, that is illustrated just in this very case. I do not wish to suggest sectionalism about any legislation, but I ask the Amen Corners of the country to take the Congressional Directory and find out the Senators of the majority and where they come from, and then find out the Senators of the minority and find out where they come from, and then they will see what the effect of caucus rule by the majority has upon each section and upon each State. I hope that the Amen Corners of every State in the Union will see whether or not they are denied representation in the United States Senate because of this secret caucus rule. All you have to do, gentlemen of the Amen Corner, to determine who was in the caucus behind closed doors is merely to see who the majority Senators are, and if you want to find the Senators who were not inside the doors of the secret caucus, if you want to find out what States have no representation on the floor when the caucus decree comes in, just see where the minority Senators come from, and, gentlemen of the Amen Corner, it is very easy for you to determine whether you are in the State that has had representation or whether you are in the State that has not.

Gentlemen of the Amen Corner, take your directories and see what State the Senator from Indiana, the leader of the majority, led and represented when he said, "We have the votes to pass this legislation." Were you represented in his cohorts or were you excluded?

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. JONES. I yield for a question.

Mr. BRANDEGEE. Mr. President, I do not want the Senator to yield for anything. I simply want to preface the question, inasmuch as he has put it in that form, by saying, if the Senator will allow me to preface it, before I ask the question——

Mr. JONES. If I can without losing the floor.

Mr. BRANDEGEE. I ask the Senator, under Rule XIX, if he will permit an interruption?

Mr. JONES. I shall be glad to yield for a question.

Mr. BRANDEGEE. I do not want the Senator to yield.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. JONES. I yield for a question, and I insist on my right to the floor.

Mr. BRANDEGEE. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state his parliamentary inquiry.

Mr. BRANDEGEE. If the Senator from Washington allows a Senator, under Rule XIX, to interrupt him, will he have lost the right to the floor?

The PRESIDING OFFICER. Does the Senator address that question to the Chair?

Mr. BRANDEGEE. All parliamentary inquiries are addressed to the Chair.

The PRESIDING OFFICER. The Chair will only decide them when they are before him.

Mr. BRANDEGEE. That parliamentary inquiry is before him now. I ask the Chair, if the Senator allows me to interrupt him, if he will lose the floor under Rule XIX, which provides that—

> No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the presiding officer.

The PRESIDING OFFICER. The Chair, in all courtesy, is bound to say that it will depend wholly upon the nature of the interruption.

Mr. BRANDEGEE. I desire to interrupt him for the purpose of asking him a question, but I do not want the Senator to yield. I want him, under Rule XIX, to permit an interruption.

The PRESIDING OFFICER. Under all parliamentary law a speaker can not hold the floor and yield it.

Mr. BRANDEGEE. I do not ask him to yield it; but the Chair is ruling that he can yield it for a question. I ask him if he will be interrupted for a question?

The PRESIDING OFFICER. Does the Senator from Washington yield for a question?

Mr. JONES. I gladly yield for a question.

The PRESIDING OFFICER. The Senator yields.

Mr. BRANDEGEE. Mr. President, I desire to interrupt the Senator from Washington for the purpose of asking him a question. I find nothing in the rules, and I want to ask the Senator if he does, which provides that a Senator can yield for a question, or that the Chair can permit him so to do. The rule is that—

> No Senator shall interrupt another Senator in debate without his consent.

Under those circumstances, when a Senator rises in his place and addresses the Chair under Rule XIX, and asks if the Senator having the floor will permit an interruption, the Chair is in the habit of saying: "Does the Senator having the floor yield?" I submit, and I ask the Senator from Washington if he does not agree with me, that the ruling of the Chair that a Senator who submits to an interruption, unless he guards himself by saying he does so only for the purpose of hearing a question, yields the floor, is an utterly unfounded and arbitrary ruling. The Chair has no right to ask a Senator if he yields. There is nothing in the rules that indicates it; and I ask the Senator if he does not think the whole ruling of the Chair to the contrary is based upon a fiction and a misconstruction of the rule?

Mr. JONES. Mr. President, I think that is correct. I think it is entirely arbitrary, but it has the majority back of it. The majority has sustained that arbitrary ruling, and it has been made the rule of this body by the majority. I am very glad indeed that the Senator from Connecticut brought out that point, because I know that the Amen Corners of the country will understand it fully and clearly; and I want them to understand just what has been done here, and the way it has been done, and the reason why we can not make a frontal attack on the measure.

Mr. President, I also want to call the attention of the Amen Corners of the country to another circumstance. It may be just a circumstance. About a week ago—I think it was a week ago last Friday—we got an intimation on this floor that this bill was going to be passed that night. For a couple of days we had been honored here by the presence of the Secretary to the President. He had a perfect right to be here. I was glad to see him here. I supposed it was simply a social call that he was making. We had given him the privilege of the floor, and we were glad to have him here. He is a fine man, a most competent secretary, and I like him very much no matter what our political differences may be. These do not interfere with our personal relations or opinions. On Friday he was here. I supposed he was here simply making a social call, conferring with his friends upon the other side, and I suppose that is true; but when I saw him here at 4 or 5 o'clock in the morning it seemed to me it was a very long social call. Then I wondered—

perhaps I did not have any right to do it; perhaps I ought not to have done it, but I wondered—whether he was watching the team to see whether or not there was any shirking, or whether he was here to see whether or not the orders to the team could be carried out and this bill pushed through on Friday night. He was coaching the team, I suppose.

But, Mr. President, nothing would have been thought of that had not other things happened. If the Executive of the country had not likened the great representatives of the people, the representatives of the great States of the country, to a team of which he was the captain; if he had not said that the team should do what the captain tells them to do, and that the members of the team should get off of the breeching strap and work together, we would not have thought anything about that. I would not, at least. But after these declarations, after the Executor of the law seemed to take the position that the great representatives of the States were nothing more nor less than the members of a team that was here to do his bidding, then it is not surpising that we wondered why the Secretary to the President should come to the Senate and stay here until 4 or 5 o'clock in the morning.

The Amen Corners of the country can determine why that was done. I have not any doubt but that the members of the Amen Corners of the country know something about baseball. I have not any doubt but that they know what a team is, and I have not any doubt but that they know what a captain is, and I have not any doubt but that they know what a captain expects of the team, and what the team expect of the captain if they do not do what the captain tells them to do. So they can draw their conclusion as to why we were honored, at 4 or 5 o'clock in the morning, by the presence of the President's Private Secretary occupying a seat on this floor. What sort of a report he took back the next morning, when the bill did not pass, I leave the Amen Corners to imagine.

I will give our friends on the other side credit for this—they did the best they could to carry out orders, and if any of them have been chastised by the captain, I want to vouch that they did all they could to carry out orders. They did the best they could to obey the commands of the captain.

Why, what did they do, Mr. President? Some amendments were offered to the bill that night. Did you let them be discussed? No; you would not permit any discussion. What did you do? You moved to lay every one of them on the table.

Now, I expect the Amen Corners understand what that means, but for fear that some of them do not, I am going to tell them what it means.

When you move to lay an amendment on the table you can not debate it. It cuts off all discussion. It cuts off all debate. It is a most effective cloture. Therefore our friends, the team on the other side, whenever an amendment was offered on Friday night, moved to lay it on the table and thereby cut off debate—no stand up and fight, no frontal attack, but by sheer force of numbers they voted down every amendment, no matter how meritorious it might be.

Mr. STONE. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. I yield, gladly, for a question.

Mr. STONE. The Senator was speaking of motions to lay on the table cutting off debate. Would the Senator favor a rule, even a modified cloture, under which a time might be fixed for voting on bills?

Mr. JONES. Mr. President, I am afraid that if Senators keep coming in and going out I will never be able to conclude this address. I have already expressed my view with reference to the cloture matter.

Mr. STONE. Oh, I beg pardon.

Mr. JONES. I do not blame the Senator for not being here, but I have had several interruptions that way about points that I have already covered and Senators coming in and apparently being anxious for information as to my position about them. I am very glad, indeed, to go over the matter again, and I think probably I can get the time to do it.

Mr. STONE. No; I do not want the Senator to go over it again.

Mr. JONES. Oh, I know the Senator does not, but I am glad to do so.

Mr. STONE. I would be glad to have him answer me directly whether he would favor such a rule.

Mr. JONES. The Senator does not present the rule. I do not know what he has in mind, and really I would not like to commit myself absolutely.

Mr. STONE. Is the Senator in favor of a fair, modified cloture in the Senate?

Mr. JONES. I said a while ago that I believed I would favor a reasonable proposition to bring about a vote on appropriation bills in a short session. I am not sure but that I would vote for a proposition to fix a time within which a vote could be forced in a short session; but, as I said a while ago, the longer I am in the Senate the more I am convinced that it would be unwise to adopt a cloture rule in the Senate. I went over that matter at considerable length.

Mr. STONE. I will read it.

Mr. JONES. I know the Senator really does not want me to take the time of the Senate in going over it further.

Mr. STONE. No.

Mr. JONES. And for fear I might take too much time, I do not believe I will go over it again; but that is, briefly, my position.

Mr. STONE. If the Senator is about through, I will not interrupt him any more.

Mr. JONES. I do not know just exactly how long I may go on, but if a few more Senators come in and ask me about things I have already gone over, it might take some little time. It is possible I may run for an hour or so yet.

Then, Mr. President, what did they do? On Friday night, after orders had been sent down to pass the bill—that is, I heard that orders had been sent down; I do not say they had been; I do not know, but it looked awfully suspicious—after they had voted to lay all amendments on the table they came up to—what? To the substitute that had been brought in here on the 26th day of January—a substitute brought in from the caucus, from the secrets of the caucus, where they had voted down a proposition to consider the bill in the Senate by debate and by amendment, but no doubt had determined there to put it through just as they had agreed to it behind closed doors in the secret precincts of the caucus! They brought it in as a substitute instead of bringing the changes as amendments. The substitute is one proposition for discussion. If they had brought in different amendments, each could be discussed. They could not shut off debate without moving to lay their own amendments on the table, and of course they could not afford to do that.

They did what? They ordered the yeas and nays on the substitute. What does that mean? It means that at the request of one-fifth of the Members present it could be ordered that when a vote was taken on the substitute it would be by the yeas and nays. Then what did they do? On Friday night, under the eye of the President's representative, they held that after the yeas and nays were ordered amendments could not be offered; that it shut out all amendments, no matter how meritorious. That is something, Mr. President, that has never been heard of in a deliberative body, but by strong-arm methods, by steam-roller methods, as the Senator from Vermont [Mr. PAGE] suggests to me, they decided that amendments could not be offered after the yeas and nays had been ordered. And they were ready for a vote unless somebody commenced to talk. They did not go quite so far as to hold that after the yeas and nays were ordered there could not be any talking. Possibly if they had thought about it a little more they might have done that, but they did not, and so we had to discuss the bill.

I am glad to say that just the other day a majority of the Senate deliberately held that after the yeas and nays were ordered the bill is still open to amendment, or that a motion to recommit can be made. There were some of the majority who could not quite agree to the former proposition. They thought that that was going a little too far, and they were very wise in that conclusion.

So now we have another bill brought in here and we have an opportunity to discuss it, and that order for the yeas and nays is gone. In my judgment, it will never be presented here again in that form.

Mr. President, after Friday night, when business did not come as they hoped and as the order had been sent down, they began to discuss other methods. Why do I say that? I see here in the Times of Sunday, January 31, an article like this:

Democrats must alter ship bill.

Senator OLLIE JAMES may be called upon to-morrow to block filibustering.

Then the article closes in this way:

Senator OLLIE JAMES, of Kentucky, may be called upon to break up the filibuster against the shipping bill. The public received an intimation to-day that this plan is under consideration by the Democratic leaders.

I wondered what it meant that they were to call on Senator JAMES to close the filibuster. The Amen Corners do not understand the significance of that, I know. Probably very few of them have ever met the Senator from Kentucky [Mr. JAMES]. He is a great man. I had the honor of serving with him in the other House. He is a fine Senator, a splendid man, a great

big man in every way, handsome, as the Senator from Mississippi [Mr. WILLIAMS] suggests to me, magnificent in intellect, but I do not think that was under consideration when they were talking about him to block the filibuster. Yes; he is great in physique, and that is what they were probably considering. I do not know what else.

How did they expect the Senator from Kentucky [Mr. JAMES] to block filibustering? Why not the Senator from Mississippi [Mr. WILLIAMS]? Why not my good friend from Louisiana [Mr. THORNTON]? Why not the Senator from Kansas [Mr. THOMPSON]? Why did they not select him to block the Republican filibuster? Why not the great Senator from Missouri [Mr. STONE]? Why not the Senator from North Carolina [Mr. SIMMONS]? Why the Senator from Kentucky [Mr. JAMES] to break the filibustering? Why not my honorable friend from Tennessee [Mr. LEA]? He is handsome, strong, powerful, a man of great ability, but not so strong physically probably as the Senator from Kentucky [Mr. JAMES]. Why did they not call on my friend from Oklahoma [Mr. OWEN], who is so much opposed to filibustering, and who has had some practice at it? Why did they not call on him to break the filibuster? Why did they not call on my friend the great Senator from Illinois [Mr. LEWIS], who has honored my State as a Representative in the other House and is now honoring my native State of Illinois by his service here, to block this filibuster that these Republicans are carrying on? Why not the great Senator from Montana [Mr. WALSH], able, alert, active, strong? Why not ask him to break this Republican filibuster? Why not my friend from Arkansas [Mr. ROBINSON], with whom I was proud to serve in the House of Representatives? He is an able man. Why not ask him to break this Republican filibuster? Why not my friend from Oregon [Mr. LANE]? He is a new Senator here like myself, but active, alert, energetic, a friend of the people, always careful of their interests, looking after their welfare. Why not select him to break this Republican filibuster?

I do not know, except I have this idea. My friend, the Senator from Kentucky [Mr. JAMES]—he is my friend and I think a whole lot of him—he will admit is a very partisan man. He is intensely partisan. He honestly believes that almost any method is justified to carry out the party decree, the caucus action, the mandates of the captain of the team. He is great, big, brawny, six feet two or three or four, powerful. Is it possible that they wanted him to carry some method into effect because it takes those qualities to put it through? Is it possible that they were going to consider the United States Senate as a football field, where brawn and muscle and weight count? Is that the reason why they selected him?

I understand that my friend from Kentucky presided over the Baltimore convention. Is that the reason why they selected him to block the Republican filibuster? Did they expect his experience there to assist in the work here? Did they expect the same methods to be followed in the United States Senate that might be followed in a political convention?

Mr. President, I can not understand any other reason for the suggestion that the Senator from Kentucky would be used to break this Republican filibuster; if not to break it, to block it. What method does that suggest?

Mr. President, they may need something of that kind in some parliamentary body, they may need some Kentucky methods in some organizations, but they are out of place in the United States Senate.

No, Mr. President; you will never hear any more talk about getting Senator JAMES to block filibustering in the United States Senate. The majority of this body will not use strong-arm methods to pass this or any other legislation, and it is well for the body and it is well for the majority not to do it. As I said a while ago—and as there may be some Senators who are here now who were not here then, I want to repeat it—Senators, the methods that you used here to pass this or any other legislation will be used by another majority to pass legislation. That majority will use against you the methods you use here; or if not against you, then against your successors, because you will not always continue in the majority.

I want to suggest to most of the Senators on the other side of the Chamber, and I do it in all sincerity, there is a question that is not dead. It is sleeping. You and your people are tremendously interested in it. If you use methods in this body to shut off debate, to shut off discussion, to shut off consideration upon this question or any other, those same methods will be used upon that question, and ill will be the day for you and the country when methods that you may pursue here may be adopted to enact legislation with reference to that question.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES. I think I know what the Senator wants to ask and I shall decline to yield.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. I will not suggest the question, simply because of the consideration I have for certain people and certain sections of this country. I think I realize more than I used to what it means; but I suggest to my friends on the other side to follow the admonition that was used out in our State with reference to various measures last fall: "Stop, look, and listen!"

Mr. President, if any consideration is given again as to how to block a Republican filibuster, you had better not try to devise ways and means and methods except those that are open, square, fair, and legitimate. It may be that a temporary advantage will be gained for this measure. It might be; but the good now is far overbalanced by the ill by and by.

Now, Mr. President, I want to call the attention of the Amen Corner of Tacoma and of the Amen Corners of the rest of the country to the course which has been pursued with reference to this particular measure; just what it is and how it has been introduced and reintroduced and reported and rereported and caucused and recaucused and revised and revised again, not only to show that our friends on the other side when they put the bill in did not know what it was or what it meant or what it would do, or what could be done under it and with it and by it, but also I want to show that they learned something from the discussion that we had here on the floor, even if we did have to make some long speeches in order to get it before them.

This is Senate bill 6856. It was introduced in the Senate December 9, 1914, by the learned Senator from Missouri [Mr. STONE], one of the great leaders on the other side of the Chamber and one of those to whom all the majority look up with great respect and reverence.

This bill is entitled "A bill to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes."

Mr. President, I am going to read this bill. I am going to read it myself, and I am going to tell the Amen Corner why I do it. I read it myself because I know the majority would not allow the Secretary to read it for me. That is another method that they have pursued. If they will examine the records they will find that years ago very frequently when a Senator was making a long speech in order to rest himself he would send a document up to the Clerk's desk and have the Secretary read it. I think this was done away back in the celebrated filibuster on the force bill. Some of our good friends from the Southland, talking a good while, had the Secretary read from the desk, and that rested them. I know the majority would not permit that now. They insist upon the Senators here exhausting themselves. That is what the Senator from Indiana, as will be found on page 2520 of the RECORD on the 26th of January, gave notice would be done. He practically advised us that we had to go night and day; that if one of us got exhausted he had to have some other Senator take his place and proceed, or else they would have the vote. I want to read this bill. I hate to take the time to do it, but I feel that I ought to do so, so as to get these matters in the RECORD in a consecutive kind of way, because I am going to show when this bill was introduced; then I am going to show when it was reported and how it was reported; then I am going to show these various substitutes coming on here one after another from the caucus, to show how these legislative days went along. In order to properly do that, so that the Amen Corner people will fully understand it, I have to read it into the RECORD. So I shall read this bill, which was introduced by the Senator from Missouri [Mr. STONE] on the 9th day of December—and I want them to remember that date—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States—

Mr. President, I want the Amen Corner to notice that, whether Senators here in the Senate notice it or not. There has been some talk here that the United States is really not doing this; that this is going to be done by a corporation; and that they create a corporation to do it; but notice how the bill starts out. It does not say that a corporation is going to do this; but it says that the United States is the entity here. The United States is the real thing involved in this matter; the United States will be the real owner, the real operator, the real constructor, the

real purchaser of any vessels that may be secured under this bill or which may be used under this bill.

That the United States, acting through the shipping board hereinafter created—

That is simply the agent of the United States; that is all it is—

may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia upon the terms and conditions herein mentioned.

That is the form in which the bill was introduced. It was a sort of roving kind of a corporation. They did not know where it was going to organize; they did not know how it was going to organize; they did not know whether there was any State in the Union under whose laws it could be organized; they did not know whether there was any law anywhere passed by any body under which it could be organized; but that is the way it was put in. When asked if there was any such law they admitted they did not know.

Now, a little discussion on this side of the Chamber—not on the other, not by the majority, but a few feeble suggestions by the minority—called the attention of the other side to that condition, and it seemed to be of such force that by and by, as I shall show in some of these other bills, they actually changed the measure in that particular and provided a definite corporation, organized at a definite place in a definite way. If we had just let you gone on, there is no telling where you would have landed; there is no telling what would have happened; there is no telling what you would have had. You would not have been able to have done anything under the bill. You can not suggest that it would have been changed in the other House. Why not? Because you are not going to let it be changed in the other House; oh, no. Just as sure as the sun rises, if you let this bill get through the Senate—it may be unparliamentary to say it, so I will not say it; I will not say that it would not pass through another body without any change whatever.

Mr. WEEKS. It would.

Mr. JONES. But it would, as the Senator from Massachusetts [Mr. WEEKS] says. So our discussion, no matter if it was a long speech, no matter if it did take all night, no matter if you did call it filibustering, you took advantage of it, you used the suggestions made, and you cured that defect in the bill, anyway. So we have served one good purpose with reference to this measure, if no other. The bill continues:

SEC. 2. That the object of such corporation shall be the purchase, construction, equipment, maintenance, and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere to meet the requirements of the foreign commerce of the United States. The initial capital stock of such corporation shall not be over $10,000,000, of the par value of $100 per share, but the shipping board, with the approval of the President, may consent to or cause an increase of the capital stock from time to time as the interests of the corporation may require: *Provided*, That the United States shall subscribe for 51 per cent of each and every such increase. The United States shall subscribe to 51 per cent of such stock at par, and the remainder thereof shall be offered for public subscription. The United States may further subscribe at par to an amount of such stock equal to that not taken by public subscription. Such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States.

That is the end of section 2.

Mr. President, I want to call attention to the particular language of this bill in this place. These merchant vessels are to be used "in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America."

Mr. President, I want to say right here—I shall probably notice it a little further on, if I have the time, but, for fear that I may not, I want to say right here—if you had stopped there, I think I could have gotten my consent to vote for and support the bill, especially if you put in a provision that would restrain us from purchasing the interned vessels; that is, I would be in favor of this: I would be in favor of the Government constructing vessels and establishing lines between the ports of this country and the ports of South America. I believe that would be a good thing; I believe it would work out pretty well. I would not put these vessels in as a temporary proposition; I would not put them in as a proposition that, when they got to paying, we should turn them over to private capital; not at all. I would establish those as permanent lines; I would get some of the best ships; I would have them built. I do not like the idea of purchasing. I am going to call your attention, if I get the time, to what we have done under the emergency act which was passed a short time ago with reference to the registration of foreign ships under our flag. I am going to show you that, without inspection and without examination, you have gotten in a lot of old tubs, a lot of old ships 25, 30, and 40 years of age, sailing under our flag without inspection and with foreign officers and crews.

I should like to see the Government provide for the building of ships in American yards and out of American materials equal to some of the finest ships that float, and put them on regular sailing lines between ports of the Atlantic and South America and ports on the Pacific and South America. I should like to say to the merchants of this country and to the business men of this country, "Gentlemen, we are going to maintain the sailings there; go and establish your business connections; organize banks in those countries so that you may have banking facilities; send your drummers, drum up business, and establish a trade, and we will give you transportation lines." Then you would have something that would be worth while; you would accomplish some good.

From what I can find there is no great emergency now in the transportation business between this country and the South American countries. Those countries are in a bad condition financially and industrially on account of the European war and because of their business connections being largely with European countries. By the time we got our ships built and our lines established I believe, at least I hope, that the war will be over, and that we will then be prepared and in condition to take advantage of the business opportunities in South America. In my judgment, if the majority would do something of that kind, they would accomplish some constructive, beneficial legislation; they would have my support, and I think they would get lots of support from this side of the Chamber. Many Senators on this side, I think, would be glad to join with them in such a plan.

In this connection the thought strikes me that in order to make it a success you would probably have to revise your tariff. It would not bother us on the Pacific coast so much; but I can see how the people of the Middle West might object. Why? Because, as I understand the situation, what we would take largely to South America would be manufactured products and what we would bring from there would be farm products, and the wheat growers and the corn growers and the cattle growers and the sheep growers and the swine growers and the oats growers might object to the Government bringing in Government ships products from foreign countries to reduce the price of their products, especially if they were admitted free of duty, so that it might be necessary to have a tariff on some of those products. It probably would be outrageous for you to contemplate such a terrible thing as that; but, nevertheless, I think it would be a good thing, and I should like, then, to see lines of that kind established, because we ought to have a far greater amount of trade with South America than we have to-day.

It looks to me, in fact, as if you were squinting at that. I have not read it, but am I not right in saying that the President, I think, in his annual message—that is my recollection; I went over and heard the message, and my recollection is that the President in his message to Congress directly suggested it—urged that we should have more of the trade with South America, and that is one of the reasons why we wanted ship lines? I may be wrong about that, but I think he did make that suggestion, and you had that idea in this bill. What did you say? You said the object was to operate "merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America." If you had left out the two words "or elsewhere," it would have taken away a whole lot of the trouble about this bill. Why did you use the expression "or elsewhere"? Why did you not say "the ports of Europe, the ports of England, Germany, France, and Italy," just as you mention South America, the Gulf, Atlantic, and Pacific ports, but instead of that you merely say "or elsewhere."

Mr. President, if you will keep these ships out of warlike waters, out of war-infested waters, out of war-endangered waters, I will be with you on most of the provisions of the bill. I think, if you would do that, I could even overlook the word "purchase" in the first part of the provision I have read; but as long as you have Government vessels go into waters that are mined, waters traversed by submarines, the waters of hostile, fighting belligerent countries and territories, you are inviting trouble, and trouble will come; and because of that condition, because of that fear, I am unalterably opposed to this measure.

Of course, I know that the other side have a good deal of human nature about them, just as the rest of us have. When the filibuster started up on the other side about a week ago, it demonstrated to me that you were about of the same clay as we on this side. You were not ready then to go to a vote. You did not talk so much, but you used your power to adjourn. You would not talk yourselves and would not let us talk. You would

not consider the bills on the calendar pressing to be heard, pressing to be acted upon. The seamen's bill, hanging in conference, ought to have been brought out and passed; but you would not take such action, and you will not pass anything, except you are going to try to pass this bill.

You are a little different from us in some respects. I do not know whether it is exactly analogous, but it looks a good like it to me. I remember that at the short session of the preceding Congress, after your party had been successful at the polls, there were a good many appointments which had been sent to the Senate before the election which had not been confirmed, and a good many came in after the election. They came in the regular course; the appointees were entitled to confirmation; there was not anything against their characters; there was not anything against their ability; there was not anything against their competency; the offices had become vacant in the regular, ordinary way and in due course of time, but you would not—what? You would not confirm them. Why? Because you wanted the offices yourselves. That is the reason, and the sole reason. You wanted the offices for some of your friends. I do not know that I blame you so much for that; you had been out a long time and a lot of your people were very hungry. You did not realize, as we did, that it was the worst asset you could have to fill those places, but you would not confirm. We said, "Well, we have a majority and we will confirm," and we started to do it. But what did you start to do on the other side? You started a filibuster. For what? For principle? No. For the good of the country? No. For what? For the offices, for the loaves and fishes, for the spoils of office. You said, "No; we will hold up legislation; we will hold up confirmation." What did we have? Not discussion on the merits, because they could not do that; but I remember my friend, my very genial and lovable and philosophical friend from Mississippi [Mr. WILLIAMS], came in here one day on the confirmation. He was reading about airships, flying machines, submarines, and all that sort of thing; and what did you do on that side? You said to us, "You can not confirm any of these officers. You might just as well face it. You can not do it." That is what you said, and it was not one or two of you that said it. You all said it. You were united in the proposition. You said, "You can not confirm these nominees. They are all right, but you can not have these offices. You can not confirm them."

What did we do? Hold up all legislation? Did we say, "If we can not do that we will not do anything"? Why, no; we threw up our hands. That is what we did. We let them all go, and we went on about what? About the business of the Government, carrying on and enacting legislation, and doing what we ought to do.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. JONES. I yield for a question.

Mr. GRONNA. Before the Senator leaves the subject of constructing ships to ply between the United States and the South American ports——

Mr. JONES. Oh, I will not leave that subject for some time.

Mr. GRONNA. I want to ask him if he would build these ships or advise the constructing of these ships unless we were quite sure of transacting some business with the South American countries? And can the Senator from Washington give us any information as to whether or not we could get the business, except, perhaps, in agricultural products, products to compete with those of the citizens of our own country? Would the Senator from Washington suggest constructing these ships and sending them to any country where they are growing cotton, for instance, and bringing it here in competition with the products of the citizens of our own country?

Mr. JONES. I expected my friend from North Dakota to be thinking about something of that kind. I think I suggested that opposition might come from that section of the country.

Mr. STONE (to Mr. GRONNA). The next time you do that, I am going to make the point of order that he loses the floor.

Mr. GRONNA. I just asked him a question.

Mr. STONE. Yes; but you made a speech.

Mr. JONES. My good friend from Missouri is threatening me with this rule that they have adopted here.

Mr. STONE. I did not say a word to the Senator.

Mr. JONES. He is going to make the point of order——

Mr. STONE. I beg the Senator's pardon; I did not even address him. I was talking to my friend the Senator from North Dakota.

Mr. JONES. Oh, I know the Senator did not address me. I knew that; but, nevertheless, my ears are pretty good sometimes.

Mr. STONE. But it was a private conversation with the Senator from North Dakota.

Mr. JONES. Yes; but I am afraid of these private things. That is what is the matter. We have too many of these private things, these secret caucuses, and all that sort of thing. Of course, I know that the Senator from Missouri would not take me off the floor to-night. If he did once, I would get on the floor again, you know. There are two other subjects included in this motion and you can talk twice on each one of them. It gives a good deal of time, but I guess I had better be careful about these interruptions. I hope the Amen Corner will just watch that and note——

Mr. STONE. What is the Amen Corner?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. I yield for a question.

Mr. STONE. The question is, Does the Senator from North Dakota [Mr. GRONNA] and the Senator from Massachusetts [Mr. WEEKS] and the Senator from Connecticut [Mr. BRANDEGEE] constitute the Amen Corner in the Senator's congregation?

Mr. JONES. Mr. President, you see the Senator calls upon me to go over ground that I have already covered. I regret to take the time, but I shall do it, and I hope the Senator will not leave, because I will tell him who this Amen Corner is. It is not here—oh, no; oh, no. Now, I hope the Senator will not leave, because I know he wants this information.

Mr. STONE. Really, I do not.

Mr. JONES. I hope the Amen Corner will note that when I propose to give the Senator from Missouri the information as to who they are, what respectable citizens they are, he does not want to hear about them. Oh, no, Mr. President; the majority will not want to hear from the amen corner; but they are going to do it. Yes; in about two years from now the Amen Corner is going to speak, and it is going to speak even louder than it did last year.

In response to the question of the Senator from North Dakota [Mr. GRONNA], I suggested a moment ago that there might be objection upon the part of our friends in the Middle West to using Government ships to bring products which would compete with them into this country. As to whether or not we would have the business there now, I doubt it. I doubt if we would have business for a while, but I am willing to follow the President's suggestion. I am willing to go that far and follow the President's suggestion that we will start these ships, and we will see that they make good, we will run them until they do develop a business that pays, and then I would not turn them over. I would keep them, and let the Government run them and let the people recoup themselves for what they had lost in running these boats without business. I do not think they would have business for some time; but I do believe this, and I have a lot of data here that I am going to refer to, if I have the time before I get through, showing the trade of South American countries, and showing where the trade goes, and showing what kind of trade it is, and showing the tremendous amount of it that, I think, we could get if we had transportation lines directly between this country and those countries.

I will say to the Senator that I do not think it would pay at the start, but I believe it would not be long until we would have a good business developed. As a matter of fact, if we would say to the merchants and manufacturers of the country, "Now, gentlemen, in 12 months from now, or 10 months from now, we will have ships, first-class freight ships and passenger ships, sailing from New York, Charleston, Baltimore, Galveston, San Francisco, Seattle, and Tacoma to the ports of South America every few weeks or every month regularly, and we will maintain those ships there for all time." I believe by the time that came around they would have business worked up so that we would have a pretty good business to start with; and I have not any doubt but that very soon these ships would be going back and forth there loaded with passengers and with products.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington further yield to the Senator from North Dakota?

Mr. JONES. I yield for a question.

Mr. GRONNA. The Senator says he is prepared to give us information. Does he mean as to tonnage, or would he be able to give us information as to what articles we would have to deal in?

Mr. JONES. I think I have a table giving the articles, the products, and the imports and exports of those countries, showing their foreign trade.

I offered an amendment to this bill to strike out the words "and elsewhere" and the word "purchase." If you would leave out the word "purchase" and leave out the words "and elsewhere," while I do not like this shipping board, and while I do not like the means that you take to carry it through, I would have the Government do it directly without any subterfuge or any intermediate or anything of that sort—I would vote for your bill. I believe it would be a good thing in the end; at least, I do not think it would injure the country very much.

Now, I must read the next section of this bill:

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, the total amount not to exceed $30,000,000 for the purpose of purchasing or constructing such vessels.

If we are going to have this shipping bill, if we are going to do it through this shipping board, I can not understand why their action must still have the approval of the President. Why keep the hands of the President directly on this shipping board? If the shipping board is a good thing, if it is a good body let it act independently of Executive dictation. The President can not hope to give investigation to these various matters. He can not hope to familiarize himself with all the various problems that come up. He can not hope to familiarize himself with these different propositions to purchase or to construct vessels. Why put that in his hands? I do not know, but I can see possibilities. I can see possibilities in the case of the best President, the best-intentioned President—and we never will have a President who is not well-intentioned. I am sometimes rather amused about our statements here and there about "the President is sincere," and "the President is honest and patriotic." Of course he is. We never expect to have a President who is not; and, really, it is sort of a reflection to suggest that the President is sincere and patriotic. Of course he is. Of course he means to do what is right. He tries to do what is right, but he has to act on somebody else's advice very much.

I know one case. I am going to give it as illustrative of what can be done. There was a certain class of work in this country placed under the direction of a certain Cabinet officer. It involved the question of taking up projects of various kinds. One project was brought to the attention of the Cabinet officer. The bureau having charge of it recommended against it. The Cabinet officer approved the recommendation of the bureau. What was done? The Executive ordered the project taken up. It was taken up. Five or six hundred thousand dollars was expended. It has been an absolute failure from that time to this. The President is sincere—yes; absolutely. Honest—yes; absolutely. Why did he do it? Because somebody went to him and told him that it ought to be done and that it was all right, and they presented facts and figures, and all that sort of thing, and convinced him that it ought to be undertaken. So, because he had supervisory power, he directed the Secretary of the Interior to take on the project, and he could not do anything but do it. As I say, it has been a failure ever since.

That is just what will happen in a case like this. The shipping board will say: "We do not want to purchase your ship," and all sorts of influences will be coming to the President, trying to show him why it ought to be purchased, and that he ought to direct the shipping board to do it, and they will get lots of them purchased just in that way. No, gentlemen; if you are going to have a shipping board you ought to have it, at least after it is appointed, absolutely free and independent of Executive dictation, and you ought not to expressly provide in the bill that the President shall have power over the matter. If you are going to have this done by a shipping board, have it done by a shipping board, and hold them responsible for it.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to such corporation, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That, subject to the direction of the President, the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power to vote the stock of the United States in such corporation and to do all other things necessary to protect the interests of the United States and to carry out the purposes of this act.

Mr. President, that section provides for a purely unadulterated political board, wholly partisan, changeable with every administration that comes along. That is the way the bill was introduced. That seemed to be your idea, in the first place, about it. You would not have changed that if it had not been for the discussion on this side. We talked about it; we pointed out the dangers of it, and in your caucus you changed it. I have not seen the latest edition. I have not been able to see that yet. You have not had it printed. I do not know whether, in your latest edition that you propose, you are going to change it or not, but my recollection is that you have five members of this board in one of your substitute bills, and you have two of them Cabinet officers, and you have provided for three others outside of the Cabinet places; but that does not at all change the partisan character of the board—not a bit. These three members, to be appointed by the President, will be partisans and under his control. I would just as soon have a Cabinet officer as a man from the outside appointed by the President, without regard to his politics. I do not know but that I would rather have a Cabinet officer than to have somebody from the outside. You would have a man who was certainly responsible in some ways, anyhow, if you had them all Cabinet officers; but you ought not to have a single Cabinet officer on this shipping board. You ought not to have the executive branches of the Government complicated with this great business industry that you are going to try to start up and carry on.

If you are going to have a shipping board, you ought to get a board of men who know that business, who know how to develop products by transportation lines, who know how to open up lines of supply for your ships in the different countries to which you are going to send the ships.

What about these Cabinet officers? What time have they to give to this business? What do they do? What will they do? They will have to have some subordinate to do it. That is what they will have to do. They will have to depend upon the recommendation almost entirely of some subordinate. The Secretary of the Treasury has all he can do as Secretary of the Treasury, without being on a shipping board looking after transportation matters.

How about the Postmaster General? Does he have anything to do? I know he had something to do when we were in the majority. I imagine he has something to do since you have been in the majority. I have been down to see him once or twice and have had to wait sometimes for hours to see him. Why? He was attending to the duties of his office, filling positions all over the country, looking after the policies of the Post-Office Department, trying to develop that great governmental function so that it will serve the best interests of the people. That is plenty to take up all his time and all his ability. If you are going to enter upon this great business undertaking, you had better get business men and let them give their time to it.

It is one trouble with our Government to-day that we are piling duties upon men who already have more duties than they can perform. What is the result? The result is that they are turning it over to somebody else who looks into it, and he decides what ought to be done and prepares a letter and puts it on his desk and he signs it and on it goes, and if you want to get in some crooked work you will get it in with that subordinate. That is where you will get it. Your Cabinet officer will act honestly in approving the matter.

Mr. President, we from the West have a good deal of business to do with the departments. I expect we have more to do than you from the South. I am going to give you another illustration which came under my own observation. I will not say when, because I do not think there was anything wrong, but it simply illustrates how things can be done and how things are done.

There was a certain railroad that had gotten a permit to go across an Indian reservation, and in that permit it was specified that it should have its road through the reservation by a

certain time. There were some very prosperous farming communities depending upon it. Several farming communities had been developed in anticipation of the railroad coming through, and they had their crops in and expected to get them out by this railroad. The railroad apparently dillydallied along and did not build its road very fast, and it was not getting its road through. The people in that community heard that the railroad company was going to apply for an extension of time within which to complete its road across the reservation and they protested against it. They said, "This company has plenty of time to build its road, and we insist that its road ought to be built within that time. Do not grant this permit for an extension. Our crops will be lost if the railroad is not built through."

These protests came to our delegation and we saw the department officials. We saw the head of the department, and he saw the attorneys of the railroad, and finally they said: "Here, we want to put this road through just as fast as we can; we are doing the work just as rapidly as possible; we had trouble with help; the winter has been cold; we have been delayed in that way. If you will just agree to an extension of time, we will have our road built to a certain point by a certain time in the year, and by a certain other time we will have our road built past a certain other point."

Well, it looked reasonable to us, and we concluded that if we did not have the permit granted at all the people there would not get any railroad, and that they would be worse off if the railroad was not built than if an extension of time was granted on the assurance that the road would be built within a certain time.

So we had the matter up with the department, we talked it over with the department and we expressed our views about it. We said, "Now, these people will agree to get their road through by a certain time, and notwithstanding our people are protesting we will consent to this extension of time." It was assured in writing that the road would be built through; the department granted a permit setting out these very things, and the people accepted the result and things were going on.

We supposed the road would be put through in the time we were assured it would be done, and we paid no more attention to it. What happened? One day I got a letter from some of the people out there, and they said:

> This railroad company has not got its road through. We understand that they are getting another extension; we protest, because they have not complied with the permit; they are not treating us right.

I went up to the department, and what did I find? This is what I found: I spoke to the Assistant Secretary having the matter in charge. What did he say? "Why," he said, "I think there was a letter on my desk two or three weeks ago about that matter." Well, what did he do? He called for a man and brought him in and asked him about it. He said, "Yes; there was a letter about this." He brought the letter out, and what was it? It was a permit for a further extension of time granted simply because the agent of the railroad company had gone to the department and had satisfied some subordinate that they ought to have an extension of time, and without advising the people there, without advising the delegation here with whom they had conferred before and who had conceded to them more than the people wanted conceded, a letter was prepared, and it went to the Secretary or Assistant Secretary and he signed it in a routine sort of way, granting a permit without any hearing by the department.

There was not anything at all corrupt about it. The railroad agent simply went to a subordinate and showed him, on their side, that they ought to have an extension. He did not hear anybody on the other side, and prepared a letter and it went through in a routine sort of a way.

That is the way things are done in the departments. It is the way they have to be done; there is so much to do. The head of a department can not look into such things. That subordinate knew the protests were there. He knew our delegation had conferred about it before and that we had reluctantly agreed to the first extension. He ought to have called our attention to this request, but he did not do it. That is the way things will be done under this bill.

These Cabinet officers have more than they can do now. They will have to depend on their subordinates. Letters involving the rights and interests of the people of the country will come and pass over their desks in a routine way and be approved, and then it will be too late to get any injustice corrected.

> SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

Now I will read the next section:

> SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer vessels purchased or constructed under the provisions of this act and such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided, or to any other corporation or corporations now or hereafter organized, upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

Under section 8 the President may charter, lease, or transfer these vessels to this corporation or to any other corporation. That was to carry out the idea of the President, I suppose, that this should be a temporary proposition, and especially that they should get the Government out of this business as soon as possible.

I have heard of jokers in bills and it seemed to me that the Senator from Nebraska [Mr. NORRIS] in the discussion of this measure disclosed a joker here if there ever was one disclosed with reference to legislation. I do not mean that there was a joker here in the ordinary meaning that we give to that term. As I understand, we mean by a joker something that is slipped in to accomplish some particular purpose without letting the people know about it, and to accomplish some sort of sinister purpose. Here of course a lawyer reading this bill would at once see what it does. The ordinary man might not. Our friends in the Amen Corner might not notice exactly the effect of these provisions. They might think that this allowed the President to lease these vessels and the shipping board still to keep control, and that they could not dispose of this matter without the consent of Congress. Section 7 provides that with the approval of Congress the shipping board may sell the stock of such corporation, but you do not have to have the consent of Congress to lease those vessels or sell the vessel or charter the vessels. In other words, the President might lease all the vessels of this corporation for 99 years to some private corporation.

What would the stock amount to? What would the consent of Congress amount to for the disposal of this stock after all the vessels were disposed of, especially if disposed of for 99 years? The stock would not amount to anything. The consent of Congress would not amount to anything at all in reference to that. The Senator from Nebraska made that perfectly plain.

Now, what are our friends going to do over there? I do not know, but they are going to do something. They have brought in here this afternoon about 5 o'clock and they have offered as an amendment to the motion to recommit a direction to the committee to report some proposition with reference to the leasing. Now, I do not know what it is. We have not had an opportunity to see it. We have not had an opportunity to read it. We have not had an opportunity to study it.

Mr. President, I would not suggest that they are trying to slip anything in here. I would not suggest that they are trying to put anything "over on us," to use a common expression, but what did the President say some time ago in a speech at Indianapolis? I want to remind the Amen Corner of that. He said in reference to the trade commission bill that there is something in there that we Republicans had not gotten on to, and what did he say? "We took pains to get it in." I wonder if they have taken pains to get something in here that we did not know about.

Is it any wonder that we are rather suspicious about these things? Is it any wonder that we are anxious to look at these things that come out of a secret caucus, from behind closed doors, where you have been talking about things without representatives of the press present, where the Amen Corner could not get any information about it? Is it any wonder that we want to look at them closely and scan them carefully?

Why is it, Mr. President, that our friends on the other side were not willing to wait until morning before they began to press this new proposition that they present? Why is it that they would not let it be printed and let us take a recess until to-morrow? We did not ask to adjourn? We did not ask to start in on a new legislative day. We simply asked to take a recess, to do away with the morning hour, have no right for the people of the country to present petitions and to have bills introduced, but to take a recess until 11 o'clock in order that we might have an opportunity to examine this proposal.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. I yield for a question.

Mr. CLAPP. In view of the fact that the Senator's speech is laying bare to the public the methods employed here, would it not be well at this point to plainly point out in his speech the difference between recessing, cutting off all public business

of the Government and of the people, and an adjournment, under which upon reassembling pursuant to adjournment the public business of the country can be taken up by the Senate?

Mr. JONES. I think so, although the Senator in his question has covered it pretty fully.

Mr. CLAPP. I have not made the question as full as I might, expecting the Senator to further elaborate upon it. I do not believe the public knows. Some way or other it is impossible to get these things to the public. It seems to me that the difference between recessing, shutting off all public business, and an adjournment, under which pursuant to adjournment we can take up the regular business of the Senate, ought to be made plain to the public.

Mr. JONES. I think the Senator is right, and I shall take up a little of the valuable time we have to do that, even though it may take more time than I had calculated on consuming.

Mr. FLETCHER. I ask the Senator if he does not think that ought to be done when a quorum of the Senate is present?

Mr. JONES. Oh, no.

Mr. FLETCHER. I suggest the absence of a quorum, Mr. President.

Mr. JONES. I do not yield, Mr. President, myself. Of course I think the Senator from Florida has a right to call for a quorum at any time he wants to do so, but I do not yield for it myself. I think he has a constitutional right, however, to call for a quorum.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from Washington has the floor, but he states that he believes that the Senator from Florida has a constitutional right to call for a quorum. So the Secretary——

Mr. CLAPP. The Senator from Washington also states that he does not yield.

Mr. JONES. I am not going to yield. I am not yielding myself, but I can not take away from the Senator from Florida his constitutional right. I do not think I am yielding for the purpose of calling a quorum.

Mr. STONE. The Senator from Florida suggested the absence of a quorum.

The PRESIDING OFFICER. The Senator from Florida has suggested the absence of a quorum. The Senator from Washington admits the point of order. The Secretary will call the roll.

Mr. JONES. I do not yield to anybody to make a point of order. The Senator from Florida can take whatever rights he has; but he can not take any of mine.

The PRESIDING OFFICER. The Senator from Washington concedes that the Senator from Florida had a right to make the point of order.

Mr. JONES. I do; I concede that he had the right to do it; but he can not take any of my rights away. I concede that; but if the Chair should hold that he has not the right to make it, of course I want to be protected by the Chair, because I do not yield.

Mr. FLETCHER. I am not attempting to take any of the rights of the Senator from Washington from him at all; but I do insist upon my right, and I make the point of order that there is no quorum of the Senate present. I do suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Oliver	Smith, Ga.
Brandegee	Johnson	Overman	Smith, Md.
Bryan	Jones	Owen	Smith, S. C.
Catron	Kern	Page	Stone
Chamberlain	La Follette	Pittman	Sutherland
Chilton	Lane	Reed	Thomas
Clapp	Lea, Tenn.	Saulsbury	Thompson
Clark, Wyo.	Lee, Md.	Shafroth	Thornton
Fletcher	Lewis	Sheppard	Walsh
Gore	Lippitt	Shields	Warren
Gronna	Martin, Va.	Shively	Weeks
Hollis	Martine, N. J.	Simmons	White
Hughes	Myers	Smith, Ariz.	Williams

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. The Senator from Washington.

Mr. JONES. Mr. President, I think I will digress from the question asked by the Senator from Minnesota [Mr. CLAPP] for just a moment to congratualte the majority on coming back to the Constitution. I regard it as a hopeful sign. I do not know whether I have any right to arrogate to myself the thought that I have brought you back or not, and I will not do that, but I am glad that you are back. I want to say to the amen corner I am sorry you are having to come back, but I am glad you are coming back to the Constitution. I want to say to the amen-corner people of the country that some little time ago a ruling was made in this Chamber that no matter if there were only two or three Senators present and a Senator was speaking, no Senator could rise and call attention to the fact that there was no quorum present without taking the Senator off the floor or getting him to yield, and, if he did yield, he had ended his speech. I am glad that the Senator from Florida in charge of the bill has insisted to-night——

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. In just a moment.

Mr. REED. I rise to a point of order, Mr. President.

Mr. JONES. I do not yield.

Mr. REED. I do not want anybody to yield to me when I am making a point of order.

The PRESIDING OFFICER. The Senator from Missouri will state his point of order.

Mr. REED. I make the point of order that the Senator is by his confession out of order, having yielded the floor——

Mr. JONES. Oh, no.

Mr. REED. Or having permitted himself to be taken off the floor.

Mr. JONES. No, no.

Mr. REED. And that therefore he is now out of order.

Mr. JONES. Oh, no; Mr. President, the Senator was not here when the matter came up. The Chair understands that I did not yield the floor.

The PRESIDING OFFICER. The Chair is bound to state that the Senator from Washington did not lose the floor.

Mr. REED. Mr. President, it is not a question of the construction which a Senator may put upon his act. The question is what was the act? If the act was of such a nature as to necessarily take him off his feet, no agreement or understanding he may have had with the Chair or with any other Senator can alter the case. So, while I was willing not to raise this question, since the Senator seemed to want to make it a cause of assault——

Mr. JONES. Mr. President, I insist on the floor now.

Mr. REED. I insist on my point of order.

Mr. JONES. The Senator can not take me off the floor by raising a point of order.

The PRESIDING OFFICER. The Senator from Missouri has the right to suggest the point of order.

Mr. JONES. But he can not interrupt me according to his construction——

Mr. REED. I insist that the point of order is well taken.

Mr. JONES. I am not yielding to the Senator.

Mr. REED. The Senator has yielded the floor, whether it was voluntary or involuntary, and he has no right to proceed.

Mr. OLIVER. I rise to a point of order——

The PRESIDING OFFICER. If the Senator will allow the Chair to dispose of the matter now before him, then the Senator will be recognized. The point of order made by the Senator from Missouri, with all courtesy, is overruled.

Mr. REED. With all courtesy to the Chair, I respectfully appeal.

The PRESIDING OFFICER. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. REED. Upon that I ask for the yeas and nays.

Mr. SUTHERLAND. Mr. President, what is the point of order?

The PRESIDING OFFICER. It is not debatable.

Mr. SUTHERLAND. What is the point of order? That is a parliamentary inquiry.

The PRESIDING OFFICER. The point of order is, Has the Senator from Washington the floor? The Chair holds that he has, and there is an appeal from the decision of the Chair.

Mr. SUTHERLAND. And that appeal, Mr. President, I submit is debatable. An appeal to the body is debatable.

The PRESIDING OFFICER. The Chair may be wrong about that and will be glad to be informed. [A pause.] The Chair finds he is in error. An appeal from a decision of the Chair is a debatable question.

Mr. SUTHERLAND. Mr. President, I desire to ask a question for information, as I was out of the Chamber when this matter arose. My understanding is that the Senator from Washington declined to yield the floor, and that the Senator from Florida made the point of order that a quorum was not present. Of course, the making of a point of order would not take the Senator who had the floor from the floor. Am I correct as to what occurred? I ask the Senator from Washington.

The PRESIDING OFFICER. That is a correct statement.

Mr. JONES. That is a correct statement of what I heard. The RECORD will show that I did not yield the floor, but claimed my right to it. The Chair was perfectly right in his statement.

Mr. President, as the appeal is debatable, I will take the floor on that.

Mr. JAMES. Mr. President, I rise to a point of order.

Mr. JONES. Well, Mr. President, I am recognized.

The PRESIDING OFFICER. The Senator from Kentucky will be recognized.

Mr. JAMES. I make the point of order that the appeal is not debatable except in so far as the Chair desires to hear argument.

The PRESIDING OFFICER. The Chair thinks that the point will not lie in this particular case. The question is on an appeal from the decision of the Chair, which is debatable.

Mr. JAMES. I move to lay the appeal on the table.

The PRESIDING OFFICER. That motion is not debatable. The Senator from Kentucky moves to lay on the table the appeal from the decision of the Chair.

Mr. SAULSBURY. I ask for the yeas and nays.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. LEA of Tennessee (when his name was called). I have a pair with the senior Senator from South Dakota [Mr. CRAWFORD]. In his absence I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the Senator from California [Mr. PERKINS]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. BRYAN (after having voted in the negative). I have a general pair with the Senator from Michigan [Mr. TOWNSEND], which I transfer to the junior Senator from Virginia [Mr. SWANSON]. I ask that this announcement stand for the night. I vote "yea"; I believe I voted inadvertently "nay" when my name was called.

Mr. CHILTON. I have a general pair with the Senator from New Mexico [Mr. FALL], who is not present and therefore I can not vote, but I desire to be counted present to make a quorum.

Mr. GRONNA (after having voted in the affirmative). I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. GRONNA. I have a general pair with that Senator, which I transfer to my colleague [Mr. MCCUMBER] and will let my vote stand.

Mr. CLAPP (after having voted in the affirmative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I inquire whether he has voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. CLAPP. I am paired with that Senator, but for the purpose of making a quorum I will transfer my pair to the senior Senator from Iowa [Mr. CUMMINS], and will allow my vote in the affirmative to stand.

The roll call resulted—yeas 25, nays 2, as follows:

YEAS—25.

Brandegee	James	Saulsbury	Walsh
Bryan	La Follette	Shafroth	Warren
Chamberlain	Lee, Md.	Sheppard	Weeks
Clapp	Lippitt	Shields	White
Clark, Wyo.	Oliver	Smith, S. C.	
Fletcher	Pittman	Sutherland	
Gronna	Pomerene	Thornton	

NAYS—2.

Jones	Reed

NOT VOTING—69.

Ashurst	Gallinger	Myers	Smith, Ga.
Bankhead	Goff	Nelson	Smith, Md
Borah	Gore	Newlands	Smith, Mich.
Brady	Hardwick	Norris	Smoot
Bristow	Hitchcock	O'Gorman	Stephenson
Burleigh	Hollis	Overman	Sterling
Burton	Hughes	Owen	Stone
Camden	Johnson	Page	Swanson
Catron	Kenyon	Penrose	Thomas
Chilton	Kern	Perkins	Thompson
Clarke, Ark.	Lane	Poindexter	Tillman
Colt	Lea, Tenn.	Ransdell	Townsend
Crawford	Lewis	Robinson	Vardaman
Culberson	Lodge	Root	Williams
Cummins	McCumber	Sherman	Works
Dillingham	McLean	Shively	
du Pont	Martin, Va.	Simmons	
Fall	Martine, N. J.	Smith, Ariz.	

The PRESIDING OFFICER. On the motion to lay on the table the yeas are 25, the nays are 2—not a quorum voting.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is directed to request the attendance of absent Senators.

After a pause,

Mr. REED. Mr. President, I ask that the roll be called to disclose whether there is a quorum present.

Mr. JAMES. It has already been called.

The PRESIDING OFFICER. Does the Senator from Missouri request that the names of absentees be called?

Mr. REED. No; the roll of the Senate.

Mr. SMITH of Georgia. Mr. President, Rule V, paragraph 3, provides that—

> Whenever upon such roll call it shall be ascertained that a quorum is not present—

And so on. This refers to a roll call made on the suggestion of the absence of a quorum. It does not apply to a roll call upon the yeas and nays. It is a roll call formally made to determine whether there is a quorum present on the suggestion of the absence of a quorum.

Mr. WEEKS, Mr. LIPPITT, and Mr. CLARK of Wyoming addressed the Chair.

Mr. SMITH of Georgia. And before an order is made to send for the absentees, I think that a call should be had to test the presence of a quorum on the suggestion of the lack of a quorum.

Mr. WEEKS. Mr. President——

Mr. LIPPITT. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. WEEKS. A parliamentary inquiry. My parliamentary inquiry is whether the lack of a quorum can be determined and the result obtained by a yea-and-nay vote, or if it is not necessary to make the point of the absence of a quorum in order to determine that?

The PRESIDING OFFICER. No. The roll call disclosed the absence of a quorum, and the Senator from Florida moved—and the Senate agreed to the motion—that the absentees be requested to attend.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. CLARK of Wyoming. A parliamentary inquiry. When, upon the yeas and nays being had, the result shows the lack of a quorum voting, has it not been the rule that the roll shall be called immediately?

The PRESIDING OFFICER. The present occupant of the chair confesses very frankly and freely that he is not an expert parliamentarian, and is not wholly familiar with the rules. It is the present idea of the Chair that the suggestion made by the Senator from Georgia is the correct procedure. He would be glad to hear from the Senator from Wyoming.

Mr. REED. Mr. President, if the Senator from Wyoming will pardon me, I should like to make a suggestion. When the roll is called to disclose whether there is or is not a quorum present, and it is disclosed that there is not a quorum present, the Sergeant at Arms is requested to request the absentees to appear; and as they appear they answer the roll, and thus a quorum is disclosed as soon as one arrives. Under the present condition, however, there is no means by which we can determine when we have a quorum. We can not call the names of these Senators on a vote the result of which has been already announced. We can not call their names as they come in.

It seems to me a short way out of this is the one that I am going to suggest now, by suggesting the absence of a quorum, which calls at once for a roll call. If that is done, we can determine whether we have a quorum or not.

Mr. BRANDEGEE. Mr. President, if the Senator from Wyoming will yield to me for a suggestion on the question of order——

Mr. CLARK of Wyoming. Yes.

Mr. BRANDEGEE. It has been the universal practice of the Senate ever since I have been here, for 10 years, that when the yeas and nays are taken and the vote on its face discloses the absence of a quorum, the Chair has so announced, and the Chair did so in this case. The Chair announced to the Senate that no quorum had voted, whereupon the Senator from Florida rose and had the Senate pass an order, directing the Sergeant at Arms to request the attendance of absent Senators. The Sergeant at Arms, if he is doing his duty, is now executing that order of the Senate.

I am aware of the theory which the Senator from Georgia [Mr. SMITH] propounded the other evening, that as the Senators are produced in the Chamber in response to such an order of the Senate they should be compelled to vote upon the question which has been voted upon, if I understood him correctly.

Mr. SMITH of Georgia. No.

Mr. REED. Mr. President——

The PRESIDING OFFICER. To whom does the Senator yield?

Mr. BRANDEGEE. And the Chair had no authority, in the opinion of the Senator from Georgia, to announce that no quorum had voted, if I understood him correctly. I did not consent to that theory.

Mr. SMITH of Georgia. I never made that contention. The Senator is mistaken.

Mr. BRANDEGEE. If I am mistaken, I would rather withdraw the statement.

Mr. SMITH of Georgia. I never made that statement.

Mr. BRANDEGEE. That is as I understood the Senator.

Mr. SMITH of Georgia. No.

Mr. BRANDEGEE. But, at any rate, there is nothing to do at present except to reconsider the order made at the request of the Senator from Florida, directing the Sergeant at Arms to request the attendance of absent Senators or to wait for its execution; and as Senators enter the Chamber I assume that the Chair, if the Sergeant at Arms produces them, could recognize them, and they could vote upon the question.

Mr. REED. Mr. President, the vote has been announced. The result has been determined.

Mr. BRANDEGEE. But no quorum was disclosed.

Mr. REED. Exactly.

Mr. BRANDEGEE. Hence it is not a legal vote.

Mr. REED. And the vote can not be held open indefinitely for Senators to appear. At least, even if it could be, the result has been announced. Now, as I understand, any Senator has the right at any time to suggest the absence of a quorum; and in order that this matter may be cleared up, I now suggest the absence of a quorum. If a quorum is disclosed, well and good. If it is not disclosed, then the order to the Sergeant at Arms will continue in effect until he brings in a quorum.

Mr. SMITH of Georgia. Mr. President, the view I desire to present goes further than the suggestion of the Senator from Missouri. I do not think the Senate has authority, with only a minority present, to direct the Sergeant at Arms to take steps to compel the presence of Senators until after the formal call has been made for a quorum on the suggestion of the lack of a quorum. This power of the minority comes from the Constitution. It provides that a minority can compel the presence of a quorum under such rules as may have been provided. Now, we have a rule. It is found in Rule V, and Rule V authorizes the minority to act only after the lack of a quorum has been suggested and a call of the Senate has been made to determine whether there is or is not a quorum present. It does not permit such action by the Senate until after this call is had. I am pressing this view now because I think the Sergeant at Arms, to enforce the order of the minority, must do it under this rule, following a call for a quorum under the suggestion of the lack of a quorum.

Mr. OVERMAN. Mr. President, when the Chair itself declared that no quorum had voted, it was then, I think, under the practice of the Chair, the duty of the Chair to have the roll called to see whether a quorum was developed or not. That is the universal custom here. The Presiding Officer says there is no quorum voting, and he has the roll called to see if a quorum is present.

Mr. LEA of Tennessee and Mr. GORE. Call the roll.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Overman	Smith, S. C.
Brandegee	Gore	Owen	Sutherland
Bryan	Gronna	Page	Thomas
Catron	James	Pomerene	Thompson
Chamberlain	Jones	Reed	Thornton
Chilton	La Follette	Shafroth	Warren
Clapp	Lee, Md.	Sheppard	Weeks
Clark, Wyo.	Lippitt	Shields	White
Fall	Oliver	Smith, Ga.	

The PRESIDING OFFICER. Thirty-five Senators only having answered to their names, a quorum is not present.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Florida [Mr. FLETCHER] has the floor.

Mr. SUTHERLAND. I ask that the absentees be called.

Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. OLIVER. Is it not a rule of the Senate that the absentees shall be called when the call does not disclose a quorum?

The PRESIDING OFFICER. The Chair knows of no such rule.

Mr. OLIVER. It is the custom. There are Senators on this floor who did not answer.

Mr. LIPPITT. I think the Senator from Utah was recognized by the Chair and asked that the absentees should be called; and it seems to me——

The PRESIDING OFFICER. The Senator from Florida has moved——

Mr. SUTHERLAND. Mr. President, a parliamentary inquiry. Is the Senator from Missouri [Mr. STONE] recorded as present?

The PRESIDING OFFICER. The Senator from Missouri [Mr. STONE] is not recorded.

Mr. SUTHERLAND. The Senator from Missouri [Mr. STONE] is in his seat. I ask that his name be called and that the names of the absentees be called.

The PRESIDING OFFICER. The Senator from Florida has made a motion, which is that the Sergeant at Arms be directed to request the attendance of absentees.

Mr. STONE. Mr. President, I answer "Present."

Mr. OWEN. Regular order!

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to.

Mr. THOMAS. If it is in order, I should like to move that a committee be appointed to inform the President that the Senate has been in session since the 7th of December and that owing to the character of its rules it is unable to do business.

The PRESIDING OFFICER. That motion is not in order at this time under the rule. The Sergeant at Arms will proceed to carry out the order of the Senate.

Mr. WALSH, Mr. VARDAMAN, and Mr. BURTON entered the Chamber and answered to their names.

After a delay of 15 minutes,

Mr. SMITH of Georgia. Mr. President, I move that the Sergeant at Arms be directed to compel the attendance of Senators.

Mr. SUTHERLAND. Mr. President, I make a point of order against that motion.

The PRESIDING OFFICER. The Senator from Utah will state his point of order.

Mr. SUTHERLAND. It is that the motion is out of order, and if the Chair will permit me I will state why.

The PRESIDING OFFICER. Certainly; the Senator will state his point of order.

Mr. SUTHERLAND. Rule V provides that—

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

Mr. President, it has, so far as I am informed, been uniformly held that under that rule there must first be a motion to request the attendance of absent Senators, and the Senators must be requested, because it would be an idle ceremony to adopt a motion to request the attendance of absent Senators and then immediately, before the request had been made upon the absent Senators, to proceed to adopt a motion to compel their attendance. So I make the point of order that it is not in order to proceed to compel the attendance of absent Senators until the absent Senators have been requested to attend, and no showing of that kind has thus far been made.

Mr. FLETCHER. Mr. President, may I inquire whether or not the Sergeant at Arms has made his report on that?

The PRESIDING OFFICER. The Secretary will read for the information of the Senate the report from the Sergeant at Arms.

The Secretary read as follows:

SERGEANT AT ARMS,
SENATE OF THE UNITED STATES,
February 8, 1915.

To the PRESIDING OFFICER,
United States Senate.

SIR: In compliance with Senate motion that the Sergeant at Arms be directed to request the attendance of absent Members, I herewith report that I am telephoning the same to the residence addresses of the absentees as rapidly as possible.

Respectfully,
CHARLES P. HIGGINS,
Sergeant at Arms United States Senate.

Mr. SUTHERLAND. But, Mr. President, that is not a showing that the request has yet been made. It is a showing that it is in process of being made.

Mr. OLIVER. Mr. President, there is a quorum of the Senate now in the Capitol, and if the Sergeant at Arms does his duty he can produce a quorum within 10 minutes.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. HUGHES. As I understand, the point of order has been made that Senators have not been requested to attend. To my personal knowledge Senators have been requested and have declined to present themselves in the Chamber. Therefore it seems to me that unless the Senator is in a position to dispute that fact his point is not well taken.

Mr. SUTHERLAND. Well, Mr. President, since the return of the Sergeant at Arms is simply to the effect that he is in process of making the request he has not reported to the Senate——

Mr. HUGHES. To my knowledge the Sergeant at Arms has notified Members of the Senate to appear in the Chamber, and they have not appeared. Therefore it seems to me that the necessary step is the step that is now proposed to be taken, that the absent Senators be compelled to attend.

Mr. SUTHERLAND. I submit the point of order, Mr. President.

Mr. SMITH of Georgia rose.

The PRESIDING OFFICER. The Chair will hear from the Senator from Georgia who rose to address the Chair.

Mr. SMITH of Georgia. Mr. President, I have heard this request made a number of times in the Senate, and I have never known the Senate to delay action until every Senator could be telephoned or until every Senator could be requested to be present. That has not been the procedure for the past three years; but immediately following an effort at requesting Senators to attend, the direction has been given to compel their attendance. Indeed, I do not think the request is necessary. The rule does not say that it shall precede the order to compel. Whenever the Senate deems it necessary to direct the Sergeant at Arms to compel the presence of absent Senators, we are not compelled to wait to see whether or not they respond to the request. We can act at once. The rules does not really require the request at all. The rule provides:

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate.

The rule does not say that the Senate must wait to see whether or not Senators come when requested. At any time the Senate deems it proper and deems it necessary, it can instruct the Sergeant at Arms to compel the presence of Senators.

Mr. President, the same rule provides that—

No Senator shall absent himself from the service of the Senate without leave.

No Senator has a right to be away from this Chamber without leave when the Senate is in session.

Mr. OWEN. And he violates the rule when he does so.

Mr. SMITH of Georgia. He violates the rule when he absents himself without leave. I submit that we are in a position where we are justified, on account of the necessities of the case, to compel the presence of absent Senators.

Mr. SUTHERLAND. Mr. President, the Senator from Georgia forgets that we are acting under an extraordinary power of the Constitution. The Constitution provides:

And a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members, in such manner and under such penalties as each House may provide.

Under that provision of the Constitution the powers to be exercised by less than a quorum must be exercised strictly under the terms of the Constitution.

Mr. SMITH of Georgia. Under the terms of the rule, if the Senator will allow me——

Mr. SUTHERLAND. In pursuance of that——

Mr. SMITH of Georgia. We must follow the rule. I grant that; I did not forget that at all.

Mr. SUTHERLAND. Mr. President, I understood I had the floor.

The PRESIDING OFFICER. The Senator from Utah is suggesting his point of order.

Mr. SUTHERLAND. In pursuance of that provision of the Constitution we have made a rule, and that rule requires:

A majority of the Senators present may direct the Sergeant at Arms to request and, when necessary, to compel the attendance of the absent Senators.

Obviously the request must precede the action of the Senate to compel the attendance of Senators, but it can not be made to appear that it is necessary to compel their attendance until it has been made to appear that the request has been ineffectual. That has been the ruling of the Senate. Authorities were quoted here the other day; I do not know whether the Senator from Georgia was present, but I called attention to one or two of them myself——

Mr. POMERENE. Mr. President——

Mr. SUTHERLAND. In a moment. The Senator from Massachusetts [Mr. LODGE] called attention to some of those authorities.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SUTHERLAND. I said I would yield in a moment, Mr. President.

The PRESIDING OFFICER. The Senator from Utah declines to yield. Will the Senator pardon the Chair for stating that the Chair is ready to rule, but is always glad to hear the distinguished Senator from Utah?

Mr. SUTHERLAND. If the Chair desires to rule and does not desire to hear anything further, very well.

The PRESIDING OFFICER. The Chair will be glad to hear the Senator.

Mr. SUTHERLAND. I was simply proceeding to state that the authorities were produced and read into the RECORD, and I think that nothing to the contrary can be found, that there must be a request made upon the absent Senators to put in an appearance, and that it is only when that request has been shown to be ineffectual that a number of the Senate less than a quorum may resort to the more drastic remedy of compelling the attendance of absent Senators.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. The Senator from Ohio.

Mr. POMERENE. If I may be permitted to suggest, apropos of what the Senator from Utah has just said, the roll call has disclosed the fact that there is not a quorum present. It appears from statements made on the floor of the Senate by Senators that the request has been presented to certain Senators, and they are not in the Chamber. There could be no stronger evidence that that request to date is ineffectual. If it were effectual, a quorum would be here. A quorum is not here; and, therefore, the request has been ineffectual, and for that reason, it seems to me, that all of the preliminary steps have been taken to justify the arrest of absent Members.

Mr. SUTHERLAND. Mr. President, will the Senator permit me to ask him to name the Senators who have been requested to attend?

Mr. POMERENE. The Senator from New Jersey [Mr. HUGHES] stated a moment ago that to his personal knowledge the request had been made of some certain Senators.

Mr. SUTHERLAND. Were they named?

Mr. POMERENE. The Senator from New Jersey did not name them; no.

Mr. FLETCHER. The roll call will establish that.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. SUTHERLAND. I submit that if it appears that any particular Senator has been requested to attend and has not obeyed that request that Senator should be named and a warrant should be issued for him.

Mr. POMERENE. I submit the fact that more than a quorum of Senators are not in the Chamber, and the further fact that it appears from the statement of a Senator that certain Senators have been requested, without naming them, to be present, and it is physically apparent that they are not present, and that we are justified in concluding that more drastic measures are necessary to effectuate their presence.

Mr. CLARK of Wyoming and Mr. OLIVER addressed the Chair.

The PRESIDING OFFICER. The Chair is ready to rule, but does not wish to foreclose Senators, and will hear them.

Mr. CLARK of Wyoming. Mr. President, I wish to ask the Senator from Ohio a question, with his permission.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wyoming for a question?

Mr. POMERENE. I do.

Mr. CLARK of Wyoming. Is it not also true that the best evidence as to whether or not an officer has performed a duty required of him is the return of that officer in some way?

Mr. POMERENE. That is evidence, and it may be evidence of the highest order, but I do not understand that this body regards its rules as so sacred that it is always obliged to have the best evidence. It may be that it is necessary to have the best evidence to persuade certain Senators that the rule has been complied with, but in our innermost hearts we know, and the public knows, that there is not any intention on the part of these Senators to be here unless they are compelled to come.

Mr. CLARK of Wyoming. Well, Mr. President——

Mr. POMERENE. There is a certain amount of respect which is due from those who are here to those who are absent,

and there is a certain other amount of respect which is due to those who are here by those who are absent.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. POMERENE. Yes.

Mr. CLARK of Wyoming. In that connection, I was just going to call the attention of the Senator to the fact that, so far as my observation has gone, the only Senator who has complied thus far with the request of the Sergeant at Arms has been the Senator's colleague [Mr. BURTON].

Mr. STONE. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

Mr. STONE. I should like to inquire of the Senator from Utah, when he says that under the rule a Senator shall be requested before he can be compelled to attend, if he means that there must actually be a request made to him? Suppose a Senator can not be found, and suppose the Sergeant at Arms should adopt every reasonable means of conveying to him the order of the Senate, and still he could not be found and there is still the absence of a quorum, shall the Senate still sit idly and helplessly by without authority under the Constitution of the United States to issue its process to compel the attendance of absent Senators who may be in hiding and can not be found?

Mr. SUTHERLAND. Mr. President, the Senator asks me that question, as I understand?

Mr. STONE. I do.

Mr. SUTHERLAND. Let me ask the Senator a question in return before I answer the question which he propounds. How could the Sergeant at Arms find the Senators to arrest them if he could not find them to request their attendance?

Mr. STONE. That is, of course, another matter. The Sergeant at Arms might take his warrant and search for them; he might search a day for them; he might search a week for them before we could get a quorum here; but are we to wait all that week until he finds them to notify them before we can issue process to compel their attendance? Now, what does the Senator say to that?

Mr. SUTHERLAND. I say "yes" to that, because the rule is—I have already read it—that—

> A majority of the Senators present may direct the Sergeant at Arms to request.

Now, obviously, a motion adopted in the Senate is not a request by the Sergeant at Arms. The rule is that the Senators present, less than a quorum, may direct that the Sergeant at Arms request——

Mr. STONE. Oh, Mr. President, that interpretation would absolutely nullify the Constitution of the United States.

Mr SUTHERLAND. Mr. President, the Senator is in error about that. The Constitution says in plain and explicit terms that less than a quorum may be authorized to do this thing. Now, that must be done, of course, by a rule or by a statute. In the case of the Senate, which makes its own rules independent of the other House, it would be by a rule of the Senate. The Constitution is not self-executing. If the Senate had made no rule upon the subject at all, then even the Senate would be powerless.

Mr. STONE. Well, who is to judge when it is necessary to compel their attendance?

Mr. SUTHERLAND. The rule establishes.

Mr. STONE. The rule speaks out, does it?

Mr. SUTHERLAND. Yes; the rule says that the request shall be made by the Sergeant at Arms, or, rather, that "a majority of the Senators present may direct the Sergeant at Arms to request" their attendance; and when that request is ineffectual, then they may be compelled to attend.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WILLIAMS. If the Senator will pardon me, the rule does not say that less than a majority may direct the Sergeant at Arms to request and after that to compel. The rule says that less than a majority "may direct the Sergeant at Arms to request and, when necessary, to compel." It does not say "after that." The Senate has never ruled that you could not compel until after you had requested.

Mr. SMITH of Georgia. Mr. President, I make the point of order that debate is out of order, and I call for the ruling of the Chair.

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. WILLIAMS. I did not understand the observation of the Chair.

The PRESIDING OFFICER. The Chair is ready to rule, but does not wish arbitrarily to shut off Senators who think that they can contribute something to the discussion.

Mr. WILLIAMS. Very well; if the Chair is ready to rule, I do not care to argue the point of order.

The PRESIDING OFFICER. Section 5 of Article I of the Constitution of the United States reads as follows:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members in such manner and under such penalties as each House may provide.

Thus, the Constitution very plainly confers upon the Senate the power to make its own rules regarding the procuring of the attendance of its Members, and it will be observed that the minority is even given the power to compel the attendance of absent Members. Rule V of the Rules of the Senate contains three clause. These clauses are in pari materia, and should be read together. They are as follows:

> RULE V.
>
> QUORUM—ABSENT SENATORS MAY BE SENT FOR.
>
> 1. No Senator shall absent himself from the service of the Senate without leave. (Jefferson's Manual, sec. 8.)
>
> 2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate. (Jefferson's Manual, sec. 7.)
>
> 3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order. (Jefferson's Manual, secs. 7, 8.)

The Chair is of opinion that it is within the discretion of the Senate to say when such a contingency arises as makes it necessary to compel the attendance of absent Members, and that a minority may take that action.

Mr. SMITH of Georgia. Then, Mr. President, I move the adoption of the following order:

> *Ordered*, That the Sergeant at Arms be directed to use all necessary means to compel the attendance of absent Senators, except those detained on account of sickness.

I add that clause because I understand the Senator from Pennsylvania [Mr. PENROSE], the Senator from Texas [Mr. CULBERSON], and the Senator from California [Mr. PERKINS] are unwell.

Mr. OVERMAN. And the Senator from Illinois [Mr. LEWIS].

Mr. SMITH of Georgia. And the Senator from Illinois [Mr. LEWIS].

Mr. ROBINSON. And also the Senator from Arkansas [Mr. CLARKE].

Mr. SMITH of Georgia. The Senator from Arkansas [Mr. CLARKE] and the Senator from South Carolina [Mr. TILLMAN].

Mr. OLIVER. Mr. President——

Mr. SMITH of Georgia. I wish to except the Senators who, I understand, are not well.

Mr. OVERMAN. They will all get off on that.

The PRESIDING OFFICER. The Secretary will read an additional or supplementary report that has been laid before the Senate by the Sergeant at Arms.

The Secretary read as follows:

> FEBRUARY 9, 1915.
>
> To the PRESIDING OFFICER OF THE UNITED STATES SENATE.
>
> SIR: In obedience to the order of the Senate ordering the Sergeant at Arms to request the attendance of absent Senators, I have the following report to make:
>
> Senator BANKHEAD, no response.
> Senator BORAH, no response.
> Senator BRADY, not at home.
> Senator BURLEIGH, will come.
> Senator BRISTOW, notified and talked with Senator WEEKS.
> Senator CAMDEN, not in.
> Senator CLARKE of Arkansas, not in.
> Senator COLT, no response.
> Senator CUMMINS, will come if sent for.
> Senator DILLINGHAM, not in.
> Senator HOLLIS, here.
> Senator KENYON, not in.
> Senator LEWIS, no response.
> Senator LODGE, no reply.
> Senator MCCUMBER, will come if sent for.
> Senator SMITH of Michigan, coming.
> Senator SMOOT, coming.
> Senator STERLING, will come if sent for.
> Senator SWANSON, sick.
> Senator TOWNSEND, sick.
> This is as far as we have gotten with the call.
>
> Respectfully, yours,
>
> CHARLES P. HIGGINS,
> *Sergeant at Arms, United States Senate.*

Mr. OLIVER. Mr. President——

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia.

Mr. SMITH of Georgia. I yield to the Senator from Pennsylvania.

Mr. KENYON. Mr. President——

Mr. OLIVER. Mr. President, I have listened to the very full return of the Sergeant at Arms, but I fail to notice there anything with regard to Senators who are at present in the Capitol. An hour ago there was——

Mr. SMITH of Georgia. Mr. President, I make the point of order that the Senator is out of order.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. The motion is not debatable.

Mr. SMITH of Georgia. The motion is not debatable.

Mr. OLIVER. I do not wonder that the Senator does not want to hear the truth to-night.

Mr. SMITH of Georgia. I do not want the Senator to speak when he has not a right to speak.

Mr. OLIVER. I have spoken, and it is going in the RECORD.

The PRESIDING OFFICER. The Senate will be in order. The motion is not debatable.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. For what purpose does the Senator from Iowa rise?

Mr. KENYON. I rose to answer to my name, if I could.

The PRESIDING OFFICER. The Secretary will call the Senator's name.

Mr. KENYON. I was at my office to-night, and I was not notified.

The Secretary called the name of Mr. KENYON, and he answered "Present."

The PRESIDING OFFICER. The question is on the motion submitted by the Senator from Georgia to direct the Sergeant at Arms to compel the attendance of absent Senators.

The motion was agreed to.

Mr. ROBINSON entered the Chamber and answered to his name.

Mr. WILLIAMS. Am I recorded, Mr. President?

The PRESIDING OFFICER. The Secretary will call the Senator's name.

The Secretary called the name of Mr. WILLIAMS, and he answered "Present."

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. SUTHERLAND. I desire to make a parliamentary inquiry. I desire to inquire whether or not the Sergeant at Arms has invited those Senators to attend the session of the Senate who are at present in the room of the President of the United States—I think Mr. LEA of Tennessee and some others?

The PRESIDING OFFICER. That is hardly a parliamentary inquiry; but the Chair will cause that investigation to be made.

Mr. OVERMAN. Mr. President, is that a parliamentary inquiry?

The PRESIDING OFFICER. No; that is not a parliamentary inquiry.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. I offer the supplementary order, which I send to the desk and ask its adoption.

Mr. HOLLIS. Mr. President, I wish to answer to my name.

The PRESIDING OFFICER. The Secretary will call the Senator's name.

The Secretary called the name of Mr. HOLLIS, and he answered "Present."

Mr. SMITH of Arizona, Mr. HUGHES, Mr. SHIVELY, Mr. JOHNSON, and Mr. SAULSBURY entered the Chamber and answered to their names.

The PRESIDING OFFICER. The Senator from Florida proposes an order, which the Secretary will read.

The Secretary read as follows:

IN THE SENATE OF THE UNITED STATES.

Whereas under the rules of the Senate a call of the Senate was ordered; and

Whereas the following-named Senators are absent without leave of the Senate, to wit: Messrs. BANKHEAD, BORAH, BRADY, BRISTOW, CAMDEN, CRAWFORD, COLT, DILLINGHAM, DU PONT, FALL, GALLINGER, HARDWICK, HITCHCOCK, MCCUMBER, MCLEAN, O'GORMAN, ROOT, STERLING, and WORKS; and

Whereas it is necessary to compel the attendance of said absent Senators: Therefore it is

Ordered, That the Sergeant at Arms be, and hereby is, directed to compel the attendance on the Senate of said named absent Senators; and it is further

Ordered, That warrants for the arrest of said Senators be issued under the signature of the Presiding Officer, attested by the Secretary; and that the Sergeant at Arms be, and hereby is, directed to execute such warrants forthwith by arresting each of said named Senators and bringing them, and each of them, before the bar of the Senate, and that he make due return to the Senate of the execution of said warrants, and that this order shall be continuing until fully executed, unless otherwise ordered by the Senate.

During the reading of the order,

Mr. CUMMINS. Mr. President——

Mr. HUGHES and others. Regular order!

Mr. CUMMINS. Mr. President, I rise to a question of privilege. I have been directed to attend upon the session of the Senate, and I am here, and I desire to answer to my name.

The PRESIDING OFFICER. The Senator will wait until the proposed order has been read; then he will be recognized at once.

The Secretary resumed and concluded the reading of the proposed order.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. The Senator from Iowa is entitled to the floor.

Mr. CUMMINS. I desire to say that I am here, ready to answer to my name. I do not care to be arrested again.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SUTHERLAND. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mr. CUMMINS. Mr. President, I desire to have my name called.

The PRESIDING OFFICER. The Secretary will call the Senator's name.

The Secretary called the name of Mr. CUMMINS, and he answered "Here."

Mr. CLARK of Wyoming. I desire to raise a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Wyoming. It relates to the proposition just submitted by the Senator from Florida [Mr. FLETCHER]. The Sergeant at Arms already has an order from the Senate for the arrest of absent Senators. Until that order is executed no other business can come before the Senate, and this is other business.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. This is not other business; it is simply formal authority and direction to the Sergeant at Arms. It is not an additional power or authority.

Mr. CLARK of Wyoming. I ask for a ruling on the point of order.

Mr. FLETCHER. It supplements and directs specifically what he is to do.

Mr. CLARK of Wyoming. I call the Senator from Florida to order, Mr. President.

Mr. GORE and others. Regular order!

The PRESIDING OFFICER. The point of order is——

Mr. OLIVER. Mr. President——

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senators will please suspend.

Mr. FLETCHER. I ask that the name of the Senator from Iowa [Mr. CUMMINS] be omitted from the list, of course.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. The point of order made by the Senator from Wyoming is very respectfully overruled.

Mr. OLIVER. Mr. President, a point of order.

The PRESIDING OFFICER. Not at this time. Forty-nine Senators having answered to their names, a quorum is present.

Mr. OLIVER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. OLIVER. I make the point of order that an order to compel the attendance of absent Senators can only be made by less than a quorum——

The PRESIDING OFFICER. The point of order is overruled.

Mr. OLIVER (continuing). And that a quorum now being present the order can not be made.

The PRESIDING OFFICER. The point of order is overruled.

Mr. JAMES. It has always been overruled, Mr. President.

Mr. SMOOT. Mr. President——

Mr. LIPPITT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state his parliamentary inquiry.

Mr. LIPPITT. I should like to inquire if the list that was read contained the names of all the Senators who had not then answered to the roll call.

Mr. HUGHES. Mr. President, that is not a parliamentary inquiry.

Mr. JAMES. That is not a parliamentary inquiry.

Mr. HUGHES. Regular order, Mr. President.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. JAMES. The record speaks for itself, and the Senator can look at the record.

The PRESIDING OFFICER. The point of order is sustained.

Mr. SMOOT. Mr. President——

Mr. LIPPITT. What did I understand the Chair to hold?

The PRESIDING OFFICER. The point of order made by the Senator from Kentucky is sustained.

Mr. LIPPITT. That it was not proper for me to ask if the list of names was a complete list?

Mr. JAMES. Why, certainly, Mr. President.

Mr. HUGHES. Regular order, Mr. President.

The PRESIDING OFFICER. The Senators will permit the Chair to put the question.

Mr. LIPPITT. May I say one thing to the Chair?

The PRESIDING OFFICER. Certainly.

Mr. JAMES. Regular order!

Mr. HUGHES. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Chair has recognized the Senator from Rhode Island to state a point of order. He has that right.

Mr. HUGHES. Mr. President, that is just the point I want to bring up.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. HUGHES. The point of order is that the Senator from Rhode Island did not ask permission to make a parliamentary inquiry or to state a point of order. He asked to "say one thing" to the Presiding Officer. With all due respect to the Presiding Officer, he has no right at this stage to submit to anything except a parliamentary inquiry or a point of order.

Mr. LIPPITT. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to make a parliamentary inquiry?

Mr. LIPPITT. It was in explanation of the parliamentary inquiry which I made.

Mr. HUGHES. It has already been overruled.

Mr. LIPPITT. You will find, Mr. President, that when a point of order is made the Chair has a right to inquire for his own information from a Senator the reason for his making the point. If I may say so with all courtesy, the Chairman has done it himself during the evening once or twice, and it has been done by other occupants of the chair over and over again.

The PRESIDING OFFICER. Is the Senator making a point of order?

Mr. LIPPITT. I am. I am making a parliamentary inquiry, on which I ask the privilege of giving the Chair some information.

The PRESIDING OFFICER. The Chair is unable to give the information. The question now before the Senate is——

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Let the Chair state the question.

Mr. LIPPITT. I am not asking the Presiding Officer to give me information. I am asking that I may be allowed to give it to him.

Mr. WILLIAMS. That is not a point of order.

The PRESIDING OFFICER. The Chair is obliged to put the question, which is as follows——

Mr. SMOOT. Mr. President, I have just entered the Chamber——

The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. I should like to ask the Chair if a roll call is in progress at the present time. If so, I should like to answer "present" to that roll call.

The PRESIDING OFFICER. Not at this time. A quorum has been disclosed.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

Mr. MYERS. I desire the RECORD to disclose that I am present.

The PRESIDING OFFICER. That will be recorded.

Mr. SMOOT. Mr. President, I simply desire to state that I was notified a few minutes ago by the Sergeant at Arms that a quorum was desired, and I wish to report that I am in the Chamber.

Mr. LIPPITT. Mr. President——

The PRESIDING OFFICER. The question is, Shall the motion to lay the appeal on the table be sustained? That motion is not debatable.

Mr. LIPPITT. I rise to make a motion.

SEVERAL SENATORS. Regular order!

The PRESIDING OFFICER. The regular order is——

Mr. LIPPITT. I want to amend the order as proposed.

Mr. WILLIAMS. Mr. President, I make the point of order that you can not amend a motion to lay on the table, nor can you discuss it.

The PRESIDING OFFICER. The question is, Shall the appeal be laid on the table? [Putting the question.] By the sound——

Mr. OLIVER. The yeas and nays have been ordered on that, Mr. President.

Mr. CLARK of Wyoming. The yeas and nays have been ordered.

Mr. LIPPITT. The yeas and nays have been ordered on that question.

Mr. REED. What is the appeal?

The PRESIDING OFFICER. The question is, Shall the appeal be laid upon the table? The Secretary will call the roll.

Mr. REED. What is the motion?

Mr. OVERMAN. Not a sufficient number seconded the call for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. OVERMAN. I do not think they have been ordered.

Mr. SMOOT. Oh, yes.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. OWEN. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. OWEN. I should like to know just what the question is that is before the Senate.

The PRESIDING OFFICER. The question is on laying upon the table an appeal taken from the ruling of the Chair.

Mr. LIPPITT. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. LIPPITT. It is that a roll call can not be interrupted for any such purpose. A roll call is now proceeding.

Mr. OWEN. Mr. President, I had not exhausted my inquiry.

The PRESIDING OFFICER. The Secretary will resume the calling of the roll.

The Secretary resumed the calling of the roll.

Mr. LEA of Tennessee (when his name was called). I have a pair with the senior Senator from South Dakota [Mr. CRAWFORD]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

The roll call was concluded.

Mr. LEA of Tennessee. I transfer my pair with the senior Senator from South Dakota [Mr. CRAWFORD] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. HOLLIS (after having voted in the affirmative). I have a pair with the junior Senator from Maine [Mr. BURLEIGH]. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN] and will allow my vote to stand.

Mr. OVERMAN (after having voted in the affirmative). I have a pair with the senior Senator from California [Mr. PERKINS]. He has not voted, and I therefore withdraw my vote.

Mr. THOMAS. I transfer my pair with the senior Senator from New York [Mr. ROOT] to the junior Senator from Louisiana [Mr. RANSDELL] and will vote. I vote "yea."

Mr. CHILTON (after having voted in the affirmative). I did not announce my pair with the senior Senator from New Mexico [Mr. FALL]. I believe, from what I can understand, that he would vote as I vote, and I will therefore allow my vote to stand.

Mr. OVERMAN. In order to make a quorum, as I am satisfied the Senator from California if present would vote as I do, I will vote. I vote "yea."

Mr. FLETCHER. Mr. President, I asked for a vote on the order that I offered some time ago.

The PRESIDING OFFICER. That is true, but the announcement has not been made of the previous vote. That will be in order just as soon as the announcement shall be made.

Mr. HUGHES. Mr. President, a parliamentary inquiry. Can not the announcement be hurried up?

Mr. BRANDEGEE. I should like to have it announced how many Senators have voted.

The PRESIDING OFFICER. Just as soon as the Chair receives that information the result will be announced to the Senate. In order to make a quorum, the Chair will vote. The Chair votes "yea."

The result was announced—yeas 47, nays 2, as follows:

YEAS—47.

Ashurst	Cummins	Kenyon	Myers
Brandegee	Gore	La Follette	Oliver
Bryan	Gronna	Lane	Overman
Catron	Hollis	Lea, Tenn.	Owen
Chilton	Hughes	Lee, Md.	Page
Clapp	James	Lippitt	Pittman
Clark, Wyo.	Johnson	Martine, N. J.	Pomerene

Robinson	Shively	Smoot	Warren
Saulsbury	Simmons	Sutherland	Weeks
Shafroth	Smith, Ariz.	Thomas	White
Sheppard	Smith, Ga.	Thompson	Williams
Shields	Smith, S. C.	Thornton	

NAYS—2.

Jones	Reed

NOT VOTING—47.

Bankhead	Dillingham	McLean	Smith, Md.
Borah	du Pont	Martin, Va.	Smith, Mich.
Brady	Fall	Nelson	Stephenson
Bristow	Fletcher	Newlands	Sterling
Burleigh	Gallinger	Norris	Stone
Burton	Goff	O'Gorman	Swanson
Camden	Hardwick	Penrose	Tillman
Chamberlain	Hitchcock	Perkins	Townsend
Clarke, Ark.	Kern	Poindexter	Vardaman
Colt	Lewis	Ransdell	Walsh
Crawford	Lodge	Root	Works
Culberson	McCumber	Sherman	

So the appeal from the decision of the Chair was laid on the table.

The PRESIDING OFFICER. The question recurs on the motion proposed by the Senator from Florida [Mr. FLETCHER].

Mr. SUTHERLAND. I desire to move an amendment to that motion.

Mr. JAMES. I make the point of order that an amendment is not in order.

Mr. SUTHERLAND. Mr. President, the Senator on reflection will not make such a point of order as that any motion of this character is not amendable.

The PRESIDING OFFICER. The motion is not debatable.

Mr. SUTHERLAND. I am not undertaking to debate it. I am undertaking to amend it. I was going to suggest this amendment if permitted to do so.

Mr. JONES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JONES. I wish to ask whether or not this proceeding will take me from the floor. I had the floor when an appeal was taken.

Mr. WILLIAMS. I make the point of order that the inquiry is not in order.

The PRESIDING OFFICER. The point of order made by the Senator from Mississippi is sustained. The Secretary will read the order submitted by the Senator from Florida.

The Secretary read as follows:

IN THE SENATE OF THE UNITED STATES.

Whereas under the rules of the Senate a call of the Senate was ordered; and

Whereas the following-named Senators are absent without leave of the Senate, to wit: Messrs. BANKHEAD, BORAH, BRADY, BRISTOW, CAMDEN, CRAWFORD, COLT, DILLINGHAM, DU PONT, FALL, GALLINGER, HARDWICK, HITCHCOCK, MCCUMBER, MCLEAN, O'GORMAN, ROOT, STERLING, and WORKS; and

Whereas it is necesary to compel the attendance of said absent Senators: Therefore it is

Ordered, That the Sergeant at Arms be, and hereby is, directed to compel the attendance on the Senate of said named absent Senators; and it is further

Ordered, That warrants for the arrest of said Senators be issued under the signature of the Presiding Officer, attested by the Secretary, and that the Sergeant at Arms be, and hereby is, directed to execute such warrants forthwith by arresting each of said named Senators and bringing them, and each of them, before the bar of the Senate, and that he make due return to the Senate of the execution of said warrants, and that this order shall be continuing until fully executed, unless otherwise ordered by the Senate.

Mr. SUTHERLAND. I offer the following amendment, to add to the names given in the list the names of the Senator from Maine [Mr. JOHNSON], the Senator from Virginia [Mr. MARTIN], the Senator from New Jersey [Mr. MARTINE]——

Mr. MARTINE of New Jersey. Oh, I am here.

Mr. WILLIAMS. The Senator from Maine [Mr. JOHNSON] is here and answered to his name.

Mr. SUTHERLAND. Let me state my amendment before any exposure.

Mr. JAMES. Everyone mentioned by the Senator is in the Chamber and has answered to his name.

Mr. SUTHERLAND. They had not answered when I rose.

The PRESIDING OFFICER. Debate is out of order.

Mr. SUTHERLAND (reading). The Senator from Nevada [Mr. NEWLANDS], the Senator from Nebraska [Mr. NORRIS], the Senator from Louisiana [Mr. RANSDELL] the Senator from Maryland [Mr. SMITH]——

Mr. JAMES. The Senator from Maryland [Mr. SMITH] is here.

Mr. SUTHERLAND. Has he just arrived? I am glad he is here. And the Senator from Virginia [Mr. SWANSON].

Mr. SMITH of Georgia. The Senator from Virginia [Mr. SWANSON] is detained at home by illness, and has been so reported by the Sergeant at Arms.

Mr. MARTINE of New Jersey. I am not debating any proposition, but I wish to state to the Senator from Utah I can not understand how, in the name of Heaven——

The PRESIDING OFFICER. The Senator from New Jersey will pardon the Chair. He did not receive recognition.

Mr. WILLIAMS. I move to lay the amendment of the Senator from Utah on the table.

Mr. BRANDEGEE and Mr. OLIVER called for the yeas and nays, and they were ordered.

Mr. FLETCHER. I was going to ask to have stricken from the list the Senator from Utah [Mr. SMOOT], who has appeared in the Chamber, and the Senator from Minnesota [Mr. NELSON], who is not well.

The PRESIDING OFFICER. The question is, Shall the amendment of the Senator from Utah be laid on the table, on which the yeas and nays have been ordered.

The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH].

Mr. LEA of Tennessee (when his name was called). Transfering my pair as before, I vote "yea."

Mr. OVERMAN (when his name was called). I again announce my pair with the senior Senator from California [Mr. PERKINS], and withhold my vote unless it is necessary to make a quorum.

Mr. SAULSBURY (when his name was called). I make the same transfer as before, and vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE], and withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a pair with the senior Senator from Vermont [Mr. DILLINGHAM], which I transfer to the Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. MARTIN of Virginia (when Mr. SWANSON's name was called). My colleague [Mr. SWANSON] is detained at home by sickness. He is paired with the Senator from Michigan [Mr. TOWNSEND].

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT], who is absent, and therefore I withhold my vote. I desire to be counted as present for the purpose of a quorum.

The roll call having been concluded, the result was announced—yeas 37, nays 13, as follows:

YEAS—37.

Ashurst	Kern	Reed	Stone
Bryan	Lea, Tenn.	Robinson	Thompson
Chamberlain	Lee, Md.	Saulsbury	Thornton
Chilton	Martin, Va.	Shafroth	Vardaman
Fletcher	Martine, N. J.	Sheppard	Walsh
Gore	Myers	Shields	White
Gronna	Owen	Simmons	Williams
Hughes	Pittman	Smith, Ariz.	
James	Pomerene	Smith, Md.	
Johnson	Ransdell	Smith, S. C.	

NAYS—13.

Catron	Jones	Oliver	Weeks
Clapp	Kenyon	Page	
Clark, Wyo.	Lane	Smoot	
Cummins	Lippitt	Sutherland	

NOT VOTING—46.

Bankhead	Dillingham	McLean	Smith, Ga.
Borah	du Pont	Nelson	Smith, Mich.
Brady	Fall	Newlands	Stephenson
Brandegee	Gallinger	Norris	Sterling
Bristow	Goff	O'Gorman	Swanson
Burleigh	Hardwick	Overman	Thomas
Burton	Hitchcock	Penrose	Tillman
Camden	Hollis	Perkins	Townsend
Clarke, Ark.	La Follette	Poindexter	Warren
Colt	Lewis	Root	Works
Crawford	Lodge	Sherman	
Culberson	McCumber	Shively	

So Mr. SUTHERLAND's amendment was laid on the table.

Mr. FLETCHER. Mr. President——

Mr. CLARK of Wyoming. Mr. President, I make a point of order——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Wyoming?

Mr. FLETCHER. No; I do not yield.

Mr. CLARK of Wyoming. I am not asking the Senator to yield. I am making a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. CLARK of Wyoming. My point of order is that a quorum being present, this motion is not in order, inasmuch as Senators can not be arrested except when a quorum is not present. I call the attention of the Chair to the rule.

The PRESIDING OFFICER. The point of order is overruled.

Mr. CLARK of Wyoming. I wish to read the rule.

Mr. FLETCHER. Let me make this statement. I do not care to debate it or consider it. I am not admitting the ground of the point of order, but I ask leave to withdraw the motion or order.

Mr. CLARK of Wyoming. That is quite satisfactory.

The PRESIDING OFFICER. The Senator from Florida withdraws the proposed order.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. The Senator from Washington.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. No; I do not.

The PRESIDING OFFICER. The Senator from Washington will proceed.

Mr. JONES. Mr. President, I am sorry that I have lost so much valuable time. I might have been through if this interruption had not occurred. I was calling attention to the fact that the majority under the ruling of the fair and honorable Chairman has gotten back once more to the Constitution of the United States. I am certainly glad of it, and I want to call attention to the fact upon which I base this statement, so that the amen corners may fully understand it; not only the amen corner of Tacoma, but the various amen corners throughout the country.

Some time ago a ruling was made by the Chair that, even though there were only two or three Senators present in the Chamber, a Senator could not rise and interrupt a Senator who was speaking to raise the point of no quorum without the consent of the Senator speaking and without taking him from the floor. This ruling was sustained by the majority of the Senate. It seemed to me at the time perfectly clear that under the Constitution of the United States and under the rules of this body the point of the presence of a quorum can be made at any time except when the Senate is dividing, and that such ruling was not only unconstitutional and deprived a Senator of his rights on this floor, but also that it is in plain violation of the rules of the Senate.

I am glad that the Senator from Florida insisted upon what I think is his constitutional right to make the point of no quorum without asking permission to interrupt a Senator, and that the honorable Senator in the chair, with his usual fairness and with the justice that I expected from him, upheld the right of the Senator from Florida to make such a point of order without depriving me of my right to the floor.

Now, Mr. President, I certainly hope that this right will not be abused. I would not feel disposed to make the point of order simply to obstruct the business of the Senate. I believe that it would not be proper to do that.

So I feel satisfied that this rule which we have followed for a long time, that has been followed because it was recognized that this was one of the rights under the Constitution of a Senator, will not be used improperly.

Now, I want to call the Amen Corner's attention also to another fact, a ruling of our friends on the other side. They have held that even if a Senator has the right to interrupt another Senator without his consent and without taking him from the floor to raise the point of no quorum, that that point can not be raised if nothing has intervened between that time and the last roll call except debate, no matter how extensive the debate may be.

Mr. President, it seems to me that that rule is one without any foundation in justice. It seems to be based upon a precedent that was made several years ago. A Senator had the floor and was speaking against a bill, had raised the point of no quorum, and a roll call had been had. A quorum was disclosed, and then, after just a word or two of debate probably, not any hardly at all, he again raised the point of no quorum, and it was held in that case that business had not intervened. It seems to me that a case like that is not applicable where legitimate and reasonable extensive debate has intervened.

It seems to me that debate upon the merits of a bill is business; that it is the real business of the Senate; and to hold that that is not business, but that the presentation of a petition or the mere recording of the vote, the recording of the verdict that we have reached after discussion is business, is illogical and unreasonable. I think the discussion of these various measures is the more important of the business in the consideration of a measure. The mere recording of the vote, the mere recording of the verdict of this body, which it has reached after discussion, after consideration, is less important than the discussion of the measure iself.

As I said, I regret very much this interruption. I do not understand why it occurred; I do not understand why the majority consumed all this valuable time here for nearly an hour and a half that I thought I was using, with some consideration for them, at least. I do not understand why they used that, unless it was in accordance with their filibuster that they have been conducting here for over a week with reference to this measure, while they have indicated this afternoon that they wanted to proceed to a vote on this bill. They either have gotten into such a habit of filibustering that they can not stop it all at once or they have not yet finished their filibustering; but they certainly unnecessarily consumed about an hour and a half of the time of the Senate, which I think, under the circumstances, is very valuable.

I notice another fact that I want to call the attention of the Amen Corners of the country to, and that is this: The majority here have been trying to get a quorum for some little time; having called the roll, they found that there were certain absentees, and they issued an order directing the attendance of those absentees. Then a subsequent order was issued naming certain Senators whom the roll call showed to be absent. I want to call the attention of the amen corner to the fact that that list omitted the names of certain Senators who did not answer the roll call, who have not answered it to-night, who are absent, and yet they were left out of this proposed list. Why? I do not know. When the amendment was offered to insert the names of those Senators the majority voted to lay the amendment on the table. Why they want to show such favoritism I do not know. I do not object. The only ones who have a right to object are those whose names were omitted. It puts them in a rather embarrassing position. Some of them voted against taking a recess at 6 o'clock, and they have not been here to-night. They have not been put on the list to be arrested and brought here, and I leave it to the amen corner to surmise as to why this favoritism is shown by the majority.

Mr. President, just before the point of no quorum was made I was starting, at the suggestion of the Senator from Minnesota [Mr. CLAPP], to explain the difference between a recess and an adjournment of the Senate, and I think I shall proceed to do that in the best way that I can, so that the amen corners throughout the country can fully understand just exactly what effect a recess has upon the business of the Senate and what effect an adjournment has upon the business of the Senate.

Mr. President, we refused to take a recess this evening. A motion was made to take a recess until 11 o'clock. What would have been the effect of that motion if it had carried? The effect would simply have been to have continued this legislative day, which is also the legislative day of, I think, last Friday, February 5. If we had taken a recess this evening to meet at 11 o'clock to-morrow, that would have still been the legislative day of the 5th of February. No petitions could have been presented except by putting them in the basket or handing them to the Secretary; no bills could have been introduced, except those of a private nature, which could have been introduced here simply by handing them to the Secretary; no petitions could have been presented by a Senator on the floor of the Senate except by unanimous consent; no bill could be reported; no committee could submit a report; nothing could be done except to proceed with the consideration of the bill which is now under consideration; in other words, the effect of a recess from one day to the next day is to cut off all business except that which was the unfinished business at the time the recess was taken.

If we had adjourned last evening—had taken just an ordinary adjournment—we would have then met at 12 o'clock to-day. We would have commenced a new legislative day. Every Senator who had not spoken on this bill, or on some proposition connected with it, could have spoken twice on the bill and on any distinct proposition connected with it. Petitions could be presented; we would have had what we call the morning hour, which might run until 2 o'clock; bills could be introduced, petitions presented, reports of committees made, and resolutions coming over from the preceding day could have been taken up and considered; and we might have proceeded to the consideration of the calendar, and have taken up bills on the calendar, unless, after the close of the morning business, or at the close of the morning hour, the Senator in charge of the unfinished business might have moved to take it up and proceed with its consideration, or any Senator could move to proceed to the consideration of any other bill. At 2 o'clock the unfinished business would come before the Senate.

By taking the recess, then, from day to day, we cut off all this intervening business—the right of petition, the right of presenting bills, and so forth, continue the legislative day, and continue the unfinished business on that calendar day.

Mr. President, I was considering the bill as first introduced by the Senator from Missouri [Mr. STONE]. I had read section 7 and section 8 of the bill and had called attention to the point brought out very clearly by the Senator from Nebraska with reference to those provisions. Now I desire to read section 9 of the bill:

SEC. 9. That the President of the United States shall at any time have the right, upon giving written notice of his intention to the corporation using the vessels under the provisions of this act, to take possession for use as naval auxiliaries in the United States Navy, or for other purposes, of any vessels used by such corporation at a reasonable price or rental.

That, of course, Mr. President, is a very wise provision in the measure. It might occur to those who have not given the entire bill very much consideration that the right to pass this bill may be founded upon the right of the Government to provide naval auxiliaries. This point has been referred to quite a number of times in the discussion; but it is not amiss to say that that is not the primary and the fundamental purpose of the bill. The primary and fundamental purpose of the bill is disclosed in the first section of the bill, and is shown clearly to be to enable the United States, through a corporation, to buy merchant ships and operate them in the carrying trade of the country.

I have seen it stated from very high authority that these ships can not be constructed so as to be suitable for mercantile purposes and also suitable for naval auxiliaries. I am not an expert; I do not know very much about that; but it seems to me that it would be a very doubtful thing to do; and that these vessels would not be very suitable for mercantile purposes if they were properly built for use as naval auxiliaries. I suppose, however, they could be so constructed as to be changed and made available in a reasonable way for that purpose, so that I see no serious objection to that feature of the bill.

SEC. 10. That a detailed statement of all expenditures under this act and of all receipts hereunder shall be submitted to Congress at the beginning of each regular session.

Mr. President, why is that required if these are not vessels of the United States, if this is not really the operation of merchant ships by the United States itself?

Then section 11 provides:

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000.

Now, I simply want to say, with reference to that section, that I remember the time during the last 16 years when if a bill were to originate in the Senate providing directly for an appropriation of money when it went over to the House of Representatives, it would not be considered there at all, but the House would report its own measure and send it over to this body, insisting that it alone had the right to originate appropriation bills. I am not going to argue that proposition here. I suppose that no question of that kind would be raised at this time, although I think ordinarily another body, the action of which we probably may not refer to in a parliamentary way, would not permit the passage of a measure appropriating $10,000,000 directly, as this measure does, and originating in the Senate, as it does.

SEC. 12. That this act shall take effect from its passage.

Mr. President, that bill was introduced on the 9th day of December. Everybody recognizes that it is a very important measure; everybody recognizes that it involves many important questions upon which there is a great difference of opinion in the country, and questions as to the effect of which upon our country and its industries there is a great difference of opinion. It is usual and customary in cases of this kind for the House or the Senate to have hearings upon these important measures, to give the people of the country who are interested in them an opportunity to be heard, to present their views, and to point out the good effects and the ill effects that are likely to come from the legislation. We generally assume that men who are familiar with certain lines of business, with the methods of conducting certain lines of business, are better able to tell what should be done and what the effect of legislation will be along certain lines than anybody else. I know that it seems as though the Congress acts sometimes upon the theory that those who know the most about certain lines of business are the ones who should be consulted the least with reference to legislation along those lines; that those who know the most about certain propositions are the least able to advise Congress as to what ought to be done and what ought not to be done.

In this case I understand—I do not know, but I am pretty reliably informed—that requests were made for hearings before the committee, at least that certain members of the committee asked that hearings might be had, and that those requests were refused. I am not a member of the committee, and therefore I can not say whether that is true or not; but the fact appears from the records that while this bill was introduced on December 9 it was reported back by the Senator from Florida [Mr. FLETCHER] on December 16, 1914, or just seven days from the time it was introduced, and that, as a matter of fact, there were no hearings upon it. The committee did not listen to anybody who knew anything about shipping; it did not listen to anybody who knew anything about the merchant marine industry; it did not listen to anybody who knew anything about the possible lines of industrial development that might be followed by any ships they might purchase; they did not call anybody before the committee to find out anything about what vessels could be bought or secured if the act were passed. They did not find out anything about what it would cost to build a vessel, and, strange to say, when the matter was up for discussion on the floor and the Senator from Florida was asked what it would cost to build a vessel, he did not know, but had to refer to a statement of some Senator on this side, who said he understood that vessels could be built for about $50 a ton. So they knew nothing about the business they are going into; they knew nothing about how many vessels they could acquire under the appropriation they provide; they knew nothing about how many vessels they could build for the money; they knew nothing about what it would cost to operate those vessels; they knew nothing about whether they would be operated, how they would get business, how they would have terminal facilities, how they would have means of loading and unloading, where they would get their sailors, or anything on the subject. They just simply brought in here a proposition to enable the United States, through a shipping board, to take $30,000,000 of the people's money, possibly $40,000,000, and invest it in this undertaking. They are simply jumping in the dark. They want to build up the merchant marine, as we all do, and they think all that is necessary is to appropriate some money to do it. Why, Mr. President, a business man who would proceed along that line would go into bankruptcy in a very short while, and, in my judgment, any legislation undertaken in that way and with such little consideration will bring this enterprise also into bankruptcy in a very short time.

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. No; I do not yield. I should like very much to do so; but I want to get through as soon as possible, and I do not feel that I should take the time to yield. I have quite a lot of matter here that I wish to consider.

Mr. GORE. I will say——

Mr. JONES. Mr. President, this bill——

Mr. GORE. I wish to ask a question.

Mr. JONES. No; I do not yield.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. I do not yield at all. Mr. President, I should like very much, of course, to yield to the Senator, but I have been very liberal, I think, in yielding to-night, and if I should yield to all interruptions I would not be able to get through in a reasonable time, and I do not want to detain the Senate too long. I have quite a bit of matter that I want to get over, so I shall have to refuse to yield.

Mr. GORE. I wish to ask that the Senator's time be extended.

Mr. JONES. I shall have to refuse to yield to anyone from now on until I am able to conclude my remarks. I am glad to say that in this body we do not have to have time extended. We do not have to go to anybody to ask him for time here, as they do in some other legislative bodies that it would not be proper for me to refer to, and therefore I will not do it. This is the one body yet where we can have discussion and deliberation upon matters of legislation.

As I said, on December 16 the bill was reported by Mr. FLETCHER with amendments. Now, I want to read the bill as reported from the committee.

Mr. GORE. Mr. President——

Mr. JONES. I feel that I ought to read this.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES. I can not yield, Mr. President.

Mr. GORE. I rise to a point of order.

Mr. JONES. I do not yield at all, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma rises to a point of order. The Senator will state it.

Mr. GORE. I make the point of order that the Senator from Washington is discussing the merits of the pending bill, which, under section 120 of Mr. Reed's rules of parliamentary practice,

he is not privileged to do pending a motion to recommit, for the obvious reason that if the measure is recommitted and is never reported back there is no occasion to waste the time of the Senate in its discussion, and if it is recommitted and reported back it is then before the Senate for discussion. I send to the Chair Mr. Reed's work on parliamentary law, and call the Chair's attention to section 120.

The PRESIDING OFFICER. The Chair thinks the point of order is not well taken, and therefore overrules it.

Mr. GORE. I should be glad to have the rule read into the RECORD, so those who chance to read the RECORD will understand why I raised the point of order.

The PRESIDING OFFICER. The Chair does not care to have that done. It is not in order.

Mr. JONES. I do not yield, Mr. President.

The PRESIDING OFFICER. The Senator from Washington will proceed.

Mr. JONES. I simply want to suggest to the Senator from Oklahoma that we are not acting under the rules of order as practiced in the House of Representatives.

Mr. GORE. Mr. President, I should like to say——

Mr. JONES. I do not yield, Mr. President.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. GORE. Very well. I do not care to have the Senator misrepresent my suggestion, however.

Mr. JONES. The bill was reported by Mr. FLETCHER on December 16. I desire to read the bill as reported. I simply want to suggest to the amen corners throughout the country that I should be very glad indeed if they would watch the RECORD here to see how technical our friends on the other side sometimes get, and to see how anxious they are to preclude the discussion of this measure, and to see why it is not possible for us to make a "frontal attack," as my friend suggested in his letter.

After the title of the bill, which is the same as it was when it was offered, the bill is reported as follows:

Be it enacted, etc., That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia upon the terms and conditions herein mentioned.

Mr. President, it will be noted that they still have the blanket clause in here with reference to the organization of the corporation. It can be organized anywhere throughout the country where there is any law under which it can be organized. They did not know whether there was any State that had any law under which this organization could be perfected, and apparently they had made no investigation of that subject when they reported the bill. It was after the bill was reported from the committee that the discussion was had upon it and that point was made clear, and they afterwards made amendments which covered it.

SEC. 2. That the object of such corporation shall be the purchase, construction, equipment, maintenance, and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere to meet the requirements of the foreign commerce of the United States—

Here is where the committee reports an amendment to the bill. It is in lines 5, 6, 7, 8 and 9, and this is the language of the amendment that the committee reports:

Or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board.

Mr. President, it will be noted that under that amendment the shipping board could lease these vessels for a term of 99 years or a term of a thousand years, so far as any limitation in the bill is concerned. It could lease them to another corporation or to private individuals, just so the purposes were defined by the shipping board.

The initial capital stock of such corporation shall not be over $10,000,000, of the par value of $100 per share, but the shipping board, with the approval of the President, may consent to or cause an increase of the capital stock from time to time, as the interests of the corporation may require: *Provided*, That the United States shall subscribe for 51 per cent of each and every such increase. The United States shall subscribe for 51 per cent of such stock at par, and the remainder thereof shall be offered for public subscription. The United States may further subscribe at par to an amount of such stock equal to that not taken by public subscription. Such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States.

I might just as well suggest right here what has been suggested in the argument already, and that is that while this bill provides that private parties may subscribe to 49 per cent of this stock, as a matter of fact there will be no private subscriptions for the stock. There has not been any suggestion by the friends of the bill that they know of anybody who would be willing to subscribe for this stock. There has not been any statement made here that anyone has proposed to subscribe for it or has offered to subscribe for it. It seems to be generally conceded that no private parties will subscribe for any of this minority stock, but that it will be taken by the Government of the United States; in other words, that the Government of the United States will not only have 51 per cent of the stock, but it will have 100 per cent of it, and that as a matter of fact it will be a Government corporation and entirely Government owned and operated ships.

There is only one way in which it seems to me private capitalists could afford to subscribe for this stock with any hope of getting anything out of it. There is not any guaranty on the part of the Government that any dividends shall be paid on this stock to the minority stockholders. They admit that it will be a losing proposition when they start into it, and therefore no private capital will put its money in, and no private capital will go in it with the practical assurance of the promotor of it that it will be a losing proposition, when that promoter does not guarantee any dividends or interest on the stock. Now, how can anybody afford to subscribe to this minority stock?

I can see a possible way by which this could be done. There are, I see by the press, I think this morning, about 66 interned ships at the ports of the United States. These ships are lying idle. They are making no money. Some of them are fine ships. Probably most of them are good merchant ships and would be good for the purposes designed by this bill, but they are not making any money now. They are not reaping any of the harvest that our friends point to with reference to other ships engaged in the carrying trade at the present time. These ships are owned by somebody. These people would like to get something out of them. They do not know what will happen to these ships. They do not know whether they will ever get anything out of them or not; and it may be—I do not know, but I think it is very likely—that somebody has some understanding with those interested in these ships that they can be bought at a certain price, possibly at a low price. Now, if these parties could in some way get somebody or some company to buy these ships, they, of course, would realize something out of them.

If such parties should become minority stockholders in this company, they would be on the inside. Some of them might even be members of the board of trustees or directors, and how natural it would be for them to suggest to the authorities that these ships could be purchased cheaply, that they were in a position where they could be bought cheaply, and how natural it would be to favor such stockholders. How natural it would be to favor these patriots who had subscribed for a part of the minority stock in this corporation. How natural it would be to favor those who had risked their money in an undertaking of this sort; and therefore the corporation might buy these ships. In that way these parties would probably get the money that they paid for them, with a profit.

Then, after these ships were being operated by this shipping board, by this corporation, and after this emergency passed away, after this war stopped and the merchant ships of the world got back into their normal routes, the rates would come down, competition would be active, and profits, if they had gotten any before on this line, would very likely fade away. The result would be that the company would have ships that they were making nothing out of, and how natural it would be then for these minority stockholders to say: "Well, we will take these ships off your hands, but they are not worth much. They are not making much money. You are not getting any profits from them. We can not afford to pay you very much, but we will give you 50 cents on the dollar." They would get these valuable ships, take them out into private enterprise, handle them under private conditions, and handle them in such a way that they could take advantage of foreign flags, foreign regulations, foreign marine conditions, and probably make some money. So they might make some money by selling the ships to the corporation, and they might make money by buying them back.

Mr. President, I can not conceive of any other inducement that would lead anyone to subscribe to any of this minority stock unless it would be that some big shipper at some point might think if he were a stockholder he might get some special favors, and he very likely would. Do we want to get in a condition like that? Do we want to get our Government officials under the charge and under the suspicion that they are being influenced by outside pressure with reference to the purchase or sale or lease of any of these ships, or that they are acting improperly with reference to them? I do not think so. I do not think we ought to put officials in that position. There are enough charges and enough suspicions now against public officers, many of them absolutely and wholly unfounded, to lead us to be very careful in framing important legislation not to make it possible or furnish a foundation for making other

charges against other public officials in the handling of public business.

Then section 3, as reported, reads as follows:

That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, the total amount not to exceed $30,000,000, for the purpose of purchasing or constructing such vessels.

That section is just exactly the same as it was in the original bill introduced by the Senator from Missouri.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to such corporation, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands—

Now, here is an amendment put in by the committee after very careful consideration, I suppose, of the bill. They insert the words:

the Hawaiian Islands—

Then the substitute goes on:

and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That, subject to the direction of the President, the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power to vote the stock of the United States in such corporation and to do all other things necessary to protect the interests of the United States and to carry out the purposes of this act.

Mr. President, you will note that this committee after a week's consideration, a week's deliberation, still think it is wise to leave the shipping board composed of three Cabinet officers, the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce. As was suggested the other day by some Senator, it is significant if this measure is intended as an auxiliary measure for the Navy that the Secretary of the Navy is nowhere suggested for membership on this board. It would seem if they considered the necessity of these vessels as an adjunct of the Navy it would be very important to have the Secretary of the Navy a member of the board connected with the administration and operation of this enterprise, but nowhere in this bill is any suggestion of that kind made.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

As I suggested in connection with the original bill, the stock would not be worth very much if the vessels, the property of the corporation, should be leased to some other corporation for ninety-nine or a thousand years or disposed of in some other way. The consent of Congress would not amount to anything. It would not affect anything of any substantial value or character.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer.

After the word "transfer" there is an amendment made by the committee. They struck out these words: "vessels purchased or constructed under the provisions of this act and," so that it reads:

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries now belonging to the Naval Establishment—

I assume that they struck out these words because in section 2 they provided for the lease, transfer, and charter of the vessels of this corporation—

of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels—

Now they amend by inserting, after the word "vessels," these words—

belonging to the War Department suitable for commercial uses and not required for military transports in time of peace and vessels—

Then the original text proceeds—

now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided—

Then they strike out these words—

or to any other corporation or corporations now or hereafter organized—

They struck that out for the reason that they insert that, I think, in section 2 as an amendment, so that the matter is covered by that amendment and it was not necessary to repeat it here. Then it reads—

upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

Under that section the vessels that are now used as naval auxiliaries and the vessels that are now used in the transport service of the United States, if not needed for that service, can be transferred to this corporation and used by it. There is nothing especially wrong about that if we are to have this board, but apparently the War Department would have nothing to say as to the operation and management of the vessels that might go from it to this department, and it does not seem to require the consent of the War Department for the transfer of these vessels to this company.

SEC. 9. That the President of the United States shall at any time have the right, upon giving written notice of his intention to the corporation using the vessels under the provisions of this act, to take possession for use as naval auxiliaries in the United States Navy or for other purposes of any vessels used by such corporation at a reasonable price or rental.

SEC. 10. That a detailed statement of all expenditures under this act and of all receipts hereunder shall be submitted to Congress at the beginning of each regular session.

That provision is just as it was in the original bill.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000.

That is the same as in the original bill.

SEC. 2. That this act shall take effect from its passage.

Mr. President, that is the bill as it was reported by the committee on the 16th day of December.

From the 16th day of December until January 6 we had discussion in the Senate, but I think not entirely on this measure. I think we had the District of Columbia appropriation bill before the Senate. For some reason our friends on the other side permitted that bill to come before the Senate. It was considered and debated, debated in a reasonable sort of a way, and various important propositions came up and caused considerable discussion. I think some of our friends on the other side claimed that we were using that bill as a buffer against the shipping bill. I know, however, that all the discussion was germane to the bill. It arose very largely upon some very important amendments or provisions in the bill. No one can examine the RECORD and find that there was any extraneous discussion on that measure. It was finally passed.

In the meantime, I am not sure, but, I think, our friends had been considering this measure, and probably not in caucus; but some important speeches had been made on the floor of the Senate with reference to the provisions of the measure as it was reported by the committee. As I said, the committee had not had any hearings, they had not invited any suggestions from anyone, but reported the bill with only two or three amendments. They did not discuss it on the floor. I think the Senator from Florida [Mr. FLETCHER] made one speech, and that was all. It was discussed by several Members on this side. Some very glaring defects in the bill were pointed out and very strong and convincing arguments were presented to show how the bill should be changed. It seems that the committee got together. I suppose the majority of the committee got together, and then a majority of that majority determined upon some changes in the bill.

On January 6 the chairman of the committee, the Senator from Florida [Mr. FLETCHER], reported an amendment in the nature of a substitute for the original bill and for the bill as reported by the committee.

Now, I want the Amen Corners throughout the country to know that there was not a simple amendment presented by the committee, but that the committee went to work and in a way reframed the bill entirely and offered an amendment the caption of which reads as follows:

Amendment in the nature of a substitute moved by Mr. FLETCHER on behalf of the Committee on Commerce to the bill (S. 6856) to authorize the United States—

And so forth. Then giving the title of the bill—

Namely, strike out all after the enacting clause and insert.

Mr. President, this committee, after having refused to have any hearing, after having refused to inquire of anybody who knew anything about this subject as to what would be proper legislation, after having reported the bill with some minor amendments to the Senate, after discussion on this side of the Chamber, decided that the bill ought to be remodeled, and so, as I said, on January 6 they reported a substitute.

The discussion of this measure prior to that time certainly was not out of place; it certainly was of value, but after January 6 we had a new bill before the Senate. They complain about the delay. Here the session was nearly half gone and the committee of the majority was just presenting to the Senate for its consideration an entire substitute for this bill. And then they complain because there is delay in reference to its consideration.

Now, then, what is the substitute? I want to read it into the RECORD so that we can compare the substitute or the original bill with the report from the committee and see what changes have been made as the result of the arguments on this floor.

That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia which shall have for its object—

Now, they still keep this blanket clause with reference to the organization of this corporation. They still do not know whether there is any State that has any law under which it can be organized or not. They still do not know whether if they would pass this legislation there would be any authority anywhere to provide for the organization of this corporation—

shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share.

Mr. President, it will be noted that in the original bill and in the bill as reported from the committee in section 2 there was a provision setting out the ports between which these vessels should go, naming the Gulf ports, the Atlantic, the Pacific, South American ports, and elsewhere. The substitute does not name any of these places, but simply says:

And operation of merchant vessels to meet the requirements of the foreign commerce of the United States.

I do not know that that language has any special significance, but there is quite a change made there in the language, at any rate. It seems to me that we ought to take time to compare these different changes that are made so as to be certain that nothing gets into this unintentionally that would be injurious or injuriously affect the interests of the United States or the people of the United States.

SEC. 2. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof shall be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but the United States shall subscribe for 51 per cent of each and every such increase.

Mr. President, I have not time to compare these bills at this time, but I have placed them in the RECORD, so that our friends in the Amen Corners throughout the country and others who may examine the CONGRESSIONAL RECORD, who have the time to do so, may compare the various provisions in these various bills and see what changes are made.

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000 for the purpose of purchasing or constructing such vessels: *Provided*, That the bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board.

Mr. President, I have not investigated the decisions of our courts with reference to the raising of revenue to defray the expenses of the Government as they would affect provisions like we find contained in all these bills. It seems to me, however, that these bills do provide for the raising of revenue—the raising of revenue by the sale of bonds that have heretofore been authorized but that could not be used for this purpose without legislation. We have a constitutional provision that all bills for the raising of revenue shall originate in the House of Representatives. This is a bill originating in the Senate. I simply call the question to the attention of the constitutional authorities of this body as to whether this measure is subject to the constitutional objection on the ground that it provides for the raising of revenue. They certainly recognize the fact that the possibilities are that we will require for the operation and purchase of these vessels more revenue than will come from the ordinary revenues of the Government, and this bill clearly makes provision for supplying any deficiency. It seems to me that to that extent it is a revenue measure.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act or in which the United States shall otherwise be interested as owner in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to the rules, regulations, and liabilities governing merchant vessels under the principles of international law, in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

Mr. President, I want to suggest that we have not heard from anybody on the other side as to what they propose to do with reference to the crews of any vessels that they may acquire under this act and what sort of officers they expect to use on those vessels.

In this connection I want to call attention to the fact—which I shall probably refer to later on—that under the emergency law that we passed some time ago providing for the purchase of foreign-built and foreign-operated vessels and their registry under the American flag we authorized the President to suspend for such time as he deemed proper the provisions of the law which require that watch officers should be American citizens, and also for such time as he might deem advisable the laws regarding the inspection of vessels. If this act is passed, and we acquire vessels under it, or this corporation gets vessels under it, do they intend that such vessels may be admitted to registry and be operated under the emergency act that we passed and under the suspension that the President made?

I called attention once before on the floor of the Senate to the action of the President with reference to this measure. I want to refer to it again. I am satisfied that the Senate when it passed that measure never had in mind that the President would for any considerable length of time suspend the law requiring watch officers to be American citizens. But what was done? Apparently the United Fruit Co. had several ships that they had been sailing under a foreign flag with foreign crews and foreign officers. Why had they been doing that? They had been doing it because it was cheaper to operate their vessels in that way and under a foreign flag than to operate them under our flag and under our laws and regulations. So when danger came, when the flag that they were flying was likely to bring them into trouble, this emergency legislation was suggested. It was passed, and what did they do? They suggested that the law requiring watch officers on vessels flying the American flag to be American citizens should be suspended for a period of seven years.

Mr. President, I do not believe that the Senate would have passed any such provision as that if it had supposed that the President would suspend these laws for such length of time as that; but, nevertheless, the order was issued. These laws were suspended for that time; and so for seven years vessels may be admitted to registry from foreign flags to the American flag without complying with the law requiring American citizens as watch officers. They can bring their foreign officers in as officers under the American flag. They will probably continue to pay them, I suppose, the wages that they were paying before they came under this flag; and in that way they will be able to operate their ships more cheaply than other ships under the

American flag are operated, which have had to employ American officers.

Then the laws requiring the inspection of vessels before they are granted American registry were suspended for a period of two years. I do not make any criticism of that. If we should authorize the President to suspend those laws, I think that two years is probably a reasonable time. I think two years would have been a reasonable time for the suspension of the other law, but I do not think it ought to have been suspended for seven years.

Furthermore—I shall refer later on to the figures in detail—it was shown very clearly and distinctly to the department before the suspension was made that there were over 2,000 Americans qualified to act as watch officers who were idle, who were available for these vessels at the time the suspension was made. We put an express provision in our law that permitted the President to suspend this law if it was deemed necessary; and my recollection is, though I am not positive about it, that we had a provision in the law, providing for the suspension if American officers were not available. They were available at any rate. A report has been made to the Senate, pursuant to a resolution I introduced, showing that the department was advised that there were over 2,000 such officers available at the time the suspension was made. I have also a circular letter here from the United Fruit Co., which I shall read probably later on, in which they suggest that this suspension should operate for seven years; and that suggestion was followed.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

I think that section is substantially, if not exactly, the same as the section in the bill as reported.

SEC. 6. That the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States.

They still, in this substitute, hold the provision that this board shall be composed of Cabinet officers.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

That prohibition is the same, I think, as found in the bill as reported.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

Mr. President, it strikes me that there is a rather peculiar provision there. It authorizes the President to charter, lease, or transfer the naval auxiliaries to this company and to direct or cause to be chartered, leased, or transferred vessels operated by the Panama Railroad Co., to any corporation upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The President is to charter or lease the vessels to himself. He not only does the leasing and the chartering but he must approve the terms that may be submitted by the board upon which this is done.

SEC. 9. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily, for use as naval auxiliaries, of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

SEC. 10. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000. But the corporation in which the United States shall become a stockholder as herein provided shall pay all necessary expenses of the shipping board in this behalf.

Mr. President, that provision is not in the original bill. I do not know where this corporation is going to get this money—I suppose out of the minority-stock subscriptions, or probably out of the subscriptions by the United States.

SEC. 12. That the President is hereby authorized and empowered to designate from time to time such ports of the United States as he may for the purposes of this section deem advisable at which the several collectors of the ports so designated shall for such periods of time as the President may prescribe inspect all goods, wares, and merchandise of whatever description offered for shipment from any such port to any foreign port upon any vessel directly or indirectly owned in whole or in part by the United States or in which the United States may have a proprietary interest, when employed solely as a merchant vessel, or upon any vessel whatsoever when duly registered under the laws of the United States. It shall be, and is hereby made, the duty of the collector of the port at each of the ports so designated, and authority is hereby granted to such collector for that purpose, to make such inspection and examination before the same shall be loaded and stored aboard ship of all goods, wares, and merchandise of whatever description offered for shipment from such port to any foreign port upon any vessel defined in this section as may be necessary to inform him as to the exact character and description of the goods, wares, and merchandise so offered for shipment. It shall be unlawful for any person, whether as principal or agent, to load and store aboard ship, or attempt to load and store aboard ship, any goods, wares, or merchandise subject to inspection under this section before the same have been duly inspected and examined as herein required; and it shall be unlawful for the master or other chief officer of any vessel defined in this section to receive and store aboard ship any goods, wares, or merchandise subject to inspection under this section before the same have been duly inspected and examined as herein required. Any person who shall knowingly violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction before any court of competent jurisdiction shall be sentenced to pay a fine of not more than $5,000, and shall be committed to prison until such fine and the costs of the prosecution shall be paid; and clearance shall not be granted to any vessel whose owners or chief officers shall knowingly violate the provisions of this section: *Provided*, That the Secretary of Commerce may upon hearing and for satisfactory reasons permit and direct the clearance of any such vessel, stating his reasons therefor in a written opinion to be filed as a public document in the Department of Commerce.

That, I think, is an entirely new provision. That is not all of that section, however; but it seems to me that that provides for an inspection at the different ports of the United States by the collectors not only of the vessels of this corporation, of the vessels acquired or leased or chartered under this act, but of all vessels of the United States, no matter by whom owned or operated. The result, Mr. President, of that will be very soon a demand for a whole lot of assistance at the different ports of the country. It will result in demands for increased appropriations for additional employees, it will increase the expense upon the people of the country, and it will be an expense that I do not see how it can be charged up to the vessels that are being operated by private interests. It will simply be, as I understand it, an expenditure for officers to issue certificates under which the private owners and operators of vessels will probably secure protection in taking their goods from this country to a foreign port. It is nothing more nor less than a form of subsidy that will be done at the expense of our people. I do not see where they will get very much out of it. I do not know whether you would call that a subsidy or not—probably not—but it seems to me that it is considerable of a subsidy for the benefit of the private operators of these ships and these vessels.

I have not had the time to study that provision with very much care, but that is the way it strikes me as I read it.

Then the section goes on as follows:

It shall be, and is hereby made, the duty of the collector of the port from which any such vessel clears—

Now, "any such vessel" means not only the vessels of this corporation—this company—but all other vessels carrying goods to foreign ports—

to inspect the manifest or cargo invoice of each vessel subject to the provisions of this section to ascertain whether the manifest or cargo invoice sets forth a true exhibit of all goods, wares, and merchandise aboard ship at the time of sailing; and if the collector of the port shall be satisfied that the manifest or cargo invoice does set forth a true exhibit of all goods, wares, and merchandise received aboard ship at the time of sailing, he shall in every such case attach to the manifest or cargo invoice his official certificate under seal, setting forth that he has inspected and examined the goods, wares, and merchandise aboard such ship, and that the manifest or cargo invoice sets forth a true exhibit of the same. No such vessel shall be granted a clearance at any such port until after the certificate, herein required to be issued under his official seal by the collector of the port, has been issued and delivered by him to the chief officer or other proper officer of such vessel.

That will certainly add to the expenses of the Government. That will certainly require, at practically every port in the country where any considerable business is done, additional employees to make this examination and inspection, and if they make a proper inspection so as to make a proper certificate it is going to take a good many employees to do it; and this

does not appear to be a temporary proposition. I can see some reason for doing this while this war is going on over in Europe. Probably that might afford protection from any unnecessary search or investigation for contraband, and so on, but certainly it should end when this war ends. This bill, however, does not make any provision of that kind. It does not say that we shall stop these investigations so as to give clearances within six months after the close of the war, or at the time of signing the treaty of peace. It is a permanent proposition; and I want to say to the Senate it is very difficult, after we have provided employees and got them on the rolls, to get them off, even though it may not be necessary, and I do not see the necessity for this examination and certificate in time of peace. It may be absolutely unnecessary, and yet Congress will find very great trouble in getting rid of these additional employees and their salaries. It may seem that there ought to be some provision in this bill that would end that condition of things when this war stops, because I take it that is the real reason for that provision.

I think that if I could get this address in the RECORD in time, probably with the presence of my friend the chairman of the committee, it might be well if that suggestion could be taken back to the Democratic caucus, and probably you might consider it behind closed doors, and you might feel justified in bringing in a provision here, a new substitute, possibly, with a provision making this temporary, making it end at a certain time.

Mr. FLETCHER. Mr. President——

Mr. JONES. I really can not yield, Mr. President. I regret it. I am very sorry.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES. No; I am very sorry, but I can not yield. I am just making these suggestions——

Mr. FLETCHER. I simply wanted to say that the Senator is discussing something that is not in the substitute at all.

Mr. JONES. I have just read the substitute, and the language seems to me to be very plain. Of course, it may not be the last substitute. I do not know. I am trying to consider the different editions of this bill, so as to find out just what they are. Probably when I get around to the final draft I will find that my suggestions have been met.

Then the section continues:

> It shall be the duty of the Commissioner of Navigation, with the approval of the Secretary of Commerce, to make and promulgate all needful and proper rules and regulations for administering the provisions of this section; and for the purpose of carrying out the provisions of this section the sum of $500,000 is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

I find that my surmise that this is likely to cost considerable money is justified by the language of the bill itself. It seems that these provisions for inspection that have been made here require an appropriation in the bill itself of $500,000, and instead of leaving the rules and regulations to the shipping board, they make it the duty of the Commissioner of Navigation. Now, it may be that that is changed in a later edition of this bill. I know that there is a provision in a later edition with reference to the various rules and regulations affecting our navigation, and that I wish to refer to a little bit later on, when I come to it in that edition, and call the attention of the committee and of the Senate to what I believe they do not know.

Mr. HUGHES. Mr. President——

Mr. JONES. In section 13—I am very sorry, but I can not yield, Mr. President.

Mr. HUGHES. Will not the Senator designate which edition he is discussing?

Mr. JONES. I am discussing the edition of January 6.

Mr. HUGHES. Oh, yes. It would be very considerate if the Senator would refer to these various editions by date.

Mr. JONES. I did that on the start. The Senator was not here, I guess, when I started in on that.

Section 13 is as follows:

> That this act shall take effect from its passage.

But, Mr. President, that is not the final edition for the consideration of the Senate.

Mr. HUGHES. Mr. President, if the Senator will permit me, without jeopardizing his right to the floor, does not the Senator think it would be proper at this period of the proceedings to get down to and discuss the final edition, inasmuch as that is likely to be the one that is voted on?

The PRESIDING OFFICER. The Senator from New Jersey will please speak louder. It is impossible for the Reporter to hear him.

Mr. HUGHES. The Reporter can hear all right.

Mr. JONES. No; I can not yield. I have already explained why I am taking up these different substitutes. The Senator probably was not here, and so it will necessitate my taking some of the time of the Senate to repeat what I have already said.

Mr. HUGHES. I hope the Senator will not do that.

Mr. JONES. I regret very much to use so much of the valuable time of the Senate for that purpose.

Mr. HUGHES. Mr. President——

Mr. JONES. I can not yield to the Senator.

Mr. HUGHES. I want to ask the Senator not to put me in a false position before the country, inasmuch as I am one of the very few Senators who are here.

Mr. JONES. I can not yield.

The PRESIDING OFFICER. The Senator from Washington declines to yield to the Senator from New Jersey.

Mr. HUGHES. Very well.

Mr. JONES. I am very sorry. I know that the Senator from New Jersey has been here as much as other Senators.

Mr. HUGHES. And more.

Mr. JONES. I am willing to concede that, so far as that is concerned. I am not complaining at anyone not being here. I do not expect the Senators to be here. I am talking largely to the Amen Corners of the country. As I explained a while ago, we have out in the city of Tacoma a sort of organization of business men who meet every day together at a club and take lunch, and, sitting about the table, they discuss various matters of interest to the people, and they call it the Amen Corner. I received a letter a few days ago from a friend of mine who is a member of this Amen Corner, and he put a little postscript to it suggesting that the Amen Corner did not approve filibustering, but that they approved frontal attacks. Now, I am satisfied there are a great many Amen Corners throughout the country, and I just want to explain to these people in the Amen Corners the situation here in the Senate and how this bill has been considered and how it has not been considered, and I want to call their attention to the various steps through which it has passed in order to reach the final draft that we will be supposed to act upon.

Some of our friends have complained because we have discussed the matter and debated it, and yet I am showing here that, while the bill was introduced on the 9th of December, there was a new edition of it brought out on the 6th of January, or when the session was almost half gone. Now, we would not be expected to discuss that new edition before the 6th of January. We ought to discuss it and understand it some time after the 6th of January. I want to show to the Amen Corners throughout the country that this 6th of January edition was not the final edition, however, and that still we were not permitted to discuss the final edition until much later in the session. It is not our fault that this bill was not brought out sooner. That rests with our friends on the other side, who control the committee and who control the caucus. They have gotten the benefit, I concede, of some of the arguments on this side made by the able Senator from New York [Mr. ROOT] and the able Senators from Massachusetts [Mr. WEEKS and Mr. LODGE] and the able Senator from New Hampshire [Mr. GALLINGER], and they have profited by these suggestions. They have made corrections in the bill; they have improved it, I think, in many respects. And now we come to another edition of this bill, the edition of January 15.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. I am very sorry that I can not yield. I am taking more time than I had expected to take.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. HUGHES. I hope the Senator will yield for just a moment.

Mr. JONES. No; I can not yield.

Mr. HUGHES. Not even for a question?

Mr. JONES. I am sorry—no; not even for a question, it takes so much time.

Mr. HUGHES. The Senator seemed to have such a grasp of the subject that I desired to ask him a question about it.

Mr. JONES. I announced when I began, after the very unnecessary, dilatory, and filibustering tactics of our friends on the other side, which consumed about an hour and a half of this evening of very valuable time, that I could not afford to yield further; so I am very sorry. I should like to yield to my friend, but I do not feel that I ought to waste the time by allowing interruptions, because if I yield to one Senator of course I have to yield to others, and most of our time would be taken up by these interruptions, and it would break the continuity of my remarks and probably be confusing to the amen corners of the country.

Mr. HUGHES. That is sufficient reason for my refraining from interrupting the Senator.

Mr. JONES. On January 15 another substitute was brought in by the Senator from Florida—another edition—but "January 15" on there does not mean January 15 at all. It means something else. It means the calendar day of January 25. What does that mean? Why, it means that from January 15 we had been recessing from day to day instead of adjourning. Why had we been recessing? We had been recessing because the majority on the other side insisted upon recessing. Why did they insist upon recessing? They insisted upon recessing so as to continue the legislative day of January 15. Why did they want to continue the legislative day of January 15? Why, they wanted to continue that day in the hope of exhausting debate on this side, in the hope that the Senators who wanted to talk on this measure would have spoken twice on the bill during that time, and that then our friends on the other side would make the point of order that debate was exhausted, and the bill would have to come to a vote.

The debate during that time was on this old substitute of January 6, and during that time what were our friends on the other side doing? I want the Amen Corner people to understand this. They were not discussing the bill here in the Senate, but what were they doing? Why, they were discussing it from day to day in the caucus, behind closed doors, without any representatives of the press being present, without agents of the people to give publicity to what they were talking about or what suggestions were made or the reasons they gave for changing the bill. Why did they go into caucus? What was the necessity of taking the bill into caucus? Well, the trouble seemed to be that some suggestions had been made on this floor that appeared to be of considerable force. There were some defects in this bill pointed out in what our friends would term "useless discussion" by this side of the Chamber. They apparently were not willing to discuss it on the floor. They were not willing to discuss it in the open. They were not willing to discuss these questions where the people of the Amen Corners of the country would be able to hear them and read what they said and know what they said and what they thought about this measure and about these suggestions; but as we talked in the daytime on the floor of the Senate our friends on the other side talked at night in the caucus. As we talked on the floor of the Senate in the open, they talked on the floor of the caucus in secret. As we talked before the press and before the country and on the floor of the Senate, they talked behind the closed doors of the caucus. We could not adopt anything here, because we were in the minority. Our friends on the other side adopted things in the caucus and tried to bind, if they did not bind, all of their members to support what they agreed to there in secret, and then proposed to bring it out to the Senate and present it to us with the decree that "This is what we have agreed to. We have the votes to put it through. It is useless for you to talk. You ought not to do it. You ought not to take the time."

The PRESIDING OFFICER (Mr. OWEN in the chair). The Chair will ask the Senator to suspend for a moment while the Chair presents to the Senate a supplementary report of the Sergeant at Arms. It will be read.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915—2.45 o'clock a. m.

To the PRESIDING OFFICER UNITED STATES SENATE:

In compliance with Senate motion, to wit, "*Ordered*, That the Sergeant at Arms be directed to use all necessary means to compel the attendance of absent Senators, except those detained on account of sickness," I beg to report that the following Senators have entered the Chamber in response to the above or telephonic requests:

Senators BURLEIGH, BRADY, MCCUMBER, and WORKS.

My deputies could get no response at the residences of Senators BORAH and BRISTOW.

Senator HARDWICK'S residence reported by telephone that he was not there. No response to telephone calls at residences of Senators GOFF and HITCHCOCK. Deputies are out in automobiles endeavoring to serve the absent Senators with the order of the Senate.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms.

Mr. JONES. Mr. President, as I said while we were discussing this substitute of January 6 in perfect good faith on the floor of the Senate, discussing its merits, and while our friends were discussing it in caucus and trying to meet the objections which had been made here, and while they could go to caucus they would not permit the Senate to take a recess. While they knew the bill they had reported January 6 would not be the bill that they would try to pass, they were not willing to lay it aside and take up the other business of the Senate that ought to have been taken up, and that could have been taken up just as well as not. They would not allow us to go to the calendar, and they would not allow appropriation bills to be reported. They would not allow appropriation bills to be taken up and considered. Mr. President, they would not allow anything to be done on the floor of the Senate except that they required us to use the time of the Senate or else come to a vote upon a proposition that they did not intend to pass.

I want the Amen Corners of the country to understand that situation. They kept up a legislative day from January 15 to January 25, and then the Senator from Florida [Mr. FLETCHER], on behalf of the Committee on Commerce, offered an amendment, not an amendment to the substitute which they reported January 6, but an amendment in the nature of a substitute, "moved by Mr. FLETCHER, on behalf of the Committee on Commerce, to the bill to authorize the United States," and so forth, "namely, strike out all after the enacting clause and insert." There seems to be no reference there to the substitute of January 6.

By the way, Mr. President, the print that I have here is marked "Confidential." I suppose the committee got together in secret. It may be just the majority of the committee, and I do not know, got this up, and it is marked "Confidential." It has printed on it "January 15, calendar day January 25, 1915, ordered to lie on the table and to be printed."

I want the Amen Corners of the country to note that as a matter of fact that substitute was not presented to the Senate until the calendar day of January 26, but on the legislative day of January 15; and when that came in, then it was that the Senator from Indiana [Mr. KERN] made the declaration I read here from the RECORD, that from that time on the minority must be prepared to continue in session day and night, and that if any Senator became exhausted there would have to be somebody to take his place or they would proceed to take a vote. That announcement was made on the floor of the Senate before that substitute was printed, except this confidential print. That statement was made on the floor of the Senate by the Senator from Indiana on the very day the Senator from Florida sent his substitute to the Senate and before it had been officially printed.

Yet they say we have been filibustering. They say we have been delaying this measure. Mr. President, we have been improving this measure right along. We have been getting this measure in shape, so that if it must be passed it will be a reasonably satisfactory measure.

The discussion that we had on this side was, as I said, taken and digested in the secrets of the caucus, and the result was the substitute of the calendar day of January 26, but the legislative day of January 15. Now, on January 26, with the session two-thirds gone, with the bill which you insist upon passing not presented to the Senate until the 26th day of January, you say we have been delaying matters. What had you been doing up to the 26th of January? Why had you not been passing other legislation? Why were you not considering other legislation? When you did consider this bill in the caucus at night, as you did, why did you not on the floor of the Senate consider other legislation and get it through? Why was it that you stopped all legislative business, because you say debate is not business, and you say discussion is not business, that an interchange of ideas will not amount to anything. You got in the caucus and you did some good there. Yet we were delaying matters, and we were delaying legislation. The majority was delaying legislation. The majority actually forced all legislation aside and kept us going here, in order that you might take things up in caucus.

Mr. HUGHES. Will the Senator permit me to submit a request that we vote on the pending motion at 12 o'clock tomorrow?

Mr. JONES. I am very sorry, but I can not yield the floor.

Mr. HUGHES. Will not the Senator——

The PRESIDING OFFICER. The Senator from New Jersey will address the Chair.

Mr. HUGHES. The Senator seems so distressed at the fact——

Mr. JONES. I am calling the attention of the Senate to the fact——

The PRESIDING OFFICER. The Senator from New Jersey is requested to address the Chair.

Mr. HUGHES. Mr. President——

Mr. JONES. I can not yield.

The PRESIDING OFFICER. The Senator from New Jersey is out of order.

Mr. HUGHES. On account of not addressing the Chair?

The PRESIDING OFFICER. He is out of order because he is not addressing the Chair, but he is addressing the Senator from Washington.

Mr. HUGHES. I said "Mr. President."

Mr. JONES. I can not yield.

Mr. HUGHES. I wish to submit a request for unanimous consent.

The PRESIDING OFFICER. The Senator from Washington declines to yield the floor.

Mr. HUGHES. Mr. President, I simply——

Mr. JONES. I am sorry; I should like to accommodate the Senator, but I do not feel that I can do so.

On January 26 another substitute was brought into the Senate. It was brought in by the Senator from Florida [Mr. FLETCHER], a very dear friend of mine, a very able Senator, and a very fair Senator. He no doubt acted under the direction of the Committee on Commerce, and it says it is "moved by Mr. FLETCHER on behalf of the Committee on Commerce to the bill S. 6856," and so forth, giving the title, "strike out all after the enacting clause and insert." There is no reference made in this print to the substitute of January 6. It does not say that that is stricken out or that that is cast aside or that it is thrown away or this is presented as a substitute for it; but it simply refers to the original bill and strikes out all after the enacting clause and inserts the following.

Mr. President, I must read this substitute so that one may see just what came out of this secret caucus that you were conducting for almost a week. My recollection is that you either recessed or adjourned over from Friday until Monday for the avowed purpose of giving your caucus an opportunity to meet on Saturday and discuss this measure, and according to the newspaper reports, some of which I have here but which I will not take the time of the Senate to read, you did meet in caucus and discuss the measure. But that is about all we learned. We learn nothing about what was said there or what action was taken there or what differences arose there or anything of the sort. I did call attention a while ago to a statement made by the Senator from Georgia [Mr. SMITH] that he was one of the members of the caucus who was in favor of bringing the bill here on the floor of the Senate and considering amendments to it and acting upon it openly in the Senate without being bound by the caucus to certain amendments and bound to oppose other amendments. But apparently he was voted down, and he accepted, I suppose, cheerfully the verdict of the majority of his brethren, and he has acted with them with reference to this substitute. The substitute reads as follows:

That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia.

That is a very material difference from the other bills. All these other bills have provided for the organization of a corporation under the laws of a State or the District of Columbia, or somewhere else, anywhere that it might be organized, but, as I said, nobody knew whether there was any State that had any laws under which this corporation could be organized, and apparently they had to supplement the corporation laws of the District of Columbia in order that this corporation might be organized here. But now in this substitute of January 26 we have the situs of the corporation fixed. We have got it somewhere. We know where it is. It is going to be in the District of Columbia. That was not suggested on the other side. It was not suggested by our friends of the majority. That defect in the original bill was suggested over here, and you finally came around to our view with reference to it. The fact that you have accepted so many of our suggestions, although apparently reluctantly, deliberately, and slowly, leads us to examine these final substitutes and make our suggestions with reference to them in the hope that probably we can get you to change other provisions of the bill.

I have here the substitute when it was introduced in the Senate on January 26, ordered to lie on the table and be printed. It reads a little different from this confidential print. The confidential print simply says:

Amendment in the nature of a substitute moved by Mr. FLETCHER.

Now, this substitute says:

Amendment in the nature of a substitute for the original bill and all amendments heretofore reported thereto from the Committee on Commerce.

Now, then, we have for the first time a suggestion that what is reported is not only a substitute for the original bill, but for all the amendments that have theretofore been suggested or reported. After the title it says:

Strike out all after the enacting clause and insert:

That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation organized under the laws of a State, a majority of the stock being owned by citizens of the United States, firm or individual, citizen or citizens of the United States, to be used for such purposes and shall have power to carry out said objects and purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share.

It seems that under that provision these vessels can be leased only to certain corporations—not to all corporations, but to corporations a majority of the stock being owned by citizens of the United States, firms or individuals.

I suppose that would require an investigation on the part of the shipping board, if any corporation should apply for a lease of any of these vessels, to see whether the owners of the stock are citizens of the United States or not. It would require another official or other officials of the Government, and these people could not act without a salary. So under that provision we will have a good many more offices created, and I think a good many useless ones, and entail upon the people of the country a large expense.

The members of said shipping board, as incorporators, may, for the purpose of carrying out the provisions of this act, form a corporation of the District of Columbia by making and filing a certificate of incorporation, as provided in subchapter 4 of chapter 18 of an act entitled "An act to establish a code of laws for the District of Columbia," approved March 3, 1901.

That is nearly all new.

The corporation so formed, its officers and trustees and stockholders shall possess all the powers conferred and perform all the duties imposed by said subchapter 4, except as the same are by this act limited or qualified.

Mr. President, I have not examined that chapter of the laws of the District of Columbia. I do not know whether that chapter imposes any duties upon these officers that they can not perform as officers of the United States Government or not. I do not know whether the committee has examined those laws very carefully or not. From some other provisions of this bill, I would not be surprised if there are other provisions in that act of the District of Columbia which would make it very embarrassing for this corporation to do business.

The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

Said corporation may sue and be sued in any district court of the United States, and may remove to said courts any cause brought against it in any other court.

Said corporation may require any officer or employee to give security for the faithful performance of his duties.

Persons subscribing to the stock of said company shall pay for the same in full at the time of subscription.

The stock owned by the United States shall be voted by the shipping board or its duly selected representative.

I do not know just what that means. I do not know whether that means that the shipping board shall select some foreigner or some party who does not own stock and authorize him to vote the stock of the United States or not. There is no limit given in this on the power of this board. I do not know whether the representative who is selected will receive a salary or not. It might be that the shipping board might select somebody on the Pacific coast, give him a nice trip down here to Washington City, pay his expenses, give him a per diem, and furnish him a very nice junket. I do not say that that would be done, but, nevertheless, it seems to me that it is not prevented.

It seems to me that we ought to provide that this stock shall be voted by the shipping board and stop there. The shipping board will have its place of business here in the District of Columbia. Three of the members will have their offices here and be here. It seems to me that this duly selected representative ought to be cut out, that there is no use for it, and it simply opens the door to some action and some conduct that would produce scandal and criticism.

The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stockholders at any meeting thereof.

Said corporation and its capital stock shall, so long as the United States owns a majority of said stock, be free from all public taxes.

I remember a discussion between the Senator from Florida [Mr. FLETCHER] and the Senator from Utah [Mr. SUTHERLAND] with reference to that provision. My recollection is that the Senator from Florida admitted that that would relieve the stock from the taxation not only by the National Government but by the State government if held in a State. I do not think that such a discrimination as that ought to be permitted. I do not think that persons in the State of New York ought to be permitted to hold stock in this public corporation and have it free from taxation, at least by the State of New York. It ought to be subject to tax just the same as the stock of any other company. As a matter of fact, it merely carries out the idea that this corporation is simply a subterfuge; that it is simply an indirect way for the United States to do things itself. As a matter of fact, this is a United States corporation. Its stock is the stock

of the United States. It will not be subscribed by anybody else. It will all be owned and held by the United States itself.

At no time—

I think this is a new provision in this substitute; that it is not contained in any of the others. How that came to be suggested, where the suggestion came from, I do not know. I never heard of any suggestion of that kind on the floor of the Senate. That suggestion must have come behind the closed doors of the secret caucus. Somebody suggested it somewhere. The suggestion may have come from somebody in New York City, who hoped to get an option on some of the interned ships and to be able to dispose of those ships to this company in some way. I do not know whether or not that is true; but, Mr. President, we can not be criticized for making these suggestions, for, when things are done in secret, we are justified in surmising almost all sorts of things. After awhile I shall present to the Senate the views of some very celebrated gentlemen with reference to doing things in secret. I shall try to submit to my friends on the other side some very good advice that I think they should follow and should have followed in the preparation of this measure. I want to get that advice, too, especially to the amen corners throughout the country. It will be very interesting reading. The bill continues:

At no time shall less than 51 per cent of the stock of said corporation be held by the United States, unless the United States shall dispose of all of its stock.

Congress reserves the right to alter, amend, or repeal this act.

That is not the end of it; that is just the beginning; that is just the close of the first section.

SEC. 2. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof may be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but the shipping board may cause such corporation to begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000—

My recollection is that that is a new provision—

neither shall the proportion of stock held by the United States at any time be less than 51 per cent: *Provided*, That a sufficient number of the shares of stock of said corporation shall be set apart for holding by the persons for whom the stock of the United States may be voted as trustees, and such shares shall be issued or transferred to such persons to qualify them as trustees of such corporation, and such shares shall be transferred to the successor or successors of any such person or persons.

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000, for the purpose of purchasing or constructing such vessels: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section or other existing authority may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board.

I think that is very much like the provision in the other substitute.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds, bearing interest at not less than 4 per cent per annum.

I will say that I am surprised right there that our friends on the other side used the word "gold."

Shall issue to the United States in payment thereof its gold bonds.

I did not suppose the Democratic Party had gotten so far over as to expressly declare that the bonds issued should be gold bonds; but it has. It has got apparently clear over to the gold standard, openly avowing it; and not only to the gold standard, but expressly providing that these bonds shall be gold bonds, without saying that they may be paid in legal tender or anything of that sort. I wonder whether there are some people in the country who are more interested really in the issue of bonds than they are in having shipping provided, and I wonder whether some of those persons, who might be not a thousand miles from Washington City, had probably more to do with the framing of this legislation than the shipping interests or those needing shipping facilities; but there is this language, anyway.

And upon such further terms and conditions as may be prescribed by the shipping board, such bonds to be secured by a first-mortgage lien upon such vessels, severally, thus transferred: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion, and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner, in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to all laws, regulations, and liabilities governing merchant vessels, in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

Now, Mr. President, I come to one of the strangest provisions in the bill and one of the most amazing provisions to me that there is in it. I wonder where it came from; I wonder who suggested it; and I wonder whether the framers of the bill know what it means, what its effect will be, and what it will do. This provision reads as follows:

All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States, heretofore made or published, by authority of law, shall only be and remain in force until midnight on the 31st day of December, 1915, and by proclamation of the President shall cease to have any force or validity at any prior date when new shipping rules and regulations shall as provided hereby take the place of those now in existence.

Mr. President, I say in all sincerity and frankness that I do not believe the members of the Commerce Committee know what they have done in that provision. Where did it come from? It was never suggested on this floor; at least I never heard it suggested. It came out of the bowels of the secret caucus. Who suggested it there? Where did that suggestion come from? What does it mean? I invite the attention of the Senator in charge of the bill to that proposition. Notice what it does. It says:

All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States.

It is expressed in the broadest possible language, not only as to the rules and regulations, but as to what they affect. If they are issued by authority of law, if they in any way affect commerce or relate to water-borne commerce of the United States they are repealed; they are done away with; they are annulled. Why is that? What is the need for that? Why should that be done? Why is it that in order to start this Government line every rule and regulation affecting the commerce of this country anywhere, on streams no matter how small, on lakes no matter how great, or where they may be, should be repealed?

Mr. President, what are the rules and regulations affecting the commerce of the United States? What is it that we are going to have to consider in connection with that section? What is it that we are going to have to read to see what they have done? You see this pile of books [exhibiting]; you see this pile of documents [exhibiting]. Those are the rules and regulations issued and made by authority of law affecting the water-borne commerce of the United States. I do not know whether that is all of them or not. It is, however, all that I have been able to gather together. The navigation laws are in this volume [exhibiting]. These are the rules and regulations that it is proposed to repeal. Is there any member of the committee who knows what he is doing or what the effect of the bill will be upon the rules and regulations? Is there any member of the committee who knows what the authority and what the provisions of law are under which these rules and regulations have been issued?

I feel that a proper consideration of this bill and of this provision in this substitute requires that these shall be read. How can we know what we are doing if we do not examine them, if we do not read them?

Mr. President, this provision came from the secret caucus. Somebody has some purpose to serve by the repeal of all these rules and regulations. I know that no member of the committee has any purpose to serve except the public good. This suggestion came from somebody in whom they had confidence. Who was it? Was it some insidious lobbyist, working quietly, as they can work through a secret caucus? Who was it that suggested in this last substitute that all these rules and regulations should be repealed? I shall refer to this before long.

Further:

The shipping board herein provided for shall propose such rules and regulations applicable to the shipping—

Not of this corporation, not of this Government-owned institution, but—

The shipping board herein provided for shall propose such rules and regulations applicable to the shipping and water-borne commerce of the United States—

All of it everywhere, on the lakes of Vermont if there are any that are navigable; on the rivers of the Mississippi Valley.

Mr. PAGE. Mr. President——

Mr. JONES. I am very sorry, Mr. President, but I can not yield to the Senator.

Mr. PAGE. Not for a question?

Mr. JONES. No; not for a question. I should like very much to do so, but I feel that I must hurry along.

The provision continues:

In lieu of those now in force and covering matters of like character as they may determine suited to the present needs of such shipping and commerce, which, when approved by the President and published, shall apply and become of full force and effect in lieu of such rules and regulations as are now applicable thereto. In the rules and regulations hereby authorized to be adopted and put into force—

Notice what leeway is given to this board, with reference to the other commerce of the United States—

different classes of shipping, navigation, and water-borne commerce may be appropriately and differently treated and provided for. Such rules and regulations when promulgated may be modified, changed, or amended by the shipping board.

Now, Mr. President, not only does that first provision provide for the repeal of every rule and regulation issued or promulgated by authority of law affecting every kind of water-borne commerce of the United States, but it places in the hands of the shipping board, that is supposed to handle and operate these Government ships, all of the water-borne commerce of the United States. It allows the shipping board to make any and all kinds of rules and regulations for the Government of the water-borne commerce of the United States everywhere and anywhere, and expressly gives to that board authority to fix rules at one place different from rules at another. It gives it express authority to fix certain rules for one class of vessels and authority to fix other rules for another class of vessels; in fact, it expressly gives it authority to do anything that it wants to do with reference to the water-borne commerce of the United States. I can not believe that the committee really appreciated what it was doing, and I hope that at some time during the discussion on this bill some friend of the bill will tell where this suggestion came from and why it was put in here, why it is necessary to undo and uproot all that has been done under the law for many, many years with reference to the water-borne commerce of this country.

Then I want them to explain why it is that they must give this board the authority to differentiate between different vessels, possibly in the same locality. Is it possible that they want to place in the hands of this board a power under which one concern can secure the adoption and promulgation of rules and regulations that will put a competitor out of business? Not that this board would do this deliberately and purposely; but this board can not investigate for itself and acquaint itself personally with all these various conditions. This board will have to take the reports of other people and other officers.

Mr. President, how are they going to do that? How are they going to investigate all these different conditions? Are you going to provide for a lot more officials? That is what you are going to have to do if you do not provide here that the officials who have already recommended these rules shall report to this shipping board and recommend what shall be the rules. No; you provide that this shipping board itself shall promulgate these rules.

How is it going to get the information? Is this shipping board going to take a junketing trip all around over the country to examine these different localities, and find out wherein the rules that we have now should be changed? Are they going to go at the Government expense? Why, we remember that when the banking act was passed we had a great trip around over the country to ascertain where the different banks should be located I do not think there was anything improper about that, but do you expect anything of that kind here? Are you going to appropriate a lot of money for this shipping board to go around and get the information that it must have before it acts upon these matters? How is this shipping board going to act unless it does that? You do not say so, but are you going to repeal the different laws under which these rules and regulations are enacted? These rules and regulations are enacted, in a great many cases, by authorities entirely different from those mentioned in this act. There are some rules and regulations in here that are provided by the Secretary of War and placed under the Chief of Engineers of the Army. Are you going to take away his authority? Are you going to deprive him of all jurisdiction with reference to navigable streams? That is what they do. That is what you do by this provision, because the law provides, as I shall point out later on, how these rules and regulations shall be prescribed. Where did those provisions come from? Who suggested them, and in whose interest are they proposed? Why is it that we must put all the commerce of the country under a shipping board, when we started out with the idea that it was to handle just certain ships?

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Porto Rico, Guam, and Tutuila, provided that the above restrictions shall not apply to such of said vessels as are built in the United States.

I think that is a different provision from what was in the other bill, but I am not certain.

Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That the Secretary of the Treasury and the Secretary of Commerce, and three additional members, two of whom shall be of practical experience in the management and operation of steamships in the foreign trade, are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States, said three additional members to be appointed by the President by and with the advice and consent of the Senate. The salary of each of the three additional members of said board so appointed shall be $6,000 per annum.

Mr. President, that is a very material difference from any of these other bills and substitutes. All these other bills provided for a board of three Cabinet officers. This provision provides for a board of two Cabinet officers and three additional members to be appointed by the President. I know that something of that kind was suggested in the discussion on this side of the Chamber. It must have appealed somewhat to our friends on the other side, so they took the suggestion in their secret caucus, and they worked it out in this way. So far as I am concerned I do not see very much improvement in it. It is nothing in the world but a partisan board after all. These three members are appointed by the President. They will no doubt be of his political party. It does not make any difference who the President is.

I am not referring to the present Chief Executive at all, because the chances are, if this bill is passed, they will not be appointed before his term is out. That is the only hope I have, really, with reference to this bill—that if it is passed the President will take so long in selecting the members of the board and organizing it and getting it into operation that it will not amount to anything, so far as the war is concerned. If he takes as much time with reference to appointing the members of this board as he did with reference to the banking board and with reference to the Trade Commission, whose members have not been appointed yet, possibly he will not get this board appointed at all, and will not get it organized; but if he does, it will be a partisan board.

Why did they leave the Postmaster General out of this? Of course, as I suggested a while ago, I think they ought to leave all Cabinet officers out. The Secretary of the Treasury has lots to do now—more to do than he can attend to. The great trouble with our departments is that the heads of departments have to depend too much upon subordinates. They can not investigate matters that come before them. They can not even dictate the general policies of the department, because they can not get information along the various lines and avenues that the departments act; and so they have to take the judgment and the opinion of somebody else.

Mr. President, it seems to me that this shipping board ought to be made up very much like the Interstate Commerce Commission is made up. It ought not to change with every political party. What is the matter with the Interior Department of this country to-day? The trouble with it is that the head of it changes with every political change, and sometimes oftener. We have one policy to-day and another policy to-morrow. Why should this shipping board be put on that basis? Why should we have a board one year in favor of Government operation as well as Government ownership, and perhaps the next year a board opposed to Government operation, even though it might be in favor of Government ownership? We will find this shifting, vacillating, changing policy that is bound to bring failure to it.

The Senator from Iowa [Mr. KENYON], I think, has offered an amendment to this bill taking the Cabinet officers out of this board. That amendment ought to have been adopted in full. I do not understand why the caucus did not do it. I suggest that the caucus get together again and consider that phase of the bill. If the caucus could get together and make a few changes in this bill, it would get lots of support from this side of the Chamber as well as from that side. If, as a matter of fact, instead of the caucus doing this they would come out in the

Senate, and every Senator would free himself from dictation from somewhere else and consider this bill in its relation to the United States, consider the interests of the United States and the people of the United States, and vote his real convictions and his real judgment, we would soon inaugurate a policy that would provide a merchant marine for this country, that would keep us free from all danger of becoming involved in this strife, and put it upon a basis so that when that strife does cease we will be ready and prepared to compete with the nations of the earth and develop the trade of this country as it ought to be developed.

If nothing can be done with this bill except what is approved by a secret caucus and by secret arrangements in order simply to secure enough votes to pass this bill, of course a bare majority, if it can get the bill to a vote, will do whatever it has agreed upon, regardless of the discussion and regardless of the suggestions that may be made here. We have had some very peculiar actions with reference to this measure when it was found that the caucus proposition could not command a majority on this floor, even with the caucus rule. Then negotiations took place between the majority, or the supposed majority, and some of our friends on this side, and they were perfectly willing to meet some suggestions that they made over here, and had made from the beginning, but which the majority were not willing to accept until they got into a position where they did not have the votes.

Why, they talk about stifling the will of the majority, about throttling the will of the majority, about thwarting the will of the majority. We are not stifling the will of the majority; we are not thwarting the will of the majority. You have not a voluntary majority on that side—not at all. You have been driven to the position you have taken. You have been driven, day after day and week after week, to the provisions of the bill that you finally presentetd to the Senate. You have not a majority for this substitute that I am just reading. You have not a majority of the Senate for the substitute that was presented here on January 26, and you know it. You could not pass that substitute. You have not the votes to do it. Here we were on the 26th of January, with two-thirds of the session gone, with not a single appropriation bill in conference except the District of Columbia appropriation bill, with not a single other appropriation bill passed by the Senate. That is the legislative situation that our Democratic friends have gotten into—absolute legislative chaos existing here because of the absolute incapacity of the Democratic majority to legislate and transact business. You found yourselves without a majority in favor of the substitute that you reported on the 26th of January; and what have you been doing the last week? You have been filibustering to prevent a vote on it. You have been filibustering to prevent a vote to recommit it to your committee, bringing Senators clear across the continent in order to get them here to have votes—what for? For this substitute? No; not for this substitute. You might bring all your Senators across the continent, you might bring all your Senators from the sick beds of their families, and you would not have enough votes for this substitute. I want the Amen Corners throughout the country to know that—that while you have been denouncing us as throttling the will of the majority you have not had a proposition before the Senate that would command the votes of the majority of this body, but that as a matter of fact the majority was against it even with the caucus dictation and even with the dictation that comes from the White House.

So, what have you been doing the last week? Yon have been getting your Senators here from across the continent, and you have been trying to frame up something else that would command the requisite votes. First, according to the newspapers, you appointed a committee to try to bring back some of your Senators on that side who protested against this substitute, who declared they would not vote for it, who would not abide by your caucus dictation. You have been trying to get them back. You could not do it. You could not get any of them to abandon their convictions and their honest judgment; so, anything to pass the bill; anything to get it through in any shape, just as near what you have been trying to get as you possibly can, in order to get enough votes to do it. So, knowing some of the objections that some of the Senators on this side make to the bill on certain particular points, you are trying to meet their objections, and you have practically abandoned the substitute. If you had followed your usual course that you have followed heretofore, you would have called another caucus, and you would have adopted a new substitute and brought it in here as a new proposition, and I expect now you wish you had done it. You have made another mistake. You have brought in here a proposition that involves three or four propositions—propositions that ought to be discussed, propositions that will be discussed, propositions that the country must be made acquainted with. You probably wish you had gone to caucus and brought out another substitute and presented that to the Senate; but instead of that, with a motion pending before the Senate to recommit this substitute to the Committee on Commerce that you know has a majority in its favor, you have prepared some amendments that you propose to put into this bill. How? Not by having them go to the committee and letting the committee consider them; not by having them considered, really, on the floor of the Senate; but you have consulted among yourselves and with some of our Senators over here, and you have gotten up some proposition that seems to be reasonably satisfactory to them, and so you bring in an amendment to the motion to recommit.

You say we will agree to the motion to recommit, but we want instructions to the committee. You are not willing to trust the committee. You are not willing to let the committee consider the propositions that you have framed up. You are not willing to have those propositions referred to the committee and let the committee act on them, not by reason, not by good judgment, but simply by force of numbers you propose to recommit with instructions to the committee. That deprives the committee of all discretion, it deprives the committee of all power and does not make the committee a free agent of the Senate at all. It does not leave the committee even the agent of the majority of the committee; it does not leave it even the agent of the majority of the majority of the committee; but you say to the committee, "You must report this bill forthwith with certain amendments which we have agreed upon, which we are not willing for you to consider, which we are not willing for you to pass judgment on, but which by force of numbers we have finally gotten together, and we are going to adopt them in the Senate, and we direct you to send them back here."

We do not know what they are. They have not been printed. It is another edition of this substitute.

Mr. President, it may be said, why not direct the committee to do that; it is simply the servant of the Senate. Yes; that is true; it is. What do you want to direct them to do it for if you are not going to allow them to consider matters which you send to them? What is the use of recommiting this bill and sending it to the committee? What have you the committee for? Of course, it is a servant; but you have got it for a purpose. We know that we can not all investigate these matters. There are other committees which have other duties to perform. We have these committees as the servants of the Senate, in order that they may give special consideration and special attention to the various matters that come within their jurisdiction.

It is a farce to send this bill back to the committee and tell it that it has to send it right back here with certain amendments which you have decreed yourselves. Of course, it is the servant of the Senate, and it will have to do what the Senate directs.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace, and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided, upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

I think that provision is substantially the same as in the other bill.

SEC. 9. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily, for use as naval auxiliaries, of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board, with the approval of the President: *Provided*, That if, in the judgment of the President, an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

SEC. 10. That the shipping board shall make to Congress, at the beginning each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

It seems that provision is no different from the last. Probably it is a little different.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000, or, in lieu of such appropriation, the Secretary of the Treasury may sell Panama Canal bonds to the amount of $10,000,000 in addition to those provided for in section 3, and on the same terms, and set apart and use the proceeds thereof for such purposes.

My recollection is that the last provision with reference to getting the $10,000,000 through the sale of Panama bonds is new and different from that in the other bills.

Mr. President, that is the last substitute presented from the committee, but it is not the last proposition from the committee. On February 3d or 4th, there are two dates here, a bill was introduced by the Senator from Oklahoma [Mr. GORE], a shipping bill, with the same title as is found in these other bills, and providing for about the same things as the last substitute. I do not think I shall take the time to read it. It has a provision in it somewhere that, I understand, meets the objections made by some of the Members on this side, and to a certain extent these provisions are incorporated in the motion, as I understand it, that the Senator from Florida presented to-day.

Here is a provision in this bill that is different from these other substitutes, but I do not know whether it is the same as that presented in the motion to amend the motion to recommit or not. However, I shall read it:

And provided further, That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same.

Mr. President, as I said, I do not know whether the provision I have just read is exactly the same as the provision placed in the motion to recommit or not. It is intended to limit the power of this board with reference to leasing these boats, and as far as it goes I am rather inclined to favor it. It prohibits the lease for more than a year at a time. But that is very easily gotten around. These leases may provide for renewals, and there will be renewals, no doubt, from time to time indefinitely. But the really important provision or attempted provision is on page 6, beginning at line 15, which provides—

That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

Mr. President, that proposition involves the proposition upon which my opposition to this bill is most strongly grounded. The bill came here at the start, apparently with the sole purpose of acquiring interned ships. As a matter of fact, everybody knows that the only ships that can be purchased at reasonable rates under this bill are ships that are now idle in ports of the United States, because they are afraid to go out from those ports, because they know if they do go out they will be captured or destroyed. So apparently the bill was introduced with the idea that the Government would acquire those ships. That was the only way the shipping facilities could be added to or increased.

Prior to this war these ships were engaged in commerce. When the war came on they were driven out of commerce, and they were the only ships practically that were driven out of commerce. Other ships were destroyed; some ships were sunk; of course, they are gone. We can not get them back, even if we pass this bill. They can be replaced only by new ships. These ships interned in the ports of this country were the only ones that were available under this or any legislation we might pass.

So the bill has been presented in the first place, and has been urged with apparently the avowed purpose of acquiring these ships and putting them in the foreign trade of the United States.

Mr. President, when the question was raised by the Government to acquire these ships and put them into commerce, which would involve us in trouble with some of the belligerent nations, the friends of the administration and some of the members of the official family and Senators on this floor at once came to the rescue with the legal argument that it would be no violation of neutrality to acquire these ships and operate them by the National Government. On this side some great Senators urged that it would be dangerous, that it was likely to involve us in war, that in the purchase of these ships we would purchase a quarrel and get into trouble. It was said that these Senators were afraid, that they were timid. Our friends on the other side were not afraid, they were not timid. They at once came with legal arguments and profound deductions and earnest statements to combat the legal proposition advanced on this side of the Chamber, arguing that we had the legal right to acquire these ships and operate them.

Mr. President, I do not care very much about the legal propositions. I have my ideas with reference to them, but it seems to me it ought to cause us to hesitate when we find that men of equal ability, of equal sincerity, of equal patriotism, differ with reference to the wisdom or the unwisdom of this course.

The PRESIDING OFFICER. The Senator from Washington will suspend for a moment. The Chair lays before the Senate a report of the Sergeant at Arms.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915.

To the PRESIDING OFFICER UNITED STATES SENATE.

SIR: Pursuant to order of the Senate directing me to compel the attendance of absent Senators, I beg to report the following:

Senator STERLING appeared on the floor at 3 o'clock a. m.

Senator CAMDEN is reported by clerk at the Dresden as not being in.

Senator HARDWICK'S family report unable to locate him.

Senator SMITH of Michigan; his family advised at 3.20 a. m. that he had left one hour previous for Capitol.

Senator ROOT; clerk at Connecticut reports that he has not been home to-night.

Senator HITCHCOCK advised my office at 3.40 a. m. that he would be down after a while. (Later.) At 4.03 a. m. Senator HITCHCOCK appeared on floor.

Made two trips to Senator LODGE'S, but was unable to get any response. Made two trips to Senator POINDEXTER'S, but could get no response. Senator DU PONT reported by family as having left the city last night.

Respectfully submitted.

CHARLES P. HIGGINS,
Sergeant at Arms, United States Senate.

Mr. JONES. Mr. President, as I was proceeding to say, when we find such a radical difference among men of such profound knowledge and sincere patriotism, it seems to me that very fact of itself ought to make us hesitate. It ought to make us seek a safe course, because we can not afford to take any chances on getting involved in this struggle.

No, Mr. President; we can well afford to waive some strict rights. We can well afford—and I say it deliberately—to even wink at some violations of our rights in order to keep our citizens out of this strife.

We see some newspapers, as the Senator from Mississippi [Mr. WILLIAMS] said one day, not a thousand miles from here, that seem to want to get this country into this strife. They seem to have been trying to arouse the passions of our people. They seem to be trying to incite our people. They seem to want the war to come for some reason. I do not know why.

Those same papers were urging us several months ago to march our armies into Mexico. Why? For what purpose? To protect some big landed proprietors down there. The Senator from Mississippi is not in favor of anything of that kind and is glad that we did not do it. I hope he will stand against any possible proposition here of involving us in this struggle. Let us not take any chances. We can not afford to do it. We, as the representatives of the people of this country, can not afford to take any chance on their behalf. They are going to suffer; they are going to have to fight, if there is any fighting done; they are going to have to die, if there is any dying done; they are going to have to furnish the boys to feed the cannon; they are going to have the broken hearts and the destroyed homes and suffer the horrors of war if it comes.

Mr. President, we, as their representatives, can not afford to take any chances; and we are doing it with every Government ship that heads its way toward those belligerent waters. If I have a ship, if I operate it, I can fly the American flag; I can take some chances. But if I take the chances, if I run the risks, and if I get caught, the American people are not responsible. I must suffer the loss, as I ought to do; my vessel is confiscated, as it ought to be; and if the prize court determines that I have violated the law, then the people of this country have no cause of complaint, and they will not complain; they will not even take a stand about it.

If we had very many of those cases we would probably have a sentiment worked up in this country by and by that even where vessels flying our flag were properly taken there would be a great uproar that might lead us into war; but suppose the United States Government sends one of its own ships toward those ports and it is boarded by a foreign power, it would not take very many such instances as that to inflame the people of this country from one end of it to the other. If one of these ships owned by the Government was started from New Orleans to Bremen, and was stopped by a British cruiser, and boarded by a British officer, you would find some of the newspapers in this country with headlines occupying a whole page, crying out to the people to resent it; and they would do so.

Mr. President, it means more to board a ship owned by the United States as well as flying our flag than it does to board my ship flying the American flag. You may talk all you please about the legality of this and the legality of that in war, but war is war, and rules and regulations and laws and practices of peace fade away like the mist before the rising sun, when nations grapple in deadly conflict.

If a couple of families are engaged in strife I may have a right to be around, I may have a right to be close to them; my land may come up close to theirs; I may have a right to come up and hang around; but, if I do, I am very likely to get into the trouble; I am very likely to get mixed up in it even in insisting upon my legal rights. I had better stay away until they get through their strife.

Oh, Mr. President, when there is such a terrific maelstrom of passion, hate, bloodshed, crime, and pillage as is going on now in Europe, it seems to me that it is almost criminal for us to invite in the least degree any attacks from any of those enraged and infuriated peoples and nations. Why are we asked to take this risk? Because somebody is asked to pay a little more freight than usual for the transportation of his products. Oh, is it possible that the United States Senate can risk placing over against the lives and the happiness and the peace of our people a few paltry dollars, a few cheaper transported cargoes?

Why, Mr. President, it is inconceivable to me, and I know that those who do not agree with me are just as sincere as I am, and just as desirous that this country shall be at peace as I am, and just as desirous that we should keep out of this trouble as I am. It seems to me that we are awfully reckless; it seems to me that it is possible we have gotten into a position where we do not just like to give up. We are all that way, more or less. We like to have our own way; and if we get started along a certain line to accomplish a certain purpose, if we have met with considerable opposition, we get a little stubborn and we want to carry out our purposes. While away down in our hearts we may know that we are not doing just exactly the right thing, we hate to give up; we hate to acknowledge that we are wrong; and we press on for the goal that we know we ought not to reach; and I sometimes think we have gotten into that position with reference to this legislation. Our friends on the other side have been pressing it; they have some pride in it, and they want to get it through; they want to pass it. They do not really think we are going to get into any trouble; they hope we will not get into any trouble, but they seem to be willing to take the chance.

I saw in the paper the other day that one of the honored leaders on this floor on the other side said that if some of our ships were sunk or fired at there would be shooting back. I expect that is true; but let us keep our ships away from that place. We do not want to get to shooting back. We may have a right to go there, but let us not do it. We ought not to do it. We can not afford to do it. We are trustees of the people, who have got to bear the brunt; and if we get into war we do not expect to do much of the fighting; we can not do much of it. We might be willing to go, but we ought not to take any chances until we are willing to go.

The Senator from Mississippi [Mr. WILLIAMS] is a man of peace. I have heard him denouncing war in language far more vivid and eloquent than any I can use; I have heard him pleading for peace, and I have thought from what I have heard him say that he would go almost to any length to have peace, and yet I have heard him admit that human nature and the conditions and feelings of the people were such that they were not ready and willing to go as far as he would go, and so in his philosophical way he has said that we must take conditions as we find them. While he would not approve of the code duello, yet back in the time when it was in operation, if his honor were attacked, of course he would resent it; but he hoped the time would come when things would not be settled in that way, and he is glad it has come now. He wishes the time would come when the disputes between nations would not be settled by war, and he hopes that time will come soon. I hope so, too, but it has not come; but we can keep out of it if we are careful, and there is no reason to justify us in putting ourselves in a position where we might be involved in the trouble.

Mr. President, this is a serious matter with me. It is the only proposition in this bill because of which I would feel justified, as I have said before, in using every power to defeat it; but I do feel that I am justified in doing that. There are others on this side who feel very much as I do.

The committee has presented a proposition in the amendment to the motion to recommit trying to meet that situation. They are not doing it voluntarily; they are not doing it willingly; they are not doing it cheerfully; but they are doing it simply because they have to do it to get the votes to put their bill through, if they can get it to a vote. That is all they are doing it for.

Have you framed up a provision that meets the situation, that saves us from the danger that we fear? What provision have you got? I do not know; I have not seen your motion; you have not had it printed. You presented it this afternoon and you insisted that we should proceed to consider it before it was printed and laid on our desks so that we could examine it. I do not know what it contains; I do not know whether it has this proposition or not, but here is what is in the Gore bill, which was offered the other day:

And provided further, That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

Mr. President, that does not mean a bit more than the bill means now without it, because you have contended from the beginning that you would not do anything that would violate the conditions of neutrality. Nobody expects the administration to deliberately do something to violate or disturb the conditions of neutrality; I do not think your President would do that willingly; I do not think the shipping board would do anything of that kind willingly. The trouble is that the President and the shipping board can not do all the things that are to be done under this bill; they will have to depend upon somebody else; they will have to depend upon subordinates; they will have to act on their judgment. They are subject to influence—and when I say "influence" I do not mean corrupt influence; I mean that they will have the proposition presented to them from one side and from those who know their side.

The Senator from Mississippi knows from experience here in the Senate how men can come before a committee representing one side and make it look all right. You can see no flaw in their argument, no flaw in their reasoning; but somebody else versed in the business, knowing all the conditions and facts regarding it, comes before you, and, like a flash, points out the weaknesses in the previous argument. But these men will not have anybody to present the other side; they will have one side presented to them, and on that side they will act and prepare their recommendations, which will be signed by the President in a formal sort of way. So the matter will go through, and something may be done that develops into an unneutral act. Suppose the shipping board gets some ships in a perfectly proper way, without violating neutrality, and starts them across the ocean. A ship may have a captain who is not under the control of the board when he gets out on the sea. You do not know then what he will do; he will take risks and chances. It will not make any special difference to him that he is running a Government ship any more than if he were running my ship. He will take chances against a belligerent submarine or a belligerent cruiser or a belligerent regulation, or something of that sort; and, like a flash from a clear sky, we may be involved in trouble. What good would that provision do? That provision amounts to nothing. Who is it who is to determine whether our acts are disturbing neutrality or not? Well, our people will determine what they will do. Belligerent nations will determine very largely what they will do; they will determine whether our acts are considered by them as unneutral, but you let them take a Government vessel and carry it to a prize court, and the people of this country would rise in indignation against it.

No, Mr. President; this provision amounts to nothing. What you want to do, if you are going to do anything, if Congress has any policies that Congress wants to put into effect, is to declare it. Let us say, "You shall not do so and so."

Why, Mr. President, my colleague [Mr. POINDEXTER] has offered an amendment to this bill that I should like to see in it, and if you will adopt it my speaking will stop, even though there are other provisions in the bill that I do not like. I will take a short time to tell you why I might not vote for the bill, and then, so far as I am concerned, let you come to a vote. I want to read his amendment, if I can find it. I have here all the amendments proposed to this bill. A good many of them were laid on the table Friday night when you were ordered to pass this bill. They will all be subject to be offered to this measure again. I do not know whether you will lay them on the table or not again. You did not have a very satisfactory experience before. I will read it, Mr. President. This is proposed as an amendment by Senator POINDEXTER:

Add as a new section the following:
"SEC. 12. That no ship shall be purchased under the authority of this act from a belligerent nation"—

Now, that is plain. That is simple. That is direct. That is a legislative declaration of policy which no Executive can vio-

late or will violate, and it does not impose any burden upon the Executive. It leaves him an Executive pure and simple.

That no ship shall be purchased under the authority of this act from a belligerent nation nor the citizens thereof.

That is clear and definite.

And no ship shall be operated by the United States, nor the shipping board, nor the corporation provided for herein, nor any lessee thereof, under the authority conferred by this act, to or from any port of a belligerent nation; nor to or from any European port during the continuance of the present war in Europe.

Mr. President, that will keep us free from any trouble. It will keep us free from any danger. It will save us from any risk. It will protect the interests of the American people clearly and completely. It does not leave any discretion in the Executive that may be exercised and abused by some subordinate officer—none at all. Place beside it this senseless, meaningless provision:

That in making purchases of ships during the continuance of the present European war, no purchases shall be made in a way which will disturb the conditions of neutrality.

Why, that does not mean anything. That lets the Executive do anything. It leaves entirely to his judgment what shall be done. The people of the United States take all the risk. Why? For a few paltry dollars, a few cheaper freight rates which you hope for, but which only a few favored ones will ever get.

Mr. President, those are the only two changes that I know of that the Gore bill proposes over this substitute that was brought in here on the 26th day of January. Why, that is only a little over a week ago, and yet they say we have been delaying this bill; and yet you did not bring out here the bill that you expect us to vote on until the 26th day of January. You did not bring out the bill that you expect us to vote on until the 8th day of February, 1915, with the end of the session only three weeks off, not a single appropriation bill enacted into law, only one appropriation bill passed through the Senate, the Democratic Party in full control of Congress, crying "Economy, economy, economy," practicing extravagance, extravagance, extravagance, appropriations piling upon appropriations, deficits piling upon deficits, special taxes piled upon special taxes.

Oh, the promises you made to the people! How you are keeping them! You told the people that you would relieve them from the burdens and the oppressions of Republican laws, and you passed legislation that necessitated additional and greater burdens. What have you been doing ever since you got in? You have been talking and crying for emergency measures, emergency measures! You began just as soon as you passed your tariff law. You passed your tariff law pursuant to your promise. You told the people that you would relieve their burdens of taxation, that you would lower the cost of living, that you would make greater the prosperity of the country. Ever since you passed that law you have been crying for emergency measures, and my dear friend from New Jersey [Mr. MARTINE] has been appealing to us in fervid tones month after month: "Pass an emergency measure, and bring relief and prosperity and happiness to suffering people." We pass this emergency measure, and things get worse, and they come in with another measure, and they say: "Pass this emergency measure, and that will bring you prosperity and happiness"; and we pass it, and things get worse and worse and worse. After you had passed the tariff law, and things did not come as you thought they ought to, then you said: "We must stay in session, and we must pass a currency law." I think the President said: "We have made you half free by the passage of the tariff law; now, then, we must make you wholly free by passing a currency law." We worked and we toiled and we strove about that, and we finally got a bill through. It was an emergency measure. We provided for a Federal Reserve Board. Everybody knew, for a long time before the bill was passed, that it would provide for a Federal Reserve Board, and yet what was done? Were the appointments made promptly? No. Months passed—months passed, with no Federal Reserve Board appointments. Why? What was the matter? Well, it looked to me as if they were afraid to put their system into effect, and when the stress came we had to depend upon the old, denounced Republican emergency measure for stability and strength and relief in our financial system.

After 6, 8, or 10 months the board was appointed. Names came in here. Some of them were not satisfactory. Some of them were opposed, and our friends said, "Oh, let us pass them. Let us hurry them through now. We must confirm them promptly and quickly." They wanted us to rush them right through. The Executive took all the time he wanted to appoint, but the Senate must hurry the confirmation. The Senate, however, showed a little independence. Some of the majority objected to some of the men whose names went in, and some of them had to be withdrawn and others were appointed. Finally we got the board, and finally we got the system established, but the prosperity did not come. Still we had trouble. The deficit was growing. The revenues were falling off, appropriations were piling up, and then what? Well, we must have an emergency tax. You relieved the people, as you said, of burdens at one end and piled on taxes at the other. No lowered cost of living, higher taxes, more imposition, greater burdens, vexatious investigations, and all that sort of thing. No wonder the conditions of the people got worse. No wonder their condition became worse; and then you said we must have what? "We must have a Trade Commission law. That will bring prosperity. That is an emergency measure that we need. That will tell business 'where it is at.' That will tell business what it wants, what course to take. That will bring them out of this slough of despondency and uncertainty and trouble in which they are now." We worked on that bill until we finally got it through. It provided for a commission. No appointments have been made yet. Months have gone by, nobody has been appointed. What is the matter? Are you afraid to put it in operation? Are you afraid to put it into effect? Why do you not get the appointments made?

Oh, some of these days, along about the close of the session, these appointments will come in, and we will be told to put them right through. "Do not investigate. Do not look into them. The President has appointed them. Confirm them at once." Do you suppose we will do it? Oh, I expect so. That is not the way to do, however.

I hope the President will get good men. I have not any doubt that he is trying to get good men, but the longer he takes very likely the poorer men he is going to get. If there is any body of men that we ought to look into carefully as to their ability and their experience and their capacity, it is the members of this great commission. We ought not to be hurried about their confirmation, either. If they are held off until the close of the session before they come in here and we do not have time to investigate them, they ought not to be confirmed. What are you going to do? Suppose they come in here in a week or so; are you going to drop this bill in time to have them confirmed? Are you going to keep this bill before the Senate and preclude the consideration of all other legislation, all other bills, and the confirmation of these important officers if their appointments should come in? You are going to be confronted with that possibility before long.

Then you called for the Clayton bill, and you said that was an emergency measure. You said that was needed to set business free, to take the shackles off of business, to mark out the course it should follow, to make it free. We passed it. There does not seem to be very much activity under it. Nothing seems to be done. No results have followed—no prosperity. It is not worth the paper it is written on.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. I am very sorry, but I can not yield, Mr. President.

Mr. MARTINE of New Jersey. I wanted to ask whether the Senator believes it was unwise legislation, even though no results have come?

Mr. JONES. Mr. President, the Senator has not done me the honor to be present all the time I have been speaking.

Mr. MARTINE of New Jersey. No; but I have for the greater part of the time.

Mr. WILLIAMS. You get them on that every time.

Mr. JONES. Yes; I have "got them on that," as the Senator from Mississippi says. I explained my position with reference to these measures. I have supported the majority of the measures of this administration.

Mr. MARTINE of New Jersey. I know that; I realize that.

Mr. JONES. I have not acted as a partisan on these measures at all.

Mr. MARTINE of New Jersey. No; I am willing to admit that.

Mr. JONES. I supported the Clayton bill as it passed the Senate, but when it came back here in a conference report, with the things that were done to it I could not support it here then. I could not vote for it, and I did not. I did not think it was a wise measure then. I agreed with some of the friends on that side. I think I agreed with the Senator from New Jersey in reference to that measure.

Mr. MARTINE of New Jersey. I know that.

Mr. JONES. And I doubt if that measure does us any special good, but it was hailed as an emergency measure. I hope it will bring good results. We have not seen any yet. Then the war came on. Of course, that caused trouble. Of course, that dis-

turbed business. Of course, it disturbed almost everything. We must expect things of that kind, and you can not remedy those things by legislation.

Why, Mr. President, as I said some time ago, I voted for the measure that was proposed here to help out the cotton people in the South. I voted for that measure, not as a general principle but because of its applicability to the special conditions that existed in that country, and because of the very large number of our people that seemed to be very injuriously affected. It seemed to me from the stories that were brought here by the people from that section, that if the Government could not do anything to help them, it was a very impotent Government. So I was one of the few—I think there were only one or two on this side—who voted for that measure. It did not pass. The emergency has not entirely passed away, but the conditions are getting much better. They are probably getting better just about as rapidly as they would if we had passed that legislation. I do not know. I hoped it would help out, but we did not get it. However, things are getting better, and I rejoice.

I notice that they have worked up a loan pool, I think, of about $135,000,000 to help our friends down South, and I saw a statement the other day that only $12,000 had been applied for. They have not all got in a good condition, but they are getting better.

Then there was another emergency measure. We must have ships, no matter when they were built, and bring them under the American flag, so as to furnish adequate transportation, largely for what? Largely for the southern country. I tried to get something for the Pacific coast. The great lumber industry out there was prostrated, and I wanted to get some ships to carry lumber through the Panama Canal and get into the Atlantic market. I wanted to get into our home markets with our home products. They would not give them to me; they would not do it. But we had a measure for our southern friends. I do not know whether it has helped very much or not. I do not know just how many ships, but I think 50 or 60 ships have been brought under American registry under that special act. But what kind of ships are they? They are largely old tubs; some of them 30 or 40 years old.

I know this, that when I was on the Merchant Marine Committee in the House several years ago, the testimony was uniform that the life of one of these ships is only about 20 years, and that the underwriters would write it off at the end of 20 years. We know that our battleships last about 10 years. Yet we admitted under that law without inspection, with foreign crews and foreign officers, 50 or 60 old ships, some of them 34 years old of 3,000 tons. They did not amount to much. Several of them belonged to some big corporations that in times of peace would not sail under the American flag, because they would have to pay too high wages and have to use American officers. So they went under foreign flags to get cheaper crews and cheaper officers, and then when danger came, like cowards, they came to the flag for protection, and they got us to admit them. They got us to let them come in with their foreign crews and foreign officers. They have come in with their foreign officers for seven long years, with thousands of our own men idle, men competent to fill these places, yet this administration pretends to be the friend of the people, the friend of the poor, the friend of the laborer. We have the United Fruit Co. and the Standard Oil Co. bringing their ships under our flag for protection.

What do you want the legislation for? This is another measure now, and you want it for what? I have here the report of the Secretary of the Treasury, giving the letters upon which his recommendations for this legislation is based very largely. Both the Secretary of the Treasury and the Secretary of Commerce, for whom I have the highest respect and warm personal regard, are going about over the country reading letters to show the people the necessity for this legislation. What are they saying? They are saying that we should have this legislation to help the farmers of this country, and they point to the high freight rates.

Mr. President, this bill will not help the farmer. This bill is not intended to help the farmer by the people who are really behind it. This bill is a measure I will not say intended, but a measure that will place in the pockets of speculators, if it helps anybody, thousands of dollars at the expense of the Government.

Mr. President, they say they want to help the farmers of the country. How will they do it? They say by furnishing them cheaper freight rates. The farmers of the country now and the grain people are not suffering. I thought I had all my documents here, but I left one of my packages. However, I will have to tell you what it shows and then I will have to bring it over probably when I discuss one of the other divisions of the motion, which I may have to do. I have daily clippings showing the market reports at Chicago on wheat, oats, barley, rye, and things like that.

Mr. WEEKS. And the London price?

Mr. JONES. I am not particular about the London price. I do not care much about it. In Chicago they are getting what for wheat? One dollar and fifty cents, $1.60, and $1.65 a bushel. Who is getting it? I do not know how it is in the East, but I know out in our part of the country most of the wheat was sold some time ago and the farmers are not going to get the benefit of the cheap rates you furnish by this legislation. Who will get it? The men who are cornering wheat are the men who will get it. The exporters of wheat are the men who will get any benefit that comes from this bill. When my friend, the Secretary of the Treasury, goes about over the country telling the farmers and the people of the country that he wants this bill passed for their benefit, to give them a better price, I do not know what he is thinking about.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. JONES. I am very sorry, but I can not yield to my friend. I would like very well to yield, but I have refused to yield to others, and I must decline.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. Then take oats. I have kept track of the price of oats a little during the last three or four years because my brother-in-law has been raising oats in Illinois. What do I find? I find he had been getting about 28, 30, and 31 cents a bushel for oats, and he thought he was getting a pretty good price when he got 30 cents a bushel. What is the price of oats now in Chicago? My recollection is that the last quotation was either 60 or 80 cents a bushel. Sixty-odd cents for a bushel of oats is a great price. Are the farmers getting it? No; they have sold their oats. They are not going to get the benefit of any cheap rates that this bill will furnish, but the cheap rates will redound to the advantage of the speculator and the people who have cornered and secured the supply of oats in the country and who will extort from their customers every dollar these necessities make possible, and every dollar saved in transportation they will pocket. If they do not get the benefit, then the people across the water who buy wheat or buy flour will get the benefit in reduced rates.

I had some clippings in my pocket here. It was just a news item, which stated that on account of the freight rates in London the price of wheat and flour was almost out of sight.

Mr. GRONNA. Mr. President——

Mr. JONES. I am sorry; I dislike to refuse, but I have declined to yield to others, and I can not let the Senator in.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. JONES. I will let the Senator in at another time, but I think it would be better for him to wait. I want to be courteous in this matter. I do not want to get in any belligerent attitude or furnish any reason for involving the belligerency of my friend. I am sorry that the people across the water are paying these high freight charges. I am sorry they have to pay such a big price, but I do not see why we should bring our people into danger to help those people out over there in a struggle they have brought on themselves, a condition, deplorable as it may be, for which they themselves are responsible.

Mr. President, I want to notice some of these letters, and I will bring the clippings in that I have later on so as to put them in the RECORD. I have this letter from the Treasury Department, signed by Mr. McAdoo, Secretary of the Treasury, and also signed by Mr. Redfield, Secretary of Commerce, sending letters down here with reference to the high charges of freight rates and showing the necessity for this legislation. I am not going to read all of it, but I am going to read as many things in it as may be advisable and call attention to what I think is an error in judgment and wrong deductions and so on.

As I said, we may expect results just like we have them from the conditions that now exist in Europe. I can get letters from people in different parts of the country almost any time in the year and in almost any year showing how things are high in their locality or how things are low, and that they would be helped if the Government would do this and if the Government would do that.

Out in my part of the country last year apples were allowed to waste in the fields. Why? Because we did not have any way to distribute them. Shall we say, then, because there are people in the country who want apples the Government shall go into the business of distributing apples? We would like to

have had it done. It would have helped us wonderfully. Our people suffered very greatly.

I noticed in a paper the other day that some man sent his apples off to market and he got a bill for his freight after the apples had been disposed of and they did not pay the cost of transportation. There is something wrong. We ought to bend our efforts to try to correct a condition like that. My friend from New Jersey might think so, but I hardly think the Government should go into the distribution of our apples.

Mr. MARTINE of New Jersey. I think it would be a very helpful proposition for the Government to interpose.

Mr. JONES. I think the Government could help some, that is true. I am not so set against those things as some of my friends are, but I would not be in favor of the Government going into the Yakima Valley and either stopping the production of so many apples or furnishing a market, buying up the apples there in order to maintain the price. I would not want them to do it. Yet that is what you propose to do in this case.

Freight rates are high. Of course they are high. They are bound to be high. They must be high under present conditions. You can not reduce them by furnishing a few ships. Fifteen or thirty or forty or fifty ships would be a drop in the bucket, and the rates would not be reduced, except on what? Except on the products that are carried by the ships of the Government, that is all. You will not have enough ships to start from all the various ports of this country to all the ports of Europe. Suppose you have a ship to go from New Orleans and have not any to go from New York? Will the fact that freights are low or cheap from New Orleans affect the freight from New York? Not a bit of it.

Mr. MARTINE of New Jersey. Have you ever seen a grocer coming into a town and lowering the price of eggs?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. No; I can not yield.

Mr. MARTINE of New Jersey. Yet he has not eggs to supply everybody in the community.

The PRESIDING OFFICER. The Senator from Washington declines to yield to the Senator from New Jersey. The Senator from New Jersey will please not interrupt.

Mr. JONES. No; but if a man comes into North Yakima and brings in some Iowa eggs and lowers the price there it does not affect the price at Waukegan.

Mr. MARTINE of New Jersey. I do not know the distance between Waukegan and Yakima.

Mr. JONES. I knew the Senator did not know, and that is why I used that example. That is the way it will be in this case. The ships will only go from certain ports. Here is the great trouble with it, Mr. President: Take a railroad. I would rather have the Government operate a railroad than operate a ship. Why? Because when you have a railroad you know where the termini are. You know the line along which it is going to go. You know what competitors it is going to have. You know where their line is and where their termini are, and you know the business of one and the business of the other.

Shipping is entirely different. Unless Congress says that these ships shall go from certain ports to certain ports you do not know where they are going. You leave it to whom? You leave it to a political board. That is where you leave it. You leave it to a board to which you and I and your colleagues and my colleagues would go upon the urgent request of our constituents. In some of our big cities who would present to us their needs? They would say we must have a ship. If it is a Republican board they might pay more attention to me than they would to you. If it is a Democratic board they might pay more attention to my Democratic friends than to me. They can send the ship from your port to mine or from my port to yours, or they can send a ship to the port of somebody else who had more influence than I. So you would have this business controlled and directed very largely by political pressure and political influence.

Mr. President, it would bring about a condition of things that I think would be deplorable; and yet with all that, if you put the amendment of my colleague into the bill, I would simply state my reasons and objections to it and then let you pass it, so far as I am concerned.

But I want to notice what this letter says. I do not think I will do that now. I think I will wait until I get the clippings that I have. I am going to take up these rules that this committee has repealed and destroyed. I do not know whether the Senator was in here when I mentioned that or not.

Mr. MARTINE of New Jersey. I think I was.

Mr. JONES. The Senator knows what they have done then. There are so many substitutes here that it is hard to keep track of them. Here is one in the nature of a substitute repealing all these amendments, but it does not seem to be the one that I want. Yes; here it is. I want Senators to pay attention to this provision, because this is a serious matter, and I wish those who are here anyhow to notice, and possibly we can get the caucus, at any rate, to consider this proposition.

All rules and regulations—

All rules and regulations—

relating to or which affect shipping, navigation, or water-borne commerce of the United States, heretofore made or published, by authority of law, shall only be and remain in force until midnight on the 31st day of December, 1915.

Here [exhibiting] is all that I have been able to find of these rules and regulations. That is enough, though there may be more; but they are all repealed, nullified, and abrogated, and all the shipping of the United States anywhere and everywhere is put under the control and domination of this shipping board. Why that has been done nobody has said; I do not know; I do not know who suggested it; I do not know who proposed it; I do not know where it came from; but I want to say that, in my judgment, wherever it came from, they had a purpose and object in view in having that done; and it is a purpose and object which I think the Senate ought to know about and ought to investigate.

I want to call your attention to these rules; I want to show you what they have done, and in order to do that I shall have to read more to the Senate than I should like to do; but the only way that we can get at these things is, of course, to examine them. I venture to say that my good friend the Senator from New Jersey [Mr. MARTINE] has not examined these rules; I venture to say that he does not know—I am not charging him with ignorance—what that provision of the bill means and what it does. As I have said, I sent to the various departments and asked them to send me copies of the rules and regulations that affected the water-borne commerce of the United States, and here [exhibiting] is what I have gotten so far. The first one is what? Rules for the St. Marys River, approved April 15, 1911.

Now, then, why is it that they have to interfere with the St. Marys River? Why is it that they want to put the St. Marys River and the commerce on it under the control of this shipping board? Why is it that you want to put that commerce under the shipping board? Is it possible that this suggestion came from the department? Is it possible that the Secretary of the Treasury and the Secretary of Commerce, who are the only ones who are to be on this shipping board, are trying to get all the power that comes with such authority as that? Is it possible that they want to take away from the War Department some of the control it exercises over navigable streams? What has the War Department to say about it? Has the War Department been mentioned? Has the War Department been consulted? I do not know, but here it is.

Rules for the St. Marys River.

I must read this. Notice that we passed a special law for the anchorage and movements of vessels in the St. Marys River. We did not seem to think that the general legislation affecting navigation was sufficient for the St. Marys River, and we passed a special act governing that river. What do we provide in this law?

Be it enacted, etc.—

This is the act of April 26, 1906—

That the Secretary of Commerce and Labor be, and he hereby is, authorized and directed to adopt and prescribe suitable rules and regulations governing the movements and anchorage of vessels and rafts in St. Marys River from Point Iroquois, on Lake Superior, to Point Detour, on Lake Huron, and for the purpose of enforcing the observance of such regulations the Secretary of the Treasury is hereby authorized to detail one or more revenue cutters for duty upon the request of the Secretary of Commerce and Labor on said river.

After quoting the law which I have read, the regulation of the department continues:

The officers of the Revenue-Cutter Service, who are directed to enforce the regulations prescribed by this rule, are hereby required and directed in case of necessity or when a proper notice has been disregarded to use the force at their command.

Now, Mr. President, I want to ask the lawyers of this body what effect this provision has on that law? This provision says:

The shipping board herein provided for shall propose such rules and regulations applicable to the shipping and water-borne commerce of the United States in lieu of those now in force.

That is, those rules and regulations. This does not propose to repeal any law; it simply says the "rules and regulations" adopted pursuant to law are repealed, but it does not repeal the law. The law says:

The Secretary of Commerce and Labor be, and he hereby is, authorized and directed to adopt and prescribe suitable rules and regulations governing the movements and anchorage of vessels and rafts in St. Marys River.

Does the provision of the bill repeal the law? It does not say so. It simply annuls the rules and regulations that are adopted pursuant to law. It does not say that "all such in conflict herewith are hereby repealed."

Mr. CLAPP. Mr. President, may I interrupt the Senator from Washington?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. I think I will yield, if I can do so without losing the floor, because the Senator is going to answer a legal question.

Mr. CLAPP. Any law that contravenes an existing law pro tanto repeals the existing law without containing any repealing clause. This would repeal all the rules and repeal, by implication, all the laws that directed the making of rules, because it would take the making of the rules from those various bodies to the body created by the pending bill.

Mr. JONES. I doubt very much whether the language of this provision here would repeal the law.

Mr. CLAPP. It would if it contravened it.

Mr. JONES. Well, it does not contravene the law. It contravenes the rules and regulations. It annuls them, but it lets the law stand.

Mr. CLAPP. No; it contravenes the prior law so far as the prior law was the authority for the making of the rules, transferring the authority from that law to the pending bill, if it should become a law.

Mr. JONES. Well, Mr. President, I want to read this, and I want to ask the Senator from Minnesota what effect the provision in the bill has on this:

That in the event of the violation of such regulations or rules of the Secretary of Commerce and Labor by the owners and masters or person in charge of such vessel, such owners, masters, or person in charge shall be liable to a penalty not exceeding $200.

Is that a repeal?

Mr. CLAPP. Is that a law?

Mr. JONES. That is a law.

Mr. CLAPP. No; that would not be a repeal, because there is nothing in the pending bill that contravenes it.

Mr. JONES. But there is no penalty provided for.

Mr. CLAPP. The penalty would remain.

Mr. JONES. Oh, no; this is a penalty for the violation of rules made by the Secretary of Commerce.

Mr. CLAPP. Exactly.

Mr. JONES. These are not made by the Secretary of Commerce.

Mr. CLAPP. Oh, no. The law from which the Senator read first authorized the making of rules. That is the repeal of the prior law. That would transfer the making of the rules to another body. The law which the Senator read also contains a penalty for the violation of the rules, and that penalty would remain because it is not contravened by the pending bill.

Mr. JONES. Yes; but there is nothing to indicate whether the rules and regulations are repealed under this section.

Mr. CLAPP. I think that under rules and regulations there could be no violation, but if there was the penalty would remain.

Mr. JONES. Yes; but the Senator knows that criminal statutes are construed strictly.

Mr. CLAPP. Of course they are construed strictly.

Mr. JONES. But when it makes it a crime to violate a rule made by the Secretary of Commerce, does the mere fact that you take away from the Secretary of Commerce the power to make the rules make a man criminally liable for the violation of a rule made by somebody else?

Mr. CLAPP. It does not make the violation depend upon the fact that the Secretary of Commerce makes the rule.

Mr. JONES. The law says so.

Mr. CLAPP. No.

Mr. JONES. Yes, it does; and I want to read it to the Senator.

Mr. CLAPP. The violation of the rule is followed by the penalty.

Mr. JONES. It reads that in the event of the violation of any of the rules and regulations of the Secretary of Commerce.

Mr. CLAPP. Exactly.

Mr. JONES. That is not the shipping board.

Mr. CLAPP. No; but it is the shipping rule governing the shipping.

Mr. JONES. That is true. Well, Mr. President, my friend and I differ about that; but I do not believe that if you take the provisions of this bill you can punish anybody for the violation of a rule made by the Secretary of Commerce, because he violates a rule made by the shipping board, and you do not provide any penalty for it. You do not authorize the board to provide any penalty for it.

Mr. CLAPP. You could not do so.

Mr. JONES. You do not.

Mr. CLAPP. That is an authority you can not confer on them. Congress alone can provide the penalty.

Mr. JONES. Well, Congress has not provided any penalty for violating the rules made by the shipping board under the provisions of this bill. So how will you punish anybody for a violation of it? We have not provided any penalty, and a man does not know, when he violates a regulation of the shipping board, that he is going to be punished, for there is no law——

Mr. CLAPP. He may not know the penalty, in any event; but, if he violates the law, he takes the consequences of a violation of it, whatever they may be.

Mr. JONES. Oh, yes; but there is nothing in the law that fixes a penalty on him for violating a rule made by the shipping board.

Mr. CLAPP. If the law to which the Senator refers is limited, I suppose it relates to violating the rules relating to shipping——

Mr. JONES. It relates to a penalty for violations of the rules relating to shipping on a certain river, made by certain officials.

Mr. CLAPP. Well, then, there might be a very serious question.

Mr. JONES. That is it; that is what the law does; that is what the law says. They have apparently let the law stand, but they have repealed all these rules and regulations. In my judgment, when it comes to the penalty for the violation of these rules, they will find that the courts will let the penalties out, and they will come in here asking us to revise the whole range of the navigation laws. At least that is a proposition that, it seems to me, our friends ought to look into very carefully. I do not believe they have considered that at all.

Mr. CLAPP. I think that is a point that the Senator and I would abundantly agree upon. The idea of repealing a stack of rules and regulations like that by one sweeping provision! Of course, it will lead to interminable confusion.

Mr. JONES. Rule 1 provides:

RULE 1. These rules shall apply to the waters of the St. Marys River beyond Point Iroquois on Lake Superior to Point Detour on Lake Huron, except those waters included in the St. Marys Falls Canals. The speed under these rules shall in all cases be over the bottom.

I do not know what the shipping board will do with reference to that. I do not know whether they will provide that the speed shall be speed over the bottom or something else. I do not know how they are going to find out about it. I do not know whether or not they are going to send somebody up the St. Marys River to look into the conditions. The Secretary of Commerce has agents and inspectors all over the country to advise him and recommend these different rules. Now, those employees are not made available for the shipping board, and we have not disposed of their services; they will stay under the Secretary of Commerce, I suppose, and there will come in here estimates for officials for the shipping board to look after the various rivers, and we will have to provide officers and salaries, and all that sort of thing.

Then we do not know what sort of rules they will make. Of course, I do not assume that these are not good rules here. They may adopt them or they may not. Somebody up there on the St. Marys, who is dissatisfied with the way he is being treated, may charge that some favoritism is being used against him and get a Senator or Representative or somebody to come here and go before the shipping board and point out why he should be treated differently. Just look at the burdens that would be imposed on Senators and Representatives under a political organization having control of all the navigation in the United States. Why, Mr. President, it seems to me that the proposition is monstrous, unthinkable, and inconceivable.

I now read rule 2:

RULE 2. No vessel of 500 gross tons or over shall navigate the St. Marys River at a rate of speed greater than 10 statute miles per hour between Everens Point and the float lights in Hay Lake marking the northern end of the Middle Neebish Channel, nor between the post lights in Hay Lake and in Mud Lake marking the upper and lower ends, respectively, of the West Neebish Channel, nor between Six-Mile Point Rear Light and the intersection of Cedar Point and Birch Point Ranges.

Suppose that some fellow up there with a vessel that does not comply with the provisions of that rule comes down here to his Senator or Representative and asks him to go to this political board and get some special privileges with reference to the St. Marys River. Senators know enough about how things are done about the departments to know of the condition

of things that that would bring about. Notice in this connection that the bill gives the shipping board the right to make these special arrangements. Listen to it:

In the rules and regulations hereby adopted and authorized to be put in force, different classes of shipping, navigation, and the water-borne commerce may be appropriately and differently treated and provided for.

Giving almost all sorts of authority to this board. They may provide for discriminations, rebates, impositions, oppressions, and all sorts of influences.

Rule 3 provides:

RULE 3. No vessel of 500 gross tons or over shall pass up the West Neebish Channel nor down the Middle Neebish Channel except vessels making a regular local stop on these channels and vessels bound in or out of the St. Joseph or Lake George Channels at Harwood Point.

The chances are, as soon as this is adopted, that there will be some owner of a ship coming down here wanting to modify that rule and give him the right, because they are under 500 tons, to do certain things that are prohibited by this rule; and if the board say, "We do not think we can do it," what will he do? He will come right up here to his Senator or Representative and ask him to go there to that board, and he will make his showing. There will be nobody there to combat it, and he will make a strong showing, and before his competitors up there know what is happening they will be put out of business. That is what they have done in this bill, at one fell swoop, on the St. Marys River, a little bit of a river away up here somewhere, I do not know where; yet we must put it under this shipping board. We started it out with a shipping board to run the vessels of the United States, and it ends up by running all the commerce of the whole United States. I want the amen-corner people to realize what that is, and I want the amen corners out in the Puget Sound country to know that after a certain date in this year all the shipping in Puget Sound will be put under the control of a political board located in Washington City; and I want them to understand that the board will be controlled for a while by a political body to which I do not belong.

RULE 4. No vessel shall pass or approach within one-quarter mile of a vessel bound in the same direction in any of those portions of the channels where speed is restricted to 10 statute miles per hour, except between Bayfield Rock and the St. Marys Falls Canals, and, for upbound vessels only, between Vidal Shoal and Black Gas Buoy No. 3, off Brush Point.

If there is somebody that wants to take a little different course from that up there on the St. Marys River they will come down here to this board, or to their Congressmen and Senators, and ask to have the privilege granted to them to go in a different way.

Tugs without tows and local passenger boats under 500 gross tons are exempt from this rule.

Now, then, about the first thing they will do will be to come down here to get this board to put these vessels of less than 500 tons under this rule. They will go to this shipping board and say that that rule is injurious to their business; that it is running them into bankruptcy; that it is an unjust regulation. We can not pass this bill intelligently without knowing something about these rules and regulations that they propose to repeal and do away with. We can not do it.

My dear friend the Senator from Louisiana suggests that the St. Marys River is a very important river between the Great Lakes, and that through it there passes a tremendous commerce, more than enters Liverpool. I think that is true. That is all the more reason why it should not be under the control of a political board. That is all the more reason why these ships of a limited tonnage in going through this canal should not be placed at the mercy of the great and powerful craft that can bring their pressure to bear on this political board.

No, Mr. President; I can not believe that the committe knew what they were doing when they put that provision in this bill. It certainly will be interesting to know, and I hope my friend from New Jersey [Mr. MARTINE] will find out where that suggestion came from, who proposed it, who wants to take all the water-borne commerce of this country and put it under a political board. Why not leave this board that we are providing to operate Government ships in control of the business that it is designed to handle? Why take it and spread it all over the United States? Is there anybody who can suggest any good reason for the action that has been taken?

Why, they say that this is intended as a temporary measure. There is nothing temporary about that. If you get a lot of officers established with salaries under that provision, you will never get rid of them. If you try to get rid of a single officer that you think is absolutely unnecessary in the running of this Government, you know what trouble it is to do it.

Let us see some more of these rules:

RULE 5. Any vessel approaching a tug towing a dredge or scow moving in the same direction may pass such tow by giving a signal indicating upon which side the vessel desires to pass, and it shall be the duty of the pilot of the tug to sheer clear of the side of the channel indicated and give the vessel all possible room.

Well, probably they will carry that out all right.

RULE 6. No vessel or raft shall anchor in any of the improved channels nor off Big Point within one-quarter mile of the waterworks intake crib, except vessels in distress or under stress of weather.

Any vessel or raft so anchored shall at once shift anchorage as directed by the supervisor of anchorages.

Now, that says that anybody violating that rule shall get away from there at the direction of the supervisor of anchorages—not the Secretary of Commerce and Labor. Of course, I suppose this shipping board will provide that somebody else shall order these boats around. To whom will they give the job? This supervisor of anchorages, I have no doubt, is a civil-service man, a man independent of politics—a permanent position. You do not disturb him. You do not take away his office. You do not take away his salary. You do not provide that he shall act under the shipping board. Now, who is going to do that? The shipping board will designate somebody, and you will have to provide the salary, and you will never get rid of him.

Talk about unnecessary offices! Talk about increasing the offices! Talk about extravagance! Talk about economy! You talk about it in your platforms. You do not do much about it here. You have increased the offices more during the last two years than in all the four or five years preceding, and we do not know yet how many offices you have provided for and have created, and we do not know how many offices you will provide for under this bill, necessitated by this change in the law. Why disturb this situation?

They talk about the regulations affecting our navigation and interfering with the development of it. Are you going to simplify them? How? Why, you are going to make it "confusion worse confounded" by this legislation. You will make it so that the ship man will not know what he is up against. He will not know what rules he has to obey. He will not know who is entitled to order him about. He will not know what penalties he is subject to. Is it possible that the Democratic majority knows what it is doing in that provision? If it does, we want to know, and we hope you will tell us.

RULE 7. Vessels towing, while engaged in shortening or lengthening tow lines or dropping or making up tows; vessels mooring or unmooring, anchoring, or hoisting anchor; vessels loading or discharging stores from boats alongside; and vessels awaiting supply boats are required to haul clear of the ranges when possible and to permit the unobstructed passage of other vessels.

RULE 8. No vessel is allowed to tow more than one vessel through any of the improved channels unless the vessel moves the tow at least 5 miles per hour over the bottom, and no vessel of 10 gross tons or over shall navigate the improved channels under sail power alone.

Mr. President, you will find all sorts of influences coming down here to have that rule modified. They will not want to be limited as that rule limits them. There will be owners of vessels that tow other vessels coming down here and saying that if they are allowed certain rights and certain privileges it will not injure the canal; it will not injure the river if they give them a little more privilege, a little more extensive right, and if they do not get what they ask they will come to the Senator or the Representative and ask him to go down to the board and help them present their case. Why, Mr. President, it is really surprising how many of the people think that all a Senator has to do to get something from a department is to go down and ask for it because he is a Senator.

The PRESIDING OFFICER. Will the Senator from Washington suspend his remarks until the Chair can lay before the Senate the latest return of the Sergeant at Arms? [Reading:]

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915—5.30 a. m.

To the PRESIDING OFFICER OF THE SENATE.

SIR: Pursuant to the order directing me to compel the attendance of absent Senators, I beg to report the following:

Senator GALLINGER appeared in the Senate at 4 a. m.

At 4.40 I communicated the order of the Senate by phone to Senator NEWLANDS, who said that he was sick, but that he would report as soon as possible.

At 4.50 a. m. I communicated the order of the Senate by phone to Senator TOWNSEND, who said that he was not feeling at all well, but that he would report as soon as possible.

At 5 a. m. Senator CRAWFORD and Senator MCLEAN appeared on the floor of the Senate.

I am informed at residence of Senator O'GORMAN that the Senator left for New York last night on account of sickness in family.

Up to the present I have been unable to learn the whereabouts of Senator BANKHEAD.

Very respectfully,
CHARLES P. HIGGINS,
Sergeant at Arms United States Senate.

Mr. JONES. Mr. President, we have in our State a great deal to do with the Interior Department. A great many people have trouble with their land claims, and they seem to think that all we have to do to get their claims established is to go up to the Secretary of the Interior and ask him to do it. The Secre-

tary of the Interior, of course, is a Cabinet officer. He is a political appointee, but most of those under him are civil-service people and act pretty independently in politics; but here are rules and regulations put under an entirely political board, and that, so far as any provisions of this act go, will have nothing but political appointees under them. There is no provision in this bill that the employee shall be under civil service; none at all. They will hire whomever they please, pay them whatever they please, and we will have to make the deficiency good. The people will have to put up for it. The people of the amen corners throughout the country will have to make good these deficiencies. They will have all the commerce of the country turned over to this political board.

Mr. President, here is rule 10. I will not read all these rules. I have not the time and I have not had the time heretofore to read them all, and I do not want to use the time unnecessarily. I have confined myself to this bill. I would not read any of these rules if I thought any of the members of the committee really knew what they were doing. I would not read any of these rules if I thought the majority of Senators knew the effect of this provision in their bill. I do not believe they do. I think the chances are that we will have to amend this motion a little bit further and provide for striking out these provisions and let this board be confined to the real purposes and objects of this measure. Let them confine their operations and their authority and their influence and their power to the ships that they propose to construct and purchase and operate as Government vessels. Let us not disturb the rules that have been made.

Mr. President, how have these rules been made? They have not been made on the spur of the moment. They have been made after very careful consideration, after very thorough investigation of the different localities and the different needs of the different localities. They are made to fit the condition of each locality, and what earthly reason is there for disturbing the situation?

Rafts are required to use the Old or Lake George Channel. When lying by they shall be moored clear of the channel. From Harwood Point to Mud Lake crib gas buoy they will move only when and as directed by the supervisor of anchorages.

Rafts originating in Hay Lake shall be moved only at such time and under such conditions as the supervisor of anchorages may direct.

Mr. President, who will handle that under these rules and regulations? Has this board any authority over that supervisor of anchorages? This bill does not disturb him in his position, but I find no authority anywhere to this board to use him. I find nothing here that gives them authority over him to direct what he shall do and what he shall not do.

Suppose this board should select somebody else to do this. They will provide for another officer and we shall have to provide for the salary. Then we will find people coming in here wanting different privileges with reference to their rafts. Some of them will come down here and claim that the rafts ought to be allowed to use some other channel than Old or Lake George Channel. They will contend that to have them confined to that channel is a great inconvenience and a great expense. They will ask to be allowed to have their rafts somewhere else, and if this board does not feel disposed to grant their requests they will come right up here to the Capitol and ask their Senators or Representatives.

RULE 14. Whenever vessels collect in any part of the river by reason of fog, smoke, ice, or the obstruction of any of the channels, the supervisor of anchorages shall direct and control their anchorage—

The supervisor of anchorages comes in there again. He has some more duties that he is going to be deprived of, and I do not know who will be in his place—

shall direct and control their anchorage and their movements through such channels as the engineer in charge of the improvements of the St. Marys River may declare open and under such restrictions as to order, speed, and towage as the engineer in charge of the improvements in the St. Marys River may deem necessary to facilitate and expedite the passage of commerce. Regular scheduled boats carrying passengers or mails may be advanced in order, and any vessel not ready to move when directed will lose her position. All vessels are required to yield prompt and implicit obedience to the directions of the supervisor of anchorages.

Will this board keep the engineer in charge in control of these matters as he is now, or as soon as our friends find out that this is a political board and that they are political positions to which they may be appointed, will they come down here and ask their Senator or Representative to secure those positions for them, point out how they can handle this matter much better than the engineer, and suggest that they be selected for this place instead of the engineer?

Mr. President, that is all I shall read with reference to the rules for the St. Marys River. There are a great many more here, but I shall not take the time of the Senate at this early hour in the morning to read them.

I have here the rules and regulations relating to the anchorage and movement of vessels in the harbor of Chicago. These are special rules applying to a special locality. They are not general rules, but special rules.

Why is it that this committee proposes to take this special locality out from under the law that was passed for it, to take it out from under the rules which have been adopted after great care and consideration, and put it under a board that does not know anything about such things?

If they would provide that the officers should serve who now fix these rules, under whose direction and supervision these rules are adopted, it would be a little different. I shall point out directly where the law provides that a certain body must get together once every year to revise the different rules, a body composed of supervisors of different districts all over the United States, men who are thoroughly familiar with their locality, who come here to Washington City and meet annually and talk over the situation and point out what ought to be done, and make such changes as ought to be made, as they have learned by experience should be made. There is nothing in this provision here that warrants the idea that this board will make use of those people. There is no authority here allowing the board to do it. These people act directly under a law. They do not act under rules and regulations prescribed by anybody, but they act under positive provisions of law. There is no provision in this bill as proposed which makes those people subordinate to the shipping board.

Now, here are the rules with reference to Chicago. Are there any interests in Chicago that want any changes made in those rules? If there are, what will they do? They will bring their influence to bear upon this board to get whatever changes they want. They come to the officials now, but they come to officials who are largely free from political influence. They know that they will get a square deal and that is all. But when it comes to political matters, political official influence is very different. They do not use corrupt influence; I do not mean that. They do not consider that it is wrong to come and ask us a political favor, that they shall have some special treatment.

We ought not to subject any board that we provide to the possibility of those influences. We shirk our duty when we do it. If we propose to have this board handle these things, we ought to provide the machinery and we shall have to provide the machinery. We ought to make that board free from political influences. If this board is to be a permanent board we ought to make it very much like the Interstate Commerce Commission and provide a long term for the officials, and provide that they shall go out of office at different times, and make them free and independent of the President after they have been appointed and confirmed by the Senate.

Now, we passed a special law with reference to anchoring in the port of Chicago. I am going to read it:

Be it enacted, etc., That the Secretary of Commerce and Labor be authorized and directed to define and establish anchorage grounds for vessels in the harbors of Chicago and waters of Lake Michigan, adjacent thereto, to adopt suitable rules and regulations in relation to the same, and also to adopt suitable rules and regulations governing the use of marked inshore channels in Lake Michigan, in front of the city of Chicago, and to take all necessary measures for the proper enforcement of such rules and regulations.

So, I want to ask, suppose this board is authorized to nullify these rules and make other rules, does it have the authority to take the necessary measures for the proper enforcement of the rules? Probably it has. It states that they shall impose such rules and regulations applicable to the water-borne commerce of the United States in lieu of those now in force. They do not say that they have power to enforce them.

SEC. 2. That in the event of the violation of any such rules and regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of $100, and the said vessel may be holden for the payment of such penalty, and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court in the district in which such vessel may be, and in the name of the officer designated by the Secretary of Commerce and Labor.

Mr. President, you will note that that provision of law is a little different from the one that I read with reference to St. Marys. The St. Marys River provision says specifically that a violation of the rules made by the Secretary of Commerce shall be punishable so-and-so. The Secretary of Commerce does not make the rules under this bill. The question, then, is whether anybody could be convicted for a violation of these rules and punished according to the penalty provided in the statute for a violation of the rules made by the Secretary of Commerce. This provision simply provides for a penalty for a violation of the rules made pursuant to this statute.

Now, then, probably there might not be any question under that as to a punishment for violating these rules made by the new authority.

Then the rules provide as follows:

RULE 1. United States exterior breakwater anchorage, within lines running from Chicago Pierhead Light on North Pier, Chicago River, to the easterly and westerly ends of exterior breakwater and a line parallel to said breakwater, 2,000 feet southwesterly from the same.

If there is anybody dissatisfied with those limits, the interest in Chicago that is interfered with because of those limits will be coming down here just as soon as this legislation is passed, trying to get the board to change those rules or those limits.

RULE 2. Anchorage in the interior breakwater basin: Large vessels measuring 50 tons gross and over shall anchor either west of a line drawn south (true) from the south end of the east side of the lighthouse slip (Ogden Slip) and south of a line drawn east from a point on the dock line of the new lake-front park (Grant Park), 300 feet south of the south side of the Randolph Street Pier and north of a line drawn east from Van Buren Street; or south of a line drawn west from the north end of the southerly breakwater, but not within 100 feet of the southerly breakwater nor within 50 feet of the dock line of the new park, nor within the yacht anchorage described in rule 3.

Mr. President, if a large vessel measuring 50 tons and over will anchor at a certain point some of these people will complain about the limits and will ask this board to change them. Some people who are excluded by reason of the tonnage given here will ask that the limit of tonnage be changed so as to help them and give them some advantage, and if they do not get what they want by requesting the board they will go to their Senator and their Representative and they will make their showing. They will have their plats and they will have their statistics and their maps, and they will have to go down there and try to get the board to change it in accordance with the wishes of these people.

The chances are that the first who come here and get their case presented will get some special privilege of some kind.

Mr. President, our Democratic friends denounce special privilege, but under the provisions of this bill there is an opportunity for the granting of more special privileges than I venture to say is contained in any statute on the books to-day. In lines 5 to 25, on page 7 of this substitute bill, is such power given to a political board as no board in this country ever had before.

What does water-borne commerce of the United States amount to? Fifty million tons a year pass through the Sault Ste. Marie Canal alone, and when you take all the rivers of the country——

Mr. WEEKS. There is more in that one canal than in all the rivers and canals of Germany.

Mr. JONES. Yes; in that one canal, the Sault Ste. Marie, there is more tonnage than on all the rivers and canals in Germany, as suggested by the Senator from Massachusetts. Yet that is just one. There are the Mississippi River, the Ohio River, the Cumberland, the Tennessee, the Kanawha, the Potomac, the Delaware, the Missouri, the Great Lakes, Puget Sound, the harbors of the coast, the harbors of the Gulf, the rivers running into the Gulf, the rivers in all our Southern States, for which we are appropriating millions and millions of dollars for navigation purposes. The control of all this tremendous commerce is transferred by lines 5 to 25 of this bill to this political shipping board.

I hope the Amen Corners all over the country will think about that. I hope they will try to study out in their own minds why it is that this committee has reported a proposition of that kind. I want them to understand that that is not contained in any of the other bills or substitutes that is offered to the Senate. That provision was never mentioned on the floor of the Senate until it was reported in the substitute; at least, it was never mentioned publicly, nobody has referred to it, nobody had the least idea that anybody was thinking about a proposition of that kind.

Now, we come to Chicago, with all its great commerce and all its great interests conflicting, the competing interests trying to get advantage of another, great or small, all given the privilege of coming down here to a political board and trying to get privileges that appear to be small, but that might amount to thousands and hundreds of thousands of dollars in their business in a year.

Mr. President, I am not going to take the time of the Senate to read all these rules. Here are some that I am going to read. The general regulation:

No vessel shall tie up to or anchor within 100 feet of any United States pier or breakwater.

This anchorage ground may be valuable; it may be very desirable; it may be very convenient. Here some interest says "There is no use to shut me out 100 feet from the breakwater by a Government pier; let me come up to 50 feet or 75 feet." He presents a showing, convinces the board that no harm can be done, and convinces the board that no discrimination will occur. The board might not hear the other side. Then, the first thing the other interest knows is that somebody is permitted to anchor within 75 feet of the United States pier or breakwater instead of a hundred feet.

Mr. President, here are some more rules and regulations not general, not applying to any general locality, but applying to a particular place or a particular locality. Here are rules and regulations relating to the anchorage of vessels in the port of New York.

Mr. President, New York is quite a city. Anchorage ground there is very important and very valuable. Anchorage rights and privileges might be of tremendous benefit and of tremendous advantage. Some great steamship company, by securing special consideration or a special regulation, might be given a decided advantage over a competitor. You take all these rules and regulations, which have been provided and adopted after great care, and you annul them, you actually declare them null and void after a certain date of this year. How are they to be replaced? They are to be replaced by a political board, by a board that is naturally subject to political influence and political pressure. I have not any doubt that there is considerable pressure from interests in the city of New York not only in regard to shipping legislation, but in regard to other legislation; I have not any doubt that great interests there will use every possible method to influence a decision in their favor. These rules were adopted in 1911. They were adopted under a special statute of the United States, under which the Secretary of the Treasury, now the Secretary of Commerce,

is authorized, empowered, and directed to define and establish an anchorage ground for vessels in the bay and harbor of New York, in the Hudson and East Rivers, and to adopt suitable rules and regulations in relation thereto, and to take the necessary measures for the proper enforcement of such rules and regulations.

Mr. President, it seems that Congress deemed it wise to provide that the same authority that established the anchorage grounds in the harbor of New York should also be the authority for establishing the rules and regulations with reference to their use. For some reason—I do not know what—Congress is now asked to change that; and, instead of allowing the authority that fixes the anchorage ground to establish these rules and regulations, it provides for a political board to do it, and places it all under the authority of the shipping board, that started out with the idea of having nothing to do with anything except vessels owned and operated by the United States through the proposed corporation. But they must change that. In this great district, in this great hive of industry, they must put all the shipping, big and little, great and powerful, under the shipping board.

One of the rules that they have provided here is:

The following-described anchorage grounds for vessels in the bay and harbor of New York and in the Hudson and East Rivers, respectively, are hereby defined and established, and the following revised rules and regulations governing the same are published for the government of the owner, master, pilot, or other persons having charge of a steam vessel towing or otherwise conducting a vessel to an anchorage in the port of New York, pursuant to the act of Congress approved May 16, 1888.

These rules and regulations and anchorage grounds have been fixed since 1888, and those who have had charge of them have improved the regulations and the rules as the result of these many years of experience. Now we are going to wipe it all out and we are going to leave it to a political board. Here is one of the rules:

(a) Vessels shall anchor only within the following specified limits, and a vessel anchoring within any of the below-described boundaries must anchor entirely within said boundaries, so that no portion of the hull shall extend beyond said boundary veering chain or when riding to a tideway.

(e) Permits may be granted by the supervisor of anchorages to wrecking plants to anchor in the channel for the purpose of recovering sunken property, subject to his supervision. Such wrecking plants must comply with all the navigation laws in regard to lights, fog signals, etc., and in granting such permit the Government assumes no responsibility.

Who will this board provide shall grant permits to wrecking plants to anchor in the channel for recovering sunken property? Will they provide that the supervisor of anchorages shall do this, or will there be some hungry, rapacious, political henchman in the city of New York—where there is no politics, where everybody is patriotic—will they provide that some of these people shall handle this proposition and put them in a position where they can not only discriminate in favor of one man as against another, but also receive bonuses or something of that sort? I have heard of such things in New York. I hope that the great shipping business of that port will not get under such influences. I know they will not if my friend from New Jersey [Mr. MARTINE] can have his say about it.

Mr. MARTINE of New Jersey. We shall guard against those people.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. Well, I am glad to have the suggestion made by the Senator. I know that we can count on him in trying to get these matters corrected, and I hope he will use his influence to have this provision stricken out. I think he can see the uselessness of it, as well as the great danger that there is in it; and if he can not do it on the floor of the Senate then his caucus or his committee ought to strike it out. It can not hurt this bill to strike that out. It will not affect any of the vital parts of the bill.

Mr. MARTINE of New Jersey. I am fearful, Mr. President, that the Senator——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. JONES. For a question.

Mr. MARTINE of New Jersey. The Senator accords to me entirely too much influence. I am an exceedingly modest member of my party.

Mr. JONES. Yes; I know; but the Senator is a very earnest member of his party.

Mr. NORRIS. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I do not believe I can, Mr. President, just now.

The PRESIDING OFFICER. The Senator from Washington declines to yield to the Senator from Nebraska.

Mr. NORRIS. I want to ask a question.

Mr. JONES. I have before uniformly refused to permit interruptions or questions, though I am very sorry to do so.

Mr. NORRIS. May I interrupt the Senator for any other purpose?

Mr. JONES. I have really refused interruptions except when somebody, just like the Senator from New Jersey, volunteered some information. I dislike to yield to my dear friend from Nebraska. I feel that I should maintain as nearly a neutral attitude as possible.

Mr. NORRIS. Well, I hope the Senator will let me ask him a question. I want to know how it could possibly be——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. NORRIS. I wanted to know how it could possibly be that the Senator from New Jersey has no influence on that side. It seems to me he is supreme over there now. I do not see any other Democrat in the Chamber.

Mr. JONES. That is a question, of course, that I can not answer. I know what the result would be now if we could have a vote without anybody else coming in. I know that that item would go out of this bill.

Mr. NORRIS. Will not the Senator yield for me to make a motion to adjourn?

Mr. JONES. No, Mr. President; I can not yield to the Senator now.

Here are some more rules. These are pilot rules for the Great Lakes and their connecting and tributary waters. They are for a special place now; for the Great Lakes; they are special rules and regulations with reference to the pilots on the Great Lakes, and they have been established for a long time.

A pilot is a very desirable man in connection with a boat traversing dangerous waters. He is a very desirable man, even in safe waters, and the regulations and rules which have been framed and have grown up with reference to his calling ought not to be disturbed lightly, and they ought not to be put under any political influence. These rules were adopted under an act section 3 of which provides:

SEC. 3. That the Secretary of Commerce of the United States shall have authority to establish all necessary regulations, not inconsistent with the provisions of this act, required to carry the same into effect.

Now, listen:

The board of supervising inspectors of the United States shall have authority to establish such regulations to be observed by all steam vessels in passing each other, not inconsistent with the provisions of this act, as they shall from time to time deem necessary; and all regulations adopted by the said board of supervising inspectors under the authority of this act, when approved by the Secretary of Commerce, shall have the force of law. Two printed copies of any such regulations for passing, signed by them, shall be furnished to each steam vessel, and shall at all times be kept posted up in conspicuous places on board.

Now, Mr. President, who are the board of supervisors? I want to read the statute with reference to the Steamboat-Inspection Service; and this law relating to the rules for pilots empowers this board of supervising inspectors to make rules and regulations. Here is the law, section 4402 of the Revised Statutes:

SEC. 4402. There shall be a supervising inspector general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the Steamboat-Inspection Service, and who shall be entitled to a salary of $3,500 a year and his reasonable traveling expenses, or mileage at the rate of 10 cents a mile, incurred in the performance of his duty.

This supervising inspector is to systematize and carry into effect all the provisions of the law relating to the Steamboat-Inspection Service. That includes the rules and regulations made pursuant to law. This board of supervisors is given great power in the adoption of rules and regulations, and we are going to take that power away from them and give it to this political board. The Supervising Inspector General, after he is appointed by the President and confirmed by the Senate, is independent of political influence.

SEC. 4403. The Supervising Inspector General shall, under the direction of the Secretary of Commerce and Labor, superintend the administration of the steamboat-inspection laws, preside at the meetings of the board of supervising inspectors, receive all reports of inspectors, receive and examine all accounts of inspectors, report fully at stated periods to the Secretary of Commerce and Labor upon all matters pertaining to his official duties, and produce a correct and uniform administration of the inspection laws, rules, and regulations.

Notice that it is made the duty of the Supervising Inspector General to "produce a correct and uniform administration of the inspection laws, rules, and regulations." What control will he have over the rules and regulations adopted by that political board? Absolutely none. Will he have the power after this law passes, if it should pass, to control these rules and regulations? Will he be deprived of the authority which this statute gives to him by the passage of this law? Suppose that the shipping board does not see fit to permit him to control these regulations and these rules and that they say that somebody else shall have charge of them, who will control?

Then section 4404 provides:

SEC. 4404. There shall be 10 supervising inspectors, who shall be appointed by the President, by and with the advice and consent of the Senate. Each of them shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and shall be a competent judge of the character and qualities of steam vessels and of all parts of the machinery employed in steaming. Each supervising inspector shall be entitled to a salary of $3,000 a year and his actual and reasonable traveling expenses at the rate of 10 cents a mile, incurred in the performance of his duty, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as may be given by the Secretary of Commerce and Labor.

Mr. President, section 4405 tells how this board of supervisors does its business:

SEC. 4405. The supervising inspectors and the Supervising Inspector General shall assemble as a board once in each year, at the city of Washington, D. C., on the third Wednesday in January, and at such other times as the Secretary of the Treasury shall prescribe, for joint consultation, and shall assign to each of the supervising inspectors the limits of territory within which he shall perform his duties. The board shall establish all necessary regulations required to carry out in the most effective manner the provisions of this title, and such regulations, when approved by the Secretary of the Treasury, shall have the force of law. The supervising inspector for the district embracing the Pacific coast shall not be under obligation to attend the meetings of the board oftener than once in two years; but when he does not attend such meetings he shall make his communications thereto, in the way of a report, in such manner as the board shall prescribe: *Provided*, That the Secretary of Commerce and Labor may at any time call in session, after reasonable public notice, the meeting of an executive committee, to be composed of the Supervising Inspector General and any two supervising inspectors, which committee, with the approval of the said Secretary, shall have the power to alter, amend, add to, or repeal any of the rules and regulations made with the approval of the Secretary of Commerce and Labor by the board of supervising inspectors, either by virtue of this section or under any power granted by this title or any amendment thereof. Such alteration, amendment, addition, or repeal, when approved by the said Secretary, shall have the force of law, and to continue in effect until 30 days after the adjournment of the next meeting of the board of supervising inspectors. The foregoing powers of such executive committee, acting with the said Secretary, shall also extend to the approval of the instruments, machines, and equipments referred to in section 4491 of this title.

Mr. President, I have read quite fully the provisions of the law with reference to the board of supervising inspectors. It shows how this board is constituted. It shows that it is made up of one person from each of the different districts of the country; that this board is required to carry out the rules and regulations and make the law relating to steamboat-inspection service effective; that this board meets in the city of Washington every year.

Regarding the pilot rules of the Great Lakes, the law provides that the board of supervising inspectors of the United States shall have authority to establish the regulations to be observed by the pilots.

Does the majority propose by the provision in this bill to take away from the board of supervising inspectors the power and authority to make these rules and regulations? Is it possible that an organization like this is going to be shorn of all of its power, is going to be shorn of the duties that have been specifically placed upon it by law; and is it possible that all of the steamboat service of the United States and all the waters

thereof, and the pilots in these various waters, shall be taken out from under the jurisdiction of the board of supervisors and placed under this political body? Why, Mr. President, this is a more monstrous proposition than the one I read a while ago with reference to New York and Chicago; and yet this bill takes all the pilots of the Great Lakes and all the pilots of the Pacific coast and all the pilots of New York City and all the pilots of the rivers of my friend from North Carolina and all the pilots of all the inland waters of the Gulf coast out from under the board of supervising inspectors and places them under rules adopted by a political organization. I can not believe that the learned Senator from North Carolina had any idea of the scope and the extent of this provision in this bill that has been brought here from the Democratic caucus.

In section 8 of this act regarding laws to prevent collisions of vessels:

The Secretary of Commerce shall make such regulations as may be necessary to secure the proper execution of this act by collectors of customs and other officers of the Government.

And the Secretary of the Department of Commerce may, upon application therefor, remit or mitigate any fine, penalty, or forfeiture relating to motor boats except for failure to observe the provisions of section 6 of this act.

Mr. President, do they intend to deprive the Secretary of Commerce of the power to remit or mitigate any fine or penalty for the violation of any rule or regulation that his office may have issued, or do they propose that the Secretary of Commerce shall have control over fines and penalties for the violation of rules made by the shipping board? There is not anything in this proposed legislation that looks to anything of that kind, and it seems to me that the Senate ought to be very careful before it adopts any proposition leading to that result.

The Senators who are interested in the shipping of the Great Lakes, which is probably larger than the shipping of any other particular section of the country, ought to consider this provision very carefully before they let it become a law.

Unless they desire to disturb and overturn practically the entire system that now obtains in the operation and management and control of the great tonnage of those waters, they had better see to it that this legislation does not go into this bill.

Mr. President, we have different rules for pilots in the waters of the different sections of the country. There are not general statutes and general rules applicable to all sections of the country. I have here the pilot rules for rivers whose waters flow into the Gulf of Mexico, and their tributaries, and the Red River of the North. These are special rules also. They are passed under the following provisions of statute—section 4412 of the Revised Statutes:

SEC. 4412. The board of supervising inspectors—

That is, the board the statute providing for the composition of which I read a while ago—

shall establish such regulations to be observed by all steam vessels in passing each other, as they shall from time to time deem necessary for safety; two printed copies of such regulations, signed by them, shall be furnished to each of such vessels, and shall at all times be kept posted up in conspicuous places in such vessels.

Mr. President, if this legislation passes, that provision of statute is absolutely repealed, because that statute specifically provides that the board of supervising inspectors shall make these rules and regulations.

You provide here that all rules and regulations made pursuant to law shall be annulled, and that hereafter this political board shall make them. What are you going to do with this board of supervisors? You are depriving it of practically all of its duties and not transferring it from the Department of Commerce to this shipping board. You are not doing away with the offices. We will have to appropriate their salaries. You are doing away with their duties; you are putting these duties on to a political board without giving it the machinery to carry them out; so you will either have to provide for additional legislation to transfer the board of supervising inspectors to this political board, or else you will have to provide for additional employees for this political board; and that is about what you are going to do. That is what you will have to do. They will recommend to Congress that it is absolutely necessary that they should have certain employees to do the work that you impose upon them by this provision, and you will have to provide the salaries for these positions; and the Senator from North Carolina and his colleague will find that the revenues coming from their tariff law, diminishing as they are, will be getting further away from the appropriations as they increase; and you will have to increase them. You can not provide for new organizations, you can not provide for new bodies, you can not provide for new boards, without providing additional money—additional compensation. These people are not going to work for nothing. They are not going to investigate these different resorts and these different waterway communications except at some expense to the Government, and they are going to require that Congress shall furnish them the help that is necessary to take care of the Columbia River and the Willamette River. I am glad that some of my friends are getting in here, so that they will probably see what they are getting in this bill, and from time to time as we get enough of them in to see how these rules and regulations will affect their different localities, possibly we can get enough sentiment developed in this secret caucus to overturn what has been done by some secret influence within the caucus.

Then, section 4413:

SEC. 4413. Every pilot, engineer, mate, or master of any steam vessel who neglects or willfully refuses to observe the regulations established in pursuance of the preceding section, shall be liable to a penalty of $50, and for all damages sustained by any passenger, in his person or baggage, by such neglect or refusal.

The question will come up there whether or not you can punish a man for a violation of regulations made by this shipping board, and assess against him a penalty provided for the violation of a rule made by an entirely different body from the board of supervising inspectors. While that may not be entirely free from doubt, it certainly leaves a complicated situation that is unnecessary to bring about. Then we have some other pilot rules here for certain inland waters of the Atlantic and Pacific coasts and of the coast of the Gulf of Mexico. These rules and regulations were adopted pursuant to an act of June 7, 1897, amended by an act, the date of which I do not find here, requiring rules for lights, for dredges, and so forth, and it provides this:

That the following regulations for preventing collision shall be followed by all vessels navigating all harbors, rivers, and inland waters of the United States.

It seems that in this act the rules are specifically set out in the act itself, but in section 2 of this act here is this provision:

SEC. 2. That the supervising inspectors of steam vessels and the Supervising Inspector General shall establish such rules to be observed by steam vessels in passing each other and as to the lights to be carried by ferryboats and by barges and canal boats when in tow of steam vessels, and as to the lights and day signals to be carried by vessels, dredges of all types, and vessels working on wrecks or other obstruction to navigation or moored for submarine operations, or made fast to a sunken object which may drift with the tide or be towed, not inconsistent with the provisions of this act, as they from time to time may deem necessary for safety, which rules when approved by the Secretary of Commerce are hereby declared special rules duly made by local authority, as provided for in article 30 of chapter 802 of the laws of 1890. Two printed copies of such rules shall be furnished to such ferryboats, barges, dredges, canal boats, vessels working on wrecks, and steam vessels, which rules shall be kept posted up in conspicuous places in such vessels, barges, dredges, and boats.

Mr. President, you will note that those are duties imposed upon the supervising inspectors and the inspector general. You repeal that by this act. What are you going to have the supervising inspectors do? There are three or four different sections of the Revised Statutes imposing different duties upon this board of inspectors that are absolutely repealed by the provisions of this bill. You deprive this body of the right and the power to make and adopt these rules and regulations. What are they going to do? You do not do away with those offices. You take their powers and duties and put them onto another body. It seems to me that if you are going to do that you ought to take the body and transport it too, and let it perform these duties, and save that additional expense, because these supervising inspectors are going to draw their salaries just the same. You do not repeal that provision. This shipping board is going to have its salaries and its help and that help is going to get fixed salaries, so that you have one body doing work and getting pay and you have another body that has heretofore done the same work doing nothing and getting the same pay that it had gotten before.

Section 3 of this act provides for penalties against pilots, engineers, mates, or masters for the violation of any of the rules adopted by this board. Mr. President, I am not going to read these different rules. I am not going to take the time of the Senate to do that. I have already consumed more time than I anticipated, but there are several other matters to which I wish to call the attention of the Senate. I want to see if I can show the Senators what they are doing by that provision. I want to show them as much as I can as to the rules and regulations prepared that are to be done away with. I want to ask them whether they think they are doing the same thing by uprooting and overturning, absolutely wiping out all the rules and regulations we have adopted for all the commerce of this great country of ours. I wish that my friends in the Amen Corners throughout the country would just try to find out some reason why this committee is doing this thing. I do not believe they know. I do not believe the committee knows why it is doing it.

I do not believe they know what they are doing when they are doing it. I do not believe they knew that this great pile of regu-

lations here was being done away with. I want to give the Amen Corners some idea as to the pages of these rules that they are doing away with. I would just simply guess that there are at least a thousand or fifteen hundred pages of closely typewritten matter containing the laws, rules, and regulations affecting the water-borne commerce of the United States which our Democratic friends propose to wipe out and put under this political organization.

Here are rules and regulations relating to the navigable waters of the United States, with the exception of those for the northern and northwestern lakes, their connecting and tributary waters, which are printed in the United States Lake Survey bulletin. There are 154 pages in this document, aside from the index, and our friends are doing away with all these rules and regulations.

Here are rules and regulations with reference to the navigable waters on the coast of Maine and New Hampshire, including the rivers and bays thereof, and so forth. That is all to be done away with. It is all to be nullified. There are several pages here. Here are rules and regulations with reference to Portland Harbor, Me. Here are rules and regulations with reference to York River, Me.; Merrimac River; Boston Harbor, Mass.; the navigable waters tributary thereto. The Senator from Massachusetts [Mr. WEEKS] was here a moment ago, but he has been called out, so I will not refer to these different rules. Here is Taunton River, Mass., and the Sakonnet and Pawtucket Rivers, R. I.; the Mystic River, Conn.

Here are all the bridges of the country. You are going to put them under this board. Did you know that? You are going to put all the bridges over navigable streams in this country under this political board created by this act. You did not know that. If you had, you would never have done it.

Here are some rules and regulations in reference to the railroad rates of the New York, New Haven & Hartford Railroad Co. From all we hear about the work of the New York, New Haven & Hartford Railroad Co., it will be a nice thing for somebody to bring some influence down here to get some favors for these railroad bridges across these navigable streams. Somebody will hold up the railroad on the threat that they have power to secure the adoption of certain rules and regulations. I do not say it will be done, but here you make the opening for it.

Connecticut River, East Haddam, Conn., highway bridge operated by the East Haddam Bridge Commission for the State of Connecticut. The regulations were prescribed April 25, 1913. Why are you going to do away with those regulations? They were just adopted a little over a year ago. Why are you going to get rid of all those? What is your purpose? What do you want to do? Why is it that you want to put all these things under this political board?

There is the bridge across the Connecticut River at East Haddam. Then there is New Haven Harbor, Quinnipiac and Mill Rivers bridge regulations prescribed March 7, 1900. You are going to do away with all those. Notice the language of this act:

> All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States.

You could not use broader language than that. You can not avoid the conclusion that these regulations for the Pequonnock River, Conn., are all done away with. Here is the Saugatuck River, Conn. What have you got against the Saugatuck River that you want to do away with all those regulations and put them under the shipping board?

Mr. President, you have more political dynamite in these lines from line 5 to line 25 than you can find in any other 20 lines that have ever been enacted by the United States. There is more political dynamite, there are more opportunities for corruption, more openings for political influence than can be found in any other 20 lines in any statute of the United States.

The PRESIDING OFFICER. Will the Senator from Washington suspend a moment until the Chair can lay before the Senate the latest returns from the Sergeant at Arms under the order compelling the attendance of absent Senators? The Secretary will read it.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915—7 a. m.

To the PRESIDING OFFICER OF THE SENATE.

SIR: Pursuant to the order directing me to compel the absent Senators' attendance, I herewith report as follows:

At 5.30 a. m. Shoreham Hotel reported that Senator FALL had not been there all night.

At 6.15 a. m. Senator GOFF, at the Portland, reported that he was not feeling well and would come to the Chamber as soon as possible.

At 6.30 a. m. Senator NORRIS appeared in the Senate Chamber.

At 6.30 a. m. still unable to locate Senator HARDWICK.

At 6.45 a. m. Senator NELSON appeared in the Senate Chamber.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms.

The PRESIDING OFFICER. The Senator from Washington will proceed.

Mr. JONES. Mr. President, these are very interesting bulletins, coming at this early hour in the morning to this august body, and convey some very valuable information.

Then we have the waters of eastern Long Island, including Great and Little Peconick Bays, Gardiners Bay, Block Island Sound, and their tributary waters, Long Island Sound, and the Atlantic Ocean, Long Island.

New York Harbor again. Here are the regulations for Harlem River and the Hudson River, Raritan, Thoroughfare, near Atlantic City, N. J. Atlantic coast between Toms River and Sandy River. Did you know that you were doing away with every one of these regulations? What a burden you are going to place on this board to reinstate these rules between now and the close of the year. I shall not take the further time of the Senate to read any more of the one hundred and fifty and odd pages of rules that you are going to do away with. I may find something interesting there after a while that I may feel I ought to read to you, but I shall not do it now.

Mr. President, I have here another bulletin—laws of the United States and the international radiotelegraphic communication, regulations governing radio apparatus on ships and on land. Those regulations relate to radio apparatus and their operation on ships. That affects commerce. It relates to water-borne commerce. They are repealed. This says here under the statute:

> These regulations shall be enforced by the Secretary of Commerce through the collectors of customs and other officers of the Government as other regulations herein provided for.
>
> The Secretary of Commerce may, in his discretion, waive the provisions of any or all of these regulations when no interference of the character above mentioned can ensue.
>
> The Secretary of Commerce may grant special temporary licenses to stations actually engaged in conducting experiments for the development of the science of radiocommunication, or the apparatus pertaining thereto, to carry on special tests, using any amount of power or any wave lengths, at such hours and under such conditions as will insure the least interference with the sending or receipt of commercial or Government radiograms, of distress signals and radiograms, or with the work of other stations.

Mr. President, we repeal these regulations and the regulations made pursuant thereto.

On page 49 there are regulations running through to page 70. There are a great many other regulations, all of which affect shipping, which relate to commerce and the water-borne commerce of the United States.

Then here is another regulation with reference to motor boats. Motor boats relate to water-borne commerce of the United States. You are going to take all the motor boats of the country and put them under the shipping board. What are you going to do that for? What is the necessity for taking them out from the regulations they have been placed under and putting them under the shipping board? We have a statute here which provides:

> That the Secretary of Commerce shall make such regulations as may be necessary to secure the proper execution of this act by collectors of customs and other officers of the Government. And the Secretary of the Department of Commerce may, upon application therefor, remit or mitigate any fine, penalty, or forfeiture relating to motor boats except for failure to observe the provisions of section 6 of this act.

Does that authorize the Secretary of Commerce to remit fines and penalties for violations of the rules adopted by the shipping board? I leave that to be determined later.

Then, Mr. President, here are regulations with reference to the registration of foreign-built vessels. Probably that will not come under this provision, as the provision relates to water-borne commerce of the United States. I suppose foreign commerce would not be considered as that.

I have here the quarantine laws and regulations of the United States. You will find on page 7 and on page 9 provisions with reference to quarantine that affect commerce, that affect the operation of ships and water-borne commerce; and under this language, which is as broad as words can make it, you want to do away with all these regulations regarding quarantine.

Mr. President, why should you interfere with the laws and rules and regulations with reference to the protection of health between the States and on the waters of the United States? Is it possible that nothing is sacred at the hands of the secret caucus? Is it possible that no line of commercial endeavor is free from the secret tentacles that reach out from this caucus machine of the Democratic Party? Did you know that you

were repealing the regulation relating to quarantine by this provision in this act? You are.

Then, here are regulations for the United States Lighthouse Service. Does that affect commerce? On page 27 of these rules and regulations I find section 3 of the act providing for regulations:

SEC. 3. That after the 1st day of January, 1907, it shall be unlawful for any person, company, corporation, or municipality not under the control of the Commissioner of Lighthouses, to establish, erect, or maintain in the navigable waters of the United States any light as an aid to navigation, or any other aid to navigation similar to any of those maintained by the United States under the control and direction of the Commissioner of Lighthouses, without first obtaining permission so to do from the Commissioner of Lighthouses, in accordance with rules and regulations to be established by the Secretary of Commerce; and any person violating the provisions of this section or any of the rules and regulations established by the Secretary of Commerce in accordance herewith shall be deemed guilty of a misdemeanor and be subject to a fine not exceeding the sum of $100 for each offense, and each day during which such violation shall continue shall be considered as a new offense.

Mr. President, the present Secretary of Commerce can establish rules with reference to lighthouses, and this is called an aid to navigation. These rules and regulations affect commerce. There are 171 pages of these aside from the index. You put all the lighthouses of the country under this board. You are going to give them power to make rules and regulations governing the lighthouses of the country. Are you going to transfer the employees of the lighthouses to the jurisdiction of this political body? Are you going to put all these employees outside of the civil service? Are you going to make them all political jobs? It seems to me, Mr. President, that these provisions are put in here for the sole purpose of securing through the administration, no matter whether this administration or some other, the power to place in positions of the greatest importance of trust political henchmen. It ought not to be done; there is not any excuse for it.

Then, Mr. President, I have here a volume called the General Rules and Regulations prescribed by the Board of Supervising Inspectors, as amended at the board meeting of January, 1914. This relates very largely to vessels and water-borne commerce. It has 332 pages in it exclusive of the index. I may have to read it all before we get through; I do not want to take the time to-day, however, to do it, but what are you repealing all that for? You did not know you were doing it; I am satisfied of that.

I read a while ago—and I will not take the time to again read it for the benefit of those who have since come in—the statutes creating this board of supervisors. Then I read the rules that they were authorized to make. Then I read the sections of the statutes authorizing them to make certain rules, and certain provisions of the statutes giving them sole authority to make certain rules. You take all that power away from them; you take all those duties away from them, and you put that power and those duties upon the shipping board.

What are these supervisors going to do? I find the honorable Senator from Colorado [Mr. SHAFROTH], my friend, always for economy. No, Senator; that means more extravagance than you can find in 20 lines of all the statutes that have been passed except laws making large appropriations. You are going to take away all the duties of these inspectors who are receiving $3,000 or $4,000 a year, and who come back here to the city of Washington every year to make new rules and to revise the old ones. You are going to put that power in the hands of this board; but you are not taking away the salaries of these supervising inspectors; you leave them in office; they are going to draw their salaries; but you will not give them anything to do. What are you going to do with this board? You are going to have to provide help for it; it can not get all of the rules relating to these different localities and relating to all the water-borne commerce of the country.

Mr. President, I want to appeal to the Senator from Colorado, because I know that he is with me in favor of economy, and I want him to help us out.

Mr. SHAFROTH. Mr. President, as the Senator——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES. As I practically asked the Senator from Colorado a question, I ask permission to yield to him to answer it without yielding the floor.

Mr. SHAFROTH. Mr. President, as the Senator from Washington is on the Appropriations Committee, we could very easily settle that question by refusing to appropriate for the various offices to which he has referred. I have no doubt he would join me in refusing to appropriate for them.

Mr. JONES. Yes; but I find that the Senator's vote and mine do not go very far in the matter of economy. It only amounts to two votes; that is all that it amounts to; that is about all there is done, and the last time there was only one vote. As the Senator from Wyoming suggests to me sotto voce, there are so many deserving Democrats that it is impossible to get enough votes in the Appropriations Committee to cut off any of these offices. I found it impracticable myself, not only under this administration—I am not confining it to my Democratic friends—but it is almost impossible when a man gets on the rolls to cut him off.

You can not do it. I have been trying to keep one from being put on; but I found mine was the only vote in the Appropriations Committee for that. I am going to have many hard fights here in the Senate if you ever let the appropriation bills come up—I do not know whether you are going to do it or not, but it would probably be a pretty good way to keep from paying these salaries by not passing the appropriation bill at all. I expect when the matter comes up here in the Senate, mine will be about the only vote that will be cast in favor of preventing an absolutely useless office from being created. Somebody put it in at a handsome salary.

Mr. President, I am not going to take the time to read these rules at this time. They will come in very well later on. I have here the rules and the instructions for the United States Coast and Geodetic Survey. Did you think that the Coast and Geodetic Survey was affected by this innocent provision in this bill? Well, I found some provisions in it relating to the commerce of the United States. I thought I had them marked, but I do not seem to have done so. I know, however, that I found some regulations of the Coast and Geodetic Survey that affect shipping; and you will notice that the language of your bill is broad enough to cover anything relating to or affecting shipping.

I have here the book of instructions for the medical inspection of aliens, relating to the Bureau of Public Health and the Marine-Hospital Service. You will find rules and regulations in that book that affect ships in the handling of aliens. It may be that those will all be in foreign ships coming in, and this may not affect the water-borne commerce of the United States, although I suppose that it would, as the Senator suggests, when the ships get out from the slips or the docks in the harbors. Well, you are going to repeal all those and you are going to put these regulations under this political machine.

Then, I have here amendments to the navigation laws in 1911. I repeat, I thought I had all this marked, but I do not seem to have done so. I find, however, quite a number of rules and regulations in this supplement, issued by E. T. Chamberlain, the commissioner of navigation, that affect the navigation of the waters of the United States, and they are all repealed. Then I find the same thing in further amendments to the navigation laws in 1911, the second supplement. Then here is another supplement of December 1, 1914. I will not take the time to go through these.

I have here, Mr. President, the Regulations of the United States Public Health Service for 1915, and on page 143 you will find the provisions of the statute under which rules and regulations may be made that affect the commerce of the United States with reference to the dealings with the public health and the protection of the public health in the navigation of ships.

Then here are the Regulations for the Revenue-Cutter Service. Of course those affect the shipping of the United States. Here is a volume of nearly 300 pages, and a great many of them contain the rules and regulations relating to the navigation laws of the country with reference to the navigation of the different harbors and coast waters of this country.

Mr. President, there are a great many other matters to which I should like to call the attention of the Senate, but I want briefly, to a certain extent, to summarize somewhat what I have said to-night, and especially with reference to the present legislative situation as we find it here.

The present legislative situation demonstrates the utter incapacity of the Democratic Party to conduct the legislative affairs of the Government. Utter demoralization exists in the legislative branch. The right of petition is denied. Representation is a farce, and the Constitution is as if it never was. This is the short session of Congress. It must terminate March 4, unless the President and his team devise some way to override the plain provision of the Constitution. Appropriation bills for the fiscal year ending June 30, 1916, must be passed this session or an extra session be called, or a resolution passed continuing the appropriations of the current year. The majority knew this when the session began. The session is now almost two-thirds gone and not a single regular appropriation bill has been passed. A small urgent deficiency bill has gone to the President. The District of Columbia bill has gone to conference and not another appropriation bill has even been considered in the Senate.

Legislative chaos exists. No bill can be passed. You can not even introduce a measure, nor can committees submit reports. Petitions from the people can not be presented by their duly elected representatives. We are no longer representatives. The minority is deprived of its rights by the majority and the majority has surrendered wholly to the Executive, and the Executive is commanding the impossible. We are at a legislative standstill. Never before in the history of the Government has such a condition existed in the Senate of the United States. What is the matter? Why are the people's interests so jeopardized and their rights so denied? The only answer would seem to be Democratic incapacity, but a better answer would be Democratic ossification through subserviency to inexperienced Executive domination. This does not mean that as individuals Democratic Senators are not able, experienced, energetic, learned, and patriotic men. The members of the majority are able and patriotic. Many of them have had long legislative experience. They know what can be done and what can not be done. They know what is necessary and what is not necessary in the passage of important legislation and they knew when this session opened that but little could be done, except to pass the necessary appropriation bills with the legislation that usually accompanies or is included in them.

It now takes over a billion dollars a year to run this Government. This must be provided for in the appropriation bills. It comes from the pockets of the people, and ought not to be taken from them without careful investigation and consideration. The Democratic Party denounced most vigorously the Republican Party for extravagant and wasteful expenditure of the people's money and appealed to the people to intrust it with power, with the assurance that extravagance and waste would be stopped and expenditures curtailed. They did not make a very enviable record in this respect for the present fiscal year. They increased appropriations over those made by the Republicans by over a hundred million dollars. They provided unusual and fictitious forms of tax and then passed a special measure to raise a hundred millions of dollars to take care of an evident deficiency in the revenues. In the face of this condition of things it would seem that ample time would have been desired for careful consideration of these great fiscal measures, in the hope of reducing them without impairing the efficiency of the service and at the same time relieve the people of some of the burdens they are less able to bear than formerly. Reasonable discussion can not be had without being accused of filibustering.

There were men on that side who knew that a proper consideration of these bills would take all of the time of the short session. If they did not know it, the wise, sagacious, sturdy, experienced legislator and patriotic Speaker of the House of Representatives knew it. His advice and counsel were available, and no one knew better the situation than he. He was quoted in the public press as saying that but little could be done this session except to pass the appropriation bills. Others of experience said the same thing. The Democratic majority, however, acts now not as legislators; they have ceased to be representatives of the people and of the States from which they come; they do not follow their own judgment; they are not guided by their own experience. They are the members of a team; this team has a captain. It is not theirs to reason why, but it is theirs to do as they are told; they have a captain who is not to be kept awake nights wondering what they are going to do; they must do what they are told, as all members of a team should do; the captain thinks for them, acts for them, rewards them if they are docile and punishes them if they are obstinate. The people no doubt thought they were electing men to represent them here, to speak for them here, to act for them here, and to enact legislation which they, as their representatives, believe for the people's best interest. They were mistaken. They elected men who were to carry out the will of the captain, regardless of their own views or the needs of their constituents; they elected many who are the servants of the Executive instead of the representatives of the people.

If the captain were an experienced legislator there would not be so much trouble, but when an experienced team is put under an inexperienced captain, nothing but disaster can follow. When this session opened, instead of being guided by experience, the captain told the team that he had a program and that it must be put through. The team knew that it could not be done, but, like all good teams fearful of punishment for disobediency, they could not or did not dare to argue with the captain. They did not or could not show him the impossibility and impracticability of getting such a program through. They got their orders. They started to work. They were not buoyant, confident, or hopeful. They were listless, discouraged, hopeless; outwardly cheerful, inwardly despondent. On the floor of the Senate daring and assertive; in the cloakroom mad and rebellious. What a team! What a situation! It is enough to make angels weep. Sorry for them? Yes. Pity for them? Yes. Respect for them as a team? Hardly. Unwelcome work is hard at best, but to work without hope, to labor without accomplishment, to struggle without success is torture. What were they told to do? Pass the appropriation bills, and what else? Well, they must pass a shipping bill, two conservation measures, and the Philippine bill. This was a program which any man of any legislative experience knew would require such consideration as would take at least a year to pass in proper shape. Of course, if the captain could have his own way these measures could be disposed of in a very few hours. In fact, having been prepared by the captain, he could not see any reason for hesitation on the part of the team to pass them without thought or consideration. Not only did he expect the members of his team to accept these measures without question or delay, but he seemed to expect those who still believed that they were sent here to represent the people and their own matured judgment and who were not willing to prove unfaithful to their trust to do the same and let these measures pass without consideration. His team in a halting, hesitating way has tried to obey his orders. The others had not and will not act without care and deliberation. With the captain of the team, because of inexperience or for some other reason, ordering the team to do the impossible and with the team knowing that what they have been ordered to do is impossible, striving blindly and recklessly to obey orders, has come about the legislative chaos now confronting us.

The situation is such that more important issues are arising than the proposed legislation itself. The bill now before the Senate is the shipping bill. No such proposition was ever before proposed by or to a legislative body. It involves questions of the most far-reaching importance upon which there are most radical differences of opinion, and at a time such as never before confronted the civilized world, and more important than all else, it is a measure which, if passed now, will soon involve us in the great conflict now raging among civilized nations of the world. I believe this with a deep conviction, and for this reason alone I deem the defeat of this measure imperative, at least, until this war is closed. This bill was introduced December 9, 1914. Who prepared it and where, I do not know. Who suggested it and what interests are to be benefited by it, I do not know. I have my ideas and I will express them later. It is a measure that has never been considered or discussed to any great extent in the country. I understand that the committee who considered it arbitrarily refused to give any hearing upon it. They needed no information. They wanted none. The captain had presented the measure and had given his orders. The team could see nothing wrong with it, even if they did not believe in the fundamental principles of it. They needed no information about it, they needed no discussion of its terms and provisions. It had the stamp of the captain upon it, and on December 16 they reported it favorably with only three or four immaterial and unimportant amendments. Very promptly a motion was made to make the bill the unfinished business. This carried. The effect was to bring it up automatically at 2 o'clock each day and continue it as the unfinished business from adjournment to adjournment, unless some other measures were taken up by motion. Upon adjournment to 12 o'clock the next day it would come up automatically at 2 o'clock, thus giving two hours for the introducing of bills, the presentation of petitions, the filing of committee reports, and consideration of other measures and bills on the calendar.

After some discussion in the Senate the team began to think that the bill was not exactly right. They reported to the captain. He gave his consent for its further consideration by the committee, and the committee, or the majority of it, determined to report an amendment by way of a substitute. Why, I do not know, but probably in the hope of securing some technical advantage, which they thought it might give them, and on January 16 this substitute was reported and presented to the Senate. The Senator from Ohio [Mr. BURTON] pointed out most forcibly and ably some very serious objections to the bill as now framed. Members of the team began to get nervous. They did not believe in the fundamental principles of the bill, but they had not noticed the serious defects in it. They were willing to vote for it because they had been told to do so; but the defects were so glaring that they became uneasy. The captain saw signs of rebellion, and I suppose—of course I have no direct knowledge, but when a team gathers together we have a right to assume that it has done so at the direction of the captain—he suggested that they call a caucus, so that they might secretly consider the bill and bring the recalcitrants into

line. This was done. The bill was not withdrawn, however. They refused to adjourn. We recessed from day to day. No other business could be considered. I suppose they hoped to have the objections to the measure pointed out in the Senate during the day and they would be able to consider them in the secret caucus at night. The Senate was forced to meet at 11 o'clock and kept in session continuously until 6 and sometimes later. On Friday, January 15, the majority forced a recess, and no adjournment was had thereafter, the legislative day of Friday, the 15th, continuing, until on the 26th, I believe, we ended this legislative day, and then started in and recessed and adjourned for a few days and recessed in order to let our Democratic friends caucus. We have now been in the legislative day, I think, since February 5.

The Senator from Ohio resumed his speech, which was interrupted by the discussion of the District of Columbia bill. He spoke for two or three days, and the Democrats said that he was filibustering. We have come to a strange situation. If we discuss a measure we are filibustering. He was not, but they were. Why did he speak for two or three days? Simply because they forced him to do it by their unusual, autocratic, and unjustifiable attitude. They gave notice that no man should speak more than twice on the bill on the same legislative day, and then declared they would keep us in one legislative day until the end of the session. The Senator from Ohio discussed the bill and the questions involved in it. All the time he wasted not a minute. His strong and valid objections he had to present, and the only way he could present them was to hold the floor. This discussion disclosed to the members of the team some glaring defects in the bill which they had accepted as infallibly drawn. The captain was advised. Something must be done. They dared not discuss the bill in the open Senate; as a matter of fact, but few of the gentlemen believed in the bill. They could not argue it in the open, where their positions and their statements would be a matter of public record. So they resorted again to the secret caucus, where no newspaper men could be present, where no record would be made, where all would be hidden from the public, where no information would be given to the people, and where individual opinion and judgment would be expected to bow to the force of numbers. They could not and can not discuss or defend this measure in debate on this floor, so they discuss and decide in secret, and will come to the Senate by and by and try to put it through not by arguing, not on its merits, but by force of numbers and without discussing what they dare not leave to the honest, fair, and untrammeled judgment of the people's representatives. They would not withdraw the bill, which they know must be changed and amended. They would not allow other matters to be considered while they thrash this out in caucus. They would not adjourn, but kept the bill which they would not discuss and which they expected to change before the Senate. They would not talk on the floor of the Senate because they did not have to, but they flock to the secret caucus night after night and talk. On Friday they decided they would meet Saturday to continue their secret caucus. Did they adjourn until Monday? That would have ended the legislative day and given an opportunity for further discussion of the bill. That would have given an opportunity to have a morning hour in which bills could be presented, the people's petitions heard, reports of the committees submitted, and other bills now on the calendar taken up. They did not want to do this, so they continued the legislative day of Friday the 15th over until Monday.

They are bringing out another substitute. They have learned something from the arguments of those whom their captain has deemed fit to call "ignorant Republicans." Why do not they present it to the Senate? They have not done it. Maybe they are waiting to learn some more. All this time they have been charging us with filibustering, when, as a matter of fact, they are the real filibusters. They have not had their measure in shape to submit it, and yet they have absolutely prevented anything else from being considered. Now, when they get their bill shaved down just as far as the captain will permit, they expect us to accept it without discussion and without questioning. If we do discuss it they will sound their tom-toms and cry "filibuster." Deliberation within the sealed walls of the secret caucus is statesmanship and protection of the people's interests; debating on the open floor of the Senate is filibustering and a sacrifice of the people's rights. We want the bill they propose to enact considered in the usual parliamentary way. The secret caucus will be arbitrarily forced through by any possible method, through the power and under the leadership of a man who has spoken most earnestly and eloquently, and I have no doubt sincerely, in behalf of publicity in public affairs and in legislation. The Democratic Party under that leader has followed more secret methods than any party has ever dared to follow in the history of the Republic. A few years ago the country rang with denunciation of Republican caucus or ring rule, and yet there have been more secret caucuses held by the majority of this body during the last two years than were held the entire period from 1896 to 1912.

I have been reading a book which I have heard quoted on this floor many times and, strange to say, it is never by the majority. It is a book they would do well to read. They can learn much from it. It might give them some courage, some backbone, some stamina. It might furnish them a justification for standing by their convictions, for insisting upon fair and open discussion, and for acting as representatives of a great people, rather than as docile, unthinking members of a team. I want to read from this book. It is entitled "The New Freedom," by Woodrow Wilson.

It is a very interesting book, and I have enjoyed reading it exceedingly much, and I think it is very apropos with reference to the measure which we now have under consideration. At page 57 I find this language:

> Suppose you go to Washington and try to get at your Government. You will always find that while you are politely listened to, the men really consulted are the men who have the biggest stake—the big bankers, the big manufacturers, the big masters of commerce, the heads of railroad corporations and steamship corporations.

Mr. President, that was never truer than during the last two years. We have had these railroad men coming down here seeking the influence of persons in high authority to influence the Interstate Commerce Commission in its decision with reference to railroad rates. We have had all sorts of interests represented. Now, I do not condemn that. I think it is proper that the President of the United States should consult with men great and prominent in the various lines of industry throughout the country; but the President seemed to think that when people come down here the ordinary people could not get at the Government, that only the big men and the big interests could do it. That was never more true than it has been during the last two years.

Then he says:

> You know just as well as I do—it is not an indictment against anybody; it is a mere statement of the facts—that the people have stood outside and looked on at their own Government, and that all they have had to determine in past years has been which crowd they would look on at, whether they would look on at this little group or that little group who had managed to get the control of affairs in its hands. Have you ever heard, for example, of any hearing before any great committee of the Congress in which the people of the country as a whole were represented, except it may be by the Congressmen themselves?

Why, Mr. President, who is better able to represent the people than the representatives whom they have selected—whom they have sent here? There have been some self-constituted guardians of the people's rights and interests who have appeared before some of the committees, but they never have seemed to accomplish very much; but I submit that Senators and Representatives who have been selected by the people are really the best representatives they have. They are men of experience. They are men who are pretty thoroughly acquainted with the methods of those who come to Washington City to influence either committees or departments. They know better, to use a common expression, how to checkmate these influences than anybody else can know. Again, he says:

> The men who appear at those meetings in order to argue for or against a schedule in the tariff, for this measure or against that measure, are men who represent special interests. They may represent them very honestly, they may intend no wrong to their fellow citizens, but they are speaking from the point of view always of a small portion of the population. I have sometimes wondered why men, particularly men of means, men who didn't have to work for their living, shouldn't constitute themselves attorneys for the people, and every time a hearing is held before a committee of Congress should not go and ask, "Gentlemen, in considering these things, suppose you consider the whole country. Suppose you consider the citizens of the United States."

Mr. President, I think that is a very serious indictment against the Members of Congress, and one that is not justified, because my experience and observation has been that Senators and Representatives do try to represent the interests of their people and not special interests; and nobody is better able to weigh the arguments that are presented to the committee by the representatives of the special interests than Members of the House and the Senate. It is true that these special interests are often represented before committees by able men—railroad interests, for example. They send the brightest and the strongest attorneys in the country to these committees to present their case, and so all the great interests of the country do this; and there rests the real test of the efficiency of any Representative, that on the committee before whom these bright and brilliant men are appearing he is able to weigh the facts that are presented and determine what is for the best interests of the people and what is against their best interests.

He says:

I don't want a smug lot of experts to sit down behind closed doors in Washington and play Providence to me. There is a Providence to which I am perfectly willing to submit. But as for other men setting up as Providence over myself, I seriously object. I have never met a political savior in the flesh, and I never expect to meet one.

That is true. That is a correct statement. I approve every word of that. What I have been objecting to with reference to this legislation and with reference to a great deal of the legislation our Democratic friends have proposed is not so much the legislation, but it is the manner and the method by which they have been trying to put it through. They have seemed to think that they have a political savior that must save the people and save Congress and save the people from Congress.

Then he says:

That is the way I feel about this saving of my fellow countrymen. I'd rather see a savior of the United States than set up to be one, because I have found out—I have actually found out—that men I consult with know more than I do, especially if I consult with enough of them. I never came out of a committee meeting or a conference without seeing more of the question that was under discussion than I had seen when I went in. And that to my mind is an image of government.

Oh, Mr. President, that we would follow that suggestion! That the Senate of the United States would follow that suggestion! That instead of going behind closed doors we would do as the Senator from Georgia [Mr. SMITH] wanted to do, bring these bills in here, have the amendments offered on the open floor of the Senate, consider them in free, deliberate, and open debate, pass upon them on their merits, and frame up the legislation in the proper sort of a way. That, Mr. President, is in harmony with the suggestions of the President in his book on the New Freedom; but the trouble is that it does not seem to be carried out in practice.

I am one of those who absolutely reject the trustee theory, the guardianship theory. I have never found a man who knew how to take care of me, and, reasoning from that point out, I conjecture that there isn't any man who knows how to take care of all the people of the United States. I suspect that the people of the United States understand their own interests better than any group of men in the confines of the country understand them.

Why, I agree with that. I think that is so, and that is another reason why I object to these methods here. The trouble is that the captain and the team seem to assume that they know all about the proposed legislation; they know all about how to do it, and they can not get any information from this side; that discussion with us does not help them any. Yet, as I have pointed out in this discussion and have shown by the different bills that have been reported, the different substitutes that have been brought in here, they have not only learned something from us, but they have really profited from it, and I am glad of it.

Then, on page 90 of this valuable work, I find language like this:

Congress, in accordance with the genius of the land, which asks for action and is impatient of words—Congress has become an institution which does its work in the privacy of committee rooms and not on the floor of the Chamber; a body that makes laws—a legislature—not a body that debates; not a parliament.

Mr. President, this ought to be changed. It ought to be changed to read that Congress has become an institution which does its work in the privacy of a caucus—the privacy of a secret chamber with locked doors—with the press excluded, with nobody but the members of the team present to hear and discuss; a body that makes laws through a caucus, through the rule of the majority; not a body that debates.

Mr. President, this body was never before so nearly a body that does not debate as it has been for some time.

I conceive it to be one of the needs of the hour to restore the processes of common counsel and to substitute them for the processes of private arrangement which now determine the policies of cities, States, and Nation. We must learn, we freemen, to meet as our fathers did, somehow, somewhere, for consultation. There must be discussion and debate, in which all freely participate.

Mr. President, I heartily indorse that. That expresses my sentiments far better than I could express them, but it expresses a situation that has practically ceased to exist now under the leadership of the learned gentleman who wrote this language. Again, he says:

Good will it be for the country if the interest in public concerns manifested so widely and so sincerely be not suffered to expire with the election. Why should political debate go on only when somebody is to be elected? Why should it be confined to campaign time?

That is good advice, too. It is profitable for us to carry on political debate on this floor and to hold political discussions among the Members of opposite parties. It brings about good legislation, correct ideas, and proper action. And then I find this:

The burden that is upon the heart of every conscientious public man is the burden of the thought that perhaps he does not sufficiently comprehend the national life. For, as a matter of fact, no single man does comprehend it. The whole purpose of democracy is that we may hold counsel with one another, so as not to depend upon the understanding of one man, but to depend upon the counsel of all.

I do not understand that the President used the word "democracy" there in a partisan sense. I understand that he used it in the broad governmental sense, and in that I agree heartily with him.

For only as men are brought into counsel and state their own needs and interests can the general interests of a great people be compounded into a policy that will be suitable to all.

How applicable that language is to the bill that is now pending before this body—a bill that affects more great fundamental questions of government than almost any bill that has been presented here for a great many years. How important it is for the interests of the people of the country that such a great measure shall be considered in the open; that we shall take counsel together; that debate shall clarify doubt and uncertainty and bring about that which is for the best interests of the people of the country, and, as he so well says, that will be suitable to all. He says, again:

There are very few of us who have had any real access to the Government. It ought to be a matter of common counsel.

And so say I.

A matter of united counsel; a matter of mutual comprehension. So—

Listen—

So keep the air clear with constant discussion.

"Keep the air clear with constant discussion." Surely that is what we are trying to do on this side of the Chamber. They are not helping us much on the other side. Listen to this:

Make every public servant feel that he is acting in the open and under scrutiny.

What about this acting in caucus behind closed doors? Is that acting in the open? Is that acting under constant scrutiny? Not at all.

And, above all things else, take these great fundamental questions of your lives with which political platforms concern themselves and search them through and through by every process of debate.

Those that are his friends on the other side should take his advice. Search these questions through and through by the processes of debate. Listen, and this comes under a title "Let there be light":

What are the right methods of politics? Why, the right methods are those of public discussion.

I wish I could get our Democratic friends to read this book. It is certainly a very interesting book. It certainly does contain a great deal of very valuable information as to legislative bodies and legislative circles, and it was never more apropos than right now.

The methods of leadership open and aboveboard, not closeted with "boards of guardians" or anybody else, but brought out under the sky, where honest eyes can look upon them and honest eyes can judge them.

Mr. President, that sounds so good I must read it again. This is from President Wilson in his "New Freedom." As I understand it, these were speeches made after he was elected to the Presidency but before he was inaugurated. He kept up the political discussion, as he suggests it ought to be done. Listen:

What are the right methods of politics? Why, the right methods are those of public discussion; the methods of leadership open and aboveboard, not closeted with "boards or guardians" or anybody else, but brought out under the sky, where honest eyes can look upon them and honest eyes can judge of them.

Oh, will you take this to heart?

If there is nothing to conceal, then why conceal it?—

That is a very pertinent question and a very proper one at this time—

If it is a public game, why play it in private? If it is a public game, then why not come out into the open and play it in public?

I ask my friends on the other side, Why not play it in the open? Call it a game, if you please. I do not think that is a very appropriate term for a great legislative body like this. I do not think we are a team here. I think we are independent, and ought to be independent, representatives of great States and great constituencies, acting as our judgment dictates and our conscience approves for the best interests and the welfare of the people of the country. Yet if you want to call it a game, why play it in private? If it is a public game, then why not come out in the open and play it in public? Is this open business here in the Senate? It ought to be. It is the business of the people here. It ought to be done in this Chamber, not in the secret recesses of the private caucus. Yes, Mr. President, let there be light. Listen:

You have got to cure diseased politics as we nowadays cure tuberculosis, by making all the people who suffer from it live out of doors—not only spend their days out of doors and walk around, but sleep out of doors; always remain in the open, where they will be accessible to fresh, nourishing, and revivifying influences.

Would that we had the fifty-odd Members on the other side to listen to this sentence:

I—

Woodrow Wilson, President elect of the United States—

I, for one, have the conviction that government ought to be all outside and no inside.

If that does not mean that there ought to be no government in caucus and that it all ought to be out in the open Senate, I do not know what language does mean.

I, for my part, believe that there ought to be no place where anything can be done that everybody does not know about.

Just think! That comes from the captain of the team which has been playing this game in secret session after session on bill after bill.

I, for my part, believe that there ought to be no place where anything can be done that everybody does not know about. It would be very inconvenient for some gentlemen, probably, if government were all outside, but we have consulted their susceptibilities too long already.

Mr. President, when you examine this bill that you have now before you, it shows that it would have been well if it could have been considered in the open; if it could have been considered all on the outside and not at all on the inside. We could have helped our friends on the other side a great deal more than we have done if we could have had them consider this matter in the open.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Kansas?

Mr. JONES. I have uniformly refused to yield, for quite a while, for a question or otherwise, and I want to appeal to the Senator——

The PRESIDING OFFICER. The Senator from Washington does not yield for a question.

Mr. JONES. I refuse to yield for a question. I have refused to yield for a question, and I want to treat everybody alike. I want to be neutral in this matter as much as possible.

So, our honest politicians and our honorable corporation heads owe it to their reputations to bring their activities out into the open. At any rate, whether they like it or not, these affairs are going to be dragged into the open. We are more anxious about their reputations than they are themselves. We are too solicitous for their morals—if they are not—to permit them longer to continue subject to the temptations of secrecy. You know there is temptation in loneliness and secrecy—

We all know that—

Haven't you experienced it? I have—

Listen—

Haven't you experienced it? I have. We are never so proper in our conduct as when everybody can look and see exactly what we are doing.

Woodrow Wilson is saying that, now the President of the United States, whose advice is just as good now as it was at the time it was uttered, and it was splendid advice then. Listen:

Publicity is one of the purifying elements of politics. The best thing that you can do with anything that is crooked is to lift it up where people can see that it is crooked, and then it will either straighten itself out or disappear. Nothing checks all the bad practices of politics like public exposure. You can't be crooked in the light. I don't know whether it has ever been tried or not, but I venture to say, purely from observation, that it can't be done.

Now, listen. He tells us what the people of the United States have decided. I think the people of the United States had decided, and they probably thought that they were going to do it, but my judgment is that they think now they have been mistaken and that they have not gotten what they expected or what they desired.

And so the people of the United States have made up their minds to do a healthy thing for both politics and big business. Permit me to mix a few metaphors: They are going to open doors; they are going to let up blinds; they are going to drag sick things into the open air and into the light of the sun.

Mr. President, there has not been very much done along that line recently. This is what he had to say with reference to lawmaking in America:

But, unfortunately, the whole process of lawmaking in America is a very obscure one. There is no highway of legislation, but there are many byways. Parties are not organized in such a way in our legislatures as to make any one group of men avowedly responsible for the course of legislation. The whole process of discussion, if any discussion at all takes place, is private and shut away from public scrutiny and knowledge. There are so many circles within circles, there are so many indirect and private ways of getting at legislative action, that our communities are constantly uneasy during legislative sessions. It is this confusion and obscurity and privacy of our legislative method that gives the political machine its opportunity. There is no publicly responsible man or group of men who are known to formulate legislation and to take charge of it from the time of its introduction until the time of its enactment.

Now, listen to what the President is trying to do. I rather think that if he would work a little more actively in tune with his talk probably he might accomplish more. I wish he would. I approve very heartily of what he says.

I am striving to indicate my belief that our legislative methods may well be reformed in the direction of giving more open publicity to every act, in the direction of setting up some form of responsible leadership on the floor of our legislative halls, so that the people may know who is back of every bill and back of the opposition to it, and so that it may be dealt with in the open chamber rather than in the committee room. The light must be let in on all processes of lawmaking.

Mr. President, it is in the committee rooms where legislation dies. It is largely in caucus.

Legislation, as we nowadays conduct it, is not conducted in the open. It is not thrashed out in open debate upon the floors of our assemblies. It is, on the contrary, framed, digested, and concluded in committee rooms.

Of course, if this were written now it would have to be revised. It is, to the contrary, framed outside in a caucus room.

It is in committee rooms that legislation not desired by the interests dies. It is in committee rooms that legislation desired by the interests is framed and brought forth. There is not enough debate of it in open house, in most cases, to disclose the real meaning of the proposals made. Clauses lie quietly unexplained and unchallenged in our statutes which contain the whole gist and purpose of the act; qualifying phrases which escape the public attention, casual definitions which do not attract attention, classifications so technical as not to be generally understood, and which everyone most intimately concerned is careful not to explain or expound, contain the whole purpose of the law. Only after it has been enacted and has come to adjudication in the courts is its scheme as a whole divulged. The beneficiaries are then safe behind their bulwarks.

This is so interesting that it is real hard to stop. I am very anxious to get through very soon, but this is so interesting. Listen to what he says. This is from President Wilson:

Take any question you like out to the country—let it be thrashed out in public debate—and you will have made these methods impossible.

What methods? These secret methods; these methods not in the open day; these methods behind closed doors. Yes; we would like to discuss them in the open Senate. We would like to discuss them before the people of the country and let them decide. Listen. It gets better as you get along.

There is not any legitimate privacy about matters of government.

My friends, I wish you would listen to that.

There is not any legitimate privacy about matters of government. Government must, if it is to be pure and correct in its processes, be absolutely public in everything that affects it. I can not imagine a public man with a conscience having a secret that he would keep from the people about their own affairs.

He says further:

Well, I am very sorry, but nothing is legitimate that can not be understood.

Then after that he goes on to tell about how brave men have been working for the people, and so forth, and how they have forced bills out of committees by making threats of what they would do, and so forth, if this was not done. Then he says:

Those are processes which stand between the people and the things that are promised them, and I say that until you drive all of those things into the open, you are not connected with your Government; you are not represented—

That is what we have been saying. We have been saying that our friends on the other side have been denying the people representation in their caucus and secret methods; and that is exactly what your President said—

You are not participants in your Government.

* * * * * * *

There is no air so wholesome as the air of utter publicity.

Now, then, listen how he concludes this chapter on "Let there be light":

So I take it to be a necessity of the hour to open up all the processes of politics and of public business—open them wide to public view, to make them accessible to every force that moves, every opinion that prevails in the thought of the people; to give society command of its own economic life again, not by revolutionary measures, but by a steady application of the principle that the people have a right to look into such matters and to control them; to cut all privileges and patronage and private advantage and secret enjoyment out of legislation—

Listen—

Wherever any public business is transacted, wherever plans affecting the public are laid, or enterprises touching the public welfare, comfort, or convenience go forward, wherever political programs are formulated, or candidates agreed on—over that place a voice must speak with the divine prerogative of the people's will, the words "Let there be light!"

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Washington yield to the Senator from Michigan?

Mr. SMITH of Michigan. I hardly think it possible——

Mr. JONES. I should be glad if I could do so, but I could not yield, as I have tried to be impartial to my friends on both sides of the Chamber.

Mr. President, if you have paid no attention to what I have said, I hope you will heed what I have read. Surely you will not spurn that, surely you will not consider it unworthy of your study. It will do you good to consider it; it will be better for you to follow it. As I said before, you are trying to do the impossible, not because you do not know better, but because you are obeying orders. You are trying to act as a team of irresponsible, unthinking, automatic, rubber stamped, pseudo representatives under the orders of a captain who has never had any experience in the work you are expected to do. There is not one of the team who does not know better than the captain the difficulties in the way and what ought to be done. Knowing that you can not do the things ordered in the usual and courteous way, you are trying to bluff them through and put them through in an unusual and brutal way. You will override the Constitution and nullify rules of this body. The Constitution says "each House shall be the judge," and so forth, "and a majority of each shall constitute a quorum to do business." It is clearly the constitutional right of any Member of the Senate to have a quorum present while business is being done. You nullify this provision by arbitrarily holding that one Senator can not interrupt another in debate to make the point of no quorum.

I am glad to say that to-night we have turned back to the Constitution of our fathers, that we have gone back to the old rule that a Senator has the constitutional right to raise the point of no quorum when the Senate is vacant. I hope the Senate will never again depart from that ruling; and I further hope that that privilege will not be abused. I shall not even abuse it upon this measure, much as I desire to see it defeated. Because you have a majority of the votes to uphold a rule to this effect you deny the Members of this body one of the specific rights given by the Constitution. To raise the point of no quorum is to make the highest point of order that can be made, and in denying the right to do it, you not only override the Constitution, but you arbitrarily set aside one of the positive rules of the Senate. Of course, in view of the ruling of the Chair during the night and the action of the Senate in tabling the appeal from the decision of the Chair, those statements are now really obsolete and out of date.

Rule XX says:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing.

Nothing can be clearer than that; there is no room for construction. It does not say the point can not be made if a Senator is speaking and refuses to yield. It can be made at any time, "except when the Senate is dividing." It is the right of any Senator, independent of the wishes of any other Senator. A Senator's constitutional right, however, to have a quorum present when business is done is higher than any rule, does not depend upon any rule, and could not be avoided, suspended, or destroyed by any rule. To avoid this plain provision of the Constitution you arbitrarily hold that intelligent, able, legitimate discussion is not business. The presentation of petitions from some humble citizens of Hoosier Creek is business, while able, learned, and wise discussion of profound questions involving the happiness and welfare of millions of people or the stability of the Government itself is not business. The weeks of discussion and consideration of an intricate and far-reaching measure is not business, but the mere casting of the vote recording the conclusions reached from such discussion is business. Such a position is not only unwise but it is absolutely ridiculous and unworthy of a great deliberating body.

You refuse to adjourn. You continue the legislative day for a week or more. Why? Because you have the votes and want to take advantage of quibbles under the rules. By this method you prevent the use of the morning hour for the presentation of petitions, the introduction of bills, the submission of committee reports, and the consideration of bills on the calendar. By this method you would prevent a Senator from speaking more than twice on the same subject in a week or a month, instead of on one day, as the rules provide. You are following methods beside which justice court practices are paragons of fairness. Records are kept to see that a Senator does not speak more than twice during one legislative day, no matter how long it may be, on one subject. Senators are watched with hawk-like vigilance to see if some advantage can not be gained, to see if they can not be tripped up in some way and taken from the floor.

Senators must watch each other, scanning carefully the actions of each other to see that no advantage may be secured. If a speaker is interrupted by another, he must be careful to yield only for a question, for fear that the majority will declare his speech at an end and the floor yielded. Now, when a Senator is interrupted by another, he says, "I will gladly yield if I may without losing the floor," or "I will yield for a question only." What a travesty upon a deliberating body! What a spectacle was presented here the other day! The Senator from Mississippi, learned, eloquent, witty, entertaining, philosophical, wise, and profound, and a member of the majority, dared not yield to the Senator from New Jersey, who confidently believed that he could, and impulsively sought to demolish a statement just made by the junior Senator from Massachusetts. Why not? Because he feared we Republicans would claim the same right. The idea of a deliberating body being forced into such a ridiculous position is humiliating.

I am glad to believe, Mr. President, that we are going to adopt and follow more reasonable rules and methods in this body from now on. I believe that the Senate will rise above such really little things, and act in a broad, wise, and statesmanlike way; that the privileges of this body will not be abused; that the rights of Members will not be denied; and that the Senate will consider questions as a really and truly legislative body.

And right here let me say that the partisan rulings and attempts to which I have referred have not been made by the Vice President. Though a partisan, he recognizes that he is Vice President of all the people and the impartial Presiding Officer of the Senate. He tries to enforce our rules as they are and not as party exigency may demand, and has been uniformly courteous, fair, and impartial. If the rules should be changed, he is not going to do it, but will leave it to the Senate to act in its own way.

Before we knew what your bill would be, before you knew what it would be, you were threatening us with night sessions, with continuous sessions. Though confining our discussion strictly to what you had presented and the propositions involved, you have repeatedly declared our debate unfair, dishonest, and unjustifiable; and on Tuesday, you had just reported your caucus measure, the Senate manager of the team obeying orders of the captain, too.

These are not the methods of legislators. They are the methods of a football team acting under secret instructions to defeat their opponents or kill them.

Legislation that must be conducted in secret caucus and enacted by such methods does not have public sentiment behind it and is legitimately subject to the presumption that it is unfair and unwise legislation, that it is filled with jokers that will not bear discussion, and that it is being enacted for the benefit of some special interest that its sponsors think is not yet known but which they fear will be disclosed by discussion. By the methods which you have adopted interchange of ideas is impossible; fair, illuminating, and instructive discussion is prevented. The deliberate character of the Senate is destroyed and representative government is a farce. Under partisan Democracy that branch of the legislative department of the Government which has heretofore preserved its deliberative character, and in which all of the important legislation of the century has been perfected, has ceased to exist, if your methods prevail, and it has become simply the recorder of the autocratic direction of the captain of a political team of Punch and Judy automatons sent here as the representatives of the people.

So, Mr. President, I am in favor of our asserting our representative character. I believe that we ought to proceed to the consideration of measures which we can pass and which we ought to pass. Measures have been waiting long on the calendar for consideration that will bring relief to many of our deserving citizens and danger to none. These bills ought to be considered—they ought to be passed—and for these reasons I had hoped to move to proceed to the consideration of the bills on the calendar.

We ought to lay aside this bill; it can not be enacted into law at this session of Congress. We ought to take up the measures that are necessary for the conduct of this Government; we ought to pass legislation that the people are vitally interested in and that will greatly benefit them. Then let us go to our constituencies and talk this bill over. Let us go out in the open, as President Wilson suggests, in the clear, open day and in the open sunlight and get the expression of the people upon this great measure. Let them know what it is; let them understand it; let them know what its provisions are, what its principles are, what its effects are likely to be, what dangers are likely to be encountered, and then let the people say whether or not they want this legislation; and if they do, they will get it. It is not enough to say we want to build up a merchant marine. Of course we do. Will this bill do it? That is the question to be considered.

Mr. President, I have considerable more matter here, and I should like very much to proceed for some time longer, but I understand that one of my friends on this side of the Chamber is

very anxious to present some matters in connection with this bill.

I hope that our friends on the other side will look very carefully, indeed, into that provision of the bill which repeals all of the rules and regulations affecting the water-borne commerce of the United States. I hope that they will look very carefully into that provision which repeals the rules and regulations affecting all the water-borne commerce and craft of the Great Lakes, the Gulf, the rivers, the sounds, and all the bodies of water of this country.

I ask you why are you doing it? What is the reason for it? Who has suggested it? Why are you going to put all of the commerce of this country under a political body? Why are you going to take it out from under officials who are thoroughly acquainted with the situation and the conditions, who have for years been framing the rules and regulations on which the commerce of the country is acting? At whose suggestion are you repealing this? Who has asked you to take the shipping board, which you started out to put in charge of Government ships, and put it over all of the shipping commerce and water-borne commerce of the United States Government? What are you going to gain by it? What are you going to accomplish by it? Why should you put it in this bill at all? Strike it out and do not run the risk of all the complications and the confusion that is likely to result from this unwise and uncalled for provision of unknown and secret origin.

Mr. President, I am glad to yield the floor.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Nelson	Smith, Mich.
Brandegee	Jones	Owen	Smoot
Bristow	Kern	Page	Thomas
Bryan	Lane	Pomerene	Thompson
Chamberlain	Lea, Tenn.	Ransdell	Thornton
Chilton	Lee, Md.	Reed	Walsh
Crawford	Lippitt	Shafroth	Warren
Dillingham	McCumber	Sheppard	White
du Pont	McLean	Simmons	Williams
Fletcher	Martin, Va.	Smith, Ariz.	Works
Gronna	Martine, N. J.	Smith, Ga.	
Hollis	Myers	Smith, Md.	

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is necessarily detained from the Chamber on important business.

The PRESIDING OFFICER. Forty-five Senators having answered to the roll call, there is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of absent Senators, and Mr. PITTMAN answered to his name when called.

Mr. THORNTON. I desire to announce that the return of the Sergeant at Arms at 5.30 o'clock this morning said that the junior Senator from New York [Mr. O'GORMAN] has been called to New York last night on account of illness in his family.

Mr. FALL, Mr. CLAPP, and Mr. HUGHES entered the Chamber and answered to their names.

Mr. SMITH of Georgia. Mr. President, under the direction of the Senate last night the Sergeant at Arms was required to compel the attendance of absent Senators. He has made a number of reports. I ask that they may be read to the Senate.

The PRESIDING OFFICER. The Secretary will read the reports of the Sergeant at Arms.

Mr. SMOOT. Mr. President, that is not in order until we develop a quorum.

Mr. SMITH of Georgia. It is a part of the procedure to compel a quorum, and is therefore necessarily in order.

The PRESIDING OFFICER. The Chair is of opinion that the motion is in order.

Mr. SMOOT. Mr. President, just a moment.

Mr. REED. Mr. President, I make the point of order that the matter is not debatable. No business can be transacted in the absence of a quorum.

Mr. SMOOT. Mr. President, that is just the point I am making. When the order was issued before, there was a quorum developed. Now it develops that there is no quorum, and no business can be attended to until that quorum is developed. An order can be issued.

The PRESIDING OFFICER. A quorum is now present.

Mr. STONE. Mr. President, I desire to be recorded.

Mr. BRANDEGEE. How many Senators have answered to the roll call?

The PRESIDING OFFICER. Fifty Senators, including the Senator from Missouri [Mr. STONE].

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. McCUMBER. Mr. President, this ship-purchase bill is before us——

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota is not in order. The reading of the reports of the Sergeant at Arms has been requested as a matter of order of the Senate.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. McCUMBER. I did not understand that that was requested. I understood it was requested before a quorum was announced. After a quorum was announced I had the floor, and I have not yielded.

The PRESIDING OFFICER. The Senator is not in order when that order is before the Senate, because that is a part of the rules of the Senate.

Mr. SMITH of Georgia. Absolutely.

Mr. McCUMBER. Mr. President, I do not understand that it has been requested since I took the floor.

Mr. FLETCHER. It was requested before the Senator took the floor.

Mr. McCUMBER. Then it was requested before there was a quorum.

Mr. FLETCHER. The Senator is not entitled to the floor until the presence of a quorum is announced, and the Chair never recognized the Senator from North Dakota.

Mr. McCUMBER. I will appeal to the record. I am not in the habit of proceeding unless I have recognition.

The PRESIDING OFFICER. The Chair recognized the Senator from North Dakota, but the rules of the Senate require the presence of Senators who have not been excused from the Senate, and it is in order to read the reports of the Sergeant at Arms. The Secretary will read them.

Mr. McCUMBER. Mr. President, I make the point of order that after a Senator has been recognized immediately after the Chair has announced the presence of a quorum he can not be taken from his feet for intervening business.

The PRESIDING OFFICER. The Chair overrules the point of order.

Mr. McCUMBER. I appeal from the ruling of the Chair, and on the appeal I demand the yeas and nays.

Mr. LEA of Tennessee. I move to lay the appeal on the table.

The PRESIDING OFFICER. The Senator from North Dakota appeals from the decision of the Chair. The Senator from Tennessee moves to lay that appeal on the table.

Mr. McCUMBER. Upon that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAPP. Mr. President, I was temporarily absent from the Chamber when this matter arose, and I confess I do not know what matter is before the Senate. I therefore ask to be excused from voting.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. McCUMBER. I ask that the Chair may inform the Senator.

The PRESIDING OFFICER. The Senator from North Dakota appealed from the decision of the Chair, the Chair having decided that under the rules of the Senate the reports of the Sergeant at Arms were in order to be read, as a matter of order.

Mr. CLAPP. After a quorum had been developed?

The PRESIDING OFFICER. After a quorum had been developed. The Senator from Tennessee moved to lay on the table the appeal of the Senator from North Dakota.

Mr. McCUMBER. Mr. President, I know the Chair does not want to make the record different from what I made it.

Mr. LEA of Tennessee. Regular order!

Mr. McCUMBER. My point of order was that after——

Mr. CHILTON. Regular order!

Mr. McCUMBER (continuing). After the Chair had announced that a quorum was present, and immediately recognized me, I could not be taken off my feet for the purpose indicated.

Mr. JAMES. Regular order!

Mr. CLAPP. I desire to ask if the Chair had recognized the Senator from North Dakota?

The PRESIDING OFFICER. The Chair recognized the Senator after that motion had been made.

Mr. CLAPP. Under those circumstances, I think the Chair's ruling was correct.

Mr. McCUMBER. Mr. President, I want to correct that statement of the record again.

Mr. JAMES. I ask for the regular order, Mr. President.

Mr. LEA of Tennessee. Regular order!

Mr. McCUMBER. I want the Chair to state it all, so that Senators may understand the situation accurately; that is all.

The PRESIDING OFFICER. The roll is being called, and the Chair is not called upon to go into a general discussion of what has transpired in the Senate. The Secretary will call the roll.

Mr. McCUMBER. I will inform them, then.

The Secretary resumed the calling of the roll.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH] and withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from New York [Mr. ROOT] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

The roll call was concluded.

Mr. SMITH of Georgia (after having voted in the affirmative). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and will allow my vote to remain.

Mr. LEA of Tennessee (after having voted in the affirmative). Has the senior Senator from South Dakota [Mr. CRAWFORD] voted?

The PRESIDING OFFICER. He has not.

Mr. LEA of Tennessee. I have a pair with that Senator, which I transfer to the senior Senator from Illinois [Mr. LEWIS], and will allow my vote to stand.

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I will withhold my vote.

Mr. HOLLIS. I transfer my pair to the senior Senator from Indiana [Mr. SHIVELY] and will vote. I vote "yea."

Mr. PERKINS. Has the junior Senator from North Carolina [Mr. OVERMAN] voted?

The PRESIDING OFFICER. He has not.

Mr. PERKINS. I have a general pair with him and therefore withhold my vote.

Mr. COLT. I am paired with the junior Senator from Delaware [Mr. SAULSBURY] and therefore withhold my vote.

Mr. PERKINS. I transfer my pair to the junior Senator from Illinois [Mr. SHERMAN] and will vote. I vote "nay."

Mr. CHAMBERLAIN. I transfer my pair to the junior Senator from Arkansas [Mr. ROBINSON] and will vote. I vote "yea."

The PRESIDING OFFICER. To make a quorum, the present occupant of the chair will vote. I vote "yea."

The result was announced—yeas 33, nays 16, as follows:

YEAS—33.

Ashurst	Kern	Pomerene	Thomas
Bryan	Lane	Shafroth	Thompson
Chamberlain	Lea, Tenn.	Sheppard	Thornton
Chilton	Lee, Md.	Simmons	Walsh
Fletcher	Martin, Va.	Smith, Ariz.	White
Gore	Martine, N. J.	Smith, Ga.	Williams
Hollis	Myers	Smith, Md.	
Hughes	Owen	Smith, S. C.	
James	Pittman	Stone	

NAYS—16.

Brady	Dillingham	McCumber	Smith, Mich.
Brandegee	Fall	Nelson	Smoot
Bristow	Gronna	Page	Warren
Clapp	Lippitt	Perkins	Works

NOT VOTING—47.

Borah	du Pont	Newlands	Sherman
Bankhead	Gallinger	Norris	Shields
Burleigh	Goff	O'Gorman	Shively
Burton	Hardwick	Oliver	Stephenson
Camden	Hitchcock	Overman	Sterling
Catron	Johnson	Penrose	Sutherland
Clark, Wyo.	Jones	Poindexter	Swanson
Clarke, Ark.	Kenyon	Ransdell	Tillman
Colt	La Follette	Reed	Townsend
Crawford	Lewis	Robinson	Vardaman
Culberson	Lodge	Root	Weeks
Cummins	McLean	Saulsbury	

So the appeal from the decision of the Chair was laid on the table.

The PRESIDING OFFICER. The Secretary will read the report of the Sergeant at Arms.

The Secretary proceeded to read as follows:

February 9, 1915, 7 a. m.——

Mr. SMITH of Georgia. Mr. President, I think the Secretary ought to start with the earlier report and come on down. This is the last report.

Mr. SMOOT. They have been read.

The PRESIDING OFFICER. They have been read in due order.

Mr. SMOOT. I will say to the Senator that they now appear in the record.

Mr SMITH of Georgia. They do not appear in the record. There was one at 3 o'clock and another at half past four and another at 5 o'clock.

The PRESIDING OFFICER. They were read and marked at the time of their reading. The Secretary will read the report.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915—7 a. m.

To the PRESIDING OFFICER OF THE SENATE.

SIR: Pursuant to the order directing me to compel the absent Senators attendance, I herewith report as follows:

At 5.30 a. m. Shoreham Hotel reported that Senator FALL had not been there all night.

At 6.15 a. m. Senator GOFF, at the Portland, reported that he was not feeling well and would come to the Chamber as soon as possible.

At 6.30 a. m. Senator NORRIS appeared in the Senate Chamber.

At 6.30 still unable to locate Senator HARDWICK.

At 6.45 a. m. Senator NELSON appeared in the Senate Chamber.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. Mr. President, is it in order now to ask for an order of the Senate to compel the attendance of absent Senators?

The PRESIDING OFFICER. In the opinion of the Chair, it is in order.

Mr. FLETCHER. I offer this order.

Mr. DILLINGHAM. I did not hear my name read in the report of the Sergeant at Arms. I was in the Chamber between half past 6 and a quarter of 7. It was within the time covered by the report. I had not seen any agent of the Senate previous to that time.

The PRESIDING OFFICER. The Chair will announce a further report from the Sergeant at Arms, and it will be read.

The Secretary read as follows:

SENATE OF THE UNITED STATES,
SERGEANT AT ARMS,
February 9, 1915—8.30 a. m.

To the PRESIDING OFFICER OF THE SENATE.

SIR: Pursuant to the order of the Senate instructing me to compel the attendance of absent Senators, I beg to further report as follows:

Senator DILLINGHAM entered the Senate Chamber at 7 a. m.

Senator BRISTOW appeared in the Senate Chamber at 7.15 a. m.

Senator FALL and Senator WILLIAM ALDEN SMITH have both appeared in the Senate Chamber since I made my last report.

Very respectfully,

CHARLES P. HIGGINS,
Sergeant at Arms United States Senate.

Mr. SMOOT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMOOT. Do I understand that the Senator from Florida has asked that an order be issued?

The PRESIDING OFFICER. He has.

Mr. SMOOT. For information I would like to ask if the Senator from North Dakota [Mr. McCUMBER] has been recognized.

The PRESIDING OFFICER. He has, and he has not lost the recognition on account of the intervening proceedings.

Mr. SMOOT. Under what rule is it possible to have an order issued when a Senator has been recognized and has started to speak?

The PRESIDING OFFICER. Under a rule of order.

Mr. SMOOT. There is also a rule of order which says:

When a Senator desires to speak he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer.

I do not see, with all due respect to the ruling just made, how it is possible to entertain any order, with the exceptions that the rules state. The rule is plain that a conference report is always in order, and also a message from the President of the United States or from the House of Representatives, but no other business.

All I care for is the rules of the body. I do not care anything about this order at all; only I think we ought to comply with the rule.

The PRESIDING OFFICER. In the opinion of the Chair, Rule V requires Senators to be present in the Chamber unless they are excused by the Senate. It therefore is a matter of order that they shall discharge their functions in this body and be in their seats. The Senate having given an order to the Sergeant at Arms requiring them to be present and to compel their attendance, it is in order to take further steps necessary to enforce that rule.

Mr. SMOOT. Mr. President, so that the record may be clear, the rule provides that—

No Senator shall absent himself from the service of the Senate without leave.

Mr. REED. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Missouri rises to a point of order.

Mr. SMOOT. I have been recognized for a point of order, Mr. President.

Mr. REED. The point of order I rose to submit is that that is no point of order and is out of order.

Mr. SMOOT. I will state my point of order. The point of order is that Rule V states that no Senator shall absent himself from the service of the Senate without leave, and then it also says "in the absence of a quorum," and so forth. We have a quorum here.

Mr. REED I make the point of order that the Senator——

Mr. SMOOT. I have the right to make the point of order. I have the floor to make the point of order.

Mr. REED. I wish to state a point of order.

The PRESIDING OFFICER. The Chair thinks that the Senator from Utah should be permitted to state his point of order. Then the Chair will recognize the Senator from Missouri.

Mr. SMOOT. I do not desire to debate it.

No Senator shall absent himself from the service of the Senate without leave.

Then—

If at any time during the daily sessions of the Senate a question shall be raised by any Senator as to the presence of a quorum.

My point of order is that there is a quorum present and a Senator has been recognized and began his speech and there is not anything on the face of the record to show that there is not a quorum here. There is not anything on the face of the record to show that a majority of the Senators are not in the service of the Senate at this very moment. I make the point of order that the motion or order asked for by the Senator from Florida is not in order under Rule V or any other rule of this body.

The PRESIDING OFFICER. The ruling of the Chair was in the light of a quorum being present. The Senator from Missouri.

Mr. SMOOT. I do not want to take up the time of the Senate.

Mr. REED. The Presiding Officer having permitted the Senator from Utah to make an argument instead of a point of order over my protest I have nothing further to say.

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. I ask for the adoption of the order which I have submitted.

The PRESIDING OFFICER. It will be read.

The Secretary read as follows:

IN THE SENATE OF THE UNITED STATES.

Whereas under the rules of the Senate a call of the Senate was ordered; and

Whereas the following-named Senators are absent without leave of the Senate, to wit: Messrs. BANKHEAD, BORAH, BURTON, CAMDEN, CATRON, GOFF, HARDWICK, HITCHCOCK, LODGE, OLIVER, O'GORMAN, ROOT, STERLING, SUTHERLAND, VARDAMAN, and WEEKS; and

Whereas it is necessary to compel the attendance of absent Senators: Therefore it is

Ordered, That the Sergeant at Arms be, and hereby is, directed to compel the attendance on the Senate of said named absent Senators; and it is further ordered that warrants for the arrest of said Senators be issued under the signature of the Presiding Officer, attested by the Secretary, and that the Sergeant at Arms be, and hereby is, directed to execute such warrants forthwith by arresting each of said named Senators and bringing him before the bar of the Senate, and that he make due return to the Senate of the execution of said warrants, and that this order shall be continuing until fully executed unless otherwise ordered by the Senate.

Mr. GALLINGER. Mr. President——

Mr. FLETCHER. I ask that the name of the Senator from New Hampshire [Mr. GALLINGER] be stricken from the list because he has appeared.

Mr. TOWNSEND. I notice that my name also appears.

Mr. FLETCHER. Then, of course, I make the same request as to the Senator from Michigan [Mr. TOWNSEND].

The PRESIDING OFFICER. The names of these two Senators will be stricken from the list.

Mr. McCUMBER. Mr. President, that the record may be kept clear, I wish to say that I do not yield for this purpose.

Mr. FLETCHER and others. Question!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida. [Putting the question.] The ayes appear to have it. The ayes have it.

Mr. REED. I offer the following order supplemental to the order just entered and for the same purpose.

The PRESIDING OFFICER. It will be read.

The Secretary read as follows:

Until otherwise ordered by the Senate, the following shall be a standing order of the Senate:

All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber until excused by the Senate. Any Senator disobeying this order shall be in contempt of the Senate and shall be brought to the bar of the Senate and dealt with as the Senate may order.

Mr. GALLINGER. Mr. President, that certainly is a most extraordinary order. I do not apprehend that any Senator during the last 24 hours has absented himself because he desired to be in contempt of the Senate or to do anything that was not right. I was rather tired last evening, after an eight-hour session, and went to my home and was summoned at 3 o'clock back to the Senate, and I came, and felt it my duty to come. I have tried to be here constantly day in and day out.

Now, Mr. President, to establish an order of that kind, I believe, is without parallel. It may have had a parallel at some tumultuous period of our national history which I do not recall; but, however that may be, it is extremely offensive and we ought not to submit to it, and I do not believe the Senate will submit to it.

Mr. President, I should like to have the order read once more. I did not hear it very distinctly.

The PRESIDING OFFICER. It will be read.

The Secretary again read the order proposed by Mr. REED.

Mr. GALLINGER. Mr. President, our rules provide that the Senate shall convene at 12 o'clock. That has been varied from time to time to suit temporary emergencies when we required a little more time than was given by convening at that hour. But to establish an order by a vote of this body that Senators shall remain here every hour of every day, not being permitted to leave the Senate for any purpose, until the majority sees fit to excuse them, is abhorrent, and I for one will not submit to it until I am compelled to submit to it. I trust that the independence of the individual Senators will lead them to the same conclusions. It is not necessary. There was a quorum, I understand, here last night when some of us were pulled out of our beds to suit the purposes of a majority that was present at that time. I do not question the power of the majority to do this, but to add to that what is proposed in this order ought not to be, and I do not believe it will be, submitted to.

Having said this much, Mr. President, the Senate will do as it pleases about this matter, but I do not believe any good results will come from so extraordinary and revolutionary a procedure as is contemplated, which, among other things, proposes to change the rules of the Senate in an irregular and arbitrary way.

The PRESIDING OFFICER. The question is on the motion of the Senator from Missouri.

Mr. LIPPITT. Mr. President——

Mr. BRANDEGEE. It is debatable.

Mr. LIPPITT. May I have the resolution read once more?

Mr. REED. It has been read three times.

Mr. GALLINGER. Let it be read again.

The PRESIDING OFFICER. The Secretary will read the proposed order.

The Secretary again read Mr. REED's order.

Mr. LIPPITT. Mr. President, I move to strike out the words "and dealt with as the Senate may order." There is no occasion for any such language as that in the resolution. If the Senate wishes to pass a resolution instructing the Sergeant at Arms to bring Senators before the Senate, it undoubtedly has the right to do so; but as to what the Senate may do with them after it has got them, it is not the function of a resolution to set forth. It is for the Senate to proceed to act at the time the Senators are here. I think it is an insinuation of some drastic proceeding which may or may not be carried out, but it seems to me it is entirely out of order on a resolution. Mr. President, I make the motion I have stated.

Mr. REED. I move to lay the amendment to the motion on the table.

The PRESIDING OFFICER. The Senator from Rhode Island has moved to amend the motion of the Senator from Missouri by striking out the words "and dealt with as the Senate may order." The Senator from Missouri moves to lay the proposed amendment of the Senator from Rhode Island on the table.

Mr. SMOOT. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold by vote.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I will ask if he has voted?

The PRESIDING OFFICER. The Senator from Texas has not voted.

Mr. DU PONT. Then I will withhold my vote.

Mr. THOMAS (when his name was called). I make the same announcement of my pair and its transfer as on the last call and vote "yea."

Mr. TOWNSEND (when his name was called). I have a general pair with the junior Senator from Florida [Mr. BRYAN], which I understood was transferred last night to the junior Senator from Virginia [Mr. SWANSON]. The Senator from Florida not having voted, I withhold my vote.

The roll call was concluded.

Mr. DU PONT. As I have stated, I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. SMITH of Georgia (after having voted in the affirmative). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and will let my vote stand.

Mr. WILLIAMS (after having voted in the affirmative). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from South Carolina [Mr. TILLMAN] and will let my vote stand.

Mr. HOLLIS. Announcing the same pair and its transfer as before, I vote "yea."

Mr. CHILTON (after having voted in the affirmative). I wish to inquire whether or not the Senator from New Mexico [Mr. FALL] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. CHILTON. I announce a pair with that Senator, which I transfer to the Senator from Arkansas [Mr. ROBINSON], and will let my vote stand.

Mr. GALLINGER. I ask if the junior Senator from New York [Mr. O'GORMAN] has voted?

The PRESIDING OFFICER. He has not.

Mr. GALLINGER. I have a pair with that Senator, and therefore withhold my vote.

The result was announced—yeas 37, nays 20, as follows:

YEAS—37.

Ashurst	Lane	Reed	Thomas
Bankhead	Lea, Tenn.	Saulsbury	Thompson
Bryan	Lee, Md.	Shafroth	Thornton
Chilton	Martin, Va.	Sheppard	Vardaman
Fletcher	Martine, N. J.	Simmons	Walsh
Gore	Myers	Smith, Ariz.	White
Hardwick	Overman	Smith, Ga.	Williams
Hollis	Owen	Smith, Md.	
James	Pittman	Smith, S. C.	
Kern	Pomerene	Stone	

NAYS—20.

Brady	Crawford	Lippitt	Perkins
Brandegee	Cummins	McCumber	Sherman
Bristow	Dillingham	McLean	Smith, Mich.
Clapp	du Pont	Nelson	Smoot
Colt	Jones	Page	Works

NOT VOTING—39.

Borah	Gallinger	Newlands	Shively
Burleigh	Goff	Norris	Stephenson
Burton	Gronna	O'Gorman	Sterling
Camden	Hitchcock	Oliver	Sutherland
Catron	Hughes	Penrose	Swanson
Chamberlain	Johnson	Poindexter	Tillman
Clark, Wyo.	Kenyon	Ransdell	Townsend
Clarke, Ark.	La Follette	Robinson	Warren
Culberson	Lewis	Root	Weeks
Fall	Lodge	Shields	

So the motion to lay Mr. LIPPITT's amendment on the table was agreed to.

The PRESIDING OFFICER. The question recurs on the adoption of the order submitted by the Senator from Missouri [Mr. REED].

Mr. BRANDEGEE and Mr. SMOOT addressed the Chair.

Mr. REED. I demand the yeas and nays.

Mr. SMOOT. Mr. President, I desire to be recognized.

The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. Mr. President, I want to call the attention of the Senate to the fact that the order that was issued and not signed by the Vice President or by the President pro tempore of the Senate, under the rules of this body, is of no force or effect whatever.

I want Senators to listen while I read the order; then I wish to direct the attention of the Chair to the officer who signed the order; and then I shall refer to the standing rules of the body and also to the precedents that have been established in the past.

Mr. REED. Mr. President, a point of order.

Mr. SMOOT. I do not yield to the Senator.

The PRESIDING OFFICER. The Senator from Missouri has a right to raise a point of order.

Mr. REED. I make the point of order that the pending question is not debatable.

Mr. SMOOT. Oh, well——

Mr. GALLINGER. It is debatable.

Mr. SMOOT. There is no question about that.

Mr. REED. Well, Mr. President, that can hardly be settled by the mere assertion of the Senator from Utah.

Mr. SMOOT. I am perfectly willing to let the Presiding Officer decide that question without any further discussion.

Mr. REED. I call attention, if the Chair please——

Mr. SMOOT. Last evening——

Mr. REED. To Rule V, and the order that is now sought to be made is in pursuance of Rule V. That rule provides:

RULE V.

QUORUM—ABSENT SENATORS MAY BE SENT FOR.

1. No Senator shall absent himself from the service of the Senate without leave.

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

Mr. SMOOT. That has all been done without debate.

Mr. REED. The rule continues:

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel, the attendance of the absent Senators, which order shall be determined without debate.

Mr. SMOOT. Such an order has already been adopted.

Mr. REED (continuing reading)—

and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

The order now before the Senate is a part of this procedure.

Mr. SMOOT. Mr. President, a quorum has been developed, and the proposed order is open to debate, the same as any other motion that may be made in the Senate.

The PRESIDING OFFICER. What is the point of order made by the Senator from Utah?

Mr. SMOOT. I am not making a point of order; I am claiming that the motion made by the Senator from Missouri is debatable, and the Senator from Missouri has raised the point of order that it is not debatable.

The PRESIDING OFFICER. The Chair rules upon that question that it is not debatable, except for the advice of the Chair——

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. It being a rule of order——

Mr. BRANDEGEE. Well, Mr. President——

Mr. SMOOT. Mr. President——

Mr. BRANDEGEE. I have the order here, Mr. President, if the Chair will listen to me a moment.

The PRESIDING OFFICER. The Chair will hear the Senator from Connecticut.

Mr. BRANDEGEE. I simply desire to say that the order purports upon its face to be an order of the Senate, a standing order of the Senate, which is equivalent to a rule of the Senate, and to say that the Senate shall adopt a new rule without being allowed to discuss it or to say a word about it is, in my opinion, preposterous.

The PRESIDING OFFICER. It is a motion to enforce a rule that is now one of the standing rules of the Senate.

Mr. BRANDEGEE. No; it is a standing order, and any order that has been proposed has been debatable.

Mr. SMOOT. Every order that has been proposed in this way, when any Senator desired to debate it, has been debatable.

Mr. SMITH of Georgia. Mr. President——

Mr. SMOOT. I desire again to call the attention of the Presiding Officer to Rule V:

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

That has already been done; a quorum has been developed; but this is proposed as a standing order of the Senate——

Mr. GALLINGER. A rule.

Mr. SMOOT. This is virtually making a new rule for this body. And is it possible that the Chair is going to hold that a rule can be made here without discussion or without debate?

Mr. LIPPITT. An amendment to a rule.

Mr. SMOOT. It is not an amendment; it is a rule; it is a standing order, Mr. President.

The PRESIDING OFFICER. In the opinion of the Chair——

Mr. SMOOT. The Senate has complied with Rule V; and so far as the order which was adopted not 15 minutes ago to compel the arrest of Senators, offered by the Senator from Florida, it was debatable; but I had no objection to it, because that was in conformity with the regular procedure of the Senate, similar action having been taken time and time again. But this is a different matter; this is making a new rule for the Senate; and, Mr. President, I do not believe that there is any Senator who, when presiding over this body, would take the position that such action can be taken without debate.

The PRESIDING OFFICER. This body has the right to rule itself, in the opinion of the Chair; and Rule V, paragraph 1, requires Senators to be in their seats.

Mr. SMOOT. No; to be in the service of the Senate.

The PRESIDING OFFICER. To be in the service of the Senate; but the Senate has a right, in the opinion of the Chair, to determine what that service shall consist of.

Mr. SMOOT. The rules provide for that; we have followed the rule; and I have no objection to that, Mr. President, at all; but the action sought to be taken is in effect saying that hereafter there shall be a new standing rule of this body. And is it possible that we are going to say that that is nondebatable?

There is another question involved in this that I want to discuss, if the Chair will permit me, as to the whole proceeding. I myself believe that when the attention of the Senate and the attention of the Presiding Officer are called to it, he and the Senate will agree to the position I take in the matter. I do not want any filibuster in regard to it.

The PRESIDING OFFICER. The Chair thinks it is a proper proceeding for the Senate to hear objections to the rule proposed to enforce the first paragraph of Rule V; but when the Senate has been in the throes of a prolonged filibuster under the color of debate, and under the color of debate the time of the Senate is used up without limit, it is obvious that the Senate ought to have the right in self-defense to pass a rule to require those who absent themselves to be present in the Senate.

Mr. GALLINGER. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Hampshire.

Mr. GALLINGER. Does the Chair think it is in the competency of the Chair to talk about the procedure of the Senate, as to its nature?

The PRESIDING OFFICER. The Chair thinks it is competent for the Chair to give the reasons why the Chair should make a certain ruling.

Mr. GALLINGER. That was not a ruling.

Mr. SMOOT. As a point of order, I want to call the attention of the Chair to the rules of the body as to the issuing of orders that have already been made and not signed, as I believe by the person authorized to sign them under our rules.

Mr. REED. Mr. President, I make the point of order——

Mr. LIPPITT. Mr. President, allow me to make a suggestion.

Mr. SMOOT. Will the Chair please allow me to call attention to this matter as a point of order?

Mr. REED. I desire to make a point of order.

The PRESIDING OFFICER. The Senator from Missouri will state his point of order.

Mr. REED. The pending question is the order that is now offered, which the Chair has said is not debatable, except as the Chair may desire to hear from Senators for the advisement of the Chair. The Senator from Utah is now not even discussing that order, but is proposing to go back and discuss some other action of the Senate. I therefore make the point of order that the Senator is out of order.

Mr. SMOOT. Mr. President, I did not understand that the Chair had ruled that this question is not debatable.

The PRESIDING OFFICER. The Chair ruled that, except for the advice of the Chair, it was not debatable.

Mr. WORKS. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from California will state his point of order.

Mr. WORKS. I make the point of order, Mr. President, that this is a modification or a change in the rules; and that, under the rules, it must go over for one day, and notice must be given. In support of the point of order I call attention to Rule XL:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

Mr. President, whatever it may be called—an order or what not—this is a modification of the rules of the Senate, and unquestionably it falls within this rule. No question of emergency, such as has been stated by the Chair, can change this rule. The exigencies of the case do not affect the question as to whether or not notice must be given or the amendment or modification of the rule lie over for a day.

The PRESIDING OFFICER. The Chair overrules the point of order made by the Senator from California.

Mr. SMOOT. From that, Mr. President, I appeal, and upon the appeal I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Utah appeals from the ruling of the Chair. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. The roll is being called, and the Chair has not stated the question that is before the Senate. What is the question before the Senate?

The PRESIDING OFFICER. To lay upon the table the appeal that has been moved.

Mr. SMOOT. No, Mr. President.

Mr. BRANDEGEE. I did not understand that there was a motion to lay the appeal on the table.

Mr. THOMAS. Let the roll call proceed, Mr. President.

The PRESIDING OFFICER. The Secretary will state the question before the Senate.

Mr. BRANDEGEE. It is the duty of the Chair to state the question before the Senate.

The PRESIDING OFFICER. The Chair has instructed the Secretary to make that statement.

The SECRETARY. The Chair overruled the point of order of the Senator from California [Mr. WORKS], and the Senator from Utah [Mr. SMOOT] appealed from the ruling of the Chair.

Mr. BRANDEGEE. What is the question, Mr. President?

The PRESIDING OFFICER. The yeas and nays have been demanded. The question is upon sustaining the ruling of the Chair.

Mr. BRANDEGEE. Should not the Chair state that the question before the Senate is as to whether the ruling of the Chair shall stand as the judgment of the Senate?

The PRESIDING OFFICER. That is the question before the Senate.

Mr. BRANDEGEE. I should like to have it stated from the Chair, not from the floor.

The PRESIDING OFFICER. The Secretary will proceed with the calling of the roll.

The Secretary resumed the calling of the roll.

Mr. CHAMBERLAIN (when his name was called). In the absence of my pair, the junior Senator from Pennsylvania [Mr. OLIVER], I withhold my vote.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "nay."

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN] and will withhold my vote.

Mr. HOLLIS (when his name was called). Announcing my pair and its transfer as before, I vote "yea."

Mr. THORNTON (when Mr. O'GORMAN's name was called). I renew the announcement about the junior Senator from New York and ask that it may stand for the day.

Mr. STONE (when his name was called). I transfer the pair I have with the senior Senator from Wyoming [Mr. CLARK] to the junior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "yea."

Mr. THOMAS (when his name was called). Announcing the same pair and its transfer as before, I vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair with the junior Senator from Virginia [Mr. SWANSON] and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). With the same announcement that was made upon the last roll call I vote "yea."

The roll call was concluded.

Mr. CLARKE of Arkansas. I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. I see he is not present and I therefore withhold my vote.

Mr. SUTHERLAND entered the Chamber and voted "nay."

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the senior Senator from New Mexico [Mr. CATRON] and will vote. I vote "nay."

The result was announced—yeas 35, nays 26, as follows:

YEAS—35.

Ashurst	Lane	Reed	Stone
Chilton	Lea, Tenn.	Robinson	Thomas
Fletcher	Lee, Md.	Saulsbury	Thompson
Gore	Martin, Va.	Shafroth	Thornton
Hardwick	Martine, N. J.	Sheppard	Vardaman
Hollis	Myers	Simmons	Walsh
Hughes	Pittman	Smith, Ariz.	White
James	Pomerene	Smith, Md.	Williams
Kern	Ransdell	Smith, S. C.	

NAYS—26.

Brady	Cummins	Lodge	Smith, Mich.
Brandegee	Dillingham	McCumber	Smoot
Bristow	du Pont	McLean	Sterling
Burton	Fall	Nelson	Sutherland
Clapp	Gallinger	Page	Works
Colt	Jones	Perkins	
Crawford	Lippitt	Sherman	

NOT VOTING—35.

Bankhead	Culberson	Norris	Shively
Borah	Goff	O'Gorman	Smith, Ga.
Bryan	Gronna	Oliver	Stephenson
Burleigh	Hitchcock	Overman	Swanson
Camden	Johnson	Owen	Tillman
Catron	Kenyon	Penrose	Townsend
Chamberlain	La Follette	Poindexter	Warren
Clark, Wyo.	Lewis	Root	Weeks
Clarke, Ark.	Newlands	Shields	

So the decision of the Chair was sustained.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. Now that we have changed the rules, I should like to be clear about the present rule, of which I hold the original in my hand:

All Senators are required to appear forthwith in the Senate Chamber, and to remain in the Chamber until excused by the Senate. His salary * * *. Any Senator disobeying this order shall be in contempt of the Senate, and shall be brought to the bar of the Senate and dealt with as the Senate may order.

I am a little in doubt as to the provision as to "his salary," which is suddenly inserted there. I am reading it exactly as it stands, and I inquire of the Chair just what it means.

Mr. REED. Oh, Mr. President, the Senator only needs to use his glasses to see that the line he is commenting on has been stricken out.

Mr. LODGE. The words "his salary" have not been stricken out. I am reading the thing exactly as it stands. Those words are not stricken out.

Mr. REED. The Senator is not reading it as it was read to the Senate.

Mr. BRANDEGEE. That may be.

Mr. LODGE. That may well be. I am reading it as it is. Now, of course, I know we are going to change the rules on an order. I understand that, but I do not want to go too far, and I think we might know what the rule is. If the words "his salary" are to come out, I should like to know it.

Mr. REED. The Senator is laboring under the impression that this order has been entered upon that particular piece of paper. To begin with, the order has not yet been entered. It is still before the Senate, and the order as read to the Senate does not contain the words the Senator is commenting upon.

Mr. BRANDEGEE. Let it be read as proposed, then.

Mr. LODGE. Let it be read as proposed.

Mr. REED. Certainly. That was so plainly stricken out that I am surprised the Senator did not recognize the fact.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Until otherwise ordered by the Senate, the following shall be a standing order of the Senate: All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber until excused by the Senate. Any Senator disobeying this order shall be in contempt of the Senate and shall be brought to the bar of the Senate and dealt with as the Senate may order.

The PRESIDING OFFICER. The question is on the order proposed by the Senator from Missouri.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. Is that matter debatable?

The PRESIDING OFFICER. In the opinion of the Chair it is not.

Mr. LODGE. An order to change the rules is not debatable?

The PRESIDING OFFICER. In the opinion of the Chair it is not a change of the rules, but an enforcement of the rules by an order.

Mr. BRANDEGEE. If they want to go to a vote on that matter without debate, let them go.

Mr. LODGE. Very well, Mr. President. As we are making the rules as we go along, of course there is nothing more to be said.

Mr. CLARKE of Arkansas. Mr. President, it is within the discretion of the Chair to hear reasonable debate, because the objection is in the nature of a point of order. I think this matter is so fundamental that it would not be justice to the dignity and decorum with which the proceedings of the Senate are usually conducted to prevent a reasonable amount of comment on that order. It is absolutely revolutionary so far as the precedents and powers of the Senate are concerned, as the powers of the Senate have heretofore been understood. It is directly in the teeth of the Constitution. It has no support in any recognized parliamentary ruling that has ever been concreted into the parliamentary law of any civilized country.

Mr. REED. Mr. President, I make the point of order that the question is not debatable and that the Senate has already so determined by vote.

Mr. LODGE. No; it has not.

Mr. BRANDEGEE. Not at all.

Mr. CLARKE of Arkansas. The Chair has discretion to hear debate before he makes a ruling, even where it is denied. That is also a precedent of the Senate. There is no occasion to depart from it now, and if the Chair will indulge some few observations the Chair will judge of the extent of debate that will be permitted.

The PRESIDING OFFICER. The Chair has already ruled that he will listen to any suggestions that may be made with regard to the matter, but that debate was not in order upon the proposal of the Senator from Missouri.

Mr. CLARKE of Arkansas. I quite agree with the Chair, but I think the Chair has a discretion. That is necessary to supplement our rules and make them tolerable. The Senator from Massachusetts has been recognized. If he desires to be heard, and the Chair is willing to hear him, I shall be very glad to have a minute or two if the Chair wishes to hear me.

The PRESIDING OFFICER. The Chair will be pleased to hear the Senator from Arkansas when the Senator from Massachusetts has concluded his suggestions.

Mr. LODGE. Mr. President, I am not quite clear as to the situation. The Chair, as I understand, ruled that the matter was not debatable, and, therefore, that I was out of order.

The PRESIDING OFFICER. The Chair only stated that the Chair had ruled that the question was not debatable.

Mr. LODGE. And that question has been appealed from.

The PRESIDING OFFICER. It has not been appealed from.

Mr. LODGE. I take an appeal, then, from the ruling.

Mr. CLARKE of Arkansas. Mr. President, let me say to the Senator from Massachusetts that the Chair has indicated a purpose to hear further debate upon the matter, reasonably. There is no occasion for an appeal, and the Chair has so indicated.

Mr. LODGE. Very well, Mr. President.

The PRESIDING OFFICER. The Chair makes a distinction between debate and suggestions made to the Chair with regard to the rules of the Senate and the order of procedure of the Senate.

Mr. LODGE. Mr. President, I do not desire to take any considerable time on the subject. I think this is a change in the rules of a very vital kind. To say it is a mere method of carrying out the rules does not alter its character in the least. It is making a new rule for the Senate, and it is making it contrary to the method established for changing the rules. Of course if the rules are to be cast to the winds and violated, there is nothing more to be said, while there is a majority willing to do it; but I venture to think that breaking the rules of the Senate at will, no matter under what pressure, is something that will return to plague the inventors. It is a very dangerous thing in any parliamentary body to cast the rules aside in a moment of excitement or feeling on any subject. Of course, if we are to make rules as we go along, the position of the Senate is that of being under mob law.

I do not think it is necessary for me to go further in protest. Probably no protest I or any other Senator may make on behalf of the orderly transaction of business and the observance of the rules as they stand will be of any avail at this moment. Under this rule which we are to have put through at this moment Senators are to be imprisoned in the Senate Chamber. They are to have no right to leave the Senate Chamber for any purpose without being excused by the body.

I need hardly to point out to the Chair—that is, as he has shown himself an astute parliamentarian—that under that arrangement every Senator can ask to be excused endlessly, and

take the yeas and nays on the excuses, and there will be no business done at all. Under the rule that you have invented and put down here now you are providing an opportunity for endless waste of time in the most futile of all ways. That merely indicates the difficulty which besets making rules on the floor, as the exigency or the irritation of the moment seems to require.

I venture to enter my protest against a change of the rules in this way, because I think it is a very serious thing for the Senate, much more serious than the question whether this particular bill shall be forced through or not, but with that protest all I have to say ends, because there is no use to attempt to resist changes made in this way by the majority, and there is no desire on this side to attempt revolutionary methods. We are desirous to maintain the rules of the Senate, and if they are to be changed they should be changed in the proper way, after due notice and debate.

Mr. CLARKE of Arkansas. Mr. President, the difficulty I see in the matter is that the Senate has no power to make any such rule. The Constitution has defined the authority that may be delegated to the respective Houses of Congress acting separately for the purpose of securing a working attendance in the Senate.

Theoretically the Senate consists of all its Members; practically it consists of a quorum. The right to compel attendance is therefore limited to that number of Senators who may conduct the business.

The whole United States Government is one of delegated power. It has no inherent power of legislation, and there are no inherent powers for governing legislative bodies. The Senate uniformly has held in its early precedents that the Senate had no inherent power in itself to compel the attendance of even a quorum, and that resulted from the text of the constitutional provision on the subject, which is:

Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent Members in such manner and under such penalties as the House may direct.

Having thus specifically limited the power to enforce attendance of absentees, less than a majority of Senators, and having provided that it shall be conferred and actually exercised in practice, and having required an actual previous authorization by rule before it can be exercised by such minority of Senators it is perfectly evident that it was never intended to furnish authority for compelling the attendance when a potential quorum is present. The House of Commons in England constitutes 40 a working quorum, and makes no inquiry about the other 400 or 500 of its members. The House of Lords constitutes 6 a quorum and makes no further inquiry about the attendance of its members. During the recent memorable contest over the establishment of home rule in Ireland, when it became necessary to have a fuller attendance in the House of Lords, it was said that at least a hundred of the members turned up who had never been seen there before, and many of them had to be introduced to the doorkeepers, for it was the first time they ever set foot in the chamber of which they were members.

The whole theory of this Government is that a majority can transact its business. That has been concreted into a positive provision of the Constitution in connection with this particular matter under such terms as to exclude the idea that the Senate would take any further notice of the attendance of its membership except to see that it had a required number to transact the public business. All must take notice of the fact that Senators have many duties to perform that take them outside of the Chamber; that there are many occasions when they should be absent, and it would be very improper whenever one of those casual absences became necessary to secure permission from the Senate to be absent. It would be a degree of censorship rarely exercised by persons supposed to be even less independent than Senators. The power in the Constitution was conferred on less than a majority of Senators when the absence of a quorum was disclosed by our Rule V. The first clause of Rule V is that—

No Senator shall absent himself from the service of the Senate without leave.

That is a mere admonition. There is no sanction for its enforcement. There is no penalty provided for disregarding it, nor is anyone authorized to create a penalty and impose it after the offense has been committed. That matter is left with the particular Senator, and his constituents will attend to it, if his absences are of such a character as to impair his usefulness as a Member of this body. It is a mere direction; a mere expression of opinion on the part of the Senate. It does not purport to deal with absences that do not obstruct the progress of business here.

The second clause provides the means by which the absence of a quorum is authoritatively determined—the creation of a condition that has suspended business, and therefore brought into existence the necessity for exercising the power conferred by the Constitution. The Senate in this rule has not been willing to leave it to any less reliable method than a roll call to determine whether or not a quorum of the Senate is present, when it is intended to be followed up by punitive regulations to compel attendance. Therefore it is provided that—

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

Then the first step has been taken. The foundation has been laid for such proceedings by way of enforcing the attendance of a quorum as the Senate may have previously been authorized under the terms of the Constitution of the United States.

Then section 3 of the rule provides the penalizing provision, and invests less than a quorum of Senators with the power to compel the attendance of absent Senators. The power has not been conferred on the majority, because the Constitution of the United States only authorizes it to be conferred upon a smaller number than a majority. It is a power that is conferred on a smaller number, because its exercise is necessary to secure the attendance of enough Senators to carry on the business of this body. With a majority present, no such power is necessary to carry on business

Whenever upon such roll call it shall be ascertained that a quorum is not present a majority of the Senators present may direct the Sergeant at Arms to request—

This precludes the idea that any such order may be made when more than a quorum is present, because the exercise of it is limited to the occasion when there is less than a quorum present. The whole thing is a delegated power. You can not go beyond the text to ascertain its limits.

Whenever upon such roll call it shall be ascertained that a quorum is not present—

Then what?—

a majority of the Senators present may direct the Sergeant at Arms to request and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate.

Pending its execution all proceedings in the Senate are stopped; the entire proceedings of the Senate are stopped; because it adds—

And pending its execution and until a quorum shall be present no debate or motion, except a motion to adjourn, will be in order.

All this may not afford a satisfactory remedy for senatorial absenteeism; it may not fulfill the modern idea of censorship over the conduct, the habits, and the whereabouts of Senators in every instance from the time they are sworn in until the time they go out. To make it conform to what seems to be required in this behalf the Constitution of the United States must be amended.

You can not invoke that provision of the Constitution for power to authorize the majority to compel the attendance of anybody. It is not an inherent power in this body, because there are no inherent powers in any branch of the United States Government. They are all delegated, either expressly or by fair implication, or become necessary to make effective powers about the delegation, of which there is no doubt.

This occasion will pass away and other occasions like it will pass away. As far as I am concerned, I am now ready to pass upon every proposition involved in the pending bill, up to its final passage. This is the first hour in the history of the Senate when an apparent majority of the Senate seemed to be in favor of a rule like this. As far as I am concerned, I do not intend to throw any obstacles in the way of a prompt disposition of the matter. Others may take a different view of the question and may adopt another course. I do not want to sacrifice our entire code of rules simply because we differ about the shipping bill. I do not want a condition created that will inevitably come back to plague us, because all these things have a way of repeating themselves under the stress of an occasion. The presentation of this proposed rule is not complimentary to the Senate, but is beneath the dignity and poise of the membership of this body that for 125 years never recognized any arbitrary and oppressive regulation into rules governing the conduct of the business of the Senate. I trust that no occasion will arise for ever adopting any such course. The rules of the Senate ought to be right, and the rulings on them ought to bring about a condition where there can be a clear test of strength as between the supporters and opponents of any public measure. Any other rule is bound to work inconvenience. In time "chickens will come home to roost." The history of this Republic shows that no one party and the advocates of no one belief always remain in power. There will

always be a minority as well as a majority, but these will not always be composed of members of the same political party.

I shall not vote to make any such radical departure from the precedents of the Senate, nor shall I be carried away by the stress of any occasion to the extent of doing something that I do not believe harmonizes with the character of this body. I believe that any question can be submitted to the Senate. I never have feared the exercise of arbitrary power by the presiding officer. I have no complaint to make about the Chair submitting this matter to the Senate, but I believe the Senate ought to take a little more common sense and a conservative view of the present situation than to undertake to do something now that may not be in the end the best thing to do.

Mr. REED. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SUTHERLAND. Mr. President——

Mr. REED. I rose to demand the yeas and nays.

The yeas and nays were ordered.

Mr. SUTHERLAND. Mr. President, if the Chair will indulge me, I should like to be heard just a moment or two upon this matter?

The PRESIDING OFFICER. The Chair will listen to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I do not believe the Senate of the United States has the constitutional power to pass any such rule as is proposed. What is it proposed to do? First, that all Senators are required to appear forthwith in the Senate Chamber—that is a power which the Senate has—and to remain in the Chamber until excused by the Senate. That is a power which the Senate has not the right to exercise.

The provision of the Constitution that no person shall be deprived of life, liberty, or property without due process of law controls this body as well as it does any other body—as well as it does a court of justice. The provisions of the Constitution, and there are only two of them that can possibly have any reference to this subject, are as follows:

SEC. 5. Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance—

Of what?—

to compel the attendance of absent Members, in such manner and under such penalties as each House may provide.

Less than a quorum of the Senate has the power to compel the attendance of absent Members. There is no provision of the Constitution which will authorize this body to imprison one of its Members in the Senate Chamber. When a Member is absent he may be compelled to come here. When he is in the Senate Chamber he ceases to be an absent Member.

The only other provision is:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Of course it is not pretended that the proposed order comes within that provision of the Constitution, and so the proposition is that a Senator who comes into this body must remain in his seat in the Senate Chamber no matter what the demands upon him may be until he has appealed to the majority and been excused.

I undertake to say, Mr. President, that such restraint upon the liberty of a Senator after he has appeared in the Chamber is wholly without constitutional warrant.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. The Senator from California.

Mr. WORKS. Mr. President, I made the point of order that this proposed order would be a change and modification of the rule of the Senate. The point of order was ruled against me, an appeal was taken, and the ruling of the Chair was sustained.

I am not intending now to controvert the ruling of the Chair on that subject or the action of the Senate with respect to it; but the fact remains that this is a change of the rules of the Senate. It is a matter upon which the Senate should act with due deliberation. The rules of the Senate now prescribe what shall be done in respect of the presence or absence of Senators. In Rule V it is provided:

No Senator shall absent himself from the service of the Senate without leave.

I call the attention of the Senate to the word "service." The rule as it now stands forbids any Senator from absenting himself from the service of the Senate. The service of the Senate may be the work that is necessary to be done in committee. That is a part of the senatorial work, and a Senator may be called from the Chamber by his duties as a member of a committee.

This proposed order changes that rule absolutely so as to compel the actual attendance of Senators in the Chamber. In effect it makes them prisoners. They can not leave the Chamber even for a moment without first obtaining the leave of the Senate. One can very readily see what may be the consequences of such an order with the feeling that exists now in the Senate, unfortunately. It is almost certain that there will be favoritism in extending these leaves of absence, and without them a Senator is compelled to remain here continuously in the Senate.

There is another addition made to this rule by the proposed order, and that is if a Senator is absent he is by the mere fact of his absence guilty of a contempt of the Senate and subject to punishment therefor. There is no such rule of the Senate now.

There is no authority on the part of the Senate to punish a Senator for mere absence from the Senate Chamber. Therefore there is another quite material change in the rule vesting a greater power in the hands of a majority to deal with the question of attendance of Senators in the Senate Chamber.

I still feel that the point of order I made was a proper point, that this is a proposed amendment to the Senate rules, and that notice should have been given as the rules require and the hearings postponed for one day.

But independently of that, Mr. President, we are proposing to pass an order here that is in effect a change of the rules, and it should be done in the deliberate way that is provided by the rules as they now stand.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. Is the pending motion debatable? Is the adoption of the pending order in the nature of a rule, a debatable question?

The VICE PRESIDENT. That is a question the Chair is very frank to say the Chair does not know.

Mr. LEE of Maryland. Mr. President, I am under the impression that just a few moments ago the Senate decided on an appeal from the Chair that it was not debatable.

Mr. BRANDEGEE. The Senator is incorrect about that. The Senate sustained the Chair in ruling the point of order raised by the Senator from California to be not well taken. There has been no ruling upon this question. It was suggested to the previous occupant of the chair, and that occupant of the chair expressed the opinion that the question was not debatable, but, as I recall it, he did not rule.

Mr. GALLINGER. Not debatable, except for his information.

Mr. BRANDEGEE. And he was hearing Senators, as he said, in his discretion for his information. Inasmuch as the debate is proceeding under another occupant of the chair, I should like to know whether or not Senators are in order when they presume to debate the question?

Mr. REED. Mr. President, for the information of the Chair, I will state that what occurred was this: Senators started to debate the question; a point of order was raised that the question was not debatable; the Chair ruled that the question was not debatable; thereupon Senators implored the Chair to let them submit to the Chair their observations with reference to whether debate on this particular question was or was not in order. The Chair permitted that, stating at the time that he made a distinction between debating a question and merely offering suggestions to the Chair. So, as the matter now stands, the Senate by a vote has determined that the point of order made by the Senator from California [Mr. WORKS] is not well taken; and the Chair has by a ruling, from which no appeal was taken, a ruling which occurred half an hour or more ago, determined that this question was not debatable; but the occupant of the chair stated that he would permit Senators to submit to him their suggestions, not as a matter of debate, but as a matter of suggestion.

Mr. LODGE. Mr. President, the Senator from Missouri omitted one matter, if I may say so. When the Chair ruled that this was not debatable I then said I would enter an appeal. I was asked to withdraw that appeal because the Chair said he was willing to hear debate.

Mr. REED. The Senator from Massachusetts did withdraw it.

Mr. LODGE. I withdrew the appeal, but I did not withdraw it permanently. I can renew it at any moment.

Mr. REED. I do not think an appeal can be made more than half or three-quarters of an hour after a matter has passed away.

Mr. BRANDEGEE. The point I desire to suggest—and I think I suggested it fairly to the Chair—was that the previous occupant of the chair had expressed his opinion that this ques-

tion was not debatable. I did not know whether the Vice President, the permanent presiding officer of the Senate of the United States, wanted to be bound by that ruling, which seemed to me to be utterly erroneous.

The VICE PRESIDENT. The present occupant of the chair will say that the Chair does not know whether or not this question is debatable; but if the former occupant of the chair has ruled that it is not debatable the ruling will not be reversed, but it may be appealed from to the Senate.

Mr. CRAWFORD. Mr. President——

Mr. BRANDEGEE. I appeal from that ruling; and that subject is debatable, as I understand it, Mr. President.

Mr. REED. I move to lay the appeal on the table.

The VICE PRESIDENT. The question is on laying the appeal on the table, as the Chair understands.

Mr. BRANDEGEE. I demand the yeas and nays on that, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from New York [Mr. O'GORMAN] and for the time being will withhold my vote.

Mr. TOWNSEND (when his name was called). I again announce my pair with the junior Senator from Virginia [Mr. SWANSON] and withhold my vote.

Mr. WILLIAMS (when his name was called). Repeating the statement made upon the last roll call, I vote "yea."

The roll call was concluded.

Mr. DU PONT (after having voted in the negative). I will withdraw the notice I gave of the transfer of my pair with the senior Senator from Texas [Mr. CULBERSON] to the junior Senator from Wisconsin [Mr. STEPHENSON]; and, as the senior Senator from Texas has returned to the Chamber, I will allow my vote to stand.

Mr. CLAPP. I would inquire whether or not the Senator from North Carolina [Mr. SIMMONS] has voted?

The VICE PRESIDENT. He has not.

Mr. CLAPP. Then I withhold my vote on account of my general pair with that Senator.

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. LODGE (after having voted in the negative). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from New Mexico [Mr. CATRON] and will allow my vote to stand.

The result was announced—yeas 36, nays 38, as follows:

YEAS—36.

Ashurst	Kern	Pomerene	Smith, Md.
Chamberlain	La Follette	Ransdell	Smith, S. C.
Chilton	Lane	Reed	Stone
Culberson	Lea, Tenn.	Robinson	Thomas
Fletcher	Lee, Md.	Saulsbury	Thompson
Gore	Martin, Va.	Shafroth	Thornton
Hollis	Myers	Sheppard	Walsh
Hughes	Owen	Shields	White
James	Pittman	Smith, Ariz.	Williams

NAYS—38.

Bankhead	Crawford	Kenyon	Sherman
Brady	Cummins	Lippitt	Smith, Mich.
Brandegee	Dillingham	Lodge	Smoot
Bristow	du Pont	McCumber	Sterling
Bryan	Fall	McLean	Sutherland
Burleigh	Gallinger	Nelson	Vardaman
Burton	Goff	Oliver	Weeks
Clark, Wyo.	Hardwick	Page	Works
Clarke, Ark.	Hitchcock	Perkins	
Colt	Jones	Root	

NOT VOTING—22.

Borah	Lewis	Penrose	Swanson
Camden	Martine, N. J.	Poindexter	Tillman
Catron	Newlands	Shively	Townsend
Clapp	Norris	Simmons	Warren
Gronna	O'Gorman	Smith, Ga.	
Johnson	Overman	Stephenson	

So the Senate refused to lay the appeal on the table.

Mr. CRAWFORD. Mr. President, it seems to me that the question we are now facing is one of legal rights. I want to be frank about this bill. I have not been in entire sympathy with the long speeches made on the bill, although I have been here a good part of the time. I have not participated in them, and I had hoped that the bill would finally get into such form and shape that I might vote for it.

If we could keep out of the war zone and establish a fleet between the United States and South American ports, if we could take advantage of the situation that is abroad in the world and rivet the trade of those people to the United States through these instrumentalities, I would be glad to see it done; and the question of socialism and Government ownership would have no terrors for me if such a development could grow out of legislation of that character.

But, Mr. President, the question now is whether, the presence of a quorum having been secured for the transaction of business, my freedom is to be taken from me to such an extent that I can not go down to the restaurant without leave of the Senate or unless I go there accompanied by the Sergeant at Arms? The question now is, with a quorum present able to transact public business and enact legislation, am I to be deprived of my liberty, so that I can not even leave this Chamber to retire for an hour's sleep—1 hour out of the 24?

Mr. GALLINGER. Or for luncheon.

Mr. CRAWFORD. Or to go outside of the Chamber for any purpose. If we have come to that strait, if we are, with a quorum present able to do business, to be imprisoned in this Chamber without hearing, without offense, I think it is time the issue should be made.

A legal right is involved, and if you want to have a few applications for writs of habeas corpus, let us have it tested. You might just as well test that question now. It is more serious than a ship-purchase bill. That question is perhaps just as serious as any that can confront a legislature or that can affect the people of the United States, and we have approached it now; we are facing it.

As I have said, it is a question of legal right; and if we are to come to that, let us test it; let us make the issue clear and specific under Rule V and under the Constitution of the United States—as to whether or not, with a quorum present, Senators are to be imprisoned in this Chamber and deprived of the freedom of motion, deprived of the right to go through these doors even for half an hour out of twenty-four, without the leave of the Senate or in the custody of an officer. You are testing the question of a legal right, and the issue is proceeding in that direction very fast now, and I think that we had better meet it. I will say frankly that, with a quorum having responded to the roll call and a sufficient number being present to transact business, I shall protest against the Sergeant at Arms preventing me from going around, from going down the front steps to my office or going to the restaurant to get something to eat. I shall insist that an inherent right which I possess is being interfered with; and we might as well make an issue of it and see whether a right can be invoked in a situation like that. I think this is something we had better think twice about.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from South Dakota what becomes of a Senator who is a member of a conference committee attempting to get an agreement between the two Houses on the last day of the session?

Mr. CRAWFORD. He can go there in the custody of the Sergeant at Arms.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. SMITH of Michigan. He is under arrest while he is performing that duty, even if he is in the House of Representatives.

Mr. GALLINGER. Will the Senator yield to me for a moment?

Mr. CRAWFORD. Certainly. I am just stating the issue here. I say we are approaching it rapidly and quickly and clearly, and let us define the issue, involving, as it does, a legal right, a constitutional right, the freedom of locomotion. Let us make the test.

Mr. GALLINGER. Mr. President, I have just received this notice:

> Senator SMITH has arranged for the District of Columbia appropriation bill conference at 2 p. m. to-day.

If this order became operative, I would have to ask consent to leave the Chamber to perform my duty as a conferee.

Mr. SMITH of Michigan. No; Mr. President, if the Senator from New Hampshire will permit me, if he were present in that conference he would be under arrest.

Mr. GALLINGER. There is no doubt about it.

Mr. SMITH of Michigan. The Senator's right to proceed on the business of the Senate is to be interfered with.

Mr. GALLINGER. Certainly.

Mr. REED. Mr. President, has the Senator from South Dakota concluded?

Mr. CRAWFORD. I have. I was simply making an observation to show the situation in which we have been placed.

Mr. REED. Mr. President, this is not a change of the rules of the Senate; it is not so intended; and no amount of fulmination or frothing at the mouth or mock heroics will deceive the country in regard to the issue which is now presented.

We have witnessed now for weeks not an attempt to do business, but an attempt to prevent the doing of business; not a purpose to come to a vote, but a deliberate conspiracy to prevent a vote. Senators have been arranged in relays, a part of them to retire to their downy couches of ease and to the embracing arms of sweet slumber, while one or two able-bodied and lung-experienced aerial athletes continue to pour forth a ceaseless flow of eloquence, which invariably would be characterized outside of this Chamber by language which is not here parliamentary, and therefore may not be employed. If an outsider were to comment upon the act of another outsider where senatorial courtesy and senatorial dignity did not prevail, it might be said that in the attempt to defeat this remedial legislation gentlemen were willing to obstruct the very machinery created by the law for the enactment of legislation for the expression of the will of the people of the United States; but as I have listened to some of these eloquent addresses, which might elsewhere be characterized by a less parliamentary term, my mind has been forced to revert to the old lines which some one wrote descriptive of Lord Northcote:

> Behold the pump, a slender thing of wood,
> That up and down its awkward arm doth sway,
> And spouts and spouts and coolly spouts away
> In one weak, wishy-washy endless flood.

Mr. President, a few evenings ago we listened to a speech here that lasted all night, delivered by the Senator from Utah [Mr. SMOOT]. The Republican side of this Chamber appeared to be well-nigh exhausted. It looked as though tired nature was to bring a surcease to our woes of waiting, when some Democrats entered into an arrangement with the Republican side of the Chamber whereby dilatory motions were to be offered to this bill and a combination effected between a small portion of the Democrats and nearly all of the Republicans; and then, having finally secured the attendance of Senators who have been brought here thousands of miles, who were absent for good and sufficient cause, we now witness the performance of last night, when, by a concerted action, nearly every Republican in this body went to his home, to his bed, with the understanding that the verbal stalwart who was then occupying the floor would hold it until a certain hour, when these gentlemen might rise from their couches, put forward another individual capable of talking several hours, a physical logician, an athletic orator, who could stand the exertion of remaining upon his feet and employing his vocal cords, the proposition being that again they would come here in relays, all of this to defeat the purpose of the law, to nullify and destroy the Senate of the United States, to deny the people whom this body represents any opportunity to have their will as so represented crystallized into law.

Now, what do we propose? It is proposed simply that this body shall exercise, first, those powers conferred upon it by the Constitution; and, second, those powers which would have been inherent even if the Constitution had never conferred an express authority touching the subject matter. It is not proposed to put an outrage upon any man, or to arrest any man. It is proposed that this body shall exercise its inherent and its constitutional authority to compel the attendance of its members, and to say that attendance upon this body does not consist in rising from a bed, answering a roll call, and going back to bed, but in remaining here in this Chamber for the purpose of transacting the people's business. The order simply proposes to say that this body shall continue to be a legislative body and that its powers shall not be nullified by a persistent defiance of the spirit of its rules and the very purpose of its creation.

Mr. President, I assert, first, that the Senate or any other legislative body has the inherent power to compel every one of its Members to be in his seat within given hours and under such regulations as it may adopt. I lay that down broadly, regardless of any question of the Constitution, and I call attention to Gilfry's Precedents, page 499. In the Fifty-second Congress—

> The President pro tempore (Mr. Manderson) decided that it was competent for the Senate under its rules to order the attendance of absent Senators when a quorum is present, it being a right inherent in every legislative body to compel the attendance of absent Members who are not present for duty and who have not been excused.

Why, Mr. President, in what sort of shape would this body be if it did not possess that power? All that would be necessary to absolutely deadlock business would be for a sufficient number of the Senators to walk out of the room at any moment. Then we might go through the form of having the Sergeant at Arms request them to attend, and they might refuse to attend. Then we might even order the Sergeant at Arms to bring them in; and now, having brought them in and even having brought them to the bar of the Senate and subjected them to discipline, if the ruling contended for by gentlemen upon the other side is correct, as soon as they had answered at the bar they could immediately walk out of the Chamber again and leave the body without a quorum. That simply puts it in the power of Senators to prevent what is in fact a meeting of the Senate at any time that they see fit; and although the Senate may be called in session, and although a minority may remain present and continue to issue order after order, yet the majority may, by walking out, at any time break a quorum and prevent the consideration of any question.

I have read you one decision, but I call attention to the fact that practically every legislative body we have in this country, including the House of Representatives, has now a rule by which they bring in Members and by which they close the doors and keep in the Members until the vote is had or the business transacted.

Mr. President, we have heard a good deal of talk here to the effect that we might as well have this matter now determined, and Senators have practically offered themselves as willing victims of the arrest and the frightful outrage that is going to be perpetrated by compelling them to come here and remain in the Chamber unless excused by the Senate. I presume that the Senators who have advised in these mock heroics, and who have held up their hands and grown pale in their faces and talked about outrage and arrest and the Constitution of the United States, find some consolation in the fact that the blood of the martyrs is the seed of the church, and therefore covet that honorable position. But let me say to a Senator who is here drawing the people's money, who is here under a sworn duty, who is here charged with a high responsibility, that he will get very little sympathy in this country because he has been compelled to come here and perform the duty the Constitution and his office imposes upon him—very little sympathy. And now, if any of them desire to test it, as far as I am concerned if this order is made I shall be very glad to see it tested.

These men are not under arrest when they are required to be here, but if they leave without permission of the Senate they can be brought to the bar of the Senate and punished as the Senate shall determine; and if any man thinks that the writ of habeas corpus will bring him any great satisfaction under those circumstances, my advice to him is to examine the law before he puts much confidence in it.

Mr. President, it has been urged that we have no constitutional authority. The argument seems to be that as the Government of the United States is a Government of delegated powers, therefore unless you can find it expressly written in the Constitution of the United States that the Senate has the power to compel its Members to attend there is no such power. It is true that the Government of the United States is a Government of delegated powers, but it is also true that when the Constitution of the United States delegates to a branch of the Federal Government the right to exist and the right to transact business that carries with it every power incident and necessary to the transaction of business, and under the common law and under the common rules of practice that power is possessed by every legislative body. But if we were obliged to find an express power in the Constitution of the United States, it is here. Section 5 of Article I reads:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent Members in such manner and under such penalties as each House may provide.

Mr. President, why is that clause in the Constitution that a smaller number may compel the attendance of Members? Because a smaller number than a quorum ordinarily can not act. It was not necessary to say, and therefore it was not said, that a larger number could do that which a smaller number is expressly authorized to do. In my judgment it is absurd to say that a smaller number of a legislative body shall have an authority which is not possessed by a larger number; that a part is greater than the whole. But, Mr. President, I read on:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Now, all we are determining here by this resolution is a matter of procedure. We are determining a rule of procedure to do with the method of compelling the Members of the body to appear and attend to the business of the body, so that each House, not a majority, but each House, which means, of course, a quorum of either House, may determine the rules of its proceedings and punish its Members for disorderly behavior, and that is exactly what is proposed in this order.

Mr. President, the Senator from Arkansas [Mr. CLARKE], who has been opposed to this bill and who has taken what many of us regard as very extreme action in that behalf, has risen

in his seat this morning and said that in view of the fact there is a majority of this body here and that the opinions of that majority are known he has no desire to obstruct a vote, and I hope that if the Senators upon the other side persist in this unconscionable and endless filibuster the Senator from Arkansas and some of his friends who do not agree with the most of us will see fit to help us end this filibuster.

Mr. President, I might as well say, as far as I am concerned, and I only speak for myself, and I have only the voice of one man, I am going to endeavor to enforce the attendance of a quorum of this body at every hour when the Senate is in session.

Mr. THOMAS. Mr. President, the course now proposed to be taken is a most extreme one. It merely illustrates the truth of the old proposition that extremes beget extremes. When the pendulum swings too far in one direction it is inevitable that it will also swing quite as far in the other. It is the outgrowth of a proceeding which is designed not for the purpose of promoting but of preventing legislative action by this body.

I am supporting the motion, as I shall support any motion that will serve to focus public attention upon the obstructive methods of procedure in this body until public sentiment can be sufficiently aroused to compel a change in them, so that public business can be expedited instead of being hindered.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Washington?

Mr. THOMAS. I do.

Mr. POINDEXTER. Does not the Senator think if the public opinion which he is now invoking as the ultimate controlling power over the Government really desired the legislation which is being pressed with such unusual earnestness that it would be impossible to maintain obstructive methods against the legislation? The Senator is aware that this question has not been presented to the public, and, so far as I know, there is no pressure of public opinion for the passage of this legislation.

The Senator says he will support a rule, which evidently he thinks is extreme, governing the parliamentary procedure here in order to attract public attention to our methods of doing business. This so-called filibuster, which is very acrobatic, for apparently it has made a handspring backward and forward across the aisle every day or two, will serve, at least, to give the public an opportunity to know something about the terms of this bill and to bring to bear upon this body its opinion, whatever its verdict may be, as to the merits of it. Up to this time there is no pressure of public opinion to that effect.

Mr. THOMAS. Mr. President, the Senator is directing his question to one topic and I am endeavoring to present another. My attitude does not spring from the character of the bill which is now the subject of obstruction. I do not propose to assume to be an oracle upon this floor and determine or even assert what public opinion may or may not demand with regard to the shipping bill. They may be in favor of it; they may not be in favor of it. Time alone can answer that question. But I believe that exhibitions of the sort to which we are now subjected will so inform public opinion with regard to the application of the Senate rules to the transaction of business as to require the same change which some years ago was brought about in the House of Representatives, to the end that we may get somewhere and do something, instead of standing still or retrograding for fully half the time when the Senate is in session.

Mr. POINDEXTER and Mr. GALLINGER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Colorado yield, and to whom?

Mr. THOMAS. I will yield to the Senator from New Hampshire in a moment. I now yield to the Senator from Washington.

Mr. POINDEXTER. The suggestion that I made——

Mr. THOMAS. I understood the Senator's suggestion.

Mr. POINDEXTER. With reference to the bill pending, was only to illustrate the subject which the Senator was discussing, as to the obstructive methods used in this body.

Mr. THOMAS. I understood the Senator, and I will answer before I get through, or try to do so.

Mr. POINDEXTER. I believe that a general and intelligent public opinion which has sufficient means of being informed about legislation that is pending here, can be depended upon to regulate obstructive tactics in this body.

Mr. THOMAS. I now yield to the Senator from New Hampshire.

Mr. GALLINGER. I desire to ask the courteous Senator from Colorado if my memory is at fault when I recall the fact that the Senator from Colorado only a few days ago announced that he was engaged in a filibuster, and said he would frankly admit it.

Mr. THOMAS. The Senator's question is perfectly pertinent. Yes, Mr. President; I admitted the fact that I was engaged during this discussion in a filibuster. On the other hand, some Senators, under the pretense of instructing the public, have been vocalizing in this room by night and by day, in a contest of physical endurance and pressing upon a rivalry which would indicate that some sort of a reward will be given the victor who talks the longest and says the least.

Mr. LIPPITT. Mr. President——

Mr. THOMAS. I did take part in prolonging time for the consideration of this bill, because of the sudden surprise which was sprung upon the majority by some of its Members, to the end that three Senators who were absent from the city without pairs might reach here in time to vote. But because I applied a rule of which I do not approve, it does not require me to defend it. If it persists, and another insistent occasion arises to invoke it, I shall probably again participate in a filibuster. So, let us abandon the practice before I sin again.

Mr. LIPPITT. Mr. President——

Mr. THOMAS. My objection goes to a system that will permit this to be done.

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. THOMAS. I yield to the Senator.

Mr. LIPPITT. The Senator a few minutes ago said he objected to the Senate marking time and accomplishing nothing.

Mr. THOMAS. Yes; I want to apologize. We do not always mark time, but, like a crab, we often go backward.

Mr. LIPPITT. I should like to ask the Senator if, in his opinion, the so-called filibuster, if he chooses to call it that——

Mr. THOMAS. I do not put an adjective before it. I call it a filibuster.

Mr. LIPPITT. A plain filibuster?

Mr. THOMAS. A plain filibuster, without any qualifying adjective.

Mr. LIPPITT. If the Senator chooses to call it that, even, the Republican Members of the Senate were absolutely justified up to the present moment. Is it not a fact that the very bill which was brought in here and which was going to be compelled to be put through this body because you had the votes has already been changed five times? Is it not true that the course of the discussion and consideration of this bill has already changed a very considerable number of votes, and that whereas we started off on this discussion with a bill that has been modified and remodified and re-remodified, starting off in a conspicuous minority, it is a question to-day which side will have the majority if a vote is taken upon the bill? I ask, Does not that justify the postponement that has been taken?

Mr. THOMAS. The Senator rose to ask me a question, and he has asked me half a dozen.

Mr. LIPPITT. I wanted to be liberal, Mr. President.

Mr. THOMAS. I am not complaining. Mr. President, during the process of this filibuster there have been some changes in this bill. Whether they are beneficial or not, I shall not pretend to say. I do not indorse many of them. But a filibuster which can produce good is also used to force very bad changes in a bill. A filibuster which results beneficially in the opinion of one Senator may result perniciously in the opinion of another Senator.

The fact is, Mr. President, that we now legislate in this body in part for 100,000,000 people. There have been upward of 30,000 bills introduced in the two Houses during the present Congress. It would require a man perhaps twice two years of time to read them, and, of course, it is physically impossible to consider 1 per cent of them and consider them properly. The very fact that this enormous aggregation of business confronts the Congress of the United States at every session is the best of reasons for doing away with an antiquated, fossilized, and altogether unreasonable method of obstructing business under the pretense of necessary discussion.

Now, the Constitution, Mr. President, provides that the Senate may make rules of procedure for the transaction of its business. Rules of procedure necessarily mean rules of progress; rules under the operation of which we can advance; rules which will prevent us from standing still; rules that will expedite. Under the rule which permits filibustering here, if rule it may be called, three Senators possessed of good physical health and a vocabulary somewhat equal to the English lexicon may hold up the business of the people of the United States until their terms are complied with, and can do it indefinitely, because of the inability of this body to overcome and break down their filibuster except by contest of physical endurance, in which they have every advantage.

The Senator from Washington [Mr. POINDEXTER] asked me whether, in my judgment, the discussion of this bill would not serve to enlighten public opinion and give the people a more

intelligent conception of the character and the objects and the probable results of this measure if it was enacted into law. I do not think, Mr. President, that what is called discussion here will enlighten anybody.

I said the other day that three speeches have been made upon the other side which were directed to an intelligent and commonsense discussion of this bill, and if the public have read those speeches, the longest of which was less than two hours, they certainly obtained a great deal of important information upon the subject. Generally speaking, I think a man who can not express himself fully upon any subject in two hours and a half either knows too much or too little about it.

I do not believe that public opinion has been edified or enlightened by speeches that have been made upon this floor running from 10 to 12 hours in duration. They have a stupefying effect upon anyone who wastes his time in the effort to follow the winding mazes of speeches requiring many hours to deliver, and which are made deliberately to kill time, to wear out the Senate, and not for the purpose of informing the public, not to discuss the bill, but to exhaust opposition and prevent a final vote upon the measure.

Mr. CRAWFORD. Will the Senator permit me to ask him a question?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield to the Senator from South Dakota.

Mr. CRAWFORD. Suppose in this move to transact public business and prevent a filibuster this rule should be adopted, does the Senator think that public business would be transacted any more rapidly if every time a Senator wanted to go out and get a glass of water, or to the restaurant, he should submit a request to the Senate and have a roll call upon it to see whether a majority were willing for him to go or not?

Mr. THOMAS. No; I do not.

Mr. CRAWFORD. Are we not taking a lid from Pandora's box here that will simply create a situation infinitely worse than the one that is here now, by such a procedure as this in the Senate?

Mr. THOMAS. No; Mr. President, the filibusters removed Pandora's lid. The order could not make things any worse than they are now. That is impossible; superlatives can be exhausted without adequately describing the unhappy legislative condition which we occupy. I do not believe the motion, if adopted, will have the effect of promoting business, but it will have some effect, I hope, upon public opinion which must force a change in the rules of this body if we can ever transact business.

That is the reason why I am going to vote for it. If we are going to continue to make a spectacle of ourselves, if a body the Members of which have been sent here for the purpose of expediting the needed legislation of the country shall continue to do nothing at all, then let us go to the other extreme for a while and by compelling the attendance of Senators upon their own filibuster let the people then judge of the situation. My impression is——

Mr. FALL. Mr. President——

Mr. THOMAS. Just a moment. Mr. President, my impression is that this order if it is carried and enforced may have some good effect as a counter irritant, because I am inclined to think that if all the 96 Senators of this body are required to sit here and listen to these 10 or 12 hour speeches for a while they may in self-defense unite with us in bringing this matter to a vote.

Mr. CRAWFORD. Mr. President, does the Senator maintain that the transaction of business and the attendance upon the sessions of the Senate by its Members mean reasonably that they shall attend all the 24 hours; that their food shall be delivered to them in the Chamber, and that in order to transact the business of this great country they must be held in imprisonment within the Chamber all the time without reference even to their meat and drink?

Mr. THOMAS. That requirement would be quite as reasonable as the rule which unfortunately enables Senators to inflict their interminable discourses upon this body. We ought to place some limit upon this exercise, which we may accomplish if we can compel Senators to remain here and listen to each other from the commencement to the close of their disputations.

Mr. CUMMINS. Mr. President——

Mr. THOMAS. These speeches now have the effect of dispersing this body, for no sensible man, unless he is in the chair or is an employee of the Senate, will remain here and listen to a 10 or 12 hour speech, especially when made between the setting and the rising of the sun.

I yield to the Senator from Iowa.

Mr. CUMMINS. Preliminary to the question I am about to ask I will merely suggest what the Senator just said clearly establishes the unconstitutionality of the proposal in that it would subject Senators to unusual and cruel and inhuman punishment.

Mr. THOMAS. That is equally true of the present rule, except that the punishment is not unusual.

Mr. CUMMINS. The question that I really rose to propound—and in all seriousness—is this: Does the Senator from Colorado believe that our constitutional power goes to the length of chaining Senators to their desks, so that they can not remove themselves? I should like to hear the Senator upon that subject.

Mr. THOMAS. I do not think I have so stated. I said at the outset that this proposal goes to an extreme, and that my reason for supporting it was that the Senate had many times proceeded and was now proceeding to extremes in the other direction. When extremes meet sometimes there is a resulting benefit.

Mr. CUMMINS. I asked the question because it would seem to me that necessarily follows from the position taken by the Senator from Colorado. If the Senate has the constitutional power to say that I shall not leave my desk without the consent of the Senate, it necessarily has the power to chain me to that desk in order that its rule may not be disobeyed and to secure my presence.

Mr. THOMAS. Why, Mr. President, I think we have just as much constitutional power to require that we should be chained to our desks as we have to blow a Senator or all of the Senators through the doors of this Chamber by a cyclone of an empty vocabulary. It is about as broad as it is long. But, Mr. President——

Mr. COLT. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. THOMAS. I yield to the Senator from Rhode Island for a question.

Mr. COLT. I was going to ask the Senator from Colorado whether he believes that this proposed rule could be enforced? I understand it is a rule of construction that if there is a statute or even a constitutional provision which can not be enforced it is either absolutely void or else it should be interpreted or amended in some way by construction. Now, this proposed——

Mr. THOMAS. Mr. President, I did not yield for a speech.

Mr. COLT. I was going to ask the Senator—according to this proposed rule—

> All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber—

Suppose I was ill in Rhode Island and it was impossible for me to come here?

> All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber until excused by the Senate.

Otherwise they are in contempt. That proposed rule is absolutely nonenforceable upon its face.

Mr. THOMAS. Mr. President, I can not yield any further to the Senator. He has asked me a question and has answered it himself. I only yielded for a question. I shall myself be accused of filibustering pretty soon [laughter], and I do not wish to occupy the Senate's time too long.

Mr. COLT. The Senator is very good at answering questions and is certainly very courteous. May I ask him one other question?

Mr. THOMAS. Certainly.

Mr. COLT. My question is whether our constitutional provisions, statute laws, and Senate rules are not governed in their construction by the primary consideration of whether or not they are reasonable, and that any construction that does not appeal to our sense of reason or to what is reasonable should never be adopted? Therefore, when the Constitution says that Members of the Senate may be compelled to attend, and a rule is passed in accordance therewith, the fundamental consideration in the construction of that constitutional provision is whether or not such rule is reasonable.

Mr. THOMAS. Mr. President, the Senator from Rhode Island is again making a speech. I can not yield further. The Senator from Rhode Island is making a very good argument in favor of my proposition.

I insist that the method of procedure which I am criticizing is unreasonable, quite as unreasonable as anything that is being offered as an antidote.

Mr. BRISTOW rose.

Mr. THOMAS. I yield to the Senator from Kansas.

Mr. BRISTOW. I should like to inquire of the Senator from Colorado if he can mention or refer to a single filibuster in the history of this body that has succeeded that was not justified as to its result?

Mr. THOMAS. Mr. President, there have been so many filibusters in this body—some long and some short—that I could

not answer that question categorically; but I do not think so. During my short legislative experience there have been some big filibusters and some little ones. Most of them occurred before then. Some of them have resulted favorably to the country, the others have not; but I am discussing this matter as it strikes me fundamentally and without reference to the effects or consequences of the method of procedure as applied to given situations. Whether the result of filibustering has been beneficial or injurious is wholly aside from the question whether they ought to be permitted at all. Certainly we can not be dependent upon the filibuster, and upon it alone, for good results in this Chamber. They can be secured by orderly processes more generally and more certainly than by filibustering.

Mr. BRISTOW. I asked the question which I did of the Senator from Colorado because, in my opinion, he can not point to a single instance in the history of the United States when prolonged discussion in this body has not resulted in ultimate legislation that was beneficial to and approved by the American people.

Mr. THOMAS. Mr. President, the filibuster in 1893 was not successful; if it had succeeded, it would undoubtedly have resulted beneficially. I did not approve of it, but I think its failure, resulting in the demonetization of silver, was one of the greatest disasters that ever visited this country.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado further yield to the Senator from Kansas?

Mr. THOMAS. I do.

Mr. BRISTOW. I did not ask the Senator whether, if the filibusters that had failed had succeeded, the country would have been benefited; but I was simply inquiring as to the filibusters that had succeeded. The Senator, in answering my question, referred to one filibuster which he thinks the country would have benefited by had it succeeded.

Mr. THOMAS. Mr. President, I am not concerned, as I stated before, with the results of a filibuster. There is no question but that some of them have resulted in better conditions. That is true of every bad situation; but I believe such results would have sooner or later followed without them.

But what is the spectacle confronting us during the last three weeks? The effort to secure a vote upon this important measure has been defeated by the process of continual obstruction carried on, and to be carried on indefinitely and indeterminately, by Senators obtaining the floor to speak against time in long and loud vocal competition.

Mr. President, the vice of the situation is that where the filibuster is permissible you can place no limit upon its use. It can be resorted to for one thing as well as another, for the purpose of preventing the confirmation of an unimportant postmaster as well as the enactment of legislation involving great constitutional and national consequences and demanded by the public needs. The system can be invoked at any time, for any purpose, whether public or private. I do not believe that a fair construction of the rules justifies it—a system which can be invoked without reference to the importance or the nonimportance of the subject matter against which it is directed.

Mr. President, since I have been a Member of this body I have heard two or three arguments from its opponents against a proposed constitutional amendment granting suffrage to women. They advanced the theory that women were incapable of discharging public affairs; that they are not competent for public administration; that they were unequal to the burdens of government, and therefore they should be denied the right of participation in the choice of rulers. And, Mr. President, if a convention of women anywhere in the country should meet and attempt to conduct their business in the manner in which it has been conducted in the Senate of the United States during the last fortnight, they would be justly the subject of derision and contempt. The opponents of women suffrage would point to the spectacle as the conclusive proof of their incapacity for self-government or for an intelligent participation in the transaction of public affairs.

I hope, Mr. President, that this order will be adopted, to the end that the public may judge of the two extremes and compel this body, by the irresistible force of its own mandate, to adopt some method of procedure in the near future whereby we can do business and get somewhere in our efforts at legislation.

Mr. FALL. Mr. President——

The VICE PRESIDENT. The Senator from New Mexico.

Mr. FALL. Mr. President, will the Senator from Colorado allow me to ask him a question?

Mr. THOMAS. Certainly.

Mr. FALL. As I understand, the Senator's position is that he does not favor this as a permanent rule of the Senate, but only as a means to a present end.

Mr. THOMAS. Well, I am quite willing to let it stay in force as long as the rule of filibuster stays in force.

Mr. FALL. I did not so understand the Senator. I understood him to say that he objected to the filibuster under the present rules, and it seemed to me, Mr. President, that his whole argument was merely the repetition of the same excuse that has always been used for mob or lynch law or the interference of a vigilance committee, to wit, a means to an end; that because of the law's delays Judge Lynch should be upon the scene and his aid invoked.

I only wanted to understand whether I had erroneously construed what the Senator said.

Mr. THOMAS. No, Mr. President; the same line of statement and argument was used for a number of years against the new rules of the other House, what I may call the Reed rules of the House. The Speaker of the House was accused not only of violating the Constitution but of overthrowing established customs, undermining the foundation of the Government; and it was also charged that he was doing virtually that thing, establishing the principle of legislative lynch law against the essential necessity of full discussion before any measure was acted upon. But the new rules lived in the House; they still live; no one there thinks of questioning their usefulness any more; and the bitterest opponents of the great Speaker of 1891 were among the first to perceive the necessity of the new method of procedure and to make it permanent in the operation of that great body.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. The Senator from California.

Mr. WORKS. Mr. President, I am not friendly to the filibuster, as a rule. I regard it as an evil, as an obstruction to legislation. I have taken up none of the time of the Senate in the discussion of the pending bill. I regard the question now presented to the Senate as of vastly greater importance than the question of the passage or defeat of the shipping bill.

The Senate is now confronting three great evils, all of which tend to obstruct and interfere with the performance of the duties of the Senate and its independence as a legislative body. namely, Executive interference with the business of the Senate and domination over its Members; the secret caucus; and the filibuster. The caucus is another kindred evil with the filibuster. One of these naturally provokes the other.

I believe, Mr. President, that if it had not been for the interference of the executive department of the Government it would have been impossible to pass this shipping bill. I do not believe it meets with the approval of a majority of the Members of the Senate, and if its passage is to be brought about by that kind of interference and domination on the part of the executive department, strengthened by the secret caucus, then a filibuster to prevent action of that kind is entirely justified.

The course of this bill shows the evils of the several things that I have mentioned. The President calls upon the Senate for the passage of a bill. He has a perfect right under the Constitution to suggest its passage, to call to the attention of the Senate the necessity for such legislation; that is strictly within his power and his duty as President of the United States; but the moment he says to the Senate or to any Senator, "This bill should or must be passed," he exceeds his authority and is attempting to exercise an unwarranted and unlawful power over the legislation of this body. That course has been taken in this instance, and this has become for that reason what is called an administration measure.

The next step in order to bind individual Senators is the secret caucus, by which it is intended to bind the conscience and judgment of every Member of the majority of the Senate, thus making it a party measure also. Fortunately, in this instance it has not entirely succeeded; but the effort has been made, and I have no doubt that there are Members of this body who, if it had not been for the dictation of the caucus, would have stood here to-day opposed to the passage of this bill, but who are now willing to support it simply for that reason. I am not criticizing Senators for taking that course. They must exercise their own judgment as to whether they owe greater fealty to the Democratic Party than to their country.

The effect of the attempt to force action on the part of Senators by the decree of the caucus has resulted in a spectacle in the Senate that should bring the blush of shame to the cheek of every American citizen. The moment it was made known that some members of the Democratic Party representing their States in this body were independent and courageous enough to withstand the decree of the caucus and oppose this bill, there was heaped upon them ridicule, vilification, and abuse; they were charged with treason to the party, with abandoning their associates on the other side of the Chamber, with being disloyal to the Democratic caucus. What a spectacle it was! It re-

sulted naturally in abuse and retaliation from the other side in justifying the position they have taken, and we had here for days the time of the Senate taken up with abuse by one Senator of another, brought about by just that condition of things. These conditions bring about excesses, efforts by extraordinary and revolutionary means to meet the evils I have mentioned; and we are now asked to go to the utmost extreme in order to meet the filibuster that has been brought about by the means I have already mentioned, of confining Senators in this Chamber virtually as prisoners.

I submit that the Senate of the United States should think very seriously before it goes to such an extreme. I have no doubt myself that it is in violation of the constitutional rights of individual Members of the Senate. It is provided by this order, in the first instance, that every Member of this body shall forthwith present himself in the Senate Chamber. What right, under the Constitution or laws of the country, has the Senate to make that order, absolute in its terms, giving no right of excuse, no right to advance any reasons why it is impossible for a Senator to be here, but to declare absolutely that he shall appear in the Senate Chamber, and that if he fails to do so he shall be guilty of contempt?

That is going a long way, but it does not stop there. It provides that after he does make his appearance in the Senate Chamber, he shall not leave it without the consent of the Senate.

The Senator from Colorado justifies this course as being necessary to meet the conditions that now exist in the Senate. Mr. President, one wrong can not be justified by the assertion that another exists.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Washington?

Mr. WORKS. I yield to the Senator.

Mr. POINDEXTER. Does the Senator from California know where the Senator from Colorado is? I do not see him in the Senate Chamber. He has not been excused. He has made no application to be excused. He is not living up to the spirit of the rule that he is advocating. In fact, there are only 13 Democratic Senators in the Chamber, although they compose a majority of this body.

Mr. WORKS. I suppose the Senator from Colorado is exercising his liberty as long as he can, as this order has not yet gone into effect.

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. WORKS. I do.

Mr. SHAFROTH. I should like to say to the Senator from Washington that no rule has been established up to the present time, and the Senator from Colorado has a perfect right to absent himself from the Senate Chamber until this rule becomes the order of the Senate. He is exercising that right now, and is not guilty of any discourtesy to the Senate.

Mr. POINDEXTER. I am aware of that, Mr. President. I was speaking of the equities of the case rather than of the strict legal rules. I admit that the Senator, strictly speaking, has the right to leave; but I do think that if he is advocating so strenuously the adoption of a rule of this kind, he ought to set the Senate the example of living up to it.

Mr. SHAFROTH. I have no doubt that he will obey the proposed rule when it becomes the rule.

Mr. WORKS. Mr. President, I do not agree with either the Senator from Washington or the Senator from Colorado. It is the duty of the Senator from Colorado to be here upon the floor of the Senate while its proceedings are being conducted, without reference to any order that may be made in the future.

Mr. REED. Mr. President——

Mr. WORKS. The only difference is that as conditions are now he is not subject to a penalty. He will be after this order takes effect, if it ever does.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Missouri?

Mr. WORKS. I yield to the Senator.

Mr. REED. If it is the duty of a Senator to be present, and that is the statement of the Senator from California——

Mr. WORKS. Does not the Senator from Missouri agree with me?

Mr. REED. I do—what ground is there for the Senator's objection that the Senate shall require a Senator to perform his senatorial duty?

Mr. WORKS. The objection to it is that the Senate has no constitutional authority to compel the attendance of a Senator in any such way as is here proposed. It is a violation of a constitutional right. The duty rests upon him, but it is left to him to perform that duty as he sees fit.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from California further yield to the Senator from Missouri?

Mr. WORKS. I yield.

Mr. REED. I call the Senator's attention to the fact that the Constitution itself provides that less than a quorum can compel the attendance of absent Members. That implies, if necessary, their arrest; and it implies, if necessary, the right to lock the doors of the Chamber and to compel them to remain within its walls. How, then, can the Senator say that that is unconstitutional which the Constitution by express terms confers, not upon the Senate alone, but upon less than one-half of the Senate?

Mr. WORKS. The constitutional right conferred upon the Senate is to compel the attendance of a quorum, and when that is accomplished the Constitution gives no right of action on the part of the Senate to compel the attendance of absent Members.

Mr. REED. Mr. President, will the Senator pardon me further?

Mr. WORKS. Certainly.

Mr. REED. I call the Senator's attention to the rules of the House of Representatives, this particular rule—Rule XV—having been unchallenged for many years. Paragraph 2 contains this language:

> In the absence of a quorum 15 Members, including the Speaker, if there is one, may be authorized to compel the attendance of absent Members, and in all calls of the House the doors shall be closed, the names of the Members shall be called by the Clerk, and the absentees noted; and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant at Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged.

The note to this rule states that the essential portions of this rule were adopted in 1789 and 1795. It does not seem to be a very startling thing over in the House of Representatives to say to a man elected to perform a duty: "You shall come, and you shall remain, and you shall continue to remain until permitted to absent yourself by the body of which you have voluntarily made yourself a Member, and the duty of which you have voluntarily assumed."

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. WORKS. In just a moment. I have no doubt at all of the power of the Senate or of the House to compel the attendance of Members for the purpose of constituting a quorum that can do business. Nobody controverts that proposition. That is its only object, however, and when that purpose is served no further action is taken. The doors of the House are opened again. The same condition exists in the Senate. There is but one object and purpose of compelling attendance here, and that is to secure a quorum in order that the House or the Senate may proceed to do business.

I now yield to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I simply wish to call the attention of the Senator from California to the fact that the comparison made by the Senator from Missouri is not at all applicable in this case. On the first page of yesterday's RECORD is the ordinary proceeding which takes place in the House when the question of a quorum is raised. Mr. FITZGERALD made the point of order that no quorum was present, and the Speaker stated:

> Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

All the doors of the House are not closed, however. One door is invariably left open, and as soon as Members have answered to their names they go and come as they like, and they do so before they have answered to their names. There is no restraint placed on Members, but as soon as a quorum is determined as being present then the order is made to open the doors, which means the doors which have been closed on two sides of the Chamber. There is no comparison between the two conditions which the Senator from Missouri attempts to point out.

Mr. WORKS. In view of what has been said by the Senator from Missouri, I think we may profitably look a little more carefully at the language of the order which he asks the Senate to adopt. It provides:

> Until otherwise ordered by the Senate, the following shall be a standing order of the Senate—

That, as I have said before, is, in effect, to amend the rules of the Senate—

All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber until excused by the Senate. Any Senator disobeying this order shall be in contempt of the Senate, and shall be brought to the bar of the Senate and dealt with as the Senate may order.

Now, mind you, so far as the first clause of this order is concerned, it is self-executing. The moment a Senator is not in the Chamber after this order passes he is in contempt of the Senate, without any further action being taken. The mere adoption of the order puts a Senator in contempt if he is not here at the time. He is given no opportunity to make excuses until he is actually arrested and brought to the bar of the Senate. Until that time he is regarded as in contempt of the Senate, and can in no way be excused from it until he is actually brought here under arrest to make response to the order itself. That is clearly shown by the provision that "any Senator disobeying this order shall be in contempt." The order is that the Senator shall be in the Chamber—and a violation of that order, as I have said, puts him in contempt—and that he shall remain here from that time on; and if he shall go out of the Senate, no matter for what purpose, without first obtaining the consent of the majority, he is again in contempt.

Aside from the question as to the constitutionality or the legality of an order of this kind, is it a practicable thing? It can not be justified, even by the evil condition that Senators say exists in the Senate. Just think what confusion would be brought about by it. The Senate will be unable to do business as long as this order is in existence if there are any Senators here who are inclined to filibuster at this time, because it gives the greatest possible opportunity for taking up the time of the Senate. Any Member of this body under this order can ask to be excused from attendance in the Chamber, and the yeas and nays may be called and the Senate compelled to vote on each single one of these requests. Why, we can take up days and weeks with that sort of thing, wasting the entire time of the Senate.

Mr. REED. Mr. President——

Mr. WORKS. I yield to the Senator from Missouri.

Mr. REED. I wish to ask the Senator if that very request can not be proffered, and the very proceeding he has outlined be indulged in at this moment, under the present rule?

Mr. WORKS. There is no doubt about that.

Mr. REED. Very well. Then a repetition of a present condition does not create any cause or reason for filibustering. The repetition of the filbuster upon that line which has been suggested by the Senator, might be cause for the enactment of a new rule; but I call the Senator's attention to the fact that he has already admitted that the very thing which he and his confrères have insisted will be the "horrible result" of this rule is just as possible under the present rule as it would be under the proposed new order. Therefore their argument falls to the ground. It simply illustrates the fact that in the storm of filibustering that now is engrossing the genius and brain on the other side, no matter what rule is devised a new means to take advantage of it immediately springs into the brain of the patriotic gentlemen who want to obstruct the public business. That is all. Therefore, I call attention to the fact that the Senator admits that, so far as roll calls are concerned upon excuses, every evil which might arise under this rule can arise under the present rule of the Senate.

Mr. WORKS. No, Mr. President; the Senator is quite mistaken. No such construction of the existing rule has ever been given as that which is now suggested by the Senator from Missouri. There has never been a time, under any of the rules of the Senate, when a Senator was required to ask to be excused in order simply to step out of the Senate Chamber. No such construction has ever been placed upon the present rules, and never will be. In addition to that the rule makes an absolutely new condition, to which the old rule might be applied very unjustly, by compelling the actual attendance of Senators in the Senate Chamber and forbidding them to leave it without the consent of the Senate, which is quite a different thing from the mere right of a Senator, or his duty, let us concede, to ask for leave of absence if he expects to be absent from the Senate.

The Senator from Colorado has very justly said that this is an extreme measure. It is one that, in my judgment, can not be justified, independently of any question of its legality. It would be an encroachment upon the rights of Senators and is entirely unjustifiable. It would lead to complications and the taking up of time that is entirely unnecessary and would be objectionable from all points of view. I submit that this is an order which the Senate of the United States ought never to make.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. The Senator from Montana.

Mr. WALSH. The discussion of this matter, except for the remarks made by the Senator from California [Mr. WORKS], has proceeded rather upon the power of the Senate to issue this order than upon the wisdom or the policy of issuing it. The Senator from California, when he discussed the question of the wisdom or the policy of the order, would have been entirely unanswerable if his discussion of it were to be considered in connection with an ordinary condition of affairs; but the Senator from California ought to have discussed the wisdom of the issuance of this order, conceding the power to exist in view of the conditions which confront us. The Senator from California ought to have presented the subject in view of what has taken place here in the last three weeks.

I do not desire, however, to address the Senate upon that subject. I desire to speak on the subject of the power of the Senate to make this order.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from California?

Mr. WALSH. I do.

Mr. WORKS. I think the Senator from Montana has not stated my position correctly. I know he would not misstate it purposely. I did state the extraordinary conditions that exist in the Senate as a justification, it may be, even for a filibuster. I presented my views with respect to it upon the conditions as they actually existed in the Senate.

Mr. WALSH. I understood the Senator perfectly well. The Senator advanced the idea, if I caught his meaning aright, that the filibuster which is being conducted upon the other side of this Chamber is justified by reason of Executive interference.

I desire to say to him that the wisdom or policy of this ought well to be discussed in view of the confession that a filibuster is now going on, not as if we were proceeding under usual and ordinary conditions that attach to the consideration of legislation in this body.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield further?

Mr. WALSH. I do.

Mr. WORKS. Again, the Senator from Montana does not quite state me correctly. I did not base the justification of the filibuster alone upon the ground of interference, but also upon the secret caucus, which I regard as one of the greatest evils we have to contend with in legislation.

Mr. WALSH. I recognize the Senator did so state. I pass from the consideration of that feature of it. It is asserted there is no power to pass this order, first, because it is without the power of a majority of the Senate to compel the attendance of absent Senators, although that power rests in a minority of the Senate, there being no quorum present; second, conceding the power to exist in even a quorum or less than a quorum, it exhausts itself when the absent Senator is brought to the Senate, and he is thereupon permitted at his will to leave immediately.

I deny the soundness of either of those propositions. I assert in the first place that the power exists in a quorum of the Senate to compel the attendance of absent Members, and, second, I assert that the power exists in the Senate to require him to continue here until he is discharged by the Senate.

I have a great deal of sympathy with the predicament into which the Senator from South Dakota would find himself, who would like to go down to get some lunch, or he would like to go off and get a little sleep. Mr. President, concerning the question of power, the matter has been so authoritatively determined that it is not, in my judgment, any longer open to discussion.

Mr. President, it is not to be presumed that under ordinary conditions, without the observance of obstructive tactics, anybody is going to interfere with the right of a Senator to go down and get a lunch or to take some sleep; but that right is to be considered in connection with the other. You must either give to the Senate the right to keep a Member here indefinitely as its will is, or, on the other hand, you must confront yourself with a situation of the right of a Senator having once been brought in to leave immediately.

I should like to inquire of the Senator from South Dakota, so that I may be proceeding advisedly, whether it is his view that a Senator having been arrested and having been brought here and having answered to his name is at liberty immediately to leave the Chamber and go off and again break a quorum, necessitating the issuance of another warrant for his attendance?

Mr. CRAWFORD. Mr. President, my view is that, of course, the Senate has the inherent right under the express power

given to it by the Constitution to maintain at all times a quorum, and when once having maintained a quorum and being able to transact business an attempt on its part to control the ordinary freedom of action that is incident to the life of a human being, such as walking into the corridor around this Chamber and going over into the restaurant and matters that can not be construed to interfere with the ordinary and necessary transaction of business by the quorum, which does attempt to control the locomotion and the freedom of the Member, is without authority.

Mr. WALSH. With all due deference to the Senator, he has not answered the question I asked him. How shall the Senate know where he has gone, in what avocation he is engaged, what activities are requiring his attention? When he leaves the Chamber must the Senate issue another warrant commanding him to appear?

Mr. CRAWFORD. I do not understand that it is any of the Senate's business where he goes and what he is doing if the Senate has maintained its ability to transact business and his attendance is an attendance enabling the Senate to perform its functions. The attendance to enable the Senate to perform its functions does not mean that he therefore must be held in the Chamber with a ball and chain, or be fastened down to his chair, or be put in the custody of the Sergeant at Arms; that if he wants to go over into the reception room to meet some person who has called to see him, or on necessary business, or attend a conference, or attend a committee, or go over to the restaurant he must prefer a request to the Senate and have it solemnly call the roll and give him permission to indulge in the ordinary movements of physical life. I challenge the power anywhere of the body to exercise an authority so sweeping and so drastic as that.

Mr. WALSH. Mr. President, the first subdivision of Rule V provides that—

> No Senator shall absent himself from the service of the Senate without leave.

In other words, if there are 95 Senators in this Chamber, not even one Senator shall absent himself from the service of the Senate without leave. Now, is that a meaningless declaration? Does that mean nothing at all, or does it mean that if he does do it the Senate has the right and the power to compel him to attend?

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for an inquiry?

Mr. WALSH. I yield to the Senator from Wyoming.

The VICE PRESIDENT. The Senator from Wyoming.

Mr. CLARK of Wyoming. The Senator quotes the language of the rule that no Senator shall absent himself from the service of the Senate. Does the Senator think that service in the Senate consists wholly of presence in the Senate Chamber, or does the presence of a Senator consist of other necessary matters pertaining to legislation?

Mr. WALSH. I answer the Senator that the Senate has no means of knowing whether he is in the service of the Senate or not unless he is in this Chamber. If he desires to depart from the Chamber it is perfectly well understood that it is necessary for him to get the consent of the Senate, so that committees desiring to sit during the sessions of the Senate are called upon to ask the permission of the Senate to do so. As a matter of fact, they often sit during the sessions of the Senate, but that is upon the implied leave of the Senate. Therefore, if the Senator is gone with the permission of the Senate, the Senate can do nothing whatever in the premises, except to require his attendance by the proper process if he is not in the Chamber.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Michigan?

Mr. WALSH. I had some observations to make, but I will be very glad to yield.

The VICE PRESIDENT. The Senator from Michigan.

Mr. SMITH of Michigan. I will not detain the Senator except to make this observation. If a Senator is appointed upon a conference committee that happens to be in the performance of that duty at another part of the Capitol, is he absent on business of the Senate?

Mr. WALSH. I should say——

Mr. SMITH of Michigan. Does the Senate take cognizance of this under this proposed new rule, and is he to be apprehended by the Sergeant at Arms and taken away from that meeting?

Then, again, if the Senator will indulge me a word more, suppose an absent Senator is brought in here and rises in his own right under his personal privilege to account for his absence. The day is consumed, and the Member who is specially commissioned upon a conference committee has no power or right to leave this Chamber to attend the conference. I should like to know what becomes of that duty which is so important in harmonizing the disagreement between the two Houses of Congress.

Mr. WALSH. The majority of the Senate may permit the conference committee to sit during the sessions of the Senate.

Mr. SMITH of Michigan. When?

Mr. WALSH. At any time.

Mr. SMITH of Michigan. But he is to be taken over in the custody of the Sergeant at Arms and has to await his turn to be heard. The session of Congress is expiring on the last day and the bill may fail because they were unable to reconcile the differences between the two Houses while he is waiting an opportunity to rid himself from the custody of the Sergeant at Arms.

Mr. WALSH. The Senator is discussing the question of the wisdom of making this order, not the power to do it. But when we come to the consideration of the question of wisdom I venture to say there will be no difficulty at all to take care of the meetings of conference committees.

Mr. SMITH of Michigan. I do not want to take the Senator away from his argument, but if he will permit me, there is scarcely a committee to-day that is at work that has not the power to absent itself from the Senate Chamber. We have answered that we have been on the conference committee between the two Houses on an important bill, and immediately we leave, in order that we may attend the conference going on in the Committee of Commerce, if the Sergeant at Arms can proceed to the House of Representatives and break up a conference between the two Houses. It seems to me we are not doing anything that is conducive to legislative work.

Mr. WALSH. Mr. President, that rule of the Senate was enacted in conformity to a very well understood principle of parliamentary law. I read it from section 264 of Cushing's Parliamentary Law, as follows:

> Every legislative assembly, when duly constituted, has power to compel the attendance of its members—

And that whether it is constituted with a majority or a minority of its members—

> Every legislative assembly, when duly constituted, has power to compel the attendance of its members; but until so constituted it has no such power, as it has itself no legal existence; and the right of the members who are present for the purpose of organization to compel the attendance of other members depends wholly, as has been seen, upon the constitution or law to which each assembly is subject. The right of a legislative assembly, after it is regularly constituted, to have the attendance of all its members except those who are absent on leave or in the service of the assembly, and to enforce it, if necessary, is one of its most undoubted and important privileges. It is usually enforced by means of what is denominated a "call" of the assembly, which is effected in the following manner in the House of Commons—

Then follows the procedure of the House of Commons and of the House of Representatives.

But, Mr. President, this matter has been determined by authority of so high a character that we can not possibly ignore it. The power of this body rests upon exactly the same provision as does the power of the House of Representatives to compel the attendance of absent Members. The Constitution provides that each House shall be the judge of the elections, returns, and qualifications of its own Members and may be authorized to compel the attendance of absent Members. Therefore, Mr. President, the precedents of the House of Representatives are equally precedents that ought to govern this body.

Mr. President, in the very first session of the House of Representatives—and it is perfectly well known that many of its Members were members of the Constitutional Convention—a rule was adopted to compel the attendance of absent Members, and it provided for closing the doors so that they could not possibly escape, a circumstance to which I desire to invite the attention of the Senator from South Dakota.

Not only that, Mr. President, but it had been determined over and over again in that body by Speakers, both Democratic and Republican, that the power existed in a majority as well as in a minority of the Members being present to compel the attendance of absent Members.

I read from Hinds' Precedents at page 105, volume 4, as follows:

> In the absence of a quorum 15 Members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent Members, and in all calls of the House the doors shall be closed, the names of the Members shall be called by the Clerk, and the absentees noted; and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant at Arms for that purpose, and their attendance secured and retained, and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

The author continues:

This rule, which has not been satisfactory when a determined attempt has been made to break a quorum, is now used in cases where the lack of a quorum is developed in other ways than by a vote, and where a quorum fails on a vote on which no quorum is required. The first form of the rule dates from the First Congress. On April 7, 1789, this rule was adopted:

"Any 15 Members (including the Speaker, if there be one) shall be authorized to compel the attendance of absent Members."

On April 13, 1789, this rule was adopted:

"Upon the call of the House, for which at least one day's notice shall be requisite, the names of the Members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall be again called over; the doors shall then be shut, and those for whom no excuses, or insufficient excuses, are made, may, by order of the House, be taken into custody.

So the ordinary procedure, Mr. President, upon the very organization of Congress at its first session was in the case of the House whenever it became desirable to require the attendance of absent Members to close the doors and absolutely prevent any Member from leaving the Chamber until he had leave to do so by the order of the House.

Mr. CLARKE of Arkansas. That was only in case a question of the absence of a quorum had been previously raised.

Mr. WALSH. It was not; and I propose to show directly that it was likewise repeatedly determined in the House that it could be done as well when a majority was present.

Mr. CRAWFORD. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from South Dakota?

Mr. WALSH. I do.

Mr. CRAWFORD. Does not the Senator think there is a very clear distinction and difference between the proceedings which I presume exist in the legislature of nearly every State as well as in Congress of enforcing a call of the Senate or the House for the purpose of compelling the attendance of Members to secure a quorum for the transaction of business and the imprisonment of Members when a quorum is present and the body is engaged in the ordinary public transaction of business, an imprisonment which interferes and absolutely controls the ordinary incidental movements necessary to life and existence and personal freedom of the Members, which they have an inherent right to exercise and which do not interfere with what could be construed as an attendance upon the transaction of the business of the legislative body? For instance, an attendant at one of these schools in the city may be a regular attendant, performing his duties there as teacher or student, appearing there every morning at 9 o'clock and leaving there every afternoon at 4 o'clock or at 3 o'clock; but if the authorities there should take those children, lock them up in a room, and prevent the ordinary freedom of locomotion incident to their lives, would you call it "attendance" or would you call it "imprisonment"? I think, if the Senator will permit me, there is a very wide difference between the controlling of Members during a call of the Senate or of the House in order to secure the attendance of a quorum, and the undertaking to adopt a rule which makes prisoners indefinitely of every Member whether or not his attendance is absolutely necessary in this Chamber to constitute a quorum and transact public business; whether his service may not be even more of a service in the committee room or outside the Senate Chamber than within it. Does not the Senator think that as to the making of such a rule as that, instead of being defined as "attendance" it should be defined as "imprisonment"?

Mr. WALSH. Mr. President, it is obvious that the interruption was for the purpose of an argument and not for the purpose of presenting any question to me. I shall try, however, to myself present the question which obviously was in the mind of the Senator from South Dakota.

The right to imprison—if that is the appropriate term, and I undertake to say it is—the right of the Senate to imprison the Members of the Senate within the Chamber in order to secure the attendance of a majority can not be open to question at all upon the authority to which I have invited the attention of the Senate.

Mr. President, let us concede, then, that Members may be imprisoned for the purpose of securing a quorum; but that is not the end. A majority is useless unless business is to be transacted. Therefore Members may be imprisoned within the walls of the Chamber in order that business may be done; but a quorum having appeared, will it be contended that the power to continue the imprisonment so as to hold a quorum here in order that the business may be done is a different question constitutionally? I undertake to say not.

Mr. President, I now read from the next page of this volume, page 107, as follows:

The constitutional power of the House to compel the attendance of absent Members—

I do not see the Senator from Arkansas [Mr. CLARKE] here. He desired some enlightenment upon this branch of my argument.

Mr. GALLINGER. Mr. President, before the Senator goes to that matter I desire to ask him a question. The precedents of the Senate are very clear, I think, that not only can absent Senators be brought here to make a quorum, but, even if a quorum is present, absent Senators can be brought in; there is no doubt about that.

Mr. WALSH. I understood the Senator from Arkansas to controvert that proposition.

Mr. GALLINGER. Well, the precedents of the Senate cover—at least one important precedent covers—that ground. I will not take time to refer to it; but what I want to ask the Senate is this: Does not clause 1 of Rule V mean that Senators shall not absent themselves from the service of the Senate? Does it not mean to cover a case where a Senator desires to be gone a day or a week or a month?

We had one Senator here who during his entire service never left the city for a day or left the Senate for a day that he did not rise and ask leave to be permitted to absent himself. The House not only compels the attendance of its Members, who are absent usually at their homes, but deducts pay from them under certain circumstances. I have always supposed that clause 1 of Rule V meant that if I wanted to go to Philadelphia or to New York or to Baltimore or to my home I ought not to leave without asking the consent of the Senate. We do not do so, but I have always believed that was the meaning of that clause of that rule.

Mr. WALSH. Inasmuch as the Senator from New Hampshire has discussed the matter very frankly, I will say that I will give my view of it.

Mr. GALLINGER. I want the Senator to do that.

Mr. WALSH. I do not know the history of subdivision 1 of Rule V, but I undertake to say that it will be found in the very first rules adopted by the Senate upon its organization. It seems altogether reasonable to be expected that a legislative body will establish a rule providing that its members shall not absent themselves without the leave of the body. When it comes to a question of construction of the rule, Mr. President, I am not able to make any distinction between absence that carries one 20 miles away or 40 miles away to Baltimore, or absence that carries one 3 miles away to one's lodging, or absence that calls one 2 blocks away to his office, or absence that calls one 100 feet away to his committee room. I insist, sir, that when this rule was established it contemplated the presence in the Chamber. The service of the Senator was considered as service in the body where the Senate collectively was engaged in the transaction of public business.

Let me state further, however, that I undertake to say, though, that the common practice of going to committee rooms, going to the offices of Senators, and that kind of thing, has been so general that it has been assumed to be with the leave of the Senate, and that it is only when one is going to depart for some considerable period that he must occupy the time of the Senate by asking for leave; but that the rule means presence in the Chamber I have no doubt at all.

Mr. GALLINGER. If the Senator will permit me, does the Senator really believe that the framers of that rule meant that at the hour of 1 o'clock, when most Senators want to get a little refreshment in the restaurant, they should solemnly rise and ask permission to go to the restaurant to get luncheon?

Mr. WALSH. Mr. President, I undertake to say that when that rule was framed it was not contemplated that the Senate would sit continuously, without interruption or recess for refreshment.

Mr. GALLINGER. It does so, however.

Mr. WALSH. It does so; and accordingly I say that I have no doubt that a Senator must get leave to go to the restaurant just the same as he must get leave to go to his lodging or leave to go to Baltimore, or such leave is simply assumed. The service of the Senate, in my estimation, means service in this Chamber.

Mr. GALLINGER. It is a rule that is "more honored in the breach than the observance."

Mr. WALSH. I do not think it is a breach at all, because I think the leave is assumed.

Mr. President, I pass to the other matter. I read section 2985, as follows——

Mr. LODGE. May I ask the Senator from Montana from what he is reading? I did not catch the name of the authority.

Mr. WALSH. I am reading from volume 4 of Hinds' Precedents, page 107:

2985. The constitutional power of the House to compel the attendance of absent Members is not confined to cases wherein there is a lack of a quorum. On April 28, 1892, on a motion that the House adjourn,

there were 17 yeas and 187 nays, a quorum voting. So the House refused to adjourn.

Mr. James H. Blount, of Georgia, then submitted the following:

"Whereas there is a large number of Members absent from the House—

Bear in mind, a quorum being present—

Mr. James H. Blount, of Georgia, then submitted the following:

"Whereas there are a large number of Members absent from the House and the public business is delayed, the Sergeant at Arms is directed to bring in all absentees; and the proceedings in connection therewith shall be in accordance with Rule XV in cases where a call of the House is ordered; and all leaves of absence are hereby revoked except for providential cause."

Mr. Christopher A. Bergen, of New Jersey, and Mr. Nelson Dingley, of Maine, respectively, submitted the question of order:

Whether, pursuant to clause 2 of Rule XV, the resolution just submitted by Mr. Blount was in order, the absence of a quorum not having been disclosed; and it is competent for the House to order the arrest of absent Members until there has been a call of the House under the rule, disclosing the names of the absentees.

The Speaker replied that the majority of the House has the right, under the Constitution, to transact business, and it has the right to compel the attendance of absent Members. But inasmuch as the Constitution provides that less than a quorum can not transact business unless there was a special exception in the Constitution permitting less than a majority to send for absentees, less than a majority could not do it. The expression of the idea that less than a majority can send for absent Members does not exclude the idea that a majority can transact business and can require the attendance of all Members of the House in order to do so.

2986. On May 31, 1892, the Committee of the Whole House on the state of the Union found itself without a quorum, and the roll was called under the rule. The committee then rose, and the Chairman reported the names of the absentees.

It appearing that a quorum was present, the Speaker announced that the committee would resume its sitting, which it did.

Immediately, on motion made, the committee rose, and Mr. John A. Buchanan, of Virginia, reported that the committee having had under consideration the bill H. R. 8224, had come to no resolution thereon.

Mr. John S. Henderson, of North Carolina, moved that there be a call of the House.

Mr. Julius C. Burrows, of Michigan, submitted the question of order whether, a quorum being present, it is in order to move a call of the House.

The Speaker decided that the motion for a call of the House is in order although a quorum is shown to be present.

2987. On April 25, 1892, the House voted by yeas and nays on a motion made by Mr. Thomas B. Reed, of Maine, to lay on the table a resolution relating to alleged unparliamentary language used in a speech printed in the CONGRESSIONAL RECORD by Mr. Joseph H. Walker, of Massachusetts. A quorum failing to vote, a call of the House was ordered.

A quorum having been secured, Mr. James D. Richardson, of Tennessee, offered a resolution that "the Sergeant at Arms take into custody and bring to the bar of the House such of its Members as are now absent without leave of the House."

Mr. Charles A. Boutelle, of Maine, submitted the question of order, Whether, under the rules of the House and under constitutional provisions, it is competent for the House to send for and compel the attendance of absent Members except in cases where it is developed that no quorum is present?

The Speaker held that the House had the right to have every Member present; that if but one or two Members were absent, it could send for them if it should desire.

Mr. President, I think that this is an answer both to the suggestion of the Senator from Arkansas, that a minority can not compel the attendance of absent Members, and likewise to the suggestion of the Senator from South Dakota, that, although a minority can compel the attendance of Members, those Members having once appeared inside the doors, they may immediately and forthwith leave if they see fit.

Mr. LODGE. The rulings the Senator has read were rulings of Speaker Crisp, were they not?

Mr. WALSH. There are three rulings sustaining my contention, and apparently there are none to the contrary.

Mr. LODGE. The ruling on the Blount motion and on the other—the two—I find, were both by Speaker Crisp.

Mr. WALSH. They were decided April 28, 1892, May 31, 1892, and April 25, 1892.

Mr. LODGE. Yes; they were all made by Speaker Crisp.

Mr. WALSH. Yes; and my recollection is that Speaker Crisp was quite an excellent parliamentarian.

Mr. LODGE. I served in the House with him and knew him very well; he was a very good parliamentarian.

Mr. WALSH. Now, Mr. President, I should like to say a word in answer to the inquiry propounded by the Senator from Iowa, which apparently he thought was exceedingly pertinent, as to whether the Senate would have power to chain a Member to his desk. Mr. President, we must give a reasonable construction to every rule; but I undertake to say that, if the service of the Member in the Senate can not be compelled by closing the doors and imprisoning him within the Chamber, and if it became necessary, in order that the business of the Senate should be transacted, that the Member should be chained to his desk, the Senate would have the power to do that.

Mr. President, what is the difference between imprisoning a Senator and chaining him in prison?

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Washington?

Mr. WALSH. I do.

Mr. POINDEXTER. Can the Senator from Montana conceive of any situation that would arise which would justify such a proceeding as that he has just described?

Mr. WALSH. Certainly not.

Mr. POINDEXTER. It expresses a mere abstraction which the Senator himself does not believe in?

Mr. WALSH. Wait a moment; I will answer the question. In truth, Mr. President, the question propounded by the Senator from Iowa was entirely irrelevant to the inquiry.

Mr. CUMMINS. Mr. President, I desire to ask the Senator——

Mr. HUGHES. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey.

Mr. HUGHES. Is the present proposition pending before the Senate a debatable question?

The VICE PRESIDENT. Is the Senator raising that point of order?

Mr. HUGHES. I raise that point of order, that the proposition now pending before the Senate is not debatable. That is my understanding of it.

Mr. GALLINGER. The Senate has decided otherwise.

The VICE PRESIDENT. The present occupant of the chair was not in the chair when the original question arose, but the Chair has been informed that the Senator from Oklahoma [Mr. OWEN], when in the chair, had, in substance, ruled that the proposed order was not debatable; and, without knowing anything upon the subject, the Chair sustained that ruling of the Senator from Oklahoma, not as an original ruling on the part of the present occupant but because the Chair believed it had been made, and he granted an appeal on the demand of the Senator from Massachusetts, as the Chair recalls.

It has been uniformly held that where the original motion was not debatable the appeal is not debatable. The pending question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. GALLINGER. That has been reversed.

The VICE PRESIDENT. No; it has not been reversed. There was a motion to lay it on the table, which failed; but the question has not been put, and the Chair rules that, until the Senate has overruled the decision of the Chair, the motion is not debatable, and that debate is not in order on the pending question, which is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. REED. The yeas and nays have been ordered on that, and I ask that the roll call be proceeded with.

The VICE PRESIDENT. The yeas and nays have not been ordered on that question.

Mr. HUGHES. I ask for the yeas and nays.

Mr. LODGE. I appeal from that decision, and I wish to state——

The VICE PRESIDENT. The rule provides that when there is an appeal from an intervening order it shall be settled without debate.

Mr. LODGE. I wish to call attention——

The VICE PRESIDENT. The Senator from Massachusetts appeals from the ruling of the Chair.

Mr. BRANDEGEE. I ask for the yeas and nays on that, Mr. President.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. POINDEXTER. Mr. President, I should like to have the question stated.

The VICE PRESIDENT. The present occupant of the chair has ruled that the question before the Senate is, Shall the ruling of the Chair, to the effect that the order proposed is not debatable, stand as the judgment of the Senate; and that, as the original decision was that it was not debatable, the question is not debatable unless the Senate shall reverse the ruling of the Chair? From that ruling, as a secondary appeal, the Senator from Massachusetts takes his appeal; which, under Rule XX, is to be decided at once without debate.

Mr. ROOT. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. ROOT. Is this not the same question which the Senate refused to lay upon the table?

The VICE PRESIDENT. It undoubtedly is.

Mr. ROOT. Is not that a decision of the Senate that there shall be debate?

The VICE PRESIDENT. The Chair thinks that while that would be the effect of it, and while it is not necessary under parliamentary procedure to put the original question where the

motion is not laid upon the table, still the Chair believes the original question must be put.

Mr. ROOT. I do not want to transgress the ruling of the Chair, but is not the action of the Senate or of any parliamentary body upon a motion to lay upon the table a recognized method of deciding the question whether or not debate shall be permitted?

Mr. JAMES. Mr. President——

The VICE PRESIDENT. The Chair is not going to permit argument on this question. The Chair would be very glad if the Senate of the United States would let the Chair cut through technicalities and decide questions as they ought to be decided, but he can not do that. The Chair has stated the pending question.

Mr. JAMES. I rose, not to interrupt the Chair or to keep the Chair from cutting off technicalities—I should be very glad to see the Chair do that——

Mr. BRANDEGEE. Regular order!

Mr. JAMES. But to ask the Senator from New York a question.

Mr. BRANDEGEE. I demand the regular order.

The VICE PRESIDENT. The yeas and nays have been ordered on the appeal from the intervening ruling of the Chair.

Mr. JAMES. The question, Mr. President——

Mr. CLARKE of Arkansas. I rise to a parliamentary inquiry.

Mr. JAMES. The question I desired to ask the Senator from New York was, if it was true——

Mr. BRANDEGEE. Regular order!

Mr. CLARKE of Arkansas. Mr. President, I desire to inquire if I correctly understood the Chair to say that the ruling made by the Chair was in deference to a ruling on the same subject by the Senator from Oklahoma [Mr. OWEN] when he occupied the chair?

The VICE PRESIDENT. Yes.

Mr. CLARKE of Arkansas. And that the Chair did not exercise his independent judgment as to how this particular matter should be determined?

The VICE PRESIDENT. That is not a parliamentary inquiry at all. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As I do not see him in the Chamber I will withhold my vote.

Mr. FALL (when his name was called). I have a pair with the senior Senator from West Virginia [Mr. CHILTON]. He arranged with me this morning, however, that if he desired to keep that pair he would call my attention to it before leaving the Chamber. Otherwise I was to be at liberty to vote. I vote "nay."

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I do not see him in the Chamber. I transfer that pair to the senior Senator from Pennsylvania [Mr. PENROSE] and will vote. I vote "nay."

Mr. OLIVER (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. As he is not in the Chamber I withhold my vote for the present.

The roll call was concluded.

Mr. LODGE. Mr. President, I understand that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS] and that both are absent. As I am paired with the Senator from Georgia [Mr. SMITH] I can not make that transfer, and I therefore withdraw my vote.

Mr. DU PONT. I desire to say that if at liberty to vote I should vote "nay."

Mr. PERKINS (after having voted in the negative). Mr. President, I am paired with the junior Senator from North Carolina [Mr. OVERMAN]. As he is not present I withdraw my vote.

The roll call resulted—yeas 38, nays 46, as follows:

YEAS—38.

Ashurst	La Follette	Ransdell	Smith, S. C.
Chamberlain	Lane	Reed	Stone
Chilton	Lea, Tenn.	Robinson	Swanson
Fletcher	Lee, Md.	Saulsbury	Thomas
Gore	Martin, Va.	Shafroth	Thompson
Hollis	Martine, N. J.	Sheppard	Thornton
Hughes	Myers	Shively	Walsh
James	Owen	Simmons	White
Johnson	Pittman	Smith, Ariz.	
Kern	Pomerene	Smith, Md.	

NAYS—46.

Bankhead	Bristow	Camden	Clarke, Ark.
Borah	Bryan	Catron	Colt
Brady	Burleigh	Clapp	Crawford
Brandegee	Burton	Clark, Wyo.	Cummins
Dillingham	Kenyon	Page	Sutherland
Fall	Lippitt	Poindexter	Townsend
Gallinger	McCumber	Root	Vardaman
Goff	McLean	Sherman	Warren
Gronna	Nelson	Smith, Mich.	Weeks
Hardwick	Norris	Smoot	Works
Hitchcock	O'Gorman	Stephenson	
Jones	Oliver	Sterling	

NOT VOTING—12.

Culberson	Lodge	Penrose	Smith, Ga.
du Pont	Newlands	Perkins	Tillman
Lewis	Overman	Shields	Williams

The VICE PRESIDENT. On the question of the appeal from the present ruling of the Chair the yeas are 38 and the nays are 46.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Chair would like to find out "where we are at." [Laughter.]

Mr. LODGE. I think the Chair must understand that as well as anybody else, because it is his ruling that has just been voted upon.

The VICE PRESIDENT. No; the Chair does not understand whether, by this vote of the Senate, the Senate has voted not to sustain the original ruling——

Mr. GALLINGER. The present ruling.

The VICE PRESIDENT (continuing). That the order was not debatable, or not.

Mr. LODGE. The Senate has now twice voted that this proposed order is debatable. Of course, we can continue to vote that way.

The VICE PRESIDENT. The Chair does not want to make the Senate vote any oftener than is necessary.

Mr. LODGE. I should not think he would.

The VICE PRESIDENT. The Chair would like to know "where we are at." If it shall be taken by common consent that we are now down to the order, and that it is debatable, it will relieve the mind of the Chair.

Mr. LODGE. Mr. President, if I may be permitted to make a suggestion, we have just voted that the order is debatable.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. ROOT. I understand that one effect of the vote of the Senate just taken is that the Members of the Senate have now the right to debate the appeal from the ruling of the Chair taken by the Senator from Massachusetts. That is my understanding, whatever else may be the effect, that the Senate has reversed the ruling that the appeal of the Senator from Massachusetts was not debatable. I appreciate the force of the Chair's suggestion. How far back that may go is another question, but that we can debate that appeal I suppose there can be no doubt now.

The VICE PRESIDENT. The Chair thinks there is no doubt but that the appeal can be debated; but the trouble in the mind of the Chair is, in order to get the parliamentary situation clear, has not the effect of these two votes been to overrule the decision of the Chair and to bring us down to the question of debating the order? Is not that the next question to be put?

Mr. ROOT. I should suppose that to be the effect; but at all events the appeal is debatable. I wish to say something upon it before the debate is over, but I observe the Senator from Nebraska has addressed the Chair and is claiming the floor, and I do not wish to interfere with him.

Mr. NORRIS. Mr. President, I do not desire to discuss the appeal, but I want to discuss the merits of the motion itself. I have a substitute that I desire to offer when the proper time comes. I have no desire to occupy the floor now.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. I desire to offer a substitute for the motion made by the Senator from Missouri [Mr. REED].

The VICE PRESIDENT. The Chair is going to make another ruling, so that there can be an appeal from it and settle this question and get somewhere. The Chair is going to decide that by virtue of the two votes which the Senate has had on appeals from the rulings of the Chair, the rulings of the Chair that the motion was not debatable have been overruled, and the Senate has decided that it is debatable, and the order is now the question pending before the Senate. If any Senator desires to appeal, he may do so.

Mr. CLARKE of Arkansas. Mr. President, just one word—and that the appeal from the decision of the Chair, which was the pending question, has become obsolete. The effect of the two votes just had is to decide that the present attitude of the Chair will be that the original motion is debatable?

The VICE PRESIDENT. The original motion is debatable, by action of the Senate.

Mr. CLARKE of Arkansas. And is now before the Senate.

The VICE PRESIDENT. And that all intervening questions are now out of the way.

Mr. GALLINGER. And a substitute has been offered.

The VICE PRESIDENT. The Senator from Nebraska offers a substitute, which the Secretary will state.

The SECRETARY. As a substitute for the motion of the Senator from Missouri [Mr. REED], the Senator from Nebraska [Mr. HITCHCOCK] offers the following:

All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber while the Senate is in session until March 4, 1915. They are prohibited from holding secret party caucuses for the consideration of public business. They are prohibited from communicating with the President or Cabinet officers for the purpose of ascertaining how to vote or what measures to support or oppose. They are required hereby, and under the Constitution, to vote in accordance with their own convictions and judgment, and they shall not subordinate them to the decree of secret party caucuses or other outside influence.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, this is no new position for me to take with my colleagues on this side or on the other side of the Chamber, as my colleagues on this side and on the other side of the Chamber know. I felt, when I was elected, that it was to be a Member of the United States Senate, and not to be a member of any particular caucus. I believe that I was sent here as a Senator from Nebraska to transact the public business in a public manner, and to take part in a small way, openly upon the floor of the Senate, in the public discussion of public affairs, and after that discussion had been finished to vote my convictions and not the convictions of any caucus or the wishes of any public official.

Mr. President, I do not think that we on this side who have our convictions about a party caucus have been treated entirely in a candid manner. We are first invited into a "conference" and told that it is to be a meeting for the purpose of enabling Democrats to discuss their various differences upon the pending bill for the purpose of seeing to what extent a common purpose may be reached, and after we have entered such a conference, believing it to be a conference, it is suddenly transformed into a "caucus," and by a vote we are told that we are bound hand and foot and denied the privilege upon the floor of the Senate of either offering amendments or supporting amendments to the question. We are told we have not the privilege of dotting an "i" or crossing a "t," or in any way of altering what the majority of the aforesaid caucus may have decided.

Mr. President, I want to read now, for the benefit of the Senate, something which I had the honor to write on this subject in the Philadelphia Ledger, at the invitation of that paper, something over a year ago. I think possibly it was two years ago. It related to a condition similar to the one which now prevails in the Senate of the United States. I had the honor of giving expression to my views, which I desire to incorporate here in the RECORD, because they were carefully prepared at that time:

It is difficult to overestimate the importance of thoroughly establishing the independence and individual responsibility of Senators and Representatives charged with the duty of legislation. Only in this way can we have representative government.

If Senators and Representatives coming to Washington allow their hands to be tied by a caucus, or permit the President to instruct them how to vote, representative government fails. Those who elect Senators and Representatives have the right to direct how they shall vote, and no one else.

The struggle now going on in the Senate involves not only the independence of the Senator from all control by a party machine, but also his independence from control by a coordinate branch of the Government.

President Wilson is a man of great intellectual force and high moral character, but no man under our system is great enough or good enough to become the whole Government. Our forefathers were afraid to trust to one-man power. For that reason they provided for a Congress to enact, a President to execute, and a Supreme Court to interpret laws. They made each of those three coordinate branches of government independent of each other. They made one a check on the other. This was done for the protection of the people and was a wise precaution.

Every device to secure cooperation while still maintaining independence was resorted to. The President's power to appoint men to office was subject to the limitation that they must be confirmed by the Senate. His power to make treaties was restrained by the provision that they did not become effective till approved by two-thirds of the Senate. Congress was given power to pass laws, the President was given power to veto them, and, finally, Congress was given the power to override his veto by a two-thirds vote. Thus it is evident that in our form of government the Congress is coequal to and independent of the President.

This independence of Congress, however, can not be maintained if individual Senators and Representatives give way under presidential influence and surrender their legislative consciences and individual judgments into his keeping.

When a large number of Senators and Representatives do this and a few stand out in independence, the next step is the secret caucus of party men to be used as a machine to overcome individual independence. In some respects this is even more obnoxious than the other method of destroying the independence of the individual.

It has the effect of transferring from the public forum of the Senate to the secret chambers of the caucus the settlement of public questions which should be debated and voted on in public. It seeks by the compulsion of the secret caucus to accomplish what could not be accomplished by presidential persuasion, powerful as that is.

Now, Mr. President, I utter no word of criticism of the President of the United States. Any man of conviction in his position will use such power as he has to enforce his opinion. The thing that I criticize is the subservience of a coordinate branch of the Government. The thing that I appeal for is that men in the Senate of the United States shall with equal candor and strength stand by their convictions and maintain their judgments.

How can we maintain the independence of the legislative body if men in the Senate vote against their own convictions and merely register the views of some one else not sitting in this body?

Mr. President, objectionable as the caucus may be, when men go into it determined to vote for the things they believe in and thus possibly to bind and control some of their colleagues, it becomes infinitely worse for Democratic Senators in a caucus to vote against their convictions on matters before the caucus and then seek to bind a dozen or more of their colleagues to suppress their convictions also. That is the case now. Democratic Senators having abandoned their own convictions seek to compel their more independent colleagues also to abandon theirs.

And I say it now upon the floor of this Senate solemnly as my belief that not one-half of the Senators upon the Democratic side of the Chamber believe in this bill as it is now before the Senate. Am I to be bound by their votes when I personally know that many of them have not followed their own convictions?

Mr. President, I could dwell long upon the evil of caucuses. I could dwell upon the fact that the debates are so limited; limited to five-minute speeches. So limited that it is impossible to get into the merits of the question, and yet we are to be bound by the results. I could dwell upon the fact that whereas it is in the public interest that public affairs should be treated of in the open, in a caucus they are treated behind closed doors, and it is deemed a matter of disloyalty for a Member to reveal to the public what goes on behind those closed doors.

But, Mr. President, this situation is even more remarkable and more objectionable than the ordinary caucus. The Senator from Missouri [Mr. STONE] here the other day revealed to the Senate and to the public the fact that after the discussion was had in the caucus under the rule of five-minute speeches, as is the general practice, and when it came to the vote only 35 Senators voted to make that conference a binding caucus upon the Members. The Democratic membership is 53, and 35 is not two-thirds of 53. For that reason, in order to make it binding and in order to clamp on the irons, it was necessary for one Senator to change his vote. That situation almost approaches the standard of a comic opera, Mr. President, if it were not so serious. To think that one Senator who had solemnly voted "no" as to whether the bill should be made a party measure reversed his mental processes and voted "yes," and thereby turned the whole Democratic Party over to a new and revolutionary doctrine.

Of what use is it for the Democratic Party to gather in great conventions with a thousand delegates and a thousand alternates if one man in the twinkling of an eye can by changing his mind change the whole doctrine and belief of the Democratic Party? I can imagine—I am not prepared to state who this Senator was; if I knew it I would not probably be permitted to state it—but I can imagine the feelings that surged through the breast of that Senator on that great occasion. I can appreciate his feeling of exaltation over possessing in his hands the power to declare the doctrine of the Democratic Party; to be able to dictate the principles of the Democratic Party; to be able to rewrite the platform of the Democratic Party. Louis XIV said: "The State? I am the State!" and the Senator could say: "The Democratic Party? I am the Democratic Party! and here is the doctrine of the Democratic Party!" Is it expected that we are to accept decisions of that sort as binding in a party measure? The old writer tells us that the three tailors of Tooley Street got solemnly together and resolved that we the people of England decide so and so. That is a very respectable and dignified proceeding compared with this which we are now asked to submit to.

Mr. President, I have risen to my feet this time to make this statement, because I think I ought to enter my protest against the further consideration of this bill under these circumstances. If the filibuster is an evil, and I believe it is; if it is repulsive to me, and it certainly is, it is still more repulsive to me to feel that we are being forced by a minority of the Senate to adopt views that we do not believe in and pass a law that we believe would not be a proper piece of legislation.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I ask to have reported the amendment offered by the Senator from Nebraska, and I desire to offer an amendment to it.

Mr. LIPPITT. Will the Senator yield to me for one moment to ask the Senator from Nebraska a question?

Mr. REED. No; Mr. President, I desire to make this motion, and I decline to yield. I ask to have the amendment read.

The VICE PRESIDENT. The Secretary will read the amendment proposed by the Senator from Nebraska.

The SECRETARY. Substitute for Senator REED'S motion:

All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber while the Senate is in session until March 4, 1915. They are prohibited from holding secret party caucuses for the consideration of public business. They are prohibited from communicating with the President or Cabinet officers for the purpose of ascertaining how to vote, or what measure to support or oppose. They are required hereby, and under the Constitution, to vote in accordance with their own convictions and judgments, and they shall not subordinate them to the decree of secret party caucuses or other outside influence.

Mr. REED. Mr. President, in harmony with the spirit of that proposed amendment, I offer the following amendment to the amendment:

Provided, however, That secret meetings, conferences, and caucuses between disgruntled or bolting Democrats and Republicans or with the proprietors, agents, or employees of any pool, trust, or combination interested in any pending legislation shall not be held to be included within the prohibitions aforesaid.

Mr. LODGE. Mr. President, I make the point of order that that amendment just offered is in violation of the rules of the Senate and the decorum of debate. It imputes motives to Senators, and is clearly out of order.

Mr. REED. Mr. President, it does nothing of the kind. It is a general rule laid down for our guidance in the future. It is proposed here by a rule to prohibit Members from caucuses. It is proposed to prohibit Members from communicating with the executive branch of the Government, as a general rule, and the proposition I make is likewise a general rule, and fits no man whose foot is not exactly adapted to the shoe.

The VICE PRESIDENT. The Chair will rule on the point of order.

Mr. LEE of Maryland. I rise to a point of order.

The VICE PRESIDENT. The Chair can not receive more than one at a time.

Mr. LEE of Maryland. This goes to the other, if the Chair will hear me.

The VICE PRESIDENT. The Senator from Maryland will state it.

Mr. LODGE. I ask that the Chair may rule on the point of order I made.

Mr. LEE of Maryland. The rule under which the original order of the Senator from Missouri was presented is the first clause of Rule V, which deals absolutely with the presence or absence of a Senator and his service in the Senate. I make the point of order that the amendment of the Senator from Missouri to the amendment of the Senator from Nebraska with the amendment of the Senator from Nebraska are not in order as both deal with matters entirely outside the presence or absence of a Senator in the Chamber or his service in the Senate, and that no amendment is in order to this resolution which undertakes to circumscribe the action of any Senator in communicating with any person he may see fit to communicate with or otherwise conducting himself in a manner which may be consistent with the first section of this rule.

The VICE PRESIDENT. Where is the rule upon which the Senator from Maryland bases his point of order?

Mr. LEE of Maryland. That no Senator shall absent himself from the service of the Senate without leave.

The VICE PRESIDENT. The Chair knows that.

Mr. LEE of Maryland. It is rule 5, section 1.

The VICE PRESIDENT. The Senator from Maryland makes the point of order that the proposition is not germane to the original proposition; that only applies to appropriation bills and nothing else in the Senate of the United States. The point of order of the Senator from Maryland is overruled and the point of order of the Senator from Massachusetts is overruled. The rule is with reference to debate.

Mr. LODGE. I simply wish to make a statement that the point of the Senator from Maryland is not to me a surprise at all. He did not understand the point I made. It is not a question of the Chair's decision. I think the amendment offered by the Senator from Missouri is obnoxious to section 2 of Rule XIX, that no Senator in debate shall directly or indirectly by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

That was the point of order I made, that it imputes motives.

The VICE PRESIDENT. The Chair overrules the point of order on the ground that this is not in debate.

Mr. LODGE. The Chair holds that in offering an amendment a motive can be embodied in an amendment?

The VICE PRESIDENT. No.

Mr. LODGE. The rule says "directly or indirectly in debate."

The VICE PRESIDENT. The Chair rules that it is not in debate.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New York?

Mr. ROOT. I supposed the Senator from Missouri had yielded the floor.

Mr. REED. I had risen to address the Chair before the Senator from Massachusetts rose.

Mr. ROOT. I will wait until the Senator from Missouri has concluded.

Mr. REED. Mr. President, I want to say just a word in reply to the remarks of the Senator from Nebraska [Mr. HITCHCOCK]. I shall endeavor to speak in as kindly a manner as I can command. This is what occurred: The present bill was brought forward for action in the Senate. Thereafter a conference of Democratic Senators was called. That conference was called in the usual way, and the usual and ordinary notice was given. There attended the conference a large number of Democratic Senators. More than a quorum answered the roll call. The conference held a number of meetings. At each meeting there was more than a quorum of Democratic Senators present. A number of the Senators who are now appearing in revolt, if I may use the term without being offensive, were present at these caucuses or conferences. They took part in the caucus or conference. The Senator from Alabama [Mr. BANKHEAD] himself offered important amendments. At least one very important amendment offered by him was accepted by the conference.

Mr. CLARKE of Arkansas. May I correct the Senator, so far as I am concerned? I attended the first meeting——

Mr. REED. I spoke of the Senator from Alabama [Mr. BANKHEAD].

Mr. CLARKE of Arkansas. I beg the Senator's pardon. You said they were all there.

Mr. REED. I said a large number were there. The Senator from Arkansas was there and asked to be excused on account of the condition of his health.

Mr. CLARKE of Arkansas. I think the Senator misunderstood me. I announced that this was an important question and I did not want to be misunderstood. I was ill and could not attend. I did not ask anyone to excuse me.

Mr. REED. I do not want to get into a disputed fact with the Senator from Arkansas. He has already stated to the Senate what his recollection is, and I simply state what my recollection is, and we will let it stand at that. My recollection is that the Senator from Arkansas distinctly informed the conference that he was about to consult a physician or that he had consulted a physician, and did not, therefore, feel like remaining; but he also stated that he entertained some question about the wisdom of the bill. However, when he left the conference I had the impression and those who sat about me, as far as they expressed themselves, had the impression that the Senator intended to leave with the conference the determination of what should be done with the bill. The Senator from Georgia [Mr. HARDWICK] was present at one or two of the meetings of the conference. My recollection is that the Senator from Nebraska [Mr. HITCHCOCK]—he is here and can correct me if I am in error—was present at one or two of the conferences.

Mr. HARDWICK. What was the statement of the Senator from Missouri?

Mr. REED. I was simply stating that the Senator from Georgia was present at one or two meetings of the conference.

Mr. HARDWICK. Mr. President, I merely wish to state the circumstances attending my presence. I attended one or two of the preliminary meetings, but when it developed that it was the purpose to make it a binding caucus, and that the bill it might report would probably be one that I could not support, I remained away, sending word to the conference of my fear that I might not be able to support the bill without important amendments.

Mr. REED. First and last, I think every one of the seven Senators who are now out of harmony with the rest of us on this measure was present except the Senator from Mississippi [Mr. VARDAMAN]. I may be in error about that; the record of the caucus will show who was and who was not present.

Mr. O'GORMAN. Mr. President, the Senator from Missouri is in error; and when a Senator finds himself in error as to a statement of fact, although he may have some confidence in his own recollection and insist that he is right, when he is con-

tradicted by several persons, then he ought to suspect the integrity of his own memory.

Mr. REED. Mr. President, I had not been contradicted until the Senator from New York rose to his feet; and, of course, well understanding the temper in which he made his criticism and his present spiritual exaltation, I can understand how he just now regards himself as several persons.

Mr. O'GORMAN. Mr. President, the Senator from Missouri was contradicted by the Senator from Arkansas [Mr. CLARKE]; he was then contradicted by the Senator from Georgia [Mr. HARDWICK], and I contradicted him when I said that he was in error in his recollection of what transpired.

As to myself, in response to an invitation to attend a meeting of Democratic Senators, I remained for about 30 minutes at the first meeting. I then withdrew and never returned. I never recognized the right of any man, be he Senator or holding any other public place, to control my intellectual liberty with regard to a public problem which my constituents expect me to solve according to my own lights.

Mr. REED. Mr. President, the Senator from New York absolutely admits that the statement I made is true, so far as he is concerned. What was my statement? It was a very moderate one, and would not have given the Senator from New York offense if he were in his usual amiable frame of mind. Neither is it a statement that has yet been denied by a single individual. It was that, so far as my recollection went, all of the seven Senators, who are now declining to act with their associates on this side, were present at some meeting of the conference except the Senator from Mississippi [Mr. VARDAMAN]. The Senator from Arkansas verifies that by his statement; the Senator from New York verifies it by his statement; the Senator from Georgia verifies it by his statement. I now desire to correct myself, because my recollection is refreshed, by adding that the Senator from Kentucky [Mr. CAMDEN] was not present; at least I did not see him. So that it stands admitted that all the seven Democrats were present except Senators VARDAMAN and CAMDEN.

Mr. CAMDEN. I was not present.

Mr. REED. Mr. President, what happened at those conferences which were called in the ordinary way and which in usual course adjourned from day to day? We fully and freely discussed the bill. Various amendments were tendered to the bill. Some of the Senators now acting with the Republicans remained a short time and some remained a longer time, but all with the two stated exceptions were there at some time. I think it is true—and I was about to make the statement if the Senator from Georgia had not anticipated me—that word arrived at the caucus—whether it was publicly announced or not I do not know—that the Senator from Georgia was in doubt whether he could go with us to a vote for the bill unless it had certain amendments put on it. I think the Senator from Georgia will bear me out in the statement that he was present and voted upon certain provisions of or amendments to the bill. He was present during the early stages of our deliberations.

Mr. HARDWICK. I think, if the Senator will pardon me, there was one question that was disposed of by unanimous consent in the discussion of which I participated.

Mr. REED. I thought the Senator was there and voted when we increased the number of members of the shipping board.

Mr. HARDWICK. No; I was not.

Mr. REED. However that may be the record will show.

I now desire to address myself, just for a moment, to broader phases of the matter under debate.

Everyone will concede that the Executive has no right to coerce the legislative branch of the Government or to coerce or cajole any Member of the legislative branch. So far as I am concerned, I know of no attempt whatsoever to place any coercion of any kind upon any Member of the Senate with reference to this bill or any proceeding connected therewith. Neither do I know of any attempt to influence or control the action of the Democrats in conference assembled. I do not believe anybody else knows of any such effort. If such there be, I invite him now, in my time, to make known the facts on the floor of the Senate.

The President recommended legislation of this character in a message to Congress. I have no doubt that in incidental conversation with Senators he may have mentioned the bill. He may have sought to promote by private conversations that which he had publicly and officially recommended; but I think no man will rise to say that by any improper act or word has he interfered.

Mr. LIPPITT. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. REED. I yield for a question.

Mr. LIPPITT. I should like to ask the Senator from Missouri if he does not think that the challenge which the President made in his Indianapolis speech to any of the Republicans to oppose him was improper interference?

Mr. REED. Oh, Mr. President, the President of the United States went out to Indianapolis and made a speech——

Mr. LIPPITT (interrupting). Or a break.

Mr. REED. The Senator from Rhode Island says "or a break." Well, possibly, it was a break—a bad break for the standpat element of the Republican Party. It almost broke their hearts; and they have been uttering lamentations ever since.

Mr. GALLINGER. But we still live.

Mr. REED. Yes, you still live; and so does Satan; likewise sin and the elements of evil continue to exist and sometimes appear to prosper.

Mr. LIPPITT. I have no doubt the Senator from Missouri is perfectly familiar with that particular thing, so that he can answer for him.

Mr. REED. I am quite familiar. I have been a close observer and I have learned that Beelzebub and his brood generally wear the smiling countenances of self-contentment and often of self-righteousness.

I now resume the thread of my remarks at the point of interruption. Mr. President, there occurred in the Democratic conference nothing outside the ordinary unless it was that at the final meeting, instead of a radical difference of opinion existing among those who were present, there was an almost absolute unanimity of judgment; only one member voting in the negative. That gentleman, however, stated that while he cast his vote against the bill, he merely did so in order to record his personal preference. But he plainly stated he intended to yield his personal preference to the overwhelming judgment of his brethren in the caucus, recognizing, as every candid man must recognize, that no individual in the Senate can have his way in regard to everything; neither can he expect to have his way in regard to all matters covered by any bill. So that this Senator simply yielded his preference to the judgment of his associates. Therefore, I say there was nothing remarkable or unusual in this conference, except its unanimity of opinion.

Mr. O'GORMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New York?

Mr. REED. I do for a question.

Mr. O'GORMAN. The suggestion as to the unanimity that prevailed in the caucus prompts me to ask the Senator from Missouri if a motion was not made in that caucus permitting the United States Government to engage in the coastwise trade with the vessels it might purchase, and whether that motion was not voted down, thereby preventing the ships owned by the United States Government under this proposed act from encroaching upon the preserves of the only Shipping Trust in this country?

Mr. REED. Mr. President, the interrogatory does not bear any relation to the question of unanimity, but since the Senator has asked it, I reply that a motion was made of that character, and some of those who were most reluctant to give their support to the bill, and I think one or two who are now voting with our Republican brethren on the other side, voted in the caucus against permitting any ships the United States might acquire to engage in the coastwise trade. I shall be glad, with the consent of the chairman of the caucus, to put that vote in the RECORD. I can assure the Senator from New York that, so far as I was concerned, I not only voted to permit the ships, however or wherever acquired, to engage in the coastwise trade, but when that proposition was defeated I offered an amendment to permit those vessels which were built by the United States in American shipyards to engage in the coastwise trade. That amendment was unanimously accepted.

Mr. President, if I am not further interrupted, I shall be able to conclude what I have to say in a very few words.

This has been from the first a Government of political parties. I say without qualification that it is my opinion that when it ceases to be a Government by political parties the liberties of the American people will be well-nigh at an end. There are certain great forces in this world that are always in combination, that are always active, that always move in concert. Whether they are bound by actual agreement or are held together, to adopt a threadbare phrase, by "the cohesive power of public plunder," they are, nevertheless, constantly acting together. They sleep neither day nor night; they are actuated by the motive of profit. I make no bitter assault upon them; I simply state the facts. The only force that can meet and control and, when necessary, overthrow those great interests is a force of men. The only way a body of men can be made

effective is to bring them together in some kind of organization. The moment you begin organization of men, you necessarily require the surrender of many individual preferences and the subornation of personal opinions. The question was well stated by the Senator from Kentucky [Mr. JAMES] a few days ago.

I question whether there has ever been a political platform written by a convention where a majority of the delegates were contented with the entire platform. I question whether there has ever been a political platform yet that, if you had submitted it to the individual opinion of the delegates, you would not have found that 95 per cent of them took exception to some part of it or would have added to or subtracted from it. Necessarily, when you go into a political convention, you do so for the purpose of trying to concentrate the minds of the delegates upon a few propositions; and that necessarily means that mutual concessions must be made. Now, we carry that platform to the people of the Nation and ask the support of millions of voters. It is absolutely unthinkable that all the men who vote for a party approve every part of its platform or that it expresses their exact ideas. Accordingly the members of political parties, from the leaders to the rank and the file, must compromise and must yield. And, finally, bearing the commission of a political party, Senators come here and, sir, it is the duty of those who come here bearing the warrant and badge of authority from a constituency to carry out the will of that constituency as it has been expressed. When Senators come here they come as accredited agents of great political parties, and they step at once into an organization which already exists.

Every Democrat who is elected to this Senate becomes, by virtue of his election, a member of the Democratic organization in the Senate. He becomes ipso facto a unit in the party council, namely, the Democratic conference or caucus. By that party conference, or by those whom that party conference selects, he is even assigned his very seat in this body. From it he receives the quarters in which he makes his offices. He owes to that organization his position on every committee on which he serves. If you deny the right of the caucus to exist, you thereby deny the right of party council; you deny the right or opportunity to arrive at a common opinion; you destroy utterly the power of our party to move en mass. When you have destroyed the power of a party in Congress to so move you have also destroyed the power of the sovereign voters of the United States to unite in the accomplishment of their desires. This is so because the people can not be heard as individuals. They can only speak through their representatives in the Congress of the United States, who assemble from all parts of the land in obedience to the votes of men who, believing alike and acting in concert, send their agents here to also act in concert in carrying out their mandate. When you have denied the people that kind of representation you have deprived them of the power of self-government. I repeat that it is only through the two branches of the National Legislature that the people can engrave upon the tablets of the law the principles in which they believe. If, therefore, these representatives, selected by voters who have a common belief, insist each in going his own way, refusing to act with his party associates, the party and its principles go to ruin and the arms of the people are paralyzed.

Now, sir, we had a party conference. It was duly called. It was largely attended. The debate was free. The vote was decisive. If any Senator felt in his heart that the action of the caucus was violative of the Constitution, or that its support involved the breach of pledges made by him to his constituency, or that the caucus mandate put an outrage upon his conscience, I grant to that Senator the right not to be bound by the caucus. But, sir, there is one thing he ought to have done; he should have notified the caucus plainly and unequivocally that he did not intend to be bound by its action. He should have stated his reasons, and should have withdrawn from its deliberations. There is no middle ground; neither should any man too lightly leave his party council.

Mr. President, I did not rise to say anything bitter, and I believe I have not done so. I have not sought to widen the breach that already unfortunately exists within our party. I hope that I have not wounded the sensibilities of any Democratic Senator.

What I have said was called forth by the bitter arraignment of the Democratic conference by the Senator from Nebraska. Especially do I deny his statement that the policy of our party upon this bill was determined by the vote of one man in the caucus. I assert that the policy of the party at the present time in the Senate is being determined by the unanimous vote of the Democrats who attended the party conference at its final meeting. That final meeting was attended by two-thirds of all the Democratic Senators.

Moreover, it is an utter mistake to assert that this bill does not meet with the approval of the great majority of the Democrats on this side of the Chamber. It is, perhaps, true that each individual Senator would, if he had been charged with the sole duty of writing this bill, have prepared it in a form somewhat different from that in which it now appears. But the same assertion could be truthfully made of every bill pending in Congress. But upon the main principles of the pending bill I believe there is as much unanimity of opinion upon this side as I have ever seen.

The protest made by our friends can not be justified upon the ground that the party conference was guilty of any irregularity, that it was guilty of any coercion. It can not be justified upon any other grounds save those the Senator from Georgia undertook to put forward, namely, that he believes that the constitutionality of the bill is doubtful, and that he feels he has made pledges to his people contrary to the provisions of the bill. The reasons advanced by the Senator from Georgia have been put forward by no other Democrat who attended the caucus.

Questions of "conscience," "constitutionality," and "pledges" every man must settle for himself and must answer for to his constituency.

But, Mr. President, I am unwilling that my party shall be arraigned because the Senators here representing it went into a conference. Neither shall I permit to go unchallenged the charge that that conference brought forth an outrageous bill, nor that by outrageous methods the caucus has sought to force a wicked bill down the throat of the party and the country. That is, sir, not the situation.

Those who have seen fit to part company with us on this bill must justify their conduct upon some other ground than improper, unjust, or coercive conduct of the Democratic conference.

Mr. O'GORMAN. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. O'GORMAN. Mr. President, I might be charged with extravagance of speech if I said that the performances of this body in the last week are a sad commentary upon the futile and ineffectual efforts that have been made to promulgate and adhere to a program of legislation. If it should be described as a burlesque on representative government, there would be much to justify the use of that language.

The most extraordinary and revolutionary methods are invoked, whereby the views of a supposed majority are to be imposed upon the people of the country. Is the procedure wise? I think not. I know of no demand for this legislation. The question was never discussed by the Democratic Party, and the principle contended for never found utterance in a Democratic platform; and yet from somewhere came the suggestion that this legislation must be passed, and there were a number—a sufficient number, perhaps; certainly a large number—on this side of the Chamber who, irrespective of their own opinions regarding the merits of this legislation, were willing to respond to the wishes or the commands of influences beyond this Chamber; and it is now proposed that, in order that this bill shall be enacted into law, every Senator shall remain in the Chamber during long sessions of perhaps 24 hours each from now until the 4th day of March. As a Democrat, I wish to say to my friends on this side of the Chamber that they are assuming an awful responsibility to the people of the country in attempting to coerce legislation of doubtful value by the employment of these extraordinary and unprecedented methods. Orderly administration of a legislative program in a short session would see to it that the appropriation bills were passed—those necessary, vital pieces of legislation which are essential for the maintenance and support of the Government; and at an early stage of this session the Democrats were almost unanimous in their judgment that that was the course that should be pursued—to pass the appropriation bills—and then if there should be any time left that it should be devoted to the consideration of this ship-purchase bill or any other legislation. I venture to assert that that change in the Democratic program in this session was not made at the suggestion of a single Democratic Senator. The command came from without the walls of the Capitol to pass this ship-purchase iniquity before the appropriation bills should be submitted to the Senate of the United States for its consideration.

I sometimes think, Mr. President, that I am unfortunate, because temperamentally I find it impossible to do what so many other men do—complacently surrender their intellectual liberty. I can not crook the pregnant hinges of the knee that thrift may follow fawning. I, sir, come from a State the people of which commissioned me to represent them in this body, and I deny the right of any man or of any group of men, however high or poten-

tial may be their influence in this country, to tell me that I must be recreant to my solemn obligation to 10,000,000 people; that I shall not represent them as I think proper, but that I shall allow my conduct and my vote on public questions to be dictated by others. The Democratic Party for years has been denouncing caucus rule. The secret caucus had become so odious and infamous that during all the time I have been in the Senate, until a few days ago, no Democratic Senator would admit that the Democratic Senators ever held a caucus. When we did meet, it was insisted that we simply held conferences for the mutual exchange of views, with the object of composing differences and bringing about a common understanding. Well, Mr. President, if the party has fallen on evil days and is now willing to resort to those pernicious practices which it has condemned for years, it will not affect my conduct, because while I am in this body I shall be a Senator of the United States, responsible alone to my own State and to my own conscience. What is there in the career or antecedents of the men who would dictate our conduct that would justify or incline me to yield to their views? Are they more familiar with public questions? Are they more devoted to the public weal? Have they a vision of public needs beyond that of the rest of us? I think not. If it is necessary to reassert it, I declare that I shall never, in a matter of principle, allow a caucus or a conference or a group of men to tell me how I must vote. If it is a matter regarding the routine of party policy, not involving vital principle, I shall of course do what the majority of my party colleagues think proper, because in doing that I do not offend my own conscience.

Mr. President, the situation of the Democratic Party at this time may well excite the anxiety of those who love the party and have always supported its candidates and principles. The likelihood of New York State remaining in the Democratic column is doubtful, and if you would remove the last lingering hope of success let it be known to the people of that State that in a secret caucus, behind closed doors, there will be 28 Democratic Senators representing a voting population not greater than the population that I as a single Democrat represent, and that by the operation of caucus rule 35 Democratic Senators can bind the representative of the State of New York hand and foot. How long do you think that the people of that State will support the Democratic Party if it avows its belief in such principles?

Mr. President, 14 States, having 2 Democratic votes each, have a voting population only equal to the voting population of New York. A two-thirds vote in the Democratic caucus is 35. The vote of New York, as I have said, represents a voting population equal to that of 14 other States, which 14 States will have a representation in the caucus of 28 votes.

In 1912 the total vote cast by Alabama, Arizona, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, Montana, Nevada, Oregon, South Carolina, Tennessee, and Virginia was 1,486,688, and in the same election the total vote of New York State was 1,471,695. The vote in detail is as follows:

Vote in 1912.

Alabama	117,888
Arizona	23,722
Arkansas	123,859
Florida	51,891
Georgia	121,533
Louisiana	79,372
Maryland	231,978
Mississippi	64,319
Montana	79,826
Nevada	20,115
Oregon	137,040
South Carolina	50,348
Tennessee	247,821
Virginia	136,976
Total	1,486,688
New York, whole vote 1912	1,471,695

Is it fair or is it right that when the State of New York, or any other State, large or small, sends its representative to the United States Senate his judgment of public questions is to be suppressed because there is a majority of Democratic Senators in a secret caucus who decide upon something else? Is this representative government?

When has this become Democratic doctrine, I ask? Is it believed that the Democratic Party of the country will support it? I am confident that when the time comes it will repudiate it and repudiate the self-annointed leaders who declare such a doctrine.

Mr. President, nothing is so distasteful to men of principle and of decency as to find men in public life imputing, without the slightest foundation, some personal influence or motive to those with whom they disagree. Among gentlemen outside of the Senate it would be regarded as a cowardly thing, because no brave man will impute to another a base motive unless he has reason to believe it. I pay the Senate no great compliment when I suggest that the standards of conduct which are observed among gentlemen in the world, that are found among men in the world, should, at least, be respected within the four walls of the United States Senate.

Every now and again during the discussion the past week some Senators—fortunately I do not think the number exceeds three—have been tempted to throw out a subtle hint as to the possible activities of the so-called Shipping Trust. I shall not retort in kind. I despise personalities, and I refrained from making some remarks a few days ago lest under the provocation I might offend the rule, which should be respected by every Member of this body.

So far as I am personally concerned, however, I feel at liberty to call the attention of the Senate to a few things that have transpired in this body within the last two or three years. In August, I think, 1913, in the two or three months about that time we were engaged in the discussion of a bill to repeal the free-tolls provision of the Panama Canal act. My attitude on that question was well known to my colleagues and to the country. But what are the facts, so far as they are pertinent to this discussion? During the last Congress of Mr. Taft's term an act had been passed for the control and government of the Panama Canal. It provided that vessels engaged in coastwise shipping might go through the canal free of tolls, but, then, it excluded from the use of the canal all the trust-controlled vessels employed in the coastwise trade. In an investigation made in the House of Representatives it was shown, as I have stated more than once, although the accuracy of my statement with respect to the percentage has been questioned, it was shown, according to my recollection, that 92 per cent of the vessels engaged in the coastwise trade in the United States were owned or controlled by the railroads of the country or by large shipping combinations operated in disregard of the Sherman antitrust law.

Therefore, the benefits of the free-toll exemption could apply only to the 8 per cent which represented those who were engaged as independent operators in the shipping trade. While the entire number of craft engaged in the American coastwise trade was 26,000, by this process of exclusion and elimination it was estimated by the Commissioner of Navigation that there would be but 33 ships in the American coastwise marine available for use through the canal. Largely, it was said, through the insistence of the great railroads of the country and of the shipping combinations, which were denied the benefit of the free-toll exemption, an agitation was begun to deprive the independent shipowners of the toll exemptions. They succeeded in this body, and at least two of the three Senators who have been shrieking Ship Trust here the last week or so voted to prevent the independent shippers owning the 33 ships from enjoying that advantage through the Panama Canal. While this was a victory for the Shipping Trust, I do not intend by this reference to disparage the gentlemen who contributed to the result. They were doubtless animated by patriotic motives, but their conduct might well be assailed if other Senators were as careless in the use of uncomplimentary language as they have been.

More recently, in August of last year, a month after the foreign war began, we had a bill for consideration providing for an emergency ship registration. It was well known that we had no ships in the over-seas trade. Our coastwise trade is perhaps the largest and the most profitable in the world, but we had not to exceed 16 ships flying the American flag in the over-seas trade of the Atlantic and of the Pacific.

When the war began it was deemed necessary to enlarge as far as possible our over-seas marine. It was known that ships with a net tonnage of almost 1,000,000 tons, built in foreign shipyards, were owned by American citizens and were flying foreign flags. In order to induce those American citizens to bring their ships into the American marine and to fly the American flag certain exemptions in the navigation laws were made for their benefit, and as a result of that legislation about 50 per cent of the foreign ships owned by American citizens are now flying the American flag.

The bill as it left the Senate differed slightly from the bill as it came over from the House, and in conference it was decided by a majority of the conferees that it would improve the legislation by adding to the bill the provision that foreign-built vessels might also engage in the coastwise trade if registered pursuant to the provisions of the act within two years from its passage.

The act as it passed the Senate and the House provided that these foreign ships owned by American citizens should only engage in the over-seas trade. But, as I have said, only 50 per cent of those ships have come under our flag, and it was thought that they would all come into our service if we offered to them this additional inducement that all those who

come in within two years might also be permitted to engage in the coastwise trade. The recommendation to embrace that provision in the bill came back to this body in a report signed by myself as the chairman of the conference and the distinguished Senator from Louisiana [Mr. THORNTON], the junior Senator from Tennessee [Mr. SHIELDS], and the senior Senator from Idaho [Mr. BORAH]. What happened to that provision when it came back? What happened to the conference report? It was said that the Shipping Trust—the Shipping Trust that was condemned by the first Panama Canal act, the Shipping Trust which was helped by the repeal of the free tolls—came down to Washington and after two or three days of its activity the almost unprecedented thing was done, that a conference report coming back to the Senate was rejected by the Senate because of the provision that American citizens owning foreign ships should be permitted to use them in the coastwise trade.

Of course, from the beginning of the Government the coastwise trade has been a monopoly in the sense that only American-built ships have been permitted to engage in it, and this monopoly could be effectually destroyed if foreign-built ships were permitted to engage in it.

As I have stated, it is the result of the examination and investigation made in the House of Representatives that 92 per cent of this monopoly is now controlled either by the railroads or by ship combinations conducted and operated in disregard of the antitrust law.

Where did these two or three Senators who now say that the action of the Senate a few days ago is a great victory for the Shipping Trust stand when the proposition came up? I know where the senior Senator from Missouri stood. He said with one of his profound utterances:

> I think foreign-built ships ought to be permitted to engage in the coastwise trade, but at the same time I shall not vote for that now.

It is fair to say to the junior Senator from Missouri that at that time he voted to allow foreign-built ships to engage in the coastwise trade, and it was not the first time that the junior Senator from Missouri had indicated his attitude on that question.

I took the liberty of asking the junior Senator from Missouri a little while ago, when these revelations were being made, as to what took place in this so-called Democratic caucus, if a proposition was not made in that caucus that the United States Government under this act should be permitted to operate in the coastwise trade the foreign ships that it purchased. Such a proposal was made, and by a very decisive majority it was voted down in this secret caucus which we are commanded to respect.

Senators, do you recognize the importance of that? It means that while under this bill you authorize the United States Government to expend ten or fifty or in time perhaps a hundred million dollars for the purchase of ships, yet under this bill by decree of a Democratic caucus the United States Government itself is prohibited from entering into its own coastwise trade. That surely is a victory for the Shipping Trust. Who is to be benefited by that prohibition? Will the people of the country be benefited? Will the Government be benefited by placing that restriction upon its use of its own ships? Is it not a betrayal of the rights of the American people when you exclude Government ships from our own coastwise trade?

Mr. REED. Mr. President——

Mr. O'GORMAN. Will not the benefit of this exclusion come to those interests which are believed now to be all powerful in the coastwise trade?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Missouri?

Mr. O'GORMAN. I do.

Mr. REED. The Senator asked me about the vote in caucus on the proposition to admit to coastwise business all vessels that might be acquired under the act, and I replied to his interrogatory that a proposition of that kind had been defeated and one had been adopted permitting the entrance into the coastwise trade of those vessels acquired under the act which were built in American shipyards. I stopped with my statement at that point. I should have said that there were many in the caucus or conference who gave as their reason for not admitting all the vessels that might be acquired under the act to the coastwise trade that the bill already had concentrated against it a tremendous opposition, and that if it were so framed as to admit all vessels which might be acquired under the act the result would be that the coastwise interests would exert themselves to such an extent as to prevent, or at least make more difficult, the passage of the bill.

Some who advocated and who voted for the limited language adopted did so upon that ground, whereas some others voted for the limited language because they were, in fact, opposed to the Government having the broad right to enter its vessels in the coastwise trade and preferred what they regarded as the lesser of two evils. Of course the Senator knows what my position has been for a long time, namely——

Mr. O'GORMAN. I do.

Mr. REED. Namely that I would open the coastwise trade of the country to the ships of all nations so that the trust would be confronted by a real competition.

Mr. O'GORMAN. Mr. President, a little while since my friend the junior Senator from Missouri seemed to discover some manifestations of irritation on my part and he attempted, I think, to diagnose the cause, but he failed. The fact is I had not fully recovered from the effect produced on my mind by hearing the Senator, when he offered his substitute for the amendment offered by the Senator from Nebraska, speak of disgruntled Democrats and convey the suggestion that neither they nor the Republicans should confer with the representatives of any special interest. I have said enough, I think, to let the Senate, surely to let the country, know where the lobby, if there has been one, has been most effective. The American Shipping Trust has nothing to fear from this product of the Democratic caucus.

The statement made by the Senator from Nebraska to the effect that the Executive had unduly interfered with the deliberations of Congress met with some sort of a contradiction or denial from the junior Senator from Missouri. Well, the country knows whether or not there is anything to support the statement made by the Senator from Nebraska. The President of the United States, who is a frank and honest man, does not conceal the fact that in legislation he has resorted to every means which he considered legitimate to impose his will upon the Congress of the United States, notwithstanding the tradition that has come down to us from the fathers that our Government consisted of three independent departments—the executive, the legislative, and the judicial—and that neither was to intrench upon the prerogatives of the other.

I say now that there would be as much propriety in a President of the United States invading the judicial department as there would be in his domination of the legislative department; there would be just as much propriety if the President of the United States were to send for the Chief Justice of the Supreme Court and ask him to come to the White House and discuss a pending case as there would be if he were to send to the Senate and command some of the Senators to go down and take their orders as to what they should do in this body. The Senate can not be independent so long as it supinely yields to Executive dictation. Opinions may differ with regard to these views to which I now give expression, but as a Senator I feel no restraint in giving voice to my fixed conviction on this subject.

The Constitution imposes duties upon the President, as it imposes duties upon the Senate; but the Constitution has fixed limitations upon the exercise of the Executive prerogative, which are more honored in the breach than in the observance. While no one will impeach the high purpose and the patriotism of the President of the United States, as was said here a day or two ago, even his most sycophantic follower will not say that he is infallible. I know nothing in his training or experience that should incline the representatives of the sovereign States in this body to surrender to him or any other official their deliberate judgment regarding public policies and public problems.

I do not agree with the majority of my colleagues with respect to certain fundamental phases of the pending legislation, and whenever I am confronted with the necessity of either accepting the judgment of my colleagues or my own, I beg to assure the Senate that my judgment will control. I court no man's favor and fear no man's frown. I know my duty and dare discharge it as I think proper. I recognize no master but my own conscience, and no influence, official or otherwise, is powerful enough to make me recreant to my obligations to my State and to the Nation.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). The Senator from Colorado.

Mr. SHAFROTH. Mr. President, the motion that is pending before the Senate is with relation to compelling the attendance of absent Senators. An amendment has been offered to that proposition by the Senator from Nebraska [Mr. HITCHCOCK]. I regret very much indeed that such an amendment has been presented. It can have no tendency except to prevent the Members upon this side of the Chamber from making any future attempt to get together on legislative matters. I regret exceedingly the presentation of the amendment by the Senator from Missouri [Mr. REED] to the amendment of the Senator from Nebraska, because it can not help but also emphasize the differences between the seven Democrats and the remainder of the Democrats in the Senate. We can not have a cohesive party; we can not pass legislation in this Chamber; we can not enact Democratic legisla-

tion unless a better spirit prevails than that which has recently been manifested upon this side of the Chamber. It seems to me that the sooner we realize that the better off we shall be in the way of getting legislation.

I must say, Mr. President, that I have deplored the tendency of Members upon this side of the Chamber to denounce other Democratic Members. It does no good. We must remember that these men are acting according to their consciences, and, consequently, we have no right to substitute our views as a full determination for their line of action. At the same time I deplore exceedingly that those Members should also have cast reflections upon various other Members upon this side of the Chamber. It all tends to disintegration, not to construction; it tends to prevent, and not to construct, legislation.

Mr. President, I have regretted exceedingly the use of the word "trust" as it has been uttered by some of the Members in this body, implying an improper influence as to this legislation, because you can make an accusation of that kind upon any proposition which may arise. I care not which side you take on any legislative question, there are always some men or corporations that are interested in enacting or defeating the legislation. If we are going to have any legislation during this session it becomes necessary for us to agree in some way with the Members upon this side of the Chamber. It seems to me that we ought to try to get together; and I feel that the seven members of the Democratic Party who have departed from the line of action which has been proposed by the majority should present a proposition to the majority of the Democrats as to what amendments they would be willing to accept to this bill. This bill does not involve any fundamental principle.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New York?

Mr. SHAFROTH. I yield to the Senator from New York.

Mr. ROOT. The question I wish to ask the Senator from Colorado is, Would it not be appropriate for the remainder of the Senate to retire while this proposition is presented to the Senate?

Mr. SMITH of Arizona. You usually do that, and why not do it now?

Mr. SHAFROTH. No; the Senator from New York knows full well that legislation can not be enacted by a party elected to power unless there is some kind of cooperation among the members of the party. It is impossible to construct legislation in line with any principle unless there is cohesion; and while there ought to be a liberality with regard to those who enter caucuses or who become members of conferences, yet it seems to me it is necessary to have cooperative action.

Mr. President, as to this measure the discussion has been almost entirely upon the assumption that it will involve the governmental ownership of transportation lines. The bill has been discussed as if the theory has been for the Government to own all transportation lines. That is not the case, according to the provisions of the bill. There is nothing in the bill to indicate any such policy upon the part of the Government or upon the part of those who are advocating it. It is one thing to say that you believe in Government ownership of all transportation lines, and an entirely different thing to say that you believe in the governmental ownership of one transportation line to regulate traffic and to regulate the rates that may be charged by other transportation companies. Especially is that true when the effect of a great war is confronting us. War prevails, and it is engaging the great European powers. That conflict affects our commerce for the time being, so that, in addition to all other considerations, this bill becomes an emergency measure. It seems to me that when Senators seriously talk about governmental ownership of all railroads or governmental ownership of all transportation lines of ships, they can not find sanction for such an extreme construction in the provisions of this bill. The idea is simply that the Government, under certain contingencies, may become the owner of one line.

Some say that the amount of charges levied by the shipping companies are exorbitant; some say that the rates are justified by reason of the risk incurred and by reason of the dangers that the ships meet when they go out on the high seas. No matter what the reasons are, the rates are high; no matter whether they are 200 or 1,000 per cent higher than heretofore—and it has been stated here that in some instances they are 1,000 per cent higher—they are abnormally high; and if a line of steamers can be purchased or a line can be built and operated that will have a tendency to bring down the rates, it will unquestionably be to the benefit of the people of the United States to have that done. I apprehend that if the United States owned a line of ships, and it was known that they belonged to the Government, there would not be a foreign nation, belligerent or otherwise, that would ever attempt to interfere with transportation on that line. That being the case, Mr. President, it seems to me that the theory that it would plunge the Nation into the governmental ownership of all railroads and of all shipping lines is not, and can not be, drawn from the provisions of this bill.

But, Mr. President, the question that is before us now is a question even higher than that. The question before us now is a question as to whether this legislative body can proceed to legislate; and that, of course, is more important than any bill. In my mind, there is a solution for the difficulties under which we labor and for the obstacles with which we are surrounded, and that is the adoption of a cloture rule—not such a cloture rule as the House of Representatives has, but a cloture rule that would limit each Senator, say, to two hours of debate upon each bill, including all his remarks upon amendments thereto. That would make this body the greatest debating body on earth; it would elevate the tone of our discussions, and the debates would be listened to with marked interest by all the people. The man who can not in two hours give the strongest reason for the adoption or rejection of a measure is certainly not a cogent reasoner and is simply wasting his time.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. SHAFROTH. Certainly.

Mr. NORRIS. I agree with what the Senator has just said, and I want to say to the Senator that as soon as these preliminary motions have been disposed of I have a resolution similar to the one he has outlined, which I expect to offer as a substitute or as an amendment, as the parliamentary situation may develop, to the particular rule that is pending. I judge that I will be helped by the Senator to secure its adoption.

Mr. SHAFROTH. I will state to the Senator from Nebraska that I have always been in favor of a limited cloture rule, and I believe that ultimately it is bound to come.

Mr. NORRIS. Has the Senator read the proposed rule which I gave notice I would offer?

Mr. SHAFROTH. I am sorry I have not, because if it is along that line I must say that I will appreciate it.

Mr. NORRIS. I should like to ask the Senator, further, if he will permit me, if he does not think that now is a good time to offer as an amendment a rule that will bring about such a procedure?

Mr. SHAFROTH. I do not see any objection to it.

Mr. NORRIS. I am glad to hear that.

Mr. SHAFROTH. If it will produce that result, it seems to me that it would be good. Ultimately, Mr. President, cloture is bound to be adopted by the United States Senate. We can not proceed in the manner that we have, blocking legislation, without ultimately forcing the adoption of some system of cloture. I introduced, nearly two years ago, a constitutional amendment, which I have endeavored a number of times to get up for consideration in this body. That constitutional amendment would, to a certain extent, solve the question of filibustering.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. SHAFROTH. I yield to the Senator from Missouri.

Mr. REED. Mr. President, it is perfectly manifest that there is a disposition to discuss this motion at great length to the exclusion of the bill itself. In view of that fact, not because I yield the principle contained in the measure, but because I want the shipping bill to be considered, I withdraw the motion I made.

The PRESIDING OFFICER. The amendment?

Mr. REED. I withdraw the original motion and my amendment thereto.

Mr. SMOOT. Mr. President, I will say to the Senator that I doubt very much whether he can withdraw an original motion after it has been amended.

Mr. REED. It has not been amended.

Mr. SMOOT. It has been amended by the Senator from Nebraska, and there has also been an amendment offered to the amendment of the Senator from Missouri. It can only be withdrawn, as I understand, by unanimous consent, Mr. President.

Mr. REED. Mr. President, the motion has not been amended. There has been an amendment offered, but no amendment has been adopted.

Mr. SMOOT. That is what I intended to say, of course.

Mr. FLETCHER. Mr. President, Rule XXI covers the matter. It provides that—

> Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

The mere offering of an amendment is not an amendment.

Mr. SMOOT. The amendment has been offered, Mr. President.

The PRESIDING OFFICER. The Chair recognized the Senator from Missouri, and he has not yielded yet to anyone. The Senator from Missouri has the floor. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. Mr. President, it is always an understood thing in the Senate that no one is required to yield to the Senator from Utah; everybody gets out of his way.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. REED. I simply was about to read the rule which has been presented by the Senator from Florida, and I insist that it covers the case.

Mr. SHAFROTH. Mr. President, I want to say that I have the floor; but if the Senator from Missouri is going to withdraw the amendment or the resolution which he has introduced I care no further to occupy the time of the Senate.

The PRESIDING OFFICER. The Chair understood that the Senator from Colorado yielded to the Senator from Missouri.

Mr. SHAFROTH. I yielded simply for the purpose of letting the Senator from Missouri make a motion; that was all. He asked me to yield for that purpose.

The PRESIDING OFFICER. Does the Senator from Colorado now yield the floor?

Mr. SHAFROTH. I yield, with the purpose of taking it again if the amendment still remains for discussion.

Mr. SMOOT. Mr. President, may I now be recognized?

The PRESIDING OFFICER. The Senator from Utah will be recognized for five minutes for the purpose of advising the Chair concerning his views of the construction of the rule.

Mr. SMOOT. In the first place, then, Mr. President, I want to call the attention of the Chair to the rule at the bottom of page 9 of the Manual:

> It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

Now, to return to Rule XXI, invoked by the Senator from Florida. It is under the head of "Motions," and paragraph 2 particularly states:

> Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Mr. President, there is no question but that an amendment has been offered to the motion made by the Senator from Missouri; and Rule XXI, the very rule that is invoked, in paragraph 2, says specifically that that can not be done.

Mr. President, notwithstanding that the Senator from Missouri was out of order, and that it was the duty of the Chair to state that the Senator could not interrupt the other Senator for that purpose, which he did, Rule XXI of the rules of this body is against withdrawing a motion wherever there has been an amendment offered to it.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state his parliamentary inquiry.

Mr. BRANDEGEE. Had the yeas and nays been ordered on the amendment proposed by the Senator from Missouri [Mr. REED]?

The PRESIDING OFFICER. The present occupant of the chair is advised that the yeas and nays have been ordered upon the amendment offered by the Senator from Missouri.

Mr. BRANDEGEE. Then how, under Rule XXI, could he withdraw it? I have no objection to his withdrawing it; but I——

Mr. REED. I did not understand, Mr. President, that the yeas and nays had been ordered upon the motion or upon either of the amendments.

Mr. BRANDEGEE. I understood they had, and that is the reason why I asked the question.

Mr. REED. Mr. President, in order to avoid an interminable discussion I ask unanimous consent to withdraw the motion.

Mr. SMOOT. To that, Mr. President, I object.

Mr. REED. Very well. Now, Mr. President, I move that I be permitted——

Mr. GALLINGER. No; you can not do that.

Mr. REED (continuing). To withdraw the motion.

Mr. SMOOT. Under the rule that motion is entirely out of order.

Mr. GALLINGER. Absolutely.

Mr. REED. I move to lay the motion and all amendments on the table.

Mr. SMOOT. Mr. President, may I say just a word on that?

The PRESIDING OFFICER. No.

Mr. WILLIAMS. I rise to a point of order, Mr. President. A motion to lay on the table is not debatable.

The PRESIDING OFFICER. The motion is to lay the motion and all amendments on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WILLIAMS. Everybody who is personally acquainted with the Senator from New York [Mr. O'GORMAN] is fond of him in a personal way. He is genial and congenial. He has been a judge of a great court in a great State, and yet this morning he has undertaken to say that the President of the United States was not a part of the legislative body of the United States. If that opinion had come from somebody who had never studied law at all or, having studied it, knew no law, it would not surprise anybody.

Mr. President, the President of the United States is a part of the legislative power of the United States. He is made so by the Constitution itself. In the first place, there is conferred upon him the power to veto a legislative act. He is thus two-thirds of the legislative as a final arbiter in final analysis. No legislative act can become a law without his cooperation; therefore a President of the United States who was opposed to a bill pending in Congress to the extent that if passed he would veto it would be merely wasting the time of the Congress and of the people of the United States not to permit that fact to be known.

The Constitution further provides that he shall—

> from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

In addition to the fact that the President of the United States is, by our Federal Constitution, made a part of the legislative power of the United States, it is also true that he is a citizen of the United States and has the same right to talk to any other citizen of the United States about public measures that I have or the Senator from Colorado has.

Mr. SUTHERLAND. Mr. President——

Mr. WILLIAMS. Wait a minute. When the Senator from New York arraigns the Chief Magistrate of this Nation at this time for talking privately to Senators and Members of Congress about pending measures, he arraigns George Washington to some extent; he arraigns Thomas Jefferson for nearly every measure that passed during Jefferson's administration; he arraigns Andrew Jackson, the Democrat militant, who hardly spent a day without talking to the members of his party in one or both bodies of Congress about what party policies should be; he arraigns Lincoln, the father of the Republican Party, who, perhaps, next to Jefferson, held more heart-to-heart talks with Members of the House and the Senate than any other President of the United States; he arraigns Grover Cleveland, who pursued the same policy; he arraigns McKinley, who managed the program and the policy of the Republican Party while he was President of the United States, almost entirely from the White House, by private conference with Senators and with Representatives. Every great President of the United States, regarding himself as a part of the legislative power of the United States and as the selected leader of his party, has considered himself at liberty to talk to the other integers constituting the legislative power about what should be the policy of the Nation.

Moreover, as I have said once before upon this floor, this country never suffered by leadership. This country has suffered by bossism. Leadership is the legitimate use by elected persons—the choice of the people—of human intelligence to persuade other human intelligence to pursue in harmony a common purpose. That sort of leadership Jefferson had; that sort of leadership Madison had; that sort of leadership Jackson had; and Lincoln had it; and Woodrow Wilson, thank God, has it also. When a man talks to me about the President of the United States "dictating" to me because he holds a conversation with me that the Senator from Montana might hold or that a farmer or a mechanic might hold, and because he attempts to persuade me that something is well for the American people or that something is bad for the American people, that man undertakes to make out of the President of the United States the only citizen of the United States who is not at liberty to talk to a Senator or a Representative, placing himself and me as Senators and placing the Members of the House of Representatives upon such a high plane, or else placing the President upon such a low plane, that the only citizen of the United States who can not talk to him or me—with our permission, of course, as is the case with all others—is the President of the United States, the Chief Magistrate of the Nation and the selected leader of his

party. A boss is a leader—not elected, but self-chosen—a chief of the invisible empire.

Mr. President, the leader of a party in the mother country of free institutions is the chief of a chosen committee of the House of Commons, chosen by the majority party, and I have frequently regretted that it was not so here; but owing to the manner in which our Government is formed it is not, because over there the King is no longer a part of the legislative power, because he can no longer veto an act of Parliament.

Mr. President, the sole respect in which this Federal Government of ours has supreme and unlimited authority, except in so far as it is limited and bound by the express prohibitions or inhibitions of the Constituiton, is with regard to the regulation of foreign commerce, and it is no new thing for a Democrat to take that position. As far back as Mr. Jefferson's administration the Democratic Party took the position that the power of Congress over foreign commerce was so great that they could positively prohibit it altogether, and Congress passed an embargo act and a nonintercourse act, and both acts were upheld by the Supreme Court of the United States.

With regard to interstate commerce, there is some limitation, to wit, where the power of Congress over interstate commerce comes in conflict with the police powers of the States within the States; but with regard to foreign commerce there is absolutely no limitation of the powers of the Federal Government, except the bill of rights in the Constitution, which is the express inhibition and prohibition on all government in behalf of human liberties.

Senators stand here and talk that sort of nonsense in which they themselves do not believe; and Democrats talk it when the Democratic Party, under the very father of the Democracy, went to the extreme limit of saying that the power to regulate foreign commerce carried with it the power to destroy it, to prohibit it, and the Supreme Court agreed with the President and with the Democratic Congress of that time.

Senators say that the power to "regulate" commerce does not carry with it the power to "engage in" commerce. It does, providing only that engaging in commerce is the only, or is even in the judgment of Congress the best, way of regulating that commerce.

Another thing I have heard in this debate that I have gotten tired of is this: At the St. Louis convention the Democratic Party passed a resolution that it was in favor of building up an American merchant marine, but without bounty or subsidy and without burdens upon the people. The man who drew that resolution thought he understood English. I happen to have been the man that drew it. Since that time various Democratic conventions have adopted the same central idea, with some little modification.

Senators stand here and talk about this bill being a bounty, being a subsidy. In God's name, is not an average Member of the Senate equal in information about the meaning of words to a tolerably good pupil in a high school, or competent, at least, to be one? Turn to your International Dictionary, turn to Webster, turn to Worcester, turn to the Century—and I have turned to all of them here lately, because I thought I understood the meaning of the English words "bounty" and "subsidy," those two at any rate—and I find a bounty is "a free gift," a benefaction. Where is there any free gift in this bill to anybody whomsoever, anywhere? I find that a subsidy is an aid from the government or public treasury to private enterprise. Where is there in this bill any aid from the Government Treasury to private enterprise? In fact, you are making your attack upon the bill because you charge it is not private enterprise, but is governmental enterprise.

Why, Mr. President, every year I buy mules for cotton cultivation from Missourians and from Kentuckians who sell mules down in Mississippi, and I have for the first time to learn that when I buy a mule from a Kentucky or a Missouri mule drover I am guilty of either giving him a bounty or of subsidizing him. This bill contemplates the purchase and the building of ships, but neither the purchase of a ship nor the purchase of a mule nor the building of a ship nor the building of a cabin can possibly be either a bounty or a subsidy to the seller or the builder; and nobody with sense enough to stand an examination, as a 14-year-old boy in a common school—nobody that ever looked intelligently into a dictionary to see what either one of the two words meant would say so. In fact, your opposition to this bill is upon the ground that it is not a bounty and it is not a subsidy. The minute we consented to put an amendment in this bill to provide that instead of having the Government own and in certain contingencies operate these ships it shall leave their ownership and their operation to private enterprise, and shall aid this private enterprise and ownership and operation with the public moneys, we would not hear a word of objection to the bill on that side.

It is a curious thing that every man who hitherto has ever supported a ship subsidy—men who have died in the trenches, almost, for ship subsidy—are every one of them opposed to this bill. Why? Because it is *not* a subsidy nor a bounty to the interests engaged. What foolish words you carry in your mouths when you turn around and argue against the bill on the ground that it is a subsidy, on the alleged ground that it is just what it is not and what you would like it to be—a subsidy! What a remarkable thing it is that Democrats on this side of the Chamber should join in the nonsensical cry! Nor is this bill a "burden on the people." It will remove the burden of exploitive freight rates from the people's commerce.

Mr. President, I did not rise to make a speech. I rose for the purpose of giving notice of a motion.

Mr. President, a great deal has been said about the rules of the Senate. I want to say just one word about them, and then I will offer this motion, and then I shall take my seat.

My friends, the situation here to-day rises above party flags. It rises above partisan emulation. Deliberate obstruction of the right of the Senate to take a vote—filibustering, as we call it—is at times a great and precious privilege when it is invoked for a great and precious purpose. When the South saved its civilization by it the Nation approved; but the only reason why the filibuster won then was that before it was half-way fought through you learned on that side of the Chamber that the Nation was not with you; that the public sentiment in the North even was not with you; that you had been flaunting the bloody shirt too late; that the hands on the clock of time had passed beyond that; that you had not noticed it, or that your private Republican clock was slow and not in unison with the hands on the clock of time and evolution and progress. But when you resort to this sort of method, not in behalf of conscience, because conscience is a thing that concerns morals, and there are no morals involved in this; not in behalf of the preservation of a great civilization or of the integrity of a great race; not in behalf of some great and noble and precious purpose, but merely on a question whether or not the Federal Government shall in a period of great, unexpected, and unpreventable emergency buy a few ships, and whether, because it proposes to buy them and to a certain extent operate them, you can as partisans hamper and hamstring and embarrass and worry the administration of the opposite party, let me tell you where you have gotten to. If you have not found it out now, you will find it out before very long. You have got to a point where you have made not only yourselves but the Senate of the United States an object of popular contempt.

I sometimes think that old Ben Franklin was right when he said we ought to have only one legislative chamber, anyhow, and that elected by the people. But our forefathers made this Constitution with a compromise in it—one House elected by the people and the other selected by the States as ambassadors from the States. We have got along very well with it upon the whole, because, upon the whole, the Senate has conducted itself wisely. But to stand here day after day, not for the purpose of defeating a bill, not for the purpose of passing legislation, but for the purpose of defeating *a vote* upon legislation, brings us to the question as to whether it is not better to moderate the rules of the Senate, whether it is not better to amend them in certain respects, so that we may regain a part of the popular confidence which we have lost and may refrain from further incurring at least a part of the popular contempt which we have deserved.

Mr. President, I now offer the following notice of a motion to amend the rules, to go over for 24 hours under the rules.

Mr. SMOOT. Mr. President, I object.

Mr. WILLIAMS. I ask that it be read.

The PRESIDING OFFICER. Does the Senator from Utah object to receiving the amendment at this time?

Mr. SMOOT. I do.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. The Secretary will read the notice.

Mr. WILLIAMS. I ask the Secretary to return it to me. I shall myself read it, thus giving the notice under the rules requiring 24 hours:

Mr. WILLIAMS gives notice of his intention to offer a motion to amend the rules as follows:

Insert after the words "to lay on the table," in Rule XXII, the following:

"Any Senator arising in his place and asserting that in his opinion an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that an attempt is being made to ob-

struct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto, and the said motion shall be decided without debate: *Provided, however,* That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said moton is made."

Mr. SMOOT. Mr. President——

Mr. WILLIAMS. I give that notice under the rule.

Mr. SMOOT. I have no objection, of course, to the Senator reading it, but I object to its being offered at this time. It is after 2 o'clock, and I also call attention to the fact that some six hours ago——

Mr. WILLIAMS. It is a question of the highest privilege to offer a motion to amend the rules.

Mr. SMOOT. No; it is not.

The PRESIDING OFFICER. Does the Senator from Utah make a point of order?

Mr. SMOOT. Yes; I object to the introduction of the notice.

The PRESIDING OFFICER. The notice has been given to the Senate, but the effect of the notice will be for consideration at a future time.

Mr. WILLIAMS. I have not offered a motion. I have given notice that I would offer it, and what the Senator is referring to concerns a motion.

Mr. SMOOT. The rules provide that the motion shall be in writing, and shall go to the desk, and it must be in order before it can be presented. Already we are working on the legislative day of February 5; it is after 2 o'clock and the unfinished business is before the Senate. There can be nothing offered, no bill or conference report or otherwise, unless by unanimous consent, and I object to the offering of this notice.

Mr. WILLIAMS. It is not offered as a motion.

Mr. SMOOT. It is a notice.

The PRESIDING OFFICER. The objection is noted.

Mr. SMOOT. Is the objection sustained, Mr. President?

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

Mr. ROOT. Mr. President, my great respect for the Senator from Mississippi [Mr. WILLIAMS] leads me to seriously question my own sense of proportion and to ask myself whether I have ascribed to the proceedings in which we have been engaged for many weeks past an altogether fictitious importance. The Senator from Mississippi considers that the minority party in the Senate has been engaged in a trifling and ridiculous attempt to prevent a vote. I consider, sir, that the minority party in the Senate has been engaged in maintaining the fundamental principles of representative government.

A Senator said to me a few days ago, "You can not afford to be engaged in a filibuster." Mr. President, I can not afford to flinch from the duty which upon my oath and my conscience seems to lie before me. We have a bill presented to the Senate involving a most serious epoch-making change in the policy and principles of our Government. To my view that bill can not be supported by the Senator from Mississippi without his denying the convictions of his lifetime.

Mr. WILLIAMS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from New York yield?

Mr. ROOT. I will yield.

Mr. WILLIAMS. Will the Senator indicate the difference between the Federal Government's connection with this proposed shipping line and its connection with the Panama Line down to the Isthmus?

Mr. ROOT. The connection with the Panama line was an incident to a greater and entirely different enterprise. This is a proposal pure and simple of Government ownership.

Mr. President, I can not better state what I deem to be involved in this bill than in the words of a brief statement contained in a recent number of the Outlook. I suppose it is contained in the published journal. I read from a proof sheet sent to me by the editor of the journal. I read it as stating the fundamental question about which all this controversy has raged and upon which rests the justification or condemnation of what has been done by Senators on both sides of the aisle. This is what the Outlook says:

THE SHIPPING BILL.

There are three ways in which the Government may deal with the industries of a people:

It may leave the industries severely alone and simply protect persons and property. This was the old Democratic policy. It may by legislation promote industries in private hands. This is the Whig and the Republican policy. It may take the industries out of private hands and carry them on itself. This is the policy of state socialism.

The first policy left the United States a purely agricultural country. The second policy made it one of the greatest manufacturing and mining countries of the world. The third policy is still an untried experiment.

The present administration proposes by the shipping bill to take a flying leap from the old democracy to state socialism, from a commerce unprotected and unpromoted to a commerce owned and operated by the Government. The issue before the country is very simple: Shall we promote commerce as we have promoted manufactures, or shall we take commerce out of private hands and make it a Government industry?

It is said that wise men learn by the experience of others, fools learn only by their own. What shall we say of those who refuse to learn even by their own experience?

Mr. President, unless we willfully close our eyes we can not disguise the fact that our Government has, step by step, during recent years been making long strides in the direction of accomplishing two things—one, the complete substitution of the power and agency of the United States Government for the State governments, and the other the substitution of state socialism for that system of individual enterprise which built up our land and made America the freest and the greatest country on earth.

Step by step, I say, we have been moving along toward those two ends. In many respects the movement has been necessary. It has been inevitable, but the facts can not be ignored.

The building up of the great transportation system of the country, crossing State lines without noting the change of jurisdiction, the interdependence of all parts of the country, the fact that the producer looks for his market to cities and communities thousands of miles away, that the consumer looks for the necessities and the comforts of life to farms and mills thousands of miles away, bringing all America into one great social and industrial organization, have made it inevitable that we should take the great stride toward the destruction of the power of our State governments involved in the regulation of railroads. We could not help it. So we have an Interstate Commerce Commission, appointed by the President of the United States, bringing to heel day by day all the railroads in every State, and the State public service commissions dwindle day by day, and upon that vital life-blood circulation of each State the Government of the United States lays its hand and the State is powerless.

The necessities of our financial system have been leading us in the same direction. The tendency of money toward the great centers of trade and the great gateway of the Nation to the trade and finance of Europe reached a point where the people of the country saw, or thought they saw, economic dependence staring them in the face. Unwilling to submit to it, unwilling longer to see the free play of supply and demand, require them to go to New York and Boston and Philadelphia and Chicago and submit to the judgment of bankers in those cities as to whether they should have the means to develop their own localities, the people had recourse to the Federal Government, and so we have passed a law under which we have a Federal Reserve Board sitting in the city of Washington, appointed by the President of the United States, and all the banks of the country are coming to heel, State as well as National, under the domination of that central board, and States are but as naught. Their sovereignty has gone, their power is diminishing and disappearing in the great field of the finances of the country.

I remember well, sir, when Mr. Cleveland reviewed the subject of the enforcement of the Sherman Antitrust Act of 1890—I think it was in Mr. Cleveland's second administration; it must have been—speaking old Democratic doctrine, loyal soul that he was, honest soul that he had; he said that the question of combinations in restraint of trade were matters of State cognizance, and must be dealt with by the governments of the States. That was accepted, but lo! the necessities of the country—observe that I am not quarreling with these processes; I say the real necessities of the country—have driven the people all from the State to the Federal Government. At last no one thinks more of the powers of the States or the duties of the States, but it must be the Federal Government that deals with combinations of capital.

So we have created a Trade Commission, the members of which are to be appointed by the President of the United States, with power to make or break, with power to ruin every considerable industry or establishment in the United States; and all the industries will be submissive under the jurisdiction of the Trade Commission, because they will not dare to do otherwise, and the power of the State disappears.

We have changed, sir, the rule of taxation, and the States have voluntarily surrendered that limitation upon the power of direct taxation which prevented an income tax, except according to the rule of apportionment. So the Government of the United States can regulate, distribute, and grade these taxes in such way as to impose the burden wherever they choose. They can draw from your State and mine at will, reducing as they please the reservoir of taxable resources of the State.

Instead of the citizen of a far distant western or southern State going to Pennsylvania or Massachusetts or Illinois or New York to secure the money to build a railroad near his home or to borrow money for his town or his county or his State to build good roads, we have within these last few years vested the National Government with the power to take the money from Massachusetts or New York or Pennsylvania or other States—to take it by the strong arm of the tax gatherer, and to build the roads in Mississippi or in Kansas or in Nebraska. The State is becoming as naught.

Last year there were 461,000 Federal employees on the pay roll. Year by year that army is recruited; year by year they organize to exercise greater and still greater control, all animated by a common purpose, which is the preservation of the power in Washington to hold them in their place—the power of regulation.

I was about to forget the extension of the great power of the Government, which began with the establishment of post offices and post roads and which extended, and rightfully, to the carrying of letters, rightfully to the carrying of parcels. It has been still enlarged to the maintenance of postal savings banks, a measure I was in favor of. I approve of it, but it all tends in this same direction. Under a loose general expression in the law regarding the parcel post we have had the carriage of letters not only developed into the carriage of parcels but into the carriage of freight. The Government of the United States, through its Postal Department, is performing duties in competition with express companies, and performing duties in competition with railroad transportation companies, so that from the mines the output of ores is being carried by the Post Office Department. The express companies are being driven out of existence. I am not finding fault; I am not speaking for the express companies. They had great profits for many years, and perhaps are not specially entitled to sympathy; but these corporations chartered by the States are being driven out, and the Government of the United States is carrying the letters, carrying the express parcels, carrying the freight of the people of the country, growing more and more as the States grow less and less. Through the postal power, through the power to regulate, through the taxing power, through the power of banking and finance, through the power to prevent trusts and combinations, the Government of the United States is overwhelming and stifling the governments of the States.

Sir, we enacted here a short time ago a law by which we authorized the Government to build and own railroads in Alaska. It was stated that that was an exceptional case. Alaska was a Territory and there were exceptional conditions there; and so we put $35,000,000 in the hands of the Executive to build a railroad in Alaska, which the Government is to own. A short time ago we had pressed upon us a bill that is now on our calendar—and I dare say it is as likely to pass as any other—under which the Senator from Montana [Mr. WALSH] insisted with great fervor that the Government of the United States must buy and own and operate all the deposits of radium in the country. Now, sir, we have a still longer step. The Government of the United States is to take possession of and transact the foreign commerce of the United States.

Mr. President, we have to have some opportunism in dealing with the practical affairs of life, but we can not absolve ourselves of the duty to consider the tendencies of national development which we are promoting. Leg over leg the dog went to Dover; step by step, law by law, precedent by precedent, weakness by weakness, abuse by abuse, ignoring principle to-day, to-morrow, and again to-morrow—each step seems little by itself, but when you survey the sequence of events you find that you have been going up or down, growing more free or more closely bound. It is our duty not to deal with a separate, isolated case by itself, but with as far a view into the future as our best intelligence permits, with as earnest a desire to read the consequences of our acts upon the future of our country as the sincerity of our natures permits, it is our duty to inquire which way our steps are tending in the legislation that is set for us.

Now, sir, with a statute of such vast consequence, it is plain that not only should we say what occurs to our minds, but the people of the country should have an opportunity to say what occurs to theirs. Oh, I have heard many times my respected and admired friend, the Senator from Mississippi [Mr. WILLIAMS], declare his principles of national conduct upon this floor. I have heard him say that it is best for our people that their goods should be carried by those who will carry them the cheapest; I have heard him say that it is best for our people that if foreign ships will carry their goods cheaper than American ships, the foreign ships should carry them. Sir, I do not dispute his right to change his opinion; I do not dispute his right to accept, if he can convince himself to accept, this measure, although at the cost of the abandonment of the general principles which he has so long maintained; but, sir, the American people have the right to form their opinion before such a reversal of policy is determined upon by their Government.

Mr. WILLIAMS. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Mississippi?

Mr. ROOT. I do.

Mr. WILLIAMS. Does not the Senator think that I am still pursuing that course by trying to get the cheaper method of carrying the freight of the American people?

Mr. ROOT. No, Mr. President; I think the Senator from Mississippi has completely abandoned his old course.

Mr. WILLIAMS. Mr. President, the Senator a moment ago stated that the Panama steamship line was a mere incident to a great work. Does not the Senator think that buying these steamships and putting them into service in this great emergency is a mere incident to relieving the American people from a great emergent burden of exploitive freight rates?

Mr. ROOT. No, Mr. President; it is not an incident to anything; it is the thing itself. Whatever may be the purpose, it stands by itself. The Government of the United States is to build and operate ships; it is to carry freight; it is to engage in the business of ocean freight transportation, and that is a complete reversal of the principles the Senator from Mississippi has advocated, and it is a complete reversal of the principles which the people of the United States understood the Democratic Party to maintain when that party was put into power. There is no escape from that. You have no right to change the policy of our Government in this vital matter in the dark of the night. You should come out into the open, where all the people of the country who are vitally affected by the question whether our Government is to be a Government of national socialism or not can express their opinions and have their opinions operate upon our minds in our discussions and our actions.

Oh, Mr. President, I have good authority for what I am now saying. I have long known and admired the present President of the United States. I appeal to him, I appeal to his words bearing direct relation to this very subject, to support what I have just said. I will take the liberty of asking the attention of the Senate to some paragraphs from the President's address at the meeting of the Chamber of Commerce of the United States in this city on Wednesday of last week. I commend them to my brother Senators. I believe he meant what he said. I follow him, and I want you to follow me. He said:

That is, the chambers of commerce of the United States—

> Now, seriously, the task of this body is to match all the facts of business throughout the country and see the vast and consistent pattern of them. I think you are to be congratulated upon the fact that you can not do this thing without common counsel.
>
> There is not any man who knows enough to comprehend the United States. It is a cooperative effort necessarily. You can not perform the functions of this chamber of commerce without drawing in not only a vast number of men, but men—a number of men—from every region and section of the country. The minute this association falls into the hands, if ever it should, of men from a single section or men with a single set of interests most at heart, it will go to seed and die. Its strength must come from the uttermost parts of the land and must be compounded of brains and comprehensions of every sort. It is a very noble and handsome picture for the imagination.

Then I omit what he says on that subject. He says, further:

> But there are other ways of using the Government of the United States—ways that have long been tried, though not always with conspicuous success or fortunate results. You can use the Government of the United States by influencing its legislation. That has been a very active industry, but it has not always been managed in the interest of the whole people. It is very instructive and useful for the Government of the United States to have such means as you are ready to supply for getting a sort of consensus of opinion which proceeds from no particular quarter and originates with no particular interest, because information is the very foundation of all right action in legislation.
>
> I remember once, a good many years ago, I was attending one of the local chambers of commerce of the United States at a time when everybody was complaining that Congress was interfering with business. If you have heard that complaint recently and supposed that it was original with the men who made it, you have not lived as long as I have. It has been going on ever since I can remember. And the complaint came most vigorously, of course, from men who were interested in large corporate developments.
>
> I took the liberty to say to that body of men whom I did not know that I took it for granted that there were a great many lawyers among them and that it was likely that the more prominent of those lawyers were intimate advisers of the corporations of that region, and I said that I had met a great many lawyers from whom the complaint had come most vigorously not only that there was too much legislation with regard to corporations, but that it was ignorant legislation. I said, "Now, the responsibility is with you. If the legislation is mistaken, you are on the inside and know where the mistakes are being made; you know not only the innocent and right things that your corporations are doing, but you know the other things, too. Knowing how they are done, you can be expert advisers as to how the wrong things can be prevented. If therefore this thing is handled ignorantly there is nobody to blame but yourselves. If we on the outside can not under-

stand the thing and can not get advice from the inside, then we will have to do it with the flat hand and not with the touch of skill and discrimination."

Is not that true? Men on the inside of business know how business is conducted, and they can not complain if men on the outside make mistakes about business if they do not come from the inside and give the kind of advice which is necessary.

Mr. President, upon the day following that address, the members of the Chambers of Commerce of the United States who had listened to the address undertook to give their advice about this bill; and they voted, 163 to 90, to condemn the bill. The 90 who were in the minority were almost unanimous, and they did vote for a minority report which condemned the bill as it now stands before this body. The minority 90 declared themselves opposed to Government ownership, but declared they believed there was an exigency which justified special treatment. The 163 were not only opposed to Government ownership, but they were opposed to the bill as it stood then and as it stands now.

The bill as it is now put before us has abandoned the position of the 90 minority without going to the position of the 163 majority, and it must have the unanimous condemnation of that tribunal to whose advice the President appealed.

The Chamber of Commerce of New York appointed a special committee to study this subject—a committee composed of experts in marine transportation. That committee, after mature consideration, prepared a report which was submitted and discussed at a meeting of the chamber of commerce. An adjourned meeting was held at which a supplemental report was presented; and that body of business men in the great exporting and importing city of the country adopted resolutions, by a vote of 290 to 4, condemning this bill.

Now, sir, I am aware that there will be a prejudice against this body of Americans because they met and lived in the city of New York; but, sir, they are Americans, and that is the great gateway of our commerce; and these men were men of special familiarity with the business of export and import of goods. Among their number appears the name of Mr. Paul Warburg, who is at the head of the Federal Reserve Board. Sir, that chamber of commerce was founded before the Revolution. For more than 140 years it has been composed of the most able, upright, respected, and intelligent American citizens, engaged in doing for our country the work of import and export of goods. The Chamber of Commerce of Boston has condemned the bill. The Chamber of Commerce of New Orleans has condemned the bill. There are many others. It is fair and moderate to say that so far as we now have expressions of opinion from the people of the United States they are overwhelmingly against the bill. Of course they are opinions from the men who are concerned in the exporting and importing business, directly or indirectly. They would be the first. But, sir, their opinions can not be ignored. They should not be slighted and held of no account unless the great body of the people of the United States have had their opportunity to consider whether these opinions of the men who first consider and act should be rejected.

The time has been scant. It is not until a measure is introduced and the discussion of it begins here that the people of the country really begin to turn their attention to the subject, and they are still in the very first stages of their consideration. That being so, the people of the country not having had opportunity and time to form and express their opinions, excepting the commercial men, who are naturally on the lookout and are very active minded about what is going on affecting their business, and their verdict being against the bill—that being so, what ought we to do? Well, what are we to do?

We are confronted by a most extraordinary situation. Have we discussed the merits of this bill as the Constitution of our Government requires that we should? I deny it. There has been much question, of late years, of the efficacy and much doubt as to the continuance of representative government; but so long as it continues, sir, there is no doubt about its necessary processes. Representative government does not consist merely in voting. It consists in the life and activity of representative assemblies who do, under special responsibility, what the people can not do for themselves. That is, they subject all proposed measures of legislation to the test of open discussion, perfection by amendment, correction of extreme views, correction of error upon one side or the other by the peaceful process of argument, which under free and real representative government takes the place of revolution and bloodshed.

That is the process for which we exist, not merely to vote. If we are merely to vote, there is no reason for our existence; the people can vote directly. We are here in order that we may give full play and efficacy to that great process of representative government, that greatest of discoveries of modern liberty, the great gift of Anglo-Saxon liberty to the world, the one thing which more than any other marks the difference between the modern free Republic and those old Republics of Greece and Rome and Italy which went down into chaos and tyranny. Representative government more than any other thing affords the hope that we can cherish that we shall never meet the fate of the ancient republics.

Now, sir, I say that the essential of representative government is not to vote; it is to discuss, to argue, to convince with open mind and frank and bold utterance, to spread out in the full light of day before all the people who have given us permission to represent them the reasons for and against.

Mr. President, no man has a right holding the commission of a State in this Senate to foreclose himself from contributing his real convictions to the discussion. No man has a right, having taken an oath to perform his duty, to foreclose himself from voting his convictions, and no man has a right to foreclose himself from being convinced and from acting upon his changed convictions upon any subject which is before this body. When you transpose the processes of this or any other deliberative body, into mere voting according to a preexisting agreement you have destroyed the great function for which we are here.

It is all very well to agree, it is all very well for a party to get together; but no party is greater than our country. No resolution was ever written greater than our Constitution. No obligation that can be imposed by a resolution is greater and more binding than the obligation that we all rest under to perform duty of representatives in a deliberative body with open mind and honest utterance, to carry on the discussion in the eyes and in the knowledge of all the people, for whom we are acting.

I use the expression "deliberative." Ah, Mr. President, that word points to the very vital quality of a legislative body. It is deliberative. If it is not deliberative, then it fails. No man has a right to come into it if he is not ready to take part in the deliberation.

Now, sir, what do we find? There was a bill introduced in December, read twice and referred to the Committee on Commerce. On the 16th of December, if I am correct, that bill was reported from the committee, there having been no hearings and but little discussion apparently in the committee. On the 6th of January a substitute bill was introduced containing some important changes. On the 23d of January, discussion upon that substitute bill of the 6th having hardly begun upon the part of the opponents of the bill, a caucus was held. Much has been told us by gentlemen who were present in that caucus. A minority of the Senate appear to have adopted a resolution which undertook to bind the majority of the Senate to support another substitute which was introduced by the Senator from Florida [Mr. FLETCHER] on the 26th of January. The resolution appears to have undertaken to bind the members of the Democratic Party in the Senate to the support of that substitute bill exactly as it was introduced. The yeas and nays were demanded upon the introduction of the substitute. They were ordered, and there was then a ruling that because they had been ordered this new substitute bill was not open to amendment. From that time to this, or from that time until yesterday, discussion has proceeded with the majority, with certain exceptions, bound by a caucus resolution not to keep open mind, not to consider any argument, not to make any argument unless it was in support of the caucus resolution. The discussions of the caucus were in secret. No one outside of the band collected there knows what considerations were presented to that body. No one knows why amendments offered there were voted up or voted down. We do not know here; the people of the country do not know; no one knows what reasons were suggested. We have had none stated here, with one exception.

The junior Senator from Missouri [Mr. REED] has stated that the reason for refusing to permit ships owned by the United States to engage in coastwise commerce was not that members of the caucus did not think they ought to be permitted to engage in coastwise commerce but because some of them thought that it would stir up opposition to the bill. That, so far as I know, is the only indication of the kind of argument that prevailed in that secret assemblage.

We do know that members of the executive department were exceedingly anxious and active and potent in bringing about the conclusions which the caucus reached. We do know that those conclusions were a reversal of the original opinions of the majority of the members of the caucus, which were to go on and do the business of the country by disposing of the great supply bills. But nobody knows how, how far, or by what means, or through what arguments the anxiety and the potency of these gentlemen in the executive departments were brought to bear upon the secret deliberations of that caucus.

Now, sir, I am not speaking without evidence about this, for we have had many statements made on the floor to sustain

my present observations. A minority of the Democrats and a majority of the Republicans in this body have been engaged for the past month in a protest as vigorous, as determined, as conscientious as any mortals could make it against having the discharge of the functions of this deliberative body overwhelmed and prevented by the imposition of the will of that secret body with all the unknown arguments and unknown influences that acted upon it. We have been trying to do two things—one, to secure for the people of the United States a right to the exercise of that share in their Government which the President of the United States in the extract I have read has declared they ought to exercise, to prevent this great change in the policy and principles of our Government from being wrought in the dark without our people having an opportunity to be heard about them; and the other to preserve the rights of representative assembly in the performance of its duty. And, sir, if there be any virtue in the right of free parliamentary government, the attempt of a minority against physical fatigue and suffering, against abuse and villification, to assert their rights—aye, more than their rights, the rights of their constituents; more than that, the rights of their country—to have the processes of free representative government wrought out in this vital legislation is justified—I say that this minority has been doing God's and their country's service in the assertion of the great fundamental rights of free government; and if there be any virtue in the rules and principles of parliamentary government, a minority that has been fighting for them is entitled to credit and honor rather than abuse and villification.

Let me say further, sir, there never has been in this Senate a majority yet for this bill in any form that it has taken. You talk about a filibuster; you talk about preventing a vote; why, look what we have done. There have been in this legislation two quite distinct views. One the exigency view. That was the President's purpose, as stated by him in his message. His proposition in the message of December 8 as to the ship-purchase measure was:

> It is not a qusetion of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even when the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw.

That is the basis upon which the President recommended the legislation.

There was a little discussion between the senior Senator from Georgia [Mr. SMITH] and the Senator from Nebraska [Mr. NORRIS] on the 29th day of January that is very illuminating regarding the essential character of the bill as it then stood—the substitute bill, introduced by the Senator from Florida [Mr. FLETCHER] on the 26th of January. The Senator from Massachusetts [Mr. LODGE] suggests the third edition of the bill. Let me read a part of that colloquy. It is very instructive:

> Mr. NORRIS. I do not want to do that. I would not object to any reasonable provision which might be put in the bill for the purposes which the Senator has outlined; but this language goes a great deal further. Even if we declared in the law that it was the intention to permit such leasing only for temporary purposes and that the intention of the law was that this governmental corporation, when it got into business, should remain in it permanently, it would relieve the objection.

That is to say, the Senator from Nebraska was directly at variance with the President's proposal in his message:

> Mr. SMITH of Georgia. Mr. President——
> Mr. NORRIS. I yield to the Senator from Georgia.
> Mr. SMITH of Georgia. The permanency which the Senator from Nebraska asks for is permanency of operation of these vessels by the Government, and not simply permanency of ownership?
> Mr. NORRIS. No; I would not agree to that statement, because that means that they could be leased out for 99 years.
> Mr. SMITH of Georgia. No; the Senator from Nebraska misunderstands me.
> Mr. NORRIS. Perhaps I do.
> Mr. SMITH of Georgia. The permanency which the Senator from Nebraska desires is permanency of actual operation of the vessels by the corporation?
> Mr. NORRIS. Yes, sir.
> Mr. SMITH of Georgia. The Senator is not satisfied simply with the permanency of ownership if the vessels are to be leased out?
> Mr. NORRIS. No; I am not satisfied to give this corporation the power to lease out these vessels to various other corporations indefinitely.
> Mr. SMITH of Georgia. The Senator, then, differs radically from those of us who would vastly prefer an assurance that they would not be operated at all.
> Mr. NORRIS. If the Senator is in favor of the Government constructing these vessels and then not operating them, if that is what he means, then I do disagree, of course.
> Mr. SMITH of Georgia. That is what I mean exactly. I would vastly prefer an assurance that the Government would never operate them at all.

And, further on, following the Senator from Oklahoma [Mr. OWEN], I find this:

> Mr. NORRIS. The Senator, then, would at least favor an amendment such as I have suggested to the Senator from Florida, which would, of course, be entirely satisfactory to me. The Senator must understand that I have no objection to a temporary lease if it shall become necessary. I do not know that it ever will be necessary; but if such a contingency should arise, if this governmental corporation were operating a line of ships and they had no particular use for some vessel and some other corporation wanted to lease it to make a trip, as the Senator from Florida suggests, I certainly would have no objection to giving them the authority to do that; but under the bill as it stands this corporation could lease out every one of these ships for 99 years.
> Mr. SMITH of Georgia. Mr. President, not only is that true, but is it not also true that the spirit of this bill contemplates that they shall be leased if practicable?
> Mr. NORRIS. I think so. I think the Senator is perfectly fair, and that is the reason I read, to begin with, the message of the President——
> Mr. SMITH of Georgia. That is the reason I can vote for the bill.

Mr. President, the Senator from Georgia in the remarks I first read represents not only himself, he is representing not only his position, but the position of a number of Senators on the other side of the aisle, a number of the Senators who regard themselves as bound by the caucus resolution. The bill as it then stood—the third edition, the second Fletcher substitute as it stood on the 26th of January—accorded with the President's message. Its fundamental principle was that ships should be bought or built for use by the Government of the United States only during the exigency, and that then the Government should part with them or lease them to others. The Senator from Nebraska [Mr. NORRIS] was contending for a modification which would prevent that. That is clear. That is what the bill was then.

Mr. President, that bill, the bill which provided for the acquisition of ships by the Government to be nominally operated by the Government, but with authority to have them operated by others, with all the force of the caucus rule behind it, was defeated in the Senate, defeated as the result of what you would call a filibuster. All those long days and nights we were winning the fight against that bill, which by the votes of a majority of the Senate was condemned. When the Senator from Arkansas [Mr. CLARKE] moved to recommit the bill and the Senate voted not to lay his motion on the table, that bill was dead, and dead forever, because by hard labor, by shortening our lives, we had won a majority of the Senate against that bill. There never was a Democratic majority for it, and there never will be. There was never a majority of the Senate for it, and there never will be.

What followed then? The caucus met again, and they are said to have secured the probability of certain votes upon this side of the aisle. I do not know whether it is true or not, but that is stated. By what means? By changing the bill; by rejecting from it that fundamental feature as to which the Senator from Georgia said that that alone made it possible for him and his associates to vote for the bill; by changing it so as to make it satisfactory to the Senator from Nebraska; to adopt his view and reject the view of the Senator from Georgia, as set forth in the colloquy of January 29, which I have just read. The motion to instruct the committee that is now before us is in execution of that purpose to abandon the old theory and adopt the new; and if there ever was a majority for this new plan, which is a plan under which the Government will be compelled to go on operating these ships unless prevented by some further legislation of Congress—if they are to adopt this new and different bill, it will not be by a Democratic majority, it will not be because the minds and judgment of the majority of the Senate have been convinced; it will be because, for the sake of winning, for the narrow and fleeting satisfaction of winning at all costs, the advocates of the bill are willing to abandon their deliberate and expressed judgment in order to get some votes from men who disagree from them absolutely and totally.

Sir, we are against having legislation upon this vital point thrust upon us without the country having an opportunity to make up its mind and to be heard upon that new bill. We will protest; we will protest in the exercise of our rights and the performance of our duty as representatives of the people of our States—and we ought to protest. We will protest in word; we will protest in act; we will not permit it, so long as we can prevent in accordance with due and orderly parliamentary procedure. I should despise myself if I took any other position. The real will of this legislative body and the real rights of the people of the United States shall not be overrun by a secret caucus, supplemented by a bargain, against the conviction of a majority of this body, without such loud protests on this side of the Chamber that they will be heard and that the people of the country will be set to thinking as to whether our constitutional Government is to be shoved aside and in its place is to be substituted an extraconstitutional government by secret discussion and minority rule.

Mr. NEWLANDS. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. ROOT. I do.

Mr. NEWLANDS. May I ask the Senator from New York whether any of the substitutes presented express the view of the minority as to the legislation which is to be had upon this subject?

Mr. ROOT. Mr. President, I will answer the Senator from Nevada by saying that during his long and regretted absence the minority were subjected to a severity of treatment, against which I know his just and kindly nature would have revolted, and amendments proposed by the minority to this bill were laid upon the table seriatim, without opportunity for discussion or even of explanation of their purpose.

Mr. President, I have nearly finished what I had in mind to say.

Mr. NEWLANDS. Mr. President, will the Senator permit me another question?

Mr. ROOT. Yes.

Mr. NEWLANDS. I observe that a substitute for this bill has been prepared by the Senator from Iowa [Mr. CUMMINS] and another by the Senator from Massachusetts [Mr. LODGE], and I will ask whether either of those bills represents the views of the minority as to legislation upon this subject?

Mr. ROOT. Oh, Mr. President, I could not identify them, and I will not stop to do so. I do not know whether they represent them or not, and I can not be drawn into a discussion as to whether they represent the views of the minority or not.

Mr. NEWLANDS. Mr. President, If the Senator will permit me just a word, I will say that it seems to me to be the patriotic duty of Congress——

Mr. ROOT. Mr. President, I can not yield for the Senator from Nevada to make a speech. I must decline to yield further.

I want to say one word before I sit down about the gravity of the fundamental proposition of this bill as it stands now, which is permanent Government ownership. I have said something about the effect of the steps which the Government of the United States has been taking upon the governments and powers of the States, but there is a broader field upon which this bill trenches. Granting that we are willing to see all the self-government of the States disappear and a system established under which the Central Government in Washington will be all powerful—I say granting that—there is a still more important question to which I alluded at the beginning, and that is the question whether the people of the United States are ready to enter upon a policy of State socialism.

It has become very common to run to the Government of the United States whenever there has been any trouble. I observed it some years ago in regard to the quelling of disorder. I remember when a riot occurred in one of our States which the sheriff ought to have quelled with a posse of his county, instead of doing his duty, he ran to the State capital and called upon the governor to send him the State militia, and the governor, instead of doing his duty, came running to the National Capital to get the President to send the Federal troops there. I have seen it done over and over again. The tendency is to lose that virile capacity for self-help that made us the Nation we are and to lie down on the Government. So with the radium bill. There was no real exigency about radium, but it was said that radium was a great curative agency, and so they ran to the Government to take possession of all the radium. It was so with the cotton-purchase bill. There was no exigency that is not being disposed of now in good, old American fashion by people helping themselves, and yet the first reaction was to run to the Government.

There is a glut in eastbound freight now. It is decreasing. It came, in the ordinary course of events, from natural causes, ensuing from the war. It was nothing that the ordinary laws of human nature would not dispose of, and nothing that they are not now disposing of. But they must come running to the Government. The Government must help everybody out of trouble. Is capital needed, the Government must furnish it. Is power needed, the Government must furnish it. Is somebody inconvenienced, the Government must prevent it. So the Government becomes every day more paternal, and so our people become every day less independent and more reliant upon the power of the Government.

Ah, Mr. President, it was not so that our people was born and grew. It was not in reliance upon any Government that our fathers faced the terrors of the sea and the forest, and fought with hunger and cold and poverty and savage foes, and felled the forests, and tilled the soil, and settled the farms, and built the factories and the railroads and the great public works, and illustrated and glorified humanity by their works of charity and benevolence. It was not in reliance upon any Government that the American people grew to full stature, the most self-reliant, adaptable, competent, fate-compelling people the world ever knew.

Ah, sir, underlying all this great structure, of more value than all our possessions, all the possessions of all the millionaires and all the corporations, is the one great quality of a free, self-governing people, independent and self-reliant, character based upon that Anglo-Saxon liberty that has grown for a thousand years, that independence of character that knows no superior, that bows to no power—strong, self-helping independence. That is the richest possession of our country; but we can lose it. We are beginning to lose it. Every step that I have detailed here by which this Central Government is overwhelming the governments of the States, every step by which the Government is reaching out its paternal hand to help those who are too weak or idle or lazy or indifferent to help themselves, is washing away and reducing that great and vital quality of individual character on which the perpetuity of our liberty, our freedom, depends.

The habit of lying down on the Government is progressive. More and more one yields to it. The habit of calling upon the Government for help necessarily involves giving to the Government power—power to interfere with the daily affairs of life; power, in the conduct of ocean transportation, to control the business of all the men who wish to transport. Every appeal for help carries a grant of power. The habit of yielding to power destroys independence. The habit of lying down upon Government and invoking its power spoils independence; and for a trifle it is proposed to take one more step upon that fatal and easy descent to Avernus. Never, Mr. President, until the American people have had their chance to say whether they will tread that road or not!

Mr. LEWIS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. LEWIS. I assume at this time to address myself to some of the things just asserted by the learned Senator from New York [Mr. ROOT] in his complete and copious oration on the evils about to be put on the Government by the Democracy. I regret that a course of illness has kept me from this body during the last three weeks and that I am readily amenable to the charge that some things might have happened of which I am ignorant from the fact that I have been away. I regret that a consciousness of physical weakness at this time greatly impairs the confidence I have in myself to complete an undertaking to which I would be glad at least to contribute physical strength.

I do not feel that I would have essayed to speak in this particular debate, certainly not at this time, had I not been strongly impressed as I heard the Senator from New York with the fact that he was endeavoring to indent upon the public mind from an eminent source, which he knew would be paid great heed by the press of this country, that a wrongful revolution was being undertaken on this side of the Chamber, aided by the allies on the other side, all in contravention of the spirit of democracy, in violation of the purposes of representative government, and in defiance of the Constitution of the United States. I have yet to see the able Senator from New York rise save to express his viewpoint that anything undertaken from this side of the Chamber or that which militates even in his imagination or his fear against the private benefits so long enjoyed by that coterie of men in this country—for whom he with his gifted colleagues has been the most valiant and outspoken spokesman—but that such has been an offense against decency, a violation against honor, and an infraction of the sovereign Constitution.

For myself, and assuming in no wise to speak for any other man, I say to the Senator from New York that he in one exclamation is right. "The time has struck." I assert that there will be no longer any playing with imaginary distinctions in government in order to defeat the popular will of its decree at the ballot box on the one hand, or the needs of this American country for justice on the other. No amount of sophistry born from the consciousness of superiority, pampered by its flatterers, will impress me to fawn nor to shudder in the presence of these aphorisms of oracular wisdom which seemingly can not come from any source but New York.

What is the fear of the Senator from New York? It is, first, that we have entered upon an embarkation of an undertaking by the National Government in behalf of the people which is in violation, as he would have it, of the fundamental doctrines upon which this Republic was established. When did the able Senator from New York, or those for whom he speaks, become conscious of this invasion, or become stung by the wrongs against which he inveighs? Where was the voice raised against the Federal Government being invited to aid when the Government railroads, so designated—the Union Pacific Railroad, but lately the client of the able Senator from New York, the Central Pacific Railway, the Southern and Northern Pacific Railroads—through their representatives under Republican administrations, could step on the floor of this body, corrode its ancient

institutions, corrupt its sacred history, and debauch by notorious bribery its Members, in order to obtain Government power of a grant of Government railroad privilege and an empire of land constituting the area of 16 States all belonging to the people yet given for the benefit of a few, many of whom located at New York and the other States in the East, opposing this "Government invasion"? These profited in millions and millions of money wrung from the people through Government aid, while the people were robbed of millions and millions, their institutions corrupted, their courts defiled, their local lawmaking powers flouted and defied.

Mr. President, when the Government aid could be invoked for the private benefit of the select it was highly moral, fittingly exemplary, wholly constitutional, and nobly American. Where were these conscientious contentions when a favored set of gentlemen devised the system under a Republican administration of a national-bank charter and put the Federal Government behind these select masters and chosen favorites constituting the national bank with a charter and apparent guaranty of the Government in which the Government got no benefit, but these private beneficiaries boundless wealth? Then it was honorable, justifiable, commendable for the Federal Government to be utilized; when it was for the benefit of these select—a few against the many, and robbing the masses of America to enrich millionaires who afterwards converted their power into the great insurance companies of this country, and debauched the Legislature of New York, corrupted the courts of the country, robbed the widows of their dower, the children of their inheritance, and stamped their violation of law and decency upon this Republic to a degree far in excess of that of the era of Crassus or Lucullus in Rome. It was all right then to enable these beneficiaries to fasten their undertaking upon the Nation's credit, and in every wise commendable in its enterprise for them to use the National Union and its name for their personal enrichment.

When did my able friend first conceive these great infamies as the result of an undertaking on the part of the Federal Government? Was it when the able Senator himself, an officer of this Government—Secretary of War—ratified the undertaking of the Federal Government behind the money-loaning institution in the Philippine Islands and put the power of the whole Federal Government behind one banking institution and privileged it to do business in New York, and the Government of the United States, and under guise of loans to the farmer on his land, drew the small pittance from the farmers of the Philippine Islands under the guise of a governmental beneficiary institution—to be appropriated by every exploiter of these ignorant and defenseless people? Was there anything wrong then? I can not see from the records that the able Senator then found that the Constitution was being violated.

When an exigency on our country called for the building of the Panama Railroad by the Federal Government under the Senator's jurisdiction, at a time when he had both voice and power, was there anything then so in violation of the Constitution that my able friend carried his duty to the point of obstructing it? Against that slow state of accretion of the encroachments of national power which seems to menace this Nation the Senator rises in the closing days of his eminent service to admonish his country; but I do not see from the records that the Senator raised his voice against the United States building the Panama Railroad with the finances of the United States.

Then, Mr. President, we contemplate a few steps further. It was wholly constitutional to create the system of the protective tariff in this country and in the name of the Federal Government to lay a heavy hand of tax on the bread of the poor, upon the clothing of the humble, upon the industries of the citizen in order that from that tax a bounty might be secured in the name and by the power of the Federal Government to put in the pockets of the favored few, who had long been the beneficiaries of national favoritism—providing they would return these favors by giving a part of the riches obtained by Government aid to assist the national Republican elections. Did the distinguished Senator from New York at such a time during all the glory of his course find it necessary to raise his voice against the unconstitutionality of this system? I am unable to see that he did, or that he objected to such anywhere on the ground that it was invading the rights of the individual or the States.

Now, to the third observation. Says my able friend, the States are losing their heretofore position. Well, if they are, who brought it about? When every State in this Union, under the education of the fathers to which the Senator refers, sought to execute its own policy in the protection of itself against extortionate railroad rates, it was the class of gentlemen for whom the learned Senator speaks who rushed into the Federal courts and, under the claim of being governmental beneficiaries under the Federal Constitution, sought the Federal courts to enjoin the State and paralyze its agency in order to prevent it from executing its local regulation laws, and, claiming the power under the Federal Government, obtained decrees from the Federal courts which enjoined the local government from exercising control of their own local affairs and fastened upon these people a form of government that gave to these nonresident beneficiaries the right wholly to place these States in thraldom and pillage the people and destroy their local institutions, all under the theory of Federal interstate commerce. Here was the Federal Government's intrusion, here was the invasion of the power which denied the local government the right of protecting their own people.

Can I lay my finger upon any source more potent in these operations than was the legal ability of the learned Senator from New York himself? Mr. President, the time has come when the Federal Government must announce that its real mission now is to secure by whatever appropriate means are just and constitutional that form of relief which the people of this country demand for their necessary service and for the complete justice for their country. It will matter little indeed in the hours of the future that some man may weave from his imagination or evolve from his ingenious sophistry some line of distinction which may be urged as a reason why things can not be done, all in order to defeat the people doing the things needed by them to be done. The time is upon us when the people will ascertain the manner in which the right thing can be done, and through their representatives in any assembly they will order it by that method to be done. The question is not so much Is the thing constitutional by a standard of the past, obsolete in the present? but Is it in harmony with the institutions of the present, unprovided for in the past?

Mr. President, what are the objections being presented? The Senator says, behold the minority gathered itself together, and in some form of conference or caucus has had a secret and dark session somewhere, out of which has been born through some Machiavelian process unknown to him and so murky as to be beyond his clear and penetrating vision, a result designated as the shipping bill. Says the Senator, "no opportunity for discussion," "no opportunity for the knowledge of the contents," "no chance for the other side to know what was undertaking," yet in the very same breath this distinguished gentleman, though renowned for logic, and who, no doubt, delights in the appellation which those like myself are pleased to place upon him as of great legal mind—in the same breath my eminent friend charges the Democracy with taking its whole secret over to the Republicans—Senator NORRIS, of Nebraska, and Senator LA FOLLETTE, of Wisconsin—and to those detailing the whole plan of action, unfolding the complete design, and seeking their cooperation, and obtaining upon the merits of the proposition their cooperation. Then with the admission that the proposition had been so unfolded as to obtain these Senators' aid, the Senator from New York characterizes such result as a trading alliance—unholy and obnoxious for its audacity and publicity.

Mr. President, how different is this form of "caucus action" and "conference" from that in which the Senator was but late a participant, when one Senator of the name of Aldrich, of Rhode Island, after ascertaining what the barons of big and bad business demanded, cracked his whip, and all of the Republican old guard sank to their knees, under that kingly rule, obeying in "party solidarity," what the distinguished ex-President Taft designated as the ideal of organization, the acme of statesmanship. Sir, under those years of systematized control, when under the order of one man certain Republican Senators yielded as the fledglings beneath the curling lash, was the golden age of Republican Party domination. But when all of a party in conference may gather together to consider the merits of a proposed measure, and take it to the whole-souled, large-hearted, patriotic nature of any progressive Republican, then it is an "unholy undertaking."

Yes, Mr. President, the Senator says there can be no reason to justify such caucus or conference as has been ours to aid the passage of the bill. Yes, when these on this side, with the aid of those on the other, according to the merits of the proposition, hold a conference to advocate and pass it, that is a voice "violating the Constitution," "profaning the Senate," degrading representative government, but when the distinguished Senator from New York, with the very able Senator from New Hampshire [Mr. GALLINGER], leads his fellows into conference through some subterranean passage underground of the Capitol, and combine together how to defeat the bill—never out in the air, never out in the open, never reasoning, never expressed, never defined, never detailed, never disclosed—ah, that is statesmanship! That is a glorious undertaking; marvelous in conception,

brilliant in design, patriotic in its sinuosities, constitutional in all its infamies! [Laughter.]

Now, Mr. President, where is the logic of the able Senator from New York speaking in behalf of those for whom he stands? The able Senator says that in this method the income tax was passed. Well, I ask my eminent friends on the other side, Are you now in favor of repealing the income tax? I pause that one of you may rise and condemn the methods of conference and subsequent results which created the income tax. I pause to give you an opportunity to say to your countrymen that you are in favor of repealing the income tax that was obtained.

Mr. PENROSE. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. PENROSE. I am ready to vote for a repeal at any time.

Mr. LEWIS. There never was a doubt in my mind but what the distinguished Senator from Pennsylvania, in view of what we know he represents, would be found always in favor of repealing anything that laid a tax upon those particular interests of which he is known to be the spokesman.

Mr. PENROSE. I am not in favor——

Mr. LEWIS. The able Senator may rest assured when I said I pause I looked at him and felt that of all the Senate he would be the man to compensate in that way the great services that had come to him from certain sources in the last election.

Mr. PENROSE. There is no reason for the Senator to make that statement.

Mr. LEWIS. The able Senator from Pennsylvania has become the single Senator who said he would vote for a repeal. I now ask him, if he would vote for repealing the income tax, because he is opposed to the Federal Government levying any income tax?

Mr. PENROSE. As long as the revenues of the Government can be adequately provided for by a protective tariff I do not consider that an income tax is necessary for Federal revenues. It is in the nature of a war tax, and those subjects of direct taxation should be left to the great sovereign Commonwealths and the great municipalities that have all the modern improvements and developments to finance and construct. In two years from now we will have an adequate protective tariff, a restoration of prosperity, an end to all this wildcat experiment with the fiscal policy of the United States.

Mr. LEWIS. Mr. President, has the Senator concluded?

Mr. PENROSE. I have.

Mr. LEWIS. I trust he will not leave the Chamber. His voice to me and his observations are ever interesting, though not instructive. [Laughter.] I trust he may remain.

Mr. President, then the Senator from Pennsylvania is in favor of the repeal of the income tax, because he would have instead a protective-tariff tax levied which would take the money from the pockets of the people and give it to the barons of Pennsylvania. He is opposed to an income tax, because it levies a tax upon these barons, and makes them contribute to maintain the Government, out of which they have wrung so many millions from the million poor of this country. The reason appeals to me as the kind of reason it is well may go to the country as the only kind that may be offered by any man who desires the repeal of the income tax.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LEWIS. I yield.

Mr. PENROSE. I am not opposed to an income tax on principle, and any State that feels it ought to levy an income tax is justified in doing it. I take the ground that this is a war measure, as far as the Federal Government is concerned, and that we should first endeavor to raise the expenses of the Federal Government from the time-honored excise taxes and through the customhouses. The soup line and the bread line are sufficient evidence in the city of Chicago to take the foundation completely from under the statement of the Senator from Illinois.

Mr. LEWIS. Mr. President, the Senator's position is now that he does not favor the repeal of the income tax. He merely differs as to who shall levy it. His point of view is that we need a tariff.

Mr. President, I could not understand that seemingly blunted judgment that thinks it can impose upon the American public at this time such apparent hypocrisy as that a protective tariff would be a remedy for the depressed business conditions. Mr. President, there never was a time in the history of the world when there was such an embargo upon every form of importation as could come into a country as is now created by the conditions of the war. No protective tariff that could be devised in the intellect of man could have so succeeded in eliminating every feature and nature of importations so completely as present conditions. This fact is answer to the Senator, showing that it was not the mere presence or the mere absence of a tariff, however high he would have it, that could have contributed to the conditions now apparent all over the world. In Chicago it is true——

Mr. PENROSE. Will the Senator allow me?

Mr. LEWIS. It is true that so long had the condition of public pillage of the poor and of the industries of this country continued that the people were awakened; their indignation was so great that just as the storm came upon them they called for the Democracy to go in against the power that is being felt just now because of the heavy hand of tariff-favored masters who are able to lay it upon the miserable in order to penalize them for having had the liberty of individuality to oppose a wrong, that individuality which the Senator from New York lifts his voice and his eyes toward heaven as he prays shall continue as the inheritance of the independent citizens of our Nation. Mr. President, unless the Senator from Pennsylvania desires to rejoin me further, I shall resume my reply to the Senator from New York.

Mr. President, the Senator from New York says there has been no time for the discussion of this measure. Some of my eminent friends over on this side, of the Democracy from the South, have expressed—a number of them—considerable differences as to the merits of this measure. From those eminent Senators I differ; but, in the spirit of their sincerity in their position, of course I readily acquiesce. But, Mr. President, they have not found it agreeable to utter as their objection such an absurdity as that the country has not had time or opportunity to express itself on this measure.

The Senator from New York has just inveighed against the theory of the referendum. How else would he have the country express itself except by the very theory which he says violates the Constitution and is an infraction upon the theory of the Republic denying representative government and giving a deathblow to the integral life dividing the three coordinate branches of the Government? Says the Senator, "The people have never expressed themselves on this bill." Says the able Senator, "The people have given no directions upon this measure."

Now I answer the Senator, and I say nor have the people expressed themselves upon the laws of neutrality which he asks be enforced. They have had no time to express themselves as to what or what not should be our course in regard to the war in Europe. They have not taken time during the war to consider the duty of America toward Europe by first having the question submitted to the American public through the ballot box. The officials selected in the last election by the people under the Constitution are ordained to exercise their discretion and their judgment upon any and all emergencies as they arise. It is for such that confidence is placed in the judgment of patriotic men.

Mr. President, neither had America a chance to pass its opinion upon the resolution supported by the Senator from New York in the matter of our occupation of Vera Cruz, which, if passed, might have plunged the country into war, drenched Mexico with blood, overcoming the nation in devastation, and wrecking the future of her people, as well as of our own, as a peace-loving and peace-abiding people; yet the Senator felt the conditions justified his resort to such a measure, which was the exercise of a form of discretion of a Senator in an emergency as he saw it at the hour of arising. When has the country had an opportunity, at such an hour as this, to have submitted to it for consideration every emergency that has arisen in government such as that which concerns us, unhappily, in this Nation at this hour? There is no reason in the argument; there is no logic in it; and the able Senator from New York can find no foundation in it as a justification for the position he has assumed against this measure and against the policy of providing relief to the people from the monopoly of shipping masters and shipowners.

Mr. President, I now wish to make answer to certain objections urged by the Senator and his colleagues to the merits of the bill. I may be charged through the public press, through its representatives, of saying that which possibly I should have been admonished was not a cautious expression, but, speaking for myself, I now desire to reply to one of certain objections which have been urged against this measure.

First, I take the words of the Senator from New York, which we will accept as the hub around which others build the periphery of their arguments. It is that in buying these ships we buy a fight; that in obtaining these ships we obtain a quarrel. My honorable opponents, I ask you by what logic do you arrive at that result? Is that urged with a view of frighten-

ing the opposition from undertaking to relieve the just needs of the people, while you who have opposed the measure serve your purpose in serving those who are benefited by cutting off any legitimate competition upon the sea and maintaining their evil monopoly that has so long prevailed, while you cause the farmers' grain to rot in the bins, the cotton to fall in prices in the market, the products of the manufacturers to waste for want of a market, and the army of soup men, to which the Senator from Pennsylvania refers, forced to multiply because of lack of employment, due to the fact that we can not sell our merchandise because we have no method to send them to the markets desiring them? Senators, making the objection of war, where do you get this argument?

Senators, where will be the difference in the risk of war—if such will follow the buying of ships—if instead of our purchasing the ships the $9,000,000 proposed by you to be voted as subsidy shall go into the pockets of favorites, for whom the able Senator and his colleagues speak, then the ships be purchased by these subsidized favorites and be launched upon the waters, carrying such cargo as shall be deemed by belligerents to be contraband? Where will be the difference if such a ship should be wrongfully seized, so far as the duty of your country is concerned? Will she not be as readily involved then in conflict as if the ship were owned by ourselves? Will we hesitate to protect the American citizen owning his property any less than we would protect the Government owning its property if there should be a violation of the rights of an American citizen who owned or operated the ship? Would there be any difference of conduct on the part of our Government than would be pursued toward our Government itself if it were the owner of the ship? On the other hand, if it were a mere private citizen, without regard to whether or not he was the beneficiary of a subsidy, who owned the ship and put it out upon the waters and its rights were violated, would there be any less duty on the part of our Government to go to the rescue of the owner of that ship than there would have been had it been owned by the Government itself and operated under the agency of a private corporation or by a Government subsidized company?

In what way do you distinguish, my honorable opponents, that we invite war in one system more than in another? Shall you give it out to the Nation that you would favor allowing a private owner, for whom you speak, to have his rights violated and have wrongs inflicted upon him and no action to be taken by your Government to defend it? Our position as to him would be, and must ever be, that he was an American citizen. As such he would have our guardianship and protection.

Mr. President, in 1846—if I do not mistake the date of history—when English property was seized in Grecian ports, and one of the owners demanded redress from Greece and a guaranty from the then guarantors of Greece—Russia and France—Palmerston, then premier of England, in support of his demand delivered his famous speech in Parliament upon the theory that it was sufficient, whether the property was under the direction of Government or not, that it was the property of an English citizen; and turning his address under the very famous title of *civis Romanus sum*, he said it was but converting it from "I am a Roman citizen" to "I am an Englishman."

We in America respond that if any American owns any ship that puts out upon the waters of the world's sea in the discharge of legal duties that it owes to this country in complete obedience to law, and any people anywhere see fit to assail that vessel in violation of international law, it will not matter to us whether it is owned by the Government or by the beneficiaries of a subsidy from the Government, or by private persons; it will be defended and protected upon the theory that its owner is an American citizen! If these ships purchased by us under this bill shall be launched upon the water, clearly within their rights, clearly within the law, and set sail to foreign ports, we will neither be alarmed now by the frightening admonitions of the distinguished Senator who summons up a picture of danger and disaster to dissuade us from coming to the relief of our oppressed people, nor in that other form, coming through threatening cables from foreign countries that would attempt to intimidate us under terror from the duty this Congress owes America as an American Nation and to American citizens as citizens of the United States. If it shall come that these ships of our people, under their rights, are put upon the sea and sent forth to execute their mission in behalf of America, they will execute that mission if they have to be convoyed by an American cruiser or a battleship. There is neither cowardice nor shrinking when the duty is imposed upon America as an American Nation to act in behalf of an American citizen. Let there be no distinction attempted in this body to go out to the world that America draws any line of demarcation between the duty she owes her humblest citizen with his humble craft, obeying the law of the land, and the most powerful fleet under the control and orders of the Government of the United States.

Then, my fellow Senators, where are the fears which you express as against this bill founded on any different basis from those which would obtain against any other form of American ownership of vessels owned by an American, put upon the seas by an American, and sent out under an American flag obeying the laws of America? *Sirs, we want no quarrel with any people anywhere—we will do much to the loss of our own commercial advantage to avoid complication or conflict. But, sir, if in the discharge of our obligations to serve the American people we are forced to conflict to maintain our rights, as Americans we will not shirk the obligation; and to all the world we announce peace, if possible; but American rights to American citizens by whatever course necessary! Then with this knowledge, let those who contemplate an attempt to intimidate us beware!*

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. LEWIS. I yield to the Senator from North Carolina for a question.

Mr. SIMMONS. I should like to make a suggestion to the Senator just at this point in his argument in regard to the bill we have recently passed providing for the admission of ships to American registry, and which had support to some extent on the other side, and against which the argument to which the Senator from Illinois is now replying was not made. Since the passage of that act there has happened what we all knew would happen and what was said upon this floor would happen—and the votes that were cast upon the other side and upon this side were with full knowledge that it would happen; and it was passed after the declaration of war, after the war conditions were similar to those now obtaining—since we passed that act there has been transferred to the American flag ships that had theretofore floated the Belgian flag, ships that had theretofore floated the English flag. The purchase of those ships stands upon no different basis than the purchase by the proposed corporation of a ship that may now be floating the English flag or the Belgian flag, with a view of transferring the vessel to the American flag.

Mr. O'GORMAN. Mr. President——

Mr. LEWIS. Mr. President, I accept the suggestion of the Senator from North Carolina, and now I yield to the Senator from New York for an interrogatory.

Mr. O'GORMAN. Mr. President, the Senator from North Carolina has just said that there is no difference in principle between the ships that were covered by the emergency registry act of August of last year and the ships to be purchased under the pending bill if it becomes a law. There is a vast difference, which will be appreciated by the Senator when I call his attention to it. Under the registry act of August of last year we simply permitted the then American owners of ships to transfer the ships to the American flag. This bill contemplates at this time, while hostilities are pending, the purchase of ships belonging to belligerents. It presents an entirely different situation, in my judgment.

Mr. SIMMONS. Mr. President, if the Senator from Illinois will pardon me——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. LEWIS. I yield again to such interrogatory as the Senator from North Carolina may desire to submit.

Mr. SIMMONS. We made no such distinction as the Senator has mentioned. We provided that any American citizen might purchase a ship constructed either in this country or abroad, and that that ship should be admitted to American registry. We did not say it had to be owned by an American citizen before the act was passed, but we provided that if he subsequently acquired the ownership of a vessel, whether it belonged to a citizen of this country at the time of the purchase or belonged to a citizen of any other country at the time of the purchase, whether it floated the flag of Belgium or of Germany or of any other nation or country in the world, if he acquired the title to it, then he was entitled to registration under the law which we passed.

Mr. O'GORMAN. Mr. President, that is substantially true——

The VICE PRESIDENT. Does the Senator from Illinois yield further to the Senator from New York?

Mr. LEWIS. I yield to such further interrogatory as the Senator from New York desires to make.

Mr. O'GORMAN. What the Senator from North Carolina has stated is substantially true as far as it goes; but it was distinctly asserted upon the floor of the Senate, and contradicted, I think, by no one, that the American owner of a ship flying a foreign flag could, without question, transfer the ship to an

American flag, because he owned the ship before hostilities began; and the opinion was repeatedly expressed that the American citizen who purchased a vessel under the registry act would take it with the chances of seizure upon the high seas.

Mr. LEWIS. Mr. President, the able Senator from New York, I must say, is slightly in error——

Mr. SIMMONS. Mr. President——

Mr. LEWIS. Pardon me. Does the Senator from North Carolina desire to interrupt further?

Mr. SIMMONS. I may want to say something further.

Mr. LEWIS. Does the Senator wish to respond now?

Mr. SIMMONS. Not at all.

Mr. LEWIS. I will say, if I may be permitted, although knowing that the Senator from New York did not address the interpellation to me, that the junior Senator from New York is slightly in error in his quotation as to the meaning of the law and its language. As I understand, there is but one question, and that question is this: If a ship in an American port is sold to this Nation or to any citizen of the Nation, and the sale is made in good faith, there ends the whole question. The able Senator from New York, both Senators from New York, as well as others, will recall—and I can not but pause at this time to pay my tribute of praise to the address, a portion of which I read, delivered by the Senator from Montana [Mr. WALSH] touching the question of neutrality and violations of it—but, Mr. President, I invite the attention of the able Senator from New York right now, and of those interested, to this fact, that as early as the time of Cushing as Attorney General our Government, in six opinions of the Attorneys General, has supported the view I urge. This is supported by the United States Supreme Court in the case of the *Georgia*—Seventh Wallace——

Mr. COLT. Mr. President——

Mr. LEWIS. In a moment I will yield to the Senator with pleasure—laid down the proposition that the question was one of *bona fides;* that if a man bought a ship at such time for the purpose of a ruse, merely to aid one of the belligerents, of course it would be interdicted; but if it was a real sale, if it was a legitimate one, the aspect of the matter would be entirely different.

The London conference only touched that subject, in addition, by simply adding that the burden of proof was upon the one who asserted in time of conflict *bona fides;* but the distinguished Senator now on his feet [Mr. COLT], known as a renowned jurist, and the junior Senator from New York [Mr. O'GORMAN], also very eminent both as a jurist and as a lawyer of later practice, will recall that that rule is born of the doctrine merely of good faith in any form of transfer, such as that if a man about to fail in business shall sell some property of his or his business the burden of proof is upon him to show that he did not know he was in such failing circumstances in order that he would not be charged with conspiring to defraud his creditors in the distribution of the assets. That is the theory, as I understand it. I now yield for a moment to the Senator from Rhode Island.

Mr. COLT. Mr. President, I merely wanted to ask the Senator from Illinois a question.

Mr. LEWIS. I yield for an interrogatory.

Mr. COLT. The bill provides that the Government shall purchase ships. I should like to ask the Senator, from an international standpoint, whether there is not a distinct difference between the purchase by the Government of a ship from a belligerent and the purchase by a citizen of a ship from a belligerent? May I not say, in reference to that, that the Government is bound by neutrality; that the citizen has no neutral duty; that it is not a question of the bona fide transfer about which so much has been said, but it rises above that, when you come to the Government, to the general principle whether it is aiding one side or the other or is an act of neutrality on the part of the Government or a Government-controlled corporation to purchase a ship of a belligerent. I merely wanted to ask the Senator if he did not recognize that there was a difference between a citizen, a subject, purchasing a ship and the Government of the United States purchasing a ship?

Mr. LEWIS. Mr. President, in the first place the able Senator discloses either that he has not read the bill, or, having read it, that he has forgotten the distinctions the bill discloses. The bill does not provide that the Government shall purchase any ships. It provides for the organization of a private corporation which would be exactly like one to whom a subsidy of money had been given, as advocated by many eminent gentlemen on the other side, and this private company becomes the purchaser, not the Government. If we assume from the Senator's remark that the Government must stand behind it upon the theory of being in loco parentis, which I assume is in the mind of the Senator, my answer is this:

The Government is under the obligation of neutrality, but the Government is not under obligation of neutrality as a mere shallow, intangible, invisible thing called government. It is a trustee for the thing he says owes no neutrality—the citizen. It is the citizen who is neutral. The Government is the mere voice of the combined citizen; and, after all, it is but the same thing. It is the neutrality of conduct and voice by those who can and do conduct and express voice, to wit, the citizens of the neutral country.

Mr. COLT. Mr. President, I should like to ask the Senator another question.

Mr. LEWIS. I yield to an interrogatory.

Mr. COLT. Has the Government, through this corporation which it is proposed to organize, any control over the operation of these ships through the shipping board?

Mr. LEWIS. I answer the Senator that I hope it has. For myself, I would not support a measure which provided otherwise.

Mr. COLT. If the Government has control, either directly or indirectly, is it not bound by the rules of neutrality, and can it in any manner aid one side or the other of the belligerents and maintain neutrality?

Mr. LEWIS. My answer is, Mr. President, that if the Government is interested and expects even to supervise, among other things it would supervise would be obedience to the laws, whether those laws were the navigation laws applicable to the port of New York, as the vessels steamed out or steamed in, or the international laws applicable to the ports of the world. I say to the able Senator that his argument applies to any citizen. The duty of our Government to observe the operations of any railroad under the interstate-commerce act, to prevent it or any ship carrying ammunition in violation of the law, to prevent it violating neutrality, is just the same if it is owned by private persons as if it belonged to the Government or was supervised by the Government. There is no difference as to the obligation or duty.

Mr. COLT. I should like to ask the Senator a further question: Has the Government, under international law, any power to prevent a citizen from purchasing an interned ship? A citizen is bound in the first instance by municipal law; and in the absence of any international law on that subject a citizen has a perfect right to buy an interned ship, the same as he has to transport contraband goods. The Government has no power over him and no responsibility in regard to neutrality with respect to that act, except as it violates some international law.

Mr. LEWIS. I will say to the able Senator that he is wrong in two respects, as I see it, respecting his judgment greatly as I do.

First, the mere fact that a ship is interned does not render that ship at all a ship in violation of any law. The owner may have consented to internment to escape charter obligations. Being interned merely means that it is immured somewhere for some reason; but it does not become in any respect whatever, by merely being interned, the subject of a foreign country or the object of belligerency. If the able Senator meant to say a ship of a belligerent country, then I take his question, and I say, if he means a ship of a belligerent country the title of which is being held by the belligerent country or a citizen of such, I answer that no citizen of our country could get the benefits of the registration of that ship if it were in violation of the neutrality laws, because it would be presumed that the officers of the Government would not permit him so to violate the law. Therefore he would get no benefit of the purchase if he were so foolhardy as to undertake it.

Second, I answer my able friend that he is in error, unless I am greatly in error upon my understanding of international law, in saying that the obligation is any different upon the citizen as such and the Government as such. The only difference is that the Government serves as the agency to enforce the citizen's obedience, and I must respectfully urge that it is a mere difference between Government and citizen as to the thing upon which the foreign government operates. It can not operate upon the individual citizen of a foreign country, and can only operate upon the agency for the individual citizen, to wit, his organized society, called government.

Now, Mr. President, unless the Senator from Rhode Island has some other interrogatory, I move toward the close of my observations.

Mr. SIMMONS. Mr. President——

Mr. LEWIS. I yield to the Senator from North Carolina for an interrogatory.

Mr. SIMMONS. As the Senator had finished the point he was making and was about to reach his conclusion, I should like to place in the RECORD the act to which I referred a little

while ago, known as the registry act. The act, as amended, would read as follows:

Any seagoing vessels, whether steam or sail, which have been certified by the Steamboat-Inspection Service as safe to carry dry and perishable cargo, wherever built, and which are to engage in trade with foreign countries or with the Philippine Islands, etc., being wholly owned by citizens of the United States or corporations organized and chartered under the laws of the United States or of any State thereof, the president and managing directors of which shall be citizens of the United States, or corporations organized and chartered under the laws of the United States or of any State thereof, the president and managing directors of which shall be citizens of the United States, and no others, may be registered as directed in this title.

There is not a word in it that limits the right of an American citizen to buy a ship from any person whatsoever.

Mr. O'GORMAN. Mr. President, will the Senator yield to me just for a question?

Mr. LEWIS. I yield to the Senator from New York for an interrogatory.

Mr. O'GORMAN. I should like to ask the Senator from North Carolina if a single ship has been purchased by an American citizen under the provisions of the registry act?

Mr. SIMMONS. No; not so far as I know. I am not advised about that.

Mr. LEWIS. I yield to the Senator from North Carolina for an interrogatory.

Mr. SIMMONS. But I am advised about this—that certain ships belonging to great corporations in this country that were flying the flag of another country at the time this act was passed have been transferred to the American flag.

Mr. SMITH of Georgia. Mr. President——

Mr. LEWIS. I yield to the Senator from Georgia for an interrogatory.

Mr. SMITH of Georgia. The interrogatory will be a reply to the question of the Senator from New York. I thought the Senator from North Carolina had finished.

Mr. SIMMONS. I had not quite finished.

Mr. LEWIS. I yield to the Senator from North Carolina for an interrogatory.

Mr. SIMMONS. At the time we passed that act we were not expecting that the ships of foreign citizens that were then flying foreign flags would be admitted to registry under the act; but it was the expectation that other American citizens who did not then own any ships at all would be attracted by the new conditions we created by this act, and that they would buy ships, interned or otherwise, wherever they could get them at the best price in the open market, and that those ships would be admitted and were entitled to be admitted to registry under this act.

Mr. GALLINGER. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from New Hampshire will state his point of order.

Mr. GALLINGER. The point of order is this: I should like information as to whether it was an interrogatory or a question that the Senator from North Carolina asked? [Laughter.]

Mr. SIMMONS. I refer the Senator from New Hampshire to the Senator from Illinois.

Mr. LEWIS. I reply that, not being an adept in lexicography, at this particular moment I shall not enter into that field of analysis. I leave it to the splendid capacity of the eminent alienist from New Hampshire. [Laughter.]

Mr. SMITH of Georgia. Mr. President——

Mr. LEWIS. I yield to the Senator from Georgia for an interrogatory.

Mr. SMITH of Georgia. As I understood the question of the Senator from New York, it was not limited to whether interned vessels had been bought by private citizens who had not before owned vessels.

Mr. O'GORMAN. It was not limited.

Mr. LEWIS. I yield to the Senator from New York for an interrogatory only.

Mr. SMITH of Georgia. Then, I wish to answer the Senator's question, as I thought it might be of interest just at this time. Private citizens who did not before own vessels have bought during the past 60 days, within my knowledge, vessels that fly the flag of Great Britain, transferred those vessels to the flag of the United States under American registry, carried them to Bremen with the consent of the German Government, discharged their cargoes, and returned home with German cargoes without interruption.

Mr. LEWIS. Mr. President, having accepted the interrogatories of all the Senators, and realizing that they have had the courtesy to answer them for themselves, it would be a work of supererogation for me to enter upon further reply. [Laughter.] I return to my speech. I desire to thank the Senators who have been courteous enough to allow me to make these yieldings without imposing upon me the literal effect of a ruling which, however right, is not without its embarrassments to the one who is on his feet. I must come to the conclusion that I am occupying the time of my colleagues longer than I had expected. I thank them for the attentive audience they are giving me.

Mr. President, as I review the observations of the Senator from New York in my mind, as I remember them, not wishing to do injustice to anyone, I quote them with the consciousness that I may not remember them accurately. I wish to refer to what the Senator paid great heed to, and that is the chambers of commerce.

The Senator said there was a meeting in Washington of the chambers of commerce, and that a majority of its number decided adversely upon consideration of this bill.

The Senator from Mississippi [Mr. WILLIAMS] recalls to my attention that the Senator from New York refers to all the chambers, the National Chamber of Commerce, I fancy. Mr. President, I have this to say: It may be true that that body of gentlemen decided adversely to the bill, but what of it? There is in this country ever to be found a set of gentlemen who always know more about the legislation than the legislators who frame and shape it and who never fail to express their judgment wherever opportunity affords them the chance. Now, with great respect to the chambers of commerce, I see my able friend, the distinguished junior Senator from Massachusetts [Mr. WEEKS], and I invite his attention to what I now say. What confidence can we put in these reports and recommendations from chambers of commerce, however well they mean? The junior Senator from Massachusetts read to this body from that very source, the Chamber of Commerce of Boston, its condemnation of the Panama Railroad as an adventure and its denunciation of that railroad as a losing adventure, showing how little these commercial bodies really know of the Government operations. Promptly the officials of the Panama Railroad returned a reply showing that the Boston Chamber of Commerce in its resolutions was wrong in its facts, misstated its premises, was unjustified in its conclusions, and wholly in error according to reports of the Federal Government as recorded here in its annals at Washington.

Mr. WEEKS. Mr. President——

Mr. LEWIS. I yield for an interrogatory to my friend from Massachusetts.

Mr. WEEKS. I wish to ask the Senator in what respect the statement made by the Boston Chamber of Commerce was in error?

Mr. LEWIS. I have the record here and I will put it in the RECORD. In three respects: First, by stating that the road had been a failure. Second, by stating that it had been a losing venture. Third, by stating that the Government operations had been responsible for all these results.

I will make them as an addenda to my remarks.

Mr. WEEKS. Mr. President, not in the Senator's time but in my own time, I think I can prove that all three of those statements are correct.

Mr. LEWIS. I shall be glad to hear from the Senator about that question, but I now say to him that if there be no objection, I will introduce in my remarks, for the RECORD, a letter sent by a department specifically replying to those resolutions that the chamber of commerce adopted. I will introduce them in my remarks so that the Senator may have them in the RECORD, upon which he may address his observations to my addenda.

But now, Mr. President, if these chambers of commerce to which the able Senator from New York alluded have made observations against the bill, of course I am not willing to accept the idea that these chambers of commerce are like the wise men of whom we are told in the Holy Scriptures had all wisdom born in them, and with them it will die. I can not overlook the fact that many of these gentlemen were honest in their absolute opposition to the bill, for two reasons: One was, they come in large numbers from the coast cities, where the private transportation companies have their influences, and are naturally influenced against the competition of any other company. Secondly, they are honestly opposed to the opening by the Government of enterprises of this kind, because they really feel that any undertaking by the Government intrenches upon the dividends to be paid by these private institutions, which, of course, have their investments in the different concerns represented very largely by these gentlemen who came to serve as the representatives of the chambers of commerce. Thus, we will not overlook the personal interest that makes it absolutely impossible for these agencies to be impartial or correct in their judgment; and therefore I can not agree with the Senator from New York that their judgment should be binding upon the legislative body whose members are sent here by the people to

investigate the subject in all of its relations and ramifications and reach their conclusions upon the basis of abstract justice.

Mr. President, I have no other allusion to that subject. I now return to the concluding portion of the Senator's speech.

I recognize the Senator from New York as speaking that sentiment which is lately held by a large number of gentlemen of his party, and that is that wherever this Government attempts any undertaking on behalf of the people through the agencies of the Government it should be promptly obstructed and defeated, not because it is unconstitutional, not because it violates the fundamental lines of demarcation in government, but because it does offer opportunity of competition with private enterprise that heretofore enjoyed monopoly of privilege.

Mr. President, the able Senator from New York concluded his observations by saying that the people of this country will control their own Government. I answer the able Senator that since they beheld his performance in Chicago, in the National Republican convention, and the conduct of that convention and its results, they have taken control of their own Government. They are now for the first time since the Civil War controlling their own Government, and it is because of just such performances as the Payne-Aldrich tax bill and the Aldrich currency bill. This latter measure that sought to put the Government behind the favored few, that they might issue money upon their promissory notes, and repress entirely the price of the labor and toil of every citizen of this country while they enriched themselves upon the usurious rates they charged the farmer upon his farm, the toiler in his factory, and the laborer in his mill by authority of the National Government and a Republican administration. Mr. President, beholding these things, the people have seen that the time has come when they shall possess themselves of their Government, and they have now, under a Democratic administration, proceeded to accomplish this fact.

Mr. President, the time has gone by when the people can be deluded by the specious argument upon governmental distinctions, that they have no right to do for themselves that which it is their right to do to repair a wrong. In the heart of the American Nation is the decree that that which is for their welfare shall by the people be executed.

Senators, there are but two forms of separate government now recognized by geographical or constitutional limitation—one, the nation; the other, the municipality. The conditions arising in the last 20 years have wiped out those intermediate legislative lines of State and Nation as before existing. The Supreme Court of the United States assumes to hold the local statute of Kansas unconstitutional, that merely forbade a man to be discharged from his employment in Kansas because he was a labor-union man. They assumed to sit in judgment upon the State of Kentucky and hold her statute unconstitutional that sought to protect her people against a trust monopoly. In many other instances of this nature the Federal Government has wiped out the States as sovereign political governments. This has been done under Republican doctrine and Republican policy—Federal intrusion upon and Federal invasion of State power.

Sirs, this Republican invasion and degradation has been accomplished in order to serve with favoritism the few who defy law. The Democracy now will convert this new power of usurpation to accomplish justice to the many. It will now appropriate the privilege to assure through this power that justice may be done the citizen, opportunity of prosperity given to the Nation, and full relief against oppression afforded to the people. Sir, the people have reached this judgment that whatever is necessary to their welfare shall be done by whatever government is necessary to execute it. Wherever it can be done by the local government wholly within local limitations, there only it ought to be done; but where a local government can not give it and it is necessary to extend beyond the local power in order to achieve the relief, then there it shall be done by and through whatever agency of constitutional government is accessible for the purpose.

Mr. President, the Senator from New York adverted to the attempt of the southern Members to meet by a relief measure the unprecedented cotton situation of their States. That measure was by their conscience and heart justified because of the emergency which had settled upon their people in great distress.

Mr. President, during the Spanish-American War, during the war between Germany and France in 1871, during the war in 1883 between France and China, the conditions then set upon our country were unusual. From these grew many unusual needs. These were met by emergency measures. In every emergency of this kind there arise exceptional instances which must be treated with wisdom and justice. This was the adjudication of the Supreme Court of the United States in the greenback decisions, in the income-tax decisions, and in every instance where national convulsion had shaken the Nation from its fixed foundations, embedded in peace.

Mr. President, it is that situation with which we are now confronted, and so far as I am concerned I am quite prepared to meet the new existing emergency upon my country and my people. I am ready for it because it has come upon our people, forced upon them. Now, sir, for their self-defense they are forced for their self-preservation to adopt whatever course by any agency that can legally accomplish their relief. This condition has been availed of that the people may have their rights and preserve their heritage from the gripping hand of persecution and the clutch of strangling monopoly and crushing power.

Mr. President, where is the man who can justify before his country or his constituents a position at this time that will deny the farmer a chance to sell his cotton and his grain at the highest price in the markets which need his product? Where is the Senator who can justify his opposition to a measure which offers opportunity of serving the manufacturers and workmen by sending the product of their workmanship and labor abroad, where there is a demand? Who of you will decline to give opportunity to the thousands of idle now in the streets, who would have employment if you but make opportunity for selling the results of their labor? Who among us wishes to impoverish the people of his home and bankrupt the Treasury of his country? I am sure there are none. Each man as he listens to the dictates of his heart answers with me, There are none who could do such a thing.

To you, Senators from the South who have departed from your party, I speak. You differ on a distinction of theory. Admitting you are right, will not your patriotism direct you to waive the pride of personal opinion in order that you could cooperate in the great objects of relief of humanity which this bill has as its object? My colleagues, every pulse of my heart beats for my fellow comrades of the South. I recall the history of the degradation with which you were visited by Republican administrations in the dark days of the South's desolation. Mr. President, when I saw certain of my distinguished southern friends on this floor in opposition to this measure and giving comfort to the enemy and service to the persecutors of their people, I thought of their children and the miseries they had to undergo before all the world at the hands of these Republican masters, who these well-meaning but mistaken southern colleagues of mine support in their opposition to justice and Democracy. For myself, Senators, I can not refuse the relief to my fellow citizens, crying their distress; nor can I forget those who put on your people in the hour of their despair the crown of sorrows; nor can I ever desert the interests of those who were visited with disgrace and political persecution by those who now ally themselves with you, when the object is the destruction of your cause and the cause of Democracy. My southern colleagues, you know my feelings. I can say to you, as Ruth to Naomi:

> Entreat me not to leave thee, nor to cease from following after thee. Whither thou goest, I will go. Whither thou lodge, I will lodge. Thy people shall be my people—thy God my God—and where thou diest, will I die and be buried also.

Senators, Democrats, view the situation we have created! There will not be a country in Europe, governed by kings and monarchs and which has been sneering at the effort of democracy in its struggle for self-government, that will not delight in the dishonor and humiliation you would put on your President by your mistaken course. There is not an opponent on the Republican side who will not greet with laughter the defeat of a Democratic measure by Democrats—through their own disaffection and dissension.

Democratic Senators, I bring to your reflection as I leave you the lesson from the picture of the Conquerors, by Coutoure. You recall the canvas in the Louvre. In the front ground are to be seen Hannibal, Cæsar, Pompey, and Napoleon. Behind them the outlines of the determined and cruel countenances of the despotic rulers who follow in the wake of the military murderers. They sit astride their caparisoned steeds. They stretch across the middle of the roads and fill the spaces on the broad highways with their crushing advance. Just beyond them, crouching in shuddering groups, the miserable poor and the defenceless, beholding that it is but a moment distant when they are to be the victims of this merciless march and fall beneath the iron-shod feet of those who are to be driven over them. Behind the hedges and near the side of this merciless array stand men who had but lately been opponents and in conflict. One was in blue and the other in the blouse of red. They were known as the blues and the reds—they were hereditary foes and had been set upon each other by the masters, that advan-

tage might be taken of their division and self-destruction, forced upon them by those whose interest it was to divide them that they might be overcome and by the hands of each other beaten down. These two—the blue and the red—saw these masters riding over their countrymen and on their way to further desolation of the land of their fathers. Then they moved out from their hiding place, and the blue, turning to the red, said: "My brother, why do we fight? Which way is your way?" The red replies: "Mine's the other way from those who trample our kindred. For, as they ride over those they will turn to ride over us." The blue answers: "True, if their way be ahead, ours is the other way—for our children, who have been hungered; for our wives, who have been dishonored; for our country, which has been stripped and pillaged." Then, both together, with their faces lifted to the heavens above, strike hands and made the vow, in response to the call of their beloved ones, saying: "If the persecutors move one way, ours must be the other; then, brother, together we march for home, for children, for country."

So say I to you. You see the way your persecutors go—ours is the other way; then we, too, together for home, for children, for country! [Applause in the galleries—suppressed by the Chair.]

ADDENDA.

Under permission granted to-day I herewith present certain correspondence had by Mr. E. O. Drake, vice president of the Panama Railroad Co. Let it be remembered at the outset that the Panama Railroad Co. is simply another name for a Government bureau, as the entire capital stock of this "company" is owned by the United States Government. The insertion of this correspondence in the RECORD at this time is designed primarily to refute the unwarranted and inaccurate pretensions of certain Boston shipping interests who are opposing.

These shipping interests have gathered themselves about the Boston Chamber of Commerce and have caused that body, through one of its committees, in all sincerity, no doubt, to send out a plea to Members of Congress against the pending ship-purchase bill and on behalf of a scheme of direct subsidy.

Before calling attention to inaccuracies in the letter referred to and presenting my data, let us see who stand sponsors for the communication and its allegations. They all seem to be very splendid men.

First, it is signed by the Boston Chamber of Commerce, Mr. E. J. Bliss, president, and Mr. James A. McKibben, secretary. Mr. Bliss is a director of the Regal Shoe Co. and also of the International Trust Co.

In the letter the Boston Chamber of Commerce declares its opposition to ship-purchase bill because it would—

Discourage private capital and personal initiative, and deter the development of an American shipping industry, so vital to the commercial progress of Boston, of New England, and of the whole United States.

The able members of this chamber of commerce then propose six specific schemes for getting more profits into the coffers of the Shipping Trust.

With the letter is transmitted a report of the committee of the chamber on merchant marine. This report contains the suggestions some of which I say are not accurate and which I will take up later. The statements relative to the Panama Railroad Co. vessels—Uncle Sam's steamship line between Panama and New York—I will show to be inaccurate at this time.

First let us see who are the able gentlemen who compose this committee of the Boston Chamber of Commerce. They are very busy men, as their numerous interlocking directorates would indicate, so if they were not able to check up all the alleged facts that had been included in the report which they signed, they should not be blamed. I certainly do not attach to them the slightest blame. Here are the names and some of the activities of this eminently competent, but quite occupied, we must admit, committee:

E. G. Preston, treasurer S. S. Pierce Co.; director John Hancock Life Insurance Co., Boston Safe Deposit & Trust Co., Boston Confectionery Co.; trustee Home Savings Bank.

E. E. Blodgett, lawyer (Blodgett, Jones, Burnham & Bingham), director Coastwise Transportation Co.

L. A. Coolidge, treasurer and director United Shoe Machinery Co.; vice president and director American Zinc, Lead, & Smelting Co.; director Boston Fast Color Eyelet Co., United Xpedite Finishing Co.

P. E. Fitzpatrick, director Brown Durrell Co. (hosiery, underwear), Boylston National Bank.

Frederick Foster, lawyer.

Theodore Jones, treasurer and director Jones, McDuffee & Stratton Co., (glass, pottery, and lamps), Home Savings Bank, Brookline Trust Co.

Winthrop L. Marvin, secretary and treasurer National Association Wool Manufacturers, was secretary Merchant Marine Commission 1904–5; associate member Society of Naval Architects and Marine Engineers; author of The American Merchant Marine, Its History and Romance; contributor to magazines on tariff, Navy, and merchant marine.

Robert S. Peabody, architect of firm Peabody & Stearns, director Massachusetts Institute Technology and Museum Fine Arts, of Boston, chairman Boston Park Commission.

George F. Willett, president Eastern Leather Co.; United Printing Machinery Co.; Norwood (Mass.) National Bank; treasurer and director American Felt Co.; director general Chemical Co., Boston University, Daniel Green Felt Shoe Co., Massachusetts Employees' Insurance Association, Merchants' National Bank, United States Worsted Co., Winslow Bros. & Smith Co. (sheepskins), Woonsocket Machine & Press Co., Winslow & Co. (naval stores).

These gentlemen say:

There is some precedent in the practice of other nations for Government ownership of railroads; there is none whatever for Government ownership of a merchant marine.

It is true that all the nations of the world, practically, except England, the United States, Turkey, and Spain, own their railroads—"some precedent"—but the impression made by the remainder of the statement will not quite bear out. Aside from the very extensive experience of Russia in Government ownership of a merchant marine, the other great nations have gone so far at ship subsidy and subvention as approaches very close to ownership. The title of the private owners is in almost every case subordinated to an effective Government claim. But in Russia the Arkhangelsk-Murman Steam Navigation Co. was chartered May 15, 1895, under Government control. The Government subscribed to 56 per cent of its capital stock, which in the gross amounted to 1,112,800 rubles—about $556,400. The dividend rate was fixed at 5 per cent. From surplus profits, if any, 1 per cent was to be paid to private shareholders, and of the balance 25 per cent was to be distributed in bonuses to the management and employees of the company, 37½ per cent added to the insurance fund, and 37½ per cent to be used for the rebate to the Government on the subsidy allowed. This Government-owned company owned 16 vessels of 11,187 gross tons and 10,038 horsepower.

In 1903 the Russian Government took over the Russian-Danube Steamship Navigation and provided by statute for the purchase and operation of additional new vessels. The management of the concern was placed under the bureau of merchant marine, department of merchant marine and ports. The Russian-Danube Navigation owned 14 vessels, 6,334 tons, 9,390 horsepower.

"The volunteer fleet" is another shipping organization owned and controlled by the Russian Government. This branch of the merchant marine was placed completely under Government control in 1902. The Government advanced to the volunteer fleet for the purchase of six new steamships 3,060,000 rubles, to be paid by the treasury in 1912 1,530,000 rubles and in 1913 1,530,000 rubles, this sum to be returned to the Government in full out of earnings in 20 years beginning in 1914. One of the regulations provides:

The reserves of the army and navy shall be given preference in appointments to the service in the volunteer fleet. The captains, mechanics, surgeons, engineers, sailors, and firemen of the vessels of the volunteer fleet shall be chosen chiefly from among members of the navy department, who are either in the reserves or on the retired list.

The volunteer fleet, January, 1914, owned 32 vessels of 116,422 tons and 98,460 horsepower. It seems that the taking over of these large divisions of the Russian merchant marine by the Government was prompted by a desire to put the ships onto a substantial and reliable basis which could not be secured under the greed of private capital. The splendid working of the new system is abundantly set forth in an unprejudiced article in Fairplay, weekly shipping journal (London), volume 62, page 447, February 26, 1914, as follows:

THE RUSSIAN VOLUNTEER FLEET.

[Extract from Fairplay, weekly shipping journal (London), v. 62, p. 447, Feb. 26, 1914.]

Since the year 1909, when the management of the Russian volunteer fleet was intrusted to the ministry of marine, and when the business of the concern was placed on something like a commercial basis, the results of its operations have improved considerably. Ever since 1885 that company has been the recipient of a yearly subsidy, amounting to 600,000 rubles, for the maintenance of a steamship service between Odessa or St. Petersburg and Vladivostok. Notwithstanding the State assistance, however, the company up to 1909 worked for the most part at a loss. Then, with the change in its management, came a change in its prospects. In 1909, for instance, the net profit realized, not including the subsidy, amounted to 512,132 rubles; in 1910 there was a surplus of 561,563 rubles, in 1911 of 178,807 rubles, and for 1912 the net profit was 289,290 rubles. In view of this altered state of things it is not to be wondered at that the Government considers that the time has arrived for revising the subvention allowance. A bill, in fact, has been laid before the Duma providing that for the next 10 years—i. e., from 1914 to 1923—the Volunteer Fleet Co. shall receive a yearly subsidy of 178,383 rubles for the working of the above-mentioned main line instead of the yearly sum of 600,000 rubles, as hitherto. The Government takes it for granted that henceforward there will be an annual increase of about 110,700 rubles in the earnings and an average increase of about 36,000 rubles in the expenses. The new bill stipulates that there shall be, as formerly, 18 voyages in both directions every year. The ports to be called at on the outward voyages are to be Nicolaieff, Constantinople, Beirut, Port Said, Djedda, Hodeida, Djibouti, Co-

lombo, Singapore, Hongkong, and Nagasaki, and on the homeward trips Nagasaki, Hankow, Shanghai, Hongkong, Singapore, Penang, Colombo, Djibouti, Hodeida, Djedda, Port Said, Beirut, Constantinople, Feodosia, and Batoum. Nine of the company's steamers must, under the new bill, be put into the Odessa-Vladivostok line; four of them must, however, on account of their age, be replaced by new ones, and these new boats must have a speed of 12 knots, must be fitted for both passenger and cargo traffic, and be of about 8,000 tons carrying capacity. In order to furnish funds for the payment of this new tonnage—which, as far as possible, must be built in Russian yards—the company is empowered to raise a loan of altogether 3,920,000 rubles—namely, of 600,000 rubles in each of the years 1915 and 1916, of 1,500,000 rubles in 1917, and of 1,220,000 rubles in 1918. The new steamers have to be installed in the service as early as 1915, and seeing that the Russian yards will be fully employed for a long time to come in executing orders received for the construction of war vessels, it is more than probable that some of the new boats for the volunteer fleet will have to be built abroad.

I have not now at hand further data to refute other statements, as I am sure I will be able to do later concerning Australian experiences and other statements as to "the net experience in Government ownership which the world affords," but the correspondence which I will now insert concerning the Panama Railroad Co. line—Uncle Sam's line between Panama and New York—so completely negatives the wild, inaccurate, and unconsidered statements as to that line as to leave little to be said. I hear denunciations of Industrial Workers of the World propaganda, but how about the berating of the Government in such a splendid achievement as the building of the Panama Canal, and especially the steamship side of the undertaking, which has certainly been as brilliant and successful as any undertaking in the history of man's achievements?

Read the record of reduced rates to one-half of the former rates, of revised agreements that protect American shippers to South American ports. Study the figures and determine whether Uncle Sam is a blunderer and the Shipping Trust is perfection. Put your fingers to your brow and ask yourself seriously why these steamship owners want to keep Uncle Sam from going further in the Government ownership and operation of steamships, and then turn to the letter of these Boston men of trade and commerce and shipping combines and contemplate the nerve of them as they submit their plan to transfer about $100,000,000 gold a year from the pockets of the people to their own coffers.

The following is the correspondence with Mr. Drake, which I will take occasion to discuss later, but the friends of the Shipping Trust also use the data:

PANAMA RAILROAD CO.,
New York, September 15, 1914.

Hon. J. W. BRYAN,
House of Representatives, Washington, D. C.

MY DEAR MR. BRYAN: Your letter of the 5th instant has just been received by me.

When the United States Government secured control of our company we were operating a steamship line between New York and Colon as a feeder for the railroad. It consisted of the steamships *Allianca*, *Advance*, and *Finance*, which were owned by the company, together with other chartered steamers that were secured from time to time, as warranted by the traffic.

The maximum freight rate then existing between New York and Colon was $8 per ton, and outside of a few of our employees, who were carried at lower rates, the prevailing fare for passengers was $75 each way.

The three steamers we had in the service were not, of course, of sufficient capacity to meet the demands for transportation of freight and passengers when the construction of the canal was commenced, and the Isthmian Canal Commission, the department of the Government in charge of the work, purchased the steamships *Colon* and *Panama* from the Ward Line and turned them over to us for operation on the basis of our company paying interest, charter hire, and depreciation.

The minimum freight rate was gradually reduced from $8 to $3.50 per ton, and is still effective, and practically all of our passenger accommodations have been availed of for the transportation of Government employees. These demands have been so urgent that we have not been able to accommodate the tariff passengers desiring to sail on our steamers, who have consequently patronized the other lines running between New York and the Canal Zone.

When the steamships *Ancon* and *Cristobal* were purchased for the transportation of cement to the Canal Zone, they were turned over to us without charter expense, because it was realized that any charge of this character assessed against us would be reflected in the rate established for the transportation of cement; and with a view to reducing this to the lowest possible limit, we were relieved from the obligation of paying charter hire for the steamships *Colon* and *Panama* upon the understanding that cement would be carried on the *Ancon* and *Cristobal* at actual cost, and that in arriving at this cost we would credit the Panama Canal with the amount we would pay for the charter of the steamships *Colon* and *Panama*. As a result of this arrangement all of the cement carried by our steamers in connection with the construction of the canal has been burdened with a transportation charge of only $1.25 per ton of 2,000 pounds, while on tramp steamers that we have been obliged to charter from time to time because our steamers were not of sufficient capacity to carry all of the cement needed in the work, the Government has incurred an expense of from $2.25 to $3 per ton of 2,240 pounds.

Up to the middle of August, when we turned over the steamship *Cristobal* to the Quartermaster's Department for the return of American tourists in Europe, we were operating six steamers—the *Ancon* and *Cristobal*, the *Colon* and *Panama*, and the *Allianca* and *Advance*. The last two are the property of our company, the *Finance* having been lost in New York Harbor about four years ago.

Up to May 31, 1914, we have charged up $358,653.35 to the depreciation of steamers owned by our company; we have maintained a rate of $3.50 for rough goods between New York and Colon, and $4.50 per ton on general cargo, as against the $8 rate in effect previous to the time the Government assumed control of our company, and as against a rate of $6 that is now being charged by steamship lines operating vessels between New York and ports contiguous to the Canal Zone; we have carried thousands of employees of the Government and their families from New York to the Canal Zone at the $20 and $30 rates, as against the $75 rate prevailing by other steamship lines; we have competed with foreign lines for the freight traffic moving between New York and ports on the Pacific coast both north and south of Panama, without being parties to rebates, reduced freight rates, or concessions in passenger fares to the important shippers interested in this traffic; we have assisted in the development of traffic between the Atlantic and Pacific coasts of the United States as against the transcontinental railroads by allowing steamship cocarriers on the Pacific a proportion of the through rates sufficiently remunerative to enable them to maintain their steamers in the traffic and accepting a proportion for our Atlantic haul that in most cases results in a loss to our line; we have by the operation of our steamship line induced our Pacific Ocean carriers to agree to a gradual reduction in the rates to and from the United States and Pacific ports of Mexico, Central and South America, to the level of the rates to and from Europe, thereby doing away with the discrimination that has for years existed in favor of the European market; by our action in maintaining low and yet reasonable rates between New York and the Canal Zone we have saved the Government very considerable money in the shipments that have been forwarded by other lines that were forced to meet our rates, and notwithstanding all this the operation of the steamship line has been financially successful, as you will note by the following table:

	Profits.	Deficits.
1905	$157,245.49	
1906		$37,158.21
1907	158,562.95	
1908		178,810.67
1909	104,995.98	
1910	167,952.25	
1911	77,187.97	
1912		201,761.13
1913	221,489.92	
11 months to May 31, 1914	267,019.29	
Total	1,154,453.85	418,730.01

I believe the above will give you in a concise manner the result of the operation of our steamship line since its control by the Government, but if there are any further details that you require regarding expenses, earnings, charter, depreciation, or anything else that you think would be of any interest to you, I shall be very glad to furnish them to you.

Yours, very truly,

E. A. DRAKE, *Vice President.*

Ten specific interrogatories on the various phases of the case were then submitted, as follows:

SEPTEMBER 25, 1914.

Mr. E. A. DRAKE,
Vice President Panama Railroad Co.,
24 State Street, New York City.

MY DEAR MR. DRAKE: I have your very interesting letter of the 15th instant and have given same considerable study. I shall use the data it contains in connection with a discussion of the shipping bill which President Wilson is demanding of this session of Congress. I am an enthusiastic supporter of the administration policy along this line and desire to do all I can to support the same with such recordations as your operations afford. With this in view I want some further information from you and note your kind offer to furnish same if I so desire:

1. What was the amount appropriated by the Government to secure control of the Panama Railroad Co.? How much was put into the business by the Government?

2. In your estimates of profits or deficits for the several years, do you figure interest on this total investment? If so, at what rate?

3. When the *Colon* and *Panama* were purchased from the Ward Line was the amount paid for these vessels included in the investment, and was interest charged on that portion of the investment?

4. You speak of "charter hire." What was the amount you were to pay for "charter hire" to the Government on the *Colon* and the *Panama*? From the fact that you paid "charter hire," I infer that you did not include the original amount of the purchase of these vessels in investment on which interest was to be charged. At the same time I note that you paid interest as well as "charter hire." If there is further data in connection with this feature, so that I can make it perfectly plain in debate in connection with this letter of the 15th, please give it to me.

5. The *Ancon* and *Cristobal* were turned over to the Panama Railroad Co. without charter expense, you say, to effect a low rate on cement. Under that arrangement does the low rate of $1.25 per ton evidence the real cost of transporting this cement? That is, is it the cost of transportation as you would have incurred had you been a strictly private corporation without governmental protection, and could the tramp steamers have hauled the cement at $1.25 per ton if they had waived profits? Can you give me a fairly accurate approximation of the total amount saved by the Government on transportation of materials, supplies, and men to Panama during the construction of the canal by virtue of the Government's ownership of these vessels, as compared with the amount the Government would have had to pay if it had not owned the vessels?

6. The *Finance*, you say, was lost in New York Harbor about four years ago. Was the value of this vessel included in depreciation or profit and loss? How was it accounted for?

7. Up to May 31, 1914, you have charged up $358,653.35 to depreciation of the steamers owned by the company. Does that sum cover all of the depreciation? In other words, are the vessels and property of the Panama Railroad Co. worth the sum paid for them less this depreciation?

8. On the subject of rates you say you have maintained a rate of $3.50 for rough goods between New York and Colon and $4.50 on general cargo, as against the rate of $8 previously in effect and $6 now charged to ports contiguous to the Canal Zone. Could a private corpo-

ration carry this freight and traffic at the same rate you are charging if profits were eliminated? It is persistently claimed by fellow members of the Committee on the Merchant Marine and Fisheries that your vessels are not self-sustaining. Is there any further data you can give me to controvert beyond doubt this claim?

9. On page 4 of your letter of the 15th instant you speak of doing away with a discrimination that has existed for years in favor of the European market in Mexican, Central and South American ports. Will you give me any data you can to amplify and demonstrate this feature both as to the nature and extent of the discrimination heretofore practiced and as to the reduction you have brought about?

10. In your itemized statement on page 4 of your letter of the 15th instant you show a deficit of $37,158.21 in 1906, a deficit of $178,810.67 in 1908, a deficit of $201,761.13 in 1912. What is the explanation for these deficits in these particular years? Your total profits for the years mentioned are $1,154,453.85. Your total deficits are $418,730.01. This makes the aggregate profits exceed the deficits by $735,723.84. Is this a true statement of the profits and is it a fact that the Government has actually made this much money by virtue of the ownership of these vessels during the time covered by their operation?

I realize that I am burdening you by these queries, but I shall appreciate very much full answers to them in order that I may demonstrate to Congress the fact that men employed by the United States Government are able to do things of this kind and have as much sense and as much efficiency as men employed by the private interests of the country, and the story of governmental waste and inefficiency is not borne out by the facts.

Thanking you for your kindness of the 15th, and thanking you in advance for such further information as you will be kind enough to furnish for immediate use, I remain,

Sincerely, yours,

J. W. BRYAN.

Mr. Drake answered as follows:

PANAMA RAILROAD CO.,
New York, October 2, 1914.

Hon. J. W. BRYAN,
House of Representatives, Washington, D. C.

MY DEAR MR. BRYAN: I take pleasure in submitting the following replies to the specific inquiries contained in your letter of the 25th ultimo, previously acknowledged:

1. The old French canal company was the owner, by purchase, of 68,888 of the total of 70,000 shares of the Panama Railroad Co., and when the United States Government bought the assets of the Panama Canal Co. for $40,000,000 it secured these 68,888 shares. My recollection is that they were valued at $7,000,000 by the representatives of the United States Government who arranged the purchase, but correct information regarding this, as well as concerning the cost of the remaining 1,112 shares purchased by the Government to secure complete control of the company, can undoubtedly be obtained from the files of Congress in Washington or from Maj. F. C. Boggs, chief of office of the Panama Canal, who is located in that city.

In considering this question it must be borne in mind that the Panama Railroad Co. operated a railroad across the Isthmus known as "Panama Railroad" and a steamship line between New York and the Canal Zone known as the "Panama Railroad Steamship Line."

As explained to you in my previous letters, the facilities of the steamship line were sufficient to take care of the commercial traffic that was offering up to the time the United States Government undertook the work of constructing the canal. The railroad the company operated across the Isthmus was also similarly situated, but in order to handle the large amount of material, supplies, and workmen required in the construction of the canal it became necessary to practically reconstruct the road and equip it with modern rolling stock that its previous commercial traffic did not warrant. There were two ways in which this could be accomplished—the company could either make these improvements out of its own or borrowed funds and charge the United States Government sufficiently high rates for the service rendered to warrant this expenditure, or apply to this purpose all of its own funds, borrow the additional moneys required from the United States Government, and charge rates for the transportation furnished to the Government that approximated actual cost.

The latter plan was determined upon, and the company secured loans of $650,000 from the Isthmian Canal Commission and $4,285,197.03 from the Government, making a total indebtedness of $4,935,197.03. All of these advances, with the exception of $272,234.92 that was expended in the rebuilding of our steamship *Allianca*, were applied to the retirement of the company's bonded indebtedness and the improvement of the railroad facilities at the Isthmus in order to enable it to handle the Government's traffic at low rates; and from the net revenues of the company these loans were repaid to the extent of $1,687,864.92, leaving a balance now due of $3,247,332.11, upon which, by act of Congress dated March 4, 1911, we are relieved from further payment on account of principal or interest.

As an indication of the low rates that we charged I would refer you to our annual report for the year ending June 30, 1913, which shows that although the freight traffic we carried for account of the Government was 56.67 per cent of the total traffic carried over the railroad only 17.60 per cent of the company's revenue was derived from this, the balance being the result of the carriage of commercial freight, which though forming but 39.50 per cent of our tonnage yielded 82.40 per cent of our freight revenue.

2. The correspondence exchanged with you related only to the operation of the steamship line. From the reply to inquiry No. 1 you will see that of the loans secured from the Government only $372,234.92 was applied for steamship purposes, and this was repaid.

Interest was paid to the Government on all the loans secured for the railroad's account to March, 1911; 4 per cent was the rate on loans secured for new equipment and construction, and 2½ per cent on the loans secured for the retirement of the company's first-mortgage bonds.

3. The steamships *Colon* and *Panama* were purchased by the Isthmian Canal Commission and are not the property of our company; they therefore do not appear in our capital account as an asset of our company.

My answer to inquiry No. 4 gives you the details of the interest payments to the Government on account of the use of these steamers by our company.

4. The steamships *Colon* and *Panama* were purchased by the Isthmian Canal Commission, at a cost of $1,312,000; we paid for the use of these steamers 8 per cent per annum on their cost, 4 per cent representing depreciation and 4 per cent interest on the investment. We also obligated ourselves to keep these vessels insured for their full value, to make all ordinary and extraordinary repairs, and at the expiration of their charter to return them in as good condition as when received, ordinary wear and tear excepted. In addition to the 8 per cent on their cost, we have also paid interest at the rate of 4 per cent on the value of the additions and improvements that were required to fit these steamers for our service, these latter amounting to $416,476.74.

On October 31, 1910, we discontinued making any direct payments for charter or depreciation, this being recovered from us through a relatively reduced rate that we established for the transportation of cement for account of the Panama Canal on the steamships *Ancon* and *Cristobal*. The total charter we paid to the Government up to that time was $585,947.04.

5. The rate of $1.25 per ton that we now charge for the transportation of cement on the *Ancon* and *Cristobal* was established by taking the actual cost of transportation, without any charge for charter, interest, or depreciation, and taking therefrom the amount per annum that we were paying for the use of the *Colon* and *Panama*. If we were a strictly private corporation without any control by the Government we could not possibly carry cement in steamships of American registry at anything like $1.25 per ton; nor could any other steamship owner operating even foreign steamers carry cement at this rate without incurring a heavy loss.

The highest rate we paid to a Norwegian tramp steamer was $3 per ton of 2,240 pounds, and we secured this only because the chartered owners had homeward traffic from Cuba that was available for the return trip. The lowest rate we secured from tramp steamers, even under the most favorable circumstances and with the assurance of full homeward cargo, was $1.60 per ton, but under ordinary conditions of the charter market an English or Norwegian tramp steamer can not make any revenue from the carriage of cement to Colon unless the rate is in the neighborhood of $2.40 per gross ton and full homeward cargo can be secured at paying rates.

It would not be possible for me to give you even an approximate idea of the amount saved to the Government on the transportation of materials, supplies, and employees by virtue of its ownership of our line, as compared with the amount it would have paid if it did not control the line. You will realize in a moment the difficulty of this task when you consider the following:

First. All employees have been carried to the Canal Zone at an expense to the Government of $40 for each adult; and all the employees and their families traveling at the expense of the employee have been carried at the rate of $20 or $30 for a journey of 2,000 miles, occupying nearly seven days, as against the tariff rate of $75 by other lines, which during certain seasons of the year when the tourist traffic is not important, apply a rate of $56.25 for the transportation of Government employees.

Second. The rates on all Canal Commission supplies is $3.50 per ton on rough goods and $4.50 per ton on general cargo, as against the previous tariff rate of $8 per ton.

The other regular lines have also been obliged to meet our rates in order to secure any share of the traffic, because the Government, although owing our line, does not patronize it exclusively.

6 and 7. The book value of the steamship *Finance* at the time this vessel was lost was $244,265.37; we received from the White Star Line as its share of our loss $33,333.33; the amount of depreciation figured on our books was $40,607.61; the balance of $170,324.43 was charged to profit and loss account.

The book value of the *Advance* and *Allianca* is $762,713.62; the amount of depreciation to May 31, 1914, is $318,045.74, thus making their net value on May 31, 1914, $444,667.88.

I consider that I am conservative in stating that the vessels are worth in the market their present value on our books. We could not replace them by steamships of American registry that are capable of giving us the service we now receive from them at anything like this amount, and they are worth more than their book value to us.

8. At the rates of $3.50 per ton for rough goods and $4.50 per ton on general cargo our steamship line, which receives no assistance whatever from the Government or from the railroad company, is self-sustaining and earns a profit. If we were a private steamship line independent of any connection with the Government there would be no inducement to carry employees and their families at a $20 and $30 rate, because this does not much more than cover the cost of their subsistence, and we could take steps to secure good paying freight traffic that is now lost to us because we can not follow the practice of other lines in securing it.

9. The principal part of the freight traffic carried over the Panama Railroad was, up to a few years ago, the freight between Europe, Central America, Mexico, and South America in both directions. We had one steameship connection on the Atlantic running to the United States, and eight running to Europe. Our cocarriers on the Pacific Ocean, with the exception of the Pacific Mail Steamship Co., operated steamers of foreign registry, and as a result of the various pooling and other arrangements that were and probably are still effective in connection with European traffic there was more or less a community of interest between the European-Atlantic carriers and the various carriers on the Pacific.

The traffic to and from Europe was always subject, more or less, to competition via the Straits of Magellan. This did not so seriously affect the traffic to and from the United States, but the result was that the rates to and from Europe were gradually reduced, while those to and from the United States were maintained.

For instance, on traffic to Central and South America the rates on high-grade cargo, such as laces, ribbons, silks, etc., were $9.94 per ton higher from the United States than from Europe, although the distance is 1,000 miles less. On cotton goods, domestics, linens, etc., the rates were $7.39 per ton higher; on canned goods they were $9.82 per ton higher, and on edible cargo, such as crackers, meal, flour, sugar, etc., the rates were $3.82 per ton higher. On shipments of clean coffee from these ports the rates to the United States were from $3 to $3.80 per ton higher; on sugar, $5.43, and on hides and skins, $13.30 per ton higher than the rates to Europe.

Our railroad across the Isthmus being the intermediate carrier had no justification under private ownership to reduce this revenue by insisting upon its cocarriers establishing rates to and from the United States on as low a basis as those to and from Europe, but by the operation of our steamship line we gradually brought about a condition of affairs by which the rates from the United States were lowered from time to time until they were finally on a level with those effective from Europe. This, of course, was not accomplished without considerable objection on the part of our Pacific Ocean carriers, some of whom even to this day feel we have unnecessarily reduced their revenues by lowering the rates from the United States to the level of those from Europe when, in their judgment, the rates from the United States should be higher than those from Europe, because the latter are not subject to the competition that exists on traffic from Europe.

We have also succeeded in gradually inducing our carriers on the Pacific to establish the same rates on shipments to the United States

as on those to Europe, although, as a matter of fact, we have no right and no power by which this could be brought about. The principal disputes we have had with our steamship connections have been the result of this policy and of our refusal to increase rates from the United States when, because of charter or other conditions, all the various steamship lines in the world were engaged in raising their charges.

10. In 1906 the deficit of $37,158.21 was directly attributable to the loss on traffic due to the earthquake in San Francisco and to the diversion of some of our local and through cargo to the steamships of the Hamburg-American Line and the Royal Mail Steam Packet Co., which inaugurated that year a service between New York and the Canal Zone in opposition to our line.

In 1908 a deficit of $179,810.67 was due to our loss of tariff passenger traffic to the Royal Mail and Hamburg-American Lines and the carriage instead of employees of the Government, who with their families were furnished transportation to and from the Isthmus at the rate of $20 for each adult; the operation of five steamers on our line, which was imperative in order to maintain the food supply of the employees of the Government when the general and commercial cargo could easily have been handled with four steamers, and the falling off in our traffic of 14,823 tons; and the increase in charter expense of $129,749.69 for the hire of steamers while we were repairing the *Allianca* and making extensive necessary repairs to the *Colon*.

The deficit of $201,761.13 in 1912 was the result of the following conditions:

The Pacific Mail Steamship Co., which, as you know, is controlled by the Southern Pacific Railway Co., refused to exchange traffic between the Atlantic and Pacific coasts of the United States unless granted what was unquestionably an unreasonable proportion of the through rate. The Government offered every inducement to independent steamship lines to handle this traffic, and finally secured a connection. This independent line found it necessary to establish a service from Philadelphia in order to give their steamers on the Pacific sufficient tonnage to make their ships profitable. This Philadelphia service was discontinued by the independent line, and rather than lose the entire tonnage over the railroad we assumed the operation of this service. We knew at the time this would entail a heavy loss to our steamship line, but that it would be more than offset by the earnings of the railroad on the large amount of traffic it would continue to handle because of that service. Our loss in this connection was $70,057.29.

The Pacific carriers at one time brought more cargo to Panama than could be moved across the railroad to Colon in time to forward by our connecting steamers, because the facilities on the Isthmus were almost congested by the large tonnage we were unexpectedly called upon to handle by the Panama Canal and the inability of their operating officials to promptly release our cars. When the cargo was moved across the Isthmus we were obliged in order to prevent a block of all our facilities to secure a tramp steamer as a warehouse to receive it as fast as delivered from cars and to bring it to New York. The expense of this amounted to $21,739.20 and is properly chargeable to the railroad, but it is a steamship expense and has been charged to our steamship line.

Extraordinary repairs were required on our steamships, especially the *Colon* and *Panama*, which as above indicated are the property of the Government. The amount charged on this account during that year was $207,488.88.

An additional pier rental in New York City, because of the *Ancon* and *Cristobal* being turned over to us, cost $13,071.88.

The increased cost of stevedoring, as the result of handling a class of California traffic that had always been forwarded up to that time by steamers or sailing vessels operating via Cape Horn or the Straits of Magellan, and an increase in the rate of wages paid to stevedores cost $65,519.73.

I trust this will satisfactorily answer all the inquiries you have made, and regret that on account of press of other important matters I have not been able to furnish this to you more promptly.

Respectfully,

E. C. DRAKE, *Vice President.*

I can not further discuss this matter now, but this data is furnished freely for full use in this debate by all sides. I am sure those who are proud of the splendid work of the Government in this crowning achievement of man at Panama have no cause to be otherwise than proud of the handling of these steamships.

Mr. CLARKE of Arkansas (at 6 o'clock and 10 minutes p. m.). I move that the Senate adjourn.

Mr. FLETCHER. I suggest the absence of a quorum.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	Myers	Simmons
Bankhead	Fletcher	Nelson	Smith, Ariz.
Borah	Gallinger	O'Gorman	Smith, Ga.
Brady	Goff	Oliver	Smith, Md.
Brandegee	Gore	Overman	Smith, Mich.
Bristow	Gronna	Owen	Smith, S. C.
Bryan	Hardwick	Page	Smoot
Burleigh	Hitchcock	Penrose	Stephenson
Burton	Hollis	Perkins	Sterling
Camden	Hughes	Pittman	Stone
Catron	James	Poindexter	Sutherland
Chamberlain	Johnson	Pomerene	Swanson
Chilton	Jones	Ransdell	Thomas
Clapp	Kern	Reed	Thompson
Clark, Wyo.	Lea, Tenn.	Robinson	Thornton
Clarke, Ark.	Lewis	Root	Townsend
Colt	Lippitt	Saulsbury	Vardaman
Crawford	Lodge	Shafroth	Warren
Culberson	McCumber	Sheppard	Weeks
Cummins	McLean	Sherman	White
Dillingham	Martin, Va.	Shields	Williams
du Pont	Martine, N. J.	Shively	

The VICE PRESIDENT. Eighty-eight Senators having answered to the roll call, there is a quorum present.

Mr. FLETCHER. I ask for the yeas and nays on the motion to adjourn.

The yeas and nays were ordered, and were taken.

Mr. KERN. I wish to announce that the Senator from South Carolina [Mr. TILLMAN] is paired with the Senator from West Virginia [Mr. GOFF].

The result was announced—yeas 46, nays 48, as follows:

YEAS—46.

Bankhead	Colt	Lodge	Smith, Mich.
Borah	Crawford	McCumber	Smoot
Brady	Cummins	McLean	Stephenson
Brandegee	Dillingham	Nelson	Sterling
Bristow	du Pont	O'Gorman	Sutherland
Burleigh	Fall	Oliver	Townsend
Burton	Gallinger	Page	Vardaman
Camden	Gronna	Penrose	Warren
Catron	Hardwick	Perkins	Weeks
Clapp	Hitchcock	Poindexter	Works
Clark, Wyo.	Jones	Root	
Clarke, Ark.	Lippitt	Sherman	

NAYS—48.

Ashurst	Kern	Owen	Smith, Ariz.
Bryan	La Follette	Pittman	Smith, Ga.
Chamberlain	Lane	Pomerene	Smith, Md.
Chilton	Lea, Tenn.	Ransdell	Smith, S. C.
Culberson	Lee, Md.	Reed	Stone
Fletcher	Lewis	Robinson	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hollis	Martine, N. J.	Shafroth	Thompson
Hughes	Myers	Sheppard	Thornton
James	Newlands	Shields	Walsh
Johnson	Norris	Shively	White
Kenyon	Overman	Simmons	Williams

NOT VOTING—2.

Goff	Tillman

So the Senate refused to adjourn.

Mr. McCUMBER. Mr. President, the kaleidoscopic changes that have been going on in the Senate for the last 10 hours leave me a little mystified as to exactly "where we are at." I am forced to come to the Chair to get my information.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). As the present occupant of the chair understands, the Senator from Arkansas [Mr. CLARKE] has moved the recommitment of the bill known as the ship-purchase bill, and the Senator from Florida [Mr. FLETCHER] has moved to amend that motion by certain instructions, which the former occupant of the chair has held to be divisable. So the immediate question before the Senate is the adoption of the first proposed instruction in the motion for recommitment.

Mr. McCUMBER. Will the Chair kindly inform me, then, what became of the amendment proposed by the Senator from Nebraska [Mr. HITCHCOCK]?

Mr. STONE. Mr. President——

Mr. McCUMBER. I want to know what has become of that amendment.

Mr. STONE. As I understand, Mr. President, the junior Senator from Missouri [Mr. REED] offered a proposition in the form of an order, and the amendment of the Senator from Nebraska [Mr. HITCHCOCK] related to that motion or resolution, which, as I understand, has been withdrawn.

Mr. WILLIAMS. It was laid on the table. Both of them were laid on the table.

Mr. STONE. They were either withdrawn or laid on the table. They have been disposed of.

Mr. McCUMBER. Mr. President, I should like the attention of the Senators on the opposite side of the Chamber at least long enough to congratulate them for the progress they have made to-day in this matter. I can not help but recall the very prophetic statement of the Senator from Mississippi [Mr. WILLIAMS] not long ago, in which he deplored the condition of the poor old Democratic Party, which seemed incapable of conducting the affairs of the Government.

Mr. WILLIAMS. Mr. President——

Mr. McCUMBER. I did not sympathize with him at that time so much as I do to-day.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I do.

Mr. WILLIAMS. I want to ask the Senator from North Dakota a question. Why does he leave out the adjective "dear" in his reference to the Democratic Party?

Mr. McCUMBER. Mr. President, because I did not know but that it was not quite so dear to-day as it then was. At any rate, Mr. President, I think the Senator's statement has been exemplified in the management of this bill during the day.

I want to call the attention of that side of the Chamber to the loss of 8 or 10 hours in attempting to do something against the collective conscience of the Senate of the United States. There may be some of those on this side of the Chamber who believe in the principles of the ship-purchase bill; but I am inclined to believe, Mr. President, that there are none of them who will join you in committing the offense against the Constitution, the rules, and the conscience of the Senate, and against

individual Senators, as you have attempted in the several votes that have been had upon the question. The Vice President of the United States has certainly been very considerate to your side in the selection of those whom he has asked to take the chair in his absence. He has given you your most courageous men, those who are not afraid of the Constitution or of the laws or of any rule of the Senate. The picture of Ajax defying the lightning sinks into insignificance and looks meek and cringing compared with the courageous attitude of those who have occupied the chair, in their defiance of the Constitution and of the rules that have heretofore governed the Senate.

Have you made anything by the defiance of those rules? I should have been glad to have gone on at 7 o'clock this morning, after having stayed up all night, and follow the Senator from Washington [Mr. JONES]; but immediately you attempted new methods of cutting out debate; and so eager were you to prevent anyone else debating the merits of the bill, that you have been debating your own little party quarrels and fighting your own little battles all the day. But, Mr. President, the time spent has not been wholly lost. We have been getting the secrets of the Democratic caucus. It is certainly enlightening, if not a matter of pleasing interest to the people of the United States, to understand that a great policy can be foisted upon the United States by one single individual, whose mind wabbles during the night, depending upon the state of his stomach, the quality and character of his previous dinner, and that his vote against the policy one day, affected by the intricate workings of his digestive organs during the night, has changed the whole policy of the Democratic Party from one which would be independent upon the shipping bill to one which binds its members by some kind of a Mollie McGuire oath, taken behind closed doors, that they pledge their political life and honor that they will follow the dictates of that caucus.

Mr. President, I myself do not object to conferences. During the 16 years I have been in the Senate I have never yet failed to attend a Republican conference, and during all that time there has never been one single attempt of a Republican conference to compel any Member to abide by the will of the majority, whether that majority was two-thirds or any other number.

This morning, when a call for a quorum had been made and a quorum had responded and the Chair had announced from his place that a quorum was present, I immediately got recognition of the Chair and had concluded one-half of one sentence when some Senator arose upon the other side to introduce an entirely different proposition—a measure to change the rules of the Senate. Immediately I raised the point of order that no Senator could, without his consent, be taken off his feet after he had been recognized and while a voting quorum was present, as announced by the Chair. During this same Congress—only last summer—this same question was before the Senate, and with an almost unanimous vote on the other side you held that you could not introduce a new subject or take a Senator off the floor for that purpose without your consent. To-day, with exactly the same question before you, you reverse your position, and Senators on the other side were counted almost solidly in favor of the proposition that you affirmed only a few months ago was erroneous.

Mr. President, you can have one rule for one bill and another rule for another bill; but, as has been suggested, they will come back to plague you. You can not force them down the throat of a minority by brute force. I have intended to speak but a short time upon this subject, but the methods of the "dear old Democratic Party," as the Senator from Mississippi [Mr. WILLIAMS] would describe it, by attempting to break down all the rules and shifting the battle from one against a ship-purchase bill pure and simple to one of a defense of the Constitution and the rules that have governed the Senate for 125 years, those of us who have heretofore not spoken upon the subject at all can be counted to raise our voices and to take as many hours as may be necessary to defend that old Constitution and the rights of the Senate to free and fair discussion on the floor of the Senate of the United States.

Mr. President, it has been a little amusing to me to listen to the oratory on the other side of the Chamber about filibusters on this side. It was only two years ago when nearly every Member on that side of the Chamber, Senators who to-day raise their eyes in holy abhorrence against a filibuster and clasp their hands in an attitude of prayer, were then conducting a filibuster, not for the purpose of defending the Constitution and the rights of the Senate but for the purpose of obtaining a few post offices in the United States, hovering like vultures over a poor, dying animal, too hungry to wait until he had died before they began the dissection process.

Those Senators who have been so ardently condemning the filibuster carried on upon this side of the Chamber in defense of the Constitution were engaged in a filibuster for three months in order to gather up a few petty little post offices which they wanted to steal from the Republican Party. That is the difference between a Democratic and a Republican filibuster. We gave way and let you have those offices, but we will not give way and let you overrule the Constitution or the rules of this Senate.

Mr. President, I believe in a filibuster at times. I simply want those on the other side to take off their white robes and remove the aureole from their heads so that we may see them just as they are, and have them admit that they filibuster whenever they want to gain a point. You filibustered all of last week in order to gain time to reorganize your broken lines. We are doubtless talking much longer than we otherwise would in order to prevent a caucus of the Democratic Party from hurling the country headlong into socialism.

Mr. President, there has been a great deal of talk of late years about getting rid of the old parties—the Republican Party and the Democratic Party. The Senator from Nebraska and the Senator from Minnesota have been making speeches of late years along this line, in which they have deprecated the fact that we have any parties whatever. I have been a little in sympathy with them, believing that the Republican and the Democratic Parties have scarcely kept up with the changing issues. To-day the country is principally divided upon the question of paternalism, or socialism, and conservatism.

I am perfectly willing to organize two new parties that will bring this great question to the front—a socialist party and a conservative party. I will put into the one party all of you who want the Government to go into business on its own account, who believe in Government ownership of everything, and to put in the other those who believe in the old order of things, which has been in existence since the days when God Almighty told Adam to earn his bread by the sweat of his brow, which edict has really been a blessing and not a curse to humanity, and upon that issue I would be perfectly willing to meet you and go to the people of this country.

Can the Senator from Illinois, or any other Senator here, give me one single instance where a filibuster has succeeded that it has not been for the benefit of the country? You admit it on the other side when you say by a filibuster you saved the country from the force bill. The public cried "Hurrah" when the last sentence was uttered upon your river and harbor bill and it was killed by a filibuster. You can not conduct a filibuster unless you have at least not only a fair proportion of the Senate with you, but you must have the country back of you, and the country is back of us in this filibuster.

Mr. President, it was alleged that this filibuster is very wicked because it denies the right of a majority to rule. How are you going to determine what are the rights of a majority of the whole Senate when you bind the minority of the majority party by a rule which controls them against their own conscience? The real majority is on this side of that great question.

It has been stated here by one of your own Members that more than half on that side of the Chamber are against this bill at heart. This side, with the exception of two or three Members, are all against it. Therefore, when you say that we are filibustering, we simply say that we are defending the majority against the effort of a minority in a cause to defeat the will of the individual membership of the Senate.

Mr. President, I want to be as short as possible. This ship-purchase bill is before us on a motion to recommit to the Committee on Commerce, with the desire on this side of the Chamber that it may remain there, and on the other side, that it may be so amended as to secure a majority vote when it is reported back to the Senate.

I will address myself to the first of the three amendments to the motion for recommitment. I want to specify particularly on what particular amendment I am now talking, because if the same spirit is indulged which took me off my feet this morning, and kept me off for eight hours, it will undoubtedly result in my discussing each one of those amendments as often as I can get the floor to discuss it. I simply give this mild little warning, that there is at least one on this side of the Chamber who does not intend to be driven by such methods as were adopted by the Chair this morning. Everyone of us remembers the black Friday in this Senate of some little time ago. You are glad to escape the mistakes you made that day. You will reverse yourself in the mistakes you made to-day, but while you are doing that you are showing the same incompetency of the Democratic Party to control the destiny of this great Government. After all, I think you will progress

more rapidly by allowing us to go on and debate this bill in the Senate, because I do not think you are going to get the majority in the Senate here to say that you can cut off the right of debate, and when you bring this matter back to the people you will learn, I think, that those who have prevented you from having your own way have been your best friends, the friends of your own party.

You have been talking to us about wanting to reflect the sentiment of the people. Very well, if you want to reflect the sentiment of the people, why is it that you are so fearful lest this bill should not pass this session? Why, the very last expression of the people sent a number of Congressmen back to the House. The last vote, with the personnel that that vote represents, is the last expression of the people, is it not? Why, then, are you afraid to accept the result of their last act? You have not had this matter before the people in any form whatever. You have not had it as a part of your own declared policy. It has not been presented in any way, even to a Democratic convention. It comes here born out of nothingness, and you immediately say that the people want it, but at the same time you utter those words you dare not keep it open until the people themselves can pass upon the question through their last selected representatives.

Now, why not press the appropriation bills and get through with them? The people personally want that done. Then, when that is done, in 30 days you can call an extra session, and if you represent the sentiment of the people of the United States you can put your bill through. The fact is that you know that it will fail, and that is the reason why you are willing to throw aside all the rules of the Senate and hurry this through before the very people whom you say you are trying to save have an opportunity to express their views upon it by their vote in the other Chamber.

I think I am justified in assuming that either this bill will have to give way to appropriation and other absolutely necessary measures or that neither this measure nor any other one will be enacted into law during this session. So the question resolves itself into either doing nothing this session or dropping this measure for the present—a measure on which the Senate is almost evenly divided in vote and overwhelmingly antagonistic in real sentiment, uninfluenced by party fealty or unscared by the administration club.

With the continuous pouring in of petitions against this ship-purchase measure, no one can claim that it has any universally popular backing. I think the majority of the American people are against it, but that is a question upon which we may honestly differ.

On the other hand, all the people want the appropriation bills passed at this session. The country does not want another extra session.

The business of the country abhors this continual action and reaction of the Congress of the United States, where they never know from one year's end to the other what they must take into consideration in conducting their business.

Furthermore, there are bills and resolutions in our committees supported by the petitions of hundreds of thousands, and earnestly desired by millions, and against which not one single petition has been filed. If we wish to respond to the public demand, then let us drop this contested proposition and take up the resolution to prohibit the sale of munitions of war to belligerents.

Millions are asking for this and no one is protesting against it that I have heard of.

Then let us take up the farmers' measure—the rural-credits bill. The whole agricultural section of the country is interested in this measure and not a single protest has been lodged against it.

So one of the reasons why this measure should be sent back to the committee and remain there, either without instructions or with instructions to give it a decent burial, is that we may pass Senate resolution 6688, prohibiting the sale of munitions of war to the European belligerents. The merits of this resolution are, therefore, involved in this motion, because we can not get it before the American Senate unless this other matter is taken out of the Committee on Foreign Relations.

I have many thousands of petitions asking for the present passage of Senate resolution 6688, prohibiting the sale of munitions of war to European belligerents. The questions involved in that resolution are of far-reaching consequence, and the vast number of petitions show clearly the deep interest of many of our American citizens of Teutonic ancestry, who feel that the supplying by this country of war implements, ammunition, and so forth, to only one side engaged in the great contest now being waged in Europe, even though it may not violate international usages or law, the strict letter of neutrality nevertheless operates to the advantage of the allies and the disadvantage of Germany and Austria, and hence places this country in reality in the attitude of being a sort of side partner of the allies.

No one, Mr. President, who has given the subject serious consideration can say that the course we should pursue is perfectly clear and free from doubt. I would not be frank if I did not admit that plausible arguments could be given why we should not change at this time a usage that has been sanctioned by international acquiescence for centuries, and in which every nation has fully indulged.

There can be no question, however, but that the nation which has taken the lead in the past in disfavoring war as a means of settling international difficulties ought not to be foremost in supplying other nations with the war material to settle such difficulties by the slaughter of each other; that the nation which says, by its treaties with other nations of the world, "We will submit all our difficulties to a court of arbitration and will not go to war against any other nation until a joint commission of the two has investigated and reported all the facts concerning the disagreement" ought not, when other nations, without warning and without discussion, fall at each other's throats, say to them, "Go to it; here are my arsenals; I shall be highly gratified to fill your orders. Ideals are fine to talk about, but business is business."

We ought not to fix a day to pray for peace while we are selling ammunition for war. We ought not to stand with the Bible in one hand and a bomb in the other marked "For sale."

In my opinion, Mr. President, there is but one proper and consistent policy for this country, and that is to say to all nations of the world: "We are against the arbitrament of war; we are against blood and tears; we are against the murder of men; we are against the agonized sobs of women; we are against killing the fathers, the sons, and the brothers; we are against filling the world with the widows, the fatherless, and the unwed; we are against famine and pauperism; we are against misery and woe and anguish as a means of settling international disagreements, and we will not allow our honest motives, our sincere convictions, to be questioned or sullied by furnishing the instrumentalities to bring about such deplorable, such horrible, conditions in the world."

The question which presents itself to-day is not whether this should be our policy, but whether we can initiate this policy at this particular moment, when nations are in a death struggle; whether this sudden change of policy at this moment would not in its effect operate and would not be looked upon as a move designed to assist one side as against the other; and, if we are to adopt a policy of this kind, whether we ought not in fairness to all nations give timely notice, so that any one of them might prepare itself by being thus apprised that in case of war it could not purchase war materials in the markets of this country.

Mr. President, presenting the two sides of this question, we find, first, the claim that by continuing to sell munitions of war to the belligerents, inasmuch as only one side can, under the conditions, reach our market, we are favoring that side in the war, and are therefore unneutral.

From the other side the claim is that, relying upon a continuance of trade relations in accordance with international usages, some of the great countries have not kept themselves prepared for a long, severe war, but have depended upon their ability to purchase war materials in this country if they found themselves engaged in a great conflict, and that our sudden reversal of a policy which we and all other countries had followed and are still following would, in effect, be assisting the country which had prepared for war against the country which had not so fully prepared, and would therefore be an act of bad faith. They urge, and very consistently, that a country which is buying war material from other neutral countries can hardly complain if its opponent is also buying war material from this other neutral country. To-day, through fear of being drawn into this war sooner or later, none of the neutrals, I am informed, are selling munitions of war to the belligerents. And in fact, Mr. President, I do not understand that any belligerent power has challenged our right to sell war material if we act impartially.

It is clear, therefore, that if we take such a step as that of laying an embargo on the shipment of arms and war munitions to belligerent countries we must do it as a great American policy—not as an obligation but as a moral duty. We must not put ourselves in the attitude of making a change because it will help this side or hurt the other side in that sanguinary conflict.

I will consider the last contention only—that the sudden change of our ancient policy would be unneutral and in bad

faith—because if we continue the sale of munitions of war, I admit we can do so in harmony with past usages and without violation of the strict letter of neutrality as construed by the great nations of the world, including all those now engaged in the war, even though the effect of it may be of special advantage to one side or the other. On the other hand, if we place an embargo on the sale of guns, battleships, and ammunition, thereby depriving some of our citizens of great profits, we are doing so in order to maintain a great national policy, an anti-war policy, and not for the purpose, as I have said, of favoring or injuring either side of the controversy. If the selling of munitions of war to either or all of the warring nations can not be regarded as an unneutral act, no matter whom it may favor, then certainly the refusal to sell those articles to either or any of them, no matter whom it may favor, can not be regarded as an unneutral act.

Mr. President, no matter from what country our ancestors, immediate or remote, came, we ought never to forget that we are American citizens with but a single fealty, and as representatives of our country in its foreign as well as its domestic relations our course should be unswerved by sympathy for one and unswayed by prejudice against another nation. This duty becomes more apparent and the dangers of a different course more manifest when we recall the millions of people who have emigrated to this land from the several countries now engaged in warfare, and whose sympathies naturally turn toward the land of their own or their ancestors' nativity. We can not allow our views concerning the responsibility for this conflict or the sympathy or hostility of the press, or of any portion of our own citizenship, to ripen into any act on our part which should have even the semblance of assistance to either belligerent. If we fail to do this we wrong the sensibilities of the children of one land to please those of another, and, worse yet, we weaken our own independent national character and compromise our national integrity.

In blood we are English, German, French, Scandinavian, Irish, Scotch, Russian, Polish, Italian, and so forth. That admixture of blood should hold our respect, kindly good will, and sympathy toward every one of these great nations, while our Americanism, our just pride in our own independent nationality, should keep us free from the animosities of any of the nations toward each other.

In a letter from the Secretary of State to the chairman of the Committee on Foreign Relations he takes the position that an embargo at this time would be an unneutral act; that it would be hurtful to the nations who are strong on the sea but weaker on the land, and beneficial to those who are strong on land and weaker on the sea. No candid man can deny that it would have this effect; and if we adopt the policy merely for the purpose of injuring the one on the sea or of benefiting the one on the land, if we do it for the purpose of equalizing their effective war power, we might be charged with protruding ourselves into the conflict, and we should be guilty, as the Secretary suggested, of an unneutral act. We have no more moral right to do a lawful act for the purpose only of equalizing the belligerents' war effectiveness than we have to take war measures for that purpose.

The Secretary is also correct when he says that all the neutral nations have during all wars furnished belligerent nations with munitions of war. The Krupp Co., of Germany, has been a source of supply to all belligerents; so of the shipyards of Great Britain, the arms factories of France, and the armor-plate manufactories of the United States. Not only have war munitions been sold fully by all nations, but loans by financial institutions of neutral Governments have been made that munitions of war could be purchased by belligerents.

There is but one ground upon which we can lay this embargo, and that is that we ought in good morals to do it, ought to do it as a national policy to be followed hereafter.

I can conceive of a case where such a sudden change of old usages might be clearly unjust, and therefore unneutral. Take a case, for instance, where a great power fully prepared, armed, and provided with all war material necessary to destroy a smaller nation should make an aggressive war against it, and that this smaller power should be wholly unprepared, relying upon treaty rights and the general usage of trade relations to secure the means of defense by purchasing from us. Our refusal in such case, without previous notice or warning, might well be considered a most unfriendly and unneutral act. But no such condition confronts us here. All of these nations at war are great nations, all prepared to a great extent, all capable of manufacturing their own munitions of war. Of course, some may be especially strong in military power and others in naval power; and if the war should find one or the other deficient in any particular, its special strength in other particulars might hold the battle undecided until it could make good wherein it happened to be deficient.

While nations at war may properly have a right to take any steps that will weaken its adversary, it has no right to expect another nation to maintain without change any purely domestic policy because of its effect on its enemy. The United States, which is not responsible for this war, and which at its very inception offered its services as mediator, can not be placed in a position by those who were determined to battle wherein we may not modify our domestic laws in any manner that seems to us just or proper. Many nations of the world, to protect their food or other supplies while other nations are at war, even levy an export tax often in such amount as to make the exportation prohibitive. If our food supply was at all short and we had the power to prevent exports, we might well exercise that right to prevent a shortage of food. We could do the same in the matter of clothing. Of course, under our Constitution this country can not levy an export tax; but we would clearly have the authority if we thought the conditions would be beneficial to our country during this war to raise our tariffs against any country, even though such act might injure one particular belligerent country and be beneficial to another. No country has a right to complain of an act which is beneficial to our own citizens, even though it may not operate with the same favor or disfavor on other warring countries.

If we have a right to change our policy because of conditions brought about by the war, without charge of unfriendliness, how much greater is our right to depart from ancient usages for a great national principle when the enforcement of the principle works to our financial disadvantage. The fact that it does work to the disadvantage of our own people ought to overcome any presumption of intended unfairness.

I am not unaware, Mr. President, of the source, or possibly double source, from which petitions favoring the passage of this resolution generally emanate. It may be that from one source they represent an historical animosity, and from the other a strong sympathy for the Fatherland. But that does not change in any degree the justice of the proposition, and if the fact that many of our citizens have that sympathy can not be urged in favor of its passage, it certainly ought not to be urged against it. So, we are brought face to face with the question, Ought we to take this step as a protest against the arbitrament of arms as an advanced, enlightened, and Christian policy.

And right here, Mr. President, on the point that for the most part these petitions come from German-American citizens, I want to say a word. Undoubtedly a sense of injustice to the Germanic race may have intensified the interest which they have manifested in this subject; that their interest has been intensified because they have felt that the great press of the country has been very unfair to their Fatherland, unfair to German character, unfair to the German people. I do not refer so much to the discussions in the press as to the responsibility for this war, as I do to the charges of outrages and brutalities claimed to have been committed by German soldiers. These charges which filled columns of our press in the earlier stages of the war, combined with a general attitude of hostility, very naturally created a sense of resentment against what they knew to be a slander upon the German people.

As I have stated, Mr. President, none of us should forget for a single moment that we are Americans and Americans only, and no matter what our views may be as to the cause of this murderous conflict, or who may be responsible for it, our duty is to refrain from words of either condemnation or justification; and as Senators with great international questions of extreme delicacy to be met, while this conflict continues, we should be especially guarded in our every utterance concerning the war itself.

But, Mr. President, this ought not to close our lips when we believe that the sensibilities of a great portion of our citizenship have been unjustly wounded.

Mr. President, I have been surrounded by and lived with German people all my life, have sat by their side on the old benches of a country schoolhouse in earlier boyhood days, studied lessons from the same books, shared together the contents of our dinner baskets—I think generally to my advantage, as theirs always proved the German prodigality in that direction—played with them and sometimes fought with them, in which pleasant pastime they were always fair. In earlier manhood days they were my companions and friends; in business life, my clients and associates. I have known them in the fields, in the workshops, in the office, in all lines of commercial business, and in their homes; and for the past quarter of a century it has been my privilege to face one of them at the table of my own home, one who has presided over my household. I have always found them conscientious, generous, jovial, and hospitable; and we

will search the world in vain for a more kind, tender, and sympathetic people. And, Mr. President, when anyone tells me that the German people as a people are cruel and brutal, that they strike off the hands of children and ruthlessly murder and maltreat helpless women, I will take the occasion to deny it and will join them in an earnest protest against such wholesale libels.

I know war is hell wherever it may be, and out of the millions battling in this conflict, forced to stern measures, with the fierceness of battle in their hearts, with ranks reeking with blood of friend and foe, there will necessarily be found many in both armies whose acts will bear the stamp of savagery. If we find murder and brutality, as we always do in every country, even in times of peace and tranquillity, when nothing abnormal stirs the blood, what may we reasonably expect in time of desperate and maddened carnage? It is the magnifying of these isolated cases of brutality into an indictment of a whole people, and only one of the contending armies, that shocks one's sense of justice and calls for earnest refutation.

I know, Mr. President, that the passage of this resolution will put this country on record for all time, and, to my mind, that is its principal virtue. But, Mr. President, it will be a record that points to peace and not to war, and as such; and believing that its passage can not be justly construed as either unjust or unneutral, I shall support it. And, Mr. President, I insist that this ship-purchase bill, paternalistic in form and socialistic in substance, breeder of bitter dissensions and controversy in the Senate, demanded by no party platform, and supported by no real emergency, ought to be laid aside long enough for the Senate to speak the American conscience on the subject of whether this great country shall indirectly traffic for profit in the blood of other people.

And so, Mr. President, I ask that this poor, misshapen child of chance, this ship-purchase bill, fathered by God knows whom, that came undesired into the world, born before its time, ripped from the reluctant womb of a struggling, screaming Democratic caucus, be given a gentle opiate and put to sleep in the arms of its foster mother, the Committee on Commerce, that we may bring to the front and vote upon the resolution prohibiting sale of munitions of war to every European belligerent.

Mr. President, there is one feature of this proposed ship-purchase legislation of far-reaching consequence to this country. It is most important and more or less perilous because of the controversies in which it is absolutely sure to entangle us with the belligerents now engaged in a death struggle in Europe. It is more important to us, as it compels us to adopt a policy which will just as surely come back to plague us in the future as it is certain that day will follow night. That feature is our attitude relative to the purchase of what we call interned ships of any one of the belligerents which may be offered for sale.

Of course, Mr. President, the word "interned" is not the proper term to apply to those ships. We might better say "imprisoned" ships. Whatever policy we adopt to-day with reference to such ships will bind us as an honorable and consistent Nation in according the same privilege to other great nations of the world, to other great neutral countries, in case we should be engaged in warfare with any power.

I can best present this situation by hypothetical questions.

Suppose this country were engaged in war against Great Britain; the other great nations of the world were neutral. We know that when two nations are battling against each other each seeks to strike at the weakest point of defense. Here, then, we would have our own country with full capacity and ability to produce within its own borders all the food products that would be necessary for the support of our vast population as well as our Army and Navy. We would be able to produce in this country all the cotton, all the wool necessary to clothe our people and our Army and Navy. We could produce in this country all the chemicals necessary for the manufacture of explosives. We could produce in this country all the copper necessary for the manufacture of shells or guns. We could produce all the coal and all the steel necessary to supply our war ships and armaments. We could produce all the oil and gasoline we could possibly use or need. In the matter of home supply we would be better situated than any other country in the world. With this home supply of everything needed in peace and in war our few merchant ships could be wiped off the seas and we would scarcely feel it. Our land batteries and our mined harbors could protect our war vessels if their inferiority in number should make it necessary for them to take advantage of the coast defenses.

Looking at the other side, we would find a country which must import three-fourths of the food necessary for the support of her congested population; practically all of the clothing material, boots, and shoes; practically everything that would be necessary for cavalry and the greater part of that which would be necessary to manufacture explosives, shells, and so forth. The very life of that nation would depend upon her being able with her fleet to keep open the avenues of trade. Her great merchant marine necessary to supply her demand, necessary in time of both peace and war, is a vital point of danger in time of conflict. It would be impossible for her to protect the vast number of ships necessary for her commerce against our cruisers which could be sent to every corner of the earth and threaten every sea spanned by her merchant marine.

It needs no great military or naval expert to demonstrate that this would be our mode of warfare in a conflict with Great Britain. It will be remembered that in the War of the Revolution American cruisers preying upon British commerce, forcing excessive insurance, did more than any other force to bring that country to terms of peace. We would strike straight at Britain's bread line in event of a war with that nation.

Let us then suppose further that American cruisers striking at this particular line should drive a British merchantman, loaded with grain from Russia, back into a Russian port, or that this merchantman should flee back to the port from which she had started, in order to escape capture; that then the Russian Government, or Russian citizens, if you please, should purchase this British vessel, thereby not only depriving our warships of the prey which they had trapped but supplying British citizens with the gold representing value of the ship to be used in defense or aggression against us; and not only this, Mr. President, but sending the very ship with the very cargo of wheat to a British port; or, if that should be dangerous, to a French port to be unloaded and reshipped across the narrow channel.

Of course, with the present world agreement upon the subject, cotton goods, wool, clothing not intended for the army, and food may pass freely, and thus the ship loaded with food which our cruisers had imprisoned could be sent back laden with food for the enemy, whose food line we were making a special effort to destroy.

What would the attitude of the United States be in such a contingency? Would we not vehemently protest against such an avoidance of every element of friendly neutrality? Would we not say to Russia: "At an enormous expense we have sent our warships across the Atlantic or into the Mediterranean to capture this very ship. Just at the moment when we have imprisoned that vessel you, by your act, release it and under your flag deprive us of our advantage."

Or, leaving Russia out of the question, suppose we would drive a British vessel or a dozen vessels, laden with grain, into an Argentine port. Argentina, which must export her wheat, finds it to her advantage to purchase these English vessels, and send them out laden with her grain, which may ultimately reach Great Britain. What would be the attitude of the United States in such a case? Why, Mr. President, if we would for a single moment adhere to such a policy as that we would deprive ourselves of our all-important means of warfare. The same hypothetical question might well be applied to a case of war with Japan.

Now, let me give you another far more important feature of the case than this: The Senator from Montana attempted to elucidate, the other day, that by not accepting the London agreement we would hold to a policy upon which we had insisted before that time, under which we insisted it to be the law that belligerent ships could be purchased in good faith just as freely as the goods in those ships, or any other noncontraband articles. Let me follow that up and see where it will land us. If that is the correct policy, then that ship can pass from hand to hand. Every important British, Japanese, and German vessel engaged in commerce is so constructed as to be convertible into a cruiser. Is not that true? Very well, then, suppose we have these English vessels in a Russian port. Now, according to the philosophy of the Senator from Montana, any Russian subject or the Russian Government can purchase those ships as freely as though they had not been driven to seek refuge in a neutral port. Very well, then, suppose a Russian subject should purchase this ship and send it laden with grain to Great Britain, as he would have a right to do under the present rules. Has not the one who bought the ship the same right to sell it? If the sale does not differ from a sale of a bale of cotton or a sack of wheat, it would be to his advantage, would it not, to sell that ship to the British Government or to a British citizen, who could sell it again to advantage to his Government, which would need it? Then when you have sold it to the British citizen and he has sold it to his Government, which covered it with armor, armed it with guns, and again sent it out against American commerce or to battle against us, what would be our attitude?

Do any of you believe that we ought to adopt a policy so dangerous to us in the future as would be that, and do any of you doubt for a single moment, Mr. President, that that policy would be the first one that we would repudiate if we ourselves were ever in a war?

When we had our Civil War we declared a blockade of the Southern States, and would not let a copper coin or a bushel of wheat or anything else go into that country. We seized and confiscated every ship that attempted to pass the blockade; and yet you ask us now to adopt a policy which, when we are at war with another nation and have practically imprisoned all of her great shipping, those vessels can be sold to a foreign country, to foreign citizens—to neutrals—and sent back to their own country, where they can be rearmed and again sent to assail this country. Mr. President, we had better hang just as close as we can to the London agreement if we are looking out for our own interests.

So two questions naturally arise: First, have we ever adopted that policy or conceded to a neutral such a right? Second, ought we to adopt it in the future? The argument of the Senator from Montana sought to show that we had adopted a policy of this kind—that the American claim and that the British policy had always admitted the right of a neutral to purchase the merchant vessels of a belligerent, not only before the beginning of the war but during its continuance, unhindered and unchecked by any rule other than that the purchase should be in good faith; and, as his argument would indicate, good faith consisted only in the fact of actual purchase, without any reversionary interest, mediate or immediate, in the original owner. While I read over his argument hurriedly, I nevertheless carefully scanned it for the purpose of ascertaining whether or not this country had ever adopted a policy or had ever insisted upon a policy that would make the belligerent vessel transferred during war, under the conditions which I have indicated, to a neutral country, exempt from seizure. While the context of the Senator's argument would indicate that the rule was absolute and unquestioned, the references given by him would, in my opinion, scarcely sustain such a contention.

It is difficult, Mr. President, to say with any degree of certainty just what has been the attitude of any country on the question of transfer of a belligerent vessel to a neutral flag. Each war has had its own peculiar conditions, its particular questions. The failure to insist on any prior doctrine held by a belligerent can not be safely taken to be a waiver. A doctrine or policy which in one war might be of very minor importance might become a matter of vital interest in another. In the one instance the breach of that doctrine by a neutral might be overlooked; in the other it might call for a most earnest protest, and for war itself if the belligerent could afford to add to its enemies. A country battling for life or liberty has always been allowed a fair degree of discretion by a neutral in the exercise of its judgment. Many acts of a belligerent in the stress of conflict are overlooked which would not for a moment be tolerated in times of peace. The rapid development of the science of war, the annihilation of space by modern invention, the changed process of commerce, and the relation of nation to nation necessitate a correspondingly rapid evolution in the code of laws relating to the duties, rights, and obligations of belligerents and neutrals. It behooves any nation, therefore, to exercise great caution in either adopting or enforcing a policy which might very speedily be found to be dangerous to itself; and we might well commend the cautious attitude observed by the former Secretary of State, now senior Senator from New York, when he avoided in his instructions to our delegates to the London conference questions that might put us on record and tie our hands where it was not necessary to do so.

What we want to get at, Mr. President, is what has been the general understanding of the great nations of the world on the subject of the transfer of a belligerent vessel which has been driven to shelter into a neutral port by the enemy's ships—which has crossed in safety the 3-mile dead line, over which the merchant vessel may pass but the war craft may never follow. And what is the present international understanding concerning the duty of neutrals toward such imprisoned vessel? There never has been, nor is there at the present time, any international agreement having the binding force of a treaty on the subject. So far each nation has made its own laws and enforced them through its own prize courts. So far each nation has been governed by a code designed to meet its own requirements, limited only by its necessity to maintain peace with neutral nations. It is not, therefore, strange that the rules of conduct should be rather chaotic and uncertain.

Nevertheless, Mr. President, similarity of conditions and consensus of opinion on natural rights have been sufficiently numerous and potent to insure a general similarity of conduct on the part of warring and neutral nations toward each other which we may properly denominate international law or custom.

And, first, what has been that law in the past? The Senator from Montana declares his view of it in the following words of his address on January 28:

> It is that a neutral nation may trade with either belligerent, except in contraband. The neutral may buy anything from the belligerent. If property of a citizen of a belligerent nation is sold and transferred to a citizen of a neutral country, it is his, and as much entitled to be regarded as his, as much entitled to protection and to immunity as though he had produced it in his own country or acquired it from a fellow citizen.

Mr. STERLING. Mr. President, will the Senator yield for a question?

Mr. McCUMBER. I yield for a question.

Mr. STERLING. I would like to ask the Senator, first, if it is not a pretty broad statement, in the face of the language of the court, speaking through Mr. Justice Field, in the case of the United States against the *Etta*, where the rule seems to be somewhat different. The court, after speaking of the French and Russian practice, refers to that in the United States and England, and says:

> In England, however, the validity of such purchases have been sustained not, however, without much discussion and some hesitation of opinion. They are allowed to be legal, but obnoxious to such suspicion, and courts will always deem it to be their duty to look into them with great jealousy.

Mr. McCUMBER. Yes, Mr. President; but the Senator will find that even in those cases on which you look with such just suspicion, they will apply to a line of cases where the transfer at least was before the vessel had been driven into a port and the flag had been transferred. Here the vessel is on the ocean; it is flying the flag of an enemy, a belligerent, not the flag of a neutral, as in those cases, or that vessel is practically imprisoned, imprisoned while it has the flag of the enemy flying above it, and the transfer is made after that. It makes a very much stronger case than even that, which is looked upon with great suspicion by the courts.

Mr. STERLING. I agree with the Senator thoroughly in that position, but this is as far as the court has gone in any case.

Mr. McCUMBER. And I purpose to go further, to show that by the very authorities presented by the Senator from Montana no such broad rule has been laid down; that the case he has cited is one of an instruction to the Admiralty of Great Britain in cases where they find a vessel at sea with a neutral flag, not a vessel at sea with a belligerent flag, floating over it.

The Senator from Montana bases this most broad and sweeping conclusion upon a paragraph in a manual prepared by Thomas Erskine Holland in 1888, by the authority of the Lord Commissioner of Admiralty, as follows:

> A vessel apparently owned by a neutral is not really so owned if acquired by a transfer from an enemy, or from a British or allied subject, made at any time during the war, or previous to the war but in contemplation of its breaking out, unless there is satisfactory proof that the transfer was bona fide and complete. (Holland, par. 53, p. 17.)

Mr. President, neither this paragraph nor the long list of instructions following it will bear out so broad a conclusion as that reached by the Senator. All that can be claimed from this paragraph is that a transfer of a belligerent merchant vessel can be made either before hostilities begin or during hostilities if there is satisfactory evidence that the transfer is made in good faith.

A very casual reading of this paragraph, taken in connection with the instructions which follow it, will show that they are given to guide the naval officers in cases where a vessel is overtaken at sea, a merchant vessel bearing a neutral flag, but which had at some previous time been the property of a citizen or subject of an enemy.

I wish the Senators to bear in mind that these are instructions that are to guide the British warships when they seize vessels bearing a neutral flag where the transfer had been made before that time. All of them admit that you can not make a transfer at sea. Why not? What is the reason? If it is a matter of good faith, why can you not make a transfer at sea just as well as you can in port? The reason is clear. It is because the presumption is conclusive, then, that it was done to escape the natural consequences of an enemy vessel, the natural dangers of an enemy vessel, to escape from the consequences of war. Will not the same rule hold if you find a vessel at sea flying an enemy's flag, and you drive it before you, and it is able to cross the dead line—the 3-mile limit—before the warship overtakes it? The reason is the same—that any transfer then will be conclusively held to be to escape the natural consequences of either capture or imprisonment; either to remain

there or to get out and be captured. I read now these instructions:

In the event of such a transfer being alleged, the commander should call for the bill of sale and also for any papers or correspondence relating to the same. If the bill of sale is not forthcoming, and its absence is unaccounted for, he should detain the vessel. If the bill of sale is produced, its contents should be carefully examined, especially in the following particulars:

(a) The name and residence of the vendor.
(b) The name and residence of the purchaser.
(c) The place and date of the purchase.
(d) The consideration money and the receipt.
(e) The terms of the sale.
(f) The service of the vessel and the name of the master, both before and after the transfer.

The name and residence of the vendor are material to show whether or not he was an enemy.

The name and residence of the purchaser are material to show whether or not he was a person resident in British, allied, or neutral territory.

The date and place of the purchase are material to show whether or not the transfer was made in contemplation or in consequence of the war.

The consideration money is material, in case the vessel is alleged to have been transferred by sale, to show whether or not the transaction was bona fide; for if the transaction was professedly a sale, then the fact that the consideration was nominal or wholly inadequate would be a just cause for suspicion. But a transfer by way of gift or bequest will, if bona fide and complete, be as valid as a transfer by way of sale.

The receipt for the purchase money should be called for in case the vessel is alleged to have been transferred by sale; but if there is proof that the sale was bona fide and in other respects complete, the transfer will be good, although no receipt is forthcoming, and even though the purchase money has not in fact been paid, for the prize court does not consider any lien which an enemy vendor may have upon a vessel or cargo or freight for unpaid purchase money to be a subsisting enemy's interest rendering the vessel liable to confiscation. However, the fact that the purchase money, instead of having been paid in cash, has only been carried to an account will raise the presumption of the transfer being merely colorable, and such presumption can be rebutted only by clear proof to the contrary.

The terms of the sale are material to show whether the transfer was complete. The transfer would not be complete if the sale was not absolute, as if it contained a power of revocation, or a condition for a return of the vessel at the close of the war, or a reservation of the profits of the vessel, or of any control over her to be left in the hands of the former owner.

The service of the vessel and the name of the master, both before and after the transfer, are material to show whether or not the transfer be a genuine one, for if the service has continued unaltered by the transfer the commander will be justified in holding the transfer to be colorable only. The fact that the same master is retained in command after the transfer raises a suspicion, but standing alone will not be conclusive that the transfer was not bona fide.

If the transfer is bona fide and complete as between the parties, the fact that it was effected in fraud of the revenue or the law of the mercantile marine of any foreign country will be immaterial.

If the purchase was made through an agent, the letters of procuration should be called for.

You will see this is a case where the transfer has been made before the neutral flag is raised.

The main point to substantiate this which was presented the other day was to show that a vessel during war, as at any time, could be transferred to a neutral flag if the transfer was made for a valuable consideration and all the title and interest of the vendor passed to the vendee. You can see from the reading of it that it is nothing more than instruction given in a case where a vessel flying a neutral flag, and therefore presumed to be neutral, was transferred before it was seized would be held to be in good faith if transferred for a good consideration and no title therein retained by the seller. Any Senator can easily observe a vast distinction between this and one in which the vessel changes its flag after it has been pursued at sea or after it has been driven into the port of a neutral.

Mr. President, I especially call attention to the fact that these instructions cover cases where the Admiralty finds a vessel actually in the possession of a neutral and flying the neutral flag when intercepted. That is very different from a case where the belligerent war vessel finds a belligerent merchant vessel flying a belligerent flag, gives chase to that vessel, which makes its escape only by dodging into a neutral port which, by the law of nations, can not be entered by the belligerent war vessel. The question which I wish to get clearly before the Senate is, Can a neutral nation or its citizens or subjects, under the conditions last mentioned, proceed to purchase this merchant vessel, pay the full price to its owner, put it back into active service between the neutral and the previous home of the vessel and be clearly within neutral rights? If the neutral nation can do this, at what time can she do it? Is there any limit of time or circumstance? Suppose in this day of radiotelegraphy a warship locates a merchant vessel of its enemy a hundred miles away and a chase to overtake the merchant vessel before she can arrive at any port is begun. Could a sale for a full and fair consideration actually paid, with the bona fide intention of both seller and purchaser that every right, title, and interest of the vendor shall pass to the vendee, and followed by the hoisting of a neutral flag, save that vessel from capture and condemnation? If the broad rule laid down in the language quoted from the speech of the Senator from Montana prevailed, that could be done, because in defining the rights of a neutral nation he declares that the neutral may buy anything from the belligerent, and if the transfer is in good faith it is as much entitled to immunity as though the property had been acquired in the country of purchase and from a citizen of that country.

But, Mr. President, I do not believe that any one can or will concede the right of a belligerent to sell a threatened vessel during actual war for the undoubted purpose of escaping imminent capture. No one can claim that.

I am conceding fully the right of a neutral to purchase the merchant vessels of a belligerent in the due and ordinary course of business, even during hostilities, and I am further admitting that the mere fact that danger in navigating such ship operated as the controlling motive for the sale, or that the sale was for less than original value because of that danger, would not operate to make the sale mala fides.

They could do all that, I admit, under the old rule held by this country and Great Britain.

I am attempting to clearly distinguish between sales of merchant vessels by a belligerent to a neutral during war in the ordinary course of business from sales of escaping or imprisoned belligerent vessels.

If you admit that a pursued enemy vessel could not become, even by full purchase price, a neutral vessel during pursuit, then the question arises, At what particular time or event does the right to sell obtain?

Suppose the vessel reaches the 3-mile limit in safety and enters a neutral port, and the enemy cruiser waits outside, waits weeks or months, such waiting operating to imprison the vessel. Can the neutral nation take her out of that imprisonment and put her back into trade with the very country from which she came?

Or, in other words, suppose the imprisoned vessel is worth several millions of dollars. Then that many dollars in value of ship and the value of the commerce of that vessel have been bottled up by the enemy warship. Now, can the neutral country proceed, first, to pay the full value of the vessel over to the belligerent, thereby saving the belligerent from all financial loss; and then, in addition to that, give the belligerent the value of the commerce of that ship? I, of course, mean commerce in noncontraband goods. If that can be done, then a country neutral in effect can be exceedingly unneutral in act. She can render nugatory very many important war measures adopted by either belligerent.

I want to be right on this subject. I want the country to be right. I want this country to adopt a position to-day that it not only can, but will, defend to-morrow. A little, weak nation may be justified in its struggle to defend itself against great, overpowering nations in being inconsistent. Shiftiness on its part may be overlooked. But a great, powerful country like the United States can not afford to follow such a course, can not afford to give such a lesson to its people. Let our course to-day in this respect be adopted with great foresight and consideration. And let it be adopted with a view to the requirements of this country, should it ever become engaged in war with a great country, one which would tax not only its military strength and power, but its statesmanship and diplomacy in dealing with neutrals during that war.

I think the Senator quoted decisions and text-writer authorities which fully bear out his contention that the British rule has been not only that the belligerent vessels could be purchased during war by a neutral, but that they could be purchased either before or during war in either the ports of the belligerent or the ports of the neutral.

That there may remain no doubt as to the English rule, I quote from Third Phillimore's International Law, page 735, the author of which work was an eminent practitioner before the admiralty court in prize cases and later a judge thereof, the following:

In respect to the transfers of enemies' ships during war, it is certain that purchases of them by neutrals are not, in general, illegal; but such purchases are liable to great suspicion; and if good proof be not given of their validity by a bill of sale and payment of a reasonable consideration it will materially impair the validity of the neutral claim.

Then, Mr. President, he gives a long statement of the opinions of the lords of the privy council in the case of the *Baltica* and also in other cases. I will consider a few of them without asking them to be reprinted, as the Senator had already put it in the RECORD, and I do not wish to duplicate it. I especially call attention to the words "sale in the ordinary course of business." Dr. Lushington, in his opinion in the *Baltica* case, says:

The great principle by which I am to be guided in this inquiry is whether there is a transaction such as would accord with the ordinary course of trade, by which I mean not the purchase of this particular ship per se, for no one can doubt that this ship would not have been

sold, and certainly not for the price, save for apprehension of the war; but whether independently of that motive, the transaction itself, the mode of sale, and of payment was accordant with the ordinary custom of merchants during peace.

There is the rule. Is it consonant with the ordinary course of merchants during peace? During peace a merchant may buy a merchant vessel in a foreign port or in his own port, he may buy it on the sea or anywhere else, but is it in the ordinary course of business for him to buy a vessel which is being chased down by a cruiser or which has been imprisoned? That, to my mind, is an extraordinary case of purchase and not the ordinary course between merchants in the sale of a vessel.

I can hardly conceive that the sale of a vessel fleeing from its pursuers, or practically bottled up and imprisoned by its pursuers, is in accord with the ordinary custom of merchants during peace.

It may be said that the opinion of the court in the *Minerva* case, cited by the Senator from Montana, meets this point. I think not. The *Minerva* case was not one of that kind. But the court, in the course of its opinion, said what I shall read, and I call the attention of the Senator from South Dakota [Mr. STERLING] to the mere dictum of the court upon a matter not involved in the question:

There have been cases of merchant vessels—

Mark you, there have been cases of merchant vessels—

driven into ports out of which they could not escape, and they are sold, in which, after much discussion and some hesitation of opinion, the validity of the purchase has been sustained.

It will be noted here how carefully worded is this statement. There is no claim that this is the law; on the other hand, it is clearly indicated that such holding was an extreme holding. The court does not declare this to be the law. Had it so viewed the case the expression would have been very different. Undoubtedly there have been very few cases of this kind. Had the commercial world understood the right of a neutral to extend that far, there would undoubtedly have been in all the late wars thousands of cases of that kind.

The court calendars would have been congested with such cases, because every pursued vessel that could have gotten into a port would have been sold in that port; and yet in all the wars that we have had in the last 50 years we can find nothing of that kind, not a single case, in which merchants have dared to take the chance to purchase or the belligerent felt that he had the right to sell. The fact that there have been none of late years, or at least none which I have run across, is a most persuasive argument that the concensus of opinion of the maritime nations of the world has been that such purchases would not accord with a neutral attitude.

Nor, Mr. President, do I find anything in the communication made by our Secretary of State, Mr. Cushing, under date of August 7, 1854, that goes further than to merely indicate both the American and British rule that ships could be purchased by neutrals from belligerents in good faith and in the ordinary course of business, whether before or after the outbreak of hostilities. That is the only subject discussed by him in that communication, and he asserts the general right of neutrals as held by these two countries. I think it proper to quote a portion of this opinion for the purpose of elucidation.

The exercise of commerce by every nation is one of the incidents of its sovereignty. The sovereign rights of a particular nation are not to cease whenever any two other nations choose to go to war. The neutral State is to conduct impartially between the belligerents, but its commerce remains free with respect to them and to each of them. That commerce is without limitation saving only the restrictions as to contraband of war and places beseiged, blockaded, or invested, and thus restricted it extends in principle—

Mark the words "in principle"—

to all the possible objects of mercantile intercourse.

No Government has a right to contest the validity of the sale of a ship on the pretense of its having been at one time belligerent property. To undertake to do this is to usurp a jurisdiction over the business of other nations; it is to derogate from their independence. (6 Op., 642.)

I again ask you to observe a limitation expressed in the first paragraph:

That commerce is without limitation saving only the restriction as to contraband of war and places beseiged, blockaded, or invested.

In a letter of October 8, 1855, Mr. Cushing makes a further limitation in which he says:

They agree unanimously that the bona fide sale of the vessels of belligerents to neutrals in time of war is lawful and valid unless made in transitu.

One would naturally ask himself why there should be any distinction between sale in transitu and sale at either port. If the sale is actually in good faith, if the money is actually paid, if there is no reservation in favor of the vendor, what earthly difference can there be in principle between a sale in port and a sale at sea? The reason which makes that distinction is founded upon a theory that must apply with greater force and cogency to a pursued or imprisoned vessel. The reason a sale at sea has not been recognized is that, nothstanding the elements of bona fides of transfer in respect to bill of sale, valuable consideration, and complete passing of title, there is a presumption that the sale was made to avoid capture by the enemy.

And if that means anything it must mean that, notwithstanding the other elements of bona fides, a sale made to avoid capture or to avoid imprisonment, a condition which is analogous to capture, must also be conclusively held to be void.

Thus it may be said that prior to the London conference in 1908 the law of both the United States and Great Britain recognized a sale of a belligerent merchant vessel either before war and in anticipation of it or after the declaration, made in good faith, whether the vessel was purchased in the foreign port or in the port of the neutral, but that a sale of a vessel at sea during hostilities was conclusively presumed to be void; second, that French and Russian laws denied the right of a belligerent nation to dispose of its vessels of commerce to any neutral; third, this also seems to have been the German view; fourth, that both the American and British law denied the right of sale of a belligerent vessel at sea during the continuance of war, and had formulated no definite rule on the right of a neutral nation to purchase a belligerent vessel driven by the enemy into its ports or imprisoned by the enemy's war vessels in that port. It may be possible that there are cases or that the words used by those who have spoken with authority on the subject may sustain the right of the neutral to purchase a vessel which is practically blockaded in its harbor by war vessels waiting without the neutral zone.

That may be said to be the status of the laws of this country and of the other great countries of the world, conflicting though they be, at the time of the meeting of the London conference in December, 1908.

The question now arises, Has there been a modification of the old law on this subject since the meeting of that conference, and are we morally or otherwise bound by the principal declarations of that conference? And I might well add, whether bound or not, should we make the leading declarations of the London agreement our policy in this and future wars—a policy which we can apply as consistently when its rules may be against our interest as we can when we should suddenly find them of immense value to us?

The following nations took part in the London conference: Germany, the United States, Austria-Hungary, Spain, France, Great Britain, Italy, Japan, the Netherlands, and Russia.

In order to have a fair basis for the deliberation of the conference on the question of change of flag each nation presented its own views as to what should be the law on the subject.

I thought I had with me some quotations I wished to use here, but I do not find them. However, I can give them in a general way. Taking them up, Mr. President, by the several countries, it will be first observed that the American delegates, being extremely cautious, presented no memorandum on the subject at all. That was referred to a short time ago by the Senator from New York and the Senator from Montana in their discussion.

GERMANY.

The memorandum of this great naval and commercial power declared that a vessel carrying a neutral flag may nevertheless be treated as the vessel of an enemy if it carried the enemy's flag up to the outbreak of hostilities or within two weeks immediately preceding. In other words, the German position was that any transfer of the vessel of a belligerent to a neutral during war or within a period of two weeks antedating such war should not be recognized.

AUSTRIA-HUNGARY.

This country declared it to be the custom of nearly all nations that the sale of an enemy vessel made during a voyage or after hostilities have broken out can not prevent the capture of the ship, which should continue to be regarded as an enemy. It then quotes paragraph 26 of the Institute of International Law at its meeting in Turin as a satisfactory solution. This paragraph recognized a sale made during war if made in good faith and not in the course of her voyage.

So it might be stated that Austria-Hungary had practically adopted the English view.

SPAIN.

This Government deemed acceptable paragraph 7 of the memoranda of the cabinet of London declaring that when the change of the flag of a ship corresponds to an actual transfer of ownership, its validity will be recognized; but if it is impelled by a desire to avoid by fraud the risks which nowadays exist for hostile private property in case of maritime war, it must be deemed a nullity.

FRANCE.

This country adhered to its ancient doctrine that "the change of nationality of maritime ships made subsequent to the declaration of war is null and void."

GREAT BRITAIN.

The memorandum of this country declared that the transfer, either by sale or gift, to a neutral of a hostile ship is not made invalid merely by reason of the fact that it took place during or in anticipation of hostilities, but that such transfer was not valid if it took place during a voyage or in a blockaded port.

ITALY.

The Italian memorandum seemed not to be clear, but the conclusion was that according to Italian positive law the sale of an enemy vessel to a neutral purchaser subsequent to the outbreak of hostilities was presumed to be fictitious, and as such could not be recognized, but that the secretary of the navy might recognize a bona fide sale.

JAPAN.

This country also recognized the transfer of the ownership of a vessel during or in anticipation of war by an enemy state.

THE NETHERLANDS.

The memorandum of this country recognized the validity of a transfer of a merchant vessel from the flag of a belligerent to the flag of a neutral during or at the outbreak of hostilities without any restriction except where the transfer was made in a blockaded port or coast.

RUSSIA.

This country has asserted the right of a belligerent to decline to acknowledge the neutral character of any merchant vessel purchased by neutral persons from an enemy State before war or before the purchaser was aware of the outbreak of hostilities.

From the printed remarks it seems to me that all these nations which presented memoranda agreed—

that the transfer of a vessel for the purpose of evading the consequences to which an enemy vessel, as such, is exposed is not admissible.

In other words, they all agreed that a pursued belligerent vessel flying a belligerent flag, finding an asylum in a neutral port, or imprisoned there, could not be sold.

The statements of the representatives of these several countries throw much light not only upon what the law had been but what they in time of peace, uninfluenced by the passions and prejudices of war, considered should govern the maritime nations if war should ensue. They were in position then to consider the universal equities and justice of any proposition, a consideration which they could not give when engaged in actual warfare. What they then said is far more important with us than what any of them now say.

Quoting from page 11 of extracts from the proceedings of this conference I give the German view:

The German delegation pointed out that there is no general rule on this subject; that it would like to see the provisions of the German memoranda adopted; but in case the commission should not share this view, it proposed the insertion of the following article as article 35a:

"ART. 35a. Such illicit intention is presumed when the transfer occurred after the outbreak of hostilities. On the other hand, the good faith of the contracting parties is presumed when the transfer was made before the outbreak of hostilities."

There being such a wide difference between the American and the German view, the president asked the American delegation to submit a new draft which would reconcile their differences, and the American delegation agreed to do so.

The British delegation read a proposition which corresponds with what I have already designated the British position.

On December 18, 1908, Herr Kriege, the German representative, explained how this question should, in his opinion, be treated in the basis for discussion:

An explanation was made of the conditions which had led to the use of the word "escape" in rule 35, of the basis for discussion where the word "evade" would, perhaps, be preferable as conveying more clearly the idea of a transaction of doubtful genuineness. The president remarked that the situation demanded a compromise and that all seemed agreed on the fundamental principle. The new British article 35, in his opinion, provided nothing more than a general rule, too vague and without direct application. He proposed that it be suggested to the drafting committee to which articles 35, 36, and 37 would be sent that it begin by drawing up distinct rules for transfers before and transfers after the outbreak of hostilities. If a general rule were needed, it could be formulated later.

This suggestion was accepted by the American delegation, whose proposed amendment had no other object than to bring the draft into accordance with treaties in force between the United States and other powers.

At the ninth session, of February 19, the British delegation proposed a new text of rules relating to change of flag, the second provision of which reads:

The transfer of an enemy's vessel to a neutral flag after the outbreak of hostilities is valid if it is proved that such transfer was not made to evade the consequences to which an enemy vessel, as such, is exposed.

Germany, through Mr. Kriege, insisted that the words "good faith," used in connection with a transfer after hostilities began, should be made clear and definite as to their meaning.

Mr. President, the manuscript to which I refer is entitled "Transfer of flag," which is made up of extracts from the proceedings of the International Conference, London, 1908, and of the Institute of International Law, 1882 and 1913. I read from page 15 of this pamphlet:

The transfer of an enemy vessel to a neutral flag after the outbreak of hostilities is valid if it is proved that such transfer was not made to evade the consequences to which an enemy vessel, as such, is exposed.

The statement of Mr. Kriege is as follows:

I wish to call the attention of the commission to a difference which seems to exist between the proposition of the United States of America on the one hand and the propositions of Great Britain and Germany on the other hand.

Mr. President, I especially call attention to the fact that Germany and Great Britain are practically supporting the same view, with the exception that the German delegates desired that the words "good faith" should be made definite and certain. Mr. Kriege continued:

The question turns on the meaning of the term "good faith." All three propositions agree in requiring that the transfers effected during or immediately before a war should be made in good faith, but it seems that, in the view of the American delegation, good faith would be present if the agreement for the transfer was genuine and final and contained no pretense or irregularity. On the other hand, the German and British propositions mean by good faith that the intention to protect the ship from capture should not have been among the motives for the sale.

That is a most important feature. To continue:

In the sense in which "good faith" is used in these propositions, as in the original test of rule 35 of the basis for discussion, a transfer would be null and void if it had been induced by a desire on the part of the seller to protect himself from the loss which confiscation of his ship would inflict upon him; on the other hand, the transfer would be valid if there was reason to believe that it would have taken place just the same if war had not broken out or been imminent.

Mr. President, that was the German and the British idea of good faith of transfer.

Mr. KENYON. That was at the London conference?

Mr. McCUMBER. Yes. Mr. President, I continue to read from the views of Mr. Kriege:

It seems to me that this latter view of the question is the one which should be adopted. By so doing we should preserve rule 35 of the basis for discussion as it now appears in the summary. We should add to it the presumptions juris tantum of good faith before the outbreak of hostilities and bad faith thereafter. In this way we should preserve the conclusive presumptions of rule 37 of the original text as well as the other conclusive presumption proposed in Nos. 37 and 37a of the British proposition. The majority of the committee did not accept this consequence, and accordingly favored an unequivocal formula. The following was adopted:

"The transfer of an enemy vessel to a neutral flag effected before the outbreak of hostilities is valid, unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, as such, is exposed."

Mr. President, this rule was finally adopted. The whole matter is embodied in chapter 5 of the London agreement.

On this subject the commission having this particular phase in charge presented to the conference a report. Among other things in this report they say:

The simplest solution would be to make a sharp distinction between the period preceding and the period following the outbreak of hostilities. In the former period the commercial interest would prevail and all changes regularly made from a legal point of view would be supported and respect of them required of the belligerents. In the latter period, on the contrary, the interests of the belligerents would have greater weight and all changes might be considered null and void by the belligerents whose right of capture they would interfere with.

If that means anything, Mr. President, it means that a neutral nation ought not, after war has been declared, purchase an interned vessel, an imprisoned vessel, and thereby interfere with the right of capture.

The report on pages 17 to 20 of the pamphlet Transfer of Flag is most interesting and instructive in showing the gradual coalescing of ideas which were in the beginning somewhat antagonistic.

On page 18 we find this declaration:

Considering the mere interpretation of law, it would seem as if a prize court, confronted by the above-stated proposition, would deem the transfer to be valid the moment the requirements of law had been fulfilled, and would not take the stand of the captor in appreciating whether there was good or bad faith. The majority of the committee did not accept this consequence, and accordingly favored an unequivocal formula. The following was adopted:

"The transfer of an enemy vessel to a neutral flag effected before the outbreak of hostilities is valid unless it is proved that such transfer was made in order to evade the consequences to which an enemy vessel, as such, is exposed."

This was the rule finally adopted.

The whole matter is embodied in chapter 5 of the London agreement. This agreement is signed for Germany by Kriege, for the United States by C. H. Stockton and George Grafton Wilson, for Austria-Hungary by C. Dumba, for France by L. Re-

nault, for Great Britain by Desart, for the Netherlands by J. A. Roell and D. H. Ruyssenaers.

So it appears, Mr. President, that on the 26th day of February, 1909, the delegates of 10 leading nations of the world, men specially selected for their fitness to consider the great questions there discussed, men who not only knew what the law of nations was on the subject of transfer of a vessel from a belligerent to a neutral flag, but also what that law should be, met, pondered over, discussed, and debated, and finally formulated a set of rules to guide the enlightened judgment of maritime nations of the world on the rights of both neutrals and belligerents in case of war, to the end that when war should break out the world might have some standard other than the whim or necessity of any belligerent or sympathizing or hostile neutral to guide and limit their actions.

I want to call attention to a most significant fact—a paragraph contained in that agreement. It is the very first paragraph of the instrument. It reads as follows, and is quite important to any Senator who wants to get at the meat of the agreement and just exactly what the American delegates did, because this statement is signed by the American delegates:

> The signatory powers are agreed that the rules contained in the following chapters correspond in substance with the generally recognized principles of international law.

Mr. President, every nation that signed this agreement said by the signature of its agent that these rules substantially embodied the generally recognized international law on the subject. Our delegates may have exercised the right to contend that a different rule should prevail, but they by their signature also said that these were substantially the generally recognized rules of international law.

Now, what is one of these rules? It is embodied in article 56, and is as follows:

> The transfer of an enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

Can any one for a moment claim that the change of ownership of a pursued vessel or an interned vessel is not made to evade the consequences to which it is, as an enemy vessel, exposed?

It might be well here to pause a moment to observe who are the delegates who made that declaration. What are their special qualifications? Were they a body of men learned in the law of nations and especially qualified in reference to the law of naval warfare?

Taking the nations in the order of their signature to this agreement, we have:

Germany: M. Kriege, privy councilor of legation and legal adviser to the department of foreign affairs, member of the permanent court of arbitration.

United States: Rear Admiral Charles H. Stockton, retired, and Mr. George Grafton Wilson, professor at Brown University, lecturer on international law at the Naval War College and at Harvard University, plenipotentiary delegate.

Austria-Hungary: M. Constantin Theodore Dumba, privy councilor of His Imperial Majesty and envoy extraordinary and minister plenipotentiary.

Spain: M. Gabriel Maura y Gamazo, member of Parliament.

France: M. Louis Renault, minister plenipotentiary, professor of the faculty of law at Paris, legal adviser to the ministry of foreign affairs, member of the Institute of France, and member of the permanent court of arbitration.

Great Britain: The Earl of Desart, King's proctor.

Italy: M. Guido Fusinato, councilor of state, member of Parliament, ex-minister of public instructions, and member of the permanent court of arbitration.

Japan: Baron Toshiatsu Sakamoto, vice admiral, head of the department of naval instruction; M. Yamaza, councilor of the imperial embassy at London.

Netherlands: J. A. Roell, aid-de-camp to the Queen in extraordinary service, vice admiral retired, and ex-minister of marine; L. H. Ruyssenaers, envoy extraordinary and minister plenipotentiary, and ex-secretary general of the permanent court of arbitration.

Russia: Baron Taube, doctor of laws, councilor to the imperial ministry of foreign affairs, professor of international law of the University at St. Petersburg.

Now, Mr. President, it was all of these men, signing the instrument in the name of their respective Governments, who declared at the very outset of the instrument:

> The signatory powers are agreed that the rules contained in the following chapters correspond in substance with the generally recognized principles of international law.

Of course we are not legally or contractually bound to follow these rules. No other nation is compelled to do so, but believing that these rules do embody what is and what ought to be the law, every one of them, so far as I know, has accepted these rules substantially. They may have added to them or modified them in some way, but this particular clause concerning the transfer of the flag has not been modified by any of them.

Have we by any other act declared this London agreement to be or to conform to the American idea of what should be the international law?

Mr. President, what this Nation has said in times past on this mooted question through its Department of State is most important as an explanation of any present contention. But when we want to get any nation's present policy in this period of marvelous evolution, we are more interested in obtaining the nation's last declaration of policy. And, Mr. President, in a self-governing Nation like ours we want to get the expression, not of the executive, but of that branch of the Government whose final declaration is conclusive and binding on both executive and judiciary. We want to know what the Government has said through its representative, through that body of Congress which, under our Constitution, is especially charged with the duty of declaring through treaty or agreement the relations of this country with other nations of the world.

The last declaration of the Senate of the United States, whether expressed in a mere Senate resolution or in the adoption of an agreement on its part, may well be taken to be the declared view and policy of the United States.

On the 24th day of April, 1912, the Senate of the United States declared its adherence to the London agreement as the international law on this subject. And so, Mr. President, I say we should be bound morally, not contractually, to the view which we have declared should be the policy of all Governments. Under these circumstances we can not be consistently heard to say that, because we may reap some advantage, because we can buy an interned ship cheaper than we can buy one in time of peace, because we need that interned ship in our business, we shall abandon what we have said should be the national policy.

There is another reason, Mr. President, which may become vital to us in any future war, why this rule, practically held by all Europe, should also be the rule of the United States. I have spoken of the rapid evolution not only in commerce itself, in naval warfare, but also in respect to the liberalization of traffic in goods not contraband with an enemy. The old rule was that any goods intended for the use of the enemy for its sustenance could be confiscated. This rule has been modified of late so that it allows goods not contraband to enter the ports of a belligerent, even though those ports be invested by the war vessels of an enemy. We are interested that this new rule should not be annulled by the warring parties. I think no one will doubt the right of one country to declare a blockade of another's ports. We certainly did that in the Civil War, and we compelled the nations of the world to respect our blockade. The blockading nation would have the right to declare that no goods of any character should enter into the enemy's ports. Do we want that practice to be reinstated? If we can purchase an imprisoned ship from a belligerent and put it right back into the channels of trade with the belligerent, will not the investing nation be compelled to declare again the old policy of refusing to allow any character of merchandise to enter the ports of the blockaded belligerent? And would not such reinstatement of the old policy, the old law of blockade, offset many times over the benefits to be derived by the purchaser of the interned vessel, either by the neutral or the country from which the vessel was purchased?

There is another feature of this question of the right of a neutral nation to purchase an interned vessel and put it back in trade with the country from which it was purchased. If we maintain the right of any nation, or its people, to purchase and put back into commerce an interned vessel, provided only that the transfer is in good faith, for a valuable consideration, without respect to whether the transfer is superinduced by the fact that with the belligerent flag it is subject to seizure, we must concede the right of the owner to resell the same vessel under like conditions. Then a merchant vessel which has been interned could be purchased by a neutral, loaded with goods not contraband, and sent back to the ports of the country whose flag had previously floated over it, and by the owner resold immediately to its original owners, of course, for a valuable consideration, and immediately converted into a cruiser and sent out as a warship from that nation.

Again, I illustrate this phase by supposing that 10 years from to-day we should be engaged in a war with Great Britain, Japan, or Germany; that any one of the vessels which we drive into a neutral port could be purchased by the neutral country, put into commerce in uncontraband goods with the particular power with which we were at war, sold again in the port of that country for a valuable consideration and immediately con-

verted into a warship to do battle against us. Let us pause before we bind this country, hand and foot, to such a doctrine. No other nation recognizes it. Germany does not recognize it, though it might be of slight benefit to her now, but of actual loss to her if her enemies should put in force the old rule against any goods entering her ports, which they could do without violating belligerent rights. Both countries in the end would be losers. If we want to be perfectly fair to all of these countries at war, let us not be attempting to help one out by buying her interned vessels and assisting the other by sending to her munitions of war. Let us refuse to do both, and neither of them would have either the legal or the moral right to complain.

Mr. President, nine of the great nations of the Old World, the most important of whom are now in a war with each other, have adopted article 56 as their policy to govern them during this war. Germany, England, France, Russia, and Austria have all adopted it, and we, through the treaty-making power of the Government, have declared it to be our policy. These nations took us at our word. They did not wish in this conflict to run counter to the last expression made by this Government on the subject. France and Russia abandoned their old doctrine that a transfer of an enemy ship to a neutral during war should be held absolutely void to conform to the London declaration and to our declaration that such transfer might be made, provided it was not done to evade the consequence to which an enemy vessel, as such, is exposed. What position are we in to crawfish out of that declaration of the Senate of the United States, a declaration which we have approved as our policy, to evade it for a little present financial gain during this war, only to reassert it at the end of the war? Knowing Germany's position, if we now purchase a British vessel and Germany torpedoes it, what will our answer be? There can be no consistent answer.

Mr. President, I have not been frightened at all concerning the danger to any ship flying the American colors that such ship might be sunk. I have never concerned myself very much about a British or a German merchant vessel sending up the Stars and Stripes to escape an enemy.

I can not understand why, if it is perfectly fair in war for a war vessel to approach its enemy by hoisting the enemy's flag or a neutral flag, and be enabled thereby to destroy that enemy's vessels, a merchant vessel, which has not a gun, which has lives to save, can not use this little ruse to escape a war vessel. I have no doubt at all of the right of any German, English, or French merchant vessel to use any kind of a ruse to escape a warship. Why, even the *Emden* was enabled to enter a port of Japan flying the Japanese colors, if reports are true, and before she had left that Japanese port she had sunk three Japanese ships. If that can be done by a warship, I can not see any particular reason against its being done by a vessel that can not defend itself.

Then, again, we have heard a great deal of late about the danger of firing upon a vessel flying the American flag under the belief by the vessel firing upon her that she might also be a British vessel flying an American flag. When we stop to consider that for a moment we will see that there is no foundation for such fear. Under the law of all nations a warship of one belligerent has no right to fire into an undefended merchant vessel of even a belligerent, much less one bearing a neutral flag. Such warship sends a shot over her bow or signals the vessel to surrender. She is then boarded and the officers and men removed and the vessel towed into one of the captor's ports, or, if the capturing vessel feels that it can not do that, it may have a right to sink or destroy her, to do anything that she sees fit with her, because she is a prize of that nation, but she has no right to murder the people who are upon that belligerent unarmed merchant vessel, which can not defend itself, any more than she has a right to drop her bombs over an undefended town where there are no troops or munitions of war. When German torpedo boats or submarines a short time ago captured three British vessels they did not proceed to fire into them. They gave orders for them to surrender, and they surrendered, and they took off the officers and crew; and these little war vessels, probably not being able to tow the captured vessels into port safely, did what they had a right to do—destroyed them. No one questions their right. But I think that if any one of them had immediately proceeded to destroy one of those unprotected merchant vessels without a demand for surrender, the whole world would have condemned any country that would so far forget the ordinary rules of honorable warfare. Therefore the scare headlines in the papers ought not to seriously affect us. It is simply a question, Mr. President, whether we ought to buy these vessels; whether we have a right to buy them and put them back into the trade of their own country or any other country; give to the belligerent country the benefit of the value of her vessels, and also the value of the commerce, just as though she had never parted with them at all.

I now want to consider for a moment, Mr. President, the emergency in the matter of exporting merchandise from this country.

EMERGENCY IN EXPORTING MERCHANDISE.

Mr. President, when the administration settles upon a policy which it asks the Congress to crystallize into legislative enactment, a policy which abandons all of the old landmarks of human progress which have guided and developed mighty nations, through the ambition, enterprise, and energy of individual members which constitute them, and sets us afloat on a shoreless sea of socialism, we may well pause and consider what such a policy means to us both as a Government and as a people. He who is able to comprehend what impulses within his own heart have controlled his every act, guided his thought, shaped his course, and developed his character, and is also able to comprehend what would have been the result on his own life if the field of operation for his individualism had been destroyed; if responsibility for his own welfare, his position, and of those dependent upon him had been taken over as a governmental function—will most naturally view with alarm any great step by which paternalism, always alluring to the unthinking, always insidious, is pressed as a policy upon the Nation. Whatever the Nation might gain in massed strength and power by paternalistic government, by the law of compensation must lose in individualism. The atom can not by integration become a portion of the mass without losing its liberty of action. He who surrenders individual liberty and responsibility surrenders the very elements that make for manhood. As I believe that individual character is more important than mere national strength or greatness, I have always opposed, and ever will oppose, the forces which are attempting to drive this country into socialism or paternalism. And, Mr. President, if one desires to justify himself in delaying a vote upon this measure he could find ample arguments for justification. The world is full of literature dealing with the dangers of this tendency. Volumes could be read to this Senate every sentence of which would be most pertinent and proper. But because the evil effects of such a policy would not be immediate but would require time to develop, one can hope but for little consideration of that subject and must turn his attention to those matters which are of immediate concern.

What is the emergency that demands the enactment of this shipping bill? And if there is an emergency, will it be met by the methods proposed in this bill? These are the two questions which first challenge our attention.

That we can not export the great surplus of this country's goods produced in 1914, the greatest surplus the country has ever known, as rapidly as we would like is not denied. That we are exporting to-day more rapidly than ever before can not be denied by those who exaggerate the emergency.

That war conditions which can not be met by the provisions of this bill are responsible for our inability to still further increase our shipments abroad also must be admitted.

Our principal exports are grain, flour, and other foodstuffs. Seven hundred and fifty million bushels of wheat raised in the United States is a heavy crop. The agricultural estimate is that this year we raised 900,000,000 bushels. That fact alone establishes one of the reasons for the increased demand for exporting facilities. Since the 1st of July, 1914, according to figures which I take from the New York Journal of Commerce of January 9, 1913, to the 1st of January, 1915, we exported wheat and flour in the equivalent of 201,060,585 bushels. During the corresponding period from July 1, 1913, to January 1, 1914, we exported but 143,050,801 bushels. In other words, just of that one article of export we actually sent out of this country during the war 58,009,784 bushels more than we did during the previous period of peace. It certainly seems that we are getting our goods out of the country quite rapidly, although, of course, we are hampered.

During the same period—from July 1, 1914, to January 1, 1915—we exported 7,773,580 bushels of corn, as against 1,928,449 bushels during the previous like period, nearly seven times the quantity. That certainly does not look as though there was serious congestion in the matter of foodstuffs ready for export. The exports of oats during the past six months was three times the total exports for the entire previous fiscal year. We exported during these six months 37,008,228 bushels, while we exported only 11,404,286 bushels during the entire previous year. The same rule holds good in other lines of food products.

But, Mr. President, I have a very late report upon this subject. This gives exports from the United States, taken from the Monthly Summary of Commerce and Finance, published by the United States Department of Commerce, and I want to take

them by years, and months of the different years, to see whether or not we are getting our goods out of the country in pretty good shape.

Take barley. In October, 1912, we exported 1,383,235 bushels; in October, 1913, 590,313 bushels; in October, 1914, during the congestion that we are talking about, we exported 2,854,219 bushels, more than twice as much as in any other year for the same month. I suppose that a great deal of these exports is going to the belligerent countries. I will now take the exports of barley in November of these years. In November, 1912, we exported 2,494,460 bushels; in November, 1914, 2,576,551, or a little more.

I will take wheat, the principal food product. In October, 1912, in time of peace, we exported 15,255,077 bushels; in October, 1913, 7,434,106 bushels; in October, 1914, 19,578,469 bushels, very much more than we exported in 1912, and more than double what we exported in 1913 during that month.

Let us now take wheat in November. In November, 1912, we exported 10,584,168 bushels; in November, 1913, 3,851,492 bushels; in November, 1914, 19,182,115 bushels; in other words, nearly twice as much in November, 1914, as in November, 1912, and about five times as much in November, 1914, as in November, 1913. That is getting the grain out of the country pretty well during a time of war and congestion.

Again, taking our exports of wheat in December, 1912, we exported 9,490,101 bushels; in December, 1913, 5,726,831 bushels; in December, 1914, 28,875,762 bushels——

Mr. GALLINGER. Mr. President——

Mr. McCUMBER. We exported more than three times as much in December, 1914, as we exported in December, 1912, and five times as much in December, 1914, as in December, 1913, in time of peace.

The PRESIDING OFFICER (Mr. WHITE in the chair). Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. The figures the Senator has given are quite a surprise to me; and, in view of those figures, I will ask the Senator if there seems to be any great emergency existing at the present time, so far as the exportation of farm products is concerned?

Mr. McCUMBER. I gave these figures as bearing upon the subject of emergency to show that there was no great emergency, so far as farm products are concerned; and I am a little inclined to think that, the way the price of wheat is going up, the longer we can hold it the better for the owners of that grain. I do not think the farmer will get much benefit of this rise in value, because he has passed most of the grain out of his hands, except that reserved for feed. Nevertheless the American people, while it is held on this side of the ocean and is rising in value all the time, are likely to obtain a special advantage by keeping it a little longer and not rushing it too rapidly. Probably the very fact that there has been some congestion here, thereby preventing the glutting of the markets of Great Britain, has helped to keep up the price in this country.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield for a question.

Mr. BORAH. The Senator has been giving some figures as to the export of wheat and other grains. Has the Senator any figures as to the difference in the price of bread in 1913 and 1914?

Mr. McCUMBER. There is no great difference that I can see, Mr. President. I have always claimed that the advance in the price of grain must be very great to have any effect on the price of a loaf of bread.

Mr. BORAH. The Senator is in error with regard to that on those dates.

Mr. McCUMBER. The price of bread has gone up a cent a loaf, I think. If I am in error I will stand corrected. Maybe it has gone up 2 cents.

Mr. REED. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. For a question.

Mr. REED. The Senator has just stated to us how much wheat has been shipped since the war began, as an argument that there is no interference with shipments of grain.

Mr. McCUMBER. I hope the Senator will not say that I have argued anything of that kind. I am willing that the Senator should quote my words, but I do not want him to put words into my mouth which I have not uttered, and when I have alleged just the contrary.

Mr. REED. I will let the RECORD speak for that.

Mr. McCUMBER. I said there had been congestion in our ports.

Mr. REED. Will the Senator tell us how much more was paid for hauling that grain than the ordinary and usual freight rate?

Mr. BORAH. Also, Mr. President, tell us who paid it.

Mr. McCUMBER. I wish, Mr. President, to be perfectly fair on this question. I do not always know who does pay the freight, whether the purchaser on the other side pays it or whether the farmer upon this side has to share in that freight. I have an idea that they divide it between them. I do not think that anyone can say that the man on the other side of the ocean pays it all, and that the man who raises the grain here is not affected. I am a little inclined to think that under some circumstances probably the ultimate purchaser pays it; but I think the lowering of rates would naturally tend to the benefit of both the producer and consumer.

Mr. REED. Will the Senator tell us how much the freight rates have been increased since the war began?

Mr. McCUMBER. Mr. President, I will reach that in a little while in my argument. I was trying to hurry so as to get through in a short time. [Laughter.]

Mr. REED. No one would accuse the Senator of having been guilty of indecent haste. [Laughter.]

Mr. McCUMBER. I do not want them to, at least, Mr. President.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. I shall also touch upon the question, Mr. President, of freight rates. Perhaps they are high, but I want the Senator from Missouri to determine, first, when he says they are high, how much it costs to carry that freight. That is the only way we can determine whether a rate is high or low—to determine what the cost of the freight is at the present time, considering all the conditions, and compare it with the prices charged, and I am going to consider some of those conditions and then allow the Senator from Missouri to draw his own conclusions.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. I now yield.

Mr. FLETCHER. I am asking for my own information as to this. I have seen it stated that wheat is sold, delivered in Liverpool, delivered on the other side, and I would like to ask the Senator if he knows whether that is the fact or not—whether wheat is sold in this country delivered?

Mr. McCUMBER. I know that is not the rule.

Mr. FLETCHER. You know that is not the rule?

Mr. McCUMBER. I know that is not the rule.

Mr. FLETCHER. Is it sold f. o. b.?

Mr. McCUMBER. No; we have been pretty careful about that, because we do not want our grades to be questioned. The cash has to be put down in Baltimore or in New York. We take no chances on the condition of the grain in shipment, or anything else. Grain is settled for on this side of the ocean. Now, generally, the party on the other side attends to the freight charges; he buys in New York, in Boston, in Baltimore, or in New Orleans. But that would not touch the question of who really pays the freight. The man on the other side may pay it in the first instance, but as to who has to shoulder it, bear the burden of it, is quite a different question, because the man on this side, the producer, may have to sell his products so much cheaper because of higher freight.

Mr. FLETCHER. I will ask you one further question. Is the price here determined by the foreign market price?

Mr. McCUMBER. How is that?

Mr. FLETCHER. Is the price here determined by the market price in Liverpool, for instance?

Mr. McCUMBER. The price is determined by the markets of the world; the price is determined by the quantity of the grain all over the world and the conditions of shipment.

Mr. FLETCHER. Is not the Liverpool price the controlling price in determining the market price here, as well as in other portions of the world?

Mr. McCUMBER. Oh, no, Mr. President. Some years it is; in some sections it is and in some it is not. If the Senator wants to lay down a general rule, he can lay down the rule that the price of a commodity is always fixed at the point or field of greatest consumption. The field of the greatest consumption of American wheat is in the United States. We consume five-sixths of it in the United States. Of course that is affected by the general world level of prices, dependent upon

the quantity raised in the world in a given year and the demands of the world in that year. I will come directly to the question of the rates.

It is contended that there is an emergency in the matter of rates; that rates have in some instances doubled and trebled, and it is stated that the purpose of this bill is to compel shippers to reduce these rates. I will not now discuss who pays the freights, whether the foreign purchaser or the American producer. I can not agree with those who say that they are all paid by the foreign purchaser. Ordinarily a reduction of freight rates inures to the benefit of both the purchaser and the producer and an increase is detrimental to both of them. It is undoubtedly true that in most instances the burden of freight rates is shared between the two, whatever it may be. But before we can properly arrive at a conclusion as to whether the Government purchasing line of ships will operate to compel a reduction of rates charged by other shipowners, we must investigate not only the question of the amount charged for freight but also the question of the cost of freightage, and then determine whether or not it could be reduced. I have read over the figures given by the Secretary of the Treasury as to the charges made for freight between certain points in the United States and European terminals on the 1st day of July, and the rates which he says were charged at the time he presented his figures. I was somewhat surprised at what I might call an adroit handling of figures to prove a contention. Everyone knows—at least, I assume they do; I have known it, or thought that I knew it—that shipping rates, as a rule, are the very lowest in midsummer when traffic is light, and that they increase very materially during the fall and early winter months when international traffic is the heaviest.

Perhaps the Senator from New Hampshire can correct me if I am in error in that respect.

Mr. GALLINGER. That is right.

Mr. McCUMBER. The only fair method of comparison would be either to take the whole period and get the average or compare month with month—December, 1914, with December, 1915, for instance. But even the figures given are shown to have been selected, if accurate at all, from some particular port at some particular time, and do not represent the average rates even at the time given. One certainly can not deny the accuracy of the figures given by the Senator from Massachusetts, taken from the manifests of vessels which actually exported the products to foreign ports. And these manifests show a very marked lower level than the figures given by the Secretary of the Treasury. Nevertheless, freight charges are very high.

But, Mr. President, are there legitimate causes for these increased rates? Because the rates are high you say they are exorbitant. Why do you say that, Mr. Secretary of the Treasury? Have you investigated the increased expenses connected with the moving and handling of freight since the war began? Have you investigated the very many other elements that enter into this increased cost? If you have, you have not given the public the benefit of your investigation. You have not given the benefit of it to Congress. What right have you to insist that even a doubled or a trebled charge is not just until you have had a proper hearing on that subject? If you have investigated the question, will not you please now give us the facts? How do you know that if you had a score of Government vessels you would not be compelled to charge exactly what others are charging in order to cover your expenses and a reasonable rate on the investment?

Mr. President, you say by your bill that you are going to invite private capital. I have to assume that you are acting in good faith; that you expect private capital to take 49 per cent of the stock of this corporation. If that is true, you expect that that private capital is going to get some return upon its investment; you are in honor bound to see that it does get a reasonable return; and how can you forestall your own action by declaring that at the present time you can and will make cheaper rates without giving us one scintilla of evidence as to what elements of cost you can avoid which at present make up the excessive or exorbitant rates?

Remember that owing to a decrease in the tonnage available for use, on account of so many vessels being interned, the cost price of vessels has greatly increased, so that if you were to buy vessels to-day—and I mean in the ordinary course of business—you would have to pay from 50 to 100 per cent more than the prevailing price of a year ago. So you would start right into this carrying trade with a capital investment far beyond what it has been in previous years unless you intend to strike a bargain with a wounded and bleeding belligerent. If you are to run this business the same as you would run a privately owned concern, that your purpose is to make it pay a reasonable return upon the investment, and it is only upon such assumption that you can get private capital to subscribe, you must operate in such a way as to make the profits from carrying exceed the expenses, the upkeep of the vessels, the insurance, and the depreciation. If you do not intend to do that, then you are guilty of duplicity toward the public, because you have organized a corporation and you have invited the people themselves to subscribe for stock. I am assuming, therefore, that you intend to act conscientiously toward these stockholders, that you intend that your vessels shall pay a decent return upon investment. Well, you will have no difficulty in getting your ships loaded on this side of the Atlantic. You will obtain applications for all the space you may have. But how about coming back? What are you going to bring back from the other side? Now just pause a moment and examine your own position. You have got a large increase of export goods over the normal amount to be moved. You must use a greater number of vessels to move it. You land on the other side with your greater tonnage. You must sail back. What will you load your vessels with on the return trip? If you will examine your own statistics, you will find that just in proportion as our exports or material for export have increased, the amount of our imports has decreased, and greatly decreased. It follows then that you can not get a full load on all of your vessels coming back. The carriage out overbalances the freight back. Then you must return to this country either empty or with a very diminished cargo. It naturally follows that you must return with practically no cargo. To make good your loss from that source you must add to the cost of freight exported from this country.

Now, that is the first element of added cost of freight. You will be exactly in the same position with your Government-owned boats that the private owner would be in.

What is the next thing you would find? When you arrive at one of these foreign ports—say, England—you will find the worst congestion of traffic you have ever known. You will find hundreds of vessels ahead of you waiting for facilities to unload. You will find that some of them have been waiting nearly a whole month. In other words, they have been wasting time enough there to have crossed the ocean and back twice. Now, that lost time is not only a liability, in the fact that it takes away a month of the earning capacity of your vessel, which must be added to the freight which you carry, but it continues your daily expenses.

Mr. President, figures were put into the RECORD but a short time ago relating to the daily cost of keeping four transports which the Government of the United States leased for the purpose of our recent invasion of Mexico. These figures showed that the actual cost of keeping those vessels in idleness was about a thousand dollars a day for each of them, or about $4,000 per day for the four. Now, I assume that any large merchant vessel, such as would sail between New York and Liverpool, would require about the same attention, and a day's idleness would be about the equivalent loss of $1,000. That loss has to be placed somewhere. There can not very much of it be placed upon imports, because there are few imports from these warring countries. The bulk of it, then, would have to be loaded upon these exports. And there is another element of expense. You would have to make the charge on your freight to cover this just as much as the privately owned ship would be compelled to levy it.

What is the next thing you would encounter? You must get labor to unload your ships. Where will you get it? Most of the able-bodied men are either at war or drilling to prepare themselves for war. There is a great scarcity of labor. That means not only inefficient labor, which must be picked up wherever you can get it, but very expensive labor, with the present scarcity. There is another expense which also must be added to the freight charges. You would also find a lack of facilities for unloading in sufficient terminals, still further delaying and increasing expenses.

Again, when you should begin to investigate the cause of delay in reaching the wharves or piers you would be answered with the statement that preference is given to war materials, to transport ships engaged in moving the army, munitions of war, supplies, and food; that no private business can interfere with the public. And then you would wait and wait for opportunities, and all the while the expenses would be piling up, and every ton of freight must shoulder those expenses.

There is another very important feature pertaining to the cost and expense of operating vessels which the public generally have not given consideration. Most of the great vessels that ply between here and Europe depend for their real profits upon passenger traffic. That passenger traffic since the war has been almost annihilated. This principal element of income and profit which enables those vessels to give low or reasonable freight rates has been lost. It is no longer a factor.

The freight itself must now bear that burden. About the time we get through enumerating all of the things that go to increase the freight charges we will at least find that the Government, too, must operate under the same difficulties, and we will probably conclude that after all none of the freight charges are really excessive. They are only excessive when compared with rates charged under normal conditions.

Nor, Mr. President, can we escape another important factor in case we should purchase interned ships. The principal ones are passenger vessels. Their principal business is carrying passengers. They have been fitted for that particular purpose—built to carry a great number of passengers and a little freight. After we have purchased them we will have to spend enormous sums to fit them for freight ships only, unless we continue them as both passenger and freight with little or no passenger traffic.

So, too, it must be remembered that the growth and development, the kind and character, size and speed, of all vessels engaged in commerce are the result of the development of a particular line of commerce. They are fitted for that commerce. They are built to engage in that commerce at the least possible cost. You can not take ships specially built for a particular line of trade and use them profitably in an entirely different line any more than you can take an oil-tank vessel and use it for a passenger vessel.

And after all of this delay, when you return again to the port of New York and have unloaded the little freight you might be able to bring over from the other side, you will then be compelled to compute the profits or losses of the ship.

In that computation you will take into consideration the time lost, the meager tonnage brought back, the vastly increased expenses, and you will probably find just exactly what this shipper found who was referred to by the Senator from Massachusetts the other day, that with all the present high freight charges, your net would be less than you had received when freight profits were at their lowest level.

Now, Mr. President, the Government has no right to force this country into the paternalistic field upon the theory that there is a present emergency which must be met, an emergency in the matter of excessive freight rates, unless it can show to us conclusively that there would be a very material reduction.

If the Government proposes to simply increase the facilities for moving freight from this country, and it charges the same as others, there will be no material relief. While we may be in something of a hurry to get our goods exported, the prices are going up, we are getting bigger prices for them every day we delay, and with the present increase of exports we will have taken care of all of our exportable grain, foodstuffs, and manufactures before the next crop is produced, unless it be in the matter of cotton. And even in that there has been a very material increase of exports.

Suppose, on the other hand, the Government conducts this transportation of freight at a loss, who is benefited? Where must the Government make good that loss? If the Government loses a million dollars it must take a million dollars out of the pockets of the people. Does anyone deny that? What difference does it make to the people whether this million dollars is paid to enable owners of vessels to continue in the business and make a reasonable profit, even though it may be high, or whether it is paid to the Government? The one balances the other. So far as relates to its immediate effect, there would be no difference, but so far as relates to its ultimate result, the difference would be most disastrous to the people. Your forty millions expended would be a mere bagatelle. The only thing it could possibly do would be to drive private ships off the waters.

Can anyone possibly insist that any other effect would result, that if we operate our Government ships at a loss in order to reduce freight rates we will necessarily drive every one of our private-owned vessels that can not meet the competition off the ocean? At least they will have to be sent somewhere else.

The private owner of a vessel must make a profit or quit. He has no taxing power on the public to make good a deficit. So this experiment, if it does what some of you want it to accomplish, would have the effect of destroying the little merchant marine we have. It would force those vessels to change their nationality, to carry the flag of some neutral country like Norway, Sweden, or Denmark, where they could be operated much more cheaply in order to hold their own against this unjust competition of a Government continuing in the trade of the world.

Not only that, Mr. President, but, as I have said before, freight charges, whether high or low, are undoubtedly shouldered by both the producer of the things sold and the purchaser. You can not say that the one pays it all any more than the other. But when the producer must make good a deficit because his Government has run behind in operating a vessel he pays the whole deficit. The man on the other side does not shoulder the half or any part of it. That is all paid by the American citizen.

HOW WOULD GOVERNMENT OWNERSHIP RELIEVE SITUATION.

Mr. President, it is still to be explained to the satisfaction of most of us how Government ownership of a vessel already engaged in commerce will relieve the situation. Certainly, if there are exorbitant prices being collected for carrying freight, exorbitant profits secured, then all the bottoms of the world must be taking advantage of that condition. They are not lying idle while there is a demand for big profits. It is a well-known fact, Mr. President, that they are all busy. They are all carrying goods, and if you change the ownership of those bottoms from private hands to the Government you have not increased your tonnage capacity by a single pound or foot.

Changing the flag on a vessel does not make it carry any more freight. As long as it is engaged in that business you gain nothing by that purchase. Secretary Redfield in a recent speech declared that there were 12 English ships which he could buy. Well, suppose that is true. Where are those ships? Are they plying between Great Britain and the United States or are they idle? You must answer that they are not idle. Then they are still doing just exactly what they would be doing if we spend thirty or forty million dollars for them. What we want the Secretary of the Treasury or the Secretary of War to give us, if he has the information, is what bottoms, outside of the interned ships of belligerents, now idle, now not already engaged in transportation, can be purchased so as to increase the facilities for exportation from this country. He may answer that he can purchase those engaged in other routes of the world. Well, if he does that, and if he does what he admits he will have to do, and in all probability would do, operate them at a loss, then he will certainly drive other ships engaged in the commerce between the United States and the particular country to which he would sail these ships, to cease their operations between such ports and probably take up the very routes that had been abandoned by taking vessels from those routes.

So it looks to me, Mr. President, you must do one of two things—you must keep your hands off of the merchant marine of the United States or you must buy every vessel owned by an American citizen and own the whole thing. You must get into this up to your neck—so far that you can never get out—or you must keep away from it entirely.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield for a question.

Mr. GALLINGER. The Senator cites the observation of the Secretary of Commerce that he knows of 12 English ships which he can buy. Does the Senator think that the Englishman, who is usually a pretty wise personage, would be glad to sell those old ships to the United States Government and build new ships, and then drive the old ones off the routes of trade, because he could operate his new ships cheaper than he could operate the old ones?

Mr. McCUMBER. Oh, Mr. President, surely. There are a thousand of these things that one could consider which have not been laid before us at all. What right, I ask, has the Secretary to say that the freightage between New York or Boston and Liverpool is exorbitant because it may be double what it was a year or two years ago, unless he can establish to us that the cost of operating is not also double what it was two years ago? Yet we have not had a single word upon that subject, not one line of evidence.

Not only, Mr. President, would these Government-owned vessels be compelled to submit to all the delays caused by war, not only would they be compelled to incur the heavier expenses at the other end, but the operation by the Government would cost very much more than the operation by private concerns. No one has ever attempted to deny the proposition that it always costs the Government more to perform any act than the same could be performed under private ownership. And this leads me immediately to another suggestion.

Mr. STONE. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. For a question, certainly.

Mr. STONE. It has been argued on that side over and over again that private capital would not be invested to compete with Government ownership, that it could not compete with it successfully, and yet the Senator from North Dakota is arguing that it costs the Government more to run its ships and costs the shipper more on his cargo—for, he said, the shipper would have to go into his pocket for it—than it would cost the

private shipowner to operate his ships or than it would cost the exporter or importer to ship on a privately owned vessel.

I made a mistake in saying this, I know, because I simply prolong the Senator's discussion, but it seemed to me so pertinent that I could not very well deny myself the opportunity of calling attention to it.

Mr. McCUMBER. I am ready to have my speech prolonged.

Mr. President, the difference is a very simple one. The private owner can not tax the people to pay the difference; the Government can. Though the Government runs and operates its vessels under these higher expenses, it can carry goods for nothing if it wishes; it can carry them for whatever price it sees fit, and it can go right back to the taxing power and reach right into your pocket or mine to make up the loss. A private individual can not do it.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. With pleasure, for a question. That is always understood.

Mr. POMERENE. Where would the Senator get the money that would be used to pay the subsidies which some of our friends would like to give to different shipping interests, except by taxation?

Mr. McCUMBER. Certainly they would have to get it by taxation; and if I were discussing this subject at this time I might prolong this debate a little longer than I wish to do.

The Democratic Party is not in favor of a subsidy one way or the other. But what is the difference between a subsidy that is paid directly to the owner of a vessel who can operate a private vessel cheaper than the Government can operate a Government-owned vessel and going down in your pockets to pay the deficit caused by the more expensive operation by the Government? It is a subsidy in either way, because in both cases you get back into the people's pockets to cover the deficit.

Mr. POMERENE. And in the Republican plan of subsidy it goes to the private individual.

Mr. McCUMBER. Mr. President, I would rather encourage the private individual, if it were necessary, by a subsidy. Although I can not say that I am one who advocates ship subsidies, I would rather pay that money to assist an individual to make his business prosperous. If he prospers in the operation of his ships he gives employment, spends his money in this country, and we are all benefited.

I have stated before upon this question that there is only one way to reach it. We have either got to subsidize Government ownership, or else we have got to change our shipping laws so that we can compete in the operation of our ships with those of other nations. That is the only way I see that is possible. I do not like any of these ways.

Why is it that when anyone has something that he desires to sell to the Government of the United States its value is always very much more, and often many more times more, than it is worth when sold to a private individual?

We see it in every foot of land the Government has to purchase for any purpose down on these streets. The Government pays for lots a price so exorbitant that you could not use those lots for any purpose and secure one-quarter per cent interest on the investment.

Sad as it may be, it is the truth that most people feel that any price they can work out of the Government is justifiable. And when the Government asserts that it needs anything the chances are 10 to 1 that there will be a combination made to hold up the Government for an exorbitant price. Already the press of the country is full of insinuations and declarations that options have been obtained by organizations upon interned vessels and on other vessels toward which the Government may have cast its acquisitive glance.

About the time the Government gets ready to take possession of them their prices will jump 10, 20, 30, and 40 and 50 per cent higher than they are to-day, and the Government will have to buy them because the Government has not time to build. It is an emergency and it can not spend 18 months to build new vessels.

The New York Journal of Commerce of January 14 gives the greater part of a column to the subject of the deals that are on hand and those that are in process of incubation the purpose of which is to obtain control of vessels which the Government might secure, and if this bill goes through to fix their own prices to the Government. How true these assumptions are no one on the outside can say.

All we can allege is that it is very natural, very common, and in my opinion the Government will undoubtedly find itself forestalled in the matter of these purchases. And with the war price of ships, the higher cost of Government operation, it will either be compelled to maintain the very rates it decries or else make the people themselves shoulder the deficit.

What countries have ships to sell to us? Do you imagine you can buy Norwegian, Danish, Swedish, or Netherlands vessels? Are not all of those vessels doing all they possibly can? They are all neutral countries, and their ships are at sea now carrying commerce. What earthly use would it be to purchase those vessels and simply change the flag? They are now running much more cheaply than they could be operated under the American flag, and by making the change we certainly would not be very liable to decrease the freight charges.

There is no emergency in the South American trade. In other words, there are sufficient ships to take the produce from one country to the other. Our great trouble with the South American trade to-day is that, due to financial difficulties arising from the European war, their commerce has been hampered. When you look anywhere for vessels, while you may find any number of them for sale at a very nice profit to the Government, you will look in vain for an increase in the tonnage which could be immediately engaged in commerce, except these interned or imprisoned ships.

SOVEREIGNTY OF THE UNITED STATES NOT INVOLVED.

It has been alleged, Mr. President, both by our Secretaries of Treasury and War that the sovereignty of the United States will not be involved if any of these ships should be seized; that as a mere stockholder in the corporation it would be subject to all of the liabilities that a private stockholder would be subject to. As a strict proposition of law that may be true. But we all know that the people of the United States will not look upon it in that light. They will brook no interference with a Government-owned merchant ship any more than they would with a Government-owned warship. We have just passed through a contest in which we felt the powerful influence of this jealousy against interference with anything that belongs to the Government in the Panama tolls controversy, where the contractual rights and duties were completely lost sight of.

The American people said: "We do not care what you contracted to do. We paid for the Canal Zone; we built the canal; it is ours; it is American; we take pride in it, and we want to do just whatever we see fit with it, and no one has the right to question that right." They lost sight entirely of the fact that we had to purchase that right, that one of the considerations in that purchase was that we should treat all vessels of all nations, including our own, equally. They did not look at that feature. They saw only the Government's sovereignty over that strip of country, and they were averse to having that sovereignty interfered with in any degree. Try as you will, you can not in the mind of the public disassociate mere ownership by the Government from the sovereignty itself; and if one of these vessels owned by the Government should be seized by a belligerent we would be forced into a controversy with that belligerent, and some one, either the belligerent or ourselves, would have to back down; and under present conditions I am inclined to think it would have to be the belligerent.

With a nationality made up of a citizenship derived from all of these warring countries, we have not been separated long enough from the parent countries to make us immune from natural racial or national sympathies; so an act of seizure by any one of them would be a firebrand that would set the country aflame, and although it affected only one nation it would create hostility among the several sections of our own country. I am not afraid of war with any of these countries. All they could possibly do would be to protest, and they would only resort to actual force when their lives would seem to be dependent upon maintaining their policies.

As a neutral country we have rights, but those rights do not go to the extent that we may continue commercial relations with any belligerent as though no war existed. Possibly as great a danger as we would incur would be that of a most awkward precedent which we would be compelled to repudiate in the future. Certainly we must admit that the law of nations to-day concedes the right of belligerents to determine what trade there may be with a blockaded port. We have always asserted that right. We must assert it in the future, and we can not deny it in the present; and when we attempt to force a Government-owned ship, the very sovereignty of the country, into one of these blockaded ports there is going to be trouble, and we are not going to escape that trouble by saying that our own sovereignty is not involved. The American people will declare that our sovereignty is at stake, no matter what the administration may insist, and we will uphold it. That is exactly what it means.

Right here, again, there is a proposed amendment to this bill. In substance, it is that we should not do an unneutral act in

purchasing these vessels. What does that mean? The Secretary of War and the Secretary of the Treasury have both declared, and the administration has declared, that the act of purchasing and operating these interned vessels would not be unneutral; therefore they can do any of these acts and justify themselves upon the ground that it is not unneutral, although all the rest of the world declares that it is an unneutral act. You have left that question of neutral action to the decision of the administration, which has decided it in advance, and I confess I can not understand the position of those who are opposed to our buying and using these interned or imprisoned ships because they regarded it as unneutral are now willing to vote for the proposition that you can buy those interned ships provided you say in your bill that you shall not commit an unneutral act; that is, that the Government which declares that it is not unneutral may proceed to do the very thing which most Senators think is unneutral, and which has caused them to fear the result of a bill of this kind.

Mr. COLT. Mr. President——

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Does the Senator from North Dakota yield to the Senator from Rhode Island?

Mr. McCUMBER. I yield for a question.

Mr. COLT. Is it not true that international law is an agreement between nations; that nations alone are the only parties; and that the law is founded upon the customs and treaties existing among the family of nations? And is it not also true, just as you were saying about a treaty, that one party can not change the law, and that it requires the agreement of all parties to change it? Do you not so understand it?

Mr. McCUMBER. I certainly do.

Mr. COLT. That is, no legislation, no act of Congress can modify or change any such law, because it is a law between the parties composing the family of nations.

Mr. McCUMBER. Not only that, but in the solemn council Chamber where we now are, but a few months ago, with closed doors, we decided solemnly and, if I remember, without a dissenting vote that the declaration of London was international law and the law that should govern the United States. But to-day the administration says that it is not our international law, although the American Senate, the power that makes treaties, adopted it, and by their adoption declared it to be their policy. Of course we are not bound by it as a contractual obligation, because its binding effect as an agreement was dependent upon the formal adoption by all the parties represented. We are bound by it, as I tried to explain, only because it is an international law. That is the distinction.

We know also that the present international law is that captures and prizes are always made under the law of the prize courts of the captor. We have asserted that right in the past, we assert it to-day, and we will assert it in the future, and if we assert it as our right we have got to concede that the other nations will assert it as their right, and for the purposes of this war every one of the belligerents has accepted the London agreement and declared, with a few modifications, that it is the international law which will govern them. So our purchase and operation of these interned ships in commerce with the belligerent nation from whose subjects they are purchased will not only bring about earnest protest, but it will compel us to go before a people in the grasp of a life-and-death struggle, and, taking advantage of their plight and our consequent supreme power, force them to yield. God deliver us from that attitude in this great controversy, while at the same time extending our hands to these nations, telling them that we are their friends, ready to arbitrate their differences. We can not afford to put ourselves in that inconsistent position.

Mr. President, there has been considerable said about the decadence of the merchant marine. It seems to me that no one can be ignorant of the cause of that decadence. During the period of our national life antedating steam and sail vessels we were abie to build and did build and send into foreign commerce a comparatively great merchant marine.

The wage scale and the difference in operation between an American and a foreign ship differed in no material respect. As a great agricultural exporting nation and an equally great manufacturing importing nation there was a special inducement for the building and operation of American ships. There was nearly an equal amount of freight each way. But the advent of the steel vessel, concurrent with the advent of the steam motive power, changed the situation. The steel industry in Great Britain at that time had reached a greater degree of economic efficiency than in any other country. She had the iron, she had the coal, she had experienced cheap labor, and she built the ships.

Following this special advantage to foreign-built ships came the demand in this country which in due time was crystallized into legislation for better and consequently more expensive conditions of operation of our vessels.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Does the Senator from North Dakota yield to the Senator from Alabama?

Mr. McCUMBER. I am trying to get through, Mr. President, and will do so in a very short time; but I will yield, as I find that I have more material here than I thought I had.

Mr. BANKHEAD. Mr. President, I move that the Senate do now adjourn.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Arizona suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Norris	Smith, Md.
Bankhead	Gronna	O'Gorman	Smith, Mich.
Borah	Hardwick	Oliver	Smith, S. C.
Brady	Hitchcock	Overman	Smoot
Brandegee	Hollis	Owen	Stephenson
Bristow	Hughes	Page	Sterling
Bryan	James	Penrose	Stone
Burleigh	Johnson	Perkins	Sutherland
Burton	Jones	Pittman	Swanson
Camden	Kern	Poindexter	Thomas
Catron	La Follette	Pomerene	Thompson
Chamberlain	Lane	Ransdell	Thornton
Chilton	Lea, Tenn.	Reed	Townsend
Clapp	Lee, Md.	Robinson	Vardaman
Clark, Wyo.	Lewis	Root	Walsh
Colt	Lippitt	Saulsbury	Warren
Crawford	Lodge	Shafroth	Weeks
Cummins	McCumber	Sheppard	White
Dillingham	McLean	Sherman	Williams
du Pont	Martin, Va.	Shields	Works
Fall	Martine, N. J.	Simmons	
Fletcher	Myers	Smith, Ariz.	
Gallinger	Nelson	Smith, Ga.	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present. The Senator from Alabama moves that the Senate adjourn.

Mr. FLETCHER. Mr. President, I demand the yeas and nays on the motion of the Senator from Alabama that the Senate do now adjourn.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr CULBERSON]. As he is absent from the Chamber, I withhold my vote. Were I at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. GALLINGER. I desire to announce a pair between the Senator from West Virginia [Mr. GOFF] and the Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 44, nays 44, as follows:

YEAS—44.

Bankhead	Colt	Lodge	Sherman
Borah	Crawford	McCumber	Smith, Mich.
Brady	Cummins	McLean	Smoot
Brandegee	Dillingham	Nelson	Stephenson
Bristow	Fall	O'Gorman	Sterling
Burleigh	Gallinger	Oliver	Sutherland
Burton	Gronna	Page	Townsend
Camden	Hardwick	Penrose	Vardaman
Catron	Hitchcock	Perkins	Warren
Clapp	Jones	Poindexter	Weeks
Clark, Wyo.	Lippitt	Root	Works

NAYS—44.

Ashurst	La Follette	Pittman	Smith, Ga.
Bryan	Lane	Pomerene	Smith, Md.
Chamberlain	Lea, Tenn.	Ransdell	Smith, S. C.
Chilton	Lee, Md.	Reed	Stone
Fletcher	Lewis	Robinson	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hollis	Martine, N. J.	Shafroth	Thompson
Hughes	Myers	Sheppard	Thornton
James	Newlands	Shields	Walsh
Johnson	Overman	Simmons	White
Kern	Owen	Smith, Ariz.	Williams

NOT VOTING—8.

Clarke, Ark.	du Pont	Kenyon	Shively
Culberson	Goff	Norris	Tillman

So the Senate refused to adjourn.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. FLETCHER. Mr. President, in connection with the discussion which has been had to-day, I wish to refer to some late reports respecting shipping conditions. The statement has been made that the rates are no higher than they were expected to be; that there is no excessive crowding at the ports and that there

is no emergency calling for any action; that our commerce needs no relief from present conditions. It seems to me important now to have go in the RECORD some communications bearing on this subject right up to date.

The Senator from New York to-day laid much stress on the importance of doing nothing to interfere with private enterprise or to discourage private initiative. It seems to me that that argument is met by the teachings of actual experience in this country, by the demonstration which has been made respecting the efforts of private parties in the past in this important field. There is no need to guess at what private enterprise will do. There is no need to suppose how far individual effort will go in the direction of establishing a mercantile marine in this country, because we have had an actual experience of 50 years on that subject, because it has been absolutely demonstrated in the past what that means. After all we have done to encourage private enterprise, after all the legislation which we have passed favoring and encouraging individual effort in that great field, we know that to-day under the American flag scarcely 1,000,000 tons can be counted. We have paid and are paying to-day $1,212,500 in subventions to encourage the building of an American merchant marine. We pay about one-third as much subsidies and subventions as England pays in that direction, and the United Kingdom has twenty times the tonnage that the United States has engaged in foreign commerce—for we have less than a million tons after all that we have done to encourage the effort of private enterprise in all of the years that are past, whereas England has 20,000,000 tons in foreign commerce and pays only about $3,000,000 per annum of subventions or subsidies or quasi subsidies.

Private enterprise has not only failed utterly to develop an American merchant marine in the past, but absolutely refuses to do anything in that direction. You can never reinstate the American merchant marine by investing American money in foreign shipyards or in foreign ships. You can never develop a mercantile marine solely by subventions or subsidies. That sort of thing never has been done by any country in the world in the past. You can never develop the American mercantile marine by relying on private enterprise and individual effort, because our capitalists and those who engage in that industry positively refuse to build up an American merchant marine, positively refuse to put their ships under our flag.

What is the situation to-day? Why raise objection that this is no field for the Government, because it ought to be left to individual industry and enterprise? Why raise objections that the Government is increasing its centralized power, and we are extending the authority and the jurisdiction of the Federal Government to the diminution of the powers and authority and rights of the States and of individuals as arguments against this bill when we make no such objection as to other undertakings by the General Government; when only a few months ago some gentlemen who are now opposing this legislation were here asking Congress to establish a bureau for taking care of war risks in order that their ships might be given the protection which they could not get in any other way, or by any other means? The Senator from Iowa [Mr. CUMMINS], the Senator from Kansas [Mr. BRISTOW], the Senator from Nebraska [Mr. NORRIS], I remember distinctly stood here and advocated the construction under the direction of the President of some 20 vessels by the United States Government to have them operated "between the ports of Alaska and ports on the eastern and western shores of South America," such vessels to be leased to and operated by the Panama Railroad Co., owned by the Government. Only a little while ago gentlemen were here also asking Congress to amend our navigation laws in order that their ships might come under the protection of the flag of this country, when it suited them to have that protection. And so we have the United Fruit Co.'s ships, and the Steel Corporation's ships, and the Standard Oil Co.'s ships coming under the flag of the United States and taking American registry at a time when it was dangerous for them to fly the flag of Belgium or the flag of England. Gentlemen on the other side favored that. Gentlemen on the other side favored establishing a war-risk bureau. The shipping interests wanted it. Gentlemen on the other side favored the change in our registry laws. These business interests wanted it. Now, why is it that they all at once discover that we are having the Government venture on an enterprise that ought to be left to private individuals, thus establishing paternalistic tendencies which are dangerous to our institutions?

Mr. President, the last report from the Secretary of the Treasury shows that on August 14, 1914, a committee of business men met in the city of Washington. I do not mention this in any critical sense at all, but I am referring to it as a matter of history. They had a right to ask for this legislation, and they did right to ask for it. It was right for the Government to establish that war-risk bureau. It was proper and right for the Government to change the registry laws so that these ships might come under our flag. I am finding no fault with that. I favored that then as I favor this now. The only thing I say is that you gentlemen are inconsistent when you favored those things at that time and now object to the pending legislation. As I say, Mr. President, on the 14th of August, 1914, a committee of business men appeared in Washington, and we find on page 6 of the report of the Secretary of the Treasury this:

To illustrate the pressing needs, representatives at the conference called attention to the congestion of American grain and other staples at the seaports and in the interior awaiting transportation. It was pointed out that Great Britain, France, and Belgium are now insuring the vessels and cargoes flying their respective flags against war risks. In order to provide workable means of cooperating with the Government the conference resolved itself into a committee, with Hon. Seth Low as chairman, and adopted the following resolutions:

"*Resolved*, That this conference, representing the business interests of all sections of the country, expresses its high appreciation of the prompt and effective action of the President and Congress and the Secretary of the Treasury in affording a prompt solution of the currency difficulties created by the sudden outbreak of war in Europe on a colossal scale, and that this conference urges upon the Government, the Secretary of the Treasury, and the Federal Reserve Board to continue its cooperation by adopting such measures and rendering such prompt assistance as may be necessary to enable the country to cope with the difficulties created by the unprecedented disarrangement of foreign trade now existing, and recommends especially that immediate assistance be provided to permit the negotiation of bills of exchange against the shipment of products to foreign markets, so that the congestion already prevailing may be at once relieved and that the financial balance of trade may become in our favor.

"*Resolved*, That this conference urge the United States Government to establish a bureau of war-risk insurance, to be administered under the direction of a suitable Government department by a board of three or five members, which shall assume the risks of war on American vessels and American cargoes shipped or to be shipped thereon whenever in the judgment of the board it shall appear that American vessels or shippers on American vessels are unable in any particular trade to compete on equal terms with the vessels or shippers of other nationalities by reason of the protection offered such other carriers or shippers by arrangements for war indemnity through their Governments, and that such board have power to fix rates of premium, subject to change, to each country or for each class of cargo."

Mr. President, was that a departure? Have we ever had a war-risk bureau before? Was that objected to on the ground of its being paternalism at that time? Was that objected to on the ground of its being socialistic and probably leading the Government into loss? No such objection was then urged. The business men represented here were clamoring for that legislation, and it met with no opposition on that side of any consequence, as I recall. They went on further:

Resolved, That the present opportunity to extend American foreign trade and the opportunity now to begin the creation of a mercantile marine under the United States flag is so great that this conference appeals to Congress, by immediate and effective legislation and by necessary changes in our navigation laws, to make it possible for our citizens, without discrimination, to buy and operate ships under American registry in foreign trade on equal competitive terms with all other maritime nations.

Resolved, That this conference deeply appreciates and earnestly and sympathetically responds to the suggestion of the Secretary of the Treasury in his opening address that the cooperation of the business interests of the country with the Government and its various departments should prevail, and in order that such may be effectively and most promptly accomplished; be it.

Resolved, That it is the sense of this conference that a standing committee should be appointed, composed of recognized experts in foreign exchange, marine and insurance problems, and in ocean transportation problems, in order that, if desired, in cooperation with the appropriate committee of Congress, bills may be immediately framed for consideration designed to promote the accomplishment of these greatly to be desired ends.

Mr. President, we heard nothing about socialism, we heard nothing about paternalism, we heard nothing last August about those objections that are raised to this legislation when these gentlemen were here in Washington proposing these extended activities of the Government. And when, in accordance with these resolutions, Mr. Low, as chairman, remained in Washington to confer with representatives of the Government as to the best means of solving these problems, these were the committees that were appointed:

War-risk insurance: Messrs. Hendon Chubb, of New York; J. Parker Kirlin, of New York; E. H. Outerbridge, of New York; F. G. Crowell, of Kansas City, Mo.

Transportation: Messrs. J. A. Farrell, of New York; P. A. S. Franklin, of New York; Robert Dollar, of San Francisco; Bernard N. Baker, of Baltimore.

Foreign exchange: Messrs. A. J. Hemphill, of New York; Festus J. Wade, of St. Louis; Henry R. Ickelheimer, of New York; John J. Arnold, of Chicago.

Here, then, was a situation which these experienced, farseeing business men sought to remedy. They proposed legislation by Congress; they proposed these extended activities of the Government in new fields, in new directions, to meet a condition which had not before arisen in this country; and when they asked it we heard no opposition on the ground of its being socialistic or paternalistic. Here was a case where these gentle-

men favored legislation. There were reasons why the Government should go into the war-risk insurance business. Private enterprise failed at this juncture; individual effort offered no remedy. There was a field which the Government had to fill if it was to be filled at all, and it did fill it; and as to what has resulted from that, the reports from the Secretary of the Treasury will show, and I do not go into those details. Suffice it to say that the venture has been altogether satisfactory and in every way successful. What do we find to-day? With less than a million tons of American ships in foreign trade, with only four ships in the trans-Atlantic business flying the American flag, with our harbors filled with the products of our farms, with the warehouses at our ports crowded with the products of our factories and our mines, with the elevators filled at our seaports, with the concentrating yards of the railroads so jammed that they are absolutely laying embargoes upon further shipments—under these conditions, although the freight rates have gone up from 10 to 300 per cent and more, we are unable to move these products to the waiting markets over the seas. Why? Because conditions are unusual? Undoubtedly that may be generally the cause, but specifically it is, because, primarily, there are no ships flying the American flag to take these products, and you can not get foreign ships to do the service. It is utterly impossible to accommodate the needs of our commerce on the high seas; and an emergency, a necessity, exists in this country to-day never experienced in all its history in the past, and a great, strong, powerful Government and a patriotic, progressive people are told that we must submit in abject dependence on foreign ships, now inadequate, and let conditions alone for private enterprise to remedy in some way, somehow, some of these days in the distant future.

I say I think it is so absolutely contrary to the best interests of our people, it is so cowardly to surrender to conditions which we can remedy, if we will, that I hesitate to characterize the opposition of this measure which offers a means of certain relief.

Here are the facts, right from Pennsylvania:

Easton, Pa., February 5, 1915—

This letter came to me from the secretary of the board of trade—

EASTON, PA., *February 5, 1915.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Permit me to thank you for our board of trade upon the receipt of the pamphlet "Increased ocean transportation rates." Something ought to be done.

It is a most villainous outrage the way the American people are now being treated by being held up by the throat to suit a few greedy shipowners who charge exorbitant rates because they now have an opportunity to do it. For years our Government has been trying to find a market for coal abroad. They have spent over $2,000,000, together with the coal miners, to find this market, and now, when the market is offered to us, we can not take advantage of the situation. I am connected with a firm of foreign exporters, Messrs. L. & E. Frenkel, 309 Broadway, New York City, and we have orders this minute for 130,000 tons of coal to go to Italy for purely domestic and industrial purposes, and we can not get the vessel bottoms to send it in, except at from 60 to 80 shillings per ton, whereas it was from 7 to 11 shillings per ton. It is a very sad commentary on the American people that such a condition is permitted to exist.

Very sincerely, yours,

THOMAS A. H. HAY, *Secretary.*

Here is one from the Mount Union (Pa.) Tanning & Extract Co., manufacturers of oak sole leather and tanning extract:

MOUNT UNION, PA., *February 3, 1915.*

DEPARTMENT OF COMMERCE AND LABOR,
Washington, D. C.

GENTLEMEN: We hope the shipping bill will pass. We have several cars of tanning extract for Rotterdam which we can not move for a couple of months on account of lack of cargo space. The sailings from the River Plate, Argentina, to New York, etc., are now so infrequent that we can not get hides. The war risks on both the above are also prohibitive.

These things have a tendency to shut down our production and lay off men just at a time when there is great industrial distress throughout the country. We are also held up on shipments of leather to England for the same reasons.

We are looking for great good to the country from the passage of the shipping bill, just as great good has come through the enactment of the new Federal banking law.

We appreciate the good efforts your department has already made in many directions.

Yours, truly,

MOUNT UNION TANNING & EXTRACT CO.,
EDWARD M. GREENE, *President.*

This is from the collector of customs at Boston to the Secretary of Commerce, dated February 8:

Interviews with steamship agents, principal shippers, and forwarders show great lack of vessels in export trade, those in service mostly slow and limited capacity. At present sailings are fixed and freight accepted only equal to the limited carrying capacity of vessels. Shippers are holding merchandise until booked. Bookings must be made from two to eight weeks in advance of sailing. This avoids the appearance of congestion in some instances. Many wharves filled to capacity with cargo awaiting shipment to Europe. Grain elevators filled with grain and cars of grain on sidetracks unable to be unloaded. Will be more congested unless relieved by increased service. Can give details if desired. Coastwise about normal.

BILLINGS, *Collector of Customs.*

Does that mean nothing to commerce? Does that mean nothing to the producers of grain and the producers of this country of other products that are seeking foreign markets and of which we have a surplus?

This is from the collector of the port of Philadelphia:

Investigation shows congestion in merchandise intended for export to foreign ports. Grain elevators all full. Unusual amount of export merchandise on piers. Exporters claim shortage in tonnage. Can not secure space for English ports until latter part of February or 1st of March. Later for large lots. Space for Glasgow can be had this month.

This is from the collector of the port of Tampa, Fla.:

Fernandina reports no congestion on merchandise, but phosphate, naval stores, and logwood congested on account of lack of steamship facilities covering foreign traffic only. Pensacola reports freight not brought to Pensacola until ships are available to forward it; lumber mills, naval stores, yards, and cotton warehouses in vicinity have large stocks on hand which could and would move were ships available. Can not say congestion exists at Pensacola, but exports would be double could neutral tonnage be obtained. At Jacksonville, Key West, and Tampa there is no congestion of merchandise on account of lack of steamship facilities.

GRIGGS, *Collector of Customs.*

I am reading the reports from the collectors of customs in these ports, made officially to the Secretary of the Treasury.

From Galveston, Tex., comes this word:

Your telegram this date, personal investigation confirms Saturday's telegram; conditions of wharves and warehouses crowded, with space for only about 8,000 additional bales cotton. Wheat on hand in cars, reduced from 2,300 cars 10 days ago to 1,523. Warehouses in cotton-concentration yards crowded. February arrivals and due to arrive, 78 steamers. Expect to export 799,200 bales cotton. Without docks at Texas City and Bolivar this port would now be congested to the limit.

And so, at Mobile, Ala., the collector reports the same condition, practically, as follows:

MOBILE, ALA., *February 6, 1915.*

SECRETARY TREASURY,
Washington, D. C.:

Congestion merchandise destined South American ports here account no steamship facilities. No congestion otherwise for reason agents refuse book freight either coastwise or foreign account scarcity steamers and high rates. No business solicited through canal to Pacific ports account of coastwise steamers and business already contracted for refused account high rates.

MAER, *Collector of Customs.*

February 6 the collector wired as follows from New Orleans:

Your telegram to-day. From best data obtainable on short notice no congestion merchandise awaiting coastwise shipment. Great congestion grain. On hand constantly in elevators about 3,000,000 bushels, with 4,000 cars on track awaiting elevator room. Nine steamers now loading for Europe, which will afford only temporary relief. First February 187,641 bales cotton in warehouses awaiting shipment; 43,385 bales in cars not delivered to ships or consignees on ships in ports; 106,890 bales, as compared with 25,128 bales this time last year, now on docks; 77,742 bales destination undetermined; elsewhere, 5,539 bales. Warehouses have stored all cotton for which they have room. No low-grade freight being moved, because goods can not stand high rates freight being asked to correspond with rates being exacted for cotton, grain, and foodstuffs. Those who engaged tonnage last summer now have preference, except to German ports, for which no ships are available. There are stated to be 30,000 bales awaiting steamers for Rotterdam and 25,000 to 30,000 bales for Genoa. Some exporters state congestion due not only to lack ships but to great delay in discharging cargoes in Europe, and vessels are behind from one to two months in their schedules. Cotton can not be put on wharf until ship is ready to receive it. The conditions recited have caused almost prohibitive freight rates. Exportations August 1, 1913, to January 31, 1914, 1,013,243 bales; August 1, 1914, to January 31, 1915, 599,067 bales.

FOSTER, *Collector of Customs.*

The Senator from North Dakota went on to speak about the excessive exportations of grain, and, of course, overlooks the consideration of what would have been the exportations if the shippers had been able to get the tonnage required and what would have been the rate as compared with the present if that had been possible.

But in the case of cotton, instead of the shipments from New Orleans increasing over those of last year, these are the facts: Exportations from August 1, 1913, to January 31, 1914, 1,013,243 bales; August 1, 1914, to January 31, 1915, 599,067 bales; in other words, about one-half, from August 1 to January 31 just passed, of what it was a year ago.

From Norfolk, Va., the collector reports:

As a result the freight is being piled in coastwise warehouses and lying in cars awaiting orders for the sending out of said freight on coastwise steamers to New York and Baltimore for final export.

Let us see about New York. Both Senators from New York find objections to this bill. The junior Senator from New York, in commenting to-day upon certain provisions with reference to ships built in our yards by the shipping board, if authorized under this act, said that they may be registered, or enrolled rather, for the coastwise trade, urging that somebody had some special regard for the coastwise monopoly, otherwise all the ships acquired should be admitted to the coastwise trade, overlooking the fact, which is a fact that no one can deny,

that there are no complaints about a scarcity of ships engaged in coastwise trade. Our coastwise business is being taken care of in the ordinary fashion and in the usual way. There is no need for additional ships to do the business between the ports on our coasts. The great cry and demand is for ships to traverse the ocean for the over-seas business, for the foreign trade. That is the demand, and it is the purpose of the bill to provide, particularly, facilities for the taking care of that kind of commerce—foreign commerce. Against this, there is no necessity for providing that these ships—built or acquired or purchased or leased—should be admitted to the coastwise business enrolled and authorized to enter upon coastwise trade and commerce, because that transportation is taken care of now, and there is no necessity for additional ships. The great necessity for additional ships is not for our coastwise trade, and additions there will come in the natural development of trade, but the great need is for ships to do the foreign business, to take care of our foreign commerce.

The New York collector of customs, Mr. Dudley Field Malone, under date of February 6, wires the Secretary of the Treasury:

Replying department telegram concerning congestion at this port investigation discloses unusual congestion, particularly with respect to grain, the stock of this commodity on hand being triple normal conditions.

Notwithstanding the tremendous exportation of grain, as mentioned by the Senator from North Dakota, the stock on hand in New York to-day is triple that in normal conditions, and the same is true substantially as to exports at Baltimore, at Norfolk, and at other ports along the south Atlantic and the Gulf. He continues:

Explanation of this congestion is that export movements can not be effected due to shortage of tonnage.

That is the reason, given here under date of February 6. Can anyone have any doubt about a statement coming in that way, from the official of the Government at the port of New York to his superior officer, stating that the reason of the trouble is the shortage of tonnage? He continues:

Congestion applies to warehouse elevators as well as cars and lighters. No marked congestion of coastwise trade discernible.

As to the coastwise trade there is no marked congestion, but as to the foreign trade the story is different.

From Baltimore comes this:

FEBRUARY 6, 1915.

Baltimore & Ohio Railroad has about 400 cars and Pennsylvania Railroad about 300 cars general export freight on hand, which is normal. Embargo is in force by Pennsylvania Railroad against receipt of grain on all their lines for export. Elevators loaded to full capacity with stock. On hand to-day, 4,260,000 bushels, and cars on tracks awaiting unloading. Grain embargo by Baltimore & Ohio Railroad raised about one week ago. No congestion coastwise traffic. No lack of steamship facilities for handling general export merchandise, which is cared for by regular lines, but lack of grain-carrying vessels does exist.

WILLIAM P. RYAN, *Collector.*

What does that mean? Is that a good thing for the producer of grain in this country? Is that a good thing for anybody in this country? Is not that a condition that ought to be relieved against if it is in the power of the Government to do it, and especially when private enterprise has failed, and not only has failed but absolutely refuses to do it?

Our patriotic American citizens of the International Mercantile Marine put $100,000,000 in ships, but they fly a foreign flag. Does that help us any? Did they not testify before the Committee on Merchant Marine and Fisheries of the House of Representatives that, give them free ships, give them what you would, they would never transfer those ships to the American flag? Imagine American money in ships flying foreign flags, and imagine American citizens testifying on the stand that it made no difference if you permitted them to buy them where they would, or build them where they might, they would never place them under the flag of their country; and the reason they gave was because of the difference in the cost of labor, increasing the cost of operating the vessels. That difference is estimated to be 10 to 15 per cent. That is the actual condition. Why should we ignore that, and why tell the people, from this place or anywhere else, that it is the business of Congress to leave this field to private initiative and individual enterprise, in the face of the sworn statements of the owners of these ships that, no matter if you changed the law and let them buy them where they could get them cheapest or build them where they would cost least, they would never let them fly the American flag? And, asked the reason, they confessed frankly that the sole reason was that it cost a little more to operate them under the American flag than under a foreign flag.

So that there is no hope of ever having an American merchant marine if you depend upon private enterprise to create it. You can never regenerate the American merchant marine by leaving that field entirely to individual effort, and you can never accomplish it by any reasonable sort of subvention or subsidy. Not one-tenth of the ships of the world, carrying the commerce of the world to-day, are the subjects of subsidy of any kind. No nation on the earth subsidizes the great cargo carrier, the tramp. The ideal cargo carrier is not subsidized by any country, anywhere. That is the kind of ship we want. What do we want with a 56,000-ton passenger ship? We want a 7,000 or 8,000 or 10,000 ton cargo carrier. That is the kind we want to take care of the commodities and products of our country that are weighing down the warehouses and wharves and docks and elevators at every port on the Atlantic and the Gulf, and largely on the Pacific, too, I take it. I have no returns from the Pacific coast.

At Baltimore the railroad company is absolutely refusing to take shipments of grain over that road for export, because it can not move. The elevators are loaded to full capacity with stock on hand, 4,260,000 bushels, and cars on tracks awaiting unloading. There was a grain embargo by the Baltimore & Ohio Railroad raised only a week ago. That information came from William P. Ryan, collector of customs.

It was said here that these rates are high, these conditions are not satisfactory, because you can not unload the vessels on the other side, you can not get labor, there are delays, vessels going to ports will wait weeks and weeks and days and days for the reason that there are not men and means to discharge the cargo. Here is an article from the New York Times of February 7, which gives the latest information on that phase of the subject:

SHIP CONGESTION ABATED—LONDON AND LIVERPOOL PREPARED TO UNLOAD CARGOES PROMPTLY.

WASHINGTON, *February 6.*

The British Embassy to-day issued this statement:

"You may make public the fact that congestion at and in the port of London has now greatly abated, and only a very few ships are now at Gravesend awaiting berth and delays to which vessels have formerly been subjected need no longer be expected. Labor is sufficient for necessities of the port. At Liverpool delays are less than they were, and they will be further reduced owing to arrangements being made by a committee representing the principal port authorities of Great Britain."

Mr. President, we read something in the papers, also, regarding the recent situation in that part of the waters surrounding England and Ireland, and the New York American very appropriately heads an editorial of the 6th: "A clinching argument for more ships," which I desire to insert in the RECORD as a part of my remarks:

A CLINCHING ARGUMENT FOR MORE SHIPS.

The German submarine raid on the west coast of England, and the subsequent warning that British merchant vessels were subject to submarine attack, ought to be a final argument in favor of our immediate acquisition of an American merchant marine, for it shows that we can no longer depend upon British shipping as a means of safe and adequate transportation for our trans-Atlantic commerce to North European ports. And it ought to show us that we should give up the weak policy of depending upon any other nation for that service at a time when any day may bring further belligerents into the conflict and further reduce the already limited tonnage at our disposal.

It has been our clear duty ever since the war broke out six months ago to prepare for just such a situation as now seems to confront us, for it is no proper course for us as a great Nation with an enormous foreign commerce to depend upon the strength or the good will of nations fighting for their lives for the maintenance of our oversea trade. That is safe only in our own keeping even in times of peace, and in times of war is hardly safe even there.

So long as England was clearly able to hold command of the high seas she could afford us tonnage for our needs. And our clear duty was not our urgent necessity. There was an excuse, if not a justification for our dilatory procrastination.

But now the German submarines off the port of Liverpool have shown us that we can no longer depend upon the countless merchant fleet of England to carry our merchandise. Our own ships under our own flag, protected by our Government despite the German threats, which it is unwise to take too seriously, are necessary to our trade.

That solicitude for the American workman which seems to be felt by our legislators of both Houses at Washington ought to come into active operation in the face of the warning of the German submarines. For a stagnation of our export trade just now, when thousands of men and women are out of employment here, would be a calamity to working America hard to estimate as to its extent and tragic severity.

In other words, ships flying our flag may do business in safety in those waters, whereas the only ships which are available to us to-day, namely, ships flying foreign flags, and especially the flag of any of these belligerents, might not be undisturbed in those waters. That is a condition which emphasizes the significance, the importance, the necessity of the United States providing in some way for taking care of our commerce. I hold that to be a duty of this Government, not by way merely of taking advantage of conditions in the Old World in order that we may be benefited, but because there are people who will need the foodstuffs of this country, which they can get nowhere else, in order to survive. By way of illustration, England buys over the ship's side four out of five loaves of the bread she consumes. She imports more than one-half of her butter, cheese, and eggs; about two-fifths of her meat; £250,000,000 annually is the value of her importations of food, drink, and tobacco.

We ought to be in position to serve the crying needs of the people who are confronted with starving conditions. You can not do it in any other way than by creating a merchant marine under the flag of this country which will have access to every sea on every portion of this globe. It is our duty to put ourselves in position to supply the wants of the people of the earth who must have food and who must wear clothes.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I do.

Mr. POINDEXTER. The Senator is touching upon a very interesting phase of the problem. He says that American ships will go into any waters of the world and into any port. One of the chief objects is to carry American grain to foreign markets. Does the Senator from Florida propose that a Government ship, if this act is passed, loaded with grain destined to Hamburg, should undertake to make that voyage in defiance of the efforts of other belligerents to prevent food from reaching their enemies' armies? What would be the situation under those circumstances?

Mr. FLETCHER. Of course, Mr. President, I do not mean to claim that because a vessel flies the American flag she can enter war zones, that she can pass through mined seas, that she can do things that, of course, conditions of war would not permit. I am not speaking with reference to ports like Hamburg, except that she may be escorted there; I do not know what arrangements may be made with reference to that. I understand neutral ships go to Bremen. Certainly, however, as to Rotterdam, as to Italian ports, as to South American ports, as to ports that are not absolutely blockaded, where there is no prohibition——

Mr. POINDEXTER. I can not see any objection to going to South American ports. That is the proposition that was first proposed by the President in his message. But suppose a Government ship were loaded with a cargo of copper, which is one of the important commodities and about the shipment of which there has recently been some discussion, consigned to a neutral port in Europe, and it was charged by one of the belligerents that its ultimate destination was the enemy's country?

Mr. FLETCHER. Of course I do not mean to say, Senator, that because a vessel flies our flag she has any business to violate any of the conditions of neutrality or any of the provisions of international law.

Mr. POINDEXTER. Mr. President, there is another phase of the matter. Germany, for instance, has announced that it proposes to prevent foodstuffs from going to England. Does the Senator suppose that she is going to modify that attitude because foodstuffs are carried upon a ship of the Government of the United States under this act?

Mr. FLETCHER. I think unquestionably, Mr. President, that a vessel flying our flag is in a much safer position in those waters surrounding England and Ireland than would be the vessels which carry our commodities to-day flying even the English flag, perhaps.

Mr. POINDEXTER. I agree with the Senator in that regard. There is no doubt that it could be safer and still not be very safe. If this great nation, engaged in the struggle for very existence, not merely making talk, means what she says—that she proposes to prevent food from going to England—I see no reason why she would modify that decree because the food comes upon a neutral ship or a ship owned by some neutral Government. She might hesitate to involve herself in difficulties with a great power like the United States; but in order to carry out the plan which the Senator from Florida has outlined the United States would have to be prepared to back up its commerce with the power of its Navy. Is that what the Senator proposes to do?

Mr. FLETCHER. Oh, I have not gone into that at all, Mr. President. I do not mean to go into that feature. In fact, I had no idea when I arose that I would talk five minutes; but I simply mean, if the Senator will permit me, that merchant vessels carrying our flag will be able to go and come, with reference to all those ports, on a much safer basis, and I do not mean to say that it would be necessary to accompany the vessel with a cruiser or anything of that sort. I do not think that would be necessary. I think that that sort of a vessel would be protected in a way that would make the conditions such that there would be practically no embarrassment regarding the shipment of products even into those waters or those ports.

Mr. POINDEXTER. The Senator seems to be proceeding on the theory, then, if I understand him, that because the ship is a United States ship, owned by the Government of the United States and flying its flag, that very fact would modify these conditions caused by the war in Europe. I fail to understand how that magical effect is going to take place.

Mr. FLETCHER. Simply because——

Mr. POINDEXTER. With the conditions of trade with those countries that the Senator from Florida has mentioned caused by a war that is now in a very acute stage, I fail to understand how merely transferring the ownership of the ship is going to modify——

Mr. STONE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Missouri will state his point of order.

Mr. STONE. Does the Senator yield for a speech or a question?

Mr. FLETCHER. No; of course, I do not mean to lose the floor, nor to take up the time of the Senate with subsidiary or imaginary matters.

Mr. STONE. I desire to have the rule enforced.

The PRESIDING OFFICER. Does the Senator from Florida desire to yield further to the Senator from Missouri?

Mr. FLETCHER. No; I do not wish to yield the floor.

The PRESIDING OFFICER. The Senator declines to yield further.

Mr. FLETCHER. I do not desire to yield the floor; no, sir.

Now, the Senator, of course, will excuse me from going into that question as to the legal situation, because that has been thoroughly thrashed out before. I want to inquire, Mr. President, the situation as to the pending question. As I understand it, the motion was made by the Senator from Arkansas [Mr. CLARKE] to recommit the bill, with all amendments, to the Committee on Commerce. I offered as an amendment to that to recommit the bill with instructions. The Senator from Massachusetts [Mr. LODGE] insisted that that subject should be divided, as I recall the proceedings, and that is the reading of the RECORD as I have it before me. The Vice President at that time agreed to that demand by the Senator from Massachusetts.

The PRESIDING OFFICER. That is the understanding of the present incumbent of the chair.

Mr. McCUMBER. Mr. President, I thank the Senator from Florida [Mr. FLETCHER] for giving me this recess of a few moments. I will be as brief as I can and finish the address, which has already lasted some hours. I was saying, Mr. President, that following this special advantage to foreign-built ships came the demand in this country which in due time crystallized into legislation for better and consequently more expensive conditions of operation of our vessels. The result was that we were unable to compete with foreign-built ships conducted under less onerous conditions than those which pertained to the American ships. We lost the ascendency which we had gained. The supremacy of the sea passed into other hands. We have since been attempting to regain it by subsidy.

Mr. President, if we want an American merchant marine we may just as well face the real question, the real difficulty that must be overcome. How can we regain our American marine, our old comparative standing in the tonnage of the world? Undoubtedly we can do it by a ship subsidy which will tax all of the people and make good our deficiency in building and operation.

Second, we can do it by Government ownership; that is, by taxing all of the people a still greater price for building, a still greater price for purchasing, and a still greater price for operation of Government-owned vessels. That is ship subsidy also.

It differs from the former only in the fact that it is a bigger subsidy than any that has yet been contemplated.

The third method that has been suggested is that in our port regulations we can fix the conditions under which the foreign ships may obtain clearance, and, of course, we can compel the foreign ships, in order to depart from our ports—and so far as that is concerned even to enter our ports—to submit themselves to regulations that will correspond with our own. No one doubts our power to do this.

We have the authority to pass regulations that will keep every foreign ship out of our ports, but I assume, without going into an argument, that this could hardly be made workable. Nations have treaties and treaty rights with us. Of course we can modify or break our treaties, but we can not prevent retaliation, and as we are just as much interested in getting our ships into the ports of other countries as they are in passing theirs into our ports, I assume that they would be able to take care of their own shipping interests as against our port regulations.

Hence, if we fail or neglect to adopt either of the first two suggestions we are compelled, if we are to have a merchant marine, to modify the many restrictions and conditions under which ships flying the American flag are allowed to enter the

commerce of the world. With the development of our steel industry, the perfection of economic apparatus and machinery, I think we are very rapidly wiping out the difference between the cost of building at home and abroad. If our merchant ships are allowed a more liberal rule of operation they may be able to compete successfully in the carrying trade of the world. That, to my mind, is the only solution, outside of subsidy, of the whole question.

But, Mr. President, if I understood the argument of the Senator from Florida a short time ago, he seemed to think that that was the only remedy; that that was the only process by which we could build up our merchant marine—by the Government purchasing and operating the vessels. I agree with the Senator from Florida that that probably is the only available remedy; that the Government should go into the foreign-trade business of this country; that the Government should operate all of the vessels engaged in the foreign commerce. There is no question about the influence of every line of business upon the Congress of the United States which would be called upon to pay freight charges on the Government-owned vessels. We would be responsive to their demands, and being responsive to their demands the result would undoubtedly be that we would operate those vessels at a loss. If we operated them at a loss, we would drive the other American private-owned vessels out of the carrying trade or compel them to be sold to the Government of the United States. Then the Government must conduct all the foreign commerce of this country, with all its ramifications, with all its complications, with all its competition. It must become embroiled in all the rules that affect or govern trade. Mr. President, there is but one final result; when we get in we will have to stay there. There is no way of getting out. One of the strange features pertaining to the support of this bill is that there are some on this side of the Chamber who are attempting to support it upon the ground that it will result in complete Government ownership and Government operation of the transportation lines of the country. Others are supporting it upon exactly the opposite theory, that the Government will be out of it as soon as the war emergency ends.

Mr. President, I know of no man in the United States who has made a closer study of both American and international transportation and navigation than Mr. J. J. Hill. Few men in the United States have been as studious as he has been for more than 40 years in the investigation of this great problem and the practical application of it in his own business as president of one of the greatest railway systems in the world. He is one who always speaks after great deliberation, and what he may say is worth the attention of any man who desires to increase his knowledge of the problem.

I take from the Journal of Commerce of January 23 extracts from his address at the annual National Foreign Trade Convention on the day previous. Mr. President, I wish to call attention of the Senate to this little excerpt from the address of Mr. J. J. Hill. This is in the Journal of Commerce of January 23, 1915:

ST. LOUIS, *January 22.*

James J. Hill, chairman of the board of directors of the Great Northern Railway, addressed to-day the second annual National Foreign Trade Convention. Taking for his topic, "Freedom for our foreign trade," Mr. Hill discussed the question of restoring the American merchant marine. He said:

"The one indispensable condition of the restoration, extension, and maintenance of our foreign trade is the provision from some source of adequate ocean carriage. All other difficulties are in process of solution. But merchant ships must be had; our need of them is almost as great as that of other nations for munitions of war.

"In the month of November the exports from the port of New York were $12,000,000 more than the year before. There was an increase of about 300 per cent in exports of food products."

I wish especially to call attention to this, Mr. President, that in the month of November the exports from the port of New York were $12,000,000 more than the year before—I presume it means from the November of the year before—and that there was an increase of 300 per cent in the exports of food products. In other words, the food-product exports of that year were three times as much as they were in the corresponding month of the previous years. Mr. Hill proceeds:

The foreign demand must increase in direct ratio with the exhaustion of supplies in the warring nations. How are these goods, which we desire to sell and others are anxious to buy, to be carried to the oversea markets?

Such slight relief as was afforded by the wise removal of the prohibition of registry for foreign-built vessels has been given. It is hardly a drop in the bucket. Up to the week ended December 26, 1914, American registry had been granted to 105 vessels heretofore operated under foreign control, aggregating 373,840 gross tons. This is not enough to prevent present congestion, and holds out little hope for the supply of future needs.

I know the Senator from Florida [Mr. FLETCHER] was much exercised concerning the congestion in food products at these terminals, but the table which I read to the Senate shows very clearly that we are exporting during this war, in October, November, December, and January, from two to three times as many bushels of all the different cereals as we exported during the corresponding months of the previous year. That is not all it shows. It shows further, to anyone who knows anything about our surplus, that at the present rate of exportation, if we continue it right along, month after month, we will have exported every bushel of our surplus before the next crop comes in. Therefore there is no emergency, so far as the crop is concerned, and, as I indicated before, we are getting better prices for our products the longer we hold them at those congested ports; and while the benefit of these higher prices will not inure to the farmers, as they have parted, for the most part, with their grain, it will nevertheless be a benefit to American citizens, and those higher prices and that advantage in profit will naturally percolate through the country in some form, so that we will only get the benefit of it.

At the beginning of this year—

Says Mr. Hill—

all charters at New York had been taken for January, and February engagements were not easy to make. Rates had advanced from 40 per cent to 200 per cent above those prevailing before the declaration of war. Many ships are idle because of the risk and high rates of insurance.

Right here I want to pause long enough to say that the insurance rates, which are extremely heavy to those ships passing through a zone that is filled with floating mines—vessels that are liable to go to the bottom of the sea in any voyage they may make—must necessarily very materially increase the cost of freight. It is one of the elements that must be taken into consideration in fixing rates.

I was in hopes when I had brought to the attention of the Senator from Florida the fact that neither of the Secretaries had given us any statement, any evidential fact whatever bearing upon the cost of carrying this freight and the reason for the increased cost, and we ought to have these figures, that he would answer that part of my argument and would give me the basic facts to indicate wherein these freight rates were exorbitant.

The mere fact that they are more than they were two years ago, the mere fact that they seemed excessive as compared with previous years, is no indication whatever that they are greater than they ought to be during these perilous times and under the conditions which I mentioned.

This article goes on to say:

But, aside from this, it is true that American cost of ship construction is from 50 to 100 per cent higher than that abroad; and according to a reported statement of Capt. Robert Dollar, who operates ships in both domestic and foreign trade, it costs about $17,236 more a year to operate a ship of 3,000 tons under the American than under the British flag.

Mr. President, if that is true, and I certainly have no reason to doubt it, and if there is any man in the United States who could speak with authority through investigation on this subject it is Mr. Hill—if that is true, all of that added cost would have to be borne by the Government if it proceeded to purchase vessels. If these foreign-built ships are receiving such exorbitant rates, they will demand exorbitant prices for those ships.

These are the disadvantages under which our foreign trade labors. They must be removed before this country can hope to realize the great opportunities now before it, which are not likely to occur again if now permitted to escape.

The only practical, the only desirable policy for this country is the provision of a sufficient American merchant marine. To buy this by big subsidies is a losing, and in the long run, an unsuccessful game. We can not and we do not want to rely hereafter, as we have so long, upon foreign ships to carry American trade and thus control not only its profits but also its direction and its volume. There are but two recourses; one a merchant marine owned and operated by the Government, the other a merchant marine provided by and for the people.

The former, just now urgently advocated, is an unwise and would certainly be a disastrous experiment. Aside from the complications almost certain to drag us sooner or later into the European conflict, owing to the uncertain and conflicting claims of national neutrality, this policy would be followed by the total destruction of the private shipping interest.

If there is any one thing that it seems to me is apparent to us it is that if the Government-owned ship is to bring back the old rates under the new war conditions, it must necessarily operate at such loss as will drive the other private-owned vessels out of the trade of the United States and compel them to seek a Norwegian or a Danish or a Swedish or a Holland nationality.

Private enterprise can not possibly compete with a Government which pays no interest on the cost of its ships and throws aside considerations of profit and loss. As Lincoln said that the Nation could not continue to exist half slave and half free, so our merchant marine, if once this precedent is set, must inevitably become a Government monopoly.

What is the prospect in this case of economical management and of those lower rates which the advocates of the plan hold out as a bait for its adoption? We have an exact measure of the facts in some com-

partive railroad statistics. The Panama Railway is entirely owned and operated by the United States. Like most affairs on the Isthmus, it has been handled by honest and competent men in their several lines. We have its official report for the year ended June 30, 1913, to be compared with the statistics of all the railways of the United States for the same period.

The average length of haul was 41-ton miles. There is, therefore, little but through business. But the rate on the Panama line was 3.48 cents per ton per mile as against 0.7268 of a cent for all the railways of the United States. That is, the Government rate was almost five times the rate made by private enterprise over the entire country. The average expenses per mile of road were $44,696, as against $8,939, or five times as great. Aside from the higher cost of coal this line presents few, if any, greater difficulties in operation than other managements have to overcome.

If the entire rate charged to American shippers were handed over to the Panama management to cover the cost of handling their freight at terminals, they would still receive almost four times as much as the railways of the country get. If the Panama rate were established in the United States it would wreck the country. There is not enough money in it to pay such enormous amounts. If the rate charged by the Government on the Panama Railroad were applied to the entire railway ton mileage in the United States, our shippers would have had to pay in 1913 more than $8,000,000,000 additional freight charges. Yet this is what the country would have to do, either directly in rates or indirectly in taxes, to meet the expenses of Government operation.

What is proved true for railways holds good for Government owned and operated ships. The purchase price is nothing as compared to the cost of operation, increased by the necessary weakness of political management, and loaded down at every session of Congress by new laws for the lowering of rates, the raising of wages, and the reduction of hours of labor for employees. Either the people would presently stagger under their new burden or our foreign trade would fall beneath the weight of rates such as those imposed on rail traffic across the Isthmus of Panama.

This method of relief ought to be dismissed by every right-thinking man as a chimera and a menace. There remains, then, only the recourse, as old as human experience and as unfailing, of dependence on private initiative. Give it a chance. It has seemed inadequate only because it has been bound hand and foot by restrictions and regulations unworthy of this enlightened age. The American merchant marine needs just one thing, but that it must have if it is to revive. Put it on an exact equality with the other shipping systems of the world. Let the American citizen be authorized to procure and to operate vessels on the same terms as the citizen of any other country is under its laws, and his ability and enterprise will do the rest.

A firm declaration for a merchant marine subject to no other restrictions than are imposed by the nations which have done the carrying trade of the world is the only demand worthy of this important body and of our country, which stands once more to-day, as to its foreign trade, at a dividing of the ways.

During the delivery of Mr. McCUMBER's speech,

Mr. REED. Will the Senator yield to me for a moment?

Mr. McCUMBER. For a question, so that I do not lose the floor; that is all.

Mr. REED. That is understood. I ask to have read to the Senate, to go into the RECORD, what I send to the desk.

The PRESIDING OFFICER. The Secretary will read.

The Secretary read as follows:

To the United States Senate:

Pursuant to the provisions of rule 40 of the Standing Rules of the Senate, I hereby give notice that I propose the following amendment to the Standing Rules of the Senate. Add at the end of rule 22, of the Standing Rules of the Senate, the following:

"Not later than the hour of 2 o'clock p. m., on the calendar day, February 19, 1915, all debate upon Senate bill No. 6856 shall cease, and at the time aforesaid, the Senate shall proceed to vote upon said bill and all amendments thereto without further debate. The final vote upon said bill shall be taken not later than 5 o'clock p. m. of said date.

"The foregoing proceedings shall have precedence over all other motions whatsoever."

I will move the adoption of said amendment as soon as permitted by the rules of the Senate so to do.

The purpose of said proposed amendment is to terminate the obstructive tactics now being pursued with reference to the above-named bill, and to cause a vote to be had thereupon at the time above specified.

JAMES A. REED.

Mr. GALLINGER. Mr. President, I raise the point of order that that can not be received under existing circumstances.

Mr. REED. I will amend by inserting, after "February 19," the figures "1915."

Mr. GALLINGER. I raise the point of order against its reception, Mr. President.

The PRESIDING OFFICER. Does the Chair understand that the Senator from North Dakota yielded to the Senator from Missouri?

Mr. GALLINGER. But it is after 2 o'clock.

Mr. McCUMBER. I yielded for nothing that would take me off the floor.

Mr. GALLINGER. No business can be received under existing conditions, and I desire to say it is the duty of the Chair, under the rule, to enforce it without attention being called to it. It is after 2 o'clock of the legislative day of February 5, and neither a notice nor any other business can be received or transacted by the Senate without unanimous consent. I call attention——

The PRESIDING OFFICER. The Chair had in mind whether unanimous consent was given or not when the Senator from Missouri presented it.

Mr. GALLINGER. There was no evidence given of the notice and he knew nothing as to what it was.

Mr. REED. It is merely a question of notice which is now presented to the Senate.

Mr. BRANDEGEE. Mr. President, I rise to a point of order.

Mr. REED. The question whether it is legally or properly a notice is to be settled when we come to a consideration of the rule.

Mr. BRANDEGEE. Mr. President, I make the point of order that the rule provides that a Senator shall not be interrupted for any such purpose, and it is the duty of the Chair, without any Senator calling it to the attention of the Chair, to enforce the rule.

Mr. REED. I have not yielded.

The PRESIDING OFFICER. The Senator from North Dakota has the floor. The Chair had a right to ask if unanimous consent was given.

Mr. STONE. Mr. President, I rise to a question of order. Did the Senator from North Dakota yield to the Senator from Missouri?

The PRESIDING OFFICER. The Senator from North Dakota yielded on condition that he was not yielding the floor.

Mr. STONE. I raise the question of order that the Senator can not yield the floor for the introduction of new business on any condition.

Mr. BRANDEGEE. I have raised the same point of order.

Mr. GALLINGER. That is the very point I made.

Mr. STONE. I now ask for the recognition of the Chair to take the floor in my own right.

Mr. McCUMBER. I have not yielded.

The PRESIDING OFFICER. The Chair said the Senator from North Dakota did not yield the floor.

Mr. McCUMBER. I did not yield, and I stated that I would not yield the floor.

The PRESIDING OFFICER. The Chair will ask the Official Reporter to read what transpired at the time the junior Senator from Missouri made the request of the Senator from North Dakota.

Mr. STONE. I do not press it further. I withdraw it.

Mr. REED. I want to say to the Senator——

The PRESIDING OFFICER. Just a moment. The Official Reporter will read.

Mr. GALLINGER. It is withdrawn.

Mr. McCUMBER. I understand it is withdrawn, and it is not necessary for the reporter to read.

The PRESIDING OFFICER. Has the junior Senator from Missouri withdrawn his request?

Mr. REED. I did not withdraw my notice but my colleague withdrew his request, because I stated to him what I had said to the Senator from North Dakota that I would not take him off his feet.

Mr. GALLINGER. That is right. Now, Mr. President——

The PRESIDING OFFICER. The notice has been read, and it will go into the RECORD.

Mr. GALLINGER. The Senator has not a right to give the notice, and I make the point of order that it is not in order to present it at the present time.

After the conclusion of Mr. McCUMBER's speech,

Mr. STONE. Mr. President, it is pertinent at this point to call attention to what occurred three or four days ago, when a Senator on that side, criticizing some statement or lack of statement in the RECORD, said that no Senator was entitled to the floor until he had first addressed the Chair and been recognized by the Chair; and it was insisted that the fact of the Senator addressing the Chair and of the Chair recognizing him should be stated in the RECORD. Since that time that rule of procedure has been followed.

There is another rule of procedure, in addition to the one referred to, which has been now formally established, namely, that one Senator can not interrupt another Senator who has the floor for the purpose of making a speech, and that if a Senator having the floor yields to another to do more than ask a question and permits him to make extended remarks, he thereby loses the floor. I regard that as a proper rule, for otherwise a Senator in possession of the floor could farm out his time and hold the floor indefinitely. Now, applying that rule to what has just occurred, we find the facts to be that the Senator from North Dakota [Mr. McCUMBER], having the floor in his own right, yielded, as he said, to the Senator from Illinois [Mr. SHERMAN] to ask a question. Thereupon the Senator from Illinois, without objection on the part of the Senator from North Dakota, launched into what promised to be an interminable dissertation. The Senator from North Carolina [Mr. SIMMONS] made a point of order that inasmuch as the Senator from North Dakota had permitted an interruption of that extended character, he had in fact surrendered the floor. The Chair sustained the point of order, and I then immediately addressed the Chair, desiring to

take the floor in my own right; and, being recognized, I now hold the floor in my own right. Because of the confusion incident to this proceeding, I have made this explanation, that the RECORD may show the facts. So much for that.

THE FLAG.

Mr. President, the Senator from Florida [Mr. FLETCHER] has spoken of the protection the American flag affords to ships above which it flies. Referring to the German proclamation establishing what is called a "war zone" around the British Islands, the Senator said that the American flag at the masthead of American vessels would be of the greatest value. Undoubtedly that should be true, and undoubtedly it would be true if only American vessels carry our flag. But if other nations are permitted to carry it—if it can be indiscriminately used by vessels of all nations—then the value of the flag, if not entirely lost, is greatly diminished, and especially is that true in the circumstances of the present time. Only the other day a British ship lowered her own flag and lifted that of the United States. Why was that done? Is it not proof that the Stars and Stripes afford some special protection to whatever ship the flag is over?

Mr. President, I wonder if there are Senators who are oversensitive about American citizens purchasing a ship owned by the citizens or subjects of a belligerent, fearing that such a purchase might involve us in war, who do not feel their sensitive natures shrink when the ships of a foreign country—particularly those of a certain country—fly our flag for their protection. Yes; there are Senators who overflow with apprehension that we may find ourselves in serious international complications if we permit our flag to fly above ships purchased by Americans—purchased in good faith and for a valuable consideration—and yet take no alarm if we permit a foreign Government or shipowner to fly the flag for their protection.

Mr. President, if the Stars and Stripes can protect a British or German or French ship from some of the hazards of war, would not the flag still better protect a ship owned by American citizens or by a corporation organized under the authority of this Congress? Is it possible we have in this country those who think it is all right for a foreign country to fly the American flag over its ships for their protection and yet have a "conniption fit" when we talk about flying our own flag over our own ships? An argument on this line in favor of such a misuse of our flag would at least sound less offensive in my ears if made in the British Parliament or German Reichstag or in the newspapers of foreign countries than when it is made anywhere in America. For one, I am woefully tired of this perennial proforeign propaganda. I am for America—our America—above all the world. The kind of men we need now and always need are men who stand uncompromisingly for America and American rights. I look with profound disdain upon those who are forever talking about things and looking out for things more in the interest of another country than of our own. Such men—God! I can not properly express myself about them in parliamentary terms.

Mr. SHERMAN. Mr. President——

Mr. STONE. I decline to yield. When I stand here and see on the faces of Senators, as I now do, a smile half of shame and half resentment, I am not surprised; but I shall not be deterred or pooh-poohed into silence. I care little for the opinions of American citizens who are not first and always really, truly, bravely American. Are you really afraid that we are going to get into trouble with somebody?

Mr. SHERMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Does the Senator from Missouri yield to the Senator from Illinois?

Mr. STONE. I do not. Mr. President, is it possible that we have in this country a large number of men who are actuated more by their sympathies for foreign nations—some for one, some for another—than by the impulse of American patriotism? It does look too much that way. We have men so afraid of international complications that they are unwilling, even though we remain within our rights as a neutral under international law, to put our flag over ships honestly owned by our own people and send them on the high seas to serve the commercial needs and promote the commercial opportunities of our people. Instead of voicing a courageous patriotism we find them manufacturing appeals to alarm the timid and create a public sentiment against a great progressive movement of the Government to restore our shipping industries and revitalize our moribund merchant marine. I believe every thoroughbred American feels as I do about this, whatever men of weak hearts or foreign sympathies may think about it.

Mr. President, I hold in my hands the Des Moines Register and Leader, perhaps the most influential Republican paper in the State of Iowa. I want to read an editorial from that journal of date February 1, 1915:

The Philadelphia Inquirer, speaking for staunch old-time Republicanism and cheering the Republican Senate leaders to filibuster against a Government-owned merchant marine, says—

This Inquirer is a paper quite familiar to the distinguished senior Senator from Pennsylvania [Mr. PENROSE].

Mr. PENROSE. I know it very well.

Mr. STONE. He knows it very well, and he has reason to feel a very affectionate interest in it.

Mr. GALLINGER. It is a good paper.

Mr. STONE. It is a good paper of its kind. [Laughter.] But let me go on with the editorial:

"Very well, let the Republican Senators who are fighting against Government monopoly, against Government ownership, against dangerous international complications accept the term of reproach and wear it as a badge of honor. For they are filibustering in a good cause."

This last, may I say to the Senator from Pennsylvania, is quoted from his chief organ, the Inquirer. Then the Register and Leader proceeds—and I commend this to the senior Senator from Iowa:

All of which may be very magnificent as a demonstration of physical endurance; but is it political war?

When, if ever, has a filibuster done anything but emphasize the eventual victory of the other side? The very desperation of a filibuster is notice to the country at large of the straits in which the filibusterers find themselves.

What must be the inevitable outcome of the filibuster? If the President has the votes, there is time enough to wear out any opposition; an extra session can be called if it is needed.

All that is being accomplished is to force the merchant marine to the front as the test issue of present-day politics and to give the President the advantage of standing for something his Republican opponents have talked the country into believing we ought to have,

Mr. PENROSE. Will the Senator permit me a passing remark?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE. In a moment.

His Republican opponents meanwhile grabbing the hot end of the poker in their own hands with a fight for a subsidized private ownership, while leaving to him the popular plea of Government ownership.

What does the Senator from Pennsylvania wish?

Mr. PENROSE. I only want to say, Mr. President, that I am filled with unspeakable astonishment——

Mr. STONE. I did not yield for a speech.

Mr. PENROSE (continuing). That the Senator from Missouri——

The PRESIDING OFFICER. The Senator declines to yield.

Mr. PENROSE (continuing). Who was the most notorious filibusterer in the United States Senate——

The PRESIDING OFFICER. The Senator from Missouri declines to yield, and the Senator from Pennsylvania will take his seat.

Mr. STONE. I thought the Senator arose to ask a question.

Mr. PENROSE. Only to express my feelings in a few words.

Mr. STONE. The Senator having expressed them he can take his seat. The article continues:

If the Inquirer can convince itself that the cry of "Government monopoly" can be made into a popular cry in the coming campaign because of a Government-owned merchant marine, the Inquirer has much to learn of the general trend of public opinion.

If the Inquirer can convince itself that the cry of "international complications"—

That is the cry of my distinguished friend the senior Senator from New York [Mr. ROOT] imitated in a minor key by divers other Senators who follow his flag. The article goes on:

If the Inquirer can convince itself that the cry of "international complications" is going to scare the American people, it has been giving but little heed to the growing impatience with which foreign interference with our commerce had been received.

The people are not opposed to Government monopoly of a great public service, they are much more fearful of private monopoly subsidized from the United States Treasury; they are not afraid of Government ownership, on the contrary they would welcome the experiment; they are not scared of foreign complications, on the contrary they are ready to risk the venture and invade the markets of the world in any boats they can get.

Now, think of this coming from one of the great Republican journals of the Central West:

If the President and his friends were to choose the situation to their own liking, they could not ask for anything better than for an entirely new issue removed from all that has gone before, themselves appearing before the country in the rolê of promoters of a larger commerce, in American-owned vessels.

In the play for position what have the Republican leaders to hope for if they give the President this escape from the embarrassments of his tariff and other trade legislation? What have the Republican leaders to gain by getting before the country as filibusters against a merchant marine, or against public ownership, or both?

Every word of this editorial is true, and I believe it voices the real American public sentiment, without regard to party. I can not, indeed, understand what you Republicans hope to gain for your party as a whole by your filibuster. I agree with this editorial; and, so far as Democrats are concerned, if we should lower the issue to one of mere partisan politics, I would welcome such an issue with you. My only regret would be that you would subordinate and sacrifice a great public interest to a mistaken belief that you would thereby secure some party advantage—a belief which will bring you only disappointment. I would rejoice in your disappointment, but I do not want to play politics in a matter of such great national concern as this.

Again I say, highly esteeming you Republicans, as I do personally, your intense, uncompromising partisanship makes me ashamed that great men can be so influenced by such a spirit. For the last three or four weeks you have done nothing to help the merchant marine, although you have had every inducement to do your best. You have talked, talked, talked. There is apparently no end to your vocabulary. You talk, but you propose nothing and do nothing. For years you were in power in both Houses of Congress and in control of the Presidency. You saw our merchant marine wasting away year after year, and you did not like it. You regretted it almost as much as we did. You were sorry to see it. I know you were. You said so, and I believed you. But, Senators—and I will come across the aisle as close to you as I can to talk to you—you could not help yourselves.

Mr. GALLINGER. The Democrats would not let us.

Mr. STONE. You were so environed that it was impossible for you to move out independently. You could not do it without crossing a boundary that you were forbidden to cross. You were so hampered by the special interests that surrounded you and held you in bondage that you could not move if you wanted to.

Mr. SHERMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator from Illinois will state his question of personal privilege.

Mr. SHERMAN. The term "special interest" has an especially offensive signification in American politics, and it is language, when it is imputed to a Senator, that is unworthy. The Senator says we are held in the bondage of special interests. I do not know, in the State of Missouri, which is across the river from my State, what the definition is, but I do know what it is in many of the Western States, and I think I know what it is in the public press. It indicates that the interests are corrupt that surround the Senators to whom he refers; it would indicate that there is a corrupt influence about Senators by special interests. If that is not true, I ask that the Senator disavow any such purpose.

Mr. STONE. Mr. President——

Mr. SHERMAN. I want to state, further, before I get through the question of personal privilege, that if the Senator means by that that any improper motives actuate the Senators on this side of the Chamber, or the junior Senator from Illinois, I resent it as being utterly and boundlessly away from the truth, of which the Senator appears to have very slight acquaintance.

The PRESIDING OFFICER. The Chair will have to call the attention of the Senator from Illinois to the second paragraph of Rule XIX.

Mr. STONE. What does the Senator say?

Mr. SHERMAN. Shall I restate it?

Mr. STONE. No; I have heard enough of it.

The PRESIDING OFFICER. The Chair made an observation to the junior Senator from Illinois, that the language he used toward the Senator from Missouri is a violation of clause 2 of Rule XIX.

Mr. STONE. Then the Chair did not hold that I violated the rule?

The PRESIDING OFFICER. The Chair means that he is not aware there is any meaning to special interests, as implied by the Senator from Illinois.

Mr. STONE. I absolve the Senator entirely. I had no individual reference to him or any other particular Senator. I could not have done that without violating the proprieties. I was speaking of his party as it is organized and managed.

Mr. SHERMAN. I accept the explanation. It was an unfortunate combination of words that happened to fall in the Senator's way.

Mr. PENROSE. Will the Senator from Missouri permit me to interrupt him?

Mr. STONE. For a question.

Mr. PENROSE. There are all kind of painful stories about special interests that own the boats that the Government is called on to buy. There are all kinds of very painful stories about a prominent banking firm in close contact with the Treasury Department which has an interest in these vessels. Those stories daily gain definite, crystallized form. I hope the Senator pays no attention to them. I certainly do not.

Mr. STONE. Is the Senator asking me a question?

Mr. PENROSE. I ask the Senator whether he pays any attention to these well-defined rumors regarding the ownership of vessels the Government is called upon to buy?

Mr. STONE. I do not pay the least attention to them, for I know they are not true.

Mr. PENROSE. I know the Senator's colleagues over in the House are already greatly worried about the character of those rumors—the Democratic Members of the House, many of them.

Mr. STONE. Am I to understand that the Senator from Pennsylvania is in close confidential relations with Democratic Members of the House of Representatives?

Mr. PENROSE. Yes; I am in the sense that to-day I have learned that many of the Senator's party in the House of Representatives fear that these stories may be a matter of serious party embarrassment in the campaigns to come.

Mr. STONE. Mr. President, I will not ask the Senator to say what Democratic Representatives were so embarrassed.

Mr. PENROSE. Of course, it would be improper for me at this time to indicate the names of the gentlemen with whom I have talked.

Mr. STONE. And imprudent.

Mr. PENROSE. And imprudent, perhaps, because it might prevent me from getting further information. But I state the fact that there are Democratic Representatives to-day worried by the possibility of possible scandal in connection with the extraordinary efforts to press this bill to final passage.

Mr. STONE. Mr. President, it is impossible for me to believe, notwithstanding the assertion of the Senator from Pennsylvania, that Democratic Members of the House of Representatives have come to him and laid their heads upon his expansive bosom and unfolded their secret fears to him.

Mr. PENROSE. If the Senator will permit me, perhaps I ought to correct——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. STONE. For a question.

Mr. PENROSE. I ought to have said that they did not come to me personally. The information was brought to me to-day——

Mr. STONE. Then we have it——

Mr. PENROSE. On reliable authority——

Mr. STONE. We have it now as coming in a different way——

Mr. PENROSE. By Members of the House of Representatives that it was current talk to-day that such stories were calculated to embarrass the Democratic Party in the future.

Mr. STONE. At first we were informed and given to believe that Democratic Representatives had come to the Senator from Pennsylvania and selected him as the receptacle of their confidences, but now he says he got it in some other way and from some other source. It came circling round about until it finally got to the ears of somebody, who told it to somebody else, and then it finally got to the Senator.

Mr. PENROSE. It was thoroughly reliable.

Mr. STONE. The Senator says it was thoroughly reliable; that is, he means to say it was thoroughly satisfactory to him.

Mr. SHERMAN. Will the Senator from Missouri allow me?

Mr. STONE. Oh, I will yield.

Mr. SHERMAN. I am not from Pennsylvania, but from Illinois.

Mr. STONE. The Senator is from a somewhat better State politically.

Mr. SHERMAN. In the editorial, Mr. President, I wish to inquire what the Senator from Missouri thinks of this sentence, which he quoted with considerable unction and with manifest signs of pleasure: "The President has the votes"; are you one of them?

Mr. STONE. I am. I am for this bill.

Mr. SHERMAN. That is quite satisfactory.

Mr. STONE. I am for this bill from start to finish, because I think it is a right move in the right direction. I am for it, and I am glad the President of the United States favors it.

Will the Chair indulge me a moment—the Senator from Florida [Mr. FLETCHER] desires to speak to me.

Mr. President, when I took the floor I expected to hold it for a few minutes only, having a purpose in mind. After this brief conversation with the Senator from Florida, in charge of the bill, I do not care to proceed further at this time.

[Mr. SHERMAN addressed the Senate. See Appendix.]

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Nelson	Smith, Ariz.
Bankhead	Gore	Newlands	Smith, Ga.
Borah	Gronna	Norris	Smith, Md.
Brady	Hitchcock	O'Gorman	Smith, S. C.
Brandegee	Hollis	Oliver	Smoot
Bryan	Hughes	Overman	Sterling
Burleigh	James	Owen	Stone
Burton	Johnson	Page	Sutherland
Camden	Jones	Perkins	Swanson
Chamberlain	Kern	Pittman	Thomas
Chilton	La Follette	Pomerene	Thompson
Clapp	Lane	Ransdell	Thornton
Clark, Wyo.	Lea, Tenn.	Reed	Tillman
Clarke, Ark.	Lee, Md.	Robinson	Townsend
Colt	Lippitt	Root	Vardaman
Crawford	Lodge	Saulsbury	Walsh
Culberson	McCumber	Shafroth	Warren
Cummins	McLean	Sheppard	Weeks
Dillingham	Martin, Va.	Shields	White
Fletcher	Martine, N. J.	Shively	Williams
Gallinger	Myers	Simmons	Works

The VICE PRESIDENT. Eighty-four Senators have answered to the roll call. There is a quorum present.

WATER-POWER SITES ON PUBLIC LAND.

Mr. MYERS. Mr. President, I desire the attention of the Senate for a few minutes. My primary object is to have incorporated in the RECORD a letter from the honorable Secretary of the Interior, for which I bespeak very serious consideration. I wish to say that I very deeply deplore the useless and senseless killing of time that has been going on here for several weeks past in the form of an avowed filibuster. I think it is very deplorable and detrimental to the public interest, and no good purpose is being attained by it. I believe that our friends on the other side, the Republican Senators, ought to let the pending measure come to a vote on its merits, and let it pass or not pass, as the vote may result. I believe the American people and the interests of the country demand it, for the reason that there is other important legislation awaiting the attention of the Senate at this session of Congress, which, while not minimizing the importance of the pending bill, is of equally great importance to the people. You are making a mistake, on the other side, in conducting this filibuster.

There is a measure pending before this body—House bill 16673, the water-power bill—which is of very great importance to the material welfare of the great Western States of this country. It is of equally as great importance to the West as the shipping bill or any other legislation pending at this session can possibly be, and I believe, in the interest of fairness and justice, those Senators who are opposed to the pending measure ought to let it come to a vote, in order that we can take up other legislation which is of equally great and vital importance.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. MYERS. With pleasure.

Mr. SMOOT. Did I understand the Senator to say that he intends to move to substitute the bill he refers to for the pending bill?

Mr. MYERS. No; when I say that I will say it loud enough for the Senator to understand me. He will hear it when I say it.

Mr. SMOOT. I did not quite catch what the Senator meant.

Mr. MYERS. I do not favor the abandonment of the consideration of the bill that is now before this body; I am heartily in favor of it; but I do urge that it ought to receive consideration on its merits and that it should be allowed to come to a vote on its final passage and disposition in order that other pressing matters may receive attention.

Mr. LIPPITT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Rhode Island?

Mr. MYERS. With pleasure.

Mr. LIPPITT. I was just wondering if the Senator from Montana felt that way last week when quite clearly the Senators on the other side were filibustering against the bill coming to a vote. It seems to me it is a very recent conversion of the Senator if he thinks a vote should be taken on the bill, when he and his friends prevented a vote from being taken for nearly a week.

Mr. MYERS. The Senator may wonder about a great many things; but a great many people are wondering a great deal about his conduct, and they have cause for it.

I send to the desk and ask to have read by the Secretary a letter from the honorable Secretary of the Interior, which I commend to the careful consideration of our friends, the opposition.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 25, 1915.

Hon. HENRY L. MYERS,
United States Senate.

MY DEAR SENATOR: I have this morning had an interview with one of the most prominent hydroelectric engineers in the country, who came to me stating that he was prepared immediately to put $10,000,000 into hydroelectric development in the West, and that this would be followed by an additional $30,000,000 within the next two years, provided the public lands power bill was passed immediately by Congress. I am satisfied that this man speaks the truth. He has told me of two western Senators who have knowledge of the facts as he presented them to me.

Within a week another engineer has come to me saying that he was prepared, in the event of the passage of this bill, to make a similar investment of approximately $15,000,000.

In view of these facts, I make bold to urge upon you that an appeal be made to your colleagues in the Senate to permit a limited time for debate upon the measure which you have already reported out of committee, so that the development of the West may not be retarded.

Cordially, yours,

FRANKLIN K. LANE.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. MYERS. With pleasure.

Mr. GALLINGER. In view of the importance of this matter and the Senator's personal interest, is he not prepared to move to take up the bill?

Mr. MYERS. No; I will make a counterproposition by asking unanimous consent now that the pending measure and all amendments thereto be voted on upon the 27th day of this month.

Mr. GALLINGER. That would necessitate another roll call, and I shall have to object.

Mr. MYERS. I withdraw the request, then, because I do not want any more dilatory tactics from the other side. We have had enough of them.

Mr. President, I want the people of the country, and especially the people of the West, to understand what this filibuster is keeping them out of in the way of wholesome and substantial legislation. I want them to understand what the Senate could be doing for their benefit if the opposition would allow the measure which has now been before the Senate for weeks past to come to vote in an orderly way, that we might then take up other legislation of vital interest to the country, for which the great West is crying, and which is full of potential possibilities for great development and untold good. This filibuster is standing in the way, and those who conduct it are responsible.

In this connection I ask to have read and printed in the RECORD an editorial on the same subject from the Great Falls Daily Tribune, of Great Falls, Mont., the leading newspaper of northern Montana and one of the leading newspapers of the great Northwest, an able exponent of the best thought of the West.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

THE WATER-POWER BILL.

The water-power conservation bill and the coal-land conservation bill, formulated by Secretary Lane and the Interior Department, passed by the House and amended by the Senate committee, are among the administration measures which it was hoped would be passed at this session. They are both good measures, well thought out, and framed in the interest of western development. The Tribune has had occasion to speak in approval of these bills heretofore. We believe they deserve the support of broad-minded western Congressmen and Senators. We are therefore sorry to note that there is considerable opposition to both of them in the Senate; but this opposition is more emphatic in the case of the water-power bill. The impression at Washington is that the water-power bill can not pass at this session, and the opposition to the bill comes from large power interests which are particularly opposed to that clause of the bill which provides that at the end of a 50-year period all rights granted by the Government to power sites on the Government lands revert to the United States. We see no reasonable objection to such a clause. Fifty years is certainly a long enough time for any power company to recover its capital investment and a good profit besides. In half a century most of us will be dead. If the citizenship of the future wish to operate such public utilities for themselves they will no doubt find a way to do it. If they prefer to continue private ownership at the end of the 50 years, there is nothing to prevent them extending the period of the franchise on such terms as are deemed mutually satisfactory between the public and the franchise holder.

There are a number of other features in this bill that appeal to us very strongly. One is that during the first years of the 50-year lease, which the Government offers to capitalists desirous of obtaining power sites on the Government domain for the purpose of developing and using power, the Government makes only a nominal charge in the way of rental or royalty. These initial charges are only enough to pay the cost of supervision. Later they increase as the power company becomes better able to pay them. Moreover, these charges decline as the

company reduces its price to the public for electric current. Finally the State in which the water power is located gets a considerable share of the rentals for the purpose of making new development of its resources.

As the matter stands at present it is not possible to get private capital to interest itself in power sites on public lands. There is a deadlock between the Government and private capital. The latter will not take the chances involved in such improvements. The proposed water-power bill is in the nature of a compromise between those who argue that the Government should divest itself of all rights in such water-power sites by a sale in perpetuity and those who wish the Government to take the position that they will only lease for short-term periods such power sites, with frequent readjustments of rentals. The present bill seems to us to be fair enough to capital, so that it may be willing to invest, with a surety as to just what conditions it must meet in the next 50 years, and yet it preserves to the public an option of ownership after that period if it then desires to exercise such option.

We hope that this water-power bill as amended by the Senate, which has added some valuable features, while not changing the principles of the bill, will receive the united support of the Montana delegation in Congress. This State is particularly interested in the bill, because it has a large amount of undeveloped water power in its forest reserves and on the public domain. We also desire to congratulate Secretary Lane on his part in drafting a practical working compromise between conflicting views on this question that seems to us to merit the approval of all candid, broad-minded citizens of the West who desire to see this section of the country developed during their lifetime. We feel sure that we are safe in stating that the bill has the approval of a majority of the citizens of Montana who have studied its provisions and understand the present situation, which amounts to a dog-in-the-manger attitude on the part of the Government, that will neither develop these water powers itself or permit private capital to do it.

Mr. MYERS. I submit these things for the consideration of our friends on the other side of the Chamber. I favor keeping the shipping bill before the Senate until a vote is had upon its final disposition, and will insist upon it, but if its opponents will let us come to a vote upon it there might possibly still be time to pass the appropriation bills and to give consideration to the great measure I have mentioned. If they do not do it, the responsibility is theirs.

Mr. FLETCHER. Mr. President, the yeas and nays have been ordered for the vote, and I ask that the roll be called.

Mr. GALLINGER. Mr. President, I move to proceed to the consideration of the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes.

Mr. FLETCHER. I move to lay the motion on the table.

The VICE PRESIDENT. The Senator from New Hampshire moves that the Senate proceed to the consideration of House bill 16673 and the Senator from Florida moves to lay the motion on the table.

Mr. SMOOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BORAH. Mr. President, is this subject debatable?

The VICE PRESIDENT. A motion to lay on the table is not debatable. The Secretary will call the roll.

The question was taken by yeas and nays.

Mr. CULBERSON (after having voted in the affirmative). As the Senator from Delaware [Mr. DU PONT] has not voted, I withdraw my vote, having a pair with that Senator.

The result was announced—yeas 49, nays 39, as follows:

YEAS—49.

Ashurst	La Follette	Ransdell	Stone
Bankhead	Lane	Reed	Swanson
Bryan	Lea, Tenn.	Robinson	Thomas
Chamberlain	Lee, Md.	Saulsbury	Thompson
Chilton	Lewis	Shafroth	Thornton
Fletcher	Martin, Va.	Sheppard	Tillman
Gore	Martine, N. J.	Shields	Vardaman
Hardwick	Myers	Shively	Walsh
Hollis	Newlands	Simmons	White
Hughes	Overman	Smith, Ariz.	Williams
James	Owen	Smith, Ga.	
Johnson	Pittman	Smith, Md.	
Kern	Pomerene	Smith, S. C.	

NAYS—39.

Borah	Colt	McCumber	Smith, Mich.
Brady	Cummins	McLean	Smoot
Brandegee	Dillingham	Nelson	Stephenson
Bristow	Gallinger	Norris	Sterling
Burleigh	Goff	O'Gorman	Sutherland
Burton	Gronna	Oliver	Townsend
Camden	Hitchcock	Page	Warren
Catron	Jones	Perkins	Weeks
Clapp	Lippitt	Root	Works
Clark, Wyo.	Lodge	Sherman	

NOT VOTING—8.

Clarke, Ark.	Culberson	Fall	Penrose
Crawford	du Pont	Kenyon	Poindexter

So Mr. GALLINGER'S motion was laid on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House insists upon its amendments to the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLARK of Florida, Mr. BURNETT, and Mr. AUSTIN managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.;

H. R. 20818. An act to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; and

H. R. 20933. An act extending the time for completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912.

HOUSE BILL REFERRED.

H. R. 20975. An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS.

Mr. PERKINS. I present a joint resolution of the Legislature of California, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the joint resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Whereas there is now pending in the Congress of the United States what is known as the Keating bill, providing that men who have served in the United States Army and took part in Indian campaigns between the years 1865 and 1891 shall be placed on the regular pension roll of Indian war veterans: Therefore be it

Resolved by the Senate and Assembly of the State of California jointly, That the Senators and Representatives in Congress of the State of California be respectfully urged to take all proper means to expedite and secure the passage and enactment into law of the said Keating bill; and be it further

Resolved, That the secretary of the senate be, and he is hereby, directed to transmit copies of this resolution forthwith to the Senators and Representatives in Congress of the State of California.

NEWTON W. THOMPSON,
President of the Senate pro tempore.
C. C. YOUNG,
Speaker of the Assembly.

Attest:

FRANK C. JORDAN,
Secretary of State.

Mr. PERKINS presented petitions of sundry citizens of California, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Post Offices and Post Roads.

Mr. KERN presented memorials of sundry citizens of New Palestine and Cumberland, in the State of Indiana, remonstrating against the exclusion of certain matter from the mail, which were ordered to lie on the table.

Mr. OLIVER presented petitions of sundry employees of the Frankford Arsenal, Philadelphia, Pa., praying for the enactment of legislation to prohibit the use of stop watch and time study of employees, etc., which were referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation proposing to restrict the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation proposing to discontinue the issuing of Government stamped envelopes bearing printed return requests, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Southern League of Philadelphia, Pa., remonstrating against the enactment of legislation to prevent the intermarriage of whites and blacks in the

District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of Minnehaha Lodge No. 299, Brotherhood of Railway Carmen of America, of Minneapolis, Minn., and a memorial of Local Lodge No. 11, International Boiler Makers and Iron Ship Builders and Helpers of America, of Minneapolis, Minn, remonstrating against any change in the present boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

He also presented the memorial of Fred B. Wood, adjutant general of the National Guard of Minnesota, remonstrating against any change in the existing regulations with regard to the militia, which was referred to the Committee on Military Affairs.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Laramie, Wyo., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a memorial of the Press Association of Portland, Me., remonstrating against any change in the law regarding the issuing of Government stamped envelopes bearing printed return requests, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented petitions of Vater Jahn Lodge, No. 301, D. O. H., of New Britain; of Court Beethoven, No. 119, F. of A., of New Britain; of the Anstriom Singing Society, of New Britain; and of sundry citizens of Meriden, South Meriden, Tracy, and Plantsville, in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. SHIVELY presented petitions of Local Union No. 63, Brotherhood of Painters, Decorators, and Paperhangers, of Elkhart; of Cigarmakers Local Union, of Elkhart; and of Metal Polishers Local Union, of Elkhart, in the State of Indiana, praying for the enactment of legislation to regulate interstate commerce in convict-made goods, which were ordered to lie on the table.

He also presented a petition of the Council of Jewish Women, of Terre Haute, Ind., praying for the enactment of legislation to prohibit interstate shipment of the products of child labor, which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Unions of Fairfield, Fairmont, and Upton; and of the Country Club of Fairmont, all in the State of Indiana, praying for the Federal censorship of motion-picture films, which were referred to the Committee on Education and Labor.

Mr. WARREN presented a memorial of sundry citizens of Buffalo, Wyo., remonstrating against the exportation of arms and ammunition to foreign countries now engaged in war, which was referred to the Committee on Foreign Relations.

Mr. ROBINSON presented a petition of sundry citizens of Batesville, Ark., praying that an appropriation be made for the construction of seven locks and dams on the Upper White River in that State, which was referred to the Committee on Commerce.

Mr. POINDEXTER presented a petition of the West Coast Lumber Manufacturers' Association, of Seattle, Wash., praying for the revision of the navigation laws, which was referred to the Committee on Commerce.

He also presented petitions of George Loebsack, of Waterville; J. E. Linder, of Havillah; John Meier, of Enumclaw; and sundry other citizens of the State of Washington, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. COLT. I present a joint resolution adopted by the City Council of Providence, R. I., which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the joint resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution No. 48, of the City Council of Providence, approved February 5, 1915.

Resolved, That whereas the progress of mechanical invention, the practical application of scientific discoveries, the marvelous growth of commerce, the facilities of transportation, and the intimate relation of banking interests have made the nations of the earth so dependent for their prosperity one upon the other that, like the human body, disease or disorders in one part vitally affects other parts.

That therefore, when certain nations have carried on for months a fierce, relentless, and indecisive warfare, whose sole fruits have been untold suffering to noncombatants, a serious impairment of the capital and industry of all nations, and a waste that it will take a long time to repair, a decent regard for the opinion of mankind would indicate that those nations might, if proposed to them in a respectful and dignified manner, consider as neither impertinent nor improper recommendations of the neutral nations of the earth looking to the settlement of controversies now existing and to the restoration of peace: Be it therefore

Resolved by the City Council of Providence, as the representative of a community intensely interested in the welfare of humanity, a community whose bountiful charity has been bestowed for the alleviation of sufferers by disasters in many lands, whose citizens, by reason of its great manufacturing business enterprises have felt, as have thousands of other communities throughout the world, the blighting effects due to the conditions in Europe and the general lack of business confidence due to the war, hereby requests the Senators and Representatives from this State in the Congress of the United States to urge, if they do not deem such a course inconsistent with their public duties, upon the President of the United States the advisability of using his influence with the other nations of the earth not now at war to unite with this Nation in the making of such recommendations to the belligerents as may, under the blessing of God, bring back to the world peace and industrial prosperity and end the ruin and waste of war.

W. C. PELKEY, *City Clerk.*

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, and I submit a report (No. 968) thereon.

The VICE PRESIDENT. The Senator from Virginia reports the bill named by him, and it will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 7584) granting an increase of pension to George M. Titus (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7585) granting an increase of pension to Hacker Davis; to the Committee on Pensions.

Br. Mr. McLEAN:

A bill (S. 7586) granting an increase of pension to Frederick W. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill S. 7587) granting an increase of pension to Nelson Briley; to the Committee on Pensions.

By Mr. SMITH of South Carolina.

A bill (S. 7588) granting a pension to Bunell L. Jones; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7589) granting a pension to Mary F. Collins; to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 7590) granting an increase of pension to Napoleon Tulip; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 7591) granting a pension to Henrietta C. Stanton; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7592) granting a pension to Hannah Josephson; and

A bill (S. 7593) granting an increase of pension to Amos H. Hampton (with accompanying papers); to the Committee on Pensions.

A bill (S. 7594) for the relief of Jonas O. Johnson (with accompanying papers); to the Committee on Military Affairs.

By Mr. JAMES:

A bill (S. 7595) granting an increase of pension to John M. Pittman (with accompanying paper); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7596) granting an increase of pension to William Thomas (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. SAULSBURY submitted an amendment relative to the promotion of officers of the Porto Rico Regiment of Infantry recommissioned as captains of Infantry whose total commissioned service is less than that of any officers of Infantry of the next lower grade, etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was referred to the Committee on Military Affairs and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. ROOT submitted an amendment intended to be proposed by him to the omnibus claims bill (S. 6120), which was ordered to lie on the table and be printed.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). The Senator from Michigan.

Mr. TOWNSEND. Mr. President, I think I understand something of the spectacle that the conduct of the United States Senate during the last month presents to the American people. The outsider who casually looks upon the Senate or reads its proceedings, not understanding the motives or the influences which are at work here, would necessarily feel that the business of the country was being delayed by our procedure. The administration program is being delayed, but the good of the country is being conserved. Personally, I have never been exceedingly favorable to a filibuster. I have felt that the rules of every deliberative body should be such that there could come a time when every matter upon which a majority of the Senate desired to act could be reached. I realize, however, that all questions that are brought before the Congress are finally discussed in the United States Senate. The very fact of the large number of Members of the House of Representatives precludes the possibility of true deliberation. The history of the United States justifies the procedure of the Senate. At times this procedure has seemed unwarranted, in that it has delayed the vote after what has seemed too long consideration, but the record of legislation shows that good has finally resulted.

I think the history of the United States Senate under its rules has justified those rules, and whatever occasions like this have arisen in our history have been referred to in after years as matters not necessarily nor usually to be regretted, but they have been looked back upon as times when great questions were settled correctly.

I realize that there are Senators in this body who are exceedingly impatient with what seems to be a prevention of a vote on this question. I know that many of them have expressed themselves on the floor as being entirely out of patience with those Senators who have seen fit to address themselves to the Senate.

It is unfortunate that night sessions have been held, and that the majority saw fit at the very outset of this discussion to announce a policy which made it absolutely necessary for the minority to exercise to the limit its parliamentary powers and privileges. At the beginning I was not in favor of a filibuster, but I was in favor of the widest, freest, and fairest legitimate discussion of this great question.

When, however, notice was served upon this side that this bill was to be put through without regard to the opposition, when it was determined that the rules of discussion should be changed, and the debate was to be limited by the arbitrary decision of the Chair to the effect that if a Senator yielded for a question such as had been asked in all of our history—if he had yielded to that character of debate which has been most productive of good, because it brought out points in the controversy that would not have been brought out in any other way—if he did that, he had yielded the floor and would be charged with having made a speech; and where the rule was invoked that a Senator could speak but twice on one legislative day, and that day was prolonged by the recess for days—calendar day after calendar day—the whole object being to wear the Senate out, and that before there was the slightest demonstration of any desire or intention to delay action upon the bill, when these tactics were employed by the majority then the minority was justified in resisting to the very limit of its ability.

Mr. President, I regard this bill as a matter of the most supreme importance to the United States. I can not quite understand the thought which must actuate some Senators when they would force a measure through as though it were a trivial thing, force it through on the assumption that they have the votes to do so, which it appears they do not have, but which they claim to have, and force it through, too, without due deliberation.

I am prepared, I think, to state that not since I have been a Member of Congress has there been a more intelligent, a more necessary, and more desirable discussion of any measure than that which has been presented on this subject during the last four weeks. I realize that it is almost like a farce for a man to be obliged to stand here all night, or even during the daytime, and speak to empty seats; but I submit, Mr. President, that, outside of the night sessions, there has not been an hour during the last four weeks that has not been well spent in discussion. The night session has been forced upon the Senate, and then Senators upon that side complain because of long speeches. This debate might have ended at this session of Congress, a vote might have been obtained, if the ordinary methods had been followed and the business of the Senate been confined to those hours when a man can and ought properly to work.

But, Mr. President, it does not become some Senators, who have become most impatient and who have said most about changing the rules with an idea of compelling Senators to attend all meetings of the Senate, when we understand that a great number of those Senators will be found to have spent during the last two years fewer days on the floor of the Senate than any other like number of its Members. I myself believe it would be a good thing for Senators to come and remain here during the reasonable hours of labor, show some attention to the business of the Senate, and thus demonstrate that they are in fact in earnest in their declarations of requiring attention to the deliberations of the Senate.

I said, Mr. President, that this was an important bill. I think it is one of the most important bills that has come or that can come before Congress. I recognize that there is an honest difference of opinion as to whether the United States Government should engage in the over-seas trade as a proprietor, as an individual would engage. Some men have felt and do feel, honestly, that we are embarking upon a dangerous enterprise when we start out in that business. The history of the Democratic Party would indicate that it, at least as a party, should be slow in getting into this particular kind of business, in doing the things which ought, according to Democratic doctrines, to be done by the people themselves.

But, Mr. President, I would not feel like making a persistent effort, in season and out, to resist that proposition if I felt certain that the time had arrived when a majority of this Senate wanted to vote on that particular question. There is, however, something more involved than Government ownership. At this time, when all Europe is disturbed by war, when the seas of the world are covered with the wrecks of war, for us to embark a ship or a number of ships out into that troubled sea is to me a most unwise, a most improper, thing to do.

Why, we have been insisting, sir, that we are for peace. If the President of the United States has obtained any favor with the people—and he has—it has been upon the theory that he has been safe in regard to our foreign relations, so far as keeping us out of war is concerned. In Mexico he has gone upon the assumption that every dollar's worth of property owned by American citizens had better be sacrificed than for the United States to take any chances in that troubled country. He has said to Americans, "Go home; we can not protect you there." The President has said that he shall not send the troops to Mexico, although he did send them, because he wants to keep out of trouble. He does not want to become complicated in Mexican affairs. Mexicans may shed their blood; they may destroy the property of American citizens; but he will not offer resistance or protection. He is going to keep out of trouble.

That is in substance what he has been saying. Here, with a much more difficult problem before us, with an international strife that makes the Mexican affair dwarf into absolute insignificance, the President of the United States is trying to get permission from Congress to send ships out in the midst of that conflict, as he says, for the benefit of American shipping.

Mr. President, I think this matter is so great and so grave that it should be considered, and it should be considered in its discussion by more Senators than attend the meetings of this Senate at any time. I can not vote for this measure, and I feel that I am justified in resisting its passage until at least I am satisfied that a majority of this Senate honestly, fairly, and intelligently desire to vote upon it.

There have been several bills before this Senate, and any one of them would have been signed by the President if it had been passed by the two Houses, and yet we are now in the third edition, which is radically different from either of its predecessors. Mr. President, I have not as much confidence in the business judgment of the President and his advisors as I ought to have before I can rely upon it; as I must have before I can rely upon it in a matter affecting the vital interests of our country.

I recall the experience we have had with bills presented in this Congress. I know how they have been affected, I remember how they have been considered; and never in our history, I believe, not excepting the administration of Andrew Jack-

son, has there been such a partisan administration as the present one. Every measure, practically, has been made a party measure and enacted through an Executive-dominated caucus. There has been the assumption that the Republican side of this Senate is composed of men such as were described by Mr. Wilson in his speech at Indianapolis—ignorant and unpatriotic—and that all wisdom is in the Democratic Party and on the other side of this aisle. Mr. President, I think a comparison of the men themselves, Senator with Senator, an understanding of the men themselves, would dispel that argument. That aisle does not divide the intelligence nor the patriotism of this body. But proceedings have been had upon the theory that the Republicans are ignorant and not entitled to the confidence of the majority.

But that is not all, Mr. President. The majority side of this Senate has assumed that only a few of those—a majority of themselves—have sufficient intelligence to control the legislation of the Congress. So we find a majority of the majority conspiring in a caucus, passing resolutions favoring legislation, at which caucus not all of their own members were present, yet those resolutions were intended to bind the whole of the majority to support this measure.

Democratic Senators have been showing a great deal of feeling because certain Democratic Senators have seen fit to declare their independence and say that they proposed to follow the dictates of their own consciences in reference to legislation. Those men practically have been read out of the party; they have been condemned as traitors to the cause, yet even before that occurred these Senators were negotiating and holding conferences with certain Senators on this side. What arguments were used, what consideration offered, for the purpose of getting these few Republicans to go over to them I do not know, but the majority seems to have been willing to sacrifice every principle of the first two bills in order to secure the support of two or three Senators sitting with Republicans. If that is high principle, then I can not quite understand it.

Mr. President, I said that I had no confidence, or little confidence, in the business ability of the President and his advisers. I might have confidence in Senators on that side if those Senators would speak and vote their own convictions on this floor, but in the terrible arraignment of Democratic Senators yesterday by Democrats who had associated with their fellows—and who knew them well, knew them as we know them and as we talk with them personally—when in that arraignment they said to their colleagues that not 12 Democratic Senators are in favor of this bill, and it undoubtedly is true, when this charge is admitted by the silence of the defendants, can we say that a majority is for the bill? Mr. President, is it not a serious thing to have this matter decided by Senators with such convictions?

This bill did not originate in any party platform. The people have not expressed themselves on it anywhere and at any time. There are certain matters, however, upon which they have expressed themselves, but which evidently are to receive no consideration at this time.

But, Mr. President, before I forget it I wish to advert to what I said a moment ago, namely, that I have been willing to come to a vote on this bill at any time when I have felt that a majority of the Senate honestly desired to vote.

This filibuster has resulted in one thing, at least; that is, in demonstrating that when the Senator from Missouri said he had votes enough to pass this bill at the beginning he did not have them. It did result in determining where the majority lay. That was a week ago last Friday. From that time on until Monday afternoon the Democratic Senators filibustered against a vote. They were not ready to vote, and if anything should happen to a Democratic Senator now which would detain him from the Senate the filibuster would at once be transferred to the other side. For more than a week the effort was to put off a vote, because a majority of the Senate during that period would have decided the contest adversely to those Senators who allow the President to control the legislation of the Senate. Therefore for a week we could get no vote, but they did not propose night sessions then; they were content to adjourn from day to day; indeed, they adjourned a day at a time, and thus kept the Senate from considering important measures which could have been hurried. This was done to give time to get their absentees here and in order to obtain votes from this side.

Mr. President, I repeat, what other Senators have charged without denial, that a majority of this Senate are not in favor of this bill. They do not believe in its principles; they believe it is possibly a dangerous experiment to try at this time. Who is asking for it? The President of the United States and the Secretary of the Treasury. Perhaps I should reverse the names and place the more importunate first.

It appears that the senior Senator from Florida last night read some statements from various collectors of customs, evidently prepared at the suggestion of the Secretary of the Treasury, stating that there was a congestion of business at certain ports in the United States. Oh, yes, Mr. President; there have been times during our whole history when there have been congestions of business at our ports. Business congestion in these days sounds good. We ought to be thankful that there is something doing somewhere. That such congestion is temporary already is being demonstrated, because the condition now is not so bad as it was a few weeks ago, and is growing better; but when before did this Government ever undertake to relieve a temporary condition by such proceedings as this?

It is proposed that we shall expend $40,000,000 in the purchase of ships to be used in our over-seas trade. That money, in my judgment, could be better expended for something else the results of which would be surer and more beneficial. Has the Government now so much money that it can take out of the Treasury $40,000,000 and put it into this kind of a venture? Is it wise to add to our already too large indebtedness another bond issue? It finally is paid by the people, and it is a question as to whether we have any right, with the present state of the Treasury, to use this money until the people have had time to consider it and to express themselves upon it. Should this be done by less than a majority sentiment of the Senate?

Who is asking for it, I repeat? Principally the Secretary of the Treasury.

I am amazed sometimes when I hear proponents of this measure say on this floor, or intimate at least, that there are unworthy motives which actuate the opponents of this bill. Why, Mr. President, it is common rumor that the activity of Government officials in reference to this matter is difficult to explain.

I remember that some months ago when the Munsey Trust Co. was formed here in the city of Washington, and a Government official of the Treasury Department was unusually active in its organization and in the deposit of Government funds; I remember that when a national bank in this city had displeased this same Government official, that the funds of the Government were taken out of that bank because there had been an exposition of the methods that had been followed in depositing Government funds in this Munsey Trust Co. I recall that. I recall that at that time, or shortly after that time, deposits of Government money with Kuhn, Loeb & Co. were made. When I recall that Kuhn, Loeb & Co. may be interested in this shipping bill, I am surprised that Senators should intimate that Senators, who, heretofore at least, have had the confidence and respect of their colleagues, should be charged as being influenced by the special efforts of what is known as the Shipping Trust.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. I yield. Mr. President, I want it understood that I do not lose the floor.

Mr. LEWIS. Only for an interrogatory.

Mr. TOWNSEND. Just a moment. I remember, last night, on the ruling of the Chair, the Senator from North Dakota [Mr. MCCUMBER] was taken from the floor.

The PRESIDING OFFICER. The Chair will say to the Senator from Michigan that the Senator from North Dakota was taken from the floor upon a statement which appears in the notes of the stenographer, now on the desk of the Presiding Officer:

"Mr. MCCUMBER. Mr. President, I yield," and there are the words "the floor," which are stricken out in ink in the transcript before the Chair, "to the Senator from Illinois," and, of course, under that statement he yielded the floor. He was not taken from the floor.

Mr. TOWNSEND. Let me ask the Chair, did the Chair know that at the time he ruled?

The PRESIDING OFFICER. The Chair did, and so stated.

Mr. TOWNSEND. I beg pardon. I do not want to dispute the matter with the Chair, but that part was not brought to our attention last evening where the Senator said he "yielded the floor." The claim of the Senator from Missouri was that the Senator from North Dakota had no business to yield the floor for a question or anything else that was not pertinent to the bill, and the Senator from North Dakota was taken from the floor, and another Senator got it. So I want to take no chances on this proposition, if that ruling is to be maintained.

I want to be courteous to the Senator from Illinois and to any other Senator, and I am perfectly willing to yield as far as I can yield without being taken from the floor.

The PRESIDING OFFICER. The Chair feels constrained to make the statement that there was no such ruling by the present occupant of the chair, and the RECORD is on the desk here and

shows that there was no such ruling. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. I yield for a question.

Mr. LEWIS. I desire merely to submit an interrogatory to the able junior Senator from Michigan. Upon what information does my able friend base the statement now made from the eminence of his position that Kuhn, Loeb & Co. are interested in the present shipping bill; and, second, upon what information does he base his statement or belief that Kuhn, Loeb & Co., a banking firm of New York, is exercising influence in order to have the bill passed? I confess I did not know the fact, and I would be exceedingly interested, if the Senator has it, to have the information.

Mr. TOWNSEND. The only information I have—and I spoke about this simply because of the charges that have been made—is the common rumor that is circulated throughout the city and throughout the country. I know about the money transactions to which I did refer. Those are matters that have been brought out on this floor. I do know that a member of Kuhn, Loeb & Co. was placed at the head of the Reserve Board; I do know that a brother of a member of that board is interested in ships; I have heard that those ships are for sale. I do know that it will require money to conduct this business on the part of the Government, and I think I know that Kuhn, Loeb & Co. is the friend and favorite of this administration. It has been favored by the Secretary of the Treasury, when compared with the treatment which has been shown to other banks which have not been inclined to truckle to the administration. I am saying this now, Mr. President, not that I know anything will occur—I am simply using it as an answer to those Senators who delight to dwell on suspicions and who assign unworthy motives to those Senators who are opposing this bill. So I am saying, with these rumors afloat, you should be very careful before you charge indirection or improper motives.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield——

Mr. MARTINE of New Jersey. I have no purpose to take the Senator off the floor, but I do not think the Senator wants a false impression to be carried by his remark. He refers to a member of Kuhn, Loeb & Co. as being a member of the reserve board. Does not the Senator know that Mr. Warburg, the gentleman to whom he refers, gave out publicly, over his own signature, a positive declaration that he had dissolved all connection, had no money interests in connection with Kuhn, Loeb & Co.? Now, that being the fact, and I feel that we must take the gentleman's statement, is it fair to endeavor to circulate a statement calculated to bring into disrepute not only Mr. Warburg but the whole administration, by spreading a report that has been utterly and flatly contradicted?

Mr. TOWNSEND. Mr. President, I am obliged to the Senator for calling my attention to the fact that Mr. Warburg had separated or stated that he had separated himself from the company. That, I think, is the fact; I think, at least, it has been so advertised.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. TOWNSEND. I yield for a question.

Mr. THOMAS. I was much interested in the Senator's statement about the increase of deposits with the banking house of Kuhn, Loeb & Co. Does the Senator mean that the increase has been due to the transfer to that banking house of Government money?

Mr. TOWNSEND. There has been some increase; the Red Cross money was transferred there, that fund which was in the Treasury and belonged in the Treasury.

Mr. THOMAS. My reason for making the inquiry was due to the fact that I was somewhat surprised if Government funds had been transferred to a private banking institution, inasmuch as money of that sort, Government money, is by law confined in its distribution to national banking institutions.

Mr. TOWNSEND. Yes; I am informed that the Red Cross fund was transferred from the Treasury Department to Kuhn, Loeb & Co.

Mr. THOMAS. Is the Senator able to state what the amount of that fund is?

Mr. TOWNSEND. No; I am not; but it is considerable.

Mr. THOMAS. Is it a fund under the control of the Treasury Department or the War Department?

Mr. TOWNSEND. It is under the control of the Secretary of the Treasury.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kansas?

Mr. TOWNSEND. I yield for a question.

Mr. BRISTOW. I wish to inquire if the Senator had not heard that Mr. Paul Warburg transferred his interest in Kuhn, Loeb & Co. to a member of his family, and that that was the transfer made which has been heralded abroad with acclaim?

Mr. TOWNSEND. I have heard that, too; I did not mention it. I was simply referring to well-defined rumors that are afloat based on circumstances not altogether free from suspicion.

The President, in presenting this matter to the Congress, called it an emergency measure. His idea clearly was to relieve a temporary situation.

If it is true that this was proposed as an emergency measure, or that an emergency exists which requires immediate relief, what can we say as to the possibility or probability of this measure accomplishing that result? It is proposed to either buy or build ships. If we buy them, we must purchase them of somebody who owns them, of course, and that somebody will either have those ships now in operation or they will be idle. Those are very axiomatic propositions.

If they are in operation and the profit from their carriage is so very great, their owners will not readily part with them.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Will the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield for a question.

The PRESIDING OFFICER. The Senator yields for a question.

Mr. MARTINE of New Jersey. I know that the Senator from Michigan is fair above all things. I have the greatest admiration for and confidence in him.

Mr. TOWNSEND. Thank you.

Mr. MARTINE of New Jersey. I just wanted to read this in connection with the statement just made——

Mr. TOWNSEND. I would like to permit that, but I am very much afraid I would lose the floor.

Mr. MARTINE of New Jersey. I did not want to do anything unfair——

Mr. TOWNSEND. I know that, and if the Senator will bring it to me and I find it ought to be presented to the Senate, in order to be fair, I will read it.

Mr. MARTINE of New Jersey. I will hand it to the Senator. It is just a statement in the hearings by Mr. Warburg that I think should be read to the Senate and will immediately set that at naught.

Mr. TOWNSEND. At the request of the senior Senator from New Jersey I refer to a document marked "Confidential. Nomination of Paul M. Warburg." I take it the ban of secrecy has been removed so that it can be made public?

Mr. MARTINE of New Jersey. Oh, without question.

Mr. TOWNSEND. It is a hearing before the Committee on Banking and Currency, United States Senate, Sixty-third Congress, second session. On page 7 the Senator from New Jersey calls my attention to certain language. Mr. Warburg, the gentleman about whom we are talking, was evidently a witness before that committee.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from North Dakota?

Mr. TOWNSEND. For a question.

Mr. McCUMBER. I desired the Senator to yield to me so I could ask a question of the Chair without taking the Senator from Michigan off the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota for unanimous consent to address a question to the Chair? The Chair hears no objection.

Mr. GRONNA. Mr. President, I shall object if the Chair rules that it will take the Senator from Michigan off the floor.

The PRESIDING OFFICER. The Chair made the statement that it would be done by unanimous consent if there was no objection.

Mr. MARTINE of New Jersey. Rather than have any doubt about it, I will withdraw the paper.

Mr. GRONNA. I do not object to reading the paper. I simply did not desire to have the Senator from Michigan in the position of being taken off the floor.

The PRESIDING OFFICER. The request is that the Senator from North Dakota desires to ask the Chair a question without taking the Senator from Michigan off the floor.

Mr. ROBINSON. I object, Mr. President.

The PRESIDING OFFICER. Objection is made.

Mr. TOWNSEND. This is an examination conducted by the senior Senator from Kansas [Mr. BRISTOW] of Mr. Warburg:

Senator BRISTOW. Do you do a mercantile—a checking business?
Mr. WARBURG. No.
Senator BRISTOW. That is, you do not handle accounts?
Mr. WARBURG. No, sir; except for our customers; I mean those corporations whose securities we buy—our customers, and even there we hardly ever do that.
Senator BRISTOW. Yes; you only buy securities and sell them?
Mr. WARBURG. May I say this to you, Senator BRISTOW, before we proceed any further? I am perfectly willing to answer general questions concerning my firm. So far I have not seen any objection to answering your questions.
But, as I wrote in my letter, in answer to Senator POMERENE'S questions which were forwarded to me, I can not discuss the affairs of my firm nor my partners, nor be asked to criticize acts of my partners, either to approve them or in any other way.

Mr. MARTINE of New Jersey. The item I refer to is opposite the mark.

Mr. TOWNSEND. A little below that, I see. The mark was above that?

Mr. MARTINE of New Jersey. Yes.

Mr. TOWNSEND (reading)—

I am going to leave that firm, as I wrote and informed this committee, although the law does not require me to do so; and I am going to leave my Hamburg firm, although the law does not require me to do so; and I am going to leave every single corporation with which I am connected. More than that, I am going to leave every educational and philanthropic association with which I have been connected, because I *think* a man who is on that Federal Reserve Board ought to be like Cæsar's wife—he ought to be above suspicion, he ought to be without any entangling alliances.
So you have got to take me as an individual, free from everything, if I become a member of that board. If I should be confirmed, I will be as free of Kuhn, Loeb & Co. as I am of any other firm. The firm of Kuhn, Loeb & Co. will go on in its business as it has done in the past and as it did a great many years before I became a partner in 1902.

Mr. MARTINE of New Jersey. That is what I referred to. I thought it was fair to the gentleman who said it that it should be read.

Mr. TOWNSEND. I am very glad, indeed, to put in what Mr. Warburg said, which does not alter the situation as far as any statement I have made is concerned. I have not charged Mr. Warburg with any corrupt action.

Mr. MARTINE of New Jersey. Not by name.

Mr. TOWNSEND. I have simply stated the conditions, and that quotation makes even clearer my statement that a member of Kuhn, Loeb & Co. was nominated by the President for membership on the Reserve Board. Therefore, I am glad to have that gentleman's admission in the RECORD.

This shows one of the dangers of hasty and premature action at this time. We are proposing to embark upon a doubtful enterprise. It is to be embarked upon war-swept seas and under conditions which should cause the Senate to consider carefully, lest our Government be scandalized.

A speech was made in this body the other day which was worthy of more than the casual attention that was given to it. I refer to the speech of the Senator from Rhode Island [Mr. COLT]. He called attention to some of the complications that are bound to grow out of Government ownership and control as proposed in the bill. His great wisdom and many years' experience as a Federal judge entitle his opinions on legal and constitutional questions to more than passing attention. He maintains that the duties and powers of sovereign and subject are widely different. What would be proper for the subject to do would be most improper for the sovereign in relation to international matters. He convinced me that what the individual shipowner might do in reference to belligerent countries, what he might do without offending another nation, can not wisely or safely be done by the United States as a shipowner and operator. Sure it is the distinguished Senator's views show most intelligent consideration of this great question.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kansas?

Mr. TOWNSEND. I yield for a question.

Mr. BRISTOW. Referring again to the Warburg matter, if Mr. Warburg has transferred his interest in Kuhn, Loeb & Co. to a member of his family, if the remaining members of that firm are his intimate friends and relatives, if he has a brother who is one of the supervising financiers of the Hamburg-American Ship Line, if it appears that Kuhn, Loeb & Co. handle the securities of this line, and if it should appear that this line has 24 ships that were interned in New York and Boston and that they are paying more than $6,000 a day in cash to take care of them, does that make a strong presumption that they would be vitally interested in selling to the United States Government those ships?

Mr. TOWNSEND. It certainly is a suspicious circumstance that the United States at this time ought not to ignore. If ships are to be purchased, as I said a moment ago, they must be purchased of somebody who has them to sell, and nobody will want to sell a ship that is making the amount of money which Senators on that side claim it is making now; at least, they will not sell at a price that the United States can afford to pay.

If the Government is to purchase ships that are not now in commission because of war risks and dangers, if such ships are useless for such cause to their present owners, is it wise for the Government to assume such hazards and against the protest of belligerent nations? Why, sir, I can conceive of no more reckless step which Congress could take. The President professes peace, but this measure invites trouble which may lead to war.

I want my country to be the instrument at the earliest possible moment of adjusting, in the interest of all nations involved, the awful strife now waging in Europe. This measure will not only destroy such possibility, but it may involve our Nation in the conflict.

There has been an effort made to amend this bill so as to catch some votes on this side, but the bait is artificial. How unsubstantial and insincere is the attempt to allay the fears and objections of those who oppose the purchase of ships owned by the subjects of belligerent nations. It proposes that no ships which will involve us in trouble shall be purchased. Who is going to determine that? When is the trouble to be experienced—before we purchase them or after? If it is after, of what value has this provision been? To me the suggestion is worse than folly. It is almost tantamount to reckless, if not worse, disregard of public duty.

Mr. President, I am in profound sympathy with all sane efforts for peace. It is because I am so, for one reason, that I oppose this bill. I want to do everything that is honorable to preserve peace, but I have become very "tired," if I may use the slang expression, of the subserviency of this administration. I have felt the humiliation, as every American citizen has felt it, of our attitude to and relations with the Republic of Mexico. We have not only forfeited her friendship and respect, but we have incurred her hatred and contempt. Instead of composing her difficulties we have augmented them. We have sat idly by, almost without protest, while she has murdered American citizens, outraged American women, stolen and destroyed American property. This administration, in its efforts to destroy the President of Mexico, has given aid and comfort to his enemies. Our flag has been insulted, and while the President declared war upon Mexico for the insult and sent the Atlantic Squadron to Vera Cruz to demand reparation, yet aside from killing 19 American boys and a few score of Mexicans the expedition accomplished nothing and the fleet came back, our flag tarnished, the rights of our citizens in Mexico less secure, and our reputation before the world lowered. I can not trust the judgment nor the ability of the administration to deal with unusual foreign affairs.

The people of the United States will insist, and I believe they ought to insist, that if these boats are put upon the sea, owned and operated by the United States and flying the American flag, they shall be respected; they shall not be insulted. Even at the cost of war our Nation's rights and honor must be preserved. Let us not unwisely invite insult.

What a foolish venture this is. Admittedly it will not pay. Admittedly the Government will lose money. If the advocates of the bill are sincere, it is intended only to relieve a temporary condition at a few congested ports. Has anybody given us an estimate of how much loss in profits, for instance, has occurred to date by reason of any undue congestion caused by the war? If so, has it amounted to as much as the $40,000,000 that this bill authorizes the President to expend for ships?

There are things the Government can do with its money that will bring more certain and greater relief to our people than this measure. Suppose we take the $40,000,000 and invest it in good roads. Such an investment would be infinitely wiser than the pending one. It would meet a popular demand. There would not be any question as to who would get the benefit. It has been stated upon what seems good authority that practically all the products which are now crowding our ports have necessarily passed out of the hands of the farmers and the producers of the country, and are in the possession of the exporters. Who gets the benefit? Not the farmers, not the manufacturers, and yet if perchance this shall result in trouble with another nation, it is the farmers' boys, the sons of American fathers and mothers, who have got to make the awful sacrifice demanded by war which this reckless act may bring to pass.

I would prefer to keep our products at home rather than incur the risk of being involved in war. Why, even under present conditions, it appears that our farm products except cotton are bringing the best price that they have brought for years, and the cotton condition is improving. I would rather

that the Government buy those crops with this money and use them to clothe and feed cold and hungry American citizens. I would rather invest the money in internal improvements at home. Swamp lands could be drained and deserts irrigated. American labor would be given employment and these wage earners would thus furnish a market quite equal to the foreign market. Oh, Mr. President, if to-day the millions of idle men throughout the country, and the other millions who are working on half time and therefore receiving half wages—if those people were earning wages as they were two years ago, not our ports but our manufacturing centers would be the market places. Our products would be consumed at home. There are wiser uses to which we can put the money of the people than in this doubtful venture.

I said a moment ago that I had little faith in the business judgment of this administration. It has been in charge of national affairs for two years, and if a single piece of its legislation has justified the predictions of the administration, I do not know what it is. It revised the tariff to cheapen the cost of living and encourage domestic enterprise. It passed a currency law as an immediate crying necessity, but more than a year elapsed after the passage of the law before the system was installed, and if such reports as we have are reliable the expenses of the system exceed the profits. An emergency Trade Commission was created, and the year is passing and the members of the commission have not been appointed. An income-tax law was passed with the prediction that it would offset the loss of customs duties, but experience shows it a dismal failure. Living costs as much or more than before the tariff revision, while the purchasing power of the people has been greatly diminished. Government expenses have increased, Government revenues have diminished. The President admits that he is the President of a party, and neither he nor his party have business or practical governmental genius. He is a theorist. He knows nothing of the details of the measures he proposes. He demands the party label on all legislation. It is enough for him that the laws are enacted at his command. Recur again to the currency bill.

The President would have signed it as it passed the House. I do not think there is a thoughtful man in the United States to-day who will not admit that the House bill was a most unwise one. It was not considered by House Republicans. It came over here, and because two Senators—Democrats—had sufficient independence to think for themselves, and who insisted that Republican members of the Banking and Currency Committee should sit at the council board, 600 amendments were made to the bill before it passed the Senate.

Take all of these measures; take your rivers and harbors bill last year. Though the same Senators that are trying to put this measure through tried to force that through, Republican opposition saved the people some $30,000,000.

I think opposition to a bill which brings out the facts, which shows it to the country, is not injurious. Mr. President, on our opposition to this measure we will have to stand or fall before the country. I am willing to assume and meet that responsibility, and yet I am for a Government-assisted merchant marine. I have never been so greatly in favor of a subsidy, although I recognize that such is the method which has been employed by other nations, and it seems to have worked well. When I was in the House I voted for a proposition to establish a line of boats between the United States and South America, and that is what the President originally proposed. Forty million dollars might be of practical good in establishing boat lines between the United States and South America; but what will $50,000,000 do in the building of ships and in their operation between the ports of the United States and all the other ports of the world? Absolutely nothing worth while.

It was suggested the other day that this proposed line of boats is to be established between certain definite ports of the United States and other ports in foreign countries. I want to ask a question that constitutional lawyers may think trivial, but it is a point that has occurred to me several times. Section 9 of the first article of the Constitution of the United States prohibits discrimination in regulations of commerce or revenue against the ports of one State and in favor of those of another. This is the article:

> No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

Mr. President, if this boat line is established by the Government, for instance, between New York and Liverpool, and if it is true, as the proponents of the measure say it will be true, that these ships are going to reduce the rates—are going to furnish cheaper rates of transportation than the competing boats—how can it be other than a preference to the port of New York? What an opportunity this gives for preference, for partiality. The boats are to be operated by a political board—officers of the Government and political appointees. Where are they going to establish the line? Between what ports are these boats to run? I think it is of the greatest importance that we should know something about these things in advance of passing the bill.

It has been suggested that potash from Florida and cotton from the Southern States are two particular items which require immediate help. I think the proposition of our southern friends last year to appropriate $250,000,000 with which to purchase cotton was much wiser than this scheme, but that was defeated by the Senate after a Democratic filibuster; and it was well that this was done, for cotton has gone up. It needs no special aid from Congress, although I fear that some Senators may be looking for special favors for cotton through this measure.

A friendly board can say, "These boats are so few; there are only thirty or forty million dollars worth of them. That their number will be insignificant compared with all the ships on the sea; we will run them between favored ports in the South, for instance, or in the cotton belt." They will argue that wheat, even though it is congested in our markets, "brings so good a price that we will not spend any time in making its price higher, but we will go down into the country whose representatives have not hesitated to demand of the Congress that we take money out of the Treasury to buy their products and hold them in a corner until the prices advance to the proper height."

That is a dangerous power, Mr. President, to place in the hands of any political board. We are not warranted in doing it. A broader view of our country should be taken.

These ships are to be purchased, as I said, from somebody who has them to sell, and they are now out of commission. It will be worth something, of course, to a man who has an unprofitable ship on his hands to sell it and get rid of it, turn it over to the Government, or to anybody who would buy it; but after this emergency passes who is going to buy the ship from us? It has been suggested that some men may go into this corporation and will become stockholders in it, knowing that it will be an unprofitable venture, but also knowing that by and by they can buy it back again at a reduced cost and put it upon the sea after its troubled waters have been calmed at the close of the war. The United States Government ought not to be an instrument in the hands of possible designing men to accomplish by indirection an injury to the people of the United States.

Are we warranted in taking money out of the Treasury to the extent of $40,000,000 and giving it to importers, without any permanency in the investment or any hope that our merchant marine will be permanently enlarged? We have got to answer these questions. The time will come soon when an answer will be expected.

It is charged that while Republicans profess to favor the construction of a merchant marine, yet they oppose this bill and offer no substitute. Of course this statement is contradicted by the record. For years the Republican Party, against the solid opposition of Democratic Congressmen, and by a few Republicans, have tried to do something for the upbuilding of American ships, and several Republicans have offered substitutes for this bill only to have them tabled by Democratic Senators. The Democratic caucus has ordained that no other than the President's bill shall be considered. This is not the only attempt this administration has made to encourage American ships.

The Underwood-Simmons tariff law contains a provision which was loudly proclaimed as an American merchant-marine builder. It was alleged to be in accordance with the Baltimore platform. That provision is as follows:

> That a discount of 5 per cent on all commodities imposed by this act shall be allowed on such goods, wares, and merchandise as shall be imported in vessels admitted to registration under the laws of the United States: *Provided*, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of the treaty concluded between the United States and any foreign nation.

As was predicted by Republican Senators, this provision was offered as a benefit to American shipping. It was considered as most Democratic legislation has been considered, viz, hastily, superficially, and partisanly. It has been the subject of domestic and international controversy, and its validity is at this time being determined in the courts. As another reason for my lack of faith in the legislative and diplomatic wisdom and ability of this administration I will quote from a brief on the provision in the Underwood tariff, allowing a discount on all importations into the United States shipped in American

boats. It at once shows the uselessness of the measure as a relief to American shipping and the lack of legislative ability in its authors:

The Treasury Department on November 8, 1913 (T. D. 33847), instructed collectors of customs to make no allowance of discount on duties under the subsection in question. The legal question involved in this construction of paragraph J was brought before the Board of United States General Appraisers, and the board in essence held that the 5 per cent discount should be allowed where merchandise was imported in American vessels, but that it should not be allowed on the cargoes of foreign vessels. Appeals covering the various cases raised are now pending in the Customs Court of Appeals, and the Government brief outlining the attitude of the Department of Justice in these cases has been filed, and hereafter when mention is made of the Government brief reference will be had to the brief filed before the Customs Court of Appeals in cases Nos. 1391, 1393, and 1394.

The treaty of commerce and navigation of 1815 with Great Britain provides as follows:

Incidentally, I call attention to the proposition I suggested a moment ago that this bill in fact will prefer the ports of one State over those of another, and therefore might be declared unconstitutional.

ART. 11. No higher or other duties shall be imposed on the importation into the United States of any article the growth, produce, or manufacture of His Britannic Majesty's territories in Europe, and no higher or other duties shall be imposed on the importation into the territories of His Britannic Majesty in Europe of any articles the growth, produce, or manufacture of the United States, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to the United States, or to His Britannic Majesty's territories in Europe, respectively, than such as are payable on the exportation of the like articles to any other foreign country; or shall any prohibition be imposed on the exportation or importation of any articles the growth, produce, or manufacture of the United States or of His Britannic Majesty's territories in Europe, to or from the said territories of His Britannic Majesty in Europe, or to or from the said United States, which shall not equally extend to all other nations.

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States; or in the ports of any of His Britannic Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

The same duties shall be paid on the importation into the United States of any articles the growth, produce, or manufacture of His Britannic Majesty's territories in Europe, whether such importations shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannic Majesty's territories in Europe of any article the growth, produce, or manufacture of the United States, whether such importations shall be in British vessels or in vessels of the United States.

The same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of His Britannic Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels, and the same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of the United States to His Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

It is further agreed that in all cases where drawbacks are or may be allowed upon the reexportation of any goods the growth, produce, or manufacture of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or an American vessel; but when such reexportation shall take place from the United States in a British vessel, or from the territories of His Britannic Majesty in Europe in an American vessel, to any other foreign nation the two contracting parties reserve to themselves, respectively, the right of regulating or diminishing in such case the amount of the said drawback.

The intercourse between the United States and His Britannic Majesty's possessions in the West Indies and on the continent of North America shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its rights with respect to such intercourse.

The treaty with France of 1822 provides as follows:

"ART. 2. Articles the growth, produce, or manufacture of France imported into the United States in French vessels shall pay an additional duty, not exceeding $3.75 per ton of merchandise, over and above the duties collected upon the like articles also of the growth, produce, or manufacture of France when imported in vessels of the United States.

"ART. 3. No discriminating duty shall be levied upon the productions of the soil or industry of France imported in French bottoms into the ports of the United States for transit or reexportation; nor shall any such duties be levied upon the products of the soil or industry of the United States imported in vessels of the United States into the ports of France for transit or reexportation.

"ART. 7. The present temporary convention shall be in force for two years from the 1st day of October next, and even after the expiration of that term until the conclusion of a definite treaty, or until one of the parties shall have declared its intention to renounce it, which declaration shall be made at least six months beforehand.

"And in case the present arrangement should remain without such declaration of its discontinuance by either party, the extra duties specified in the first and second articles shall, from the expiration of the said two years, be, on both sides, diminished by one-fourth of their whole amount, and afterwards by one-fourth of the said amount from year to year, so long as neither party shall have declared the intention of renouncing it as above stated."

The treaty with France of 1803, under and by virtue of which Louisiana was ceded to the United States, contains a provision to the effect that the vessels of the French Nation shall have the right to enter the ports of said territory forever thereafter on the same terms of equality with respect to such vessels and their cargoes as are enjoyed by vessels of the United States entering such ports.

The Constitution of the United States provides that duties shall be uniform throughout the United States, and it is therefore arguable that under the Constitution French vessels should enjoy the same ameliorations and benefits when coming into other United States ports that they enjoy or should enjoy when coming into the ports of the Louisiana territory.

The legislative history of subsection 7, paragraph J—

That is the section in the tariff bill known as the Underwood bill—

shows that the real intent of Congress was to recognize the treaties of commerce and navigation made by the United States with foreign nations. (See report of the Senate Finance Committee, CONGRESSIONAL RECORD, vol. 50, pt. 3, p. 2151; see also pt. 5, p. 4494, and the Government brief, p. 5):

Your committee—

I am now quoting from the tariff committee's report—

Your committee struck out subsection 7 of paragraph J, page 263, giving a discount of 5 per cent on all duties upon goods imported in American bottoms. The provision was in contravention of some 19 or 20 treaties of the United States, without having been preceded by the courtesy of a notice of revocation, and was very properly protested against by the high contracting parties with whom we had the treaties.

In our opinion, it would have led to no good result, as every other country could have retaliated, and all the countries at the end would have been just about where they started. Moreover, the country which could use that principle with most force and effect in injuring other countries would be the country with the largest merchant marine, and the country which could least effectively use it would be the country with the smallest merchant marine. We were therefore not only inviting an endless retaliation, but a retaliation where our opponents would have had in nearly every case the better of it, and in many cases infinitely the better.

This is a report of a Senate conference committee. The bill had passed the House, if you remember, containing the favored clause, but the Senate conference committee struck it out. On September 8, 1913, the Senator from Washington [Mr. JONES], as I recall it, offered as a substitute for this a provision directing the President to cause the treaties in question to be abrogated. That provision of the Democratic Congress granting a 5 per cent rebate on all foreign goods shipped in American bottoms was clearly in conflict with the treaties; therefore Senator JONES offered the proposition to abrogate those treaties. This amendment was rejected; but while the bill was before the Senate, the Secretary of the Treasury wrote to the Secretary of State requesting information as to whether subsection 7 as it passed the House would be in violation of any existing American treaty rights, and thereupon Mr. John Bassett Moore—John Bassett Moore, who was a most valuable man in the Department of State and kept all matters of that great department in some sort of order while he was there, as long as he could remain there—John Bassett Moore, who is considered as an expert and authority on matters of foreign relations, wrote this in answer to the request of the Secretary of the Treasury as to the meaning and interpretation of the provisions of the House bill:

"The various stipulations above quoted suffice to show the purport of the treaty provisions with which the proposed subsection is alleged to conflict. This allegation appears to be well founded, if, as seems to be the case, it is intended by the subsection to allow the discount on duties only on merchandise imported in American registered vessels. Governments having treaty stipulations with the United States such as those above quoted probably would not object to the discount if it were extended in conformity with those stipulations to merchandise imported into the United States in their respective vessels; but they would not acquiesce in a discriminatory levy of lower duties on goods imported into the United States in American-registered vessels, because it was called a discount. It is the fact that a lower duty is charged, and not the terms by which the reduction is described, with which the department is obliged to deal."

The conference committee added the proviso as it now appears in the act, and the resulting legislation was a compromise in which the Senate conceded the discount to American vessels and the House agreed to the saving of treaty obligations, apparently this action being adopted for two reasons: First, because it would savor of bad faith to abrogate the treaties; and secondly, because the policy of discrimination was unwise in itself.

The United States Government, by its Assistant Attorney General, admits that the Board of General Appraisers erred in holding that the treaties were unconstitutional; and that it erred in holding that the board was without power to determine whether the treaties are in force. Furthermore, in this brief it is claimed and admitted that it is no longer material whether the treaties were originally executory or self-executing, inasmuch as the Congress has long since enacted legislation which executed all of the treaties which were merely executory, and by the proviso to subsection 7 expressly stated its intent to respect all the treaties. Furthermore, the United States Government in its brief represents to the court that the decision of the Board of General Appraisers allowing a discount to American vessels is flatly at odds with the intent of Congress as shown by the legislative history of subsection 7. It is stated in that brief:

"There is a noteworthy similarity between the proviso to subsection 7 and the qualifying clauses of subsections 1 and 2. Each one of these last-named enactments is intended to confer some benefit upon American shipping, and each contains a clause saving and excepting all cases which are covered by treaties with foreign nations. They are old provisions of law, going back many years, but reappearing in every tariff act. They have been entirely effectual for the preservation of the treaty rights to which they refer, and yet their words are not a whit stronger than is the language of the proviso to subsection 7. If the treaties have been duly conserved and effectuated by subsections 1 and 2, why should they not be equally so by subsection 7?"

It is respectfully represented that apparently the case as presented by the counsel for the United States Government concedes the binding obligation of the treaties in question, but sets forth the fact that the

Board of General Appraisers erred in its decision in granting the 5 per cent discount to American bottoms, for the reasons that if the 5 per cent is to be allowed to American bottoms it must likewise be allowed to the vessels of foreign nations having treaties of commerce and navigation with the United States.

Think of it! A law passed by Congress, and the department itself taking a position to set it aside because it is so unwise, so inconsistent with our relations with foreign countries as indicated by our treaties, so inefficient to bring the results that might be expected of them.

In other words, that the proviso renders the body of the act nugatory, at least until the treaties are denounced, at which time the law will become effective. This argument is tantamount to claiming that whereas Congress expressly refused to adopt the legislation as proposed by the House, and expressly refused to adopt the Jones amendment, and expressly legislated to the effect that no construction should be adopted which would in any manner abrogate, impair, or affect the treaty, the 5 per cent is not to be allowed to American bottoms until these treaties are in fact denounced.

The attitude of the American Government with respect to retaliatory legislation and the reciprocal treatment of vessels and their cargoes from a date as early as 1785 has been to demand and accord an equality of treatment, as is very clearly set forth in the case of Oldfield v. Marriott (10 How., 146, 159). The attitude of the Secretary of the Treasury, the attitude of the State Department, as evinced by its counselor, Mr. John Bassett Moore, and the attitude of the United States Senate all clearly indicate a disposition and desire to recognize the obligatory character of the treaties of commerce and navigation into which the United States Government has entered. The Board of General Appraisers has, however, decided that this discount should be allowed to American vessels exclusively; and in the brief filed by the Assistant Attorney General in the cases now pending before the Customs Court of Appeals, although maintaining that the 5 per cent should not be allowed to American vessels, because at the present time it would also have to be allowed to foreign vessels, in its final analysis the argument inevitably carries with it the implication that this 5 per cent will be allowed to American bottoms as soon as the treaties now in force can be denounced and abrogated.

In the interest of the comity of nations, it is respectfully submitted that the United States Government should not insist upon or contend for an interpretation of the law which would either abrogate or impair the treaties or invite and induce their denouncement.

This case has been argued before the Customs Court of Appeals, but no decision has been handed down by the court up to the present time. It is quite probable that any decision rendered by the court will in essence leave the question in which the State Department is interested either undetermined or embarrassing, and if the decision of the court of appeals is carried to the Supreme Court of the United States it will be a year or more before these questions can be finally adjudicated. If the Supreme Court should adopt the views of the Attorney General, as expressed in his brief before the Customs Court of Appeals, it would be necessary to denounce the treaties in order to let the act take effect. If the Supreme Court upheld the decision of the Board of General Appraisers with respect to American bottoms only enjoying 5 per cent amelioration, then all of the treaties would have to be denounced, still leaving open the question of the claims of foreign nations under these treaties up to the time such denouncement would take effect.

Alternatively, if the Supreme Court should decide that 5 per cent refund should be allowed to both American and foreign vessels, an extremely embarrassing situation would be entailed if the decision limited the application of the British treaty to merchandise the growth, product, or manufacture of his Britannic Majesty's territory in Europe, whereby the indirect trade which was the subject matter of correspondence in 1846, as outlined in the decision of Oldfield against Marriott, would not enjoy this benefit, and the English Government would in all probability conceive that it was warranted in applying the doctrine of lex talionis.

Moreover, a situation would be created whereby countries like the Netherlands or Japan would enjoy the full benefit of the 5 per cent reduction, whereas other countries would be partially discriminated against. Germany, by virtue of express statutory provision, would enjoy the full benefits, whereas France and England would only secure a portion of these benefits. It is hardly conceivable that England and France would regard our action in this behalf as the act of a friendly nation. It is quite obvious, therefore, that whatever might be the decision of the Supreme Court in this case, it is inevitably coupled with difficulties and embarrassments.

The shipping bill is now before the United States Senate and is being pressed for passage at this session of Congress. The purpose and intent of the shipping bill is to increase the commerce of the United States and build up its merchant marine. Such a plan can not possibly enjoy the full opportunity to test out its merits if, by virtue of the 5 per cent clause in the Underwood tariff bill and a decision of the Customs Court of Appeals or the Supreme Court of the United States, there results an assessment of discriminating or retaliatory duties upon the merchandise which we export.

The language of the shipping bill is sufficiently broad to permit of an amendment being included therein, Paragraph J of the tariff act, and there is no doubt that such an amendment would be germane to the bill.

I repeat, however, we have not been permitted to make amendments. It would seem that Senators who have been induced to indulge in this experiment, those who have so little experience of matters of legislation of this kind, would be very anxious indeed to learn what can be presented in good faith, and that they would make no effort to defeat the efforts that have been made to present facts to the Senate, the consideration of which might lead to a better measure.

Upon the repeal of the 5 per cent clause in the manner outlined above, then the decision of the Customs Court of Appeals could not be acquiesced in without carrying it to the Supreme Court, and some departmental adjustment made whereby any and all discriminations are avoided.

To summarize the situation, it is respectfully submitted:

1. That the treaty between the United States and Great Britain of 1815 and the treaties between the United States and France of 1803 and 1822 conferred and do confer upon vessels of these nations the right to enter the ports of the United States on the payment of the same duties as are charged on goods imported in American vessels.

2. The history of the adoption of the treaties and a consideration of the acts of Congress, procedure of the executive department, and the judicial decisions would all show that the treaties have been construed and treated as relieving British and French vessels from the imposition of discriminatory duties, and as entitling them to admission to ports of the United States on terms of equality with American vessels.

3. The treaties in question are self-executing.

4. The enacting clause or subsection 7 is not nullified by the proviso.

5. These facts are admitted in the Government's brief in the case before the Customs Court of Appeals, and therefore the litigation should cease and determine; and

6. The repeal of section J and the settlement of the case in the manner outlined above would obviate many embarrassments and disputes which would otherwise have to be met through diplomatic channels, and would likewise recognize the obligation and sanctity of the various treaties of commerce and navigation made by the United States.

Mr. President, I have presented this, as I said, to show the inefficient, unreliable methods of legislation employed by the Democratic Party in its dealings with the affairs of government. If it has taken so long to determine an apparently simple provision in the tariff bill relating to the 5 per cent discount on goods imported on American bottoms, what may we expect of a measure of so doubtful meaning as the one now before us? The advocates of the bill have not entirely agreed upon it. They have changed their minds frequently. I am positive they have not given the careful consideration to all of its possible results that ought to be given to them.

I mentioned a little while ago that the charge had been made that no provision had been offered by the Republican Party to take the place of this measure and looking to the upbuilding of a merchant marine. I have shown that such charge is without foundation of fact. I know that Republican Senators are, with practical unanimity, in favor of doing something safe and practical.

The Senator from New York [Mr. ROOT] yesterday gave the names of various commercial organizations which have asked that this measure should not be passed. He spoke of the Chamber of Commerce of his own State, which had met and passed resolutions after careful consideration through subcommittees of this particular bill, and gave the summary, namely, that out of something like 294 members present at the meeting on January 28, 290 opposed the bill which President Wilson demands shall be passed as a partisan Democratic measure.

This great chamber of commerce, composed, I assume, of experienced, intelligent, honest men, not only protested against the pending bill, but it recommended a measure which to me seems so fundamentally right that I am going to give it to the Senate. This debate is not likely to terminate immediately, and this provision may so appeal to Democratic Senators that they may be willing to present it to the President, and mayhap he will permit it to be considered. I think I will include some of the report relating to the bill before us. The committee said in part:

It has given earnest consideration to the emergency features of the present situation—

Referring to the bill and the conditions of the country—

and is aware that rates of freight so high as to seem exorbitant were charged in many trades, and yet is compelled to report its belief that the emergency difficulties are of such a character that temporary relief can be provided only through the operation of forces beyond the control of this country. As has already been pointed out, the mere transfer of flag from vessels now in operation under foreign colors can not bring new tonnage to our service. Every available vessel, except those belonging to belligerents interned in neutral ports, is at work. The interned vessels can be placed in service under private operation the moment the consent of the belligerents is obtained. Except with such consent, they can not be placed in service without involving this country in dangers much worse than the temporary lack of ocean tonnage. Another present difficulty, the importance of which is not generally appreciated, is the fact that many vessels now engaged in foreign trade are detained in foreign ports for weeks at a time awaiting an opportunity to discharge their cargoes. These ports are congested partly by Government operations and partly by huge imports of food products from this and other countries. The congestion is increased by the inability in many cases to secure adequate labor for the prompt unloading and handling of vessel cargoes.

I am reading now from the report of the business men who, through their committee, have investigated this matter as only business men can investigate a question of the kind. These business men were not from the city of New York alone, although undoubtedly very many of them were, but the chamber of commerce is a State organization. These men are anxious to know what is best for the country. There could be no desire in their minds antagonistic to general business prosperity. If they could obtain lower freight rates from the Government, they would not hesitate to accept them unless they saw in the project danger to the country. If the plan actually meant better and cheaper ocean transportation, I feel sure they would have indorsed it.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield for a question.

Mr. MARTINE of New Jersey. I want to ask the Senator if he does not believe that, notwithstanding that of which he has just spoken, the Chamber of Commerce of the City of New York is very largely dominated by the shipping interests of the port of New York? It has been my privilege on one or two occasions to have been a guest there. I know many of those gentlemen by name, and I say they are interested in the shipping interests of New York, and I say, in answer to the general thought advanced that there is no organized effort in favor of this bill, that at the same time the Senator will admit there is a very decided and organized effort upon the part of the shipping interests against this bill, and their methods are akin to the methods of the great railroad interests that were used in their case to get the 5 per cent increase. It was the most domineering, brow-beating method of every man in authority in every way to bring about an increase of rates for them. The members of the New York Chamber of Commerce, while an elegant set of gentleman, are wonderfully human in all their business, their individual ideas, and their aims. They are made of no better grade than the rest of humanity, open to the same foibles, the same follies, the same self-interests, and the same aims and ambitions as the rest of the world.

Mr. TOWNSEND. Mr. President, I quite agree with the Senator from New Jersey [Mr. MARTINE] that they are perhaps no better than the rest of us, but I am equally unwilling to concede that they are any worse than the rest of us. I have at various times in my public career visited business organizations which are now found all through the United States. I have one in my home city that includes the very best men and practically all the very best men in the city. These men are interested in the welfare of the country. There can be no question about that. The business interests of this country are interested in the general welfare. I can not conceive that these men are so involved in ship ownership, as the Senator intimated, that they would report against this measure while believing that it was safe and generally beneficial. I do not know one of them who would do that. I do know they are men of wide business interests, and that as a rule they are honest men.

I think, Mr. President, we have now reached the time when we can afford to admit that success in business is not prima facie a crime. I think we have reached the point when we can afford to assume at least that great business organizations are actuated by high purposes and high ideals, quite as much so as are other men. Business men are not politicians. I sometimes think it would be better for the country if they were; if the business interests of the country would take a greater interest in politics, at least a sufficient interest to attend the primaries and the elections, government might be better. I do not believe that a successful business man is, simply because he is a business man and successful, disqualified to speak on this great business question. His testimony ought to be entitled to as much weight as that of theorists without business experience. So I say that this organization, composed of business men from all over the great State of New York, is expressing its opinion after careful investigation and due deliberation upon this particular measure.

The committee says, further:

> While these factors, together with an enormous shrinkage in vessel tonnage due to withdrawal from service of a large percentage of the world's ocean carriers, captured, sunk, or interned vessels owned by the nations at war, have caused freight rates to be demanded which in many cases seem beyond reason, it is the opinion of your committee that it is utterly impossible to remedy these regrettable conditions by any provision in the Alexander bill. The extent to which these conditions hamper present commerce is not widely appreciated in this country outside of steamship circles, and it is not possible for the people of the United States to remedy these conditions. Meanwhile the Alexander bill is being pressed, and business men in the interior find it impossible to ship merchandise which they can sell. Vessels in sufficient number to carry the freight across the Atlantic are not available, and it is useless for the railroads to haul it east unless their cars are relieved at the seaboard. Seaport communities understand this situation, but an insistent demand continues to grow in the West that some relief be provided, and there is grave danger that unless a plan can be suggested which will point the way to a solution of this problem along economic lines the Alexander bill will be passed, which will embark the Government in the unknown and hazardous field of Government ownership and operation. It must be recognized that this situation is not a theory, but a fact.
>
> Believing, therefore, that progress can be made only along permanent lines, your committee has again addressed itself to the attempt to propose a plan which, if put in operation, it can indorse with the statement that it will permanently restore the merchant marine of this country on an adequate scale. It has approached the problem with the light thrown upon the subject by the discussion at the special meeting of the chamber on January 14, 1915, when the first report of your committee was submitted and recommitted for further consideration. It is evident that our shipping industry can not be permanently placed upon a successful basis unless the cost of constructing vessels in American yards and of operating them on American standards be placed upon an equality with vessels built abroad when manned and maintained in accordance with European standards. The steamship industry is a business proposition, and while it may flourish on a false basis during an emergency like the present European war, it can be permanently maintained and operated under the American flag only if building and operating costs are made equal.
>
> There is a large school of opinion at the present time which believes that if desirable modifications of the navigation laws were to be made, that alone would be sufficient to bring about a restoration of an American foreign mercantile marine. In the opinion of your committee this is a mistaken view. Under the emergency legislation of 1914, which has permitted the transfer of foreign-built ships to the American flag, and under which the President has suspended for seven years the operation of the most serious handicaps embodied in the navigation laws, the increase in wages still about 40 per cent, and the experience of different companies who have transferred fleets of ships to the American flag, shows that the actual increase of total operating cost, when sailing the same ships in the same trade under the American flag, varies from 5 per cent to 10 per cent. This applies to freight vessels only. With passenger and mail ships the percentage of increase would be much larger because of their larger crews. This increase has taken place, notwithstanding the fact that by virtue of the exemptions to the navigations laws as they exist the vessels are permitted to retain the same officers, to carry only the same crews as before, and generally to operate upon the European standards. Your committee believes that the overwhelming sentiment of the American people is that in restoring an American merchant marine to the sea it wishes to secure a marine upon which the American standards of life can be maintained as regards wages, hours of labor, cubic feet of air, quality of food, and provisions of safety.

Mr. President, I pause to state that no man in this Senate, I assume, who is advocating this measure expects that the United States will operate these ships at a less cost than the American-owned ships under the American flag are now being operated. No one will suggest that we are going to lower the standards of living, that we are going to reduce the wages, that we are going to make things less tolerable for our seamen on these boats, than we enforce by law upon privately owned boats. Therefore when the Senators argue that we are going to reduce the rates by the use of these Government ships they contend they are going to do what they think best for the public service. The tendency will be to an increase in cost. It has been the history of our Government in all its departments that where it has embarked upon any proposition it pays higher wages and invites a greater cost than is maintained in private enterprise. With these ships in our possession the cost of operation, the cost of living, the wages, and everything that applies to it is not going to be reduced. It is going to be increased. This cost must come out of the public, must be paid by the people, and for the benefit of a comparatively few exporters. In answer to the question that was asked of the Senator from North Dakota [Mr. MCCUMBER] last evening, transportation rates may come out of both the producer and the consumer. Such things have been known to occur. The exporter who purchases always uses the freight rate as an excuse for decreasing the purchase price, and he may use it as an argument for the increased price which he receives from his customers.

But I continue:

> In this war emergency these conditions have been waived; but as a permanency it is believed to be impossible, even were it desirable to waive them.

He is referring now to certain conditions existing on boats which are manned with European officers and crews largely, and the conditions of living that maintain on the foreign boats. We can not permit that condition in this country. The American people will not consent to it, and organized labor will be protesting, and properly so, against the foreign standard of wage and living.

> This being so, it is evident that changes in the navigation laws, even if they could be given permanent application, will not alone make possible the restoration of a mercantile marine.
>
> Your committee believes that once the shipping industry is reestablished the present inequality in construction cost can be overcome by American ability and ingenuity. During the development period the difference in cost must be borne by Government subvention. At the present time the European shipbuilding yards are crowded with work, and the cost of constructing vessel property has increased. This has greatly reduced the disadvantage under which American shipbuilders have labored in competing with their foreign rivals and makes it a particularly advantageous time for the Government to undertake to foster our shipbuilding industry.
>
> Your committee believes also, once our shipping is placed upon a permanently successful basis, that the ability of our shipbuilders to command a supply of steel and coal will enable them ultimately to construct standardized vessels upon an equality with European yards.
>
> Within five years American ingenuity and energy has standardized the automobile, and we are now exporting large numbers of automobiles to the countries from which we formerly imported them.
>
> During the development period, while a Government subvention is necessary, the degree of Government aid required will fluctuate with construction costs in this country and Europe. If Government aid is to be extended, it is necessary to create some method by which the amount of assistance necessary can be exactly determined. Your committee therefore reaffirms its belief in the necessity of a Government board to foster the development of our shipping. Many reasons for the establishment of such a board were advanced in our first report, and we submit that the necessity of determining from time to time the exact amount of Government aid which it may be necessary to extend in order to equalize the cost of constructing vessels in American yards and operating them upon American standards is an added reason for the creation of such a board. It is also our belief that it is important that this board be composed partly of men experienced in shipping matters, who will devote all of their time to the problem. A board of some kind

has been suggested in many quarters. The Alexander bill carries with it provision for a board composed of the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General. These officials are already burdened with great responsibility. It is impossible that they give the necessary time to the details of solving this problem. The result of creating such a board will be that the work would devolve upon underofficials. This is not desirable.

That seems a reasonable proposition, does it not, that men who know something about this business, who have their heart in it, rather than politicians who never earned a dollar in their lives, who never had a dollar except what they drew as a salary—that experienced men be asked to take charge of the gigantic interests of our foreign shipping instead of placing them in charge of men who are more interested in furnishing jobs for the faithful than in business success?

Another suggestion has been that a shipping board be attached to the Department of Commerce. Your committee again believes that such a course will be undesirable. The problem is difficult and its successful solution will require men of broad views and a knowledge not only of the shipping trade, but of the requirements necessary to develop our own country in international competition. The board should be made equal in dignity with the Federal Reserve Board—

I should say so, and I should say it should have less of political power and less of the political qualities than the reserve board—

which has been placed at the head of our national banking system, and a sufficient compensation should be paid to attract men of the highest standard and the broadest experience. As it is proposed to ask the Government to place within the control of this board large power it is believed that a majority of the members should be Government officials, and with this in view your committee suggests that a board of seven be created, of which four shall be the Secretary of the Treasury, the Secretary of Commerce, the Postmaster General, and a naval constructor. The remaining three to be appointed by the President, and to be men experienced in the ocean carrying trade as vessel operators or shippers.

This board should be placed in supreme authority over shipping matters. It should recommend from time to time such additional legislation as may be necessary to place us more nearly upon a competitive basis with European nations in shipping matters, and yet retain American standards of living and compensation. It should be charged with the responsibility of determining what lines of ocean-carrying trade it is wise to develop in the interest of public welfare, and what classes of vessels it is desirable to have constructed.

That seems to be a reasonable proposition, does it not, that the character of the vessels shall be determined by some competent authority? You are turning over here to the Secretary of the Treasury practically the determination not only of the routes which these boats are to travel—thus giving him all the power to use partiality in the routes these vessels shall sail—but you also are giving him the power to determine the character and the nature of the vessel itself. I appeal to the Senator from California [Mr. PERKINS], who has had distinguished service not only in this Senate, but on the seas as an experienced seaman, whether it is not of the highest importance that men who are building ships to sail the seas should know exactly what water they are to sail and what purpose they are to serve? The type of boat is of highest importance. It seems to me to be such a common-sense view of it that it would have suggested itself even to a man of theory alone.

It should be empowered to enter into contracts with steamship owners during a period of 10 years from the creation of the board, by which the Government will undertake to pay the difference between the cost of constructing such vessels in American yards and European yards, as it may be deemed wise from the standpoint of the welfare of this country to place in foreign trade under the American flag, and further to contract that for a period of 20 years, which is deemed to be the ordinary life of vessel property, the Government will pay what is ascertained to be the difference between the cost of operating under the European and the American standards.

I have never been able to understand why there should be a different rule of protection applied to the shipping business than is applied to the manufacturing or other business of the country. If the merchant marine is a good thing, and it now seems to be the universal opinion of both the Democrats and Republicans that it is a good thing—but I have never heard it discussed before by the Democrats—if it seems now to be a good thing then we should proceed along business lines to obtain it.

I think our friends on the other side are convinced, even though they may not admit it, that the Republican notion of a protective tariff, a tariff which measures the difference in the cost of production here and abroad, is a good thing, and if they could do it without embarrassment or without stultifying themselves I imagine that they would return to it to-day in order to relieve the country from the financial stress which is upon it.

If a merchant marine is a good thing, then, to my mind, it is most important that we should take into consideration the difference in the cost of operation and construction according to the laws which we have passed ourselves. When we have taken that into consideration and it is carried into effect there is no question but what there will be a return to the sea of American-owned and operated boats.

In order to establish what the payments will be—

That is what the Government should pay as the difference in cost of construction and cost of operation of these boats—

it is necessary for the Government board to compile exact data and to be in a position to determine with exactness and justice the amount to be paid. It is important to point out that although this suggestion involves direct Government aid, it differs radically from all usual forms of subsidy. Every bill proposing a subsidy for the encouragement of shipping which the committee can recall involved a payment either of a lump sum or of so much per ton of measurement or of so much for mile traveled. In this form the subsidy gave to the operating company the opportunity to adapt both its ships and its business to securing the largest possible subsidy payment in return for the least possible service rendered. The proposal now made by your committee is vitally different in principle. It is possible for a competent board to ascertain, within a very few dollars, the exact difference in cost, ship by ship and voyage by voyage, between the operation of a vessel under the American flag and on American standards as distinguished from the cost under any selected foreign flag with its standards. This difference in cost, and this only, it is proposed that the Government should make good, because it is the result of national policies and national conditions which private citizens can not control. It should be pointed out also that under this policy every risk of the business will be borne by private capital. The Government is not invited to risk one dollar on the success of the management or the profits of the voyage. It is simply asked to make good the uncontrollable factor of additional expense which private citizens can not control. It is suggested that this power be given to the board for a period of 10 years, because it is the belief of your committee that this is a sufficient length of time to arrange for the construction of a large tonnage in American shipyards. The committee suggests that the contracts be for 20 years, so that anyone undertaking the construction of American vessels for foreign trade can look forward to equitable operating conditions during the ordinary life of the vessel. As the shipping industry develops it is believed that construction costs in this country will be reduced and the Government burden thus lessened. In any event, the subvention paid by the Government to equalize the construction cost will be limited to a period of 10 years, and the last contract under which the Government will pay a subvention to cover the difference in operating cost will expire within 30 years. This gives a definite limitation to the Government's responsibility and yet enables those who engage in operating and constructing vessel property to see their way clear to meet foreign competition upon an equal basis during the life of vessels constructed under Government contracts. It secures private operation of the vessels, and it does no more than equalize building and operating costs, which it will be necessary to do if American standards are to be maintained, even though the Government owns and operates the vessels. The contracts with the Government should provide for the ability to take over the vessels under equitable conditions in case they are needed for Government service.

In its former report your committee pointed out that among other items which should receive the consideration of the shipping board is the maintenance of standards for the personnel of the officers and men of the merchant marine. The school ships maintained by Massachusetts and New York are educating officers for the merchant marine. They are doing a most useful and necessary work. Thousands of young men throughout the country are ready for the call of the sea and are animated by the same spirit which filled the forecastle and quarterdecks of the American vessels 50 years ago. Other ships of this character should be established and the course of training amplified to make the graduates fit both for the merchant marine and the Navy. There are discharged from the Navy each year about 4,000 young men who have enlisted from all parts of the country. These men have had a most valuable training in the Navy, and should be encouraged to go into the merchant-marine service. Many foreign nations encourage the creation of such a naval reserve by paying a small additional wage to men honorably discharged from the Navy who continue a seafaring life and hold themselves in readiness as naval reservists. This practice is worthy of serious consideration.

It must, of course, be provided by law that any ships which receive benefits under the foregoing provisions must be either owned by American citizens or owned by American corporations a majority of whose stock is in bona fide ownership of citizens of this country.

It may be asked if it is necessary to have Government aid in so many directions in order to secure an American foreign merchant marine. What has become of American enterprise and American courage? The answer is that the old American merchant marine did not disappear in a day. It disappeared slowly by the substitution of iron for wood in construction and of steam for sail in operation. As it disappeared slowly it can be rebuilt only slowly, for in being rebuilt it has to fight its way into a position of successful competition against fleets which now control the business of the world. The initial effort will be the greatest; and much as this committee would like to believe that our American merchant marine can be reinstated with a smaller amount of Government aid than this report proposes, as men of experience and looking all the facts in the face, the committee is bound to say that, in its opinion, nothing substantially less than is contemplated by this plan can be expected with any sort of confidence to bring about satisfactory results on an adequate scale. If the Government will cooperate with private enterprise upon the lines suggested by this plan, the committee believes that the result will be satisfactory to the Nation. To do less than is proposed or to do it for a shorter time, in the opinion of the committee, would be likely to be disappointing. The question may then arise in the minds of some whether it is not better to do without an American foreign mercantile marine than to attempt to restore it by so much effort and with so much Government aid.

Prior to the outbreak of the European war the answer to this question always was, and probably would have continued to be, that if foreigners would carry our trade more cheaply than we can carry it ourselves it is an economic advantage to have them do so. Our experience as a great neutral nation since the outbreak of this war has changed all that. We find our foreign commerce to-day, though we are a nation at peace with all the world, as absolutely dependent upon the navies of the belligerents as the commerce of those belligerents themselves. Anything that should destroy, even for a few weeks, the belligerents' command of the sea between the United States and Europe, would jeopardize our trade carried on under belligerent flags precisely as though we were at war ourselves. This is a situation, in the opinion of the committee, which the American people will not permanently endure. If we are able as a nation to maintain peaceful relations with all the world, no matter how often the rest of the world may be at war, we also wish to maintain all of the shipping privileges of neutrals; and these

can only be maintained when our merchandise is carried under our own flag. Your committee believes that the United States must have a foreign mercantile marine of its own on a scale reasonably commensurate with the foreign trade which the nation does.

If the foregoing plan is adopted, a shipping board to foster American commerce will be created, and the cost of constructing vessels for foreign trade in American yards, and operating them under the American flag, will be equalized for a reasonable development period.

There yet remains to be considered the disadvantage under which American steamship men will labor in securing capital for steamship enterprise, because of the lack of familiarity of American investors with steamship securities and the higher rate of interest paid upon other investments in the field of American enterprise, and also the question of compensation to be paid by the National Government for a definite mail-carrying service under the mail act. In treating the latter problem your committee reaffirms its opinion that the present mail requirements in the South American trade do not demand a speed of 20 knots, and an even less speed will be satisfactory for lines to South Africa, Australia, and the Orient. Your committee, therefore, recommends that the shipping board be given authority to reduce the speed requirements of the mail act of 1891 for first-class vessels from 20 to 16 knots trial speed, and for second-class vessels from 16 to 12 knots, leaving all other provisions of the act as they now stand.

In treating the problem of how to enable the steamship man to secure the necessary capital to develop the shipping industry, we have been persuaded that many objections will be advanced to any plan which does not definitely limit the Government's responsibility both as to the extent and period of the guaranty. The Alexander bill provides for the ultimate expenditure by the Government of $40,000,000 in vessel property and working capital. We suggest that the Government authorize the board, during the period of 10 years from its formation, to contract with approved steamship enterprises to guarantee bonds representing 50 per cent of the cost to the owners of such vessels as have been approved by the board for a service which the board believes to be desirable, from the standpoint of public welfare, the total amount of such guaranty not to exceed $40,000,000 and the bonds to run for not longer than 20 years, with appropriate provision for the amortization within that period, the Government to receive an annual payment of one-half of 1 per cent upon the bonds guaranteed. Included in the act authorizing such a guaranty should be a provision making the mortgages guaranteed a first lien upon the vessels except for tort.

Your committee would point out that if the provisions of the Alexander bill be followed, it will be necessary actually to spend $40,000,000 of Government money for vessel property subject to rapid deterioration and for which the Government will have responsibility for 100 per cent of the cost, without the assurance of any return.

If the plan outlined by your committee is followed, Government credit to the extent of $40,000,000 will be pledged, but vessel property representing $80,000,000 value will be produced, and the Government will receive a definite annual compensation for its guaranty.

Your committee considers this guarantee measure in the light of emergency relief, which is necessary to enable the steamship man to secure the money needed during a period when the finances of the world are in great stress, to enable him to take advantage of the other inducements offered by the Government, and to bring about shipbuilding on a scale which will permit of more economical construction.

You are reminded that no one of the provisions herein outlined embark the Government in any enterprise not approved by a Government board a majority of whom are Government officials, and definitely limits the payments and responsibility to a fixed development period.

While the European war continues, the subvention to equalize European and American steamship operating conditions and the guaranty of bonds secured by vessel property should include vessels constructed abroad, but with the return of normal conditions, the shipping board should be empowered to limit these provisions to vessels built in American yards, should such a course appear to it to be desirable. Appropriate action should also be taken to insure the retention under the American flag of all vessels covered by guaranteed bonds.

Your committee affirms its belief that the foregoing plan, equalizing as it does the cost of constructing vessels in American shipyards for a period of 10 years, the cost of operating vessels under the American flag in foreign trade for a total period of 30 years, and enabling the steamship man to secure during a period of 10 years by Government guaranty money at a moderate rate of interest to pay half of the cost of building vessels will result in the permanent reestablishment of the merchant marine of the United States in foreign trade.

The dangers connected with the Government ownership and operation of merchant vessels will be avoided, a much greater number of vessels created, and the relation of encouragement by the Government, instead of competition, be established with a legitimate field for private effort.

Your committee therefore asks the chamber to approve the foregoing plan for the creation of an American merchant marine in the foreign trade, based upon the principle of private ownership and operation, but with the encouragement of Government aid, and under the direction of a shipping board appointed to safeguard the interests of the public, and, further, that the chamber authorizes the committee to adopt such measures as it may deem desirable to secure favorable action by Congress.

Your committee moves the adoption of the following resolution:

"*Resolved*, That the Chamber of Commerce of the State of New York approves these recommendations, and authorizes the special committee on the American merchant marine in the foreign trade to urge upon Congress the enactment of legislation in accordance with the principles and methods outlined in the foregoing report."

Mr. President, I mentioned a moment ago the fact that the great trade organizations throughout the country were unfavorable to the bill. The Senator from New Jersey [Mr. MARTINE] reminded me that the Chamber of Commerce of the State of New York might be interested in the shipping interests or in the ships themselves, and that might have warped their judgments. I do not believe it did, but I have another authority which I want to quote, and which, to me, means a great deal, in the light of present conditions.

There is in my State the great university at Ann Arbor. I have thought that most of the faculty of that institution had a sort of fellow feeling for the President of the United States, because he, too, at one time was a schoolmaster. It has seemed so to me because it has been difficult for me to do anything that really pleased that faculty if I was in opposition to President Wilson. They have insisted that I should follow the President's advice and leadership on certain matters; so I was somewhat surprised the other day when I received a letter from a man who speaks, I believe with some authority, for the faculty. I will read it:

UNIVERSITY OF MICHIGAN,
DEPARTMENT OF GEOLOGY,
Ann Arbor, Mich., January 25, 1915.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am glad to see that general opposition is being developed to the administration's shipping bill, and I sincerely hope that it will meet with defeat. I can only explain the President's action on the assumption that he has fallen into the trap laid for him by German sympathizers. In my opinion, and that of every one of my colleagues that has been consulted, the bill is fraught with a serious menace to our peaceful or, at all events, friendly relations with Great Britain. To open up such a subject at this critical juncture I can only liken to playing with fire near a powder magazine. As you know, the people are very sensitive concerning the protection supposed to be afforded by the national flag, and deliberately to send out the *Dacia*, to say nothing of presenting Germany with millions of dollars for material worthless to her at the present time, is little less than preposterous. I sincerely hope that you and your colleagues will succeed at least in defeating the administration's bill.

I am, very sincerely, yours, WM. H. HOBBS.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield for a question.

Mr. MARTINE of New Jersey. I might contradict that, Mr. President, by offering the resolutions passed by the legislature of a great Commonwealth of this Union, the Commonwealth of Alabama, where they passed resolutions unanimously indorsing and urging action upon the part of their representatives in the Congress of the United States to pass this bill in the interest of the general welfare of the country. I ask now, in all reason, which should weight the most—this individual testimony of a professor of biology, or some other "ology," that is poor food for the stomachs of hungry men, or this appeal from the legislature of a great Commonwealth like that of Alabama?

Mr. TOWNSEND. I find it is going to be very difficult for me to satisfy the Senator from New Jersey.

Mr. MARTINE of New Jersey. Mr. President, I am hard to satisfy; but if there is any man under whose tutorship I would rather live than any other man I am willing to say it is the Senator from Michigan. He is a most delightful and genial gentleman; our offices are right across the hall from each other, and many, many times when I lack inspiration I appeal to him.

Mr. TOWNSEND. I appreciate the friendly expressions of the Senator from New Jersey, and he knows that I reciprocate the friendliness which he has expressed and shown for me; but, as I said a moment ago, I find it is difficult for me to bring forth just exactly the argument or the testimony that would satisfy the Senator from New Jersey that this bill, judged by men who are perhaps best able to determine, is bad.

I presented the resolutions of the chamber of commerce composed of business men. I have received many such petitions or statements from business organizations where I know positively no one of them has ever invested a dollar in a ship or has any interest whatever in the owners of a ship. These business men, however, look at this from a business standpoint. I think this is a business proposition.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New York?

Mr. TOWNSEND. I yield to the Senator from New York for a question.

Mr. ROOT. Mr. President, I want to ask the Senator from Michigan whether the members of the commercial organizations who have taken the action to which he refers do not include a very large proportion of American citizens, who, without owning ships or having a direct interest in ships, are familiar with the business of exporting and importing goods, so that they would have been the proper and natural persons to call before the committee to inform Congress about this vast and profitable business? Are not the men who have been trying to give expression to their opinions through the resolutions of these chambers of commerce the men who ought to have been called before the committee of the Senate to enlighten the Senate in regard to the business about which we are proposing to legislate?

Mr. TOWNSEND. The Senator from New York [Mr. ROOT] is absolutely correct. I have been trying to say that. It has seemed to me that these business men are the very people who, at least, ought to have been consulted.

But I was trying to answer the statement of the Senator from New Jersey [Mr. MARTINE] when he criticized the letter

offered just now. He having previously criticized the suggestions of the business men of the country, because they might possibly be interested, I, then, as I said, brought forward this letter from this professor, thinking that inasmuch as it was from a professor who had had little business experience it might appeal to my friend. I thought possibly if I brought such a man here, representing the professors of the country, his opinion might possibly have some weight with the followers of a President who sees prosperity all over the country once a month regularly when he receives his pay check.

Mr. MARTINE of New Jersey. Mr. President——

Mr. TOWNSEND. Just a moment——

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. TOWNSEND. I yield to the Senator from Massachusetts for a question.

Mr. WEEKS. Mr. President, last night, when it seemed to me the Senator from Florida [Mr. FLETCHER] was filibustering, waiting for the Vice President to take the chair, he made a statement which referred to the same subject which the Senator from Michigan [Mr. TOWNSEND] is now discussing, rather reflecting on chambers of commerce and business organizations which have appealed to Congress on this subject. It seems to me the best service which has been done during this debate is calling to the attention of the country the weaknesses and follies in this bill.

I am perfectly familiar with the action taken by the Boston Chamber of Commerce and the men who led in taking that action. There are no better posted men on the subject of ocean transportation than the men who prepared the very excellent report coming from the Boston Chamber of Commerce and which has been presented to the Senate. What I want to ask the Senator is this: Is it not a new policy and a new position for Congress to take to turn aside from the advice and judgment of men who are conversant with a subject, as these men are, and say that they are interested and therefore we must do something directly contrary, and for that reason throw aside the experience not only of every European country, but the experience of our own people, and undertake something that is directly contrary to the experience of mankind?

Mr. TOWNSEND. It seems to me the statement by the Senator from Massachusetts [Mr. WEEKS] is unanswerable; we ought at least to know the opinion of men who have had practical business experience.

Mr. President, I might, on some matters, be governed largely by theories undemonstrated, and while I do not measure a man entirely by his ability to succeed in business, yet somehow I have never reached a point where I felt that success in business was a crime. I believe that our whole country has been built up by the genius of men who could see and who have the courage to undertake the things which to me would have been impossible. We have reached a point now where this country is realizing that it can not be satisfied with declarations. This administration has been telling of things, has been declaring things, which we have never found to exist, which we have never yet experienced. The President's oratorical remedies for business depression, his verbal balm for his legislative failures, his ability to invoke psychological relief for diseased physical conditions reminds me of the lines in Much Ado (or is it Macadoo?) About Nothing:

> Patch grief with proverbs. Men can counsel and speak comfort to that grief which they themselves do not feel. Charm ache with air and agony with words.

So does our great Executive; and if at any time he shall lack, his industrious Secretary of the Treasury makes good the need. Experiment has followed experiment since March 4, 1913, but their harmful effects have been borne by business. This experiment is fraught with direful possibilities, which dollars may not be able to compensate. When all Europe is drunk with blood, the United States should remain sane and sober.

Let not our country, even for the prospect of gaining trade from our rivals now engaged in war, embark upon war-stirred seas whose waves may overwhelm us. Better it is to improve our own markets and enjoy them in peace than run the gantlet of international complications, with the doubtful prospect of aiding a few exporters who are more interested in profit than in peace.

Mr. McLEAN. Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

Mr. McLEAN. I notice, Mr. President, that our friends on the other side of the Chamber are very willing to vote when they think they have a majority. When they are not as certain as they would like to be that they have a majority—and that uncertainty has happened frequently in the last two weeks—they either filibuster or substitute another bill. We are now, I believe, discussing bill No. 4.

Mr. President, my contribution to this discussion will be very brief, for two reasons: In the first place, I realize that I can not expect to present any thought in opposition to this measure that has not already been presented with great force and in great detail; and, in the second place, I realize that what I say must be said solely for the purpose of relieving my own mind, and not with any expectation that it will enlighten the minds or affect the opinions of others.

I had hoped that the unanswerable arguments of the Senators who have preceded me would lessen somewhat the haste with which this bill is being forced through the Senate. I do not question the right of the friends of this measure to hasten its progress by every means within their power, but I do not think it will avail them much to use dum-dum bullets in their eagerness to destroy the opposition.

If the President is right in his view that this bill will not violate any principle worth saving, and be a great benefit to the country, then the sooner the opposition is overcome by the exercise of the power of the majority the better. If, on the other hand, the President is wrong, the opposition is justified in talking against this bill until the 4th of March next. The President takes the responsibility on the one side and is willing to do so, and he must also take the consequences whether willing to do so or not.

I think it is a great mistake for the President to try to absorb the legislative functions of the Government. As a Republican I am not as anxious to save the Democratic Party from itself as are some of my colleagues; but when I believe that a measure which is proposed and urged by the President will work against the "general welfare" and "common good," then I must object to it, for in no other way can I perform my duty as a Member of this body.

I voted for the Alaskan railroad bill, so called, because I am not afraid of the two words "Government ownership" or the single word "socialism." I realize that whenever the Government can perform a given service cheaper and better than it can be done by an individual, and in the performance of that service will not compete with or discourage private enterprise, there may be no occasion to fear the results. In Alaska there was no other way in which her resources could be developed. It was a Government railroad or no railroad. Under existing laws private capital could not and would not provide the railroad lines necessary. There was little danger of unfair competition, and there was no possibility of loss to any treasury but that of the United States. I know it was insisted that Alaska was a frozen desert and the experiment a foolish one, but, Mr. President, I remember that when I went to school in the little red schoolhouse a large portion of the United States was designated on the map as the Great American Desert. We know what has happened to that desert in the last 45 years, and I did not feel justified in assuming that this great peninsula, with its gold and silver, copper and coal, and measureless hydroelectric possibilities, would not some day produce great wealth and support comfortable and happy homes for millions of people. And so I voted in favor of a railroad to be built and controlled by the Government, believing the experiment to be justified under all the circumstances.

But now I am asked to give my approval to another transportation scheme—a Government-owned merchant marine—a scheme so full of ugly dreams and ghastly sights that I do not see how any thoughtful man can support it. But, Mr. President, I realize that many thoughtful men are supporting it. I find a majority of this body, which is supposed to represent the best thought and the highest integrity of any deliberative body in the world, about to cast its vote in its favor, and so there is nothing for me to do but vote "no" and hope for the best. I can not add anything to what has been said by those who believe as I do, and I have no desire to repeat at length their prophecies as to what will happen if the pending measure should become a law.

The loss of money, the discouragement of individual activity and enterprise, the danger of unfair and ruinous competition, the complications with foreign powers—all these things seem to me to be possible and some of them inevitable. That the Government will lose money and that private enterprise in shipbuilding will be discouraged, if not stopped entirely, will be the direct and unavoidable effect of this legislation. Admitting that all this could be endured and survived, we are, nevertheless, establishing a precedent; we are forming a habit by this legislation which once acquired will be exceedingly vicious and destructive in its effect. That is the thing which concerns me. If we pass this bill, we go over the falls, down the rapids, and

out into the sea of governmental ownership of the means of transportation and the sources of production. It must be evident to all that once we carry Government ownership to the extent proposed in this bill, we cross the dead line where the only alternative is unconditional surrender.

The socialist knows, and the modern economist concedes, that the shoe factory, the flour mill, or the cornfield, or the cotton plantation are just as distinctly public-service institutions as is a railroad or gas plant. It can not be contended for a moment that food and raiment are less necessary to the public welfare than is transportation or light. The service which the optician renders when he sells me a pair of glasses, or the tailor when he makes me a suit of clothes, administers to the public need just as clearly and distinctively as does the electric light company or the railroad when they furnish me with light or transportation.

Mr. President, Prof. Taussig, who has been quoted frequently on the other side of this Chamber as an eminent and accurate authority upon these questions, has expressed himself very forcefully with regard to the point which I now make, and I quote briefly from his work on Principles of Economics, page 397:

The doubtful industries are those commonly designated, especially in this country, as "public-service industries," such as railways, the telephone and telegraph, the supply of water, gas, and electricity. The phrase "public service" is a question-begging one, implying, as it does, that a clear and simple line of demarcation can be drawn between the operations that are and those that are not appropriate for public management and control. Such industries as have just been mentioned are "public" in two senses. The one is legal and comparatively easy to define. The other is economic and more important, but more difficult of precise application; it rests on the character of the industries as monopolies.

A railway can not be built unless there is legislation for acquiring its right of way. Without the right to take land at a valuation—the right of eminent domain—it could be blackmailed or blocked by any landowner on its route. A gas company, again, needs the right to dig up the streets, an electric company similar rights to use or cross the streets. A street car company ipso facto uses the public highways. Hence these are in special degree dependent on public authorization, and so subjected with comparative ease to public control.

But it does not follow from this characteristic alone that they should be managed by the public or even subjected in any special degree to public control. The real reason for treating them as "public service" industries, in the sense that they call for public control, is economic, not legal; and the fundamental economic reason is that they tend to be monopolies. If competition were effective in them, as it is in the supply of boots and clothing and flour, the fact that some use of the highways was necessary would not be thought to entail public regulation, any more than the fact that the streets are used by cabs and omnibuses, hawkers, and street venders brings these ipso facto within the public-service class. On the other hand, even though there be no need of specific authorization, no grant of special powers or "franchise," no obvious means of control, any industry which reaches the full-fledged monopoly stage calls for regulation and suggests at least the possibility of public ownership. If flour making or bread making were in the hands of a tight combination, we should soon hear it dubbed a public-service industry. It is a public-service industry in the sense of being of vast importance for all the public. But it does not call for regulation so long as competition is sufficiently effective in it. Water supply is a public industry in every sense; legislative authorization is indispensable, the industry is supremely important, it has monopoly character.

If we pass this bill we put the Government into the transportation business in competition with the American navigator and shipbuilder. If we do this we may with equal propriety establish Government ranches and cotton plantations and farms, in direct competition with private ranches, cotton plantations, and farms. We may also establish factories for the manufacture of tools and clothing, and we do it, not for the purpose of assisting and encouraging private enterprise and industry, but to compete with and possibly destroy them.

We do not build and buy these ships to foster and help our marine carriers and merchants; we build and buy these ships to compete with them and so destroy the value of their property without process of law or adequate compensation.

Some reactionary and benighted Member of this body may suggest that the interstate-commerce clause of the Constitution is not broad enough to permit the Government to engage in the production of cotton or corn or shoes, and so forth. If so, let me allay his fears by calling his attention to the fact that the chairman of the Senate Committee on Banking and Currency [Mr. OWEN], a profound student of constitutional law and a close friend and follower of the President, on February 21, 1914, introduced a bill with the following title:

A bill to prevent interstate commerce in the products of child labor, and for other purposes.

The first section of which I quote:

Be it enacted, etc., That on and after January 1, 1915, no person, partnership, association, or corporation, or any agent or employee thereof, manufacturing, producing, or dealing in the products of any mine or quarry in which children under 16 years of age are employed or permitted to work at any time; or of any mill, cannery, workshop, factory, or manufacturing establishment in which children under 14 years of age are employed or permitted to work at any time, or in which children between the ages of 14 and 16 years of age are employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 p. m. or before the hour of 7 a. m. of any day, shall ship or offer or deliver for shipment such products in interstate commerce.

It is not to be supposed that the learned Senator would give his name and support to a bill so far-reaching and revolutionary in its operation without first obtaining the views of the administration, and having done this, the Senate need concern itself no further on the subject of the Constitution. The simple declaration that the cotton or shoes to be produced or manufactured by the Government shall be sold outside the State in which they are manufactured, and for the purpose of preventing monopoly in restraint of trade in such articles shipped, or offered or delivered for shipment, in interstate commerce would relieve the Supreme Court of all difficulties in the matter, in the opinion of those responsible for this bill. If Congress can regulate the hours of labor on the farm and say who shall and who shall not be employed to raise wheat to be sold in interstate commerce, the friends of the people will demand that Congress regulate the price of wheat and be given any and all powers that may be necessary to that end.

Cotton is cheap this year; next year, we are told, the acreage is to be cut in half. It will be a sellers' market, and the sellers will set the price to suit their pleasure. We shall then have another emergency. A great public utility, and one of prime necessity, may be cornered, and those who do not raise cotton, but wear it, may be expected to come to Congress with the proposition that the Government buy $50,000,000 worth of land in the cotton States and raise cotton to meet the demands of the people at reasonable prices. Or, we will suppose that the steel men, by an unwritten and gentlemen's understanding, curtail the production of pig iron or steel rails or structural iron; then Congress will be asked to build a steel mill, costing perhaps $30,000,000, to produce steel at reasonable prices.

Wheat sells to-day at $1.45 or more a bushel. We are told that this administration has ordered an investigation to be made for the purpose of ascertaining and punishing, if possible, the men who are responsible for the high price of wheat. Bread is the "staff of life." Bread is a public utility. Bread is made of wheat, and if the price of wheat does not come down the price of bread must go up. Congress must prevent it by purchasing 10,000,000 acres of wheat lands and raising wheat to be sold at cost.

It will be insisted by the politico-economic school behind this bill that governmental visitation and regulation are failures. You can not compel a man to do business at a loss. If you leave him his freedom of contract, he will do business at a profit or not at all. Therefore the only way to secure social justice and the equal distribution of property is to take away the right of private property. We will not confiscate it; we will render it valueless by governmental competition. Then we can buy it at our own price.

It has been maintained with considerable force that the Government can and must fix railroad rates, and that municipalities can own light and water plants and supply the public without seriously interfering with the right of private property. A large measure of economic liberty will survive, because these things are limited in their territory and scope and are, in a measure, natural monopolies.

But when you buy or build ships and start them in the transportation business you are not regulating a natural monopoly—you are entering a field of the same size as the earth; you are competing with fifteen hundred millions of people. You can destroy the American merchant marine with $30,000,000; but to carry your experiment to its legitimate conclusion will cost a billion dollars, all of which you may lose if you expect to compete successfully with other nations.

A little more than a year ago we enacted a tariff law which lays bare the American producer to the unfair and ruinous competition of the world. Last summer we enacted a trade commission law which sends to jail the American producer if he competes too sharply with his neighbors—an astonishing exhibition of inconsistency and false economy, it seems to me. We imprison an American for doing to his American competitor that which we invite the foreigner to do, and now we propose to join forces with the foreigner in this wit-sharpening and destructive process. Not satisfied with the effect of free and unlimited foreign competition, we propose to help out the foreigner by adding our merchant navy to his. We do not want to spend money for battleships to defend our shores from invasion and conquest; we want to build Government merchantmen that will drive the American shipper out of business.

We know that our forefathers left the shores of the Baltic 1,500 years ago for a purpose; we know that they suffered and died through the medieval centuries for that which has always been dearer than life to the Anglo-Saxon, and without which no

man can do the work that nature's God intended and commanded him to do.

I have no desire to indulge in heroics, however ripe may be the occasion; but when I see the Democratic Party in the Senate of the United States hurrying to vote for a measure the only effect of which will be to deprive the American citizen of his economic liberty, I am surprised and disheartened.

Eighteen months ago President Wilson announced that his purpose was to restore liberty to the American business man. The President said that his tariff rates would destroy monopoly and restore freedom to American industry, and the Democratic Senate voted accordingly. He said that his banking act would destroy monopoly and restore liberty to American finance, and the Democratic Senate voted accordingly. His tariff rates worked the other way, and his banking act has not worked at all as yet. Nobody questioned his honesty of purpose; but now, after having made several grave mistakes—he already suggests the wisdom of changing his tariff rates—he proposes to confiscate the property of the American sailor without process of law or compensation, and he proposes to do this with governmental machinery put in motion by a Democratic Congress.

A few weeks ago, when the cotton crisis was most acute, he declined to lend the kind of assistance requested, and said:

> The gravity of the situation is very manifest, and I want you to know that I have been giving a great deal of attention to it, with the earnest desire to see some way by which the difficulties could be solved without committing the Government, in principle, to any action which would plague us in the future. Because the danger of the present situation is that under the pressure of what appears to be necessity we should make some radical departures from sound economic practice which in the future years we would very much regret. We have got to make great sacrifices not to make fundamental mistakes.

The proposition then was to lend money from the United States Treasury to the cotton growers in order to raise the price of cotton. The proposition now is to transport cotton at the expense of the Treasury in order that the price of cotton may be raised. He declined to eat the forbidden fruit then, but now he not only partakes freely of it himself, but passes around the ripe red apple of socialism to his Democratic Congress. I do not object to his methods; that is, I do not question his right to do this if he can. He takes the responsibility, and so do you when you yield to the tempter, but the consequences must be borne by the American people.

The Senators from the cotton-growing States insisted that if Congress would permit the printing of plenty of emergency currency, that currency would be used at once to raise the price of cotton. The money was printed, but it did not take the advocates of this plan long to see that what they needed for their cotton was a customer and not paper money. These customers could not be furnished by the Government printing press. They could be furnished only by a restoration of confidence in the market for cotton—confidence that the use of American cotton could and would be continued in foreign countries. If all doubt of this use could be removed to-day, cotton would sell for 12 cents a pound before to-morrow night. It was not the medium of exchange that was lacking; it was fear that the necessity for the exchange would be interfered with by the war.

Now, the supporters of this bill believe that a few more ships would raise the price of cotton. That this belief is not well founded is illustrated by the fact that while the price of cotton is still below normal, the price of wheat is abnormally high. It will be admitted that this fact is entirely due to the war. Bread is a prime necessity, and men will and must take every chance in obtaining it. Cotton is a secondary necessity, and men will hesitate and wait before committing themselves to large investments in that product. The scarcity of ships, if that is a fact, certainly has not affected the price of wheat, unless it be to raise that price. Why should the scarcity of ships depress the price of cotton if there was an urgent demand for cotton. The need of cotton is uncertain, and therefore customers are uncertain. If you double the number of ships it would not help the situation a particle. The same situation exists with regard to copper outside of Germany, and the demand in Germany is due to the fact that the allies, controlling the sea, will not permit its delivery.

The market for cotton is as extensive as the market for wheat. The minor obstacles in the delivery of both cotton and wheat are such as abnormal delays in loading and unloading, destruction of ships by mines, seizure and search under suspicion, seizure and possible confiscation, but the controlling factor in both articles, as demonstrated by the price, is the condition of mind of the possible customer. The consumption of wheat must continue at a certain rate, the consumption of cotton may go far below its normal rate. For these reasons it seems to me the proposed law will not in its operation affect the market price of cotton in this country.

The cotton growers of the South, I deeply regret to say, still need a customer for their product. More ships will not create that customer. Confidence in the future demand is the only thing that will raise the price of cotton, and certainty of consumption is the only thing that will restore that confidence. It is the only thing that will materially affect the price of American goods seeking markets in Europe to-day, and the consumption of the secondary necessities like cotton is and will be precisely as uncertain as the date of the termination of the present war.

When I say that the price of cotton would rise rapidly if it was known that the war would end next month, I state the situation accurately, I think; and when I state that the price of cotton will lag until something develops that will clearly indicate the quantity that will be consumed during the continuation of the war, I think I am equally accurate. The pending legislation will utterly fail to secure the results expected by its advocates. The Democratic Party, in its advocacy of this measure, abandons the vital principle of Jeffersonian Democracy—that is, the vital principle which we were brought up to believe and which history tells us was the faith of the Jeffersonian Democrats.

I could read every public utterance of Thomas Jefferson without finding a syllable in support of this measure, and I could quote pages of emphatic and sound warning against legislation of this kind. Economic independence was the text of every politico-economic sermon that Jefferson preached. Economic liberty and individual liberty were to him one and the same thing. You could not deprive a man of the former without taking away the latter.

Nobody doubts that President Wilson is a good modern Democrat, but nobody can prove that he is a Jeffersonian Democrat. President Wilson in his prophecies, to be sure, promises freedom of opportunity to the American business man, and, above all, equality of opportunity to compete fairly in all manner of industrial enterprise, and especially he promises freedom from all manner of governmental interference and competition. Nobody can express the Jeffersonian gospel of democracy better than did Mr. Wilson when he said:

> The reason that America was set up was that she might be different from all the nations of the world in this: That the strong could not put the weak to the wall; that the strong could not prevent the weak from entering the race. America stands for opportunity; America stands for a free field and no favor. * * * And until America recovers those ideals in practice, she will not have the right to hold her head high again amidst the nations as she used to hold it. (New Freedom, p. 220.)

This language expresses the faith and desire of every patriotic American, and yet the President in this bill is insisting that the sovereignty itself—the Government—with its vast resources shall own and operate a merchant marine to compete with the man whose entire fortune may consist of a tramp sailing vessel. I do not think this is protecting the weak against the strong, and I do not think this is giving the weak equality of opportunity. No one will contend, I think, that this proposition would have received the approval of Thomas Jefferson.

Let us follow the President a little further and consider a remedy for this lamentable situation, a remedy pointed out by President Wilson himself; that is, a way of escape which will always be applicable to both sides of this Chamber, and to each and every Member thereof when he goes astray. President Wilson, as you may remember, was bitterly opposed to the trade-commission idea as a regulator of big business when that idea was proposed by ex-President Roosevelt. He did not believe in the regulation of trusts by a commission until after his tariff rates failed to work as expected; and before I read the President's prescription for the prevention of the unwise and dangerous legislation now pending, I want to quote his description of the symptoms which necessitate the treatment recommended. Speaking of the Trade Commission, as proposed by Mr. Roosevelt and as approved in the Republican platform of 1912, he said:

From New Freedom, page 194:

> It did not anywhere condemn monopoly, except in words; its essential meaning was that the trusts have been bad and must be made to be good. You know that Mr. Roosevelt long ago classified trusts for us as good and bad, and he said that he was afraid only of the bad ones. Now, he does not desire that there should be any more bad ones, but proposes that they should all be made good by discipline, directly applied by a commission of executive appointment.

On page 195:

> Again, I absolutely protest against being put into the hands of trustees.

On page 204:

> And I warn every progressive Republican that by lending his assistance to this program he is playing false to the very cause in which he enlisted.

On page 206:

The Roosevelt plan is that there shall be an industrial commission charged with the supervision of the great monopolistic combinations which have been formed under the protection of the tariff, and that the Government of the United States shall see to it that these gentlemen who have conquered labor shall be kind to labor.

And, Mr. President, now we come to the remedy, and I quote from page 220 of the New Freedom. President Wilson is still dealing with the Trade Commission and Mr. Roosevelt's attitude toward it:

We ought not to permit passion to enter into our thoughts or our hearts in this great matter; we ought not to allow ourselves to be governed by resentment or any kind of evil feeling, but we ought, nevertheless, to realize the seriousness of our situation. That seriousness consists, singularly enough, not in the malevolence of the men who preside over our industrial life, but in their genius and in their honest thinking. These men believe that the prosperity of the United States is not safe unless it is in their keeping. If they were dishonest, we might put them out of business by law; since most of them are honest, we can put them out of business only by making it impossible for them to realize their genuine convictions. I am not afraid of a knave. I am not afraid of a rascal. I am afraid of a strong man who is wrong, and whose wrong thinking can be impressed upon other persons by his own force of character and force of speech. If God had only arranged it that all the men who are wrong were rascals, we could put them out of business very easily, because they would give themselves away sooner or later; but God has made our task heavier than that—he has made some good men who think wrong. We can not fight them because they are bad, but because they are wrong. We must overcome them by a better force, the genial, the splendid, the permanent force of a better reason.

If there should ever come a time when an able, honest, strong, but wrong-thinking, President should try to impress upon Congress his erroneous thoughts "by his own force of character and force of speech," "we must overcome them by a better force, the genial, the splendid, the permanent force of a better reason."

Mr. President, I assume that this sound position taken by the President of the United States will not be questioned by any Member of this body.

I assume that one of the reasons why the legislative and executive functions of the Government were not combined in one person or department was due to the fact that all honest, forceful men think wrong sometimes; that no man is or can be expected to be infallible. The execution of the law was left to the President, a single person, provided always that it must be executed as interpreted by the courts of justice. The humblest citizen may stay the voice and hand of a wrong-thinking Executive in the administration of the law. If he mistakes the meaning of the law, there is every precaution given by the judicial department for the rectification of such mistake. In the making of laws he has the advisory and veto power, but if there is one thing that is absolutely essential in the establishment of social formulas and rules of conduct involving the lives and liberties of a people, that thing is a multitude of counselors. As the elder Winthrop put it, "In matters that concern the common good a general council chosen by all to transact the business of all I conceive to be the wisest for all and the safest for the protection of all."

Experience has taught us that there is quite risk enough in the expressed will of the majority of a multitude of councilors. There is danger enough in the laws enacted by large bodies of skilled and honest and forceful men, but what may we expect when Members of the law making body vote against their convictions at the request of a single Executive? This sort of conduct involves the assumption that skilled and honest and forceful men are wrong in their conclusions as a rule. Therefore we must pick out one man and follow him, vote him infallible, and take our chances.

I voted twice against my convictions and in favor of legislation which passed the Senate during the first year I was a Member of this body. Fortunately neither of these measures has as yet been written into the Federal statute books. I shall vote my convictions with regard to them the next time an opportunity offers itself.

I do not assume to sit in judgment over my colleagues on this or the other side of this Chamber. The time may come when I shall again violate my judgment for the sake of party solidarity, or for other reasons. I do not think it is the safe way to do things, however, or the best way, and when a vital principle is involved it is always the wrong way. It is bad enough when we go into a party caucus and agree to abide by the result, when we honestly think that the decision of that caucus will not violate a fundamental principle, but even then, when the majority of that caucus is controlled by the Executive, the legislative department of the Government might as well be abolished in fact as it will be in effect.

I think I may say without being questioned that if the Senators who argued against free sugar had declined to vote for it, free sugar would have failed, and the Treasury would have been much richer and the price of sugar to the consumer would have been the same as it is now.

Again, if the Senators who believed in 4 regional banks, and did not believe in 12 regional banks and voted as they argued the law would have been finally written with but 4 regional banks.

It was, I think, the honest opinion of a majority of this body that free sugar and 12 regional banks were unwise; that the President thought wrong with regard to both of these provisions, and I know of no way to keep the erroneous thoughts of the Executive out of the statute books other than that which has been pointed out by President Wilson, and which I have read to you. When we have an honest, forceful, and very eloquent President who thinks wrong, as is clearly the case to-day, the only way to control him is by "better reasoning," and when we present that "better reasoning," the only way to make it effective is to vote in harmony with it.

As I have said before, either Thomas Jefferson has been misprinted, either he did not hold the views that have been accredited to him by his party and his own pen for more than a century, or he is now to be betrayed and the vital principle of his political philosophy is to be debauched and abandoned by his political successors.

It ought not to be necessary for a Republican to call attention to this fact, and I should not do it were it not also true that Thomas Jefferson was a Republican; he called himself a Republican, I believe, and he stood in his day where the Republican Party stands to-day. Protection to American industries and economic liberty were wise and absolutely vital to the progress and preservation of his ideal Republic.

About the time Jefferson died—July 4, 1826—King Cotton stole the heart of Miss Democracy away from protection, and after that she enjoyed the companionship of any good-looking tempter that happened to come along, including Free Silver, and now she is giving her heart and hand in holy matrimony to Paternalism. The Democratic Party to-day has ideas, but none of them Jeffersonian. They are the ideas of William Jennings Bryan, Richard Cobden, Eugene Debs, Carl Marks, and others.

The fact is that the Republican Party in 1860 restored to this country the ideals and political philosophy of Thomas Jefferson. Lincoln and Jefferson, if they were alive to-day, would vote the same ticket, and they would not vote the Democratic ticket. Certainly, they would not vote for this bill, because if they did they would stultify themselves, and they were not in the habit of doing that sort of thing. The same may be said of Madison, an ardent protectionist and an ardent antipaternalist.

The Democratic Party to-day preaches Jeffersonian Democracy, and practices anything that it thinks will be popular. The great trouble with us all is that voting—that is, party voting—is largely a habit, sometimes acquired, but generally inherited. It has been my observation that nearly all questions that are not made party questions are wisely disposed of, but when one party assumes infallibility and throws down the gauge of battle it is very apt to adopt Mr. Franklin's definition of "reason," to wit:

Reason is that precious faculty with which we convince ourselves that what we want to do is right.

And we are driven to this dangerous expedient because of an inherited habit of voting for and trying to perpetuate a name instead of a principle.

A few years ago nearly 6,000,000 supposedly intelligent American citizens voted for free silver—voted for it twice under the leadership of Mr. Bryan. Not one Democrat in ten who voted for Mr. Bryan believed in the 50-cent dollar, but he could not forsake his party. There are millions of Democrats who believe in protection and yet vote the Democratic ticket because their grandfathers and great-grandfathers voted that ticket. If these gentlemen would study their history, they would find that their progenitors voted the Democratic ticket because the Democratic Party then stood stoutly for protection. You will find no more forceful arguments in favor of protection to American industries than in President Madison's message to Congress in 1816.

As for Mr. Jefferson, I am going to let him speak for himself a minute or two, or, rather, I am going to let the senior Senator from Mississippi [Mr. WILLIAMS] tell what he thought of this sort of legislation when he wrote that best of all books about his idol, Mr. Jefferson.

First, I will call the attention of the Senate to my text, which was freely used by Senator WILLIAMS. It is found in Jefferson's first annual message, page 13, Works of Thomas Jefferson, volume 8:

Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity—

I repeat that, Mr. President—

Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, are the most thriving when left most free to individual enterprise.

Now I will turn to Senator WILLIAMS's book on Thomas Jefferson. I read first from page 49, quoting Senator WILLIAMS:

My reading of history convinces me that most bad government has grown out of too much government. It is a sort of inherent characteristic of all government, as of all conscious organisms, yearly and almost daily to take to itself more and more jurisdiction, to increase the force and weight and numbers of officialdom, until after a while the structure becomes top-heavy and must fall by its own weight or else, upon the other hand, remaining administratively efficient, it holds the people in servile subjection. I know of no government which has ever once been strong and then fallen—except where it has been conquered by outside force—that did not go to its ruin because it had become gradually, even insidiously, cumbersome, top-heavy, unwieldly, complicated, almost incomprehensible—in a word, had assumed to itself more powers than could possibly be wisely administered by fallible men. Tom Jefferson did not attach a particle too much importance to the simplification of official life and governmental machinery. In him, as has been well said, was "crystallized the common American sentiment."

Again, on page 53, Senator WILLIAMS, in ecstasy over his idol Thomas Jefferson, continues as follows:

Some of the latter-day political "scientists" seem to want the world governed by experts. One of them speaks of a "central academy of science, which shall stand in the same relation to the control of men in which a polytechnic institute stands to the control of nature." In other words, individual rights and liberties are to count for nothing in comparison with scientific efficiency of bureaucratic administration. One of them does admit that "social interference"—that is, governmental interference—"should not be so paternal as to check the self-extinction of the morally ill constituted; * * * nor should it so limit the struggle for existence as to nullify the selective process." Thank God for small favors! The right of self-extinguishment at least is still left us by college governmental scientists.

What a service to his country the Senator from Mississippi could render if he would act now as he thought when he wrote this book. He could bring consolation and courage to those who agree with him and consternation to those who are blindly, yet honestly, following a college governmental scientist, who is rapidly leading his country to a scaffold of her own construction.

Again, on page 163, Senator WILLIAMS goes on to say:

Jefferson objected that the Constitution did not sufficiently guarantee the preservation of individual rights—"the inherent and inalienable rights of the people"—which had been protected in Great Britain by a Bill of Rights, and that a bill of rights ought to be embodied in our Constitution. This was done. Jefferson also desired to have engrafted upon the Constitution a provision declaring that the Federal Government had no powers except those granted it, either expressly or by necessary implication, and that all other powers were "reserved." This was done. Now, the chief business of a bill of rights is to protect the individual against unjust governmental action. The authors of the Federalist do not seem to have realized very intensely the importance of that, and yet, in so far as the judiciary has found in the Constitution a bulwark of protection for the people against the despotism of the Government or of popular majorities, as in the case of the civil-rights bill and some other reconstruction legislation, and many other enactments violative of natural or property or labor rights, this bulwark has consisted mainly in the amendments to the instrument, secured by Jefferson and others of his school, and not in the original instrument, as presented for adoption in the first instance.

In passing, Mr. President, and bearing upon the obligation of neutrals, a subject so directly involved in this legislation and of great importance, I will read Mr. Jefferson's opinion on this subject, quoted by Senator WILLIAMS in his Life of Jefferson, page 122. In introducing this quotation from Mr. Jefferson, Senator WILLIAMS says:

It will be noted that Jefferson, to whom the real credit is due for setting forth, in the ablest state paper ever written—in a way so masterly that it has never been improved on—the whole doctrine of neutrality and its special advantages to us is not given the credit by Mr. Foster. The truth is that, as far as our foreign relations under Washington are concerned, they were, for the most part, an expression of Jefferson's policies.

In proof of what I say here, read the unequaled statement by Mr. Jefferson as President of the duties of a neutral:

I now quote Mr. Jefferson:

Let it be our endeavor, as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to punish severely those persons, citizens and aliens, who shall usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans and committing us into controversies for the redress of wrongs not our own; to exact from every nation the observance toward our vessels and citizens of those principles and practices which all civilized nations acknowledge; to merit the character of a just nation and maintain that of an independent one, preferring every consequence to insult and habitual wrong.

And these further lines, where he tells how neutral conduct especially redounds to the interest of this country and its people:

Separated by a wide ocean from the nations of Europe and from the political interests which entangle them together, with productions and wants which render our commerce and friendship useful to them and theirs to us, it can not be the interest of any to assail us nor ours to disturb them. We should be most unwise, indeed, were we to cast away the singular blessings of the position in which nature has placed us, the opportunity she has endowed us with, of pursuing at a distance from foreign contentions the paths of industry, peace, and happiness, of cultivating general friendship, and of bringing collisions of interest to the umpirage of reason rather than of force. How desirable, then, must it be in a Government like ours to see its citizens adopt individually the views, the interests, and the conduct which their country should pursue, divesting themselves of those passions and partialities which tend to lessen useful friendships and to embarrass and embroil us in the calamitous scenes of Europe.

How anyone can read this advice given by Mr. Jefferson more than a hundred years ago and vote for this bill is inexplicable to me.

I continue:

I am confident, fellow citizens, that you will duly estimate the importance of neutral dispositions toward the observance of neutral conduct, that you will be sensible how much it is our duty to look on the bloody arena spread before us with commiseration, indeed, but with no other wish than to see it closed. I am persuaded that you will certainly cherish those dispositions in all discussions among yourselves and in all communications with your constituents.

And yet "history writers," as the children call them, of the federalistic type, represent him as having been "forced to a system of neutrality by the President." The truth is that, although the bulk of Jefferson's party were carried off their feet temporarily by sympathy with France, and though her people had his heartfelt good wishes, he never permitted his gaze to be deflected from the interests of his own country.

The fact that the pending measure is offensive not only to the letter of the Constitution but to the one principle of right and fair play recognized as essential to the "general welfare," has been presented and urged with great force and clearness by the Senators who have preceded me. I believe that this bill is not only bad in principle, but that it will in no measure accomplish the temporary relief sought.

Now, let us see if we can tell what will happen if this bill becomes a law; that is, what it seems to be conceded will happen by those in favor as well as those who oppose this measure. It is always well to bet on a sure thing when you can. This debate has proceeded long enough and far enough to enable any impartial observer to arrive at certain and sure conclusions as to the advantages and disadvantages that will result from this bill if it is passed.

It is understood that the preservation of the basic principles of this bill will destroy the right of private property in ocean transportation.

If there is any doubt about that question, and in order that there may be no doubt, I will quote from the fountain of pure and ultimate wisdom upon this subject, the latest letter received from the Secretary of the Treasury, transmitted to the Senate January 27, 1915, page 17:

The Bureau of Navigation of the Department of Commerce estimates the total value of all our ships in the foreign and domestic trade and on the Great Lakes, including sail vessels, steam vessels, motor boats, canal boats, barges, etc., to be about $600,000,000. The Bureau of Navigation states that the approximate value of American ships engaged in the foreign trade, including steam and sail tonnage, is only $69,000,000.

It is argued by some that the Government should not do anything for the relief of our foreign commerce that will cause competition with this $69,000,000 of private capital invested in ships engaged in the foreign trade, but that it is a paramount duty of the Government to protect this shipping interest against competition even though by so doing we leave our foreign trade entirely at the mercy of foreign ship interests and the relatively small amount of American capital invested in ships engaged in the foreign trade.

In order to protect this $69,000,000 against competition, as suggested by the arguments of the opponents of the shipping bill, the Government would have to permit the owners of American vessels, as well as the owners of foreign vessels, which do the great bulk of our ocean-carrying trade, to continue to levy such taxes in the form of increased freight charges upon the $2,047,755,872 of our export trade, as these foreign and American steamship owners may determine.

Here the Secretary plainly says that there is no objection to the destruction of our foreign merchant marine. If that same philosophy had been adopted 100 years ago with regard to our coastwise trade, we would probably have from ten to fifty million dollars invested in our coastwise trade instead of $650,000,000.

The result is, as the senior Senator from New York [Mr. ROOT] stated and so vividly illustrated yesterday, that it is becoming a habit for any section of the country, any association of men, or any man who is in trouble to come to the Government for help. There is no reason why the Government should consider the interests of a minority or consider investments already made by individuals, notwithstanding those investments are to be rendered valueless without compensation or without process of law in order that some other set of individuals may be temporarily helped.

The second item of importance is the measure of profit or loss that will follow and result to the people in the application of the proposed effort on the part of the Government to engage in transportation in competition with individuals. Upon this second item the speech of the Senator from Montana is, I think, conclusive, and I quote from his speech because it fairly and

fully represents the views of the majority upon this all-important point. If we are to violate the principle which for centuries has been deemed by the American people to be most vital, we certainly ought to be sure that it will pay us in dollars. The technical part of Senator WALSH's argument, which insists that the allies can not under the existing rules of international law legally seize the interned German and Austrian vessels, if put into commission after purchase by Americans, may be sound and it may not. His argument is historically interesting and able, and, perhaps, sound until he arrives at the vital question, Will the transfer of interned ships to Americans for a fair price, under the circumstances now existing, be made to avoid the consequences of war and therefore illegal? As the Senator's answer to this question is most intimately connected with his conclusions as to what will actually happen, whether his view be finally sustained or not, I will quote them first. I read from the CONGRESSIONAL RECORD of January 28, page 2667:

> The ships to be acquired will, accordingly, be amenable in any court in any country under circumstances which would subject merchant ships held in private ownership to their jurisdiction. They may be seized if they carry contraband and divested of it. They may themselves be haled before a prize court that their right to fly the American flag may be inquired into. In short, they will be subject to just such treatment by foreign powers as merchant ships must undergo under the rules of international law. There will, accordingly, be no more risk of international complications than are likely to arise in connection with ships held in private ownership. Indeed, there will not be so much, for the latter may lend themselves to efforts clandestinely to introduce contraband into a belligerent country. The Government-owned ship will scarcely be subject to the suspicion of such conduct.
>
> There may be valid arguments against the pending bill founded upon considerations of domestic policy.

The Senator admits that there may be valid arguments against this bill founded on considerations of our domestic policy. Then he goes on to say:

> There are no evils attendant upon it, assuming it becomes a law, so far as our foreign relations are concerned, that have thus far been pointed out, even if the shipping board should conclude to test, by the purchase of one or more of the belligerent ships in our ports, the question as to whether the Declaration of London has forever foreclosed us from further maintaining our historic attitude concerning the rights of neutrals to purchase vessels of nations at war.

The Senate will note that the whole argument of the senior Senator from Montana was directed to the claim that the Government had the right to purchase these interned ships; that by doing so no possible hazard could result through their operation; and yet, Mr. President, since he delivered that speech that position has been abandoned by the other side of this Chamber, and an amendment has been introduced and is now pending which provides that these interned ships can not be purchased without first obtaining permission from all of the warring nations.

It seems to be conceded now that the purchaser of one of these interned ships will buy a lawsuit, and a lawsuit long enough to defeat entirely the purpose sought to be accomplished by this act. The Senator from Montana admits that there may be "valid arguments against this bill founded upon constructions of domestic policy." Again, there is no doubt in his mind, of course, and there can be no doubt in anyone's mind, that the warring nations will have the right to seize every one of those vessels, take it home, and hold it until its own courts have decided the question as to whether it or its cargo, or both, can be lawfully held.

Now let us use our common sense for a minute. There are 60 or more of these interned ships. If they were sold to this new and nameless creature of the "New Freedom" it might take the allies a week to remove them from the seas and into court with their cargoes, tackle, and so forth. If we were in the position which they occupy, the law of self-preservation would be as vital and its decrees as pressing upon us as it is now upon them.

The last word in international law is as well known and has been as strictly respected by us as by them—namely, "Right or wrong, my country." The appeal to the national spirit, so plausibly and attractively presented by the friends of this measure, has already been substituted for the golden rule in Europe and Japan and England. "Do unto others as you would not have them do to you" is all there is left of the law and prophets among the warring nations in their treatment of each other. We are at peace with them; we are neutral. Shall we follow their example and substitute national pride and greed for national honor? They are compelled to take this course; it is a question of life or death. The sod of Europe is drenched with the blood of innocent men and boys. The living are crying out for protection for their lives and retribution for their dead. The fate of three hundred millions of people, perhaps the fate of the civilized world, hangs upon the result of this great struggle. History is powerless to help us, and prophecy is helpless. Laws, sacred and profane, are helpless. Do we, any of us, believe to-day that the peacemakers should and will inherit the earth? We all believe they should, but what chance is there that they will if we now substitute national pride for national honor? If this corporation is formed, it is formed for the purpose of deception only. We are afraid to do this directly, like a man, so we try to disguise the wolf in this shapeless but expensive and highly colored garment and start out a sweet and benevolent old granny looking for the first little Red Riding Hood that may happen our way.

Which one of the great nations now at war do you think will succumb to our blandishments? Which one will take the chances of losing her life under the spell of this splendid example of Mother Goose statesmanship?

The Secretary of the Treasury, Mr. McAdoo, another Hamilton of finance so the President tells us, agrees with the Senator from Montana. There is no difference of opinion as to the effect of this law upon other nations. They will seize and try. If they condemn, what then? What will be the effect upon us? These boats will not belong to Richard Roe; they will belong to Uncle Sam, and when they have all been captured—as, of course, they will be as soon as they get beyond the 3-mile limit—the Government, in the name of its nameless counterfeit, will be haled into court and libeled, and let us assume that the court takes the view held by those who oppose this measure. Let us assume that the English judges agree with the great lawyers of this country who do not agree with Senator WALSH and Secretary McAdoo. We may next observe these vessels sailing bravely and safely upon the ocean bearing the English or French or Russian or Japanese flag, or if they fail to hold command of the sea we may expect to see them under the German or Austrian or Turkish flag.

What will happen? A few months ago the President declared war against Mexico and directed his Congress to fall in line with a similar declaration because of the irresponsible refusal of an irresponsible and private individual to discharge any gun he might be able to obtain a certain number of times in order that an adequate and complete apology for an imaginary insult to the flag might be properly and personally condoned.

I do not know what the President would do if ships owned by this Government should be seized and condemned and recommissioned under the British flag, for instance, or seized or sunk by German battleships; but I do know that the peacemakers in this country would have their hands full. Conditions are sensitive enough now. One overt unneutral act or one white feather shown by Uncle Sam in the performance of his sworn and sacred duty to preserve strict and constant neutrality might produce distressing conditions.

The tides of war will throw more and more wreckage upon our coasts. The process of gathering it is morally nonexhilerating, to say the least. Its profits will more and more excite the envy and distrust of those who can not share them.

Ardent sympathizers with the cause of Germany say that a large portion of these profits is blood money. British sympathizers would tell us the same thing, should the tables turn. Whether this be true or false, let us keep the hands of the Government clean of it. The streets and newspapers are full of assertions that the warring powers have already protested to our Government against the release of the ships. If this is true, we should know it. There is every reason to suppose that it is true. Shall we start the powder cart up and down our own streets when everybody's hands are full of matches and expect to escape the inevitable?

It seems to me that this is our time to save the inheritance of the peacemaker by preserving our national honor and common sense. These ships will be seized and held, and they will be held long enough to cause all kinds of irritation and recrimination and unfortunate complications in this country. Let us do something ourselves, and do it with our own ships—ships built in our own shipyards by our own citizens. If we want to do anything, let us help our own navigators and not drive them off the seas. If the emergency is acute enough to warrant the wrong kind of subsidy, it is acute enough to warrant the right kind of subsidy.

The only benefit that can accrue, therefore, as a result of this legislation will accrue to those who draw salaries as managers of this bar-sinister corporation and to those who receive commissions on the proposed purchases.

As I stated in the beginning, I am not afraid of the words "Government ownership." I believe there is a dividing line which courageous and wise experiment will soon find—a line that will leave upon the one side the things that belong to the Government and upon the other the things that belong to the individual, to the advantage of both and to the injury of neither. I believe that this line can be found by any set of men whose eyes are not blinded by mistaken zeal or by power or lust for more power, and it is to be deeply regretted that the Senate of the United States has not the wisdom and the courage to meet this emergency as it can and should be met.

There is nothing new in the need and there is nothing new or unknown about the remedy. The safe and sure way may be found in the experience of this or any other country.

Our hope and our responsibilities are greater to-day than have ever before been given to any other nation in this or any other age. If we had the courage and wisdom to take the right road and keep it, the world must follow us. We know the way; we have been pointing it out to ourselves for more than a century. We can not take the path pointed out by this bill and expect to save anything in our civilization that we now consider worth saving—that is, provided we follow that path to its end.

This bill is the fourth act in Mr. Wilson's "tragedy of trade," of which he is the author and in which he is the hero. In the first act he destroyed protection to American industries; in the second act he shot at high finance and missed, and apologies have been accepted; in the third act he shot at "big business" and hit "little business"; in the fourth act we see him now, pistol in hand, threatening the American merchant marine.

I have noted with interest the intense anxiety of the Democratic administration to aid the American merchant marine, the moribund condition of which is largely due to the Democratic Party. This anxiety indicates a stricken conscience, and would indicate a return to sanity but for the fact that the plan proposed to bring about this resurrection precludes the possibility of its success.

I have noted with great interest the celerity and assurance with which the caucus-bound Senators of the majority compliment and extol loyalty to conviction on this side and condemn and denounce it on their own side. An independent Republican is a statesman and a saint; an independent Democrat is a sinner and a traitor, a consort and defender of foul and crooked monopoly.

A short time ago, when the Trade Commission bill was under consideration, Democratic Senators who are now regular were then recalcitrant. How bitterly they assaulted the intimations that they were disloyal to the party and the President. How certain they were that the flag of the Republic and the Democratic Party were kept from the hands of treason by their superior wisdom and courage. Then it was the President who was the friend of monopoly because of his indifference to the inadequate penalties provided in that bill. Now these Senators are regular and others, who are loyal to conviction, are the target for all manner of accusation and innuendo. Of course this sort of thing is unfair and ineffective. In spirit, at least, it violates the rules of that body, and in fact it violates the truth. If there is a shipping trust, those who oppose the bill may well reply that the control of one monopoly does not properly lie in the creation of another.

A shipping trust or monopoly should not, and need not, be endured in any form. A Government monopoly is quite as offensive to principle as a private monopoly where the service sought can best be rendered by private enterprise. Ocean transportation, properly encouraged and regulated by the Government, will awaken private capital and sharp competition, and we may constantly expect increasing tonnage and decreasing rates, precisely what has already been accomplished in the coastwise trade. A Government monopoly means the elimination of all competition. It means arbitrary rates, destructive of incentive to reduce cost. I am exceedingly anxious that the Government should lend its aid to our merchant marine. If that all-important activity is now a monopoly, I would regulate and control it by rendering competition attractive and profitable. I would not try to remedy the existing evil by substituting another more pernicious in principle and of exceedingly doubtful utility. I am not moved to change my views by innuendo, which is founded in the hope that Senators can be led away from duty and conviction through fear that the public will be as unjust as the innuendo is false and offensive.

When it was openly charged that Senators who opposed this bill were either intentionally or unintentionally protecting a monopoly I assumed that Senators making this charge believed that the pending suits instituted by the Government against certain alleged combinations in restraint of trade upon the ocean were well grounded.

I hold in my hand an item which has been going the rounds of the newspapers for several days, and it reads as follows:

ENDS SHIP "TRUST" SUITS—FEDERAL COURT DISMISSES CASES ALLEGING TRADE CONSPIRACY.

NEW YORK, *February 5.*

The Government's antitrust suits against the Prince Line, the Hamburg-American Line, the Lamport & Holt Line, and others, charging restraint of trade in connection with freight and passenger steamship business between American ports and Brazil, and against the American-Asiatic Steamship Co. and others, whose steamships ply between New York and Asiatic ports, has been dismissed.

The Government's suits were filed about two years ago. That against the Prince Line and others charged that the companies composed the so-called Brazilian conference; defendants to the other suits were all members of the so-called far eastern conference, it was alleged.

I have every reason to suppose that this report is correct. So it now appears that the suits against the shipping trusts, some of them at least, have been dismissed by the new Democratic Attorney General. If the horrible octopus of the sea were as dangerous as has been depicted by those in favor of this bill, it would seem to be their duty now to question the integrity of the Department of Justice rather than that of Senators who oppose this measure. If the Democratic Attorney General has done his duty, it is quite safe to assume that there is no Shipping Trust, and the cause which moved certain Senators to bitter denunciation and inuendo does not and never has existed.

Everybody knows that the Department of Justice can successfully deal with shipping combines if they exist under the American flag; everybody knows that there was merciless competition between the German and English ocean carriers prior to the outbreak of the war, and everybody knows that now the question is one of torpedoes and mines and not of monopoly. If we concede to each Senator absolute honesty of purpose, which we may safely do, I think this circumstance ought to persuade us to deal with this question as patriots, for even then our task will be none too easy.

There are two or three Senators upon this side of the Chamber who insist that Government ownership and Government operation are the only ways out of the difficulty. These Senators are Republicans, able and honest, and anxious to do the only wise thing. Yet no suggestion looking to the Government ownership and operation of transportation lines that are not and can not be considered as natural monopolies has ever been able to creep into a Republican platform. Government participation in trade in competition with private enterprise for the express purpose of fixing prices by reducing the cost of production has always been denounced by both the great political parties.

On the other hand, Government participation in trade is the major premise and framework of socialism, and every Senator who supports this bill, in my opinion, votes to begin the destruction of economic liberty in this country. The fact that Senators who favor this bill are honest and able—the very fact that they believe in Government participation in trade is prophetic of more Senators of the same sort.

Mr. President, the steamship line that takes wheat from New York to Liverpool is just as definitely a producer of wheat as is the farmer who sows or reaps or thrashes wheat. Every penny that attaches to the cost of a loaf of bread to the consumer is a part of the cost of producing that loaf of bread. I am just as heartily in favor of Government assistance to our merchant marine as any man in this Chamber. I fully realize that we are facing an emergency which may never—and we all hope will never—come again. If the means provided by this bill to secure the ends desired were the only means at our disposal, I might shut my eyes and vote for it, so eager am I to remove any obstacle which may interfere with our trade upon the ocean; but when the means proposed are clearly the most inefficient and dangerous in their operation and the most vicious in principle that can be devised I can not support them. When the Republican Party, as a party, subscribes to the doctrine of Government participation in trade for the purpose of creating competition in production outside of those public service agencies which may fairly be called natural monopolies I shall leave it. Or if I should change my mind and become convinced, as some of my colleagues are, that Government participation in trade in lines that can not be and are not natural monopolies is safe and wise, I shall join the forces which have stood for the Government ownership of the means of production for 3,000 years. We can not hide the future or cloud the issue involved in this discussion. If the people of this country vote their convictions in 1916 they will demand the restoration of tariff rates that will preserve our industrial independence and prosperity. That issue settled right again, and for a long period, the prosperity that will result will bring acute and persistent agitation for a more equal distribution of the national surplus.

The demand for social justice—a meaningless but exceedingly praiseworthy pair of words—will be construed by the demagogue to promise economic equality. I will not here indulge in argument to prove that economic equality is another term for economic slavery, which will no sooner be had than it will be hated as the worst calamity that can befall the people.

I merely wish to call the attention of the Senate to the fact that when the tariff question has been settled as it should be

the two great parties will be called upon to embrace or reject the ever-increasing demand for an extension of Government participation in trade. The Democratic Party and the Republican Party will be called to the highest peaks of the mountain of practical politics, and all the kingdoms of power and immortality will be promised if they will accept and preach paternalism.

It will be asserted that Government regulation has failed and that Government ownership is the only alternative, and that disaster will follow the political party that resists and turns aside the tempter. It is most gratifying to me to see Senators from New England joining hands with Senators from Alabama and Mississippi and Georgia—joining hands to fight for the gospel that promises to every man an opportunity to make a man of himself and live a man's life. It is not for me to say that any Senator on the other side of this Chamber will vote against his convictions when he votes for this bill, but the time is coming when Jeffersonian Democrats and Lincoln Republicans will unite to send the tempter on his way and will join their forces in the fight against those who would now remove opportunity from the white man and substitute Government slavery in its stead. And I want to say to my ultraprogressive friends upon this side of the Chamber there will be room for three parties only. There will not be room for four. If the paternalists capture the organization and write the platform of either of the old parties it is unnecessary for me to predict results. We all know what must happen, and now is the time for us to deliberate and make no mistake.

We face an emergency which will soon pass. To meet that emergency we are asked to renounce the basic principle of our civilization—a principle which it will be hard for us to regain if once rejected. We can endure delay and inconvenience in transportation; we can not endure the loss of our natural rights as free men. We can survive excessive freight rates; we can not survive economic slavery. The putting aside of vital principles to meet an emergency has worked the beginning of the decadence of the nations that have failed and fallen. If we pass this bill we open a door that no democracy in history has been able to close. I shall hope that the United States will be an exception. I firmly believe that it will be an exception. I shall confidently expect that this door will be closed again some time, but the Democratic Party will never be able to do it if it passes this bill. When you pass this bill you throw away your arms and surrender to meet an emergency, to be sure, but all surrenders are compelled by emergencies. You do this to punish a marine monopoly which does not exist, according to your Attorney General. The next emergency will require Government interference in trade to punish combinations on land which do exist, and if you fail to answer the call other Democrats will be chosen in your places who will heed that call. We can regulate and control monopoly in some fashion and we can punish the monopolist in any fashion we choose, but we can not regenerate the adult wicked by law.

I believe in Government regulation and the punishment of lawbreakers. I am decidedly opposed to the destruction of individual opportunity and aspiration, and I am opposed to it, because, in my opinion, it is unnatural and wicked.

The party which creates and then follows a misguided and mistaken public clamor may have its day, but it will be a short day. It will not take the American man or boy long to see his mistake, and the party that induces him to make that mistake will regret it. It may take some time because the voice of paternalism is seductive and candidates for office want to be elected. Men are emotional, and, as President Lowell says, "organized emotion is the mainstay of the demagogue" when he leads Democracy to its doom, when he makes promises that he knows can not be performed. It may take some time for the laboring man to realize his mistake, but all in due time he will want and he will regain his freedom, and it will not be the "new freedom" which must be enjoyed within suffocating walls erected by well-paid Government officials. It will be the old kind of freedom—the kind his Creator gave him, the only kind worth having, if his life is to be worth living; the kind that the Republican Party stands for; the kind which the Democratic Party once stood for; the kind that will be taken away if this bill passes.

Mr. CUMMINS. Mr. President, I have rarely risen to discuss a grave and important subject under more inspiring and encouraging conditions than those which now surround us. Senators have been 48 hours without sleep, and it may be that the weariness and fatigue of their bodies have brought their minds into that receptive state in which they can appreciate an argument upon what our Democratic friends say is the most vital measure that has been laid before Congress in the last decade. Nevertheless I am plagued with the suspicion that just now sleep instead of speech would be the more welcome.

Mr. President, I approach the duty I am about to perform with mingled emotions. I do not agree with much that has been said upon this matter by my colleagues upon this side of the Chamber. While I believe that the bill itself is one of the most vicious proposals ever submitted to the Congress of the United States, my opposition to it is not based upon the ground that it is unwise or unsafe for the Government of the United States to enter upon this enlarged activity. I am not very much concerned with regard to the consistency of the President of the United States, nor am I anxious with regard to the preservation of the teachings of Thomas Jefferson. I revere the men of the olden time, but they knew nothing more about the conditions which now confront us and about what the Government of this country should do at this time and under the developments which we now witness than we can know with respect to the Government and the practices of those happy spirits who have passed beyond and are enjoying the heavenly light of the new Jerusalem.

We have just as good and complete opportunity to judge the principles of government as had the forefathers. We have a vastly better opportunity to determine what is necessary for us in order to promote the public welfare and secure the general good than they possibly could have had. I do not intend, therefore, to draw into my discussion the abstractions of the men of the early days or the theories of those who have intervened between their time and ours. My understanding of the true office of history is rather to cultivate and train the mind so that we may draw just and fair conclusions from the circumstances in which we live, but we are not to accept blindly the application of economic or governmental theories announced a hundred years ago or more.

I felt that I ought to say this because I approach the subject from a different angle and look upon it from a different standpoint than that used or occupied by many of my very able friends who have preceded me.

A few days ago I laid before the Senate some observations with regard to this bill tested by a constitutional standard. I sought to impress the Senate with the conclusion that we have no constitutional power to adopt the legislation that is proposed in the bill. I have no doubt about the soundness of that conclusion. If my Democratic friends pursue this course and shall be successful in enacting this bill into a law, they will have been engaged in a vain undertaking, because upon the first challenge it will go down under the judgment of the courts. It is so plainly and so obviously beyond our constitutional authority I have sometimes thought that there are people supporting the bill along the lines that it has now taken because they know it will not endure the stress of judicial investigation. However, that is a conclusion that I draw from the circumstance and not because I have any evidence of it at all.

Mr. President, I am surrounded in the Senate every day by honest men. I do not indulge the habit of imputing wrongful and corrupt motives to my fellow workers in the field which we jointly occupy. I believe that every man in the Senate will decide the question that he must decide with honest, upright, and pure purposes.

I know that the Senators in this body who are proposing the bill and who are advocating and defending it day after day are patriots and intend to accomplish something for the general good. I can not believe that this bill is intended to benefit and enrich the great shipping corporation of which my friend from Florida [Mr. FLETCHER] spoke the other day with so much eloquence and, as I think, with so much truth; but taking the bill itself, just as it is, without the evidence of my personal observation of those who are advocating it, if I had not known them, I would have believed that the bill was presented by men who desired to destroy whatever opportunity there may be to help the people of the United States in the exigency or emergency that is said to exist.

I intend, Mr. President, for the purposes of this argument, to accept the recital of the Senator from Florida with regard to the existence of a shipping trust. When I use that term it must be understood that I am not using it in its technical sense. There may be no shipping trust, tested by the standards of the antitrust law, but there is in the shipping business precisely, as there is in every other great business, a sympathetic communion of thought and concerted plans of action. If the Senator from Florida could believe, as I do, that this bill is precisely what a trust of that character desires, if any legislation is to be enacted, I am sure that his patriotism and his desire to serve the people would at once compel him to abandon the advocacy of the bill.

I intend further, so far as this argument is concerned, to accept the view of international law so ably and so conclusively announced by the Senator from Montana [Mr. WALSH]. I believe his view of international law, so far as the purchase of

ships is concerned, is a correct view. I do not believe in the declaration of London; especially do I not believe in article 56 of that convention. That article carries the civilization of the world back 300 years and leaves this subject just as it was when war was a normal condition and the rights of neutrals were not regarded or were negligible in the estimation of mankind.

That does not mean, sir, that I am in favor of buying the interned ships of belligerents—far from it. If the transfer is in good faith, if the purchase is a bona fide one, I believe we have a right to do it, and that the ship so purchased has just as good title to sail the seas as a neutral ship as though we had built it in our own shipyards; but we must all recognize that this view of international law is not accepted by the nations with which we must deal. Great Britain repudiates this view of the law, France never held this view of the law, Germany would reject it, Austria would have none of it, and the result would be that if we purchased one of these ships, even under the rule that I believe ought to prevail, yet we would be under the humiliating necessity of seeing her condemned in an English prize court, or a French prize court, or a prize court of any other nation that might seize her and carry her into port.

All this means that the present is not the time to attempt to change or modify international law. There is an old Latin maxim very pertinent and very applicable to the present situation—inter arma leges silent. I think it will be our highest duty when the war ends to endeavor to bring international law into the light of the twentieth century and to see if we can not advance somewhat the rights and the privileges of neutral nations. We shall fail in one of the great opportunities of the world if when peace dawns upon these warring nations we do not do something to develop and improve international law, as our domestic or municipal law has advanced and improved.

I have said so much because I wanted my position with regard to these two great peaks in the present campaign to be understood, for I am not one to scout the suggestion that there is the same sort of combination among those who carry on transportation upon the sea that there is among those who carry on the business of transportation on land. Capital is always sympathetic; capital is always intimate; it is not difficult to bring about concert and unanimity of opinion and unison in action without any definite agreement that would bring the conspiracy within the terms of the antitrust law.

I shall discuss this bill, Mr. President, from the standpoint of one who honestly and sincerely believes that the Government should buy or should build ships to the extent of $30,000,000 or more. I have believed that for many years, and I will undertake before I have finished to show why we should buy or build these ships entirely apart from the interests of commerce.

Nearly five years ago, Mr. President, when the proposal for a ship subsidy was pending before this body I introduced a substitute or an amendment which provided that the Government should build—I have forgotten whether the amount named was $25,000,000 or $30,000,000—should build ships as auxiliaries to the Navy, and I will demonstrate before I have finished how much we need them as auxiliaries to the Navy. I shall show before I have taken my seat that it is a crime, if foolishness can be a crime, for us to proceed with the development of a Navy of battleships and fighting ships without enough auxiliaries or aids to carry them 200 miles from shore if our strength were challenged upon the sea.

I have never been able to understand how Congress could go on year after year appropriating for two battleships or three or four battleships and for submarines and the like, blind to the fact that if we ever needed to use these ships we could not send them two days' journey from our own coast unless we could secure from foreign nations the auxiliaries or supply ships necessary to enable them to maintain our place upon the ocean.

It is just as indefensible for us to build battleships without accompanying auxiliaries as it would be to build battleships if we knew that we had no officers, no sailors, no crews with which to man them. It is just as foolish as it would be to build battleships and put no guns upon them, for our Navy would be as helpless in a contest with any foreign country if they were compelled to sail away as it would be if we had not a gun upon any of them. I shall demonstrate that by our history during the last few years. I am only suggesting it now, because I am examining the subject primarily from that standpoint.

I think we ought to have these ships, and I am willing, notwithstanding a depleted Treasury, notwithstanding my want of confidence in the administration under which we are now living—and the Lord knows there is not a man under the shining sun who has less confidence in the administration than I have—but I am willing to intrust $30,000,000 to this administration for the purpose of buying or building ships that will be suitable in the first instance as a part of our national defense; and I am willing—I am not only willing, I am anxious—that in the days of peace when these ships are not needed as a part of our national establishment the Government may either lease them or use them to help the people of the United States in any way in which such ships can be helpful.

It is the only practical method open to us, and I have hoped—or I had hoped, for I have no longer any hope—that before this controversy ceases my Democratic friends could see it is the only way in which we can do anything to meet what is said to be an emergency; but, more than that, to provide for that regulation in times of peace.

Nor, Mr. President, am I at all dismayed by the assumption of power on the part of the Federal Government. I was very deeply impressed with the argument or address made yesterday by the Senator from New York [Mr. ROOT] and with the gravity of the general situation. We must, however, deal nationally with every question which the development and growth of this country have made national.

The Congress of the United States is not at fault because substantially all the business of this country has become business between the States or with foreign nations. Our forefathers never dreamed of the country which we now see, never dreamed of its extent, never dreamed of the magnitude of its interests, never dreamed of the intimacy that exists between its people.

Why, sir, in my own State—which is an interior one, as you all know—more than 90 per cent of all the business done by our transportation companies is interstate business, and necessarily the function of the Federal Government in controlling and regulating that vast business has immeasurably increased in importance. What is true of my own State is true of every State, and what is true of transportation is true of every other kind of business; so that we might just as well confront the situation boldly and bravely and undertake the regulation and control of those things that have become, by reason of our growth, national in their character.

I agree, however, with the Senator from New York in this—that the very magnitude of the life that we have undertaken to protect and to regulate ought to correspondingly increase the sense of responsibility upon the part of those who are called upon to legislate for the people of the United States.

One more preliminary word: I am not opposed to Government ownership and operation in proper cases. Just where the line is to be drawn between the individual activity and the organized activity of the whole people no man can say, and no man will dare to say. It is a line that advances, and sometimes recedes, although rarely. It is a line that is determined at any particular moment by the best judgment and the experience of mankind. There is one thing, however, which the advocates of Government operation seem to have forgotten in this instance—I assume, of course, that nobody is proposing Government ownership and operation in the field of purely private enterprise; but we all understand perfectly the general difference between those activities that are public in their character and those that are purely private in their character.

The fundamental law of Government operation is that it shall be a monopoly. There is not a writer on the subject who ever put pen to paper but who has declared that as a fundamental proposition. I do not mean to say that it is an inflexible rule. There may be instances in which the Government must not only regulate an activity but compete with it at the same time. They are, however, so exceedingly rare that they need not be taken into account.

We ought not to enter the transportation business as such unless we monopolize the business. A city ought not to acquire one heating plant and compete with a private heating plant; it ought to do the whole of the work. A city ought not to acquire a gas works for the purpose of competing with another gas works. The city ought to own all the lighting utilities or facilities of the municipality.

Mr. LANE. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Iowa yield to the Senator from Oregon?

Mr. CUMMINS. I yield for a question.

Mr. LANE. I should like to ask the Senator if he does not know that the city of Seattle owns its own electric-light plant and has by its operation made prices in that city very reasonable?

Mr. CUMMINS. I have no doubt of it, and I am thoroughly in favor of it.

Mr. LANE. It has been absolutely demonstrated to be a success, too.

Mr. CUMMINS. I am very glad the Senator from Oregon says so, because he and I agree about that. I believe every

city ought to own its own waterworks, ought to own its own gas works, ought to own its own electric-light works.

Mr. LANE. In competition with private plants?

Mr. CUMMINS. No; it ought to own it as a monopoly and ought to serve the people of that community and serve them, of course, in the interest of the general good. The position of a competitor and the position of a regulator are inconsistent.

Mr. LANE. Mr. President, the Senator did not understand me. The city of Seattle owns and operates these works successfully in competition with private works.

Mr. CUMMINS. Of course the Senator knows whether or not that has been done in Seattle; but it never ought to be done, although I have so much confidence in western enterprise and genius that I am very slow even to criticize anything that has been done successfully in that very flourishing part of the United States. I simply insist as a general principle that the municipality, when it undertakes to operate a public facility or public utility, ought to operate it to the exclusion of all other utilities or other facilities serving the community over which the municipality has jurisdiction. I do not say that there are not some instances in which there must be an exception. I will point out one presently in this very case, but I only pause to impress Senators again with this idea:

Here is the city. It has the power to fix a rate for electric light or for gas or for street-railway fares. It therefore has the fortunes of its public-utility company in its own hands. It exercises that right as a sovereign, as the law-making power of that community. It then enters upon the same business itself. What is the rule of that business? Is it doing business upon the same basis as the company that it regulates? The law says that the company which it regulates has a right to maintain itself and to earn a fair reward or return upon the capital invested or the value of the property. That is the rule of its sovereignty, and if it violates that rule it violates the Constitution of the United States and probably of the State under which it exists. It enters the business, however, as a competitor. What, then, is the rule which guides it? Can it reduce the rates so that the private company can not earn a fair return upon the value of its property?

Before this discussion has gone to its end—and that, I am sorry to say, seems a long way off—I should like some one who is interested in this subject to say what rule will govern the sovereign as a competitor. If it is declared that the same rule shall guide the sovereign as a competitor that guides it when it imposes a regulation upon the utility, then you have substantially destroyed the efficiency of your municipal enterprise.

I have no doubt whatever of the general soundness of that proposition: That when organized society—I care not in what form it is found, whether in a municipality or in a State or in the General Government—specifically enters a given field that is public in its character for the purpose of possessing it and carrying on the business that is appropriate to it, it ought to occupy, and by all the rules of fairness and reason and justice it must occupy, the entire field, for I assert that the attitude of regulation in fixing prices and the attitude of competition in fixing prices are utterly inconsistent with each other, and so repugnant that the two can not exist at the same time.

All that I have said would apply to the present instance, if these ships are to be purchased for the purpose initially, primarily, of entering the business of transportation. If, however, the United States has ships, as I think she ought to have, purchased for the emergencies of war, and which alone will make our Navy strong and helpful in time of war, then, when those ships are not needed for that purpose, it is right for the United States to employ those ships in peaceful pursuits, to employ them as agencies of transportation. But—and here again I may widely differ from some of my friends upon the other side—in that instance the United States ought to employ the ships where they will do the people of the country the greatest good without any reference to rates. The Government ought so to employ them as to promote in the highest degree the general welfare, even if the Government operates the ships for nothing and carries the freight for nothing. That is the only function of the Government in this respect. We ought, then, to seek those routes into which private capital has not been attracted, where business can be developed and the international trade of the United States increased, and use these ships primarily there.

I do not say—far be it from me to say—that in the case that now confronts us of inadequate shipping facilities between established ports and along accustomed lines, we ought not to use the ships to help the people of the country with regard to such business. I think we ought, and if we had these ships now I think we ought to take them wherever they are most needed and carry the freight which seeks an outlet beyond our shores.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Montana?

Mr. CUMMINS. I yield for a question.

Mr. WALSH. The comments of the Senator are of very deep interest to me. They correspond, as I follow him, with the ideas expressed in the substitute offered by the Senator under date of February 2. I wish to ask the Senator a few questions about that matter.

Mr. CUMMINS. I am in a dim way outlining my substitute. I will come to it directly, specifically, before I finish; but I think the Senator from Montana is right about that.

Mr. WALSH. If I understand that aright, it contemplates the expenditure by the Government of $30,000,000 in the acquisition of ships, either by purchase or by construction.

Mr. CUMMINS. Yes.

Mr. WALSH. And those primarily as naval auxiliaries and secondarily for use in foreign commerce.

Mr. CUMMINS. The Senator is right.

Mr. WALSH. And then it contemplates that the Government, in time of peace, shall operate such of those ships as it finds profitable employment for.

Mr. CUMMINS. It gives the Government the power to do that.

Mr. WALSH. And those which it does not find the opportunity to operate successfully it authorizes to be leased.

Mr. CUMMINS. It does.

Mr. WALSH. Is it the purpose of the Senator, then, to tell us wherein that bill differs in principle from the one before us? If not, I should like to have the Senator advise me.

Mr. CUMMINS. Mr. President, that is the very purpose for which I rose. I am approaching it by degrees, because I did not want to be misunderstood. There are so many different views in the Senate Chamber with regard to the propriety of the Government purchasing or building ships and operating ships that I wanted to be fully understood on that general subject before I came to the immediate matter suggested by the Senator from Montana. The real truth is—and I want to confess it now to the Senator from Montana—that the address I am now making is being made largely, if not entirely, on account of a remark made the other day by the Senator from Montana, which, as I remember it, was that he could see no substantial difference between the bill under consideration and the substitute which I proposed.

Mr. WALSH. That was why I address the inquiry now to the Senator. I can, of course, perceive some difference in the details of the two bills, but I have studied hard to find out in what respect they differ in principle. They both contemplate the acquisition of ships by the Government for two purposes, one for use in foreign commerce and another for the use of the Navy as auxiliaries. They both contemplate the operation of these ships by the Government in foreign commerce. They both contemplate the leasing of those ships that can not be conveniently or profitably operated in foreign commerce. One, the substitute offered by the Senator, provides for the purchase and the operation by the Secretary of the Navy; the other, by another agency of the Government called the shipping board.

Mr. CUMMINS. Mr. President, of course, I yield only for a question.

The PRESIDING OFFICER. That is understood.

Mr. CUMMINS. I do not yield the floor. I do not wish to interrupt the Senator, however.

Mr. WALSH. I came into the Chamber especially, when I noticed that the Senator was speaking, to have some enlightenment upon that particular matter—not a difference in detail, because I can perceive that, but a difference in principle.

Mr. CUMMINS. Mr. President, I hope the Senator from Montana will give me his attention, because I repeat that my principal purpose is to show that while the bill proposed by the administration and ratified by the Democratic caucus is, in my opinion, a bill that ought to be entitled "A bill for the encouragement and protection of the Shipping Trust," the substitute which I have offered is intended to accomplish and will accomplish the welfare of the whole country.

Mr. FLETCHER. Mr. President——

Mr. CUMMINS. Just a moment. The Senator from Montana will remember that in July last the Senate passed, without a dissenting vote, a bill for the employment of the ships we now have in commerce in the same way that I propose to employ these ships, not exactly in detail, but substantially, save that in the bill to which I have referred there was no authority to lease.

Mr. WALSH. The Senator refers to the bill introduced by the Senator from Massachusetts [Mr. WEEKS], I dare say.

Mr. CUMMINS. I do.

Mr. WALSH. Amended, upon the suggestion of the Senator from Mississippi [Mr. WILLIAMS], so that those ships may be employed in the commerce of Europe as well as South America.

Mr. CUMMINS. That is the way the bill passed.

Mr. WALSH. The operation to be carried on by the Government.

Mr. CUMMINS. Precisely.

Mr. WALSH. I likewise am unable to ascertain wherein the difference in principle exists between that bill and this.

Mr. CUMMINS. I am very glad the attention of Senators is being centered upon this question, because if I can show, and if I can not I have lost my power of reason and observation both—if I can show that the bill proposed by the other side will not accomplish the purpose but will be an aid and encouragement to the very forces which are now committing their depredations upon the American people, I expect the Senator from Montana and the Senator from Florida to join me in support of the substitute which I intend to offer.

Mr. WALSH. If the Senator from Iowa will pardon me——

Mr. CUMMINS. I yield for a question.

Mr. WALSH. And if the Senator from Florida will desist for a moment, I desire to remark that I listened with intense interest yesterday to the impassioned appeal of the Senator from Illinois [Mr. SHERMAN] not to have the Government committed to the proposition of operating ships in transportation, and I supposed he was arraigning the substitute of the Senator from Iowa and the bill which he himself voted for, introduced some time since by the Senator from Massachusetts.

Mr. CUMMINS. Answering the Senator from Montana, I will say that before he came into the Chamber I felt compelled to dissent from some of the views that had been expressed upon our side of the Chamber. I am not an opponent of Government operation in the way in which I have endeavored to establish it in the substitute which I have offered, but the Senator from Montana must know that upon this side of the Chamber every man holds the view to which his reason and conscience lead, and we are not in unison upon the fundamental proposition with regard to the proper extension of governmental activity.

I yield now to the Senator from Florida for a question.

Mr. FLETCHER. I do not want to interfere with the Senator's arrangement of his remarks in his discussion of the subject, and it may be that he will deal with it a little later, but I was struck with the suggestion that he claims the pending measure is one that would work out a very substantial and material benefit to what is called the Shipping Trust. It may be that the Senator means to dwell upon that later. I will be very much interested to know how, if he will develop that, in view of the well-recognized attitude of the gentlemen interested in large shipping enterprises regarding this measure. I think it is quite well understood that they are opposed to it and are using their influence through commercial organizations and other bodies to have their views impressed upon Congress. Of course, it may take the Senator some little time to go into it, but I will be very much obliged to him if he can tell us how he reaches that conclusion.

Mr. CUMMINS. I will answer the Senator from Florida. I am about to enter upon it, but I want first to say to the Senator from Florida that I do not know anybody connected with the Shipping Trust. I heard the Senator from Florida read the names of the directorates of various corporations interested in ocean transportation. I never heard from anybody connected with the Shipping Trust, but I assume that private ownership in ocean transportation is opposed to any legislation upon this subject. That is natural, and I therefore did not doubt it for a moment. I have no question but that these interests, however they may be interlaced or interlinked, would, if they could, prevent all legislation upon the matter; but if legislation is to come—and legislation will come just so surely as time will run—there is not a shipowner or a ship corporation in the world that would not contribute largely to secure the legislation for which the Senator from Florida stands as opposed to the legislation for which I stand. I arrive at this conclusion because the Senator, if he is successful, is about to put into the hands of these men an instrumentality that will enable them to neutralize and destroy all the benefits which it is sought to be secured by this bill. I will proceed now to show the Senator that this is true.

Mr. FLETCHER. I am, of course, very much interested in the Senator's discussion. Before the Senator reaches that I should like to have him suggest further wherein he considers that the scheme and plan as outlined in the bill differ in principle from the plan that was involved in the amendment by the Senator from Nebraska [Mr. NORRIS] to the bill providing for the construction of a railroad in Alaska. That amendment is found on page 2321 of the RECORD——

Mr. CUMMINS. I am perfectly familiar with it.

Mr. FLETCHER. As the Senator will recall, it provided that the President was authorized to construct ships, 10 to 20 in number, to engage in trade between Alaska and ports on the east and west coast of South America, through the Panama Canal, and so forth, and the ships to be constructed under the direction of the President were to be leased to the Panama Railroad Co. and operated by that company. That company, as the Senator well knows, is now a Government agency, at least in a way. The United States Government owns all the stock in the company, and it was proposed that it should operate those ships. The pending bill provides for a corporation, the Senator will concede, somewhat analogous, anyhow, to that feature. Wherein does the Senator draw a distinction between this plan and the plan that would be put in operation under the amendment offered by the Senator from Nebraska to the Alaska railroad bill?

Mr. CUMMINS. I think I will gratify the Senator from Florida before I have finished. Let me say at this point, I never have been in favor of the Government operating through a corporation. I would much have preferred when the Senator from Nebraska offered his amendment, the amendment to which the Senator from Florida refers, that the Government should have owned the ships and should have operated them directly. The Panama Railroad Co. came to us as an incident of the construction of the Panama Canal. Its stock, or a large part of it, was owned by the French company, and as a part of that purchase the United States became the owner of the stock, or a great deal of it. It was a mere accident, if you please, inasmuch as the French company had been operating through the medium of an American corporation, a corporation organized under the laws of New York. But the Senator from Florida will not forget that we at once proceeded to secure all the stock in the Panama Railroad, and we now own it.

It is a mere fiction. I am opposed to it. I think the Government ought to take it over and own it. I shall show presently why it ought to take it over and own it, because, as I view it, it simply gives an opportunity for irresponsible power, and I am not in favor of irresponsible power. I believe that every function of the Government ought to be performed under the sanction of the law and according to rules laid down in the law. But, of course, the critical, the vital difference between the organization of this corporation and our work through the Panama Railroad Co. lies in the fact that we own all the stock in the Panama Railroad Co. and we will not own all the stock of this corporation; nor is it intended that we should own all the stock, for reasons which I shall presently point out.

Mr. WALSH. Mr. President——

Mr. CUMMINS. I yield to the Senator for a question.

Mr. WALSH. I think the Senator from Iowa will not object if I state in no controversial way what is my recollection, and it is quite definite on that point. The suggestion of utilizing the Panama Railway Co. in connection with the ships that it was contemplated would be operated in connection with the Alaska railroad came from the Senator from Kansas [Mr. BRISTOW], who insisted that we had a ready and convenient instrument at hand which could be utilized for that purpose.

Mr. CUMMINS. I think that is true, although the amendment to which the Senator from Florida referred was offered by the Senator from Nebraska [Mr. NORRIS]. I had no objection to the amendment at all, and yet I am opposed to the intermediary of a corporation between the Government and the object which it seeks to accomplish. But now I come——

Mr. NORRIS. Mr. President——

Mr. CUMMINS. I yield for a question.

Mr. NORRIS. I will ask the Senator if he knows how the Senators present who are favoring this bill voted on the amendment I offered to the Alaska railroad bill?

Mr. CUMMINS. I am not able to answer the Senator from Nebraska; but possibly, if he will put it in the form of a question, he will give me the information, because I very much desire it.

Mr. WALSH. If the Senator will pardon me——

Mr. CUMMINS. I yield to the Senator for a question.

Mr. WALSH. Inasmuch as I was very much interested and took a somewhat active part in the Alaska legislation, I feel in justice to those who have been interested in that measure to say, in answer to the question of the Senator from Nebraska, that a great many of us voted against his amendment feeling no antipathy to it at all. I speak for myself, certainly. It

was felt that to incorporate that amendment upon the bill at that time would result in its defeat. I feel sure the Senator from Nebraska knows that that was the frame of mind in which most of the supporters who were actively engaged in the passage of the bill stood.

Mr. CUMMINS. Mr. President——

Mr. FLETCHER. May I make a response to the suggestion of the Senator from Nebraska?

Mr. CUMMINS. I yield to the Senator for a question.

Mr. FLETCHER. So far as I am concerned, I was not present at the time the bill was voted on, and was paired. I have to plead an alibi.

Mr. CUMMINS. Mr. President, now we reach the interesting and vital difference between the Democratic proposal and my substitute; but in order to understand that difference without compelling a constant reference to the bill, I propose now to remind Senators of just what the Democratic measure consists. First, the corporation is to be organized under the law of the District of Columbia; a corporation—mark, now—for pecuniary profit. It is not an altruistic, benevolent, or charitable corporation. It is a corporation which, under the law which will give it life, is to be conducted for pecuniary profit. Its capital, in the first instance, is to be $10,000,000. Of this capital the United States is to subscribe 51 per cent, or $5,100,000.

Mr. WALSH. Not less than that.

Mr. CUMMINS. The remaining part of the capital stock is then to be opened for the general subscription of private persons. If the capital so offered to the public is not taken, then and only then is the Government authorized to subscribe for the remaining part. I want to impress it upon the Senate, because this bill provides a method by which private interest can become an owner of stock in this corporation, and nothing that the shipping board, nothing that the Government could do will prevent private subscription if any person or corporation seeks to become the owner of a part of the stock.

I proceed. The corporation can increase its capital stock to any amount, so that the investment of the Government in the increase shall not exceed $10,000,000. That means, of course, that if private interests acquire 49 per cent, or $4,900,000, of the original stock, the capital of the corporation could be increased to $20,000,000. But, mark! Let me read what the bill says:

> The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000, neither shall the proportion of stock held by the United States at any time be less than 51 per cent.

The very law, Mr. President, under which this corporation is to be organized requires that there shall be a concurrence of two-thirds of the capital stock before any addition to it is made. I should like to know how the shipping board and the President can increase the capital stock if private interests subscribe for 49 per cent of the original capital. I do not know that it will be material; there may be no desire or no interest or no necessity of increasing the capital stock; but the bill in this respect simply keeps the promise to the ear, and breaks it to the hope. It is a deception to provide in the bill that the capital stock may be increased to $20,000,000—for that is substantially it—upon the consent of the shipping board or the action of the shipping board and the President, when the law, under which the corporation is to be organized, requires the assent of two-thirds of the capital outstanding in order to accomplish that result.

I will, however, proceed with the bill. It then provides, as pointed out by the Senator from Massachusetts [Mr. LODGE] a day or two ago, as follows:

> The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stockholders at any meeting thereof.

Senators who are so desirous of protecting the Government of the United States, and so desirous of being helpful to the people in this great emergency, ought to explain why it is that the majority of the stockholders—not of the stock—are given the right to remove all the trustees and all the officers at any meeting of the stockholders at any time.

Mr. WALSH. Mr. President——

Mr. CUMMINS. Just a moment. I take it, however, that this must be a mere oversight. I can not imagaine that it was really intended by the Senator from Florida, or whoever drew this bill, to put the people in jeopardy in that way, to give over this corporation to the control of a majority of the stockholders who will become such, as I shall presently show, if they follow the natural instincts of avarice and greed and power—who will become such for the very purpose of destroying the object and the effect of the legislation. I do not dwell on that, because it can be easily changed so as to be put beyond any doubt; that, I must assume, will be done. I only mention it in order that it may be done; because, while I am opposed to this measure, if it does pass I want it to pass in such form as that it may be of some service to the people of the country.

I have given in a general way the method of organizing the corporation and the method of increasing its capital stock. Let me again have the attention of the Senator from Florida and the Senator from Montana, because I come now to answer the very pertinent and material inquiry, What is the difference between the substitute which I have offered and the Democratic measure?

First, when a corporation is organized and the Government has taken its 51 per cent of the stock, and then opens the subscription books to the world for additional subscriptions in order to dispose of the 49 per cent of stock that the Government has no authority to take in the first instance, who will take that stock? There will not be a man in all the world so blind and foolish as to take the stock simply in order that he may secure a fair return upon the money which he invests in the stock; but, Mr. President, if I were counsel for the Shipping Trust, and if they were to ask me to advise them how they could overcome substantially the effect of this bill, my instant and emphatic instruction would be for them to buy a million dollars' worth of this stock, or some amount of this stock, and I would undertake, if I were practicing law, which I am not—I sometimes wish I were again—but if I were practicing my profession, I would undertake to so cripple the operation of this corporation on the part of the Government as to make it worse than useless as an instrument for affecting the regulation of freight rates. I will come presently to the poison there is in the mere intercourse, conference, and consultations between opposing stockholders. That is bad enough.

Think of it! The Government is organizing a corporation. What for? Not to make money. It is not investing $5,000,000 because it wants to secure interest on $5,000,000. It is entering this field in order to promote the general good through a regulation, it is alleged, of foreign commerce. That is its purpose; it does not make a whit of difference whether the United States makes money or not; it ought not to make money; it is not in the business of investing money; it is not in the business of trying to gain profit. Its business is to govern the people of the United States, and to so govern them that the common good and the general welfare may be protected and preserved. That is the office of the United States. It organizes a corporation, and it takes this capital stock solely for the general welfare and the common good. Suppose that an agent of the Shipping Trust, or a dozen of them, if there is such a thing—and I have no doubt that there is the combination of which the Senator from Florida spoke—suppose that 20 or 25 agents or representatives of the Shipping Trust take a million dollars of this stock. I will not speak of their ulterior motives; I will speak of their legal motives. Why do they take it? They take it because the corporation is organized for the purpose of earning a profit upon the capital invested. They take it because in the operation of the corporation money can be made.

Does the Senator from Montana, who occupies, I know, a high plane in the consideration of all vital public problems, believe that the Government as a stockholder, subscribing to $5,000,000 of stock, paying out $5,000,000 of the people's money in order to render general justice throughout the country, without a thought of gain to organize society itself, should enter into a partnership with a private interest that subscribes for a million dollars of stock, or $4,900,000, because those who subscribe believe that they can make 4 per cent or 5 per cent or 10 per cent or 20 per cent upon the money which they invest in the enterprise? Does not the Senator from Montana, does not the Senator from Florida see that here are two irreconcilable forces? There is no way of accommodating their diverse interests in this corporation; they have not entered it for the same purpose; their objects are as wide apart as the poles; and yet you are preparing to offer to the people of this country a corporation in which the Government is to be a stockholder, in order that everybody may be helped by the expenditure of this money, while the private interest is asked to take stock because that private interest can make money out of the particular enterprise. Such a thing, Mr. President, was never proposed before in the history of mankind. There has never been an honest partnership between the government of any country and the private business of any country.

It reminds me of the old cooperation of the corrupt sovereign in the business of his subjects, where he has employed his

power through private business to enrich his own treasury; but no civilized nation ever did such a thing.

Mr. WALSH. Mr. President——

Mr. CUMMINS. I yield for a question.

Mr. WALSH. Did not the Government of the United States own stock in the United States Bank?

Mr. CUMMINS. That was a wholly different proposition.

Mr. WALSH. And did not private stockholders own stock in that bank?

Mr. CUMMINS. Certainly; but that is a wholly different question.

Mr. WALSH. Exactly; but it was a case of the Government owning stock in a corporation in which private individuals held some stock.

Mr. CUMMINS. Precisely. Of course I am not defending that, but there is a difference——

Mr. WALSH. I am not, either. I am adverting to a historical fact which the Senator has apparently overlooked.

Mr. CUMMINS. But the historical fact does not refute what I have just said in anywise. The Bank of the United States was the fiscal agent for the United States, and, while it seemed wise to the people of that time to carry on their business in that way, if I had been considering the charter of the United States Bank, while I could not have made opposition upon just the same ground that I am making opposition now, my opposition would have been as firm and unyielding as it is to this proposal.

Mr. WALSH. Mr. President, if the Senator will pardon me, I think I should have taken the same attitude that the Senator says he would take. I referred to it as a historical matter, but I desire to say in this connection, because the Senator in a way addressed his inquiry to me, that I see no reason why people who are willing to take 5 per cent or 6 per cent upon their investments should hesitate to take stock from the Government that would be likewise content probably with about that amount in return for the money it has invested in the enterprise.

Mr. CUMMINS. But, Mr. President, the Senator from Montana assumes that the Government is going into the undertaking to make money. I do not so assume. I assume that the people of this country are contributing $5,000,000 to promote the general welfare, the general good, and they are going to use that money wherever it will promote the general good without regard to earning a dividend or any return upon the stock at all. If it is the real purpose to make money, then many other objections will arise which are obvious.

Mr. WALSH. Mr. President, will the Senator permit me further?

Mr. CUMMINS. I yield for a question.

Mr. WALSH. The Senator from Montana assumes that the Government may make, and hopes it will make, approximately 5 per cent upon the money invested in this enterprise, not for the sake of making money at all, but for the purpose of developing our foreign commerce and providing ships in which merchandise may be carried to and from our ports, and that such a return will quite satisfy those people in this country who may be induced to take stock.

Mr. CUMMINS. Mr. President, it matters not whether the Government may make 5 per cent or 4 per cent or nothing; that is not the motive for the passage of this legislation. If it is the motive, then all merit disappears, because I have assumed it was the purpose of the Congress in some fashion to relieve the people of this country from a burden which they are now bearing, and that this money will be used to do it, no matter whether or not it earns a return.

Mr. WALSH. But I dare say the Senator from Iowa will have no objection at all if this enterprise can be carried on without loss; that is to say, if the Government shall receive a return equal to the interest it has to pay upon the money invested.

Mr. CUMMINS. Mr. President, I do not know. Of course I will come to that objection to this bill presently. That is one of the troubles about this bill. I will depart for just a moment from the point I was considering.

You propose to create a shipping board. Now, we will assume that it does manage the corporation absolutely, instead of in cooperation with its private partners. What is its rule? What rule will it employ in determining what routes its ships shall enter upon; what freight rates shall be charged? If there is a chance to favor one part of the country and not another, how will the shipping board conduct itself? I will speak of that presently. All I have to say now is that the shipping board, if it has control of this corporation, is a body set afloat without chart or compass, without any rule of law to guide or direct it; a board governmental in its character without a single legislative suggestion with respect even to the objects that it ought to accomplish.

Mr. WALSH. Exactly the same as the Secretary of the Navy would be in case the Senate adopted the substitute offered by the Senator from Iowa.

Mr. CUMMINS. Ah! The Senator from Montana has not done me the honor to read carefully the substitute. He has caught its main features, but if he will read it again he will remember that there is in my substitute a provision that the Interstate Commerce Commission shall prescribe the rates for the ships that are operated by the Secretary of the Navy, and the ships that are operated under lease, and that any person has a right to apply to the Interstate Commerce Commission to fix the rates for the transportation it carries on.

Mr. WALSH. Then, let me understand very clearly what distinction the Senator makes between his bill, which gives the Interstate Commerce Commission the power to fix the rates, and this bill, which gives the board of directors of the corporation put in by the shipping board the power to fix the rates?

Mr. CUMMINS. This is the difference: That we have given to the Interstate Commerce Commission a rule to guide it. I regret to say that it has not always followed the rule, but, nevertheless, I hope and pray that it will follow it in the future; and we have surrounded it with explicit instructions, so far as the legislature can give instructions. We have directed it, we have given it a standard, we have declared that the rates that it establishes must be just and reasonable rates, and the courts have declared what just and reasonable rates are, so that there is no longer any difference of opinion with respect to that subject, although there is great difficulty sometimes in applying the rule to a given case.

But I recall myself to the proposition I was endeavoring to present.

I have pointed out the wide difference between the motives that actuate the United States in taking its stock and the motives that actuate the private subscribers in taking theirs. The one says, "We are about to set afloat a corporation to be operated for the public goood. We have endowed it with sufficient capital, and have given it a credit of $30,000,000, and we have said to it that it ought to go on and do what it can for the benefit of all the people of this country." The private subscriber, however, viewed from the standpoint of the law, says, "I enter this corporation in order to make money. I enter it in order to get the largest possible dividend upon my stock, and to be sure that at the end of the activities of the corporation my capital will be returned."

There you have the two partners. You can not serve God and Mammon, so the Bible says, and yet the Democratic proposal is a living repudiation of that sacred and time-honored maxim. You are endeavoring to unite, if I may say so reverently, God and Mammon in this enterprise. You are harnessing these forces together, and you expect that they will operate peaceably and effectually. You will be disappointed. You are bound to be disappointed. It is utterly indefensible to proceed with a measure hampered and crippled and tainted by the interposition of a corporation in which private stockholders are permitted to invest. If it were required that the Government should take all the capital stock, so that the corporation would be simply a governmental function pure and simple, there are some objections to that, but the objection which I am now urging would, of course, disappear.

Mr. WALSH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Montana for a question.

Mr. WALSH. I should like to inquire of the Senator if he recalls whether that feature of the organization of the United States Bank was invested, in experience, with any of the difficulties that the Senator now foresees?

Mr. CUMMINS. They had no trusts in those days, as I understand. Does the Senator from Montana agree with the Senator from Florida that the principal purpose of this measure is to meet and overcome a shipping combination that has grown so large and powerful that it controls not only coastwise rates, but rates of transportation all over the world, and that nothing less than the governmental arm can break this mighty concert? If he does, then, Mr. President, the conditions are very different now as compared with those which existed when the United States bank was organized.

Mr. FLETCHER. Mr. President——

Mr. CUMMINS. I yield to the Senator from Florida for a question.

Mr. FLETCHER. May I interrupt the Senator simply long enough to say that his definition or description of my position I am not prepared to accept as he puts it? It is not my claim that the purpose of this legislation is to meet and over-

come a great combination or organization of shipping interests. I mentioned the fact that these large interests were so combined and interlaced, by rebate agreements and by conferences and otherwise, as to practically control rates in foreign shipping as well as coastwise shipping, perhaps; but it was not my purpose to establish here a basis or beginning or start, as you might call it, of a merchant marine for the United States simply to meet that sort of a combination or to compete with that sort of a condition.

The idea is, first, there is an emergency here; there is a condition which has come upon us rather suddenly, but which is pronounced and far-reaching, extending into our agriculture, our manufacturing, our mining, and all our industries, affecting them seriously, against which we ought to furnish some relief. That is the primary purpose—to meet this emergency—and, furthermore, my view would be that whatever may be the shipping combination or shipping interest, they have not sufficient ships in the service and they are not sufficiently serving our needs at the present time, and are inadequate, as far as ships are concerned, to take care of our commerce. It is not for the purpose of breaking down a combination.

Mr. CUMMINS. I understood perfectly, I think, the position of the Senator from Florida. It was very clearly stated the other day, and he now simply reiterates it. I hope I have not misrepresented his position in any way. It is his opinion that this combination is sufficiently strong so that it can make rates at any point which it desires, and that the people of this country are at its mercy. He pointed out a great many instances in which the rates had risen unconscionably, as one would think, from a comparison of the rates now with the former rates. That could only happen in the face of a combination, unless the dangers of the sea have grown so great that in order to compensate the ship owner or operator for those hazards the rates have been necessarily advanced to the high point where they now are. But I understood the Senator from Florida, and I understand him now, to say that this combination is able to fix such rates as it desires to fix, and that one of the reasons for this measuse is to furnish a competitor with that combination with enough influence to coerce the trust into reasonable rates. That must be, or all this argument that we have heard goes for nothing.

I have already pointed out what a strange, not only strange but extraordinary, scene would be presented when the United States takes its share of this capital stock and some member of the trust takes its share. I say—and I say it with a good deal of acquaintance with the ways of trusts; I know something about their designs; I know something about the way in which they operate—I say, and it is a prediction only, that if this stock is opened for public subscription it will not be 24 hours before enough of it is taken by the shipping combination to give it the standing in the councils of the corporation and in the courts of the land which I shall presently point out.

I am sure that the Senator from Florida can see with what ease the executive controlling power of the Shipping Trust would secure some measure of influence in this corporation. If it had to subscribe $4,900,000, it would subscribe that sum. It could not invest that money in any other way so advantageously as to become the partner of the Government in this enterprise. I do not know, of course, whether it would feel that it was necessary to take the entire $4,900,000; but I want the Senator from Florida to remember this prophecy, that if this bill passes in its present form one sun will not go down after the books of subscription are open until the great shipping forces of this and other countries will have acquired such an interest in this corporation as to give them all the rights and all the influence which pertain to minority stockholders. They do it all the time. It is a common method—the commonest sort of method in the history of trusts and combinations. Dozens of times they have acquired a little interest in some rival organization in order that they might exercise the greater influence and have the greater rights.

Sir, in the case of a private corporation they could only have the right, of course, of inspection of the books, and so on, because the object of the two classes of stockholders would be the same—to make money. But what would their rights be in this corporation? Sir, any good lawyer—and there are many in the Senate—will be compelled to say that if the shipping trust or combination, or whatever you call it, had a substantial minority interest in this corporation, it could prevent the corporation from accomplishing substantially anything beneficial to the people of this country.

What are the rights of minority stockholders in a corporation organized for pecuniary profit? I intend to assume now that the Government, with its stock control, will select the officers and trustees. I am going to assume that the shipping board is an honest one, understands its obligations to the public, and wants to discharge those obligations and really make this corporation an instrumentality for good in the country. Let us see.

In the first place, it is the right of a minority stockholder at an annual meeting to be consulted about the business, not only that has been done but that is to be done during the ensuing period. I just want the Senator from Montana and the Senator from Florida to think a moment of such a stockholders' meeting with Mr. McAdoo at the head of the table. I say nothing against Mr. McAdoo. I have no reason to believe that he is inspired by any other than a pure motive and a public purpose. There sits Mr. McAdoo at the head of the table; the Secretary of Commerce is there; the three members of the shipping board are there. They are stockholders in this corporation. Around them at the same table, we will say, sit J. P. Morgan, very closely connected with shipping interests; Mr. Schiff, of Kuhn, Loeb & Co., very intimately associated with the shipping interests; and so on. I might mention a dozen others of high reputation and great power. They sit down together to consider what that corporation ought to do for the ensuing year; and these minority stockholders have a right to be there in close and intimate association with the representatives of the Government, and they are both bound to consider what is best for that corporation—not what is best for the people of the United States. That is the business, of course, of the Government; but we have chosen to do that business through the medium of a stockholding interest, and we have chosen to organize a corporation under a law that provides for the organization of corporations for pecuniary profit.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield to the Senator from Ohio for a question.

Mr. POMERENE. Is it the Senator's view that the minority stockholders would control the policy of this corporation?

Mr. CUMMINS. Did the Senator from Ohio just come into the room?

Mr. POMERENE. Just this moment.

Mr. CUMMINS. I just stated the other way. I have been assuming that the shipping board would control the policy; that it had the power to control the policy. I am simply drawing a kind of word picture of an annual stockholders' meeting, with Mr. McAdoo, one representative of the Government, Mr. Redfield another, and the three members of the shipping board in communion with the minority stockholders—because the minority stockholders have the right to be there and they have the right to be heard. They sit down to consider, and what ought they to consider? The minority stockholders, as they sit there, have a right to call upon the officers for their reports. They must know what is being done by this corporation and why it is being done. That is their right; that is their unchallengeable right.

There they sit—New York, and London, too, sitting around this table—because, of course, the shipping people of Great Britain will be stockholders of this corporation as well. There they will sit to consider what this corporation should do and to pass judgment upon what it has done last year. If that is not a shocking sight in the eyes of the American people, my imagination is incapable of fancying one. What does the Senator from Ohio think about that spectacle presented to this great Republic?

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio for a question.

Mr. POMERENE. Mr. President, when we resort to imagination we can conjure up a good many evils which never occur. If I have understood the argument which has been made on the other side of the Chamber, it has been largely to the effect that this was going to be an unsuccessful venture; that private parties would not take any of this stock; and the Senators have insisted, therefore, that the entire burden of this investment would have to be borne by the Government.

I am disposed to think, looking at it from my personal standpoint, that the Government will take practically all the stock, at the beginning, at least. If the argument which has been made in that behalf on the other side of the Chamber be true, then certainly it must follow that there is but little danger to be apprehended from the suggestions which have just been made by the Senator from Iowa. Certainly both those propositions can not be correct.

Mr. CUMMINS. Mr. President, I hope the Senator from Ohio will give attention to my argument and not to those which have preceded mine. I am standing on my own ground; I do not

stand on anybody else's ground. I support or oppose a bill for reasons which seem good to me, not for reasons which seem good to anybody else on earth; and he must not hold me responsible for what has been said.

I had explained, before the Senator came in and was good enough to honor me with his attention, just why there would be private stockholders and who they would be. Of course, we do not know, but you have industriously—I mean, now, the administration has industriously inserted and obstinately maintained this provision in the bill for minority private stockholders. It is for some purpose. I do not know what the purpose is in the mind of the Senator from Ohio, but I know perfectly well how quickly the trust will take advantage of that opportunity.

Mr. POMERENE. Mr. President, this is the first corporation I have ever heard of in which it would seem—at least, judging by the argument of the Senator from Iowa—that the policy of the corporation would be dominated and dictated by a minority holding. It does seem to me——

Mr. CUMMINS. I have not said that.

Mr. POMERENE. That has been in effect the Senator's position, as I understand it.

Mr. CUMMINS. No.

Mr. POMERENE. It does seem to me that in all justice we ought at least to go on the theory that with the representatives of the Government, with a majority control of this corporation in the Government, the people's interest would be comparatively safe. I am disposed to think that they would be quite as safe as in the hands of a Senate which differed so radically in their reasons for their opposition to the bill.

Mr. CUMMINS. Mr. President, I am not at all asking for any power in the matter. If the Senator from Ohio was really as innocent as he looks, he would be a very dangerous man. But the Senator from Ohio is worldly wise. The Senator from Ohio has had great experience. The Senator from Ohio has seen at close range the workings of trusts and monopolies. I agree with him that no man simply for his own interests would take one dollar of this sum. But I tried to say before he came in that the moment the doors are open for the public subscription, if the shipping monopoly is as keen in the protection of its own interests as I believe it to be, if it is as efficient in the employment of such instruments as are here given to it as I believe it to be, it would take this minority stock.

I repeat again—I am sorry that I have to say this all over for the benefit of the Senator from Ohio——

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I am going to address you individually and severally. I do not intend to omit anything that will——

Mr. POMERENE. I shall be very glad to read the remarks the Senator has made.

Mr. CUMMINS. Oh, no.

Mr. POMERENE. It will not be necessary for him to occupy the valuable time of his colleagues on the other side of the Senate to instruct me in that behalf.

Mr. CUMMINS. The Senator from Ohio can not escape me in that fashion. I know he is in good faith when he says he will read my remarks in the RECORD, but it will take longer, anyhow. They may not be as interesting in the RECORD as they may be here.

Mr. POMERENE. The Senator is always interesting, unless he talks at length during midnight hours.

Mr. CUMMINS. I did not talk at midnight. I do not like midnight sessions. I am wondering now how long you are going to impose that cruel punishment upon men like myself, who are trying to accomplish the public good.

Now, I am going to say this, and if the Senator from Ohio reads it in the RECORD, so much the better: Any lawyer—and the Senator from Ohio is a good lawyer, of long-established practice—will agree that a monopoly or a trust as a minority stockholder of this corporation can cripple its energies. He can confine it to the business of money making. I am presently coming to that.

Mr. POMERENE. If I may ask the Senator another question I will not interrupt him again.

Mr. CUMMINS. I shall be glad to yield for a question.

Mr. POMERENE. Can the Senator advise us as to just what extent trusts and combinations interest themselves in minority stockholdings?

Mr. CUMMINS. I can. The Senator from Ohio needs no information on that question. If he would just recall the vivid and lurid story told by the Senator from Florida [Mr. FLETCHER] the other night with regard to the interlocking and interweaving of the great shipping interests he would know how much they interest themselves in minority stockholdings.

Sir, there is scarcely a manufacturing interest in the land that the persons interested in the United States Steel Corporation are not minority stockholders. I mean one doing business of the same character. It is the common plan; it is the accepted method even as between private concerns to secure a minority interest in order to work out now and then the rights of minority stockholders and secure all the information that a stockholder is entitled to.

But I observed, Mr. President, that the Senator from Ohio was himself rather shocked with the picture that I was attempting to draw, which I will trace again. Here is a meeting of the stockholders in the city of Washington of this corporation, and with the Secretary of the Treasury at its head, the Secretary of Commerce at his right, one of the shipping board at his left, and so on, and with Mr. Morgan, Mr. Schiff, and Mr. Warburg, and all the other saints of Wall Street who now seem to have possession of the administration, sitting there to consider what this corporation has done and what it shall do during the next year. I am afraid to leave these representatives of the Government in that position. They would need to pronounce the Lord's prayer constantly and underscore the phrase "Lead us not into temptation, but deliver us from evil."

I am not willing, speaking seriously, that the Government of the United States in the execution of its sovereign power to control the destiny of 100,000,000 people, must, in the performance of such a duty, consult with private interests in regard to the way in which a duty has been performed or as to the way in which it shall be performed in the future. It is shocking. It is so wrong that the proposal overturns, as it seems to me, all the conception of a free Government. It is a return to the old days when the sovereign regarded himself not as the protector and the guardian of all the people but as the State itself. A State to be carried on for his benefit and not for the well-being of those over whom he ruled.

Suppose now that these representatives of the Government making up the shipping board are strong enough to resist this temptation; and mark you, it is a recurring temptation. I do not know how many special meetings of the stockholders there will be, but at least it is a temptation that will recur every year. There must be at least a yearly meeting of the stockholders. Suppose we have always men in this board who are as immaculate, as high minded, as immune from temptation and evil influence as our present administration. What then? What are the rights of a minority stockholder? Will you tell me, in a corporation organized for pecuniary profit, what are his rights, moral as well as legal? His moral rights are to insist that the corporation shall go on in good faith and make all the money it can for him. Such are his moral rights. No one will question that.

I said before the Senator from Ohio came in, we are not organizing here an eleemosynary institution. We are not organizing a charitable corporation. We are proposing to organize a corporation for pecuniary profit. These men take the stock. Why do they take it? They take it because they know that month after month and year after year they will be brought into association with the officers of the Government under circumstances that will enable them to exercise all the influence that can be exercised over Government officials. They will be brought together under those circumstances which compel all Government officials to listen to them and to listen to their rights, concerning which there can be little dispute. Do you want a government run in that way? Do you think that when the Secretary of the Treasury or the Secretary of Commerce or the President of the United States is about to do some great thing for the benefit of the people of the country he ought to call in these men, who have nothing but a selfish interest to serve, in order to consult with them as to the best way in which it can be accomplished?

I beg you to review your determination in this respect. Reverse what you have done and stand all four square for a Government function, operated by the Government, without the intervention of any private interest or without the necessity of consulting with any private interest.

But suppose they are able to withstand all that temptation. What then? Now, I am assuming this must happen: The Government board, the shipping board, says: "This corporation was organized to make money, but our purpose is to so manage it that the interests of all the people will be served. This corporation was organized to regulate commerce; it was organized to cut down and reduce freight rates; it was organized to supply facilities where they are not now found, and we do not want to make money. We want to serve the people of the United States." Of course, the whole prospectus of the corporation, the whole manifesto, is one of service to the people of this country.

Now, what do Mr. Morgan and Mr. Schiff and Mr. Vanderlip and anybody else who may become stockholders in this corporation for the purpose I have described say? They say: "Mr. Government, we belong to a corporation organized for pecuniary profit; we invested our money in order to make money out of the investment; we care not one whit about the general welfare; we are not the servants of the people; we belong to a corporation organized to increase our fortunes, and we expect you to so conduct this corporation that it will make fortunes for us, or at least make a fair return upon our money. We expect you in good faith to use this corporation precisely as any other corporation is used which is organized for pecuniary profit." Senators, that is a demand which the minority stockholders can enforce in any court in the land.

Suppose the Government says, as it must say substantially, "We are operating this corporation for the general good"—that is one of the accepted facts—the minority stockholders say, "We want it to be used for our benefit; that is, the benefit of the money that we have invested in it; and if you go forward upon your philanthropic governmental plan we will resort to the courts to direct you and enjoin you; you must do that business which is profitable if you have a choice between profitable and unprofitable business."

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Montana?

Mr. CUMMINS. I yield for a question.

Mr. WALSH. I should like to ask the Senator from Iowa a question at this point. Of course the Senator told us at the beginning that if he were the attorney for the minority stockholders he could harass and annoy the corporation a great deal. I was trained in a school that taught that the majority of a corporation was able to control its affairs, and I have usually advised my clients in that way.

I should like to inquire of the Senator if he would give us a concrete case in connection with the statement he has just made? For instance, a profitable business can be conducted by the carrying of freight to European ports. A majority of the directors—that is, the Government directors—believe that it would be wise to put the ships into the South American trade. Would the Senator, in the pursuit of the policy of harassing and annoying the corporation as much as he could on behalf of the minority stockholders, believe that he could through the court control the discretion vested in the majority of the board of directors and compel them to keep the ships in the European trade instead of in the South American trade?

Mr. CUMMINS. The Senator from Montana has omitted an essential element which I will supply. If, in addition to the facts stated in his inquiry, it were shown that the particular venture upon which the ships proposed to enter was not entered upon in good faith to make money, then the courts would enjoin.

Of course, the courts will not enjoin the discretion of a board of directors as to ventures upon which a corporation shall enter, provided the directors are acting in good faith; but if the directors of this corporation were entering upon a particular route between our country and South America, not to make money eventually out of the business, but to encourage the general trade of the United States, there is not a court in the land but would enjoin the corporation from using its capital in that way.

Mr. WALSH. Yes; but would not the question as to whether it was profitable rest entirely in the discretion and judgment of the directors, assuming that they were acting in good faith?

Mr. CUMMINS. I answer very emphatically, no. This corporation is organized under this law. This law is a law for pecuniary profit. The Government is taking that road toward this regulation of foreign commerce; and it must take that road, if it does it, with all the disadvantages and burdens which are incident to that path. I will not appeal to the Senator from Montana—I have done that too frequently already—but there is no man who has examined with care and without prejudice this subject who can doubt that the presence of these minority stockholders would hamper, harass, cripple, and oftentimes destroy the energy or the effort of the Government to help the people of this country.

There is no reason for it. You can not give any reason for it. There is no reason, except that somebody desires to serve an ulterior purpose; there is no reason for it except that away back somewhere—I do not think there is a man in this Chamber who is actuated by any such motive—but somewhere there stands a man who inspires this provision of the bill, or insists upon it, who does know what he can accomplish by maintaining it in the bill.

Mr. WALSH. May I inquire of the Senator from Iowa if the minority stockholders of the United States Bank ever felt called upon to appeal to a court of justice against the oppression of the directors?

Mr. CUMMINS. Mr. President, I am afraid the Senator from Montana, great lawyer as he is, is a slave of precedent. There is no lesson to be drawn from the United States Bank for this time and for these conditions. When the Senator from Montana elaborated the international law with regard to the purchase of ships of belligerents a few days ago he did it in so convincing a way that it seemed to me that every open mind must accept his conclusions; I accepted them; but you could go into the archives of almost any nation in the world and draw an instance that would be out of harmony with the argument that he made.

The United States Bank was an institution of comparatively short life, and what life it had was a stormy and political one; and the conditions of those days were so radically different, and the purpose of the bank was so radically different, that there can be no parallel or fair comparison instituted between what happened then and what is now proposed.

I have given to the Senate my reasons for believing that as between a measure which authorizes the Government to enter directly into commerce with such of its naval ships as are not needed in the Naval Establishment and this proposal, the shipping combination would prefer the latter. I have gone into it fully, and I have shown you why you are preparing an instrument that will be used by the very forces that you are endeavoring to overcome. While it is a mere conjecture, of course, I do not hesitate to say that the shipping combination or force in this and other countries would give, if there has to be any legislation at all—and I frankly say that they would rather have none; that is perfectly obvious—but if there must be legislation that invokes governmental activity, they would give millions of dollars to have the Democratic bill rather than the bill which I have proposed, for there is no crevice in my substitute through which influences of the sort which I have tried to describe could enter. I have not heard yet any good reason for entering into partnership with those who may be in harmony with the purpose of the Government or may be out of harmony with it, or with those who are the bitter opponents of the policy which the Government is trying to execute.

Mr. President, there is another reason for the elimination of the corporation. What I have said up to this time has been directed against allowing minority stockholders in the corporation.

Mr. POMERENE. Mr. President, in view of what the Senator has just said as indicating his belief that the shipping interests favor this bill rather than the one which he has presented——

Mr. CUMMINS. I would think so.

Mr. POMERENE. Well, what I was going to ask the Senator was this: Can the Senator point out a single shipping interest, great or small, that has indicated any prejudice in favor of this bill or any shipping interest that has even suggested that, as between these two measures, it would favor the so-called Fletcher substitute to that offered by the Senator himself?

Mr. CUMMINS. I have no intimacy with these interests. All the information about them seems to come from a few Senators. I never heard anyone who is interested in shipping say a word about either measure. I have never received any communication, with regard to either measure, from anyone connected with shipping in any form. I am reasoning as a man of observation. I know—and the Senator from Ohio knows—what is good for the combination and what is bad for it. He knows that just as well as anyone else. He is a man of trained experience, and the very moment a proposal is made affecting industrial or transportation systems he knows whether it can be availed of by monopoly and by combinations or whether it is protected against both. It is not necessary for me to go into conference with the Shipping Trust in order to know which one of these measures will be best adapted to carry out its purpose.

But, sir, even if the bill were so amended as to require the Government to take all the stock, so that the corporation would become really a governmental arm or a function without the disturbance or interference of divers minority interests, I would still be opposed to the intervention of a corporation at all. There is no reason for it; it is full of danger, and it can not be as effective as though the Government were to operate directly, and I will show you why.

Mr. President, this bill has been argued upon the theory that we were creating a corporation with $10,000,000 of capital and giving it a credit of $30,000,000, and that all that was involved in the subject was $40,000,000, with the possibility that the capital stock might be increased so that the entire investment of the Government would be $20,000,000 as a part of the capital. I wonder if it has been observed that we are proposing to create

a corporation without any limitation at all. Instead of being able to buy $30,000,000 worth of ships from the Government, as is proposed here, with an end of its purchasing capacity, this corporation, if it has credit enough, is authorized to buy $500,000,000 worth of ships. Will that be disputed? There is no limitation whatever. If its full power is exercised, it will have a capital of $20,000,000. The Government gives it a credit of $30,000,000; that is, it sells the corporation ships to the extent of $30,000,000 and takes its bonds for the purchase price. Then the corporation has a debt outstanding of $30,000,000 to the Government, and it has a capital of $20,000,000; but it can go into the market and buy or build—because its power to build is just as broad as its power to buy—it can go into the market and buy or build ships to an unlimited extent. It is confined only by its credit.

Does the Senator from Ohio or does the Senator from Florida think that it is wise to put into the field of business a corporation, of which the Government is the controlling or majority stockholder, without any limitation at all upon its right to use the governmental power? What would the Senator from Ohio say if it were proposed here to give to some person the right to involve the credit of the United States to an unlimited extent? Suppose it were suggested to give even the President of the United States the right to issue bonds to any amount he might think necessary for the good of the people of this country—an absurd and preposterous proposition; and yet that is just what you are doing in this bill. This corporation can buy all the ships in the world if the people who own the ships are willing to trust the corporation for the purchase price.

Mr. POMERENE. Mr. President, does it not occur to the Senator that that is a pretty big "if"?

Mr. CUMMINS. Oh, Mr. President, that is just the difficulty with the Senator from Ohio. He seems to be indifferent with regard to the power that he gives to or bestows upon this board. It may be a good board, composed of honest men. I have no doubt about that; but when did the Senator from Ohio reverse his political doctrine? When did he become so violent a radical and so extreme a consolidationist as to be willing to place all the power that can be gathered into any government in the hands of one man or five men without any restriction whatsoever? It is a conversion on the part of the Senator from Ohio, and I am sorry to see it.

Mr. POMERENE. Mr. President, I do not know that I have changed my political faith in the least, but I am not in the habit of "seeing things at night."

Mr. CUMMINS. "Seeing things?" I did not quite catch that. Undoubtedly it was some very wise and witty suggestion, but I did not quite catch it. I have no doubt that if this were a Republican administration, and if a Republican President were authorized to appoint the members of this board, and a Republican President had selected the two Cabinet members, the Senator from Ohio would see more force in the suggestion I have made than he now does. I do not ask him to escape from the bond of the caucus, of course. I understand the binding effect of that solemn obligation. I know very well that I am speaking to men whose intellects are bound just as securely and as permanently, so far as this measure is concerned, as would be their hands if manacles had been clasped upon their wrists. I understand that. There is no possibility of convincing anybody of anything here with regard to this bill. I am sorry for it.

That leads me to say all that I have to say with regard to the asserted obstruction upon this side of the Chamber. I have no sympathy with a so-called filibuster. I was opposed to it when our Democratic friends filibustered for three months against the confirmation of appointments during the last Congress. It was indefensible. I do not like it now. The only possible justification for an effort on the part of a minority, after a full and fair and free expression of opinion, and after argument is reasonably exhausted, lies in the belief that we have before us a measure that originated in an executive office, and not in the legislative or law-making branch of the Government; that it became possible because it was ratified by two-thirds of the Democratic Members of the Senate in caucus, who sealed the obligation which many of you feel toward the Chief Executive, and imposed his will and the caucus order upon a reluctant, dissatisfied minority of your organization.

Mr. GALLINGER. Mr. President——

Mr. CUMMINS. I yield to the Senator from New Hampshire for a question.

Mr. GALLINGER. The Senator quite startles me, as a layman, when he asserts that this bill gives unlimited authority to the shipping board to purchase and build ships ad libitum. The Senator has given one reason why the filibuster has some justification. If what the Senator asserts with reference to the powers of this board be true—and I assume it to be true—unless the bill were changed in that respect, would not that be a pretty strong justification for using every means in our power to prevent its enactment into law?

Mr. CUMMINS. It would be a very strong provocation, Mr. President; but my training leads me to believe that where there can be fair and free discussion in a legislative body, when the discussion is ended the majority ought to rule, even though in ruling it overturns a vital principle of government.

Mr. GALLINGER. Mr. President——

Mr. CUMMINS. I yield to the Senator for a question.

Mr. GALLINGER. Just one further question. Inasmuch as the debate which has been considered by our Democratic friends as being unnecessarily long has resulted in changing this bill four times, and we now have before us an entirely different bill from that which we had before us when we commenced, is there not some justification in that prolonged debate?

Mr. CUMMINS. I think where I possibly disagree with the Senator from New Hampshire is in this respect: A very large part of this discussion ought not to be characterized as a filibuster. It has not been a filibuster. I suppose some speeches have been made that were longer than they otherwise would have been or possibly ought to have been, but it is the action of the Executive and the action of the caucus, precluding fair discussion and enabling a minority of the Senate to control its legislation, that provokes, and always will provoke, just such delay as has been witnessed in the consideration of this bill. This country never will see the end of filibustering until its legislative bodies enter upon the consideration of any question free and untrammeled, until they enter upon the consideration of a measure at liberty at the close of the discussion to do what their judgment and their conscience direct them to do. The very moment a caucus is interposed, so that a minority of a body actuated or directed by the Executive head of the Government can determine legislation, you will always find rebellion. Men have always rebelled and revolted against that sort of procedure and they always will.

This bill should not have come into the Senate as a party measure. There is not a party principle involved in it. There is nothing here upon which any political party has ever declared save as parties have declared for the building up of a merchant marine in a certain method. But the subject is not partisan. It ought not to be partisan. It is a high assumption, a bold audacity, for the President of the United States to undertake to make it a partisan measure. If he—I do not know; I am only reiterating what I have heard here day after day and hour after hour—if he so far forgets his constitutional duty as to bring to bear an unauthorized influence upon the legislative power, the Senate and the House ought to be strong enough and independent enough not only to resist but to protest against it. If the bill had come in the proper way, first as representing the sentiment or view of a majority of the members of the Committee on Commerce, and then being open for debate, and all of us had felt that every argument made here for or against it, for amendment of it, for elision from and addition to it, would be duly weighed and considered, there would have been no delay; and I am sure that long ago there would have been a vote which would have registered the real judgment of a majority of the Members of this body. Until we are willing to proceed in that way, the spectacles that we have witnessed, the unhappy scenes of the last few days, will be repeated from time to time.

But I renew the statement which seemed to astonish the Senator from New Hampshire [Mr. GALLINGER], and which I have not heard mentioned by any Senator so far, that we are organizing a corporation to enter into a certain business without any limitation whatever on its authority. Its operations will be limited only by the trust and credit the people are willing to repose in it; and, as I said a moment ago, it can build all the ships it wants to build, if it costs us $100,000,000 or $500,000,000, or buy all the ships it wants to buy, no matter how much might ultimately be invested in the enterprise.

I wonder if that is what was intended by the Secretary of the Treasury and by the acting chairman of the Committee on Commerce? I wonder if they intended to intrust the five men—two of them the mere hands of the President and part of his Cabinet and three others holding a more or less stable tenure of office—with power to pledge the credit of the United States to any extent whatsoever?

Mark you, in ordinary cases there might be some limitation in the mere fact that the capital of the corporation is only $10,000,000, or something like that. That might be some limitation ordinarily, but it would be no limitation with respect to this corporation, for there is no man in the world, there is no country in the world, that would not give to this corporation any credit that it desired to ask. With the Government as the

owner of a majority of its stock, recognized all over the world as a governmental corporation, what the corporation does the Government does; and even though the work of the corporation entails no legal obligation upon the Government, we could not with honor refuse to discharge the obligations of the corporation, the officers of which and the trustees of which had been elected through the shipping board.

I wonder if it is the view of our Democratic friends that we ought to allow any such corporation to embark upon the troubled seas of commerce? I can not imagine it. Suppose Congress were asked to come down here once a year and say: "We will give to a certain number of men five or six or seven, a billion, dollars, and we ask them with that money to run the Government for the next year. We prescribe no rules; we impose no guide and no standard upon them. Here is the billion dollars; discharge the obligations of the Government; and if that is not enough, borrow all that you think the Government ought to have." That is an exaggeration, of course, but it illustrates the danger of the precedent that we are now establishing.

Why is any Senator willing to create an instrumentality of that kind with the power that I have suggested? It is not enough to say that in all probability it will not be done. That can be said about every law. If that is a sufficient answer, we need not be careful about the provisions of any law. If that is a sufficient answer, we should put no restriction upon any *man who occupies* a public office. We should say to every postmaster that he can charge a cent or 2 cents or 10 cents per letter if he wants to do it, or we might say it to the Postmaster General, if you go up higher in the scale of officers. That is not consistent with the principles of free government. It is not in harmony with the progressive thought of this age.

I want to remind some of my friends who are the very embodiments of progressivism in the United States, who have been distinguished in the movement which, I think, has carried civilization to a higher point than it ever before attained, that this measure, instead of being progressive, as I remarked the other day, is medieval in its character; it is arbitrary, tyrannical, irresponsible in its make-up. So far from carrying the Government forward to a larger field of operations in order to do justice everywhere, this is simply committing the helpless and the weak to the unguided and unlimited and undirected will of a few men.

Not long ago, when we were arguing the bill which created a trade commission, I was for that bill. If I had gone into a Republican caucus—if I had done as you people do—there would have been a majority in the Republican caucus against it; but there was no Republican caucus upon it. However, if the Republican Party had followed the practice of our friends the Democrats, I would not have been at liberty, I suppose, to have been for that measure. It was an administration measure, too. But when I find a thing good I am for it. I may not always be right in my judgment, but I am free in my actions.

When we were considering the trade-commission bill there were some very eloquent speeches made on the Democratic side. I remember one made by the Senator from Colorado [Mr. THOMAS], I remember many made by the junior Senator from Missouri [Mr. REED], and possibly some others, in which the horror, the tyranny of the creation of a commission without any rule of law to guide it, direct it, or limit it were painted in most vivid colors. I am not sure but that my friend the Senator from Ohio [Mr. POMERENE] was affected a little in the same way. We tried to give that commission a rule of law. It may have been a flexible one, although I thought it sufficiently certain. But what do the same Senators propose to do now? They propose to create a commission with powers of unlimited indebtedness, with powers of unlimited governmental operation, and there is not a suggestion in this bill from the beginning to the end with respect to the manner in which the powers which we devolve upon them shall be exercised—not one word. There is no student of this measure who can point out the least indication of the manner in which this corporation is to be managed. I challenge my Democratic friends to indicate a single guidepost from the beginning to the end where it is to begin and where it is to end, how much capital it shall use, how it shall use it, what rate shall be charged——

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield——

Mr. POMERENE. The Senator has several times made a statement that the power——

Mr. CUMMINS. I yield for a question.

Mr. POMERENE. I am going to ask a question.

Mr. CUMMINS. Then he may ask his question.

Mr. POMERENE. The Senator has several times made the statement that there is a power of unlimited indebtedness in the bill; that the power of incurring unlimited indebtedness was placed upon this corporation. I would like to know what provision there is in the bill upon which the Senator bases that statement?

Mr. CUMMINS. The Senator from Ohio, I hope, is familiar with the bill?

Mr. POMERENE. Mr. President, I think I am, and that is just the reason why I ask.

Mr. CUMMINS. I am going to assume that you are familiar with the bill. We create a corporation under the laws of the District of Columbia with a capital of $20,000,000 or about that; that is, that may be its capital——

Mr. SMITH of Georgia. Ten million dollars, with the power of increasing.

Mr. CUMMINS. So that the Government part of it shall not exceed $10,000,000 of the increase. That corporation is organized to buy, build, and operate ships. That corporation has all the power to incur indebtedness that an individual has, unless it is limited in the law which creates it. I now ask the Senator from Ohio to point out the limitation in the law.

Mr. POMERENE. Mr. President, in the first place, this corporation is to have an initial capital stock of not over $10,000,000.

Mr. CUMMINS. That has nothing to do with the question.

Mr. POMERENE. If the Senator will wait a moment, I will get to the point.

Mr. CUMMINS. I ought not to have asked the Senator from Ohio to do that, unless I understood——

Mr. POMERENE. Very well; I will do it in my own time.

Mr. CUMMINS. I am quite willing to have the Senator ask the question.

The VICE PRESIDENT. The Chair will preserve the right of the Senator from Iowa to the floor.

Mr. CUMMINS. Then I shall be very glad if the Senator from Ohio will continue.

Mr. POMERENE. So that the initial capital stock is $10,000,000, in which the Government is compelled to own 51 per cent. In section 2 there is this provision:

> The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000, neither shall the proportion of stock held by the United States at any time be less than 51 per cent.

So it clearly appears that without the authority of Congress the capital stock can not be in excess of $20,000,000, and at least 51 per cent of this shall be held by the Government.

On page 3 there is this paragraph:

> The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

That is, incident to a corporation of $20,000,000.

Mr. CUMMINS. Oh, no.

Mr. POMERENE. There is another paragraph which provides for the sale of certain vessels for bonds, and the shipping board is limited as to what shall be done with these bonds:

> SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to such corporation, and such corporation shall issue to the United States in payment thereof its gold bonds, bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels.

So when these vessels are sold bonds are received, and when these bonds are sold the proceeds therefrom must go back into the Treasury, and you have, therefore, a limitation of $20,000,000 as the amount of stock which the Government may own.

Mr. CUMMINS. Mr. President, if I did not have the very highest opinion of the legal learning of the Senator from Ohio I would say he was trying to becloud this question. But I know he is not. He has fallen into an error. The fact that the capital of the corporation is limited to $20,000,000, practically speaking, has nothing whatever to do with the objects of the corporation, the purposes of the corporation, which are to buy, build, and operate ships. Those are the objects of the corporation, and it does not make any difference how much the capital stock is. It is only a question whether people having ships or who desire to work on ships in construction are willing to trust the corporation.

Now, the United States has said we will trust this corporation to the extent of $30,000,000 by buying ships of that value and transferring them to the corporation and taking the note of

the corporation for the purchase price; but the corporation can become indebted in any amount unless it be limited by the act which creates it. If the Senator from Ohio can find anything of that kind in the act under which the organization is made he will have been able to discover what I have not. I say that this corporation has the legal capacity of becoming indebted in any amount.

Mr. SMITH of Georgia. That anybody will credit it with.

Mr. CUMMINS. Of course it would not have the money, but if anybody was willing to give it credit, then it could buy all the ships in the world if it wanted to do so.

Let us see whether anybody would credit it. If it were purely a private corporation, I would say there was not much danger of anybody extending a credit of millions and millions of dollars to it, but it is not or will not be in the popular esteem a private corporation. The Government is a stockholder. Officers of the Government will control and will operate the corporation. I repeat, there is not a man with a ship in the world or a country with a ship in all the earth that would not be willing to trust this corporation upon the faith of the fact that the United States is the majority stockholder in it.

Mr. SMITH of Georgia. Mr. President——

Mr. CUMMINS. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Is not this, however, true: The Government or the shipping board is authorized to spend $30,000,000 in the purchase of vessels and turn those vessels over to this corporation. When the Government does so, it requires the corporation to execute a first-mortgage bond or bonds, secured by a first mortgage to the Government, to secure the entire amount which the Government is going to furnish. Does not this suggest to the entire public that the limit of the Government's interest is to be the capital stock which it pays in, and that outside of that the Government intends to treat this like any other corporation, and is not this shown to the public by the Government requiring bonds secured by a first mortgage for the $30,000,000?

Mr. CUMMINS. I do not draw that inference. The Government when it sells the ships to the corporation takes the note of the corporation. That note is secured and made a lien upon the ships that are sold. But suppose the corporation proposes to buy German or English ships, it could give Germany or England a first lien just as it will give the Government of the United States a first lien upon the ships that it buys from our Government. No, Mr. President.

Mr. SMITH of Georgia. Will the Senator allow me?

Mr. CUMMINS. I yield to the Senator for a question.

Mr. SMITH of Georgia. My only reason for asking the question is that I would not like, if the bill were passed, for the senatorial construction to attach that the Government was going to assume responsibility for any indebtedness the company made, because I would object myself most seriously to its spreading out and making additional purchases for which the Government was to be in any way responsible.

Mr. CUMMINS. If the Senator from Georgia does object to that course, he ought to make his objection now in order to make it effectual. We are using this corporation as an instrument of the Government, and honor will require that we discharge any obligations which the corporation incurs. There is not an American anywhere who would not resent the repudiation of an obligation of the corporation. Let us restrict and limit it now or let us not employ it at all. It is only an instrument of danger. It is only a source of scandal. It never can accomplish any good, and we are abdicating what we ought to do and transferring the authority to five absolutely irresponsible men, because they are irresponsible, not for want of character, but they are irresponsible because we have not told them and do not propose to tell them what to do or how to do it.

Mr. President, I have in my mind to review the circumstances under which this bill was brought before us. There are a great many other things that we ought to be doing rather than spending our time upon this bill. Just think of it, last session there were three branches of the President's program. One was the Trade Commission bill. One was the Clayton bill. The other was the Rayburn bill, or the railroad securities bill. The House passed them all. They came here, were referred to the proper committees, and we passed two of them. The Committee on Interstate Commerce spent two months perfecting the bill to regulate railroad securities in order to see to it that in the future the markets of this country should not be crowded and overcrowded and flooded with baseless and worthless stocks and bonds issued by railroad companies.

We have just seen some evidence as to whether it is worth while to protect our people against such financial crimes. We have just had the railroad rates in this country advanced in order to make good in the markets of the country these over-issues of stocks and bonds. The President very wisely—and I intend before the consideration of this bill is over to call attention to it—the President very wisely brought that to the attention of Congress, and we presented a bill here. But suddenly, somewhat contemporaneously with the visit of certain great people to Washington, that bill, although reported by the Interstate Commerce Committee, and although a part of the President's program, was, as I have been informed, through his influence put into the discard, and there it lies now in the wastebasket of legislative activities. Why do we not do something with that bill? It contained a provision, too, which would have been of infinite advantage to the people of this country, who are now every day being deprived of their just rights when their property, especially the live stock of the farmers of the country, is injured or destroyed upon a railroad, by the limitations which the transportation companies have put upon the recovery of damages.

We can not get consideration for such things, but we can get consideration for a measure like this, which, in my judgment, is simply an invitation to the shipping combinations and trusts of the world to enter partnership with the United States in order that our interference may be as little inconvenient as possible.

Mr. President, I shall take occasion at some other time to comment upon some of the details of the substitute I have offered. I earnestly hope that it will be adopted, and I sincerely believe that it will be vastly more effective in bringing to the people of the country some relief from a situation which I deplore as much as my friends upon the other side can than the measure now before us.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. Mr. President, it seems to me that somebody ought to call attention to the fact that what has been going on in the Senate for the last few weeks illustrates, as I have said on occasions before, the necessity of this body adopting some rule by which in an orderly and fair way debate may automatically come to an end, so that we may automatically reach a time in the consideration of every bill when a majority in favor of a bill or resolution will have the right to see it passed by this body.

I have said before, and I repeat now, that I am not complaining or finding fault with any Senator for doing that which the rules give him the right to do, and one of these things is the right to filibuster.

The Senator from Mississippi [Mr. WILLIAMS] the other day outlined what, in his judgment, would be a sufficient reason for a filibuster. He satisfied his mind, and perhaps the minds of others, that in the instances he gave a filibuster would be justified. The trouble is, Mr. President, that the Senator from Mississippi sets up a standard for himself and says if a measure comes within its limits a filibuster is a patriotic and a good thing, but if it does not come within its limits, then a filibuster is unpatriotic and a very bad thing. Some other Senator will outline what to him is a sufficient reason for a Senator to engage in a filibuster, and the two outlines will vary and be as far apart as the rising and the setting sun. Thus it is that each man outlines for himself what he considers a sufficient justification for engaging in a filibuster, and that is proper under the rules of the Senate. The man who outlines for himself, and who is the judge of his own conduct as to when he will engage in a filibuster, must, if he be fair, concede to every other man the same privilege, even though the grounds that he may give may be vastly different.

It seems to me it leads us to the inevitable conclusion that whenever a Senator or a number of Senators, under the rules of the Senate, consider that a filibuster against a proposition is proper and are willing to assume the responsibility, then they have an honorable right to engage in it under the rules of the Senate, and, so far as I am able to see, can not be censured for it.

Why, Mr. President, these filibusters are increasing. Years ago they happened very seldom. They happen now at every session, and, in a small degree, they happen on nearly every important bill that passes this body. As a rule, we see an endurance test for a limited length of time when we come to a culmination of the consideration of almost every important bill that passes the Senate.

We boast of the fact that this is a body where unlimited debate takes place, and yet unlimited debate is one of the first instrumentalities of a filibuster. I would not desire to limit, except within reasonable bounds, the right of any Senator to participate in debate or to offer amendments and to discuss them. I have been criticized because I have advocated what is technically known as a cloture rule in the Senate, because it

has been said that when I was a Member of the House of Representatives I opposed such a rule. The fact is that the House of Representatives represents one extreme in legislation, where a gag rule is sometimes invoked that prevents debate, amendments, consideration, and deliberation, while the Senate represents the other extreme, where the length of debate and consideration and deliberation is limited only by the number of men who can participate in it, engage in it, and keep it up.

It seems to me that it is a sad commentary on this body that we can not reach a conclusion on any bill of any particular importance as to which there is considerable disagreement without, before concluding it, we must have a test of physical strength. We must test the physical endurance of the Members to see how long they can stand punishment. Mr. President, to me that seems barbarous. It seems to me that is a relic of barbarism. Away back in ancient times when two men disputed they provided by rule a regulation for a wage of battle. The strong overcame the weak, might prevailed, and the right was often crushed to earth. That is what a physical endurance test means anywhere, at any place on earth. It does not mean that logic and reason will prevail in the decision of the question. It means brute force will prevail, right or wrong.

The time was, even in this country years ago, when juries retired to deliberate on their verdict; that the judges would lock them up, without permitting them to eat or drink, until they had agreed upon a verdict. Of course it would only be a matter of time until the weak would succumb; but was that any indication that justice prevailed in the case? Those things happily are all in the past with us now. The only place where they linger and remain is in what is supposed to be the greatest deliberative body in the world—the Senate of the United States.

Why, Mr. President, what has happened in this particular filibuster on this particular bill? Let me say before I take that up that neither side of this Chamber, in my humble judgment, has any right to criticize the other on the question of a filibuster. You will find just about as many filibusters conducted on the Democratic side as on the Republican side, the only difference being that they are increasing in number now, because those who oppose legislation know under the rules how effective that method is. On this particular bill that has been before the Senate for several weeks I believe that both sides of the Chamber have been guilty of filibustering. First by the Republicans, and then one day it dawned upon the Democratic side that they did not have a sufficient number of votes to pass the bill, and it was necessary for them to filibuster to prevent a vote until absent Democratic Senators could be sent for. A filibuster is simply dilatory tactics, whether by talking or by dilatory motions, to prevent a vote on the main question. We saw all last week Democratic Senators in this Chamber talking against time. They were afraid to let the bill come to a vote lest it should be defeated. Having myself been in favor of the bill, with the amendments then proposed and now pending, I sympathized with that filibuster. I should not have hesitated, had it been necessary, to help take up some of the time to hold the Senate in statu quo until the absentees could be brought here. First, you waited for a Senator to return from North Carolina, where he was on account of sickness.

When he came it was discovered that some one on this side had arrived who had not before been present. Then you needed the Senator from Nevada [Mr. NEWLANDS] and one from South Carolina, and you had to delay a vote until these absent Senators got here.

I mention this not in criticism; I think it was justifiable, but it was a filibuster, it was delaying the vote just the same, with the Members on this side then clamoring for a vote; and when enough Senators arrived so that side had a majority, this side again began filibustering.

Mr. President, if to-night two, or perhaps three, Democratic Senators should have their near relatives taken suddenly ill or stricken by the hand of death, making it necessary for those Senators to absent themselves from the Senate, in the twinkling of an eye the filibuster would shift from this side of the Chamber to the other. Then opponents of the bill would be demanding a vote, and Democrats would again filibuster until absent Senators could return.

I mention these things, Mr. President, first, to show that, so long as the rules permit a filibuster, any Senator who wants to take the responsibility has an honest right to engage in it; and, second—and what I believe is more important than this legislation and more important than any other legislation that we can pass—the rules of this body should be so amended that this kind of business can not continue indefinitely. We ought to make it impossible for either party or anybody to delay legislation by filibustering.

Mr. President, we say we have no cloture; but a filibuster is a cloture; it is the most unreasonable cloture, the most illogical cloture, the most unfair cloture, the most inhuman cloture that any legislative body can possibly adopt. I have given notice that I would introduce a proposition to amend the rules; and, as a matter of fact, this very filibuster, this continuous session of the Senate without any morning hour, has so far made it impossible for me, under the rules of the Senate, to formally offer the amendment to the rules of which I gave notice. I desire to read my proposed amendment to the rules now. It is a proposition to add a new rule, and it is as follows:

It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over one day and shall then be decided without debate. When it has been decided to consider a bill or resolution under this rule, the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than 3 hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for 3 hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate 3 hours. When the bill is being read for amendment all debate shall be confined to the amendment which is then pending.

Mr. President, that proposition is tentative. To my mind 3 hours is a longer time than we ought to have for debate; but if it is not long enough, make it longer. If 15 minutes is not time enough to debate each amendment, make it more; but why not adopt some rule that shall apply to all bills, that automatically will in the end bring the Senate to a vote on the main proposition so that the majority shall have the right to enact their will into law? I believe this rule would do the business. It would bring us automatically to a time when the end of debate would bring a final vote. It would end not by brute force prevailing, but action coming from the application of the aggregated logic and wisdom of the entire Senate.

Mr. President, did it ever occur to you that these filibusters, these tests of physical strength, that run along one night after another are really ludicrous? They would be really foolish if it were not for the fact that their consequences are sometimes serious and that they are engaged in by serious men.

I was brought up here the other night by the Sergeant at Arms a little after 12 o'clock—perhaps about 1 o'clock. I found a Senator speaking, four or five Republican Senators sitting around on this side of the Chamber, most of them dozing in their chairs, and just a solitary, lone Democrat on the other side. That was the Senator from New Jersey [Mr. MARTINE]. What a foolish spectacle for the United States Senate. If it occurred anywhere else, the participants would have been taken before a board of insanity commissioners, but since it happened in the Senate, it is supposed to be an exhibition of statesmanship. And yet the Senate was in session; the RECORD showed, if you would examine it, that a quorum of the Senate was present; and we were going through the necessary rules and regulations to bring about a cloture of this body, no one listening, no one caring what was said, either by those who were present or by those talking, except to kill the time—and, incidentally, kill the Members as well. It does not seem to me that in this civilized age the Senate of the United States ought to engage in that kind of a farce.

Now, Mr. President, I want to say a word further about this particular filibuster; and I do not see why we should not call it a filibuster. I have no part in it. I have no sympathy with it. I regret exceedingly that it is now proceeding. We must all recognize, however, that our ancient and much revered rules permit it.

What is the condition? We have been in session more than two days and two nights continuously. We have been in session lacking 15 minutes of 56 hours without any let-up. Will any man contend that human beings in continuous session that long are capable men, and are able to do the best that their ordinary energies and abilities would enable them to do for the country? Can we, at such a time as this, expect good legislation? Can men engaged continuously in one session for that length of time still retain all their mental faculties?

Why, Mr. President, I do not know what day of the month it is; I do not know what day of the week it is; but I know it is in the month of February, and that it is not very long until the 4th of March. I know and you know, Mr. President; every Senator here knows, and God knows, that when about one-half of the Senate of the United States are engaged in a filibuster under its present rules, and the time is as short as it is until the 4th of March, they will be able to conduct that filibuster up to the 4th of March.

I do not believe there is anybody here who doubts their ability to do that. Why not admit it? If that be true, then

this bill must fail unless it is passed in an extra session. Mr. President, I am in favor of this bill, and with the proposed amendments now pending I would vote for it now if I could, or at any other time at which I could get permission. I should like to see it amended in some other particulars. When it gets back, if it ever does, and an opportunity ever presents itself, I am going to vote for some of those amendments; but the success of those amendments is not necessary for me to vote for the bill. I have long favored something of this kind. I am in favor of it, not as an emergency measure, but as a permanent policy of the Government of the United States. But, Mr. President, if the rules of the Senate do not and will not permit us to pass it until the 4th of March, I can not for the life of me see anything to be gained by wasting all the time between now and the 4th of March, and subjecting ourselves to the inconveniences that must necessarily follow from continuous sessions and from a continual filibuster.

I understand upon reliable authority that it is already announced from the White House, through one of the leading Democrats in Congress, that if this bill does not pass there will be a special session of Congress called immediately, or at least soon after the 4th of March. I think we have a right to assume that that is true. If we should continue this filibuster until the 4th of March, there would have to be an extra session, anyway, to pass the great supply bills to keep the Government going during the next fiscal year. I doubt very much whether even now we have sufficient time to pass these supply bills before that time; but if we go on and the filibuster continues we will reach the 4th of March with absolutely nothing done, and then will have to take up this bill at a special session, just the same as though we passed some other important legislation and let this go to a special session—to the same special session.

So, in my judgment, there is nothing to be gained and much to be lost. There is some extremely important legislation on the calendar of the Senate, some of which has passed the House of Representatives, and only awaits the action of the Senate to make it law. There has been ordered out from the Committee on Privileges and Elections a resolution to investigate the expenditure of money in senatorial primaries and campaigns during the last election and the last primaries. That report has not yet been made to the Senate, for the simple reason that this filibuster makes it impossible for the chairman of the committee to make a report, because with this filibuster going on there can be no morning hour. In my judgment that resolution is even more important than this legislation, which I regard as important, and would bring more benefit to the country by bringing out the true facts, whatever they may be, in regard to the enormous expenditure of money made in attempts to get seats in this body.

Mr. President, on the calendar is a convict-labor bill. It has passed the House. It has been reported favorably from the committee here and is on the calendar. If it is not passed by the 4th of March, it is then dead. You will have to commence from the beginning to get it.

The Senator from Iowa [Mr. CUMMINS] mentioned another bill—the bill that regulates the issuing of securities, stocks, and bonds by interstate railroads. That bill, a promise first made in the Democratic national platform, passed by the House of Representatives in an attempt to carry out that platform, recommended by the President of the United States in the same way, taken up for consideration by the Interstate Commerce Committee and considered by the committee for months, and reported to the Senate at the last session of Congress, must die. I suppose it would die anyway, because it is generally understood that the administration has changed and does not believe in the redemption of that part of its platform, and that it is not in favor of that bill. It is in the wastebasket. In my humble judgment it was more important than any other part of the President's program. When we look at the New Haven, the Rock Island, and the Frisco systems of railroad and see what has happened in the way of loot and robbery it seems to me that we ought to take some action here to prevent a repetition of that kind of thing. One of the objects of that bill is to prevent such things.

Mr. REED. Mr. President——

Mr. NORRIS. I yield to the Senator for a question.

Mr. REED. I want to ask the Senator from Nebraska to tell us what authority he has for that statement.

Mr. NORRIS. Does the Senator doubt it?

Mr. REED. I do not ask in a critical way, Mr. President. I simply ask for information.

Mr. NORRIS. What is the reason this bill stops all at once? Why is it? Why, after this bill has been reported by the Senate, has not anything further been done? The Senator from Iowa [Mr. CUMMINS] said—and I think I have the same authority, although I did not get it quite as directly—that the instruction came from the President himself that nothing more should be done with that bill; and if it did not, why, when the President is able to carry anything else, has he laid down on the railroad securities bill?

Mr. REED. Mr. President, the Senator has replied by asking a question. The fact that a bill has not been considered in the Senate is no evidence whatever that the administration has sought to kill it or that the Democratic Party evades it. We have one great bill here before the Congress. It is in every sense of the word an emergency bill——

Mr. NORRIS. Now, Mr. President——

Mr. REED. And that bill—I am only going to interrupt the Senator for a moment further——

Mr. NORRIS. All right.

Mr. REED. That bill we have been pushing, and we have had some very good aid in that respect from the Senator who has the floor, and with that out of the way much undoubtedly could be accomplished.

Mr. NORRIS. The Senator from Missouri does not believe that if we keep that bill before the Senate we are going to get it out of the way before the 4th of March, does he?

Mr. REED. I do not think it is possibly practical to do it now; but I think if this bill had not been obstructed, and the obstruction aided by the conspirators, there would have been a different situation.

Mr. NORRIS. Oh, yes; I am referring to this bill. I mean the one before the Senate now. I do not believe anybody here will say that the President of the United States wants the railroad-securities bill passed at this session of Congress. If he had, we would have had it up long ago.

Mr. CHILTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. NORRIS. I yield to the Senator.

Mr. CHILTON. Does not the Senator recall that the Clayton bill has a section in it which meets all of the difficulties of which he has spoken in regard to the Frisco, the New Haven, and other roads, and makes the transaction of which he complains one involving a penal offense by confinement in the penitentiary? Probably that is one of the reasons why there is no need to pass the other bill.

Mr. NORRIS. The Senator, of course, has his own opinion, and has a right to it. I do not believe the Clayton antitrust bill does anything of the kind. To my mind, it does not do anything. It is a makeshift, a delusion, a snare, and a fraud. I think it is only a shield for big business, while it lets the punishment go on for the little man; and I can get lots of authority over on that side for that statement, too. But we differ on that. There is no question on earth but that the command came from the White House to stop the railroad-securities bill and not go any further with it. And yet it was a platform pledge. The bill now before the Senate was not.

Mr. President, I am not belittling this bill. I am just as earnestly in favor of legislation of this kind as any Senator on the other side, although perhaps for different reasons. I want to see something of this kind enacted; and when the special session comes, as it will, we can take up this bill and we can pass it.

I want to suggest to my Democratic friends that the first thing on the program ought to be some rule like I have proposed here or some similar rule by which we could regulate all bills that come before the Senate. I know that the rule which I have introduced probably can not become a law. It will have to have a Democratic name attached to it. But there will not be any trouble of that sort. It does not make any difference to me where it originates; if I believe it is good, I am going to support it. We can enact this very bill just as quickly if we go on and pass some of these other measures as though we waste the time from now to the 4th of March in a useless and senseless filibuster, where we are absolutely helpless.

That is my position. It does not seem to me that it is a part of wisdom for us to waste this time when these bills I have mentioned will be dead on the 4th of March. I have only mentioned a few that are on this calendar. There is a large number of others that I will not take up the time of the Senate to mention now. We are face to face with a condition brought on here by these rules of the Senate, with the 4th of March just ahead of us, where we are unable to enact legislation, especially where there is practically one-half of the Senate opposed to it and a large part of that number engaged in a filibuster to prevent a vote. We are up against an impossibility. We ought

to do the best we can. We ought to take up some of these bills that are going to die and pass them before the 4th of March, and then at the special session pass this bill, together with any appropriation bills that we are unable to pass before March 4, and we will get this bill through just as quickly and we will save the other things that I have mentioned and several others that I have not mentioned, besides saving ourselves.

It seems to me, therefore, Mr. President, we might as well face the reality that every man must know exists. It seems to me the easiest thing in the world is to conduct a filibuster, with the large number of men engaged in it who are engaged in this, from now to the 4th of March. There may be some dead Senators along the way, but we might overlook that. However, we ought not to overlook the fact that when the 4th of March comes we will have nothing done, and the other way we will accomplish something. But when the extra session comes I am going to do all I can to get this bill enacted into law, and I will be glad to assist in every way I can. I only want to suggest—this is only my judgment, and I may be wrong—that when the extra session comes and you take up this bill again you ought to bring it before the Senate without any coercion, without any restraint, and without any caucus rule behind it. There are a good many men over here in favor of a great many, at least, of the principles enunciated in this bill. There are men—and it is perfectly natural that it should be so—who, when you make a bill partisan and in a secret caucus say "We will vote down every amendment that a Republican may offer"—it is natural, I say, that men should resent that kind of conduct and come into the Senate with an unfriendly feeling; men who ought to be with you; men who believe in many of the same things that you do, driven away by caucus action.

I have tried in this case, Senators, not to let such a thing influence me. If it has, I have been unconscious of it. But I want to say that it has been humiliating to know that when I honestly and conscientiously favored some amendment and wanted to bring about the enactment of the fundamental principles that are in this bill, I had always to be told, "The caucus will have to pass on it first." Members of this body—not one, but many—said, "I believe you are right on that proposition." Many of them said "I think both the amendments you have suggested are right, but the caucus must pass on them first."

Why not let this bill come out like the Trade Commission bill? You have boasted of that bill all over the United States. It came out without a caucus rule. You got a good many votes on this side of the Chamber, and no man will honestly deny but that you got valuable assistance on this side of the Chamber, particularly from the Senator from Iowa [Mr. CUMMINS], who was an expert on the subject, and who, without casting any reflection upon any other Senator, knew at least as much about the subject as any other Member of this body. If you had made a caucus measure of it you would have driven him to the other side; that is inevitable.

Now, Mr. President, I have said all I care to say. I am in earnest about it. I would be willing to come here night after night and keep this session up indefinitely if I knew that we could pass this bill by the 4th of March. But I do not believe there is a ghost of a show on earth to do it. There will not be such filibustering in the extra session, because the session will be unlimited. This filibuster is kept alive because they know that just a few days ahead of us is the time when the session must end.

Mr. NEWLANDS and Mr. O'GORMAN addressed the Chair.

Mr. O'GORMAN. Will the Senator yield to me?

Mr. NORRIS. I will yield to the Senator first, and then I will yield to the Senator from Nevada if he desires.

Mr. NEWLANDS. I understood that the Senator had yielded the floor. I wish to take the floor at the close of his remarks.

Mr. O'GORMAN. Mr. President——

Mr. NORRIS. I yield to the Senator from New York.

Mr. O'GORMAN. I move that the Senate adjourn until 12 o'clock to-morrow.

The VICE PRESIDENT. The Senator from New York moves that the Senate adjourn.

Mr. FLETCHER and Mr. KERN called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. THORNTON (when Mr. RANSDELL's name was called). I desire to announce that the junior Senator from Louisiana [Mr. RANSDELL] is necessarily absent, and that he is paired with the junior Senator from Massachusetts [Mr. WEEKS].

Mr. WEEKS (when his name was called). On this vote and for the day I am paired with the Senator from Louisiana [Mr. RANSDELL]. I withhold my vote.

The roll call having been concluded, the result was announced—yeas 48, nays 46, as follows:

YEAS—48.

Bankhead	Colt	Kenyon	Poindexter
Borah	Crawford	Lippitt	Root
Brady	Cummins	Lodge	Sherman
Brandegee	Dillingham	McCumber	Smith, Mich.
Bristow	du Pont	McLean	Smoot
Burleigh	Fall	Nelson	Stephenson
Burton	Gallinger	Norris	Sterling
Camden	Goff	O'Gorman	Sutherland
Catron	Gronna	Oliver	Townsend
Clapp	Hardwick	Page	Vardaman
Clark, Wyo.	Hitchcock	Penrose	Warren
Clarke, Ark.	Jones	Perkins	Works

NAYS—46.

Ashurst	La Follette	Pomerene	Smith, S. C.
Bryan	Lane	Reed	Stone
Chamberlain	Lea, Tenn.	Robinson	Swanson
Chilton	Lee, Md.	Saulsbury	Thomas
Culberson	Lewis	Shafroth	Thompson
Fletcher	Martin, Va.	Sheppard	Thornton
Gore	Martine, N. J.	Shields	Tillman
Hollis	Myers	Shively	Walsh
Hughes	Newlands	Simmons	White
James	Overman	Smith, Ariz.	Williams
Johnson	Owen	Smith, Ga.	
Kern	Pittman	Smith, Md.	

NOT VOTING—2.

Ransdell	Weeks

So the motion was agreed to, and (at 6 o'clock and 10 minutes p. m., Wednesday, February 10, 1915) the Senate adjourned until to-morrow, Thursday, February 11, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 8, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, O God our Father, for all the great reforms which have come and which are coming under the influences of the higher civilization of our day which tends to bind the hearts of men into a common brotherhood. Especially do we thank Thee as American citizens for the gracious privilege vouchsafed to us by the Constitution of our Union, which removes all barriers, takes away all restrictions, and permits us to worship Thee according to the dictates of conscience. Thus by the light of an open Bible, and united under one flag, help us to move forward to yet greater attainments under the leadership of Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 6, and Sunday, February 7, 1915, was read and approved.

THE PRIVATE CALENDAR.

Mr. POU. Mr. Speaker, there is a portion of the Private Calendar which has never been called by unanimous consent. I would like to submit a request that on next Wednesday, at half past 5, the House stand in recess until 8 o'clock; that at 8 o'clock the House resume its session, to continue not later than 11.30; and that bills on the Private Calendar only be considered, beginning at the point where the call was concluded at the last meeting. I will also ask as a part of the request that bills be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that on next Wednesday the House at 5.30 o'clock take a recess until 8 o'clock; that the session shall not extend beyond 11.30 o'clock, for the consideration of all bills on the Private Calendar which are not objected to, beginning where the call left off at the last session; that no other business shall be transacted; and that the bills be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, I hope that motion will not prevail. This is District day, and we have some important bills that ought to be passed. There is an abundance of time.

The SPEAKER. The gentleman from New York makes a privileged motion.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FITZGERALD. I make a point of order that no quorum is present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 168, nays 106, not voting 149, as follows:

[Roll No. 58.]

YEAS—168.

Adair	Falconer	Igoe	Patton, Pa.
Alexander	Fergusson	Johnson, Utah	Phelan
Allen	Fitzgerald	Johnson, Wash.	Platt
Anderson	FitzHenry	Kahn	Plumley
Austin	Fordney	Keating	Pou
Baker	Foster	Kennedy, Iowa	Powers
Baltz	Fowler	Kettner	Rainey
Barnhart	Frear	Kinkaid	Raker
Bartlett	French	Kirkpatrick	Rauch
Beakes	Gallagher	Knowland, J. R.	Reilly, Wis.
Beall, Tex.	Gard	Konop	Rogers
Booher	Gardner	Korbly	Rubey
Borchers	Garner	La Follette	Rucker
Brown, N. Y.	Gill	Langley	Russell
Brown, W. Va.	Gillett	Lenroot	Seldomridge
Brumbaugh	Goeke	Lieb	Sells
Buchanan, Tex.	Good	Lindbergh	Shackleford
Burke, S. Dak.	Gordon	Lloyd	Sherwood
Burke, Wis.	Goulden	McAndrews	Sinnott
Butler	Graham, Ill.	McKenzie	Sloan
Byrns, Tenn.	Gray	McLaughlin	Smith, J. M. C.
Calder	Green, Iowa	Madden	Smith, Minn.
Callaway	Greene, Mass.	Maguire, Nebr.	Smith, N. Y.
Campbell	Greene, Vt.	Mann	Steenerson
Casey	Guernsey	Mapes	Stephens, Cal.
Church	Hamilton, Mich.	Martin	Stephens, Nebr.
Clancy	Hamilton, N. Y.	Miller	Stevens, Minn.
Cline	Hamlin	Mitchell	Stevens, N. H.
Cooper	Haugen	Mondell	Stone
Cox	Hawley	Morgan, Okla.	Stout
Cramton	Hayden	Morrison	Stringer
Curry	Helgesen	Moss, Ind.	Sutherland
Danforth	Helvering	Moss, W. Va.	Taggart
Decker	Hensley	Mott	Talcott, N. Y.
Dershem	Hinds	Neely, W. Va.	Thacher
Dickinson	Hinebaugh	Nelson	Treadway
Dies	Houston	Norton	Underhill
Dillon	Howell	Padgett	Underwood
Dixon	Hoxworth	Page, N. C.	Volmer
Doolittle	Hughes, W. Va.	Paige, Mass.	Volstead
Esch	Hull	Parker, N. J.	Wallin
Evans	Humphrey, Wash.	Patten, N. Y.	Whitacre

NAYS—106.

Abercrombie	Donovan	Kitchin	Slayden
Adamson	Doughton	Lazaro	Small
Aswell	Dupré	Lee, Ga.	Smith, Md.
Barkley	Eagle	Lee, Pa.	Smith, Tex.
Barton	Edwards	Lever	Stedman
Bell, Ga.	Estopinal	Linthicum	Stephens, Miss.
Blackmon	Fields	McGillicuddy	Stephens, Tex.
Brockson	Finley	McKellar	Taylor, Ala.
Broussard	Flood, Va.	MacDonald	Taylor, Ark.
Browning	Floyd, Ark.	Manahan	Taylor, Colo.
Bryan	Godwin, N. C.	Moon	Ten Eyck
Burgess	Goodwin, Ark.	Moore	Thomas
Burnett	Gregg	Mulkey	Thompson, Okla.
Byrnes, S. C.	Hardy	Murdock	Thomson, Ill.
Candler, Miss.	Harrison	Murray	Vaughan
Cantrill	Helm	Neeley, Kans.	Vinson
Caraway	Henry	O'Hair	Walker
Carlin	Holland	Park	Walters
Carter	Hughes, Ga.	Post	Watkins
Clark, Fla.	Humphreys, Miss.	Quin	Weaver
Claypool	Jacoway	Ragsdale	Webb
Collier	Johnson, Ky.	Rayburn	Whaley
Crisp	Johnson, S. C.	Rouse	Wingo
Crosser	Jones	Saunders	Witherspoon
Cullop	Kelly, Pa.	Scott	Young, N. Dak.
Davenport	Kent	Sims	
Dent	Key, Ohio	Sisson	

NOT VOTING—149.

Aiken	Copley	Goldfogle	Lewis, Md.
Ainey	Dale	Gorman	Lewis, Pa.
Anthony	Davis	Graham, Pa.	Lindquist
Ashbrook	Deitrick	Griest	Lobeck
Avis	Difenderfer	Griffin	Loft
Bailey	Donohoe	Gudger	Logue
Barchfeld	Dooling	Hamill	Lonergan
Bartholdt	Doremus	Harris	McClellan
Bathrick	Driscoll	Hart	McGuire, Okla.
Bell, Cal.	Drukker	Hay	Mahan
Borland	Dunn	Hayes	Maher
Bowdle	Eagan	Heflin	Metz
Britten	Edmonds	Hill	Montague
Brodbeck	Elder	Hobson	Morgan, La.
Browne, Wis.	Fairchild	Howard	Morin
Bruckner	Faison	Hulings	Nolan, J. I.
Buchanan, Ill.	Farr	Keister	O'Brien
Bulkley	Ferris	Kelley, Mich.	Oglesby
Burke, Pa.	Fess	Kennedy, Conn.	Oldfield
Cantor	Francis	Kennedy, R. I.	O'Shaunessy
Carew	Gallivan	Kiess, Pa.	Palmer
Carr	Garrett, Tenn.	Kindel	Parker, N. Y.
Cary	Garrett, Tex.	Kreider	Peters
Chandler, N. Y.	George	Lafferty	Peterson
Coady	Gerry	Langham	Porter
Connelly, Kans.	Gilmore	L'Engle	Price
Connolly, Iowa	Gittins	Lesher	Prouty
Conry	Glass	Levy	Reed
Reilly, Conn.	Slemp	Taylor, N. Y.	Williams
Riordan	Smith, Idaho	Temple	Wilson, Fla.
Roberts, Mass.	Smith, Saml. W.	Towner	Wilson, N. Y.
Roberts, Nev.	Sparkman	Townsend	Winslow
Rothermel	Stafford	Tribble	Woodruff
Rupley	Stanley	Tuttle	Woods
Sabath	Sumners	Vare	Young, Tex.
Scully	Switzer	Walsh	
Sherley	Talbott, Md.	Watson	
Shreve	Tavenner	White	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. WINSLOW (for) with Mr. TRIBBLE (against).

Mr. KENNEDY of Connecticut (for) with Mr. GARRETT of Tennessee (against).

Mr. MAHER (for) with Mr. WILSON of Florida (against).

Mr. KENNEDY of Rhode Island (for) with Mr. HOWARD (against).

Mr. SWITZER (for) with Mr. HEFLIN (against).

Mr. FESS (for) with Mr. OLDFIELD (against).

Until further notice:

Mr. GALLIVAN with Mr. WOODS.

Mr. SABATH with Mr. WOODRUFF.

Mr. AIKEN with Mr. FAIRCHILD.

Mr. ASHBROOK with Mr. DUNN.

Mr. BUCHANAN of Illinois with Mr. COPLEY.

Mr. DALE with Mr. ROBERTS of Nevada.

Mr. FERRIS with Mr. MCGUIRE of Oklahoma.

Mr. BAILEY with Mr. EDMONDS.

Mr. GEORGE with Mr. DRUKKER.

Mr. BORLAND with Mr. AINEY.

Mr. BRUCKNER with Mr. ANTHONY.

Mr. CANTOR with Mr. AVIS.

Mr. CAREW with Mr. BARCHFELD.

Mr. COADY with Mr. BARTHOLDT.

Mr. CONNELLY of Kansas with Mr. BELL of California.

Mr. CONNOLLY of Iowa with Mr. BRITTEN.

Mr. DONOHOE with Mr. BURKE of Pennsylvania.

Mr. DOOLING with Mr. BROWNE of Wisconsin.

Mr. DOREMUS with Mr. DAVIS.

Mr. DRISCOLL with Mr. CARY.

Mr. EAGAN with Mr. CHANDLER of New York.

Mr. GARRETT of Tennessee with Mr. GRAHAM of Pennsylvania.

Mr. GOLDFOGLE with Mr. FARR.

Mr. GORMAN with Mr. HAYES.

Mr. GRIFFIN with Mr. HULINGS.

Mr. HAMILL with Mr. GRIEST.

Mr. HART with Mr. KEISTER.

Mr. HAY with Mr. KELLEY of Michigan.

Mr. LESHER with Mr. KIESS of Pennsylvania.

Mr. LEWIS of Maryland with Mr. KREIDER.

Mr. LOBECK with Mr. LANGHAM.

Mr. MONTAGUE with Mr. LEWIS of Pennsylvania.

Mr. MORGAN of Louisiana with Mr. LINDQUIST.

Mr. OGLESBY with Mr. MORIN.

Mr. O'SHAUNESSY with Mr. J. I. NOLAN.

Mr. PALMER with Mr. PORTER.

Mr. PRICE with Mr. PARKER of New York.

Mr. REILLY of Connecticut with Mr. PETERS.

Mr. RIORDAN with Mr. PROUTY.

Mr. SHERLEY with Mr. ROBERTS of Massachusetts.

Mr. SCULLY with Mr. SHREVE.

Mr. SPARKMAN with Mr. SAMUEL W. SMITH.

Mr. SUMNERS with Mr. RUPLEY.

Mr. TALBOTT of Maryland with Mr. VARE.

Mr. GLASS with Mr. SLEMP.

Mr. YOUNG of Texas with Mr. SMITH of Idaho.

Mr. WATSON with Mr. TEMPLE.

Mr. WILLIAMS with Mr. TOWNER.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WATSON, indefinitely, on account of sickness.

To Mr. FERRIS, indefinitely, on account of illness.

To Mr. GRIFFIN, indefinitely, on account of illness in his family.

The result of the vote was announced as above recorded.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. In accordance with the motion just agreed to, the House resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill (H. R. 21318), and the gentleman from Georgia [Mr. CRISP] will take the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Greenwich, Conn., post office: For commencement, $50,000.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. On Saturday there was some discussion with reference to the item found in lines 3 and 4 of page 8, being an appropriation for the commencement of the building at Globe, Ariz., and in connection with that some reference was made to the appropriation for Greenwich, Conn., reading:

Greenwich, Conn., post office: For commencement, $50,000.

Which is the item just read by the Clerk.

I do not think the matter was made clear by the explanation that was made by the chairman of the committee, Mr. FITZGERALD, the other day. I would like to ask the gentleman if he can inform us further in regard to the items that are in this bill for the commencement of public buildings where only $1,000 is appropriated, there being 36 such items.

Mr. FITZGERALD. Mr. Chairman, I requested the Supervising Architect to prepare a statement in reference to the matter, which I will read.

The statement referred to follows:

Appropriations for the public-building work are available immediately on the passage of the act. The estimates for appropriations for the public-building work contained in the pending sundry civil bill were based upon the period between March 4, 1915, by which date it was assumed the act would be approved, until June 30, 1916, by which date it was assumed the succeeding act would be approved. The estimates, therefore, cover a 16-month period.

Work on the plans and specifications for buildings in prior public-building acts will occupy the attention of the office of the Supervising Architect until about July 1, 1915. Approximately, on that date work will be started upon the plans and specifications for the extensions and new buildings in the 1913 act. The first new buildings to be taken up will be those authorized in the 1913 act upon sites authorized in prior acts. Buildings are taken up in accordance with the chronological order of the acquisition of the sites; therefore, a building authorized in the 1913 act upon a site authorized in the 1910 act will take precedence over a building authorized in the 1913 act on a site authorized in the same act.

The accompanying schedule gives the list of extensions in the 1913 act and of new buildings in the 1913 act authorized to be erected upon sites authorized in prior acts. It contains 149 projects, and will represent about two years' work from the 1st of the coming July. The program for the balance of the buildings authorized in the 1913 act has not as yet been made up. This is for two reasons: First and foremost, not all the sites authorized for these buildings have been acquired, so that the list could not be completed if it were to be commenced; and, second, the commencement of work on this section of the 1913 act is at least two years off, and there is no immediate necessity of making up the program. Therefore, if any projects are not found in the accompanying list it is because they are in the program which will follow, and which, as stated, has not as yet been made up.

Before the plans of any building may be prepared it is necessary to obtain a careful survey, giving lines, grades, depths of sewers, etc., and in many cases it is necessary to supplement this survey by either digging test pits or arranging for test borings in order to determine the character of the subsoil. These costs are incidental to the construction of the building and are chargeable to their limits. Therefore in order to commence work on the plans of a building it is necessary to have an appropriation which will cover the cost of the survey and test pits. If the preparation of the plans will not commence until toward the end of the period covered by the act, only sufficient money is necessary to pay for the cost of surveys, test pits, etc. If, however, the preparation of the plans commences toward the beginning of the period covered by the act, then there is required not only the money for the survey and test pits but a sufficient sum in addition to meet the costs of construction until the following bill is approved.

The items at the head of the 1913 projects, the plans for which will be started about July 1, 1915, are in the larger amounts, and, as stated, include sums which it is expected will be needed to pay to contractors on account of actual construction work in the period which will elapse until about June 30, 1916. The other amounts, in every case for a thousand dollars, are for projects for which the surveys will be required before June 30, 1916, and upon which work on the preliminary studies may be started, but for which there will be no expenses on account of construction until the 1917 act is approved. The accompanying list, arranged numerically with the amounts in each case, will show that for the projects at the beginning of the list the larger amounts are required, whereas for those at the end of the list only sufficient funds are estimated to start the preliminary work.

Formerly it was the custom to estimate for nothing less than $15,000 to $25,000. This resulted in appropriations largely in excess of current needs, and the practice now is to estimate for $1,000 if nothing may be done on the project except the preliminary work; that is to say, obtaining surveys, test pits, etc. Even at that, $1,000 is more than necessary, because this preliminary expense generally does not exceed $300 or $400.

The practice of asking for appropriations of from $15,000 to $25,000 left the Government in this situation: Heretofore there has been appropriated about $20,000,000 in excess of what it has been possible for the Treasury Department to use, and of this $20,000,000 heretofore appropriated and available only about $8,000,000 can be expended in the period covered by this act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURKE of South Dakota. I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. If there be no objection, the gentleman will be recognized for five minutes.

There was no objection.

Mr. FITZGERALD. For this reason the Treasury has initiated the practice of asking for the sum of $1,000 instead of an appropriation of $15,000 or $20,000 or $25,000 for these buildings upon which only the preliminary work is to be done.

Mr. BURKE of South Dakota. Mr. Chairman, the statement made by the gentleman verifies the statement that I made when the matter was discussed on Saturday. This practice of appropriating $1,000 for the commencement of buildings is an innovation. It never has been done before. The fact is that out of the first appropriation that is made for the construction of a public building the cost of the plans, the specifications, and the survey is paid from the appropriation.

Mr. FITZGERALD. Not for the plans.

Mr. BURKE of South Dakota. Well, the survey. My understanding, though, is that it does include the cost of the plans. The practice heretofore has been to appropriate not less than from $15,000 to $30,000 in each case for the commencement of buildings authorized where the sites have been acquired, when during the fiscal year there would perhaps be no part of it used except such part as would be expended in the survey and sinking the test pits; and these buildings for which $1,000 is appropriated will be cared for in the next appropriation bill, which will appropriate the money in plenty of time to be used in paying the contractor in the next fiscal year; and I want to say to the gentleman, for the benefit of the House, that in these two cases, both authorized by the same act, the one at Globe, Ariz., to cost $100,000 and the one at Greenwich to cost $90,000, the reason that the appropriation at Greenwich is $50,000 and the appropriation at Globe only $1,000 is because the site at Greenwich was authorized in 1906, whereas the site at Globe, Ariz., was not authorized until 1908.

Mr. FITZGERALD. Nineteen hundred and ten.

Mr. BURKE of South Dakota. Nineteen hundred and eight they told me. Therefore the building will be upon the market at Greenwich several months in advance of the building at Globe, and for that reason it is necessary to provide money to pay the contractor on account of the construction.

Mr. FITZGERALD. Greenwich, Conn., is No. 8 in numerical order and Globe, Ariz., is 98, so that there is considerable difference in the time when the plans will be reached.

Mr. BURKE of South Dakota. And yet the buildings were authorized by the same act.

Mr. FITZGERALD. By the same act; but the site was acquired so much earlier that the project got a number when the site was acquired.

Mr. BURKE of South Dakota. This condition that obtains with respect to these two buildings explains as to other similar cases. Mr. Chairman, I withdraw the pro forma amendment.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last two words. The colloquy between the gentleman from South Dakota and the gentleman from New York, the chairman of the committee, has certainly explained some matters that I was at sea about on Saturday. The difference between authorization and ownership of sites is perfectly clear now. While we have made the break in the reading of the bill I desire to ask the chairman one or two questions. I see on page 63 of the hearings in Mr. Wetmore's testimony something about which I desire to interrogate the gentleman from New York. Mr. Wetmore is the executive officer of the Supervising Architect's Office. In speaking about the $21,000,000 which seems to be on hand, having previously been appropriated, he says, near the bottom of the page:

It looks as though we ought not to have balances on our books so far in excess of our needs. The idea was to clean up those balances, so that we could start another year and estimate specifically on what we will need from time to time.

I would like to ask the gentleman from New York if there is any explanation different from that given by Mr. Wetmore, that we really do not need to have those large balances, and therefore that the appropriations, perhaps, could be cut down at this time?

Mr. FITZGERALD. He was discussing a different matter. The Treasury Department has requested that instead of making specific appropriations for specific buildings a provision be inserted making one fund out of all of the balances of appropriations heretofore made and not expended, and that then the Treasury Department have authority to expend that money upon the buildings enumerated within its discretion. Appropriations have been made far in excess of the amounts that could be expended for a number of reasons. First, more was asked than was really required. Secondly, after the appropriations were made difficulties of numerous kinds arose which made it impossible to proceed with the work. The result is that while very large sums have been appropriated a considerable portion of them has not been expended.

Mr. GOULDEN. Does the gentleman think that is good business policy to pursue on the part of Congress—to appropriate such large sums of money when not actually needed?

Mr. FITZGERALD. No; but I do not know how anyone, outside of the Treasury Department, can tell how much money will actually be needed to meet the obligations upon contracts in existence or about to be entered into. The policy of Congress has been to assume that the Treasury Department will ask the amount of money actually required, and it has been appropriated in that way. If Congress were to attempt to take each one of these projects and make that minute examination that would be necessary to determine whether $50,000 can actually be expended under a contract or only $20,000, it would engage in a vast amount of work that would not result very profitably. The department estimates to the best of its ability how rapidly buildings will proceed. Nobody can state with any definiteness about it.

Mr. GOULDEN. That is satisfactory. I will ask another question. Assuming that the Committee on Public Buildings and Grounds brought in a bill for a building during the Sixty-fourth Congress, in how many years would a building authorized in that measure likely be reached in the present condition of the Supervising Architect's Office?

Mr. FITZGERALD. I do not know. They expect to commence on the 1st of July with the plans for the buildings authorized in the act of 1913.

Mr. GOULDEN. Mr. Wetmore, in the hearings, gives certain information on this subject. I read the following from the hearings:

Mr. SHERLEY. How far are you behind?

Mr. WETMORE. We are not behind at all in the sense of being behind with our program. We have ahead of us about six years' work, I should say—between five and six years' work—but we are not behind, because we are turning out 70 or 80 buildings annually, which is the normal output of our present force. When we are working along at this rate and Congress authorizes 300 or more buildings at one time, that does not put us behind in the sense that we are not keeping up with our work.

Does it not follow that an authorization made for a public building this or next year would not in all probability be reached by the office inside of five or six years? I have in mind a site in the Borough of the Bronx, city of New York, to which the Government took title July 7, 1914, and which stands No. 6 on the list of sites to be taken up by the Supervising Architect's Office when the Committee on Buildings and Grounds authorize the erection of the building. This will likely occur in the next Congress. I would like to ask the chairman this question: Have they a sufficient force in the Supervising Architect's Office to enable them to do the work and keep up with the same? It seems to me to be poor business to be behind five or six years.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOULDEN. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, in answer to the gentleman I will state that they have a sufficient force to turn out 70 or 80 buildings a year. To increase the force would be to increase the expenditures of public buildings annually. Congress has determined that the rate of expenditures shall be as it has been, and it averages somewhere between fifteen and twenty million dollars a year.

Mr. GOULDEN. I think that is sufficient; but I also claim that we ought not to appropriate more than can be judiciously and economically expended.

The CHAIRMAN. The time of the gentleman from New York has again expired, and the Clerk will read.

The Clerk read as follows:

Humboldt, Tenn., post office: For commencement, $1,000.

Mr. EDWARDS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After line 10, page 9, insert:
"Statesboro, Ga.: For commencement, $1,000."

Mr. EDWARDS. I would like to ask the chairman if Statesboro, Ga., has been included in the estimates submitted by the Supervising Architect of the Treasury Department?

Mr. FITZGERALD. There is no estimate submitted for Statesboro.

Mr. EDWARDS. I would like to ask the chairman why the estimates for these various buildings that have been authorized have not been made?

Mr. FITZGERALD. Statesboro was not estimated for because it is not a building which in its order will be reached prior to July 1, 1916. Statesboro is No. 121.

Mr. EDWARDS. On the list?

Mr. FITZGERALD. On the list.

Mr. EDWARDS. I would like to ask the gentleman if they take them up alphabetically or in the order of importance, or how?

Mr. FITZGERALD. No; they are given a number as soon as the site is acquired.

Mr. EDWARDS. Well, this site has been acquired and the building has been authorized. It is an important point and great necessity exists for its commencement and for its early completion.

Mr. WINGO. Will the gentleman yield?

Mr. EDWARDS. Yes.

Mr. WINGO. At what time was the site acquired; what is the date?

Mr. EDWARDS. I do not now recall, but it was some four or five years ago.

Mr. FITZGERALD. The site was authorized by the act of March, 1910, and the building was authorized in the act of 1913.

Mr. CARTER. When was the site acquired?

Mr. FITZGERALD. I do not know that.

Mr. CARTER. That is the time the proposition takes its regular order.

Mr. EDWARDS. What I am trying to get at is to find out how the Treasury Department places these various sites and gives them order on the list.

Mr. FITZGERALD. I will yield to the gentleman from Florida.

Mr. CLARK of Florida. I will state, Mr. Chairman, that the place given these towns dates from the time the title to the site vests in the Government. The Supervising Architect does not give any town a place until the title has been acquired and is vested in the Government. Then it is given to it.

Mr. SISSON. Will the gentleman yield?

Mr. EDWARDS. Certainly.

Mr. SISSON. If a building and site are in separate appropriation bills, one bill containing a site, and a succeeding Congress appropriates for the building, then, acquisition of the site will not give such a building a number until the appropriation for the building is made; it does not give that building a preference over an appropriation which authorizes both the site and building? For example, take in 1910 an authorization for a site and building, both; when the lot is purchased it gets a number?

Mr. FITZGERALD. It does not.

Mr. SISSON. The trouble with the gentleman from Georgia is that he had an appropriation for a site only, and that does not give a preference over a building where both the site and building was authorized in the same bill.

Mr. EDWARDS. But the building has since been authorized.

Mr. SISSON. But it does not take precedence over a building where both the site and building is authorized in 1910 and will precede the number of that of the gentleman from Georgia, because they can not give a building any number until the money is authorized.

The CHAIRMAN. The time of the gentleman has expired.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Jellico, Tenn., post office: For completion, $30,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the commmittee for this information: As I understand the order in which these specifications and plans are prepared and buildings started is determined solely by the date of the acquisition of the title to the lot by the Government, so that a building authorized in the last act, 1913, is, say, 118 on the list, if an item for $1,000 was given in this bill for commencement, would that give that town any preference or would it still have to wait its regular order?

Mr. FITZGERALD. I understand it would still wait its regular order.

Mr. WINGO. So no practical benefit would be derived from an appropriation at this time?

Mr. FITZGERALD. Except under these conditions: There are items, for instance, the department asked for appropriations for three buildings upon the express reason it is proposed that they would make a donation and therefore they would take these buildings up out of their turn.

Mr. WINGO. For what reason did they propose that?

Mr. FITZGERALD. Because it is proposed to have it donated, and the committee declined to make recommendation for buildings out of their turn because the policy has been established to take them up in their order, and that is the understanding of the Members of the House, and it is only fair; and the commitee believe if the House desired to take out of their turn these buildings for such a reason it was in its power to do so, but the committee preferred not to recommend an appro-

priation for any building except in its order, unless it is a case such as I referred to the other day——

Mr. WINGO. In other words, an emergency.

Mr. FITZGERALD. Where a building had been destroyed by fire or some other catastrophe. There have been times when a project for some community has been advanced out of its turn, but that is a well-understood rule.

Mr. WINGO. As I understand, the projects carried in the bill of March, 1913, will not be reached in the Supervising Architect's Office until July of this year?

Mr. FITZGERALD. Yes.

Mr. WINGO. And then the Supervising Architect's Office will take them up in the order on the list they are acquired?

Mr. FITZGERALD. Yes.

Mr. WINGO. And it is estimated they will continue to provide for about 80 buildings a year, which has been about the customary amount turned out by this office in the past, and that nothing can be done now in the way of making an appropriation, which would disturb the regular order, which would hasten the construction of the building?

Mr. FITZGERALD. It would not.

Mr. WINGO. It would have no practical effect?

Mr. FITZGERALD. It would not. It would unnecessarily appropriate money that could not possibly be used.

Mr. CALLAWAY. Mr. Chairman, I want to ask a question.

Mr. FITZGERALD. I yield to the gentleman from Texas.

Mr. CALLAWAY. What is the rule for purchasing sites? Does that come in regular order, like the provision for buildings?

Mr. FITZGERALD. Previous to the enactment of the bill for 1913 the custom had been to invite bids for sites and to send out some employee of the Treasury Department to examine the proposed sites. About two years ago, I think it was, we appropriated money for site agents, so that a special force of men was sent out to investigate, and I think practically all the sites have been reported upon.

Mr. CALLAWAY. But they have not been purchased.

Mr. FITZGERALD. I am unable to state whether they have purchased them all or not. They appropriated all the money that the department asked for.

Mr. CALLAWAY. You say when provisions are made for public buildings they then take their place and are appropriated for in order. Suppose some division has been changed and congested mail conditions exist at some place different than what have heretofore existed, and the facilities are wholly incapable of accommodating the mails, would they not then make special provision to appropriate to enlarge the equipment there to meet the actual needs?

Mr. FITZGERALD. In the case of a new building?

Mr. CALLAWAY. Yes; or the improvement of an old building.

Mr. FITZGERALD. Extensions are put at the head of the new list. For instance, in the act of 1913 both new buildings and extensions were authorized. They put the extensions at the head of the list.

Mr. CALLAWAY. Did they take their regular order?

Mr. FITZGERALD. They took their regular order.

Mr. CALLAWAY. Irrespective of the necessity?

Mr. FITZGERALD. There have been some cases where the department stated that owing to the very extraordinary conditions an extension should be taken up out of its turn, and that has been done.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BURKE of South Dakota. In order that the record may be clear on this matter, will the gentleman tell us where the appropriation is made, out of which the plans and specifications are paid for, for public buildings? I ask this information because the Supervising Architect told me in a conversation this morning that the plans and specifications were paid for out of the first appropriation made for the building, and I understand if he did so state he is in error, and I wish the gentleman would explain it.

Mr. FITZGERALD. A permanent staff is carried in the legislative bill, and then on page 25 of this bill, under general expenses, will be found provision for a force of architectural designers.

For one architectural designer, at $6,000 per annum; for foremen draftsmen, architectural draftsmen, and apprentice draftsmen, at rates of pay from $480 to $2,500 per annum; for structural engineers and draftsmen, at rates of pay from $840 to $2,200 per annum; for mechanical, sanitary, electrical, heating and ventilating, and illuminating engineers and draftsmen, at rates of pay from $1,200 to $2,400 per annum; for computers and estimators, at rates of pay from $1,600 to $2,500 per annum, the expenditures under all the foregoing classes for which a minimum and maximum rate of compensation is stated, not to exceed $168,450—

And so forth.

Mr. BURKE of South Dakota. Then no part of the appropriation specifically made for a building is used to pay for plans and specifications?

Mr. FITZGERALD. The act of 1908 prohibits the payment of cost of plans from the appropriation for the building.

Mr. LENROOT. I should like to ask the gentleman one or two questions. I was very much interested in what he said in reference to advancing buildings out of order in the case of certain donations. I think in the case we had up Saturday the committee ascertained that there will be no real advantage to the Government from the donation; but in a case where a donation is really substantial, does not the gentleman think it would be a good policy for Congress and the Government to encourage such donations, where a substantial saving would be made to the Government by permitting an advancement out of order?

Mr. FITZGERALD. It would depend on what the gentleman would mean by a "substantial donation."

Mr. LENROOT. I mean, as a good business proposition, where it would actually save money to the Government by doing that thing.

Mr. FITZGERALD. There have been instances where some one has donated a site and Congress has expedited the construction of the building upon it.

Mr. LENROOT. I mean where it would be actually substantial.

Mr. FITZGERALD. From my point of view, I do not know that it would be wise to expedite buildings where it is a notorious fact that after a building is constructed a permanent charge is imposed upon the Treasury far in excess of what the Government can secure ample and satisfactory accommodations for in the community without it.

Mr. LENROOT. I refer only to cases where the sites and buildings themselves have been authorized.

Mr. FITZGERALD. But those cases to which I refer are cases where it is proposed to donate plans. If plans are presented to the Government for their acceptance, the theory is that the Government has been saved a certain expense in the preparation of the plans; but as a matter of fact, however, it is necessary to examine those plans very critically to determine whether they are plans of a building that will be suitable for the needs of the Government in that community; and the committee were of the opinion that as a practical matter the Supervising Architect's office in effect was doing the same work that it would be doing if the plans were prepared in the office; and if the building in those cases were to be advanced out of order, it would be a matter for the House itself to determine.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Lawton, Okla., post office and courthouse: For completion, $152,300.

Mr. KENT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert, after line 5, page 11, the following:
"Willow, Cal., post office: For completion of building under present limit, $75,000."

Mr. KENT. Mr. Chairman, this building was recommended by the Treasury Department. The situation was as follows: At the time the building bill was introduced, under the terms and conditions that the committee imposed for buildings, this town seemed to the committee to justify an expenditure for buildings of $100,000, owing to the fact that, in addition to the post-office receipts, there were in that town the centers of the Forestry Service and the Bureau of Animal Industry. Instead of asking for the full amount I asked for $75,000, and that was inserted in the building bill. Subsequent to that I asked the people of that city to contribute a site. They offered several sites. A Government inspector went up and looked the sites over and determined on an entirely different one. Thereafter these people, at my request, in order to give the Government the best site and to expedite construction, dug down into their pockets and put up $9,000 for the site suggested by the inspector. Subsequently I called on the department to ascertain whether or not it would be in order that plans should be furnished by outside architects subject to revision and ratification by the department. I was informed that this could be done, and that this would expedite building. Then I told the people that provision would have to be made for the plans if they de-

sired to have the building expedited. Arrangements were made for the architects' fees, and then after that a Government inspector was ordered there to examine the site so as to determine foundations, and I suppose it may now be contended that the building is already under way.

Mr. SISSON. Will the gentleman yield?

Mr. KENT. Yes.

Mr. SISSON. Does the gentleman say that this site was given to the Government?

Mr. KENT. Not only donated, but was the site that the Government inspector selected as the best site in town. The people were requested to pay for a site and give it to the Government, which they did.

Mr. SISSON. When was the site acquired?

Mr. KENT. Last summer; but, owing to technical trouble concerning conveyance of title, acceptance of the deed was delayed until October 28, 1914.

Mr. SISSON. The lot was accepted by the Government and was paid for by the citizens of the town?

Mr. KENT. Yes; the Government selected the lot, and the people paid for it, and the lot is now in the possession of the Government and has been since October 28, 1914.

Mr. SISSON. Have plans and specifications been prepared for the building?

Mr. KENT. They have been arranged for, and as soon as the inspector reports on foundations the department has absolute assurance that the plans will be carried through to completion, subject to the Government's approval and correction. The Government has a written guaranty, which seems to be satisfactory to the Government, that plans will be immediately furnished.

Mr. SISSON. Are the plans offered to the Government by the citizens out there?

Mr. KENT. They are offered to the Government, to be paid for in part by the citizens and in part by myself. They are donated to the Government.

Mr. SISSON. And the people have given the Government the lot?

Mr. KENT. They have.

Mr. SISSON. The citizens and the gentleman from California are willing to pay for the plans and specifications?

Mr. KENT. That is correct.

Mr. SISSON. The gentleman does not insist that the Government is saving anything if they expend the whole $75,000 on the building?

Mr. KENT. My contention would be that the people and the Government get a building that has so much more money in it than if they had taken the commission of the architects out of it.

Mr. SISSON. That does not save the Treasury anything.

Mr. KENT. No.

Mr. SISSON. Would the gentleman be willing that the cost of the plans and specifications be deducted from the $75,000?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SISSON. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time of the gentleman from California be extended five minutes. Is there objection?

There was no objection.

Mr. LENROOT. In no case is the cost of the plans taken out of the appropriations for buildings. That is taken out of another fund, so it will be a saving to the Government.

Mr. SISSON. It is immaterial to the Government at which end it saves the money.

Mr. LENROOT. This would be a saving to the Government.

Mr. SISSON. What I am endeavoring to do is to put the gentleman's item in a place where the Government saves the architect's fees.

Mr. LENROOT. It will.

Mr. SISSON. If the gentleman is willing to take from the $75,000 the expense of the architect's fees, although a member of the committee, I would support his proposition.

Mr. LENROOT. That would be saving it twice, if deducted from this appropriation.

Mr. SISSON. It would not.

Mr. LENROOT. Yes; because the cost of the plans and specifications in any case comes out of an appropriation that is made in the legislative bill.

Mr. BURNETT. And in that way the Government saves the expense of getting up plans.

Mr. HARRISON. Will the gentleman yield?

Mr. KENT. Yes.

Mr. HARRISON. I understood the chairman of the Appropriation Committee to make a statement on Saturday that there were three of these projects not included in this appropriation bill that were recommended to be included by the Secretary of the Treasury. Is this one of them?

Mr. KENT. This is one of the three. It stands on the same footing as the project of the gentleman from Arkansas [Mr. GOODWIN]. Mr. Chairman, I am willing to state here and now that if it is the opinion of the House that this building should be cut in cost to the amount of the architect's fees for the plans, I am willing to submit and will submit an amendment that the total be reduced 5 per cent of $75,000, leaving $71,250 instead of $75,000. The Government is under a liability to build this building at some time, and the people having saved the Government the expense of the lot, it seems to me that this is a good time to adopt it. The building is needed. The Post Office Department is cramped, and the Department of Animal Industry has inadequate quarters, and the Forestry Service has an important adjunct there. The department strongly recommends that this building be put into the bill, and I hope the amendment will be adopted. Mr. Chairman, I move to modify my amendment by reducing the amount of $75,000 5 per cent, or $3,500, leaving $71,250.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modify the amendment so that it will read: "For completion of the building under the present limit of cost, $71,250.

Mr. FITZGERALD. Mr. Chairman, of course the modified amendment of the gentleman from California does not change the situation. The limit of such a building is $75,000, and an appropriation of $71,250 would still leave it possible for the other $3,750 to be appropriated at any time it was deemed proper.

I am opposed to the adoption of the amendment at all. Willow, Cal., in 1910 had a population of 1,139 people. The postal receipts in 1913 were $13,113, the money-order receipts $58,597, and the postal saving receipts $1,224. At the present time the Post Office Department and the Forestry Service rent buildings at Willow, Cal., necessary for the needs of the two services, and the Post Office Department pays $609 a year and the Forestry Service pays $600 a year.

Mr. KENT. There is also the Bureau of Animal Industry.

Mr. FITZGERALD. So that the total expenditure to accommodate these two branches of the Government service amounts to $1,209 a year. A very careful estimate by the Treasury Department discloses that the annual cost to the Government of a $50,000 building is 10 per cent of the amount invested in it, and if the same be true of a $75,000 building, allowing for interest on the money invested and other carrying charges, then for the benefit that is derived by the Government from accepting a site for this public building we will expend $75,000 to provide facilities when these two services mentioned cost $1,200 a year, and even if you allow $600 a year more for the Bureau of Animal Industry, the total cost would be only $1,800 a year, and we would assume a burden of $7,000 annually to give to a community of 1,139 people a $75,000 building. Mr. Chairman, I think that whatever necessity or excuse there may be for putting up a $75,000 building in a town of 1,139 people, there can not be that very great urgency that would justify the appropriation at this time, when the condition of the Treasury is such that it would be advisable to discontinue a great many very urgent projects.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BURKE of South Dakota. I want to ask the gentleman if the amount expended at this place now for rent includes fuel and light?

Mr. FITZGERALD. Yes; I understand it includes everything.

Mr. KENT. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes. The amount includes light and janitor service and heat. I now yield to the gentleman from California.

Mr. KENT. Mr. Chairman, the gentleman from New York [Mr. FITZGERALD] is ignorant of the fact that this town is situated in a part of California that is growing most rapidly. It is in the most fertile part of the Sacramento Valley. The parcel-post business has increased greatly. There are a great number of rural routes that center there, and the call for space is increasing all of the time. The gentleman is taking the figures of some time ago in respect to the population, and the place has grown a great deal since that time.

Mr. FITZGERALD. Mr. Chairman, they are the latest figures available. I wish to say to the House that if the policy be adopted of putting $75,000 buildings in every community of

1,000 or 2,000 people in the United States who will donate a site, the Treasury of the United States will be bankrupt so quickly that Members will not know what has happened to it at night. I hope the amendment will be voted down.

Mr. BURNETT. Mr. Chairman, the argument that the gentleman from New York [Mr. FITZGERALD] has made to-day is the same argument he and others made who were opposed to the construction of public buildings in small towns when this item was authorized. That was all thrashed out two years ago, and the House by an overwhelming vote passed the bill making this authorization, among others. If his argument is correct, then the Committee on Appropriations for the same cause could thwart the will of Congress by turning down these cases all along the line. I know that my friend the chairman of the committee obeys the law and is not for cutting out the propositions provided for in this bill, but I merely say that his argument against this proposition would apply with equal force to many other items in the bill. Why single out this one?

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. If you want your expenses cut, why not do it on battleships? I yield to the gentleman.

Mr. FITZGERALD. Mr. Chairman, the committee has not recommended this item, as I have already stated, because this was a proposition to advance this building out of its order——

Mr. BURNETT. I understand that.

Mr. FITZGERALD. At the expense of the buildings of other Members authorized prior to this and which are entitled to consideration before this building.

Mr. BURNETT. Mr. Chairman, in reply to that, the reason why that is done is because of the fact that the Treasury Department always says they are behind with plans and specifications, and that that postpones our buildings for four years. I do not care so much about the population. This town came within the rule of the Public Buildings Committee. We had a scale, and where the postal receipts were from ten to twelve thousand dollars a year the building was to cost $50,000, and where they were from twelve to fifteen thousand dollars a year sixty thousand; and in case there were other Government offices to be housed there, like the Bureau of Animal Industry and the Forestry Service, an allowance was made for that, and hence an appropriation of $75,000 in this case. As I say, the reason these matters have been deferred is because of the fact that they can not reach them with their plans and specifications.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. EDWARDS. Does not the gentleman think it would be a good idea to increase the force in the Supervising Architect's Office and proceed to expedite these matters?

Mr. BURNETT. I do; and everyone knows that we have been trying to standardize, and we now have bills before the committee that will possibly be reported at this session by which we hope to work some expedition in these matters.

Mr. HARRISON. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. HARRISON. The gentleman from Georgia asks if the gentleman from Alabama would not be in favor of increasing the force in the Supervising Architect's Office. Is it not a fact that we tried to get that done either last year or the year before and the Committee on Appropriations defeated the proposition?

Mr. BURNETT. That is my recollection. The people of this town of Willow by their own voluntary contributions have met that condition which the department says is the reason why we can not get them more speedily, and are we now to punish a town that is willing to meet that very condition, when they want to have this matter expedited, and this voluntary donation was made in order that we may do that which the architect's office says would be done if they had the force to meet it.

Mr. KENT. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. KENT. The gentleman from Alabama has made it plain, but I want to make it still more plain that this does not in any way impede the right of way of any other Member, because the stoppage is in the plan department of the Supervising Architect's Office.

Mr. BURNETT. That is exactly what I desired to say, but the gentleman has stated it more clearly than I have done.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. DONOVAN. Do I understand the gentleman from Alabama that they fixed the amount at $50,000 where the population was 5,000?

Mr. BURNETT. Five thousand people; no, sir. I said wherever the receipts of the post office were $10,000 or in excess; the receipts of the office, not the population. Now, that is all I think I desire to say. The people have met the conditions that congested the construction of buildings, and it does not postpone any building that has been authorized by this Congress.

Mr. SISSON. Mr. Chairman, I do not think the gentleman from Alabama is quite fair with the Committee on Appropriations——

Mr. BURNETT. I do not desire to criticize the committee in the least.

Mr. SISSON (continuing). Because the gentleman from Alabama knows that with the exception of three cases where the Treasury thought that buildings ought to be advanced out of their order the Committee on Appropriations gave every dollar the Treasury Department asked for. In addition to that, the Committee on Appropriations would not undertake to set aside the expressed will of Congress in the legislation which it passes, because it is our duty, where it can be done, to carry out the expressed wish and will of the Congress, and while the chairman of the Committee on Appropriations has been opposed to the general policy, I think it is fair to him to state that there has been no more zealous advocate of absolutely, honestly, and fairly carrying out the will of Congress than he has been in making up this bill, and I am not divulging anything that happened in the Committee on Appropriations, but I want to say to those gentlemen when the effort was made not to make the appropriations there was no more valiant champion of appropriating for these buildings than the chairman of the committee.

Mr. BURNETT. May I interrupt the gentleman a moment? If anything I said would indicate that, I desire to correct it right now, because what I meant to say was the same argument that was applied to this would apply to other cases authorized, and not that the gentleman or his committee intended such a thing as that.

Mr. SISSON. I did not want that impression left, because we all know the gentleman from New York, the chairman of this committee, has been generally opposed to the appropriation of money for public buildings in small towns where the rent is $50 or $60 a month, to appropriate $50,000 or $75,000 for a building——

Mr. EDWARDS. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. EDWARDS. I want to ask the gentleman from Mississippi if he is not of the opinion that the Office of the Supervising Architect ought to be supplied with sufficient architects to go ahead and do the business of the country?

Mr. SISSON. I am glad the gentleman from Georgia asked that question, because I have consistently advocated the standardization of these buildings so that one set of plans would not only make a $25,000 or a $50,000, but a $75,000 building. It looks to me like you might standardize that like the standardization of commercial buildings. You might standardize the steel, standardize the glass, standardize the sash and doors and blinds and all of such things, and by doing that and making the plans and blue prints for one would serve for a dozen buildings; but the Supervising Architect's Office is unwilling to do that.

Mr. EDWARDS. I would like to ask the gentleman—I have not read the sundry civil bill through—whether or not the bill carries an appropriation to make any increases in the Supervising Architect's Office, or whether or not there is any provision made in this bill——

Mr. SISSON. That would be carried in the legislative bill.

Mr. EDWARDS (continuing). To expedite the congestion or relieve the congestion of that office?

Mr. SISSON. That is carried in the legislative bill and not in this bill.

Mr. TRIBBLE. Will the gentleman yield for a question?

Mr. SISSON. I do.

Mr. TRIBBLE. I want to ask the gentleman why a bill passed in 1910 providing for post office and building, carrying an appropriation of $55,000, for Washington, Ga., has not been provided for in this bill? That is nearly five years ago.

Mr. SISSON. I will state to the gentleman I do not know whether it is provided for or not. I must decline to yield further, but in answer to the gentleman from Georgia I will say that the authorizations for these buildings have been made with the distinct understanding that they will not lap in a preceding appropriation and thereby double the amount of money taken out of the Treasury, and it has been stated on the floor of the House by members of the committee that it will take two or three and sometimes four years to complete a building, and the money would not have to be taken out until that time. I want to state, without fear of successful contradiction, that the delay is not because we do not appropriate sufficient money in the architect's office to carry out the will of Congress, but it is

because the Supervising Architect's Office declines to adopt commercial plans and modern ideas in business. I do not think Congress is to blame for it. I think the fault is in the Supervising Architect's Office, and I want to say right here that you can have prepared plans and specifications in the commercial world and have supervision for 5 per cent, which is the universal architects' rule; and yet the testimony in this case shows that if the overhead charge is charged against the building in the Supervising Architect's Office it is a little over 6 per cent, so we are paying more money for the Supervising Architect's Office—6 per cent on the cost of the building—than the commercial architects charge to make the plans and specifications, which is 5 per cent.

Mr. FALCONER. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask for three minutes more.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. FALCONER. The question discussed by the gentleman has been brought to my notice in connection with a public building in my own city, the appropriation for which was made in 1908. Now, I understood the gentleman to say that the Supervising Architect's Office takes the position against the standardization of public buildings. Is the gentleman correct in that statement?

Mr. SISSON. I believe I am correct, because I have never been able to find one of them who believes you could standardize public buildings. They will tell you that the lots are peculiar in shape; that the foundations are of a peculiar soil, and such other objections. We have been since I have been a Member of Congress endeavoring to get the Supervising Architect's Office to standardize these buildings. Now wait a moment; do not ask me too many questions at once. The gentleman from Florida and the Secretary of the Treasury and the Postmaster General are a committee now authorized by law to look into the whole subject, and I do not believe I am divulging anything that ought not to be divulged.

It is the opinion of at least one member of this committee that if the buildings of the United States were put up properly and in a businesslike way we could build for $25,000 or $30,000 or $35,000, at the outside, buildings which are now costing the Government $50,000 apiece. I do not know whether these buildings can be standardized or not, but common sense teaches me that they could be standardized. Here is a lot of a certain size, which must be purchased. The building costs $50,000. In the South, where the climate is all about the same and where the materials and soil are all about the same for the buildings that we authorize, it is a violation of all reason to say that they could not be standardized, and if that were done, there would be no trouble about having the plans for these buildings prepared and having the buildings put up in time.

Mr. LANGLEY. Will the gentleman yield to me?

Mr. SISSON. I do.

Mr. LANGLEY. I agree with the general statement made by the gentleman about the necessity for standardization, but, as I understood him, he made the statement that no two buildings in the country are just alike; in other words, that the Supervising Architect is opposed to erecting any two just alike.

Mr. SISSON. That is perhaps hyperbole. I would not undertake to say that there were no two alike.

Mr. LANGLEY. I understood the gentleman to make that statement. That is not fair to the Supervising Architect's Office.

Mr. SISSON. I do say this: That they do not want them just alike.

Mr. LANGLEY. I know, on the contrary, that they are now attempting to standardize them.

Mr. SISSON. To whom did you talk?

Mr. LANGLEY. To the Supervising Architect himself. And I think the gentleman from Tennessee [Mr. AUSTIN], who is a member of that commission, will verify what I am saying.

Mr. SISSON. Then, why do they not standardize them as Congress wants them to do, without all the pressure being brought to bear? I have been down to the Supervising Architect's Office, not once but several times, and had several interviews, in which I insisted that they standardize these plans.

Mr. AUSTIN. Mr. Chairman, every time we discuss this subject in the House of Representatives we are furnished with a great deal of misinformation with reference to the Supervising Architect's Office. In my capacity as a member of the Committee on Public Buildings and Grounds I have had ample opportunity to discuss this matter and investigate, both with the Supervising Architect and his subordinates, and then as a member of the joint commission created by the last public building bill, to which this subject of standardization was referred, we had any number of meetings in the Treasury Department, and, as a result, reported our findings to the Committee on Public Buildings and Grounds, which designated a subcommittee to prepare legislation along the lines of the report of that commission.

It is true that a member of that commission, Postmaster General Burleson, did state in the minority report that many of these buildings could be erected for $25,000. General Burleson wants a cheaper class of buildings for the small post offices of the country. Where we are now expending $50,000, he wants to cut that amount in two and give a cheaper building, with a cheaper class of material, not a fireproof building.

In the last 25 or 30 years I have known perhaps half a dozen of the Supervising Architects of the Treasury Department. I can not name a more honorable, conscientious, or efficient Supervising Architect than the gentleman—Mr. Oscar Wenderoth—who now fills that position. It is a mistake and an error on the part of Members to make the assertion constantly that the Supervising Architect's Office is opposed to the standardization of public buildings. They not only favor it, but in every instance where it has been possible and practicable to do it they standardized the public buildings.

Mr. LANGLEY. That is my understanding of it.

Mr. AUSTIN. I know that of my own experience, because there is now a public building in the town of Morristown, in my district, nearing completion, and they are beginning work on a public building at Jellico, and the two buildings are a duplication as far as they can be duplicated. As a result of duplication, carried on by the department, the present Supervising Architect has been enabled to increase the number of buildings and increase the number of plans.

Mr. EDWARDS. Will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. EDWARDS. Does the gentleman know of any case where two buildings have been built alike?

Mr. AUSTIN. I have just made the statement that the department is building two in my district which are alike, as far as they can be alike, on separate pieces of land in different towns.

Mr. EDWARDS. Mighty few public buildings come down my way, but the ones I have observed are all different.

Mr. AUSTIN. One at Morristown, Tenn., and the other at Jellico, Tenn., are practically identical.

Mr. LANGLEY. They are as nearly alike as commercial houses could be standardized.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. AUSTIN. I yield to the gentleman from South Carolina.

Mr. BYRNES of South Carolina. I have no brief to defend the Supervising Architect, but I had occasion to investigate this very subject last week, and the Supervising Architect handed me a printed statement, in which he claims that there are some 20 or 25 buildings, the plans for all of which are drawn and all of which have the same identical plans, and he claims to be endeavoring to adopt a uniform plan. I hope he will succeed, because I hold the same views that my friend from Mississippi [Mr. SISSON] does.

Mr. AUSTIN. Some time ago they adopted that system and are following it out. Any statement the Supervising Architect made to the gentleman from South Carolina or any other Member of this House can be depended upon.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. I ask for an extension of three minutes.

The CHAIRMAN. The gentleman from Tennessee asks that his time be extended three minutes. Is there objection?

There was no objection.

Mr. AUSTIN. The last Secretary of the Treasury, Mr. MacVeagh, in order to reduce expenses and make a showing for economy, recommended a reduction in the working force of the Supervising Architect's Office, and the Committee on Appropriations reduced that force, and as a result the number of plans turned out per annum was reduced from 112 to about 75 or 80. The remedy desired in the hastening of plans and the construction of public buildings lies entirely with the membership of this House. Whenever this House votes to override the Committee on Appropriations and increases the force of the Supervising Architect, then the work of that office will be brought up to date.

In addition, Mr. Chairman, it is also necessary for the Secretary of the Treasury in submitting his estimates to the Committee on Appropriations to ask for a sufficient amount of money for public buildings to care for any increased number of plans the Supervising Architect's Office may turn out. Secretary MacVeagh was opposed to spending exceeding $15,000,000 or $20,000,000 for the construction of new propositions, and the same policy is being followed out by the present Secretary. It is not right or just in the membership of this House to com-

plain about the failure of the Committee on Appropriations to embrace certain new propositions in this bill. The responsibility and blame rests with the Members, and when the majority vote to increase the Supervising Architect's Office force the work will be brought up to date.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending amendment and amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, the discussion on this amendment has gone far afield, and I would like to bring it back to a consideration of the pending amendment. The argument that the chairman of the committee makes as to why this amendment should not be adopted has no bearing, I submit, on this question at all. It is an argument properly to be directed to the public-building bill, but not otherwise, and if it should apply to this item, it would apply with equal force, as the gentleman from Alabama has said, to a great many other items in this bill.

The situation is that this building has been authorized to the extent of $75,000, and the only question for this committee to consider is whether under the peculiar circumstances of this case this building shall be advanced out of its order. Let me say that if this amendment is adopted it will not sidetrack any other proposition in the pending bill; it will not sidetrack any other in the future; but, on the contrary, if the amendment is not adopted in this bill now, it will be adopted in a bill next year, and some other building will be delayed one year longer. If it is not put in the bill, no other building will take its place. All the buildings, including this one, can be and will be taken care of by the department now, and if it is not taken care of this year it will have to be taken care of next year, and thus delay another building.

Why should this be taken out of order? I submit that, as a matter of policy, when the citizens of a community are willing to go down into their pockets and dig up $9,000 for the purchase of a site, give that site to the Government, and, in addition, when they are willing to go down into their pockets and pay for the plans of the building and give them to the Government, I say it is good policy to encourage that saving to the Government by advancing the building out of order.

Mr. Chairman, there are something like 150 separate appropriations in this measure. The appropriation for each site ranges from $5,000 to $25,000, and in some cases higher.

Now, if any of these communities where sites are appropriated for in this bill are willing to pay for these sites themselves, pay $5,000 for them, and say, "We will pay for that if we can get the building sooner," is it not good business judgment for this Congress and this Government to save that money and give it to them, and especially if, as in this amendment, it will not displace any other building? If you do not put this in the bill now, some Member of this House—none of us know who it may be—next year will find his building omitted in the bill, when, if this amendment is adopted now, another may be included next year.

Mr. CANTRILL. Mr. Chairman, as a member of the Public Buildings Committee, I desire to make this statement in reference to this item. It has always been my desire to assist any Member of this House in forwarding any legislation he has when the circumstances met my view as to public policy. But I think the statements that have been made on this particular measure are far from the facts that should come before this House.

Now, the facts are these: The gentleman from California [Mr. KENT] asked for an appropriation for $71,000 in this bill because his constituents have donated $9,000 for the site. I contend that that is not a good policy for the House to adopt. Because the gentleman himself, out of the kindness of his heart and his great wealth, possibly, permit him and his constituents to come in and put up $9,000 and then demand that Congress should immediately appropriate $71,000 to follow that up, it puts the other membership of the House and their constituents who happen not to be so wealthy at a great disadvantage, and it gives the wealthy constituency a great advantage over the constituencies who are not able to dig down into their pockets and advance the bill out of the regular order. And in addition there is no money saved by the Government. Even if they have appropriated $9,000, it is no saving, because in the regular order—the same order that every other Member on this floor will have to follow—it will be three or four years before this building is reached, and the interest on $75,000 in three or four years will more than offset the money saved by the gift of the site.

More than that, the amendment is at fault, because when the buildings are authorized we have authorized $75,000 for this site, but in the regular order of appropriation next year possibly the Committee on Appropriations will appropriate $25,000 for the commencement of this building. It will take three or four years to build it; and in two years from that they will appropriate $25,000 or $30,000 more for continuation, and then four or five years, in its regular order, they will appropriate the balance for the building. And yet this amendment takes $71,000 in a lump sum now and appropriates it for the project just begun, when the money, or the most of it, will lie idle for three or four years. As a matter of policy I contend that it is wrong, and as a matter of business it ought to be strung out like every other appropriation—over a series of years that it will take to complete the building. I claim that it is a bad piece of legislation and is no saving to the Government.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CANTRILL. Yes.

Mr. BURNETT. Is not the reason for these delays because of the delay in getting the plans and specifications, and is not that the equity of the gentleman's case—that they have met the conditions that bring about the delay by reason of making the plans and specifications themselves?

Mr. CANTRILL. Mr. Chairman, I desire to warn my colleague on the committee of the statement made by the chairman of the Committee on Appropriations, that if we are going to adopt this policy and permit people to come in here with a few thousand dollars subscribed for sites and to demand of Congress that these appropriations be all put through in a lump sum, we will be confronted with a very serious situation; and I submit to my colleague on the committee that we are adopting a dangerous precedent, and, as the chairman of the Committee on Appropriations has said, it will mean bankruptcy to the Government if we undertake to build all of these buildings at one time.

Mr. MONDELL. Mr. Chairman, I have no objection to the House approving this amendment if it so desires, but I am anxious that the Committee of the Whole shall understand the situation and shall understand the views of the Committee on Appropriations with regard to it. When these public-building estimates were made, we were informed that there were three items taken out of their order—Arkadelphia and Fordyce, Ark., and Willow, Cal. Gentlemen will notice the activity during the last few moments on the part of a number of gentlemen from Arkansas who also have an amendment to offer. The Committee on Appropriations did not believe it was justified in allowing any public building to be taken out of its regular order.

If the committee wants to take any building, or any two or any three buildings, out of order, that is the business of the committee, but the Committee on Appropriations did not want to take that responsibility. Doing that does unquestionably delay every other building. We particularly did not feel justified in taking a building out of its order simply because some community was able to make a donation to the Government. There are other communities that need public buildings quite as badly as does Willow, Cal., that are not so fortunate in having funds wherewith to buy sites. In the Arkansas cases there are, I think, no sites donated. The other argument, and the only argument that applies to all the cases, is that plans were drawn without expense to the Treasury. That is more or less of a fiction when it comes to a question of saving. My opinion is that the Treasury does not save much in the long run by the preparation of plans for the department, because my opinion is that by the time the Treasury has gone over the plans and corrected them and modified them, as will be necessary, the expense will be about as great as it would be had the plans been prepared in the first instance by the department. That is the situation. If this committee wants to take these particular items out of order where there are people able to contribute to the Federal Government, well and good. I understand there is a law prohibiting that being done, and if you want to ignore that law because some community is fortunate enough to be able to do these things, and thereby advance that community beyond all other communities, of course it is within the right of the committee to do it.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LANGLEY. Do I understand the gentleman to say that there is a law prohibiting this?

Mr. MONDELL. There is a law prohibiting the contribution of services to the Federal Government.

Mr. LANGLEY. Does the gentleman think that that applies to the giving of a site to the Government for a public building?

Mr. MONDELL. It certainly applies to the giving of services, and the drawing of plans is the giving of services. You can make a new law here, of course. There is no question about that; but I do not believe communities should have their public buildings deferred because some one community sees fit to prepare plans.

The gentleman from Wisconsin [Mr. LENROOT] said that if we voted this down, then we would see our own buildings deferred some time in the future. It is not a question of deferring. This is a question of taking a building up out of its order and advancing it, and putting it ahead of a hundred other buildings that in the ordinary course of events would have construction begun upon them before the construction of this building. The gentleman from Kentucky [Mr. CANTRILL] has called attention to the fact that in any event it is not good business to appropriate $75,000 for this building at this time, for the money could not all be used during the fiscal year in any event.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LENROOT. The department has estimated for this building, has it not?

Mr. MONDELL. The department assumed to take this building out of its order, for certain reasons. If you want to encourage the department in creating excuses for taking buildings out of their order, then agree to this proposition. If you want the Committee on Appropriations to formulate excuses for taking buildings out of their order and bringing buildings in here out of their order, very good; but the committee believes that it is its duty to provide for these buildings in an orderly manner.

Mr. LENROOT. If this building is not included in this bill and is not included in the next bill, some other building will have to be delayed that much longer, because they have already made provision for taking care of this one this year.

Mr. MONDELL. They have made no provision at all, except that they have agreed to advance it.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. CLARK of Florida. Mr. Chairman, I did not care to say anything about this matter, but it has taken such a wide range that I think I ought to explain to the House the situation as we now have it in our committee. Members will recall that a commission was created in the last public-buildings bill, in March, 1913, to investigate this whole subject of public buildings, with the object in view of trying to see if we could not devise some plan by which we could expedite the construction of public buildings and by which we could economize in that construction. I am absolutely sure, and I think our committee is convinced, that we have been expending from fifty to sixty thousand dollars for public buildings which could be constructed for thirty or thirty-five thousand dollars just as easily, which would answer every purpose.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes; for a question.

Mr. NORTON. Does the gentleman mean to say that you could build for twenty-five or thirty-five thousand dollars the same kind of building that is now being constructed for $60,000?

Mr. CLARK of Florida. I do not mean to say it would have all of the ornamental fixtures, and all that sort of thing, but that it would answer every practicable purpose and be just as good for the purposes of the Government; and, further, it would not overshadow all of the other buildings in the town. I think it is positively criminal to construct in the average small town a monumental building when there is nothing else in the whole country that approaches it, nothing that is anywhere near its class. It overshadows all of the others and makes everything else look shabby. I think the Government ought to build good buildings, fireproof buildings, that will answer the purpose, and when that is done I think everything is done that ought to be done.

Mr. NORTON rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from North Dakota?

Mr. CLARK of Florida. I can not yield now. I want to make this statement.

Now, I want to state that the commission made its report; that it was a good report; and that our committee is now working upon legislation which we expect to submit to this House as soon as we can complete it which we believe will accomplish these purposes. I want to say we have had some of the best architects in this country before us, and there is in this city to-day one of the best architects in America, with whom I am to have a conference this afternoon for the purpose of hearing suggestions which he will make. I believe we will reach a point where we can have the work, which has already been provided for and which they say will take five or six years to complete, completed inside of two or three years at the outside. I want to say, Mr. Chairman, I do not intend to go into the question of the Architect's Office. It is true that there is some effort being made now at standardization, but it has not been that way all the time. The trouble heretofore has been that they have been drawing plans for every building. Now, of late they have begun to attempt standardization, but they have not accomplished very much, and it is the consensus of opinion of the best architects of this country that they can at least standardize the types of buildings. A building may not be exactly alike in every item, but it can be practically alike; and this will save oceans of time in the construction of public buildings, and will also save vast sums of money. I want to say, Mr. Chairman, that we will have this legislation, I think, ready to introduce in a very few days, and we are going to ask this Congress to give the necessary time to consider it, because it means millions of money saved. We are going to ask them to pass legislation to reconstruct the Supervising Architect's Office to the end that these things may be accomplished.

Mr. POWERS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. POWERS. To address myself to the subject under consideration.

The CHAIRMAN. Under the order of the committee all debate has been closed on this amendment and all amendments thereto. For the information of the House the Chair will direct the amendment to be voted upon to be read by the Clerk.

The amendment was again reported.

The question was taken, and the Chairman announced the Chair was in doubt.

The committee divided; and there were—ayes 34, noes 44.

Mr. KENT. Tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided; and the tellers (Mr. FITZGERALD and Mr. KENT) reported there were—ayes 27, noes 47.

So the amendment was rejected.

The Clerk read as follows:

Lawton, Okla., post office and courthouse: For completion, $152,300.

Mr. GOODWIN of Arkansas. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 11, at the end of line 5, insert as a new paragraph the following:

"Arkadelphia, Ark., post office, for completion, $52,600."

Mr. GOODWIN of Arkansas. Mr. Chairman, in 1910 the Secretary of the Treasury was authorized to acquire a site at Arkadelphia, Ark., for the construction of a Federal building. Shortly after that a very enterprising and public-spirited citizen there, Capt. Huie, donated a site to the Federal Government for this building, remote from other buildings, standing out by itself. The $5,000 authorization, therefore, was reconverted into the Treasury. In 1913 the Committee on Public Buildings and Grounds authorized an appropriation of $55,000 for the building. In July of last year the public-spirited citizens of that community got together, in order to facilitate the construction of a building, and donated the plans and specifications, at a cost of about $2,500. The amount asked for here is not the amount of the authorization, but the authorization less the donation, making $52,600, or a saving of about 15½ per cent, including site donation as well as plans and specifications. Now, I submit in consideration of that fact, the Government owning the building, saving rent therefor, we would be justified in making this appropriation, because in the ordinary course of events this building would be ready in one year from now, should these other items in this bill become the law. Arkadelphia had postal receipts last year, all told, of $68,000. It is a town of about 2,800 people under the general census of 1910. It has grown much since that time, and has several manufacturing enterprises bordering the town, and therefore really might be said to be a city of from 4,000 to 4,500 people, including those who live just beyond the corporate limits. It is a town where two of the largest colleges in my State are located—the Methodist College and the Baptist College, which are the State colleges of those denominations—and the present post office is a small structure, 20 by 90 feet, hemmed in about the middle of the block, with very little light, and I am informed that only about a dozen or two people can get into the office at a time on rainy days, and they have no city delivery service. It is a thrifty, up-to-date community of educated

people, and we think that inasmuch as $7,500 has been donated by the public-spirited citizens of that community in the way of building site and plans and specifications, that deducted from the authorizations heretofore made, that that within itself should be a consideration to guarantee and warrant the adoption of this proposed amendment.

Mr. GARRETT of Tennessee. Will the gentleman yield for a question?

Mr. GOODWIN of Arkansas. I will.

Mr. GARRETT of Tennessee. Did I understand the gentleman to say a few minutes ago that the gross postal receipts were $68,000?

Mr. GOODWIN of Arkansas. Yes; I said the receipts, all told. The postal receipts proper were $13,286, and the money-order receipts and the postal savings receipts all totaled $68,000, as reflected by the report. I will say this, furthermore, Mr. Chairman, this item was recommended by the Treasury Department to the committee to be incorporated in this bill out of consideration for the fact that these donations have been made. In other words, they are anxious that this item be advanced in order that the building might be constructed, the site and the plans having been donated by the people. I do not care to speak at further length. I think the merits in the case are sufficient to justify a favorable vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, all I desire to say about this item is that this is one of three buildings which the Treasury Department recommended being taken up out of their order—Arkadelphia, Ark., Fordyce, Ark., and Willow, Cal. In the case of Willow, Cal., which the committee has just refused to advance, the site was donated and it was proposed to donate the plans. In this case it is proposed to donate the plans alone. The committee was opposed to advancing this building out of its order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. GOODWIN of Arkansas) there were—ayes 21, noes 23.

So the amendment was rejected.

The Clerk read as follows:

Mandan, N. Dak., post office: For completion, $11,000.

Mr. NORTON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, after line 19, insert:
"Dickinson, N. Dak., post office: For commencement and construction, $25,000."

Mr. NORTON. Mr. Chairman, although this amendment has not been recommended to the committee by the Treasury Department, as the items from Arkadelphia and Willow and Fordyce have been, I trust that the committee will treat it more kindly and adopt it on its merits.

Dickinson, N. Dak., is a town considerably larger than either of the towns referred to in the former amendments. It is a very live, progressive, rapidly growing city with a population of nearly 6,000 people. Away back in the dim, distant past, in 1910, in more prosperous times apparently than the present, this Congress provided for the purchase of a site for this Federal building. The site has been purchased and the title has long since been transferred to the Federal Government. The present building used for the post office in Dickinson is a very small and inadequate one. I have taken up at different times with the Treasury Department the question of having the construction of this building begun at some early date.

Mr. SLOAN. I notice the gentleman tells what happened in the dim, distant past. Does he not think he had better wait until the dim, distant future, if he is going to refer to dim distances?

Mr. NORTON. From my inquiries at the Treasury Department I fear that unless there is some action taken by this body to improve existing conditions it will be the dim, distant future before this building will be constructed. I want to ask the chairman of the committee a question to make this subject a little more clear. As I am informed by the Supervising Architect's Office, according to present plans, the public buildings provided for in the act of March 4, 1913, will not all be completed until 1920.

Mr. FITZGERALD. I do not know that.

Mr. NORTON. The gentleman from Mississippi [Mr. SISSON] stated a few moments ago that the trouble was mainly with the Supervising Architect's Office; that if the plans were prepared there the Committee on Appropriations would be ready to report the necessary appropriations. Now, from repeated statements made to me by the Supervising Architect and other officials in the Treasury Department I do not understand that to be the true situation. I have been told at the Supervising Architect's Office that while they are now prepared to build from 75 to 85 buildings a year, if this Congress would say that it wanted the 327 buildings that were provided for in the act of March 4, 1913, constructed within the next 12 or 18 months they would be so constructed; that the reason for the slowness in construction is because Congress does not wish to make greater appropriations than it is now making for Federal buildings. The present buildings that were provided for in the act of March 4, 1913, would take for their construction within the next two years an appropriation of more than $40,000,000. Mr. Wenderoth, the Supervising Architect, and others in the Treasury Department, gave me to understand on several occasions that if Congress would say the word the Supervising Architect's Office would have the plans prepared to construct all these buildings within 18 months. I desire to ask the gentleman from New York [Mr. FITZGERALD], the chairman of the Committee on Appropriations, if that is a correct statement of the condition or is the cause of the delay with the Supervising Architect's Office?

Mr. FITZGERALD. Mr. Chairman, if Congress provided a force that was sufficient and appropriated a sufficient amount of money, the Supervising Architect's Office could not only construct all of the buildings authorized, but a good many more than could be authorized within a certain definite time. The Supervising Architect's Office is organized to turn out between $12,000,000 and $15,000,000 worth of work a year. That is all it is believed it is wise to attempt to expend out of the Treasury in connection with the construction of public buildings.

Mr. NORTON. Now, I should like to ask the gentleman another question. Has the Treasury Department, to the best of the gentleman's knowledge, advanced the construction of any of the Federal buildings from the numerical rank that they have on the scheduled construction list?

Mr. FITZGERALD. It has; yes.

Mr. NORTON. Without the authority of Congress?

Mr. FITZGERALD. It could not be done without the authority of Congress, in that Congress would have to appropriate specifically for the project. For instance, there have been cases where sites have been donated, or where a building has been destroyed by fire, and appropriations have been requested for that building sooner than they would have been requested if the building were taken in its numerical order in accordance with the rules established by the Treasury Department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NORTON. I ask for one minute more.

The CHAIRMAN. The gentleman asks that his time be extended one minute. Is there objection?

There was no objection.

Mr. NORTON. What I want to have made clear is this: The buildings provided for in the act of March 4, 1913, have numbers ranging from 1 to over 300. Has the Treasury Department the right to start the construction of building No. 200 before the construction of building No. 10 has begun?

Mr. FITZGERALD. The Treasury Department can take them up in any order that it pleases, but it has established this other rule which it follows. It does that as a matter of self-preservation. It could not, however, take up a building out of its order if no appropriation were made for that building.

Mr. NORTON. One further question. I understand that, but where the appropriations are provided and made available for different buildings——

Mr. FITZGERALD. But they are not. They are made available for specific buildings.

Mr. NORTON. They are made available, of course, for specific buildings. They may be made available for buildings numbered 1 to 100.

Mr. FITZGERALD. But they are not made in that way.

Mr. NORTON. Certainly they are, by name and location of building.

Mr. FITZGERALD. Yes.

Mr. NORTON. The gentleman says the Treasury Department would have the right, but what I want to know and have placed in the record is this: Has it been the practice of the Treasury Department to take up buildings out of their order on the construction list?

Mr. FITZGERALD. No; it has not.

Mr. AUSTIN. Except in an emergency case—unless there is absolute necessity for it.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. FITZGERALD. I ask that I may have leave to insert in the RECORD a statement which I referred to earlier in the debate in the discussion with the gentleman.

The CHAIRMAN. The gentleman from New York asks to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FITZGERALD. I move to strike out the last word, and I will ask to put in the RECORD a letter under date of July 1, 1914, which is a circular letter issued by the Supervising Architect.

The CHAIRMAN. Without objection the letter referred to will be printed in the RECORD.

There was no objection.

The letter referred to is as follows:

STATUS OF PUBLIC BUILDINGS CONSTRUCTION.

[Circular letter No. 16.]

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., July 1, 1914.

Many requests are received for the immediate preparation of plans, etc., for particular Federal buildings which have been authorized by existing legislation, irrespective of the date of such authorization. The following statement of the present status of public-building work is issued for the information of all concerned:

Beginning with 1902, it has been the policy of Congress to authorize public buildings by what are known as omnibus acts, each act including a great many separate projects. In addition, special acts are passed from time to time providing for individual projects, increases in the limits of cost of projects previously authorized, etc. The omnibus act of 1902 was followed by similar acts in 1903, 1906, 1908, 1910, and 1913.

It is the present policy to place under contract for construction all buildings or extension to buildings authorized in any one omnibus act before beginning plans for projects authorized by a subsequent act. It is also the present practice to prepare the plans for all buildings or projects authorized in any given act in the order of the dates upon which the titles to the sites therefor were vested in the United States.

To determine the precise order in which the plans for the various buildings shall receive attention the following procedure is followed: The buildings authorized in any one act are first divided into groups according to the priority of the acts in which their sites were authorized. All buildings in each such act-group are further arranged in the order of the dates of the acquisition of their sites, the earliest date first. For instance, the 1913 act authorizes buildings upon sites which had been authorized in the act of 1908, in the act of 1910, and in the act of 1913. It is intended that the buildings so authorized in 1913 to be erected upon sites authorized in 1908 shall first be placed under contract. These will be followed by buildings authorized in 1913 to be constructed upon sites authorized in 1910. Then the buildings authorized in 1913 to be built upon sites also authorized in 1913 will take their respective turns for attention.

Extensions are usually authorized to be erected upon land already owned by the United States. While extension projects are included with the buildings authorized in a particular act, discretion is exercised in determining the order in which extensions shall be placed under contract for construction, depending upon the urgency of the need for the improvement.

The output of plans by the Supervising Architect's Office is governed by the extent of the technical force (designers, draftsmen, computers, superintendents, etc.) which the appropriations given by Congress permit the department to employ.

At this date the Office of the Supervising Architect has on its books, waiting to be placed under contract, approximately $38,500,000 worth of authorizations for new buildings and extensions, exclusive of the value of the land. This includes the new buildings and extensions in the act of 1913. This office is placing buildings and extensions under contract at the rate of about $7,000,000 annually, so that at the present rate of progress the last of the buildings authorized in the act of 1913 will not have been placed under contract until about the beginning of the calendar year 1920. It will not be until after the latter date that it will be possible for the Supervising Architect to place under contract any buildings contained in any act or acts which may be passed in the meantime.

The current program, made up of the remaining projects which were authorized prior to the 1913 act, includes about one year's work from this date. Work upon the plans for buildings authorized in the act of 1913 will therefore not commence until about July 1, 1915. The 1913 act contains the following authorizations:

New buildings	304
Extensions to existing buildings	23
Total projects	327

The program of work contained in the act of 1913 has not been laid out as yet. Therefore it is impossible to state even approximately the time when any building authorized in that act will be either advertised for bids or placed under contract.

If a subsequent act increases the limit of cost or otherwise modifies prior legislation for a building or extension before that project is reached in turn, the position of the project in the program of work is not affected thereby. If a project is set aside when its turn is reached in order to await action upon a proposed increase in the limit of cost, or for any other reason, it is taken up whenever "released" in as near its original position as the condition of the work generally may render possible.

No consideration can be given to suggestions that any one project is entitled to any more consideration than another, and requests that buildings be advanced out of their order must be uniformly declined.

For the information of those not familiar with legislative terminology it may be stated that an "authorization" is, as it implies, merely authority to acquire a site, erect a building, etc., within the limit of cost stated, and is not an actual "appropriation" of money out of the Treasury. Appropriations are made by Congress on the basis of estimates submitted by the Secretary of the Treasury. These appropriations are carried in one or the other of the annual supply acts and are intended to be only sufficient to carry forward the building program for the fiscal year to which the acts apply. "Appropriations" are made on account of the limits of cost fixed by the "authorization" and are not extensions of these limits. All appropriations for sites, buildings, extensions, etc., are available until expended, unless repealed by act of Congress, and are not automatically returned to the Treasury if not expended before the expiration of the fiscal year.

The public-buildings act of 1913 authorized the Treasury Department to acquire sites, erect buildings, construct extensions, etc., aggregating a total cost of nearly $42,000,000 but did not actually appropriate one cent toward the consummation of any of these projects.

O. WENDEROTH,
Supervising Architect.

Approved.

BYRON R. NEWTON.
Assistant Secretary of the Treasury.

Mr. FITZGERALD. That letter states exactly what the policy of the department is and the rule which it is following.

Mr. NORTON. The people of Dickinson are willing to pay for the plans for this building. They are willing to do almost anything to have the building constructed at once, because there is great and urgent need for the building. They want to know if there is anything that can be honorably done to have the time of the construction of this building advanced. If there is, they stand ready and willing to do it. I have not been able to learn of anything that can be done at the Treasury Department to secure the early construction of this much-needed building.

Mr. FITZGERALD. This building is No. 139 in the numerical list, and will probably be reached in the fiscal year 1917. The site was authorized in 1910, and the building was authorized in the public building act of 1913.

Mr. NORTON. It is 139 on the numerical list of the March 4, 1913, public-building act.

Mr. FITZGERALD. No. 139; and I shall ask unanimous consent also to place in the RECORD an alphabetical list of the order of numbers of buildings up to 149.

Mr. BURKE of South Dakota. If the gentleman will permit, I might say to the gentleman from North Dakota that there is a gentleman in the Treasury Department who is very high up, stands very near the throne, who has a good name, and probably he could help the gentleman in getting the building at Dickinson facilitated.

Mr. NORTON. I am sure the gentleman referred to would cheerfully do so if he could.

Mr. FITZGERALD. Now, Mr. Chairman, I call attention of the committee to the fact that an amendment is pending to appropriate for this building and advance out of its turn a building that could not be reached in the regular order during the fiscal year 1916. I hope the committee will not agree to this amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to print in the RECORD a list prepared showing the numerical order of buildings up to 149. Is there objection?

There was no objection.

The list is as follows:

65. Aberdeen, Wash.	133. Fort Morgan, Colo.
2. Alexandria, La., extension.	132. Franklin, Va.
75. Alliance, Nebr.	123. Frederick, Md.
46. Anoka, Minn.	112. Fremont, Ohio.
74. Antigo, Wis.	98. Globe, Ariz.
127. Arkadelphia, Ark.	8. Greenwich, Conn.
37. Ashland, Ky.	97. Grinnell, Iowa.
105. Ashland, Ohio.	70. Hackensack, N. J.
34. Attleboro, Mass.	17. Hagerstown, Md., extension.
68. Aurora, Nebr.	141 Hammond, La.
77. Bakersfield, Cal.	119. Hiawatha, Kans.
86. Barnesville, Ga.	146 Holly Springs, Miss.
100. Bartow, Fla.	31. Hornell, N. Y.
138. Basin, Wyo.	66. Humboldt, Tenn.
14. Batavia, N. Y.	60. Huntington, Ind.
122. Bay City, Tex.	10. Huntington, W. Va., extension.
145. Bayonne, N. J.	102. Jamestown, N. Dak.
116. Beeville, Tex.	91. Jasper, Ala.
53. Belton, Tex.	49. Kalispell, Mont.
137. Berlin, N. H.	7. Kansas City, Mo., extension.
94. Birmingham, Ala.	19. Kirksville, Mo., extension.
142. Bonne Terre, Mo.	109. Laconia, N. H.
30. Brenham, Tex.	135. Lancaster, Ky.
24. Brooklyn, N. Y., extension.	147. Las Cruces, N. Mex.
107. Buckhannon, W. Va.	52. Little Falls, Minn.
84. Buffalo, Wyo.	43. Logan, Ohio.
72. Burlington, N. C.	23. Lynchburg, Va., extension.
87. Caribou, Me.	104. Madison, S. Dak.
63. Chadron, Nebr.	3. Madison, Wis.
62. Charles City, Iowa.	61. Maquoketa, Iowa.
144. Charlotte, Mich.	80. Marion, S. C.
25. Chattanooga, Tenn., extension.	134. Martin, Tenn.
115. Cody, Wyo.	16. Martinsburg, W. Va., extension.
90. Columbia, S. C.	50. Maryville, Tenn.
126. De Land, Fla.	82. McComb, Miss.
139. Dickinson, N. Dak.	129. Media, Pa.
110. Douglas, Ariz.	118. Mena, Ark.
136. Dowagiac, Mich.	18. Merrill, Wis.
125. Dubois, Pa.	78. Middletown, Conn.
108. Durango, Colo.	15. Middletown, Ohio.
93. East Orange, N. J.	42. Minden, La.
21. East St. Louis, Ill., extension.	26. Missoula, Mont., extension.
55. Ellensburg, Wash.	27. Moberly, Mo., extension.
148. El Paso, Tex.	79. Montevideo, Minn.
44. Elyria, Ohio.	22. Muskegon, Mich., extension.
20. Evansville, Ind., extension.	41. Nacogdoches, Tex.
47. Falls City, Nebr.	5. Nashville, Tenn., extension.
128. Fordyce, Ark.	

36. Naugatuck, Conn.
33. Navasota, Tex.
88. Neenah, Wis.
32. New Braunfels, Tex.
117. Newburyport, Mass.
4. Newport, R. I.
12. Oakland, Cal., extension.
11. Oklahoma, Okla., extension.
131. Orlando, Fla.
111. Pottstown, Pa.
13. Poughkeepsie, N. Y., extension.
85. Pulaski, Va.
143. Reading, Mass.
76. Redfield, S. Dak.
113. Richfield, Utah.
38. Ridgway, Pa.
89. Rockville, Conn.
83. Roseburg, Oreg.
81. Rumford, Me.
54. St. Louis, Mo., subtreasury.
39. Salamanca, N. Y.
6. Sandusky, Ohio.
95. Savanna, Ill.
106. Seattle, Wash.
58. Seymour, Conn.
71. Shelby, N. C.
51. Shelbyville, Ky.
48. Sidney, Ohio.
104. Skowhegan, Me.
73. South Bethlehem, Pa.
103. South Boston, Va.
92. Stamford, Tex.
121. Statesboro, Ga.
9. Syracuse, N. Y.
64. Tarentum, Pa.
56. Taylorville, Ill.
40. Titusville, Pa.
114. Twin Falls, Idaho.
1. Utica, N. Y., extension.
45. Valley City, N. Dak.
59. Vancouver, Wash.
29. Van Wert, Ohio.
124. Wahoo, Nebr.
101. Warrenton, Va.
99. Washington, Ind.
57. Washington, Iowa.
35. Waterloo, N. Y.
149. Waynesboro, Va.
69. Waynesville, N. C.
67. Wenatchee, Wash.
96. Williamson, W. Va.
28. Winchester, Ky., extension.
130. Woodbury, N. J.
120. Yoakum, Tex.

Mr. BORLAND. Mr. Chairman, I move to strike out the last two words. The proposed amendment is for the commencement of a new building that has not been commenced or reached in its turn by the architect's office. Of course the gentleman from North Dakota is entirely within his right in urging to the best of his ability the construction of a building in his district and in urging the needs that his town has for the construction of the building. The only ray of hope in the situation for him is that his item will come about 1917, and it will be incumbent on his constituents to recognize that fact and that he will have to have another term in order to get that building. [Laughter.]

Mr. BURKE of South Dakota. And he is making a record.

Mr. BORLAND. Yes; he is making a record, and that is a delightful thing to do. If we take a sensible view of this situation, if we could get rid of all local influences, which we can not do, we should strike out all the items for the commencement of any building this year. There is no reason on earth why nine-tenths of the buildings should be commenced. In the first place, we have ample work on hand to keep the Supervising Architect of the Treasury busy. I will venture to say that in nine cases out of ten these new buildings will take the place of rented post offices where the rent will not pay the janitor's service in cleaning the new building after it is constructed. In short, we will be substituting a continuing liability on the Government for the construction, care, and maintenance of the buildings, which in a great many instances is greater than the total amount of the rent paid out. This is in addition to the investment of the money and the loss of interest thereon. This is a constantly increasing burden that you are throwing upon the Government, and then you run out and tell the people that you are going to economize. Where are you going to economize when you continue to put fixed charges on the Government? Every time anything comes up that looks like it had any faint ray of popularity everybody jumps up and votes for appropriations, and in most cases the creation of new bureaus and executive branches and so on are continuing expenses, getting larger and larger every year, and then you have to go out and say there is no money to pay these liabilities.

Mr. NORTON. The gentleman says that in many cases the rent now being paid by the Government for post offices would not pay interest on the investment.

Mr. BORLAND. I did not say "interest on the investment." I said "the caretaking of the building." We know it would not pay the interest on the investment. I venture to say that in this case the rent the Government pays is less than the interest on the investment.

Mr. NORTON. Does not the gentleman think that in the Kansas City case the caretaking and the interest on the investment will be greater than is now paid for rent?

Mr. BORLAND. That is not true, and I can demonstrate it. The Government is paying $12,000 or $15,000 rent for Government offices outside of the present building. I want to say the biggest item for commencement of buildings is this Kansas City extension building.

Mr. NORTON. The gentleman believes in economizing away from home rather than at home.

Mr. BORLAND. No; I do not. As I say, the biggest item in this bill is for the Kansas City extension. I know it is needed in the near future, but I am not making a special plea for it now.

Mr. NORTON. And the gentleman must concede that I know the item I ask for is very badly needed.

Mr. BORLAND. How much rent is paid by the Government in Dickinson?

Mr. NORTON. I can not say exactly.

Mr. BORLAND. The gentleman is advocating a proposition and does not know how much the Government is paying for accommodations in that town.

Mr. NORTON. I know that if it is paying very much for the present post-office accommodations there it is paying too much, as the rooms now being used for the post office are wholly unsuitable for that purpose.

Mr. BORLAND. How does that compare with the cost of the investment? The gentleman is asking the Government to make an investment and he is not prepared to tell the House how much rent the Government is now paying.

Mr. NORTON. I am not prepared to tell the gentleman accurately how much is being paid for rent, light, and heat for the post office, but I know other departments of the Government are represented there. A local land office is located there and the Department of Agriculture has representatives in that particular territory.

Mr. BORLAND. How much are the postal receipts in the town of Dickinson?

Mr. NORTON. The postal receipts for the last four quarters were $16,135.96.

Mr. BORLAND. And how much is the appropriation the gentleman is asking for?

Mr. NORTON. Twenty-five thousand dollars now; a total appropriation of $90,000 has been authorized.

Mr. BORLAND. Five thousand dollars interest on an investment where you have postal receipts of only $16,000.

Mr. BURKE of South Dakota. Mr. Chairman, the gentleman from Missouri was looking at this side when he said, "You talk about economizing." We have during this administration about given up any hope of economizing on this side.

Mr. BORLAND. I knew you were not aiding, but I did not know that you had given it up.

Mr. BURKE of South Dakota. I want to ask the gentleman from Missouri if he thinks it is necessary to appropriate $2,000,000 to urge the construction of a railroad toward the North Pole?

Mr. BORLAND. That is getting pretty far away from the discussion.

Mr. BURKE of South Dakota. The gentleman was talking about items that might be eliminated.

Mr. BORLAND. I think it would be wise to eliminate the commencement of all public-building construction this year. I want to say to gentlemen also that you have got to face this same demand next winter that you are facing now, and you are that much closer to the election than you are now. If you would happen to get your post office for Dickinson, you would have another demand in your district next winter that you would have to meet, because you will have an election coming on very soon.

Mr. NORTON. Is that the way the gentleman figures on his appropriation for Kansas City?

Mr. BORLAND. No; I do not figure on that at all, as I have said to the gentleman several times.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Millville, N. J., post office: For continuation, $25,000.

Mr. EDWARDS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After line 19, page 12, insert the following as a new paragraph:
"Statesboro, Ga.: For completion, $50,000."

Mr. FITZGERALD. Mr. Chairman, I make the point of order on that. Have we not already voted on that proposition?

The CHAIRMAN. The Chair is under the impression that the committee has already voted on the proposition.

Mr. EDWARDS. Mr. Chairman, I would like to be heard briefly on the point or order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. EDWARDS. Mr. Chairman, the amendment offered before was to commence the building, and this is for the completion of the building.

The CHAIRMAN. The Chair feels that it is subject to the point of order, as the committee has already passed on the question. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

Rockville, Conn., post office: For commencement, $1,000.

Mr. LONERGAN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee a question, with reference to the item contained in lines 23 and 24, "Rockville, Conn., for commencement, $1,000." Why the variance in the amounts allowed for the commencement of different buildings?

Mr. FITZGERALD. Mr. Chairman, this is a building for which the department, toward the close of the fiscal year 1916, will be prepared to commence to take up the preparation of plans. In order to prepare the plans it is necessary to make a survey of the site, to make certain examinations, to determine the character of the subsoil. This $1,000 is appropriated for that purpose. It is not expected that it will be possible to put this building under contract before the time the next appropriation bill becomes a law, and that bill, it is expected, will carry the additional money to carry on the work. If this appropriation were not included for this and the other 35 buildings for which $1,000 is recommended, the Supervising Architect's Office would come to a standstill in 1917. This building is No. 89 on the list, and will be reached toward the end of the fiscal year 1916.

Mr. LONERGAN. I notice that larger sums are appropriated for commencing the construction of other buildings. Will the gentleman please explain why.

Mr. FITZGERALD. Where a larger sum is carried it is because it is expected that construction will be begun on the contract, and payments must be made to meet the terms of the contract.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

St. Louis, Mo., subtreasury: For commencement, $50,000.

Mr. MANN. Mr. Chairman, I move to strike out the paragraph. This paragraph is for the commencement of a subtreasury building at St. Louis. When that building was authorized the subtreasury system was in full operation, and had not yet been in any way affected either in fact or prospectively or by the law creating the Federal reserve banking system. It is true that the subtreasuries have not yet been abolished, but I take it that it is expected within a reasonable time that the Federal reserve banks and their branches will perform the work now performed by the subtreasuries. I think that that is in contemplation. It looks as though if we have to make economies, we might properly wait at least for a year before we commence the construction of a new subtreasury building in any city. The chances are that if this subtreasury building be commenced, it will not be finished for several years, and before the building is completed the subtreasury will have been abolished.

Mr. BURKE of South Dakota. What is the authorization?

Mr. MANN. The item is $50,000 for commencement of the subtreasury building. What the total of the limitation is I do not know.

Mr. FOSTER. One million three hundred thousand dollars.

Mr. FITZGERALD. The site authorized in 1910 was to cost $300,000 and the building is to cost $1,000,000.

Mr. MANN. The building is to cost $1,000,000. Mr. Chairman, it will not hurt anyone if we wait a year to ascertain whether the Federal reserve banks are to do the work that is now being done by the subtreasuries.

When we passed that bill through the House I think it was the belief on the part of the House that the new banking system would be able to do and would do eventually the work now done by the subtreasuries. They have in contemplation in the Federal reserve bank system some kind of a clearing house for the various banks. The subtreasuries in a way act as clearing houses, as far as Federal expenditures and receipts are concerned. I have no doubt that sooner or later, and not very long distant in the future, the payments by the Government, instead of being made by drafts or checks or otherwise upon the subtreasuries, will be made through the Federal reserve banks. We now have two fiscal systems in the Government. It takes some time to amalgamate those, but I believe that the Federal Reserve Board will make recommendations which will carry into effect the amalgamation. Certainly we do not need to commence a million-dollar building at this time, when the Lord only knows where the money is coming from.

Mr. FITZGERALD. Mr. Chairman, the Committee on Appropriations, both last year and this year, endeavored to obtain an expression of opinion from the Treasury Department as to whether it would be necessary to continue the Independent Treasury system by reason of the establishment of the Federal reserve banking system. The department was unable to give any definite information. It would seem as if most of the functions of the Independent Treasury system will be absorbed by the Federal reserve banks. There was some doubt created as to the necessity of maintaining forces at the various subtreasuries now existing in some of the cities in the United States because of the existence of the Federal reserve system. Whether it is advisable to start this building at this time is a matter for the committee to determine. It was authorized at a time when the Federal reserve system was not in contemplation, with the expectation that the Independent Treasury system would have necessity for the accommodations provided in the bill authorized for this purpose. There can be no very great pressing necessity for the building for the purpose intended at this time, and I am perfectly willing to let the matter rest with the sound discretion of the committee as to what it is advisable to do.

Mr. AUSTIN. Mr. Chairman, I wish to ask unanimous consent that this item be passed over in the absence of the gentleman from Missouri [Mr. BARTHOLDT] who appeared before our committee and seemed to be very anxious about it.

Mr. FITZGERALD. I do not know what Member might be particularly interested in it, but in the consideration of this bill, Mr. Chairman, it is impossible to defer action on items to be inserted or eliminated to suit the convenience of Members.

Mr. AUSTIN. It is quite a common occurrence for the chairman of the Committee on Appropriations and other chairmen of committees to pass over items and to return to them before the bill is finally passed. I think it is a matter of courtesy which might well be extended to the gentleman from Missouri.

Mr. FITZGERALD. The gentleman can make the request. I shall not object myself.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent that this item be passed over informally until the gentleman from Missouri [Mr. BARTHOLDT] can be present.

Mr. FITZGERALD. Until when?

Mr. AUSTIN. Until to-morrow.

The CHAIRMAN. The Chair will call attention of the committee to the unanimous-consent agreement that after the bill has been read down to page 22 the gentleman from Massachusetts [Mr. GILLETT] was authorized to offer an amendment dealing with all of these provisions in the bill. Now, the Chair simply desires to call attention to the proposition whether or not the proposition of the gentleman from Massachusetts [Mr. GILLETT] will have effect if this unanimous-consent agreement is entered into. That is a matter for the committee to determine.

Mr. NORTON. Mr. Chairman, reserving the right to object, I am glad to see the gentleman from Missouri [Mr. BORLAND] has just come into the Chamber again, and I am sure if he had been here and his attention had been called to this item of $50,000 for the commencement of a subtreasury in Missouri, in line with his policy of economy—outside of Kansas City—he would here on this floor voice his sentiments to have this item stricken from the bill. As the gentleman from Illinois has stated, there is no reason at this time why the commencement of a subtreasury building should be begun now anywhere in this country, involving a final expenditure of a million dollars. This item could well be stricken out of the bill and meritorious items pertaining to buildngs in smaller towns in different sectons of the country might be well substituted in its stead.

The CHAIRMAN. The gentleman from Tennessee [Mr. AUSTIN] asks unanimous consent that the item on page 17, line 14, subtreasury for St. Louis, Mo., be passed over until to-morrow.

Mr. FITZGERALD. With the understanding, Mr. Chairman, that it does not affect the right of the gentleman from Massachusetts to offer an amendment striking out all included under the head of public buildings.

The CHAIRMAN. That is the proviso. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Washington, D. C., building, Interior Department offices: For continuation, $1,500,000.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee, the gentleman from New York, how much that building for the Interior Department is to cost? This item reads "for continuation," $1,500,000.

Mr. FITZGERALD. Two million five hundred thousand dollars, as I recall it.

Mr. COOPER. Mr. Chairman, it is my understanding—and I ask the gentleman from New York whether I am correct—that it is proposed to erect this building on F Street, two or three squares west of the State, War, and Navy Building?

Mr. FITZGERALD. Yes; west of the State, War, and Navy Building.

Mr. COOPER. On F Street, two or three squares west?

Mr. FITZGERALD. Yes.

Mr. COOPER. Mr. Chairman, that is a most extraordinary location for a building for the Interior Department. It is an out-of-the-way place, not at all in harmony with the plan for the improvement of the city of Washington and utterly inappropriate as a site for the home of the Department of the Interior. I can not conceive why that site was selected for this particular building. It was bought originally as a site for a hall of records. The Government needed and still badly needs a hall of records, for it has many priceless documents and records which if destroyed could not be replaced. Their preservation is of the utmost importance and requires a building—a hall of records—which shall be absolutely fireproof, if such a building can be constructed. As Members of the Senate and House would seldom be called upon to visit it, it might occupy the site in question, although, in my judgment, it would be much better to locate it strictly in accordance with the plan for the improvement of Washington.

Mr. BRYAN. Will the gentleman yield?

Mr. COOPER. I will.

Mr. BRYAN. Is it not a fact that the Interior Department is the department that requires more visitation by Members than perhaps any other department of the Government?

Mr. COOPER. Yes. I was just about to remark that. Here is the department to which Members are constantly required to go, and yet it is proposed to place this new building at about as inaccessible, inconvenient a point as could well be found The location will be good for the street-car companies, but very inconvenient for the Members of the Senate and the House. Now, years ago the Government condemned and purchased, and has ever since owned, the square on which Poli's Theater is located, and all the squares between that square and the Mall. These squares are unsurpassed as building sites. The Government bought them for the purpose, as the law expressly provided, of erecting on them three buildings—one for the Department of Justice, one for the Department of the Interior, and one for the Department of State. For years all of these buildings have been greatly needed, and to-day all are greatly needed. The Government is expending $600,000 a year, perhaps a little more, for rentals for public buildings in the city of Washington. Six hundred thousand dollars a year is 3 per cent on $20,000,000. The Government can borrow money at 3 per cent and less. Plans were completed for the construction of these three department buildings on those squares, at a total cost of only $8,000,000; but none of these buildings has been erected, and to my amazement, and I think it must be to the amazement of a large majority of the membership of the House, we find it now proposed that one of them shall be constructed on a site two or three blocks west of the building of the State, War, and Navy Departments—a site remote, inconvenient, awkward to reach, and which was originally bought as a site for a hall of records.

Mr. STEPHENS of Texas. Can the gentleman inform us who makes these selections? I entirely agree with what the gentleman has said.

Mr. FITZGERALD. Mr. Chairman——

Mr. COOPER. If the gentleman from New York will wait——

Mr. FITZGERALD. Will the gentleman yield?

Mr. COOPER. In just a moment.

Mr. FITZGERALD. But at this point.

Mr. COOPER. If the gentleman will pardon me, I prefer to have him come in a little later.

Mr. FITZGERALD. I did not want the gentleman to labor under a misapprehension.

Mr. COOPER. I want to call attention to some evidence which, together with much other of similar sort, helped to convince me that there is a well-established industry in this city having for its prime object the renting of privately constructed buildings to the Government of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER. When the sundry bill was up last year the distinguished leader of the minority [Mr. MANN] made a very suggestive disclosure. I pause to say that we all ought to thank him for the way in which he keeps watch over public expenditures. I never have seen any other man in any legislative body who does the work or has done the work which he has in this regard. [Applause.] His services are invaluable in these matters.

In the second session of the Sixty-third Congress the gentleman from Illinois referred to the location of the new privately owned building then recently occupied by the Department of Commerce, on Pennsylvania Avenue at Nineteenth Street. His remarks are found on page 11274 of the RECORD for that session. Before reading what he said I desire to direct attention to a few relevant facts. You will remember that Nineteenth Street and Pennsylvania Avenue is only two or three blocks from where it is now proposed to locate this new building for the Interior Department, to be occupied by hundreds of Government employees. Plainly there is being developed a new locality for Government buildings and for dwellings and boarding houses to house employees and for other structures necessary for their accommodation. If not, then I ask anybody why are those great departments sent to those remote, inaccessible places, putting Members of the Senate and the House to great and unnecessary inconvenience? Every person knows that the time of Members of each House of Congress is well taken up now by their legitimate duties on Capitol Hill, and that it is a time-consuming task to go from office to office in the widely scattered departments. For example, observe the location of the House Office Building, of the Agricultural Department, of the Pension Office, of the Department of Commerce, of the Department of Justice, of the Patent Office, and of the proposed new Department of the Interior.

But to return to the statement of the distinguished gentleman from Illinois [Mr. MANN]. In speaking of the bill authorizing the Secretary of Commerce to enter into a lease for a building to be erected for the use of the Census Office, and to adjoin the then newly rented building of the Department of Commerce, on Pennsylvania Avenue away out at Nineteenth Street, the gentleman from Illinois said:

> As it passed the House it provided for 35 cents a square foot. After the provision had passed the House, it being subject to a point of order at the time it first came before the House, I received information and called it to the attention of the House that the private secretary of the Secretary of Commerce, and I believe the chief clerk of the Secretary of Commerce, and some other of the high officials of the department were interested in business with the person who was to put up the building.

A private secretary, a chief clerk, and other high officials of the department interested in business with the person who is to put up a building to be rented to the Government to be used by that Department!

Gradually we are learning how it happens that the Government rents private buildings in these outlandishly inconvenient places. For years the Government has possessed many sites, any of which would be convenient and in every way admirable for the new building for the Interior Department—vastly better than the site on which it is proposed to locate it.

The gentleman from Illinois [Mr. MANN], whose statement no one attacked, further said:

> The building is now under construction, apparently with very certain assurance that the lease will be entered into, although the authority has not yet been granted by Congress. Having passed the House at 35 cents a square foot, they succeeded in getting the Senate to raise the amount to 37½ cents a square foot.

Thereupon the gentleman from Wisconsin [Mr. STAFFORD] rose and said that the Government could again rent the Census Building at the foot of Capitol Hill at the rate of 16 cents a square foot.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I think I will ask for three minutes more, because of the very great importance of this subject.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. COOPER. Now I will yield to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. What I intended to say is inappropriate at this point.

Mr. J. M. C. SMITH. Will the gentleman tell us how far it is from the House Office Building to the place where this new building is in contemplation?

Mr. COOPER. From the House Office Building to where this building is to be located is, I think, in the neighborhood of a mile and three-quarters.

Mr. NORTON. Just about.

Mr. COOPER. In the roundabout way in which we have to go. Now, as I say, the location of public buildings and the renting of them by private individuals to the Government is getting to be a very considerable industry in this city. The three buildings for which we have the sites and for which plans were drawn—one for the Department of Justice, now housed in an inconvenient and inaccessible private dwelling on K Street; another for the Interior Department, and another for the State Department—could all have been built for $8,000,000. We are paying $600,000 for rents each year; that is 3 per cent on $20,000,000.

Mr. MARTIN. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MARTIN. Can the gentleman inform the committee why it is that the original plans for which those blocks of ground on this side of the White House property were bought are not being used for the purposes for which they were bought?

Mr. COOPER. I do not know. If the Department of Justice were located at Pennsylvania Avenue and Fifteenth Street, and the other buildings on the squares toward the Mall, in accordance with the plan for the improvement of Washington, not only would the effect be beautiful, but the public convenience would also be well served.

Mr. SELDOMRIDGE. The gentleman will take into consideration the fact that it costs quite a considerable sum to employ messengers to go from one of these buildings to the others.

Mr. COOPER. I do.

Mr. SMITH of Minnesota. Who determines where these buildings are to be erected?

Mr. COOPER. I do not know. The remarkable thing is that somebody somewhere was authorized to make a lease for 10 years for that Department of Commerce Building out at the corner of Pennsylvania Avenue and Nineteenth Street. In my judgment that transaction was without justification; but this proposition to locate the Department of the Interior over west of the State, War, and Navy Building is worse.

Mr. PLATT. Is it not a fact that a good many of the Secretaries and men who occupy these offices generally prefer offices in modern office buildings rather than these architectural structures that are built by the Government?

Mr. COOPER. That is not it at all. I am not talking about the style of architecture. I am talking about the location.

Mr. PLATT. They have to put these skyscrapers out of the way, so that they will not interfere with the beautification of the city.

Mr. COOPER. I do not think that any sensible person would prefer going into a skyscraper at Nineteenth Street rather into a commodious, well-appointed building on Fifteenth Street facing the park.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FITZGERALD. I was one of the Members of the House who opposed the public-building bill of 1913. I do not know whether the gentleman from Wisconsin opposed it or not.

Mr. COOPER. I did not know anything about this until a week ago. It may have been in that bill, but, if so, it escaped my attention entirely.

Mr. FITZGERALD. That is one thing that I suggested, that the bill should have been considered as other bills were, so that Members might know what was in it. Many Members interested in one item do not pay any attention to other items in the bill, and then come in, after they have waked up, years after, and protest against them. It is locking the stable after the horse is stolen.

I not only antagonized the bill when it was in the House, but I protested against its approval by the President of the United States. President Taft is now making speeches on economy and writing articles for the popular magazines on economy. When the contest was on over this bill current rumor at the time had it that his ultimatum was that if the bill was not to receive his veto it had to provide for four items—one, the Rock Creek item, the archives building, the Geological Survey building for the Department of the Interior, and the other, if I recall correctly, the Arlington memorial item. Those items only involved a total expenditure of $6,500,000. When I protested to President Taft about the approval of the public-building bill, just before he was about to leave office, he said, "Oh, there were so many things in the bill that peculiarly benefited Washington that I could not forego an opportunity to have them authorized."

Now he is writing articles about economy and criticizing Congress for not economizing, when he had the power to do more effective work in that direction by refusing his approval of bills than anybody within my recollection.

There is one thing about this proposed building, however, that commends it to me. It provides for the construction of a building of the modern office-building type. It prohibits the construction of a building of a so-called monumental character. The public buildings erected for the Government of the United States, so far as my observation has gone, because of the attempt to make them of a monumental character, has made them more inapt for governmental purposes than any buildings that could possibly be designed unless somebody deliberately drew plans for a mausoleum. [Laughter.] It has made more waste space, more useless arrangements, and more money expended wastefully, of no serviceable return to the Government, than in most any other way.

In 1903 the site upon which this building is to be erected was purchased by the Government. I do not know whether the gentleman from Wisconsin recalls the rumors current at that time, but there was that terrific insistence upon the purchase of this particular site for a hall of records building. After the site was purchased that was the only part of it that persons were interested in, and the site was unoccupied for 10 years. The Committee on Public Buildings and Grounds decided that it would utilize that site in authorizing this building and provided that it should be upon it.

I do not know that it is so inconvenient. Any place in Washington is sufficiently convenient for Members of Congress. I think it would be a good thing if all public buildings were so far away from the Capitol that it would compel Members of Congress to stay here rather than to spend their time in the departments. If placing the buildings in these so-called inaccessible places would make Members remain here rather than spend their time around the departments, another good would be accomplished not contemplated when the buildings were authorized.

Mr. Chairman, I have no intention of defending the location of public buildings. The site which the gentleman from Wisconsin refers to upon Fifteenth Street was purchased in order to permit the erection of three public buildings—one for the Department of State, one for the Department of Justice, and one for the Departments of Commerce and Labor. So that this building could not have been located there. I know it would have been entirely impossible to have provided for the erection of an office type of building at that point.

Now, in reference to the rented offices for the Census Bureau, I was one of those who thought that the old Census Bureau Building was a very satisfactory building and could have been rented very cheaply, but the information presented to Congress as to the terrible danger from fire, the insanitary condition of the building, the excess of heat of the building in summer time, and the great inconvenience in the transaction of public business finally overwhelmed me, as it did other members of the committee, and the authorization was made to rent the building to be erected under certain conditions. I know that it is a very fruitful industry in the city of Washington to erect buildings for the use of the Government, and yet in a majority of these cases in which contracts of that character have been made, while it has been a profitable transaction to those who erected the buildings, I think it has been a profitable transaction in most instances for the Government, because we have had provided office buildings suitable for the transaction of Government business rather than having invested our money in so-called monumental types of building, with a very large permanent annual charge on the Treasury and very unsatisfactory conveniences for the transaction of business.

Mr. MANN. Mr. Chairman, I fully approve of what the gentleman from Wisconsin [Mr. COOPER] has said with reference to the location of this building. I think when that site was originally acquired it was largely for the purpose of cleaning out a sore spot that somebody did not like. Whether that was desirable or not I would not undertake to say.

I rose particularly to again call the attention of the House to the fact that the public-building act of 1913 is not a law, although we proceed upon the supposition that it is. It is true it received the signature of the President of the United States and also of the Speaker of the House and of the President of the Senate. We passed the public-building bill through this body. The Senate added a large number of amendments to it. On a conference report we agreed to three of those items. The House never agreed to any of the other items that are incorporated in the act. We had disagreed to all of them in the first instance, as a matter of form in the House. Through an inadvertence the Speaker had presented to him a copy of the enrolled bill as having passed both bodies. He signed it. It was sent to the Senate and the President of the Senate signed it. It was sent to the President of the United States and the President of the United States signed it; but the Journal of the House, which is the official record of the proceedings in the House, shows that the Senate amendments were never agreed to, and there was no accord reached between the two bodies. I believe that some time after the adjournment of Congress the Senate Journal was doctored up, and I say "doctored up" advisedly, to show that there was a conference report presented to that body covering all of the items. There had been one presented once before and it was rejected. There never was any other presented to the Senate, but the Journal of the House shows conclusively that that bill never passed this body. I do not know how far the fact that the Speaker signs a bill which was never introduced, that the Vice President signs a bill that

has not been introduced, and that the President of the United States attaches his signature to a bill that has never been introduced in either body goes to make it a law, but I am very confident that this is subject to attack in a proper manner.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. FITZGERALD. The United States Supreme Court decided that it would not go behind the certificates of the Vice President and the Speaker in a case involving the construction of the Dingley law, in which it was claimed Congress had not passed a certain provision but had authorized the conferees to incorporate it. I will put a reference to that case in the RECORD.

Mr. MANN. If the gentleman will read the case he will find that it does not apply to this case. I read that case, and I am afraid that my friend has not.

Mr. FITZGERALD. I read the case, and I know that Mr. Justice Harlan in the opinion points out specifically that the court will not go behind a certificate of the presiding officers.

Mr. MANN. They will not unless you appeal to the Journal of the two bodies.

Mr. FITZGERALD. I will get the case and put it in the RECORD.

Mr. MANN. The gentleman can get the case and put the reference in the RECORD. I know what it is, for I read the case.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words. In reference to the criticism of the gentleman from Wisconsin [Mr. COOPER] on the Interior Department Building, in the course of construction beyond the State, War, and Navy Building, I wish to say that the Committee on Public Buildings and Grounds gave that department the character of building that it requested. It was a new departure in Washington City, a great deal of this work was shop work, and the officials of that department insisted upon that character of building, and we gave them what they wanted.

In reference to the amount of rent expended in this city for public buildings, it is true that it approaches $600,000, but Congress can, whenever it feels so disposed, make an appropriation to give the Government the necessary housing room for all of its departments. The Department of Commerce was overcrowded in its building on Fourteenth Street between the Ebbitt House and Pennsylvania Avenue. That department had a number of its bureaus scattered over the city in rented quarters, and hence they made this agreement for the construction by private parties of a building sufficiently large to house all of its various bureaus on Pennsylvania Avenue at the corner of Nineteenth Street.

In reference to the lots purchased by the Government at the head of Pennsylvania Avenue and opposite the Treasury Department, the Committee on Public Buildings and Grounds has reported—and there is now on the calendar—a bill providing for the construction of a building for the Department of Justice on a portion of that land, to cost $3,000,000, and carrying an immediate appropriation of $500,000 for the commencement of the work.

Before we prepared the last public-buildings bill we conferred with President Taft in reference to the amount which that bill should carry. The House committee held its down practically within the limits suggested by the President of the United States. We found it utterly impossible to care for more of the Government propositions in the District of Columbia and at the same time carry in that bill the needed propositions in practically every State in the Union. We gave what we thought was a just amount for public buildings in Washington City within the limits of the total amount authorized in the bill and at the same time provide for meritorious propositions in the various States.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. FITZGERALD. What was the agreement between the gentleman and the President?

Mr. AUSTIN. It was not an agreement. It was simply to ascertain from the President of the United States how much he would stand for in a public-building bill.

Mr. FITZGERALD. He also insisted that he would veto the bill unless certain items were included in it?

Mr. AUSTIN. He did not. When our subcommittee, I think composed of Messrs. CLARK, BURNETT, and myself, visited the White House, I will be very frank to say, I think I suggested to the other members of that subcommittee that we ask the President if he had any suggestion to make as to any proposition which should be included in a bill. I thought he would want the Red Cross building embraced in the bill.

Mr. FITZGERALD. That was not in that bill, was it?

Mr. AUSTIN. I said, "Let us offer him something and get him interested in it and get as large a bill as we can." [Laughter.]

Mr. FITZGERALD. As a matter of fact, he served notice when the vote was on in the Senate and there was a controversy between the two Houses that there were things that he wanted in that bill?

Mr. AUSTIN. I do not know what occurred in the Senate, but I know that the President of the United States did not seek to dictate to our subcommittee.

Mr. FITZGERALD. I do not say that he did.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CANTRILL. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. I first yield to the gentleman from Alabama.

Mr. FITZGERALD. I have reference to another stage in the proceedings.

Mr. BURNETT. Mr. Chairman, I was with the subcommittee that waited upon President Taft, and there was not an intimation made by him that the condition of his signature to that bill would depend on whether he got any item.

Mr. AUSTIN. No.

Mr. BURNETT. Not a thing of the kind.

Mr. FITZGERALD. I am not talking about that particular stage of the proceedings.

Mr. BURNETT. The fact is President Taft stated to us that he would stand for a bill of a certain size, and that he was interested in a building he would like very much to have us make an appropriation for, which, as I recollect, we had already agreed upon, which building was in a city where he was expecting to be a professor in a college, but so far as ever mentioning that until after he had told us his desires in regard to the matter, that is actually untrue, so far as that committee is concerned. I do not know anything about what occurred in the Senate.

Mr. FITZGERALD. He was well taken care of, and more than that, after he left the White House he came down to Washington and used whatever influence he had with the Treasury Department to have them spend $100,000 or $150,000 for the use of one particular kind of marble instead of another in the New Haven building.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, inasmuch as most of my time has been consumed by my genial colleagues I will ask to have my time extended five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. AUSTIN. Mr. Chairman, the gentleman from Alabama [Mr. BURNETT] is correct in his statement of what ex-President Taft stated to our subcommittee. The President made a reference to an increased appropriation for the New Haven post office and customhouse, which had been recommended by the architect.

Mr. BURNETT. That is correct.

Mr. AUSTIN. Now, in reference to the ex-President of the United States coming to Washington and exercising his influence for a certain kind of material for the post-office building and customhouse at Hartford, Conn., I do not know of any such fact.

Mr. FITZGERALD. I do.

Mr. AUSTIN. But I do know that I wrote the ex-President of the United States and appealed to him to use his influence for the use of a certain kind of material for the post-office building in his town.

Mr. FITZGERALD. Was that the kind adopted?

Mr. AUSTIN. Yes; and it was the best material offered.

Mr. FITZGERALD. And that cost between $100,000 and $150,000 more than the building could have been constructed for if a different type of material had been used.

Mr. AUSTIN. Well, it was a question of the value and durability of the kind of material to be used in the New Haven building. It was quite a question whether to use marble from New York or Tennessee——

Mr. FITZGERALD. And the New York marble would have lasted as long as we or our children would live.

Mr. AUSTIN. The Tennessee marble was worth $150,000 more than the New York marble. The architect who prepared the plans recommended Tennessee marble. There was not any doubt about the Government receiving full value in the difference of those two bids or materials.

Mr. CANTRILL. What part of Tennessee did this marble come from?

Mr. AUSTIN. It comes from the Garden of Eden, the district which I have the honor to represent. [Applause.] I not only appealed to Mr. Taft, but I went to see the Secretary of the Treasury, Mr. McAdoo, any number of times in reference to this matter. I take full responsibility, and hope I will have another opportunity in doing the same thing.

Mr. BARNHART. Will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. BARNHART. The gentleman from Tennessee says that President Taft did not call on him. From his position in matters of this sort, it would not be necessary for ex-President Taft to call on the gentleman from Tennessee to induce him to reduce any kind of an appropriation, would it?

Mr. AUSTIN. No; I believe in putting money in circulation instead of hoarding it in the Treasury.

Mr. FITZGERALD. Mr. Chairman, the case to which I referred a moment ago in reply to the gentleman from Illinois is Field *v.* Clark (143 U. S., 649), and the headnote is as follows:

The signing by the Speaker of the House of Representatives and by the President of the Senate, in open session, of an enrolled bill is an official attestation by the two Houses of such bill as one that has passed Congress; and when the bill thus attested receives the approval of the President and is deposited in the Department of State according to law, its authentication as a bill that has passed Congress is complete and unimpeachable.

It is not competent to show from the journals of either House of Congress that an act so authenticated, approved, and deposited did not pass in the precise form in which it was signed by the presiding officers of the two Houses and approved by the President.

An examination of the opinion in this case, though I have not read it recently, but read it some time ago when I was interested in another phase of a similar question, will show that Mr. Justice Harlan took the ground that the Supreme Court will not go behind the attestation of the presiding officers and examine the Journal, the records of the two Houses, to impeach a bill as approved after being attested to by the two presiding officers.

Mr. MANN. Will the gentleman permit?

Mr. FITZGERALD. Certainly.

Mr. MANN. I read the case and I think it did not cover the case in reference to the public buildings bill at all.

Mr. FITZGERALD. I do not know how it could be any more explicit than it is.

Mr. COOPER. Mr. Chairman, I desire to ask the gentleman from New York how much construction work has been done on this site? As I understand it, there has been none done as yet.

Mr. FITZGERALD. My recollection is that part of the unexpended balance on the site, $96,000, was unexpended of the original $400,000 appropriated for this site and the authorization for the building, placing the limit of cost at $2,596,000. In the sundry civil act for the current year $40,000 of the unexpended balance was appropriated for the preparation of plans and this is the first appropriation toward the construction of the work.

Mr. COOPER. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Chair will consider the pro forma amendment as withdrawn and the Clerk will report the amendment.

The Clerk read as follows:

Page 20, strike out lines 11 and 12.

Mr. COOPER. Mr. Chairman, I offer this amendment because, in my judgment, it would be a very serious mistake to erect a building for the Interior Department in such a remote and inconvenient place. The site was bought originally, as the gentleman from Illinois said, to get rid of some things that the city wanted to get rid of and to be used for the purpose of a hall of records, which the Government then very greatly needed and still needs. This building for the Interior Department will be one to which more Members must go than to any other single departmental building in the city. It should be constructed at some point convenient as possible for a majority of the membership of Congress. There are many sites, the one on Fifteenth Street being especially suitable. But we can now stop its construction on this inaccessible site, and do no harm to anybody. We can have a reconsideration of this very important program in the interest of the public service and of the convenience of the membership of the two Houses of Congress. The distinguished chairman of the Committee on Appropriations [Mr. FITZGERALD], in whose judgment we all have great confidence, said he was opposed originally to this sort of thing. Only $40,000 has been spent and no part of that on the building. The gentleman said he wished buildings to be located at inaccessible places so that the Members of the House would remain here while the House is in session.

Mr. FITZGERALD. Does the gentleman overlook the fact that we have spent $300,000 on the site?

Mr. COOPER. We can use that for a hall of records.

Mr. FITZGERALD. The gentleman said only $40,000 had been spent on it.

Mr. COOPER. I meant, aside from the purchase of the site, only $40,000 has been spent on it.

Mr. FITZGERALD. And there is the money which has been spent for the preparation of the plans.

Mr. COOPER. Those can be very easily changed for a hall of records. When you look forward to the future of the Republic of the United States and consider the convenience of all of the Members of the two Houses of Congress who must walk or ride up there through the centuries to come, the proposition in this bill seems inexcusable.

But the gentleman from New York [Mr. FITZGERALD] made a statement which seems plausible and somewhat effective when he said he wanted this building put up at an inaccessible place, so that the Members of the House would stay here during the sessions of the House. It is my experience, and I think it is the experience of the gentleman himself—and he is one of the most faithful of the membership of this House—that he does his department work in the morning after breakfast, between that time and the time he comes up to the Capitol or to the House Office Building. It is very rarely that I leave the Capitol to go to the departments in the afternoon. Sometimes I do, upon receipt of a telegram or of a letter on urgent business, but not otherwise. This is true also of the Members of Congress generally.

Mr. STEPHENS of Texas. Is it not a fact that the Government owns a plot of ground, possibly 200 feet square, west of the Riggs Bank Building on Fifteenth Street and Pennsylvania Avenue and south of the Belasco Theater? I understand that the Government owns that splendid plot of ground.

Mr. COOPER. Yes.

Mr. STEPHENS of Texas. Should not the Interior Department building be located at some such place as that?

Mr. COOPER. But a much better place would be to locate it in accordance with the plan for the improvement of Washington and for the great convenience of the membership of the House, and that is——

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask for a few minutes more.

Mr. FITZGERALD. I ask unanimous consent that the debate on the pending amendment be closed. How much time does the gentleman want?

Mr. COOPER. About three minutes, that is all—three or four.

Mr. FITZGERALD. I ask unanimous consent that the debate on the pending amendment and all amendments thereto be closed in eight minutes.

The CHAIRMAN. The gentleman asks that all debate on this amendment and amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. COOPER. We have a site now which has been purchased, running, as I said, from Pennsylvania Avenue straight through to the Mall along Fifteenth Street, a site facing on the park, a beautiful site, accessible, and very admirable.

Inasmuch as no money has been spent toward the construction of this proposed building on that out-of-the-way site on F Street, and inasmuch as we are about to locate this great department for all time, we ought immediately to reconsider this proposition and choose a far better site. That would be no reflection upon the committee which brought in this appropriation. It acted in accordance with what it thought the desire of Congress. But we ought now to reconsider it. There is no pressing necessity for spending a million and a half dollars on this project while the Treasury is in its present condition. If we do not reconsider now, we never can reconsider it. Every reason which can appeal to the good judgment of the House requires us to strike out these two lines and have a reconsideration of this problem.

Mr. FITZGERALD. This building is more needed, perhaps, than any other building in Washington. It is to house certain bureaus of the Interior Department. It was urged particularly because of the fact that the Geological Survey is now housed in a building where several fires have threatened the destruction of very valuable documents.

This building is proposed to be erected on the lot bounded by Seventeenth and Eighteenth and E and F Streets. It is right in a cluster of public offices. The State, War, and Navy Building is on Seventeenth Street. The Department of Labor is occupying the Mills Building at Seventeenth Street and Pennsylvania Avenue. The Department of Commerce is at Nineteenth Street and Pennsylvania Avenue.

Mr. NORTON. How long have the Department of Commerce and the Department of Labor been up there on Seventeenth Street?

Mr. COOPER. Two years.

Mr. FITZGERALD. The Department of Commerce went up there about a year and a half ago, I think. The Civil Service Commission is in that vicinity, and also the Navy Department

Annex, so that this building is to be located in the midst of a group of public buildings.

This building is needed for the public service. To strike out this item, for the purpose of enabling Congress to reconsider it, means that offices which are particularly desired in the interest of the public service must be delayed. It is believed that the building will be completed within two years. It is needed for the public service, and I think it ought to be constructed now.

Mr. COOPER. All these buildings which the gentleman mentions are leased buildings, built by private parties and leased to the Government.

Mr. FITZGERALD. The State, War, and Navy Building is not.

Mr. COOPER. All the rest are.

Mr. FITZGERALD. Yes; and most of them are rented on terms which are quite advantageous to the Government. This building proposes something that many Members of Congress believe may be the beginning of a system that will result in a very different type of public building. Here is a proposal to erect a structure of the modern office-building type for the transaction of the public business. It will be economical, it will be useful, it will be satisfactory. The only time when we get such buildings is when we rent them. This is one time when we can get such a building under Government construction. The buildings are required for the Bureau of Mines and the Geological Survey. These two services are now paying $52,000 a year rent in the city of Washington. The more speedily this building is erected for all the services that are to go into it the better it is for the service.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. COOPER) there were—ayes 27, noes 33.

So the amendment was lost.

The Clerk read as follows:

Wenatchee, Wash., post office: For commencement, $1,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Wilmington, N. C., customhouse and appraisers' stores: For continuation, $220,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from New York if he is able to tell us how much the authorization is for this Wilmington, N. C., building.

Mr. FITZGERALD. Wilmington, N. C., the total limit of cost is $600,000.

Mr. MANN. May I ask what is covered by the next item, "For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $2,500"? Who are these officials to be accommodated? I assume, without knowing, that the Wilmington customhouse is to be erected on the site where there is now a Government building, and that you appropriate $2,500 for the rent of buildings for these officials during the erection of that building.

Mr. FITZGERALD. It is intended to commence the removal of the old building from its present site and commence the construction of a new building, and this is to provide accommodations for offices in another building while the new building is being constructed.

Mr. MANN. I may be in error as to the facts, but here is a case where the Government proposes to appropriate $2,500 for the rent of private buildings for customhouse and appraisers' offices in Wilmington, N. C. They can get the rent and move the offices for $2,500 a year, and yet we propose to construct a $600,000 building for their accommodation hereafter. That would be a considerable sum to spend for quarters that you can rent for less than $2,500 a year. I should say that was going some if these are the facts. Those are what appear to be the facts on the surface of the bill. Five per cent on $600,000 a year would be $30,000 interest, and the cost of light, heat, and janitor's services would be more than $2,500 a year, and yet I suppose we are to build the building as a matter of economy.

Mr. FITZGERALD. The gentleman from Illinois refused to join with me when this bill was up, but rather helped the Committee on Public Buildings and Grounds to pass it, and now the gentleman criticizes it.

Mr. MANN. The gentleman is mistaken. He is ungrateful and his memory is poor. He is in the habit of saying "Look at me, I tried to beat it and you were for it." The fact is that I cordially joined with the gentleman from New York, and I was one of the very few who did.

Mr. FITZGERALD. That is not my recollection of it.

Mr. MANN. I had an item in the bill and the gentleman from New York did not have an item in it. The gentleman opposed the bill because he did not have an item in it, and so his virtue was not so strong as mine. [Laughter.]

Mr. FITZGERALD. Mr. Chairman, the gentleman is in error as to both statements. He had an item in the bill and cooperated with the Committee on Public Buildings and Grounds. The committee proposed to put in an item for Brooklyn, but I requested them not to put it in. The Senate inserted the item in the bill, and I asked the conferees not to agree to it. That is where the gentleman from Illinois and I differ.

Mr. MANN. Certainly; that is correct; because the item was not as the gentleman from New York wanted it. It did not carry the amount of money the gentleman wanted; it cut it too fine and the gentleman wanted more money. He did not get it. I do not criticize him. I commend him even then for being opposed to the bill, and I joined with him.

Mr. FITZGERALD. That was not the reason. The gentleman from Illinois gave his valuable assistance to the men who were interested in public buildings. I do not find fault with him, but I hope his building will not come back to plague him as some others do. I think that these gentlemen who helped to pass a public-building bill and who profited by its passage in that they got some authorization of their own in it, should not, after the bill has become a law and they have gained the advantage they seek from it, turn around and criticize and condemn their associates in passing the bill. If they want to be free to criticize these items, they ought to criticize them when they are authorized, and not wait until the bill has become a law and after their particular item has been taken care of and then turn upon their former allies.

Mr. BURNETT. Mr. Chairman, I do not know how the gentleman from Illinois [Mr. MANN] voted, because there were so very few who did vote against the last public-buildings bill that I did not take much notice of it; but my understanding was that we had the moral support and cooperation of my good friend from Illinois. I flattered myself, from the few conversations I had with him in regard to the bill, that he was at heart with us. I did not think that the $50,000 that he had in the bill influenced him in any way whatever, but I thought that for the general good of the country the gentleman from Illinois recognized it as so meritorious a bill that at heart, if not by vote, he was with us. In regard to the item, Mr. Chairman, as I recollect it, it went to the Senate with a much smaller authorization. That was increased in the Senate.

Mr. AUSTIN. That is a New York item?

Mr. BURNETT. The Wilmington proposition. The House conferees finally yielded on that, and when it comes to the amount of expenditure I think that if the gentlemen will investigate it they will find that the $2,500 is for the payment of the housing of the Government officials till the new building is completed. Of course, I can not remember distinctly these matters that occurred two years ago, but my recollection is that part of the old building was being occupied, and is yet, by Government officials, and that this $2,500 is made up of rents made necessary by renting of outside buildings and the moving of these offices when they do move to the new building and when it is completed. I am stating that from recollection. I may be mistaken in regard to the matter, but I think upon investigation the gentleman will find that the facts are as I have stated.

Mr. FITZGERALD. I think perhaps the gentleman is correct about that. I have that information here.

Mr. MANN. Mr. Chairman, if I supported upon the floor all of the propositions where I give parliamentary advice, I would very frequently find myself on both sides of the questions that come before the House. The gentleman from Alabama is a little ungrateful. I advised him how he could pass the public building bill two years ago. That was a matter of giving parliamentary advice. Only the other day he was courteous enough to ask for some parliamentary advice on another great matter that was before the House, and as far as my knowledge went I was very willing to give the advice, although I did not vote for his bill. I did not understand that when gentlemen taking advantage of my long experience upon the floor ask me for parliamentary advice, and I am courteous enough to give it to them, that they are thereby warranted in saying that I favor their bill. That is a rather ungracious statement to make.

Mr. BURNETT. Mr. Chairman, if the gentleman will permit, I am sure I intended nothing of the kind. My remarks were intended to be more facetious than ungracious. I have

conferred with the gentleman about the bill generally, but I had not understood that the gentleman was opposed to the bill. Perhaps I ought not to have referred to the fact of the parliamentary suggestions which the gentleman gave me, because I frequently do go to him for parliamentary advice. It was not that that led me to believe that the gentleman was not unfriendly to the bill, so much as the fact that I had talked with him generally about the bill and he had never expressed disapproval of the bill to me.

Mr. MANN. Oh, the gentleman and the other gentleman who came to me about the bill were told then that I did not intend to vote for the bill. That did not make any impression upon them, apparently, although the advice of how to do it did apparently make an impression. I do not consider that I am under obligation to give information to a gentleman about a parliamentary situation when he asks me, whether I am for his proposition or against it, and I hope that gentlemen will not consider when they ask as to what can be done in a particular parliamentary situation and I tell them what my views are as to what can be done, that thereby I am obligated to support their propositions, because if that be the case, I shall be as close as a clam hereafter.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last three words. I want to ask three or four questions of somebody. I tried to ask it of the chairman of the committee quietly, but I did not get much satisfaction. I would like to know, first, what the population of Wilmington, N. C., is? I would like to know, next, what the receipts of the post office are, and I would like, again, to know the customs receipts of that office?

Mr. FITZGERALD. Mr. Chairman, I will give the gentleman 66⅔ per cent of the informatoin that he desires. The balance I have not got. The population in 1910 was 25,748. The gross postal receipts in 1913 were $135,193.76; money-order receipts in 1913, $236,062.66; postal-savings receipts in 1913, $3,133. The building is for a customhouse and appraisal stores and other governmental offices exclusive of the post office.

Mr. DONOVAN. And the gentleman does not know what the customs receipts are?

Mr. FITZGERALD. I do not?

Mr. DONOVAN. Is that a very intelligent handling of the subject—not to know what the customs receipts are?

Mr. FITZGERALD. What difference does it make what the customs receipts are?

Mr. DONOVAN. I will tell what is necessary to know. I am going to tell what I think about it in my own way and in my own style.

Mr. FITZGERALD. It does not make any difference what the gentleman thinks about it. What the gentleman thinks about it and whether it is an intelligent handling of the subject are two entirely different things.

Mr. DONOVAN. Let us see, Mr. Chairman. A great man, a great committee, and the chairman of the same, engineered a bill through this House carrying $600,000 authorization for Wilmington, N. C., a locality of less than 30,000 souls. What do you think about that? [Laughter.]

Mr. FITZGERALD. The trouble with the gentleman is that he is incorrect.

Mr. DONOVAN. The gentleman should conduct himself in an orderly way. You should first get recognition from the Chair before interrupting me.

The CHAIRMAN. Does the gentleman from Connecticut yield to the gentleman from New York?

Mr. DONOVAN. Not at this moment.

The CHAIRMAN. The gentleman declines to yield.

Mr. DONOVAN. This is the proposition. I am obliged to repeat it lest my audience forgets the point I am trying to make. A great committee, a most important committee, and a great chairman in the Sixty-second Congress engineered a bill through this establishment known as the House of Representatives for $600,000 for a public building in a locality having less than 30,000 souls.

Now, Mr. Chairman, the chairman in this Congress very kindly told us awhile ago that a $75,000 proposition in every locality, with the same number in population such as the gentleman from California had offered, would bankrupt this great country. I can not understand why the people of my State have been shanghaied all these years. [Laughter.] We have a customhouse and we have a post office in a locality of 110,000 souls. The receipts of the customhouse are half a million dollars. The receipts of the post office are over $400,000. What happened to our little State when my predecessor, the greatest man this Congress ever had as a Member, when he, who was the greatest man in his own opinion who ever came out in the world, who was here for 18 years, and the only Federal building in his district with a roof or chimney on it cost a little over $250,000? What is it that they do to us from the Nutmeg State when they get our great men down here? Do they do as they do in other localities, pull them into a dark alley masked and strip them and take to themselves $600,000 for towns of 30,000 population?

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

Mr. FITZGERALD. Mr. Chairman, I wish to say the Committee on Appropriations did not put through the House the bill authorizing this building. There might be something accurate about the balance of the gentleman's statement, but there is no accuracy——

Mr. DONOVAN. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. DONOVAN. We have just listened to the gentleman from Alabama, we have listened to the minority leader, as well as the chairman of the Committee on Appropriations, and all hands of it in the steal. [Laughter.] Well, all acquiesced in it and no protest was made, but they have given the minority leader a $50,000 proposition in the bill.

Mr. FITZGERALD. I decline to yield further.

Mr. MANN. The statement the gentleman makes, like most of his statements, is absolutely without any foundation of fact.

Mr. FITZGERALD. The gentleman from Connecticut can not even repeat a statement made within five minutes here on this floor. I have stated here, I think, a dozen times to-day I opposed the passage of the public-buildings bill. If the gentleman were in his place, and attentive and alert as he pretends sometimes to be about what is transpiring in this House, he would not make so many absurd statements in one five minutes. I withdraw the pro forma amendment.

The Clerk read as follows:

Wytheville, Va., post office: For completion, $25,000.

Mr. GILLETT. Mr. Chairman, in pursuance of the unanimous-consent agreement, I now offer the following amendment.

The Clerk read as follows:

Strike out all after line 2, on page 2, down to and including line 6, on page 22, and insert in lieu thereof the following:

"Albany, Oreg., post office: For completion, $10,000.
"Amarillo, Tex., post office and courthouse: For completion, $133,000.
"Arkansas City, Kans., post office: For completion, $35,000.
"Augusta, Ga., post office and courthouse (new): For completion, $50,000.
"Bainbridge, Ga., post office: For completion, $15,000.
"Bangor, Me., post office: For completion, $40,000.
"Bedford, Pa., post office: For completion, $50,000.
"Berkeley, Cal., post office: For completion, $20,000.
"Cadillac, Mich., post office: For completion, $43,000.
"Camden, S. C., post office: For completion, $6,500.
"Carnegie, Pa., post office: For completion, $35,000.
"Cartersville, Ga., post office: For completion, $5,000.
"Chico, Cal., post office: For completion, $35,000.
"Collinsville, Ill., post office: For completion, $36,000.
"Delevan, Wis., post office: For completion, $10,000.
"Denver, Colo., post office: For completion, $200,000.
"De Soto, Mo., post office: For completion, $5,000.
"Excelsior Springs, Mo., post office: For completion, $20,000.
"Fulton, Ky., post office: For completion, $35,000.
"Garden City, Kans., post office: For completion, $45,000.
"Gastonia, N. C., post office: For completion, $15,000.
"Georgetown, Ky., post office: For completion, $45,000.
"Grass Valley, Cal., post office: For completion, $10,000.
"Greeley, Colo., post office: For completion, $25,000.
"Grenada, Miss., post office: For completion, $25,000.
"Hampton, Va., post office: For completion, $20,000.
"Hanford, Cal., post office: For completion, $15,000.
"Harrisburg, Pa., post office and courthouse: For completion, $75,000.
"Hilo, Hawaii, post office, customhouse, and courthouse: For completion, $50,000.
"Holland, Mich., post office: For completion, $55,000.
"Huntingdon, Pa., post office: For completion, $15,000.
"Jackson, Ky., post office and courthouse: For completion, $35,000.
"Jellico, Tenn., post office: For completion, $30,000.
"Jennings, La., post office: For completion, $25,000.
"La Fayette, La., post office: For completion, $10,000.
"Lake City, Minn., post office: For completion, $29,000.
"Lynchburg, Va., post office and courthouse: For completion, $25,000.
"McPherson, Kans., post office: For completion, $20,000.
"Milwaukee, Wis., appraisers' stores: For completion, $40,000.
"Minot, N. Dak., post office and courthouse: For completion, $20,000.
"Mobile, Ala., post office: For completion, $70,000.
"Moundsville, W. Va., post office: For completion, $10,000.
"Mount Vernon, Ill., post office: For completion, $8,000.
"Narragansett Pier, R. I., post office: For completion, $39,000.
"New Haven, Conn., post office: For completion, $400,000.
"New Rochelle, N. Y., post office: For completion, $15,000.
"Orange, N. J., post office: For completion, $20,000.
"Osage City, Kans., post office: For completion, $12,000.
"Pensacola, Fla., post office and courthouse: For completion, $30,000.
"Port Jervis, N. Y., post office: For completion, $10,000.
"Princeton, Ill., post office: For completion, $50,000.
"Rocky Mount, N. C., post office: For completion, $30,000.
"Shelbyville, Tenn., post office: For completion, $5,000.
"Sycamore, Ill., post office: For completion, $15,000.
"Tarboro, N. C., post office: For completion, $25,000.
"Three Rivers, Mich., post office: For completion, $10,000.
"Tupelo, Miss., post office: For completion, $40,000.
"Urbana, Ill., post office: For completion, $10,000.

"Williston, N. Dak., post office: For completion, $5,000.
"Winchester, Tenn., post office: For completion, $15,000.
"Winfield, Kans., post office: For completion, $44,000.
"Wytheville, Va., post office: For completion, $25,000."

Mr. FITZGERALD. Mr. Chairman, I wish to see if we can arrange time for debate upon this amendment.

Mr. GILLETT. What does the gentleman suggest?

Mr. FITZGERALD. If nobody wants any time, I would suggest 10 minutes.

Mr. GILLETT. I want five minutes.

Mr. MADDEN. I would like to have five minutes.

Mr. FITZGERALD. I suppose a number of the Members——

Mr. MANN. Suppose we start for awhile without limitation and then see.

Mr. CAMPBELL. I think the time should be divided between those in favor of the motion and those opposed to it.

Mr. FITZGERALD. I am trying to see if we can arrange time for debate. I think it would be much more satisfactory to do that. Mr. Chairman, I ask unanimous consent that debate on the pending amendment and all amendments thereto be limited to 80 minutes, 40 minutes to be controlled by the gentleman from Massachusetts and 40 minutes by myself.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that all debate upon the pending amendment and all amendments thereto be concluded in 80 minutes, 40 minutes of the time to be controlled by himself and the remaining 40 minutes by the gentleman from Massachusetts [Mr. GILLETT]. Is there objection?

Mr. MARTIN. Mr. Chairman, reserving the right to object, if the apportionment of time is for the purpose of lengthening the discussion on this bill, it seems to me that method will have that effect. If there are any who in seriousness expect to support the motion, except the gentleman from Massachusetts who offers it, they are not now manifest, and it seems to me if we are proceeding under the rules of debate and exchange time first to one for the amendment and then to one who is opposed to it we will get through with a good deal less than 80 minutes, in my judgment.

Mr. FITZGERALD. If objection is made at the end of 80 minutes, I will move to close debate, anyway.

Mr. MARTIN. I am not objecting; but I suggest it seems to me on a proposition of this kind we are simply lengthening the consideration of the bill unnecessarily.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, my proposition is to strike out all the appropriations for public buildings now in the bill, and insert in lieu thereof the list of buildings which the Treasury Department has stated have been commenced or are now under contract. In other words it leaves out every building where no work has been done or where no contract obligation has been incurred.

Mr. MARTIN. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. MARTIN. I followed the reading of the amendment as best I could, and I noticed a great many items in the bill marked for completion which are not included——

Mr. GILLETT. Those are for extensions which have not been commenced, and an appropriation will complete them.

Mr. HUGHES of West Virginia. Will the gentleman permit a question?

Mr. GILLETT. Yes.

Mr. HUGHES of West Virginia. I want to ask the gentleman if work has not begun on extensions if that should be included——

Mr. GILLETT. No; that would go out if the work had not been begun.

Now, the appropriations for public buildings in this bill amount to $11,984,920. My proposed amendment makes appropriations for $2,300,500. Consequently, if it should be adopted, it would save the Treasury $9,684,420, quite a comfortable sum in the present condition of the Treasury.

I offer this amendment, not as carrying out any opinions I may have as to the advisability of these public buildings—although I have decided opinions upon it—but on the ground that the Treasury is nearly empty, that according to our best advices as to income next year it is not likely to be replenished, and that now is a time when we should exercise strict economy, and should not appropriate for luxuries, but only for necessities. And it seems to me if anything is a luxury and not a necessity it is the new public buildings which this bill carries.

The other day I was reading a history of the English Parliament, and I came across this sentence, which, I think, is very appropriate to the American Congress. It ran:

If you want to raise a certain cheer in the House of Commons, make a general panegyric on economy. If you want to invite a sure defeat, propose a particular saving.

And, I confess, in the light of that statement—which, I think, applies to us quite as much as to them—my hope that this amendment will be adopted is not strong. The other side of the House have always been advocates of economy in theory, although I will do them the justice to admit that for the last few months I have heard no such boasts on that side. They have not recently had the assurance to pretend that they have been economical. But the leader of that side, Mr. UNDERWOOD, just the other day insisted in the House that there was great need of retrenchment. Now, here is an opportunity, not for a general panegyric on economy but to vote on a particular instance, an instance that will save the Treasury over $9,000,000. And there is not a building in this whole list, I think you will all admit, which can not be deferred without any interference with the functions of the Government.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. BURKE of South Dakota. How many items does the gentleman's amendment contemplate?

Mr. GILLETT. I do not know the number.

Mr. BURKE of South Dakota. Does it not reduce the number something like 150?

Mr. GILLETT. I have not any idea of the number. The figures of dollars and not of particular instances are all I have.

Mr. BURKE of South Dakota. If it does reduce the number that much, that will defeat the amendment.

Mr. GILLETT. I appreciate the force of the gentleman's argument that there would be 150 sure votes against it, but I thought there was only one line to follow, and that was to cut out everything which has not now been begun. Therefore I asked the Treasury Department to give me a statement of all those cases, so that there should be no favoritism.

In this bill there are many items, like Jaspar, Ala.—and I will only suggest one—where there is an authorization of $107,500 for a town with a population of 2,500 people. At present they are paying there for rent, light, heat, and janitor $372 a year. Yet there is an authorization of over $100,000. Heating, lighting, and janitor service would cost many times more than they are now paying for rent. I will not now discuss the propriety of that building, although I have a very decided opinion about it; but it seems to me that everybody who professes the slightest desire to make the balance of expenditures and revenues meet, who desire that in the next fiscal year we shall not have a great deficit, or who wants to reduce the deficit which there is certain to be, ought to say, "Here is an appropriation which the country can go without for another year as well as not," and vote for this amendment. The Government service will not suffer in the slightest, and the Government Treasury will be materially helped.

The CHAIRMAN (Mr. FOSTER). The time of the gentleman has expired.

Mr. PAGE of North Carolina. I yield five minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, I never heard this howl for economy from the gentleman from Massachusetts [Mr. GILLETT] when his party was manipulating the exchequer. I never heard much of it from the gentleman when he himself had an item upon the last public building bill, one of the smallest in the whole list. He was suddenly spurred and awakened, and made some kind of objection to the bill, and when taunted with the fact that he himself had an item on it his excuse was that others were getting in. Now, Mr. Chairman, the gentleman the other day had the chance to vote for one battleship instead of two, when we were trying to cut off $15,000,000. He did not do it, but I believe admitted that for the first time he voted for two instead of one. Was he for economy then? His plea here to-day is to cut off $9,000,000 which is going almost entirely to the interior and the smaller towns of the country, at least the greater part of it. That is about all that the people of the interior districts ever see of what goes with the taxes that they pay.

Last year we passed a good-roads bill providing for $25,000,000 for good roads.

Mr. BORLAND rose.

Mr. BURNETT. I decline to yield. I have only five minutes. Did the gentleman vote for the people then? The RECORD will show; but I do not think I ever heard his voice or the voices of these gentlemen from the great cities, who are voting to curtail this expenditure, raised in favor of the people in the country who want good roads. We tried the other day to strike from the naval appropriation one great battleship costing $15,000,000, at a time when it seems to me that that appropriation is less excusable than ever, when the great nations of the world, the only ones that might at any time be a menace to us, are involved in a titanic conflict that will deplete their treasuries

and decimate their armies, and for the next 50 or 100 years make our country more immune than ever from any attacks from outside enemies, why did not he and these other gentlemen who cry "economy" vote to save the Treasury? These gentlemen who are here wanting to cut down appropriations which we wish to make in order that the people in the small cities may see something of where their money goes, never raised their voices or cast their votes in order to cut off those expenditures that might easily have been dispensed with. Yet, now, in order to make a political cry of economy and in order to try to anathematize the Democratic Party for extravagance they come up here and attempt to make this cut on items that I think are just. Two years ago Congress, by an overwhelming vote, said that the items that were on the bill reported to the House by the committee, of which I was the acting chairman, ought to be authorized. The Appropriations Committee has come—in compliance with the mandate of the law that was then passed with only 25 or 30 dissenting votes, and bills passed in 1910 and 1908, and in compliance with the law which authorized these appropriations—has come in and said, "We propose now to comply with the directions that Congress gave us, regardless of whether we voted for the bills or not, by making a recommendation of appropriations to carry out the will almost unanimously expressed by Congress two years and four years ago."

And yet, in order to make cheap political capital, gentlemen who vote for other gross extravagances come now, when, as I say, there is the least excuse for it, and say to us who live in the interior section of the country, "We will cut you down, but we will not cut down the navy yards and the immense battleships." It shows an inconsistency in men who are prone to make these fallacious arguments on the floor of the House for the purpose of getting cheap notoriety and in order to undertake to assault the party they have been fighting so long. [Laughter and applause on the Democratic side.]

The gentleman from Massachusetts [Mr. GILLETT] referred to Jasper, Ala., an appropriation, as I recollect, of $1,000 for beginning work. The gentleman from Massachusetts was not fair enough to state it, but there is not only a post office there, but there is a Federal court there, and certainly the amount that is authorized for the construction of a post office and a Federal courthouse would not be considered as excessive. Yet, without information or knowledge in regard to it, the gentleman makes a fling at it. It is not in my district; I have not a single item on this bill; but I am speaking for the men that are represented in the bill and who sustained our hands two and four years ago. [Applause.]

Mr. GILLETT. Mr. Chairman, I did not know that Jasper included both a courthouse and a post office. It is not my fault, because on looking up the record it did not show that it was for anything except the post office. I yield three minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, I shall oppose the amendment offered by the gentleman from Massachusetts, and I shall be very frank in stating my reasons for so doing. The first item under the public-buildings section of this appropriation bill reads:

Aberdeen, Wash., post office: For commencement, $1,000.

Almost the last item in the section reads:

Vancouver, Wash., post office: For commencement, $10,000.

Mr. Chairman, undoubtedly the condition of the country calls for rigid economy in the expenditures of public money. It is strange that we have waited until the last appropriation bill is under consideration and then propose to start in by cutting the initial appropriations for post-office buildings that were authorized years ago.

If it is desired that it is necessary to economize in the expenses of the Government of the United States to the extent of further delaying work on authorized public buildings, then the motion which should be offered should be a motion to strike out all of these items, including those which give money to buildings in the slow progress of construction. There can be no more reason why there should be further delay in starting $1,000 worth of survey and foundation work in Aberdeen, where a building has been promised and authorized, than there is in appropriating for further construction of a post office in Alliance, Ohio, or any city or town mentioned in the bill. Even under favorable circumstances suspension of work occurs time and time again, and as long as the amendment does not propose to strike out and postpone all of the construction work, I shall oppose this amendment offered by the gentleman from Massachusetts. Let us all be treated alike. Suspend public buildings entirely for a year, or let the smaller places have their start along with other places which are given sums with which to carry on the slow work of building. Further, the situation is very much as the gentleman from Alabama [Mr. BURNETT] has just said—the little cities which have been promised these offices by act of Congress are entitled to them just as much as the great cities, and very often a modest public building is the limit of their Government requests and about all that they get out of the millions appropriated yearly by Congress. The cry for economy has started in the wrong place and a little too late.

In this bill it is proposed to start four buildings in the great State of Washington—one at Aberdeen, $1,000; one at Vancouver, $10,000; one at Wenatchee, $1,000; and one at Ellensburg, $10,000; in all, $22,000. Certainly a modest sum, inasmuch as each one of these cities has a building authorized. Each city has been on the waiting list for three years or so. They have reached a place in the Treasury Department's list so that they come within the 150 buildings ready to be started. Two—Vancouver and Ellensburg—are ready for the initial contracts, being that much further advanced than Aberdeen and Wenatchee, and the two last named are clearly entitled to keep their places on the list and receive the starting appropriations.

Mr. PAGE of North Carolina. Mr. Chairman, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I am opposed to the amendment of the gentleman from Massachusetts, which, in effect, strikes from the bill all appropriations for buildings not yet commenced. It would strike from the bill the appropriation of $300,000 for the immigration station provided for the city of Baltimore.

It is useless for me to say how badly we need these buildings. I have spoken before the House on several occasions and have said that we now have practically no Government provision whatever for the Immigration Service at our city, but this appropriation will begin the work, which will be second to none in construction and usefulness in this country. Baltimore does not ask that the Government do things alone; she cooperates and does those things she can for herself.

It is a coincidence that 11 years ago this afternoon the great fire which swept the business section of Baltimore began. It spread over an area of some 140 acres and swept from our midst property estimated to be worth $125,000,000, and from which only $32,000,000 was recovered in insurance. The balance was a loss to our people; yet Baltimore arose phœnix-like from this great calamity, and while she had at the time of the fire an assessable tax basis of $439,000,000, in 1910 this had increased to $682,000,000, and to-day we have a $828,000,000 taxable basis. Not only did we recover in that time from the great conflagration and build up our city more magnificently than ever, but you will observe we have almost doubled the taxable basis in those 11 years.

Baltimore has expended millions of dollars upon its docks and wharves and in dredging its splendid harbor. Sixty-five millions of dollars have been voted to be expended in public improvements, and the city shows the results of this expenditure. Miles of smooth streets have been laid, and to-day she is one of the best-paved cities in the country. A sewerage system costing $23,000,000 has been constructed, and is the best in the world. The Key Highway, named after the author of the Star-Spangled Banner, has been largely constructed, leading from the center of the city, connecting with all the business sections, the railroads, and wharves, and reaching the site where the proposed immigration station is to be erected. This will give easy access from the railroads and steamship lines to the new immigration station for which this appropriation is intended. It will open to all railroads and steamship lines which come to Baltimore this new immigration, whereas now this business is controlled by one steamship line and one railroad.

I wish to call the committee's attention also to the admirable location of Baltimore from a commercial standpoint. It is pretty generally known that Baltimore is closer to the Middle West than any of the other Atlantic seaports. I think it will be a surprise, however, to the committee to know that she is closer to the Great Lakes, to wit, to Buffalo, by 16 miles than New York City itself. It will likewise be a greater surprise to learn how magnificently she is located as to the trade which we hope to receive through the Panama Canal from the western coast of South America. I take as a comparison the city of San Francisco, as that seems to be in the general mind, especially in view of the fact that San Francisco is now receiving such abundant advertising because of the great exposition about to be opened in that city. I therefore would remind you that Baltimore is 1,369 miles closer than San Francisco to the Panama Canal. It is 470 miles closer than San Francisco to the city of Valparaiso, Chile, which latter city is the chief seaport on the western side of South America. It is only 1,908 miles by water route from Baltimore to the eastern entrance of

the Panama Canal, while it is 3,277 miles from San Francisco to the western entrance.

After computing the 50 miles which is the length of the canal from Colon to Panama, it is only 4,670 miles from Baltimore to Valparaiso, while it is 5,140 miles from San Francisco to the same place. Baltimore is also closer than any of the big Atlantic seaports to the South American cities on the east coast.

This amendment would, as I have said, strike down the appropriation for the building of that immigration station, which is most important to the handling of immigration at this port. For these and many other reasons I am opposed to its adoption. Mr. Chairman, I ask leave to insert an editorial from the Baltimore Evening Sun of January 30, 1915, entitled "The city of Baltimore," which gives at length the great importance of our city.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD by printing the article referred to. Is there objection?

There was no objection.

The following is the article:

THE CITY OF BALTIMORE.

Unfortunately it is necessary to remind the people of Baltimore from time to time that they, like Paul of Tarsus, are citizens of no mean city. We say it is unfortunately necessary to make this reminder because the vast majority of them do not realize the majesty and greatness of the town in which they live.

The great fire 11 years ago this coming February destroyed 1,343 buildings, which with their contents were valued as high as $125,000,000. The desolated area was 140 acres—as large as a farm. Only $32,000,000 was recovered in insurance—the remainder was loss. No people ever met disaster with a finer spirit. Aid was offered from every quarter, but all was declined. The legislature of the State appropriated $250,000 as an emergency fund, but only $24,000 was used. The people of the city met the situation single handed and turned misfortune to advantage. Since that great fire, from which many thought the city would never recover, Baltimore has steadily advanced in all material welfare. The people voted $65,000,000 for public improvements, and the result is manifest to-day.

Baltimore is now one of the best-paved cities of the whole land. It has a sewerage system which cost $23,000,000 and which is the best in the world. It has taken electric wires and poles from the streets and put them underground. It has acquired and now owns a splendid water front. The construction of a highway through the heart of the city, covering Jones's Falls, which has been an open sewer, was a triumph of engineering and of enduring value.

Baltimore has been called "slow" and without the spirit of manufacturing enterprise. And yet her factories put out a product worth a million dollars every workday of the year. The wages paid for labor amount to something like a million dollars every Saturday evening. Baltimore has a record of enterprise second to that of no other city. It has been a pioneer among cities. From our wharves 144 years ago the first cargo of grain that went from the New World to the Old sailed down the Patapsco. The year before the Declaration of Independence was signed Baltimore fitted out the first two vessels for an American Navy, and that same year the first frigate of the Navy was built at Fells Point. In 1792 the first water company in the United States was organized here and gave Baltimore the first waterworks in America. Here steel pens were first made and, in 1816, the first gas company of the country was organized. The first steam railroad chartered in the New World was in Baltimore—the Baltimore & Ohio—and later on the first electric road ever built in the world was built here. From Baltimore sailed the first steam vessel that ever crossed the Atlantic.

No mechanical device has done more for the spread of knowledge, for popular government, and popular education than the rotary press, and it was the Baltimore Sun that first employed this great engine of civilization, and nine years before that it had been the first newspaper in the world to employ the electric telegraph in gathering news—and it was Baltimore to which the first telegraph wire was stretched and to which the first message was sent.

People who call Baltimore slow have never read history and do not keep up with the times. Baltimore has been the most enterprising city in America, and the spirit of enterprise is still alive in this beautiful town.

Mr. GILLETT. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I am going to vote for this amendment in the interest of economy in spite of the fact that it affects my district and my home town to the extent of $40,000. The city of Poughkeepsie, N. Y., has an unusual post-office building, erected in 1886, during the term of my illustrious predecessor, Gen. Ketcham, and so well located that the building and grounds are probably worth twice as much now as when the building was constructed. The receipts of the office are something like one hundred and twenty-five or one hundred and thirty-five thousand dollars a year, and since the parcel post has been inaugurated, and even before that time, the office has been pretty badly crowded. Several years ago it became necessary to place the money-order and registry departments on the second floor, which is very inconvenient. But I am not altogether sure that it would make a real delay of any great account to cut an item like this out of this bill. There has been a previous appropriation to start the work, but I think none of it has actually been started or placed under contract, and everyone knows that the Supervising Architect's Office is so badly crowded with work, that if we give them a chance to finish up what they have got we probably will not lose anything by letting these items for extension work, where no work has actually been done, be postponed for the time being. In all probability when they get the work they are now engaged in done and take this work up again they will be just as far along and we will get the work done just as quickly as if it all went into the bill now.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman from New York yields back two minutes.

Mr. GILLETT. Mr. Chairman, I yield four minutes to the gentleman from Pennsylvania [Mr. HULINGS.]

Mr. HULINGS. Mr. Chairman, I rather regret that the gentleman who has proposed this amendment did not see fit to leave in one item that I see on page 16 of the bill, because that one happens to be up in my district. I happen to know that at Ridgway, Pa., they are very much in need of quarters of some kind for their post office, and I find by personal inspection that at times they are obliged to use the back alley as a storage ground because of insufficiency of quarters. Yet at the same time it seems to me that at a time when we are stared in the face by the conviction that the money that is appropriated in this bill will have to be provided by additional taxation we should be very careful about making expenditures that might very well be postponed. I have been appalled at the size of some of these appropriations for little one-horse towns all over the country. Some of them have been referred to. For seven years I have served on the State armory board of the State of Pennsylvania and have been engaged in building armories all over that State. Our limit of expenditure has been from twenty-five to thirty thousand dollars for both construction and site. It is true that in most cases the people of the communities furnish the site, but the cost of construction of these buildings is limited to twenty-five or thirty thousand dollars, and they are large buildings, well and substantially built, always at least 60 feet front and 110 to 140 feet in depth, and are constructed of brick or stone. It seems to me that an expenditure of that amount ought to be sufficient for any post office in any of these towns of ten or fifteen thousand population anywhere in the country.

For that reason, Mr. Chairman, I am going to vote for this amendment, with the thought that additional time and consideration will enable the committee at another time to bring in a bill which is not so grossly extravagant and improvident as this bill is in many particulars.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back half a minute.

Mr. FITZGERALD. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman, the gentleman from Massachusetts [Mr. GILLETT] who makes this motion makes it upon the alleged ground of economy. I do not desire to call into question his sincerity, but it is very apparent that it is on a very small scale that he proposes to economize when, if he had desired it, he had an opportunity to economize on a large scale. Economy does not consist always in the failure to expend money. The best economy sometimes consists in the wise, just, and legitimate expenditure of public funds. The gentleman from Massachusetts and the other gentlemen who have followed him in this debate have been unfortunate in one thing. They give no just reason for the economy they are asking for. They concede that they are without knowledge as to the merits of the particular projects they propose to reject and have thrown from this bill. The gentleman does not present himself in a very enviable light when he makes a wholesale motion proposing to strike various items from the bill and concedes his ignorance as to the facts of each and every item that he would strike from the bill. I am going to take up one instance only as an illustration to show this House how unwise the proposition is, and I take it that the other instances are very much like it. He desired to strike $30,000 from the bill for the alleged extension of the customhouse at Chattanooga, Tenn. For want of sufficient appropriation heretofore that building was never entirely completed. It is a three-story building, and three parts of of it have been completed and the fourth has been completed only a part of the way. The new space desired is absolutely essential to carry on the public business. The clerks in the post-office part of the building are so close together in their work that when they come to handle the bags of mail they touch elbows. We need nearly twice the space that we have. The court officials are crowded for space. When you put the other two stories on the building as proposed, it will still be necessary in order to carry on the public business in decency and in order to rent some adjoining building for the purpose of storage. Chattanooga has about 100,000 population. The gross postal receipts are over $495,000 per annum. It would be very unwise not to make the customhouse improvement in this case in the public interest.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GILLETT. Mr. Chairman, I yield four minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, even those who desire to economize in the construction of public buildings should not vote for the motion made by the gentleman from Massachusetts, because the effect of that motion will be to paralyze the public-building business and the Supervising Architect's Office. If we desire to economize in the public buildings, the way to do it is to adopt the suggestion of the Supervising Architect's Office to take the sums in the Treasury heretofore appropriated for public buildings and make them available for any construction that can be reached in regular order the coming fiscal year. In that way the Supervising Architect's Office will keep working steadily and with full force and no new sum need be appropriated. The Supervising Architect's Office expends ordinarily $12,000,000 a year. There must be about that much expended in order to keep the force at work. That means, among other things, the preparation of plans and the letting of contracts for about 70 buildings annually. If this amendment is adopted, as Mr. Wenderoth told the committee in answer to my questions, it will entirely take away from their office the work that they are prepared to do the coming fiscal year. I asked Mr. Wenderoth this question:

Mr. MONDELL. These estimates of $1,000 which you make for the purpose of enabling you to make the survey and examinations preliminary to the preparations of plans, if those items were not provided for you could not go on with the preparation of the plans for those buildings?

Mr. WENDEROTH. No, sir. It would virtually wind up the office in the fiscal year 1917.

There is considerable more of that, but I have not time to go into it in detail.

Later there was the following said in the hearings:

Mr. MONDELL. The small items are necessary to enable you to do anything beyond the acquisition of the sites?

Mr. WENDEROTH. Yes, sir. For the new projects that are reached so near the end of the 16-month period we only need the $1,000 for the survey, etc. If we do not obtain at least that amount in each case we will have nothing to work on during the fiscal year 1917.

Mr. HULINGS. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HULINGS. Is it not true that the architect's office is about four years behind time now?

Mr. MONDELL. But it does not help them to catch up by stopping all work on new buildings. The entire force in the architect's office can not be advantageously used on the contracts already let. If we are to expedite the work, we must make appropriations necessary for the examinations that precede the preparation of plans. If we suspend work on the plans for new buildings, we will further delay, we will further check, the development of the public-buildings program. If gentlemen really want to economize, the way to do it is to give the Supervising Architect an opportunity to use the funds that he already has and give him $2,000,000 additional if he desires it, and allow him to go on in an orderly way; but the program presented by the gentleman from Massachusetts [Mr. GILLETT] will disorganize the work of the office and prevent them from carrying it on in an orderly way, and place them in a position where they will have nothing to work on the fiscal year 1917.

Mr. FITZGERALD. Mr. Chairman, I yield four minutes to the gentleman from Tennessee [Mr. HULL].

Mr. HULL. Mr. Chairman, I did not understand fully the statement of the gentleman from Massachusetts [Mr. GILLETT] as to the basis on which buildings are included in his amendment on the one hand and excluded on the other. There is one item in the bill I did not hear read as part of the amendment of the gentleman, pertaining to Cookeville, Tenn., post office and courthouse, for completion, $40,000. The facts in this case are that Congress has already appropriated $60,000, and this remainder is necessary to complete the construction of the courthouse building, which is urgently needed. The construction of the building has already been let some weeks ago. I am not sure whether the work is commenced or not. I do not know how the gentleman from Massachusetts, or even the Treasury Department, would know as to that. However, that is one of the cases presented here which the amendment, if I construe it correctly, would exclude from this bill. I heard several items embraced in the amendment of the gentleman for the completion of post-office buildings in cities and towns of different sizes, cases where there were certainly not as much urgency as the present case, where the Federal court is really postponed at times for lack of an adequate building in which to hold it and to keep the records, and so forth. It seems to me that where the Government has let a contract for the construction of a building, a courthouse building, urgently needed, as I say, and the department has notified the people interested and notified the contractors that the work shall proceed, that it would result in much confusion on account of the delay by striking out the appropriation and abandoning the premises and the project which has already been carried out to the extent I have stated. I think in cases of urgent need, where the contract has already been let, the items should stand. I reserve the balance of my time.

The CHAIRMAN. The gentleman used three minutes.

Mr. FITZGERALD. I will ask the gentleman from Massachusetts to use some time.

Mr. GILLETT. I yield four minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, this proposition means that the Government of the United States will not encourage the building business or the employment of idle mechanics throughout the United States. I believe it is a mistaken idea of the National Government in times of distress and idleness to economize and delay and postpone building operations which would put into circulation money, and at the same time give employment to thousands of American workingmen who are walking the streets of the industrial cities seeking employment—many almost starving. Let the Government, if it desires to delay business or building operations, do it in a prosperous period of the country's history, when private corporations, private firms, and municipalities can furnish employment for every mechanic in the land. There are no less than 5,000,000 deserving American citizens out of employment to-day.

Mr. BORLAND. The gentleman is wrong about that.

Mr. AUSTIN. There are over 500,000 in New York alone.

Mr. BORLAND. There are not 5,000,000 of American citizens out of employment to-day, and I challenge the gentleman to produce any reliable figures to prove it.

Mr. AUSTIN. Mr. Chairman, a year ago I read to the House a statement from a New York daily giving a list of 331,000 idle mechanics in that city.

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. AUSTIN. I will yield later on. Judge Gary, chairman of the executive committee of the unemployed in New York City, says the number out of employment in that city is 200,000 more than at this time last year. In one American city alone there are more than half a million workmen out of employment, and if the gentleman will take Boston, Kansas City, and Pittsburgh, and every city, village, and hamlet in this land, the number of idle people will exceed 5,000,000.

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. AUSTIN. I will.

Mr. SELDOMRIDGE. Did the gentleman see a statement in the paper a few days ago which said that the city of New York wanted to get men to shovel snow off the streets and they could not secure a sufficient number to do it?

Mr. AUSTIN. There are 10,000 in the bread line alone in that city, and they have to use the recreation piers in order to furnish idle people a place to sleep.

Mr. NORTON. Will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. NORTON. I have a paper that I hold in my hand here which says there are more men out of work than ever, reported from New York.

Mr. AUSTIN. A man who will state that there are not thousands and millions of men out of employment is mistaken; he is simply blinded to facts that exist in the district of every man who has a seat on the floor of this House.

I think the National Government ought not only to do this work but it ought to pass a good-roads bill and put millions in circulation and employ the countless thousands of idle men.

The CHAIRMAN. The time of the gentleman has expired.

A MEMBER. Where are we going to get the money?

Mr. AUSTIN. Get it from selling Panama bonds.

Mr. GILLETT. Mr. Chairman, I yield one minute to the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN. Mr. Chairman, I am opposed to this amendment, perhaps, because it involves some work to be done in some of the cities of my district, and on that account I speak from personal knowledge. From the very hour this bill was passed negotiations have been pending for the purchase of land that have not been concluded, and any further delay in closing them up would add to the amount of expense, I firmly believe, of the Federal Government. I can say, as some other gentlemen have said in regard to conditions existing in the post-office building, the one in the city of the district which I speak of is congested, and work is carried on at great inconvenience and in a manner that ought no longer be tolerated.

The CHAIRMAN. If there is no further debate, the Chair will put the question.

Mr. GILLETT. I think the other side ought to use some time.

Mr. FITZGERALD. I yield four minutes to the gentleman from Connecticut [Mr. DONOVAN].

Mr. DONOVAN. I should like five minutes.

Mr. FITZGERALD. I yield four minutes.

Mr. DONOVAN. Mr. Chairman, I am entitled to five minutes. What are you going to do with it?

Mr. FITZGERALD. I am going to give the gentleman four minutes. If he does not take that I will give him nothing.

Mr. DONOVAN. And from that decision there is no appeal; is that it?

Mr. MOON. I believe I have two minutes left——

The CHAIRMAN. The Chair begs to state that the gentleman can not yield that.

Mr. DONOVAN. Am I going to have my five minutes?

Mr. FITZGERALD. I can not give the gentleman five minutes. There are more gentlemen who wish to speak.

Mr. DONOVAN. Never mind; never mind. Mr. Chairman, will the gentleman from Massachusetts [Mr. GILLETT] explain in a moment, without using up all of my time, by what sort of reasoning he can come in here with an amendment to eliminate the carrying out of an obligation on the part of the United States, when a contract has been let for the construction of a building?

Mr. GILLETT. The gentleman is mistaken. No such cases are carried in the amendment.

Mr. DONOVAN. Has not the gentleman eliminated Danbury, Conn.?

Mr. GILLETT. I do not know. I asked the Treasury Department to give me a list of all the places where no work had been begun.

Mr. DONOVAN. The gentleman has answered me, and I decline to yield further. The gentleman from Massachusetts [Mr. GILLETT] did not know what he was doing when he offered the amendment. That is all there is to it. He has been a Member here for many years, and he does not know what he has been doing. This is the fact: The gentleman has by his amendment endeavored to strike out public buildings for which contracts have been entered into and obligations created, and he would repudiate them. Now, that is the Massachusetts way of doing things—without knowledge. [Laughter.]

Mr. Chairman, there has been only one public building in my district, a locality settled over 200 years ago. I stated a while ago that the cost of the building was $250,000. That was the cost of the public building in a place of 110,000 population. I find you have passed an appropriation of $600,000 for Wilmington, N. C., which has less than 30,000 population. I find, too, that the gentleman from Illinois [Mr. MANN], the minority leader, had in the same bill an appropriation for his district of $50,000 passed on February 17, 1913. Now, during the discussion of that bill, from the first presentation by the Clerk until the final vote, there was not the slightest objection on the part of Mr. MANN, the minority leader, to that bill giving $600,000 to Wilmington, N. C., on the pretense that it was a building for public purposes. I believe the customs receipts of Wilmington, N. C., are less than $20,000 a year. In my district the customs receipts in a $250,000 building are half a million a year and the postal receipts $400,000 a year, while the postal receipts of Wilmington, N. C., are $135,000 a year. But this great minority leader, with a $50,000 appropriation in the bill, by some sort of process remained silent to that way of doing business. For verification you will find it in the proceedings of the House on February 17, 1913. Now, the gentleman from Massachusetts [Mr. GILLETT] may think it is a proper way to do business to abrogate contracts advertised by the Government, duly let and signed, and he comes in here and wants to repudiate them. Is that the way you do in Springfield, Mass.? Is not that a fine proposition to offer and to advocate in this body, where there should be fair play, where there should be some honor?

I yield back the balance of my time under the circumstances.

The CHAIRMAN. The gentleman has used his time.

Mr. GILLETT. I yield four minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, of course this amendment is not at all likely to pass, for there are 270 items in the bill and the amendment strikes out 207 of them. We are not going to vote on this amendment of the gentleman from Massachusetts [Mr. GILLETT] on the theory of economy. We are going to vote on this amendment on the theory of self-interest, I regret to say. If there ever was a time when this House should adopt an amendment of this sort, now is the time. The Treasury will be short something like $80,000,000 at the end of this fiscal year if I can read aright. There will be a deficit to that extent.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I do not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. DONOVAN. Does the gentleman yield?

The CHAIRMAN. The gentleman declines to yield.

Mr. DONOVAN. The gentleman does not want any information, I take it.

Mr. MADDEN. By this amendment we will save $9,000,000 to the Treasury. The items to be stricken from the bill by the gentleman's amendment are items that can not be used in any district between now and the beginning of the next fiscal year. Most of them are to begin buildings. Many of them carry only $1,000, said to be for surveys and borings. Nonsense! Of course the Appropriations Committee are bound by the directions given to them through the law enacted in 1913 to report these appropriations. They are not to blame because they have done so.

Mr. BURNETT. Will the gentleman yield one moment for a question?

Mr. MADDEN. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. BURNETT. They were authorized in 1910 mainly.

Mr. MADDEN. It would hurt no one to delay it for the time being. It would prevent additional taxation on the already overburdened American people, many of whom are out of employment. The enactment of the bill with all the items in it would not add to the employment of the men of the country, because the Supervising Architect in charge of the construction of public buildings says himself that all he wants is to maintain his force in his office. Well, are we going to impose additional taxation on the already overtaxed, idle people of America, in order that the Supervising Architect of the Treasury may keep 5 or 6 or a dozen or 15 draftsmen at work? I apprehend not. Gentlemen, if you are really in favor of the economy that you preach, here is an opportunity to practice it. Quit going to the people in your campaigns and saying that you are to be the advance guard of economy if you are charged with power. Now is the time to prove your patriotism. We are in a period of distress. We have no new sources of revenue. The President of the United States will be here again shortly, asking for a new law to create new taxes, still further to burden the people who are out of employment. Vote to save this $9,000,000!

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman and gentlemen of the committee, whether this amendment is taken seriously or not by the members of this committee, it ought to be. It has been drawn, as I understand, after consultation with the Treasury Department, and it indicates in a fairly accurate way the buildings which are not imperatively needed for the transaction of the public business and which can be omitted or postponed at this time.

The Appropriations Committee included these items because they had in their turn been recommended by the Supervising Architect. That committee is not charged with legislation, it can not repeal any of the authorizations for public buildings, neither did it create the authorizations for public buildings. But it leaves the matter to the judgment of this House, as it ought, whether at this time in comparison with other necessary demands on the Public Treasury new buildings ought to be begun.

There seems fortunately to be no partisanship on this question. Gentlemen are opposed to the proposition on both sides of the House, and some gentlemen on both sides of the House are advocating the passage of the amendment. There is no necessity at the present time for the beginning of new work on public buildings except to a limited extent, to which exception is made in the amendment proposed. If gentlemen want to divorce themselves from any special interest they may have in these appropriations and consider this matter as a board of directors of a business concern would consider it in view of the probable receipts and necessity of expenditures, whether they want to authorize these expenditures to the possible exclusion of other necessary expenditures, they will vote for this amendment. There are many other demands made by the American people on the American Congress much more imperative than the construction of the buildings eliminated by this amendment.

Take any one of these projects that gentlemen think is meritorious, and it is scarcely to be argued that it can not be postponed without great injury to the public service. Assuming that at some time most of these appropriations must be made, still it does not argue that they must be in this bill. I take it that there are many public buildings in the bill that could be eliminated without any injury to the public service. I might even go further and say that we could repeal the authorizations with distinct advantage to the public service by not saddling on the Federal Government the care and maintenance of

buildings which are not needed for the transaction of business in that locality.

There is a class of buildings that will be needed in the future and there is a class of buildings under construction now. Those that are under contract are to be appropriated for. A business man will lay aside enough money to meet current obligations, and he will do that first, before he engages in new obligations that he does not have to meet. Before a business man enters into a contract imposing on him additional liabilities he will compute the liabilities, actual and contingent, he is already under and his sources of income that he has to meet them. The American people have a right to demand that kind of business honesty and sagacity from the Members of this House. They have a right to demand that every Member of Congress shall divorce himself from every private, personal, and political interest he may have in the outcome of this legislation——

Mr. CAMPBELL. Will the gentleman yield?

Mr. BORLAND. No; I can not; and say, that unless he is satisfied that the money shall be expended in that direction, to the exclusion of others, he will vote for the amendment. I hope the amendment will be seriously considered by the Members of this House.

Mr. DICKINSON. Will the gentleman yield?

Mr. BORLAND. For a very short question.

Mr. DICKINSON. Does this amendment include the proposition for an appropriation for the Kansas City extension?

Mr. BORLAND. That is excluded by the amendment. If this amendment passes, Kansas City extension waits.

Mr. GILLETT. Mr. Chairman, I yield five minutes to the gentleman from Kansas.

Mr. CAMPBELL. Mr. Chairman, that was a wholesome lecture delivered to the Members of the House by the gentleman from Missouri [Mr. BORLAND]. I regret that the gentleman did not think to deliver it when the river and harbor bill was before the House. The river and harbor bill contained an item for Missouri River for $200,000, and that made the river and harbor bill a very, very just bill, and one that every Member of the House should vote for.

Mr. BORLAND. I regret that there was no item in it for Cow Creek.

Mr. CAMPBELL. The money that is put into the Missouri River could just as wisely be dumped into Cow Creek, because Cow Creek will carry in the future years as much freight as the Missouri River; it carries now 35,000 tons of freight in a year, the most of it sand that has been taken out of the river, and yet the gentleman from Missouri, whose town has a substantial public building already provided for, comes smugly before the House and says there ought to be no further appropriations of this kind. He says, however, that where buildings have been begun the contract should be continued.

Now, this motion does not include all the buildings now under way and under contract. I know one that is left out of the motion, unintentionally I presume. That is a little building in Chanute, Kans., provided for seven or eight years ago, $75,000, the balance to complete it. The building is now under way, and it would be a very great hardship not to appropriate the remainder for its completion.

Mr. GILLETT. That was a mistake.

Mr. CAMPBELL. Of course, and I presume it will be put in by unanimous consent, even though no motion was made to. Mr. Chairman, I ask unanimous consent that Chanute, Kans., for completion, $42,000, be inserted in the alphabetical list.

Mr. BURKE of South Dakota. Reserving the right to object, I would like to know if the gentleman from Kansas will then vote for the amendment.

Mr. CAMPBELL. Yes; I promise to vote against the amendment.

Mr. BURKE of South Dakota. Then I do not object.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to insert in the amendment "Chanute, Kans., for completion, $42,000."

Mr. FITZGERALD. I shall object to that. Let the gentleman from Massachusetts amend his own amendment.

Mr. BORLAND. I object.

Mr. CAMPBELL. Did the gentleman from Missouri [Mr. BORLAND] object?

The CHAIRMAN. The gentleman from Missouri objects.

Mr. CAMPBELL. Mr. Chairman, that does not change my position in regard to the gentleman from Massachusetts [Mr. GILLETT] nor with respect to the lecture delivered by the gentleman from Missouri [Mr. BORLAND]. I regret to say in closing that he did not deliver that great moral lecture to the House of Representatives when he was getting $1,200,000 to dump into the Missouri River.

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman from Massachusetts yield?

Mr. GILLETT. Certainly.

Mr. CLARK of Missouri. Mr. Chairman, I would like the privilege of asking the gentleman one question. On page 7 of the bill, in the seventeenth line, there is provision for continuation of the work on the post office at Fulton, Mo., $30,000 being appropriated. I would inquire of the gentleman whether he has put into his amendment all of the buildings that are under construction, and if he has, how does it happen that language is used there?

Mr. GILLETT. Is that building in the amendment or is it not?

Mr. CLARK of Missouri. It is not in the amendment, but they are digging the foundation for the building at the present time.

Mr. GILLETT. Mr. Chairman, I will say to the gentleman that the Treasury Department furnished this statement of all of the buildings which were either under contract or where work was being done upon them. Is the building under contract?

Mr. CLARK of Missouri. I do not know whether it is under contract or not. I know they are making experiments in the soil of the lot which was purchased to find out the character of it.

Mr. GILLETT. They do not consider that as being under construction.

Mr. CLARK of Missouri. Then they do not know what they are talking about.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. I will if the gentleman gets the time. I have not the time.

Mr. FITZGERALD. Mr. Chairman, I yield one minute to the gentleman from Nebraska [Mr. KINKAID].

The CHAIRMAN. The gentleman from Nebraska [Mr. KINKAID] will be recognized.

Mr. KINKAID. Mr. Chairman, I am earnestly opposed to the adoption of the amendment. It is my firm conviction the so-called economy urged by its proponents is fallacious. It is plain to everyone that the effect of the adoption of the amendment would be to contribute over the country generally to the already large numbers of unemployed. The number now unable to find employment is deplorably large, and instead of making an effort to find means to add to this, it would be a more humane and sound policy for the Government to follow to find means for finding employment for every worthy unemployed loyal citizen of the United States.

Mr. Chairman, the amendment is illogical and inconsistent within itself, even from the standpoint of economy and a depleted Treasury. It would strike out all of the one thousand dollar appropriations and leave stand the ten, twenty, thirty, and fifty thousand dollar appropriations. Is this the way to discriminate with a view to keeping money in the Treasury? The proposition is also inconsistent and illogical in that while granting considerable appropriations for the completion of buildings now in course of construction it is so cold-blooded and parsimonious as to forbid a paltry $1,000 wherewith to commence preparing for a foundation for wholly new structures. The supporters of the amendment absurdly stand for large in preference to small appropriations while proclaiming that they are trying to prevent a deficit in the Treasury. The buildings which have not been commenced and which have been awaiting a start for from two to four years or more are not to be allowed the trifling sum of $1,000, which will advance their construction one year over what will be realized if the $1,000 appropriations are not allowed. Talk about economy!

Mr. Chairman, is it not plain that the $1,000 appropriations will thus save to the Government one year's rental of buildings for post-office purposes and in many cases for both post-office and Federal court purposes? It is well known that these rentals amount to from $2,000 to $10,000 or more a year, and that thus the Government would make from 100 to 1,000 per cent or more by making the timely investment of $1,000 wherewith to commence these public buildings, and thereby save rent for one year.

Mr. Chairman, aside from the considerations I have mentioned is the broader and more enlightened one—I mean the justice that will be brought to the different cities where these public buildings are to be erected, instead of prolonging the delay which has already very reasonably overtaxed the patience of their respective populations.

Mr. Chairman, in both a direct and an indirect sense—from both the individual, the community, and the public national standpoint—it is uneconomical and even losing in dollars and cents to the Government to not accord $1,000 each wherewith to

commence the buildings named in the bill which are attacked by the amendment of the gentleman from Massachusetts.

Mr. Chairman, I have confidence that the wisdom of the membership of this body by the vote to be expressed will result in the defeat of the amendment.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. FITZGERALD. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. FOSTER.]

Mr. FOSTER. Mr. Chairman, I do not know that I will care to use all of the three minutes. I only want time enough to ask a question of the gentleman from Massachusetts, the author of this amendment, in reference to a building on which the contract has already been let. Some time ago I was informed by the Treasury Department that the contract had been awarded for a building. I would like to inquire whether that item would come within this exclusion?

Mr. GILLETT. I should think that would undoubtedly be in the amendment.

Mr. FOSTER. No; it is not in the amendment.

Mr. GILLETT. Then either the statement that the Treasury Department made to the gentleman or the statement that they made to me is incorrect, and I do not know which.

Mr. FOSTER. The Treasury Department gave me the information some time ago, and I verified it to-day. If the contract has not been let for this building I will be glad to see that item left out of the bill until such time as the Government is better able to construct public buildings. I know the people in the district I represent do not want appropriations at this time wherever it can be avoided.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. BORLAND. The contract could not be let until an appropriation had been made, because that is contrary to law.

Mr. FOSTER. There was an appropriation made last year for the commencement of the building.

Mr. BORLAND. Under that, of course, the contract could have been let to that extent.

Mr. FOSTER. And this amount is for the completion of the building.

Mr. BORLAND. If an isolated case of that kind is discovered, an emergency appropriation can be made.

Mr. FOSTER. I am asking information as to whether or not an amendment of this kind would affect existing contracts? I only want an understanding of the situation—not asking for appropriation.

Mr. BORLAND. It will not.

Mr. FOSTER. Where contracts have been made?

Mr. BORLAND. If there is money due on a contract, the deficiency appropriation bill will carry it.

Mr. FOSTER. The contract has been made, and the appropriation has been made to start the work, though I do not know that any money is due on the contract.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HULL. I want to inquire of the gentleman how it is possible, in a case where the Treasury Department has let a contract two months ago, for that department now to know whether the work has already been commenced or not?

Mr. FOSTER. I do not know. That is what I am trying to find out. I am in favor of eliminating all items where it can be done. If it is an item that affects the district I represent, I am perfectly willing to have it taken out of the bill, and will vote for this amendment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GILLETT. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized for six minutes.

Mr. MANN. Mr. Chairman, I have always believed that the Government properly should construct public buildings throughout the country, and that the Government ought to carry on a certain amount of Government construction in various directions—public buildings, river and harbor improvements, and other constructive work properly governmental in character. I have opposed a public-buildings bill, I think, only twice since I have been a Member of the House, once when it carried a large appropriation for the Chicago post office—which it were better had never been expended—and the last time when I merely voted against the bill, which, I think, was passed under suspension of the rules.

The gentleman from Connecticut [Mr. DONOVAN], with his usual style—rather coarse, as it seems to me—said I had not opposed that bill because I had an item of $50,000 in it. If it had not been for the statement of the gentleman, I would not make the statement which I am about to make, because I claim no special virtue for myself.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. MANN. I do not yield.

Mr. DONOVAN. But the gentleman must not misquote me.

The CHAIRMAN. The gentleman refuses to yield.

Mr. DONOVAN. The gentleman is making a misstatement.

Mr. MANN. I am not making a misstatement.

Mr. DONOVAN. Yes; he is.

Mr. MANN. Mr. Chairman, the gentleman, with his usual style, is proceeding, notwithstanding that I decline to yield. The gentleman does not know a misstatement from a correct statement. The difference between the gentleman from Connecticut and myself is that my statements are based upon facts, while his are imaginary. [Laughter.]

After the public-building bill passed two years ago providing for the purchase of a site for a post-office building in my district, which might well be constructed in the interest of the public service—and there can be no criticism of the committee for making the recommendation or including it in the bill—but the trouble came last summer, and the deficit in the Treasury began to be in sight, and I could see how rapidly the sums in the Treasury were retreating, without advertising it, so far as I was concerned, I recommended to the Secretary to reject the bids which had been received and not to purchase sites until the Treasury was in better condition to afford the money. So far as I know—I have not particularly canvassed the subject—but, so far as I know, I met with no disapproval from my constituents, who wanted the public building. They were patriotic; they are patriotic. They could see that we could get along fairly well without the immediate construction of this post-office building. They could see at the same time that the Treasury could not get along fairly well if we concluded to expend these sums of money. Now, that is the same situation all over the country. It is not because these buildings can not be properly constructed, not because they may not be needed that I favor the motion of the gentleman from Massachusetts, but because it is impossible to pay these appropriations out of the Treasury during the next fiscal year without either borrowing money or increasing the taxes. I doubt very much whether the people desire to have the Government borrow the money for this purpose, and I am quite confident that they do not desire an increase of taxation for these purposes. I appreciate that school of governmental economics who believe that in case of hard times the Government ought to appropriate immense sums of money for public improvements in order to give labor to those who are idle and enable them to obtain employment. There is a little to be said on that side of the question; but if that should be the policy of Congress, this amounts to nothing. This is a mere bagatelle. If we should have a policy of the Government to expend public funds at this time in order to give work to the idle, then we ought to borrow hundreds of millions of dollars and engage in public construction on a gigantic scale, and I think we are not prepared to do that. In the end that probably would be more disastrous than it would be beneficial. Where are you going to get the money? It was only a few months ago that the Treasury had $125,000,000 balance available for public appropriations. To-day, a day or two ago, it was $53,000,000; and I did not examine the daily statements which came this morning, and I do not know that I looked at the one of last Saturday, but it has been running down from day to day, and the money that will come in from the income tax will not be sufficient——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. How much time have I remaining?

The CHAIRMAN. The gentleman from New York has 10 minutes remaining.

Mr. FITZGERALD. I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, I do not propose to enter into any discussion of the motives of the gentleman from Massachusetts in offering his amendment. I regret to have observed that so brilliant a man and so great a philosopher as the gentleman from Massachusetts is seldom approaches a great question in this House except from an extremely bitter partisan standpoint. But whatever the motive of the gentleman from Massachusetts may be in the motion which he presents, and whatever may be the reasoning with which he attempts to support that motion, the conclusion which he desires to reach is, in my opinion, desirable to be reached, and I shall therefore support the motion. Following a custom which has prevailed through several years in this House, I have from time to time,

as public-building bills have been passed, asked for recognition of certain towns in my district, and they have been recognized.

In the bill of 1910 there was a provision to purchase a site at a town in my district. The site was purchased. This bill carries $1,000 for the purpose of beginning the work on the building at some indefinite time in the future. It may be temporarily affected if the motion of the gentleman from Massachusetts shall prevail; but, Mr. Chairman, I believe that the people there are willing to leave something in business judgment to me to pass upon. Because of the European war, for which this country is not responsible, a condition has come about whereby the revenues of the Government have fallen. Conditions have become such that it is not only desirable, but extremely important as a sound business proposition, that we shall not make any except necessary expenditures. In my opinion an expenditure for ornamental purposes is not, under the conditions which now exist, desirable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I yield the gentleman another minute.

Mr. GARRETT of Tennessee. And as I understand from the statements of fact which have been made in the course of this argument, the great bulk of the propositions that will be affected by the motion of the gentleman from Massachusetts consists of propositions that can not on a business basis be regarded as essential to the conduct of governmental activities. For that reason, Mr. Chairman, I take the chances of casting what I consider to be a business vote.

Mr. FITZGERALD. Mr. Chairman, ordinarily I should be heartily in favor, under existing conditions, of the amendment proposed by the gentleman from Massachusetts. Opinions differ as to the present condition of our finances and as to what the situation will be during the next fiscal year. Whoever forms any opinion upon this question must do so in the light of information available to him. I have myself given considerable study to the public finances and to the probable situation of the Treasury during the next fiscal year. I can not escape the conclusion from the information afforded to me that there will be a deficit in the Treasury in the next fiscal year which will be unquestionably $30,000,000, and may reach the sum of $80,000,000 or $100,000,000. I do not state these figures as mere idle guesses, but I state them as my opinion after a very thorough and exhaustive examination of our probable receipts and expenditures. My opinions are not shared by others in responsibility. Believing, however, that the opinions which I now express are based upon information that is reliable, I was of the opinion that it would be advisable, from the standpoint of good administration, to reduce the probable expenditures of the Federal Government for the next fiscal year below what it is proposed to expend by at least $50,000,000. That could easily have been done by a radical scaling in the proposed naval program, by the elimination of appropriations for the construction of buildings not yet begun, by the reduction of the appropriations for the maintenance of rivers and harbors to a sum similar to the appropriations for the current year, and by the withholding of appropriations for a number of objects which, although desirable, could readily be deferred until a time when the Treasury would be in better condition to meet the drain upon it.

I was unwilling, however, to ask Members of Congress to refrain from supporting propositions to expend public money to construct public buildings in their respective localities, and to make no attempt in any other direction to curtail the expenses of the Federal Government. And since there has not been any real attempt to curtail the expenditures of the Federal Government in the next fiscal year to such a degree as would eliminate the possibility of a deficit in our revenues, I did not bring myself to agree to support a proposition to eliminate the money proposed for these buildings. I am perfectly frank to say that I did not do it, because I did not believe that the Congress would be in a temper to economize at the expense of public buildings, if other things were not to be touched. The Treasury Department has submitted these estimates with the knowledge of the situation relative to the public finances. It has pressed these items in the belief that the Treasury will not be embarrassed by the appropriation of the money. I am not in accord with that view, but I do not believe that the elimination of these items alone will prevent a very substantial deficit.

Mr. BURNETT. Will the gentleman yield?

Mr. FITZGERALD. I yield to the gentleman.

Mr. BURNETT. Is it not a fact that most of these new buildings that are contemplated are the result of authorizations in 1910——

Mr. FITZGERALD. They run through different years.

Mr. BURNETT. And not of 1913?

Mr. FITZGERALD. But perhaps that would be another reason for striking out the authorizations in 1910 and prior years, because I find in the report of the commission created in the last public-building bill a statement that I will read to the committee. The requirement is that the commission shall report as to the desirability, size, accommodation, and cost of the buildings hitherto authorized to the communities in which they are to be located, and also whether existing appropriations shall be increased or diminished to meet such requirements. That commission in their report say:

A general examination of sites and buildings authorized but not consummated has been made and the commission is satisfied that some appropriations and authorizations have been made which are not justified. Other authorizations are too large.

These authorizations were, it is believed, the result of the present unsatisfactory system of providing for and constructing public buildings.

To attempt to make changes in authorizations already made would be to change existing law. Many of the Members of Congress who furnished the facts on which the authorizations were approved are not now in that body. The commission believes, therefore, that it is best to make recommendations as to future appropriations rather than for those already authorized by law.

Therefore the commission recommended that no attempt be made to eliminate the basis existing.

The CHAIRMAN (Mr. CRISP). Under agreement of the committee all time for debate on the amendment and all amendments thereto has expired. The question is on the amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

The question being taken, on a division (demanded by Mr. GILLETT) there were—ayes 40, noes 88.

Accordingly the amendment was rejected.

The Clerk read as follows:

PUBLIC BUILDINGS, REPAIRS, EQUIPMENT, AND GENERAL EXPENSES.

Repairs and preservation: For repairs and preservation of all completed and occupied public buildings and the grounds thereof, under the control of the Treasury Department, and for wire partitions and fly screens therefor, Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto, buildings and wharf at Sitka, Alaska, and the Secretary of the Treasury may, in renting said wharf, require that the lessee shall make all necessary repairs thereto, and the Secretary of the Treasury is authorized, in his discretion, to dispose of said wharf and warehouse upon such terms and conditions as may be for the best interests of the United States; for care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; for repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per cent of the annual rentals of such buildings: *Provided*, That of the sum herein appropriated not exceeding $100,000 may be used for marine hospitals and quarantine stations, including wire partitions and fly screens for same, and not exceeding $14,000 for the Treasury, Butler, Winder, and Auditors Buildings at Washington, D. C.: *Provided further*, That this sum shall not be available for the payment of personal services except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building, $750,000.

Mr. BURKE of South Dakota. Mr. Chairman, I desire to submit a request for unanimous consent. I ask unanimous consent to recur to page 9, for the purpose of offering an amendment to strike out the item in line 9:

Humboldt, Tenn., post office: For commencement, $1,000.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to recur to page 9 for the purpose of offering an amendment to strike out line 9, providing for the commencement of a post office at Humboldt, Tenn. Is there objection?

Mr. BYRNS of Tennessee. I object, Mr. Chairman.

Mr. BURKE of South Dakota. Mr. Chairman, I also ask unanimous consent to return to page 16 for the purpose of offering an amendment to strike out lines 8 and 9:

Poughkeepsie, N. Y., post office (extension): For completion, $40,000.

Mr. GARRETT of Tennessee. Mr. Chairman——

The CHAIRMAN. The Chair will state the request. The gentleman from South Dakota asks unanimous consent to recur to page 16 for the purpose of offering an amendment to strike out lines 8 and 9. Is there objection?

Mr. PLATT. I object.

The CHAIRMAN. The gentleman from New York objects.

Mr. BURKE of South Dakota. Now, Mr. Chairman, I have one more request. I ask unanimous consent to recur to page 16, lines 20 and 21, to strike out the Ridgway, Pa., post office.

Mr. HULINGS. Oh, I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania objects.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. The committee will observe that in line 18, on page 22, there is a reference to Government wharves and piers under

the control of the Treasury Department. Then follows a provision for leasing, and so forth. Then appears, beginning with line 23, this provision:

And the Secretary of the Treasury is authorized, in his discretion, to dispose of said wharf and warehouse upon such terms and conditions as may be for the best interests of the United States.

Mr. Chairman, I am opposed to conferring upon any executive officer of the United States the power, in his discretion, to dispose of a Government wharf anywhere, but especially one in Alaska. More and more it is being brought home to the shipping interests of the United States that if there is anything for them to remember, and remember all of the time, it is that where a shipping company has absolute control of wharves it can perpetuate one of the most exasperating of monopolies. And more and more the people of the various cities throughout the country have been buying wharves, even at very great expense. New York City was compelled to condemn and purchase wharves and make them public. The city of London was compelled to expend many millions of dollars in condemning and purchasing wharves and making them public. Germany did the same thing at Hamburg. Those who have visited Liverpool know of the magnificent Government docks erected there at great expense. One of the objections made to the improvement of portions of the Mississippi River is that private owners have secured the wharves. Why do they get hold of the wharves? To control the shipping on the river and, if they do not want to engage in shipping themselves, to baffle the efforts of anybody else who may wish to engage in that business.

Mr. MANN. Will the gentleman yield?

Mr. COOPER. I will.

Mr. MANN. This proviso is law now; it is in the current law. I do not say whether it is right or wrong, and why it should be covered in here I do not know.

Mr. COOPER. Mr. Chairman, the Congress has just voted a lot of money for public improvements, railroads, and so forth, in Alaska, which we hope will help to develop that amazingly rich country. The fisheries have not been developed, the mines have not been developed, the forests have not been opened. The bulk of the products is going to be carried in boats when it comes to this country, and the United States Government ought not to sell, nor permit to be sold, the only wharf it has to a steamship company.

The steamship company, if it could get hold of that wharf in Alaska, would have something of an advantage over its rivals and over the Government itself. Public opinion to-day favors the public ownership of at least some wharves when they can be purchased at a reasonable cost.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. COOPER. Certainly.

Mr. J. M. C. SMITH. I understand that good wharves are very scarce in Alaska. Can the gentleman inform the House how many there are?

Mr. COOPER. I think the gentleman's statement is correct. I remember that is was said during the debate on the railroad bill that good wharves and good harbors in Alaska are not plentiful.

Mr. J. M. C. SMITH. I understood that there are only two or three.

Mr. COOPER. Yes; that are in good harbors. It strikes me, Mr. Chairman, that, having seen the evils of exclusive private ownership of wharves, we ought not to allow Secretary McAdoo to dispose of the Government wharf in Alaska to a steamship company nor to any other private corporation, and therefore I send to the Clerk's desk an amendment to strike out that provision to confer such authority on the Secretary.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 23, after the word "thereto," strike out all down to and including the word "States," in line 1, page 23.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Wisconsin has not made so extraordinary a discovery as he imagines. The authority to dispose of the wharf is in the current law. The Treasury Department now has the authority, and although it has not exercised it, it will do it probably before the expiration of the current fiscal year.

There was a very good reason urged for the proposition by the Treasury Department, and the proposition was not to give some private concern an opportunity to get exclusive use of the wharf. The committee couched the authority in such language as would enable the Treasury Department to keep the wharf in public ownership.

The wharf was built in 1845, and we acquired it from the Russian Government at the time Alaska was purchased. The wharf was in very bad condition. It cost about $5,000 to put it in proper shape. It was impossible to lease it unless it was leased for a period not shorter than 10 years. The city of Sitka, however, asked that the wharf be turned over to it. The city was willing to make the necessary repairs and put the wharf in proper condition, and to permit the vessels of the Government of the United States to use the wharf when they found it necessary to do so.

At one time the Revenue-Cutter Service used the wharf. It was in such bad shape, however, that they abandoned it and used the landing place in the island of Japonski instead. At one time the wharf was leased for as much as $75 a month, according to my recollection.

This provision was incorporated in the bill last year in order that the Treasury Department might turn this over to the local authorities and put the burden of getting it in proper shape on the city of Sitka, and obtain for the Government of the United States all the possible advantages that could come from the ownership of the wharf by the Government without being subjected to the burden of keeping it in repair.

I do not think it is material whether the provision remains in the bill or not, because the authority now remains in the department, and I have no doubt it will be exercised before the end of the current year.

Mr. COOPER. Mr. Chairman, the gentleman from New York does not meet the question. This bill does not declare that the purchaser of this wharf shall be the city of Sitka, nor does it authorize the Secretary of the Treasury to sell to the city of Sitka. It authorizes him to sell to any private corporation to which he may feel inclined to sell this public wharf. We have owned the public wharf since Russia sold it to us in the sixties. Five thousand dollars will put it in repair. I have no doubt that many of the steamship companies would be willing to buy and to put it in repair. The Government to-day owns over 90 per cent of Alaska. We have just voted $30,000,000 to open up its resources. We spent many days here debating a proposition to authorize the Government to lease certain lands and other properties up there. And yet here is a proposition to authorize the sale outright of a Government wharf in the same Territory. The Secretary, by this provision, is authorized to sell it to any person or corporation. The city of Sitka is not mentioned in the bill, nor is the Secretary limited to the city of Sitka for his vendee.

Public policy to-day demands the retention of wharves which the public owns.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. COOPER. Yes.

Mr. JOHNSON of Washington. What can be gained by owning 98 per cent of Alaska and then selling the wharves?

Mr. COOPER. I will repeat the question for the benefit of gentlemen who could not hear. The gentleman from Washington asks what benefit is to be gained when we own 98 per cent of Alaska if we sell our wharf to a private owner. I answer that the benefit will go to the private owner, who will have the wharf that the Government ought to own.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. COOPER) there were—ayes 16, noes 14.

So the amendment was agreed to.

The Clerk read as follows:

PUBLIC BUILDINGS, OPERATING EXPENSES.

Operating force: For such personal services as the Secretary of the Treasury may deem necessary in connection with the care, maintenance, and repair of all public buildings under the control of the Treasury Department (except as hereinafter provided), together with the grounds thereof and the equipment and furnishings therein, including assistant custodians, janitors, watchmen, laborers, and charwomen; engineers, firemen, elevator conductors, coal passers, electricians, dynamo tenders, lampists, and wiremen; mechanical labor force in connection with said buildings, including carpenters, plumbers, steam fitters, machinists, and painters, but in no case shall the rates of compensation for such mechanical labor force be in excess of the rates current at the time and in the place where such services are employed, $2,750,000: *Provided*, That the foregoing appropriation shall be available for use in connection with all public buildings under the control of the Treasury Department, including the customhouse at Washington, D. C., but not including any other public building within the District of Columbia, and exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows.

Page 29, line 1, after the word "of," insert the words "nor below."

Mr. FITZGERALD. Mr. Chairman, on that I reserve a point of order.

Mr. MANN. It is not subject to the point of order.

Mr. FITZGERALD. I think it is legislation.

Mr. MANN. Certainly; it is legislation, but this is legislation in the bill and my amendment perfects it.

Mr. FITZGERALD. I do not think this provision is legislation. I do not think the provision is subject to the point of order.

Mr. MANN. Oh, yes it is. I did not make it, however, and the Chair will not be called to pass upon that.

Mr. FOSTER. Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MANN. No.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read:

The Clerk read as follows:

Operating supplies: For fuel, steam, light, water, ice, lighting supplies, electric current for lighting and power purposes, telephone service for custodian forces; removal of ashes and rubbish, snow and ice; cutting grass and weeds, washing towels, and miscellaneous items for the use of the custodian forces in the care and maintenance of completed and occupied public buildings and the grounds thereof under the control of the Treasury Department, and in the care and maintenance of the equipment and furnishing in such buildings; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum cleaning and refrigerating apparatus, electric-light plants, meters, interior pneumatic-tube and intercommunicating telephone system, conduit wiring, call-bell and signal systems in such buildings (including the customhouse at Washington, D. C., but excluding any other public building under the control of the Treasury Department within the District of Columbia, and excluding also marine hospitals and quarantine stations, mints, branch mints, and assay offices, and personal services, except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building), $1,625,000. The appropriation made herein for gas shall include the rental and use of gas governors, when ordered by the Secretary of the Treasury in writing: *Provided*, That rentals shall not be paid for such gas governors greater than 35 per cent of the actual value of the gas saved thereby, which saving shall be determined by such tests as the Secretary of the Treasury shall direct.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This item in reference to gas governors has been carried in the bills for quite a while in some form, if I correctly remember, and I have no doubt that there ought to be a provision for gas governors, but since this item went into the bill there have been a great many gas governors invented or used which it is claimed will save half the cost of the gas. They are cheap and are sometimes furnished for almost nothing. Why should we pay to the men who furnish these gas governors on a rental now 35 per cent of the amount of gas that is saved, assuming that these gas governors will save one-half of the gas that they used to consume years ago with the old form of gas light? This looks to me like a pretty ready "cinch" for the fellows who rent the gas governors, if we pay 35 per cent of the amount saved.

Mr. FITZGERALD. This limitation was put in the bill a few years ago when it was found they were paying as high as 50 per cent.

Mr. MANN. I understand. The limitation was a good limitation when it was put in the bill.

Mr. FITZGERALD. There are very few gas governors used. We went into the matter quite fully last year, but I do not remember what was said about it. There are not many used. Electric light is supplanting gas very largely.

Mr. MANN. Nearly everybody who uses gas for lighting purposes now uses some contrivance which aids to save the gas and has more light, and those contrivances are not expensive. The private owner who would save 50 per cent of his gas—they advertise that they save that, and I do not know whether they do or not—and who would then pay 35 per cent of that saving as rent for a gas governor that would not cost one-quarter the amount to purchase would think that he was being robbed. I do not know whether the Government is or not.

Mr. FITZGERALD. That is the maximum.

Mr. MANN. I do not know whether they pay this amount or not.

Mr. FITZGERALD. I do not recall now.

Mr. MANN. Sometimes these things run along without anybody being subject to criticism in the departments or elsewhere.

Mr. FITZGERALD. The matter was gone into quite thoroughly last year, but I do not recall what was said about it.

Mr. MANN. The action of this House in reference to matters which the Government rents has from time to time saved a good deal of money. We used to pay very large sums for renting postage stamp cancellation machines. In the course of time the House restricted the amount of the rent. We restrict the amount that can be paid per gas lamp and all that sort of thing. If we did not, I suppose we would pay more. I do not desire to detain the committee or the gentleman, however. I call it to his attention because if we rent any of these I suspect that we are paying too high a price for them now. I withdraw the pro forma amendment.

The Clerk read as follows:

COAST GUARD.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, as follows:

For pay and allowances prescribed by law for commissioned officers, warrant officers, petty officers, and other enlisted men, active and retired, not exceeding 21 cadets and cadet engineers who are hereby authorized, and one civilian instructor, $3,759,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I would like to inquire about the 21 cadets and cadet engineers.

Mr. FITZGERALD. That provides for 7 additional to enter in the next year. They have 14 now which are authorized, and this will provide for 7 to go into the class at the beginning of the next year.

Mr. MANN. This is to overcome again that provision which the gentleman inserted a few years ago in the sundry civil appropriation bill that there should be no more cadets?

Mr. FITZGERALD. They say now that they are short, and that they have got to keep educating them.

Mr. MANN. Why not repeal that provision of the law, and we would not have to stick this in every year?

Mr. FITZGERALD. This enables us to keep a little more closely in touch with the number they have.

Mr. MANN. Oh, not at all. The law fixed the number they had before, and that is precisely the number that you are carrying now. You passed a law forbidding them to employ any more without subsequent authorization of Congress, and ever since then you have given the authorization carried in the original law. Of course it is that much more work for the committee and the House.

Mr. FITZGERALD. Well, they said at that time they would not need any more.

Mr. MANN. I beg the gentleman's pardon——

Mr. FITZGERALD. Nineteen of them.

Mr. MANN. They said they would.

Mr. FITZGERALD. That was the statement of the very excellent gentleman from Chicago at the head of the Treasury Department. I had so much confidence in the statement of gentlemen from Chicago that the committee acceded——

Mr. MANN. There is another gentleman from Chicago who knew more about it than the Secretary of the Treasury, and informed the gentleman on the floor of the House that the statement was not correct, that they could not run the service without having these cadets.

Mr. FITZGERALD. I did not like to take sides in a controversy between the two gentlemen from Chicago.

Mr. MANN. Well, I will withdraw the point of order and I will move to strike out the last word. A few days ago we were entertained, as we always are when the gentleman speaks, and instructed, as we always are when the gentleman speaks, by the distinguished gentleman from North Carolina [Mr. PAGE] in the consideration of some of the appropriation bills on the subject of lump-sum appropriations. I butted in and advised my friend from North Carolina that when it came to lump-sum appropriations he ought to address his remarks to the Committee on Appropriations. Now, in the military bill that is being criticized, in the Agriculture bill that is being criticized, there are some segregations. The Army bill appropriates for certain classes of officers—so much for officers and for enlisted men so much—and some criticism has been indulged in on the Navy bill, where they did estimate separately for the enlisted men and for the commissioned officers; but here is an item for pay and allowances for commissioned officers, warrant officers, petty officers, and other enlisted men, active and retired officers, $3,759,000.

Mr. FITZGERALD. That is all statutory.

Mr. MANN. So is it statutory in the Navy and in the Army, and so it is statutory in the main in the Agriculture Department.

Mr. FITZGERALD. Oh, the gentleman is mistaken.

Mr. MANN. But if the gentleman from Virginia [Mr. HAY] should bring a military bill in here and say so much for the pay of commissioned officers, warrant officers, petty officers, and other enlisted men, active and retired, $49,000,000, the Committee on Appropriations would have a cat fit. And yet that is what they do here. Now, no one can tell how much goes to retired officers, no one can tell how much goes to enlisted officers, no one can tell how much goes to the warrant officers, no one can tell how much goes to the commissioned officers. It is the most glaring illustration of the lump-sum appropriations, which could be easily separated, that I have seen for a long time.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Illinois has not examined this bill as carefully as usual or he has not been quite as frank in his statement as usual. In the current law and in every sundry civil act prior to this one, appropriations for the Revenue-Cutter Service were all in one single paragraph—one single appropriation. In this bill they are segregated into 12 different items, and they have been segregated with some degree of logic. Under the law the pay of commissioned officers, warrant officers, petty officers, and enlisted men is fixed. It is a matter of computing what the compensation and allowances are and whether they are on the active or retired list, so that we have segregated from other appropriations. The Agricultural bill, which the gentleman from Illinois mentioned, but did not dwell on at any length, had a provision inserted in it, with the gentleman's support, which places the Agricultural Department upon an entirely different footing from any other department of the Government. A few years ago Congress enacted a provision which prohibited any increase in the compensation of persons paid from lump-sum appropriations. A year or two after that law was enacted the Senate put a provision on the Agricultural bill excepting the Agricultural Department from the operations of the law. That department of all others was the most notorious for its violation, or rather *for its pursuit*, in a practice which was sought to be broken up, and was openly going into the field and inducing the employees of one department of the Government to leave the service of that department and go into the service of the Agricultural Department, holding out the promise of larger compensation out of the lump-sum appropriation, because there is no limitation upon its power to increase compensation; and it is the most lavishly conducted department in the way of indefensible expenditures and manner of compensation of any department of the Government. It has had the help, cooperation, assistance, and protection of the gentleman from Illinois. They say that every man has his weakness, and the weakness of the gentleman from Illinois is his undue favoritism and partiality to the Department of Agriculture, due to the fact that either he himself imagines, or somebody imagines, that he is some sort of an agriculturist or farmer. It is unfortunate for the Government that he has not some other hobby, because if he devoted himself and the same scrutiny and criticism to the Agricultural bill that he does to the other appropriation bills, there would be saved a very considerable sum of money and the Agricultural Department would be a much better department. I am hoping that some germ or microbe or bug some day will get possession of the gentleman from Illinois, so as to divert his interests and activities along other lines than that of an amateur agriculturist, in the interest of the public service.

Mr. MOORE. Will the gentleman yield?

Mr. FITZGERALD. I will yield.

Mr. MOORE. Coming from a peaceful city, far be it from me to break in between two belligerents, the gentleman from New York and the gentleman from Chicago——

Mr. FITZGERALD. I would be sorry to disturb the gentleman. I hope he is engaged in that peaceful slumber for which the inhabitants of his city are always noted. [Laughter.]

Mr. MOORE. The gentleman's very lucid explanation of the lump-sum appropriation which the gentleman from Illinois criticized did arouse me, and I was intensely interested in the explanation of the item as made by the gentleman from New York. It seems to me that everyone who heard the gentleman from New York clearly understands his defense of the item coming in in the way it does. He has told us all about the Agricultural Department and the Agricultural bill, but he has not answered the criticism made by the gentleman from Illinois.

Mr. FITZGERALD. There is no other answer to make, except what I said at the outset, that these are statutory places and compensations, and it is entirely a matter of computation. If we should divide it up into 100 different divisions, it would still reach the same result.

Mr. MOORE. I thank the gentleman for clearing away the situation in this lucid manner.

Mr. FITZGERALD. The gentleman had not awakened when I first made the statement.

Mr. MOORE. I am aroused now by the gentleman's explanation. I want to inquire, however, merely so that it may show in the RECORD, whether this appropriation for the Coast Guard includes all appropriations heretofore made for the Revenue-Cutter Service and the Life-Saving Service?

Mr. FITZGERALD. These appropriations are made upon revised estimates prepared since the approval of the Coast Guard bill. When the Coast Guard bill had been enacted the committee had already finished the work of agreeing upon the recommendations for the Life-Saving and Revenue-Cutter Services, so that in making these recommendations it added to the amount previously decided upon the sum that resulted from mandatory increases as the result of that legislation.

Mr. MOORE. Then there will be no Revenue-Cutter Service appropriations or Life-Saving Service appropriations, but they will all be concentrated under this head of the Coast Guard?

Mr. FITZGERALD. All consolidated under the Coast Guard.

Mr. MANN. Has the gentleman from New York yielded the floor?

Mr. FITZGERALD. I yield.

Mr. MANN. The gentleman from Pennsylvania [Mr. MOORE] referred to me as having criticized the item in the bill. I do not want anybody to take it that I am criticizing the item in the bill. I have simply called attention to certain facts. No one has disputed those facts. The gentleman from New York [Mr. FITZGERALD] talked about the Agricultural Department, but did not say anything at all about the Coast Guard Service or the appropriation. Now he says that this item in the bill is only to pay certain statutory compensations, and I accept his statement. The other day we passed a Coast Guard bill. I say "we" passed it. I did the best I could to prevent its being passed, but the noble majority in this House—and I am not speaking of the Democratic side—talked of economy and voted for the bill. I believe we were told at that time that it would cost at the present time in the neighborhood of $100,000 a year. I said that in my judgment it would cost, to begin with, nearer half a million dollars a year, and how much it would be in the end no one could tell, but probably nearly a million dollars.

Mr. FITZGERALD. In this bill we added——

Mr. MANN. I am making this speech.

Mr. FITZGERALD. I want to give the gentleman some information.

Mr. MANN. I have the information, and will give it to the gentleman if he has not got it.

For the current year, before these services were combined and the Coast Guard bill passed, we appropriated for the maintenance of the Revenue-Cutter Service $2,350,000, and for the maintenance of the Life-Saving Service $2,406,700, or a total for the maintenance of the two services of $4,756,700, and because of the passage of the Coast Guard bill, we have increased the items for the maintenance of the service by $411,200. The gentleman says that these increases are statutory law, which we have to pay. Well, they were not statutory until very recently to the same amount of appropriations as now. The little Coast Guard bill that we passed the other day, which gentlemen had been begged for from various portions of the country, which they were told would cost the Government only a nominal amount, is already costing the Government, right at the beginning, before it has really gone into effect, as to the retirement features, $411,200 more for next year than it would have cost if the Coast Guard bill had not passed. Of course there will be a deficiency appropriation for the balance of this year after a while.

Mr. FITZGERALD. To be accurate I want to say for the RECORD that the mandatory provisions of the Coast Guard bill added $386,228 to the appropriation. An increase of $25,000 was due to other causes than to the mandatory provisions of that bill. The $25,000 would have been added regardless of the passage of that bill.

Mr. MANN. Perhaps so.

Mr. FITZGERALD. No; it is not a question of "perhaps," it is a question of fact. In order that the RECORD may not be criticized I want to state that the mandatory provisions of the Coast Guard bill have increased this appropriation by $386,228 more than would otherwise have been carried for the two services if the law had not been enacted.

Mr. MANN. That was an act of economy, of course?

Mr. FITZGERALD. And there probably will be estimates for deficiencies for the balance of the current year.

Mr. MANN. I take it there will be.

Mr. FITZGERALD. About $100,000 for the balance of the current fiscal year.

Mr. MANN. And 10 years from now the two services combined because of the Coast Guard bill will cost the Government at least $1,000,000 more than if they had not been combined, and that is just a waste of that much money, so far as the Government is concerned. It is a present which the Members of this House, by quite a large majority, made to the constituents of a few of the Members because they begged sufficiently hard. Their constituents ought to know it, because their constituents will pay the bill.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For 12 clerks to district superintendents, at such rate as the Secretary of the Treasury may determine, not to exceed $900 each, $10,800.

The CHAIRMAN. If there be no objection, a typographical error, in line 7, page 32, in the word "to," will be corrected by the Clerk.

There was no objection.

The Clerk read as follows:

For fuel for vessels, stations, and houses of refuge, $277,000.

Mr. MARTIN. Mr. Chairman, for the past two days the public press has contained reports that a merchant vessel of one of the belligerent nations went into an English port on Saturday sailing under the American flag. If any protest or criticism of this unwarranted use of our national colors has been made by the Executive or by the Department of State, neither the country nor the Congress has been informed of that fact. In my opinion this is a very serious violation not only of that comity which prevails between civilized nations but as well of the principles of international law, and an incident, if allowed to go without protest, which is likely to lead us into serious international complications.

The circumstance that citizens of the United States were traveling on the boat does not alter the situation in any degree. Persons and residents of the United States in time of war who desire to go to foreign countries and instead of embarking on American ships or upon ships of some neutral country, if they wish to embark upon a boat of any belligerent nation, do so with the full knowledge of all the contingencies and extra hazards that apply to conditions of war.

Dr. Taylor in his American work on international law says:

At sea as on land the use of false colors in war is forbidden. When a vessel is summoned to lie to, or before a gun is fired in action, the national colors should be displayed. And yet it is lawful to use false colors as a ruse, as Nelson did while he lay off Barcelona for a long time showing the French flag, with the object of drawing out the ships of Spain, then allied with France.

It will be observed that the use of another flag by Nelson under these circumstances was upon a battleship, and he used the flag of a belligerent ally for the purpose of deceiving the enemy. And we know that the use of almost any ruse by the navy or army in conflict to the disadvantage of the enemy is permissible. That does not alter the principle to which I am referring.

Calvo, in his work on international law, has this to say:

The flag is the visible sign of the national character of a ship. Each State has its own colors, under which its nationals sail and which can not be used without its permission.

The assumption of a flag of a foreign State without its authorization is considered as a violation of international law, as a device both fraudulent and injurious to the honor of such State. Both the State whose flag is wrongfully used and that in regard to which the use of the false flag is made have the right to demand the punishment of the guilty persons, and, according to circumstances, to punish them themselves.

I think it will appear upon the most casual consideration that a failure to protest against the unwarranted use of the national colors in this way is a tacit consent to their use. It must be so interpreted by the other belligerent powers and as a practical favoritism to the nation whose citizens undertake to deceive the enemy by the use of the flag of a neutral power.

If Great Britain could assume the flag of the American merchant marine for her craft, the merchant marine of any other country could do the same; and if the belligerent countries can fly the American colors over their vessels, the neutral powers can do the same, and our flag would become an object of disrespect throughout the world.

If we allow the merchant marine of belligerent countries to fly our flag to deceive their enemies, it will soon cease to afford protection to American citizens and to the American merchant marine. When the American flag floats over a ship at sea it should mean that the ship, its passengers, and cargo will be protected to the last limit of American power.

I believe that Congress in this short session should pass an act prohibiting the use of the American colors on any but American vessels and making it an offense for the master of any foreign vessel, whether of a belligerent or a peaceful nation, to fly the American flag over a foreign ship. Severe penalties for the violation of the statute should be provided, including the confiscation of the boat as well as punishment of the commander whenever the ship may return to an American jurisdiction.

I can not see how the Nation can protect the dignity and honor of its flag unless it does something of that kind. The American flag is the insignia of American sovereignty, and its use by any other nation without our consent is unwarranted and ought to bring from Congress some action on the subject. In my opinion, if the President of the United States and his Cabinet will cease blocking legislation for the balance of this session with the impossible shipping bill, which is liable to draw us into serious complications——

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MARTIN. I ask for one minute more.

Mr. GARRETT of Tennessee. I object.

Mr. MARTIN. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from South Dakota makes the point that no quorum is present. The Chair will count.

Mr. MARTIN. Mr. Chairman, I withdraw the point of no quorum. I only ask for one minute.

Mr. FITZGERALD. I will not object to one minute.

Mr. MARTIN. I only desire to conclude the sentence that I had started upon. If instead of clogging the passage of necessary appropriation bills through Congress the captain of the team would organize for some teamwork upon a patriotic measure of this kind which would place before the world in a proper light the respect of American citizenship for American colors, he would be conferring a service upon the country.

The Clerk read as follows:

ENGRAVING AND PRINTING.

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1916, of not exceeding 74,000,000 delivered sheets of United States notes, 13,500,000 delivered sheets of national-bank notes and Federal reserve currency, 90,000,000 delivered sheets of internal-revenue stamps, 8,000,000 delivered sheets of emergency-revenue stamps, 200,000 delivered sheets of customs stamps, 4,225,000 delivered sheets of opium orders and special tax stamps required under act of December 7, 1914, and 1,600,500 delivered sheets of checks, drafts, and miscellaneous work, as follows.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk.

Mr. FOSTER. Mr. Chairman, I reserve the point of order. I wanted to find out the object of limiting the amount of sheets that can be printed under this paragraph. Why is that done?

Mr. FITZGERALD. Mr. Chairman, the number of sheets of various kinds are incorporated in the bill in order to enable the committee to keep some track of what is done in the Bureau of Engraving and Printing. For the last few years, ever since an attempt has been made to ascertain just what was being done, the absolute inability to reconcile the figures of the Bureau of Engraving and Printing with the figures of the United States Treasurer's office has been such that it has been impossible to work with any intelligence. We have now given them enough money to enable the bureau to deliver a certain number of sheets of various kinds. That puts the work upon a logical and proper basis.

Mr. FOSTER. Does that provide for printing all that is estimated for for the coming year?

Mr. FITZGERALD. No; it does not; not all that was asked, because there is always a difference of opinion between the committee and the department as to just how much work should be done. This provides for as much work as was authorized for the current year, and in addition emergency currency, amounting to $500,000,000, was thrown open to the extent of over $200,000,000, and the balance of two hundred and odd million dollars gives an additional reserve which heretofore had not been counted, so that the committee believed that for the present, in view of present conditions, this number of sheets of the various kinds will be sufficient.

Mr. FOSTER. Will it supply all that is necessary for the coming year?

Mr. FITZGERALD. That was the opinion of the committee.

Mr. FOSTER. But under this provision the Director of the Bureau of Engraving and Printing could not print more than that number?

Mr. FITZGERALD. He can not deliver more than that number. It says "deliver," because 5 per cent is usually allowed for wastage. They spoil about 5 per cent of the sheets in the work.

Mr. FOSTER. And the gentleman thinks that furnishes all that is necessary?

Mr. FITZGERALD. I think it furnishes all that is necessary for the proper conduct of the Government. It may be that later on it will be determined that additional revenue stamps may be needed, and if they are the committee will be ready to provide for the appropriation to furnish them. There is a continual controversy as to the amount of new United States notes that ought to be issued.

Mr. FOSTER. And this is simply to find out what is done each year instead of going on in that way without knowing?

Mr. FITZGERALD. Without having any basis on which to work, except figures that are never to be reconciled.

Mr. FOSTER. Mr. Chairman, I understand that this is a limitation on the amount of work that can be done, and it is nothing further than that?

Mr. FITZGERALD. That is all.

Mr. FOSTER. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I notice here in line 18, on page 33, reference is made to 74,000,000 delivered sheets of United States "notes." On page 38 reference is made to 73,500,000 sheets of United States "securities."

Mr. FOSTER. Would not those be the gold notes and the greenbacks?

Mr. FITZGERALD. Oh, no; these are for United States notes—gold and silver certificates.

Mr. MANN. Why do you call them notes in one place and securities in the other? It refers to the same thing.

Mr. FITZGERALD. What was the other page?

Mr. MANN. Page 38, lines 5 and 6.

Mr. FITZGERALD. The gentleman will notice it says "for distinctive paper for United States securities, not less than 73,500,000 sheets."

Mr. MANN. Yes; but on page 33 it says 74,000,000 sheets of United States notes. The context of the bill shows that this reference is to the same thing. In one place it is called "securities" and in the other "notes," just as in one place reference is made to Federal reserve bank currency and in another case Federal reserve currency. On page 33 it is called "Federal reserve currency" and on page 38 it is called "Federal reserve bank currency." I suppose the latter is the correct form, but it ought to be the same in both places, I think.

Mr. FITZGERALD. Under this title, "Distinctive paper for United States securities," my recollection is that sometimes paper is for other forms of securities and notes, for instance, bonds, so that the word "securities" would be used.

Mr. MANN. I understand; but in the other place, when you provide for 74,000,000 sheets of notes and then authorize 73,500,000 altogether for securities, including notes, it is very evident that you are not providing for many other things except notes, because you are shy a half million sheets. That might easily have been made up in different places, but it is perfectly plain that means the same thing, and it certainly does.

I think the gentleman ought to have time to examine that, and it seems to me, inasmuch as we have been running now for seven hours, and we do not know how long we will run to-morrow, that the gentleman ought to move to rise.

Mr. FITZGERALD. Mr. Chairman, as the House was not notified that I would ask it to stay to-night, I will move to rise now, but I give notice now that I will ask the House to stay to-morrow night. First, however, Mr. Chairman, I ask to have the amendment which I offered submitted.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Page 34, line 1, strike out the word "seventh" and insert the word "seventeenth."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 21318, had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. WALTERS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. WALTERS. To ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. CONNOLLY of Iowa. Mr. Speaker, I make the same request.

Mr. FIELDS. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the requests of the gentlemen? [After a pause.] The Chair hears none.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.

JUDGE ALSTON G. DAYTON.

Mr. WEBB. Mr. Speaker, on behalf of the Judiciary Committee, I desire to present a report (No. 1381) on House resolution 541 in reference to an investigation of the alleged official misconduct of Judge Alston G. Dayton. I ask that it be printed, and I will call up the report probably to-morrow.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

Report on House resolution 541, directing the Committee on the Judiciary to inquire and report whether the action of the House is necessary concerning the alleged official misconduct of Alston G. Dayton.

The SPEAKER. Ordered printed and referred to the House Calendar.

HOUR OF MEETING.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, did I understand the gentleman to say that he intended to ask the House to remain in session right along to-morrow until what time?

Mr. FITZGERALD. Oh, until 10 or half past 10.

Mr. MANN. Without taking a recess for dinner?

Mr. FITZGERALD. Oh, yes.

Mr. MANN. If we are going to do that——

Mr. UNDERWOOD. Mr. Speaker, I was going to ask, in order to expedite this bill, that by unanimous consent we agree that this bill shall have the right of way next Calendar Wednesday, and suggest to the gentleman that he ask for unanimous consent to meet at 11 o'clock on both days. Pending the request of the gentleman, I ask unanimous consent to dispense with next Calendar Wednesday.

The SPEAKER. The gentleman from Alabama, pending the request of the gentleman from New York, asks unanimous consent that we dispense with the business in order on next Calendar Wednesday. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, what committee has the call on Wednesday?

Mr. UNDERWOOD. Merchant Marine and Fisheries, and they are not adverse to it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the hour of meeting for the rest of this week, providing the sundry civil bill is under consideration, be fixed at 11 o'clock a. m.

The SPEAKER. The gentleman from New York asks unanimous consent that during the rest of this week the House meet at 11 o'clock a. m., providing the sundry civil bill continues that long. Is there objection? [After a pause.] The Chair hears none.

LINCOLN MEMORIAL.

The Chair has been requested to state to the House that the Lincoln Memorial Commission wants the signatures of all the Members of this House to be put in the corner stone which is to be laid on next Friday, and in order to do that they have fixed parchment sheets with a kind of ink that they say will never fade and a special pen, and the Chair is going to have them put on a table in the lobby so everybody can sign it. They want the Kentucky delegation to sign in a body and the Illinois delegation to do the same thing.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p. m.) the House adjourned to meet at 11 a. m. to-morrow, Tuesday, February 9, 1915.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $5,000 for protection and improvement of Glacier National Park, Mont. (H. Doc. No. 1576); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting schedules of claims amounting to $650,373.04 allowed by the several accounting officers of the Treasury Department under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874 (H. Doc. No. 1579); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims amounting to $29,189.08 which have been presented to this department and require an appropriation for their payment (H. Doc. No. 1577); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the Navy of the 1st instant reporting that the Navy Department has considered, ascertained, adjusted, and determined that the sum of $140.25 is due the owners of the German ship *Indra* for damages for which a vessel of the Navy was found to be responsible (H. Doc. No. 1578); to the Committee on Appropriations and ordered to be printed.

5. Letter from the Secretary of the Treasury transmitting estimates of appropriations for rent of buildings for use of Government officials at Boise, Idaho; Charlotte, N. C.; Concord, N. H.; Harrisburg, Pa.; Lincoln, Nebr.; Madison, Wis.; Newport, R. I.; Poughkeepsie, N. Y.; Reading, Pa.; Sandusky, Ohio; Toledo, Ohio; and Mount Clemens, Mich. (H. Doc. No. 1580); to the Committee on Appropriations and ordered to be printed.

6. Letter from the Secretary of the Treasury transmitting a communication from the Attorney General, of February 6, 1915, submitting a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredations cases, amounting to $6,279, which require an appropriation for their payment (H. Doc. No. 1581); to the Committee on Appropriations and ordered to be printed.

7. Letter from the Secretary of the Treasury transmitting copy of a communication from the Secretary of War, of the 6th instant, submitting a supplemental estimate of appropriation for transportation of troops and equipment to and from the Panama-Pacific International Exposition, for preparing camp sites, construction of buildings, installation of water system, oiling of roads, etc., to be immediately available and to remain available until the end of the fiscal year 1916 (H. Doc. No. 1582); to the Committee on Appropriations and ordered to be printed.

8. Letter from the Secretary of the Treasury transmitting copy of a communication of the commissioner, United States Board of Mediation and Conciliation, submitting an estimate of deficiency in the appropriation for expenses of the board for the fiscal year ending June 30, 1915 (H. Doc. No. 1583); to the Committee on Appropriations and ordered to be printed.

9. Letter from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $292,000 for the enforcement of the provisions of the act of December 17, 1914, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, and preparations, and for other purposes (H. Doc. No. 1584); to the Committee on Appropriations and ordered to be printed.

10. Letter from the Secretary of the Treasury, transmitting a list of judgments rendered against the Government by the district courts of the United States as submitted by the Attorney General and which require an appropriation for their payment (H. Doc. No. 1585); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GILMORE, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 18310) to acquire a site for a public building at Hartford, Conn., reported the same without amendment, accompanied by a report (No. 1375), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (S. 2223) to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park, reported the same without amendment, accompanied by a report (No. 1376), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the bill (H. R. 19828) for the relief of the Longini Mexican Hat Co., of San Antonio, Tex., and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KELLY of Pennsylvania: A bill (H. R. 21357) to prohibit gambling in foodstuffs; to the Committee on the Post Office and Post Roads.

By Mr. HAYDEN: A bill (H. R. 21358) for the purchase of a site for a public building at Bisbee, Cochise County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. KENNEDY of Iowa: A bill (H. R. 21359) granting the consent of Congress to the Citizens' Bridge Co. to construct a bridge across the Mississippi River at or near Burlington, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. CALLAWAY: A bill (H. R. 21360) to provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the remodeling, altering, etc., of the present post-office building; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 21377) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. CLARK of Florida: A bill (H. R. 21378) to provide for the establishment of a bureau of Government architecture, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. CARY: A bill (H. R. 21379) to amend section 5 of the motor-boat law passed June 9, 1910; to the Committee on the Merchant Marine and Fisheries.

By Mr. RAINEY: Resolution (H. Res. 726) for the relief of Nellie M. Murdock; to the Committee on Accounts.

By Mr. GREGG: Resolution (H. Res. 727) to amend House resolution 532, Sixty-third Congress, second session; to the Committee on War Claims.

By Mr. STEENERSON: Memorial of the Legislature of the State of Minnesota, relating to the placing of an embargo on the exportation of agricultural products; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Memorial of the Legislature of the State of Nebraska, relative to the control of the waters in the streams between Nebraska and Colorado and between Nebraska and Wyoming; to the Committee on the Judiciary.

By Mr. POU: Memorial of the Legislature of the State of North Carolina, to dispense with the requirement of the oath of loyalty to the Union during the late war between the States from those holding claims against the United States and wishing to prosecute them; to the Committee on the Judiciary.

By Mr. MILLER: Memorial from the Legislature of the State of Minnesota, protesting against an embargo on agricultural products; to the Committee on Interstate and Foreign Commerce.

By Mr. LAFFERTY: Memorial from the Legislature of the State of Oregon, urging Congress to enact a rural-credit law under which farmers may obtain long-term loans at a reasonable rate of interest; to the Committee on Banking and Currency.

Also, memorial from the Legislature of the State of Oregon, praying for the enactment of a law granting pensions to the veterans of the Modoc and other Indian wars in the State of Oregon; to the Committee on Pensions.

Also, memorial from the Legislature of the State of Oregon, requesting Congress to immediately appropriate the sum of $300,000 to be used by the United States Department of Agriculture for the destruction of coyotes, wolves, wildcats, cougars, and bears on the western public lands; to the Committee on Appropriations.

By Mr. GARRETT of Tennessee: Memorial from the General Assembly of Tennessee, touching appropriation by the Federal Government for the purpose of constructing roads; to the Committee on Roads.

By Mr. CURRY: Memorial of the Legislature of the State of California, petitioning Congress to place veterans of the United States Army who fought in the Indian wars from 1865 to 1891 on the pension roll; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21361) granting an increase of pension to Benjamin Harris; to the Committee on Invalid Pensions.

By Mr. BLACKMON: A bill (H. R. 21362) granting an increase of pension to Mary M. Force; to the Committee on Pensions.

By Mr. CLANCY: A bill (H. R. 21363) for the relief of Alfred E. Lewis; to the Committee on Military Affairs.

By Mr. GARRETT of Tennessee: A bill (H. R. 21364) granting an increase of pension to John J. Stanley; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 21365) granting an increase of pension to Elender Brown; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21366) granting a pension to Henry B. Gabbard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21367) granting a pension to William Sally; to the Committee on Pensions.

Also, a bill (H. R. 21368) granting an increase of pension to Manerva Ingland; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 21369) granting a pension to Maria J. Lantry; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 21370) granting a pension to Charles M. Reece; to the Committee on Pensions.

Also, a bill (H. R. 21371) granting an increase of pension to Isaac M. Chrissinger; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 21372) granting an increase of pension to Frank A. Pennington; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 21373) granting a pension to Orinda Sarah Foust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21374) granting an increase of pension to George W. Hudson; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 21375) for the relief of Rittenhouse Moore, receiver of the Mobile Marine Dock Co.; to the Committee on War Claims.

By Mr. WHALEY: A bill (H. R. 21376) granting a pension to Bunell L. Jones; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Augusta, Mo., urging passage of House joint resolution 377, relative to export of war material; to the Committee on Foreign Affairs.

By Mr. ALLEN: Petition of sundry citizens of Cincinnati, Ohio, favoring embargo on war material; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of Germania Quartette Club, of Johnstown, Pa., protesting against bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petitions of Paul Schmidt, Frank Deiboldt, B. J. Egerten, L. P. Shelly, G. A. Utecht, Fred Sann, Otto Jacobs, Fred Rolling, William Buck, Phil Benke, Louis Nau, William Bocke, L. A. Geis, F. W. Pearman, Robert Steigelman, William Schrader, John Lipp, and Max Scheckelman, all of Johnstown, Pa., favoring legislation prohibiting exportation of arms, etc., to belligerent nations; to the Committee on Foreign Affairs.

By Mr. BEAKES: Petition of Thomas Kilpatrick and 49 citizens of Jackson, Mich., favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petitions of H. W. Haller and 24 citizens of Ann Arbor; Thomas Voigt and 54 citizens of Carleton; and the German Aid Society, of South Haven, all in the State of Michigan, protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Resolutions adopted by the Germania Verein, No. 13, G. W. G. G., of Sheboygan, Wis., with a membership of 256 citizens, asking for the passage of a law at this session of Congress to levy an embargo on all contraband of war, save foodstuffs alone; to the Committee on Foreign Affairs.

Also, petition signed by William Mueller and 94 other citizens of the vicinity of Freistadt, Ozaukee County, Wis., asking for the passage of House joint resolution 377 at this session of Congress, to levy an embargo upon all contraband of war; to the Committee on Foreign Affairs.

By Mr. COPLEY: Memorial of Elgin Commercial Club, urging passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, memorial of St. Michael's Court, No. 1366, Catholic Order of Foresters, of Aurora, Ill., favoring passage of bills to prohibit export of war materials; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of Elmer E. Hubbard, of Cardenas, Cuba, favoring federation of nations, first on the Western Hemisphere; to the Committee on Foreign Affairs.

Also, petition of Claus Hertmann, of Brooklyn, N. Y., favoring passage of resolution to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petition of sundry citizens of the State of New Jersey, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of Branch No. 60, Lutheran Aid Association, Ableman, Wis., favoring bill to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petitions of citizens of Nassau County, N. Y.; Jersey City, N. J.; Elizabeth, N. J.; and Brooklyn, N. Y., against any legislation abridging the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. GARRETT of Tennessee: Memorial of Woman's Missionary Society of Methodist Episcopal Church of Union City and Woman's Missionary Society of Martin, Tenn., protesting against practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Memorial of church council and members of the St. Michaels and Zion's Lutheran Church, of Philadelphia, Pa., favoring passage of resolution to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of the Hess-Bright Manufacturing Co., Philadelphia, Pa., protesting against bill to prevent the Government issuing stamped envelopes with return request; to the Committee on the Post Office and Post Roads.

Also, petition of American Association for Labor Legislation, favoring passage of the Kern-McGillicuddy workmen's compensation bill (H. R. 15222); to the Committee on the Judiciary.

By Mr. GREENE of Vermont: Petitions of Charles E. Parsons and others of the first congressional district of Vermont, protesting against curtailment of Rural Free Delivery Service for the contract system; to the Committee on the Post Office and Post Roads.

By Mr. LINDBERGH: Petition of citizens of St. Cloud, Minn., favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. LOBECK: Petition of 47 citizens of Benson, Nebr., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of Austrian Singing Society, New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petition of 45 citizens of Kingston, N. Y., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of 80 citizens of Columbia County, N. Y., urging world federation for peace; to the Committee on Foreign Affairs.

By Mr. MANN: Petition of Harry B. Anderson, Chicago, Ill., for establishment of a national university; to the Committee on Education.

By Mr. MAPES: Petition of 85 citizens of Grand Haven, Mich., and citizens of Ionia, Mich., favoring embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. MARTIN: Petition of Loyal Court No. 3, Guardians of Liberty, of Lead, S. Dak., and sundry citizens of Bellefourche, S. Dak., protesting against passage of House bill 20644 and House bill 20780, to amend the postal law; to the Committee on the Post Office and Post Roads.

By Mr. MOORE: Letters from George Von Bosse, Joseph Klar, Robert Kuehne, and others, of Philadelphia, Pa., urging legislation to prohibit the sale and exportation of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of the Civic and Commerce Association of Eau Claire, Wis., favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Protest of Carl Erline and 220 citizens of Kalamazoo; Charles Riedel, of Van Buren; James Ellick, of Galesburg; A. David, of Lawton; Lucian Finley, of Oshtemo; Ed. Williams, of Williams, all in the State of Michigan, against Senate bill 6865; to the Committee on Foreign Affairs.

By Mr. STEENERSON: Petition of 26 citizens of Highlanding, Minn., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. THACHER: Petition of National Independent Equal Rights League, protesting against jim-crow cars in the District of Columbia; to the Committee on the District of Columbia.

By Mr. VOLLMER: Petition of 1,386 American citizens, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 9, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, from whom proceedeth all things, without whom we are nothing, impart unto us light, strength, courage, that we may meet the duties and responsibilities of the new day, and receive at its close Thine approbation and the approval of our own consciences; in the name of Him who taught us life, liberty, and the pursuit of happiness; and all praise, glory, and honor shall be Thine forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

FEDERAL BUILDING, HONOLULU, HAWAII.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes, and to agree to the conference asked by the Senate on said bill.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Florida asks unanimous consent to agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. CLARK of Florida, Mr. BURNETT, and Mr. AUSTIN.

ALSTON G. DAYTON.

Mr. WEBB. Mr. Speaker, on behalf of the Committee on the Judiciary, I desire to call up House resolution 541, directing the Committee on the Judiciary to inquire and report whether the action of the House is necessary concerning the alleged official misconduct of Alston G. Dayton.

The SPEAKER. The Clerk will report the title of the resolution.

The Clerk read the title of the resolution.

Mr. WEBB. Mr. Speaker, by some oversight this resolution and the report upon it were not printed last night, and I ask unanimous consent to consider it nevertheless, and that the resolution be printed in the RECORD to-day.

The SPEAKER. The gentleman asks unanimous consent to consider the resolution at the present time, and that it be printed in the CONGRESSIONAL RECORD to-day. Is there objection?

There was no objection.

The Clerk read as follows:

[House Report No. 1381 to accompany H. Res. 541.]

The Committee on the Judiciary, having had under consideration House resolution 541, relating to the alleged official misbehavior of Alston G. Dayton, United States district judge from the Northern District of West Virginia, report the same back with the recommendation that it be amended to read as follows; and as so amended, that it be adopted:

"*Resolved*, That the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misbehavior of Alston G. Dayton, United States district judge for the Northern District of West Virginia; whether he, the said Alston G. Dayton, has unlawfully conspired with certain corporations and individuals to bring about the removal from office of the late John J. Jackson, judge of the District Court of the United States for the Northern District of West Virginia; whether he has shown marked favoritism to certain corporations having extensive litigation in his court; whether he has summoned on juries in his court persons connected with certain corporations to which he has shown marked favoritism during his term of office; whether he has abused his power and influence as judge to further the interests of his son, Arthur Dayton; whether he has violated the acts of Congress regulating the selection of jurors; whether he has lent his services as judge to the coal operators of West Virginia by improperly issuing injunctions; whether he has shown hatred and bitterness toward miners on trial in his court; whether he has used his office as judge to discourage and prevent said miners from exercising their lawful right to organize and peaceably assemble under the laws of the United States and the State of West Virginia; whether he has conspired with certain corporations and individuals in the formation of a carbon trust in violation of law; whether he has openly stated that he would not permit the United Mine Workers of America to exist within the jurisdiction of his court; whether he has stated in open court that the United Mine Workers of America are criminal conspirators; and whether he has been guilty of any misbehavior for which he should be impeached."

And in making this investigation the said committee is hereby authorized to send for persons and papers, administer oaths, take testimony, employ a clerk and a stenographer, if necessary, and is also authorized to appoint a subcommittee to act for and on behalf of the whole committee whenever and wherever it may be deemed advisable to take testimony for the use of said committee. The said subcommittee while so employed shall have the same powers in respect to obtaining testimony as are herein given to said Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall serve the process of said committee or subcommittee and shall attend the sittings of the same as ordered and directed thereby.

The Speaker shall have authority to sign and the Clerk to attest subpœnas for any witness or witnesses.

The expense of such investigation shall be paid out of the contingent fund of the House on vouchers approved by the chairman of the Judiciary Committee and approved by the Committee on Accounts and evidenced by the signature of the chairman thereof.

Mr. WEBB. Mr. Speaker, on the 12th of last June the gentleman from West Virginia [Mr. NEELY] impeached Judge Dayton on 26 separate and distinct charges. The House referred the resolution and the charges to the Judiciary Committee, and those charges have been investigated carefully by a subcommittee for three or four months. The subcommittee reported, eliminating about 13 or 14 of the charges, but felt that there was enough testimony to authorize an investigation of the charges set forth in the resolution which has been read. We felt that it would be the best thing for the country, for the judge himself, for the House, and for the judiciary that this investigation be had. These charges have been published in the newspapers of the country, and the Judiciary Committee were almost of the unanimous opinion that for the good of all concerned they should be investigated, and that if true the judge should be impeached, but that if not true he should be acquitted and reinstated in the regard and confidence of the country. Therefore I move the passage of the resolution which I have just presented.

Mr. MOSS of West Virginia. Will the gentleman yield for a moment?

Mr. WEBB. With pleasure.

Mr. MOSS of West Virginia. Did the committee in arriving at its conclusion consider any part of the evidence tendered on behalf of Judge Dayton?

Mr. WEBB. I do not think the committee did officially consider Judge Dayton's defense as presented to the committee in affidavits. I think each one of the subcommittee read Judge Dayton's affidavits, but I do not think they considered them in connection with making their report.

Mr. DANFORTH. Mr. Speaker, will the gentleman yield?

Mr. WEBB. I yield with pleasure to my colleague on the committee.

Mr. DANFORTH. I know the gentleman will not make a misstatement intentionally.

Mr. WEBB. Not for the world.

Mr. DANFORTH. But I think it is not a fact that each member of the subcommittee in charge of this matter did examine the affidavits. I think the assertions are quite to the contrary, and that they have not been considered.

Mr. WEBB. I may be in error as to one of the subcommittee. I am informed by the gentleman from Missouri [Mr. IGOE] that he did make an examination of Judge Dayton's affidavits.

Mr. DANFORTH. The gentleman is in error as to two members of the subcommittee.

Mr. WEBB. Did not you yourself read them?

Mr. DANFORTH. No; I carefully abstained from examining them.

Mr. WEBB. Then, of course, I do not make the statement. The affidavits of Judge Dayton were in the committee room, and the subcommittee had access to them.

Mr. DANFORTH. In other words, the entire investigation has been ex parte on papers that were not testimony in any sense of the word—hearsay affidavits.

Mr. WEBB. That is true, Mr. Speaker. In the nature of the case we could not have any trial of it, because the subcommittee had no power to subpœna witnesses, and it was not their province to try the case. The duty of our committee was simply to make a preliminary investigation to ascertain whether we should recommend to the House a full and complete investigation.

Mr. DANFORTH. I am not objecting to the investigation, because I think it will be in the interest of justice and fairness.

Mr. WEBB. I understand; and I am glad to agree to what the gentleman says, for I think the same.

Mr. SUTHERLAND. Mr. Speaker, with reference to the pending resolution providing for an investigation as to charges of misconduct which have been made against Judge Alston G. Dayton, I desire to state with authority that neither Judge Dayton nor his friends have any desire to impede nor obstruct, even if it were possible, the passage of this resolution, nor the investigation which will be made under its authority. On the contrary, I am advised that Judge Dayton courts the fullest and most complete investigation that can be made of his personal conduct from every standpoint since he has been on the Federal bench. In common with other personal friends of Judge Dayton, and with no knowledge of the specifications under which testimony pro and con will be taken, other than their reading by the Clerk in the presence of the House a few moments ago, I desire to express the hope and belief that his answer to any charges

of misconduct of any nature or from any source will be complete and conclusive. I am fully convinced that the Committee on the Judiciary and its able chairman have approached this matter conscientiously and have acted, as the chairman has just stated, with due regard to the serious importance of the issue thus raised, the best interests of the public and of Judge Dayton himself, and the honor and integrity of the high position involved. I am further convinced that the Judiciary Committee of this House will discharge its duties under this resolution with absolute fairness and impartiality, according to accusers and accused the fullest opportunity of presenting the facts, and in the end that it will make a report to this House as to its findings that will be judicial in its fairness.

I therefore will vote for this resolution, and I ask all the friends of Judge Dayton upon this floor, many of whom have served with him here as a Member of Congress for 10 years and personally know the high character of his attainments, to do likewise.

Mr. GORDON. Mr. Speaker, will the gentleman yield for a question?

Mr. SUTHERLAND. Yes.

Mr. GORDON. Is martial law still in force up in West Virginia?

Mr. SUTHERLAND. Is it in force out in Ohio?

Mr. GORDON. No, sir; it is not.

The SPEAKER. This is out of order. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. WEBB, a motion to reconsider the last vote was laid on the table.

THE LINCOLN MEMORIAL.

The SPEAKER. The Chair announces again for the accommodation of Members that the Lincoln Memorial Commission desires that all Members shall write their names on the parchment which is to be deposited in the corner stone of the Lincoln Monument. As it is difficult to write on parchment, they want it written with a special ink and a special pen, which will be found in the Speaker's lobby. The Members from Kentucky are to sign seriatim.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill. And pending that motion, before the general exodus occurs, I want to say to Members that I shall ask the House to remain in session for some time to-night.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the State of the Union for the further consideration of the sundry civil appropriation bill, and the Clerk will read.

The Clerk read as follows:

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants when employed, $1,561,421, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denominations than those that may be canceled or retired, except in so far as such printing may be necessary in executing the requirements of the act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from New York if he gave any further consideration to the suggestion that I made to him about the paragraph at the bottom of page 33 in regard to printing Federal reserve currency?

Mr. FITZGERALD. The committee has used the language which is in common use in the department and which has been used here for a good many years. I have not had an opportunity to inquire along the line suggested by the gentleman from Illinois, but I will do so before the bill is completed.

Mr. MANN. The gentleman can see that on page 38 they refer to Federal reserve bank currency, and on page 33 to Federal reserve currency. There may be a distinction, although I can not imagine how there would be.

Mr. FITZGERALD. There is a distinction between Federal reserve currency and Federal reserve bank currency, but I wish to make the inquiry so that if any change is to be made we will be sure that there is no error made.

Mr. MANN. If there is a distinction, there is an error in the bill, because one provision authorizes the purchase of 13,500,000 sheets of paper, and the other provision is to print it. If there is a distinction, you buy the paper for one kind of currency and print it for another kind. That is all the paper you can buy for that purpose.

Mr. FITZGERALD. I am having an inquiry made so as to get the language that will be correct.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For engravers' and printers' materials and other materials except distinctive paper, miscellaneous expenses, including paper for internal-revenue stamps, and for purchase, maintenance, and driving of necessary horse-drawn passenger-carrying vehicles, when, in writing, ordered by the Secretary of the Treasury, $615,526, to be expended under the direction of the Secretary of the Treasury.

Mr. MANN. Mr. Chairman, I reserve a point of order to the paragraph.

Mr. FITZGERALD. I offer the following amendment, Mr. Chairman.

The Clerk read as follows:

On page 35, line 10, after the word "necessary," insert the words "motor propelled."

Mr. MANN. I withdraw the point of order, Mr. Chairman. I would like to have the Clerk read the paragraph as amended.

The Clerk read as follows:

For engravers' and printers' materials and other materials except distinctive paper, miscellaneous expenses, including paper for internal-revenue stamps, and for purchase, maintenance, and driving of necessary motor-propelled horse-drawn passenger-carrying vehicles, when, in writing, ordered by the Secretary of the Treasury, $615,526, to be expended under the direction of the Secretary of the Treasury.

Mr. MANN. I wondered how they could have "motor-propelled horse-drawn passenger-carrying vehicles."

Mr. FITZGERALD. The amendment should be modified by adding the word "and" to it, so that you insert the words "motor-propelled and."

The CHAIRMAN. Without objection, the amendment will be modified.

The Clerk read the amendment as modified, as follows:

After the word "necessary," in line 10, page 35, insert the words "motor-propelled and."

Mr. MANN. Mr. Chairman, I notice this paragraph increases the appropriation from $470,000, as it is now in the current law, to $615,526. Is that for the paper for the internal-revenue stamps or is it for automobiles and passenger-carrying vehicles?

Mr. FITZGERALD. It is for the paper for revenue stamps, which was transferred from the Commissioner of Internal Revenue to the Bureau of Engraving and Printing. The Bureau of Engraving and Printing has purchased all of the other paper, and it was thought advisable to allow them to purchase the paper for the internal-revenue stamps.

Mr. MANN. The increase is for paper for internal-revenue stamps made necessary by the war-revenue tax.

Mr. FITZGERALD. It is for all internal-revenue stamps.

Mr. MANN. How much is to be used for automobiles?

Mr. FITZGERALD. They have an automobile wagonette—I think that is what they term it—two electrical vehicles of 1,000 pounds capacity, on which they carry the mail, samples, stamps, and for general passenger service; also an electrical dump wagon and two electric trucks. They have a wagonette, I understand, in which they transport the persons who witness the destruction of securities from the Bureau of Engraving and Printing to the Treasury Department.

Mr. MANN. I notice in this bill there are twenty-odd places where you provide for passenger-carrying vehicles of some kind, and usually put in a limitation, as I recall, of the amount that can be expended for that purpose. I think it is a proper limitation in view of the fact that it is stated that the Secretary of War has purchased an automobile for private use out of an appropriation for the transportation of the Army, an item carrying a good many million dollars. How can the gentleman tell how much of the $615,000, which is an increase of $145,000 over the existing appropriation, will be used for the purchase of automobiles for the Treasury Department?

Mr. FITZGERALD. It is not expected that any will be used for the purchase of automobiles. The motor-propelled passenger-carrying vehicles are somewhat different in connection with the bureau than with other services, because in addition to the members of the committee they carry the securities.

Mr. MANN. The committee last year inserted a provision in reference to automobiles and other passenger-carrying vehicles. What good does that do, when you make an appropriation of $615,000, all of it available for the purchase of these vehicles? What is accomplished by the law which was

passed? I could not see what was going to be accomplished when it was passed, but what does it accomplish where there is no limitation except to insert the language? They will have the same authority hereafter as they have had heretofore.

Mr. FITZGERALD. In many of the items the word "purchase" has been eliminated. In others a limitation of the amount to be expended has been inserted.

Mr. MANN. That is what I was trying to get at. Why is there no limitation in this item?

Mr. FITZGERALD. Depending very largely upon the information obtained as to the character of the vehicles used and what was contemplated. Under this provision, with the information obtained from year to year, it is possible to keep track of and see whether any attempt is made to utilize moneys for purposes not contemplated or stated when the authorization is made.

Mr. MANN. There is a limitation in some of the items, but there is no limitation in this item.

Mr. FITZGERALD. That is true; there is not.

Mr. MANN. It would be very convenient for the Secretary of the Treasury, if he should desire an automobile, to say that he had the active consent of Congress and a provision authorizing him to purchase an automobile for his use out of an appropriation which specifically provided for it, with no limitation as to the amount.

Mr. FITZGERALD. Mr. Chairman, the committee has tried to adapt language to the peculiar situation developed by this paragraph. Of course, it is possible for the departments to abuse authority which is reposed in them under the law. The committee has felt that there was no likelihood that the Secretary of the Treasury would attempt to get an automobile for personal use out of an appropriation of this character, where it is clearly intended for the service of the Bureau of Engraving and Printing. There are some things that more or less influence members of the committee in these matters, and perhaps one thing is the fact that the Secretary of the Treasury already has an automobile of his own, and there is little likelihood of his being tempted to get one at Government expense.

Mr. MANN. Mr. Chairman, certainly all members of the Cabinet are conscientious, and certainly the Secretary of War is quite as conscientious as any of the others, if not more so, and yet it is said that he purchased an automobile out of an appropriation for transportation of the Army. There is no connection in fact between transporting the Secretary of War and his family around the city of Washington with the transportation of the Army. I am not criticizing the action of the Secretary of War, but I think there is no further reach between purchasing an automobile for the Secretary of the Treasury out of an appropriation for the Bureau of Engraving and Printing than there is in purchasing an automobile for the Secretary of War out of an appropriation for the transportation of the Army.

Mr. FITZGERALD. Mr. Chairman, my recollection is that in the report furnished to Congress pursuant to a resolution asking for the number of automobiles in the various departments, and the appropriations for purchasing the same, it was stated that the automobile purchased out of the appropriation for the transportation of the Army had been obtained for the purpose of transporting the Secretary of War, the Chief of Staff, and other officers of the Army. Whether the Chief of Staff and other officers ever have an opportunity to use the automobile is something that I can not answer. I do not hesitate to say that I believe that the purchase of an automobile for the use of the Secretary of War out of an appropriation for the transportation of the Army can not be justified. Congress never had any such intention, and it took a very extraordinary construction of the appropriation to justify it.

Mr. MANN. Mr. Chairman, it is something like the purchase of an oil painting, of which there is, I believe, one instance in the State Department, where they had painted the portrait of the Secretary of State and charged up a part of the price of it to the appropriation for paint and the rest, I believe, to the appropriation for carpenter work.

Mr. FITZGERALD. That was under another administration.

Mr. MANN. I understand. I do not think there is any distinction between Republican and Democratic administrations in these respects.

Mr. FITZGERALD. I am not certain whether that portion of the expenditure was charged up to paint or to whitewash.

Mr. MANN. I believe it was charged to oils and paints, and the frame to some other appropriation like carpenter work, or something of that kind. They occasionally do those things where they have a chance.

Mr. FITZGERALD. Yes; they all look alike at the Treasury Department, regardless of the politics of the administration.

Mr. MANN. Oh, yes; these things are not chargeable to one administration as against another. It will always be done unless Congress protects from it by legislation.

Mr. GOULDEN. Mr. Chairman, I would like to ask the gentleman from Illinois a question.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last two words. The gentleman from Illinois is usually very accurate in his statements, and I think the majority of the Members accept them as facts when made on the floor of the House. I should like to ask him his authority for the statement that the Secretary of War has purchased for his own private use an automobile out of the appropriations made for the transportation of the Army?

Mr. MANN. That is not denied, I believe?

Mr. GOULDEN. I never heard it stated before, and it seems so doubtful that I am inclined to ask the gentleman for his authority.

Mr. MANN. It was stated on the floor of the House the other day publicly by the gentleman from Massachusetts [Mr. GILLETT], and while I do not say that is the fact, it is my understanding it is not disputed. I would not say that it is merely for his private use. You can call it official use if you desire. It is used by himself and his family, and I think properly so. I do not object to giving any of the Cabinet officers an automobile, so far as I am concerned, for social uses. They have certain social obligations, but I think it were better for Congress to know when it makes an appropriation whether it is to be used for the purchase of an automobile or not. I would give each one of the Cabinet officers an automobile and maintain it, so far as I am concerned.

Mr. GOULDEN. But the gentleman would have it appear in the bill specifically appropriated for that purpose?

Mr. MANN. I would say so, and not have one of the Cabinet officers charge it up to some appropriation which was never intended to be used for that purpose.

Mr. GOULDEN. Is it not a fact that each Cabinet officer now has or is entitled to an automobile?

Mr. MANN. No; it is not the fact. I think the only Cabinet officers who have automobiles at the expense of the Government are the Secretary of War and the Secretary of Labor.

Mr. GOULDEN. My question was intended to apply to official business.

Mr. MANN. Those are two-horse carriages; they do not have expensive carriages.

Mr. GOULDEN. I know I have seen the Postmaster General riding in a carriage that looked as if it had been imported from his native State of Texas—driver and all.

Mr. MANN. The Postmaster General rides behind a very nice $1,500-team of horses.

Mr. GOULDEN. I have never seen them.

Mr. MANN. Then the gentleman has not seen him drive it lately.

Mr. GOULDEN. This was six months or a year ago. I imagine that the gentleman is too busy to indulge much in this pleasure.

Mr. MANN. He has a fine span of horses costing $1,500, and he is worthy of it.

Mr. GOULDEN. Surely, and I congratulate him on having them.

Mr. MANN. They are expensive for hard times.

Mr. GOULDEN. Mr. Chairman, I heartily indorse the statement made by the gentlemen from Illinois with regard to the high character of the Secretary of War and when this statement was made that he had secured an automobile, charged to the Army appropriation, for private or personal uses, I did not credit it, and hence I asked the question of the gentleman from Illinois to know just what his authority was for the statement.

The CHAIRMAN. The pro forma amendment is considered as withdrawn.

Mr. MOORE. Mr. Chairman, I desire to offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 35, line 13, after the word "Treasury," insert:
"*Provided*, That no part of the appropriation herein made shall be expended for motor-propelled or horse-drawn passenger-carrying vehicles intended for other than official use."

Mr. FITZGERALD. If the gentleman will allow. There is a general statute to that effect.

Mr. MOORE. I do not know whether the gentleman will accept that amendment. But to me the colloquy which took place between the gentleman from New York and the gentleman from Illinois was most interesting. The gentleman from New York

explained his own amendment to include motor-propelled vehicles, but established no dividing line between the authority of the Secretary of the Treasury to purchase automobiles for official or for personal use. It seems to be an open question still whether the Secretary of the Treasury, under this lump-sum appropriation, would have the right to buy 1, 2, 3, 4, 5, or 10 motor-propelled vehicles if he so desired. Apparently there is no limitation upon him in this respect. I agree thoroughly with the gentleman from Illinois and the gentleman from New York [Mr. GOULDEN] that the Secretary of the Treasury or any Cabinet officer ought to be provided with a motor-propelled vehicle for his own use. Officials of a great Government like the United States, such as Cabinet officers, ought not to be compelled to make their official or social calls in Washington on trolley cars. These officials have a status that ought to be recognized. It seems to me that one of the most ridiculous things the Democratic Party ever undertook to do in this House was to deny the Speaker of the House an automobile. Why should these great officers of the Government, upon whom we place great responsibility and of whom we expect the best service they can give, be compelled to go about their business, socially or officially, hampered by delays at street corners or made to hang onto car straps? If they are to have automobiles we ought to make specific appropriation therefor.

The committee itself ought to have the courage to say openly and directly that the Secretary or the Speaker should have an automobile, and the phraseology of this bill ought not to be so hedged about as to leave it to the Cabinet officer to buy a machine if he needs one or to buy more than one.

Mr. GOULDEN. The gentleman is in favor of specifically providing for an appropriation for the purchase of an automobile for each Cabinet officer as well as the Speaker of the House for any and all purposes.

Mr. MOORE. I believe there ought to be no subterfuge about it.

Mr. GOULDEN. I indorse the gentleman's statement heartily.

Mr. MOORE. We ought not to make an appropriation in this way and leave a wide discretion to the Cabinet officer. He ought to know exactly what his duties are and what his perquisites are, if you care to put it in that form.

Mr. GOULDEN. Again I agree with the gentleman.

Mr. MOORE. So that he would know what Congress intends a Cabinet officer should have.

Mr. SLOAN. Will the gentleman yield?

Mr. MOORE. I will.

Mr. SLOAN. The gentleman spoke about a Cabinet officer and others being given automobiles for their use in getting about. What reason or claim has a Cabinet officer for a private automobile furnished by the Government beyond that of any Congressman or any Senator who is compelled to dance attendance at the departments, whereas the heads of the departments never visit the Congressmen themselves.

Mr. MOORE. Well, there are only 9 Cabinet officers and there are 435 Members of Congress, and I think the situation is entirely different. These Cabinet officers have tremendous responsibilities. We impose executive and administrative responsibility upon them. I grant you that a Member of Congress has rights, and that those rights ought to be respected even in a Cabinet officer's office. I do not approve the practice which seems to prevail in some offices where a member of another body walks in over the head of a Member of the House.

Mr. SLOAN. I would like to ask the gentleman this question: Under our Constitution as established, has any Cabinet officer any greater responsibilities or duties than any Member of this House or the other body?

Mr. MOORE. Well, I think he has. I think a Cabinet officer of the United States has a tremendous responsibility. We impose it upon him.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. I ask unanimous consent to proceed for two or three minutes to answer the gentleman's question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. A Cabinet officer is a creature of Congress, is he not?

Mr. MOORE. Not necessarily; a Cabinet officer is appointed by the President, and the President has a distinct function from that of Congress. Sometimes he does not recognize the function of Congress.

Mr. SLOAN. I mean were not these positions created by the lawmaking body of this country?

Mr. MOORE. The Constitution of the United States creates the President, and the President has the power to appoint.

Mr. SLOAN. But the positions themselves are created by law, are they not?

Mr. MOORE. The departments are created by Congress, of course, and we provide for the payment of their salaries. But I want to say to the gentleman that, while I do not agree with the Secretary of the Treasury in many of his policies, yet the Secretary of the Treasury is an officer of the Government, upon whom the greatest possible responsibility rests. He is responsible for the collection of the revenues and for their distribution, and that is a tremendous job.

Mr. LEVY. Do you not think it would be a great aid to the legislative business of this House if $2,500 was expended for an electric car to connect the House Office Building with the House?

Mr. MOORE. That is not a bad idea. I would be liberal in helping the gentlemen of the House back and forth from the Office Building if it tires the gentlemen——

Mr. LEVY. It is not a question of tiring Members.

Mr. MOORE. If it tires any gentleman to walk back and forth, I think he ought to have assistance.

Mr. LEVY. It is not a question of tiring any Member. It is a question of expediting legislation and the answering of roll calls.

Mr. MOORE. The gentleman is right. It would expedite legislation. But in the case of a member of the Cabinet, considering that the people of the country like to meet him and expect him once in a while to come to them and explain his attitude upon public questions, or considering that committees and others have a right to discuss in a public way the affairs of the Nation as they are affected by the department over which the Secretary has control, I think this expenditure for an automobile is entirely proper; but there should be a specific appropriation.

Mr. DIES. Will the gentleman yield for a question?

Mr. MOORE. I yield to the gentleman from Texas.

Mr. DIES. How does my friend from Pennsylvania think it would do to establish a jitney service between the Capitol and the departments and the White House, so that we might have cooperative rides; that is to say, so that Members of the House and Senators could have a jitney service going to the White House and the departments, and the officers of the departments could come up here on business?

Mr. MOORE. Does the gentleman mean to have separate compartments for members of the Cabinet and separate compartments for Members?

Mr. DIES. Oh, no.

Mr. MOORE. I do not think that would be necessary at all. That would be a sort of white jim-crow proposition, and I do not think the country would stand for it.

Mr. DIES. Not necessarily jim-crow, but limited to Members of Congress and heads of departments, and let the Government issue the car tickets to Members of Congress and Cabinet officials, so that they could drop their tickets in the box. The gentleman knows what that service is.

Mr. MOORE. I understand what it is. It is the new nickel service which is proposed for Washington. The gentleman's idea is to have a service by which the members of the Cabinet would pay no more than Members of Congress, and all would get a cheap service. It might be a very excellent thing, but I would ask the gentleman from Texas, with all his fine democratic notions and his antisocialistic ideas, with some of which I am inclined to sympathize, whether he thinks it would be a pleasant thing for his patron saint—Thomas Jefferson—if he were on earth to-day, to have him stand out there in the rain on the corner of the Avenue, and wait for a car to come along, so crowded with people that the steam would pour out of the doors? Would it not be disturbing and discreditable to have the illustrious Jefferson step into that car, the cynosure of all eyes, subject to all kinds of criticism, and hang onto a strap until he got down to the White House. Would the gentleman like to see that?

The CHAIRMAN. The gentleman's time has expired.

Mr. FITZGERALD. Mr. Chairman, I hope this amendment will not be adopted. It is wholly unnecessary. Under the law every member of the Cabinet is entitled to horses and vehicles for his personal use. Each one of them has at least four vehicles and four horses or more. Now, it developed last year that automobiles were being obtained by different public officials without specific authority of Congress. An investigation was started, and a provision was incorporated in the legislative bill, under which the departments and all other branches of the public service are required to submit such detailed information to Congress as would enable it to keep track of just what is being done. Section 5 of the legislative act for the current year is as follows:

SEC. 5. No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or

other Government establishments, or any branch of the Government service, unless specific authority is given therefor, and after the close of the fiscal year 1915 there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law, and in the estimates for the fiscal year 1916 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase, maintenance, repair, or operation of all motor-propelled or horse-drawn passenger-carrying vehicles, specifying the sums required, the public purposes for which said vehicles are intended, and the officials or employees by whom the same are to be used.

It so happens that the Bureau of Engraving and Printing has not made a statement showing how much is actually required for passenger-carrying vehicles. That is due somewhat to the fact that the motor-propelled passenger-carrying vehicles, of which there are two, are used not only to carry persons, but to carry certain materials. They are not used in the way in which some of these other vehicles may be used. They are not joy vehicles.

Mr. COX. Will the gentleman yield?

Mr. FITZGERALD. In a moment. Understanding thoroughly the purpose of this paragraph and having had it gone into very thoroughly, the committee submitted the bill this year without any limitation upon the amount to be expended, but the law now prohibits the expenditure of any funds for these vehicles unless for official purposes, and it is wholly useless to put such a provision on any particular appropriation bill when the law prohibits the expenditure of any appropriation for that purpose.

Mr. COX. I think the gentleman is correct in his interpretation of the law, but as I understood the reading of the law it requires these various departments to make an estimate as to the amount of money they propose to expend for motor-propelled vehicles.

Mr. FITZGERALD. Passenger-carrying.

Mr. COX. Motor-propelled passenger-carrying vehicles.

Mr. FITZGERALD. Yes. For instance, it is not necessary to specify for motor-propelled trucks to be used in the service.

Mr. COX. Does the proposition before the House in this paragraph authorize the expenditure of any money for motor-propelled passenger-carrying vehicles?

Mr. FITZGERALD. Yes.

Mr. COX. Why did not the department make an estimate for it?

Mr. FITZGERALD. This is a case where they did not, and it was due perhaps to the fact that the vehicle is not used exclusively for a passenger-carrying vehicle. They have two electric vehicles of a 1,000 pounds capacity to carry mail, samples, stamps, and general messenger service. One of these wagons is what they call an electric wagonette and is used to carry the committee to witness the destruction of the securities from the Bureau of Engraving and Printing to the Treasury, and with them they take the securities to be destroyed. So that it is not, strictly speaking, a passenger-carrying vehicle in the sense that Congress has in mind in speaking of those vehicles.

Mr. DIES. Mr. Chairman, I do not think I am excessively democratic. I will say further that I am not in favor of giving Members of Congress or Senators of the United States an automobile at the public expense, and I do not see any reason in the world why a member of the Cabinet should be provided with an automobile at the public expense. If we are not paying him enough salary, for one I think I have sufficient courage to vote the increase of salary.

But I think it is unwise to extend that sort of practice. I would not want a member of the Cabinet to stand out in the rain, as suggested by my friend from Pennsylvania; it is bad for anybody to stand out in the rain. However, I have observed one thing, that members of the Cabinet seldom come to the Capitol, and that Members of Congress of both branches are constantly in attendance on members of the Cabinet. If there was really any necessity from a public-service standpoint for public automobiles, they ought to make more frequent trips from here to the departments than from the departments to the Capitol.

Now, I want to say in that connection that the expenditures of our Government under this administration and under past administrations are shameful. No Government in this universe pretending to be a popular Government, a democratic republican Government, can long endure under the class of appropriations that Congress is annually enacting into law; and I would like to see some little democratic spirit in the country. I would like to see Cabinet and other officers of the Government understand that the service to the people is not only lip service but an actual service, and set a wholesome example of encouragement to the people in this country. If there is an example that ought to be set to the American people, beginning with the humblest home up to the most palatial mansion, it is of economy and frugality and simplicity, to the end that we may maintain this democratic Republic.

I think, for one—and I will never think differently, I imagine—that Cabinet officers who buy expensive automobiles under a law that limits their use to public service and then use them for every service except the public service are setting a bad example to the people of this Republic. Of course, you can not defeat any such proposition; no more can you defeat a pension bill; no more can you defeat a public building or a rivers and harbors bill; but I do say this, and it is true, that a Member of Congress needs only to scrutinize appropriation bills to agree with me that we are making a shameful use of the public funds. [Applause.]

Mr. MONDELL. Mr. Speaker, I think the sort of amendment suggested by the gentleman from Pennsylvania, under which Cabinet officers might purchase and keep automobiles, is altogether unnecessary. They are already abundantly provided for in that respect.

Mr. MOORE. Will the gentleman yield? I would like to have the amendment again read, for I think the gentleman misunderstands it. I propose to limit the use of the automobile to business purposes.

Mr. MONDELL. I should not agree to that. I have no quarrel with the possession by Cabinet officers of carriages or automobiles both for business and social purposes. I believe the dignity of the position rather requires it; I think it is even in keeping with Democratic simplicity. Speaking of Democratic simplicity, it is an interesting fact that under this Democratic administration Cabinet officers have more and better and more expensive vehicles than ever in the history of the Republic. But I do not quarrel with that. The objectionable feature of the matter is the lack of frankness, to use no harsher term, in the dealings between Congress and the Cabinet ministers and in the action of the Cabinet ministers in the purchase and acquiring of these vehicles. Some of them have been acquired under appropriations the language of which would not justify such a purpose. If Cabinet ministers, with their large responsibility, will only remain here in Washington and attend to their duties I think they are entitled to automobiles or carriages which present a goodly appearance.

I can not say so much when the Cabinet officials, in addition to securing all these equipages, fail to perform their important duties. Some suggestion has been made as to the comparative responsibilities of Cabinet ministers and Members of Congress. The Cabinet minister's responsibility is wider but no greater than that of a Member of Congress, and most Members of Congress believe that in order to serve the people it is their duty to be here on the job practically all the time. Some Cabinet ministers with large salaries and fine turnouts do not take that view of their duties and responsibilities, I regret to say. Rumor has it that at one crucial moment in our history, when the whole course and trend of our attitude toward a neighboring Republic might have been changed, and for the better, the action which would have been wise was not taken largely because the minister responsible for advising our attitude was fifteen hundred miles away fulfilling a lucrative lecture engagement.

Mr. BATHRICK. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BATHRICK. Mr. Chairman, I have heard a great deal of criticism, I believe unwarranted and unkind, respecting those matters, and as yet I have never heard any gentleman rise on this floor and make a specific statement as respects any harm that comes to this Government from the causes the gentleman has just referred to.

Mr. MONDELL. I am making it now.

Mr. BATHRICK. I do not think the gentleman is specific at all.

Mr. MONDELL. Mr. Chairman, I think I am justified in criticising a man who is not attending to his public duties. I have been a Member of this House for 18 years, and I have been here every day that Congress has been in session save two. I do not know that I am entitled to any considerable amount of credit for that—that is my notion of my duty. If in addition to my duties and responsibilities, comparatively limited, I had the duties and responsibilities of a Secretary of State in time of war, I would think I was subject to the severest criticism if I left the Capital of the Nation for a single day, particularly for the purpose of increasing my income delivering paid lectures.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I have mentioned a specific instance, the psychological moment, when the whole trend of our attitude toward Mexico would probably have been modified except for the fact that the Secretary of State was away yonder beyond the Mississippi delivering lectures for pay, accompanied by yodlers, we are told, and other entertainers.

Mr. BATHRICK. Mr. Chairman——

Mr. MONDELL. Mr. Chairman, I can not yield.

Mr. BATHRICK. The gentleman speaks in uncertain terms.

The CHAIRMAN. The gentleman from Wyoming declines to yield.

Mr. MONDELL. Mr. Chairman, I speak in no uncertain terms; but to come down a little later and to be quite specific, and satisfy even my genial friend from Ohio [Mr. BATHRICK], just a few days ago, within a week, with this great European war going on, with numberless important questions constantly arising with regard to our shipping and our interests near and about the seat of war, the Secretary of State has notoriously been traveling abroad throughout the land delivering political speeches and lectures for pay. He was beyond the Mississippi at the time when the recent declaration relative to the status of large areas of the sea used by our shipping was made by Germany, which may profoundly affect our relations with that great Empire. He has been away notoriously time and again, day after day, and week after week, with war raging all over Europe, with turbulent and troublesome conditions on our southern border, with foreign complications rising thick and fast all around us, including our delectable affair with Santo Domingo, just now being investigated, this official, charged under the law, as the adviser of the President, with responsibility in these vital matters, believes that he is justified in spending a large portion——

Mr. BATHRICK. Mr. Chairman, will the gentleman state what harm has come from it?

Mr. MONDELL. He believes he is justified in spending a large portion of his time delivering lectures for pay and haranguing the people throughout the Nation in the interest of the administration, whose affairs and responsibilities he is neglecting.

Mr. BARTLETT and Mr. BATHRICK rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. MONDELL. Mr. Chairman, having heretofore yielded to the gentleman from Ohio, I now yield to the gentleman from Georgia.

Mr. BARTLETT. Mr. Chairman, is it not a fact that whenever the distinguished Secretary of State is absent a very able and distinguished and efficient Assistant Secretary of State from the gentleman's own State is there to take his place and represent the Government?

Mr. MONDELL. I think that is very fortunate.

Mr. BARTLETT. I do, too. [Laughter.]

Mr. MONDELL. I will say no more, however, upon that point.

Mr. Chairman, it is all right, in my opinion, to furnish these high officials with the proper vehicles. There is a certain dignity that goes with an office to be maintained, even from the viewpoint of democratic simplicity. I am not complaining because under a Democratic administration there are more and larger and finer automobiles in the possession of certain high officials than any time heretofore, but I am complaining—at least, I am voicing my opinion relative to that view of an official's duty which, in times when the Nation's interests are liable at any moment to be profoundly disturbed by occurrences abroad, seems to justify the man most charged with responsibility in our foreign relations in wandering hither and yon throughout the land, from coast to coast, from the Lakes to the Gulf, delivering Chautauqua lectures and endeavoring to make the people believe that the country is prosperous and doing well under this administration.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. FITZGERALD. Mr. Chairman, I ask for a vote on the pending amendment.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. The Chair would like to state that when the gentleman from Pennsylvania [Mr. MOORE] offered his amendment there was an amendment pending offered by the gentleman from New York [Mr. FITZGERALD] that has not yet been voted upon. The Chair, therefore, will put the question first on the amendment offered by the gentleman from New York, the committee amendment, which, without objection, will be again reported.

There was no objection, and the Clerk again reported the amendment offered by Mr. FITZGERALD.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania.

There was no objection, and the Clerk again reported the amendment offered by the gentleman from Pennsylvania.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

Mr. MANN. Mr. Chairman, I have really a very warm, personal regard as well as the highest official respect for the Secretary of Labor, who formerly served in this House, receiving a salary of $7,500 a year and no passenger-carrying vehicle at public expense. He was made Secretary of Labor in March, 1913, receiving a salary of $12,000 a year.

On November 5, 1913, there was paid out of the contingent fund of the Department of Labor a sum for the purchase of a brougham, one cabriolet, one opera bus, I suppose for official purposes. That was in November. In January there was purchased for the Secretary of Labor, in addition to the three vehicles already enumerated, one touring car. In February they paid a garage company here $38.29 for oil. In March the same garage company, care and maintenance of Secretary's equipment, $75.62, and in the same month they paid livery for horse hire and board $57, and to another man for repairs to Secretary's automobile, $20.50. In April the first items for repairs only amounted to $3, but they paid to the garage in May, for care and maintenance, $270.93; in June $58.34 for the same purpose, and in August they paid for the month of July, for maintenance of the Secretary's automobile, $93.73. Those are all out of the appropriations for the fiscal year ending June 30, 1914. Now, I do not complain of these purchases. I agree with what the gentleman from Wyoming [Mr. MONDELL] said. I think that a Cabinet officer is entitled to have an automobile, entitled to have other conveyances. I think that a Cabinet officer's duties require that he should have proper conveyances. The men who come here as Cabinet officers and who have a family have certain social obligations which it is impossible to avoid and maintain a proper dignity for the country. I do not complain of these purchases, though I think it would have been wiser, probably, if Congress specifically provided for the purchase and maintenance of vehicles for the members of the Cabinet. Just how it is usually done I do not undertake to say. In this case Secretary Wilson has frankly included all of these items in a report which he has made of the contingent fund. I expect in some of the departments, and this is not confined to this administration by any means, it might be very difficult to find just how the money has been provided for the maintenance and purchase of vehicles in the past.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

Mr. MOORE. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 35, in line 11, after the word "carrying," strike out the word "vehicle" and insert the word "trucks."

Mr. MOORE. Mr. Chairman, from what we can gather from this discussion it appears that what the Treasury Department wants in this instance is business motor carrying trucks or horse-drawn vehicles. It does not appear to want automobiles for social purposes. Why not state in this bill exactly what it is intended the money shall be expended for. The difficulty is that when we appropriate for engravers' and printers' materials and other materials and for motor-propelled and horse-drawn vehicles, the money to be expended on the order of the Secretary of the Treasury in writing, amounting to $615,526, we do not tell the Secretary to confine his expenditure with respect to motor-drawn vehicles to business purposes, but we do give the Secretary of the Treasury latitude to buy with that $615,000, if the order is in writing, an automobile for social purposes, a cabriolet, an opera car, or any of the other of those cars to which the gentleman from Illinois has just made reference. Now, if we mean that the Secretary of the Treasury shall buy a car for business or for social purposes, why not say so? The committee has the power to do this, but it prefers rather not to take the responsibility.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. McLAUGHLIN. The gentleman seeks to offer an amendment; will it not be necessary to strike out the last word in line 10, the word "passenger," otherwise the language of the bill would be "and necessary horse-drawn passenger trucks."

Mr. MOORE. No; it would not necessarily, because in carrying material these men ride on trucks. They are cars in the nature of trucks and carry officials of the department on their business.

Mr. McLAUGHLIN. What are called passenger-carrying trucks?

Mr. MOORE. I presume so. Now, one gentleman who used to advocate "the rights of the people" on the floor, and who always appealed for the downtrodden, became chairman of a great committee. When you asked him why he was not quite so enthusiastic as theretofore he would say, "Oh, things are different now, we have got the responsibility." Political changes like these induce men to go to dinners and put on dress suits. Sometimes they go to the theaters and ride in automobiles. It is not extraordinary. But even this does not justify the great Committee on Appropriations failing to indicate what its purpose is in introducing a lump-sum appropriation like this.

Mr. FITZGERALD. Mr. Chairman, I am reluctant to believe that any other Member of the House is as confused as the gentleman from Pennsylvania as to the facts about this matter. This paragraph is—

> For engravers' and printers' materials and other materials except distinctive paper, miscellaneous expenses, including paper for internal-revenue stamps, and for purchase, maintenance, and driving of necessary horse-drawn passenger-carrying vehicles, when, in writing, ordered by the Secretary of the Treasury, $615,526, to be expended under the direction of the Secretary of the Treausry.

Since I have been chairman of the Committee on Appropriations, investigations conducted by that committee have disclosed what we believed to be abuses in connection with the acquisition of automobiles for passenger-carrying purposes. As a result section 5 of the legislative act for the current fiscal year, which I have heretofore read to-day, was enacted.

The Bureau of Engraving and Printing has not only motor-propelled passenger-carrying vehicles, but it has horse-drawn passenger-carrying vehicles, and it is out of this appropriation that both classes are maintained. No money could be expended out of this or any other appropriation for that purpose unless authority was specifically given in the item. The gentleman from Pennsylvania, however, instead of conferring authority to maintain and operate the existing vehicles, proposes that the word "vehicle" be stricken out and the word "truck" inserted, and that authority be given for the maintenance and operation of passenger-carrying trucks. It may be that in the city of Philadelphia there are vehicles properly characterized as passenger-carrying trucks.

Mr. GORDON. It is a slow town.

Mr. FITZGERALD. Having a slight acquaintance with some few residents of the city of Philadelphia I am inclined to believe that that is the only type of vehicle in which they ought properly to be transported [laughter], but we are attempting to provide for the conduct of the service of the Government. I have a list of the horse-drawn passenger-carrying vehicles and motor-propelled vehicles used for both purposes in the Bureau of Engraving and Printing. I wish the law to be so framed as to enable that great establishment to be conducted legitimately and without embarrassment. The gentleman from Pennsylvania insists that trucks shall be used when any of the employees of that establishment are sent to their homes, as they frequently are, as the result of illness. I wish to have them taken in an ordinary vehicle used by ordinary human beings in civilized countries. The gentleman from Pennsylvania insists that they must be carried in a truck.

Mr. MOORE. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MOORE. Are we to understand from the gentleman's criticism that he desires the department to buy automobiles under this papagraph?

Mr. FITZGERALD. Oh, that is so far from what is contemplated that there is no use to discuss it.

Mr. MOORE. It is the point at issue. Does the gentleman wish to have the department buy passenger-carrying automobiles under this paragraph?

Mr. FITZGERALD. The gentleman from Pennsylvania works himself up into a great state of excitement——

Mr. MOORE. Not at all. The gentleman does not answer my question.

Mr. FITZGERALD. Over the probability of the Secretary of the Treasury buying a passenger-carrying automobile for his own use.

Mr. MOORE. Not at all. I want him to have one. The gentleman side-steps again.

Mr. FITZGERALD. Let me finish this statement, because the gentleman is too excited even to describe his own condition. The gentleman is wrought up over the probability of the Secretary of the Treasury buying a passenger-carrying vehicle for himself out of the appropriation which is made for the miscellaneous expenses of the Bureau of Engraving and Printing, and in which paragraph authority is given to maintain and operate and purchase certain passenger-carrying vehicles required in the proper conduct of that establishment. I hope the amendment will not be adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MOORE. I ask unanimous consent that the gentleman may have one minute more, that he may answer the question I put to him a moment ago. Regardless of the stale old Philadelphia joke, I desire to know whether the gentleman from New York desires in this appropriation of $615,000 to give the Secretary of the Treasury the discretion to buy passenger-carrying automobiles for social as well as other purposes?

Mr. FITZGERALD. I do not, because the law specifically prohibits any such purchase, and several times since this discussion began I have stated that there is a law to that effect.

Mr. MOORE. Apparently it is ineffective, for the gentleman from Illinois has just indicated that at least three passenger-carrying cars for social purposes have been purchased in the Department of Labor under a similar lump-sum appropriation.

Mr. FITZGERALD. The gentleman is mistaken, because I stated the law under which horse-drawn vehicles are purchased by the heads of executive departments for their personal use. That was a law enacted during a Republican Congress and during the service of the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The amendment was rejected.

Mr. BARTHOLDT. Mr. Chairman, with the permission of the chairman of the committee I ask unanimous consent to return to the paragraph relating to the St. Louis subtreasury.

Mr. FITZGERALD. Mr. Chairman, I call up the motion to strike out the appropriation for the subtreasury at St. Louis, which was passed yesterday in the absence of the gentleman from Missouri [Mr. BARTHOLDT].

The CHAIRMAN. Yesterday the Committee of the Whole passed over the provision for the subtreasury at St. Louis. There is a motion pending to strike out that provision.

Mr. IGOE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. IGOE. In the RECORD of yesterday I find that the motion of the gentleman from Illinois to strike out is printed following the preceding paragraph relating to the St. Louis post office.

The CHAIRMAN. The Chair will state that the pending amendment is to strike out the provision for the Subtreasury in St. Louis.

Mr. MANN. In lines 14 and 15.

Mr. BARTHOLDT. Mr. Chairman, this appropriation is intended for a new subtreasury building at the city of St. Louis. When the matter came up before the committee it was stated that probably the policy of the Government with respect to the subtreasuries would be changed and these subtreasuries abolished. My answer to that was that if the subtreasuries are ever abolished, there are enough Government offices in St. Louis, for which we are now paying rent, which could be accommodated in this new building. That argument holds good to-day. We are paying in the city of St. Louis between $54,000 and $56,000 for rentals for all kinds of Government offices. In fact, since the Federal Reserve Board has acquired quarters, I believe the amount has been increased to about $75,000, so that there can be no question about the absolute necessity of providing accommodations for the housing of the Government service in the city of St. Louis.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. BARTHOLDT. Yes.

Mr. FITZGERALD. Is this to be a one-story building?

Mr. BARTHOLDT. No; the intention was to have offices on the top of the Subtreasury.

Mr. FITZGERALD. How many stories?

Mr. BARTHOLDT. About three stories.

Mr. FITZGERALD. Does not the gentleman know; the plans are prepared, are they not?

Mr. BARTHOLDT. I do not think so. I think the $50,000 which we are about to appropriate are partly for the purpose of preparing plans.

Mr. FITZGERALD. What particular services of the Government will be accommodated?

Mr. BARTHOLDT. If you will make what is called an office building, we can accommodate all of the Government offices.

Mr. FITZGERALD. What branches of the service was it intended should be housed there?

Mr. BARTHOLDT. All of the branches outside of the Subtreasury that are renting quarters, as far as possible.

Mr. FITZGERALD. But what are they?

Mr. BARTHOLDT. I was about to tell the gentleman. We have the meat-inspection office, Lighthouse Service, Mississippi River Commission, the Quartermaster Department of the Army, the Immigration Service, and there are quite a number of other branches of the service which are now housed in offices rented by the Government, and which, as I say, pay an aggregate rent of about $75,000.

Mr. FITZGERALD. This was to be a building for the Subtreasury, and designed with vaults and arranged for banking purposes.

Mr. BARTHOLDT. Yes; but it could be made into an office building with slight changes. Of course I know that to do it would involve a change of existing law.

Mr. FITZGERALD. It is a great change to convert a subtreasury building into an office building and have it worth anything for that purpose.

Mr. BARTHOLDT. If you will leave out the word "subtreasury" and say a building for Federal offices——

Mr. FITZGERALD. Is there a subtreasury in St. Louis?

Mr. BARTHOLDT. Yes.

Mr. FITZGERALD. This was to be a palatial building, costing a million dollars, exclusive of the site.

Mr. BARTHOLDT. It was designed to accommodate other branches of the service.

Mr. FITZGERALD. Those were only put in to give it momentum.

Mr. BARTHOLDT. The initiation of the building for the subtreasury in St. Louis has quite a history. The gentleman will remember that some years ago there was a defalcation in the office of the St. Louis subtreasury, and it was stated at the time that it was impossible for the inspectors to supervise the work there in a proper way, because the subtreasury is located in the present Federal building on the second floor, where it is impossible to have proper Government supervision. For that reason it was suggested that in all cities where a subtreasury might be erected there should be a subtreasury building especially adapted for the purpose. In conformity with that idea the committee at that time authorized the erection of the building, and with the idea also of accommodating a number of other branches of the service.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BARTHOLDT. I ask that my time be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARTHOLDT. Mr. Chairman, I want to suggest to the House that, in the first place, it is very doubtful whether the subtreasuries will be abolished. And if they should not be abolished, we could perhaps house our subtreasury on the ground floor of the old post-office building which has now been vacated because the post office has been moved to a new building.

Mr. FITZGERALD. This building, if constructed, must be constructed in the manner that will make it suitable for a subtreasury, and if made suitable for a subtreasury there will be an expenditure of a considerable sum that will be apparently wasted if it is not to be used for that purpose. For instance, one large item of expense is the vaults for holding coin, bullion, and currency. I think from an investigation that has been made it is very doubtful whether the independent treasury system will be continued. The Federal reserve bank will absorb all of its functions. It seems to me that in the interest of the public service in St. Louis it would be unwise to put a million dollars into a building that will be arranged very largely to accommodate the independent treasury system and then have that portion of the building practically worthless for any other purpose.

They arrange a subtreasury as they arrange a banking office, and you can not use it for meat inspection, for engineers, or for weather bureaus, or for the Mississippi River Commission, or anything like that. My own opinion is that, if the Government service at St. Louis needs additional facilities and accommodations, the interest of the Government would be served by postponement until it could be known just what is to be done about the subtreasury, so that when a building is constructed it will be one that will be suitable to the needs of the Government.

Mr. BARTHOLDT. Mr. Chairman, I recognize the force of what the gentleman from New York says, but will he accept a suggestion? Of course, I appreciate that it will be a change of existing law and subject to a point of order. But I trust the point of order will not be made, owing to the urgent circumstances under which we are suffering in St. Louis. I suggest that we strike out the word "subtreasury" and insert in lieu thereof the words "United States Government building for Federal offices."

Mr. FITZGERALD. Mr. Chairman, that would not do any good, because there is no such building authorized. The gentleman has been chairman of the Committee on Public Buildings and Grounds, and he knows that it is absolutely inconceivable that I should consent to an amendment on this bill that would completely change the character of the building that is authorized. It may be, if there is to be no subtreasury there, that a building that would be suitable for other purposes would not cost anything like $1,000,000. The site cost $300,000, but that is no reason why we should expend $1,000,000 for a building upon that site, just to make it look as though we had expended a proportionate amount for the building.

Mr. BARTHOLDT. Mr. Chairman, the site for this building was purchased about five years ago, and it has almost become a joke in St. Louis. Everybody is pointing to it, and everybody in the city knows that the site has been purchased for a Federal building, and yet for five long years we have had to wait. If you strike it out now, it will throw us back another year or more.

Mr. FITZGERALD. But you might get a building that you really ought to have rather than one that you would not need. They might have to start in and buy another site to put up another building, if we constructed this building at this time.

Mr. BARTHOLDT. Perhaps the gentleman has not heard what I said, that the subtreasury, in case it should be decided to continue the subtreasury system, might well be located on the ground floor of the present post office.

Mr. FITZGERALD. Then, why not put it there now?

Mr. BARTHOLDT. They could put it in there.

Mr. FITZGERALD. That was the chief reason for putting up this building. Why not put it in there and eliminate any necessity for the building?

Mr. BARTHOLDT. But we would not gain any space for the Federal service in St. Louis, which is absolutely necessary now.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. IGOE. Mr. Chairman, the situation in regard to this subtreasury is just simply this: When the legislative, executive, and judicial appropriation bill was under consideration during this present session questions were asked as to the future of that system, and an amendment, as I recollect it, was laid aside at that time, because it was thought that in December of this year the Treasury Department would be able to tell us what it intended to do with that system. Subtreasury quarters in St. Louis are in the old Federal building, and they need new quarters. Something should be done to improve present conditions if the subtreasury system is to remain. We would all like to have a fine new Government building in St. Louis, but I do not see how this Government, as a business proposition, can go ahead intelligently with this plan until we know what the building is to be used for. It is true, as the gentleman from Missouri, Dr. BARTHOLDT, says, that we have a great many Government offices scattered all over the city, and an office building would be a saving to the Government, but I do not believe a three-story office building would do at all. If we are to have a subtreasury system, I believe this building should be constructed, and so constructed as to provide quarters for the Subtreasury, and then offices for the accommodation not only of Government offices there in St. Louis now that are in rented quarters, but for additional offices that may be there in the near future. If the subtreasury system is to be abolished, there is no sense in going ahead now and designing a building that would be of no use whatever. Later on, perhaps, the Congress will give us the money to construct an office building on that site. Therefore, in view of the circumstances, I believe we can afford to wait until the next bill comes in, in the hope that we may know something definite about the subtreasury system.

Mr. MANN. Mr. Chairman, I think that they are probably in need of a new Federal building at St. Louis for the Government offices, and I am heartily in favor of giving them such a building as they need there. When the site was purchased for the subtreasury building several years ago at St. Louis no one suspected that the subtreasury was likely to be abolished; and when the authorization was made for the subtreasury building

at St. Louis, it was not expected that in the immediate future the subtreasury building might not be needed for subtreasury purposes. We are told that in all probability there will be some arrangement worked out by which the Federal reserve banks will do the work now performed by the sub or independent treasuries. It can not be any possible reflection upon the distinguished Members of this House who represent St. Louis and the rest of Missouri to postpone the commencement of a subtreasury building for a year, at least, in order that we may ascertain whether the new building shall be constructed for subtreasury purposes or shall be of a different type and be constructed for general office purposes for other Federal offices. A subtreasury building, with its vaults, is very different from the character of building required for the other governmental offices. If next winter it has been determined that the subtreasury shall continue, it will be easy enough then to make provision for the construction of that building. If next winter it has been determined that the subtreasury shall be abolished, it will not meet with much opposition, I dare say, if the Committee on Public Buildings and Grounds should report a bill providing that this site shall be used for a Federal building for other purposes instead of for a subtreasury building, as heretofore authorized. It seems to me, then, a matter of good, common business sense for us to postpone the commencement of the subtreasury building, and I am sure that no Member here would vote to postpone it if it in any way whatever reflected upon the character or ability or the fidelity of any of the Members from St. Louis, who all stand so well in the House. [Applause.]

Mr. BORLAND. Mr. Chairman, I am convinced that certain great centers, like St. Louis, having departments of the Government, active, administrative branches of the Government located therein for the convenience of the territory that is served by the city and its railroad connection and its trade, will eventually have to have a different type of building from the combined post office and customhouse buildings with which we are familiar, or from the subtreasury style of structure that is contemplated in this bill.

They will eventually need a type of building adapted for offices for the men in the Agricultural Department, the pure-food inspection, the inspection of locomotives and steamboats, the Department of Justice, the Engineering Board of the Army, and the Quartermaster's Department of the Army for the inspection of supplies, purchases, and so forth; and of these various departments that are centralized in certain great cities of the United States. When St. Louis asks for such a building or when the Government determines that one is needed there—and I think that time is practically here—it ought to have a building of that type, adapted to the business needs of the city. But I understand this building, which must have been contemplated more than five years ago, because the site was then purchased, was planned for a subtreasury. In design it is to be a heavy low structure, strongly built, designed for subtreasury purposes. Now, it is apparent that there is considerable doubt as to its ultimate use for subtreasury purposes, and there has grown a doubt in the minds of most Members here of its adaptability to the real purposes that will be demanded in the city of St. Louis. Therefore I intend to sustain and support, when the time comes, a business office building for St. Louis of a type like they have to have in the great centers. It would probably be a waste of Government money at this time, which the St. Louis people would not justify or expect, to go ahead with these plans which have been so materially altered by the creation of the Federal Reserve Board.

Mr. MARTIN. I would like to ask the gentleman what use, if any, is to be made of the large building, or the lower floor of the large building, originally the post office and court building, at St. Louis?

Mr. BORLAND. I could not answer that question.

Mr. BARTHOLDT. I can answer the gentleman's question. That is going to be utilized for the post-office inspectors and several of the officials who are now in the office and have insufficient accommodation. In other words, the post office being moved out to the new building, we have not gained any space in the office which we could not put to use.

Mr. BORLAND. I know this to be the fact, if the gentleman will permit, that the ordinary type of post office and customhouse is not adapted for ordinary business office purposes. It has dark hallways and high ceilings. That kind of a building does not combine readily with ordinary business purposes and it is very difficult to adapt the ordinary post-office building for office purposes.

Mr. MARTIN. I have some acquaintance with St. Louis, and my recollection is that it is a large building that covers probably an entire block, and it occurs to me that if by any chance the subtreasury should be continued at St. Louis it would not be at all impracticable that the space on this lower floor could be very well adapted for subtreasury purposes. It is located in the best business portion of the city and it certainly has area enough to be adapted to subtreasury uses if that should be undertaken.

Mr. GILL. Mr. Chairman, I will say to the gentleman that the subtreasury is in that building now and the lower floor of that building is occupied by a subpost office of the downtown district, and money-order department, and other offices of that kind. That building is all filled. We have 21 offices outside the Government building in the city of St. Louis.

Mr. MARTIN. This building covers an entire block, does it not?

Mr. GILL. This building covers an entire block.

Mr. MARTIN. Does the gentleman say the entire quarters have been occupied by the post office at St. Louis?

Mr. GILL. By the internal revenue, money-order department, savings banks, and offices for the post-office business, revenue department, Department of Justice——

Mr. MARTIN. Is the subtreasury now in that building?

Mr. GILL. Yes; it is in that building.

Mr. MARTIN. Could not the first story be adapted to the subtreasury use and give ample room?

Mr. GILL. Why, it could with the expenditure of a little money, and the Federal reserve could have rooms fixed up for them in that building that would be as good as there are in the United States; but we have offices in other buildings besides that of the Government building, but to build a building such as has been stated here, a little, low, massive structure that would not house——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILL. I ask that I may have another minute.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. GILL. I am in favor of striking out the $50,000 until such time as we can get a building that will be suitable for such purposes we want it for, and I believe the Government will save about half a million dollars on the proposition.

Mr. BARTHOLDT. Mr. Chairman, I move to strike out the last word. I fully recognize the force of what has been said. The bill will fortunately not affect the original authorization, in which naturally I have taken a great deal of personal pride. I initiated this project in the committee, and Congress was kind enough to pass it some years ago, and I believed upon my retirement from Congress I might in the future have an opportunity to point to the subtreasury building as one of the monuments to my services rendered in Congress. I believe that is quite human and natural; but under the circumstances, since there is such a great uncertainty as to whether the subtreasury service will be continued or not, I appreciate that it would be a wise business policy to find out first what the Government is going to do with the subtreasury and then go ahead. The authorization for the building is already the law and will not and can not be affected no matter what we do to-day. In other words, I wish to assure the people of St. Louis with these few words that by this postponement nothing is lost to them except a year's delay. For these reasons, Mr. Chairman, I yield, though reluctantly, to the sentiment of the committee and to circumstances over which I have no control. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

During the fiscal year 1916 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for said bureau for the said fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the act of August 4, 1886 (24 Stats., p. 227), be credited when received to the appropriation for said bureau for the fiscal year 1916.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I confess I do not quite understand just what is intended to be accomplished by this paragraph. Does the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, do a lot of outside work for which it is paid?

Mr. FITZGERALD. It does certain work for other governmental departments, and they pay for it. The appropriation for the work is made for the other departments, so that unless some such provision as this were carried the Bureau of Engraving and Printing would be short the amount that it would receive from those sources. It gets, altogether, about $800,000 for work executed for other departments, chiefly for postage stamps. The director of the bureau has bid in competition with outsiders for the postage-stamp contract, and last year he received $742,778.53 from it. He makes a profit on that contract and yet does the work more cheaply for the Post Office Department than anyone else offers to do it.

Mr. MANN. What is the situation now? If the Bureau of Engraving and Printing does $800,000 worth of work for the Post Office Department, and the Post Office Department pays that to the bureau, and then it is turned into the Treasury as miscellaneous receipts, how does the bureau succeed in paying its expenses?

Mr. FITZGERALD. This authorization has been carried since he commenced to do that work. They asked that it be made permanent law, but we carry it every year in the bill so as to attract the attention of the committee and to inquire regarding the character of the work done and the amount received for such services. If there were a permanent provision it would soon be lost sight of and no one would know just what was being done there.

Mr. MANN. Does not the gentleman think there is a slight omission in this paragraph? Should not the word "shall" be inserted before the word "be," in line 22, after the word "twenty-seven," so that it will read:

Shall be credited.

Mr. FITZGERALD. The word "shall" would be proper there, but it has been carried in this way and has done no harm, and we have saved the expense of printing the word "shall."

Mr. MANN. I withdraw the point of order and move to insert in line 22, before the word "be," the word "shall." That makes it grammatically correct. I suppose it would do without it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 35, line 22, before the word "be," insert the word "shall."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

The Clerk read as follows:

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

To enable the Secretary of the Treasury to refund money covered into Treasury as internal-revenue collections, under the provisions of the act approved May 27, 1908, $50,000.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arizona.

The Clerk read as follows:

Amend, page 36, line 5, by inserting as a new paragraph:

"For the construction of a permanent wagon-and-foot bridge across the creek at International Avenue, Nogales, Ariz., on land reserved by the United States for customs purposes, $10,000."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from New York reserves a point of order on the amendment.

Mr. HAYDEN. Mr. Chairman, I have offered this amendment under the head of "Miscellaneous objects, Treasury Department," at the request of the mayor of Nogales, Ariz. In order to explain the necessity for this appropriation I desire to say that in order to facilitate the collection of customs duties in 1892 the International Boundary Commission made the following recommendation respecting the boundary at Nogales:

That a reservation of not less than 50 feet in width be declared by the United States to extend along the entire length of the boundary on the American side, and that the Republic of Mexico be asked to declare a like reservation on the Mexican side, and that the erection of buildings on either side of the line within these limits be prohibited by law: *Provided, however*, That such reservation might be used for public streets or highways.

In 1897 the President, by proclamation, reserved a strip of land 60 feet wide by 2 miles long on the American side of the international boundary, a part of which was at that time covered with buildings. The buildings were torn down by direction of the Government in all cases where the occupants of the land did not remove them. I might add in this connection that the citizens of the United States who owned these buildings have never been compensated for the damages they sustained. They were occupying this ground under what everybody considered to be perfect title derived from a grant made by the Mexican Government. However, that has nothing to do with this appropriation, except to show that the United States has not been liberal in its treatment of the people of Nogales.

The mayor of Nogales writes as follows in regard to the necessity for this bridge:

The Government has never spent one solitary dollar for improvements of any kind whatsoever upon said international strip. The town has kept up the streets and bridges of one sort or another upon said strip and the principal use of said bridge is for the benefit of the Customs Service, which is strictly a United States institution.

The necessity for the bridge is very apparent, for the reason that there is a 16-foot wall the entire distance from the international boundary line to the first bridge, which the town erected in 1913, a distance of over 500 feet down the stream. You have proof of this through the recommendation of the collector at this port, showing the advantages of said bridge, who approved our petition.

The international strip was created for the convenience of the Customs Service in order that smuggling might better be prevented. A creek that heads in old Mexico crosses this strip at an angle, and when the creek is in flood it is impossible to pass from one part of the boundary strip to the other. For this reason the people of Nogales believe that there ought to be a bridge not only for their convenience, but in order to properly carry out the duties of the Customs Service at that port of entry. For these reasons I offer this amendment.

An estimate of cost has been prepared by the mayor of Nogales, who is an engineer by profession, for the construction of a bridge about 50 feet wide, including the necessary stone or concrete work to protect the banks of the creek from being washed away. Owing to a curve in the creek the bridge will be at an angle which makes the construction more expensive than it otherwise would be. I am satisfied, however, that everything that is necessary to be done can be accomplished within the sum that I have named in this amendment.

Mr. MANN. Will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. MANN. Who would make use of the bridge?

Mr. HAYDEN. Everybody who lives in Nogales—the people and the Government officials. It is as much needed for the Customs Service as for the citizens of that city.

Mr. MANN. Where would they go on the bridge?

Mr. HAYDEN. Along the international boundary line. The towns of Nogales, Sonora, and Nogales, Ariz., are on each side of the boundary. This creek divides each town into two parts.

Mr. MANN. Is this to build a bridge extending from the United States into Mexico?

Mr. HAYDEN. No, sir; parallel with the boundary of the United States; extending from one side of the creek to the other and entirely within the United States. This creek runs from the south, in old Mexico, to the north and crosses the boundary line, which runs east and west at that point.

Mr. MANN. I have no doubt that the gentleman is perfectly lucid in his statement. Sometimes it is difficult for me to understand a geographical description. The gentleman is always very clear, but I confess I do not quite get it.

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. FITZGERALD. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury is authorized to use for, and in connection with, the enforcement of the laws relating to the Treasury Department and the several branches of the public service under its control, not exceeding at any one time four persons paid from the appropriation for the collection of customs, four persons paid from the appropriation for salaries and expenses of internal-revenue agents or from the appropriation for the foregoing purpose, and four persons paid from the appropriation for suppressing counterfeiting and other crimes, but not exceeding six persons so detailed shall be employed at any one time hereunder: *Provided*, That nothing herein contained shall be construed to deprive the Secretary of the Treasury from making any detail now otherwise authorized by existing law.

Mr. MANN. Mr. Chairman, I reserve a point of order. I would like to inquire of the gentleman from New York what the purpose is and what the effect is of this language in the paragraph in reference to the employment of persons paid from different appropriations? This provides that four persons may be used by the Secretary of the Treasury and paid from the appropriation for the collection of customs, four persons paid from the appropriation for internal revenue, four persons paid from the appropriation for suppressing counterfeiting and other crimes, and not exceeding six persons shall be employed at any one time under these provisions. Of course these are details, but I would like to ask the gentleman what the detailed employees have to do, if the gentleman happens to remember?

Mr. FITZGERALD. I think they do not make any of these details just now. The gentleman from Illinois will recall the circumstances that resulted in this provision. Some years ago it was found that the Secret Service agents were being utilized in ways that it was not believed desirable, or that Congress ever intended that they should be used, and after conference with the department this provision was worked out, so as to permit them to be used only to a limited extent.

The purpose of the provision is to stop a movement which from time to time gets some momentum in this country proposing to build up a great Federal secret police force by the consolidation of all the various services of the Federal Government which are used along lines similar to a secret police service. There are a number of such services in the Federal Government.

There is the Secret Service, so called, the internal-revenue agents, the fiscal agents in the Customs Service, the post-office inspectors, the special agents in the Department of Labor, and many others that I do not now recall. From time to time it is proposed that legislation be enacted to put all of these services under one control. I have omitted two of the more important services, and one is the agents employed in the Department of Justice for the prevention and detection of crime, and the other special agents employed in the Interior Department in connection with the prevention of depredations on the public lands.

Nearly every year the Treasury Department makes a more or less vigorous protest against any restrictions being placed upon the use of the Secret Service agents in any manner. The committee is of the opinion that the experience of the past justifies this limitation, believing that an ounce of prevention is worth a pound of cure. It is designed to effect a very beneficial purpose.

Mr. MANN. May I ask the gentleman, does anyone know or has anyone ever taken the trouble to make a computation as to how many Secret Service officials the Government has under the various designations in the different departments?

Mr. FITZGERALD. No; my recollection as to the fact is that some years ago it was shown that the appropriations aggregated nearly $9,000,000 available for all the various services for what might be characterized as secret agents.

Mr. MANN. It was said at one time in the press, if not elsewhere, that some of this money was being used for the purpose of watching Members of Congress. I suppose none of it is now being used to corral or gather up or hold together Members of the body at the other end of the Capitol.

Mr. FITZGERALD. No; with the great acquisition of Democrats to Congress, the morale has necessarily improved to such an extent that it is not necessary to keep them under surveillance, as it might have been necessary heretofore. [Laughter.]

Mr. MANN. Either that or they gave it up as a hopeless task. [Laughter.] Mr. Chairman, I withdraw the point of order.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I read from what the gentleman from Illinois, leader of the minority, said yesterday, that he interpreted what I said as a reflection upon his character. I am sure I never intended anything of the sort. On the contrary, I never have known in all my life a man, in my opinion, who has been as painstaking, as careful, and as conscientious in his public duties as has the gentleman from Illinois. [Applause.]

The gentleman from Illinois, notwithstanding that, from a freak of temper, which he displays occasionally, causes him to make an astonishing remark now and then. He did say yesterday:

> The statement the gentleman makes, like most of his statements, is absolutely without any foundation of fact.

Well, technically there might be some ground for that statement. But the pith of my statement was the extravagance of the appropriation for Wilmington, N. C., and it was immaterial or extraneous what I said to him about the committee. It is true, and not original with me, the statement was made on the floor that when the bill was introduced carrying some forty-odd million dollars, knowing the gentleman's tenacity and fighting qualities to pass upon all matters that were extravagant, when that bill came in on the famous 17th of February, 1913, he was present. But he became mute and silent, and the bill was passed with him remaining in that condition of mind. That is a statement of fact. That is true. I should say that his first statement yesterday was out of order without recognition or appeal to the Chair for recognition. His second statement was made a little later on, when he got the floor afterwards. He said:

> Mr. Chairman, the gentleman, with his usual style, is proceeding, notwithstanding that I declined to yield. The gentleman does not know a misstatement from a correct statement.

Just before he said again that "if it hadn't been for the statement of the gentleman in his usual style and rather coarse, it seems to me"—coarse? Mr. Chairman, to tell the truth, is that coarse? That was all that was said, and, my God, if there is anything permissible, it is to tell the truth.

That was all. He was silent when that $41,000,000 appropriation bill went through that day, from beginning to end. The proverbial oyster was never more silent. I believe he did rise from his seat when the gentleman from Malden, Mass., got piqued because the appropriation was not large enough, and he was going to sulk, but the gentleman from Illinois suggested that he better let it pass. That is the only explanation. The point is this, that the appropriation was extravagant, was extraordinary and wasteful, and lacked all business common sense. Since that time, to show you that it was considered in that respect, I asked the chairman of the committee a question, and while he said he could answer in a public statement 66⅔ per cent of my question, yet it was argued in favor of the proposition that it was needed for customs purposes, and so forth. Inquiry in this connection would have shown there was no customs business, practically nothing.

The real customs business amounted to about $5,000, and the total amount of business was about $28,000. Tonnage and navigation there can not put the town into the $600,000-building class. They have four officials, a deputy collector, a clerk, an inspector, and a man that receives his pay by the day. Three hundred thousand dollars they added to that bill to house that crew of four people. It costs the Government 25 cents for every dollar it collects there. If the bill had been properly considered, with the usual vigilance on the part of the gentleman from Illinois [Mr. MANN], it might not have happened. The chairman of the Committee on Appropriations was present and took part, and the bill went through. Not once during that day did they object to that $600,000 appropriation for Wilmington, N. C.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. DONOVAN. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DONOVAN. Mr. Chairman, the point of the whole talk was that it was an extravagant appropriation, and the reference to the committee was immaterial and was of no concern. The great chairman of the Committee on Appropriations one day in making a motion here just quietly told me that I was not running this House, that he was running the House, and therefore he is responsible for the bad business that was done in that particular transaction.

Now, in regard to the charge of the gentleman from Illinois [Mr. MANN] that I spoke out of order, I admit that, and I apologize to the House, and I am extremely sorry to think that it had been necessary for me to speak out of order; but I have gotten into that habit from being a constant Member here and from hearing and seeing the gentleman from Illinois carry on parliamentary procedure.

The Clerk read as follows:

> Recoinage of minor coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coin of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coin and the amount the same will produce in new coin, $10,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Does the gentleman from New York know how much of these short-weight coins are recoined in a year? The recoinage of gold coins carries an appropriation of $5,000, which for the current year is $3,000, and the recoinage of the minor coins carries an appropriation of $10,000. Is there any report in the hands of the committee as to the number of gold coins recoined during the last fiscal year, or the number of minor coins that are recoined, that are of short weight?

Mr. FITZGERALD. On minor coins at the mint the amount is $72,174.31, and in the subtreasury $93,560. On current gold in the several subtreasuries on February 1, 1915, $983,812.50.

Mr. MANN. That is the amount of money involved?

Mr. FITZGERALD. It does not show the number of coins. They are in varying denominations, and I think they do not keep track of them by numbers. They do by weight and value.

Mr. MANN. What short-weight coins do they recoin? Of course the Government does not undertake to take every short-weight coin that is presented, as I understand it?

Mr. FITZGERALD. My recollection is that section 3512 of the Revised Statutes fixes a tolerance and prohibits the reissue whenever the coin falls below a certain weight.

Mr. MANN. I supposed the practice was for the Government to refuse to take the coins which are light weight.

Mr. FITZGERALD. Oh, they do take them.

Mr. MANN. I think if the gentleman were to collect a lot of light-weight coins and go to the subtreasury with them, he would find that they would not take them.

Mr. FITZGERALD. They either take them or make an allowance on the gold coins; I am not sure which.

Mr. MANN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

> Money laundry machines: For all miscellaneous expenses in connection with the installation and maintenance of money laundry machines, including repairs and purchase of supplies, for machines at Washington, D. C., and in the various subtreasury offices, $9,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. For several years we have had some statements on the

floor of this House with reference to these money laundry machines. Has the gentleman any new information on the subject? That is one of the interesting experiments which the Government has made. Is it perfectly successful?

Mr. FITZGERALD. Mr. Chairman, there is no new information. They are being used, though not used to their capacity. A great many notes, however, are washed annually and returned to circulation. When the machines were first used there was very considerable opposition, either real or stimulated, to the washed notes. I always believed that it was a stimulated opposition. It was believed if these machines would perhaps make reissuable so many notes, it might affect the work of printing the notes. This year there did not seem to be any evidence that banks or business houses were objecting to these washed notes. During the last fiscal year 35,438,713 notes of various denominations were laundered. The cost of printing new notes and putting them in circulation is $13.12½ a thousand. The cost of laundering and returning to circulation is approximately $3.19 per thousand, or a saving of $9.93 per thousand. So that the saving is very considerable. We launder some notes which, after being laundered, are not issued because the effect of the laundering on them indicates that they are too much worn; but undoubtedly a very considerable number of notes have been made serviceable which before the introduction of the laundry machines were discarded because of the manner in which they had been soiled. I think it is not only useful in that it cleans the notes and extends the life, but it enables the currency to be kept in much better condition for general purposes.

Mr. MANN. How many notes did the gentleman say had been laundered?

Mr. FITZGERALD. Thirty-five million four hundred and thirty-eight thousand seven hundred and thirteen.

Mr. MANN. In one fiscal year?

Mr. FITZGERALD. Yes.

Mr. MANN. And it costs in the neighborhood of $3 a thousand?

Mr. FITZGERALD. It costs to launder $3.19 a thousand.

Mr. MANN. Three dollars a thousand with $9,000 appropriated would launder less than 3,000,000 notes.

Mr. FITZGERALD. Nine thousand dollars is for two purposes. When the machines were first obtained there was a very considerable stock of supplies for them, and those supplies have been exhausted. My recollection is that this provides only for supplies. The operators are carried in the legislative bill.

Mr. MANN. And repairs, and so forth?

Mr. FITZGERALD. And is not for personal services at all.

Mr. MONDELL. Mr. Chairman, occasionally we adopt a new policy in the Government service that works well and is really in the interest of economy. The policy of laundering notes seems to be such a policy. During the hearings I asked Mr. Thompson, who appeared before the committee:

Mr. MONDELL. What was the estimated saving by the use of the laundry machines?

Mr. THOMPSON. If the life of a laundered note is the same as the life of a new note it would be about $9 a thousand, and on the 35,000,000 notes washed last year it would be about $350,000; but the actuary has been unable to determine up to this time whether the life of a laundered note is equal to the life of a new note or not.

The CHAIRMAN. Do you find the same objection now as formerly to these washed notes?

Mr. THOMPSON. We now receive no complaints at all, to my knowledge.

The CHAIRMAN. That has all died out?

Mr. THOMPSON. Yes, sir.

Mr. MALBURN. I do not think the average man would know the difference.

Mr. MONDELL. Do you ever wash a note the second time?

Mr. THOMPSON. Yes; in fact, we do not know.

Mr. MONDELL. You do not know when a note comes back whether it has been laundered or not?

Mr. THOMPSON. Sometimes we find notes that we can tell have been laundered. The employees who are familiar with the laundry work can tell better than others. They find sometimes that laundered notes come back, and they run them through again and put then out, and I imagine there are a good many notes that have been laundered and come in and gone out a second time.

The plan of washing notes seems to be successful and satisfactory, and does apparently save quite a considerable sum of money in the course of a year.

Mr. FOSTER. Mr. Chairman, I desire to ask the gentleman from New York in reference to this laundering of money, What has been the report from the banks and institutions that handle a large number of notes after it has been laundered?

Mr. FITZGERALD. Last year there was evidence that an attempt had been made to create considerable objection to the use of the laundered notes. The committee thought then that it was a stimulated opposition. This year there is no evidence of it, but it is very difficult to tell the laundered note from one that was not laundered unless it is compared with a note that is so soiled that it is apparent.

Mr. FOSTER. I understand that there was a great deal of complaint about these notes for a time.

Mr. FITZGERALD. I think it was stimulated.

Mr. FOSTER. Last year there were complaints from the State of New York, the State of Illinois, a lot of bankers, and so forth.

Mr. FITZGERALD. It died out.

Mr. FOSTER. And there is no more complaint?

Mr. FITZGERALD. No; not at this session.

Mr. FOSTER. I had not heard any; I did not know what the gentleman might know on the subject.

Mr. FITZGERALD. It was due, I think, to the belief that the laundered notes would be of quite so extensive a character that it might very materially reduce the output of the Bureau of Engraving and Printing, and there was a natural desire on the part of some persons that that should not be effected. The increased demands of commerce and the growth of the country, I think, will maintain the demand for notes and will not materially affect the output of the bureau, but the laundering will make available an additional supply of a not very great amount.

The CHAIRMAN. The Chair desires to state that debate on this amendment is exhausted.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last two words. A moment ago the gentleman from Illinois inquired with reference to the recoining of light-weight gold coins. It is a matter that may be of some interest to Members. Section 3505 of the Revised Statutes provides:

SEC. 3505. Any gold coins of the United States, if reduced in weight by natural abrasion not more than one-half of 1 per cent below the standard weight prescribed by law, after a circulation of 20 years, as shown by the date of coinage, and at a ratable proportion for any period less than 20 years, shall be received at their nominal value by the United States Treasury and its offices, under such regulations as the Secretary of the Treasury may prescribe for the protection of the Government against fraudulent abrasion or other practices.

Section 3512 of the Revised Statutes provides:

SEC. 3512. Any gold coins in the Treasury of the United States when reduced in weight by natural abrasion more than one-half of 1 per cent below the standard weight prescribed by law shall be recoined.

These two provisions of the Revised Statutes cover the subject about which the gentleman inquires. I withdraw the pro forma amendment.

The Clerk read as follows:

Distinctive paper for United States securities: For distinctive paper for United States securities, not less than 73,500,000 sheets, and for national-bank currency and Federal reserve bank currency, not less than 13,500,000 sheets, including transportation, traveling, mill, and other necessary expenses, salaries of not exceeding 1 register, 2 assistant registers, 5 counters, 5 watchmen, and 1 skilled laborer, and expenses of officer detailed from the Treasury, $415,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask about several of the items in this section which have been omitted from the bill and to know where the amounts are now carried. For the current year we made an appropriation of $70,000 for distinctive paper under the head of "Expenses of national currency, etc." Is that carried now in some other place? We also made appropriation of $1,565 for pay of the committee that witnesses the destruction of Government securities. Where is that carried? And then we made an appropriation of $8,400 for the custody of dies, rolls, and plates. May I ask where those items are carried?

Mr. FITZGERALD. The provision for the custody of dies, rolls, and plates was transferred to the item of salaries of employees, Bureau of Engraving and Printing. That puts the employees directly under the Bureau of Engraving and Printing rather than under the Secretary of the Treasury.

Mr. MANN. That is, on the legislative bill.

Mr. FITZGERALD. No; that is in this bill. The gentleman will find, on page 34, for "salaries of all necessary employees," in line 8, "including $8,400 for the custody of dies, rolls, and plates." That is transferred from the Treasury Department to the Bureau of Engraving and Printing. Formerly there were items for "distinctive paper for United States securities" and "distinctive paper for national currency," and the two have been combined in a single paragraph, with a limitation upon the number of sheets for each class of paper. Part of the expense of these persons employed in the mills is paid from one appropriation and part from the other. But as this is for securing the same kind of paper it seemed proper that the provision for this distinctive paper should be in one item, and then the number of sheets being stated for both classes of currency makes effective the purposes in view.

Mr. MANN. Well, we appropriated for the current law $400,000 for distinctive paper for United States and $70,000 for the national-bank currency. I can see why those two items might probably be combined as has been done in the bill, but it attracted my attention, because I had supposed that likely that would be an extra expense this year for the issuance of Federal bank reserve notes. That was a reduction of $55,000 in the

appropriation. The appropriation in the current law may have been larger than heretofore to cover Federal reserve notes.

Mr. FITZGERALD. A great many were printed during the current year, I think. The committee recommended this method of designating the number of sheets for what it was believed the ordinary normal business conditions of the country would require. Of course, if an extraordinary situation should arise, Congress would provide for it.

Mr. MANN. I understand that, there being less money in circulation now than usual, you thought it was not necessary to print so much new money. I can understand that.

Mr. FITZGERALD. They have enough for normal conditions. If any unusual condition should arise, Congress will be expected to meet it by providing for the unusual condition.

Mr. MANN. May I ask, then, about the destruction of Government securities? Is the public no longer to be represented on that committee?

Mr. FITZGERALD. That has not been provided for. The Treasury Department requested that that be made an annual position and carried in the legislative bill. The legislative bill passed the House without any provision being made for the position. That bill has not been reported to the Senate yet, but it is expected that the provision will be made, either in this bill or in the legislative bill.

Mr. MANN. At the next session of Congress.

Mr. FITZGERALD. No; at this session of Congress.

Mr. MANN. Vain hope!

Mr. FITZGERALD. Provided these bills become laws at this session, and if I can have my way I will do everything in my power to have these appropriation bills become laws at this session.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent for another minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MANN. As I understand, the gentleman is still having looked up the question of the language to be used?

Mr. FITZGERALD. I have to inquire of the Bureau of Engraving and Printing. I will do that before the bill is completed. I have no doubt there will be no objection to returning to it to make any correction necessary.

Mr. MONDELL. Mr. Chairman, in order to make it clear just what the situation is with regard to this representative of the public to witness the destruction by maceration of Government securities, let me say, as the chairman has stated, the Secretary of the Treasury recommended that this be made an annual position and be placed in the legislative bill. It was not placed in the legislative bill. As a matter of fact, I doubt the wisdom of so doing. If the public is to be represented, I think the provision we have made heretofore is a very excellent provision. Heretofore we have paid $5 a day for the days that the representative was actually employed in this work. My understanding is that a young lady employed in the Treasury Department has been detailed to do this work and to be the witness for the people of this work of maceration. I do not know whether it is necessary or not. I do not know just how much more certain we are that these notes are all macerated because this representative is there. My idea is that the Treasury Department does not consider it a very important matter. My personal opinion is that the item ought to be in the bill, but as the committee struck it out I shall not offer an amendment.

Mr. Chairman, in regard to the item for distinctive paper for United States securities, it developed in the hearings that there was quite an accumulation of this paper, and that the total of the estimate for the two combined items might very properly be considered reduced. There was some discussion of the matter that the gentleman from Illinois [Mr. MANN] has referred to, as to the proper phraseology to be used in describing the paper for the printing of the issues under the Federal reserve law. There will be two classes of issues under the new Federal reserve law. One is the Federal reserve bank notes issued by the Federal reserve banks. The other is the Federal reserve currrency issued instead of the national-bank currency by or on behalf of the member banks. It would seem very proper to refer to one as Federal reserve notes and the other as Federal reserve currency. Those terms would distinguish the two classes of issues and describe them with reasonable accuracy, and it is very evident that we should consider that matter, as has been suggested, and arrange the language of the paragraph with a view of having the classes of this paper provided for in the item now under consideration.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign Governments, as well as the coins of the United States and of foreign Governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for no other purpose whatever, except in the protection of the person of the President and of the person chosen to be President of the United States, $145,000: *Provided*, That no part of this amount be used in defraying the expenses of any person subpœnaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts."

Mr. LEVER. Mr. Chairman, I move to strike out the last word. When the Agricultural appropriation bill was under consideration some question arose as to certain printing presses used in the Forest Service. The question was raised by my friend from Washington [Mr. HUMPHREY], and I promised at that time to get the information.

Mr. HUMPHREY of Washington. If the gentleman will yield, I did not hear what he said this was about.

Mr. LEVER. About the printing-press matter to which the gentleman called my attention. I desire to extend my remarks by printing in the RECORD certain statements furnished by the Forest Service.

The CHAIRMAN. The gentleman from South Carolina asks leave to extend his remarks by printing in the RECORD certain documents. Is there objection?

There was no objection.

The documents referred to are as follows:

To handle small jobs of field printing needed quickly, the Ogden supply depot of the Forest Service is equipped with a small job-printing press, operated by motor but fed by hand. One member of the office force, who is an experienced printer, handles the composition and press-work, incidental to other duties. A large part of the work done is the printing of letterheads for the individual forests. To lessen the time consumed in feeding the letter sheets individually to the machine it was desired, if possible, to secure an automatic feeder. Self-feeders are not in common use on presses as small as that at Ogden, but it was learned after careful inquiry that four feeders, which gave promise of answering the requirements, were being operated in Richmond. An employee of the Washington office, C. M. Ballard, was sent to Richmond to see whether the machine would do the work required satisfactorily. It was found that the feeder would not answer the need, and the contemplated purchase was therefore not considered further.

[Memorandum for Mr. LEVER.]

FEBRUARY 4, 1915.

Referring to the question raised in Congress regarding the authority of the Forest Service to own and operate a printing press at Ogden, I am glad to give you the following additional information.

The small printing press operated at Ogden was purchased in 1909 and the voucher duly passed by the Treasury. The Comptroller of the Treasury has ruled that the Forest Service "is a field service under the control of the Secretary of the Department of Agriculture, with its headquarters located at Washington, as distinguished from a part of the Department of Agriculture proper, and printing for such service is not 'printing' for an 'executive department' within the meaning of section 87 of the act of January 12, 1895, and is not required thereby to be done at the Government Printing Office." A copy of this ruling of the comptroller is inclosed.

A. F. POTTER, *Associate Forester.*

DECISION OF THE COMPTROLLER OF THE TREASURY, JULY, 1907–JUNE, 1908.

[Vol. XIV, pp. 723–724.]

PRINTING FOR FOREST SERVICE.

The Forest Service is a field service under the control of the Secretary of the Department of Agriculture, with its headquarters located at Washington, as distinguished from a part of the Department of Agriculture proper, and printing for such service is not "printing" for an "executive department" within the meaning of section 87 of the act of January 12, 1895, and is not required thereby to be done at the Government Printing Office; neither is it "printing" for an executive department, or bureau or office thereof, or other Government establishment at Washington, within the meaning of section 2 of sundry civil act of June 30, 1906, and is not required thereby to be included in the annual estimates for printing and binding.

The appropriation "General expenses, Forest Service, 1908," is applicable to the payment of expenses incurred during fiscal year 1908 for printing in the field under duly authorized contract with private firms of official forms necessary for conduct of business in administration, protection, and improvement of the national forests.

[Comptroller Tracewell to the Secretary of Agriculture, April 29, 1908.]

I am in receipt of a communication from you, dated April 31, 1908, as follows:

"I have the honor to request your decision whether the appropriation for 'General expenses, Forest Service,' made by the act of March 4, 1907 (34 Stat., 1269), is available for expenses incurred for the printing in the field under duly authorized contract with private firms of official forms necessary for the conduct of business in the administration, protection, and improvement of national forests. I respectfully call attention to your decision of January 29, 1908, that the Forest Service of this department is a field service and is not bound by section 8 of the act of January 12, 1895, to have its printing and binding done at the Government Printing Office."

The Forest Service, extending throughout the States and Territories of the United States, is, in my opinion, a field service under the control

of the Secretary of the Department of Agriculture (act of Feb. 1, 1905, 33 Stat., 628), with its headquarters located at Washington, as distinguished from a part of the Department of Agriculture proper, and therefore printing for the use of such service is not "printing" for an "executive department" within the meaning of section 87 of the act of January 12, 1895 (28 Stat., 622), and is not required by such section to be done at the Government Printing Office; neither is it "printing" for an executive department, or bureau or office thereof, or other Government establishment at Washington, within the meaning of section 2 of the sundry civil act of June 30, 1906 (34 Stat., 697), and is not required by the provisions of such act to be submitted to Congress in the annual estimates of the expenses of printing and binding.

The appropriation "General expenses, Forest Service, 1908," in the act of March 4, 1907 (34 Stat., 1270), is, in my opinion, applicable to the payment of expenses incurred during the fiscal year 1908 for printing in the field under duly authorized contract with private firms of official forms necessary for the conduct of business in the administration, protection, and improvement of the national forests. (44 MS. Comp. Dec., 551, Jan. 29, 1908; id., 493, Jan. 27, 1908, 13 Comp. Dec., 639, 733.)

Mr. MANN. Mr. Chairman, I move to strike out the last two words. Can the gentleman from Kentucky [Mr. SHERLEY] state how many motors the Secret Service now has, and does the Secret Service maintain out of this appropriation the motor or motors which it uses in connection with guarding the President?

Mr. SHERLEY. The Secret Service has been renting an automobile at an annual rental of $500 for use in connection with the protection of the President here in the District of Columbia. There was some question as to whether the law as it read authorized that proper expenditure in view of the hire and operation of the automobile, and this language was inserted in order to take care of the situation.

Mr. MANN. I asked because I did not know but that the one they used was one of the President's.

Mr. SHERLEY. No; there has been an arrangement by which a company has rented to the Secret Service men at a rental of $500 a year an automobile for their use.

Mr. BURKE of South Dakota. Mr. Chairman, I rise to oppose the amendment of the gentleman from Illinois. I want to ask the gentleman from Kentucky in relation to the language in lines 24 and 25, "hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary," if that is considered all that is required in connection with the law that was passed in the last session of Congress that prohibited money being used for this purpose unless specifically authorized.

Mr. SHERLEY. I think that is sufficient to authorize the expenditure of this money.

Mr. BURKE of South Dakota. My recollection is that when the Indian bill and later the Agriculture bill and the military appropriation bill were up it was contended that the amount must be specifically authorized, and that was the form in which the limitation was placed in these bills. If I understand this language, $145,000 might be expended for this purpose—there is no limitation.

Mr. SHERLEY. My remembrance of the provision of the law to which the gentleman refers was that it required that an estimate should be submitted. But there is nothing that would require, in a provision such as this, a limitation on the amount of money that should be expended.

Mr. BURKE of South Dakota. I am inclined to agree with the gentleman, but my recollection is that in the other bills I have mentioned there was an express limitation as to how much could be expended for this purpose, namely, "hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles."

Mr. SHERLEY. I will say to the gentleman that in some of the bills there was an express limitation of the amount and in some cases in this bill there is a limitation, but it did not seem wise to the committee in this particular matter to fix a limitation on the Secret Service men in the use of an automobile necessary for the protection of the President.

Mr. BURKE of South Dakota. At the same time, the gentleman will acknowledge that if some Secretary of the Treasury wished to do so he could spend the whole amount carried in this paragraph for that purpose.

Mr. SHERLEY. Of course it is conceivable, but hardly within the realms of probability, and this provides for the hire and operation, and not for the purchase.

Mr. BURKE of South Dakota. I realize that. Now, I want to ask the gentleman a further question. The language in line 1 on the next page is "per diem in lieu of subsistence." Will the gentleman tell us what that per diem is?

Mr. SHERLEY. In the sundry civil bill enacted at the last session there was the following provision:

SEC. 13. That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding $4 in lieu of subsistence to persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty when not otherwise fixed by law. For the fiscal year 1916 and annually thereafter estimates of appropriations from which per diem allowances are to be paid shall specifically state the rates of such allowances.

Mr. BURKE of South Dakota. It might be $4. Will the gentleman tell us whether or not there is a uniform per diem in the different departments in lieu of subsistence?

Mr. SHERLEY. There is a maximum not to exceed $4.

Mr. BURKE of South Dakota. Does that pertain to all departments of the Government?

Mr. SHERLEY. I think so; yes.

Mr. BURKE of South Dakota. I think the gentleman is mistaken. My recollection is that it is $5 in some departments and $3 in some others, and $4 in others. I have always thought that the amount ought to be uniform. It is $4 in the Treasury Department. It ought not to be more in other departments.

Mr. SHERLEY. I think the gentleman is confusing cases in which they are allowed a certain sum in lieu of actual expenses, and these cases where they are paid an actual expense which shall not exceed $5 a day.

Mr. BURKE of South Dakota. Do I understand that where it provides it shall not exceed $5 a day that if the expenses are only $3 a day that is all they are allowed?

Mr. SHERLEY. If they are allowed the actual expenses.

Mr. BURKE of South Dakota. My understanding is that where the language authorizes the allowance to be not in excess of so much per day that that amount is arbitrarily given to them whether they expend it or not.

Mr. SHERLEY. That is in lieu of actual expenses.

Mr. MONDELL. Mr. Chairman, the provision to which reference has been made with regard to the hiring and operation of motor-propelled and horse-drawn vehicles in this item is different from that carried in most items in the bill, and, of course, there is a reason for it. This service was not estimated for, as they should have estimated the expected cost of the motor-propelled vehicle which they hire and use for the protection of the President, but in the hearing they informed us how much it cost them annually. But, in addition to that, this service needs authority to hire vehicles whenever they need them. I think it will appeal to every member of the committee that the Secret Service is likely to need the use of a vehicle at almost any time.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN. Does the gentleman think the language in the legislative bill for the current year in reference to automobiles covers the hiring of an automobile? The language reads:

Purchase, maintenance, repair, or operation.

Does that cover the hiring of an automobile or buggy?

Mr. MONDELL. I think the gentleman from Illinois can answer that question as well as anyone.

Mr. MANN. I asked because I thought perhaps that question had been raised in the Committee on Appropriations.

Mr. MONDELL. It was discussed.

Mr. MANN. This service has hired an automobile, and the law provided that as to the purchase, maintenance and repair, and operation of automobiles they should make an estimate.

Mr. MONDELL. As some of the other bureaus did not.

Mr. MANN. I do not say that they did not make an estimate because they neglected it or because they thought it was not required. The committee ignores specifically this proposition in the bill. May I ask whether, in the opinion of the committee, the language used in the legislative act in reference to automobiles or horse-drawn vehicles covers the question of hiring one for a day or for a year?

Mr. MONDELL. Mr. Chairman, I do not recall that the question in just that form was before the committee, but possibly the presence of the language in this paragraph will answer that. The committee felt that without this language in the paragraph it was doubtful if they had authority to hire automobiles. Of course, all through the public service there are appropriations under which automobiles may be hired as a part of traveling expense, either on allotments made or on certification of actual traveling expenses. But the Secret Service sometimes needs a vehicle not in connection with travel of one of its members, and this language clearly gives them authority to hire a vehicle under those circumstances and conditions, and I should say that without a provision of this kind in the bill they would not be authorized to hire automobiles or carriages except as they might hire them as a part of traveling expenses. The only vehicle that they use regularly is one they hire for the protection of the President.

Mr. MANN. Mr. Chairman, I had intended to ask some one in reference to the matter of hiring passenger-carrying vehicles. In a number of the appropriation bills there is authority to

purchase, maintain, and operate automobiles and passenger-carrying vehicles in considerable number in the field, and I have been wondering at odd times whether if those appropriations were stricken out it would make any difference to the service; in other words, whether they could use the same money for the hiring of these methods of transportation that they could for the maintenance of Government-owned ones if the Government did not appropriate for the maintenance. The language of the law which is new is:

There shall not be expended out of any appropriation made by Congress any sum for the purchase, maintenance, repair, or operation of a motor-propelled or horse-drawn passenger-carrying vehicle for any branch of the public service of the United States unless the same is specifically authorized by law.

There is no specific authorization by law for the maintenance or the hiring or the use of these automobiles and other passenger-carrying vehicles, except as is carried in the appropriation bills. The gentleman from Wyoming [Mr. MONDELL] suggests that they might hire an automobile as a part of their traveling expenses. They can not do that, if hiring is covered by this language, because the language of the law is that they shall not maintain, operate, or repair an automobile or other passenger-carrying vehicle unless it is specifically authorized by law. The allowance for traveling expenses would not be a specific authorization. I am inclined to think, myself, that the language in the law does not cover hiring an automobile or a buggy or other passenger-carrying vehicles at all, whether it should be hired for a day or a year. Of course, if it should be hired for a year, and get to be an abuse, undoubtedly the Committee on Appropriations or some other committee would try to take care of it. I do not think the law contemplates forbidding one of the departments, when it sends a man out, from hiring an automobile or a buggy in the transaction of his business. It is possible that it may lead to an abuse. Of course, the committee in this case now pending did not want to leave any question of doubt about it, but I suspect that what the Secret Service will do is to buy an automobile, and perhaps that is a thing they ought to do. I do not say that it is not.

Mr. BURKE of South Dakota. But this does not authorize them to buy it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Appropriations in this act shall not be used in payment of compensation or expenses of any person detailed or transferred from the Secret Service Division of the Treasury Department, or who may at any time during the fiscal year 1916 have been employed by or under said Secret Service Division.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. If I understand this paragraph, a person in the Secret Service, or who may have been in the Secret Service at any time during the fiscal year 1916, if he should be transferred to any other department, could not be paid from any appropriation carried in this bill. I notice on page 36, lines 11 to 24, there is a provision authorizing the Secretary of the Treasury to use for and in connection with the enforcement of the laws relating to the Treasury Department and the several branches of the public service under his control not exceeding a certain number of persons that are named, and in line 18 there is to be found "and four persons paid from the appropriation for suppressing counterfeiting and other crimes." It would seem to me that the paragraph on page 39 just read by the Clerk is inconsistent with the provision that I have read on page 36.

Mr. SHERLEY. Mr. Chairman, the provision authorizing the Secretary of the Treasury to use in the enforcement of the laws relating to the Treasury Department a certain number of Secret Service employees was designed to enable them to detail a certain number of men in some special case, like that of investigating a matter growing out of the mint or any of the Subtreasuries or the customhouses. The provision which has just been read limiting the power of detail of men from the Secret Service was enacted by Congress some years ago in order to break up an abuse.

Mr. BURKE of South Dakota. I know about that; but what I do not understand, I will say to the gentleman from Kentucky, is that here on page 36 is to be found an express authorization that the Secretary of the Treasury may employ or detail four persons paid from the appropriation for suppressing counterfeiting and other crimes and use them, as I understand it, in some other work, while on page 39 is to be found a provision that any person who may be transferred from the Secret Service shall not be paid from any appropriation carried in this bill; and it seems to me the limitation on page 39 is inconsistent with the authorization on page 36, and, in fact, prohibits what is authorized in the other paragraph. The same language, I think, was in the last bill, but it seems to me it is not clear.

Mr. SHERLEY. Mr. Chairman, I am endeavoring to ascertain just the point the gentleman is trying to inquire about.

Mr. MONDELL. What is it?

Mr. BURKE of South Dakota. It seems to me, I will say to the gentleman from Wyoming, that what is authorized on page 36, line 18, by the paragraph beginning on line 11, which specifically authorizes the Secretary of the Treasury to use four persons who are paid from an appropriation for suppressing counterfeiting and other crimes, is prohibited by the paragraph on page 39, lines 13 to 18, inclusive.

Mr. SHERLEY. If the gentleman will permit, I suspect the distinction is found in this, that the provisions on page 39, lines 13 to 18, apply in cases where men are taken off the rolls of the Secret Service Division. A practice had come up of having these men transferred to other work altogether apart from the Secret Service work, while still being paid out of the appropriations for Secret Service purposes. Now, we prohibit that in the language contained between lines 13 and 18, page 39, and the other language to which the gentleman refers is not the case of having men taken off the rolls of the Secret Service, but is an express authorization for a detail of men in that service for special work in the Treasury Department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURKE of South Dakota. In any branch of the Treasury service?

Mr. SHERLEY. There was no trouble, apparently, in accounting under those two items.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I want to call the attention of the gentleman from Kentucky to the language of this item. Gentlemen will recall that there has been some change made in the language of the item and that certain words which occurred on page 69, at the bottom of the page, relative to the person of the President were stricken out. My notion is that in striking out certain words the paragraph has been left so that it is ambiguous or misleading. It starts out by providing:

For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign Governments, as well as the coins of the United States and of foreign Governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for no other purpose whatever, except in the protection of the person of the President and of the person chosen to be President of the United States.

It seems to me that that is somewhat ambiguous. We have not made it entirely clear what it is that is proposed. It is possible in a hurried reading of the language that it is not clear to me when it is, in fact, clear.

Mr. SHERLEY. Oh, well, the distinction between the bill as it is reported and the language submitted to the committee is that the language submitted to the committee undertook to make permanent law the provision authorizing the protection of the President and of the person chosen to be President of the United States, and the committee did not consider it advisable to do that. The gentleman will recall that some years ago there was considerable discussion as to just what language should be used in order to properly embrace the case of the President elect, there being no law by which such a person was recognized as such until he is actually elected by the presidential electors President of the United States; and after considerable discussion it was thought that the language which we then adopted, and which we are now carrying, was sufficient for the practical results desired.

Mr. MONDELL. Well, I am not so sure after having read the paragraph again myself but what it is clear. I recall that discussion in the committee, and it agreed upon what is in the bill, but from a hurried reading I thought that it was somewhat ambiguous, but now I think it is all right. I withdraw the pro forma amendment.

Mr. GILL. Mr. Chairman, I move to strike out the last two words. I ask unanimous consent to go back to page 36, line 6,

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to recur to page 36 for the purpose of offering an amendment to line 6.

Mr. SHERLEY. Reserving the right to object, I would like to know what the gentleman's amendment is.

Mr. GILL. I do not want to offer an amendment, Mr. Chairman, but just want to speak to the paragraph.

Mr. SHERLEY. I suggest to the gentleman that he can speak under the pro forma amendment without referring back.

Mr. GILL. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, there is $175,000 appropriated in this

bill for the purpose stated in this paragraph, and it brings to my mind the question as to whether it is advisable or not to appropriate that large sum of money for the cause specified. In our city this week the officials of the United States Government are taking over 20 men to the penitentiary. Those men have been convicted in the Federal courts of a violation of the oleomargine law. Those indictments have been on the books for about five years under Republican rule and under Republican officials, and it occurs to me to ask at this time, when the Government needs money as badly as it does, how comes it that such companies manufacturing butter or oleomargine, such as the Capital City Creamery, of Ohio, that has only been paying about a quarter of a cent a pound, has not been molested. Also the large company in Providence, R. I., that has not been molested.

In this court in St. Louis where these men were convicted the Federal judge exchanged positions with the judge in Kansas City. His son practiced in that court. His son accepts fees from men who are manufacturing oleomargarine. Another relative helped to put the prosecuting attorney in office, and not until the Democratic officials were put into those offices has there been any convictions—that is, to speak of; there were two, I believe, out of about 50 or 100 indictments. Now, does this thing exist all over this country? Oleomargarine is the poor man's food. He can not afford to buy the genuine butter. You pick up these little fellows and pull them before the bar of justice and send them to the penitentiary. In order to avoid a scene in our city at the Union Station the prisoners were taken around the city, so their fathers, mothers, wives, daughters, and children would not meet their relatives who were being taken to the Federal prison. Now, I ask, how is it that such things can happen in this country? I ask you how is it that large concerns, that would possibly bring a revenue to this Government of five or ten million dollars, are let go free?

Mr. MONDELL. Will the gentleman yield?

Mr. GILL. Yes.

Mr. MONDELL. Did I understand that under this Democratic administration small offenders, poor men who offend, are convicted, and rich men and corporations are not convicted, but allowed to flagrantly and notoriously violate the law and get off scot free? Is that the statement of the gentleman?

Mr. GILL. My point is this, that for 10 years the large creameries in Ohio and Providence, R. I., have only been paying a quarter of a cent a pound on tinted oleomargarine when, in justice, they should pay 10 cents per pound, and they have been let go free.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. I ask unanimous consent that the time of my colleague be extended five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of his colleague [Mr. GILL] be extended five minutes. Is there objection?

There was no objection.

Mr. GILL. Mr. Chairman, these things are heart-rending. They appeal to me. I can not understand them. That is the reason why I am actuated to rise and ask these questions.

In reply to the gentleman from Wyoming [Mr. MONDELL], I will say yes, that Democratic attorneys who have lately been put into office have had charge of these cases in St. Louis, and about 20 people in that neighborhood have gone to the penitentiary. Personally I believe it is wrong. I do not uphold violators of the law, but I can not see the crime.

Mr. SHERLEY. If the gentleman will permit, Congress has passed a law making it a crime to sell oleomargarine as butter, and there has been a great deal of such fraud uncovered. Some $16,000,000 of frauds in connection with the oleomargarine business have been uncovered. Now, we have passed the law. The wisdom of the law is one thing, but its enforcement is another. We have a law which makes it a crime to undertake to sell oleomargarine of a certain character without paying a prescribed tax, and there have been repeated violations of that law, just as there are violations of the internal-revenue law in relation to distilled spirtts. There has been commendable activity on the part of the Internal Revenue Department recently in unearthing these frauds, which activity has resulted not only in stopping a great many of them but in recovering considerable sums of money to the Treasury and in putting some gentlemen in the penitentiary who ought to be there.

Mr. GILL. And letting others go who deserve a great deal more to be there.

Mr. SHERLEY. I am sure if the gentleman has any information, or if any of his constituents have any information, of the violation of the oleomargarine laws anywhere the Department of Justice will be more than glad to obtain that information, and will immediately undertake an investigation and prosecution if the facts show that it is warranted.

Mr. GILL. I am only bringing out the fact that this thing exists all over the country. These indictments have been pending in our courts for the last five or six years.

Mr. SHERLEY. If the gentleman will permit me, I will tell him that to my knowledge there have been a number of indictments found in various parts of the country, in Illinois as well as Missouri. In the East quite a number of men have been indicted for violation of the internal-revenue laws touching oleomargarine. There are now out at work in various parts of the country a number of special agents of the Government who are giving their time to the investigation of these matters.

Mr. GILL. If we spend the sum of money mentioned in this bill, $175,000, I believe the revenue officials ought to get mighty busy and bring to justice the large dealers.

Mr. SHERLEY. They have, and $300,000 has been recovered for the benefit of the Treasury recently.

Mr. MANN. Mr. Chairman, I can not believe that the Attorney General's office as now constituted, or as heretofore constituted, are to be criticized in connection with the prosecutions for the manufacture of oleomargarine contrary to law. I have no doubt whatever that they are doing the best they can, and it is quite likely that at St. Louis, where, as is suggested by the gentleman from Missouri [Mr. GILL], they have prosecuted some of the smaller people, it has been with a view of getting some confessions from those who have been convicted, so that it will be easy to obtain the information against those higher up. They followed a somewhat similar proceeding at Chicago and they have convicted some very big men and concerns.

I think the oleomargarine law would not be favored by the gentleman from Kentucky [Mr. SHERLEY], who is now in charge of this bill, or the gentleman from St. Louis [Mr. GILL], who just spoke, or myself. I think we are all opposed to legislation of that character. Probably the oleomargarine law is violated more often to-day, and has been for some years, than any other law on the statute books. It is harder to obtain the information. When you consider, however, the proposition that was voted for in this House a few days ago for prohibition, in the form presented, where it was made legal to manufacture liquor, but illegal to manufacture it for sale, and then when you contemplate the inability to enforce a law which forbids the coloring of oleomargarine without the payment of a tax, anybody with common sense ought to know that it would be impossible for the Government to enforce that constitutional amendment against the sale of liquor; and that instead of bringing about prohibition, it would bring about free liquor everywhere.

A few years ago, since I became a Member of this House, a man who had worked for me came to me one day and said that he had bought out an oleomargarine route, and he was going to sell butter. Well, the man was really an honest fellow. He did not mean to do wrong. I made some inquiries from him, and learned that his intention was to buy uncolored oleomargarine, to get the coloring matter either by purchase or gift from the same people who sold him the uncolored oleomargarine, to take the two products into his barn and make colored oleomargarine, and sell it as fresh dairy butter. Well, having some sense himself, he took good advice and did not continue the business. I said to him, "You will be caught just as sure as you are alive." He said, "Oh, no. There is no danger at all. It is being done all over Chicago and elsewhere. There are a great number of routes here now. Nobody is bothering them." I guess that was true at that time, but they were collecting the information. I do not know how many men were sent to the penitentiary for doing this sort of thing, but it was a very large number. Yet I do not suppose they got one-tenth of them.

Mr. FITZGERALD. You mean in Chicago?

Mr. MANN. That is the only place where they have had the nerve to go ahead and convict them. In New York they do it openly, and everybody winks at it. Nobody has had the nerve really to try to enforce the law there. In fact, all laws in New York are doubtful of enforcement, but in Chicago they are attempting to enforce the law. It is not an easy thing. A man buys uncolored oleomargarine and pays 9½ cents a pound, or such a matter; and then colors it and sells it as colored oleomargarine or colored butter. As long as that temptation exists, there will be lots of violations of law. And if, in addition to that, a man could make whisky in his basement or cellar, at a cost of not over 20 cents a gallon, and could sell it for $1.50 or $2 a gallon illicitly, how could you enforce the law?

The Clerk read as follows:

CUSTOMS SERVICE.

For collecting the revenue from customs, $10,150,000. The provisions of the act of March 3, 1879 (20 Stats., p. 386), as amended by the act of April 27, 1904 (33 Stats., p. 396), authorizing the Secretary of

the Treasury to expend out of the appropriation for defraying the expenses of collecting the revenue from customs such amount as he may deem necessary, not exceeding $150,000 per annum, for the detection and prevention of frauds upon the customs revenue, are further amended so as to increase the amount to $200,000, to be so expended for the fiscal year 1916.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I had intended to look up these sections of the Revised Statutes, but neglected to. The paragraph has been carried in the appropriation bills heretofore, but this is the first time that the limitation has been inserted of expenses relating to the collection of revenue. What are sections 3749 and 3750 of the Revised Statutes?

Mr. SHERLEY. Section 3749 reads as follows:

The Solicitor of the Treasury is authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or to sell, at public sale, any unproductive lands, or other property of the United States acquired under judicial process or otherwise in the collection of debts, after advertising the time, place, and conditions of such sale for three months preceding the same in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interest.

Mr. MANN. This is where we acquire land on a judgment sale.

Mr. SHERLEY. Yes. Section 3750 is as follows:

The Solicitor of the Treasury shall have charge of all lands and other property which have been or may be assigned, set off, or conveyed to the United States in payment of debts, and of all trusts created for the use of the United States in payment of debts due them; and of the sale and disposal of lands assigned or set off to the United States in payment of debts, or vested in them by mortgage or other security for the payment of debts: *Provided*, That this section shall not apply to real estate which has been or shall be assigned, set off, or conveyed to the United States, in payment of debts arising under the internal-revenue laws, nor to trusts created for the use of the United States, in payment of such debts due them.

Mr. MANN. Is the gentleman able to tell us how many pieces of land we have of that character which requires custody, care, protection, and so forth? Of course the appropriation is a very small one and has been carried from year to year.

Mr. SHERLEY. That was not brought out at the hearings, and I have not the information. This is simply the annual appropriation to take care of these cases as they may arise.

Mr. MANN. I withdraw the pro forma amendment.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. I remember that we have heard something about insidious lobbies, also that we have heard something from some in high places about the pressure that is being exerted to prevent the passage of the pending shipping legislation. Of course we did not expect any effort from those in high authority to influence anyone to support that legislation. So I want to read a letter that I understand has been sent to all Democratic Members, and I think has been received this morning:

DEAR CONGRESSMAN: May I ask you to read the first 20 pages, at least, of a report recently made to the Senate in response to a resolution of that body by the Secretary of the Treasury and the Secretary of Commerce on the shipping situation? If you have time to read the entire report, I think you will find it highly illuminating.

With warm regards, I am,
Faithfully, yours, W. G. MCADOO.

As far as I know, that letter has not been received by any Republican. I have been wondering why, and I have come to the conclusion that it is because we do not need the information; in other words, we do not belong to the blind, misinformed, or ignorant described by the President in his Indianapolis speech.

As we have here a large expenditure given to the Secretary of the Treasury—some $10,150,000—I was wondering whether the money expended for the purpose of sending out this letter could be said to be used in the collection of revenue.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. Here is a very large lump-sum appropriation, and I note that my genial friend from North Carolina [Mr. PAGE] is present now as he usually is. It is an appropriation of $10,150,000—not statutory compensation in a good many places at least——

Mr. FITZGERALD. It is, practically, because under the reorganization it was provided for a few years ago, and the President issued an order fixing the organization and compensation of certain officials under the act, which applies to every other department except the Department of Agriculture, due to the activity of the gentleman from Illinois, among others, so that none of these salaries could be increased.

Mr. MANN. They may be; but they could be reduced.

Mr. FITZGERALD. The details of all the positions and the services and compensation to be expended out of this appropriation are stated.

Mr. MANN. Here is $10,150,000 in a lump sum.

Mr. FITZGERALD. It used to be over $11,000,000 in Republican administrations.

Mr. MANN. Yes; but there was then some revenue collected, and there would be if the Republicans were in office, which is more than can be stated now. Here we have the revenues falling off, partly because of the war but principally because of Democratic bad legislation.

Mr. FITZGERALD. You do not blame the Democratic Party for the war in Europe? The Republicans used to take credit for large fine crops, the sunshine, and the rain.

Mr. MANN. It is true that the Republicans took credit for the resources and fertility of the soil and for the sun that shone upon it and the rains that wet the soil, but we brought something out of it worth while. You can not take credit for these things because with all these things still remaining, you have brought the country to a condition of hard times which it never witnessed before. We took credit because we made use of God's benefactions; but you could not take credit, because you have not got sense enough to make use of them. [Laughter and applause on the Republican side.] However, that has nothing to do with this question.

Mr. FITZGERALD. The mere ukase of the gentleman from Illinois is not yet all persuasive in this country. I do not believe that he even persuades himself.

Mr. MANN. I do not have to persuade myself; I know it. The gentleman from New York tries to persuade himself, but he can not because he knows the same thing.

Mr. FITZGERALD. What I know I know; and the gentleman does not know he knows, but he imagines he knows. [Laughter.]

Mr. MANN. No; I do not know what I imagine I know. I know that under the Republican administrations we had prosperity in the land, and it is not necessary for me to say what the conditions are now under a Democratic administration, or what they were 20 years ago under a Democratic administration, except that some people know a great deal better than those Members who are here now drawing fat salaries.

Mr. BORLAND. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. BORLAND. Oh, I thought the gentleman from Illinois had concluded.

Mr. MANN. I really wanted to get some information.

Mr. FITZGERALD. If that is all the gentleman desires, we can supply that.

Mr. MANN. Everybody knows these other things that I have said. I would like to know why it is that we can not have some kind of segregation of the $10,000,000 for the collection of customs revenues.

Mr. FITZGERALD. We can.

Mr. MANN. Why should not we have it?

Mr. FITZGERALD. Every detail of that appropriation is at hand, what was expended in 1914 and what is proposed to be expended in 1916. Of course, the number of persons employed under this appropriation depends to some extent upon the volume of business to be done, and, with the European war, the imports to this country are not as great as they were before it commenced. Some of these persons, therefore, are not employed, but under the reorganization of the customs department the compensation of the great bulk of employees is fixed and permanent. It is merely a question of whether they shall be employed.

Mr. MANN. Oh, I am aware of the fact that this used to be a permanent appropriation, but then we appropriated an additional sum from the continuing appropriation. That is true enough; but that does not dispose of this matter. The gentleman says that we can go to the Book of Estimates and find out. That is true of all this bill. I wonder the gentleman did not bring in a bill providing that there is hereby appropriated, to be expended under the various departments of the Government by direction of the President, $125,927,538.29, and then say if we wanted to know what this is for that we could go to the Book of Estimates.

Mr. FITZGERALD. Or ask me.

Mr. MANN. Or asked the gentleman from New York, but not successfully.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes, as I desire to ask a few questions of the gentleman from New York.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. Mr. Chairman, I want to call the attention of the gentleman from New York [Mr. FITZ-

GERALD] to the fact that only a few years ago, when I had something to do with the Indian appropriation bill, I remember he had a great deal to say about lump-sum appropriations. My recollection is that in that bill there was a lump-sum appropriation of something like $150,000 or $200,000, and the gentleman criticized it at great length, lectured the committee, and denounced generally the subject of lump-sum appropriations. I notice now, as he has advanced in the councils of this body, he brings in a bill that contains one lump-sum appropriation that is larger than the total amount carried in the Indian appropriation bill, amounting to over $10,000,000.

Mr. FITZGERALD. Mr. Chairman, the gentleman must admit that some progress has been made in this matter since I have been chairman of the Committee on Appropriations. Under the Revised Statutes, $2,750,000 were appropriated every six months to defray the cost of collection of customs. That amounted to $5,500,000 a year in a permanent appropriation. In addition, it was necessary for Congress to appropriate $5,000,000 or $5,500,000 additional to the permanent appropriation. After a number of years of effort, with the cooperation of other gentlemen, the permanent appropriation was repealed. The Customs Service was reorganized, a number of places was eliminated, and a provision enacted, under the leadership of the Committee on Appropriations, prohibiting the increasing of any of the compensations fixed in the order of reorganization. The entire Customs Service was placed on an entirely different basis.

The result of that legislation has been that for the next fiscal year and for the current fiscal year the customs service will cost $850,000 less than it cost a year ago. That is a saving of about 8 per cent, and it is a very considerable item. It may be that by degrees the committee will segregate this item in a different manner. Thus far, however, we have made considerable progress in effecting a reform in this particular service, and if the gentleman can judge from the experience of the past, from what the committee has done in this respect, he may rest content in the assurance that as time goes on we will so arrange these appropriations as to make them perfectly satisfactory. This appropriation, however, is different from some that have been criticized. The great bulk of the payments out of this appropriation is for services, the compensation for which is fixed and can not be changed. The number of persons to be employed will depend very largely upon the volume of imports and whether the imports are at certain points or at other points. So with the information which is now obtained in connection with this appropriation in the estimates and from the information obtained since the enactment of the law requiring information of this character there has been made possible a control and scrutiny of these appropriations that heretofore have not existed.

Mr. Chairman, this appropriation could be segregated so as to provide for the payment of salaries of customs employees. They receive the great bulk of this appropriation. In 1914 $9,255,868 were expended for that purpose. Special agents and employees of a similar character received $261,000. The rents could be segregated, $132,000 being expended for rent, contingent expenses about half a million dollars, and certain other miscellaneous items. The tentative pay roll of the customs service for 1916 is $10,386,521.50, and yet it is expected by reason of vacancies that will not be filled, by suspension of people employed, by the nonnecessity to do certain services, to save approximately $225,000, which will bring the expenditures within the limit of $10,150,000.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word. There have been many of these little submarine attacks from the Republican side of the House, as if this country were on the toboggan toward destruction, the gentleman in charge of them usually being the gentleman from Washington [Mr. HUMPHREY], whom I do not now see in the Chamber. He bobs in here every little while and reads some irrelevant matter into the RECORD, or makes an irrelevant speech, and immediately disappears from our legislative duties. Because of these attacks I want to call his attention to some facts he seems to have overlooked. A very recent issue of a metropolitan paper gives this synopsis of the statement of foreign trade balances of the United States, and I desire to call the attention of our Republican friends particularly to this, because they fear that we are not doing any business in this country:

HUGE TRADE BALANCES.

The world is buying from us at a rate and on terms to make us at the same time its merchant and its banker.

For last week the Government's foreign trade figures at 13 test ports showed a balance in favor of this country of more than $26,000,000. From those test districts the Department of Commerce estimates the week's balance for the whole country at more than $32,000,000.

For the first 19 business days of the new year the foreign trade balance shatters all previous records. The average daily balance has been not less than $6,500,000. This would give, up to last Saturday night, some $120,000,000. For the whole month the balance may run nearer an average of $7,000,000 a day.

Five Sundays and New Year's Day will leave for the whole month when it is closed 25 business days. The daily average of $6,500,000 would give more than $162,000,000 for all January; the average of $7,000,000 would give some $175,000,000!

In December there was a balance in our favor of nearly $132,000,000. From the two months together we are assured of a trade balance—in scarcely more than fifty business days—well over $300,000,000.

Only a few weeks ago, following the outbreak of the war, it was exactly $300,000,000 against us on current balance, which made our position in the international credit market seem desperate. The supreme questions were whether there were any possible way to cancel that foreign balance against us with anything but gold, and whether, under the circumstances of fiscal demoralization the world over we could possibly spare that much gold to achieve the imperative liquidation.

We did begin to send gold. Our bankers did prepare to protect our international credit with a gold pool. But the foreign balance demanding settlement, we never canceled with gold; we never had to. We wiped it out with our exports of the farm and of the factory. We cleared it all up before the end of the old year.

And now we are beginning the new year with trade credits abroad for January between $150,000,000 and $175,000,000. We are lending credits everywhere. We are refusing to ask gold which we could demand. We don't want more gold; we do want business.

We are no longer concerning ourselves about—we are not even remembering—our debits of only the other day. We are marveling at the way in which the whole world is owing us at the rate of five, six, seven million dollars a day more, while we become the creditor nation of the world.

Mr. MONDELL. Mr. Chairman, the gentleman from Missouri has called our attention to what a godsend the awful devastation in Europe has been to the Democratic Party.

Mr. BORLAND. Mr. Chairman, as usual the gentleman is unfortunately wrong.

Mr. MONDELL. We are selling cannon and cannon balls——

Mr. BORLAND. The gentleman is mistaken. We are sending over food products.

Mr. MONDELL. Armor and submarines and armored automobiles and all sorts of things to spread that devastation abroad, and that fact has changed the disastrous trade balance that the legislation of the gentleman's party has brought upon us.

Mr. BORLAND. Mr. Chairman, will the gentleman yield right there?

Mr. MONDELL. I will.

Mr. BORLAND. That is a familiar answer, but does not the gentleman realize the fact that if large contracts had been placed in this country for munitions of war they could not have been finished possibly in December, and that this balance in January and December is not from that class of shipments at all?

Mr. MONDELL. Well, the exports that are not munitions of war are largely clothing and foodstuffs and those things that are required of us by reason of the war, and would not be required in such large quantities except for the war. Why, the gentleman himself admitted the situation. He called attention to the fact that before the war began our trade balances were shifting tremendously against us, the inevitable effect of the Underwood tariff law, large imports coming from abroad and little market abroad for our goods.

The war came on and changed the scene. One very curious fact of this situation is that, with these enormous exportations of goods of all classes and kinds, the President of the United States and the Secretary of the Treasury are trying to make the American people believe that we must spend thirty, forty, or fifty million dollars of the Government's money to buy ships to export goods in, right now when the balance of trade is running in our favor by the exportation of foodstuffs to an extent that is alarming the people of the country, raising the price of bread and wheat.

At a time when bills are before the committees of Congress proposing to prevent the export of numerous articles, when export is great on account of the foreign demand, the President is trying to make the people believe—aided and abetted by the Secretary of the Treasury and various other gentlemen—that we have not ships enough to carry our exports to foreign shores. If the balance of trade is so tremendously in our favor, as the gentleman has suggested, surely we are not needing more ships to carry our goods to foreign lands.

Mr. Chairman, I did not rise for the purpose of answering the gentleman's statement in regard to our foreign trade, but to make this observation in regard to this item. There is an old saying to the effect that there is no great loss without some small gain. Well, that is true in all times except under a Democratic administration. [Applause on the Republican side.] We have had an enormous loss in revenue through the customhouses. We ought to have some small gain in the cost of collecting revenues; and yet it develops in the hearings that it costs about as much to collect the little dribblings of revenues that we secure under Democratic tariff legislation——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. As it does to collect the plentiful revenues that flow in through the customhouses under a Republican administration. It costs just as much to collect a small duty as it does to collect a large duty. There is a little saving when we place an article on the free list, but comparatively little. There has been a great reduction in the amount collected and the cost of collection in comparison with the revenue received is, of course, considerably increased. And so here is a great loss without any small gain. We not only lose in revenue, but we are compelled to pay practically the same amount for the collection of these diminished, uncertain, and unsatisfactory sums.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word. Mr. Chairman, going back to the opening of this discussion, which has wandered far afield, the gentleman from Illinois [Mr. MANN] alluded to my statement a few days ago, when the Agricultural bill was under consideration, in reference to making lump-sum appropriations for compensation of personal services. I merely want to say to the gentleman from Illinois and to the committee that I do not sanction the lump-sum appropriation in this bill any more than I did in the Agricultural bill or any other appropriation that is made for the payment of personal services, but the statement made by me at that time, and made by the chairman of the Appropriations Committee a few minutes ago, does make a difference between lump-sum appropriations in any other appropriation bill than the Agricultural bill, for the reason that under a provision of law the salaries paid from these lump sums can not be increased. I think, as I said in the beginning, that this amount for the payment of the administration of the Customs Service should be segregated, and I hope that the time will very soon come when in the preparation of these bills they will be brought into the House, not only this item but all other items that are providing for the compensation of personal services, segregated so that not only the committee making up the appropriation bill but that the membership of the Congress may have information not only as to the amount that is paid for personal services, but the individual salaries and who receive them, and I will always lend my assistance to the gentleman from Illinois or any other gentleman looking toward that end.

I withdraw the pro forma amendment.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. I did not have the pleasure of hearing what the gentleman from Illinois nor the gentleman from New York, the chairman of this committee, had to say in reference to this lump-sum appropriation, and therefore I can not reply as did the gentleman from North Carolina who has just taken his seat. I surmise, however, that they criticized those of us who, when the Agricultural appropriation bill was up, took occasion to criticize a lump-sum appropriation and have failed to make a similar criticism of this paragraph of the pending measure.

Mr. MANN. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MANN. Please do not accuse me of that.

Mr. COOPER. I did not make any accusation; it is nothing but a surmise.

Mr. MANN. I was criticizing this lump-sum appropriation.

Mr. COOPER. I should suppose that the gentleman would himself criticize it and probably criticize us for not criticizing it. The other day when the Agricultural bill was up I suggested that all of these lump-sum appropriations were based on detailed estimates sent in by the respective departments, and that there was not any valid reason then, nor is there any such reason now, why 98 per cent of appropriations in the bill can not cover specifically the detailed estimates sent up by the departments, excepting, of course, such estimates as the committee may decide to reject. Lump-sum appropriations prevent the man who pays the taxes from knowing how the public moneys are to be expended. When a $50,000 lump-sum appropriation is made to cover a great number of estimates the official who expends that sum is not bound to spend it in accordance with the detailed estimates, but he spends it in his discretion.

Mr. PAGE of North Carolina. Will the gentleman permit an interruption?

Mr. COOPER. Yes.

Mr. PAGE of North Carolina. So far as the amount of compensation paid from the lump sums in any other of these appropriation bills and the Agricultural bill is concerned, he can not do what the gentleman has said. He can not pay a compensation this year greater than the compensation paid for the same service last year by the same provision of law that applies to every appropriation bill except the Agricultural appropriation.

Mr. COOPER. There is not any reason why the law itself should not set forth specifically the purposes for which an appropriation is made and the amount that can be expended in the accomplishment of those purposes. Such provisions ought to have been in the Agricultural bill, as they ought to be in every other bill.

Mr. MANN. Mr. Chairman, I would like to oppose the amendment offered by the gentleman from Wisconsin long enough to make a suggestion. I do not think that the gentleman from North Carolina and the gentleman from New York are correct when they assume that this lump-sum appropriation is proper because it can not advance salaries. The latter assumption is incorrect. It is true that under the law where you have a place under a designated title, which is peculiar, you can not advance the salary of that place. It is equally true that you can abolish a place and create another office with a different title and advance that salary, and that has not been infrequently done both by this administration and prior administrations. It is also true that under this arrangement now no one can tell how much money is being expended for different classes of work or how many people are being kept in office who ought not to be kept there because they have nothing to do. Now, I am not disposed to criticize the Committee on Appropriations for bringing in this lump-sum appropriation. It is true that only recently we repealed the law. There was a law that made an appropriation of—what was it, $5,000,000 or $5,500,000 permanent appropriation?

Mr. PAGE of North Carolina. Five million dollars.

Mr. MANN. And that appropriation of $5,500,000 was in the sundry civil bill. And where we did that it was not very easy to segregate the items, because one was a permanent appropriation and one was an annual appropriation, and it was not very practicable to tell out of which appropriations salaries, and so forth, were to be paid.

Now, I was a party to the conspiracy to repeal that permanent appropriation law. And one of the reasons it was repealed was that with the permanent appropriation law standing it was not practicable to segregate the item in the annual bill, and it was expected that when the permanent law was repealed and we would make an annual appropriation for the entire services of collecting the customs, we would segregate the items. I have no doubt the Committee on Appropriations, as soon as they could get the information from an unwilling Treasury Department—and whoever has control of it will always be unwilling—and can get the time to put it in shape, the committee will bring in items segregated at least to some degree, and know how many people are being paid as customs agents, how many are being paid for clerical work, in various other branches of the service. It is nonsense to say that we can segregate all the items in the District of Columbia in the departments down to charwomen and up to secretaries and the Cabinet and then can not make any segregation at all in the Customs Service, because we can.

Now, there is one other question I would like to ask the gentleman from New York apart from that. What is the name of the customs district that Washington is in?

Mr. FITZGERALD. It is numbered.

Mr. MANN. I know that; but what is it?

Mr. FITZGERALD. It is numbered now.

Mr. MANN. I know that; but what is it? What is the number of New York?

Mr. FITZGERALD. I do not know. I have no interest in it.

Mr. MANN. Now, this shows how absolutely silly we sometimes act on advice from some one. Last year we included in this law, the sundry civil bill:

> Hereafter the collector of customs of each customs district shall be officially designated by the number of the district for which he is appointed and not by the name of the port where the headquarters are situated.

Now, I did know where the New York district was and where the Boston district and where the Georgetown district—which is this—was and where the Chicago district was, but there is nobody in the House that knows the name of the district that he lives in now, and even the gentleman from New York, living in the greatest collection district in the United States, if not in the world, does not happen to know and can not tell without reference to the books the number of the district in which he lives.

Mr. FITZGERALD. I have lost my number. [Laughter.]

Mr. MANN. The other day I was trying to make out an income-tax return, and among other things asked was, "In what district did you make a return last year?" Now, I know I made a return in the Chicago district, but I do not know what the number is.

Mr. FITZGERALD. That was the internal-revenue district.

Mr. MANN. I understand. They thought they would clarify the situation by putting in numbers as the names of districts,

and nobody can carry the numbers in his head. One knows where New York City is and one knows where New Orleans is, and one knows where all the large cities in the country are, or something about it, but there is nobody on earth who can carry the numbers of the different collection districts in his head. That is one silly, silly thing we did at the suggestion of the department last year.

Mr. FITZGERALD. Mr. Chairman, in the first place, the gentleman is mistaken when he thinks that it is not believed by members of the Committee on Appropriations desirable to segregate this item.

Mr. MANN. I do not say that the members of the Committee on Appropriations did not think it desirable to segregate the item.

Mr. FITZGERALD. I thought the gentleman said he did.

Mr. MANN. Oh, no. I said, on the contrary, I had no doubt that the committee would segregate the items as soon as they could reach them and get the information.

Mr. FITZGERALD. It would have been done in this bill were it not for the fact that at a short session like this there is not time to work out such changes. The committee were, I think, 42 days in taking the testimony on this bill.

Now, as to this question of the change from names to numbers of customs districts, it had a very good purpose, which has been served. I do not believe there is a Member of this House, except myself, who, even if he knew the number of his district, could tell its boundaries.

Mr. MANN. He would know where it was, anyhow.

Mr. FITZGERALD. I doubt whether the gentleman from Illinois could define the boundaries of the Chicago customs district.

Mr. MANN. But what difference does it make about the boundaries?

Mr. FITZGERALD. If you did not know the boundaries, how could you tell whether you were in the district or not?

Mr. MANN. You could tell whether you did business through the customhouse, even if you lost your number. I think the gentleman has lost his reason just now. [Laughter.]

Mr. FITZGERALD. I knew that the gentleman from Illinois would fall into that trap. How could he tell whether he was in a certain congressional district or not unless he knew the boundaries of the district? He might be elected from it, but that would not make much difference, except to be more or less a criterion of the intelligence of the people in the district.

But, as I say, the names of these districts were changed and numbers substituted for a very good reason. After the reorganization of the Customs Service some districts were abolished, the headquarters were located in certain cities, and the district took the name of the city in which the office of the collector was located. That aroused considerable jealousy and ill feeling in certain localities, where the people of a city of as much importance in population, resources, and commerce as the city in which the headquarters were located felt that their city was being discriminated against because it was not a port of entry, while people would imagine that the other city was a port of entry. When the reorganization took place it appeared that the headquarters had been located at certain places, but upon reconsideration it was found desirable to change the headquarters from one city to another. If a district had received the name of the city in which the headquarters of the district were, and then if the headquarters were changed to another city, to be compelled to change the name of the district to that of the new headquarters would start another riot among the people from whom the headquarters had been taken. So last year a provision was inserted conferring on the Treasury Department the power to transfer the headquarters from one place within the district to another and to eliminate this question of local jealousy and local pride and bombastic boasting because of the fact that the district was named after a particular community, by providing that the district should be numbered and known by number thereafter.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. Now, of course, I appreciate the grievance of the gentleman from Chicago. One of the things that made Chicago famous was the fact that it was known as the port of Chicago. Well, when that designation was abolished, and instead of being the port of Chicago it was collection district 23, the gentlemen can understand the indignation and vehement protests of the distinguished minority leader.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Why, yes.

Mr. MANN. Is that the number of the Chicago district?

Mr. FITZGERALD. I have a list of the numbers here.

Mr. MANN. I never heard it before.

Mr. FITZGERALD. I was coming to that and was about to explain.

Mr. MANN. The gentleman can not understand, but I am not surprised at the asininity of any Democratic legislation.

Mr. FITZGERALD. The collection district having its headquarters at the city of New York is collection district No. 10. Now, I can imagine the sentiments of the gentleman from Illinois, in collection district No. 11, when he hears some of his constituents saying, "Come 'leven." That does not add to the fame and greatness and distinction of the city, but detracts from its glory, although it is characteristic of the prevalent form of amusement in that community. [Laughter.]

Now, of course, Mr. Chairman, all that would be very interesting if true, but the House understands that I have been speaking in a thoroughly facetious manner. Now, for the enlightenment of the gentleman from Illinois, so that there will be no misunderstanding, I shall place in the RECORD a list of the districts, with their numbers, notifying the gentleman from Illinois that the collection district with headquarters at Chicago is No. 39.

Mr. MANN. I am glad that the gentleman has finally discovered the number. He had two guesses before and missed it each time.

Mr. FITZGERALD. I said I was speaking in a thoroughly facetious manner.

Mr. MANN. The gentleman said that after he discovered that he was mistaken the two previous times.

Mr. FITZGERALD. If I had been serious, the remarks I made would have been directed to my genial friend from Philadelphia [Mr. MOORE], whose collection district bears the cabalistic number 11.

Mr. MOORE. I know the gentleman will yield.

Mr. FITZGERALD. But the statement I made would apply with equal propriety to either community. I yield to the gentleman from Pennsylvania.

Mr. MOORE. I hesitate to break in as between the two great cities of New York and Chicago, but has it not been a real pleasure to the gentleman from New York to know that the Federal Reserve Board has dovetailed the best part of New York with the Philadelphia district and thus added very much to the harmony of the occasion?

Mr. FITZGERALD. I notice that every time it has been desired to put some life into Philadelphia it has been done by amputating a portion of New York and attaching it to that slumbering town. [Laughter.] The same process was necessary in connection with the Federal reserve system.

Mr. MOORE. Has it not been a joy and a pleasure to the people of New York to know that they have made this pleasant attachment?

Mr. FITZGERALD. Well, I realize that it has not harmed New York any.

Mr. MOORE. It has done it a great deal of good.

Mr. FITZGERALD. I hope it will have the beneficial effect on Philadelphia that was intended.

With the consent of the House, I will put in the RECORD a copy of the Executive order which gives the numbers of the existing customs districts.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks as indicated. Without objection, that privilege will be granted.

There was no objection.

The document referred to is as follows:

DESIGNATION OF PRESENT CUSTOMS COLLECTION DISTRICTS BY NUMBERS.

TREASURY DEPARTMENT, *September 4, 1914.*

To collectors of customs and others concerned:

The following Executive order, dated the 27th of August, 1914, officially designating the present customs collection districts by numbers, is published for your information:

"Hereafter, under the provisions of the act of Congress approved August 1, 1914, making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1915, the present customs collection districts are officially designated by numbers and will be known as follows:

"The district of Maine and New Hampshire to be district No. 1.
"The district of eastern Vermont to be district No. 2.
"The district of western Vermont to be district No. 3.
"The district of Massachusetts to be district No. 4.
"The district of Rhode Island to be district No. 5.
"The district of Connecticut to be district No. 6.
"The district of St. Lawrence to be district No. 7.
"The district of Rochester to be district No. 8.
"The district of Buffalo to be district No. 9.
"The district of New York to be district No. 10.
"The district of Philadelphia to be district No. 11.
"The district of Pittsburgh to be district No. 12.

"The district of Maryland to be district No. 13.
"The district of Virginia to be district No. 14.
"The district of North Carolina to be district No. 15.
"The district of South Carolina to be district No. 16.
"The district of Georgia to be district No. 17.
"The district of Florida to be district No. 18.
"The district of Mobile to be district No. 19.
"The district of New Orleans to be district No. 20.
"The district of Sabine to be district No. 21.
"The district of Galveston to be district No. 22.
"The district of Laredo to be district No. 23.
"The district of El Paso to be district No. 24.
"The district of Eagle Pass to be district No. 25.
"The district of Arizona to be district No. 26.
"The district of southern California to be district No. 27.
"The district of San Francisco to be district No. 28.
"The district of Oregon to be district No. 29.
"The district of Washington to be district No. 30.
"The district of Alaska to be district No. 31.
"The district of Hawaii to be district No. 32.
"The district of Montana and Idaho to be district No. 33.
"The district of Dakota to be district No. 34.
"The district of Minnesota to be district No. 35.
"The district of Duluth and Superior to be district No. 36.
"The district of Wisconsin to be district No. 37.
"The district of Michigan to be district No. 38.
"The district of Chicago to be district No. 39.
"The district of Indiana to be district No. 40.
"The district of Ohio to be district No. 41.
"The district of Kentucky to be district No. 42.
"The district of Tennessee to be district No. 43.
"The district of Iowa to be district No. 44.
"The district of St. Louis to be district No. 45.
"The district of Omaha to be district No. 46.
"The district of Colorado to be district No. 47.
"The district of Utah and Nevada to be district No. 48.
"The district of Porto Rico to be district No. 49."

WM. P. MALBURN, *Acting Secretary.*

Mr. MOORE. Mr. Chairman, I move to strike out the last two words. Before we leave the Secretary of the Treasury, who is one of the most powerful of the Cabinet officers and who has to do with the collection of our revenues and who has recently manifested a great interest in the passage of the shipping bill, in which the President is also interested, I desire to say that during the last two days announcements have been coming from the Treasury Department in respect to an alleged congestion of commerce at various ports, the intimation being that there is so much commerce seeking export that the shipping bill desired by the administration should be speedily passed on pain that an extra session may be called.

Yesterday the announcement was made that the Secretary of the Treasury, who usually attends to his business and who does not go out on lecture tours, undertook to collect from the various collectors of the ports, reports of the congestion in the various districts.

And with remarkable spontaneity a number of the more loyal of the collectors indicated that there was very great congestion at their ports; that there was much commerce awaiting ships; that there was much grain awaiting vessels to carry it abroad; that there was much cotton on the wharves seeking an outlet to foreign countries.

Mr. MONDELL. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. MONDELL. Was the gentleman present a few moments ago when the gentleman from Missouri [Mr. BORLAND] informed us about the enormous and unprecedented shipments of cotton abroad of late?

Mr. MOORE. I did not happen to be present.

Mr. MONDELL. The gentleman enlightened us as to the most unprecedented movement of cotton abroad.

Mr. MOORE. The gentleman has probably been reading the reports that come from the administration.

Mr. MONDELL. But the gentleman was telling us of the enormous shipments of cotton abroad.

Mr. BORLAND. I was reading from the report of a Cabinet officer.

Mr. MOORE. Then, the gentleman was giving the information that he got from the administration, and he is to be commended for his fairness in stating that fact openly and broadly to the House.

This morning the Secretary of the Treasury renews his crusade in favor of the shipping bill, and continues to get reports from his subordinates at various ports. Here is a report from the Philadelphia Record, a good Democratic newspaper, this morning:

FREIGHT CONGESTED HERE—OTHER PORTS TO SOUTH TAXED TO LIMIT BECAUSE OF LACK OF SHIPS.

WASHINGTON, D. C., *February 8.*

Supplemental reports on the shipping situation announced to-night by Secretary McAdoo showed serious freight congestion at Philadelphia, Mobile, and New Orleans, but practically normal conditions at Savannah, Charleston, Jacksonville, Key West, and Tampa.

Collector Berry's telegram was as follows:

"Investigation shows congestion in merchandise intended for export to foreign ports. Grain elevators all full. Unusual amount of export merchandise on piers. Exporters claim shortage in tonnage. Can not secure space for English ports until latter part February or first of March. Later for large lots. Space for Glasgow can be had this month; Netherlands ports, no space until May; Scandinavian and Mediterranean ports, no space until March or April. No congestion in coastwise merchandise."

The collector at Galveston reported that, without docks at Bolivar and Texas City, his port "would be congested to the limit." The Tampa collector stated that exports at Pensacola would be doubled if neutral ships were available.

In order to find out what the situation really is I wired several friends in Philadelphia who have a fund of information, and from one of them, the secretary of the commissioners of navigation, I have received this telegram, which would not seem to confirm the statement of the Secretary of the Treasury that there is such congestion as would now warrant the passage of the shipping bill, or that in these times of business depression and deficit in the Treasury we should spend $30,000,000 to buy foreign ships made by foreign labor to carry cotton and grain to foreign countries.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. HUMPHREY of Washington. Suppose they should pass the shipping bill of which we hear so much talk, has the gentleman any assurance that one of these lines would run out of Philadelphia?

Mr. MOORE. Not at all; we have the opinion, as it came to us through the agricultural bill, that the administration would like to limit all commerce to three ports, in violation of the Constitution of the United States, so often and so ably defended by my friend from Mississippi [Mr. SISSON] and my other friend from Georgia [Mr. BARTLETT].

Mr. MADDEN. What ports were they?

Mr. MOORE. One, if I recollect right, was San Francisco, one was New York, and the other Boston. The Gulf ports were entirely cut out, and all other Atlantic ports except Boston and New York. Only these ports, which can take the deep-draft vessels of the great Shipping Trust that is so talked about in this House, were considered.

[The time of Mr. MOORE having expired, by unanimous consent he was given five minutes more.]

Mr. MOORE. In view of the agitation of this question by the Secretary of the Treasury hastening the passage of the shipping bill, which will necessitate our putting our hands in the people's pockets and taking $30,000,000 more of their money to enter into a scheme of Government ownership, I have this telegram by way of reply:

PHILADELPHIA, *February 9, 1915.*

Hon. J. HAMPTON MOORE, M. C.,
Washington, D. C.:

Philadelphia shipping men deny any unusual congestion in merchandise for foreign export. Only temporary trouble here, due to upsetting of regular sailing schedules by reason of congested situation in European ports, which has handicapped rapid discharging and loading there, and delay of ships by bad weather. Admit regular line services to foreign ports practically filled for February, but open for bookings for March and later sailings. Plenty of full cargo tramp steamships offering for business. There is free movement of full cargo grain steamships under past contracts, with no congestion of berths. The excess grain on track beyond elevator capacities will soon be relieved by boats here and due. Great improvement reported in condition of congestion at London and Liverpool, which in turn will clarify situation here.

GEO. F. SPROULE,
Secretary Commissioners of Navigation.

That statement alone would seem to indicate that the Secretary of the Treasury is gathering information which is misleading, and he is putting out statements which are not borne out by the facts. There is a temporary congestion at some of the ports, but it is not such a congestion as will warrant this Congress in following the administration in its desire, at this time of all times, to take $30,000,000 out of the Public Treasury, with which to buy foreign ships made by foreign labor and manned by low-priced seamen, to compete with American vessels and to break up the shipyards in the United States, which thus far have been able to give decent and respectable employment to American labor.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Certainly.

Mr. TOWNER. Is it not also stated in the morning paper that, on an average, grain ships are required to wait in European ports for 30 days before they can be assured of unloading their cargo?

Mr. MOORE. I have not seen that particular statement, but it is true that the ships are held up on the other side owing to conditions which I hope to describe in a moment.

Mr. TOWNER. Then, it would be useless for us to send more ships from this side at the present time, would it not?

Mr. MOORE. It would simply be clogging the conditions over there and making them worse than ever.

Mr. MADDEN. But nobody thinks that we are going to send them, surely.

Mr. MOORE. If it was not for the speculation in grain, cotton, and war munitions, I question whether there would be any

talk about additional ships at all. But the men who are making money by reason of the distress of European nations are the men who in this emergency desire ships built and provided for them at the expense of the Government. They want to make money at the expense of the poor devils whose blood and lives are being wasted on the other side, and at the expense of the American taxpayer who will have to pay the bill. [Applause on the Republican side.]

Another gentleman who is very well posted on this question, one of the very best maritime men I know, has sent me this statement:

Secretary McAdoo's reports of New York, Baltimore, and Norfolk collectors as to cause of congestion of ocean traffic inaccurate and misleading. Baltimore and New York are shipping grain to capacity of their terminal facilities. Unprecedented and unnatural accumulation of cotton at Norfolk is consequent upon conditions not associated with scarcity of vessels. They report 85,500 bales of cotton; total exports from Norfolk for fiscal year 1913 was 72,500 bales and for 1912, 21,300 bales.

FRANK L. NEALL.

So that those who are complaining about the lack of ability to get cotton out of the country ought to look at these figures. All they sent out in 1912 from Norfolk was 21,300 bales. All they sent out in 1913 was 72,500 bales, and thus far in this year they have sent out 85,500 bales.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. FITZGERALD. Mr. Chairman, reserving the right to object, I hope the committee will not start to participate in this perpetual performance at the other end of the Capitol on this shipping bill.

Mr. MOORE. If the gentleman will not object this time, I shall not raise any question hereafter as to the 15 minutes that the gentleman took a moment ago in which to explain a lump-sum item about automobiles for Cabinet officers.

Mr. FITZGERALD. I will not object.

The CHAIRMAN. The Chair hears no objection, and the gentleman is recognized for five minutes more.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. HUMPHREY of Washington. Mr. Chairman, I desire to ask the gentleman if he noticed the figures for the shipment of cotton for January? For each week during the month of January the figures show that the shipment of cotton was above normal.

Mr. MOORE. Mr. Chairman, I am glad the gentleman has that in mind, because I am going to put something in the RECORD as to that. My correspondent, Mr. Frank L. Neall, from whom I had the wire which I just read, gives me this additional information:

PHILADELPHIA, *February 8, 1915.*

Hon. J. HAMPTON MOORE,
Washington, D. C.

DEAR MR. MOORE: * * * New York: Exports of grain from New York in January, 1915, were 8,500,000 bushels, which is at the rate of 102,000,000 bushels per annum. At no date since 1898 has New York exported 100,000,000 bushels or over in a single year. In 1912 New York exported 49,000,000 bushels; 1913, 60,000,000 bushels; 1914, 57,000,000 bushels.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I am trying to give some New York statistics, but I yield.

Mr. FITZGERALD. Where did the gentleman get these statistics?

Mr. MOORE. From Mr. Frank L. Neall, a statistician, and one of the best-posted maritime experts in this country.

Mr. FITZGERALD. What does he do for a living?

Mr. MOORE. He is a shipping man.

Mr. FITZGERALD. Belonging in New York?

Mr. MOORE. No; to Philadelphia, which is far superior to New York.

Mr. FITZGERALD. And he is furnishing this information about New York conditions?

Mr. MOORE. He is.

Mr. FITZGERALD. Good night!

Mr. MOORE. It is necessary for us to go out of New York once in a while to find out what they are doing in New York.

Mr. HUMPHREY of Washington. I want to add this, that I know Mr. Neall, and he is a shipping expert known throughout the country. He was sent to Europe for the purpose of investigating the shipping question.

Mr. MOORE. He is one of the best-posted men in the shipping business in the United States. He has the figures and the statistics. He states that in January last, while this alleged congestion was on, they shipped from New York 18,500,000 bushels of wheat, which is at the rate of 102,000,000 bushels of wheat per annum. Then he continues:

Large amounts of grain are held in New York on speculation and also for foreign account, later to be shipped out periodically, as may be directed by foreign Governments and owners.

You see, it is a mere matter of business, even with the speculators. Yet the Secretary of the Treasury is collecting these port statistics to show that because a lot of grain is waiting to be shipped in a normal way from New York that therefore we ought to buy $30,000,000 worth of foreign ships. That is the reason this information is important and ought to be instructive to the gentleman from New York.

Mr. Neall adds:

The congestion at New York is largely owing to overtaxing of the trunk-line grain elevators, the intermediary between the railroads and the ocean craft. As a consequence, the trunk-line railroad grain elevators are unable to handle the traffic tendered them.

Baltimore: During month of January, 1915, Baltimore exported 9,160,000 bushels of grain, and the newspapers list vessels coming for cargoes that were so numerous that the supply of pilots was exhausted, and as many as three vessels were brought up tandem by one pilot. Baltimore for months has been, and is at the moment, what is called "a capacity port." In other words, she has shipped to the full ability of her trunk-line grain elevators to handle the grain from elevators into ocean-going craft, of which there has been uninterruptedly a large surplus of tonnage waiting to load their cargoes of grain.

Baltimore has done everything—has furnished all of the ships that the railroads could fill.

As to the Norfolk situation, Mr. Neall is also well informed. He concludes his letter as to Norfolk as follows:

Norfolk: Collector reports in warehouses, under sheds, etc., at Norfolk, 85,586 bales of cotton, valued in Germany at $5,476,000. The exports of cotton from Norfolk for fiscals years as stated are as follows:

	Bales.
1910	6,757
1911	15,835
1912	21,309
1913	72,544
1914	136,380

The one cry from the South for months past has been to get cotton to the seaboard, either for export or coastwise movement. In like manner, foreign buyers have invested in cotton so as to control and eventually ship out to provide for their monthly requirements. Norfolk is not now recognized as a port of grain export, and only exported 600,000 bushels in 1914, the last of which was shipped in March. Newport News exported in 1914, 3,297,000 bushels of grain, and during January, 1915, 800,000 bushels of grain.

Yours, truly,

FRANK L. NEALL.

It will be seen that this Norfolk cotton is valued in Germany at $5,476,000. Somebody is interested in getting it over there. It is all for the purpose of getting the money. The grain is waiting to go in the usual way, but somebody wants to sell it quickly; they want to get the money and they can not get the money without the ships. It is money, money, money. They want ships paid for by the United States Government to get the money, and for whom? For the people in the United States who are speculators in grain and speculators in cotton. Is it for the cotton planter of the South or for the man who sows the wheat out yonder on the plains of Nebraska and Kansas? It does not seem so.

I have not time to give all of the statistics I have here, but I repeat that we are confronted with an abnormal pressure to pass a shipping bill because of the people who have grain and cotton stored up and who want to get the money for it by making the people buy the ships to secure it for them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE. And I will ask leave to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Referring further to the propaganda of the Secretary of the Treasury and in further explanation of my rising to criticize the reports that are being sent out as to the congestion of commerce to induce Members to vote for the administration bill to buy foreign ships, made by foreign labor and to be manned by foreign seamen, I quote from this report given out from Washington yesterday and published in the New York Sun. It refers to the actual conditions in London and Liverpool at this time:

CONGESTION RELIEVED—CONDITIONS AT PORT OF LONDON GREATLY IMPROVED.

WASHINGTON, *February 6.*

The British ambassador received to-day the following notice from the London Government:

"You may make public the fact that congestion at and in port of London has now greatly abated; only a very few ships are now at Gravesend awaiting berth, and delays to which vessels have formerly been subjected need no longer be expected. Labor is sufficient for necessities of the port.

"At Liverpool delays are less than they were, and they will be further reduced owing to arrangements being made by a committee representing the principal port authorities of Great Britain."

There is an answer to the gentleman from Iowa [Mr. TOWNER]. There has been congestion at London and Liverpool, but it is clearing up. The Secretary of the Treasury is urging the purchase of foreign ships, in spite of a temporary congestion that will soon be over. The people will have to pay the piper.

Go on gathering your information if you want to do so, Mr. Secretary of the Treasury; go on and pick it up from political sources everywhere along the coast line; go on pretending you are doing it in the interest of the grower of grain and the planter of cotton; but bear in mind that when you spend $30,000,000 to buy foreign ships and displace American labor in American shipyards you are running up against a condition of congestion that does not warrant so serious a departure.

Mr. GOOD. Will the gentleman yield?

Mr. MOORE. I will.

Mr. GOOD. I will say to the gentleman that the growers of grain are not complaining. According to the statement of the Secretary of the Treasury, December, 1914, they sent abroad corn, wheat, and barley to the extent of 40,900,000 bushels.

Mr. MOORE. And it was not being held up.

Mr. GOOD. Whereas for the same month 1913 we only sent abroad 5,900,000 bushels.

Mr. MOORE. Was there any difficulty in sending it?

Mr. GOOD. Not at all.

Mr. MOORE. I am thankful the gentleman interrupted me. It is good to be confirmed by so eminent an authority. [Applause.]

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

The unexpended balance of the appropriation made by the sundry civil act for the fiscal year 1915 for the necessary expenses and salaries of the customs service at the Panama-Pacific International Exposition, to be expended under the direction of the Secretary of the Treasury, is continued and made available for the fiscal year 1916.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This is to reappropriate money appropriated last year for the customhouse at the Panama-Pacific Exposition to be held at San Francisco. That exposition, I believe, opens the last day of this month or the 1st day of next month.

Mr. KETTNER and Mr. J. R. KNOWLAND. The 20th of February.

Mr. MANN. Then I am a little slow, as usual. It is a great exposition. I would like to inquire whether anybody on this side of the House or the other side knows what, if anything, is necessary to be done or is thought of being done in reference to official representation of the United States or Congress at that exposition or at the opening of the Panama Canal this year, if we reach it this year. The Panama Canal was to have been opened, I believe, formally on the 12th or the 13th of March. There was a discussion some time ago in reference to what would be done. I was called to the White House, I think early in January, and I heard some little discussion of the subject from the President, but I have not heard of anything since being done in the House or the Senate on the subject. Is it the intention to have the opening of the Panama Canal formally this summer? If so, is it the intention of having any representation of the executive departments or the legislative branch of the Government? Is it the intention to invite to that formal opening ex-President Roosevelt and ex-President Taft, who had so much to do with the provisions that resulted in the Panama Canal being constructed? Is it the intention to have any representation of the executive branch of the Government or the legislative branch of the Government at the Panama-Pacific Exposition in San Francisco? I think at all the other expositions—that is my recollection—of any size there have been some committees appointed to go there. That was the case, I believe, at Portland; that was the case at St. Louis; and it was the case at Jamestown. I do not remember whether it was at Buffalo; I believe it was in the case of Chicago, and it was at Omaha and Seattle. Now, is it the desire for economy or a proof of incompetency that nothing yet has been done in reference to either one of those propositions?

Mr. FITZGERALD. Does the gentleman ask that question of me?

Mr. MANN. No; I was trying to get a rise out of somebody who had information. [Laughter.] I knew if the gentleman from New York had information he would freely give it.

Mr. FITZGERALD. Mr. Chairman, I really did not know whether the gentleman was asking me or asking himself. He put the questions and turned to take his seat, and I thought perhaps he was talking to himself.

Mr. MADDEN. What did the gentleman finally conclude?

Mr. FITZGERALD. Well, I have not reached that point yet. I thought the gentleman was talking to himself. My recollection is that a short time ago the gentleman from Illinois, a few others, and myself were honored with an invitation to participate at a conference at which the plans were to be discussed as to what was to be done in connection with the opening of the Panama Canal. Unfortunately I had to leave the city. I supposed the gentleman from Illinois was in a position to furnish that information as to the result of that conference. I understand that a proposition was made tentatively to appropriate $250,000 to defray the expenses of the ceremonies connected with the opening of the Panama Canal. In a more or less indirect and circuitous manner the information reached me that the program contemplated a charter of two or three or more vessels upon which to embark, like the animals in Noah's Ark, all the Members of Congress and take them down to the canal for the ceremonies. I could not think of anything in sacred or profane history that would picture the procession more than that old song of—

The animals went in one by one.
One more river to cross.
Says the ant to the elephant—

The gentleman from Illinois to the gentleman from Kansas—

Who are you pushing?
One more river to cross.

[Laughter.]

And I venture to suggest that I would just as soon be incarcerated in St. Elizabeth's as to be a member of any such procession or party. I think that 430 Members of the House and 96 Senators, however much they might add to the dignity and glory of any occasion, would not be such an attractive sight, after having been carried from the United States to Panama and lined up for the edification of such members of foreign Governments as might be there present, as would the men who built the canal.

What a spectacle for the gods! And so I ventured the suggestion that the canal could be very properly and appropriately opened, and the opening perpetuated and sent down the avenues of fame, with at least a less numerical representation from Congress. That impression grew on me when I found out it was estimated to spend about $100,000 to take the really valuable part of the Government of the United States on this extra hazardous trip on the high seas to the vicinity of the Spanish Main. If the Panama Canal is to be opened in a formal manner with representatives of the Government, I am of the opinion that a suitable representation from the two Houses of Congress would be appropriate in connection with those exercises. But if they took over 500 Members of Congress down there and landed them on the Isthmus, and kept them aboard of the boats—because there would be no place to put them on the Isthmus—some genius in the future, writing about that trip, would be tempted to recall the description given of Congressmen in Washington by one of my late colleagues. He had been in politics for a great many years, and was finally elected to the House of Representatives. After being here a short time he returned, and some one asked him what he thought of Congress and Washington. He said, "Well, when I was an alderman I would visit the city departments in New York and be received with respectful consideration. Later in life I was elected a member of the assembly in the State of New York and found a little keener regard for my official position in the city, while it was possible for me to enter some of the State departments. Later than that I was elected to the State senate, and I found out that the fact that I was a State senator was an open sesame in every department in Albany and the city of New York. Then I was elected to the House of Representatives. Why, they tie horses to Congressmen in Washington on Pennsylvania Avenue." [Laughter.]

Any historian describing this horde of Members of the House and Senate landed on the Isthmus of Panama for the formal opening, with the President and the Cabinet, and the other distinguished officials of the Government, and the representatives of foreign Governments, and the Army officers and the Navy officers, would tell of their hanging their clothes on the Members of Congress. [Laughter.] That is about all the use they would be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. FITZGERALD. I saw a statement the other day that the formal opening of the canal was likely to be postponed until July. It has been contemplated to hold it in March. I

saw a statement that Col. Goethals was somewhat fearful that because of the Gold Hill slide it might be difficult to take the war vessels through the canal to the Pacific. The gentleman from Illinois [Mr. MANN] and myself, on our visit to the canal in November, saw the condition of the Culebra cut. I do not believe there is any occasion for serious worry; but I can understand the conviction of the men in charge of the work that it would be much better that they be permitted to concentrate their efforts uninterruptedly on removing material from the cut coming in as the result of these slides rather than be put to the necessity of passing a large number of war vessels through under existing conditions. As to whether Congress intends to have official representation at the opening of the canal or at the exposition, I do not know.

In the sundry civil appropriation act of the current year, believing that perhaps Congress might be overlooked in the hurry of making the arrangements, the Committee on Appropriations made provision in one of the items of appropriation for the expenses of any representation from the two Houses on that occasion. Somebody has told me, in an informal manner, that they have spent all of that appropriation, and that that probably would not be available. What is proposed to be done at the opening of the exposition or as to the representation at the exposition, I do not know. This appropriation, however, is to provide for certain customs services. We have there now on the exposition grounds a force charged with the customs work. Exhibits are arriving continually. The customs officials at San Francisco originally estimated that $500,000 would be required to pay for all the services in connection with that office. The Treasury Department recommended that $250,000 be appropriated and the Committee on Appropriations came to the conclusion that $200,000 would be ample. The information furnished to the committee this year is to the effect that it is expected that the entire cost of that service will be $165,000, again vindicating the discriminating care with which the Committee on Appropriations lowers the amounts requested by the various departments of the Government. I have always been convinced that, while the committee has been charged with being niggardly and curtailing the expenditures in an unjustifiable manner, that to those who know the facts and truth of the circumstances, the committee is unjustifiably generous in ninety-nine times out of one hundred. It is also a pleasure to revert to incidents such as this to demonstrate my own opinion. The original estimate was $500,000; the appropriation was $200,000, and now the statement is made that the work will be done for $165,000, and it only makes me regret that when we had the opportunity we did not give an appropriation of $150,000. I am convinced it would have been just as easy to have this work done for $150,000 or a little more than for $165,000.

Now, having answered fully, completely, and categorically every question propounded by the gentleman from Illinois [Mr. MANN], there is nothing more to be said.

Mr. MANN. Mr. Chairman, I think there is a little more left to be said. I might ask a new question. Having failed to obtain any information from the gentleman from New York in reply to my question——

Mr. FITZGERALD. The gentleman from Illinois should pay attention to the remarks of others than himself.

Mr. MANN. Well, in that respect I am different from the gentleman from New York. I do. The gentleman from New York always wants to be making remarks himself, as has been evidenced now. I sat quietly while the gentleman talked about 15 minutes. The gentleman interrupted me before I had had the floor for a quarter of a minute in order to make my speech for me. That is characteristic of my friend.

Mr. FITZGERALD. That shows the keen appreciation I have of the fact that my speech is so much better than the gentleman's.

Mr. MANN. There is something in that. I admit it. The gentleman from New York failed to give us any information upon this subject because he did not have it.

Mr. FITZGERALD. On which subject?

Mr. MANN. Oh, well, I will yield again if the gentleman wants to make another speech.

Mr. FITZGERALD. The gentleman asked a number of questions. Which one did I not answer?

Mr. MANN. If the gentleman wants to make another speech, I will yield. In other words, I want to make my own speech—without meaning any discourtesy, of course.

Mr. FITZGERALD. I thought the gentleman wanted to ask me a question. Otherwise I would not have bothered.

Mr. MANN. I suspected that the gentleman himself did not have the information, therefore I did not direct my first inquiry to him.

It was suggested some time ago, as stated by the gentleman from New York, that the President have a conference with a few Members of the House. I was one of those invited, although the people who ought to have been invited were not. The people who had jurisdiction of the subject were not asked, though, of course, that was purely an inadvertence on the part of the President, or whoever got up the interview. At that time there were some suggestions made, on a report from the Secretary of War, as to attendance upon the opening of the Panama Canal. I supposed that had all been abandoned. It was suggested by some one—these suggestions were not made by the President himself—and the suggestion was laid before this little conference, that about 250 people be taken down on account of Congress at the expense of the Government. I very naturally, and I think correctly, said that that number was either too many or too few. Assuming that there are 500 Members of the two Houses of Congress, and that each one has some one to accompany him on a trip of this sort, 250 out of 1,000 are either too few or too many for anything but a junketing trip. I said to the President that I did not think there was any possibility of the House voting a junketing trip for itself at the same time that it was trying to reduce its allowance for mileage.

It did not seem quite possible to me that the House would vote to cut off the compensation now allotted for mileage and then double the amount and take it out in a trip to Panama. And the trip, so far as the Members of Congress were concerned, was to end at Panama. While this suggestion contemplated that the Cabinet be taken to Panama at Government expense, and then taken around to San Francisco and brought home, the representation from the legislative branch of the Government was to sail down to Panama, and then in two or three days start back. As far as I am concerned, I have made that trip several times, and am not anxious to make it again. But I wondered what had become of the proposition. Only a week or so ago, or perhaps a little longer than that, I received a hurry-up letter from the Secretary of State, urging that something be done, and inclosing a copy of a letter which he had written to the chairman of the Committee on Foreign Affairs of the House—which committee, by the way, has nothing to do with the subject—and I replied to the Secretary of State, expressing the desire of this side of the House to cooperate in making any proper provision for the opening of the canal. Now, my understanding is that a suggestion was gotten up by a clerk somewhere and submitted to the President, and that when the President very properly asked some one in the House to introduce it he has been unable so far to find anybody in the House who would father the proposition.

But something ought to be done if it is ever to be done. The President ought to be present at the formal opening of the canal. Some of the executive departments ought to be represented there. I think it quite fitting that the Secretary of State, the Secretary of War, and the Secretary of the Navy be there. It would be quite fitting that there be a small committee from the House and the Senate to go there. It is certainly fitting that the two ex-Presidents be invited and possibly some others. The matter really ought to have been taken care of last summer, but it has not been taken care of yet, and I suppose that the canal will open up and pass vessels through it if we postpone the formal opening until they cut away Gold Hill and Contractors Hill, on the other side of the canal, and Culebra Hill, all of which have a tendency to slide into the canal. But what is going to be done? Does anybody know? Within the last four weeks of the end of this session, with the constant talk that there has been about the opening of the canal and representation at the exposition, does anyone know? Is it possible that in the House and the Senate they are again waiting for the orders of the captain of the team? Is there no originality on the part of Members of the House or the Senate? Can you not do anything until you get your orders? [Applause and laughter on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. The gentleman need not be worried. He may yet go on this trip. The urgent deficiency bill only has become a law. There is ample time to make provision.

In all seriousness, I agree with the gentleman from Illinois that Congress ought to provide the means to enable the Government to be represented in a fitting manner at the formal opening of the canal, if there is to be such a formal opening; and that not only should this Government be represented, but foreign Governments should be represented as the guests of the Government of the United States. I think that before the session ends, or, if its work is not completed when it does end, then before the next session ends ample provision will be made for the legitimate expenses connected with the formal opening of the canal. It is undoubtedly one of the most remarkable achievements to the credit of any civilized nation, and it should be appropriately commemorated. But in arranging for its commemoration the plans should be along such lines as will

commend them to the common sense and patriotism of the people of the United States. [Applause.]

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FITZGERALD. Yes.

Mr. COOPER. The gentleman said a moment ago that he thought this would be attended to at this session or the next session. Does the "next session" mean the session which ordinarily would begin on the first Monday in December?

Mr. FITZGERALD. No; I said in the event that Congress does not complete its work at this session, if for any untoward circumstances it should be necessary to convene in extra session in order to enact the appropriation bills, why, under those circumstances—let no one think that I would hanker after an extra session.

Mr. COOPER. Oh, no.

Mr. FITZGERALD. I have enough trouble and hard work in the regular session to satisfy even an unreasonable man, without looking for a repetition of the same conditions unnecessarily.

Mr. COOPER. Of course, the gentleman does not hanker, nor does anyone else hanker, for an extra session; but the gentleman said it would be attended to at this session or the next. Now, regularly the next session would not begin until the first Monday of next December.

Mr. FITZGERALD. But irregularly it may.

Mr. COOPER. So that if the gentleman means an extra session he ought to let us have warning now.

Mr. FITZGERALD. I am not in a position to speak about the prospects for an extra session. I do not try to anticipate the future. I am perfectly content if I can do those things that I am expected to do as a Member of this House, with the hope and the implicit confidence that things will always be for the best and for the speedy termination of our labors otherwise than by retirement. [Applause.]

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Scales for customs service: The unexpended balances of the appropriations heretofore made for construction and installation of special automatic and recording scales for weighing merchandise, etc., in connection with imports at the various ports of entry under direction of the Secretary of the Treasury, are continued and made available for expenditure during the fiscal year 1916.

Mr. MARTIN. Mr. Chairman, I move to strike out the paragraph. The gentleman from Missouri [Mr. BORLAND] during the afternoon has announced a great increase in export trade for December and January, and this has been heralded as an indication of a general revival of business in the United States. No one has been discovered sufficiently optimistic to prophesy anything other than a deficit in the national finances during the coming fiscal year. The gentleman from New York, chairman of the Committee on Appropriations, who is probably as well informed as anybody on this subject, very frankly stated during the debate on this bill that in his judgment there would be an inevitable deficit during the coming fiscal year variously estimated from $20,000,000 to $100,000,000.

The prevalence of the horrible war in Europe is proving a great political asset for the Democratic Party. The exports which are abnormal by reason of the large demands for American munitions of war and American foodstuffs give an opportunity to claim a great revival of trade. The war in Europe has been capitalized as an excuse for giving us a war tax in time of peace, and I have wondered if the present war in Europe should suddenly terminate whether the perpetual conflict which can always be depended upon over the Mexican border would be a sufficient political asset to justify the continuation of the war tax in the United States indefinitely.

But before we leave this part of the bill which has to do with the collection of the customs revenue I would like to ask the gentleman from New York whether the requirements of what is known as the Smith amendment have been observed by the administration—which requires the Executive and Secretary of the Treasury, when estimates are sent to Congress and it is discovered that the anticipated expenditures are in excess of the anticipated revenues, to make recommendations as to how the estimates may be reduced?

Mr. FITZGERALD. I did not quite catch the gentleman's question.

Mr. MARTIN. Whether the requirements of the Smith amendment as to an agreement between the anticipated expenses of the Government and the anticipated revenues are being observed by the Executive and the Secretary of the Treasury in their information to Congress upon financial legislation.

Mr. FITZGERALD. I imagine so. The Smith amendment provided that whenever the estimates for expenditures for the ensuing fiscal year were in excess of the estimated revenues the Secretary of the Treasury should transmit a statement of the estimated receipts or revenues and the estimated expenditures to the President, and the President should transmit them to Congress, informing them or advising them as to how the estimates could be best reduced without impairing the public service, or, in the event in his opinion that they could not be reduced, of methods to be resorted to in order to obtain additional revenue necessary to meet the proposed expenditures.

Mr. MARTIN. Has any information of that sort been supplied to Congress during the present administration?

Mr. FITZGERALD. When the estimates of expenditures were transmitted to Congress at the beginning of the session my recollection is, from an examination of the report of the Secretary of the Treasury, that it showed an apparent surplus in the next fiscal year.

I might suggest to the gentleman that a very bad example was set by the Taft administration during which the law was enacted. One year the estimated expenditures, as transmitted to Congress, would have been far in excess of the estimated revenues, and so the estimated expenditures were ruthlessly cut down to bring them within the estimated revenues. That was discovered in a peculiar way. The law requires that the estimates be transmitted in the regular Book of Estimates and prohibits the transmittal of supplemental estimates except for service or services that have been authorized by legislation subsequent to the transmission of the estimates, or because of the happening of some extraordinary event that could not have been anticipated when the estimates were transmitted. Whenever supplemental estimates are transmitted the law requires these estimates to be accompanied by a detailed statement of the reasons why they were not transmitted in the regular Book of Estimates.

Secretary of the Navy Meyer, in a supplemental estimate to the Congress, estimated $1,000,000 for the building of high-power radio stations, and then, in compliance with the law, requiring him to state why it had not been put in the regular Book of Estimates, giving the reasons embodied within the provision controlling the supplemental estimate, was this statement, and this statement only:

This amount was not included in the regular Book of Estimates because of the desire to keep the estimates as low as possible.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARTIN. Mr. Chairman, my question to the gentleman from New York is a simple one, and that is whether the administration has made any suggestion to Congress as to meeting the discrepancy between the anticipated revenues and the anticipated expenditures, as required by the Smith amendment?

Mr. FITZGERALD. The law requires the President to do certain things——

Mr. MARTIN. I know what the law requires. I am asking for the facts.

Mr. FITZGERALD. The Secretary of the Treasury transmitted the estimates in December, and by eliminating the supposed expenditure to meet the sinking-fund requirements the surplus was about $15,000,000, and under those circumstances no obligation rested upon him to transmit the estimates for expenditures or receipts to the President.

Mr. MARTIN. I am bound to say that I think the gentleman from New York is lacking in his usual frankness and his usual freedom in imparting information to this committee. The question I asked was a simple one, and it has not been answered. I understand from other sources that during the Taft administration and after the passage of the Smith amendment an effort was made to comply with the provisions of the amendment. Whenever in any particular year the anticipated expenditures exceeded the anticipated revenues the various departments were required by the President to revise their estimates and to conform to the requirements of the law, so that there would be no need of any estimates in excess of the anticipated revenues.

Mr. FITZGERALD. The law did not require what the gentleman says was done, and it was drafted to prevent that being done.

Mr. MARTIN. Mr. Chairman, the law is very plain.

Mr. FITZGERALD. It placed the reduction of expenditures in the departments so as to place the responsibility for expenditures in excess upon the Congress. What the law contemplated was this: That after the administration had determined how much it was believed was required for the conduct of the public service, if those estimates exceeded the estimated receipts or revenues, they should be transmitted without

being cut, with the President's opinion as to how they could be cut without impairing the public service or, if in his opinion that amount of money was required, what additional revenue should be raised.

What was done in the Taft administration was this: It was found that the sums believed to be essential for the conduct of the public service were in excess of the public revenues. Instead of complying with the law they eliminated items from the estimated expenditures and transmitted to the Congress estimates that they knew were insufficient and inadequate for the conduct of the public service, in order to avoid appearing before the country as asking for money for expenditures in excess of the anticipated revenues of the Government.

Mr. MARTIN. Mr. Chairman, the provisions of the law, I think, are quite plain, and I shall print the Smith amendment in connection with my remarks. What I desire to say is that while under the Taft administration some executive effort was made each year to compel the different departments to keep their estimates within the anticipated revenues that were to come during the fiscal year, apparently no effort is being made on the part of the present administration to furnish any information to the Congress as to the anticipated revenues or to make any comparison between the anticipated revenues and the anticipated expenses, and as a result we have been furnished during no year of the present administration with any information on the subject. I see the Chairman of the committee is raising his gavel, and inasmuch as I have been very liberal in yielding to the chairman of the Committee on Appropriations, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. MARTIN. I have made this reference to be considered in connection with the recommendation of the gentleman from New York, the chairman of this committee, which he made in the House in his opening speech under the general debate on this bill, when he stated that in his opinion the way to produce harmony between the receipts and expenditures, and to hold unnecessary expenditures down, was to place greater power in the hands of the executive departments of the Government and remove from individual Members of this House the power of individual initiative regarding appropriations. I think these instances I have cited very clearly illustrate that that is not the way to curtail expenditures in the administration of the Government. Invariably we obtain in the recommendations of the Executive and the executive departments requests for much larger appropriations than the anticipated revenues, unless they are admonished to keep the estimates down. The chairman of this committee, in his opening statement to the Committee of the Whole at the beginning of the consideration of this bill, stated that in four years the estimates of the Treasury officials sent to the Committee on Appropriations for the purpose of the sundry civil appropriation bill were in the aggregate $97,000,000 more than the amounts actually recommended by the committee. It is not to the executive departments, nor to the recommendation of the executive departments, that we can look with any hope of curtailments or economy of appropriations.

The Constitution has placed responsibility for appropriations and of initiating revenue measures upon the House of Representatives, and the experience and the history of all Governments has been that the further you get away from the power that spends the money in determining what the expenditures are to be, and the closer you get to the people through their short-term representatives, the nearer you get to economy in the financial administration of the Government. I am one of those who believe that the Congress of the United States, and particularly the House of Representatives, must face responsibility for appropriations and responsibility of making the two ends meet between the revenues that are to be provided and the ways and means and the expenditures that are to be made by the various appropriation committees. The firmer we lay that responsibility upon the combined membership of the House, and the sooner we cease to shift the responsibility upon any other branch of the Government, the sooner we will arrive at an economic administration of our affairs. I think that the practice of the present administration is absolutely making no effort to consider the relation between expenditures and receipts for any given year, asking for large expenditures without any suggestion of where the money is going to come from to meet them, is a practice that if followed by a private individual or a corporation would lead to inevitable bankruptcy, and we ought to insist upon the enforcement of this amendment in the estimates that come from the administrative departments.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MARTIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting the Smith amendment.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The amendment is as follows:

ESTIMATED EXPENDITURES, PRESIDENT TO CONSIDER RELATION OF, TO REVENUES.

Immediately upon the receipt of the regular annual estimates of appropriations needed for the various branches of the Government it shall be the duty of the Secretary of the Treasury to estimate as nearly as may be the revenues of the Government for the ensuing fiscal year, and if the estimates for appropriations, including the estimated amount necessary to meet all continuing and permanent appropriations, shall exceed the estimated revenues, the Secretary of the Treasury shall transmit the estimates to Congress as heretofore required by law and at once transmit a detailed statement of all of said estimates to the President, to the end that he may, in giving Congress information of the state of the Union and in recommending to their consideration such measures as he may judge necessary, advise the Congress how in his judgment the estimated appropriations could with least injury to the public service be reduced so as to bring the appropriations within the estimated revenues, or, if such reduction be not in his judgment practicable without undue injury to the public service, that he may recommend to Congress such loans or new taxes as may be necessary to cover the deficiency. (Mar. 4, 1909, Stat. L., vol. 35, p. 1027, sec. 7.)

Mr. FITZGERALD. Mr. Chairman, I am familiar with the history of the so-called Smith amendment. It was designed to accomplish a beneficial purpose. In 1906 Congress enacted section 4 of the sundry civil act, which required that all estimates for annual services should be furnished to the Secretary of the Treasury for inclusion in the Book of Estimates, and prohibiting special additional estimates except to carry out laws subsequently enacted or when deemed imperatively necessary for the public service by the department in which they shall originate, in which case such special or additional estimate was to be accompanied by a full statement of its imperative necessity, and so forth. Estimates had been juggled and shifted and sent in such a haphazard manner to Congress that there was no system or logic in the manner in which the public business was transacted. After the enactment of this law it was believed to be desirable to try and fix some greater responsibility upon the executive for the submission of estimates. Estimates were being sent to Congress for the appropriation of public funds without any regard whatever to the anticipated revenues of the Government during the fiscal year for which these expenditures were to be made, and it was then that the so-called Smith amendment was adopted. I shall not repeat it, as the gentleman from South Dakota will have it printed in his remarks. The purpose of that amendment was to have the executive departments of the Government prepare the estimates of the public moneys believed to be essential for the proper conduct of the public service. It would make little difference whether the revenues were to be in excess of the proposed expenditures or to be less than the proposed expenditures. What Congress was entitled to know was what the executive departments believed was necessary from the standpoint of the executive to conduct the public service.

It provided that if the estimated expenditures were in excess of the estimated revenues that the President should transmit both to Congress and inform Congress where the expenditures could be reduced "with the least injury to the public service," and if in his opinion they could not be reduced so as to bring them within the estimated revenues, that he should recommend to Congress such measures as in his judgment were necessary to cover the deficiency. That was to obtain, first, the estimates of the department as to how much was necessary to conduct the Government, and, secondly, the opinion of the President as to any manner in which those estimates could be reduced without impairing the public service; or if he did not believe they could be reduced, what measures should be adopted to obtain the revenue. Now, the whole purpose of that law was frustrated by the policy which was adopted. Immediately after its enactment the estimates of expenditures were prepared by the departments, and when it was ascertained they were likely to be in excess of the anticipated revenues, directions were issued to make cuts of certain amounts, and the estimates were submitted within the anticipated revenues. Thereafter, in the investigations which were conducted by Congress, it developed that a number of officials called upon to explain their estimates would make statements of this tenor; that in their opinion the amount requested would not be sufficient to properly maintain the public service; that they had prepared the estimates in a larger sum; that they had been directed to reduce it; that they had protested that it

was impossible to conduct the public service within that sum, but still had to submit such an estimate. That happened, for instance, in connection with items for pay of the Army where, regardless of the amount of money reported by Congress, a deficiency which is recognized within the law can be incurred for the pay of the Army up to authorized enlistment——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask for a minute or two more.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. FITZGERALD. It is true in connection with the estimates for the transportation of the Army where the War Department is authorized to incur obligations for the transportation of troops regardless of the appropriation that is made. It was true in regard to a number of other services where the law authorizes the services to be conducted regardless of whether the appropriation is sufficient—obligations that are binding upon the Government and which are allowed to be incurred. Then, there were these additional instances to which I have already referred, one where the Secretary of the Navy submitted a supplemental estimate of $1,000,000 for a high-power radio station and gave as his explanation, within the law requiring that an additional estimate be accompanied by a full statement of its imperative necessity and reasons for its omission in the annual estimates, that this estimate was not included in the regular Navy estimates because it was desired to keep the estimates as low as possible, which was a gross and flagrant violation of the law. What was done about it? I took the item out of the naval appropriation bill on a point of order, because of its being a gross violation of the law. The appropriation recommended was, I think, $400,000 of the million dollars, but it was put back in another body in a Republican House which tumbled over itself in ratifying such a flagrant violation of the law. Now, that has not been done by this administration. Whether there will be a deficit or a surplus, this administration has submitted the estimates believed to be required to conduct the public service. The Secretary of the Treasury at the opening of Congress, in his report to Congress, shows an apparent surplus of $15,000,000, so the Smith amendment did not operate as to requiring the President to make recommendations such as otherwise would have been required.

Mr. GILLETT. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GILLETT. The gentleman says this administration was not affected by the Smith amendment. Does the gentleman think that it is fair to make up estimates as this administration did? In the Post Office estimates, where there was estimated a reduction of $20,000,000 in the hope that they will adopt a recommendation contrary to existing law, which anyone who has been in Congress would know there is no chance of being adopted. Does the gentleman think that is a fair way to make up estimates?

Mr. FITZGERALD. I do not know that I should characterize recommendations of the departments as fair or unfair. The Postmaster General's estimates for the Postal Service for the next fiscal year aggregate, I think, $297,000,000, conditioned upon the enactment of certain legislation. His estimated revenues, if I recall them correctly, were $327,000,000, and the Secretary of the Treasury in his annual report, in reviewing the estimates of expenditures and anticipated revenues, called attention to the fact that the estimates of the Postmaster General are contingent upon certain legislation being enacted by Congress, and if it were not enacted that the service would absorb all the anticipated revenues, so that this apparent surplus in the postal receipts was not used to avoid the operation of the Smith amendment.

Mr. GILLETT. Well, in the Book of Estimates the estimate for the Post Office appropriation bill was $297,000,000, whereas in compliance with the existing law it ought to have been $320,000,000, or a difference of $23,000,000. That is the way of making an apparent surplus in a case where there is really a deficit.

Mr. FITZGERALD. He did not do that because the postal estimates in certain respects are eliminated, while if Congress had complied with the recommendation of the Postmaster General and the legislation had been enacted and there had been no falling off of postal revenues, there would have been a surplus of over $20,000,000, while, as pointed out by the Secretary of the Treasury, if this legislation was not enacted the conduct of the department would absorb this revenue and no advantage was taken of that in compiling the fiscal statement.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. The gentleman from New York is a very adroit debater and a very faithful apologist for this administration. The gentleman from New York says the last Republican administration did not comply with the provisions of the Smith amendment. He criticizes that administration because there was some supplemental estimates made, he says, without the proper legal explanation. As a matter of fact, all of these original and supplemental estimates were not only within the estimated revenues but within what developed to be the actual revenues. The real important and outstanding fact with regard to these matters of comparison between the then Republican administration and this Democratic administration is this: That the Taft administration, both in its estimates and in its expenditures, kept within the public revenues, and this administration, whatever may be said of its original estimates, both of expenditures and of receipts, clearly as to its actual expenditures, will far exceed the actual receipts all the way from $30,000,000 to $100,000,000, as our friend from New York has informed us. Now, that is the real important, outstanding fact, that the Taft administration in estimates and expenditures kept within the revenues and left a balance in the Treasury; that this administration, whatever may have been the fact as to its first estimates, will in its expenditures compel the American people to go down in their pockets for an additional sum over the ordinary revenues of anywhere from $30,000,000 to $100,000,000.

Mr. FITZGERALD. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from New York?

Mr. MONDELL. I do.

Mr. FITZGERALD. That administration issued about $30,000,000 of Panama Canal bonds. This administration has not issued any bonds whatever.

Mr. MONDELL. The Taft administration expended, as I recall it, in the neighborhood of $150,000,000 for the building of the Panama Canal for which no bonds were issued.

Mr. GILLETT. It was more than that. It was over $200,000,000.

Mr. MONDELL. Over $200,000,000, the gentleman from Massachusetts says, for which no bonds were issued. This administration will issue more bonds based on the Panama Canal than it has spent on the Panama Canal. That is the difference. That administration took $200,000,000 out of the current revenues for the canal; the present administration not only will issue bonds enough to pay all that has been expended on the canal during the administration, but probably a sum greatly in excess of that, and I am sure that my friend from New York [Mr. FITZGERALD] will not disagree with me in regard to that. In fact, I think he realizes that the bond issue will come quite soon. The gentleman from Massachusetts [Mr. GILLETT] said the other day it would come in July.

Mr. GILLETT. The 1st of June.

Mr. MONDELL. The gentleman from Massachusetts says the 1st of June. I agree with him. I had understood him to say about July. Before the 1st of June the administration will proceed to issue Panama Canal bonds probably far in excess in the amount of all the moneys that have been expended under this administration for the construction of the canal, while the last Republican administration spent something like $200,000,000 out of current funds which were never reimbursed by the sale of bonds.

The gentleman from New York [Mr. FITZGERALD] suggests that the administration did keep within the provisions of the Smith amendment in its original estimates. Well, that is a question. It depends upon how accurate their estimates of revenue were. Time is developing the fact that those estimates of revenue were too high. But almost immediately after the presentation of the regular estimates supplemental estimates began to pour into Congress for millions; and I hope the gentleman from New York will correct me if I am in error in saying that supplemental estimates up to this time have amounted to over $20,000,000. My recollection is that they were nearer $22,000,000 than $20,000,000. Now, that is in addition to what is in effect a supplemental estimate on the Post Office bill of over $22,000,000. Although it was not made as a supplemental estimate, it was added by the committee, so that the administration, in order to seem to keep within the provisions of the Smith amendment requiring that estimates shall be kept within the anticipated revenues, failed to estimate for the needs of the Government, as they must have been understood by the administration at the time, by over $42,000,000. And had the administration made the estimates in the amount that the members of the administration must have known were necessary, the total of estimates would have been far in excess—millions in excess—of the wildest guesses of anticipated revenue.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. GILLETT. Mr. Chairman, on reflection I think the gentleman from Wyoming was nearer right than I was when he said that it was $150,000,000 that was spent out of current revenues in the Taft administration in constructing the Panama Canal. As I remember, up to date $214,000,000 has been spent out of the current revenues for building the canal and about $150,000,000 has been spent from the proceeds of bonds, but I forgot for a moment that the $214,000,000 was not all spent during the Taft administration. Some of it was spent during the Roosevelt administration. So I think the gentleman was about right in his original statement. It occurs to me, however, in that connection to say a word in regard to the statement of the gentleman from South Dakota [Mr. MARTIN] about the relative economy of Congress and the executive. I am inclined to disagree with the gentleman and to think that the executive, despite the fact that that is the department of the Government that spends the money, is apt to be more economical than the department that appropriates the money, because that is the single head. The executive has responsibility, whereas we here, four hundred and thirty-odd men, have, no one of us, any great sense of responsibility. It is divided up into 430 parts, and therefore whatever anyone wants he is apt to think will be divided among all and he will get what he can and trust that the others will bear the responsibility.

Mr. MARTIN. The comparison, of course, is not between the Congress and the President, the single Executive, but between the Congress and the executive departments of the Government. My suggestion was that Congress has held down the estimates made by the executive departments, and our appropriations are always under those estimated by the departments.

Mr. GILLETT. I think the gentleman is mistaken. I think the appropriations generally run higher than the estimates. For instance, in the appropriation bills that have passed the House so far, the original estimates which were sent in by the departments were $20,000,000 less than the appropriations that passed the House, and at the same time I recognize that supplemental estimates were sent in by the administration, which I presume would just about even up.

Mr. MARTIN. You have already reminded the committee that those original estimates for the Post Office Department were some $23,000,000. Does not the experience of the gentleman, taking one year with another, show that the appropriations for the running of the Government fall considerably below the estimates requested by the executive departments?

Mr. GILLETT. I have not looked it up, but my offhand guess would be that it is the other way, because the gentleman must recollect there is another body to be reckoned with besides this body.

Mr. FOSTER. The appropriations reported in this bill are $9,000,000 less than the estimates.

Mr. GILLETT. But the Appropriations Committee always report less than the estimates. There is no doubt that the Appropriations Committee are more economical than the executive, invariably; but the bill is always swollen after it leaves the Appropriations Committee. It is increased first always in the House, and then it is always increased again in the Senate. We do not know what this bill will be when it is passed.

Mr. FOSTER. Is it not usually the case that the estimates are more than the appropriations as finally made.

Mr. GILLETT. I am not sure. As I say, my recollection would be the other way.

Mr. FOSTER. I think the gentleman is in error about that.

Mr. GILLETT. Very likely. I have never looked it up.

Mr. MONDELL. Is not this the fact, that the appropriations for running the departments of the Government are ordinarily considerably lower than the estimates?

Mr. GILLETT. Does the gentleman mean the departments here in Washington?

Mr. MONDELL. The departments generally; that is, the regularly established operations of the Government. For those purposes the appropriations are always less than the estimates; but if the appropriations are higher than the estimates, it is because we have added a lot of construction items, a lot of new activities, as we have added in one place in this bill a provision for increased activities of the Coast Guard, and as we will add in certain bills large sums for the acquirement of a park here in Washington, for the erection of a building somewhere, and for purposes of that kind.

Mr. GILLETT. I think that is very apt to be true. We are looking out for our different districts.

Mr. MONDELL. But I think the gentleman from South Dakota [Mr. MARTIN] is still correct in his statement that with regard to those matters on which the departments estimate the appropriations are generally lower than the estimates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN. I ask unanimous consent that the gentleman be allowed five minutes more.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. FOSTER. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. FOSTER. On this bill which is now under consideration, and the three previous ones that have been passed for the previous three years, the appropriations are $60,000,000 less than the estimates.

Mr. GILLETT. As the bills finally became laws?

Mr. FOSTER. As the bills finally became laws. That is, counting this one, which has not yet become a law.

Mr. GILLETT. It is not fair to consider this with the others, because we do not know what the total of this one will be.

Mr. FOSTER. I realize that.

Mr. GILLETT. How much were the others?

Mr. FOSTER. I think something like $40,000,000 or $50,000,000 less than the estimates.

Mr. GILLETT. It is quite possible that I may be mistaken in my judgment. I have never looked it up, but I had the impression, which I have stated, from the general course of business.

Mr. MARTIN. Does not the gentleman recall that in the opening statement of the chairman of the Committee on Appropriations in general debate he called our attention to the fact that during the last four years the estimates from the department for the running expenses of the Government for this sundry civil bill were some $97,000,000 more than was actually appropriated.

Mr. GILLETT. I questioned whether he was not mistaken in that statement; but I will agree to what the gentleman from Wyoming [Mr. MONDELL] says, that it is largely in the additional items that are put on that we make the increases. In other words, it is on the matters that affect us personally and politically in our districts that we keep adding; and that is the reason, of course, as I intimated originally, that I think Congress is not to be trusted in the matter of economy, because we can not resist the pressure that is brought upon us individually to vote for something which our constituents at home desire.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

PUBLIC HEALTH SERVICE.

For pay, allowance, and commutation of quarters for commissioned medical officers and pharmacists, $695,000.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word. I regret very much that the distinguished clerk of the Committee on Appropriations is not permitted to speak on the floor, because I feel sure that I could get from him the information that I am seeking, and at this moment I do not see the chairman of the committee.

Mr. FITZGERALD. I am right on the job.

Mr. DUPRÉ. The gentleman will doubtless confer with the clerk of the committee, and therefore will be able to give me the information. I should like to know how far short is this appropriation of $695,000 as compared with existing law? My understanding is that for the current year there was $679,000 appropriated and then $50,000 additional, which would make $729,000 as against $695,000.

Mr. FITZGERALD. Oh, no. Last year the appropriation was $679,858.

Mr. DUPRÉ. In addition to that there was $50,000, was there not?

Mr. FITZGERALD. Oh, no. This is $15,142 more than was appropriated for the current year.

Mr. DUPRÉ. This appropriation does not cover a recommendation of $50,000 for additional assistant surgeons in the Public Health Service?

Mr. FITZGERALD. No; it does not. It does not cover $50,000 for additional employees.

Mr. DUPRÉ. Those additional employees were covered by the present law, were they not?

Mr. FITZGERALD. This appropriation covers the employees provided at present. The Public Health Service asked $50,000 to increase over the existing force the force of commissioned and medical officers and pharmacists.

Mr. DUPRÉ. Why did not the committee see fit to grant this request?

Mr. FITZGERALD. Because of the extraordinary growth of this service within the past few years.

Mr. DUPRÉ. All the more reason why the appropriation should be granted, apparently, if there has been such an extraordinary growth.

Mr. FITZGERALD. In 1912 the total appropriation for the Public Health Service was $1,589,100. In this bill the total carried for the Public Health Service is $2,868,106, or $1,300,000 more than the service had three years ago. That is nearly 100 per cent increase, and the committee thought that this service had been growing about as rapidly as could be justified; and, as increases were made in other respects for the service, we thought we could not very well justify the increase of $50,000 which was asked for this purpose.

Mr. DUPRÉ. Was not a request made for 20 additional surgeons?

Mr. FITZGERALD. I think there was something like that. The request was made to appropriate under this item $50,000 more than is carried here.

Mr. DUPRÉ. I would like to be sure on this point. Did not the bill last year provide $50,000 for additional surgeons, and is it not refused in this bill?

Mr. FITZGERALD. In 1914 the appropriation under this item was $547,640. There was an additional $50,000 for some employees not then added. In the bill for the current year these two items were consolidated, which made that item $597,000, and, in addition, $82,000 more was appropriated. Now, in the pending bill $15,000 is added to the amount carried in the current law, so that this appropriation is about $100,000 in excess of the appropriation two years ago, when the $50,000 increase was first granted.

Mr. DUPRÉ. How much is the appropriation in excess of the current year?

Mr. FITZGERALD. Fifteen thousand dollars. It carries additional employees that the $50,000 enabled the service to obtain, and provided an additional amount required because of the increase of compensation from longevity and the pay of some officers absent on leave on certain service, and who returned to the pay roll of the Public Health Service.

Mr. DUPRÉ. I represent a city which has been greatly helped and benefited in several great crises by this governmental agency, and I think it is a poor place to economize in the Public Health Service.

Mr. FITZGERALD. This is not economizing; it is increasing the appropriations. The appropriations in which the services were carried are very materially increased.

Mr. DUPRÉ. The gentleman has denied the request of the Surgeon General.

Mr. FITZGERALD. If we granted all the requests of the Surgeon General, the service would grow at such leaps and bounds that Congress would repudiate the Committee on Appropriations. We have been more than liberal to the Public Health Service.

Mr. DUPRÉ. Mr. Chairman, I do not care to bring about a repetition of the unfortunate discussion that occurred on the floor some weeks ago in regard to the Public Health Service. For my part, I think it covers some of the unworthiest pages of the RECORD. I do not care to go into that again, but I want to find out why the gentleman was denying a reasonable request that additional surgeons be given to this department to do its work effectively.

Mr. FITZGERALD. For the current year the total appropriations for this service are $2,779,000, and that includes $220,000 in the deficiency. The Surgeon General asked for $2,999,000, an increase of $220,000, and the bill carries $2,868,000. The committee has done very fairly by the service, and in the last three years, to my knowledge, more has been done for that service with my aid and cooperation than any other governmental service we have had. We have enlarged the force, given money for special work, given money to enable them to do things that were beneficial and to advance the public health of the country, and we have been publicly thanked by the Surgeon General of the service for our generous cooperation.

Mr. DUPRÉ. The gentleman will never aid a better cause, but I wanted to know if there was anything in here to justify the employment of 20 additional surgeons.

Mr. FITZGERALD. No; there is not.

Mr. DUPRÉ. Did the committee think it was unnecessary, notwithstanding the statement of the Surgeon General?

Mr. FITZGERALD. Yes; the committee thought he was making a request that could not be complied with under existing conditions.

Mr. DUPRÉ. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For purveying depot, purchase of medical, surgical, and hospital supplies, $45,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The gentleman from Louisiana [Mr. DUPRÉ] complains because the committee did not allow the entire estimates made for the Public Health Service. The gentleman is a member of the majority party. The gentleman, in the main, is in harmony with the policy of his party. The gentleman, except for the item of sugar, believes in the principles of the Underwood tariff bill. I think, except for the item of sugar, he has supported his party in the policy that is so reducing the revenues of the Government that we can not increase or enlarge these various public services under this administration.

Now, I believe that the committee has fairly well taken care of the Public Health Service. I do not believe that the public health will particularly suffer under these appropriations. I think that the present activities of the service as they have been going on in the past will be reasonably cared for under the appropriations that have been made.

But the gentleman from Louisiana must understand that we can not enlarge, increase, extend, amplify, or improve the public service under Democratic administration. It can not be done. We have not the money. Even with war revenue taxes in time of profound unruffled peace, with income taxes, with the coming bond issue, with all these extraordinary methods of raising revenue, you can not do anything more than in a niggardly way take care of the service as we find it. That is all you can even hope to do under this Democratic administration. That is what we have tried to do. We have tried to avoid the actual starving of any service, but some of them will look a little thin and emaciated at the end of the year. How much better does the gentleman think we can do under the policy of this party that produces the situation in the Treasury now presented to us? [Applause on the Republican side.]

The Clerk read as follows:

For maintenance of marine hospitals, including subsistence and all other necessary miscellaneous expenses which are not included under special heads, $250,000: *Provided*, That there may be admitted into said hospitals for study persons with infectious or other diseases affecting the public health, and not to exceed 10 cases in any one hospital at one time.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Under this authorization to admit into the marine hospitals for study persons infected with disease, does the gentleman know how many people have been admitted for study in any fiscal year?

Mr. FITZGERALD. My recollection is that there were as many as 80 persons in one year. This is practically permanent law, but it has been carried from year to year so as to obtain a statement relative to it.

Mr. MANN. We allow persons not connected with the marine service to be admitted into the marine hospitals, I suppose, for the study of disease. I thought possibly the gentleman might have the information of the number that had been admitted.

Mr. FITZGERALD. Mr. Chairman, I think the statement was made either this year or last year that they had in the neighborhood of eighty-odd; that they were taking these persons in the various stations. I can not now put my hand upon the number.

Mr. MANN. Very well. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

In all, $1,958,106, which shall include the amount necessary for the medical inspection of aliens, as required by section 17 of the act approved February 20, 1907.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Does the gentleman know from the hearings how much of this $1,948,106 is necessary for the medical inspection of aliens?

Mr. FITZGERALD. They formerly had an appropriation of about $100,000 for the inspection of aliens, and it is now done by the officers of the Public Health Service.

Mr. MANN. I understand; but I think the requirements have been considerably increased.

Mr. FITZGERALD. There is no separate appropriation. They are paid out of the appropriations for commissioned officers and the like.

Mr. MANN. It would be interesting to know how much is expended for the inspection of aliens coming into the country.

Mr. FITZGERALD. We had statements showing the number of surgeons on duty in connection with the immigration work. Several years ago when the force was increased it was provided that certain of the assistants should be specially qualified for the work of examining the mental defectives. It was claimed then that the ordinary surgeon did not have that special training and qualification that would enable him to detect the mentally defective, and for several years new employees were required to be specially qualified for the work. In one of these hearings the committee had a statement of the number of surgeons that were employed on the immigration work exclusively, but I do not have it at hand. However, my recollection is that, outside of a place like New York and other ports where immigrants come in in very large numbers, the surgeon who is doing other work also makes the necessary medical examination of the immigrants, so that in some places they are not detailed exclusively for immigration work.

Mr. MANN. Does the estimate this year show the number of acting commissioned surgeons and other employees of the service?

Mr. FITZGERALD. Yes. I think I have all of that information. The number of acting assistant surgeons is 230. The acting assistant surgeons are the men who were taken over at the time the work of certain States was transferred to the Federal Government. In a great many instances we took over the physicians who were employed in that work.

Mr. MANN. But there certainly can not be over 200 acting assistant surgeons, surely, who are giving all of their time to the work?

Mr. FITZGERALD. Some of them are paid very small sums. For instance, we have one who is paid $3,000. He is a very distinguished surgeon in the South, and has charge of the quarantine station at one port. There are 7 at $2,400, 13 at $900, 1 at $1,780, 54 at $300, 1 at $270, a number at $240, $200, $180, $120, and $100. Some of them received a nominal compensation because their services are not required for any great period of time. The $3,000 man is a leprosy expert. The services of some of them are not very extensive, and they run down to $100 a year. Some of them are on a very low per diem, and are simply called upon as their services are required.

Mr. MANN. How many commissioned medical officers outside of the acting assistant surgeons are there now?

Mr. FITZGERALD. In 1914 there were 161 surgeons, senior surgeons, passed assistants, and the like; and of pharmacists there were 45. The estimates for 1916 were for 202 commissioned officers and 47 pharmacists.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of quarantine stations at Eastport and Portland, Me.; Providence, R. I.; Perth Amboy, N. J.; Delaware Breakwater, Reedy Island, and the Delaware Bay and River; Alexandria, Va.; Cape Charles and supplemental station thereto; Cape Fear, Newbern, and Washington, N. C.; Georgetown, Charleston, Beaufort, and Port Royal, S. C.; Savannah; South Atlantic; Brunswick; Cumberland Sound; St. Johns River; Biscayne Bay; Key West; Boca Grande; Tampa Bay; Port Inglis; Cedar Key; Puntarasa; St. Georges Sound (East and West Pass); St. Joseph; St. Andrews and Pensacola, Fla.; Mobile; New Orleans and supplemental stations thereto; Pascagoula; Gulf; Gulfport, Galveston, Laredo, Eagle Pass, and El Paso, Tex.; San Diego, San Pedro and adjoining ports, Santa Barbara, San Francisco, Monterey, and Port Harford, Cal.; Fort Bragg, Eureka, Columbia River, Florence, Newport, Coos Bay, and Gardner, Oreg.; Port Townsend and supplemental stations thereto; quarantine systems of Alaska, the Hawaiian Islands including the leprosy hospital, and Porto Rico; and including and not exceeding $500 for printing on account of the quarantine service at times when the exigencies of that service require immediate action, $155,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to inquire, if the gentleman happens to have the information, what is the necessity of maintaining a quarantine station at Alexandria, Va.? Is that quarantine against Members of Congress going South? Of course no vessel can go up there from the sea without passing quarantine somewhere else, I assume?

Mr. FITZGERALD. Oh, it is very necessary. It is established by law. I am not familiar with Alexandria, but from what I hear about it I have no doubt that it is necessary.

Mr. MANN. The gentleman from Wyoming [Mr. MONDELL] suggests that it is a port and that boats come in there. That is true of a great many places; but I should assume that a vessel with yellow fever on board could not get up to Alexandria.

Mr. MONDELL. Why not?

Mr. FITZGERALD. They quarantine against a lot of things.

Mr. MANN. If they are permitted to go by the Capes without inspection, it would be very strange. These quarantine stations are not scattered all over the United States where boats come in or where there are ports.

Mr. FITZGERALD. Vessels come and go from Alexandria.

Mr. MANN. Certainly they come and go from Alexandria. They come and go from Chicago and South Chicago also, but we do not have quarantine stations there, and they come and go directly to and from foreign ports, too.

Mr. SLAYDEN. How long has that been a quarantine station?

Mr. MANN. That probably was created a quarantine station about a hundred years ago, and they have not had time to cut it out.

Mr. FITZGERALD. Oh, the quarantine service was established in 1888.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, or trachoma, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $500,000: *Provided*, That a detailed report of the expenditures hereunder shall annually hereafter be submitted to Congress.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. This appropriation is a very valuable one——

Mr. FITZGERALD. A very big one, the gentleman means.

Mr. KAHN. It is a big one, and properly so. Heretofore when this item has been reached in this bill some captious critic has generally risen on this floor and pointed out the fact that the State of California, which had a few cases of the bubonic plague nearly seven years ago, has benefited by the expenditure within its borders of a large percentage of this money. That was very true. The Federal Government between 1908 and 1914 expended about a million and a quarter dollars in the State of California in exterminating rats and squirrels to prevent the spread of this plague. The citizens of San Francisco expended out of moneys which they themselves contributed about $150,000. The State of California, I find, contributed something like $85,000. The city and county of San Francisco from its treasury contributed something like $60,000. The counties outside of San Francisco contributed something like $60,000, and the citizens of the State generally, especially those of the city and county of San Francisco, in making their habitations ratproof and in killing off the squirrels, expended several million dollars, according to the figures given me to-day by the officials of the Public Health Service.

I merely cite these figures, and they were given me this very afternoon by the officer of that service, are approximate and show that California has done its share. Recently the plague broke out in New Orleans. The Public Health Service did a very valuable work in properly making a vigorous effort to stamp it out. The citizens of New Orleans and the State of Louisiana have come to the assistance of the Public Health Service and have contributed considerable money to stamp out this terrible disease. There is no doubt that the citizens of that State and that city were stimulated in their endeavors by the efforts that had been made by the citizens of California and of San Francisco in their efforts to save the rest of the Union from this dreaded disease.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. KAHN. Yes; I yield to the gentleman.

Mr. STEPHENS of Texas. Have the cities of Los Angeles and San Diego been troubled with this disease?

Mr. KAHN. Not within my knowledge. Of course, San Francisco and Seattle, of all the ports on the Pacific coast, are peculiarly open to possible attacks of this disease, because vessels come from the Orient to those ports, and the disease is one that thrives and flourishes in the ports of the Orient. But, of course, the number of cases reported have been few and the occasions when they have occurred exceedingly rare.

Mr. STEPHENS of Texas. Has it appeared in any of the Puget Sound cities.

Mr. KAHN. Yes; the city of Seattle is contributing its share toward stamping it out, and the Federal Government is doing some work there. I understand that out of this appropriation of $500,000 about $310,000 are to be expended by the United States for the extermination and eradication of this plague in the State of Louisiana. It is money well expended. It protects the other States of the Union from a possible invasion of that dread disease, and I sincerely hope that the critics of the State of California and the city of San Francisco will realize the fact that no section of the Union is immune; that the plague is apt to appear anywhere, and that the Government is justified in appropriating the necessary sums to stamp it out.

Mr. FITZGERALD. Mr. Chairman, I did not expect anybody from San Francisco would think my memory was so short that that statement could be made here on the floor in a sort

of boastful way that San Francisco and California were entitled to any particular credit for what it had done in the cooperation with the Public Health Service to eliminate bubonic plague. I had a very vivid recollection that the threat to stop all the work of the public service and quarantine the State of California about the time the World's Fair would open, finally had the effect of making the people of that State wake up to a realization that some responsibility evolved upon them to help eliminate that plague. I recall that the governor of the State of California vetoed a bill passed by the legislature that was designed to enable the State to do some little part in the work of eradicating the bubonic plague. However much I was surprised to hear the gentleman speak in a congratulatory tone about the work of California, I must confess it was with the utmost amazement I heard him, without the shadow of a smile, express the opinion that it was owing to the good example of the city of San Francisco and the State of California that induced the people of New Orleans to do anything in cooperation with the Public Health Service to eliminate the bubonic plague from that city.

Mr. KAHN. Will the gentleman yield?

Mr. FITZGERALD. If the people of New Orleans had followed the example of the people of San Francisco and California, they would not have expended a single dollar until the United States Government had, in effect, threatened to leave them to their fate. I yield at this point because I am going to show what New Orleans did with the horrible example of San Francisco before it.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. KAHN. The health officer or the officer of the Public Health Service told me this afternoon that when the matter was put up to the people of New Orleans they rather demurred at putting up any money until they were told what had been done by the people from San Francisco, and thereupon they did do a share of the work just as the people of San Francisco had done from the very beginning of the work.

Mr. FITZGERALD. No, Mr. Chairman; again I repeat that if New Orleans had followed the horrible example of San Francisco it would have done nothing. I do not know of anything in my experience in public life that so shocked me as the absolute disregard of the interest of their own people exhibited by the people of California and the city of San Francisco. They just declined to take any action or to assume any part of the burden until by a very vigorous protest upon this floor notice was served upon that city and that State that Congress would quit doing the work that should have been paid for by them unless they showed more interest. It figured out about $10,000 a rat or squirrel in California that the people of the city asked that the Federal Government pay. New Orleans from the outset started in to cooperate, and up to the 1st of December, I will state, from the date of the discovery of the first case, they spent $83,000 over the check of the Public Health Service officials.

That was from the 8th of July, 1914, to the 1st day of September. That is as much, as I recall, as San Francisco expended all told.

Mr. KAHN. Oh, no.

Mr. FITZGERALD. Well, pretty nearly. The Federal Government spent $122,179.48 during the same period. The city spent in addition $40,000 in the improvement of its garbage-collection service, upon the recommendation of the Public Health Service. The city has engaged to erect a new garbage incinerator at the cost of about $1,000,000, also upon the recommendation of the Public-Health Service. The city will spend about $37,000 in the rat-proofing of its public buildings. They also have erected a laboratory for the use of the department of public health, to cost $6,000. For the department of police, or public protection, they have spent about $11,000. These things are in addition to the $83,000 expended by the Public Health Service. Then the city has erected a special plague hospital at a total cost of $70,000, and the maintenance of the hospital in July, August, September, October, and November cost $13,222. Then it adopted certain ordinances requiring the rat-proofing of property, and one railroad had already expended $121,000 in complying with these ordinances, which were enacted at the direction of the Public Health Service. The estimate, as nearly as could be made by Dr. Rucker, was that New Orleans had expended or had obligated itself to expend approximately $5,000,000 in this work.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. FITZGERALD. In just a minute. In addition to that, it proposes to rat proof the docks there in cooperation with the State, and that will take a very, very large sum of money. If the city of San Francisco and the State of California had in the faintest manner possible emulated the example of New Orleans, there would not have been the slightest criticism, and I think it takes considerable effrontery, even from so genial a Member as the gentleman from California [Mr. KAHN] to make the suggestion here, without the shadow of a smile, that the example of California and San Francisco, which was condemned so vigorously and universally here and elsewhere, could have been considered in any way a stimulus to the people of New Orleans.

Now, I am accustomed, of course, to accept with a great deal of graciousness statements made by gentlemen about the activities and valuable services of the people of their communities, but this was a little too much for me, Mr. Chairman.

Mr. MOORE. I wanted to know if the gentleman could tell whether the prohibition vote has increased in California by reason of all these rats the gentleman has been telling us about?

Mr. FITZGERALD. I do not know. I am discussing a serious question.

Mr. MOORE. I observed that the gentleman was discussing rats, and that is a very serious question.

Mr. FITZGERALD. And I hope the spirit of levity will be kept out of the debate.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KAHN. Mr. Chairman, the gentleman has referred to the statement of Dr. Rucker and has quoted him as his authority. I simply desire to call to the attention of the committee the fact that Dr. Rucker is my authority for the statement that he impressed upon the people of New Orleans the necessity for coming to the aid of the Federal Government by reason of the splendid work that had been done in San Francisco in this matter. I understand that at the present time the State of California is doing the bulk of the work and that the work of the Federal authorities out there now is cut down to something like $3,000 a month. There is still very much work to be done in eradicating the squirrels. Bubonic plague is a menace to the life and well-being of the inhabitants of any State or community that may be stricken by it. The people of San Francisco from the very beginning, as citizens and residents of that community, gave liberal assistance to the Public Health Service and put up their money freely in helping to stamp out the plague.

Mr. BARTLETT. When did your legislature first appropriate money for this purpose?

Mr. KAHN. Of course I was in Washington at the time, but, as I understand it, the governor did veto such a bill on the ground that the counties in which the squirrels and the rats were found were putting up money out of their funds, and also that the individual citizens were contributing toward the expense.

Mr. FITZGERALD. This was a bill that was prepared by the public-health officials in the State of California to enable the State public-health officials to do work that is believed to be absolutely essential. The legislature passed the bill and the governor found some excuse, whatever it may have been, to veto it.

Mr. KAHN. I think that was his excuse.

Mr. FITZGERALD. It was to make it impossible for the State to do anything; and if it had not been for the threat that was made that we would quarantine your State and shut your exposition up, it never would have spent it.

Mr. KAHN. I do not think the gentleman wants to go so far as to say that the people of San Francisco have been derelict.

Mr. FITZGERALD. You have not anything to boast of.

Mr. KAHN. We have done as much as any community in this country has ever done.

Mr. SHERLEY. My impression was that the country tried to put it on the city, and the city tried to put it on the county, and the county tried to put it on the State, and the State tried to put it on the Nation.

Mr. FITZGERALD. They all joined in that raid.

Mr. KAHN. The city and county of San Francisco always did "come across." It has always done its share.

Mr. FITZGERALD. It made a lot of noise but really did not do anything.

Mr. KAHN. The gentleman from New York comes from a city where they always make a great deal of noise and do mighty little. The State of California always meets the Government halfway.

Mr. FITZGERALD. Most of the time it stands right at the very door of the Treasury; not only halfway, but right at the very door.

Mr. MOORE. Mr. Chairman, I move to strike out the last two words. If the gentleman from New York [Mr. FITZGERALD] will kindly break away from the rat discussion which he is con-

tinuing privately with the gentleman from California [Mr. KAHN], I should like to ask him a serious question about the mosquito.

Mr. FITZGERALD. Anything I have said about the California situation is very important.

Mr. MOORE. I understand that. I gathered from what the gentleman said that his heart is wrapped up in the subject of rats, and I had no desire to break in upon him until that discussion was concluded. What I do want to know is whether the gentleman has considered the mosquito question with reference to the spread of yellow fever, as provided for in this paragraph? In the following paragraph an appropriation of $200,000 is made to investigate the diseases of man. For a long time past I have been investigating this mosquito question myself, and I have been told by experts in animal culture in the House that the proper place to investigate the mosquito is in the medical department. I know the gentleman from New York is tired, but I will make this speech, whether he answers or not.

Mr. FITZGERALD. I do not have to stand up while the gentleman is talking.

Mr. MOORE. It would be polite if the gentleman would do it.

Mr. FITZGERALD. I know; but if I had to stand up while everybody talked I would never sit down. [Laughter.]

Mr. MOORE. It would be in accordance with that parliamentary practice in which the gentleman is an expert. What I wanted to find out was not what the gentleman knows about rats, but what he knows about mosquitoes. Is there anything in the testimony before the committee that shows whether the medical service will take up the investigation of the mosquito under either of these two appropriations—one for the prevention of epidemics and the other for field investigations?

Mr. FITZGERALD. They have thoroughly thrashed out the mosquito theory in connection with these various things. They know that a certain species of mosquito transmits yellow fever, that a certain other species transmits malaria, and certain other species transmit something else. They have fully investigated that subject.

Mr. MURRAY. Is it the male or the female mosquito that does this?

Mr. MOORE. I can answer that question myself. It is the female. Will any of this nearly $700,000 be spent in cooperation with States that have made appropriations for the extermination of the mosquito or its larvæ?

Mr. FITZGERALD. No; none of this money is for that purpose.

Mr. MOORE. Is there no way by which we can secure the cooperation of the Federal Government with those States that do appropriate money for drainage purposes or for sanitation, with a view of destroying the larvæ of the mosquito?

Mr. FITZGERALD. I hope not. A way may be found, but I hope not.

Mr. SHERLEY. I suggest to the gentleman that perhaps the Federal Government might consider it after the city of Philadelphia had concluded to clean up that stream that it has been trying to get the Federal Government to clean up for so many years.

Mr. MOORE. That is altogether beside the question. The gentleman from Kentucky is altogether mistaken as to his facts. The city of Philadelphia has cleaned up that stream—the Frankford Creek—that the Government failed to appropriate money for, although in like cases in Kentucky and elsewhere the Government has often made such appropriations.

Mr. MURRAY. Why not pour a little coal oil on the water?

Mr. MOORE. If New York would establish a mosquito quarantine, or barrier of some kind, and prevent the New York mosquitoes flying over into Pennsylvania and New Jersey, we would not need it. But evidently we are to have no relief, so far as the Federal Government is concerned. We are to spend $500,000 for the prevention of epidemics, including the prevention of yellow fever, which is spread by the female mosquito, of which Gen. Gorgas tells us there are about 200 varieties. We are to spend $200,000 on field investigation of the diseases of man, of one kind and another, but the greatest pest of them all and the one that carries the most disease, the one that spreads malaria and yellow fever perhaps more than any other, the mosquito, is to be overlooked. I want to find a way, either through the Agricultural Department or through the Medical Bureau, by which we can deal with this worst of all the pests that afflict the human species.

Mr. FITZGERALD. This money is expended only in case of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague, black death, or trachoma. Those are certain well-defined contagious diseases that become epidemic. In case of threatened or actual epidemic of such diseases this money will be expended in cooperation with the States or local authorities, or in any other way to be effective. Now, that is as far as the Federal Government can legitimately be expected to go. To undertake the other work of exterminating mosquitoes regardless of their propagating diseases is unnecessary.

Mr. MOORE. The greater the annoyance the less assistance.

Mr. FITZGERALD. This appropriation is not to remove annoyances or nuisances. It is to enable the Federal Government to cooperate in cases of threatened epidemic and certain well-known disastrous or devastating contagious diseases. That is all; and it is limited to that. The gentleman has in mind a matter that is in an entirely different category, and that would be the cooperation of the Federal Government in States or localities eliminating the mosquito, which is a source of certain inconveniences and certain diseases to man, by drainage methods, and the like.

The CHAIRMAN. The time of the gentleman from New York has expired, and the pro forma amendment is withdrawn.

Mr. MANN. Mr. Chairman, I would like to make an inquiry in relation to this. Am I in error that when we made the appropriation the first time, it was one to remain available until expended? Was not an appropriation at the beginning made of half a million dollars, or some such sum, as an emergency fund to remain available until expended?

Mr. FITZGERALD. The first appropriation was made by joint resolution in 1899, of $200,000, and another of $100,000. Then there was, in 1890, an appropriation of $100,000; one in 1893 of $100,000; one of 1894 of $900,000. Then there was none until 1899, and then appropriations have been made from time to time. None was made in 1911 or 1912, but it is a continuing appropriation.

Mr. MANN. I was not here when the first appropriation was made, according to that. I remember one that was made some years ago which was an appropriation for an emergency and remained available until expended, with the idea that if there arose an emergency—some real epidemic—the executive department would have money for expenditure even though Congress was not in session, and money which could be used instantly without waiting for Congress, if it was in session, to make an appropriation. Last year this was $200,000.

Mr. FITZGERALD. Yes; and two hundred and twenty thousand in a deficiency bill this year.

Mr. MANN. That was apparently available only for the year. I am not criticizing what is being done here; but what I would like to know is, how far the making of appropriations for emergencies is now being made use of in the Public Health Service in aiding the States to take care of ordinary contagious diseases which are not epidemics in any sense of the word, and which are not brought into the country from the outside, as was contemplated in the original provision, but going out and spending the money in taking care of ordinary contagious diseases?

Mr. FITZGERALD. A few years ago it was found that a permanent force had been built up under this appropriation, and the committee made provision for transferring the entire force to another service.

Mr. MANN. And now they have built up another force.

Mr. FITZGERALD. Yes; said to be due to this recent situation in New Orleans, where they discovered that bubonic plague had broken out.

The committee tries to keep the Public Health Service in sufficient funds to carry on the anticipated work resulting from existing conditions, and to give them such a sum for that work as will enable them in a case of emergency between sessions of Congress to have a considerable sum of money at its disposal for such purpose. There is at present sufficient funds to carry the service up to the 30th of July in the work that it is now doing, spending about $37,000 a month in New Orleans, and an appropriation of half a million dollars from July on would give them a considerable sum in case any emergency which occurred between then and the meeting of Congress in December.

But, remembering what the gentleman from Illinois has in mind, we have tried repeatedly to keep the fund segregated to be used only in case of an emergency and to be at the disposal of the President in case of a threatened actual epidemic. Our efforts apparently have not had much effect on the service, for it has established what appears to be a permanent service under this appropriation.

Mr. MANN. I understand the committee has done everything it could. This is not the only case. Take the Forestry Service in the Agricultural Department. We made an appropriation for an emergency when there were great forest fires. We make an annual appropriation for taking care of forest fires. Then we endeavor to appropriate an emergency fund, but they go ahead and spend the emergency fund for ordinary fires without

any hesitation at all. Now, when we try to establish an emergency fund for the Public Health Service to meet an emergency, they build up a permanent force and go ahead and spend the money. Every other service has practically the same tendency to do the same thing. It is human nature. I do not know as there is any way to correct it. Now, we are engaged in stamping out disease in New Orleans and San Francisco and a few other places; they might bring it to Chicago and probably the people of Chicago would not kick. It may be that I would be defending it if I were there, but it would not make it any more proper. I have no objection—quite the contrary; I am in favor of the emergency fund to meet emergencies that arise from the introduction of contagious and infectious diseases from abroad and stamping it out before it spreads through the country. I do not know whether the fund has been improperly used. I do not say that it has; but apparently they find an emergency existing all the time, where before we commenced making these appropriations in this way they got along without it.

The Clerk read as follows:

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, $200,000.

Mr. MANN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Page 44, line 5, strike out "$200,000" and insert "$300,000."

Mr. MANN. Mr. Chairman, I believe this is the only time for a long time that I have offered any amendment to increase any appropriation, owing to the present condition of the Treasury. We provided a year or so ago for the Public Health Service to carry on an investigation of diseases of man and conditions influencing the spread and propagation thereof, including sanitation, sewage, and the pollution of navigable streams and lakes of the United States. The Committee on Appropriations, I think, has been quite liberal. They made an appropriation of $200,000 for the current law, and they carried in this bill an item of $200,000 for the next fiscal year, but that is a service where there ought to be some growth. It can do more good probably to the people of the United States than any other expenditure of money which can be made, and in view of the fact that the other side of the House has so frequently added unnecessary appropriations, I thought I would suggest a proper increase in a very essential appropriation at this time.

Mr. FITZGERALD. Mr. Chairman, I hope the amendment will not be agreed to. The committee has treated the Public Health Service very liberally, and it has responded to what is believed to be a demand on the part of the public that this service should engage in certain work along certain lines that would be advisable and beneficial. These investigations were only authorized in 1914. The committee at that time recommended an appropriation of $200,000, which was made. The committee also recommended an appropriation of $47,000 for equipping a special hospital to do certain work in connection with pellagra investigations. For the current year it reported $200,000, the amount requested by the service. This increase would be of no particular benefit to the service unless the number of commissioned officers of the service were increased. The committee has not done that. This money could not be expended unless the number of officers was increased. In view of the fact that the committee has been very liberal with this service, I hope the amendment will not prevail.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SMITH of New York. I would like to ask the gentleman a question. How much of this money is expended for the investigation of the pollution of navigable streams and lakes?

Mr. FITZGERALD. I do not know that I can state in figures the amount that is expended in that particular work. Certain lines of investigation were laid out two years ago for this fieldwork. One was the investigation of the Potomac River and one an investigation, I think, of the Ohio River, and unless I am mistaken some investigation of the Great Lakes. I do not recall positively.

Mr. SMITH of New York. What I want to get at is this: After the public-health authorities have established that these lakes and rivers are polluted, what do they do about it, and what can they do about it?

Mr. FITZGERALD. The object of obtaining information is to furnish it to those divisions of government, either State or local, that may be in a position to take the necessary steps to remedy conditions. For instance, sometimes the information as to the cause of the pollution in itself would enable the locality to remedy the situation of which complaint is made.

Mr. SMITH of New York. Is it not purely a local matter, and can not the local authorities deal with it, and why should the Government expend any money in this direction?

Mr. FITZGERALD. The pollution of the Potomac River, for instance, is a matter that would cover investigations in several States. No one State would be in a position to make the investigation.

Mr. SMITH of New York. What I had in mind is this: The Government has expended quite a large sum of money to establish the fact that Lake Erie, Niagara River, and other boundary waters are being polluted. After that fact has been established, a fact that had already been known to all of the States and authorities along the boundary lakes and rivers, we are exactly in the position that we were before. The local authorities are thoroughly familiar with these situations, and I can not see why the Federal Government should expend money to establish facts that are quite well known to the States, municipal authorities, and the villages along these navigable streams and waters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 19, noes 21.

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. MANN and Mr. FITZGERALD to act as tellers.

The committee again divided; and the tellers reported—ayes 18, noes 23.

So the amendment was rejected.

The Clerk read as follows:

One-half of the sum of $300,000 heretofore appropriated for the construction of a modern fireproof hospital building to replace the building of the Columbia Hospital for Women and Lying-in Asylum shall be reimbursed to the United States Treasury on or before the close of the fiscal year 1915 out of the revenues of the District of Columbia.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I do this merely for the purpose of asking with reference to the form of this provision. The form says that one-half of the sum appropriated shall be reimbursed to the United States before the end of the fiscal year. Has all of this $300,000 been expended, or will it all be expended?

Mr. FITZGERALD. It will all be expended before the 1st of July.

Mr. MANN. Is the gentleman sure that it will be all expended?

Mr. FITZGERALD. That was the information. They expect to occupy it.

Mr. MANN. I understand that; but the question is whether you shall reimburse the Government for one-half of the appropriation or one-half of the expenditure.

Mr. FITZGERALD. It will all be expended.

Mr. MANN. Some of it may not be expended until after July 1 next.

Mr. FITZGERALD. It will all be obligated, even if not actually paid out.

Mr. MANN. It will all be obligated if the entire sum is used, but it is very seldom that an appropriation is used up to the last dollar. Why would it not be better to say one-half of the sum expended out of the $300,000 appropriated shall be reimbursed?

Mr. FITZGERALD. I want to see if there is any statement by the Superintendent of the Capitol as to whether the whole sum is to be expended.

Mr. MANN. Of course the $300,000 is the total authorization of appropriation for the construction of the hospital. I should think it would be very unusual that the bread and molasses came out exactly even.

Mr. FITZGERALD. The Superintendent of the Capitol stated that they would be very fortunate in obtaining the building that will be obtained within the appropriation of $300,000. He said:

The hospital consists of a five-story fireproof building, 225 feet long and 106 feet deep in extreme dimensions. The building is 86 feet high at the center of the main portion and 108 feet high to the top of the towers. It contains in all 134 beds. The hospital contains 980,000 cubic feet.

Mr. MANN. Let me ask the gentleman, Would it not be perfectly safe, as far as the Government is concerned, to say "one-half of the sum expended out of the $300,000 heretofore appropriated shall be reimbursed to the Government"?

Mr. FITZGERALD. The suggestion has been made that at line 21, page 44, after the word "appropriated," to add "or so much thereof as shall be expended"——

Mr. MANN. Well, that is the same thing.

Mr. FITZGERALD (continuing). For the construction, the purpose being only to require the District to pay one-half of the actual cost.

Mr. MANN. Then you would want to strike out "on or before the close of the fiscal year 1915," because a part of it might not be paid out until after the close of the fiscal year.

Mr. FITZGERALD. These are not continuing appropriations.

Mr. MANN. No; well, I do not know whether they are or not, but it does not make any difference. If the work has been done, an accounting may not be had of the amount paid out until after the fiscal year. That would leave the reimbursement to be made as soon as it was expended.

Mr. FITZGERALD. Well, I will offer this amendment, which I think will cover the whole thing.

Mr. MANN. I withdraw the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 21, after the word "appropriated," insert the words "or so much thereof as shall be expended or obligated."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SMITHSONIAN INSTITUTION.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees and purchase of necessary books and periodicals, $32,000.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. Inadvertently, yesterday, in discussing the Arkadelphia (Ark.) post-office amendment, I stated that it differed from the Willow (Cal.) case in that at Willow, Cal., the site had been donated, and it was proposed to donate plans and specifications, while at Arkadelphia the site had not been donated, and they proposed only to furnish plans and specifications. As a matter of fact, at Arkadelphia the site has been donated to the Government, and it was exactly in the same category as the Willow (Cal.) case, which the committee had previously passed upon.

Mr. GOODWIN of Arkansas. As to the donation of the plans, specification, and site.

Mr. FITZGERALD. So that the two projects are in exactly the same situation as to plans, specifications, and site, which were to be donated in both cases. I make this statement after a conference with the gentleman from Arkansas [Mr. GOODWIN], so that there will be no misunderstanding on the part of anybody reading the RECORD as to the situation relative to the Arkadelphia matter.

I withdraw the pro forma amendment.

The Clerk read as follows:

Hereafter the Government branches under the direction of the Smithsonian Institution may exchange typewriters, adding machines, and other labor-saving devices in part payment for like articles.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Why would it not be a good thing to put a general provision in here in reference to the exchange of typewriters, adding machines, and other labor-saving devices instead of carrying it so many times in different places in different bills?

Mr. FITZGERALD. It is the intention of the committee to take it up on the deficiency bill and put in a provision.

Mr. MANN. You have a provision in here, and I do not see why you could not add it here.

Mr. FITZGERALD. We want to look into the question of making reports and limiting prices and some other matters that ought to be taken care of at the same time.

Mr. MANN. They have been sticking this provision in in recent years for lots of the departments.

Mr. FITZGERALD. There is a law now which limits the price that may be paid for typewriters.

Mr. MANN. Yes.

Mr. FITZGERALD. It requires a report to be made and requires the report to state the price paid for the typewriter and exchange price and machines turned in. There is no limitation as to prices of adding machines and other labor-saving devices, and the committee wishes to take that up and do just what should be done, if anything, in regard to the limitation of prices and the like.

Mr. MANN. Why does not the committee put the provision in here covering the general subject?

Mr. FITZGERALD. We want to take care of these people, anyway.

Mr. MANN. In recent years in the estimates some bureau asks for this and it is put in the various appropriation bills.

Mr. FITZGERALD. That is true.

Mr. MANN. Now the Committee on Appropriations put it in for the Smithsonian. I think it is a very proper provision. But if you are going to cover the general provision in the deficiency bill, I do not quite see why you would not put the provision in here.

Mr. FITZGERALD. If the gentleman thinks it wise to have it here——

Mr. MANN. Well, I will not ask to have it here; if it is going in the deficiency bill, I have no objection.

The Clerk read as follows:

For all other authorized expenditures necessary in the execution of laws to regulate commerce, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $925,000, of which sum there may be expended not exceeding $50,000 in the employment of counsel, not exceeding $3,000 for the purchase of necessary books, reports, and periodicals, not exceeding $1,500 for printing other than that done at the Government Printing Office, not exceeding $100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule, and not exceeding $65,000 may be expended for rent of buildings in the District of Columbia.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I notice that the committee has included in a good many items in this bill this language:

Including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil act approved August 1, 1914.

I confess after examining section 13 of the act I can see no reason for the extra expense of clerical work in printing and putting this into the different items in the bill. Money could be used for that purpose according to section 3 of the sundry civil act, and this might authorize the department to grant a per diem in lieu of subsistence not exceeding $4 per day.

This expenditure would be authorized by the appropriation even if it were not specifically provided. It says:

For all other authorized expenditures necessary in the execution of laws to regulate commerce—

And so forth.

They have been paying per diem for the year without any specific authority, and may I ask why the gentleman thinks it necessary to include specific authority and add three lines to the appropriation bill here and in a great many other places in the bill?

Mr. FITZGERALD. It is true that the committee has inserted this language in a number of places in the bill. In the first place, it has inserted it where the service has estimated as required by law and stated its pay at so much per diem. In other instances it has inserted it where investigation has found that it was so doing and thought it desirable. One of the matters for which there has been considerable suggestion as to the necessity for some close scrutiny was in the payment of per diem. It was thought that by inserting the provisions in this way it would help to keep a little better track of the matter.

Mr. MANN. May I ask the gentleman further, then, this question: My recollection is they used to pay $5 per diem under the Interstate Commerce Commission. Has there been any kick registered on account of the reduction to $4?

Mr. FITZGERALD. Last year there was a very universal protest against the limitation of $5 a day for traveling expenses. It was said that it was impossible for important officials of the Government to travel in the style and dignity becoming the occupants of important offices for $5 a day. Probably in some instances that is correct. But that provision originated in a peculiar way. An official of the Government said, in stating some matters connected with the service to which he was attached, that they had some employees whose subsistence, in his opinion, if they had been paying their own expenses, would have cost $3 a day, perhaps, found it very convenient to put up at the Savoy Hotel, in New York, at the expense of the Government, and that they had no control over the matter. Then some further investigation was made, and the committee incorporated a provision, which was enacted into law without the slightest question, limiting the per diem in lieu of subsistence to not exceeding $4 a day, and, where the actual expenses were accounted for, not exceeding $5 a day. After that had been the law for several weeks some one seemed to awaken to the fact that on the 1st of last July it would be impossible to obtain reimbursements from the Government for subsistence where actual expenses were certified in excess of $5 a day and where the per diem was fixed in lieu of subsistence in excess of $4 a day. In most instances the various governmental officials have become reconciled to the situation, and while there are sporadic complaints that the allowance is not sufficient, they are not made with very great force, and a very large sum is likely to be saved as the result.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof by providing for a valua-

tion of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $15,000 for rent of buildings in the District of Columbia, $3,000,000."

Mr. LEVY. Mr. Chairman, I offer an amendment.

Mr. GILLETT. Mr. Chairman——

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. MANN. Mr. Chairman, I would like to make an inquiry. The gentleman from Massachusetts [Mr. GILLETT], the ranking minority member of the committee, rose. Was he not entitled to recognition?

The CHAIRMAN. The Chair thinks that is true. If the gentleman from Massachusetts has an amendment to offer, he will be recognized.

Mr. GILLETT. I move to strike out the paragraph, Mr. Chairman.

Mr. BARTLETT. What does the gentleman from New York want to do?

Mr. LEVY. To reduce it to $1,000,000 from $3,000,000.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from New York [Mr. LEVY].

The Clerk read as follows:

Strike out line 21, on page 49, and insert in lieu thereof the following: "$1,000,000, and said valuation shall be completed within four years."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MANN. I would like to state, Mr. Chairman——

Mr. LEVY. I would like to strike out the last word.

Mr. MANN. The gentleman has an amendment pending.

The CHAIRMAN. The gentleman from Massachusetts has made the motion to strike the paragraph out?

Mr. GILLETT. That is my motion.

The CHAIRMAN. How much time will be required for debate?

Mr. MANN. There will be quite a little time necessary to debate that, undoubtedly, and there should be a fairly full House to vote upon it. That is, I think many Members will want to be here to vote for it or against it.

Mr. FITZGERALD. Of course, Mr. Chairman, this is a matter of great importance, and undoubtedly will be debated for a reasonable length of time. There should be more Members present——

Mr. COOPER. Let it go over until to-morrow.

Mr. FITZGERALD (continuing). When the matter is taken up than there are present now. The question with those of us who are here is to determine whether we ought to try to go out and bring Members here to-night or whether we should start on it to-morrow morning.

Mr. COOPER. I shall make a point of no quorum if there is an attempt to discuss this and pass it to-night. It is an important thing.

Mr. FITZGERALD. I am opposed to the amendment of the gentleman from Massachusetts [Mr. GILLETT] myself.

Mr. MANN. I would like to call the attention of my friend from New York to the fact that a little while ago I offered an amendment mainly for the purpose of demonstrating what the situation was on the floor, and there were at that time, I believe, in favor of the amendment 18 or 19 and 22 or 23 against it. Since that time, I notice, most of the Democrats have left the House, and I am sure the gentleman does not want to continue the consideration of this bill with the minority having a majority on the floor. I do not think it would be fair to us. We might be tempted to do something that otherwise we would not want to do.

Mr. FITZGERALD. A large number of the Members have gone to dinner.

Mr. MANN. I understand; just a few who have been here to-day have gone to dinner—not many.

Mr. FITZGERALD. I have been here on the floor myself eight hours to-day.

Mr. MANN. I think we are making pretty good progress on this bill; and to-morrow being Calendar Wednesday, we can set that aside and proceed with the bill.

Mr. FITZGERALD. Undoubtedly there ought to be a large number of Members present when we consider this question as to whether anything is to be appropriated to continue the work of the physical valuation of railroads next year. The committee recommend $3,000,000, which is the amount of the estimate. The gentleman from Massachusetts [Mr. GILLETT] moves to strike that from the bill, and I would not feel justified in having the matter even discussed unless there was quite a large attendance of Members here.

Mr. GILLETT. Why not move that the committee rise?

Mr. BARTLETT. May I suggest to the gentleman that even if he should have a call of the House and get the Members here, they would not want to stay?

Mr. COOPER. Mr. Chairman, may I say a word? I think the Members all recognize that the gentleman from New York [Mr. FITZGERALD] has done his whole duty in the matter of getting this bill before the House and in attempting to put it through. We have worked here since 11 o'clock this morning, and it is now 10 minutes to 7 at night. I think the House will unanimously approve of the rising of the committee at this time if the gentleman will make the motion.

Mr. FITZGERALD. Can we get an agreement now as to the length of the debate on this item?

Mr. MANN. That would hardly be fair, when there are hardly 25 men on the floor.

Mr. FITZGERALD. I thought we could save time if we could secure an agreement.

Mr. MANN. You can probably get an agreement in the morning; but somebody who is inadvertently absent, attending the sessions of another body, might want to be heard upon this.

Mr. FITZGERALD. Then, Mr. Chairman, with the understanding that we will start on this item in the morning as soon as we meet to-morrow—we meet at 11 o'clock, I understand?

Mr. MANN. We meet at 11 o'clock under the order.

Mr. FITZGERALD. With the understanding that this item will be the first thing considered in the morning, so that every Member who reads the RECORD will have notice of the fact that the first thing to-morrow morning will be the disposition of this item for the physical valuation of the railroads, I will move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WALKER, indefinitely, on account of illness in his family.

To Mr. OGLESBY, indefinitely, on account of illness in his family.

ADJOURNMENT.

Mr. FITZGERALD. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 51 minutes p. m.) the House, under the order heretofore made, adjourned until Wednesday, February 10, 1915, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GUDGER, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6134) to amend the act authorizing the construction of a public building at Biddeford, Me., reported the same without amendment, accompanied by a report (No. 1377), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 1702) increasing the limit of cost fixed by act of Congress approved June 25, 1910, for enlargement, extension, etc., of Federal building at Bath, Me., reported the same without amendment, accompanied by a report (No. 1380), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 2471) for purchasing a site and erecting a public building at Superior, Nebr., reported the same with amendment, accompanied by a report (No. 1378), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21184) to increase the limit of cost of the United States post-office building and site at Cohoes, N. Y., reported the same with amendment, accompanied by a report (No. 1379), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McCLELLAN, from the Committee on Claims, to which was referred the bill (H. R. 13421) for the relief of William Hensley, reported the same with amendment, accompanied by a report (No. 1383), which said bill and report were referred to the Private Calendar.

Mr. MOTT, from the Committee on Claims, to which was referred the bill (H. R. 16777) for the relief of Amato Castellano, Libero Baranello, and Michele Baranello, reported the same with amendment, accompanied by a report (No. 1382), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15934) for the relief of Mrs. Joseph Cameron, reported the same with amendment, accompanied by a report (No. 1384), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers, reported the same with amendment, accompanied by a report (No. 1385), which said bill and report were referred to the Private Calendar.

Mr. EVANS, from the Committee on Claims, to which was referred the bill (H. R. 7043) for the relief of Nabor and Victoria Leon, reported the same without amendment, accompanied by a report (No. 1386), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 16594) for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson, reported the same without amendment, accompanied by a report (No. 1387), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 20822) for the relief of Homer Rock, reported the same without amendment, accompanied by a report (No. 1389), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (H. R. 19090) to reimburse the officers and enlisted men of the Revenue-Cutter Service and Public Health Service for losses sustained in the wreck of the revenue cutter *Tahoma*, reported the same without amendment, accompanied by a report (No. 1388), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MARTIN: A bill (H. R. 21380) to prohibit the unlawful use of the American flag on foreign vessels; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: A bill (H. R. 21381) to amend section 6, as amended, of the act to regulate commerce, approved February 4, 1887; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 21382) to provide a harbor boat for the Coast Guard Service to replace the *Hartley* at San Francisco, Cal.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Minnesota: A bill (H. R. 21383) to change the name of the old post-office building at Minneapolis, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 21384) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. STEVENS of New Hampshire: A bill (H. R. 21385) to regulate certain employment agencies, and for other purposes; to the Committee on Labor.

Also, a bill (H. R. 21386) to establish in the Department of Labor a bureau to be known as the National Bureau of Labor Exchanges, and for other purposes; to the Committee on Labor.

By Mr. HENRY: Joint resolution (H. J. Res. 418) creating a commission to acquire and control the property known as Monticello, and embracing the former home of Thomas Jefferson, and the family graveyard in which his remains are interred, together with such land and ground appurtenant thereto as the committee shall find necessary in order to carry out the various public objects and purposes of this resolution, all of said property being located in Albemarle County, Va.; to the Committee on the Library.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon, urging Congress to appropriate $300,000 to be used by the Department of Agriculture in the extermination of predatory wild animals; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Oregon, praying for the enactment of a law granting pensions to the veterans of the Modoc Indian War in the State of Oregon in 1872–73; to the Committee on Pensions.

Also, memorial from the Legislature of the State of Oregon, requesting Congress to enact a law providing a rural credits system under which farmers may obtain long-term loans on the same terms as other industries; to the Committee on Banking and Currency.

By Mr. SMITH of Minnesota: Memorial from the Legislature of the State of Minnesota, relating to the placing of an embargo on the exportation of agricultural products; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 21387) granting a pension to Fannie Record; to the Committee on Pensions.

By Mr. FOWLER: A bill (H. R. 21388) granting a pension to Frederick M. Scheetz; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 21389) granting a pension to Elmanda Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21390) granting an increase of pension to Edgar Johnson; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 21391) granting an increase of pension to Robert L. Moore; to the Committee on Invalid Pensions.

By Mr. J. R. KNOWLAND: A bill (H. R. 21392) for the relief of James F. Smith; to the Committee on Claims.

By Mr. MITCHELL: A bill (H. R. 21393) granting a pension to Pierce O'Connell; to the Committee on Pensions.

Also, a bill (H. R. 21394) granting an increase of pension to Theodore Basterdes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21395) to remove the charge of desertion against James Madden; to the Committee on Military Affairs.

By Mr. SMITH of Minnesota: A bill (H. R. 21396) granting a pension to Emelia McNicol; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Protest of sundry residents of Cincinnati and Hamilton County, Ohio, against any legislation abridging freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of E. E. Jones and other citizens of Cincinnati, Ohio, and Hamilton County, Ohio, against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Petition of John H. Glancy, of Spangler, Pa., protesting against publication called the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, petitions of District No. 187, German Beneficial Union, of Johnstown, and Bruno E. Ritter, of Altoona, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petitions of Gustav Horn, Ludwig Wertz, John Weiland, Karl Schubert, Otto Bank, W. E. Hanley, Roy S. Stutzman, M. C. Rightman, Julius Schmidt, John L. Burns, William Bauers, L. O. Pegg, E. H. Brown, N. F. Jackson, F. J. Schultz, Otto Frank, C. R. Smith, F. L. Sauer, John Smith, Adam Green, Gilbert Link, J. L. Kimmel, and Philip Klenk, all of Johnstown, Pa., favoring legislation prohibiting exportation of arms and ammunition to belligerent nations; to the Committee on Foreign Affairs.

By Mr. BEAKES: Petitions of Gust Gruber and 16 citizens of Monroe, and Rev. M. C. Phillipp and 40 citizens of Bridgewater, all of the State of Michigan, protesting against the shipment of munitions of war to foreign countries; to the Committee on Foreign Affairs.

Also, petitions of H. Hobart Foy and 46 citizens, of Trenton; E. A. Riede and 17 citizens, of Jackson; Mrs. Amanda A. Aulls and 22 citizens, of Manchester; L. A. Larrabee and 16 citizens, of Jackson; Wiliam C. Tarbell and 27 citizens, of Jackson, all of the State of Michigan, protesting against giving the Post-

master General censorship over publications; to the Committee on the Post Office and Post Roads.

By Mr. BORCHERS: Petition of citizens of Champaign and Urbana, Ill., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of M. P. and H. C. Cooper, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, memorial of National Association of Vicksburg Veterans, favoring appropriation for national celebration and peace jubilee at Vicksburg, Miss.; to the Committee on Appropriations.

Also, petitions of Matthew A. Sandrock and Edward A. Loehr, protesting against publication called the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of American Association for Labor Legislation, favoring the passage of the Kern-McGillicuddy workmen's compensation bill (H. R. 15222); to the Committee on the Judiciary.

Also, petition of Elmer E. Hubbard, of Cardenas, Cuba, favoring a federation of nations first on the Western Hemisphere; to the Committee on Foreign Affairs.

Also, memorial of Electrical Contractors' Association of New York, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of South Dakota: Petition of sundry citizens of Eureka, S. Dak., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. CALDER: Petition of Associated Physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. DALE: Petitions of Cigar Makers' Local Union No. 132, of Brooklyn, and New York Stereotypers' Union, No. 1, urging passage of the immigration bill over the President's veto; to the Committee on Immigration and Naturalization.

Also, petition of Associated Physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of John C. Leeneth, Sea Cliff, Long Island, N. Y., favoring passage of bills to prohibit export of war materials; to the Committee on Foreign Affairs.

By Mr. DAVIS: Resolutions adopted by the Minnesota State Dairyman's Association, at Owatonna, Minn., to enact a law that will compel manufacturers of oleomargarine which contains cow butter to sell their product as adulterated butter subject to an internal-revenue tax of 10 cents per pound, and the usual licenses for adulterated butter, etc.; to the Committee on Agriculture.

By Mr. DRUKKER: Petition of citizens of Paterson, N. J., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FARR: Petition of Peter Bollard, James F. A. Muldoon, C. A. McCarty, Edward J. Brogan, James H. Lally, J. J., M. F., and P. J. Cannon, and Mark Kennedy, of Olyphant, Pa., against circulation of certain anti-Catholic publications; to the Committee on the Post Office and Post Roads.

By Mr. GARRETT of Tennessee: Petition of Tennessee Association of Credit Men, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. GRAHAM of Pennsylvania: Petitions of sundry citizens and societies of the State of Pennsylvania, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. HINDS: Petition of John H. Harrington and 10 other citizens, of Portland, Me., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communications of Adolph Grenlich, Louis Haussler, W. B. Retz, and William Kiesewetter, all of New Britain, Conn., in re House joint resolutions 377 and 378, S. 6688, and H. R. 19548; to the Committee on Foreign Affairs.

By Mr. MOORE: Letters from Siebebburger Gesellschafts Verein, of West Homestead, Pa.; Concordia Quartette Club, Deutscher Romisch Katholischer Staats-Verband, and sundry citizens, of Philadelphia, Pa., favoring legislation to prohibit the exportation and sale of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Petition of Elmer E. Hubbard, of Cardenas, Cuba, and citizens of Pittsburgh and Philadelphia, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also (by request), petition of Miss E. S. Stilwell, of Tioga County, Pa., favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. NEELEY of Kansas: Petition of citizens of Hooper County, Kans., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hooper County, Kans., against export of arms; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Enrolled copy of senate joint resolution 4 of the Legislature of the State of California, favoring the passage of the Keating bill, providing pensions for the veterans of the Indian wars; to the Committee on Pensions.

By Mr. OGLESBY: Petition of Association of the Civil War Officers, of the twenty-fourth congressional district of New York, favoring placing of volunteer officers of the Civil War on list of retired officers; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of Charles W. Grower, Providence, R. I., favoring passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petition of Dudley Hardware Co., Providence, R. I., protesting against passage of bill to prohibit Government from selling stamped and return envelopes; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Petition by L. D. Howard, of Lassen, Lassen County, Cal., and 81 others, against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. L. H. Brown, of California, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. F. O'Keeff and Mr. Henry Steitz, of Placerville, Cal., and other American citizens, favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of Camp Fire Club of America, against H. R. 16673, relative to leasing of public lands; to the Committee on the Public Lands.

Also, petition of citizens of Hollywood, Cal., favoring House bill 12292, the Owen-Palmer child-labor bill; to the Committee on Labor.

By Mr. SABATH: Petition of Chicago Federation of Labor, asking an investigation into the administration of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. THOMPSON of Oklahoma: Memorial of St. Joseph's Society, protesting against passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. VOLLMER: Petition of Plattduetsche Verein, of Grand Island, Nebr., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of Louis N. Miller, of Muscatine, Iowa, for a system of Federal, State, and municipal free employment agencies; to the Committee on Labor.

By Mr. WALLIN: Petition of sundry citizens of Amsterdam, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 10, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Open Thou our hearts, Father in heaven, to the spiritual forces which wait upon us and inspire us with a full sense of the confidence Thou hast reposed in us as free moral agents, that we may choose right and follow the lead of our conscience in the affairs of men; that with clear conceptions and noble purposes we may do Thy will, and thus be worthy of the intellectual, moral, and spiritual gifts Thou hast bestowed upon us. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consider-

ation of the bill H. R. 21318, the sundry civil appropriation bill. When the committee rose last evening there was pending an amendment offered by the gentleman from New York, Mr. LEVY.

Mr. FITZGERALD. Mr. Chairman, if possible, I would like to arrange some time for debate on this proposition.

Mr. GILLETT. I have no idea how many Members on this side wish to speak.

Mr. COOPER. I want some time against the amendment offered by the gentleman from Massachusetts.

Mr. GILLETT. Suppose we go on without any time agreed upon for a while. I do not think there will be a great deal of time used.

Mr. MANN. Mr. Chairman, I think the gentleman from New York had an amendment pending to perfect the text, which would be first in order.

The CHAIRMAN. The Chair has so stated—that the question was on the amendment of the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I will withdraw my amendment for the present and allow the amendment of the gentleman from Massachusetts to be considered.

The CHAIRMAN. The gentleman from New York withdraws his amendment, and the Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Page 49, strike out the paragraph beginning on line 8 and ending on line 21.

Mr. GILLETT. Mr. Chairman, I am making another attempt here to come to the rescue of the party in power and the suffering Treasury. Judging from my success the other day in attempting to save the Treasury $9,000,000, I am not very sanguine of the result here. At the same time there is this difference: That amendment appealed to the individuals in the House—it was a piece of fat, luscious pork—whereas this amendment does not strike at us as individuals; so I hope it can be considered more impartially.

Now, I do not wish to go into the original question of the value of ascertaining the cost and present value of railroads. I think everybody must admit that would be very desirable to accomplish, and that it would unquestionably aid in fixing rates and in determining the values and settling the mind of the people of the country as to whether railroads were extorting from them or not undue rates and would be of great use. The question is not whether it is valuable, because I and everybody must admit that.

The question is, are we to-day in such a financial condition as to warrant the expense of ascertaining these valuable facts. It is going to cost a great deal more than we had any idea when we first adopted the legislation, and at the same time the Treasury is much less able to meet the expense than it was then. When first considered, we were told that it would cost three or four million dollars. What is the condition to-day? We have appropriated to date two and a half million dollars which has been nearly expended, and the work is hardly begun, and the chairman of the commission informed the committee—I will read his exact language:

Now, we are spending at the rate of $2,000,000 a year; $2,000,000 a year, with perhaps some slight addition, because our land work is not fully developed yet, will carry all parts of the work along at the same pace; that is to say, would cover approximately from 20,000 to 25,000 miles of railroad a year. Of that $2,000,000, over $500,000 is what may be termed overhead expense, and that expense would not be increased if you doubled the number of our parties; and it has always been my belief that we should conduct this work at the rate of about 50,000 a year; that is to say, we should practically clean up the work between July 1 next and July 1 four years later.

That is to say, if they go at the rate of 50,000 miles a year they would do it in 4 years from next July or 6 years from the time the work was begun. But at the rate he asked appropriations for, two millions a year, at the rate they are now progressing it would take 8 or 10 years, for they are only doing about 25,000 miles a year; and if at the rate of 50,000 a year it would take 4 years from next July, at 25,000 a year it will take them 8 or 10 years to complete the whole work. Moreover, Mr. Chairman, he told us that it is costing the railroads at least as much, and he instanced one railroad which it is costing twice as much per mile as it is the commission in addition.

Mr. ESCH. That had reference to the Boston & Maine, and was due to the fact that it was one of the oldest railroads and had no maps and no original records, and they had to reproduce them all.

Mr. GILLETT. Yes; I was not assuming that it would cost that much all over the country. He said in some cases it cost twice as much. I think it is fair to say that on an average it will cost the railroads as much as it does the commission, and that at the rate we are now going, $2,000,000 a year, in eight years' time it will cost $16,000,000, and we have spent two millions and a half already, so there is about $20,000,000 on the present estimate, and that in the past estimates have always been far too low. It will cost the railroads as much more, and that all comes out of the people, because the railroads have got to get their rates, and so there is an expense of about $40,000,000, and we do not know how much more. It will cost the country $40,000,000 and upward to establish these facts.

Now, in the present condition of the Treasury, when, as the gentleman from New York [Mr. FITZGERALD] said yesterday, we are probably next year going to have a deficit of from thirty to one hundred million dollars, is it not just as well to stop and hesitate before we go further into this expense? It is going to take at the present rate 10 years, and will cost the country $35,000,000 at least. At the end of 10 years a large part of the work will be obsolete; the inventory which is taken at the beginning will be of very little value then. Moreover, Judge PROUTY said in the hearings that if the law were strictly to be carried out, and if they were to make the inventories that the law requires, there would be $15,000,000 more in addition required in making the computations. So we are entering into a tremendous field of expenditure—a field which we did not contemplate at all when we passed the original bill. It seems to me, under the present conditions, when the Treasury is suffering, when that side even admits the probability of a deficit—it seems to me that now is the time to curtail expenditures, and here is an opportunity to cut off $3,000,000, which we ought not to neglect.

Mr. ADAMSON. Mr. Chairman, of course I am deeply impressed by the earnest, soul-stirring, tear-compelling remarks of the gentleman from Massachusetts [Mr. GILLETT], who is so deeply concerned about economy and who rushes so often "to the rescue" of the poor, incompetent Democrats in his efforts to protect the people against Democratic extravagance. Of course the remarks are jocular. It is not generally known that he is a humorist, but he is of the very gravest type. His speech reminds me of a fable, which no doubt he will remember as giving him pleasure in childhood. It may be that he wants his party to imitate a character in that fable. The pigeons, you know, in terror of the hawk, besought the kite to come and protect them against the hawk and rule over them. The kite came, and without difficulty routed the hawk, and then took possession of the pigeon cote and ate the pigeons all the winter in perfect happiness. Mr. Chairman, the gentleman and his party, if they can hornswoggle the people into driving the Democrats from custody and power, and restore them, will be very much in the position of the kite, and again thrive and grow rich and powerful by devouring the substance of the people whom they misrule and rob. [Laughter.]

Mr. COOPER. Mr. Chairman, I am opposed to the amendment of the gentleman from Massachusetts [Mr. GILLETT]. It is necessary only to state the principles on which to-day the people, regardless of party, are united, in order to show that we ought not to stop the work of making a physical valuation of railroads upon which the Interstate Commerce Commission is engaged, and that the amendment of the gentleman from Massachusetts should be defeated.

Transportation is a necessity of business life, and as a railroad is a monopoly of transportation rates ought to be, and have been, made the subject of public regulation. The law has bestowed upon the Interstate Commerce Commission the power to say what is a just and reasonable rate, and yet that commission is to-day without the information absolutely necessary to enable it to tell when rates are just and reasonable. That sounds strange, but it is entirely true. The commission to-day has not the facts necessary in order that it may with confidence declare that rates are just and reasonable as between shippers and the companies. The gentleman from Massachusetts [Mr. GILLETT] has just said that no one will deny that the valuation of the property of railroads might be a good thing, but he maintains that the condition of the Public Treasury does not warrant us in proceeding with it at this time. Mr. Chairman, this is not a question of doing a good thing by and by. This is a question of providing for an absolute and pressing necessity now. It is not a question of the future possibility of a deficit; it is a question of the necessity of giving the Interstate Commerce Commission without delay reliable data with which to determine whether rates are reasonable.

The gentleman from Massachusetts said that this valuation ought not to be proceeded with now because of the condition of the Treasury; but he made another statement which indicated that if he could have his way there would not be any physical valuation of railroads at all. If this is not his attitude why did he declare with much fervor that we are entering upon a vast field of expense and that no one knows what that expense

will be? That statement of the gentleman reveals that it is not the present condition of the Treasury which especially troubles him. On the contrary, it clearly shows that he is going to be troubled in the future, as he is now, regardless of the condition of the Treasury. He is alarmed because, as he says, we are entering upon a great field of expense, the magnitude of which no one can tell. That means that at heart the gentleman is opposed to having the Government ever learn the value of the railroad properties.

Mr. GILLETT. Does not the gentleman admit that is the fact?

Mr. COOPER. I do not.

Mr. GILLETT. That we are entering into a great field of expense that we can not estimate?

Mr. COOPER. Oh, we can not exactly, but we can approximately.

Mr. GILLETT. What does the gentleman think it will cost?

Mr. COOPER. The gentleman's question shows plainly that I correctly interpreted his statement.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that my time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER. The gentleman from Massachusetts is at heart opposed to continuing and completing this business of making a valuation of the physical properties of the railroads.

Mr. Chairman, there is a decision of the Supreme Court of the United States which is decisive of the question presented by the amendment now pending. But before reading from the decision it may be well for me to say that no Member wishes—certainly I do not wish—to indulge in indiscriminate attacks on railroad management. I know railroad officials, men of fine character and of unusual ability, high-minded, public-spirited citizens. I have heard of others who are not men of that character, but are lacking in the essentials of true American manhood, but that fact would not, as I have said, justify me in indulging in denunciation of all railroad management—that sort of unreasoning, indiscriminate abuse characteristic of the demagogue and of the demagogue only.

But to return to the decision of the Supreme Court. I read from Smyth *v.* Ames (169 U. S. Repts.) the decision rendered by Mr. Justice Harlan.

> A railroad is a public highway, and none the less so because constructed and maintained through the agency of a corporation deriving its existence and powers from the State. Such a corporation was created for public purposes. It performs a function of the State. Its authority to exercise the right of eminent domain and to charge tolls was given primarily for the benefit of the public. It is, therefore, under Government control, subject, of course, to the constitutional guaranties for the protection of its property. It may not fix its rates with a view solely to its own interests and ignore the rights of the public, but the rights of the public would be ignored if rates for the transportation of persons or property on a railroad were exacted without reference to the fair value of the property used for the public or of the services rendered, and in order simply that the corporation may meet operating expenses, pay the interest on its obligations, and declare a dividend to stockholders.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin. [After a pause.] The Chair hears none.

Mr. COOPER. I ask the careful attention of the House to another paragraph in this opinion of the Supreme Court:

> The basis of all calculations as to the reasonableness of rates to be charged by a corporation maintaining a highway under legislative sanction must be the fair value of the property being used by it for the convenience of the public; and in order to ascertain that value, the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stock, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration and are to be given such weight as may be just and right in each case. What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience; and, on the other hand, what the public is entitled to demand is that no more be exacted from it for the use of a public highway than the services rendered by it are reasonably worth.

Observe again the language of the Supreme Court, for it is conclusive against the amendment of the gentleman from Massachusetts:

> What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience.

Here is a decision of the Supreme Court of the United States holding that a railroad is entitled to receive a fair return on the value of the property it uses. But how is the Government to know the value of the property used by a railroad unless it appropriates money to find out? This decision of the Supreme Court conclusively shows that the amendment offered by the distinguished gentleman from Massachusetts ought not to pass. To-day the Government does not possess the information which the court says is indispensable in the establishing of just rates.

Mr. GORDON. Will the gentleman yield?

Mr. COOPER. I will.

Mr. GORDON. Is it not a fact in these hearings before the Interstate Commerce Commission now that the only evidence of the value of railroads is the stocks and bonds which the managers themselves issue?

Mr. COOPER. There is considerable truth in that suggestion.

The people of the United States are fair-minded. They would not harm the roads; they ask only justice for themselves. Public opinion——

Mr. BARTLETT. May I suggest to the gentleman, in answer to that question, that while they have that evidence under this bill on which this valuation is to be taken, that they have sent bodies of men out for the purpose of going over the roads and making the actual examination to determine the value of the roads. In other words, the mere fact that we are providing for the physical valuation pretermitted the idea that they make a value of all their stocks and bonds issued.

Mr. MANN. If the gentleman will permit, we have not provided for a physical valuation. We provided for a valuation of the property.

Mr. BARTLETT. That is what we thought we were doing.

Mr. MANN. No; we changed it on purpose.

Mr. COOPER. Well, the law now includes it.

Mr. MANN. Certainly it includes physical valuation, but the endeavor was to give the valuation of all classes of property, so the commission will have that information.

Mr. BAILEY. In that very physical valuation, does the gentleman understand the franchise values are included?

Mr. COOPER. No; they do not pay anything for the franchise. Why should they charge rates to earn dividends on something the people gave them?

Mr. BAILEY. Well, the franchise value to-day figures in the freight rates and other rates, does it not?

Mr. COOPER. Here are the elements of valuation set forth in this decision of the Supreme Court:

> And in order to ascertain that value the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stocks, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration, and are to be given such weight as may be just and right in each case.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COOPER. Mr. Chairman, in view of the great importance of the pending amendment, I ask for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. BAILEY. I think they include franchise values in the calculation in the issuance of stocks and bonds; in other words, the stocks and bonds are based upon the franchise value almost invariably, or very largely so.

Mr. COOPER. Stocks and bonds ought not to be issued upon something they got for nothing and then proceeded to declare worth millions to them after getting it.

Mr. BAILEY. Is it not true that the recent freight advance is being capitalized to-day and more securities are being issued thereon?

Mr. COOPER. I do not know; I am speaking now on a matter of abstract principle. I say that it is utterly impossible for the Interstate Commerce Commission properly to perform its duties in the vastly important matter of regulating rates unless Congress shall appropriate money sufficient to enable it to ascertain the value of the property used by the roads.

The sum of $3,000,000 is nothing compared to fifteen or twenty billions, the alleged valued of the property. We better issue bonds for that sum than to stop this valuation. The interests of the Government, the interests of the shippers, the interests of the roads themselves all demand that this amendment be defeated, the money appropriated and the work of making the valuation be, as rapidly as possible, hastened to a conclusion.

Only yesterday the newspapers reported that one of the western railroads voted presents of $100,000—gifts of money—to each of three of its officials, and that on the 25th of this month the Interstate Commerce Commission is going to make an investigation of these interesting and munificent donations. Who furnished these hundreds of thousands of dollars? Why, of

course, the people, who paid for freight over the road and the passengers who rode in its cars.

Consider the scandalous performance of the New York, New Haven & Hartford Railroad. Ought the people not to know how much is really invested in that property? The best railroad managers in the United States are in favor of this law and of its enforcement now. A good railroad man told me not long since that the one great obstacle with which railroads are constantly confronted is the prejudice aroused, and legitimately aroused, in the public mind by the scandalous conduct of some men who are manipulating stocks, but ought not to be managing railroads.

It is impossible for the Government properly to fix rates without knowing the value of the railroad property, and yet the gentleman from Massachusetts proposes not to appropriate a cent for us to continue this absolutely necessary work. Public opinion is very strongly in favor of having this work go on. Wisconsin has valued her railroads, Michigan has valued her railroads, other States have valued their railroads, and all with benefit to intrastate shippers in these respective Commonwealths.

Will anybody tell me why it would not be of equally great benefit to the interstate shippers and to the interstate passengers in the United States if we had that data for the great interstate trunk lines? What we need in order to do justice in the United States in the solution of all of the great industrial problems which confront the Republic is publicity, not secrecy and the strong arm. I shall vote against the amendment, and I shall be astonished if the Committee of the Whole does not reject it.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. BURKE of South Dakota. In the gentleman's State I understand they have a very complete system of physical valuation of railroads, and the gentleman states that it has resulted in a material reduction of rates within the State.

Mr. COOPER. I have been told so.

Mr. BURKE of South Dakota. What has been the effect in regard to taxing railroads since the physical valuation has become known?

Mr. COOPER. As I understand it, the relations between the State now and the railroads are more harmonious than ever before in the history of the State. Both corporations and the people are satisfied with present conditions. The earnings of the railroads have increased and in many instances rates within the State have been reduced.

Mr. BURKE of South Dakota. Has their use been utilized for taxing purposes as the result of the physical valuation?

Mr. COOPER. I do not know as to that; but I know that rates have been diminished. Perhaps the gentleman from Wisconsin [Mr. LENROOT] may know.

Mr. LENROOT. The taxes have been increased in this way: At the time the physical valuation was had the system was changed from a gross-earning system to a valuation system.

Mr. BURKE of South Dakota. Can the gentleman tell what it cost to make the physical valuation in Wisconsin?

Mr. COOPER. I do not know.

Mr. BURKE of South Dakota. Does the gentleman from Wisconsin [Mr. LENROOT] know?

Mr. LENROOT. I do not.

Mr. STAFFORD. Were not the figures of the valuation for the purposes of taxation used in the physical valuation?

Mr. LENROOT. The tax commission had made the valuation for the purposes of taxation and that was used as a basis for the investigation.

Mr. BURKE of South Dakota. Can the gentleman tell us to what extent, if any, the physical valuation made in the State of Wisconsin is taken into consideration by the Interstate Commerce Commission in making the physical valuation?

Mr. COOPER. I know nothing of what the Interstate Commerce Commission is doing under the Federal statute, except as information has come to me that it is busily at work.

Mr. GOOD. Mr. Chairman, I want to oppose the amendment.

The CHAIRMAN. The gentleman from New York [Mr. LEVY] is recognized, after which the gentleman from Iowa will be recognized.

Mr. LEVY. Mr. Chairman, this $3,000,000 appropriation is a monstrous outrage on the taxpayers of this country.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Not at the present time.

Three million dollars! That is 2½ per cent on $120,000,000 in one year. What do they propose to do? To keep on valuing the railroads for the next 20 years, for at the rate they are going now they will not finish it within that time. What is the good of such a valuation? Every State in this Union has a railroad valuation now fixed by a commission for tax purposes. You can go to any commission in any State in this Union and they will give you the valuation of the railroads. Even in the archives of the Interstate Commerce Commission at the present time they have valuation of these railroads. Last year I opposed a similar provision, and at that time offered an amendment that this valuation be submitted to the lowest bidder for the purpose of valuation by experts, and at that time I read to this House a proposition from a distinguished statistician, who made the offer, and which I will repeat:

All of this work and valuation to be begun within 60 days from date of signing and execution of contract and finished within three to four years from date of beginning for the sum of $5,197,000.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Excuse me for the present. If I have time later I will be glad to yield. It costs the railroads of the United States for valuations not $3,000,000 but $6,000,000 a year. Why place upon the carriers of this country an enormous expense? Is there any reason for this? Can you not see why the cost of freight and passenger rates have to be advanced? The railroads of this country carry freight for one-third of what it is carried for abroad. Since last year many roads have been forced into bankruptcy by this most extraordinary policy of interfering with the management of railroads.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Yes.

Mr. MADDEN. Has anybody else gone into bankruptcy except the railroads?

Mr. LEVY. Oh, yes. [Laughter.] There is no question about that; and it has all come from what? From the Sherman law, which was placed on the statute books by the Republican Party [laughter], and which is one of the most obnoxious laws that was ever enacted. The Hepburn law has caused an increase in the price of commodities to every household in the country. Take, for instance, since the Hepburn law was passed coal has cost in the city of New York $2 a ton more than previous to the passage of that act. That gave no relief to the people. Why do you continually bring up propositions like this? Here is a commission that has gone into existence, and last year they asked for $1,900,000, and then $100,000 more, and now I hear $500,000 more, and now they ask for $3,000,000, which is the interest on $120,000,000 for one year.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. LEVY. Yes.

Mr. LENROOT. Does not the gentleman think that the Government could save a great deal of money if it authorized the railroads to make their own valuations for the Interstate Commerce Commission?

Mr. LEVY. They are doing it now.

Mr. LENROOT. Does not the gentleman think the railroads would like to do that?

Mr. LEVY. Does the gentleman deny that the States have made valuations?

Mr. LENROOT. That is not the question. Does not the gentleman think that we could save money if we permitted the railroads to make their own valuations for the Government?

Mr. LEVY. It is uncalled for at the present time. Your proposition here is not valuing the railroads, but you are making an allowance as if you were taking preliminary steps to building these railroads. It would be much cheaper to buy the railroads.

Mr. GORDON. Does not the gentleman think that the railroads ought to be allowed to fix their own rates?

Mr. LEVY. No. They are fixed by law.

Mr. GORDON. How are you going to fix them by law unless you know what the value of the railroads are?

Mr. LEVY. They are fixed by law at the present time, and many of their charters do not permit them to charge more than a certain amount. I am looking after the interests of the people of this country. We need 100,000 miles more of railroads in this country, and the way you are placing obstacles in the way of the carriers in this country is disastrous. Take, for instance, the Interstate Commerce Commission. It took them nearly two years to give the railroads a fair rate, and it was many months before they decided the question. It went into effect about the middle of January of this year. Is it any wonder that many railroads have gone into bankruptcy?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOOD. Mr. Chairman, the condition of the Treasury naturally impels Members of Congress to economize wherever they can without stopping the ordinary functions of the Government. In the last Congress we authorized a valuation of the railroads of the country by the Interstate Commerce Commission, and during the past year that commission has or-

ganized a large force, and is now at work making that valuation. To stop this work at this time, it seems to me, would be to take a long step backward. It would not be in the interest of real economy and would be a direct blow to the principle that railroad rates should be based upon the value of the property employed by the railroads. To adopt the amendment would stop the work that the great Interstate Commerce Commission has been carrying on. I can not, therefore, much as I regret, support the amendment of the gentleman from Massachusetts.

But, Mr. Chairman, at this time I want to congratulate the President of the United States on a great accomplishment, one of the greatest accomplishments in the minds of many people of his administration. On the 29th day of April, 1907, President Wilson wrote a letter to Mr. A. H. Joline, president of the Missouri, Kansas & Texas Railway Co., which letter is as follows:

PRINCETON, N. J., *April 29, 1907.*

MY DEAR MR. JOLINE: Thank you very much for sending me your address at Parsons, Kans., before the board of directors of the Missouri, Kansas & Texas Railway Co. I have read it with relish and entire agreement. Would that we could do something, at once dignified and effective, to knock Mr. Bryan once for all into a cocked hat.

Mr. MADDEN. When did the gentleman say that was written?

Mr. GOOD. In 1907. The wish expressed in the President's letter in 1907 has been accomplished by the President of the United States. In 1912 the Democratic convention adopted a platform from which I read:

We favor such legislation as will effectually prohibit the railroads, express, telegraph, and telephone companies from engaging in business which brings them into competition with their shippers or patrons; also legislation preventing the overissue of stocks and bonds by interstate railroads, express companies, telegraph and telephone lines, and legislation which will assure such reductions in transportation rates as conditions will permit.

On that platform the President of the United States was elected, and in support of those declarations of principles, on hundreds of platforms, Mr. Bryan renewed his charges—charges which he had frequently made years before—that railway companies were charging excessive rates and that the Democratic Party would bring about a reduction in those rates. I realize what the gentleman from Massachusetts evidently had in mind when he offered this amendment to strike out this provision, and in a measure I sympathize with him, because under the present administration railway rates are going up no matter what the values of the railways may be. If left to this administration, there would be no reduction in rates, no matter what the valuation of the roads might be.

Mr. GORDON. Will the gentleman yield?

Mr. GOOD. I can not yield. And let us remember that this work will not be completed during a Democratic administration. When the work of making a valuation of the railroads is completed we will have in the White House a man who will not indicate his wish or dictate to the Interstate Commerce Commission as to what its decision should be on the question of granting an increase of rates.

Mr. GORDON. Mr. Chairman——

Mr. GOOD. I can not yield just now, but if I can get a little more time I will yield to the gentleman.

Mr. GORDON. Upon what authority does the gentleman say that the President dictated——

Mr. GOOD. The eastern railroad companies filed their petitions with the Interstate Commerce Commission asking for an increase of 5 per cent in freight rates in that section of the country. The Interstate Commerce Commission heard the testimony and arguments thereon and denied the increase. In practically every newspaper there was then published the statement, or rather what purported to be the views of the President. From this source it appears that the President desired, in effect——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask for five more minutes.

The CHAIRMAN. Is there objection?

Mr. GORDON. Reserving the right to object, I would like to know if the gentleman is willing to answer my question?

Mr. GOOD. I will yield to the gentleman when I have finished my statement.

Mr. GORDON. I will object or the gentleman will yield to me.

The CHAIRMAN. The gentleman from Ohio objects. The question is on the amendment——

Mr. GORDON. Mr. Chairman, the gentleman from Iowa just made a statement here that the President of the United States has dictated to the Interstate Commerce Commission and compelled them to reverse their decision. I want to say that statement is entirely false. Now, that statement or similar ones have been made on the Republican side of this Chamber for a year past. Several gentlemen came to me privately, and winked, and exclaimed that the President had dictated to the Interstate Commerce Commission, and I respectfully denied this as a general proposition. I said I did not believe the President of the United States would be guilty of any such thing as that.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GORDON. When I finish this statement. But that statement was persisted in privately; it was not made on the floor of the House, as the gentleman from Iowa just made it, but it was persisted in here, so I made an appointment with the President of the United States and told him about it. [Laughter.] That is the way to find out a thing. The President of the United States said to me, in substance, that he would no more think of interfering with a case pending before the Interstate Commerce Commission than he would of interposing in a case pending before the Supreme Court of the United States.

Mr. CAMPBELL. Or with Congress.

Mr. GORDON. That is what the President of the United States said to me, and I undertake to say that the statement of the gentleman from Iowa is absolutely false and without a particle of foundation in fact. It is made purely for partisan purposes, and it has been made repeatedly by men on that side of the House; but he is the first man I have ever heard make it here upon the floor of this House. Now, I yield to the gentleman from Illinois.

Mr. MADDEN. I just wanted to ask the gentleman who are these men who came to the gentleman and winked and explained that the President had dictated to the Interstate Commerce Commission?

Mr. GORDON. They were Republican Members.

Mr. MADDEN. Who were they?

Mr. GORDON. It is not important. They did not make the statement publicly, or offer any proof in support of it, or assume any responsibility for it and put it in the RECORD here, as the gentleman from Iowa does; and if he has any proof of the statement he has made he ought to present it to this House or else hold his peace.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. I was just about to submit a little proof which I think to the ordinary man would be almost conclusive that the President has interfered in the case of the Interstate Commerce Commission, just as he has interfered with what is going on at the other end of the Capitol to-day, if the newspaper accounts of what actually took place are to be believed; and the gentleman from Ohio is the first person I have heard declare that there was no truth in or foundation to those newspaper accounts. Suffice to say that the decision of the Interstate Commerce Commission refusing the 5 per cent increase to eastern roads had no sooner been flashed over the wires throughout the country than it was known or whispered about, talked about, and became common knowledge——

Mr. GORDON. Whispered.

Mr. GOOD. The newspapers stated that the President wanted the Interstate Commerce Commission to grant the increase. If the President's interference did not cause certain commissioners to change their minds, why was it that, without filing additional proof, the Interstate Commerce Commission within 90 days from the time it rendered its decision refusing the increase on the petition of the railroads granted precisely the increase that it had denied to them only 90 days before?

Mr. SLOAN. Will the gentleman yield?

Mr. GOOD. Not just now. Take the new appointees of the present administration on the Interstate Commerce Commission. I am led to believe that one of the new appointees is in favor of increasing the rates of railroad companies irrespective of what the physical valuation of railroads might be. I refer to Mr. Daniels, the gentleman who was appointed from the State of New Jersey, and I arrive at this conclusion by a reading of his dissenting opinion on the first petition of the eastern roads. I am also inclined to this opinion by a reading of the reports on his decision before he was appointed to his present position. According to these decisions it was the opinion of Mr. Daniels that the rate of a railroad company should be large enough to pay returns on going value, good will, franchise value, and the like. Do you think the shippers of this country or any considerable number of men anywhere in this country are willing that freight rates shall be based upon that kind of a valuation? And yet we are told by the newspapers that Mr. Daniels, from New Jersey, because of the wish of the President, would be sent to Chicago to conduct the hearing and take testimony of the transportation companies and others on the application of the western roads for a 5 per cent increase.

I want to say to my friend from Ohio, when he states I am not submitting good and sound proof, that I venture the assertion that when the decision is filed it will be found that Mr.

Daniels is in favor of the Interstate Commerce Commission granting the increase petitioned for by the western railroads. In this respect everyone knows that Mr. Daniels only reflects the opinion of the President; that the views expressed by Mr. Daniels in the dissenting opinion referred to were also the views of the President. I have no doubt that under continued pressure from the White House the commission will grant the 5 per cent increase. Ah, yes; the President has found at once a "dignified and effective way to knock Mr. Bryan into a cocked hat." Never again can Mr. Bryan go throughout the State of Iowa and throughout the State of Nebraska and that western territory where he held such a tremendous political power and say that the Democratic Party, or at least the man that he made President of the United States, is in favor of a reduction in rates of the railways of the country. [Applause.] I think that evidence of Executive interference in this regard is almost conclusive.

Mr. FOSTER. Mr. Chairman, I sometimes think that my good friend from Iowa [Mr. GOOD], of whom I am fond, is so strongly partisan that he overleaps the bounds and becomes a little unfair to those with whom he may differ on account of some advantage that he imagines may come to his party.

I have a great respect for and confidence in the President of the United States, to whatever party he may belong. I do not believe that President Wilson is knowingly going to do anything except for the best interest of the people of the country. I believe he is an honest, conscientious, and sincere man. Now, the gentleman makes the charge upon the floor of this House that the President of the United States has influenced the Interstate Commerce Commission to raise railroad rates. He also goes further than that, and prophesies that through the influence of the President the Interstate Commerce Commission will raise the rates on the western roads. I do not know, nor does he, whether the rates will be raised in the western part of the United States or not. I do not know whether they ought to be raised or not; but I think we ought to be fair in these matters. It is true that we are partisans here, and that aisle in the center divides the two parties, but I submit that with all of it we ought to be fair as men, fair to the interests of this country and to the men who hold high office, and not get up here and loosely charge that the President of the United States is influencing the great Interstate Commerce Commission to carry out his will.

Mr. BLACKMON. Will the gentleman yield for a question?

Mr. FOSTER. I yield to the gentleman from Alabama.

Mr. BLACKMON. Does the gentleman think that any considerable number of people take the gentleman from Iowa seriously when he undertakes to make a charge of that kind against the President of the United States, even in the gentleman's own district?

Mr. FOSTER. I would not imagine so, because I imagine that in the district the gentleman has the honor to represent they understand the partisanship of their able Representative, and that he is doing it for partisan purposes; but I submit that, though we may be partisan, and that it is right that we should fight for our party and for the principles upon which be stand, but I submit that it is unfair for any man, for partisan purposes, to charge those things of which he has no proof, which he can not substantiate, and the gentleman in this case did not present any proof. Now, one word more and I am through.

Mr. GOOD. Will the gentleman yield?

Mr. FOSTER. No; I can not yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOSTER. Just one word more. The gentleman speaks of Mr. Bryan, the Secretary of State, and says that he has gone into the western country, among the people, and that they have gone in great numbers to hear him speak in political campaigns. As you know, Mr. Bryan has for 20 years, as the gentleman says, been politically killed almost every 30 days. Still he stands before the American people as a man who is incorruptible and who stands for their rights. [Applause on the Democratic side.] My friend from Iowa may endeavor to knock Mr. Bryan into a cocked hat every day if he likes, and still he will appear as a man who stands upon the side of the people of this country. [Applause on the Democratic side.] Long after other men may be forgotten, long after they shall be known only by the name upon the stone over the place where they rest, Mr. Bryan will be remembered by the American people for the good things he has done. [Applause.]

Mr. GOOD. Now, will the gentleman yield right there?

Mr. FOSTER. Yes.

Mr. GOOD. If Mr. Bryan is the great patriot and Democrat that the gentleman has said he is, why was it that in 1906 Woodrow Wilson refused to support him for the Presidency of the United States?

Mr. FOSTER. Mr. Bryan was not a candidate in 1906, and the gentleman ought to know that.

Mr. GOOD. I mean in 1896.

Mr. FOSTER. I am not talking of that now; it is not the question.

Mr. GOOD. Oh, no; of course you are not.

Mr. BARTLETT. How does the gentleman know that Mr. Wilson did not support Mr. Bryan in 1896?

Mr. FOSTER. That is another one of the gentleman's charges for which he furnishes no proof.

Mr. GOOD. It has been charged openly.

Mr. FOSTER. I hope the gentleman will not interrupt me.

Mr. GOOD. The gentleman has asked me a question. He wants an answer to it, does he not?

Mr. FOSTER. I will tell the gentleman when I get through, and he can answer it then. The gentleman has seen some rumor in the newspapers again, and imagines that what he sees there is absolutely correct, and he never looks at more than one side of a proposition.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOOD. Now will the gentleman yield?

Mr. FOSTER. I will ask for two minutes more. The gentleman wishes to ask me a question.

The CHAIRMAN. The gentleman asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. GOOD. I will point to the CONGRESSIONAL RECORD, to speeches made in the Senate by eminent Senators of the United States, charging that Mr. Wilson did not support Mr. Bryan for the Presidency in 1896. Will the gentleman produce a single speech to the contrary?

Mr. FOSTER. I am not making any charge, nor is that the question now.

Mr. GOOD. Will the gentleman produce a single speech or letter of Mr. Wilson, which he wrote, indorsing Mr. Bryan at that time?

Mr. ADAMSON. Will my friend from Illinois make peace and yield to me for a moment?

Mr. FOSTER. Yes.

Mr. ADAMSON. The gentleman from Iowa seems to be unhappy about the President's interference. Does not the gentleman from Illinois think that the interference which is troubling the gentleman so much is the President's interference with the plans and success of the Republican Party? [Applause and laughter on the Democratic side.]

Mr. FOSTER. There is no doubt about that.

Mr. BROWNING. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. FOSTER. No; I must decline to yield just now. I just want to say this in conclusion: In all fairness I say that it is so easy to criticize public men and take rumors that may float around against them here and there——

Mr. GORDON. In the newspapers.

Mr. FOSTER. And some article that may appear in some newspaper. Now, I submit to my friend from Iowa—I know that the gentleman, when he will lay aside his partisanship, intends to be fair. I believe that the gentleman wants to be fair; but he is so partisan that he finds it hard to get his mind around where he can be fair, and I suggest to him, and to every other man in this House, that we ought to be just to public men and not always be criticizing them upon some little rumor that may be afloat in the country. [Applause on the Democratic side.]

Mr. MOSS of West Virginia. Mr. Chairman, the reason why I do not believe that the gentleman from Iowa [Mr. GOOD] is correct in making the charge that the President of the United States influenced the Interstate Commerce Commission to grant the 5 per cent increase of rates is solely because the Interstate Commerce Commission would not permit the application of such kind of influence. I believe that the President of the United States, with all due respect, is the greatest dictator that we have had in the White House for 50 years, and possibly, not being a judge or a lawyer, he might not fully realize the impropriety of trying to influence a judicial body like the Interstate Commerce Commission. But, Mr. Chairman, if he did try, I feel very sure that the Interstate Commerce Commission, composed as it is of men of the highest type and character, realizing their duty as judges to decide the case solely upon the evidence, would not for a moment let even the President of the United States influence it in its decisions.

Mr. Chairman, I am getting tired of this thing of accusing men, situated as the members of the Interstate Commerce Commission are as judicial officers, of being influenced by outside

considerations in reaching a conclusion. When that commission first refused to grant the increase it suggested to the railroads certain economies that they could practice. It wanted to test the question of whether or not in that way the railroads could not obtain the revenues they were seeking. It was tested for months, and it was found that these economies did not produce the expected result. Meanwhile the earnings of the railroads had steadily declined, and conditions had become almost critical, and so, after careful consideration, and having come to the conclusion that the best interests of the country demanded it and the railroads sorely needed it, the Interstate Commerce Commission did grant an increase of 5 per cent to the railroads; and I believe they had ample evidence on which to base that conclusion, though other men considering the same evidence might have reached a different conclusion.

Mr. Chairman, I do not believe there are any large number of shippers in this country who would attribute unworthy motives or improper influences to the Interstate Commerce Commission for its action in that case.

Now, some gentlemen refer to the fact in criticism that in valuing these railroads to ascertain proper earnings on the investment the franchise or good will is considered.

Mr. Chairman, in some States in this Union the franchise is considered as an asset of the railroads for the purpose of taxation. In West Virginia and other States, when that question was submitted to the courts, the franchise was considered a very valuable asset for taxation purposes. If this was correct, then it would not be incorrect to consider the value of the franchise in determining reasonable earnings on the investment.

Mr. Chairman, I believe that the time is coming in this country when, without prejudice and without this spirit of hostility which seems to prevail in some quarters, we ought to give the railroads and the shippers of this country equal justice, and not merely presume, simply because they decide a question in a way that does not suit some gentlemen, that a great commission, composed as it is of great, big men, who are trying to do their duty, are influenced by unworthy motives. I believe the Interstate Commerce Commission has one of the hardest tasks and some of the most difficult duties to perform of any body of men in this great country. If any critic will even start to study the transportation problem and get even a little insight into it, he will see the magnitude of the difficulties that arise in fixing rates. It is one of the most intricate problems that could possibly be brought before any commission or any court; and I believe that when it comes to criticism of the Interstate Commerce Commission, we ought at least to try to be fair, and unless we know the facts and unless we know the evidence we should not condemn it. [Applause.]

Mr. CRAMTON. Mr. Chairman, the pending amendment proposes to strike out the entire appropriation for this branch of the work of the Interstate Commerce Commission. The gentleman who has offered the amendment has avowed his purpose solely that of economy. At the same time he has admitted that the work in question is desirable, that it should be carried on, but insists that on the score of economy it ought at this time, at any rate, to be suspended.

I can agree with the gentleman as to the need of economy at present in our Government expenditures, but I do not believe, and I do not believe the gentleman from Massachusetts would urge, that we have yet reached the point where we should vote against appropriations simply and solely on the plea of economy, regardless of the merit of the particular item under consideration.

The gentleman himself has not followed that course. I noticed the other day when we had before us the naval appropriation bill the gentleman from Massachusetts, who then, no doubt, knew as well as he does to-day the serious financial condition of the country, found it possible to support a proposition for two battleships, notwithstanding the attempt made by the leader of the majority [Mr. UNDERWOOD] to secure the commitment of the bill in order to cut down the provision from two battleships to one and save an expenditure of $15,000,000 to $20,000,000. Notwithstanding we are hard up, he was able to see where we could get $15,000,000 or $20,000,000 for the purpose which to him seemed meritorious. Here is a purpose which we may easily infer does not seem so meritorious to him, and hence, with his economy plea, he would cut out $3,000,000 and put an end to the work.

To my mind this is not an abstract proposition, as to work that should be done some time in the uncertain future. It is a concrete proposition as to work which needs to be done and needs to be done as soon as possible. If I could have my way, I would like to have the appropriation $6,000,000 instead of $3,000,000, because I believe the work should be expedited, and I have had some experience in connection with this subject which leads me to that belief.

In the decision of the Interstate Commerce Commission in the Five Per Cent case, about which we have heard so much the past hour, my complaint as to that decision—and I would not comment as to the decision itself, as to the question which was before the commission, because that should stand for itself—my complaint is as to the action of the Interstate Commerce Commission in going out of its way, going away from the record and evidence in the case, and putting in obiter dicta which have resulted in the most active lobby on the part of the railroads in this country that we have ever seen for an increase of rates all over the country. That is a result not of a decision of the commission based on evidence, but of obiter dicta to the effect that the railroads might well increase their passenger rates.

And as a result of that, in the State of Michigan—just as is the case in every State, I presume—there is an active lobby on the part of the railroads before the legislature, before business men's associations, and everywhere for an increase in passenger rates, and they bottom their case on this piece of dicta from the Interstate Commerce Commission. I submit, Mr. Chairman, that if we are to suffer because of the dicta of the commission we might at least have the benefit of the evidence which the proposed valuation purposes to bring us. I understand the commission has already taken up under this law—or it is supposed to have done so—the work of making the physical valuation and financial investigation of the Pere Marquette Railroad, which is largely in the State of Michigan. The commission is supposed to have begun that work. I hope it will be completed some time, although the speed with which it is going forward is not attracting any wonderment. Even though it be progressing but slowly, we do not want it stopped or suspended for a few years. Some time it may be completed. In the meantime, spurred on by the dicta of the Interstate Commerce Commission, and quoting it with relish, the receivers of the Pere Marquette Railroad are before the Legislature of the State of Michigan with a formal petition asking for a repeal of our 2 cent rate law and an opportunity to increase their rates. With all of their facilities for furnishing or concealing information to the people of the State, they have under way a remarkable propaganda, which is ex parte and stands uncontradicted. It is wonderful how much more information they can give when they want to than they can when they do not want to.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, two years ago, before a committee of the Legislature of the State of Michigan, the Pere Marquette Railroad Co. was asked to submit figures showing the actual cost of carrying passengers, and they professed, which was no doubt the truth, their inability to do so, their inability to figure out that proposition. Now, however, they come in voluntarily with their petition to the legislature, and they can figure that all out for you to the fraction of a cent and be sure that they are right, and having done that they read to the legislature and the people the obiter dicta of the Interstate Commerce Commission. They ask the legislature to act along the lines so gratuitously suggested by the Interstate Commerce Commission.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CAMPBELL. How long has that road been in the hands of a receiver?

Mr. CRAMTON. Two or three years is my recollection.

Mr. CAMPBELL. What was the occasion of the appointment of the receivers?

Mr. CRAMTON. The immediate occasion was the fact that they had gone to the railroad commission of the State of Michigan for an authorization of bonds, and secured an authorization of a loan of $8,000,000 to be used for certain purposes. The road used the money, in part, for other purposes, as later developed. Later on they again went to the same commission for permission to issue another lot of bonds, and those facts appearing, they were not able to get an authorization, and the receivership followed. That was only the immediate cause, and back of that was the fact that they had been piling up millions and millions of dollars of obligations with no increase in equipment or other facilities for service, until to-day they have $110,000,000 of obligations, whereas, under the physical valuation of a number of years ago, they were valued at $29,000,000,

approximately, and are now being taxed supposedly on a cash value of twenty-six and one-half million dollars.

That a decrease in rates of fare must result necessarily in a corresponding decrease in gross revenues is not true, and before the commission declares itself on such an important proposition the actual effect of such decreased rates on revenues should be thoroughly investigated by them. I am inserting here one piece of significant evidence bearing on this question. It is a statement of the Michigan Railroad Commission, issued February 28, 1908, as to the effect of the Michigan 2-cent fare law, which took effect September 28, 1907, on the gross revenues of the roads. It follows:

CIRCULAR No. 7.

EARNINGS OF MICHIGAN ROADS UNDER THE 2-CENT-RATE LAW.

MICHIGAN RAILROAD COMMISSION,
Lansing, Mich., February 28, 1908.

In accordance with the statute the various railroads of the State have filed with the Michigan Railroad Commission statements showing their gross earnings for October, November, and December, 1907. The 2-cent law having taken effect September 28, 1907, these figures are the first available in consideration of the effect of the 2-cent law on the earnings of the roads. In advocating the passage of the 2-cent law before the last session of the legislature it was the contention of Gov. Warner and Commissioner of Railroads Glasgow that the passage of such a law would not materially affect the gross earnings of the companies by reason of the increase in travel under the lower rate. The commission are very glad to be able to say to the people of Michigan that the facts at hand go very far to sustain this contention.

We have prepared a tabulation of these quarterly earning statements which is worthy of careful consideration. In this tabulation we have compared the passenger and freight earnings of the months referred to in 1907 with the same months in 1906 and do not hesitate to say that such comparison vindicates the Michigan 2-cent law and demonstrates that, while it is of the greatest benefit to the people of the State, it is not injurious or unjust to the railroads. It is to be remembered that during a portion of the months referred to in 1907 the business of the railroads was very seriously reduced by the financial scare, and for this reason in comparing the earnings of 1907 with those of 1906 we are comparing the earnings of the 2-cent law under times of considerable financial depression with the earnings under the old law in abnormally prosperous times. It is also to be remembered that the test during the three months referred to has not been an entirely fair test owing to the fact that many of the roads have entirely, or to a great extent, cut out excursions, which in previous years they have been eager to conduct and have been supposed to do so at a profit. Had all profitable excursion business been sought for by all railroads under the 2-cent law the same as before, we believe the showing would have been even more strongly in favor of the law.

In the tabulation we first considered those roads which are now on a 2-cent basis, namely, the Ann Arbor, the Cincinnati Northern, the Big Four, the Grand Rapids & Indiana, the Grand Trunk, the Lake Shore & Michigan Southern, the Michigan Central, the Pere Marquette, and the Wabash. Considering these roads altogether we find that their aggregate passenger earnings for the months named in 1907 exceed the earnings of same months in 1906 by $620.84, a very small portion of 1 per cent increase. At the same time their freight earnings show a gain of $202,417.98, or a gain of 2.6 per cent. While the passenger earnings were affected by the 2-cent law the freight earnings, of course, were not; but notwithstanding this it will be observed that the passenger earnings have kept practically up with the freight earnings. None of the principal roads above mentioned show any serious reduction which can be traced to the 2-cent law. The Ann Arbor shows a loss in passenger earnings of 6.4 per cent, but they also show a greater loss in freight earnings, namely, 8 per cent. The Grand Rapids & Indiana shows a decrease of 5.9 per cent in passenger earnings and a gain of 2.5 per cent in freight earnings. The Pere Marquette, a loss of 4 per cent in passenger earnings, with a gain of 11 per cent in freight earnings. It is safe to say that had either of these roads followed their old custom in the matter of pushing for passenger business by profitable excursions they would have shown a gain instead of a decrease in their passenger business notwithstanding the hard times. The Grand Trunk shows an increase in their passenger business of 6.9 per cent under the operation of the new law, and a gain of 13.7 per cent in their freight business. The Lake Shore & Michigan Southern shows a gain of 2.3 per cent in their passenger business, and a decrease of 12.8 per cent in their freight business. The Michigan Central shows a gain of 3.3 per cent in their passenger business, while they have a decrease of 2.9 per cent in their freight business. The Wabash shows a loss of 11.6 per cent for the three months in 1907 as compared with 1906, but inasmuch as the road was on a 2-cent basis before the recent 2-cent law was passed that act can not be charged with the falling off in their gross earnings. Their freight earnings show an increase of two-fifths of 1 per cent. The Big Four, with a very small mileage in this State, shows the most startling decrease in passenger revenue of 52.9 per cent. This is explained by electric competition. The Cincinnati Northern, with also a small mileage in this State, shows a serious decrease of 19.3 per cent.

We also have figures concerning the numerous smaller roads in the State which were not affected by the 2-cent law and continued to charge 3 cents. Their figures are not much different from the figures shown by the 2-cent roads; some of them show an increase and some a loss. The principal ones are the Detroit & Mackinac, with 3 per cent of gain on passenger earnings and 7.4 per cent of loss on freight earnings, and the Pontiac, Oxford & Northern, with 1 per cent gain on passenger earnings and 3 per cent loss on freight. The upper peninsula roads we have also compiled, and notwithstanding most of these formerly charged 4 cents and now are limited to 3 cents it is to be noted that in the aggregate they have a gain of $13,000 in passenger earnings over the same period in 1906.

We commend these figures to the careful consideration not only of those in charge of the Michigan roads but to the general public and are confident that further operation under the 2-cent law will more clearly demonstrate its fairness and practicability.

CASSIUS L. GLASGOW, *Chairman*,
GEORGE W. DICKINSON,
JAMES SCULLY,
Commissioners.

But, Mr. Chairman, my appeal is that now that this agitation has been stirred up, and while this demand for an increase of rates is being made at the doors of every legislature in this country by reason of this dicta of the commission, we ought at any rate to be able to let the commission go ahead and get the evidence, not only as to the physical valuation, but in respect to the financial history of the roads which is also provided for in the same law.

Mr. Chairman, there seem to be some gentlemen who believe this is a period of reaction and conservatism, and that anything to-day that can be done to saddle on the people of the country all of this load of overcapitalization and frenzied finance the people will stand for, but, to my mind, that is a great mistake, and it is the most mistaken position that any party or person can take, and I for one on this side want it understood that I do not believe that the gentleman offering this amendment represents this side of the House or that we favor any halt in this work. [Applause.]

Mr. BARTLETT. Mr. Chairman, we may as well realize what we propose to do. Like a great deal of legislation that has been adopted in the past few years, this legislation providing for the physical valuation of railroads was enacted under whip and spur, and it was done under arguments that are old and not new. It was the same argument, the same illustration, that Antony used over the dead body of Cæsar—simply holding up the bloody garments and saying, "Look at these, look at the rents in the garments, and where they were made," so that the fury of the Roman mob was changed in one instant from being against Antony to being in favor of Antony and against Brutus. So we rush through this bill to provide for the physical valuation of railroads. I am compelled to say, in my judgment, after due consideration of where it will lead and what it will cost, that we, too, held up before the House and before the people the argument, "Look what the railroads are doing to the people in respect to the charges that are made," and we made them believe that this would be a panacea for all purposes, to properly regulate the charges of railroads for transportation of freight and passengers.

But, Mr. Chairman, it is like all such undigested and hasty legislation, and we have come to realize that we now have a white elephant on our hands. At the time it was being considered before the Committee on Interstate and Foreign Commerce, of which I was a member, the statement was made that it would cost probably $3,000,000 and take a couple of years, and not over three, to finish. Some one put it up as high as five years, and now we have already expended $2,400,000 and the ground has not been scratched, nor will we get through with it for some time to come. Commissioner Prouty stated that it is being done at the rate of 2,000 miles of railroad a month, which is as much as we can possibly do, and there are 250,000 miles of single-track railroads to be valued, and in addition 1 mile of sidetrack and additional track for every mile of single track.

In additon to the sidetracks and spur tracks and such things, it will amount to nearly 300,000 miles, and if we have 2,000 miles valued every month, which is the highest estimate, we are to have 30 years continuation of this valuation, at an expenditure of from two to three million dollars a year.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. LENROOT. Did not Commissioner Prouty testify before the gentleman's committee that with an appropriation of three and a half million per year the whole work could be completed in four years?

Mr. BARTLETT. Four years from next July.

Mr. LENROOT. Four years from next July.

Mr. BARTLETT. But we found out that these estimates and these expectations have all gone for naught. We have started in on this examination of the physical valuation for railroads with the idea it was going to cost only $5,000,000 and not take over three years.

Mr. MADDEN. Did I understand the gentleman from Georgia to say that they could value 2,000 miles a month?

Mr. BARTLETT. Not over that, I said.

Mr. MADDEN. That would only take one year to value all the railroads in the United States.

Mr. BARTLETT. It would be 24,000 miles.

Mr. MADDEN. No; 240,000 miles.

Mr. BARTLETT. Here is what he says, "24,000 miles a year." The gentleman is way off in his calculation.

Mr. SISSON. Will the gentleman yield?

Mr. BARTLETT. I do.

Mr. SISSON. In response to the question asked by the gentleman from Wisconsin [Mr. LENROOT] a moment ago, Judge

Prouty did not state positively this work could be done in four years.

Mr. BARTLETT. Here is what he said.

Mr. SISSON. Judge Prouty said that they hoped to be able to do it; and when you got right down to the question as to whether or not it could be completed in that time Judge Prouty was always very ready to hedge the question.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. I have the testimony, which I will read.

Mr. LENROOT. Read page 324 and you will find it was positive.

Mr. BARTLETT (reading)—

Now, we are spending at the rate of $2,000,000 a year. Two million dollars a year, with perhaps some slight addition, because our land work is not fully developed yet, will carry all parts of the work along at the same pace; that is to say, would cover approximately from 20,000 to 25,000 miles of railroad a year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia. [After a pause.] The Chair hears none.

Mr. BARTLETT (reading)—

Of that $2,000,000, over $500,000 is what might be termed overhead expense, and that expense would not be increased if you doubled the number of our party.

He seems to have calculated at the rate of 2,000 miles a month, or 25,000 miles a year. My friend from Illinois has got his arithmetic a little different. He further says:

And it has always been my belief that we should conduct this work at the rate of about 50,000 a year; that is to say, we should practically clean up the work between July 1 next and July 1 four years later.

Mr. SISSON. Will the gentleman yield for one more interruption?

Mr. BARTLETT. I will.

Mr. SISSON. You will find that Judge Prouty statement is always based upon conditions that if they can do certain things, but if you will ask Judge Prouty about it you will find that he has at no time made any definite positive statement as to when this work will be completed.

Mr. LENROOT. Upon the basis of 2,000 miles a month it is upon a basis of an appropriation of $1,900,000 for each year, which was the last bill.

Mr. BARTLETT. Two million dollars.

Mr. LENROOT. One hundred thousand went to a deficiency.

Mr. BARTLETT. I have just read his testimony.

Mr. LENROOT. It would be nearly 4,000 miles a month on the appropriation they ask for.

Mr. BARTLETT. He said, "That expense would not be increased if you doubled the number of our parties, and it has always been my belief that we should conduct this work at the rate of about 50,000 a year." Now, the gentleman wanted to call my attention to some page.

Mr. GILLETT. Page 324. Mr. GILLETT asked him:

You think you can finish the work in four years at that rate?
Mr. PROUTY. Yes, sir.

Mr. BARTLETT. Oh, yes. Judge Prouty thought this work was so easy that he would spend about three months in running for Senator up in Vermont.

Mr. LENROOT. Will the gentleman yield?

Mr. BARTLETT. Certainly, if he could run for Senator or some other political office and leave the work for his colleagues to do, it would not be done so fast.

Mr. LEVY. Commissioner Prouty previous to this commission being appointed never made a statement but he said it would cost a great deal less.

Mr. BARTLETT. Yes; he did. I do not propose to enter into any political discussion that is going on here. If we are going to carry on this work we might as well realize now what we are proposing to do. We are now in the second year and we are up against the proposition to do the work, and as yet we have realized no benefit, in my judgment, and the ultimate benefits—considerable benefits—are not yet in sight, because when the work is all over new conditions may arise, and new valuations will probably have to be made. We might as well realize that when we appropriate this $3,000,000 now we are liable to be called on before this Congress adjourns, or when another one meets, for a deficiency of $400,000, and if we turn this work over to those gentlemen to carry out this law, not knowing how long it would last, nor how much it will cost, and not knowing what the benefits are, if any, to the people of the United States——

Mr. GORDON. Does the gentleman believe that the Interstate Commerce Commission can determine even approximately what a reasonable rate is without knowing this very thing that this law was passed to be done?

Mr. BARTLETT. Well, when a charge is being made unreasonably by the railroads it is their business to demonstrate to the Interstate Commerce Commission, and the Interstate Commerce Commission decides, makes its decision, and rejects the charge as being confiscatory, then they can determine through the courts whether the rate is unreasonable, and the burden is upon the railroad to do so.

And referring again to the decision that was quoted by my friend from Wisconsin [Mr. COOPER], it was held in that case that a corporation in making a demand for rates can not ask that their watered stock or their overissues of bonds, which do not represent actual values, shall be considered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BARTLETT. It took no physical valuation to determine that, because the gentleman from Wisconsin [Mr. COOPER] has called your attention to the leading decision upon that question, and in that very decision the Supreme Court, by Judge Harlan, said:

The public can not properly be subjected to unreasonable rates in order simply that stockholders may earn dividends. The legislature has the authority in every case where its power has not been restrained by contract to proceed upon the ground that the public may not rightfully be required to submit to unreasonable exactions for the use of a public highway established and maintained under legislative authority. If a corporation can not maintain such a highway and earn dividends for stockholders it is a misfortune for it and them, which the Constitution does not require to be remedied by imposing unjust burdens upon the public.

So that we have already the law of the land finally settled in that case, that the railroads, when they appeal from a decision of the Interstate Commerce Commission, can not impose additional burdens and taxes upon the people for the carriage of their freight and passengers simply because they have swollen in amount their stocks and bonds. The burden is upon them.

Mr. Chairman, when I voted for the measure providing for the physical valuation of the railroads I was anxious to relieve the people; but now upon mature reflection and in the light of what I have learned since then, I believe now that this measure will not result in that great measure of relief, and be the panacea for all the alleged burdens in the carriage of freight and passengers which it was supposed it would be. I believe that the act of 1910, which we passed through this House on a bill reported from the Interstate and Foreign Commerce Committee, headed by the gentleman from Illinois [Mr. MANN], now the leader of the minority, was a measure which gave to the people all the relief that they can obtain or that they ought to expect to obtain, when we provided by law that the decision of the Interstate Commerce Commission upon a question of fact is final and can not be appealed from.

Mr. GORDON. That did not help the people much in the 5 per cent advance cases, did it?

Mr. BARTLETT. Oh, again we have this great hurrah about the 5 per cent increase. Mr. Chairman, I do not own a dollar of railroad stocks or bonds, nor am I in any way connected with any. I aided with all the power, energy, and force that I had in passing the act of 1906, and in passing the act of 1910 to amend the interstate-commerce act. A prominent statesman of the Democratic Party, Judge Reagan, of Texas, was the first Member of this House to introduce, away back in 1887, and to secure the passage in 1887 of the law which sought to give relief to the people for unjust exactions at the hands of the railroads, and that law was passed against the opposition of the Republicans then in the House, such men as Hepburn and Cannon; but times have changed. The gentleman from Illinois [Mr. MANN] and his Democratic colleagues and some of his Republican colleagues upon that committee brought before this House a bill which amended that act and gave relief to the people. I had some part in my humble way in aiding in the enactment of that legislation, and I am sincere to say that, in my judgment, considering the temper of Congress and of the Members of Congress now when we reflect upon the passage of the valuation law, it was not necessary and will not be of any substantial or lasting benefit to the people.

Mr. COOPER. Will the gentleman permit a question?

Mr. BARTLETT. I always yield to my friend from Wisconsin.

Mr. COOPER. The Supreme Court of the United States, in Smyth against Ames, which I read, say that a knowledge of the value of the property of a railroad is absolutely necessary to the fixing of rates.

Mr. BARTLETT. Oh, yes.

Mr. COOPER. And we have not that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask three minutes more, and then I will have done.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. BARTLETT. Oh, yes; and since that decision these laws to which I have called attention have been enacted. Before that enactment of 1910 the railroad could appeal to the courts to suspend or enjoin any order of the commission, whether it related to law or to facts.

Mr. COOPER. Mr. Chairman, will the gentleman permit another interruption right there on that point?

Mr. BARTLETT. I hesitate to, but I will yield to my friend.

Mr. COOPER. It is true that we have passed a law since then; but we have not given the court or the commission the information upon which they can base a decision, and the Supreme Court said so in Smyth against Ames.

Mr. BARTLETT. I am familiar with the case of Smyth against Ames. I have read it time and again and have it before me now; and I have undertaken to impress upon the House the fact that the position I occupy upon this matter is that when the railroads attack an order of the Interstate Commerce Commission they must show that it is not based upon proper values.

The burden is upon them, and they can not, as I have shown, put into that valuation the fictitious or watered values of their stocks and bonds. The railroad company must demonstrate that the decision of the Interstate Commerce Commission is unreasonable. The burden is upon them now, and this additional expense upon the Government will amount to nothing, even at the expiration of 10 or 15 years. Whoever or whatever may be responsible for the apparent and real expected deficit in the Treasury, this is a luxury and not a necessity. It is a luxury which we might indulge in if times were different.

I do not know that I am in favor of discontinuing the work altogether. We have numbers of high-priced and high-paid men in this work. It is not of such urgent, immediate necessity as to require the continuation of the expenditure of this large amount of money to carry on this work. When we entered into it we did not realize what we were about, in my judgment. It can be suspended, not abandoned altogether, until a more propitious time and season, and I do not think the people will be injured or hurt thereby.

One word in reference to the increase of rate, Mr. Chairman. Like the gentleman from West Virginia [Mr. Moss], I believe that the men on the Interstate Commerce Commission who devote their time and attention to the consideration of this work have at heart the best interests of the people. I believe the increase of rates decided by them was decided on the merits of the case and met the demand of a vast majority of the people of the country, the consumers and shippers, and met with the approval of all men who think justly and properly about it. [Applause.]

Mr. FITZGERALD. Mr. Chairman, I want to see if we can not agree upon the remainder of the time to be devoted to this proposition.

Mr. MONDELL. I want to say to the gentleman I would like 15 minutes. The gentleman from Georgia has spoken 18 minutes.

Mr. FITZGERALD. I hope the gentleman will not ask for that much time. I know it is a very important matter, but we do not want to devote too much time to it.

Mr. MANN. Gentlemen on this side are asking for over an hour.

Mr. FITZGERALD. We have already debated it an hour and 10 minutes.

The CHAIRMAN. If no proposition is submitted, the Chair will recognize the gentleman from Wyoming.

Mr. FITZGERALD. I think we ought to have some agreement as to time on this item.

Mr. MANN. I think so, too, or otherwise we will debate it all the afternoon.

Mr. FITZGERALD. Mr. Chairman, I suggest that all debate on this paragraph and amendment thereto shall be closed in one hour.

Mr. LEVY. I have another amendment.

Mr. MANN. I think we ought to have a little more time. We will proceed very rapidly afterwards on the bill.

Mr. FITZGERALD. Yes; it looks like it. [Laughter.]

Mr. MANN. I think we ought to reach an agreement before we proceed.

Mr. FITZGERALD. At the first of it nobody wanted to talk about it.

Mr. MANN. The longer we run, the more Members want to talk.

Mr. FITZGERALD. I suggest that all debate close in one hour and a half, and let the recognition be by the Chair.

Mr. MANN. Does the gentleman object to my controlling one-half of the time on this side? That would be distributed proportionately to gentlemen who have asked for it.

Mr. SHERLEY. Mr. Chairman, I suggest that the debate ought to be divided among Members in favor of and opposed to the proposition, and the only way is to let the Chair recognize Members under the regular rules that are applicable in Committee of the Whole, preference going to members of the committee, and preference given to those opposed and in favor of alternately.

Mr. MANN. I take it that the gentleman would not object to some one controlling the time over here.

Mr. SHERLEY. Not if it did not result in having the debate lopsided. The division is not a party division; it is on a proposition touching a particular matter.

The CHAIRMAN. The Chair will submit the request of the gentleman from New York, that all debate on the pending amendment and amendments thereto close in 1 hour and 30 minutes. Is there objection?

Mr. MONDELL. Reserving the right to object, I want to say that I would like to have 10 minutes.

Mr. SHERLEY. Mr. Chairman, I ask that the motion be put and either objected to or not, and then if gentlemen want additional time the committee can determine it.

Mr. MONDELL. The gentleman from Kentucky knows that if we agree upon a limitation of time, with no arrangement as to the control, the Chair will not be justified in giving anyone more than five minutes.

Mr. SHERLEY. I do not agree to that proposition.

Mr. FITZGERALD. I will modify my request, Mr. Chairman, and make it 1 hour and 40 minutes, and that will give the gentleman from Wyoming 10 minutes.

Mr. LEVY. I call the attention of the Chair to the fact that I have another amendment.

The CHAIRMAN. The gentleman's amendment is not pending.

Mr. LEVY. But I want to offer it, and this is to shut off amendments.

The CHAIRMAN. The request of the gentleman from New York has nothing to do with shutting off amendments.

Mr. LEVY. But I want five minutes on my amendment.

Mr. FITZGERALD. Well, the gentleman can take it and talk on it.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate on this paragraph and all amendments thereto shall close in 1 hour and 40 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Now, Mr. Chairman, I ask unanimous consent that I may control one-half the time.

The CHAIRMAN. The gentleman from Illinois asks that he may control one-half the time.

Mr. FITZGERALD. I will take the other half.

Mr. COOPER. Mr. Chairman, it does not seem to me that the time ought to be controlled with reference to the center aisle, inasmuch as it has been stated by the gentleman from Kentucky that it is not a party question. It ought to be divided between those who favor and those who do not.

The CHAIRMAN. The gentleman from New York makes the further request that one half the time be controlled by the gentleman from Illinois and the other half be controlled by himself. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I am not in favor of the amendment offered by the gentleman from Massachusetts, and yet in the present state of the public revenues I realize how any man who believes in keeping the expenditures within our income if possible may consider himself justified in attempting to cut down or entirely eliminate an item of this kind on the theory that this work might, under these circumstances, wait. I voted for the bill for the physical valuation of railways, and I think I voted for it with my eyes wide open. I did not imagine, as some Members apparently did, that it would cost not over three or four million dollars. I believed then that it would cost at least ten, and possibly twenty, million dollars.

Judge Prouty now believes it will cost anywhere from $12,000,000 to $20,000,000; even more, if a literal interpretation of the statute is to be followed. Whether or not the work, when done, will be worth that much is of course a matter of opinion. That it will be valuable, of course, there is no reasonable doubt, because the physical valuation of the property is one

of the factors to be taken into consideration in fixing rates. It is not the controlling factor nor the most important factor. A rather more important factor is that of the obligations of the property, and a more important question than physical valuation is that which is now being neglected by the Democratic Party, namely, legislation for the control of the issuance by common carriers of bonds and other obligations. Until we have legislation upon that subject, physical valuation of properties will be of comparatively little value. But this valuation is a factor in rate fixing.

Mr. Chairman, without waiting for this physical valuation, however, the Interstate Commerce Commission has recently increased by approximately 5 per cent the railroad rates in a large area in the eastern portion of the country. I think it is probably true that it is impossible to prove that the President of the United States in any way influenced that action by the Interstate Commerce Commission. The very regrettable feature of the situation, however, is that the President in this case is unlike Cæsar's wife. He is not above suspicion. It is a notorious fact that after the first and adverse decision of the Interstate Commerce Commission on the subject of an increase of rates the papers favorable to an increase in rates the country over gave everybody to understand that the administration, the President, favored an increase. Editorials and news items to that effect were published in every part and section of the country, and we heard no denial from anyone anywhere of that proposition that the President did favor an increase. In due course of time the increase came. But the gentleman from West Virginia [Mr. Moss] has conclusively proved the proposition to his satisfaction and said so in answer to statements made by the gentleman from Iowa [Mr. GOOD].

Mr. LEVY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Mr. Chairman, I can not yield at this time. The gentleman from West Virginia [Mr. Moss] says that it is impossible that the Interstate Commerce Commission was influenced by the President, that he knows the members of that commission to be high-minded and honorable gentlemen, gentlemen who have too high a regard for their duties and responsibilities to allow the President of the United States to influence them. I believe they are high-minded and honorable gentlemen, but I decline to believe that they are any more high-minded and honorable, or that they have any higher regard for their responsibilities and duties than have the Representatives of the sovereign States of this Union under this Dome, or the Representatives of the people whose seats are on this floor. And yet we have seen with our own eyes and of recent date the influence of the Executive upon legislation and on the action of some of these high-minded and honorable Representatives of the States and of the people. It is not proper to quote from what occurred in another legislative body, except in a general way, but if gentlemen want to know what certain gentlemen, representatives of certain States, in the Senate think of Executive interference, let them read the CONGRESSIONAL RECORD of yesterday.

The charge was hurled in another body by a Democrat of high estate that Members of the legislative branch are absolutely subservient to the dictation and domination of Executive authority; that legislation is being urged that has little real, bona fide, actual support anywhere except in the Executive Mansion; and that that legislation, if placed upon the statute books, would be so placed under coercion and dictation of the President of the United States. Mr. Chairman, I refuse to believe that the Interstate Commerce Commission is composed of men more immune from Executive influence, more high minded, men who to a greater extent realize their duties and responsibilities, than do the Representatives of the States and the people of the Union. We have seen very recently the effect of Executive influence in this House.

Just a few days ago a bill was brought into this body on the question of passing it over the President's veto, and the Democratic side—some 11 gentlemen, if I recollect correctly—discovered that in the interval between their last vote, some 30 days before, and the time they were called upon to vote upon the proposition after the presidential veto their minds had changed upon this important question, and whereas they felt 30 days before that it was essential that there should be an educational qualification for the admission of aliens, 30 days thereafter they came to the conclusion that no such qualification was necessary or should be provided. Some time ago we had under consideration a question that a great party had passed upon in its platform and on which it had appealed to the people from every stump and rostrum in a campaign, but the presidential influence was effective in having that plank utterly stripped from the party platform and the mandate of the party repudiated and the position of more than half of the gentlemen on the other side of the Chamber reversed.

Mr. Chairman, in the face of this state of affairs, with Executive influence so apparent that he who runs may read and all the world may know, I refuse to believe that the Interstate Commerce Commission is necessarily any more immune from influence from the White House than are the honorable gentlemen who are my colleagues here and the gentlemen who represent the States of the Union at the other end of the Capitol. Never in all of the history of the Republic have we seen anything like it. What is the meat that this, our Executive, feeds upon that he feels that he is justified in stopping the wheels of legislation, in preventing the passage of supply bills, in preventing his party from carrying out its legislative pledges by the order and demand from the White House that certain legislation, new, novel, and dangerous, urged by a not considerable number of our people, never pledged or approved by any party on earth, shall be written on the statute books, whether Congress favor or approve it or no. [Applause.]

The CHAIRMAN (Mr. HOWARD in the chair). The time of the gentleman from Wyoming has expired.

Mr. FITZGERALD. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. CULLOP.]

Mr. CULLOP. Mr. Chairman, I am confident that the predictions of the gentleman from Idaho [Mr. MONDELL] concerning the interference of the President in the proceedings of the Interstate Commerce Commission on the rate question are about as far afield as the prediction of the gentleman from Iowa [Mr. GOOD] about the political death of William J. Bryan. For 16 years every year leading Republicans have declared that he has met his political death. If he has, one thing is certain—he has proven to be a very lively corpse, and that he has come forth from each political death stronger than ever in the esteem and affectionate regard of the people of this great country. And he is stronger to-day with the American people than he has ever been. As the years go by the people become attached stronger to him for the good and great work he is doing in their behalf.

I hold no brief to speak for him. He needs no defense, as his great public services have so endeared him to the American people that attacks, such as just made by the gentleman from Iowa [Mr. GOOD], have but little effect upon the great mass of the people who appreciate his great work, clean, pure, and noble life. Let me remind gentlemen who are disposed to criticize this great man and the splendid services he has rendered his country and the people, that all their assaults upon him are made in vain, and will find but little indorsement among the people of this great country. He has earned the gratitude of the people for his faithful devotion to their cause, and for his great work in their behalf they refuse to be alienated from him. They believe in him as they believe in no other man in this country; they recognize him as one whom they can safely trust, and confidently rely on him as the champion of their cause. They know he has never abused their confidence or betrayed their best interests. In the great crisis through which this country has been passing for the last year the people have depended upon him more than any other person to preserve peace, prevent this country from being plunged into war, and he has met their expectations, for which the people, irrespective of party, owe him a lasting debt of gratitude. From every fireside in this great country go out the thanks of fathers and mothers that this country had at this time in the great office of Secretary of State William J. Bryan to preserve peace and prevent the slaughter of our best manhood. It matters not what gentleman may say in criticizing him or his great work, it will fall upon unappreciative ears, and the people who know the benefit of what he has done in behalf of the welfare of this great country will resent it. Long after the names of his carping critics have been forgotten, the name of William J. Bryan will be fresh in the minds of the people as one of the greatest names that will adorn American history and American statesmanship. His rank will be of the highest and his fame enduring.

Woodrow Wilson, as President of these United States, needs no defense from any Member on this floor, because the American people understand and appreciate his great work to emancipate them from the exploitation of special privileges which have dominated the legislation of this country under Republican administrations. The people well know throughout this Republic the high and laudable purpose which animates his course, and they commend him for his courage and tenacity in standing as he does for their best interests. Monopoly is now making a desperate effort to defeat his purpose, but the people understand what inspires their desperate efforts, and

will align themselves on his side and assist him in his good work. They know on him they can rely for relief from the burdens which have been imposed and which impositions are attempted to be continued to the great detriment of the producing and consuming masses. They will know these wrongs against them are intolerable to him, and he is using his great power to eliminate them, and because of this fact he has incurred the enmity of the special-privilege class, which is arraying all the power it can summon to defeat his purpose, but its efforts will be in vain. He has the support in his great work of the masses of this country, who recognize in him a leader who will not surrender at the behest of the emissaries of personal privilege. The people will assist him in his efforts to conquer the forces of monopoly in this country and restore the rights of the people, so that this again will be a Government of, for, and by the people.

Mr. Chairman, it will be unfortunate, in my judgment, if at this time this appropriation is struck out of this bill. The law for the physical valuation of railroads passed this House in the Sixty-second Congress without a single dissenting vote. It received the votes of all the Members of this House, irrespective of party affiliations. There was not a single vote cast against it. The law was passed by a Democratic House unanimously, by a Republican Senate by an overwhelming majority, and was signed by a Republican President. The purpose of that law was to correct existing abuses in order to arrive at the correct determination of the value of railroad properties in this country, to regulate the issuance of stocks and bonds, and adjust fairly transportation charges; and in the last session of Congress the Rayburn stock and bond bill, as an auxiliary measure to this law, was passed by this House, on a roll call, with only 12 dissenting votes. The good features of that law will be neutralized if the great work proposed under the physical valuation law is not carried into effect. This law will be of much value to the public in the settlement of great transportation questions, now the source of much trouble in this country. There are many things, doubtless, in the Interstate Commerce Commission work that ought to and could be corrected, but it is performing a great work, if not the greatest of any department of this Government, and it requires time to work out the proper solution of these questions, some of which are of the greatest magnitude and of far-reaching importance.

I will call your attention now to one of these things which perhaps needs changing and which doubtless can and will be done when opportunity is presented. The manner in which rates are promulgated now is entirely too expensive, and experience will develop a plan in which that expense can be greatly reduced. As the correction of this involves an administration feature, the commission will doubtless consider methods calculated to reduce this expense. Take one of these trunk lines of this country and it will cost the system $250,000 to promulgate a tariff sheet and get it into force. That expense can be reduced, and the Interstate Commerce Commission, as the work developes, will, I have no doubt, find a way to reduce that cost.

The present method employed in the adoption of freight tariffs is not only expensive but cumbersome, and when once adopted is almost incomprehensible to most of the shippers of the country. A cheaper and simpler method should be, and no doubt will be, devised which will reform the present method and give better satisfaction to the patrons. But the commission has much to contend with and performs an enormous amount of work and accomplishes great good to the public. Its work should not be crippled, but assisted in every manner possible. It seems to me a tariff schedule should be presented to the commission in a petition form for approval before adoption, so that the commission could supervise the rates, and after thus passing on them then have them go into effect, and this certainly would be a great improvement over the method now pursued. It would save much expense and trouble. Some plan of this kind, I am convinced, should be adopted to obviate the trouble which now exists in this respect. A great economy can be inaugurated in this matter and this would enable roads to reduce expenses and prove a great boon to the shipping public. As expenses are reduced rates can be reduced. I hope and believe this subject will soon receive the attention it deserves at the hands of the commission.

Now, as to the physical valuation of railroads, the law was not only passed to ascertain the value but for the purpose of correcting a great evil existing in this country in reference to the issuance of stocks and bonds, which are sold to the investing public, who are entitled to protection from the financial sharks who have been fleecing the public. Innocent investors in railroad stocks and bonds have suffered very greatly because the actual value of the roads in which they bought stocks and bonds could not be ascertained, and hence they were unable to know the real value of the same, but this law will protect the innocent investors in this country in these kinds of securities when in operation. In justice to people who invest in this kind of properties means should be provided for them to obtain this information. This law will supply this means and will also enable the commission to adjust freight rates on a substantial and proper basis. The propriety of the correction of the evils heretofore existing in the issuing of stocks and bonds far in excess of value and the charging of transportation rates to raise revenues to pay the interest on the same has been an imposition on the shipping public for which there was no justification. There is and long since has been a demand for the correction of these evils, and this law, when in operation, will enable the same to be corrected, and therefore protect the investing public from worthless stocks and bonds and the shipping public from exhorbitant transportation charges.

Mr. MANN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, no appropriation found in this bill or any bill passed by this Congress is more important to the public than is this appropriation. I was very much surprised at some of the statements made by the gentleman from Georgia [Mr. BARTLETT]. He first stated that the bill directing this valuation was put through this House under whip and spur. Mr. Chairman, I well recall that this bill was open to unlimited amendment, was open to the fullest discussion. There was no caucus upon it, and if any bill has been open to full and free consideration, it was this very bill. The gentleman from Georgia states that this valuation is unnecessary, because if the Interstate Commerce Commission shall make any order with reference to rates, the railroads must prove, before that order can be set aside, that the rates are confiscatory, and therefore the burden is upon the railroads to show the value. The gentleman seems to forget that the Interstate Commerce Commission itself can not make an order except upon evidence before it; but passing that, if the railroads do get into court and attempt to prove confiscation, the attitude of the gentleman from Georgia and others who are opposing this proposition is that the Government should lie helpless without any evidence to meet that introduced by the railroads. I wonder if the gentleman himself, or any other lawyer upon the floor of this House, if he had a case in court for a client, if it became necessary to prove the value of property and the burden was upon the opponent, would say to his client that because the burden is upon the other side to prove the value of the property it was unnecessary for him to go to any expense to meet any evidence that may be offered by such opponent. Why, Mr. Chairman, it is absolutely ridiculous, a position that no lawyer would take in his own private practice.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. LENROOT. Yes.

Mr. BARTLETT. That is the very thing that the law is, and the decision of the Supreme Court is to the same effect. If it is ridiculous, they are responsible.

Mr. LENROOT. No; the law is that the railroad has the burden of proof to show confiscation, but the gentleman's position is that he is unwilling to have the Government have the means with which to furnish any evidence to overcome or meet the evidence of the railroads, and I say to the gentleman he never would advise a private client of his not to go to any expense to overcome evidence where the burden of proof of value is upon the other side in a private lawsuit.

Mr. Chairman, Congress itself has no power to change the rule with reference to the basis of rates which shall be charged by a railroad. The railroad is absolutely entitled to such rates as will pay a fair return upon the value of the property. If the rates are more than that, it is a confiscation of the property of the shippers. If it is less than that, it is a confiscation of the property of the railroad. The gentleman from Georgia stated that when this bill was passed it was upon the theory that this would mean a great reduction of rate. I took an active part in the passage of that bill. I never took that position. I said whether it amounted to a reduction or an increase of rates it was absolutely necessary to have this valuation in order that there should be a proper basis for rate making, because otherwise Federal regulation absolutely falls to the ground. And what, Mr. Chairman, is the situation now with reference to rate making in the absence of this valuation?

Why, Mr. Chairman, the gentleman from Massachusetts [Mr. GILLETT] offers a motion to strike this out. If this valuation had been directed when the Interstate Commerce Commission first asked Congress to provide the means, it would have been completed long before this. If it had been completed, the New Haven Railroad, in the gentleman's district, would not have been wrecked; thousands of widows and orphans there would

not have been stripped of their fortunes. And what is the result now? Because of the mismanagement of railroads, because of the distrust of the public in railroad management, the railroads now come to the Interstate Commerce Commission and say, "We can not borrow new capital, and we want to increase our rates." And what is the basis of it? Upon the value of the property? No; the basis is that because new capital will not invest, we want the public to pay such rates as will not only pay a fair return upon the value, but because of suspicion of railroad management and because of distrust of railroad management, because of the hazards of the investor in railroad securities, they insist that they shall take from the shipper such sums as will compensate the investor for the hazards that he undergoes by reason of reckless and criminal mismanagement. Mr. Chairman, there has been a propaganda going on during the past year or two over this country attempting to discredit the Interstate Commerce Commission, attempting to discredit Federal regulation of railroads. But, Mr. Chairman, the fault does not lie in the Interstate Commerce Commission or in Federal regulation. I undertake to say that if it had not been for the New Haven mismanagement and one or two other railroads in this country we would not have had the situation that has existed with reference to loss of credit.

It has not been because of Federal regulation. It has not been because of the action of the Interstate Commerce Commission that railroad credit has largely gone. It has been due to some of the great railroad financiers themselves. It has been due to the fact that the railroads of this country during the past 10 years have been manipulated as a stock proposition upon the New York Stock Exchange rather than as a railroad proposition.

Mr. Chairman, to strike this proposition out of the bill now means an absolute loss of the $2,400,000 that has been used so far in that work; and it means that in the future, if we shall set aside this physical valuation, whenever we have criminal railroad mismanagement or other cause of the distrust upon the part of the public, that the railroads may then come to the Interstate Commerce Commission or to Congress and say that because they can not borrow money to develop their property they insist that we permit them to increase the rates to the shippers to overcome the distrust that has been caused by their own reckless and criminal mismanagement.

Mr. Chairman, the Interstate Commerce Commission in its first decision upon the 5 per cent case said:

> A carrier without a sufficient return to cover costs and obtain in addition a margin of profit large enough to attract new capital for extensions and improvements can not permanently render service commensurate with the needs of the public.

And in the second decision, granting the 5 per cent increase, it is fair to say that that decision rested largely, if not wholly, upon the proposition that the public interest demanded the increase. I am not going to criticize the Interstate Commerce Commission, but, Mr. Chairman, the Interstate Commerce Commission has no right in passing upon rates to determine what a general public policy shall be. The law is well laid down, and the Interstate Commerce Commission must keep within the limits of the law wherever they have the information upon which it can be based, and that is the simple proposition that railroads are entitled only to a fair return upon the value of their property. Again, Mr. Chairman, if this physical valuation had been had when it ought to have been had——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield two minutes more to the gentleman from Wisconsin.

Mr. LENROOT. If this physical valuation had been begun when it should have been begun it would have been completed a year or more ago. We would not have had pending before the Interstate Commerce Commission for nearly a year the application for increase of rates, and when the commission did finally act it would not have been a leap in the dark. On the contrary, if this valuation had been had, and they made an application for an increase, it would not have taken the Interstate Commerce Commission 30 days to decide the application, and there would not have been any great wonder on the part of the public whether there had been undue influence exercised here or undue influence exercised there. There would not have been any question on the part of the public as to whether or not the decision of the Interstate Commerce Commission was based upon correct conclusions or not, for they would have followed the simple and plain path of the law after they had had this evidence which I submit must be had if there is ever to be any proper Federal regulation of railroad rates in this country.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back half a minute.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not know whether the information that we get as the result of this appropriation will be worth what it costs or not. I notice Mr. Prouty says in the hearings before the committee that if they were to undertake to ascertain the value of each separate parcel of land which the law requires it would add $15,000,000 to the expense that he had already estimated. But I think the time to have talked about the expense of the appropriation was when we passed the law authorizing the work to be done. And therefore I shall not vote to strike out the paragraph. But I wanted to find out from the gentleman in charge of the bill some matters connected with this valuation. Who is in charge of the valuation appropriation under the commission?

Mr. SHERLEY. I presume Mr. Prouty is as much in charge as anybody in connection with it.

Mr. JOHNSON of South Carolina. Mr. Prouty was one of the commissioners before he was appointed at the head of the valuation board, was he not?

Mr. SHERLEY. He was, and he is now the director of the valuation organization.

Mr. JOHNSON of South Carolina. At what salary is he employed?

Mr. SHERLEY. Ten thousand dollars.

Mr. JOHNSON of South Carolina. What force has he under him?

Mr. SHERLEY. Well, I do not know that I can answer within the time that the gentleman has. I have in my hand the number of people that are under him and the salaries that they are being paid. It is impossible now to answer.

Mr. JOHNSON of South Carolina. Are they within or without the classified service?

Mr. SHERLEY. Some of them are within the classified service and some of them are not.

Mr. BARTLETT. Let me suggest to the gentleman——

Mr. SHERLEY. Just a moment. Some of them are within the qualified classified service, which differs a little bit from the regular civil service.

Mr. JOHNSON of South Carolina. I have been informed—and I want to know from the gentleman in charge of the bill if it is true—that Mr. Prouty has a brother-in-law who was employed on this Interstate Commerce Commission force at a salary of $5,000 and was transferred to this lump-sum valuation appropriation at $7,500. Does the gentleman know if that is true?

Mr. SHERLEY. If the gentleman can tell me the name of the brother-in-law, I can tell him whether or not he is on the list.

Mr. JOHNSON of South Carolina. I refer to Mr. Farrell.

Mr. SHERLEY. There appears on this list Mr. P. J. Farrell, at $7,500.

Mr. JOHNSON of South Carolina. And it also appears that from the Interstate Commerce Commission he received a salary of $5,000 a year?

Mr. SHERLEY. I think that is true, sir.

Mr. JOHNSON of South Carolina. Is there any other Farrell engaged in the work?

Mr. SHERLEY. I have not been able to find the name of any other Farrell.

Mr. JOHNSON of South Carolina. I think the gentleman will find that the younger Farrell, the nephew of Commissioner Prouty, is employed on the Interstate Commerce Commission force at $2,400 or $3,000 a year.

Mr. SHERLEY. The gentleman was not asking me in regard to the Interstate Commerce Commission, but in regard to this division of valuation.

Mr. JOHNSON of South Carolina. Very well. Then I will go to the other question. Is there any other Prouty besides Commissioner Prouty on this valuation force?

Mr. SHERLEY. There is an attorney, W. Prouty, drawing a salary of $3,000.

Mr. JOHNSON of South Carolina. I am informed he is a son of Commissioner Prouty. Does the gentleman know anything about it?

Mr. SHERLEY. I have heard that stated, but I have no personal knowledge as to whether it is true or not.

Mr. JOHNSON of South Carolina. I am very much obliged to the gentleman for the information. Now, gentlemen, here comes the old question that we have to confront us in every session of Congress. We have tried to remedy the evil by putting into the law a positive prohibition against men being put on lump-sum appropriations at increased salaries. Here is a man jumped from $5,000 to $7,500, and one family drawing down more than $20,000 a year out of this appropriation.

Mr. MANN. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman and gentlemen, of course the benefit to come from any activities that we may take along these lines is a matter of the future. We are not so very much interested in the records of the past, simply considered as records, but we are interested in the records of the past in so far as they will aid us in the future. Those records show that during the 10 years from 1902 to 1912 the railroads increased their outstanding capitalization in stocks and bonds in the sum of $7,152,546,007. They claim that during that same period of time they spent practically $2,000,000,000 of the earnings of the railroads—taken from the American people, of course, for freight and passenger charges—in improvements and betterments. So there is more than $9,000,000,000 alleged to have gone to the railroads during this period of 10 years. During the next 10 years what are they going to do? Are they going to continue the same method of procedure in the coming decade that they have carried on in the past?

It has been well said that we may forget the past and the iniquities and wrongdoings of the railroads and their officers and promoters and financiers in the past, but how about the future? There is no indication that there will be any kind of procedure in the future different from that which has taken place in the past.

England is a country that is governed more or less like ours. The railroads were given a free rein over there. There was no attempt at regulation or valuation or control such as we are trying to put in force in this country, and the valuation of railroad properties in England went up and up until it has reached $314,000 a mile. If our lines were valued on the same basis as the English lines, we would be paying interest and dividend on $81,000,000,000 of stocks and bonds. Is there any doubt that the railroads in this country will continue in the same way, increasing their capitalization each year, nine or ten billion dollars in every decade? Why should they change their practices? Why should their policy be different? Mr. James J. Hill declares that the railroads now need over $5,000,000,000 to put themselves in shape. In 1907 they issued $1,500,000,000 of stocks and bonds, and then, as Mr. Hill says, the people of the country were only saved from all kinds of industrial depression for want of the necessary railroad facilities because of the panic. It took the panic of 1907 to help the railroads out of the difficulty of inefficiency of management and insufficiency of equipment, notwithstanding the tremendous amount of stocks and bonds that they had issued.

It can not be claimed that they have spent that $9,000,000,000 in new lines, for during that period of 10 years they have built only thirty-three thousand and odd miles of new lines, and they could not have spent the money for that purpose. Mr. Hill says they use their capitalization for new lines and their earnings for betterments and surplus. They could not have spent this money for betterments. We all know it has gone to increase the private fortunes of a few men. Are we going to continue that sort of a system?

What is the remedy? What is the suggestion of a method of stopping it? This affords a reasonable and sensible plan. Here we have an arrangement by which we can learn what is the value of the railroads, and the commission can determine whether or not rates should be allowed, and when the railroads issue new bonds, whether the Government shall limit their bonds or not, the public will know whether the bonds are worth anything. The public will know whether the stock is worth buying. I can not understand how any well-informed Member can support this motion to strike the paragraph. At this time only 64 per cent of the stock of the railroads that is issued is paying dividends, and it is plain, as everybody knows, that they have increased the amount of their securities beyond all considerations of justice and equity.

Compare the situation in England with the German situation. A recent statement issued by Prof. Walther Lotz, an authority in Germany, says that the Prussian-Hesse railroads, which are valued to-day in truth at $5,000,000,000, are carried in the capitalization account of the German Government at only $2,000,000,000—in other words, 60 per cent less than their real value—and that another billion has been taken from the railroads as profits paid into the public treasury. In this country we do not follow that kind of a method. Here all the unearned increment, all the increase in value, as fast as it is realized, is issued in the form of paper stocks and bonds at the ratio of 2 or 3 to 1, on which all those who come after us must pay interest and must insure dividends. There have been 750 receiverships involving railroads and some 950 foreclosures. The money has gone in that way and in scandals and extravagance. We could forget all that, as I stated at the outset. We could put all that behind us if it were not for the fact that the coming 10 years will reveal the same kind of procedure, and we will get an ultimate $81,000,000,000 of capitalization, like England, if we do not stop it.

Mr. SHERLEY. I yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, my judgment about this appropriation is that I do not believe that ultimately it is going to amount to any good to the people of this country who pay the freight. Judge Prouty, in his statement before the Appropriations Committee, said that there were 250,000 miles of single-line track and that there was 1 mile of siding for each mile of single track in the United States, which makes 500,000 miles of track. According to the calculation of my distinguished colleague from Georgia [Mr. BARTLETT], it would take over 21 years for these gentlemen finally to assess the physical valuation of all this property. At $3,000,000 a year, it will cost the people $63,000,000. Now, when we get through let us see what we shall have. In the saying of the street, "After you get it, what are you going to do with it?" Old Commodore Vanderbilt laid down a proposition away back yonder in the early days of railroading that is just as true to-day as it was then. When he was asked upon what he based his rates, he said: "I fix the rates on my line of road for every penny the traffic will bear." And they have been doing that ever since. Now, suppose you find the exact value of the physical railroad property. Is there a man within the sound of my voice, is there a man whom you ever heard or read of in your life, who could tell you the actual elements that enter into the making of a rate? If you have ever seen such a man, you have seen one that I have never been able to hear of. They do not know why they fix a rate of $1.05 to one point and $1.18 to another point, and there is not a railroad man in the world who could tell you why a certain rate is fixed. It is guesswork pure and simple, and it is for the people in their wisdom to say how long they will bear that kind of rates. The railroads are rapidly realizing that the time is at hand for them to come out in the open and deal with the people of this country fairly. I do not believe that the modern railroad directors are going to stand for any more "watered" stock propositions. They are finding out that the confidence of the people of this country will eventually be worth more to them than false profits upon questionable bond issues. My notion is they will never get unprejudiced treatment by the people or their representatives until they do.

In the wisdom of the court they have said that the burden of proof is on the railroad company, when the Interstate Commerce Commission fixed a rate, for them to show that that particular rate is not an unjust discrimination against the railroad.

Now, there is one element left out entirely in the valuation of railroad property, and that is a subject with which I have had something to do. The most valuable assets of the railroads in this country to-day are not their physical property; it is the value of their franchises, the right of exercising the power of eminent domain.

After you fix the physical valuation what have you got to do? You have got to appoint another commission or perpetuate this commission, for the Lord knows how long, to determine the value of the franchise of the railroad. Why? Because in many States of the Union the franchises of the public-utility corporations are subject to taxation just as the physical property of individuals is subject to taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I do not desire to discuss at length this proposition. I should like to have the fact go into the RECORD that this does relate to the physical valuation; it relates to the valuation of the railroad property. This includes all property, of whatever nature or character. The title of the act upon which the valuation now in progress is based is "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof providing for a valuation of the several classes of property of carriers subject thereto, and securing information concerning their stocks, bonds, and other securities." This law went into effect March 1, 1913, while we still had a Republican President and a Republican Senate.

This is a measure the people of the United States were in favor of, and no party nor any considerable portion of the people has suggested taking the people into their confidence on a proposition to either terminate this law or to suspend it by cutting out this appropriation. I think frankness would require that if the law is not regarded as a wise one it be terminated and not suspended.

The gentleman from Massachusetts [Mr. GILLETT] says that 10 years or more will elapse before this valuation is completed, and that part of the findings will then be obsolete. With that statement I do not agree. If they become obsolete when we are going through with all the speed possible, if we suspend work for one or two years, then those that have been made in the

early stages at the end of the period will have become ancient history. Further, the bill provides for revision of valuations so that the early estimates will be brought up to date.

I do not believe that the suspension of this work by refusal of this appropriation would fail to meet rebuke by the people.

I appreciate the chivalry of the gentleman from Massachusetts [Mr. GILLETT] in his attempted rescue of the National Treasury, as he states it. I find him so "rescuing the perishing" on frequent occasions, but will he not wait two years and then "care for the dying" [laughter], after which there will be an opportunity for replenishing our Treasury so that the ordinary functions of the Government may be provided. Then bankruptcy will not be the main subject for discussion in this House, as it necessarily has been during the last two years. Our balance in the Treasury has been going down from the 4th of March, 1913, to the present day at an average of $150,000 per day.

Permit me to further say that I do not think the plan so ably urged by the gentleman from New York [Mr. LEVY] in assisting the gentleman from Massachusetts, that we should let this valuation to the highest bidder would in any way relieve the Treasury. He asserts that $3,000,000 is a large sum. Yes, $3,000,000 is a good round sum to invest in any one year for any purpose. But the courts have fully established—and I shall ask leave to extend my remarks in the RECORD by quoting liberally from a recent Minnesota rate case—the fact that rates in the maximum must not be greater than a fair return on the valuation of the property which is engaged in performing the service, and that the minimum shall not be low enough to be confiscatory. It leaves only large questions of fact for the commission and courts to determine.

In the case of Simpson et al., constituting the Railroad and Warehouse Commission of the State of Minnesota against Shepard, found in the Two hundred and thirtieth United States Supreme Court Report, beginning on page 352, there will be found the following statements.

On page 355, as part of the syllabus, appears the following:

While the property of railroad corporations has been devoted to a public use, the State has not seen fit to undertake the service itself, and the private property embarked in it is not placed at the mercy of legislative caprice, but rests secure under the constitutional protection which extends not merely to the title but to the right to receive just compensation for the services given to the public.

For fixing rates the basis of calculation of value is the fair value of the property of the carrier used for convenience of the public. (Smyth *v.* Ames, 169, U. S., 466.)

There is no formula for the ascertainment of the fair value of property used for convenience of the public, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts.

On page 434 in the opinion the following appears:

In determining whether that right has been denied—

Right to receive just compensation for the service given to the public—

each case must rest upon its special facts. But the general principles which are applicable in a case of this character have been set forth in the decisions.

(1) The basis of calculation is the "fair value of the property" used for the convenience of the public. (Smyth *v.* Ames, supra, p. 546.) Or, as it was put in San Diego Land & Town Co. *v.* National City (supra, p. 757), "What the company is entitled to demand, in order that it may have just compensation, is a fair return upon the reasonable value of the property at the time it is being used for the public." (See also San Diego Land & Town Co. *v.* Jasper, supra; Willcox *v.* Consolidated Gas Co., supra.)

(2) The ascertainment of that value is not controlled by artificial rules. It is not a matter of formulas, but there must be a reasonable judgment having its basis in a proper consideration of all relevant facts. The scope of the inquiry was thus broadly described in Smyth *v.* Ames (supra, pp. 546–547), "In order to ascertain that value the original cost of construction, the amount expended in permanent improvements, the amount and market value of its bonds and stocks, the present as compared with the original cost of construction, the probable earning capacity of the property under particular rates prescribed by statute, and the sum required to meet operating expenses are all matters for consideration, and are to be given such weight as may be just and right in each case. We do not say that there may not be other matters to be regarded in estimating the value of the property. What the company is entitled to ask is a fair return upon the value of that which it employes for the public convenience. On the other hand, what the public is entitled to demand is that no more be exacted from it for the use of a public highway than the services rendered by it are reasonably worth."

In view of the foregoing the importance of this work of valuation must be reasonably apparent to all.

If a competent commission shall find those facts accurately and reduce them to a workable basis, a large service, worth many million dollars, will have been performed for the American people, railroad and shipper as well. [Applause.]

[Mr. SLOAN was granted leave to extend his remarks.]

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I intended my remarks to apply to an amendment which I shall offer, but the agreement as to time having made that impossible, I speak upon the question now. The old question arises as to the benefit that physical valuation of railroads will accomplish. Certainly if it is carried out, if they depend upon it to make rates, the rates will be double what they are now, because there is no question but that the valuation will be far in excess of that upon which the rates for freight and passengers are now based at the present time.

It is unfair to charge the President of the United States with interfering with the Interstate Commerce Commission. We all know that such a charge is absolutely incorrect and without a scintilla of proof. The statements made by the gentleman from Iowa [Mr. GOOD], which he claims as evidence that has not been denied, are so absolutely absurd on their face that they require no denial. All American citizens, irrespective of party affiliations, hold the President and his office in the highest esteem, and it seems astounding to me that any Representative on the floor of this House should even intimate such a charge.

It is the same way with the Interstate Commerce Commission. In all of my charges against a portion of the commission, I never charged that they were unfaithful in the way of being influenced. I believe it is impossible to influence the Interstate Commerce Commission, but they have got the wrong theory, and the country arose at their outrageous treatment of the railroads in trying to drive them into bankruptcy by allowing such a low rate, and they had to change their decision. They heard the popular voice of the people, and it was opposed to them. In fact, if the Interstate Commerce Commission would give the railroads a fair rate to-day, they ought to have 10 per cent, and every shipper in the country would be in favor of it. It would bring us prosperity and double the business of the country. It would give more employees higher rates of wages. How can you expect the railroads to go on and increase the rates of wages of employees and reduce their rates on freight? Take the statistics from abroad. Our freight rates are one-third of what they are in Germany and England. I stated last year that a prominent statistician of this country would value the railroads in four years at $5,197,000.

If you are fair and you want a valuation and you want it promptly, give it by public letting to a statistician, at a stated amount, and let it be carried through. Commissioner Prouty, when he first appeared before the committee urging a physical valuation of the railroads, stated that it would cost a moderate amount, something like the amount asked by the commission for one year, but after he and his commission were appointed he states that he wants so many millions, and you should bear in mind that $3,000,000 is 2½ per cent on $120,000,000 a year. Just think of that—in one year! But next year he will probably want $5,000,000. What is he doing? Is he surveying this country for the purpose of building railroads? Why not buy the railroads outright? My theory is that this money is absolutely thrown away. It will not be for the benefit of improving the rates, because every State in the Union has a commission that already has a valuation of the railroads.

The CHAIRMAN (Mr. HOWARD). The time of the gentleman from New York has expired.

[By unanimous consent, Mr. LEVY was granted leave to extend his remarks in the RECORD.]

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I am opposed to the motion to strike this item out of the appropriation bill, not only for the reasons already well stated, but for other reasons. Early in the last session of this Congress I introduced a resolution calling for an investigation of the financial affairs and the physical condition of the Rock Island Railway Co. Pursuant to action taken by the Committee on Interstate and Foreign Commerce, to which the resolution was referred, this investigation was undertaken last fall by the Interstate Commerce Commission, and, while the investigation is not yet complete, important facts have developed that are of great value to the public generally and of especial interest to all of the stockholders of that company. Based on information derived through this investigation one suit has already been commenced to recover $7,500,000, which was taken from the treasury of the railway company to pay losses sustained in the purchase of stocks and bonds of other railways. Other suits have also been commenced, all of them against the directors of this railway, to recover various sums appropriated, running into hundreds of thousands of dollars, among which I might mention one political contribution of $25,000, to which party I do not know, and also because of large transfers of stocks and bonds given to certain favored parties for much less than their real value.

As a further result of these investigations there has been a change in the management of this railway. It was controlled

by what was called the Reid-Moore interests, which originated the plan of creating holding companies, which for so many years dominated the actions of this railway. All of the directors whose terms expire this year have now signified their intentions to retire under fire. Most prominent among them is Mr. Reid, perhaps the boss, as some gentlemen suggest, of the syndicates which have controlled that railroad.

But, Mr. Chairman, the Interstate Commerce Commission finds itself unable to go on with this investigation with reference to the physical condition of this railway, although it expects to finish the investigation into its financial affairs. It does not have time to go into the physical valuation of this railway under a separate commission or board, and it also has thought it would be a duplication of the work soon to be done under this appropriation in the way of physical valuation of all of the railroads of the country. This work, Mr. Chairman, is extremely important, not only for the purpose of ascertaining what is a proper and just rate to be charged for the shipment of freight, but also in order that the people may understand whether the railways are safe for the conveyance of passengers and whether they are rendering to the public the service which they ought to render. This is the only way in which this can be ascertained. This, as I think, is by no means the least important part of this physical valuation, and for that reason, as well as the others that have already been stated here, I am very much opposed to striking out this item.

Mr. SHERLEY. Mr. Chairman, may I ask the state of the time?

The CHAIRMAN. The gentleman from Kentucky has consumed 20 minutes and the gentleman from Illinois 35 minutes.

Mr. SHERLEY. Mr. Chairman, I do not see on the floor at the present moment any of the gentlemen to whom I had expected to yield, and if the gentleman from Illinois can use some of his time now I will endeavor to reach them at once, so as not to delay the committee.

Mr. MANN. Mr. Chairman, I will yield myself three minutes. I would not be competent to make a railroad rate, yet I think I have given as much study to the legislative theory in reference to railroad rate making as anybody in the House, owing to the position which I occupied in committee for many years. Probably no one can tell just how railroad rates are made. I am rather inclined to the belief that they are mostly like Topsy—they have just growed. They are not based on the value of the property, and can not be, exclusively. There are eight or nine trunk lines which carry freight between Chicago and New York. The rates have to be the same on each, except on some of the lines that run away around about, and on these the rates are a trifle lower than they are on those that can carry the freight most cheaply straight across the country. One of those roads may have a valuation of $50,000 a mile, and the other might have a valuation of $75,000 a mile, but the rates would have to be the same; and yet it is impossible for anybody to make railroad rates without taking into consideration the value of the railroad property. We have reached the point under legislation where the courts have very little to say and the railroads not very much to say in reference to the rates. It is left to the Interstate Commerce Commission. Railroads can propose rates. The Interstate Commerce Commission determines the rate, and under the existing law they determine the rate in a way that usually can not be overturned by the courts. Well, it is a great problem to fix the railroad rates throughout the United States with the enormous value of freight that is carried by the roads. It strikes at the industrial prosperity of every portion of the country, and may affect the bankruptcy or profit of every industry and every business man, and hence it probably is desirable to give to the Interstate Commerce Commission all of the information which can be obtained which may influence the fixing of railroad rates. We have commenced the valuation of railroad property. I think it is highly desirable that we complete the valuation of railroad property as rapidly as possible. Gentlemen are in error who think that if the valuation be not completed for 10 years that it will then be obsolete and out of date, because under this law they are required to keep up to date the valuation of every railroad which they have previously valued.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I will take two more minutes. The term has been frequently referred to in the debate, "physical valuation of railroad property." That is not the language of the law. The language of the law is that they shall value all the property of the railroads. Now, whether the franchise is property or not I do not undertake to say. It may be that it is. If it be property, it is to be valued by this commission. Every item which is property is to be valued by the commission, and if franchises are property, then they are to be valued separately, so that the commission can or not, as they please, take that into consideration in determining the rate. The law is so drawn that those things will not be confusing, and hence in my judgment it would be very inadvisable, having commenced this work, having organized a force to carry it on, having found the need of the valuation of railroad property in a determination by the Interstate Commerce Commission of freight and passenger rates throughout the United States, it would be very inadvisable at this time to give this commission any less money than it can properly use during the next fiscal year. The sooner the work is completed the better, in my judgment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, this debate has taken a very wide range. I have listened with considerable interest to gentlemen as they have traversed practically the entire field in reference to the physical valuation of railroads. The committee should not lose sight of the fact that two questions are pending before the committee for its determination—one, whether any appropriation shall be made to continue the work of the physical valuation of railroads, and the other whether the recommendation of the Committee on Appropriations for $3,000,000 should be modified by substituting therefor $1,000,000. Before I discuss the propriety of appropriating $3,000,000 I wish to revert to some statements made earlier in the debate which seem now to have floated off on the tide with a lot of the other flotsam and jetsam that is usually injected into debates in this House.

The matter to which I wish to refer briefly was the suggestion of the gentleman from Iowa [Mr. GOOD] that the Interstate Commerce Commission has been coerced by the President of the United States in the recent rulings in proceedings pending before the commission. I know of no more serious offense on the part of the Executive or on the part of members of the Interstate Commerce Commission than that suggested by the gentleman from Iowa. If the President of the United States has used his great power and influence to coerce the Interstate Commerce Commission into a decision which was not justified by the evidence upon which the commission would act, then the President should be impeached. If the Interstate Commerce Commission has been guilty of reaching a determination in a proceeding before it for the purpose of increasing railroad rates, and that decision has not been reached through the honest conviction of the commissioners upon the evidence, but rather through the persuasive or coercive powers of the Chief Executive of the country, the commissioners have demonstrated their full incapacity for their positions, and they should be impeached and removed from office. If I believed that either the President or the Interstate Commerce Commission were guilty of the offense alleged by the gentleman from Iowa, and if I had the slightest proof to justify that belief, I would think that I was under the compulsion of the highest obligation resting upon me as a Member of this House to move the impeachment of whichever officials had been guilty of this conduct. If I did not have sufficient proof to justify such a belief, I would not utter idle and unwarranted statements regarding their conduct. Nothing harms our entire system of government more than loose, unfounded, unsupported, and unjustifiable charges against those occupying high places in public service, and it is particularly incumbent upon members of a coordinate branch of the Government to be particularly careful not to indulge in statements which, if not direct charges, can only be construed as such charges against high officials, unless their statements are supported by evidence which will appeal to reasonable men as sufficient to justify such conclusions.

No one, of course, seriously believes that the President has attempted to coerce or persuade the Members of the Interstate Commerce Commission to render any decision upon any question pending before it in a way that the evidence does not justify. Not only has the President not attempted to use any influence he may possess to persuade the Interstate Commerce Commission not to render or to render a decision not justifiable by the evidence, but I will hazard the opinion that the President has not attempted to influence the Interstate Commerce Commission upon any question whatever; that he has permitted that commission to perform its duties and discharge the functions devolving upon it under the law without any attempt whatever to suggest or interfere with them in their work. It might be well to recall, Mr. Chairman, in connection with what has been said, if I remember correctly, that the application of the eastern railroads, as the matter is commonly designated, for an increase of rates had been pending for a very considerable time—my recollection is several years, although I may be mistaken—and a decision had been filed for a very considerable time; but after it was handed down another petition was submitted by those railroads, and evidence of conditions which

did not exist at the time the original application was offered and submitted, and upon this additional evidence the commission rendered the decision of which complaint is made. So far as my observation goes, there was not any universal outcry or criticism of the commission for its action in granting the request of the railroads. On the contrary, it seemed to meet with the approbation of the people of the country. I am not sufficiently informed as to the facts to express an opinion upon the merits of the matter, and I would be content to acquiesce in the determination of the commission at this time. Now, this bill carries an appropriation of $3,000,000 to enable the Interstate Commerce Commission to carry out the work providing for a physical valuation of the railroads of the country.

When it was first proposed that this work be undertaken, statements were made before the Committee on Interstate and Foreign Commerce of the House to the effect that it could be completed for about $3,000,000 and be finished within three or four years. Later the statement was made that it would probably take $6,000,000 and probably occupy five years. After the bill was enacted into law, the Interstate Commerce Commission submitted estimates of the moneys required to carry on the work; and Commissioner Prouty, who had been designated to make an exhaustive investigation of the subject and to outline the program to be followed by the commission, presented his views of what the cost would be. He reached the conclusion that it would cost the United States at least $12,000,000, and in all probability the cost might be between $12,000,000 and $20,000,000. He stated that the Congress should not initiate the work if it was not prepared to spend at least $12,000,000.

Mr. COOPER. Will the gentleman permit a question?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Wisconsin?

Mr. FITZGERALD. I will.

Mr. COOPER. According to my mathematics, if it would cost $25,000,000 to value $20,000,000,000, the alleged value of the railroad property, that would be only a little over a tenth of 1 per cent.

Mr. FITZGERALD. I am not discussing that phase of it.

I want to point out what the situation was when Congress started this work—the information the Congress had. This information that was furnished to the Committee on Appropriations by Judge Prouty was stated by me upon the floor when the first or second appropriation was made. The first appropriation was $100,000, in the deficiency act of 1913. And then we appropriated $300,000 when $1,500,000 was requested; and then we appropriated $2,000,000 when $2,000,000 was requested. Now we are asked to appropriate $3,000,000, and we made this recommendation; but before we had expended any considerable sum of money the House was informed that, in the opinion of the men best qualified to judge, this valuation work, if undertaken, would have cost at least $12,000,000, and the cost within reasonable probabilities might reach $20,000,000; and he and myself informally agreed that it was more likely to reach $20,000,000. But those facts were stated to the House, so that the Members when voting to commence the work would have a full knowledge and understanding of what it was believed the work would cost if it were begun; and the work was begun by the appropriations, and the organization that was necessary to do the work was outlined and perfected, and the work has been carried on. Now it has reached the point where the organization has been perfected and the work is being carried on.

Mr. MANN. Will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. I will yield.

Mr. MANN. Somebody stated a while ago that in the hearings Judge Prouty said that if the law was to be carried out according to its terms, valuing each piece of property separately, it would cost about twice what is now contemplated. Is that true?

Mr. FITZGERALD. That arose in this way: The law requires separate valuation upon each parcel of property of the railroad companies, if I recall correctly.

Mr. MANN. That is the term used. Just what does it mean?

Mr. FITZGERALD. For instance, the railroad is running through a stretch of open country. Judge Prouty's opinion is that it is easy to ascertain the value of an acre of land—an average value—and then take the entire holdings of the railroad right through a stretch of country, where you can fix an average price and put the value on it.

Mr. MANN. I think that is all the law contemplates.

Mr. FITZGERALD. Some persons contend, however, that instead of doing that the commission must take each parcel as it was acquired in the condemnation proceedings and fix a separate value on that particular parcel, and if that policy were adopted it would increase immensely the work of valuation. But Judge Prouty expressed the opinion that when the commission had this matter placed before it and understood the situation exactly, it would very likely determine on the plan that he believed should be followed—that is, that the taking of the average acre value of land through a stretch of country and applying it was the proper and correct procedure to follow, and that the other method would be so impracticable and so unnecessarily time consuming and expensive it would not be expected to be followed.

The CHAIRMAN. The Chair will notify the gentleman from New York [Mr. FITZGERALD] that he has occupied 15 minutes. He has 15 minutes remaining.

Mr. FITZGERALD. I will ask the Chair to notify me when I have used five minutes more. That is all I want to use.

The organization has been perfected and there are parties out and work is going on. There is a certain overhead expense in connection with this work which will go on regardless of the speed with which other parts of the work is undertaken.

Now, the larger the force that is put in the field and that can be worked without increasing the overhead cost the cheaper this work will be done in the long run, and, secondly, the more quickly the work is completed, if it is to be completed, the more useful and beneficial the results will be. Now, unless the work is to be abandoned entirely, then it is the part of wisdom to conduct it as rapidly as it possibly can be conducted, because by so doing two things will be accomplished—the total cost will be reduced and the results will be more current and can be utilized to more advantage.

Now, that is the situation, Mr. Chairman. Congress passed the law in response to a great public sentiment. There was some difference of opinion about the advisability of enacting the law. After the law was enacted and the work was initiated, before any considerable sum of money had been expended, Congress was informed as to the probable cost. Two million four hundred thousand dollars have been appropriated and largely expended in the work. In my opinion, having gone so far, the country expects this work to be completed. It should settle some very important questions of vital interest to the people of the United States, and since it is under way and since it is desirable to complete it, I believe it should be completed as rapidly as it is possible to carry on the work. The Interstate Commerce Commission suggested that $3,000,000 be appropriated at this time. Judge Prouty thinks that perhaps more money than $3,000,000 can be used. I believe that we should keep the commission supplied with sufficient funds to enable the work to be carried to completion as speedily as possible, and once the work is done, to enable the solution of a number of questions troublesome both to Congress and to the people using public facilities generally. I am opposed to the amendment of the gentleman from Massachusetts [Mr. GILLETT] to strike this appropriation from the bill. I am opposed to the amendment of my colleague from New York [Mr. LEVY] to reduce the appropriation; and I am opposed to placing a limitation upon the commission as to the time within which the work is to be completed.

The commission is anxious to complete it as speedily as possible. I would not embarrass the commission by compelling it to attempt to complete the work within a definite period, unless the commission itself is prepared to say it can be done within that period.

More than that, Mr. Chairman, the law contemplates that after the work of making the contemplated valuation is completed, the information shall be kept current by constantly continuing investigations and accountings, so that the valuation will not be obsolete in a certain time, but will be kept current and available for use at all times. And if that is to be done, then the work will never in effect be completed. The great bulk of the work will be done, but certain moneys must be expended every year in order to keep the valuations current. I hope both amendments will be defeated.

Mr. MANN. I yield the rest of my time to the gentleman from Massachusetts [Mr. GILLETT].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 10 minutes.

Mr. GILLETT. Mr. Chairman, the gentlemen who have opposed this amendment have in the main followed one of two lines. They have either adopted the policy which one of the professors at the law school told us as students, "When you have a bad case, attack the counsel on the other side," or else they have indulged in mere praise of the usefulness of appraising the value of railroads. Now, at the very outset I admitted the value of that. The gentleman from Wisconsin [Mr. COOPER], to be sure, tried to extort or distort from what I had

said the intimation that I did not approve it. I recognize that it is valuable. I do not see how anyone can question that in framing rates it would help the Interstate Commerce Commission to know the valuation. But when we are deciding upon whether we will expend money in private life we always consider what we are going to get for it, and whether the amount of money we are going to spend will be compensated by the value of what we are getting. And so it seems to me in this case, admitting as everybody must, that it is valuable to know what these railroads cost and what they are worth, yet that value may be acquired at a greater expense than will be compensated by the result.

You can not say it is so valuable that we should have it, no matter what it may cost. And, moreover, when we are purchasing a thing we also consider the state of our pocketbook. And to-day, in determining how much we will spend, it seems to me we ought to consider what we have in the Treasury. When we first passed this law we had no idea it was going to cost any such sum as we are told to-day it will cost. Obviously, by what Judge Prouty told us at this session, it is going to cost at least $20,000,000 to make the valuation, and at the present rate that the Interstate Commerce Commission suggests that it should go on, we are not going to get it in less than 8 or 10 years from now. So the postponement of one year is not a very serious proposition. And then, in addition to that, as the gentleman says, if we are going to carry out the purposes of the law and find valuations, there is an additional expense of $15,000,000. And then, if they are to add what the gentleman from Illinois says they ought to do, and keep their valuations current all the time as they go along, that is going to cost another vast sum. And then there is the additional sum which it is costing the railroads.

So it seems to me that the mere fact that this is of great value, as every one must admit, is not necessarily conclusive that we should make the appropriation for it at this time. And the one argument on which I base my motion, and on which I stand now, is that the Treasury of the United States at the present time forbids us to appropriate for anything except necessities. As the gentleman from Illinois [Mr. MANN] has pointed out, this is not a necessity. Valuation is not even the most important element in determining rates. Between here and New York there are two lines of railroad—the Baltimore & Ohio and the Pennsylvania. One may have cost twice as much as the other, but when you know the cost of them you are not going to determine the rates upon that alone. For the next eight years we have got to get along in fixing rates without this valuation; we are doing it now; and, to my mind, the Treasury, owing to the circumstances which I have explained before, is not in a condition to allow the United States to spend anything except for necessities. I believe this is not a necessity, but a luxury, which can be postponed one year. I will admit that if it is stopped now I do not believe it will begin next year again, because I do not believe that side of the House will provide us sufficient revenue the following year to enable us to indulge ourselves in luxuries. We will have to await another administration for that. But it seems to me here is an expense which we can defer. Therefore on account of the condition of our finances we ought to postpone it.

The CHAIRMAN. The gentleman used five minutes.

Mr. MANN. I waive the remainder of the time.

The CHAIRMAN. The gentleman waives his time. The gentleman from Kentucky [Mr. SHERLEY] is recognized for 10 minutes.

Mr. SHERLEY. Mr. Chairman, the gentleman from Massachusetts [Mr. GILLETT] has a very peculiar idea of the duty of Congress at this time. I commend his newly awakened zeal in the interest of economy, and I only hope it may prove contagious on that side of the House. But I think the manly thing to do in connection with this particular appropriation is either to repeal the law, on the ground that we do not believe in doing the work that the law provides shall be done, or else make the requisite appropriation for doing it in decency and in order, and not undertake to kill by indirection what has been the expressed will of Congress.

When we passed the bill I had no delusions as to the cost of this work. I think the hearings first had by the committee after the law was enacted will show that I then stated that the cost would run very, very much greater than had been originally estimated. And I think men who had thought at all about the matter were of that opinion. But I have not yet convinced myself that the work is not worth doing, and I certainly do not believe that this House would be warranted in refusing the appropriation to continue it without having first considered the basic proposition whether they desire the law which directs it to be done kept on the statute books.

But I did not arise, Mr. Chairman, to speak entirely of that phase of the question. The debate has taken a wide range this morning, and some things have been said that make me desire to say some words in response.

I have served in this body 12 years. I believe I have as high a respect for the dignity of Congress as any man can have. There is nothing that will serve to increase the respect in which the Congress of the United States is held by the people of America that I will not gladly promote. But during these 12 years I have been impressed with the fact that there are constant criticisms of the Executive by Members in this body and constant expressions of the decline of this body because of what men are pleased to call the usurpations of the Executive.

I believe that a reading of history will show that there has never been a strong President of the United States, one who had and maintained the confidence and affection of the people of America, that has not been constantly assailed on the ground of executive usurpation. Read over the history of illustrious men who have occupied the White House and you will find those who are held in the dearest memory by the people of America are those who were of a positive character, men who had the courage of their convictions and who properly used their high office to carry out those convictions.

The power of the President of the United States to do good is limited only by his ability. The power of the President of the United States to do evil is almost negligible. Let any man, an occupant of the White House, lose the confidence of the people of America, no matter what he may endeavor to do in the way of usurpation or otherwise, his ability to accomplish becomes absolutely negligible. We need only to refer back very briefly in order to have a striking illustration of that fact.

I am somewhat amused by gentlemen who sat silent in other days now undertaking to inveigh against the present President of the United States because of what they assume is executive usurpation on his part. Let me say this to you: I believe that when any man in the House of Representatives or in the Senate of the United States can be controlled against his deliberate judgment as to his duty touching matters within the field of his obligations it is a good thing for the country when such a man is controlled. In other words, any man so lacking in courage, so lacking in stamina, that he is willing to surrender his real convictions upon matters is a man whose judgment is of so little value that he needs to be led, and when he is led it is in the interest of the people of America.

Statements are constantly made here that have no foundation in fact—the statement which was made by the gentleman from Iowa, touching the control of the Interstate Commerce Commission, and then the gentleman from Wyoming undertaking to say that, while he had no evidence, he had sufficient ideas as to the character and personality of the President of the United States to have his own conclusion that there had been influence upon that distinguished body, the Interstate Commerce Commission, are, to my mind, wholly unwarranted. The President of the United States may or may not have expressed an opinion touching the rates, and whether they were too low or too high. If he did, he was well within his rights. But there is no man with any consideration for honesty of expression who is willing to say that there was wrongful influence brought upon that commission by the President of the United States or by anybody else. This country had an agitation for months as to whether or not there should or should not be an increase in rates. Testimony had been adduced, and outside of that testimony there had been many articles written and much said in the public prints and elsewhere; and yet, so far as any man knows or has any right to say, that case was heard upon its merits and decided upon its merits. The fact that the commission saw fit to review its previous action no more justifies a criticism being leveled at it than it would if any court reversed its former decision.

I am not at all fearful of the domination of the Executive in America. I am not at all fearful of the decline of the Congress of the United States as an institution. Individual Congresses may decline or may not, according to the personality of the men that make up the body, but the Congress of the United States will be respected in just the proportion that the action of the Members in this body cause it to be entitled to respect. I repeat that I have nothing but contempt for the man who on the floor or in the cloakroom talks about Congress being overawed by the Executive and that he is forced to do something against his will. Whenever the time comes when I feel that I have not courage enough to express my own judgment on matters properly coming before me and that I am willing to surrender to the dictation of some one else, then I shall hope to have at least enough remaining courage to resign and let some

man with real red blood in his veins take my place in the Congress of the United States.

I think this Congress would do itself infinitely more credit if it were careful of its own action, to see to it that its own action was always such as to meet the approval of the people, instead of undertaking to go out of its way in criticism of the executive branch of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired on the pending paragraph and amendments thereto. The amendment of the gentleman from New York having been withdrawn, the Clerk will report the amendment of the gentleman from Massachusetts.

The Clerk read as follows:

Strike out the paragraph beginning on line 8, page 49, down to the end of line 21.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. BRYAN) there were—ayes 13, noes 89.

So the amendment was lost.

Mr. MANN. Mr. Chairman, I ask unanimous consent to insert quotation marks after the word "securities" in line 15, page 49. It is the description of an act, and the quotation marks are left out by mistake.

The CHAIRMAN. The question is on the amendment suggested by the gentleman from Illinois.

The amendment was agreed to.

Mr. LEVY. Mr. Chairman, I call up my amendment.

The CHAIRMAN. The Chair understood the gentleman from New York to withdraw his amendment.

Mr. LEVY. I withdrew it so as to permit a vote on the other amendment. I desire to offer the amendment again.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out line 21, on page 49, and insert in lieu thereof the following: "$1,000,000, and said valuation shall be completed within four years."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LEVY) there were—ayes 2, noes 57.

So the amendment was rejected.

Mr. LEVY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out lines 8 to 21, inclusive, and insert in lieu thereof the following:

"Valuation of property of carriers: The Interstate Commerce Commission is hereby directed to advertise for bids from financial experts for the purpose of carrying out the objects of the act providing for a valuation of the several classes of property of carriers subject to the act to regulate commerce and amendments thereto, and to secure information concerning their stocks, bonds, and other securities, and to award the contract to the lowest bidder. Said valuation shall be completed within four years and shall not exceed $5,197,000; and to enable said commission to carry out the provisions of this section there is hereby appropriated $1,000,000. All laws or parts of laws inconsistent with this section are hereby repealed."

Mr. MANN. Mr. Chairman, I make the point of order that that is new legislation.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For all authorized expenditures under the provisions of the act of February 17, 1911, "To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," including such stenographic and clerical help to the chief inspector and his two assistants as the Interstate Commerce Commission may deem necessary, and for per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $220,000.

Mr. BROWNING. Mr. Chairman, I move to strike out the last word. There has been quite a discussion going on in this country, especially in the newspapers, on account of the incident of a British merchant ship raising the American flag. This morning I am in receipt of a letter from one of my constituents, who was a lieutenant in the United States Navy during the Spanish-American War. The information contained in that letter is so important that I feel that every Member of the House, as well as the people of the United States, will be interested in knowing what he has to say. I therefore send the letter to the desk and ask that it be read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read the letter, as follows:

NEW YORK, *February 9, 1915.*

DEAR MR. BROWNING: As I am a voter in your district, I thought the following would interest you:

During the War with Spain I was the senior watch officer of the U. S. S. *Resolute.* We were on the blockade off Santiago in the early part of the war, and were ordered to Tampa to load ammunition for Admiral Sampson's fleet. We rounded Cape Maysi and steamed to the westward. We could see the semaphores of the blockhouses along the coast signaling our approach, as there was at that time no telegraph lines, the cable being cut. The late Rear Admiral Eaton (then Capt. Eaton) was in command of the ship, and to deceive the Spaniards we hoisted the British naval ensign and sailed under it all day. We were only armed with four 6-pounder rapid-fire guns, and we knew there were several Spanish torpedo gunboats on the coast. Sure enough, in spite of our war ruse, we were attacked by three small Spanish torpedo gunboats in the Bahama Channel just at nightfall, and only escaped by superior speed. We brought the news of the attack to Tampa and were corroborated by Rear Admiral Sutherland (then Lieut. Sutherland). This news kept the troops in the transports at Tampa back three days, until it was known that there were no larger vessels in the Spanish squadron. (This was the so-called phantom fleet.)

I afterwards, at the close of the war, saw the three torpedo boats in Habana Harbor, when we took the Evacuation Commission to Habana in the *Resolute.* So we have used the British flag as a ruse of war, and it was perfectly legitimate.

Sincerely,

CHAS. S. BRADDOCK, Jr.,
Late Lieutenant, United States Navy.

Home address: Haddonfield, Camden County, N. J.

The Clerk read as follows:

The space now occupied by the Bureau of Corporations in the building rented for use of the Department of Commerce is transferred to and for the accommodation of the Federal Trade Commission, and the Secretary of Commerce is directed to transfer to said commission any additional rooms or space in said building that may be required for its use.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. That paragraph directs the Secretary of Commerce to transfer to the Trade Commission any additional rooms or space which that commission may require, practically, for its use. Is it not sufficient to say "authorized"?

Mr. FITZGERALD. The committee thought that the word "directed" was the better word to use. It is intended for one year only. The committee intends to look into the matter.

Mr. MANN. I do not know who would decide what would be required, but the Federal Trade Commission might have the swelled head, as most commissions do that are created, and they might want a great deal more space than could properly be given to them.

Mr. FITZGERALD. There would not be any danger of that, I think.

Mr. MANN. Very well; I will not raise the question.

Mr. FITZGERALD. The committee intends to inquire into the matter.

Mr. MANN. But you can not inquire into it after it becomes a law.

Mr. STAFFORD. Is it not a fact that all of the present space in the Commerce Building is now occupied, and if they wish larger quarters would they not crowd out some of the others?

Mr. FITZGERALD. That was the idea at first, but the committee is of the opinion that there is much more space than is really required. We will take that up later.

Mr. MANN. I withdraw the point of order.

Mr. STAFFORD. How is the committee going to take it up later?

Mr. FITZGERALD. The committee intends to take the matter up before this bill becomes a law.

Mr. COOPER. Mr. Chairman, I wish again to say a word to call the attention of the House to the location of the Department of Commerce on Pennsylvania Avenue at Nineteenth Street NW., in rented quarters, notwithstanding the fact that the Government of the United States has for years owned a site that was purchased expressly for the purpose of erecting upon it a building for the Department of Commerce. Although we own that beautiful site facing the park south of the Treasury, suddenly a 10-year lease is executed by which the Government rents a building at the corner of the Avenue and Nineteenth Street for this department and leaves that site vacant. I call attention also to the site where it is proposed to locate the new Interior Department, a department visited more frequently by Senators and Representatives on public business than is any other department—two or three blocks the other side of the State, War, and Navy Building, on F Street—alone, isolated, awkward to reach, not related at all to any other Government building, and not in accordance with the plans for the improvement of the city of Washington.

These buildings all ought to have been located in accordance with the plan for the improvement of Washington, because unless we do locate these buildings in accordance with that plan, it will be said, whether justly or not, that there is real estate speculation and graft in the location of public buildings at these outlandishly inconvenient places. People will not be apt in any other way to account for the location of these buildings. I have never been able to ascertain why we should take a 10-year lease on a privately constructed building at the corner of Nineteenth Street and the Avenue, where nobody ever

dreamed a departmental building would be located, when we had a site on which to put the structure a great deal better located and much more convenient, facing a park. Of course I withdraw the amendment; I only desired to call attention to something which it is time to stop.

The Clerk read as follows:

Estimates in detail for all expenditures under the Federal Trade Commission for the fiscal year 1917, and annually thereafter, shall be submitted to Congress in the annual Book of Estimates.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in renting buildings in the District of Columbia it must be remembered that the rent would depend very much upon the location of the building. If the building is located in a business section, the rate per square foot is very much higher than if it were located outside of the business section. The authorization for the three buildings referred to by the gentleman from Wisconsin provided a building for the Department of State, a building for the Department of Justice, and a building for the Department of Commerce and Labor. The law has not been changed so as to permit the construction of a separate building for the Department of Commerce. One reason, perhaps, why these buildings have not been advanced as rapidly as the gentleman would desire is the character of the plans of the buildings. A few years ago it came to the attention of the Committee on Appropriations that plans had been drawn for the Department of State building. They had been approved by the Secretary of State. The plans included provisions for a great banquet hall, suites of living apartments, and a kitchen and serving room. An investigation disclosed that some one had come to the conclusion that if the representatives of royalty or distinguished members of noble families of other countries should visit this country it would be highly improper to have them contaminated by that association with the ordinary American citizen which would result from providing accommodations for them in some hotel in the city of Washington. It was proposed to have several royal or regal suites in that building for the Department of State, so that when a representative of some virile or effete monarchy of Europe came to this country with his train or suite or entourage, instead of being provided with accommodations at one of the more or less palatial hostelries in the city of Washington every precaution would be taken to avoid the contamination that might result from coming in contact with the democracy of America, and he and his suite would be escorted with great pomp and installed during his more or less lengthy sojourn in Washington in these palatial and sumptous quarters in the Department of State building.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FITZGERALD. In just a moment. I was somewhat surprised when this information was divulged. I almost said it was somewhat shocking to me, but I have reached that point in legislative life when it would be difficult for any action of certain officials in the executive departments to shock me. When I thought of what might happen to Members of the legislative body who would have acquiesced in such a scheme and appropriated money for these quarters and thereby put their approval upon such a proposition—that it might in some way harm or injure the representative of royalty or the distinguished scion of some of the noble families of the old and effete world to rub elbows with an ordinary democratic citizen who had the means of permanently sojourning at one of these hotels or had that independence of spirit that would permit him merely to pass through one of them—I thought that there was little likelihood of Congress approving such plans. Such a protest was made that the scheme was abandoned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I will ask for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. I will say that while the plans came to the committee, they never got any further. I could very easily picture what would have happened to any committee that brought a bill in here for the erection of a public building in which were the facilities I have outlined. In my opinion we had better use public funds in paying rent for distinctly office buildings, where, even if the temptation existed, an invitation that these distinguished personages should be housed there during their stay in Washington, would be refused.

Mr. COOPER. Mr. Chairman, the committee will observe that the distinguished gentleman from New York failed to refer to the rented building at the Avenue and Nineteenth Street now occupied by the Department of Commerce, but talked about an alleged plan for a building for the Department of State, a subject that had not even been touched upon during this discussion. He will not pretend that there were dining-room facilities or any other facilities provided for the "scions of effete monarchy," as he termed them, in the plans made for the Department of Commerce Building which it was proposed to erect facing the park on Fifteenth Street near Pennsylvania Avenue.

Mr. FITZGERALD. No; if the gentleman will permit, that was a building for the Department of Commerce and Labor.

Mr. COOPER. The gentleman said the Department of State.

Mr. FITZGERALD. I was speaking about the Department of State Building, but the other building was for the Department of Commerce and Labor; and since that time that department has been divided and two departments created, and Congress has never determined which of the two departments is entitled to the building that was authorized.

Mr. COOPER. Oh, well, Congress will have ample time to decide which department shall have it, because there is a 10-year lease of the building at the corner of the Avenue and Nineteenth Street. It will be years before Congress will have an opportunity to decide that. The 10-year lease of that building in that out-of-the-way place postpones the decision indefinitely. That is a chief point in this controversy. As to the hall of which the gentleman speaks in the proposed Department of State building, I know nothing; but have heard that it was intended to be used for international conferences and arbitrations, it being thought that the United States of America—the greatest Republic the world has ever known—would be the ideal country and the city of Washington the ideal place in which to hold such meetings of representatives of the nations.

I believe it was thought also that possibly some of the money annually appropriated to the State Department for the care and entertaining of distinguished visitors from abroad might well be used for such purpose in a building that would itself be in keeping with the dignity of the Government. I am sure that the gentleman from New York is mistaken in saying, as he did say, that the proposed building was to be so constructed in order to prevent the scions of royalty from rubbing elbows with those whom the gentleman called "common Democrats," a description that, of course, includes my friend from New York, who, I assume, is proud to call himself a "common Democrat."

Mr. FITZGERALD. I am not any special kind of a Democrat. I am just a Democrat.

Mr. COOPER. The gentleman would not want to be called an uncommon Democrat?

Mr. FITZGERALD. No; just a Democrat; neither a reactionary, common or uncommon, ordinary or extraordinary, good or bad. I am just a Democrat.

Mr. BROCKSON. Will the gentleman yield for a question?

Mr. COOPER. Yes.

Mr. BROCKSON. Did the Government contract for the lease of property at Pennsylvania Avenue and Nineteenth Street for quarters for the Department of Commerce——

Mr. COOPER. It did.

Mr. BROCKSON. Before the building was constructed or afterwards?

Mr. COOPER. I understand that the lease was contracted for before the building was started. Secretary Nagel managed it, and now the department is out there.

Mr. FITZGERALD. He got authority to make the contract before the building would be built.

Mr. COOPER. Exactly; and that is the kind of Government contract making which Congress ought to stop just as soon as it is possible to stop it. Had the proposition for that long lease been fully, clearly presented to the Members of the House, it would have been overwhelmingly defeated, for nobody then would have thought of locating a great Government department away out at Nineteenth Street.

Mr. FITZGERALD. All the information was before Congress.

Mr. COOPER. I knew nothing about it until all was done. I hear the gentleman from North Carolina [Mr. PAGE] saying that we ought to be onto the job. If the gentleman was on the job and did not protest against locating a department in that remote place, he ought to apologize to the House.

Mr. PAGE of North Carolina. The gentleman from North Carolina did know it. He has been, I think, in the Bureau of Commerce one time since they went into that building. I have many other things to occupy my time rather than spending it in these department buildings.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN (Mr. HAY). Is there objection?

There was no objection.

Mr. COOPER. To make a bad matter worse, the proposed new building for the Department of the Interior is to be put on F Street, two or three blocks west of the State, War, and

Navy Building. And yet it is the department most frequently visited by Members on public business. Does any gentleman believe that if the Members of the House had been fully informed and had their attention called specifically to it as an original, independent proposition, they would ever have voted to locate the great Interior Department in that hidden, out-of-the-way place? Here at my left is a gentleman who answers, "No; never." Of course not. But the provision was well toward the end of a long bill, as I found by hunting it up, and it went through. Here is another gentleman who says that he knew nothing whatever about it. I do not think 5 per cent of the House knew that anybody had even suggested that absurd location.

Mr. FITZGERALD. I have said that very few Members know what is in the bill except the items in which they are interested. They do not care about anything as long as they get what they want.

Mr. COOPER. The public buildings should be located with the view to the convenience of the public and the convenience of the Senate and the House, whose membership have frequently to visit them on business for their constituents. Moreover, they should be located in accordance with the plan for the improvement of the city of Washington, so that they will not only serve the public convenience and interests, but also help to make the city what it ought to be, a handsome national capital. But to take these great department buildings and put them off in out-of-the-way, unseen localities, without any reference to each other, will entirely prevent an orderly carrying out of the plan for the improvement of the city. And especially will it prevent a rebuilding of the south side of Pennsylvania Avenue. We hear it frequently said that Pennsylvania Avenue is the handsomest street in the country. It is not. A large portion of it is far from handsome, far from worthy to be a part of the great thoroughfare between the White House and the Capitol of the Nation. Two-thirds of its distance there is practically nothing about it to commend except its width. That is all. Junk shops, auction houses, old, tumble-down buildings, secondhand stores, hand-me-downs of all kinds! And it will never be improved as it ought to be improved if Congress is to locate the Government buildings, as it is now proposed to locate this new building of the Department of the Interior, out of sight, in remote, inconvenient, inaccessible places, and without even the slightest reference to any plan for the improvement of the city.

Mr. ESCH. Does my colleague know that there is a picket fence on the south side of the Avenue between the Capitol and the post-office building?

Mr. COOPER. No.

Mr. ESCH. There is.

Mr. MOORE. Mr. Chairman, will the gentleman from New York tell what provision is made in this appropriation for printing reports?

Mr. FITZGERALD. That is carried in the printing appropriation, $15,000.

Mr. MOORE. That is separate, then, from the appropriation for the Federal Trade Commission?

Mr. FITZGERALD. Fifteen thousand dollars.

Mr. MOORE. I make that inquiry because we just had an appropriation for the Industrial Board of Mediation and Conciliation and Commission on Industrial Relations. With respect to the Commission on Industrial Relations, I understand that no provision has been made for printing the voluminous reports that are to be expected from that body, and which has been having hearings for two and one-half years?

Mr. FITZGERALD. They do not expect to make any voluminous reports, I understand.

Mr. MOORE. What is the purpose of the commission, then?

Mr. FITZGERALD. To make reports and print certain digests of testimony.

Mr. MOORE. Appropriations have been made up to date for this Industrial Relations Commission approximating $500,000. That is a pretty large sum for digests of testimony.

Mr. FITZGERALD. The appropriations, all told, aggregate $350,000, and this makes $450,000.

Mr. MOORE. So long as we are on this subject, will the gentleman tell us whether in the $100,000 appropriated in this bill to the Industrial Relations Commission provision is made for the printing of any reports at all, or will there be?

Mr. FITZGERALD. This provides that they shall do their printing out of the appropriation or out of whatever money they have on hand.

Mr. MOORE. Mr. Chairman, this Industrial Relations Commission was established by law less than three years ago. It will expire in August next. It was appointed without any special authority under the law, except to inquire as to the differences between capital and labor, the differences between rich men and poor men, and $100,000 was given to it for the first year of its work. When the bill was in the House the present Secretary of Labor, Mr. Wilson, who fathered it, stated that the commission was not to have any power to settle controversies, and that its only purpose was to inquire into the differences existing between capital and labor, and that it would report to Congress. It has been operating for two and one-half years, and the appropriations for continuing it have grown until approximately a half million dollars have been spent to send this handful of men and one woman into various cities of this country to drag people from their offices and their workshops to tell them what they know; and, although this testimony has been taken stenographically, we find from the testimony of the chairman of the commission before the Committee on Appropriations that the commission has not printed any reports, that it does not expect to print any reports, and that it is going to leave it to Congress to find the money to print anything Congress may want of the testimony that has been taken. Now, the commission having been at work for two and a half years, going into various cities, being heralded by the newspapers, and having this testimony taken stenographically, it is to be presumed that a vast amount of copy has been accumulated; but the chairman of the commission appears before the Committee on Appropriations and blandly says that it is up to Congress to do what it pleases—print the testimony or not.

Mr. COX. How have they spent this enormous sum of money, then?

Mr. MOORE. They have spent it in hiring professors and assistants and gentlemen familiar with the labor situation to go around the country and work up theories; they have employed people in various ways, and they have got them on their staff. They have taken learned men from the colleges—men who have hobbies—and they have put them at work; and, if some of the reported utterances of the chairman of this commission are correct, it would appear that the general disposition is to spend this money in the propagation of ideas and theories based very largely upon what is known as modern socialism. The trend has been toward proving the advisability of Government ownership; and after this vast amount of money has been spent the chairman of the commission tells the committee that if Congress wants anything in the way of printed matter it is at liberty to go ahead and pay for it. I thought it well to discuss this matter in the presence of the gentleman from New York [Mr. FITZGERALD], as it relates to the new Trade Commission. Since this seems to be an era of commissions, it might be well when appropriations are made in lump sums for commissions to take testimony and assume to gather information for the benefit of Congress, that they save enough money out of the appropriations allotted to them to print the necessary reports that Congress authorizes.

Mr. FITZGERALD. Of course, the Federal Trade Commission is a different character of body. It is a permanent institution, and its appropriations will be upon an annual basis, and the appropriations for its printing will be made the same as the appropriations for the printing of all other governmental establishments—annually—and the appropriation is carried under the Government Printing Office item, where all other appropriations for printing should be carried.

Mr. MOORE. When Mr. Walsh, the chairman of the commission, appeared before the Committee on Appropriations the gentleman from Massachusetts [Mr. GILLETT] asked him:

> Do you mean that out of this $40,000 you do not expect to pay for the printing of your investigation?
>
> Mr. WALSH. We have not.
>
> Mr. GILLETT. That represents practically the entire usefulness of the reports, does it not?
>
> Mr. WALSH. Yes; I supposed that the Congress had some way of providing for that.

Later on, being pressed by Mr. SHERLEY as to why they did not do any printing or did not make any reservation for printing these reports, Mr. Walsh said:

> I am perfectly willing to tell it to you now. I thought the Congress had the entire option, and I thought I was allowing them to exercise that option very freely.

He thought he was "allowing" Congress to exercise the option freely of spending whatever money it was desired to spend to print the reports after the commission had taken the testimony.

A little while later Mr. Walsh said, under pressure from the gentleman from Kentucky [Mr. SHERLEY]:

> If that was my duty, Mr. SHERLEY, I have been very remiss in it, because, while I am prepared to tell you what we have and what ought to be printed, I have never contemplated the idea of having estimates made as to the cost of the printing.

A little later on the gentleman from Kentucky [Mr. SHERLEY] said:

> And how could we proceed on any other theory? I am surprised that it could be conceivable that it was not necessary to give us that information.

Our $500,000 Industrial Commission, through Mr. Walsh, answered:

Here is exactly what I thought about it: I supposed—in fact, it had been stated to me; I have had no previous experience with the Government and have not, of course, served in Congress and have not followed such matters, because Mr. BORLAND, who is sitting there, has naturally kept all the rest of us out of Congress. My idea was this, that if you wanted anything printed there was some way of having it ordered printed in Congress, so that we did not have to take cognizance of it in our appropriations.

A little later on Mr. Walsh suggests that the job was a very interesting one. Being pressed again by the gentleman from Massachusetts [Mr. GILLETT], who said—

You might just as well finish April 1, or to-morrow, or 10 years from now—

Mr. Walsh answered:

Yes; the people who promoted this legislation just arbitrarily concluded that the job would take three years. You could go on with the job for 300 years. It is a constantly changing thing.

Being willing to spend $500,000 of the people's money on a three years' job, Mr. Walsh says he could go on for 300 years; that the thing is constantly changing.

Then we come down to the point where Mr. Walsh gives one view that perhaps he might have given earlier—and I think this is the principal recommendation we are going to get from the commission:

I think that there ought to be some permanent body on industrial relations.

What else would a commission recommend that has traveled about the country for two and a half years at the Government's expense and been heralded everywhere as investigators on behalf of the Government, to the extent that John D. Rockefeller and Andrew Carnegie have fallen at their feet and confessed the secret of their wealth? If such a commission could obtain $500,000 for work like this in three years, why not make it permanent? But I trust the chairman of the Committee on Appropriations will see the wisdom of inducing such commissions hereafter to save enough money out of their appropriations to pay for what it is necessary to print for the information of Congress.

Mr. COOPER. Mr. Chairman, the law under which this Industrial Commission was appointed was enacted in 1912. It provides, among other things, section 3, as follows:

That said commission may report to Congress its findings and recommendations and submit the testimony taken from time to time, and shall make a final report, accompanied by the testimony not previously submitted, not later than three years after the date of the approval of this act.

So by the terms of the law, Mr. Chairman, it was left discretionary with the commission from time to time to report the testimony as it might be taken, but at the end of the hearings all of the testimony not previously reported must be filed with the final report of the commission. This is not left discretionary with Mr. Walsh nor with anybody else. I recall distinctly, as every gentleman will who was a Member of the House at that time, the very earnest debate on the bill to create this commission. The Secretary of Labor, Mr. Wilson, was then a Member of the House, and strongly advocated the measure. If I may make a personal reference, I insisted on the provision requiring the commission to report the testimony. I have not consulted the report of the debate since that time, but I remember very well of my saying, in substance, that for Congress and the people to judge of the value of the recommendations of the commission it would be necessary for them to know the testimony upon which the recommendations were based. And if I am not mistaken, it was my amendment that was accepted by the present Secretary of Labor, Mr. Wilson, then a Member from Pennsylvania, which put that provision into the statute.

Mr. MOORE. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MOORE. Has the gentleman looked over the testimony of Mr. Walsh, given before the Committee on Appropriations?

Mr. COOPER. No.

Mr. MOORE. Mr. Walsh says he does not contemplate the printing of the testimony—he leaves that to Congress. He does not contemplate printing the testimony even of the specialists that have gone out of the colleges to work out these theories.

Mr. COOPER. It may be that Mr. Walsh did not have the copy of this mandatory law before him when he made that statement.

Mr. MANN. If the gentleman will permit me, the law does not require the commission to submit their report and testimony in print. The law does not say the commission shall print the testimony in advance. I have no doubt that Congress will print it.

Mr. COOPER. By remarks made here the impression was created that there will be no way for Congress to know the testimony. But if the commission submit a typewritten report of all the testimony they have taken, Congress will have access to it and will undoubtedly order it printed. But it would not be able to learn about the testimony if this mandatory provision had not been inserted in the law. Of course the commission will not submit the stenographic notes of the testimony because Congress could not read them, but they will submit a typewritten report, we will know what is in it, and order it to be printed.

Now, I do not agree with the criticisms nor with the innuendo and sarcasm in the allusions made here to the Commission on Industrial Relations. I think that commission, while it may have made some mistakes—its members are human, as we all are—has been engaged in a work and has carried it out so thoroughly and well that it will result in great benefit to the country. [Applause.]

They have taken the testimony of miners, the testimony of women workers and of girl workers, the testimony of old men and of young men, poor men and rich men, people engaged in all of the principal occupations known to the United States. They have subjected these witnesses to rigid examination. They have permitted them to bring in written statements embodying their respective views and to have these printed in newspapers and circulated broadcast; and I have little doubt that their report and the accompanying testimony will contain the most suggestive and, in many respects, important statement of facts and opinions ever submitted to the Congress of the United States.

The subjects under consideration by the commission are of the very greatest significance. Never before in the history of the Republic have conditions begun to crowd as they are now crowding. The great frontier has all vanished. Men can no longer relieve congestion in cities by going across invisible State lines into unoccupied lands in the West. The frontier has been carried over the Missouri, over the Rockies to the golden shores of the Pacific, and now population has commenced to crowd just as it has long been crowding in the countries of Europe. The same problems are coming upon us. Human nature here does not differ from human nature across the sea.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER. Mr. Chairman, I do not think it just thus to assail a commission which has not yet reported, composed of men and women of the character, reputation, and ability of those who compose this industrial commission. There are persons who sneer simply because this commission has been investigating the conditions existing between capital and labor or because it dares to inquire into the origin of strikes or because it has put the widows of miners killed in Colorado on the witness stand and heard their story. Perhaps these women did not tell the truth, but they were entitled at least to have their story heard. They have told it and I have seen no intimation that anybody who heard them doubted their word. One of those women swore that she saw a militiaman with a torch in his hand set fire to the tents which housed the families of strikers, and another woman swore that in that fire three of her children were smothered to death. It does no harm to hear testimony of that kind, for if it be not true its falsity can be easily demonstrated. But if it be true——

The men who own the mines have also given testimony most important for us to read.

Others besides the commission have been busy. I received circulars purporting to give the facts of that strike. They were written by a man who lives, I believe, in Philadelphia. He was called by the commission and compelled to admit, and did admit, that a circular which he wrote contained falsehoods which seriously reflected upon some of those men. That circular was sent to Representatives in Congress ostensibly for the purpose of acquainting them with the facts of the strike, but instead it contained a very harmful falsehood.

It is well enough to let people who can not employ investigators for themselves have Congress send investigators to learn and report the facts. This commission had on the stand Mr. Carnegie, Mr. Rockefeller, Mr. George Perkins, and many others of the great capitalists of the country. Their testimony was of extraordinary interest. Congress and the country will know their viewpoint and what they think ought to be done. We will read with care what they suggest as remedies for our pressing and perplexing and troublesome conditions. All of this information ought to come to Congress and go to the country. If there are ways of remedying conditions, now exceedingly threat-

ening, it is the part of wisdom for us to have the facts upon which to base possible remedial legislation. [Applause.]

The Clerk read as follows:

Benicia Arsenal, Benicia, Cal.: For increasing facilities for fire protection, $10,000.

Mr. CURRY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 52, line 11, after the figures "$10,000," insert:
"For increasing storage facilities, $25,000; for increasing the water-supply system, $20,000: In all $55,000."

Mr. CURRY. Mr. Chairman, Gen. Crozier, the Chief of Ordnance, appeared before the Committee on Appropriations and urged that these two items be included in the bill. He said they were necessary for the protection and for the proper care and handling of the valuable United States property at the Benicia Arsenal, but for some reason best known to themselves the committee ignored his recommendation. It must be borne in mind that the Benicia Arsenal is a depot of supplies for one-third of continental United States, and also for Alaska, the Sandwich Islands, and the Philippine Islands. Last year over 30,000 packages were shipped from the Benicia Arsenal, weighing in all over 5,000,000 pounds. On October 28, 1912, a fire occurred at the Benicia Arsenal and destroyed the storehouse. Since that time we have been unable to do anything to secure action toward the rehabilitation of the arsenal or the construction of a new storehouse. Last year at the last session $15,000 was appropriated to put a roof on one story of the old storehouse, but that does not give storage room sufficient to care for the valuable property that is always on storage at the Benicia Arsenal. About four years ago Col. Ruggles, who at that time was the commandant of the Benicia Arsenal, called the attention of the department to the danger from fire in that storehouse. The building was of stone, but the interior was finished in wood. It was a tinder box. Col. Ruggles stated that at any moment a fire might occur that would destroy a million dollars worth of property belonging to the United States. He requested that $8,000 be appropriated to install an automatic sprinkler system in the storehouse, but the committee, as usual, was economical and refused to appropriate that money for a sprinkler system.

In about six months afterwards, to be exact, on October 28, 1912, a fire did occur. There was no adequate fire protection, and $1,622,000 worth of United States property was destroyed. The storage facilities are not adequate to care for the valuable property at that arsenal. A great deal of it is exposed to the weather. We have not sufficient fire protection there. The water system should be extended, and I thought it was my duty, not only as a Member of Congress from the third district, but also as a citizen, to call the attention of Congress to the conditions there, so that if anything should happen and more property be destroyed because this small amount is not appropriated, no fault could be attached to me or to the department. I am going to submit the matter to your judgment. I do not know whether you will vote for the appropriation for which you ought to vote, or whether you will stand by the committee, but I hope you will see the thing from the business man's standpoint, and vote this small appropriation to give the little additional storage room and the fire protection asked to protect the United States property at the Benicia Arsenal.

Mr. FITZGERALD. Mr. Chairman, every year the department recommends a number of improvements at various plants and properties of the Government. The committee investigates them all very thoroughly and endeavors to recommend those that are imperative from the standpoint of good Government service. Benicia Arsenal this year recommended $10,000 for additional fire protection. There is a request for $20,000 to be added for an additional water supply. They have two reservoirs, one of which holds 2,225,000 gallons of water and the other 250,000 gallons of water, and it is proposed to erect a dam and in that way obtain another reservoir to be connected up with the two existing reservoirs. The statement is made that it is necessary to hold a quantity of water in these reservoirs during the dry season so as to afford a protection against fire, but the committee suggested that probably by connecting the fire mains with the salt water and utilizing the pumps now installed, or provide some additional pumps, that all the water necessary for fire protection could be obtained without this additional dam and reservoir. A few years ago a large storehouse was destroyed at Benicia Arsenal by fire. It is proposed to reconstruct it, if I recall correctly, to cost about $200,000. Instead of doing that Congress provided for the utilization of the storehouse that had not been completely destroyed. Now, it is proposed to obtain $25,000 for another system of storage. From the investigation I have made I believe that the usefulness of this establishment will not be impaired in the slightest by a failure to provide these two items proposed by the gentleman from California, and as there was a necessity of exercising some care in the expenditure of public funds during this session of Congress these two items were among those which could be most easily deferred, and I hope that the amendment will not be agreed to.

Mr. CURRY. Mr. Chairman, I ask unanimous consent to proceed for a few minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CURRY. Mr. Chairman, it is true there are two reservoirs at the Benicia Arsenal, such as indicated by the gentleman from New York; but if any Member on this floor imagines that that is enough water to properly protect from fire and supply fresh water at Benicia Arsenal and Barracks, covering 339.7 acres of land and scores of buildings, they have another guess coming to them. When it comes to the proposition of using salt water for fire protection, it would cost over one-half of the amount asked for to put in a fresh-water system to provide for pumping salt water through the mains to be used in case of fire; and while it is true that salt water will put out fire just as well as fresh water, it is also true that salt water destroys the goods that it soaks. Salt water destroys leather, it destroys clothing, it corrodes and rusts iron and steel, and it would destroy all the goods that are in these storehouses; so while you are putting out the fire you are destroying the goods with the salt water. Now, I do not like to ask for an appropriation or an increase of appropriation on account of the condition of the Treasury, but I do not believe that this is money that can be properly saved to the Government. You are taking the risk of losing a great deal more property than the amount of money the appropriation calls for. As a matter of good business judgment, if it were your own plant, you would ask that these two items be appropriated. You would expend the money and use it to protect your own property. Now, that is all I am asking of this Congress, to protect the property of the United States and save a loss which may amount to millions by the expenditure of $45,000. It is up to your judgment, gentlemen.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. CURRY. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 23, noes 52.

So the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that I may extend and revise my remarks in reference to the amendment offered a moment ago by the gentleman from Massachusetts [Mr. GILLETT].

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, speeches already made are reasonably convincing, but needlessly make the progressive vote a factor and place stress upon the popular vote without emphasizing the fact that Presidents are elected by the States.

The returns of last November's election prove that the next House is Democratic merely because of the Democratic advantage of unanimity and near unanimity of congressional representation in Democratic States and the lack thereof in Republican States.

They prove, when carefully analyzed, that the fact of a Democratic majority in the Sixty-fourth Congress is not of the slightest significance; in other words, that it is fortuitous, or accidental.

They prove that if last year's election had been presidential the Electoral College would have contained a Republican majority over all, regardless of any showing made in the returns by third parties, such majority ranging from 19 upward.

They show that all the essential States—Connecticut, New York, New Jersey, Ohio, Illinois—which have always constituted battle grounds in presidential contests, are irretrievably lost to the Democratic Party.

I shall include in my remarks a table containing a full list of safely Republican States with reference to the next presidential election and a Democratic list which will not only contain what may be considered as safely Democratic States but several doubtful, as well as some which there is good reason to consider safely Republican States.

I give the electoral and the complete Republican and the Democratic popular vote in these Republican and Democratic States, also the congressional representation as between the same parties. Where there was a senatorial contest in the last election, I use the vote on that office. Where no Senator was to be elected, I use the aggregate vote on Congressmen.

Table showing political status of States with reference to next presidential election.

STATES CLASSED AS REPUBLICAN.

States.	Electoral vote	Vote.	Election of 1914.		Representation in Sixty-fourth Congress.	
			Republican.	Democratic.	Republican.	Democratic.
Connecticut	7	S.	89,983	76,081	5	.....
Delaware	3	C.	22,922	20,681	1	.....
Idaho	4	S.	47,486	41,266	2	.....
Illinois	29	S.	390,661	373,403	16	10
Iowa	13	S.	205,832	167,251	10	1
Kansas	10	S.	180,323	176,929	2	6
Massachusetts	18	C.	222,840	189,197	12	4
Michigan	15	C.	218,445	147,262	11	2
Minnesota	12	C.	180,482	87,305	8	1
New Hampshire	4	S.	42,111	36,382	2	.....
New Jersey	14	C.	179,930	167,511	8	4
New Mexico	3	C.	23,812	19,805	1	.....
New York	45	S.	639,112	571,419	22	19
North Dakota	5	S.	48,732	29,640	3	.....
Ohio	24	S.	526,115	423,742	13	9
Pennsylvania	38	S.	519,830	266,436	30	6
Rhode Island	5	C.	38,801	35,186	2	1
Utah	4	S.	56,281	53,128	1	1
Vermont	4	C.	36,980	13,685	2	.....
Washington	7	S.	130,479	91,733	4	1
West Virginia	8	C.	111,387	102,223	3	3
Wyoming	3	C.	21,363	17,246	1	.....
Total	275	.....	3,933,907	3,107,511	159	68

STATES CLASSED AS DEMOCRATIC.

Alabama	13	S.	12,320	63,389	.....	10
Arizona	3	S.	9,183	25,800	.....	1
California	13	S.	254,159	279,896	3	3
Colorado	6	S.	98,728	102,037	1	3
Indiana	15	S.	226,505	271,845	2	11
Kentucky	13	S.	144,758	176,605	2	9
Maine	6	C.	60,318	60,683	3	1
Maryland	8	S.	94,864	110,204	1	5
Missouri	18	S.	257,056	311,573	2	14
Montana	4	C.	26,161	37,012	.....	2
Nebraska	8	C.	110,839	112,309	3	3
North Carolina	12	S.	87,095	121,241	1	9
Arkansas	9	S.	11,222	33,449	.....	7
Florida	6	S.	.....	22,761	.....	4
Georgia	14	S.	.....	205,652	.....	12
Louisiana	10	C.	.....	40,545	.....	7
Mississippi	10	C.	.....	36,060	.....	8
South Carolina	9	S.	.....	32,950	.....	7
Tennessee	12	C.	44,951	149,193	2	8
Texas	20	C.	.....	173,177	.....	18
Virginia	12	C.	23,654	58,320	1	9
Wisconsin	13	S.	134,221	135,321	8	3
Nevada	3	S.	8,038	8,078	1	.....
Oklahoma	10	S.	73,153	119,214	1	7
Oregon	5	S.	88,297	111,748	3	.....
South Dakota	5	S.	44,244	48,076	2	1
Total	256	.....	1,809,766	2,847,136	36	166

I do not care to complicate the clear logic of this showing by a discussion of doubtful States which I have placed in the Democratic column. But can any one doubt the Republicanism of Maine, California, Oregon, and Wisconsin in the next presidential election in view of existing political conditions?

In Oregon, while owing to the personal popularity of Senator CHAMBERLAIN, who had a margin of 23,000, the Republicans carried all the congressional districts, with an aggregate plurality of 35,000, besides electing a governor by 27,000. While I have consistently placed Wisconsin in the Democratic column because of a plurality of less than 1,000 received by the Democratic candidate for Senator over his Republican opponent, yet the Republicans elected 8 out of 11 Congressmen, with an aggregate plurality of nearly 40,000.

In South Dakota, where owing to a factional division among Republicans, the Democratic Senator was elected by 3,800, while the Republicans carried the governorship by 15,000 and had a like plurality of the congressional vote.

The extravagant claims made by Secretary Bryan soon after the election in his personally and officially manipulated organ of publicity, the Commoner, and the no less absurd and ridiculous assertion of President Wilson in his Indianapolis speech have long deserved, without receiving, a conclusive answer.

In the foregoing remarks I have endeavored, I think successfully, to place a quietus on all such absurd and far-fetched conclusions as they have drawn.

As bearing on the question of what would be the political complexion of the next Congress if the Republican States were as Republican as the Democratic States are Democratic, I call attention to the fact that these Republican States, with a total representation in the next Congress of 227, yield 68 seats to Democrats, whereas the Democratic States, with a total representation of 202, yield only 36 seats to the Republicans. By calculation I find that Republican representation in the Democratic States is 17 per cent, while Democratic representation in Republican States is 30 per cent. If Republicans had also 30 per cent in Democratic States and the Democrats only 70 per cent, the representation in Democratic States would be 141 Democrats and 61 Republicans, and making no change in the representation from the Republican States the grand result would be 220 Republicans and 209 Democrats. And if the Democratic representation from Republican States were only equal to Republicans from Democratic States, even allowing the result from the Democratic States to stand, the delegation from the Republican States would be 189 Republicans and 39 Democrats, and the grand result would be a House containing 224 Republicans and 205 Democrats.

The Clerk read as follows:

Frankford Arsenal, Philadelphia, Pa.: Extension of double-action press shop building, $6,000; improving facilities of the boiler plant, $15,000.

Mr. DONOHOE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, after line 14, insert: Extension of lumber shed, $22,500.

Mr. DONOHOE. Mr. Chairman, this item was included in the estimates submitted by the War Department. We have repeatedly essayed to show the House some of the economies which have been effected at the Frankford Arsenal, and I am prepared to submit to-day that the Government has no workshop that is better or more economically managed than is the arsenal at Frankford. Every Member of this House who has visited the arsenal has been impressed by the glaring fact that additional buildings are needed. Some few of the members of the Committee on Appropriations inspected the place last year and were convinced that there was urgent need for a new tinshop, an enlarged lumber shed, and the acquisition of additional land for testing grounds and storage buildings. The War Department submitted estimates aggregating $245,500 for Frankford Arsenal, but the committee in their wisdom and in their desire for economy cut the amount down to $21,000, or about one-twelfth what the War Department said was necessary. Fully appreciating the need we have for the practice of economy at this time, I still regard economy of this character as false economy. Failure to provide a sufficient lumber shed at so profitable a plant as the Frankford Arsenal is known to be is no economy whatever. I have here photographs of actual conditions, showing that expensive materials are exposed to the elements for lack of proper buildings in which to store them. The extension of the lumber shed is badly needed to relieve the congestion of the shrapnel shop, where large turret lathes are now installed. The congestion in the shrapnel shop is such that it is necessary to store boxes on the outside. These photographs show this condition of affairs.

Mr. Chairman, Frankford Arsenal being in my district, I know the conditions there very well. I know that this building is badly needed, and I trust we will not fail to appropriate the modest sum of $22,500 for this very necessary improvement. For lack of funds the buildings are badly in need of painting, the roads are little better than dirt roads, and yet during last year the arsenal saved to the Government upward of $1,600,000 in the manufacture of ammunition. Under improved conditions greater savings may reasonably be expected, and therefore I feel that this economical plant, this valuable workshop of the Government, should not be slighted at this time. I trust that this amendment, carrying the small sum of $22,500, will be adopted by the committee.

Mr. HUMPHREY of Washington. Mr. Chairman, on yesterday I placed in the RECORD a letter——

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman defer that statement until we dispose of the amendment.

Mr. HUMPHREY of Washington. All right. I have no objection to that.

Mr. FITZGERALD. Mr. Chairman, the Frankford Arsenal is an important plant, and every year the committee has recommended improvements necessary to keep it in proper shape. In the bill for the current year improvements to cost $88,000 were provided. This year there were several proposed improvements, and one very large item was $135,000 for the purchase of land. The committee recommended two items, one for the improvement of the power plant and the other for the extension of the press shop building. It is impossible in any one year to make recommendations for all of the proposed improvements in any of these plants. The attempt is to give the things that are most

essential, that are necessary to keep the plant in a satisfactory working shape. At times the committee is able to make recommendations on a more generous scale than on others. This is not the time when improvements that may be desirable, although not imperative, should be made. I hope the amendment will not be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. DONOHOE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DONOHOE. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 28, noes 35.

Mr. DONOHOE. Mr. Chairman, I ask for tellers.

Tellers were refused.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For a storehouse for the storage of oils, etc., and its equipment, $15,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. As I started to say a moment ago, on yesterday I placed a copy of a letter in the RECORD from Secretary of the Treasury McAdoo, in which he called attention to a report that has been submitted to the Senate by the Secretary of the Treasury and the Secretary of Commerce in response to a Senate resolution. In that letter the Secretary requested that the various Democratic Members read the first 20 pages of that report, and said that they would find them illuminating. I have taken occasion to get a copy of that report, and I find that the Secretary is correct—that it is very illuminating. I read on page 19 of the second part of the report:

There is attached to this report as Exhibit 76 a list of ships offered by the Merchant Marine Agency, J. V. McCarthy, manager, Boston, Mass., from which it will be seen that there are 15 ships of English registry and 7 of German registry which he proposes to sell. Attention also is invited to Exhibit 75, showing that other ships are obtainable.

We are convinced that within a reasonable time after the shipping bill is passed enough ships can be secured to greatly relieve and assist our foreign trade.

Now, turning over to Exhibit 75 I find a long list of ships that are for sale by the "Merchant Marine Agency," of 1123 Old South Building, Boston. One of the leading members of the Boston Chamber of Commerce has furnished me a report in regard to this Merchant Marine Agency that is enlightening. I will read it:

The Merchant Marine Agency referred to in the report to the United States Senate of the Secretary of the Treasury and the Secretary of Commerce as having a list of ships for sale, in which 15 British ships appeared, does not appear in the Boston telephone book, nor does the name appear in the Boston directory. An investigation showed that the "Merchant Marine Agency" was being conducted by one "J. V. McCarthy," with an office at 1123 Old South Building, Boston, Mass. In the Boston directory his business is given as "real estate." A visit to the office of the "Merchant Marine Agency" disclosed the fact that it consisted of one small room, in charge of a girl in Mr. McCarthy's absence. When an inquiry was made as regards Mr. McCarthy's absence and the possibility of purchasing a ship from him, the girl said that she had been instructed not to talk, and refused to give any information.

The janitor stated that the name of "Merchant Marine Agency" had been painted on the door for about 10 days, i. e., since January 18, 1915.

It seems likely that the list which was annexed to the report of the Secretaries was such a list as steamship brokers ordinarily issue, and there is nothing on its face to disclose whether the assent of the British Board of Trade had been or could be obtained to the transfer to any other person than a British subject, which consent is now required before any ship can be transferred to a foreigner. It seems absolutely safe to say that the British Board of Trade in no event would assent to the transfer of any ship where there was the slightest possibility of its being placed in trade to German ports.

Now, that is the agency that has furnished the largest list of ships for sale that is printed in this report. It seems to have come into existence just about the time it sent the list. Who is the manager, and what is this agency? That shows the character of the men who are offering these ships for sale, and, as the Secretary said, this report is illuminating. Only two or three days ago a British ship was sold in New York, but the British Board of Trade refused to ratify that sale.

Now, while I am on my feet, I want to make another statement or two that will be illuminating in regard to some of the statements that have been made by the Secretary of Commerce as well as the Secretary of Labor. According to press reports, the Secretary of Commerce makes a very pathetic statement about a man in South America that had a cargo of wool and was unable to send it to the United States because of the exorbitant freights that were charged. It so happened that on Saturday I met a former Member of this House, the Hon. James T. McCleary, and he said he had personal knowledge of that transaction, and that what the Secretary of Commerce had stated about it was true, but that he did not state all of the truth. He said that American bottoms had been offered to carry this wool, but the man could not take advantage of it because he had entered into a conference agreement with foreign lines that ran to South America, and if he sent his wool by any other line he stood to lose a large rebate, so large he could not afford to take the chances. Mr. McCleary gave me information in regard to another statement that the Secretary of Commerce made, of a similar character. The Secretary illustrated the need for this shipping bill by citing the fact that a certain man in South America had a cargo of rags to send to this country, and that he was unable to ship them, and Mr. McCleary said that that was absolutely true, but the Secretary again did not tell all the truth there, because there had been a quarantine issued against the shipment of rags, and even if all the vessels afloat on all the seas had been there those rags could not have been shipped. So that is another illuminating statement upon this shipping question.

And I hope that my friends upon that side of the aisle will follow Secretary McAdoo's advice and read this illuminating report. And if I had time and would not think that somebody would make a point of order that I was not talking in order I would read more of it now.

Mr DONOHOE. Mr. Chairman, I move to strike out the last word.

On Friday last, during the consideration of the naval appropriation bill, a colloquy arose between my colleague [Mr. MOORE] and the gentleman from Illinois [Mr. BUCHANAN] regarding a certain "bonus" system of compensation at Frankford Arsenal. The system had been in force at the arsenal since 1910, but was recently discontinued by order of Gen. Crozier, Chief of Ordnance.

Mr. MOORE. I want to ask the gentleman whether or not he knows that there is quite a protest on the part of employees against stopping the bonuses that have been received for extra work?

Mr. BUCHANAN of Illinois. I will say to the gentleman, if he will yield, that my information on this is that the protest has been worked up by the officers in the Frankford Arsenal, who are opposed to this legislation, just as employers always seem to be able to find some employees whom they can coerce or influence in some way to come and oppose eight-hour measures, like they did the woman's eight-hour day here and in Illinois. So far as its being the position of the majority of the employees who have courage to speak for themselves, I do not believe there is any truth in the statement that they are opposed to it.

Mr. Chairman, it is not my intention to add anything now to what I said at that time regarding the bonus system; but I do feel that I should say something in reply to the charge that the protest against the order discontinuing the payment of bonuses was "worked up" by the officers of the Frankford Arsenal.

I am sure the gentleman from Illinois would not intentionally misrepresent anyone, either officer or employee, and I believe he will be glad to know the facts in the case.

When the order in question was promulgated there was heard quite a storm of protest, especially from the female employees of the arsenal. At the request of a number of the employees affected I called at the arsenal, which is in my district, to get particulars at first hand.

The commanding officer, Col. Montgomery, gave us the use of his office and he and every other officer withdrew while the representatives of both sides, those who favored and those who opposed bonuses, had full and free opportunity of giving their views without interference from anyone. The conference lasted upward of an hour, during which time neither the commandant nor any other officer entered the room. From what I saw and heard while at the arsenal I am convinced that there was no working up of sentiment except by the employees themselves.

In view of these facts and in justice to Col. Montgomery and the other officers at Frankford Arsenal, I feel impelled to make this statement. Having known Col. Montgomery for many years, I can say, in truth, that I have met few men so fair to the employees, so sympathetic of their needs, or so considerate of their safety, their comfort, and their general welfare. It is not right to charge such men with "working up" a sentiment against anything that might make for the betterment of the condition of the arsenal employees. Indeed, I feel that the cause which is sought to be thus helped is often hurt by such reckless and unjust charges.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. DONOHOE. Yes.

Mr. MOORE. It is true that the employees round about the arsenal there have various associations of their own and get together and talk these questions over, is it not?

Mr. DONOHOE. It is.

Mr. MOORE. They have a perfect right to do that?

Mr. DONOHOE. Yes; certainly.

Mr. MOORE. Sometimes they pass resolutions and send them forward to Congressmen, do they not?

Mr. DONOHOE. That is correct.

Mr. MOORE. I know I have received some.

Mr. DONOHOE. We all have.

Mr. MOORE. And we treat them as any Representative should treat a communication from his constituents. I think the gentleman has received many of them.

Mr. DONOHOE. I have.

Mr. MOORE. May I ask the gentleman concerning the movement to which he refers? There was an honest and bona fide complaint on the part of employees that their wages had been reduced by the abolition of the bonus system. Is not that true?

Mr. DONOHOE. That is quite true.

Mr. MOORE. That, irrespective of the merits of any speeding-up system, or Taylor system, or whatever it may be called, many of them who were doing good work had had their wages reduced?

Mr. DONOHOE. That is correct; and, unfortunately, the loss falls on those least able to bear it, namely, the women and unskilled men.

We frequently hear similar sweeping charges against employers in general, as if all of them were totally devoid of human feeling and aimed only at spurring their employees to the utmost limit of their power. If there be justification for any such general charge against employers of labor, then I can only say that I have been fortunate in meeting employers of a very different type. Those whom I have known were ever considerate of the health, the comfort, and the happiness of their working forces, skilled and unskilled, while, on the other hand, some so-called leaders whom I have met were most noticeable for their indifference to all workers outside their own particular class or craft. I have known employers who hesitated to install labor-saving devices until provision could be made for faithful employees who would thereby be displaced. As one who is in sympathy with the cause of labor and as one who has supported every measure aiming to better the lot and lighten the burden of the masses of our people, I feel that I have a right to pay this modest tribute to some good men, some good employers, whom it has been my pleasure to know. [Applause.]

The CHAIRMAN. If there be no objection the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For repairs to roadways to national cemeteries which have been constructed by special authority of Congress, $12,000: *Provided*, That no railroad shall be permitted upon the right of way which may have been acquired by the United States to a national cemetery or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. MANN. I move to strike out the last word. May I ask why it is that the committee provides that no portion of the appropriation for repairs to roadways to national cemeteries shall be expended outside of the corporate limits of a city?

Mr. FITZGERALD. That is not the provision. It is "within" the corporate limits.

Mr. MANN. This says:

Provided further, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. FITZGERALD. That is right.

Mr. MANN. You can not spend it on any roadway unless it is owned by the Government within the corporate limits of a city. That is what it says.

Mr. FITZGERALD. It says that no part of this money shall be spent on any roadway not owned by the Government within the corporate limits of a city.

Mr. MANN. That is it. You can not spend it on any roadway anywhere unless it is a roadway owned by the Government within the corporate limits of a city.

Mr. FITZGERALD. No.

Mr. MANN. That is what it says.

Mr. FITZGERALD. Oh, no; it does not say that at all. It says: "No part of this sum shall be used for repairing any roadway"——

Mr. MANN. Not owned by the United States within the corporate limits of a city.

Mr. FITZGERALD (continuing). "Which is not owned by the Government within the corporate limits of a city." It is very clear.

Mr. MANN. That is what it says.

Mr. FITZGERALD. It is well understood, both by the War Department and the gentleman from Illinois, and its purpose is to prevent this appropriation from being spent in improving roadways within the corporate limits of towns because a road owned by the municipality happens to be the leading approach to a national cemetery.

Mr. MANN. It may be that the War Department is not able to read or construe plain English.

Mr. FITZGERALD. It is very clear.

Mr. MANN. Yes; very clear.

Mr. FITZGERALD. It sparkles like a crystal.

Mr. STAFFORD. I move to strike out the last two words. I rise to direct the attention of the chairman whether in the paragraph on page 56, line 13, the word "fourteen" should not be "thirteen"? I have referred to the sundry civil appropriation act of August, 1914, and I believe that the section which the committee has in mind is section 13.

Mr. FITZGERALD. It should be section 13. I ask unanimous consent to change the word "fourteen," in line 13, page 56, to the word "thirteen," so that it will read "section 13."

The CHAIRMAN. The gentleman from New York asks unanimous consent to change the word "fourteen" to "thirteen." Is there objection?

There was no objection.

Mr. STAFFORD. In this connection, Mr. Chairman, I wish to inquire what is the necessity of making these authorizations when the head of any governmental establishment has the authority to grant these per diems in lieu of subsistence?

Mr. FITZGERALD. The law requires specific estimates to be submitted for this purpose, and it was believed that by incorporating the provision in the bill the committee would be more likely to keep track of them in the future. If it was not included here, attention would not be directed to the fact that per diems are paid out of certain appropriations, and it is desirable to have the attention of the committee drawn to that, so that inquiries will be made as to what is done in that direction.

Mr. STAFFORD. Is this for the purpose of having a further segregation, so that the committee may know the amount?

Mr. FITZGERALD. No; it is to insure investigation by the committee when the items are considered.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Disposition of remains of officers, soldiers, civilian employees, etc.: For interment or of preparation and transportation to their homes or to such national cemeteries as may be designated by proper authority, in the discretion of the Secretary of War, of the remains of officers, including acting assistant surgeons, and enlisted men of the Army active list; interment or of preparation and transportation to their homes of the remains of civil employees of the Army in the employ of the War Department who die abroad, in Alaska, in the Canal Zone, or on Army transports, or who die while on duty in the field or at military posts within the limits of the United States; interment of military prisoners who die at military posts; removal of remains from abandoned posts to permanent military posts or national cemeteries, including the remains of Federal soldiers, sailors, or marines interred in fields or abandoned private and city cemeteries; and in any case where the expenses of burial or shipment of the remains of officers or enlisted men of the Army who die on the active list are borne by individuals, where such expenses would have been lawful claims against the Government, reimbursement to such individuals may be made of the amount allowed by the Government for such services out of this sum, but no reimbursement shall be made of such expenses incurred prior to July 1, 1910, $57,500.

Mr. MANN. Mr. Chairman, I suggest that the word "of," in line 23, page 8, and also in line 3, page 59, should go out. It was left in inadvertently when the language was changed. The item used to read "for expense of interment," and the word "expense" was left out.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the word "of," in line 23, page 58, and line 3, page 59, be stricken out.

The amendment was agreed to.

The Clerk read as follows:

NATIONAL MILITARY PARKS.

Chickamauga and Chattanooga National Park: For continuing the establishment of the park; compensation and expenses of civilian commissioners; maps, surveys, clerical and other assistance, including $300 for necessary clerical labor under direction of the chairman of the commission; maintenance, repair, and operation of horse-drawn passenger-carrying vehicle; office and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; roads and their maintenance; purchase of small tracts of land heretofore authorized by law; in all, $55,260.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask what is the reason for having passenger-carrying vehicles at Chickamauga and Chattanooga National Park and Shiloh, and not at Gettysburg and Vicksburg?

Mr. FITZGERALD. At Shiloh they have an automobile and at Gettysburg they have a horse and wagon.

Mr. MANN. At Gettysburg there is no provision for a horse and wagon. There is one provided for in Chickamauga and one for Shiloh, but none for Gettysburg or Vicksburg. Why do they need them more in one place than in another?

Mr. FITZGERALD. They say they have a great many miles of road. Shiloh is isolated from any town on the river and not as accessible as other parks.

Mr. MANN. I supposed that the Gettysburg park was more extensive than any of the others.

Mr. FITZGERALD. But there is quite a community right at Gettysburg.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

Gettysburg National Park: For continuing the establishment of the park; acquisition of lands, surveys, and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; fences and gates; marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts and compiled without censure and without praise; preserving the features of the battle field and the monuments thereon; office for the commissioners in Gettysburg; compensation of civilian commissioners, clerical and other services, expenses, and labor; purchase and preparation of tablets and gun carriages and placing them in position; and all other expenses incidental to the foregoing, $45,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 62, lines 3 and 4, strike out the words "office for the commissioners in Gettysburg."

Mr. FITZGERALD. At Gettysburg there is now a public building. I am informed that the office of commissioners is in the public building, and that there is no necessity for renting any office for them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. In the vicinity of Gettysburg we have many productive farms. It is not generally known, but there are probably more individual farmers in the State of Pennsylvania than there are in any other State in the Union. They are vitally interested in questions of freight and transportation, which leads me to suggest that the Secretary of the Treasury has also been taking a very general interest in these questions recently in endeavoring to have passed through the Senate the shipping bill by which, through the expenditure of $30,000,000 belonging to the people of the United States, we shall purchase foreign ships in which to transport both American and foreign merchandise.

The Secretary of the Treasury, speaking for the President of the United States, who has indicated this day that an extra session may be called if the shipping bill is not passed, thus proving conclusively that he does not unduly influence legislation, has insisted in certain official reports that unless the shipping bill is passed, and we take from the Treasury of the United States—already depressed to the point of a deficit—$30,000,000 to pay for foreign ships built by foreign labor, the farmers of the country will have to pay the freight to get their grain and cotton abroad.

Now, much has been made by the Secretary of the Treasury of this argument that the farmer must pay the freight to the man who operates the ship. Hence, if the Government owns the ship, according to the administration contention, the situation will be different, and the farmer will be relieved of paying freight. I can not understand this kind of reasoning. The report which the Secretary of the Treasury, fortified by the Secretary of Commerce, recently made to another body in support of the argument for the passage of the ship-purchase bill states:

In other words, the increased ocean freight tax arbitrarily imposed upon our farmers and business men for the month of December, 1914, only was $18,018,700. If exports by sea continue for the 12 months of 1915 at the December, 1914, rate, and the ocean freight charges are the same as for December, 1914, the American farmers and business men will pay to shipowners (principally foreign) increased freight charges above the normal rates of $216,224,400, or more than five times the $40,000,000 which the Government proposes by the shipping bill to put into American ships for the protection of our foreign commerce.

In other words, in support of his desire to take $40,000,000 away from the American people and give it to the foreigner for ships constructed over there at cheap wages, the Secretary argues that the farmer will continue to pay the freight on what he sends abroad. He makes the same argument with regard to the business man.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. MADDEN. The Secretary of the Treasury did not make any statement like this when he was making that report, did he, that ships carrying cargoes abroad are obliged to wait 30 days on the other side to unload; that it costs about $1,000 a day for every day a ship lies waiting to get to the dock; and that the ship is obliged to come back without cargo; and that if any profit is to be earned on the trip of the ship, all of these expenses must be included on the freight rates?

Mr. MOORE. Mr. Chairman, I think the Secretary of the Treasury is so anxious to pass this shipping bill, which proposes to take our money to buy foreign ships, that he entirely overlooked the fact to which the gentleman from Illinois [Mr. MADDEN] refers. I have no knowledge of his having brought the attention of Congress to that at all, but he is trying to make the people understand, the farmers in particular, that unless they fall in with this ship-purchase scheme of the administration they will have to pay the freight or an increased freight on what they send abroad. The Secretary of Commerce has been talking this way on his various trips throughout the country, agitating for his measure, and he has been leading the farmer to believe that unless we take the farmer's money to buy the foreign ships, and close up the American shipyards, then the farmer will have to foot the freight to get his cotton and grain to the foreign market.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. SMITH of New York. I would like to ask the gentleman from Pennsylvania where he gets authority for the statement that the President will call an extra session if the ship-purchase bill is not passed?

Mr. MOORE. Mr. Chairman, I have it from the very best authority, the very highest authority, that unless the shipping bill is passed before the 4th of March there will be an extra session on the 5th of March, and, of course, this does not mean at all, nor is it to be construed in a legal sense as meaning, that the President in any way desires to unduly influence the legislative body in the passage of a shipping bill.

Mr. SMITH of New York. The gentleman is not willing to state his authority?

Mr. MOORE. If I did, I would violate a confidence, but I think the gentleman will see it in the afternoon papers and probably in the morning papers, under display headlines, because almost everyone except the President wants to avoid an extra session. The whole country is tired of Congress being in session, and nobody believes in holding an extra session and continuing the burden of expense to which we are putting the people, except that little coterie who wants to buy a lot of foreign ships. They have some reason for wanting to buy these ships which we have not yet been able to understand.

I heard a rumor this morning that the ships they want to buy are not the ships that were referred to in the remarks of the gentleman from Washington [Mr. HUMPHREY] a little while ago, but the ships that are now interned—ships of the Hamburg-American Line and the ships of the North German Lloyd—ships that were built for passenger traffic, ships that the Germans can not get, ships that were never intended to carry abroad the products of the farm, the cattle, the grain, and the cotton of this country—ships that were built to carry passengers.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. HUMPHREY of Washington. The gentleman knows, of course, that these German interned ships are utterly unfit for carrying freight?

Mr. MOORE. They would have to be disemboweled in order to carry the freight of the farm. Possibly they could be rebuilt in the United States under our new ship laws, but it is more than likely, under our new freedom, even that work would be done in foreign yards, where American workmen would have no chance at it.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. PLATT. Did the Secretary of the Treasury say that the farmers paid this freight?

Mr. MOORE. Mr. Chairman, as to that, here is the report of the Secretaries:

To show what the burden imposed on the farmers by these high ocean freight rates means, it is necesary only to bring out the fact that while the total freight cost on our exports by sea for December, 1914, was $30,742,500, the great commodities of grain, cotton, and flour bore $11,782,250 of this charge—or more than 36 per cent of the entire freight cost on all exports by sea for December, 1914.

It might be well in addition to say to the gentleman from New York [Mr. PLATT] that to-day's dispatches from New York help us out in this shipping dispute by reporting that this year's exports from New York to date total $148,146,690, as against

$119,413,507 in the same period last year. That shows that our commodities are going abroad all right.

Mr MADDEN. That was due to the fact that grain was being shipped abroad.

Mr. MOORE. Yes; grain was being shipped, of course, and if it were not for the foreign or domestic speculators who are in the business of piling it up at the ports to-day, there would not be any congestion; and the trouble is not on this side, as it is on the other side, where the ports are unable to accommodate the ships that are going over there.

Mr. FESS. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. FESS. If the gentleman will yield for a moment: If grain is congested on the wharves and can not find a market, why would it be worth so much to-day as from $1.48 to $1.60?

Mr. MOORE. Well, I think the price is determined largely by the demand for it. In the large cities we are not getting any benefit from the advance——

Mr. FESS. I meant if they could not ship it, it would not be worth so much?

Mr. MOORE. Of course not. If there was such a frightful congestion of grain as the Secretary of the Treasury has tried to show at the various ports, the presumption is that the price would fall. That is what is the matter with cotton.

Mr. ALEXANDER. Will the gentleman yield?

Mr. MOORE. I will yield to the gentleman from Missouri.

Mr. ALEXANDER. It costs about 30 cents a bushel to ship wheat from New York to European ports, and according to the gentleman's theory that does not have any influence on the price paid for wheat here.

Mr. MOORE. That does not indicate that the farmer pays the freight, but I was endeavoring to answer the gentleman from Ohio. As to the question of the gentleman from Missouri, I would say that I was commenting upon the report of the distinguished Cabinet officers who are interested in the passage of the shipping bill. They are endeavoring to make the farmer who raises grain believe that unless the shipping bill is passed, and passed before the 4th of March under the penalty of an extra session, then the farmers will have to pay additional freight. It was that attitude of the Secretaries I was trying to explain.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE. I would ask that my time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania. [After a pause.] The Chair hears none.

Mr. ALEXANDER. Does the gentleman want the country to understand he is indifferent to the price the farmer shall receive for his product?

Mr. MOORE. I certainly do not. I want him to receive the best price for his product that it is possible for him to receive.

Mr. ALEXANDER. And that the freight charge has nothing to do with the price he receives for his product.

Mr. MOORE. We are speaking of the foreign price now.

Mr. ALEXANDER. It does not make any difference——

Mr. MOORE. I am submitting a statement made by these two distinguished Cabinet officers, that unless we have these foreign ships which the administration desires the farmer will pay the freight, a proposition which I am undertaking to dispute.

Mr. ALEXANDER. A Cabinet officer did not make any such statement as that.

Mr. MOORE. I have just read two sections of an official statement by the Secretary of the Treasury and the Secretary of Commerce, transmitted to the Senate December 29, 1914.

Mr. ALEXANDER. The gentleman misrepresents the statement.

Mr. MOORE. I have read literally from the statement. The gentleman can find it in Senate Document No. 673, Sixty-third Congress, third session.

Mr. ALEXANDER. I have read the statement, and I challenge the correctness of the gentleman's interpretation of that statement.

Mr. MOORE. We have also had the views of these gentlemen from time to time in the public press. I now desire to read from the editor of the Annalist, a magazine of business, commerce, and economics, published in New York, wherein the editor says:

There is no limit to the possibilities of the theory which Mr. McAdoo expounds. It is a poor rule that does not work both ways, and apparently the same is true of a theory, for after having set forth that the American producer has to pay the freight on his products Mr. McAdoo argues that the American consumer will pay the freight on what he consumes. Instead of being a land blessed beyond all others, we seem to be so peculiarly unfortunate that economic laws are reversed against us and in favor of the foreigner. We have, Mr. McAdoo tells us, not only to pay the freight on our imports, which everybody knew, but also on our exports, which nobody knew until the administration discovered it.

Mr. ALEXANDER. The gentleman is quoting somebody else than Mr. McAdoo there.

Mr. MOORE. If the gentleman will permit me, I now desire to read from the Journal of Commerce, published in New York on the 1st of February, giving this additional answer to Mr. McAdoo on his theory about the necessity of our buying these foreign ships in which to carry American commerce abroad. It also deals with the freight question on which the farmers are being misinformed:

There are several grossly false assumptions in this statement regarding advances in rates and the cause of them, and delusions about the effect upon our trade, but there is nothing else quite so shallow and absurd as the bold claim that the whole freight charge is imposed upon our farmers and business men and deducted from the prices which they should receive. For the things largely exported, except our great surplus of cotton, unusually high prices are received and large profits are realized. The price here is determined by the exceptional European demand, but the freight charges are added to the prices paid in Europe. Directly, the freight is paid by the foreigners who receive the goods. The fact that they have it to pay increases the price to them, but it does not reduce it to the American farmer. The prices we pay for imports are affected by the freight charges, but these have not been greatly increased because the demand for cargo room is much less coming this way, and the import trade is restricted and not expanded by the war. The statement about the effect upon "our foreign-trade balances" is too idiotic for serious comment.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. MOORE. Yes; if I have time.

Mr. ALEXANDER. If I understand the logic of the gentleman's statement, which he adopts as his own, it is that we as a nation ought to be indifferent to the cost of the transportation of our commodities to foreign markets.

Mr. MOORE. Not at all. I answered that before.

Mr. ALEXANDER. Because the foreigner pays the cost of transportation——

Mr. MOORE. In this instance, the foreigner pays the freight.

Mr. ALEXANDER. Hence in extending our commerce to accommodate agriculture and manufactures and the general commerce of this country we should be indifferent to the price the foreign ship lines pay for the transportation of products. Is that what the gentleman wants the country to understand?

Mr. MOORE. No; I do not want to be indifferent; I want the country to know the facts.

Mr. ALEXANDER. That is what you are arguing right now.

Mr. MOORE. As I understand the gentleman, he is arguing that the Secretary of the Treasury contends that the farmer does pay the freight when he sends his goods abroad.

Mr. ALEXANDER. I do not say that he pays the entire cost at all.

Mr. MOORE. The Secretary of the Treasury has been arguing that the farmer did pay the freight.

Mr. ALEXANDER. Your position is that he does not pay any part of it, and it is a matter of indifference what they charge.

Mr. MOORE. Not at all. I want the farmer to get the best of the bargain; but I do not want the administration, or a Cabinet officer, no matter how influential nor how desirous he may be to pass a bill in this House, to mislead the farmer by arguing that he pays the freight on grain when the foreigner pays it.

Mr. ALEXANDER. We have ships sufficient to transport our commodities to foreign countries.

Mr. MOORE. And we are doing it now.

Mr. ALEXANDER. And because of the excessive freight rates——

Mr. MOORE. We are doing it now. The gentleman knows that there has been an abnormal condition; but, despite that fact, the ordinary business has been carried in the usual way.

Mr. ALEXANDER. I deny that.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. Mr. Chairman, what is the request?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended two minutes. Is there objection?

Mr. DONOVAN. If the consideration of this appropriation bill is over, I am going to make the point of no quorum. It is too painful to sit here and listen to that, and the gentleman ought not to punish the rest of us. It is imposing upon his associates.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that his time be extended two minutes? [After a pause.] The Chair hears none.

Mr. MOORE. It may be painful to the gentleman from Connecticut; no doubt it is; but, Mr. Chairman, business men generally know that the pretense that is being set up by the administration, with regard to Americans paying the freight on what is now sent abroad, is unjustifiable. Here is a letter from Mr. Frank S. Evans, representing Strawbridge & Clothier, one of the largest business houses in the city of Philadelphia. He knows about shipping, and advises me thus:

Any business man knows that no question of the freight is figured as far as the seller is concerned. He sells his goods regardless of what the purchaser pays to get them to himself, except in rare instances; certainly no farmer delivers his goods at the price he sells them f. o. b. abroad. The farmer merely delivers the goods to his primary market and gets his price at that point.

Now, Mr. Chairman, with further reference to what the gentleman from Missouri [Mr. ALEXANDER] has said in his questions to me, I desire to repeat that it is not in good taste for the Secretary of the Treasury or the Secretary of Commerce or the President of the United States if he indorses what they have said, to go about the country working up sentiment to pass an iniquitous shipping bill, which takes $30,000,000 out of the pockets of the people to buy foreign ships and attempt to frighten farmers and business men into believing that it will be necessary for them to contribute to this scheme or suffer freight charges which they are not now required to pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, this is a very important subject, and I think we should have all the light we can secure upon it. Under leave to extend, granted me yesterday, therefore, I submit two interesting and pertinent statements, one from Mr. Frank L. Neall, of Philadelphia, to whom I referred yesterday, and another from Mr. William D. Winsor, of the old American Winsor Line, which operated between Philadelphia and Boston. Mr. Neall's letter throws an interesting light upon the shipbuilding situation in England and confirms rather positively the criticism I have made of the Cabinet officers' declaration that the farmer pays the freight. Mr. Winsor's article is illuminating in its analysis of the purpose and effect of the shipping bill upon which the administration seems to have set its heart.

VOLUME OF SHIPBUILDING—PROFITS OF SHIP OWNING.

PHILADELPHIA, *February 10, 1915.*

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

MY DEAR MR. MOORE: H. E. Moss & Co.'s semiannual steamship circular, dated January 1, 1914, says: "In issuing our present semiannual steamship circular we are gratified to be able to state that within a period of over 50 years in which we have been continuously connected with the steamshipping industry we find no trace among our previous records in which steamship owners have realized such profits as they have done during the last few years, and we are glad our recent predictions have proved correct. * * * The tonnage under construction for the quarter ending December 31, 1913, exclusive of warships, exceeds all previous records in this country as well as abroad. We estimate the amount of merchant shipping presently building in the United Kingdom alone will not be less than 2,200,000 gross register tons. Most of this tonnage consists more especially of high-class liners and tankers than ordinary tramp steamers. Many of our important builders have sufficient work on hand to keep them occupied during the whole of this year. There are some, however, already feeling the present dearth of orders who can give fairly quick delivery."

NOTE.—Total tonnage of world, all nations, prior to 1914 (June) 50,000,000 tons.

Circular dated January 1, 1915, says: * * * "At the present moment most of our shipyards have sufficient orders to last them well into 1916, and few builders can give earlier delivery. Prices for building have advanced in six months from 10 to 20 per cent, and what new steamers were building on speculation have been nearly all disposed of. Secondhand tonnage is difficult to obtain, except at extreme prices, and large profits have been quietly realized. The amount of tonnage under construction on January 1, 1915, will, we anticipate, be greater than it has ever been before and well above 2,000,000 tons."

The old adage, "Never fish for clams at high water," was never more applicable that at the present moment as regards prices at which ocean steamers are selling, and ocean rates of freight securable. There is much of the earthquake or volcanic characteristics in each of those factors at the present time. This morning, we have reports of annexed charters, and as to rates, exceed anything previously, we believe, that was ever recorded, and to us indicate that Germany is in the extremity for wheat.

Please realize that these freight rates are not paid by any farmers, wheat speculators, or wheat owners in the United States. The wheat has probably been secured some while back for account of foreign interests and is now seeking transportation to ultimate destination. One of the undernoted vessels gets an ocean freight equivalent to 42 cents per bushel on wheat. When the war broke out wheat was selling in Chicago at only 35 cents per bushel higher than ocean freight herein referred to. I have often heard line steamship managers say that they would be perfectly satisfied never to see ocean freight on grain by line steamers over 6 cents per bushel, as that would obviate competition from tramp steamers.

GRAIN CHARTERS REPORTED IN NEW YORK JOURNAL OF COMMERCE, WEDNESDAY, FEBRUARY 10, 1915.

Norwegian steamer *Bra Kar*, 32,000 quarters from the Atlantic range to Copenhagen, 13s. 6d. per quarter, March shipment.

Norwegian steamer *Sigrum*, 16,000 quarters, same destination and same shipment, to Denmark, 14s. per quarter.

Yours, truly,

FRANK L. NEALL.

[Statement by William D. Winsor. From the Philadelphia Public Ledger.]

STEAMSHIPS TO BE RUN BY POLITICIANS—FOLLY OF THE GOVERNMENT PURCHASE BILL POINTED OUT BY A SHIPPING EXPERT.

All indications point to the intention of the Government to purchase vessels from the fleet of German steamers now interned in the various ports of this country.

Leaving out entirely the question of international complications, which would undoubtedly arise in the event of such purchase and operation by the Government, and looking at the matter entirely from a practical business point of view, the following items present themselves at once for consideration.

I name at random a few of the steamers in question, giving tonnage, speed in knots, and first, second, and steerage passenger accommodations:

HAMBURG-AMERICAN LINE.

Vessel.	Tonnage.	Speed (knots).	Passenger accommodations.			
			First-class.	Second-class.	Third-class.	Steerage.
Vaterland	54,282	24	800	550	900	1,600
President Lincoln	18,168	14½	285	200	700	2,000
President Grant	18,072	14½	285	200	700	2,000
Pennsylvania	13,338	13½	.....	550	200	1,800
Konig Wilhelm II	9,410	15½	280	100	.....	1,200
Hamburg	10,531	16	175	100	.....	1,000
Amerika	22,622	17½	470	400	200	1,500
Cincinnati	16,339	15½	275	300	500	1,500

NORTH GERMAN LLOYD.

George Washington	25,570	19	565	433	452	1,450
Kaiser Wilhelm II	19,361	23	777	342	.....	799
Grosser Kurfurst	13,102	15½	379	370	.....	1,676
Barbarossa	10,984	14	269	236	.....	1,588
Prinzess Irene	10,893	15½	233	166	.....	1,689
Friedrich der Grosse	10,771	15½	232	223	.....	1,671
Kronprinzessin Cecilie	19,503	23	729	298	.....	800

These vessels are designed and constructed primarily for passenger traffic and freight is of secondary importance. Speed is a necessary requisite, in order to obtain which the lines of the steamers are very fine and not those which give the greatest cargo capacity. Their boiler and engine power and consequent consumption of coal are very great. They are constructed in every way with a view to the carrying of passengers, and the space taken up for their accommodation is a very large percentage of the carrying capacity of the hull. To cater to the tastes of the present first-class ocean travel they are fitted in a most luxurious manner; in fact, they are floating hotels.

One can hardly imagine that the stupendous ignorance and want of knowledge shown by the authorities at Washington in this matter would go so far as to lead them to engage in the passenger business, which includes transportation of immigrants in the steerage, all of which involves the establishment of thousands of agencies all over this country and Europe, to say nothing of the necessarily large stewards' department, provisioning of the ships, and equipment of the table.

If they did not engage in the passenger traffic everything in the equipment pertaining to this would be of worse than no use and an encumbrance. Therefore, if they were confined to the freight trade, the whole of this would have to be torn out and the ship adapted for freight purposes, the expense of which would be enormous; and even if this were done the lines and model of the steamer would not permit of loading her to full capacity, and the expense of running her owing to her engine equipment would be very high.

In view of all this, the project seems to be absolutely indefensible from a business point of view, and could only result in a very great loss.

Imagine a fleet of this character, conducted under the able and efficient management of the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce, who are, of course, educated by years of experience in the intricacies of conducting steamship lines. Imagine the fleet open to favoritism in the appointments that would be made at the instigation of Members of Congress. In fact, summing it all up in a few words, the line would be run under the domination of politicians.

It is supposed among other things that private capital will come forward and absorb eagerly the 49 per cent, or minority of the stock, leaving it to be managed by the 51 per cent Government ownership. Would any sane man invest a dollar in an enterprise so conducted?

It is stated to be the intention of a beneficent administration to build up the American merchant marine. How can the few steamships that we have left in the foreign trade contend against a Government-owned line, which makes no charge in its operation of interest on investment or depreciation, and which carries its own insurance, and every one of these items has got to be considered in the long run, and when they materialize will result in a deficit which would be met by the Treasury and become the basis of further taxation? Even supposing—which I do not admit—that in the abnormal condition of very high ocean rates now prevailing there should be an apparent profit, on the return to former and normal conditions the losses would be enormous for reasons already given.

Competition under such conditions would be still more difficult and impossible than it is to-day against the subsidized lines of foreign nations, and the result would be to drive the few remaining steamships which we have left off the ocean.

The American shipbuilders and vessel owners have shown themselves in the past capable of competing with those of any other nation, but they can only do so successfully where they are upon equal terms; and the foreign shipowner, in addition to exemption from the absurd and onerous restrictions of our navigation laws, mainly passed at the dictate of the labor unions, is additionally aided by many nations with a subsidy, which is abhorrent to many Members of Congress, and is spoken of as aid given with the money of the people. What is the difference between the increased cost under a protective duty paid by the customer on a yard of broadcloth and the application of a subsidy which enables steamship lines to be run for the benefit of all? Mainly, it is that in

one instance the application of the duty is not seen and in the other it is regarded as money paid directly to the steamship owner, but the principle is exactly the same.

If by the payment of a few millions in the way of subsidy the country can obtain the benefit of the many millions—estimated at $200,000,000—now paid into the coffers of foreign nations in the way of freight money, would it not be a gain for the Nation, and certainly in one instance the amount so expended would be known, but in the case of a Government owned and operated steamship line it would be infinitely greater, and never disclosed.

If the American ships were protected in this manner it would at once lead to the building up of the American merchant marine, and in addition to the saving of the vast sums now paid to foreign countries in freight money our shipyards would hum with industry, where thousands of wage earners would be employed, and the effect would be seen in the ore beds, the coal fields, the steel plants, and all the numerous industries which contribute to the building up of a steamship. The fleet thus created would be truly American.

Mr. BOOHER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BOOHER. I make the point of order that the gentleman is not discussing the bill. We are sitting here trying to get along with the bill.

The CHAIRMAN. The Chair, of course, will sustain the point of order, and will ask the gentleman from Wyoming [Mr. MONDELL] to confine himself to the amendment, the point of *order having* been made against it.

Mr. BARTLETT. May I inquire what the amendment is?

The CHAIRMAN. To strike out the last word.

Mr. BARTLETT. The paragraph with reference to Vicksburg Park?

The CHAIRMAN. Yes, sir. On page 62.

Mr. MONDELL. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE], when he made the motion, stated that there was a large agricultural population in the vicinity of this park.

Mr. BOOHER. Mr. Chairman, the gentleman from Wyoming is not obeying the rule.

Mr. MONDELL. Mr. Chairman, I insist on being protected by the Chair.

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] makes the point of order against the gentleman from Wyoming on the ground that he is not confining himself to the amendment.

Mr. MONDELL. The gentleman's point of order is not well taken.

The CHAIRMAN. The Chair will ask the gentleman to proceed in order. Under the five-minute rule, when a point of order is made, the gentleman must confine himself to the subject matter of the amendment.

Mr. MONDELL. I guess we had better not proceed without a quorum if the gentleman is getting so particular.

Mr. BOOHER. The gentleman has a perfect right to make the point of no quorum.

The CHAIRMAN. Does the gentleman from Wyoming make the point of no quorum?

Mr. MONDELL. I will make the point of no quorum if the gentlemen are getting so nervous. I have no desire to do so unless the gentlemen over there get nervous and touchy.

Mr. MADDEN. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count.

Mr. MADDEN. Mr. Chairman, I withdraw the point.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the gentleman from Wyoming [Mr. MONDELL] may proceed without reference to or confining himself to the amendment.

The CHAIRMAN. Is there objection?

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to follow the gentleman from Wyoming [Mr. MONDELL] for five minutes.

The CHAIRMAN. The gentleman from Missouri [Mr. ALEXANDER] modifies the request by asking that he have five minutes in which to address the committee, without reference to the rule. Is there objection?

There was no objection.

Mr. BOOHER. Mr. Chairman, I withdraw my point of order.

Mr. MONDELL. Mr. Chairman, the gentleman from Missouri raises the question as to the effect of ocean freight rates on the price which the farmer receives. The history of the last 60 days seems to make it very clear and evident that the cost of ocean freights has, under present conditions, little or no effect whatever on the price of the farmer's product. The Secretary of the Treasury, in the more or less illuminating pamphlet which has been frequently referred to, states it as a fact that the price of the carriage of wheat across the Atlantic has advanced since July from 5 cents to 20 cents a bushel. During the same period the price of wheat has advanced all over the country about 35 cents a bushel.

Mr. RUCKER. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. RUCKER. Does the gentleman think the rise in wheat was due to the fact that freight rates have risen also?

Mr. MONDELL. I have not said anything of the sort.

Mr. RUCKER. The gentleman's argument would seem to lead to that.

Mr. MONDELL. The gentleman had better listen to my argument.

Mr. RUCKER. I have been listening.

Mr. MONDELL. In the face of rapidly advancing ocean freight rates the price of wheat has advanced the country over. In spite of the fact, as claimed by the Secretary, that there has been a 15-cent per bushel increase in the price of transportation, we have shipped abroad in the last 30 days six or seven times as much wheat as we shipped abroad in the same 30 days a year ago. If there is any argument to be made on the basis of these conditions, it is that the freight rate has nothing whatever to do with the price of the farmer's product, and that, in my opinion, is absolutely true under the conditions that now exist, whatever may be true under normal conditions.

Mr. RUCKER. If the gentleman will allow me——

Mr. MONDELL. Because at this time and under these circumstances the price of wheat is fixed here, in the greatest wheat-producing country in the world. Under other conditions, with free passage of wheat from Russia and from the Balkan States and from all the wheat-exporting countries of the world to the general European market, it is possible that the price here is to a large extent based on the price in Liverpool, at least, or on the Continent. In such a case the price here is to a certain extent, at least, the Liverpool price minus the ocean freight.

But with the channels of trade clogged, with a considerable number of the great exporting countries not able to export at all, with the largest supply for the world market coming from the United States, the price of wheat is made and fixed here, with little regard or relation to the ocean freight rate. The fact that the crop price for wheat fluctuates at times several cents a day, without any change in ocean freight rates, is another evidence of this fact.

Mr. HOWARD. Will the gentleman please apply that argument to the price of cotton?

Mr. MONDELL. I think it applies largely to the price of cotton.

Mr. HOWARD. Why has not cotton gone up in the same proportion that wheat has gone up under high ocean freight rates?

Mr. MONDELL. There has not been the same demand. There have been as many ships for cotton as there have been for wheat. There has not been as great an increase in the freight rate——

Mr. HOWARD. Will the gentleman——

Mr. MONDELL. Please let me answer your question. There has not been as great an advance in the rate on cotton as there has on wheat, and yet the price of wheat has advanced much more than the price of cotton has. So that, applying it to the cotton situation——

Mr. HOWARD. Will the gentleman permit another question right there? Does the gentleman think that the charge of $16 to $18 per bale for cotton is going to stimulate the demand of the cotton factors in England and Germany?

Mr. MONDELL. I do not think it makes a vast amount of difference under these war conditions, because they are buying cotton only as they must have it, and they must have a certain amount without regard to what it costs to carry it across the sea.

Mr. BARKLEY. Will the gentleman yield there?

Mr. MONDELL. All this is preliminary to what I really wanted to say. You can not expect this administration to be logical. It would be expecting altogether too much. The Secretary of the Treasury and the President, in insisting on a ship-purchase bill, argue that they want it in the interest of the farmer.

Mr. BARKLEY. Will the gentleman yield?

Mr. MONDELL. I can not yield.

The CHAIRMAN. The five minutes of the gentleman from Wyoming have expired.

Mr. MONDELL. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

Mr. SMITH of New York. Reserving the right to object, I should like to ask how long the debate on this paragraph is going to continue?

The CHAIRMAN. That is not a parliamentary inquiry, and the Chair can not answer it.

Mr. BARTLETT. I ask unanimous consent that the debate on this paragraph and all amendments thereto be limited to 10 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that debate on this paragraph and all amendments thereto be limited to 10 minutes. Is there objection?

Mr. RUCKER. Reserving the right to object, I want to know if the gentleman from Wyoming gets five minutes more, he will yield to me for a question?

Mr. MONDELL. I thought I had been granted the privilege of proceeding five minutes.

Mr. RUCKER. Oh, no; I reserved the right to object.

Mr. BARTLETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. Has debate been limited?

The CHAIRMAN. The Chair just stated the question, and the gentleman from Missouri and the gentleman from Washington reserved the right to object. Is there objection to the request of the gentleman from Wyoming?

Mr. HUMPHREY of Washington. I have no objection, but I would like to have five minutes.

The CHAIRMAN. The Chair hears no objection. The gentleman from Georgia asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. I will yield to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. I want to ask the gentleman from Wyoming if I correctly understood him to say that the normal rate of 5 cents being increased to 30 cents on freight rates the farmer could get as much for his wheat as if the rate was the normal rate of 5 cents?

Mr. MONDELL. I said that the events of the last 60 days—a constantly increasing freight rate and a constantly increasing price for wheat—would seem to demonstrate beyond question that under these conditions the cost of ocean freightage had nothing to do with the price which the farmer receives for his wheat. The spot price on the Chicago market is to-day from $1.62 to $1.65 a bushel, and that in face of advance in ocean freight rates of 15 cents since July.

But, Mr. Chairman, I have another point that I want to discuss. I want to discuss the delightful and lovely consistency of this Democratic administration. Wheat is $1.65 a bushel spot. People all over the country are threatened with an increased cost of bread per loaf or a reduction of the size of the loaf.

Mr. MADDEN. It has gone up 2 cents a loaf now.

Mr. MONDELL. The administration is just now trying to discover why wheat is so high—investigating the high price. The Department of Labor is, I am told and I think properly, much exercised on behalf of the poor people of the country because bread is so high. In this condition of affairs are we to understand that the President wants the people of the United States to buy $30,000,000 worth of ships and run them at a loss in order to make wheat 15 cents a bushel higher all over the country and bread a penny more a loaf. That is what will certainly happen if this theory that the reduction in ocean freight rates will increase the price of wheat by the amount of the reduction.

Mr. MARTIN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MARTIN. Is this a part of the Democratic administration promise to reduce the cost of living?

Mr. MONDELL. That is about the way the administration has kept its promises to reduce the cost of living.

Mr. DECKER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DECKER. Do I understand that the gentleman would rather have the high price of freight rates and wheat go to the ocean carrying trade than to the farmers of this country?

Mr. MONDELL. I have told the gentleman several times that, in my opinion, it does not make a particle of difference under the present conditions what it costs to carry this wheat across the water, as the price is fixed here. In the face of these high ocean rates the price of wheat continues to advance. But, if the theory of your administration is correct and a reduction through Government-owned ships in the freight rate would increase the price of wheat by the amount of the reduction, then you would raise the price of wheat all over the country, increase the cost of living to all the people all over the land, and make it more difficult than it is now—and it is difficult enough now, the Lord knows—for the poor people to live under this Democratic administration.

The situation is this: Our experience since the European war began is that the price of wheat here is based on an abnormal demand, and we, as the largest source of supply, fix the price without regard to ocean freights. But if the theory advanced by the administration, and supported by the gentleman from Missouri [Mr. ALEXANDER], that the farmer is losing on his wheat the amount of the increased ocean freights is correct, then the administration's ship-purchase plan could be stated as follows:

The administration desires the American people to approve the selling of bonds for the purchase of ships to be run at a loss, the deficit to be paid by the people, in order to make the price of wheat and bread higher all over the country.

Mr. ALEXANDER. Mr. Chairman, so far as the economic question involved is concerned, it does not matter whether the ships are Government owned or privately owned. The question is whether or not there is sufficient tonnage to move our commerce in the foreign trade at reasonable rates. Hence this argument about whether they should be Government-owned ships or not is entirely aside from the merits of the question and is so much nonsense in which the gentleman from Washington [Mr. HUMPHREY], the gentleman from Pennsylvania [Mr. MOORE], and the gentleman from Wyoming [Mr. MONDELL] so frequently indulge. To say it is a matter immaterial to the farmers or the merchants or the manufacturers what the ocean freight rates may be on their commodities entering into our foreign commerce is nothing short of a monstrous proposition.

The fact that there is a foreign war, that there is an increased demand for our commodities, does not change the economic principle involved. This has been a vital question for years past. Increased ocean freight rates caused by combinations between the shipping interests have materially and injuriously affected the extension of our foreign commerce. Will anyone say that the fact that we could under normal conditions prior to the war in Europe transport a bushel of wheat from Duluth to Liverpool at 5 cents a bushel did not affect the price of the wheat of the farmer in the Northwest? I do not think anybody would be stupid enough to make any such contention as that. Would he have gotten the same price if the cost of transportation had been 30 cents per bushel instead of 5 cents per bushel?

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. FESS. Does not the gentleman think that the freight rate has been affected by the fact that the oceans have been mined and the carrying is hazardous?

Mr. ALEXANDER. I think that is true and may justify increase in part over the normal rates. I do not say that the increase in the freight rate has resulted in loss to the wheat farmer and the cotton grower alone.

Mr. FESS. Has not the insurance gone up a great deal, and have not certain companies refused to insure at all?

Mr. ALEXANDER. The insurance rate has increased somewhat, it is true. The increased costs to the shipowners since the war in Europe began do not amount to 25 per cent of the increase in ocean freight rates.

Mr. FESS. Suppose the Government has all these ships, would not the Government charge a higher price in time of war than in time of peace?

Mr. ALEXANDER. I think so, to cover the increased costs, whatever they may be. If the Government should cut the present rates in two on many commodities, and I believe the Government could do that and the rate would be remunerative, does the gentleman not admit it would have some influence on the price received by the farmer, manufacturer, and exporter for the commodity?

Mr. FESS. It might have to some extent; yes.

Mr. ALEXANDER. That is what I think, too; but I do not think it would equal the difference. The contention of these gentlemen is that it is a matter of indifference to the exporter, the farmer, and the manufacturer in this country what the ocean-freight rate is, that it does not affect the price at which they sell their commodities. That is the contention against which I enter an emphatic protest. It is not economically sound.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. PLATT. As a matter of fact, given a constant demand, is it not a matter of absolute indifference? If the price for cotton and grain remains the same on the other side, is it not a matter of absolute indifference?

Mr. ALEXANDER. I think not. If the demand was constant and wheat worth $1 per bushel in Liverpool, I would think it of vital interest to the producer whether the freight rate was 5 cents or 20 per bushel on wheat.

Mr. MONDELL. Does the gentleman think that a reduction in the price of the rate by 15 cents a bushel would immediately raise the price of wheat in the United States to the same amount?

Mr. ALEXANDER. No; not to cover the difference; but the southern cotton grower is now receiving about 8½ cents a pound for cotton. That same cotton in Bremen is worth from 18 to 21 cents a pound. The difference is absorbed in the ocean freight rates. If the ocean freight rates were cut in two, according to the position of the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Wyoming [Mr. MONDELL], the cotton farmer would not receive 1 cent more for his cotton.

Mr. BARTLETT. May I say to the gentleman that the freight rate from here to Germany has gone up from $1.50 a bale to $18 a bale?

Mr. ALEXANDER. Yes; and yet these great economists claim that it does not influence the price of cotton.

Mr. MADDEN. Can the gentleman say whether the cotton farmer really owns the cotton now?

Mr. BARTLETT. Yes; a great deal of it.

Mr. ALEXANDER. It does not matter, so far as the economic question is concerned, whether he owns it or not. I suppose American citizens own the cotton; and it is material to the prosperity of this country whether the surplus cotton crop sold in the foreign market sells for 8½ or 12 cents per pound or whether the companies engaged in transporting the cotton to the foreign market absorb the difference in increased freight rates. They are mostly foreign companies, and the profits go to the foreign companies.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MARTIN. If the present carrying rate were cut in two, or one-half, as the gentleman has suggested, how much, in his judgment, would it affect the price of wheat?

Mr. ALEXANDER. Would that diminish the demand abroad?

Mr. MARTIN. How much would that affect the price of wheat in this country?

Mr. ALEXANDER. I think it would increase the price.

Mr. MARTIN. How much?

Mr. ALEXANDER. I could not say.

Mr. MARTIN. Does the gentleman think that at the present prices of wheat it would be just to the general people of the United States to have those prices advanced at this time?

Mr. ALEXANDER. If I understand it, the gentleman represents an agricultural district, as I do, and I take it from his question that he thinks the farmer is getting quite enough for his wheat.

Mr. MARTIN. I am asking the gentleman whether he thinks that would be a good economic proposition in the United States?

Mr. ALEXANDER. I think it would increase the cost of living.

Mr. MARTIN. Does the gentleman think that is a good thing at the present time?

Mr. ALEXANDER. No, if the farmer is getting a fair price; but I am not willing that the difference should be absorbed by the ocean carriers, and I am not willing that those who are championing the interests of the Shipping Trust shall stand up here day after day and assert that such a monstrous doctrine as that the cost of transportation is no concern of the producer is sound political economy.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MOORE. I do not think the gentleman intends to name anybody who has any particular interest in the Shipping Trust. I do not think the gentleman would go that far; but I would like to ask the gentleman this, whether he and I differ on this question that the farmer who sends his wheat abroad in present conditions does not pay the freight, but the foreigner does? I have contended that the foreigner pays the freight, and that seems to be the point of difference between the gentleman and myself.

Mr. ALEXANDER. Literally, the foreigner does pay the freight, but the gentleman says this does not influence the price of the farmer's commodity.

Mr. MOORE. Then the gentleman clearly misunderstood what I was saying—that it was a mistake for anybody in this country to undertake to influence the farmer into the belief that he did pay the freight.

Mr. ALEXANDER. I have not a farmer in my district who has not sense enough to know that increased ocean freight rates influence the price of his products sold abroad.

Mr. MOORE. But he does not pay the freight.

Mr. ALEXANDER. For the benefit of the gentlemen on the other side who seem to be so indifferent to the welfare of the farmer, and would have the farmer believe that the cost of getting his products to the markets of the world is of no interest to him, although we depend on his cotton and grain sold in the foreign market to give us our trade balance, and for the benefit of the calamity howlers on that side, I shall incorporate with my remarks an address made by Mr. James A. Farrell, president of the United States Steel Corporation, in Pittsburgh on February 8, and call their attention particularly to the statement of Mr. Farrell that the farm wealth of the United States this year probably will exceed $10,000,000,000, and that the United States excess of exports over imports for 1915 may easily reach $1,000,000,000, and his further statement that the balance of trade in favor of the United States for January of this year is at the rate of $1,500,000,000 a year. I give Mr. Farrell's statement as published in the Washington Post of February 9:

BIG TRADE BOOM NEAR—J. A. FARRELL, STEEL CORPORATION HEAD, SEES PROSPERITY—POINTS TO HUGE EXPORTS—URGES EMPLOYERS TO COOPERATE AND CREATE WORK FOR JOBLESS—ASSERTS THAT FARM WEALTH OF UNITED STATES THIS YEAR PROBABLY WILL EXCEED $10,000,000,000—CITES RAPID REVIVAL IN STEEL BUSINESS—"TALK COURAGE, CONFIDENCE, AND COOPERATION," HIS ADVICE TO PENNSYLVANIA ENGINEERS.

PITTSBURGH, PA., *February 8.*

Courage and cooperation in business and confidence in a restoration of prosperity was the advice expressed by James A. Farrell, president of the United States Steel Corporation, in an address before the Engineers' Society of Western Pennsylvania here to-night.

Among reasons for encouragement Mr. Farrell quoted "eminent European and American authorities" as calculating that the United States excess of exports over imports in 1915 may easily reach $1,000,000,000, and he declared that the balance of trade in favor of the United States for the opening month of the year is at the rate of $1,500,000,000 a year.

TEN BILLIONS FARM WEALTH.

"The years of greatest prosperity in the United States have been when the balances were largely in our favor," asserted Mr. Farrell. "It is not imprudent to predict that our total farm values for the current year, for the first time in the annals of this or any other country, will pass the $10,000,000,000 mark.

"I feel safe in saying that if you will strain a point just now and trade a little more with each other and talk encouragingly as to conditions, rather than pessimistically, the business of the country will take on a momentum which will carry us into better times, and what is more important, create more employment for labor. Our best effort should be put forth to stimulate activity in business, and do everything practicable to increase the number of working people not only in the industries in this community, but throughout the whole country.

"The elements of prosperity are at hand; the developments from day to day are favorable. The steel trade has been called the barometer of business; there is a marked increase in orders and in operations; more men are obtaining employment and the trade movement is progressing and encouraging, and we should do everything practicable to sustain and advance it."

Mr. Farrell said that up to within a few weeks "it seemed as if the prospects of a material improvement in business were doubtful, but apparently the tide has turned, and each day records a marked improvement in the general situation."

"It seems to me," he continued, "that the time has come when cooperation should manifest itself among business men, to bring about conditions which will result in a larger employment of labor.

SHOULD CREATE WORK.

"As business men let us give our attention to solving industrial unrest by creating work, by toiling and spinning, and creating a normal circulation in the arteries of commerce. In my judgment a campaign for the constructive upbuilding of the business of our country on a scale commensurate with modern needs and opportunities should be inaugurated. Our problems are national, our opportunities are national; let us hear more of national common sense, and see if we can not get back to work. Public sentiment and governmental inclination unmistakably favor a live-and-let-live attitude toward business.

"Whatever may be the political outcome of the European war, it is of vital consequence to America's future position that advantage be taken of the present opportunity to exploit the products of American invention, enterprise, and quality, to establish a firm foothold in foreign markets."

SEES HUGE TRADE BALANCE.

There is a strong sentiment, Mr. Farrell said, for coordinated effort in trade activities. Confidence in the business future of the country, he declared, is growing, and a balance of trade is piling up that will place the business of the country on firm foundations.

"We are the only Nation at the present time in position to assume the rôle of the world's banker," he said. "American dollars will be spent in America this summer as never before. The outlook for raising New York to first place among the financial centers of the world is declared by able bankers to be something substantially more tangible than a dream. Money is plentiful and low rates obtain. Cotton has recovered in price from 6¼ cents in October to fully 8¼ cents per pound to-day. Shipments to date exceed 4,000,000 bales, or two-thirds of the corresponding total of a year ago.

RATE DECISION A HELP.

"The United States is to-day the chief granary of Europe. The prices received should insure for our farming population an unprecedented measure of prosperity, and it has come to be an American axiom that when our farmers are prosperous the whole country prospers.

"The Interstate Commerce Commission's decision in the eastern rate case has raised the drooping spirits of the railroads, as has been tangibly reflected by increased orders for material.

"There is less clamor for indiscriminate governmental suits against corporations, and we may reasonably hope that honestly conducted enterprise will hereafter be allowed to carry on their legitimate functions without fear of political or legal harassment."

RESUME NEW CONSTRUCTION WORK.

Mr. Farrell announced the resumption of new construction work by the Steel Corporation in closing his address in the following words:

"Last year we suspended all operations on new construction in this district; as evidence of our faith in the immediate future we have decided to proceed with that work at once, in order that we may be prepared for greater things."

And as the Government ship-purchase bill has been discussed so flippantly by some of the gentlemen on the other side I shall incorporate as part of my remarks an editorial in the Washington Post of February 7, which I commend to the consideration of all true friends of an American merchant marine in contrast with the views of these gentlemen.

[From the Washington Post, February 7, 1915.]

THE UNITED STATES NEEDS ITS OWN MERCHANT MARINE.

The prolonged debate of the shipping bill in the Senate is focusing the attention of the entire population of the United States upon the need of an American merchant marine and causing the masses of the people to understand the reasons that the Congress has not established one in the past.

Private capital has not provided a merchant marine for this country, because private capital has no motive to enter such field except for gain, and gain could only be obtained for private capital in that field by union and cooperation with foreign shipping combines or else through subsidies from the Government of the United States.

Private capital knows full well that it can not and will not establish an American merchant marine without the aid of public cash contributed in some way, form, or manner by the Government.

It is to the interests of foreign shipping combines that no American merchant marine be established.

It is to the financial interest of powerful representatives in this country of foreign shipping—commercial and financial interests—that no American merchant marine be established unless they can control it, save their European allies from American competition, and make such rates for freight and passengers as will afford them large profits.

They are entirely willing to draw financial aid from our Government if the control of the marine is given them.

The Post is an opponent of Government ownership in all fields of action in which private enterprise and private capital can secure fair and reasonable returns upon such enterprise and capital by rendering efficient, honest, faithful service to the people at fair and reasonable cost to them.

But here is a field in which private capital has failed for 50 years to provide such service for the American people.

Here is a field that American private capital has left open to foreigners for half a century, and now, when it is proposed that its own Government shall become the creator of such a marine, private capital enters a vigorous protest.

The bill before Congress provides that of the capitalization of the proposed corporation the Government shall control 51 per cent and the other 49 per cent may be offered to private capital as an investment.

If private capital desires only investment, here is its opportunity.

If private capital desires to exploit the Government, it can not do it under this bill.

If private capital desires to wax fat by exercising control while the Government furnishes the expense money for the operation of the marine, this is not the bill it wants.

The Government of the United States must furnish the financial aid, and the Government of the United States must control, and if that control means Government ownership of this marine then the Post accepts that principle in this case, knowing full well that private capital can not do the work alone and that the Republic needs the marine.

In the above the Post speaks of private capital that might invest in a merchant marine if the Government would kindly put up the money to operate the ships, give it control, and allow it to establish the routes, fix the rates, and declare itself good dividends.

But the Post can not and does not speak for such private capital, limited to a few hundred millions of dollars at the utmost.

The Post does speak for the billions of dollars of private capital invested in the farms of the United States by millions of honest, hard-working farmers, who have been for years deprived of transportation upon the ocean at reasonable rates.

The Post does speak for billions of dollars of American private capital invested in the timber, the mines, and the manufacturing plants of the United States, capital that is now being severely injured by the lack of a merchant marine owned or controlled by the United States.

The Post does speak on the behalf of the billions of dollars of trade that would come to American manufacturers from the markets of foreign countries if such a marine were created.

The Post does speak for the great prosperity of the millions of American workingmen who would be benefited by the manufacturers being freed from the exactions of foreign shipping combines, owned, operated, and controlled by the same financial forces which are so ready to close foreign markets to our manufacturers.

The Post in its advocacy of a Government-controlled merchant marine stands for the interests of 90 per cent of the private capital of the United States and for those of 99 per cent of the population.

The Clerk read as follows:

Vicksburg National Military Park: For continuing the establishment of the park; compensation of civilian commissioners; engineer and clerk, labor, iron gun carriages, mounting of siege guns, memorials, monuments, markers, and historical tablets giving historical facts, compiled without praise and without censure; maps, surveys, roads, bridges, restoration of earthworks, purchase of lands, purchase and transportation of supplies and materials; and other necessary expenses, $36,000.

Mr. MADDEN. Mr. Chairman, there has been a good deal said about the effect of freight rates on the price of wheat, and without attempting to analyze what the effect of freight rates is on the price of wheat, I undertake to say that if the Government should by any chance be authorized to buy the ships which the President of the United States proposes to buy, the United States Government could not haul the freight for a less price than it is being hauled now without losing money; and the people of this country would find themselves in the position of having been taxed $40,000,000 to buy ships and taxed many more million dollars to pay the losses incurred by the operation of those ships if the Government undertakes to carry freight at the rates indicated by gentlemen on this floor. Now, everybody knows, because of the war abroad, that the insurance on ships and cargoes is much higher than it would be in normal times. Everybody knows——

Mr. ALEXANDER. Will the gentleman yield?

Mr. MADDEN. No; I can not yield. I am only going to take a minute or so. Everybody knows that every ship that carries a cargo abroad is obliged to take a war risk. Everybody knows that every ship that goes abroad is obliged to wait from 20 to 30 days before it can unload, and anybody with any business experience knows that you can not operate a ship of any size, whether it be lying at the dock or sailing on the sea, for less than about $1,000 a day. Now, everybody must realize there are no cargoes to come back, so that a ship leaving an American port for a European port with a cargo must add to the freight charge for the carrying of that cargo not only the cost of moving the cargo from America to Europe, but for every day's delay while waiting for an opportunity to unload and for the operation of the ship on the return voyage without a dollar's worth of freight on board. Now, if the Government of the United States can go into the eleemosynary business, taking the money out of the pockets of the overburdened idle people of America to run a philanthropic institution, and carry freight for half what it costs and tax the people to make up the loss, it is time that somebody somewhere had the courage to protest against the enactment of such a scheme.

Mr. FESS. Mr. Chairman, this paragraph carries an appropriation of $36,000 and the one preceding carries an appropriation of $45,000, making a sum of $81,000 for these national parks, Gettysburg and Vicksburg. Those two battle fields, from the standpoint of the history of the United States, were really the turning points in the Civil War, and probably the most historical as well as significant of any or all the battles fought in our history. The Vicksburg battle was fought, or the siege finally ended, on July 4, 1863, but the battle ended July 3, while the surrender was not until the next day. The Battle of Gettysburg was fought July 1, 2, and 3, the same month and the same year. The two struggles represent probably the greatest effort on the part of the two soldieries in that great strife, and it seems to me that the Government is doing a magnificent thing in maintaining these two historic battle fields as commemorating places of that great struggle. The Battle of Vicksburg was the culmination, however, of a series of battles, designed to open the Mississippi River, one of the objective points of the Union forces. Grant had fought at Belmont and then, on February 6, 1862, he fought at Fort Henry. One of the most important of the early struggles in the West was the Battle of Fort Donelson, on the 16th of February, where Grant received the surrender of Gen. Buckner, up to that time the largest army to surrender in the New World. Then he fought the Battle of Shiloh on April 6 and 7 of the same year. This contest is known as Pittsburgh Landing and was an important engagement, because of the death of Albert Sidney Johnston. The Battle of Shiloh was followed by the Battle of Iuka, September 19; then the Battle of Corinth in October. From October, 1862, on until the middle of the summer in July, 1863, we saw that great piece of strategy on the Mississippi River in an effort to open the Mississippi River. The upper Mississippi had been opened by Island No. 10, and the lower Mississippi had been opened by the Battle of New Orleans in April, 1862. The siege of Vicksburg almost completed the one great object of the Western Army; only a single strategic point was left, which was surrendered soon after. The campaign in the East, of which Gettysburg was the culmination, commenced on the 4th of April, 1862, by the siege of Yorktown, under McClellan. On the 5th of May was fought the Battle of Williamsburg, where Hooker won the title Fighting Joe. After this the struggle at Hanover Court House took place.

Then, on the last day of May, came the Battle of Fair Oaks, or Seven Pines, where Joseph E. Johnston, one of the great generals of the South, was wounded, and his place was taken by the peerless southern leader, Robert E. Lee. Lee had been already in the service as a subordinate officer, but at this place he comes to the head of the command, and from May 31 and June 1, after the Battle of Fair Oaks, we have this tremendous struggle in the east that will see the Battles of Mechanicsville, Gaines Mill, Savage Station, Fraziers Farm, and Malvern Hill. These were followed by the Battles of Antietam, of Fredericksburg, and of Chancellorsville; and finally the struggle culminated in this great Battle of Gettysburg. At Chancellorsville the daring Stonewall Jackson fell. Antietam is said to have induced the emancipation proclamation. So I say that the Nation is doing a magnificent thing when it makes this annual appropriation to maintain these two great fields as public parks, that generations to come may read the records of valiant service for the Nation we love. The battle field of Gettysburg in some ways is the most remarkable park we have in our Nation. I am glad that the Nation has safeguarded it; that we have not permitted the

trolley line to go across that battle field, although it does go on the outer edges of it. For the convenience of the public, but not for mere profit, there is a system of magnificent boulevards winding through every part of it, passing points of historic significance, where deeds of daring on either side took place. All along either side of the boulevards we find the markers, and if you are inclined to know what occurred at the various parts of the field you may read the history, printed upon these tablets—a fairly complete account, impartially written, so that we know exactly where the various forces of the two armies were located. Aside from these markers are placed all over the field monuments showing the location of troops. Generally, these are placed by States. One place in the park, as everybody here probably knows, is called "The high-water mark of the Rebellion." As you stand in front of it you read, as it appears in a tablet in the form of an open book, of the remarkable effort of Pickett as he undertook to make this great charge about 4 o'clock in the afternoon of the 3d of July.

It is said that the night before, in the tent of Gen. Lee, a plan was arranged whereby some one was to make an effort to break the center of the Union Army. Two days of severe fighting had ended, one in favor of the Confederate and the other, the second day, in favor of the Union forces. The general in command of the Confederate lines sought to break the Union center, held by Meade with Hancock, who on the second day was wounded. Between the timber, where Gen. Lee was located with his headquarters, and the clump of bushes as Lee's objective stood the barn which played an important part, as it served to divide his forces on the march. It is said that when the general asked for some one to make this daring effort, Gen. Longstreet felt that it would be an assured defeat, and was not in favor of attempting it. Gen. Pickett—who, by the way, was appointed, as I recall, to West Point by President Lincoln when Mr. Lincoln was a Member of this House in 1846—had just arrived with his troops, fresh, not yet having been in the actual fight. He wanted to make the charge. I believe that the description of it that has been given by Mrs. Pickett, known as the child bride of the Confederacy, who had gone through this war with her husband, Gen. Pickett, is one of the most graphic and interesting accounts in all military history. When you stand at the Bloody Angle near the small clump of bushes, the objective point of that gallant band, and hear men who are conversant with what took place describe the heroism that they witnessed at that particular spot on both sides of the struggle, the Blue and the Gray, there is not a man, North or South, that does not feel proud that he is a citizen of the American Nation. [Applause.] I think it is a very wise thing to make this appropriation for those two battle fields as well as for the other battle fields provided for in this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For improvement, care, and maintenance of various reservations, including maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles to be used only for official purposes, $30,000.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 65, in line 9, after the word "of" insert the words "one horse-drawn and."

Mr. FITZGERALD. Mr. Chairman, the officer in charge of the public buildings and grounds of Washington has a horse-drawn vehicle as well as two motor-propelled passenger-carrying vehicles mentioned in this paragraph, and this is to make it possible to maintain that vehicle under this appropriation.

Mr. MANN. What is the amendment?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For care and improvement of the portion of Potomac Park east of the railroad embankment, $10,000.

Mr. MANN. I move to strike out the last word. May I ask what is intended to be done with that portion of Potomac Park east of the embankment? There was some discussion in the papers, at least, and I think among the officials, of a proposition to provide various kinds of park playgrounds over there.

Mr. FITZGERALD. They intend to put in some baseball diamonds this year, and they propose some tennis courts. That is all that will be done at this time.

Mr. MANN. While I do not play tennis, I have noticed with great pleasure that they have put a lot of new tennis courts in west of the Washington Monument grounds, along the roadway there.

Mr. FITZGERALD. They have 15 or 16 courts there, which are occupied continuously during the time that the season is open.

Mr. MANN. Yes.

Mr. FITZERALD. The hope is that eventually Potomac Park will be provided with facilities to be the great recreation center of the city of Washington. A portion of the embankment is particularly well adapted to that purpose. An attempt is being made at present to have the street railroad company run tracks around there, so as to provide some facilities of access to persons who are not able to have their own conveyances.

Mr. MANN. I think it is very desirable to have a street car line of some sort to carry passengers there. But where is the street car line to run? The gentleman said around the embankment.

Mr. TOWNSEND. Under the bridge.

Mr. MANN. Where is it expected that the street car line may be put?

Mr. FITZGERALD. The gentleman will recall——

Mr. MANN. I know the exact situation there fully, as far as the grounds are concerned.

Mr. FITZGERALD. It is to run around the embankment, to make a loop.

Mr. MANN. Is it to go up to the river on one side and come back on the other?

Mr. FITZGERALD. No; not as far as the river, I think, but to make a loop in there.

Mr. MANN. Just to get to the nearest portion of the park, I take it.

Mr. FITZGERALD. Just around the railroad embankment.

Mr. MANN. They can not get in on the east side of the embankment.

Mr. FITZGERALD. It is hoped to provide facilities so that persons who desire to do so can come right into the park.

Mr. MANN. They can come in on the west side on the street car line now.

Mr. FITZGERALD. In the various plans discussed it was proposed eventually, if it met with the approval of Congress, to erect there a shelter—a house which would afford accommodations for persons participating in games—and to have facilities appropriate for such purposes. It was thought it would be possible, if Congress approved, to establish a public golf course, a number of baseball diamonds, a number of tennis courts, places for croquet, and other out-of-door sports. And while no attempt is to be made to expend any large sum of money at any one time, it is thought that by degrees these facilities may be provided at very small expense, so that the city may utilize a very desirable public place for public amusement purposes. I think it would be a great boon to Washington to have such a recreation place in one of the most delightful parts of the city, and it would be an improvement that would probably meet with the approval of the people of the country generally. The sentiment of communities has changed largely in recent years, and more and more the feeling is growing that the public parks should be used for recreation purposes.

It is to be hoped that by degress the Potomac Park will be utilized in the manner most desirable.

Mr. Chairman, the House is to recess at 5.30, and I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21318, the sundry civil appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURGESS, indefinitely, on account of illness of his wife.

To Mr. THACHER, for six days, on account of important business.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.;

H. R. 20818. An act to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; and

H. R. 20933. An act extending the time for completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912.

SPEAKER PRO TEMPORE FOR THIS EVENING.

The SPEAKER. The Chair will appoint the gentleman from Indiana [Mr. PETERSON] to preside as Speaker pro tempore to-night.

INCREASING PRICES AND COSTS.

Mr. J. I. NOLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement by the Hon. CHARLES A. LINDBERGH before the Commission on Industrial Relations in the city of New York, February 5, 1915, on the subject of increasing prices and costs, and suggesting a remedy.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing a speech by the gentleman from Minnesota [Mr. LINDBERGH] before the Commission on Industrial Relations in the city of New York, February 5, 1915. Is there objection?

There was no objection.

RECESS.

The SPEAKER. Under the order of the House, the House stands in recess until 8 o'clock to-night.

EVENING SESSION.

The recess having expired, the House was called to order by the Speaker pro tempore, Mr. PETERSON, at 8 o'clock p. m.

THE PRIVATE CALENDAR.

The SPEAKER pro tempore. Under the special order, the Clerk will call the bills on the Private Calendar, beginning with Calendar No. 405.

Mr. POU. Mr. Speaker, I ask unanimous consent that gentlemen be given the opportunity to object after the title of the bill is read, and then, if they desire to object again after the bill is read, they will have that opportunity also. That has been the custom that has usually been adopted recently, when we have been proceeding in this way by unanimous consent.

The SPEAKER pro tempore. Without objection, it will be so ordered. The Clerk will report the first bill on the Private Calendar, beginning with No. 405.

MANDAN TOWN AND COUNTRY CLUB.

The first business on the Private Calendar was the bill S. 5254, authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to the Mandan Town and Country Club, of Mandan, N. Dak., at a price of not less than $30 per acre, the below-described land: In section 33, in township 139 north, of range 81 west, of the fifth principal meridian, beginning at a point 1,120 feet due east from the northwest corner of the southeast quarter of said section 33; thence running due south 400 feet; thence running due east 300 feet; thence running due north 400 feet; thence running due west 300 feet to the starting point, containing 2¾ acres, more or less: *Provided*, That if the said Mandan Town and Country Club should at any time attempt to use said tract of land for any other purpose than that of recreation or attempt to sell, lease, or convey said tract, the land shall revert to the United States.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, as I understand the Government paid $30 an acre for this land at what time?

Mr. NORTON. About three years ago.

Mr. MANN. That is, they paid $30 an acre for a tract of land including this land?

Mr. NORTON. Yes; 160 acres in all. This tract of 160 acres of land was, I believe, donated to the Government by citizens of Mandan.

Mr. MANN. The report says that the Government paid that for it. Of course I do not know what the facts may be.

Mr. NORTON. The whole tract is included in the land set apart for the Northern Great Plains Experiment Station, located near Mandan, N. Dak.

Mr. MANN. The gentleman says the citizens there purchased the land?

Mr. NORTON. Yes; I am under that impression.

Mr. MANN. And donated it to the Government?

Mr. NORTON. Yes.

Mr. MANN. The report, then, is incorrect when it says that the price paid by the Government was $30 an acre?

Mr. NORTON. I do not understand that that is the way the Government at first secured title.

Mr. MANN. Is this land worth any more or less than the average of the land?

Mr. NORTON. This particular tract lies along on the south side of the Heart River, about three-quarters of a mile from the Northern Pacific depot in Mandan. It is about a quarter of a mile directly north from the experiment-station buildings. It is rough, hilly land. It is not suitable for use by the experiment station. Last spring I went over this particular tract of land with Mr. Peterson, who is in charge of the station, and examined it very carefully. At that time Mr. Peterson stated that the station had other grounds sufficient for its use, and that he did not believe that the station would ever have use for this particular tract on account of its topography and the very poor character of its soil. He was very much in favor of having it transferred to the Town and Country Club, which has a tract of land for its club grounds just across the river and directly north of this small tract.

Mr. MANN. The title of this land is not in the Agricultural Department?

Mr. NORTON. No; the title of the land is in the United States.

Mr. MANN. It is under the Department of Agriculture?

Mr. NORTON. Yes; it is under the supervision of the Department of Agriculture.

Mr. MANN. In some cases it would be the Secretary of Agriculture that would make the deed if a deed were made. I notice the bill provides that the Secretary of the Interior, who, it is true, usually makes deeds to Government lands, is to make the deed to this land.

Mr. NORTON. Mr. Speaker, I will say to the gentleman that last spring I took up this particular question with the Secretary of Agriculture, with the Secretary of the Interior, and with the Attorney General. I asked the Attorney General and the Secretary of the Interior and the Secretary of Agriculture whether the bill should provide that the transfer be made by the Secretary of the Interior or by the Secretary of Agriculture. The Attorney General wrote me to the effect that either the Secretary of Agriculture or the Secretary of the Interior might transfer this title, and that perhaps, according to custom, it would be best to have the authority to make the transfer given to the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I want to ask the gentleman a question. When was this land purchased by the Government?

Mr. NORTON. About three years ago.

Mr. CLARK of Florida. From whom was it purchased?

Mr. NORTON. As I now recall that matter, the land was purchased by the citizens of Mandan and donated to the Federal Government.

Mr. CLARK of Florida. That is not in keeping with the report of the committee. The committee reports that the bill provides that the land out of which this land shall be sold shall not be at less than $30 per acre, the price paid by the Government at the time of establishing this station.

Mr. NORTON. I understand that, but I doubt whether that is altogether correct. It may be that the citizens purchasing this land for the experiment station were subsequently partly reimbursed. However, I think that that is quite immaterial as far as the transfer provided for in this bill is concerned.

Mr. CLARK of Florida. What improvements have been put upon it by the Government since its purchase?

Mr. NORTON. No improvements whatever. The Mandan Town and Country Club desires this particular tract of land for the purpose of building its clubhouse upon it. This tract of land is higher and is a much more sanitary, pleasing, and beautiful site for the location of a clubhouse than is the land just north of the river now owned by the Town and Country Club.

Mr. CLARK of Florida. Two and three-quarter acres of land will not make a very extensive country club.

Mr. NORTON. Well, the Town and Country Club owns about 10 acres just north of this——

Mr. CLARK of Florida. I see.

Mr. NORTON. North of the river; the members of the Town and Country Club plan to construct a footbridge across the river, which at that point is probably 60 or 70 feet wide.

Mr. CLARK of Florida. When did the gentleman say the Government bought it?

Mr. NORTON. Well, the Government acquired title to it about three years ago. The northern great plains experiment station has been built up out there during the last three years.

Mr. CLARK of Florida. Does the experiment station own any other property adjoining it?

Mr. NORTON. Yes, sir. In connection with the State agricultural college they have 160 acres of school land, but the title to that is in the State of North Dakota. It is being used by the experiment station there in the work it is now doing.

Mr. CLARK of Florida. Is this part of the purchase of more land or was this particular tract bought by itself?

Mr. NORTON. It is part of a 160-acre tract that was transferred to the Federal Government for an experiment station. The station has 320 acres altogether that it is now using in its work.

Mr. CLARK of Florida. I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. NORTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I suggest that instead of gentlemen asking to reconsider bills and lay that motion on the table, at the end of the session the gentleman from North Carolina [Mr. POU] make that request for all the bills and save that time.

SARAH A. CLINTON AND MARIE STEINBERG.

The next business in order on the Private Calendar was the bill (S. 604) for the relief of Sarah A. Clinton and Marie Steinberg.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah A. Clinton the sum of $400 and to Marie Steinberg the sum of $400, in repayment of the purchase money paid in such amounts to the Department of the Interior by the said Sarah A. Clinton and the said Marie Steinberg, respectively, in connection with timber and stone entries made by the said parties and subsequently relinquished by them, the said entries being particularly described as follows:

Timber and stone entry of Sarah A. Clinton, No. 6,011; Lewiston, Idaho, serial No. 32; for the southeast quarter of section 25, township 40 north, range 3 east, Boise meridian.

Timber and stone entry of Marie Steinberg, No. 6,010; Lewiston, Idaho, serial No. 030; for the north half of the southeast quarter and the north half of the southwest quarter of section 11, township 39 north, range 3 east, Boise meridian.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

VIRGINIA MILITARY INSTITUTE, LEXINGTON, VA.

The next business in order on the Private Calendar was the bill (S. 544) for the relief of the Virginia Military Institute, of Lexington, Va.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

REFERENCE OF CERTAIN CLAIMS TO THE COURT OF CLAIMS.

The next business in order on the Private Calendar was House resolution 591.

The Clerk read as follows:

Resolved, That the claims of—

ALABAMA.

H. R. 10578. Stokes, Dr. J. W.;
H. R. 3748. Ware, James H., estate of;

ARKANSAS.

H. R. 14211. Sleeker, George W., heirs of;
H. R. 18140. Stewart, John E., heirs of;
H. R. 17600. Youree, Mary A., legal representatives of;

FLORIDA.

H. R. 18278. Simes, Squire;

GEORGIA.

H. R. 18267. Cassville Female College, trustees of;
H. R. 18268. Pea Vine Church, Walker County, trustees of;
H. H. 18270. Pea Vine Academy, Walker County, trustees of;
H. R. 18269. New Hope Baptist Church, of Bartow County;

IDAHO.

H. R. 18262. De Atley, E., & Co.;

KENTUCKY.

H. R. 18109. Asher, John, heirs or estate of;
H. R. 18061. Butler, Richard, heirs of;
H. R. 18019. Engleman, John H., administrator of the estate of John Engleman, deceased;
H. R. 18018. Riffe, Jesse P.;
H. R. 14729. Robertson, Mary H. S., estate of;

MISSISSIPPI.

H. R. 17978. Sudduth, Flora E. Campbell, administratrix of the estate of Walter L. Campbell, deceased;
H. R. 17998. Evergreen Lodge, No. 77, Free and Accepted Masons, of Decatur;
H. R. 17996. Methodist Episcopal Church South, of Decatur;
H. R. 17997. Sageville Methodist Episcopal Church South, of Sageville, Lauderdale County;

MISSOURI.

H. R. 18093. George, J. W., heirs of;
H. R. 17989. County of Barton;

NEW YORK.

H. R. 18062. Willsey, Joseph H.;

NORTH CAROLINA.

H. R. 18242. Cape Fear & People's Steamboat Co.;
H. R. 18241. Lutterloh, Thomas S.;
H. R. 17990. St. Paul's Lutheran Church, of Wilmington;

SOUTH CAROLINA.

H. R. 18231. Feininger, Adolphus, heirs of;
H. R. 18283. Hubbard, Lenora C.;

TENNESSEE.

H. R. 16922. Anderson, John F., legal representatives of;
H. R. 10649. Baker, Isaac W., legal representatives of;
H. R. 10650. Bloodworth, Wilson, legal representatives of;
H. R. 10468. Boulton, A. D., legal representatives of;
H. R. 15180. Brinkley, Hugh L., and Annie Brinkley Snow, heirs of the estate of;
H. R. 10647. Chipman, Joseph, legal representatives of;
H. R. 10651. Harlin, Alexander, legal representatives of;
H. R. 17985. Jackson & Adams, heirs of;
H. R. 18108. Jameson, David, heirs or estate of;
H. R. 16627. Jones, Reuben S., and William N. Brown, legal representatives of;
H. R. 10645. Kimbro, Samuel, heirs of;
H. R. 10648. Nance, William E., legal representatives of;
H. R. 18107. Robinson, James A., estate of;
H. R. 18299. Roth, Joseph;
H. R. 18300. Roth, Joseph;
H. R. 10472. Staeker, Thomas, estate of;
H. R. 17986. Tynes, A. J., estate of;
H. R. 17984. Woods, Yeatman & Co, legal representatives of;
H. R. 18272. Boiling Fork Baptist Church, of Cowan, trustees of;
H. R. 18008. Missionary Baptist Church, of Toone;

TEXAS.

H. R. 18155. Harrison, Jennie McC.;

VIRGINIA.

H. R. 18289. Curtis, Samuel G. and Elizabeth G., heirs at law of;
H. R. 18288. Hosier, Mary Ann;
H. R. 18261. Mix, Charles E., legal representatives of the estate of;
H. R. 18186. Carmel Baptist Church, Caroline County, trustees of;
H. R. 18306. Shelby Lodge, No. 162, Ancient Free and Accepted Masons;
H. R. 18181. Lebanon Evangelical Church, of Shenandoah County, trustees of;
H. R. 18187. Urbanna Episcopal Church, Middlesex County, trustees of;

WEST VIRGINIA.

H. R. 18259. Collett, A. J.;
H. R. 18260. Corrick, L. D.;
H. R. 18264. Reece, J. A., heirs of;

with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary." (Public act No. 475, 61st Cong., 2d sess., p. 1138.)

The committee amendment was read, as follows:

Page 4, strike out lines 5 and 6.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the committee amendment was agreed to.

The resolution as amended was agreed to.

CAPT. FRANK KINSEY HILL.

The next business in order was the bill (H. R. 17954) for the relief of Frank Kinsey Hill, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

CAPT. JOHN HENRY GIBBQNS.

The next business in order on the Private Calendar was the bill (H. R. 17985) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

FREDERICK H. LEMLY.

The next business in order on the Private Calendar was the bill (H. R. 16823) to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

HEIRS OF THOMAS ROGERS.

The next business in order on the Private Calendar was the bill (H. R. 8013) for the relief of the heirs of Thomas Rogers, deceased.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Thomas Rogers, deceased, late postmaster at Sheffield, Jackson County, Mo., the sum of $147.95, for postage stamps stolen from his office on the night of October 25, 1893.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I object.

CHESTER D. SWIFT.

The next business in order on the Private Calendar was the bill S. 1880, an act for the relief of Chester D. Swift.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chester D. Swift, of Canton, Ohio, or his legal representatives, the sum of $1,100, as full compensation for permanent injuries received by the said Chester D. Swift on or about the 15th day of September, 1910, while in the performance of his duties as a clerk in the Post Office Department, employed and assigned to duty in the Canton (Ohio) post office.

The SPEAKER pro tempore. Is there objection?

Mr. CLARK of Florida. I object, Mr. Speaker.

Mr. WHITACRE. I hope the gentleman will withdraw his objection for a moment, please.

The SPEAKER pro tempore. Does the gentleman from Florida [Mr. CLARK] reserve his objection?

Mr. WHITACRE. May I ask the gentleman to withdraw the objection for a moment until I make a statement in respect to this case?

The SPEAKER pro tempore. Will the gentleman from Florida withhold his objection?

Mr. CLARK of Florida. Mr. Speaker, there is a bill on this calendar, if I may make a statement, for the payment to the Virginia Military Institute of a sum of money for damage and destruction of its library, scientific apparatus, and the quarters of its professors, and it has been objected to. I know it is absolutely just and proper, and I shall object to all these bills if that objection stands.

The SPEAKER pro tempore. Does the gentleman from Florida object?

Mr. CLARK of Florida. I did.

Mr. POU. Mr. Speaker, with the permission of the House, I would like to make a statement concerning this session of the House. There are a good many bills on the calendar in which gentlemen on both sides of the Chamber are quite deeply interested. This is an unusual session of the House. There is no opportunity to debate bills. The session was granted for the sole purpose of considering bills to which no gentleman would object. It was for the purpose of eliminating those bills which are so well understood that there would be no objection by anybody. I had hoped there would be an opportunity to consider and act upon debatable bills, but it seems we are not to have such opportunity. It has not been a very easy matter to secure consideration for these bills that we are considering now. It is late in the session, and it was the hope of the Committee on Claims, at least, both Democrats and Republicans, who have done a great deal of work, and have done a great deal of investigating, that gentlemen would not treat us in this manner. We have tried to be absolutely fair and absolutely nonpartisan. Such a thing as any political consideration has never entered the door of the committee room since I have been there. We have all tried to do the best we could to accommodate both sides of the House and put bills on the calendar which our colleagues are pressing, and I do not think it is treating the committee with perfect fairness for gentlemen to object, unless they feel that the bills objected to ought not to pass. I submit it is not treating one of the active committees of the House justly for gentlemen to object to its bills because some other bill has been objected to, and I hope my friend from Florida will not insist upon his objection.

Mr. CLARK of Florida. Does not my friend from North Carolina [Mr. POU] think he ought to lecture somebody else instead of me?

Mr. POU. I hope I am not lecturing anybody; I would not presume to do that and trust what I have said will not be so construed. I am asking gentlemen not to treat the committee in that manner.

Mr. CLARK of Florida. I have not a bill on this calendar in which I am interested or in which any constituent of mine is interested. But if that be the game, I do not see why one should pass without the other. Here is a bill involving the destruction of valuable apparatus and books, a very meritorious case, and it is objected to without an explanation.

Mr. POU. The gentleman has been here a long time, and there are a great number of bills that gentlemen are going to object to because some of them have not had time to look into them. It does not seem to me the gentleman should object to all the bills reported from the Committee on Claims, a committee that has tried to do honest work, and not let any of the bills pass because some particular bill has been objected to.

Mr. CLARK of Florida. Mr. Speaker, I think the House is entitled to some explanation when an objection is made to a bill of that character. I think gentlemen might at least reserve the objection and give those who know something about the bill an opportunity to explain it. But to just ruthlessly object to bills without an explanation——

Mr. STAFFORD. Will the gentleman yield?

Mr. CLARK of Florida. Yes; if I have the floor. I did not think I had.

Mr. STAFFORD. In the case instanced by the gentleman, did anybody desire the gentleman who made the objection to reserve his objection so that the claim might be presented to the House?

Mr. CLARK of Florida. I did not hear anybody do it. But I want to say this: This matter has gone on, and when one Member objects that settles it, and such bills go through as certain Members want and those they do not want do not go through. Now, it is unfair to make fish out of one and fowl out of the other. We ought to have a square deal here and let these matters be considered upon their merits. If they ought to pass, they ought to pass.

If they ought not to pass, then they ought to be defeated. That is all there is about it. But I am not going to be mean about it. I am not going to do what others have done. I will withdraw the objection to this bill.

The SPEAKER pro tempore. The gentleman withdraws his objection. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CHRIS KUPPLER.

The next business in order on the Private Calendar was the bill (S. 2304) for the relief of Chris Kuppler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Chris Kuppler, of Seattle, Wash., the sum of $2,137.21, and said sum of $2,137.21 is hereby appropriated out of any money in the Treasury not otherwise appropriated, in payment of the amount withheld from him as liquidated damages under a certain contract for the construction of the United States executive mansion, at Juneau, Alaska, entered into by and between the duly authorized officer of the Treasury Department, representing the United States of America on the one part, and the said Chris Kuppler on the other part, dated August 1, 1912.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

FREDERICK H. LEMLY.

The next business in order on the Private Calendar was the bill (S. 3561) to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Frederick H. Lemly a passed assistant paymaster on the active list of the Navy, to take the same rank and position on the list of passed assistant paymasters that he occupied on March 5, 1908 (the date upon which his resignation as a passed assistant paymaster in the Navy was accepted): *Provided*, That the said Frederick H. Lemly shall establish to the satisfaction of the Secretary of the Navy by the usual examinations required for promotion to the grade of passed assistant paymaster his fitness in all respects to perform the duties thereof: *Provided further*, That the said Frederick H. Lemly shall be carried as additional to the number of the grade to which he may be appointed or at any time thereafter promoted: *And provided further*, That nothing in this act shall be construed as entitling said Frederick H. Lemly to any pay or allowances from the date of the acceptance of his resignation herein referred to and the date of the passage of this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. GARRETT of Tennessee. Will the gentleman reserve his objection for a moment, to allow me to ask a question?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. Is this one of the line of cases similar to those that the gentleman objected to a few moments ago?

Mr. MANN. It is; and while I do not know that it is covered by the naval bill—I see that it is not. This is a resignation; but it is along the same line.

Mr. GARRETT of Tennessee. The former cases were plucking-board cases, were they not?

Mr. MANN. Not all of them.

Mr. GARRETT of Tennessee. I mean Nos. 411 and 412 on the Private Calendar, to which the gentleman objected.

Mr. MANN. I do not recall now whether those were plucking-board cases or not.

Mr. STAFFORD. They were.

Mr. GARRETT of Tennessee. They were covered, in a measure, by the provision in the naval bill, were they not?

Mr. MANN. I assume so; but that was not the reason I objected.

Mr. GARRETT of Tennessee. The gentleman has a general objection to these cases?

Mr. MANN. I do not believe it is the province of the legislative branch of the Government to restore men to the Army and the Navy as a matter of special favoritism. That is the ground of my objection. I do not object to general laws on the subject. In fact, I think this, as a particular case, has a good deal of merit.

The SPEAKER pro tempore. The gentleman from Illinois objects.

JOHN T. HAINES.

The next business in order on the Private Calendar was the bill (S. 543) to correct the military recorod of John T. Haines.

The bill was read, as follows:

Be it enacted, etc., That John T. Haines, deceased, who was a captain in the Eleventh Regiment United States Cavalry, and who was nominated by the President for appointment as major of Cavalry to rank from the 3d day of March, 1911, said nomination being confirmed by the Senate after the death of said Haines, which occurred after his nomination, shall hereafter be held and considered to have become a major of Cavalry in the service of the United States on the 3d day of March, 1911, and to have held that office until the date of his death; and the President is hereby authorized to issue a commission as major of Cavalry in the name of John T. Haines with rank to date from March 3, 1911.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman from Illinois if this is not a special proposition?

Mr MANN. No; this is a case where a man was nominated for an advanced rank which he had earned, and there was some delay in his confirmation, and before he was confirmed he died. This simply gives him the commission as of the date of his nomination to the rank which he had earned. That is the distinction.

Mr. HAY. It helps the widow.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

CLIFFORD HILDEBRANDT TATE.

The next business in order on the Private Calendar was the joint resolution (S. J. Res. 137) to reinstate Clifford Hildebrandt Tate as a cadet at the United States Military Academy.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. GREENE of Vermont. Will the gentleman withhold his objection for a moment?

Mr. MANN. I will withhold the objection.

The SPEAKER pro tempore. The gentleman reserves his objection.

Mr. GREENE of Vermont. I should like to invite the attention of the gentleman from Illinois to the fact that this case, as set out in the report, is that of a young cadet whose application to be turned back in the next class in the academy by reason of failure in academic studies was denied. The report invites attention to the result of similar cases, in which other cadets were interested at that time, which cadets were given the opportunity that is now by this bill proposed for Cadet Tate.

Now, in a letter from the Superintendent of the United States Military Academy at West Point to Senator TILLMAN he sets out in the case of another cadet whose case was before this body some time ago that "there is no part of our instruction more important to that end than discipline and obedience to regulations," and the report submitted to accompany this Senate joint resolution says that Cadet Tate was particularly efficient and had a high rating in military conduct and discipline, and it is thought by the committee that he might therefore be given another opportunity to make up for his deficiency in the academic course.

Mr. MANN. Mr. Speaker, I will say to the distinguished gentleman from Vermont that here is a case where Cadet Tate, of West Point, failed in his studies. It was within the power of the authorities at the academy to put him back into the next class or dismiss him. I can not see how it is practicable for this legislative body or any other to determine, when a cadet at West Point fails in his studies, whether he shall be dismissed or put back into another class. It is perfectly evident that if Congress should attempt to restore every boy who fails in his studies at the Military Academy, if it was given out that we would undertake to cover that subject, we might be kept busy, but would not do much justice.

Of course, I appreciate the desire of the boy to finish out his course at the Military Academy. That is commendable; but, after all, I do not see how Congress can undertake to say whether a boy is competent to go ahead as a student at the academy and become a military officer. This boy may be perfectly competent; I will assume that he is; but I do not think it is our province and I do not think we ought to commence the practice.

Mr. GREENE of Vermont. I only invited attention to the fact that this young man seems to have qualified in all the other essentials that go to make a soldier and a military man. Several men in history who were great officers, who were more or less important in times past, have failed in their requisites at the academy.

Mr. MANN. Undoubtedly. Some people who fail in examinations make students and officers thereafter; but that is something to be considered by the officials at the academy and not by Congress. Since my friend from Vermont has called attention to this case, I had already read the report and have done everything in my mind to influence my judgment, but with some degree of stubbornness I adhere to my judgment, and I am not willing to allow the bill to pass by unanimous consent.

The SPEAKER pro tempore. The gentleman from Illinois objects.

ISAAC BETHURUM.

The next business on the Private Calendar was the bill S. 5970, an act for the relief of Isaac Bethurum.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Isaac Bethurum, who was a private of Company B, Fifteenth Regiment Kansas Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 17th day of October, 1865: *Provided*, That no back pay, bounty, or pension shall accrue to him prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE P. CHANDLER.

The next business on the Private Calendar was the bill (S. 1703) for the relief of George P. Chandler.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws George P. Chandler, who was a private in Company F, One hundred and ninety-first Regiment Pennsylvania Infantry Volunteers, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 27th day of September, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

Mr. MANN. Mr. Speaker, we usually carry in these bills a provision that no back pay, allowances, or other emoluments shall accrue by reason of the passage of this act. This bill provides that no pension shall accrue by the passage of the act, and none would accrue anyhow.

Mr. HAY. Mr. Speaker, this is a Senate bill, and I see that the Military Committee reported it without amendment. I do not think from what I know of this case that the man would be entitled to any back pay anyway. I would not like to have the bill amended under the present circumstances.

Mr. STAFFORD. The present circumstances are very favorable since the adjournment of the Senate to-night.

Mr. HAY. I do not know whether the circumstances are favorable to this bill going back or not.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES RICHTER.

The next business on the Private Calendar was the bill (S. 145) for the relief of Charles Richter.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Charles Richter, alias Herman Wittman, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company K, Thirty-fifth Regiment Wisconsin Volunteer Infantry: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

BYRON W. CANFIELD.

The next business on the Private Calendar was the bill (S. 1044) for the relief of Byron W. Canfield.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Byron W. Canfield, late captain Company E, One hundred and fifth Regiment Ohio Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States on the 30th day of January, 1863: *Provided, however*, That no pension, bounty, pay, or other pecuniary emolument shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES M. CLARK.

The next bill on the Private Calendar was the bill (S. 2882) for the relief of Charles M. Clark.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Charles M. Clark, who was a private of Company G, Third Regiment Michigan Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 17th day of October, 1863: *Provided*, That other than as above set forth no pay, bounty, pension, or other emoluments shall accrue by virtue of the passage of this act.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to strike out the last word. The Committee on Military Affairs has been very careful, as a general rule, in reporting these bills. I appreciate the conditions that exist, possibly, in reporting a number of Senate bills. The committee used to insert in all of these bills a provision that there should be no back pay, bounty, or other emolument allowed by reason of the passage of the bill, the intention being to confer a pensionable status. The bill provides that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, and so forth, and then follows with a proviso to the effect "that other than as above set forth no pay, bounty, pension, or other emolument shall accrue by virtue of the passage of this act."

Having conferred all of the benefits that any law would confer, then they provide an alternative. This is a Senate bill. Of course, the proviso means absolutely nothing, and I suppose it was inserted in a sloppy way in the other body by inadvertence and not by design, though some skillful man might insert such a provision by design, to give it the appearance of providing what he wanted, when it did not provide anything.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A. J. HENRY.

The next business on the Private Calendar was the bill (H. R. 18166) to correct the military record of A. J. Henry.

The Clerk read the bill, as follows:

Be it enacted, etc., That A. J. Henry, who enlisted in Company B, Eleventh Regiment Illinois Volunteer Infantry, and who was commissioned second lieutenant by the governor of Illinois on July 3, 1865, shall hereafter be held and considered to have been mustered out from the military service of the United States with the rank of second lieutenant.

With the following committee amendments:

Line 7, after the word "been," insert the words "mustered in and," and on line 9, at the beginning of the line, insert the words "upon said date," so that as amended the bill will read: "shall hereafter be held and considered to have been mustered in and mustered out from the military service of the United States upon said date with the rank of second lieutenant."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman withhold his objection?

Mr. MANN. I will withhold the objection for a moment.

Mr. YOUNG of North Dakota. I would be glad if the gentleman would indicate what objection he has to the passage of this bill.

Mr. MANN. Here is a man who was given a commission as lieutenant. He never received the commission. He never was actually appointed lieutenant. This bill proposes to say that he was a lieutenant. That is falsifying the record. He never was. The bill says he is to be considered as mustered in and mustered out of the rank of second lieutenant. He was not a second lieutenant. Why should we falsify the record and say that he was?

Mr. TAGGART. Mr. Speaker, also reserving the right to object, I would like to ask the author of the bill if it is the purpose of the bill to give the soldier a pensionable status, so that he can draw a pension?

Mr. YOUNG of North Dakota. No. The purpose of the bill is simply to correct his military record along the lines indicated in the bill. There is no charge of desertion against this soldier. He has an absolutely clear record. It is to correct his record, but not for desertion. I should think it would be refreshing to the gentleman from Illinois [Mr. MANN], as well as to all others on this floor, to once in a while consider a bill of this kind to correct the record of a soldier when it is not for the purpose of removing the charge of desertion.

I wish to call the attention of the gentleman from Illinois [Mr. MANN] particularly to the fact that Mr. Henry fought in 37 battles. He served in the Army for over four years, and I wish to call particular attention to the fact that in his discharge papers, as shown here on page 2 of the report, there is the statement that he was discharged by reason of gunshot wounds in the head and the right foot, received in the Battle of Smithfield, N. C., on March 20, 1865. That was one of the last battles of the war. The discharge further states that he is unfit for the veteran reserve corps. When he was discharged from the hospital at New York Harbor he was even at that time unfit for further service, and the report shows that when he left the hospital he left it on crutches. It is true that he did not get mustered in under the commission that had been given to him by the governor of Illinois on account of gallantry displayed on the field of battle, but surely the circumstances of the case will excuse him.

Mr. MANN. Certainly he was not at any fault himself. He has a good record, but I do not think that is any reason why now we should say that he was a second lieutenant, when he was not. Lots of good men serve in the Army who would like to be called second lieutenants.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. NORTON. Is this soldier now receiving a pension?

Mr. YOUNG of North Dakota. Yes; he is receiving a very small pension. This bill will not change his pension. It is not a question of dollars and cents. It is a question of doing justice, even at this late day, to one who rendered great service to his country. I want to say this, that the request for this legislation did not come from this grand old soldier.

He did not ask for this. His sons—splendid young men, who served with honor in the Spanish-American War—asked for it. It seemed to them that their father, who had fought in 37 battles and had a record equaled by very few men who served in the Civil War, should be entitled to this recognition from his country—rather belated, it is true. The act of heroism for which the governor of Illinois extended the honor to him of giving him a commission of second lieutenant was at the Battle of Bentonville—sometimes called Smithfield—North Carolina. He was ordered into and helped lead a charge of his regiment against two lines of Infantry with 19 pieces of artillery. According to the report of Capt. Catlett, the regiment was at one time about to break. The left of the company gave away. Henry was in the front rank on the right. He rushed to the left, rallied the men, and led them to victory. In spite of the fact that he was wounded in the head and in the foot he used his gun for a crutch and stayed with his company. On the way back one of his comrades was found lying beside a log, and in spite of the fact that Henry was wounded he stopped, put this man Jones, his comrade, on his back, and hobbled with him back to the camp, again using his gun for a crutch. When they got back they found that Jones had only a flesh wound, while Henry, who had carried him under great difficulties, had a wound in the foot and in the head, and the foot wound was so serious and so badly swollen that they had to cut his shoe off to remove it. That is the kind of soldier he was. Thank God, no one can rob him of this wonderful fighting record. It seems there would not be any dangerous or improper precedent established by the passage of an act such

as this, and it would be a very proper recognition of a very gallant soldier, one who rendered not only faithful service, but long and distinguished service.

Mr. MANN. The gentleman knows that while everything good could be said about the soldier, yet he was mustered out of the service as an enlisted man before having received the commission. Now, it would be wholly improper for us to falsify the record and say he was a second lieutenant when he was not so in fact; and the fact that he had such good service is not a sufficient reason for our making false history.

Mr. YOUNG of North Dakota. What about these other bills that are passed here from time to time to correct military records where men have deserted?

Mr. MANN. We have not passed such a bill for years, except to say that in the administration of the pension laws a man shall be considered as having been honorably discharged, for the very reason that Congress determined, and so did the executive departments and the President, some years ago, that it would not falsify the records by saying that a man had been honorably discharged when he had not been.

Mr. YOUNG of North Dakota. I call the gentleman's attention to the fact that in this bill we did not use the words "in the administration of the pension laws," and so forth, and I think that is worthy of note. There was no money consideration involved in this. We are not asking Congress to put him in a position where he can pull down some money from the Government; far from it. I hope the gentleman will withdraw his objection.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

MRS. R. S. ABERNETHY.

The next business on the Private Calendar was the bill (H. R. 18572) granting permission to Mrs. R. S. Abernethy, of Lincolnton, N. C., to accept the decoration of the bust of Bolivar.

The Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. R. S. Abernethy, of Lincolnton, N. C., be authorized to accept the decoration of the bust of Bolivar tendered by the Government of Venezuela to her brother, Lieut. Commander Rufus Z. Johnston, United States Navy, and that the Department of State be permitted to deliver the decoration to Mrs. R. S. Abernethy.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, if the Chair will bear with me just a moment, I wish to say that I have objected on several occasions to bills of this character, which propose to authorize an officer of the Government to accept a present or decoration proffered by a foreign Government. The Constitution forbids that being done except by permission of Congress.

In 1910, in a report of the Senate Committee on Foreign Relations, it was shown that there were pending before that committee at that time 150 cases where a decoration or gift had been offered prior to June 23, 1906, and from that down 200 cases where similar requests were pending for decorations or gifts which had been tendered between June 23, 1906, and February 15, 1910, so that up to the 15th of February, 1910, there were 315 cases pending in the State Department, coming within the scope of the Committee on Foreign Relations of the Senate, where it was thought they were cases such as ought to be granted. I reserved the right to object to this bill because it looked to me as though it were picking out one among several hundred—because I believe there are now several hundred in the State Department—and authorizing somebody to accept that gift and not giving the same authority to other people; and it looked like a reflection upon the other people, who did not get the authority. But I am not going to object any more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CAPT. P. H. UBERROTH AND GUNNER CARL JOHANNSON.

The next business on the Private Calendar was the bill (S. 1304) authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government.

The Clerk read the bill, as follows:

Be it enacted, etc., That Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, be, and they are hereby, authorized to accept watches tendered to them by the Canadian Government, through the Department of State of the United States, in recognition of their services in saving the lives of the crew of the wrecked British schooner *S. A. Fownes* on December 16, 1910.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN L. MAILE.

The next business on the Private Calendar was the bill (H. R. 13029) for the relief of John L. Maile.

The title of the bill was read.

Mr. MANN. I object, but I will reserve my objection and let the bill be read.

Mr. STEPHENS of California. Mr. Speaker, John L. Maile is a minister of the gospel, a splendid man, a good citizen, 70 or 71 years of age. He served for four years fighting for his country during the Civil War. His record was a most honorable one, and with permission I will read extracts from his letters, published in the report. They tell the whole story. They are from letters addressed to me, dated October 21, 1913. I read:

THE NEW OLIVET CONGREGATIONAL CHURCH,
Los Angeles, October 21, 1913.

Hon. WILLIAM D. STEPHENS, M. C.,
Los Angeles, Cal.

DEAR SIR: As giving information pertinent to the inclosed request for congressional action, I respectfully submit the following statements illustrative of my services as a soldier of the Civil War:

From the engagement at Port Royal, S. C., on November 7, 1861, to the second day's fight in the Battle of the Wilderness on May 6, 1864, my regiment was in 21 battles. On account of being on detached duty I was absent from three of these conflicts.

In the East Tennessee campaign in 1863, and also in Mississippi, I was bearer of the regimental battle flag, a position at the front of the column and at the extreme right of the line of battle. This flag was a favorite target of the enemy, for it marked the position of the regiment to the Union commander.

In South Carolina I was for a time on special detail in the Naval Signal Corps, and while the regiment was at Annapolis I was a member of the provost guard at Gen. Burnside's headquarters.

When Col. Ely requested me to stand for examination for a commission as an officer I hesitated on account of incomplete education, having enlisted just past 17.

But I was given two weeks for study in tactics, and examination in history and general information was met by the results of previous reading and study.

My experience in five Confederate prisons was exceedingly severe, as indicated in my book entitled "Prison Life in Andersonville." It was Gen. Grant who said that the soldiers who suffered and died in the prisons as truly served their country in so doing as did those who gave up their life on the field of battle.

As compared with other nations, our Government has been exceedingly generous with its citizen soldiery. For one I sincerely appreciate all that has been done in the way of pensions and homes for the old veterans who are in need of such a place of care.

In asking for the fulfillment in my own case of the recommendation of a very able board of military examiners I feel that I am within the trend of action which has distinguished the careful and able work which is being performed by our Representatives in Congress who are especially interested in the survivors of the great Civil War.

Respectfully submitted.

JOHN L. MAILE.

RECORD OF SERVICE.

On September 2, 1861, I enlisted in Company F, Eighth Regiment Michigan Volunteer Infantry, and was mustered out on June 13, 1865. I served with my regiment in the States of South Carolina, Georgia, Virginia, Kentucky, Mississippi, Tennessee, and again in Virginia.

While my regiment was stationed at Annapolis, Md., in April, 1864, request was received from the Secretary of War that a member of this regiment stand for examination for a commission in the service of colored troops. Col. Ralph Ely, commander of the Eighth Michigan appointed John L. Maile to this opportunity.

On May 3, 1864, I passed the required examination before the military board of which Gen. Silas Casey, author of Casey's Tactics, was the president, at Washington, D. C.

The examination concluded, I was instructed by the board to return to my regiment and await orders.

Meanwhile my regiment, with the Ninth Army Corps, of which it was a part, had gone from Annapolis to the Rapidan River in Virginia in readiness for the coming great campaign as planned by Gen. Grant. On May 4, 1864, I rejoined my regiment at Rappahannock Station, and on May 6, in the Battle of the Wilderness, I, with a thousand others, was cut off and taken a prisoner.

Soon after my capture orders were received from the War Department at Washington, D. C., for me to proceed to Baltimore for muster in as a second lieutenant in the Twenty-eighth Regiment United States Colored Troops. Being a prisoner in the hands of the enemy, I, of course, could not comply.

My request, respectfully, is that Congress be asked to pass a resolution which shall be filed with the War Department bestowing upon me the rank of second lieutenant in accordance with the findings of the board of examination.

Respectfully submitted.

JOHN L. MAILE.

Mr. Speaker, Mr. Maile is entitled to a pension, ought to have one, but my impression is he is not drawing a pension. He is not asking for any bounty, for any back pay, or for any pensionable status. He has asked, under the wording of the act proposed, as amended by the committee, to be considered as having been a second lieutenant after his commission was sent to the field. It seems to me to be a gratification that we can well give to this old man. It is without any cost whatever to the Government and without despoiling the record in the least.

Mr. MANN. Mr. Speaker, this is not a case of granting a man a pension or a pensionable status. He has that now. He was mustered out, honorably discharged from service as a private from the company mentioned, June 13, 1865, in pursuance of orders from the department for a reduction of the Army. He was a private; he was mustered out as a private. It is true that very likely if he had not been in prison he would have received a commission as second lieutenant. That is a very unfortunate circumstance, but that is no excuse for our falsifying the records of the War Department and say that he was a second lieutenant when he was not a second lieutenant.

Mr. STEPHENS of California. Will the gentleman yield?

Mr. MANN. There are lots of men in the Army who were worthy of being second lieutenants, who earned the place as far as service was concerned, but we can not give them title, because that is making a false record. The gentleman says it does not cost anything. It costs the truth to do it.

Mr. STEPHENS of California. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STEPHENS of California. Mr. Chairman, I think I was right in my statement——

Mr. MANN. I did not deny that.

Mr. STEPHENS of California. I know the gentleman did not mean to challenge my statement. The commission actually went to the field to find the soldier. The soldier was in prison and could not be found and the commission was returned to headquarters, and we are not asking that any record be changed now. There is no falsification of any record whatever. It is only that hereafter the man be considered as having held a second lieutenantcy after having been examined and passed and his commission issued, but never delivered because the soldier was a prisoner of war. Nothing is to come from it except the gratification of an old man who has served this country well, not only in time of battle through four long years of war, but throughout the 50 years since the war as a remarkably worthy citizen of the United States. [Applause.] Mr. Speaker, I have no doubt the bill will pass whenever it comes up for regular passage, but I had hoped it would pass to-night.

Mr. MANN. Oh, the bill says he shall be held as having the rate of second lieutenant. Some gentlemen may not care anything about the truth of history. Of course, history is very often incorrectly written, but this is deliberately falsifying it, and I will not do it, and I object.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

WILLIAM HAM.

The next business in order on the Private Calendar was the bill (H. R. 11839) granting an honorable discharge to William Ham.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause the records of the War Department in the case of William Ham, late of Company F, One hundred and sixty-fourth Regiment New York Volunteer Infantry, to be amended, and to grant him an honorable discharge.

The substitute was read as follows:

Strike out all the matter just read from lines 3 to 17, inclusive, and insert the following:

That in the administration of the laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Ham, who was a private in Company F, Eleventh Regiment Veteran Reserve Corps, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 14th day of November, 1865: *Provided*, That no back pension, back pay, back allowances, or other emoluments shall accrue by reason of the passage of this act.

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. Mr. Speaker, reserving the right to object, I want to know the length of service performed by this man and the facts upon which this proposed relief is asked.

Mr. STAFFORD. It is all set forth in the report.

Mr. FARR. He served three years.

Mr. STAFFORD. The report has been printed for several months.

Mr. LANGLEY. I know that, but I have not read it. On what grounds is the bill based? Why was he not given a discharge?

Mr. FARR. He participated in a number of battles and was wounded.

Mr. LANGLEY. Of course, but what were the circumstances regarding his failure to get a discharge?

Mr. FARR. He had a little quarrel with a superior officer 50 years ago, and was court-martialed and was imprisoned, and has suffered a loss of $10 a month in pension ever since.

Mr. LANGLEY. All right; I will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of William Ham."

AUGUSTUS DUDLEY HUBBELL.

The next business in order on the Private Calendar was the bill (H. R. 13756) for the relief of Augustus Dudley Hubbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing upon the rolls and records of the War Department against the name of Augustus Dudley Hubbell, late of Company C, Third Regiment New York Volunteer Cavalry, and to issue to said Augustus Dudley Hubbell a certificate of honorable discharge from said company and regiment.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That in the administration of the pension laws Augustus Dudley Hubbell shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private in Company C, Third Regiment New York Volunteer Cavalry, on April 4, 1864: *Provided*, That no back pension, back pay, or back allowances shall accrue by virtue of the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

JOHN HEALY.

The next business in order on the Private Calendar was the bill (H. R. 12369) for the relief of John Healy.

The bill was read as follows:

Be it enacted, etc., That in the administration of the pension laws John Healy shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private in Company H, Fourteenth Regiment United States Volunteer Infantry, on August 15, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

With the following committee amendments:

Line 8, after the word "no," insert the word "back."

Line 8, after the word "pension," insert the words "back pay, back allowances, or other emoluments."

Line 10, strike out the words "prior to" and insert the words "by virtue of."

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. Mr. Speaker, reserving the right to object, I desire to know something about this case. I have not had a chance to examine the report. Whose bill is it, and what are the facts?

Mr. MANN. The bill was introduced by the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. LANGLEY. I reserve the right to object until I hear some explanation of the bill. I have had a number of bills of this character, and I think I have presented some of the strongest cases ever presented to the Committee on Military Affairs. Yet I have been unable to get a single one of them before the House. I do not desire to object to anybody else's bill on that account, but I do want to know something about the facts in these other cases, how they manage to get in, and how they manage to get a report from the Committee on Military Affairs.

Mr. MANN. I will say that in this case the man enlisted in 1861 and served until 1865, about the time the war was over, when four or five of them dropped out. I think it was a case where possibly they came home and felt too good and got a little too much spirit.

Mr. LANGLEY. Of course that was an unusually long period of service and perhaps a pardonable cause under the circumstances, but the cases I have in mind had a sufficient length of service to make them equally meritorious from that viewpoint, and they had a much more justifiable reason for not returning. One of them was practically blind.

Mr. FOSTER. It seems to me, from my reading of this report, that it is one of the best cases I have been able to find.

Mr. MANN. This is a really meritorious case. Some of them are not.

Mr. LANGLEY. If the gentleman from Illinois [Mr. MANN] says it is meritorious, I will withdraw the objection. It is such a rare occurrence for him to say that of this class of bills.

Mr. TAGGART. How long did this man serve?

Mr. FOSTER. Until September, 1865.

Mr. TAGGART. He is entitled to an honorable discharge without any action of Congress if he served until September, 1865, provided he served six months honorably before the 1st day of May, 1865.

Mr. FOSTER. He reenlisted.

Mr. MANN. He made application, which was denied on the ground that he did not complete his service, and that it was not established that he was prevented from completing it by reason of disability incurred in the line of duty.

Mr. FOSTER. His father died. He had a brother in the Navy.

Mr. LANGLEY. Most all of the cases I have had brought to my attention were cases of the kind referred to by the gentleman from Illinois [Mr. MANN]; that is, where the soldier could not prove that the disability preventing his return was due to the service.

Mr. MANN. I know nothing about it except what is stated in the report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I move to amend by inserting in line 6, after the words "Company H," the words "First Battalion."

I will say to the gentleman that another amendment is needed to give a correct description of his service, according to the report.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Line 6, after the letter "H," insert the words "First Battalion."

Mr. HAY. I do not think that is necessary.

Mr. MANN. His service is described in the bill as—

A private in Company H, Fourteenth Regiment United States Volunteer Infantry.

It should read:

Company H, First Battalion, Fourteenth Regiment, United States Infantry.

It was not a volunteer regiment.

Mr. HAY. I do not think it is necessary to put in the battalion, because if he was a member of Company H, Fourteenth Infantry, that describes it sufficiently.

Mr. MANN. He was in Company H of the Second Battalion, and also in the First Battalion. He was discharged from Company H of the First Battalion. I think it is necessary to give a correct discription.

Mr. HAY. If he was a member of Company H, Fourteenth Regiment, I think that is sufficient.

Mr. MANN. I will read what the report says:

The records show, however, that one John Healey enlisted July 18, 1861, at Providence, R. I., and was assigned to Company H, Second Battalion, Fourteenth United States Infantry; that he was transferred to Company H, First Battalion, Fourteenth Infantry, April 30, 1862, and was honorably discharged February 15, 1864, as a private; that he reenlisted February 15, 1864, in the same company and regiment, and that he deserted August 15, 1865, at Hart Island, N. Y. He did not thereafter return to his company, although he owed service until February 14, 1867, or report his whereabouts or the cause of his absence to the military authorities of the United States.

Mr. HAY. That is correct; but I never knew that they had two Companies H in the same regiment. I think whoever drew that report was wrong.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, Mr. Speaker, I move to strike out the word "volunteer" in line 7.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the last word. The gentleman from Connecticut is not here. I do not suppose it makes much difference as to how the name is spelled, but in the bill it is spelled "Healy" two or three times and in the report it is spelled "Healey" twelve or fifteen times. I guess we can take chances on that.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES V. WELLS.

The next business on the Private Calendar was the bill (H. R. 13373) to remove the charge of desertion from the military record of Charles V. Wells.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Charles V. Wells, late of Battery C, Fifth Regiment United States Artillery, and grant him an honorable discharge as of such service.

With the following committee amendments:

Strike out all after the enacting clause and insert the following:

That in the administration of the pension laws or other laws conferring benefits upon honorably discharged soldiers of the Civil War, Charles V. Wells, formerly of Battery C, Fifth Regiment United States Artillery, shall be held and considered to have been honorably discharged from said company and regiment on October 6, 1865: *Provided*, That no back pension, back pay, or back allowances shall accrue by reason of the passage of this act.

Amend the title so as to read: "A bill for the relief of Charles V. Wells."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LANGLEY. Mr. Speaker, I would like to have the author of the bill or the chairman of the committee make some statement about the facts of this case, as to the length of service, the circumstances under which the man failed to get an honorable discharge, and so forth. The point I want to get at is what kind of a case you have to have in order to get it through the Committee on Military Affairs.

Mr. MANN. I will say that this man enlisted and served from July 21, 1861, to October 6, 1865.

Mr. LANGLEY. I do not care how long he served. That does not reach the point I have in mind. I want to know why he is entitled to this special legislation.

Mr. TAGGART was recognized.

Mr. STAFFORD. If the gentleman from Kentucky will yield, are the cases that he presented to the Committee on Military Affairs soldiers who deserted before the war was over?

Mr. LANGLEY. I have not the floor; the Chair has recognized the gentleman from Kansas [Mr. TAGGART].

The SPEAKER pro tempore. The gentleman from Kansas has the floor.

Mr. TAGGART. Mr. Speaker, it seems to me from the report that this soldier would be entitled to an honorable discharge without the intervention of Congress. The report says:

It is shown by the records that Charles V. Wells was enrolled July 21, 1861, and was mustered into service July 28, 1861, as a private of Company C, Third Pennsylvania Reserves Infantry, to serve three years. He was discharged from that organization November 19, 1862, to enable him to enlist in Battery C, Fifth United States Artillery. He reenlisted in the last-mentioned organization February 13, 1864, for another term of three years, and he continued to serve until October 6, 1865, when he deserted while on furlough.

Mr. MANN. The report shows that The Adjutant General denied the application for an honorable discharge, and it shows that he deserted while on a furlough because he thought the war was ended.

Mr. TAGGART. Where does the report show that The Adjutant General denied the application?

Mr. MANN. At the bottom of the first page. That is the report of the War Department.

Mr. TAGGART. The report says that he left his command because he believed that the termination of the war also terminated his contract with the Government. If he left his command after the war—May, 1865—he would be entitled to an honorable discharge.

Mr. MANN. The War Department says not in the report. It says that the charge of desertion can be removed only on condition that it shall appear that at the time when he absented himself from his command he was suffering from wounds, injuries, or disease received or contracted in the line of duty, and that he was prevented from returning to his command by reason of such wounds, injuries, or disease before the expiration of his term of service.

The gentleman will remember that this is not a volunteer regiment. Lots of these men enlisted in the regular service. This was a case of enlistment in the regular service, where the man deserted because he thought the war was over.

Mr. TAGGART. The act of 1889 would provide for regular service, would it not?

Mr. HAY. I would say to the gentleman from Kansas that the War Department has ruled that way constantly, and he will find that in all these cases application has been made first to the War Department, and when that department turns it down they come to us. There would not be any purpose in coming to us if the War Department allowed it.

Mr. TAGGART. The report does not show the date on which he separated himself from the service, whether it was after 1865 or not.

Mr. LANGLEY. Mr. Speaker, I could not catch all that the gentleman from Kansas said, but as I understand it, the soldier had a disability which prevented his return to the service, and that disability was not contracted in the service and line of duty. Is that the case?

Mr. HAY. Mr. Speaker, I will say to the gentleman that this is a case where the man served four years, all through the war.

Mr. LANGLEY. It does not make any difference to me whether he served four or two or three years. That is not the point I am trying to get at.

Mr. MANN. If the gentleman will permit, I think I can answer what he is after. The report shows that the man was

ill and the doctor told him that he could get his discharge any time he pleased. As a matter of fact, he preferred to get a furlough, and did, but not feeling well, and thinking the war was over, he never returned to his command. That was in 1865.

Mr. LANGLEY. What does the gentleman think of a case like this? I am speaking now of one of my own cases. The soldier did not contract his disability in the service and in the line of duty, but he went home on a furlough, and after he got home he was attacked with disease of the eyes and became practically blind, and was absolutely unable because of that to return to his command, but he can not prove origin of the disease in the service because it did not so originate, and yet he was charged with desertion for not returning.

Mr. MANN. That sounds to me like a good case.

Mr. LANGLEY. That is what I think, but I have not been able to convince the Committee on Military Affairs that it is, and I have been seven or eight years in trying to do it.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. STAFFORD. I know the gentleman is an energetic gentleman, but has the gentleman ever appeared before the Committee on Military Affairs with that case?

Mr. LANGLEY. Mr. Chairman, I think the gentleman's question is offensive, in view of what has already been said. I said that I have spent seven or eight years at it. I have appeared time and again before the subcommittee, and the last time I tried to appear before the full committee I could not get a hearing.

Mr. MANN. I am sure the gentleman will have it granted in the next Congress.

Mr. LANGLEY. I have been told in each Congress that I would get it in the next Congress.

Mr. STAFFORD. Mr. Chairman, I want to say it was very far from my purpose to be offensive. One could not be offensive to the gentleman, because he is always so genial.

Mr. MANN. May I ask the gentleman a question? How long has he been in the House?

Mr. LANGLEY. Not quite so long as the gentleman from Illinois.

Mr. MANN. I just wanted to make a comparison. I have been here for 18 years, and I never yet have been able to get a bill from the committee, and I have had one here all of that time; and I rather think the committee was right in not reporting it.

Mr. LANGLEY. But in my case I do not think the committee was right in not reporting it. My experience with the committee leads me to fear that if the gentleman stays here the balance of his life he will not get his bill reported.

The SPEAKER pro tempore. Is there objection?

Mr. LANGLEY. I object.

UNITED STATES REGISTRY OF BARK "SIMLA."

The next business on the Private Calendar was the bill (H. R. 17613) authorizing the Commissioner of Navigation to cause the bark *Simla* to be registered as a vessel of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. GREENE of Massachusetts. Mr. Speaker, I object.

TEMPLIN MORRIS POTTS.

The next business on the Private Calendar was the bill (H. R. 12486) for the relief of Templin Morris Potts, captain on the retired list of the United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

CHARLES L. PRITCHARD.

The next business on the Private Calendar was the bill (H. R. 17343) for the relief of Charles L. Pritchard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the accounts of, or to pay, out of any money in the Treasury not otherwise appropriated, to Charles L. Pritchard, of Front Royal, Va., the sum of $3,472.62, being the value of stamps and money taken from his custody as postmaster at Front Royal, Va., by burglars, on July 19, 1913.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES T. PETTY AND OTHERS.

The next business in order on the Private Calendar was the bill (H. R. 13388) for the relief of James T. Petty, Charles W. Church, and others, executors of Charles B. Church, deceased, Jesse B. Wilson, and George T. Dearing.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

GEORGE W. LALAND.

The next business in order on the Private Calendar was the bill (H. R. 19497) to amend the military record of George W. Laland.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, George W. Laland, a resident of Illinois, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company A, Twelfth Regiment Illinois Volunteer Cavalry, on the 7th day of April, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FREDERICK J. BIRKETT.

The next business in order on the Private Calendar was the bill (H. R. 18173) to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM G. KERCKHOFF.

The next business in order on the Private Calendar was the bill (S. 5990) to authorize the sale and issuance of patent for certain lands to William G. Kerckhoff.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to sell and issue patent to William G. Kerckhoff for the following real property situated in the county of Los Angeles, State of California, more particularly described as follows:

Commencing at the quarter corner of section 30, township 2 north, range 7 west, this corner being the northwest corner of the southwest quarter of said section 30, running thence easterly along the north line of said southwest quarter 990 feet; thence at right angles south 330 feet; thence at right angles westerly 660 feet; thence at right angles south 330 feet; thence west at right angles 330 feet to the range lines between range 8 west and range 7 west, San Bernardino base and meridian; thence northerly 574.4 feet to the point of beginning, containing 10 acres of land; on the payment of the sum of $2.50 per acre.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

ARTHUR J. FLOYD.

The next business in order on the Private Calendar was the bill (S. 5497) authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patent to Arthur J. Floyd for section 31, in township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

PATENTS ISSUED TO CERTAIN INDIANS.

The next business in order on the Private Calendar was the bill (H. R. 19376) confirming patents heretofore issued to certain Indians in the State of Washington.

The Clerk read as follows:

Be it enacted, etc., That the patents heretofore issued in the name of Kami Sam, July 22, 1902, for the south half of the northeast quarter, lots 1 and 2, section 6, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Peter Benoy, February 25, 1905, for the southwest quarter section 3, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Anastus Yaksum, widow of Yaksum, February 3, 1908, for the west half of the northwest quarter and the west half of the southwest quarter, section 9, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Ellen Winnier, widow of Tom Winnier, August 1, 1904, for the northwest quarter of section 16, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of Mary Batvia, October 1, 1903, for the west half of the southeast quarter and the south half of the northeast quarter, section 5, township 23 north, range 19 east of the Willamette meridian; and a similar patent in the name of John Harmelt, April 14, 1909, for the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter, section 27, township 24 north, range 19 east of the Willamette meridian; and a similar patent in the name of Madeline, April 9, 1901, for the east half of the south-

west quarter and the southeast quarter of the northwest quarter, section 14, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Dan Nason, August 1, 1904, for the southeast quarter of the southeast quarter, and lot 10, section 22, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of William Nason, August 1, 1904, for the northwest quarter section 26, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Tenas George, December 17, 1901, for lots 7 and 8, section 7, and lots 2, 3, 4, and 7, section 18, township 24 north, range 21 east of the Willamette meridian; and a similar patent in the name of Mary Ann, August 1, 1904, for the northeast quarter of the southwest quarter, and lots 2 and 4, section 26, township 24 north, range 18 east of the Willamette meridian; and a similar patent in the name of Mary Nason, August 1, 1904, for the south half of the northeast quarter and the north half of the southeast quarter, section 22, township 24 north, range 18 east of the Willamette meridian, all situated in the State of Washington, be, and the same are hereby, ratified and confirmed as fee-simple patents without restrictions against alienation as of their dates of issuance.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

GUSTAV HERTFELDER.

The next business in order on the Private Calendar was the bill (S. 1060) fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to enter the reenlistment of Gustav Hertfelder, first-class fireman, United States Navy, as of October 18, 1909, in accordance with the provisions of section 16 of the act of March 3, 1899.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

MATTHEW M'DONALD.

The next business in order on the Private Calendar was the bill (H. R. 11927) for the relief of Matthew McDonald.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws Matthew McDonald shall be hereafter held and considered to have been honorably discharged from the military service of the United States as second-class boy on the *Moose*, United States Navy, October, 1863: *Provided*, That no pension shall accrue prior to the passage of this act.

The committee amendments were read, as follows:

Strike out the word "military" in line 5, page, 1, and insert the word "naval," and strike out the word "October" in line 7 and insert the words "on the 20th day of August."

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

Page 1, line 8, after the word "no," strike out the remainder and insert "back pay, bounty, allowance, or other emolument shall accrue by reason of the passage of this act," so that the line as amended will read: "*Provided*, That no back pay, bounty, allowance, or emolument shall accrue by reason of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES V. WELLS.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 431 (H. R. 13373), a bill to remove the charge of desertion from the military record of Charles V. Wells.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. LANGLEY] asks unanimous consent to return to No. 431.

Mr. LANGLEY. Mr. Speaker, if I may be permitted, since I objected to the consideration of that bill I have learned some facts regarding the case that I did not know at the time I made the objection. I do not desire to leave upon the mind of any Member of this House the impression that merely because I can not get through one of my own bills of the same kind, equally meritorious, I would object on that ground to somebody else's bill. I reserved the objection in order to get the facts of the case, as I had not had the opportunity to read the report. I really did not intend to insist upon the objection, but during the colloquy that followed I perhaps became a little bit provoked and irritated, and finally insisted upon it.

I should deeply regret the consciousness that I had done injustice to anybody, and especially to an old soldier. I felt when I made the objection, and I still feel, confident that I have had some cases pending before the Military Committee for years which possess the highest order of merit and which have been ignored. I do not desire to make the charge that I have been treated with gross unfairness by that committee. Perhaps in the rush of public business they may have unintentionally left upon me such an impression for the time being.

Mr. STAFFORD. The regular order, Mr. Speaker.

Mr. LANGLEY. Mr. Speaker, I have a sincere and patriotic motive in making this statement, and I hope gentlemen who are interrupting me in this manner will realize that fact and let me finish my statement, which will be only a few sentences more. I am sure that if Members of the House had the time to read the evidence in the cases to which I have referred they would agree with me that they are cases in which relief should be granted by Congress. But I shall not take up your time further now. The people of my district realize that I am doing my best to serve them, and they have honored me with a seat in the next Congress. I give notice that if I do not get these cases through this Congress I shall bring them up again in the next Congress, and no case of less merit shall pass, if I can prevent it, until these are passed. Mr. Speaker, I withdraw my objection to unanimous consent for the present consideration of this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MANN. The bill has been read, Mr. Speaker.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Charles V. Wells."

GEORGE RICHARDSON.

The next business on the Private Calendar was the bill (H. R. 17842) for the relief of George Richardson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the title of George Richardson in and to the northwest quarter of section 33, township 15, range 16, Noxubee County, Miss., as assignee of the conveyance of John Victor, be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said George Richardson.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ELLERY B. WILMAR.

The next business on the Private Calendar was the bill (H. R. 2668) for the relief of the heirs of Ellery B. Wilmar.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to reinstate the homestead entry, designated at Oakland, Cal., as serial 03576, of the northwest quarter of the southwest quarter and the west half of the northwest quarter of section 8, and the southwest quarter of the southwest quarter of section 5 of township 23 south, range 13 east, Mount Diablo base and meridian, in the San Francisco land district, California, which was made December 15, 1909, by Ellery B. Wilmar, now deceased, and to cause patent thereon to issue to the legal heirs of said Wilmar upon proof of compliance by such heirs with the homestead laws in the matter of cultivation.

With committee amendments, as follows:

Amend, page 1, line 6, by striking out the word "of" after the word "six" and inserting the word "embracing."

Amend, page 2, lines 2 and 3, by striking out the words "upon proof of compliance by such heirs with the homestead laws," and inserting "subject to compliance with the homestead laws."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

REV. JOHN A. FERRY.

The next business on the Private Calendar was the bill (H. R. 12896) to place Rev. John A. Ferry, captain, upon the unlimited retired list of the Army.

The title of the bill was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

FREDERICK J. BIRKETT.

The next business on the Private Calendar was the bill (S. 6011) to reinstate Frederick J. Birkett as first lieutenant of the United States Revenue-Cutter Service.

The title of the bill was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects.

MAJ. WILLIAM O. OWEN.

The next business in order on the Private Calendar was the bill (S. 5525) to authorize the President to appoint Maj. William O. Owen, United States Army, retired, a colonel on the active list of the Army.

The Clerk read the title of the bill.

Mr. MANN. I object.

Mr. MURRAY. Mr. Speaker, I will ask the gentleman from Illinois if he has noticed the report on this bill?

Mr. MANN. Oh, certainly. I never object to a bill without knowing something about it. I would not take that responsibility.

Mr. MURRAY. I presume, then, the gentleman is going to stay with it, so I will not make any statement.

Mr. MANN. Here is a bill which proposes to promote a man on the retired list from major to colonel, and it only provides that he shall take the examination of a lieutenant colonel. Think of that!

Mr. MURRAY. I am satisfied I could not convince the gentleman, so there is no use talking about it.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM W. FINEREN.

The next business in order on the Private Calendar was the bill (H. R. 15686) for the relief of William W. Fineren.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

JAMES F. GORMAN.

The next business in order on the Private Calendar was the bill (H. R. 16166) for the relief of James F. Gorman.

The Clerk read the title of the bill.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. VOLLMER. Will the gentleman reserve his objection?

Mr. MANN. I will reserve the objection.

Mr. VOLLMER. Mr. Speaker, this is a very meritorious claim. I introduced the bill to give the man $5,000, which I think would not compensate him for the injuries he has sustained. Both the committee and the department report favorably on the claim. The Judge Advocate General expressly states that he considers it a meritorious claim. I have known the claimant personally for a great many years, and all that time I have known him to wear a bandage around his face, indicating that he has sustained such injuries as he claims. He assures me—and I believe him—that the amount allowed by the committee, $2,000, would not reimburse him for the amount of his doctors' bills. I know he has had several operations in the last three or four years, and I know he has suffered a great deal of pain.

Under the circumstances it seems to me it is a meritorious claim that ought to be allowed.

Mr. MANN. Mr. Speaker, I do not like to detain the House when it is trying to reach bills to which there is no objection. And I will say to the gentleman from Iowa that until the general compensation law was passed, only a few years ago, Congress invariably refused to pay compensation by special legislation to employees who were injured in the Government service. After the general compensation bill was passed the Committee on Claims reported a few bills in one Congress providing for payment in special cases. Those bills, with the exception of one or two, were not passed. I think that was in the Sixty-first Congress—not very long ago. In the last Congress, the Sixty-second, there were quite a number of these bills reported, and some were passed. Quite a number have been reported and passed in this Congress, special bills where the general compensation law did not apply, or going back prior to the date of the general compensation law. This bill goes back to an injury that occurred in 1877.

As far as I am concerned, I am unwilling to give unanimous consent to pass any bill for the relief of anybody for a personal injury that occurred so long ago. There have been thousands and thousands of injuries to Government employees since that time, and there are probably in the neighborhood of 500 or 1,000 cases a year now under the general compensation law. If we are going to pay compensation to everybody who has ever been injured in the Government service it ought to be done by general legislation. It is impossible for Congress to give consideration to separate bills for all the people who have been injured as far back as 1877. I appreciate the fact that that is not the fault of the man. That is the fault, if it be a fault, of the Government, which did not adopt the policy of giving any compensation until six or seven years ago. I am not willing to go back and take up all the cases since 1877 and sit here and figure them out, and I do not think it is the business of Congress to do it. If Congress wants to do it by general legislation, that is another thing. I am not willing to pass special bills by unanimous consent for cases that go back so far. That is the only objection I have.

Mr. VOLLMER. I will say that there have been quite a number of such bills passed.

Mr. MANN. I beg the gentleman's pardon. There has been no bill passed going back anything like that far.

Mr. VOLLMER. I understand that within the past few months a bill has been passed which goes back to 1861.

Mr. MANN. Oh, well, the gentleman is mistaken.

Mr. VOLLMER. I have just received that information.

Mr. MANN. The gentleman who gave the information is mistaken.

Mr. VOLLMER. Of course if the gentleman is determined to object there is no use to take the time of the House further.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

WILLIAM J. BLAKE.

The next business in order on the Private Calendar was the bill (H. R. 18474) for the relief of William J. Blake.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William J. Blake, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 as compensation for injuries to spine, through no negligence on his part, while being employed in the United States Navy Yard, Portsmouth, N. H., October 21, 1912.

With the following committee amendment:

In line 6 strike out the figures "$5,000" and insert in lieu thereof the figures "$2,000."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, supplementing what I have just said in reference to the general compensation law, the Committee on Claims is now being besieged for the consideration of bills that pay compensation in addition to the compensation provided by the general law. That compensation under the general law is limited to one year's pay. The Committee on Claims have reported quite a number of bills providing additional compensation above that allowed by the general law, private bills giving special consideration to particular cases.

Of course, if we do that for one case, we have got to do it for every case, unless there be special favoritism. I am unwilling to have special bills passed by Congress in every case where somebody is injured while in the Government service, because these bills would amount to thousands in the course of a year. This is one of those cases. It is a hard case. The compensation allowed under the general law is very meager. I am not willing to give my consent to pass such a bill by unanimous consent and enter upon the precedent of paying additional compensation where compensation has been made under the general law.

It so happens that this bill is the bill of the gentleman from Maine [Mr. HINDS]. There is no man in this House that I would go further for, at the risk of violating my conscience, than I would for the gentleman from Maine [Mr. HINDS]. But I can not do it. I am going to object to all of these bills where they come up for unanimous consent, as long as I am a Member of the House. I do not make any criticism of the Committee on Claims, for I know the pressure that is brought to bear on the committee. I will reserve the right to object.

Mr. POU. Mr. Speaker, I do not understand the remarks of the gentleman from Illinois to be intended as criticizing the Committee on Claims; but I wish to say, in justification of the action of the committee in reporting these bills, that the committee decided at the beginning of this Congress that we did not propose to be bound by the provisions of existing law. On a former occasion I undertook to point out the absurdity in which such a course might involve the committee. We decided that if

we were going to consider these bills at all we were going to try and do justice, and that is the only criterion that the committee has consciously been governed by.

Now, here is a man that got a year's pay, $700, under the general law. His spine has been injured to the extent that the man is a helpless invalid for life. We could not agree to pay a man injured in this way $700. If we pay him anything, we should allow him a sum somewhat commensuate with the injury.

Now, the Government has entered on a new policy of dealing with its employees. But so long as the Claims Committee is dealing with these cases we do not intend to be governed strictly by existing law. It has been shown time and again that we can not follow the provisions of existing law and do justice in every case.

So long as we deal with the claims we propose to report an amount somewhat commensurate with the injury the party has received. We know of no other safe rule to be governed by. That is the principle upon which the committee has tried to act. It is to be devoutly hoped that some time Congress will take charge of this matter and pass a compensation law which is just and reasonable and will meet every emergency in which a man is injured. Mr. Speaker, if this Government is going to allow its employees compensation it should at least allow an amount which can not properly be ridiculed. Having that in mind, the Committee on Claims has tried to pursue a reasonable and just course in dealing with these matters. We could not follow the general law without doing injustice in particular cases. And so long as we deal with these cases at all we propose to try to do justice in the future as we have endeavored to do in the past.

Mr. HINDS. Mr. Speaker, I would like to have the first page of the report read in my time.

The SPEAKER pro tempore. The Clerk will read the first page of the report in the gentleman's time.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 18474) for the relief of William J. Blake, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the figures "$5,000" and insert in lieu thereof the figures "$2,000."

William J. Blake, aged 26 years, of Kittery, Me., was an employee at the Portsmouth Navy Yard on the 21st day of October, 1912. On that date while working in the caisson of the dry dock he fell, fracturing the eleventh and twelfth dorsal vertebræ, causing total paralysis of the lower limbs. For eight months following that time he was confined to the bed, done up in a plaster cast. In July, 1913, the cast was replaced with a leather jacket. He is now able to sit up and get about in a wheel chair, but with no prospects of the recovery of the use of his limbs. The accident was caused by falling a distance of about 15 feet and striking across a steel girder. His family consists of a wife and two small children, both under the age of 6 years. He has no income and no means of support for himself and family. In the summer of 1913 he was taken to the Massachusetts General Hospital in Boston, and an attempt was made to perform such an operation as would promote his recovery, but it was without success.

Further facts concerning the accident to the claimant are contained in the following summary of evidence in support of claim for compensation under the act of May 30, 1908, furnished the Hon. A. C. HINDS by the Department of Labor, as well as letter of the claimant, William J. Blake, and affidavits of his physicians, which are made a part of this report.

Mr. HINDS. Mr. Speaker, this is a very pitiful case, as the report shows, and I think it justifies the House in going to the limit. I hope the objection will not be made and that the House will vote this man this small compensation.

The SPEAKER pro tempore. Is there objection to the bill?

Mr. MANN. I object.

THOMAS P. DARR.

The next business on the Private Calendar was the bill (H. R. 16650) for the relief of Thomas P. Darr.

The Clerk read the bill, as follows:

Be it enacted, etc., That $918.50, or so much thereof as may be found due the claimant, be, and the same is hereby, authorized to be appropriated out of any money in the Treasury of the United States not otherwise appropriated, for the relief of Thomas P. Darr on account of services rendered as mail carrier from Gooding, Idaho, to Corral, Idaho, during the spring and summer of 1907, and the Secretary of the Treasury is hereby authorized and directed to pay the said amount to Thomas P. Darr, as full compensation for services rendered.

The following committee amendment was read:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas P. Darr the sum of $830.37 on account of service rendered as mail carrier from Gooding, Idaho, to Corral, Idaho, during the spring and summer of 1907, this amount to be accepted by said Thomas P. Darr as full compensation for service rendered.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

LOUIS LANDRAM.

The next business on the Private Calendar was the bill (H. R. 18038) to carry out the findings of the Court of Claims in the case of Louis Landram, administrator of William J. Landram, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. HELM. Mr. Speaker, will the gentleman be good enough to tell on what he bases his objection to the bill?

Mr. MANN. Mr. Speaker, I have read the report very carefully. There are a lot of errors in it—that is, a lot of contradictions—which I presume the gentleman has not noticed. The present claim is for the commissions for the years 1874 to 1879, inclusive, which were not included in the suit brought in the Court of Claims on account of an oversight on the part of one of Mr. Landram's attorneys. There was good reason for the oversight, I think, and it is possible that the House should, on proper consideration, pass the bill at some time when it can be properly considered. So far as I am concerned I do not think the bill ought to be passed at all. I have examined the matter.

Mr. HELM. Is it not possible the gentleman might be mistaken in that matter?

Mr. MANN. It is possible, of course.

Mr. HELM. Let me make a short statement. This collector was appointed in 1873 and served as such until 1884.

Mr. MANN. I have examined all of the facts in the case, as shown by the report. I have got it all marked up.

Mr. HELM. The point is this: That for the period of time when this man served as collector he was compensated after taking this case to the Court of Claims and from the Court of Claims he prosecuted it to the Supreme Court of the United States, and the Supreme Court of the United States adjudged it a valid, subsisting claim; but on account of an oversight which was, in good faith, made on the part of one of the attorneys representing the man, he failed to include a portion of the fees, all of which are acknowledged to be due by the department, and are of the same type and character as he was paid for. If the gentleman from Illinois [Mr. MANN] knows, as a matter of fact, that his attorney did not fail to include within the claim that was filed before the Court of Claims and was prosecuted to the Supreme Court of the United States these fees—if he knows that the attorney did not, in good faith, include them—then I am perfectly willing to quit.

If the gentleman knows that to be a fact, well and good; but if it is a fact that the attorney by oversight did fail to cover the entire time for which he was entitled to be compensated for fees which are of the precise character and kind that the Supreme Court said were justly due and unpaid, then it seems to me that the man having filed the claim in 1885, and having prosecuted it until 1902, he should now be entitled to receive this. He prosecuted the claim while it dragged its slow course through the Court of Claims, and its still slower course through the Supreme Court of the United States, and all of us know how dreadfully slow and snail-like is the pace that a claim goes through in those circumstances; and after being so finely ground both by the Court of Claims and by the Supreme Court, it does seem to me that the claim comes clean-handed to this body, and that the man ought to be compensated.

Mr. MANN. Mr. Chairman, let me suggest to my friend from Kentucky that what I shall cite is an illustration, apparently, of the care with which both the court and the attorneys in this case gave consideration to the subject:

7. That on or about the 18th day of March, 1885, the claimant's decedent filed his petition in the Court of Claims, No. 14569, for commissions withheld from him on spirit stamps for the six years immediately preceding the filing of his petition, to wit, from July 1, 1879, to and ending June 30, 1884.

Now, when the court and the attorneys both figure that it is six years from July 1, 1879, to July 1, 1884, I think there is need of reconsideration. That is a mathematical error.

Mr. HELM. But that is simply a mouse track. It is immaterial; it does not cut any figure in the claim at all.

Mr. MANN. It does not cut any figure in the merits of the claim; but when that is repeated by the court several times and by the attorneys in the case it shows that no one had ever given consideration enough to it to figure out the length of time, something that a man ought to know instantly, but which apparently they do not yet know.

Mr. HELM. Was that a mistake of the Supreme Court of the United States?

Mr. MANN. No; the Supreme Court does not make such mistakes.

Mr. HELM. What court made the mistake?

Mr. MANN. The Court of Claims.

Mr. HELM. Ought this man to be penalized for a little mistake like that.

Mr. MANN. And also the attorneys for the man who appeared before the Court of Claims.

Mr. HELM. Ought he to be penalized for a trivial mouse track of a mistake that the attorney made and for which he has been paid? He has been paid from 1879 until 1884, and the portion of the compensation that he wants is from 1873 to 1878.

If there is anything that appeals to the gentleman from Illinois, the man to whom this debt is so justly due is in very straitened circumstances and has been depending on this claim for years. It has been hanging up and shuttlecocked up and down in the Senate in different bills and almost in the act of being passed. It does seem to me that it is an equitable and just claim, and if the gentleman from Illinois knew the circumstances of the case I do not believe that he would insist upon objecting to the claim.

Mr. MANN. This man held office from July 1, 1873, to July 4, 1885, and was perfectly satisfied to hold the office and take the pay. After he was kicked out of office, then he wanted to get a great deal more pay, and I have no sympathy with him, as far as the equity is concerned.

Mr. HELM. The man has long since died.

Mr. MANN. If he is entitled to it legally, he gets it.

Mr. HELM. The man has long since died, and this is his only surviving son.

Mr. MANN. Then there is less reason for passing it. Certainly his son did not earn it. The man was glad to hold the job. He is a Republican and was glad to hold the job, like many others in Kentucky, and knew what he was getting. After he got through holding the job, when Mr. Cleveland came in, he struck some bright attorney who told him that he was entitled to some more money and went into the Court of Claims and got all he could get, barring the statute of limitation.

Mr. HELM. Oh, no.

Mr. MANN. Yes; he got what he could get under the law, and then having gotten that much he wants us to waive the statute of limitation. Now, morally he was not entitled to a cent at any time. He knew what he was getting while in office. He was satisfied with what he was getting while he was in office. He wanted to keep the office and quit because the Democratic administration came in and fired him. Now, many a man would like to hold office for 12 years——

Mr. HELM. I want to beg and plead with the gentleman as earnestly as I can because my heart is in it for this man who needs it awfully badly——

Mr. MANN. He does not need it half as much as the fellows who have to pay it.

Mr. HELM. This collector was in the same shape as the Members of Congress would be who get $7,500 salary, and also get stationery and some mileage. If we had overlooked our mileage and had died and our heirs would come in and want that mileage or that stationery, notwithstanding we had received $7,500——

Mr. MANN. That is a good illustration.

Mr. HELM. For 18 or 20 years——

Mr. MANN. That is a good illustration. I am entitled to mileage under the law from Congress several years ago. The law gave me mileage and I never got it, and if sometime some of my relatives or heirs should come before Congress and ask for that money I hope to God they will be turned down cold. I am not asking for it and they are not entitled to it.

The SPEAKER pro tempore. Is there objection?

Mr. HELM. Does the gentleman object?

Mr. MANN. I will have to object.

DOMMICK TAHENY AND JOHN W. MORTIMER.

The next business in order on the Private Calendar was the bill (S. 1058) for the relief of Dommick Taheny and John W. Mortimer.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

LYMAN D. DRAKE, JR.

The next business in order on the Private Calendar was the bill (H. R. 15168) for the relief of Lyman D. Drake, jr.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lyman D. Drake, jr., of Corpus Christi, Tex., the sum of $10,000, out of any money not otherwise appropriated, for personal injuries received while in the employ of and working upon the Panama Railroad and in connection with that service and in the employ of the Panama Canal Commission as brakeman upon the Panama Railroad.

The committee amendment was read, as follows:

Page 1, line 5, strike out "$10,000" and insert "$1,102.50."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. This man under the compensation law would be entitled to have received $1,042.50. I do not recall how the committee reached the $1,102.50. The compensation law would have given $1,042.50.

Mr. GARNER. I do not know myself.

Mr. MANN. If that is satisfactory to the gentleman, why——

Mr. GARNER. If the gentleman himself has made the calculation, that certainly must be correct.

Mr. MANN. I made the calculation.

Mr. GARNER. The Clerk of the committee said he got $105 a month.

Mr. MANN. That is right. But he got some of this money.

Mr. GARNER. Oh, he did?

Mr. POU. He got over $45.

Mr. GARNER. I am willing that he should receive what is the usual amount under the compensation act. Mr. Chairman, I move to strike out the amount "$1,102.50" and insert "$1,042.50."

Mr. MANN. I have no objection to that.

The SPEAKER pro tempore. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend the amendment by striking out "$1,102.50" and inserting in lieu thereof "$1,042.50."

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from Texas.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, commencing in line 7, after the word "of," the following language: "and working upon the Panama Railroad and in connection with that service and in the employ of." I want to give a correct description here.

Mr. GARNER. Very well.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, after the word "of," strike out the following language: "And working upon the Panama Railroad and in connection with that service and in the employ of."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the word "Panama," in line 9, and insert the word "Isthmian"; and strike out all of the bill after the word "Commission" and insert in lieu thereof "in the capacity of trainman." This man was a trainman on the Isthmian Canal and not on the Panama Railroad.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 9, strike out the word "Panama" and insert the word "Isthmian"; and strike out after the word "Commission" the words "as brakeman upon the Panama Railroad" and insert the words "in the capacity of trainman."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGIA RAILROAD & BANKING CO.

The next business on the Private Calendar was the bill (S. 926) for the relief of the Georgia Railroad & Banking Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,888.68 to the Georgia Railroad & Banking Co., formerly called the Georgia Railroad Co., for the balance due it for the transportation of the United States mails under contract prior to May 31, 1861, on routes Nos. 6136, 6143, and 6144, Georgia, said balance having been found due by the Auditor for the Post Office Department and reported to Congress by the Secretary of the Treasury in Document No. 297, first session, Fifty-ninth Congress.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I read this report, it is based entirely on the fact that the records of the Confederacy which came into the control of the Government showed that this railroad company had received the full quota of payment from the Confederacy for services that had been performed prior to the outbreak of the Civil War, and, further, that those records were rather mutilated and not complete. Now, I wish to inquire whether this railroad com-

pany itself—because this report does not show anything to that effect—has ever made any affidavit showing that they really were not paid the full amount, or whether this is a matter that is in the hands of some claims attorney. The committee report indicates that they are merely acting upon some partial Confederate report showing that this railroad company way back in the war times received thousands upon thousands of dollars for this claim, and this mutilated record shows that they did not receive some $4,000, which is proposed to be appropriated in this bill.

Mr. MANN. The gentleman will find on page 4 of the report the affidavit of a man who claims he was cashier of the Georgia Railroad & Banking Co., who states that "the said records failed to show that said company ever received from any source the balance of $4,880.68 shown to be due the said railroad company in said Document No. 92," and so forth.

Mr. STAFFORD. Do not those records refer to the records of the Confederacy?

Mr. MANN. Oh, no. Those are the records of the company. He testifies that the cashier of the company and the records show that that money was never received.

Mr. STAFFORD. I had read most of the report, but I must confess that I had overlooked that paragraph that the gentleman refers to. That answers the question whether there ought not to be some proof from the claimants to the effect that they had not received the full amount.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

SOUTHERN TRANSPORTATION CO.

The next business on the Private Calendar was the bill (S. 5695) for the relief of the Southern Transportation Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Southern Transportation Co., of Philadelphia, Pa., the sum of $5,556.70, to reimburse the said company for the repairs, expenses, and demurrage in connection with the barge *Antietam*, owned by said company, on account of damage to said barge by collision with U. S. lightship *No. 89*, which amount is hereby appropriated.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

PAY INSPECTOR F. T. ARMS, UNITED STATES NAVY.

The next business on the Private Calendar was the bill (S. 3525) for the relief of Pay Inspector F. T. Arms, United States Navy.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. T. Arms, of the navy yard at Portsmouth, N. H., a pay inspector in the United States Navy, the sum of $955.20, to reimburse him for payments made as paymaster in the Navy, as shown by his official accounts.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE E. LERRIGO.

The next business on the Private Calendar was the bill (S. 3419) admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas.

The Clerk read the bill, as follows:

Be it enacted, etc., That George Edward Lerrigo, the son of an American citizen, of the city of Topeka, in Shawnee County, State of Kansas, is hereby admitted and declared to be a citizen of the United States of America, and is fully naturalized as such citizen for all purposes from and after the taking effect of this act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. This is a special bill to grant a man citizenship. I think it is a meritorious case. I had some consideration of this bill last winter, or at some other time since this Congress met—winters and summers have run together, you know. I also had another case a good deal like it, and I took them up with some members of the Committee on Immigration and Naturalization and asked them if that committee was willing to report any of these bills at all.

They had passed one once before—a very peculiar case. The members of the committee told me that they would not favorably report this bill. It was a House bill then, I think, and they said they would not report the other bills which some of my constituents wanted reported. I see they have now reported the Senate bill. I have no objection to it, though I wish they had not put me in the embarrassing position of telling certain people that after investigation I was informed that the committee would not report any bill like that.

Mr. STAFFORD. Does not the gentleman believe this is an earnest of their intention to give consideration in the near future to the bills in which the gentleman is interested?

Mr. MANN. Oh, no. I have forgotten what the bill was. I never introduced any bill, in fact.

Mr. MOORE. Mr. Speaker, I do not recall any bill coming from the gentleman from Illinois which was referred to the Committee on Immigration.

Mr. MANN. I did not introduce the bill. If I used the word "bill," I was mistaken. It was a case. I laid the papers before certain members of the Committee on Immigration, and had an investigation made of the matter.

Mr. MOORE. I will say to the gentleman that there was a great deal of doubt in the committee about reporting any of these bills.

Mr. MANN. I have no inclination to criticize the committee.

Mr. MOORE. I simply rose to say that I did not recall any bill of the kind introduced by the gentleman from Illinois.

Mr. MANN. I did not introduce any bill.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

JOHN CALVIN LEONARD.

The next business in order on the Private Calendar was the bill (H. R. 18174) to transfer Capt. John Calvin Leonard from the retired to the active list of the United States Navy.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

S. W. LANGHORNE ET AL.

The next business in order on the Private Calendar was the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to S. W. Langhorne and the legal representatives of H. S. Howell, of Helena, Mont., out of any money in the Treasury not otherwise appropriated, the sum of $1,568, and said amount of $1,568 is hereby appropriated out of any money in the Treasury not otherwise appropriated, being the amount paid by them for rent of the building used by the United States for a land office at Helena, Mont., from November, 1885, up to and including June, 1900, a period of 56 months, at $28 per month.

With the following committee amendment:

Page 2, lines 1 and 2, strike out the words "nineteen hundred" and insert in lieu thereof the words "eighteen hundred and ninety."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

STEAMER "GENERAL GARRETSON."

The next business in order on the Private Calendar was the bill (H. R. 21126) to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins*.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon application of the owner, the Wilson Transit Co., of Mentor, Ohio, to change the name of the steamer *General Garretson*, official No. 203974, to the *S. H. Robbins*.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

A. W. SUDDUTH.

The next business in order on the Private Calendar was the bill (H. R. 12075) to correct the military record of A. W. Sudduth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against the name of A. W. Sudduth, late of Company K, First Regiment Missouri Volunteer Artillery, and to issue to him an honorable discharge from said service.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That in the administration of the pension laws and laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, A. W. Sudduth, late of Company K, First Regiment Missouri Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on June 16, 1865: *Provided*, That no back pay or other allowance or emolument shall accrue prior to the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

DANIEL JORDAN.

The next business in order on the Private Calendar was the bill (H. R. 18884) for the relief of Daniel Jordan.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Daniel Jordan shall hereafter be held and considered to have been in the military service of the United States as a private in Company F, Eighth Regiment Pennsylvania Reserve Infantry, and Battery C, Fifth Regiment United States Infantry, from April 23, 1861, to July 20, 1865, and to have been honorably discharged as such on the latter date.

With the following committee amendment:

Page 2, line 1, after the word "date," insert:

"*Provided*, That no back pay, back pension, or other emolument or allowance shall accrue prior to the passage of this act."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

ALFRED S. LEWIS.

The next business in order on the Private Calendar was the bill (S. 1377) for the relief of Alfred S. Lewis.

The bill was read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Alfred S. Lewis shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a first lieutenant of Company H, Eighteenth Regiment Kentucky Volunteer Infantry: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

CHARLES A. SPOTTS.

The next business on the Private Calendar was the bill (S. 5092) for the relief of Charles A. Spotts.

The Clerk read the bill, as follows:

Be it enacted, etc., That the homestead entry of Charles A. Spotts on Farm Unit L, or the northeast quarter of the southwest quarter of section No. 2, in township No. 20, north of range No. 21, west of the Montana principal meridian, made under the act of April 23, 1904 (33 U. S. Stat. L., 302), as amended by the act of May 29, 1908 (35 U. S. Stat L., 448), is hereby validated, subject to future compliance with the law.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be read the third time, was read the third time, and passed.

JOHN A. RYAN.

The next business on the Private Calendar was the bill (H. R. 15666) for the relief of John A. Ryan.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Ryan, who was permanently disabled while engaged in the employment of the United States Government at the Philadelphia post office, in the State of Pennsylvania, the sum of $15,000.

With the following committee amendment:

Strike out all of said bill after the word "appropriated," in line 5, and add the following: "$190.79, for the relief of John A. Ryan, of Philadelphia, Pa., on account of injuries received by him while in the discharge of his duties as a clerk in the United States post office at Philadelphia, Pa., in July, 1912."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the chairman of the committee, what is the committee's policy in regard to reimbursement for an injury where the employee is negligent? It appears in this case, from the meager report from the Post Office Department, that the injury was partly due to the claimant's own negligence. The First Assistant Postmaster General, in his letter, refers to a provision that we adopted last year in the Post Office appropriation bill, but he leaves off of his citation that provision of the law which states that no compensation shall be paid where the employee is negligent. What is the policy of the committee in regard to reimbursing people if injured through their own negligence?

Mr. POU. The custom of the committee heretofore has been to examine into that matter, and if the injury was brought about by the negligent act of the employee to turn down the proposition for compensation. In other words, we have tried as near as we could to pursue the policy that a public-service corporation would be liable under like circumstances, and we do not think the Government ought to hide behind any technical defense. Whether we have succeeded or not, I do not know.

Mr. STAFFORD. The gentleman knows that in many workmen's compensation acts passed in the States they compensate for injuries that have been received or have arisen through the negligence of the employees. I did not know whether it was the intention of the committee to go as far as that or not.

Mr. POU. We have resolved the doubt against the Government where it appears that the employee himself was not guilty of gross negligence. In other words, if it was a pure accident and was not brought upon the employee by his own gross negligence, the committee does not think the Government ought to exclude a man from the provisions of the compensation act.

Mr. STAFFORD. I quite agree with the attitude of the committee in not depriving the man of the compensation.

Mr. MOORE. Will the gentleman yield?

Mr. POU. Yes.

Mr. MOORE. I had an extremely pathetic letter from this man to-day, indicating that his injury is permanent. His salary is only $600 a year. The report from the department indicates that the injury was partly due to Mr. Ryan's own negligence, but he was in the discharge of his duty as a clerk. The man is permanently injured, and the amount allowed him is an extremely small amount. I do not see anything here to indicate what the negligence was.

Mr. STAFFORD. There is nothing in the report.

Mr. MOORE. The letter from the Assistant Postmaster does not show it.

Mr. STAFFORD. Does the letter from the claimant indicate what the negligence consisted of?

Mr. MOORE. Yes; I have not the letter with me; I did not know the case was coming up. The statement in the letter was one of distress, loss due to sickness and pain resulting from the accident, all of which indicated that he was permanently injured. Now, you allow him $190 for an injury of that kind, which is a very small amount. I do not want to run counter to the policy of the committee, but it seems to me that there is little to show that the man was negligent, and it does show that he was permanently injured.

Mr. MANN. I understand that the man is at work now for the Government and draws full pay.

Mr. MOORE. I do not know about that.

Mr. MANN. He was paid for all the time he was absent.

Mr. STAFFORD. I wish to direct the attention of the gentleman from Pennsylvania to the report from the Assistant Postmaster General, who says that at the time of the accident he was receiving a salary of $600, and as a result of the disability incurred was absent for 114½ days, without pay, from July 11. The natural inference is that thereafter he was able to resume work.

Mr. MOORE. That is what he is being paid for—the absent time.

Mr. MANN. That is all.

Mr. MOORE. If that is the policy of the committee, I will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the first word. The gentleman from Pennsylvania [Mr. MOORE] just said that if it was the policy of the committee to do so-and-so he would not object. I do not know how we can always ascertain what is the policy of the committee. I am speaking now not very seriously, and I hope gentlemen will not get very excited about it. The other day the Committee on Claims reported on a bill which was introduced to cover an injury where the injury was not the negligence of the employee, and they reported it adversely upon the ground that they would not report favorably any bill for injuries to post-office employees that were not covered by the general law, and, of course, they would not report those.

They reported a letter from the Postmaster General stating that the Post Office Department, in view of the fact that Con-

gress had to pass a general law on the subject, was opposed to the passage of any private bills for compensation to any employees in the Post Office Department, whether the injuries occurred prior to the passage of the general law or not. That action was taken by the committee, based on the letter of the Postmaster General, on one day. The next day the committee had before it the report of the First Assistant Postmaster General recommending the passage of a bill, and the committee reported that favorably. I do not know how my friend from Pennsylvania will learn the policy of the committee or the policy of the Post Office Department. One day the committee accepts the recommendation of the Postmaster General that no private bills be passed relating to employees of the Post Office Department and the next day the committee accepts the recommendation of the First Assistant Postmaster General that a special bill be passed. I hope my friend will not take this as being at all offensive, because it is not. I think it is a joke.

Mr. POU. Mr. Speaker, I have so repeatedly stated here that, so far as I knew, the committee could not be governed by any fixed policy that it seems almost superfluous to again repeat it.

Mr. MANN. It is superfluous to repeat it; but in view of the fact that the committee just reported a bill adversely and laid it on the table, I thought it worth while repeating it.

Mr. POU. That is very true. It is not worth while to repeat it. The gentleman from Illinois [Mr. MANN] can take isolated cases that any committee of the House having so many bills as the Committee on Claims has and point out apparent inconsistencies. If the committee is going to undertake to act on these cases at all, there is but one rule that I know of that can govern its action properly, and that is to constitute itself a forum, a jury, and try to do justice in every particular case. That is what the committee has done. We have not taken any orders from the Postmaster General or from the Assistant Postmaster General. I would like to say to the gentleman from Illinois that the influence of a member of his party on the subcommittees of the Committee on Claims goes just as far as the word or influence of any gentleman on this side.

Mr. MANN. I can not see what that has to do with it.

Mr. POU. I want to say this: We take up these questions without regard. The question in the consideration of the matters is what gentleman on the committee is willing to do the work of investigation. I have no doubt that we have made mistakes. I have no doubt that we have involved ourselves in apparent inconsistencies, but we try to do right as far as we can, and that is all I have to say in respect to any of these criticisms.

Mr. MANN. Mr. Speaker, I must confess it is rather inconceivable to me just how it is possible for the committee one day to adopt one policy as a committee policy and the next day to adopt a directly opposite policy. I think the Committee on Claims has reported adversely, to lay upon the table, one bill in this Congress. There may have been some others, though I do not recall them. That bill was reported the other day, and I intended to bring it up here, but have not done so.

Mr. POU. Oh, there have been at least half a dozen, I would say to the gentleman.

Mr. MANN. Possibly. I do not recall them. Certainly there has been but one at this session of Congress. I take it that the committee acts on these bills—that it is not just some member of the committee—though perhaps that may be a violent presumption on my part. But here the committee reported that a bill be laid on the table because the Postmaster General was opposed to any of these special bills in the Post Office Department.

That action was taken one day. Now, if a court would do that—try a case one day because of the general policy announced, and the next day should have another case and should decide it the other way—we would think the court was careless, although I think that has been done even by a court.

The SPEAKER pro tempore. The pro forma amendment will be considered as withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JOSEPH A. JENNINGS.

The next business in order on the Private Calendar was the bill (H. R. 19325) for the relief of Joseph A. Jennings.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

JOHN BURROWS.

The next business in order on the Private Calendar was the bill (H. R. 17122) for the relief of John Burrows.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Burrows, of New Orleans, La., out of any funds in the Treasury of the United States not otherwise appropriated, the sum of $6,000, to compensate him for injuries received while in the employ of the Government on the Panama Canal.

The committee amendment was read, as follows:

Line 6, strike out "$6,000" and insert "$1,433.33."

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLOTTE M. JOHNSTON.

The next business in order on the Private Calendar was the bill (H. R. 20800) for the relief of Charlotte M. Johnston.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of $2,000 to Charlotte M. Johnston, mother of Frank Volney Johnston, postmaster at Tecate, Cal., border line of Mexico, who was killed in the discharge of his duty.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

AMERICAN TOWING & LIGHTERING CO.

The next business in order on the Private Calendar was the bill (H. R. 17174) to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer*.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $275 to the American Towing & Lightering Co., owner of the tug *Buccaneer*, in full compensation for its claim for damages sustained by said tug being fouled by the United States revenue launch *Gypsy* while said *Buccaneer* was made fast to its wharf in the harbor of Baltimore city.

The SPEAKER pro tempore. Is there objection. [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

COL. RICHARD H. WILSON.

The next business in order on the Private Calendar was the bill (H. R. 16896) for the relief of Col. Richard H. Wilson, United States Army.

The Clerk read as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized and directed to credit to the accounts of Capt. Charles W. Castle, paymaster, the sum of $7,181.64, and that Col. Richard H. Wilson, Fourteenth Infantry, United States Army, be, and he is hereby, exonerated from all responsibility for the loss of the said sum at Fort William Henry Harrison, Mont., on or about May 16, 1912.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. BRYAN. I hope the RECORD will show that Mr. HUMPHREY, Mr. LA FOLLETTE, and myself are here and very earnest in our support of this bill, and I am particularly interested in the next bill.

W. F. CRAWFORD.

The next business in order on the Private Calendar was the bill (H. R. 21077) for the relief of W. F. Crawford.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. F. Crawford of Bremerton, Wash., who was injured November 17, 1906, at the navy yard, Puget Sound, while at work on board the battleship *Wisconsin*, by falling to the berth deck of said battleship, the sum of $1,017.25 for the relief of the said W. F. Crawford.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this man would be entitled under the compensation law, if that covered it, to $330.88. Is the gentleman in charge of the bill willing to accept that amount?

Mr. BRYAN. Is the gentleman going to leave the 88 cents on?

Mr. MANN. Every cent that should go to the man I should like to give.

Mr. BRYAN. Of course we will be glad to accept the $330 rather than have the bill objected to.

Mr. MANN. I will have to object to it unless it is reduced to that amount.

Mr. BRYAN. I will accept the amendment.

The SPEAKER pro tempore. Will the gentleman state the amendment?

Mr. POU. The committee will accept the amendment.

Mr. BRYAN. That is what I meant.

Mr. POU. I understand the position the gentleman is placed in.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to strike out, in line 10, "$1,017.25" and insert in lieu thereof "$330.88."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, strike out "$1,017.25" and insert "$330.88."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ARTHUR W. FOWLER.

The next business on the Private Calendar was the bill (H. R. 18197) for the relief of Arthur W. Fowler.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sum of $10,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Arthur W. Fowler, or to his executors or administrators, in full satisfaction of his claim against the United States for damages for the loss of his means of livelihood resulting from serious physical injuries received by him while employed as an electrician's helper in the United States Department of Agriculture, at Washington City, in the District of Columbia, and for physical and mental suffering, as well as all other damages occasioned by an accident on October 8, 1908, while employed in said department, occasioned by the breaking of the limb of a tree upon which he was standing in the line of his duty, by reason of which he has been incapacitated for work at his trade as a telephone cable splicer, and said injuries being caused without any negligence on the part of the said Arthur W. Fowler; said money to be paid under the direction of the Secretary of Agriculture.

With a committee amendment as follows:

Amend, page 1, line 3, by striking out "$10,000," and inserting in lieu thereof "$1,000."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANK H. WALKER AND FRANK E. SMITH.

The next business on the Private Calendar was the resolution (H. Res. 720) for the relief of Frank H. Walker and Frank E. Smith.

The Clerk read the resolution, as follows:

[H. Res. 720.]

Resolved, That the bill H. R. 19399, for the relief of Frank H. Walker and Frank E. Smith, with the accompanying papers, be, and the same is hereby, referred to the Court of Claims for the findings of facts and conclusions of law.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

JOE DAVIS.

The next business on the Private Calendar was the bill (H. R. 13700) for the relief of Joe Davis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe Davis the sum of $1,500, in full compensation for injuries received by him on September 8, 1910, while in the performance of his duties as a powder man and engaged in blasting in connection with the construction of the Celilo Canal, Columbia River improvement, in Wasco County, Oreg.

With a committee amendment.

Mr. MANN. Mr. Speaker, I am going to object.

Mr. SINNOTT. I hope the gentleman will withhold his objection until I can make a statement.

Mr. MANN. I will withhold it.

Mr. SINNOTT. Mr. Speaker, this is a bill that has received careful attention from the committee, but by some inadvertence of the printer there was omitted an affidavit from the injured person of date March 2, 1914.

I know that the gentleman from Illinois [Mr. MANN] has announced his intention to object to all bills of this kind where the person injured has had the benefit of the compensation act, but I sincerely trust that the gentleman from Illinois will change his attitude, particularly in regard to this bill. I believe this is a most exceptional, meritorious, and deserving case. This is the case of a poor, ignorant, illiterate Slavonian, who was ordered by a foreman, at the risk of losing his job, to charge a hole for blasting. The hole was hot, and when the powder was put in it exploded. It tore off the man's arm, destroyed his eye, crushed in his skull, and he is practically helpless. He is dependent now upon the charity of his friends. The allowance of the committee is small, even niggardly, and I do not think that this great Government should be placed in this indifferent, heartless, and callous attitude toward human suffering and mutilation. The blood of the workingman and his limbs are a part of the cost of production, and they ought to be paid for, and this man should not be thrown upon the charity of the world, crippled and maimed by the carelessness and the negligence of this Government.

I sincerely trust that the gentleman from Illinois will withhold his objection and not object to this bill, but let us consider it.

Mr. MANN. Mr. Speaker, I told the gentleman, both publicly and privately, that I was going to object to this bill, and I told him the reason why. The man has been paid compensation under the general law. The gentleman makes a very pretty speech for a jury, but not for statesmen. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. SINNOTT. Just a moment, Mr. Speaker. I want to call the attention of the gentleman from Illinois to this feature of the case: This man was paid under the compensation act the miserly and inadequate sum of $720; of this sum he was compelled to pay out $285 for hospital fees and medical attendance.

The SPEAKER pro tempore. The Clerk will read.

PETER M'KAY.

The next business on the Private Calendar was the bill (S. 2589) for the relief of Peter McKay.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter McKay, or his legal representatives, the sum of $2,500 as full compensation for permanent injuries received by the said McKay on the 5th day of May, 1904, at Fort Worden, in the State of Washington, by being struck with a large piece of log hurled by the explosion of an excessive blast of powder discharged without warning by employees of the United States Government engaged in clearing lands at said Fort Worden under the direction and control of the United States Government.

With a committee amendment, as follows:

Amend, page 1, line 6, by striking out "$2,500" and inserting "$1,500."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, my friend from Washington [Mr. HUMPHREY]—and he is one of the dearest friends I have—has besought me in every way possible, trying to reach both my reason and my heart. Well, he reaches my heart, but the reason is all against him, both on this bill and the next one. Now, of course, I will reserve an objection, but that will probably prevent somebody else having a bill passed that ought to be passed. I am going to object to this.

Mr. HUMPHREY of Washington. Will the gentleman withhold his objection one minute?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. Mr. Speaker, this is the claim of Peter McKay. It has been before Congress for several years. I happen to know Mr. McKay well, and he has come to me personally many times about it. Of course it comes under the rule the gentleman from Illinois has laid down, and he is going to object. I ask to extend my remarks by printing the first portion of the report.

The SPEAKER pro tempore. The gentleman from Washington asks to extend his remarks. Is there objection?

Mr. MANN. I object.

Mr. HUMPHREY of Washington. Does the gentleman object to my extending my remarks?

Mr. MANN. Oh, no. I do not object to the gentleman extending his remarks. I beg the pardon of the Chair.

Mr. BRYAN. I am glad the gentleman withdraws that objection, because we all think this is a meritorious claim.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The report referred to by Mr. HUMPHREY of Washington is as follows:

The Committee on Claims, to whom was referred the bill (S. 2589) for the relief of Peter McKay, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the figures "2,500" and substitute in lieu thereof the figures "1,500."

The Senate Report No. 871, Sixty-third Congress, third session, together with two affidavits and a letter from the War Department, are appended hereto and made a part of this report.

A bill for the relief of this man passed the Senate in both the Sixtieth and Sixty-first Congresses.

[Senate Report No. 871, Sixty-third Congress, third session.]

"The Committee on Claims, having had under consideration the bill (S. 2589) for the relief of Peter McKay, reports the same back to the Senate with the recommendation that it do pass amended as follows:

"In line 6 strike out '5,000' and insert in lieu thereof '$2,500.'

"This claim has been before the Committee on Claims on two previous occasions. A similar bill was favorably reported and passed by the Senate during the Sixtieth Congress and again during the Sixty-first Congress. On March 27, 1908, this committee, in favorably reporting to the Senate a similar bill for the relief of Mr. McKay, said:

"'The Committee on Claims, having had under consideration the bill (S. 2743) for the relief of Peter McKay, report the same back to the Senate with the recommendation that it (with an amendment striking out the words "four thousand dollars" in the sixth line and inserting in lieu thereof "two thousand four hundred dollars") do pass, for reasons as follows:

"'Peter McKay, a resident of the city of Seattle, Wash., is the head of a family consisting of a wife and four daughters largely dependent upon him for support.

"'On the 5th of May, 1904, he was at work for the United States Government in the War Department, at Fort Worden, Wash., as a carpenter, engaged in building a searchlight cover. No one except a man by the name of Howard was working with McKay. At the close of the day McKay and Howard quit work and, as was their custom, started for what is known as the bunk house. While they were walking along the road engaged in conversation they were in a position to hear any alarm or warning. In order to reach the bunk house they were compelled to pass a place where the Government force were engaged in clearing for the purpose of making an excavation for the embrasures of 10-inch guns. As they passed a turn in the road immediately before reaching the place where the clearing was being done they heard some one yell, and immediately thereafter a blast exploded. Upon hearing the yell they made an effort to reach a place of safety, but the timber and earth flew through the air by reason of the explosion, and while McKay was crouched behind a stump to save himself a large log which had been thrown into the air by the explosion fell upon his leg and broke it, and it became necessary to amputate it.

"'No warning was given McKay that an explosion was to take place. He was walking along a road that he was accustomed to walk to put his tools away. He was not a fellow servant of the men engaged in making the excavation. By their failure to give him notice of the intended blasting, the other employees of the Government were guilty of gross negligence; therefore he sustained his injury as a result of the negligence of the employees of the Government. Had McKay been employed by an individual or a company he could have maintained an action against his employer upon the same state of facts.'

"In addition to the foregoing, the proof on file discloses that Mr. McKay is a temperate man of industrious habits, but because of the aforesaid injury has been unable to perform, with any degree of satisfaction to an employer, manual labor—the only employment for which he is by education fitted. That at the time of the accident he possessed a home and a reasonable amount of other property, but because of his inability to work and earn a living for himself and those dependent upon him, he has been compelled to part with all his property, and at the age of 65 years, with a wife 64 years of age and feeble in health dependent upon him, is reduced to poverty and faces the necessity of seeking aid from the local authorities. Clearly, justice in this instance has been too long delayed."

SIMON M. PRESTON.

The next business in order on the Private Calendar was the bill (S. 691) for the relief of Simon M. Preston.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. HUMPHREY of Washington. Will the gentleman withhold his objection a moment?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. This is the case of a gentleman who is now 93 years old, and it seems to me the claim ought to be allowed; but I have reasoned with my friend from Illinois [Mr. MANN] as best I could, and he is obdurate. In order to show the interest and the belief that the Washington delegation have in this claim, I wish to state that my distinguished colleagues, Mr. LA FOLLETTE, Mr. BRYAN, and myself have stayed here now, until toward the hour of midnight, in the hope that the gentleman from Illinois might relent at the last moment and let this very meritorious claim pass. I ask unanimous consent to extend my remarks by inserting the first part of the report.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The report referred to is as follows:

The Committee on Claims, to whom was referred the bill (S. 691) for the relief of Simon M. Preston, having considered the same, report thereon with a recommendation that it do pass.

Senate Report No. 1319, Sixty-second Congress, third session, copies of letters written by the claimant to Hon. Samuel H. Piles, United States Senator, also a letter written by Horace Preston to Hon. John M. Gearin, United States Senator, and copies of the correspondence between Collector Preston and the Commissioner of Internal Revenue at the time of the defalcation, are appended hereto as a part of this report.

[Senate Report No. 1319, Sixty-second Congress, third session.]

"The Committee on Claims, to which was referred the bill (S. 4957) for the relief of Simon M. Preston, late collector of internal revenue for the district of Mississippi, reports as follows:

"That it appears that Simon M. Preston was collector of internal revenue and also stamp agent for the first collection district of Mississippi from June 1, 1869, to May 22, 1873; that it was necessary for him to have deputy collectors; that one D. C. Kearns, who was highly recommended, was appointed deputy collector and entered into bonds, with sureties at the time deemed good, for the faithful discharge of his duties; that said Kearns continued to act as deputy collector until the 1st of March, 1871, when it was discovered that he, the said Kearns, had embezzled moneys collected by him for the United States and was a defaulter for the sum of $6,400, for which amount said collector, Simon M. Preston, was bound to the Government and for which he stood debtor to the Government in his account; that the said collector caused the said Kearns to be indicted and convicted and fined $5,836.38, which was the amount of his unpaid defalcations, and sentenced to be imprisoned for 12 months; that the said Kearns was soon after pardoned by the President of the United States and relieved from said fine and imprisonment; that the said Kearns and the said sureties were irresponsible, and there was no means of getting the amount embezzled by him; that the pardon and release of said Kearns removed all chances of compelling restoration from him, and the said collector, Simon M. Preston, was obliged to make good to the Government the defalcation of said Kearns, whereby great injustice was done him.

"It further appears that said collector, Simon M. Preston, was a stranger in Mississippi when he was appointed collector there and did not know and was unable to find out the financial responsibilities of said Kearns's bondsmen. These bondsmen were all men of apparently good reputation and prominent in the citizenship of Mississippi.

"It also appears that as a result of the suit brought by said Preston against the sureties of said Kearns there could not be recovered the amount of said defalcations, the balance being the amount claimed in this bill, viz, $5,836.38.

"It further appears that the statute under which said Kearns was tried and convicted provided that in case of conviction the defendant should not only be imprisoned, but he should be fined the amount of his defalcation. He was convicted and fined according to statute and sent to prison; but soon thereafter Gov. Ames, an ambitious statesman of Mississippi, listened to the requests of the influential friends of Kearns and urged upon President Grant the pardon of Kearns. It seems quite clear that President Grant consented to do this with the understanding and upon the consideration that the amount of Kearns's defalcation should be made good. The President was informed that this had been done, and there seems to be no doubt but that the President believed that Kearns and his friends had repaid the amount stolen, whereas the fact is that Preston himself had paid the money to the Government. The claimant, Preston, protested against the pardon of Kearns until the latter repaid to Preston the amount of money that he, Preston, had paid to the Government on account of the wrongdoing of Kearns. It appears that certain influential friends of Kearns were at the time of the pardon making arrangements to refund to Preston the amount he had been obliged to pay for his defaulting deputy, but the hasty pardon by the President prevented the consummation of this.

"We do not believe that Mr. Preston has any legal claim against the Government, but we do believe that he has an equitable claim due to the fact that by the action of the President in granting a pardon the claimant was denied the right which the statute evidently contemplated when it required as a part of the penalty the imposition of a fine equal to the amount of the defalcation.

"We therefore report the bill with the recommendation that it do pass."

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I object.

TERESA GIROLAMI.

The next business in order on the Private Calendar was the bill (S. 3925) for the relief of Teresa Girolami.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,200 to Teresa Girolami, widow of Ettore Girolami, late an engineer in the United States Immigration Service, who lost his life in the discharge of his duty.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

AUSTIN G. TAINTER.

The next business in order on the Private Calendar was the bill (H. R. 17964) for the relief of Austin G. Tainter.

The Clerk read the title of the bill.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

REMAINS OF THE LATE ROBERT CALDWELL CULBERTSON.

The next business in order on the Private Calendar was the bill (H. R. 20702) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert A. Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.

The bill was read, as follows:

Be it enacted, etc., That the health officer of the District of Columbia be, and he is hereby, authorized to issue a permit for the removal of the remains of the late Robert A. Culberson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.

With the following committee amendment:

Line 5, strike out "A. Culberson" and insert "Caldwell Culbertson."

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I have no objection to the bill. I am just wondering why it is necessary to pass it.

Mr. MANN. There is no law which authorizes the issuing of this permit. We have passed several of these bills at this session of Congress, usually on District day.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

By unanimous consent, the title was amended to read: "A bill authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa."

AMATO CASTELLANO AND OTHERS.

The next business on the Private Calendar was the bill (H. R. 16777) for the relief of Amato Castellano, Libero Baranello, and Michele Baranello.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the United States Treasury not otherwise appropriated, to pay to Amato Castellano, Libero Baranello, and Michele Baranello, all of Brooklyn, N. Y., the sum of $2,033.30, being the amount heretofore paid into the Treasury of the United States in settlement of their certain bail bond in the case of United States against Carmana Lobosco, convicted in the United States Circuit Court for the Eastern District of New York, and thereafter, while a fugitive from justice, rearrested through the efforts of said sureties.

With the following committee amendment:

In line 7 strike out the figures "$2,033.30" and insert in lieu thereof the figures "$2,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM HENSLEY.

The next business on the Private Calendar was the bill (H. R. 13421) for the relief of William Hensley.

The Clerk read the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

MRS. JOSEPH CAMERON.

The next business on the Private Calendar was the bill (H. R. 15934) for the relief of Mrs. Joseph Cameron.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. Joseph Cameron, widow of Joseph Cameron, the sum of $2,500, for physical and personal injuries sustained by said Joseph Cameron while in the employ of the United States Government near Minnehaha Falls, Mississippi River, in the State of Minnesota, and while he was working on Government Dam No. 1, on August 9, 1907.

The following committee amendment was read:

In line 5, strike out the figures "$2,500" and substitute in lieu thereof the figures "$242."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANK HENRY ROGERS.

The next business on the Private Calendar was the bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers.

The Clerk read the bill, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Frank Henry Rogers, who died from injuries received in the performance of his duties as an assistant superintendent of construction under the Supervising Architect of the Treasury, while engaged in inspection work on the Federal building at Bellaire, Ohio, the sum of $5,000.

With the following committee amendment:

In line 10, strike out the figures "$5,000," and insert in lieu thereof the figures "$2,500."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, if the gentleman will agree to change that amount to $2,190, which is a year's salary, I will not object.

Mr. POU. We will accept that.

The SPEAKER pro tempore. The Clerk calls attention to the fact that there is an error in the enacting clause.

Mr. POU. I move to strike out the word "*Resolved*," and insert in lieu thereof the words "*Be it enacted.*"

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "*Resolved*," in line 1, and insert the words "*Be it enacted.*"

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to amend the committee amendment by changing the figures "$2,500" to "$2,190."

The Clerk read as follows:

Amend the committee amendment by striking out "$2,500," and inserting "$2,190."

The amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

NABOR AND VICTORIA LEON.

The next business on the Private Calendar was the bill (H. R. 7043) for the relief of Nabor and Victoria Leon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $780, and said sum of $780 is hereby appropriated, to be paid in such portions and under such regulations as the Secretary of Labor may prescribe to Nabor Leon and Victoria Leon, being, respectively, the father and mother of Rumaldo Leon, an employee of the United States, who was drowned in the course of his employment on construction work in the reclamation of arid lands at Granite Reef, on Salt River, Maricopa County, Ariz., on February 17, 1909, such sum being the amount to which the above relatives would have been entitled under the provisions of the act of Congress of May 30, 1908, but which they did not receive because the required affidavit of claim was not filed on their behalf within 90 days after the death, as required by section 4 of the said act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

EVA G. BOND AND DAISY E. JACKSON.

The next business on the Private Calendar was the bill (H. R. 16594) for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson, $266.27, for services rendered in carrying mail on route No. 8198, Louisiana, from January 1, 1861, to May 31, 1861.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. MANN. Mr. Speaker, I suggest to the gentleman from North Carolina [Mr. POU] that it would be wise now to ask unanimous consent to move to reconsider the vote by which the several bills were passed and to lay that motion on the table.

Mr. POU. Mr. Speaker, I move to reconsider the several votes by which the several bills were passed and to lay that motion on the table.

The SPEAKER pro tempore. Without objection it will be so ordered.

There was no objection.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I call the attention of the gentleman from North Carolina to the fact that it is now half past 11 o'clock.

Mr. POU. Mr. Speaker, in accordance with the order of the House, the hour of half past 11 having arrived, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Thursday, February 11, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting an item of legislation with the suggestion that it be incorporated in section 78 of House bill 15902, entitled "An act to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications," pending in the Senate (H. Doc. No. 1586); to the Committee on Printing and ordered to be printed.

2. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Kent Island Narrows, Md. (H. Doc. No. 1587); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 20894) to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes, reported the same without amendment, accompanied by a report (No. 1393), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DUPRÉ, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 284) giving the consent of the United States for the State of Louisiana to institute suit against the United States in the Supreme Court of the United States, reported the same without amendment, accompanied by a report (No. 1394), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STOUT, from the Committee on the Public Lands, to which was referred the bill (H. R. 20498) to validate title to certain town sites in the State of Montana, reported the same without amendment, accompanied by a report (No. 1395), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1390), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1391), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1392), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BATHRICK: A bill (H. R. 21397) to reissue fractional paper currency, and to facilitate the operation of parcel post and assist trade between the citizens; to the Committee on Banking and Currency.

By Mr. HAMILTON of Michigan: A bill (H. R. 21398) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: A bill (H. R. 21399) providing for the disposal of certain lands in Imperial County, Cal., and the proceeds arising therefrom; to the Committee on the Public Lands.

By Mr. HAYDEN: A bill (H. R. 21400) to increase the cost of construction of the Federal building at Globe, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21401) for the purchase of a site for a public building at Flagstaff, Coconino County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 21402) to provide for the erection of a public building at Coleman, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of California: A bill (H. R. 21403) to create a tariff commission; to the Committee on Ways and Means.

By Mr. HAYDEN: A bill (H. R. 21404) authorizing the acquisition of a site and the construction of a public building at Yuma, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21405) for the purchase of a site for a public building at Clifton, Greenlee County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. BROCKSON: A bill (H. R. 21412) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near New Castle, Del., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

Also, a bill (H. R. 21413) providing for the appointment of a board of survey for the purpose of selecting a suitable site for a naval armor plant at or near Wilmington, Del., and submitting an estimate of the cost thereof; to the Committee on Naval Affairs.

By Mr. STEPHENS of California: Joint resolution (H. J. Res. 419) favoring a protective tariff and permanent tariff commission; to the Committee on Ways and Means.

By Mr. VINSON (by request): Joint resolution (H. J. Res. 420) prescribing qualifications of ambassadors, envoys, functionaries, and delegates to and from the United States; to the Committee on Foreign Affairs.

By Mr. HOBSON: Resolution (H. Res. 728) requesting certain information of the Secretary of State; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 21406) for the relief of the estate of Martha J. Crockett, deceased; to the Committee on War Claims.

By Mr. CARR: A bill (H. R. 21407) granting an increase of pension to Philip Berkeybile; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 21408) for the relief of the Cincinnati, Saginaw & Mackinaw Railroad Co., of Saginaw, Mich.; to the Committee on Claims.

By Mr. HARRIS: A bill (H. R. 21409) granting a pension to William Fuller; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 21410) granting a pension to James Mortensen; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 21411) for the relief of George Iran; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petition of Altoona (Pa.) Chamber of Commerce, favoring passage of H. R. 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of Missouri Master Bakers' Association, of Moberly, Mo., in favor of an embargo on wheat; to the Committee on Foreign Affairs.

Also, petitions of Alwin Beyer, of Watervliet, N. Y., and 26 citizens of Philadelphia, Pa., in favor of an embargo on arms; to the Committee on Foreign Affairs.

Also, petitions of St. Anthony's Parish, membership 275, of St. Louis, Mo., and citizens of St. Louis and vicinity, 113 in number, in favor of an embargo on arms; to the Committee on Foreign Affairs.

Also, petition of citizens of St. Louis, Mo., in favor of the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Charles C. Nichols, of St. Louis, Mo.; Harry A. Drinker, of St. Louis, Mo.; and Lynn E. Bryan, of Webster Groves, Mo., against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. DALE: Petition of New York associated dailies, protesting against increase in postage on newspapers; to the Committee on the Post Office and Post Roads.

By Mr. DONOVAN: Petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. DRUKKER: Petitions of St. John's German Lutheran Church, of Passaic, and sundry citizens of Paterson, both of the State of New Jersey, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of Elmer E. Hubbard, of Cardenas, Cuba, relative to federation of nations, first on the Western Hemisphere; to the Committee on Foreign Affairs.

Also, memorial of Woman's Club, of Orange, N. J., favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. GALLIVAN: Petitions of Charlestown Nest of Owls, No. 14691; Warren Association of Charlestown; and Knights and Ladies of St. Brendan, Boston, Mass., favoring the passage of the Hamill bill—House bill 5139; to the Committee on Reform in the Civil Service.

By Mr. GILMORE: Petition of water commissioners of Braintree, Mass., against discontinuance by United States Government of printing of envelopes with return address; to the Committee on the Post Office and Post Roads.

Also, petition of C. A. Bohlin and C. D. Fyhr, of Brockton, Mass., favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petitions of Herman Bruhl and others, Sam Ambrose and others, Gottlob Wardner and others, F. J. Frey and others, all citizens of Columbus, Ohio, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of German Roman Catholic State Federation of Pennsylvania, relative to publication called the Menace being suppressed; to the Committee on the Post Office and Post Roads.

Also, petition of German Roman Catholic Central Vereins in the State of Pennsylvania, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Philadelphia County Federation of Protestant Patriotic Fraternities and Protestant Church Organizations, protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GRIFFIN: Petition of sundry citizens of Brooklyn, N. Y., favoring world federation of all nations; to the Committee on Foreign Affairs.

Also, petition of C. F. Hetzel, of Brooklyn, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of New York associated dailies, protesting against increase in postage on newspapers; to the Committee on the Post Office and Post Roads.

Also, petition of associated physicians of Long Island, favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. HELGESEN: Petitions of citizens of Linton, Lidgerwood, Leonard, Neche, Niagara, Alice, Amenia, Anamoose, Barney, Bismarck, Bisbee, Braddock, Calio, Casselton, Cathay, Cogswell, Crocus, Davenport, Devils Lake, Egeland, Elgin, Enderlin, Lincoln Valley, Fargo, Forbes Gardens, Grand Forks, Hensel, and Hillsboro, all of North Dakota, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Connecticut: Petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. KETTNER: Petitions of residents of Anaheim, Fullerton, Orange, San Bernardino, Redlands, Murrieta, Los Angeles, Elsinore, Banning, Beaumont, Whittier, Santa Ana, and Del Mar, Cal., indorsing House joint resolution 377, placing embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. LEWIS of Maryland: Petition of sundry citizens of Crellin, Garrett County, Md., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of August Michaelis, of New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Cohasset, Mass., favoring Owen-Palmer child-labor bill; to the Committee on Labor.

By Mr. MAHAN: Petition of Hermann Lodge, No. 13, O. D. H. S., of Middletown, Conn., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. MOORE: Petitions of Joseph Schwaab, Harry Schmelie, and sundry other citizens of Philadelphia, Pa., urging passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MURRAY: Petition of Tulsa (Okla.) Commercial Club, favoring passage of House bill 20417; to the Committee on Appropriations.

By Mr. REILLY of Connecticut: Petitions of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

Also, petition of St. Francis Holy Name Society, of New Haven, Conn., favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens and societies of Connecticut, favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Meriden, Conn., favoring establishment of free employment agencies; to the Committee on Labor.

By Mr. STEENERSON: Petition of 21 citizens of Dent, Minn., favoring House joint resolution 377 placing embargo on arms; to the Committee on Foreign Affairs.

Also, memorial of Minnesota State Dairyman's Convention, at Owatonna, Minn., urging legislation to prevent deception in the manufacturing and sale of oleomargarine; to the Committee on Agriculture.

By Mr. STEPHENS of California: Petitions from A. H. Naftzger, George E. Bittenger, H. T. Newell, Lyon Fireproof Storage Co., Kahn Beck Co., Kieselguhr Co. of America, Loeb-Fleishman & Co., Brownstein Louis Co., Albert Cohn, Bent Bros., and Laukota Garriotte Co., all of Los Angeles, Cal.; J. L. Tomlinson, Claremont, Cal.; Santa Monica Water Co., Santa Monica, Cal.; Covina Valley Farmers' Club, Covina, Cal., favoring the printing and issuing by the Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

Also, resolution of the City Council of Alameda, Cal., protesting against change of harbor lines; to the Committee on Rivers and Harbors.

Also, joint resolution of the legislature, State of California, favoring the Keating bill to pension soldiers engaged in the Indian campaigns from 1865 to 1891; to the Committee on Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Amarillo, Tex., protesting against passage of House bill 20644; to the Committee on the Post Office and Post Roads.

By Mr. TEN EYCK: Resolution from citizens of Altamont, N. Y., in favor of the Vollmer resolution, H. J. Res. 377, signed by Rev. Joel Martin, Rev. A. A. Frederick, Rev. George W. Furbeck, and 19 others; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petitions of 2,656 American citizens, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of sundry citizens of Amsterdam, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *February 11, 1915.*

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast made life exceeding precious by giving Thy life to the life of men. We have been called into union with the Divine. We are coworkers together with God not only because we can cooperate with God, but we can be coordinated with Thy life and Thy great purpose. We seek as the supreme end of life to know Thy will, and we ask for the grace that Thou alone canst give to us that we may do Thy will. We have not been put under the thralldom of the order of nature whose eternal note is recurrence; we have been given the power of the spirit which calls us ever onward and upward in the eternal progress of life. May we hold to the divine principle and seek to follow the guidance of the living God. For Christ's sake. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, February 5, 1915.

Mr. REED. Mr. President, I ask that the further reading of the Journal be dispensed with.

Mr. GALLINGER. I object, Mr. President.

Mr. LODGE. I object.

The VICE PRESIDENT. There is objection to dispensing with the further reading of the Journal. The reading will proceed.

The reading of the Journal was resumed and concluded.

Mr. McCUMBER and Mr. SAULSBURY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. SAULSBURY. Mr. President, I ask to be excused from further service on the——

The VICE PRESIDENT. Let us first settle the question on the approval of the Journal.

Mr. McCUMBER. I wish to be heard upon that question.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. McCUMBER. Mr. President, before the Journal is approved, I think there is one matter in it which needs explanation. It needs explanation not only to set the occupant of the chair at the time in a proper light, but also myself. I therefore wish to very concisely state the conditions under which one of the rulings stated in the Journal was made.

I noticed in the press yesterday that it was alleged that, while the Senator from Tennessee [Mr. LEA] was in the chair, I had been taken off my feet in debate. Mr. President, that is not true. I was not taken off my feet in debate. When I yielded to the Senator from Illinois [Mr. SHERMAN], I yielded to him without the reservation that I was yielding only for a question. My yielding was simply in these words:

I yield to the Senator from Illinois.

The Chair had a right to assume, as I did assume, that when the Senator from Illinois was recognized and I had yielded in that manner, I did not intend to proceed; and that is true. I did not intend to proceed any further; I intended that the Senator from Illinois should go on and make his address. As soon as the Senator from Illinois had begun his statement I added:

I yield the floor.

In whatever form that may be found in the RECORD those are the actual facts. So far as I was personally concerned, I had intended to yield the floor at that time, and the Senator from Tennessee, then in the chair, was justified in assuming, so far as I was personally concerned, that I had so intended.

The point of order that I made was, after the Senator from Illinois had been recognized and had spoken half a sentence, that he had the same right to retain his place upon the floor that I had, and that he could not be taken off the floor by the motion of the Senator from North Carolina [Mr. SIMMONS]. If anyone was taken off his feet at all, it was not myself, because I intended to yield at that time. I thought, Mr. President, that this statement ought to be made to clear the record.

Mr. LEA of Tennessee. Mr. President——

The VICE PRESIDENT. The Senator from Tennessee.

Mr. LEA of Tennessee. Mr. President, I was the occupant of the chair at the time the Senator from North Dakota [Mr. MCCUMBER] yielded the floor. The Chair did not recognize the Senator from Illinois [Mr. SHERMAN] except, as the Chair at first thought, for a question. When the Chair ascertained that it was the purpose of the Senator from North Dakota, as he has explained, to yield the floor, the Chair then recognized the Senator from North Carolina [Mr. SIMMONS], who rose to a point of order. The point of order was that the Senator from North Dakota could not farm out the floor by yielding it to another Senator for a speech. I believe that that principle is well recognized, and, being in the chair, I sustained the point of order.

The question then was whom the Chair would recognize. As the transcript of the RECORD will show, the Chair did not recognize the Senator from Missouri [Mr. STONE], because the Senator from North Carolina, after making his point of order, stated that he yielded to the Senator from Missouri, but the Chair made the following statement:

The question before the Senate is, first, the proposition of instructions to the committee.

The Senator from Missouri then stated:

Mr. President, has the Senator from North Dakota yielded the floor?

The Presiding Officer stated further:

If no one is going to proceed——

And was then about to state the question, when the Senator from Missouri said:

If he has—

Referring to the Senator from North Dakota—

I ask for recognition.

The Chair thereupon, instead of putting the pending question, recognized the Senator from Missouri. The Chair had never recognized the Senator from Illinois for the purpose of addressing the Senate other than when he asked the Senator from North Dakota if he yielded to the Senator from Illinois for a question, as the Chair thought, when the Senator from Illinois rose.

On the question of the appeal from the decision of the Chair on the question as to whom the Chair would recognize, the Chair declined to allow an appeal, because it is well recognized, under the rules of the Senate and under Jefferson's Manual, that there can be no appeal from the decision of the Chair as to which Senator is entitled to recognition.

The VICE PRESIDENT. Is there any further objection to the approval of the Journal or any correction proposed?

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senator from Utah.

Mr. SMOOT. Did the Chair recognize me?

The VICE PRESIDENT. For the purpose of correcting the Journal, yes; if not, no.

Mr. SMOOT. That is exactly what I rose for, Mr. President.

I should like to have that portion of the Journal read which refers to the notice given by the Senator from Mississippi [Mr. WILLIAMS] of an amendment proposing a change of the rules.

The VICE PRESIDENT. The Secretary will read the portion of the Journal referred to.

The Secretary read as follows:

Pending further debate, Mr. WILLIAMS gave notice of an amendment intended to be proposed to Rule XXII of the Senate, as follows:

"Insert after the words 'to lay on the table,' in Rule XXII, the following:

"'Any Senator arising in his place and asserting that in his opinion an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, "Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?" And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto, and the said motion shall be decided without debate: *Provided, however,* That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made.'"

Pending further debate, on motion of Mr. CLARKE of Arkansas, at 6 o'clock and 10 minutes p. m., that the Senate adjourn——

Mr. SMOOT. That is all I desire to have read at this time.

The Journal is not complete in the statement that when the Senator from Mississippi gave notice of the proposed amendment to the rules I objected to the giving of the notice. As the RECORD will show, I objected upon the ground that it was after 2 o'clock, and that after 2 o'clock no morning business could be transacted, unless by unanimous consent.

The VICE PRESIDENT. Where is the RECORD?

Mr. SMOOT. I will call the attention of the presiding officer to page 3340 of the RECORD, and I will read it——

Mr. WILLIAMS. Mr. President, then there is no dispute about that fact.

Mr. SMOOT. I beg pardon; I did not understand the remark of the Senator.

Mr. WILLIAMS. I say there is no dispute about that fact.

Mr. SMOOT. I want the Journal to show that I objected.

Mr. WILLIAMS. The Journal ought also to show that when the Senator from Utah contended it was out of order I contended that it was not, and the Presiding Officer, whoever was in the chair at the time, said the protest would be noted, so that the matter had to come up later.

Mr. GALLINGER. Mr. President, if the Senator from Utah will pardon me, the Senator from Utah will observe that at a subsequent time I made a similar objection, and the Chair sustained the objection I made, which appears in the Journal.

Mr. SMOOT. That appears in the RECORD on page 3375, and the Journal is correct upon that point; but it is not complete, Mr. President, on the question which I have now brought to the attention of the Senate.

Mr. President, after the Senator from Mississippi [Mr. WILLIAMS] said that he would offer the notice, I said:

Mr. President, I object.

Mr. WILLIAMS. I ask that it be read.

The PRESIDING OFFICER. Does the Senator from Utah object to receiving the amendment at this time?

Mr. SMOOT. I do.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. The Secretary will read the notice.

Mr. WILLIAMS. I ask the Secretary to return it to me. I shall myself read it, thus giving the notice under the rules requiring 24 hours.

Then he read the notice, after which the following occurred:

Mr. SMOOT. Mr. President——

Mr. WILLIAMS. I give that notice under the rule.

Mr. SMOOT. I have no objection, of course, to the Senator giving it—

I said "reading it," and the RECORD is wrong in that respect, because I said, "I have no objection to the Senator reading it," not "giving it"—

but I object to its being offered at this time. It is after 2 o'clock, and I also call attention to the fact that some six hours ago——

Then the Senator from Mississippi interrupted:

Mr. WILLIAMS. It is a question of the highest privilege to offer a motion to amend the rules.

Mr. SMOOT. No; it is not.

The PRESIDING OFFICER. Does the Senator from Utah make a point of order?

Mr. SMOOT. Yes; I object to the introduction of the notice.

The PRESIDING OFFICER. The notice has been given to the Senate, but the effect of the notice will be for consideration at a future time.

Mr. WILLIAMS. I have not offered a motion. I have given notice that I would offer it, and what the Senator is referring to concerns a motion.

Mr. SMOOT. The rules provide that the motion shall be in writing and shall go to the desk, and it must be in order before it can be presented. Already we are working on the legislative day of February 5; it is after 2 o'clock, and the unfinished business is before the Senate. There can be nothing offered, no bill or conference report or otherwise, unless by unanimous consent, and I object to the offering of this notice.

Mr. WILLIAMS. It is not offered as a motion.

Mr. SMOOT. It is a notice.

The PRESIDING OFFICER. The objection is noted.

Mr. SMOOT. Is the objection sustained, Mr. President?

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

That is the RECORD, Mr. President, as it appears here, and there is nothing there to show that the Senator from Mississippi had authority to offer it. I objected to the notice being given at that time, and I think, Mr. President, the Chair sustained the objection. Certainly, under every ruling of the Chair in the past that I know anything of, the Senator had no right to offer that notice at that time.

The VICE PRESIDENT. There does not seem to have been any ruling, however.

Mr. SMOOT. Of course, I took it for granted, Mr. President, from what the Presiding Officer said, that the notice was not offered in the regular order, because the Senator read it himself. There was no objection to his reading it as a part of his speech, as I stated, but he certainly did not have the right under the rules to offer it except in its regular order, as the rules require.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. To take up that matter is not now in order. If the Senator from Utah wishes to move to amend the Journal by having the Journal show that he did make the objection, I think the Journal ought to be amended to show it. I am perfectly willing to have the Journal amended to show it. After we are through with the Journal I shall rise to a question of parliamentary inquiry. We can then settle the dispute between us, and my conduct will be governed accordingly.

I am perfectly willing—and I think the Journal ought to be corrected, as a matter of fact, to show that the Senator from Utah did make the objection upon the ground that it was after the morning hour.

Mr. SMOOT. I desire that the Journal shall be corrected, by showing the fact that I did object to its introduction at that time, and the reasons why.

The VICE PRESIDENT. The Journal may be corrected.

Mr. REED. Mr. President, I rise to a correction of the Journal.

Mr. WILLIAMS. Mr. President——

Mr. REED. I rise to a further correction of the Journal.

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. Mr. President, I likewise gave a notice of a proposed amendment to the rules, and sent it to the desk and had it read. A point of order was made against it, which was not ruled upon. The Journal shows that the point of order was sustained. In that respect the Journal is inaccurate, and I move to strike out the following words from the Journal:

The Presiding Officer sustained the question of order.

I call attention now to the RECORD, page 3375:

Mr. REED. Will the Senator yield to me for a moment?

Mr. MCCUMBER. For a question, so that I do not lose the floor; that is all.

Mr. REED. That is understood. I ask to have read to the Senate, to go into the RECORD, what I send to the desk.

The PRESIDING OFFICER. The Secretary will read.

Thereupon the notice was read.

Mr. GALLINGER. Mr. President, I raise the point of order that that can not be received under existing circumstances.

Mr. REED. I will amend by inserting, after "February 19," the figures "1915."

Mr. GALLINGER. I raise the point of order against its reception, Mr. President.

The PRESIDING OFFICER. Does the Chair understand that the Senator from North Dakota yielded to the Senator from Missouri?

Mr. GALLINGER. But it is after 2 o'clock.

Mr. MCCUMBER. I yielded for nothing that would take me off the floor.

Mr. GALLINGER. No business can be received under existing conditions, and I desire to say it is the duty of the Chair, under the rule, to enforce it without attention being called to it. It is after 2 o'clock of the legislative day of February 5, and neither a notice nor any other business can be received or transacted by the Senate without unanimous consent. I call attention——

The PRESIDING OFFICER. The Chair had in mind whether unanimous consent was given or not when the Senator from Missouri presented it.

Mr. GALLINGER. There was no evidence given of the notice and he knew nothing as to what it was.

Mr. REED. It is merely a question of notice which is now presented to the Senate.

Mr. BRANDEGEE. Mr. President, I rise to a point of order.

Mr. REED. The question whether it is legally or properly a notice is to be settled when we come to a consideration of the rule.

Mr. BRANDEGEE. Mr. President, I make the point of order that the rule provides that a Senator shall not be interrupted for any such purpose, and it is the duty of the Chair, without any Senator calling it to the attention of the Chair, to enforce the rule.

Mr. REED. I have not yielded.

The PRESIDING OFFICER. The Senator from North Dakota has the floor. The Chair had a right to ask if unanimous consent was given.

Mr. STONE. Mr. President, I rise to a question of order. Did the Senator from North Dakota yield to the Senator from Missouri?

The PRESIDING OFFICER. The Senator from North Dakota yielded on condition that he was not yielding the floor.

Mr. STONE. I raise the question of order that the Senator can not yield the floor for the introduction of new business on any condition.

Mr. BRANDEGEE. I have raised the same point of order.

Mr. GALLINGER. That is the very point I made.

Mr. STONE. I now ask for the recognition of the Chair to take the floor in my own right.

Mr. MCCUMBER. I have not yielded.

The PRESIDING OFFICER. The Chair said the Senator from North Dakota did not yield the floor.

Mr. MCCUMBER. I did not yield, and I stated that I would not yield the floor.

The PRESIDING OFFICER. The Chair will ask the Official Reporter to read what transpired at the time the junior Senator from Missouri made the request of the Senator from North Dakota.

Mr. STONE. I do not press it further. I withdraw it.

Mr. REED. I want to say to the Senator——

The PRESIDING OFFICER. Just a moment. The Official Reporter will read.

Mr. GALLINGER. It is withdrawn.

Mr. MCCUMBER. I understand it is withdrawn, and it is not necessary for the reporter to read.

The PRESIDING OFFICER. Has the junior Senator from Missouri withdrawn his request?

Mr. REED. I did not withdraw my notice, but my colleague withdrew his request, because I stated to him what I had said to the Senator from North Dakota, that I would not take him off his feet.

Mr. GALLINGER. That is right. Now, Mr. President——

The PRESIDING OFFICER. The notice has been read, and it will go into the RECORD.

Mr. GALLINGER. The Senator has not a right to give the notice, and I make the point of order that it is not in order to present it at the present time.

Mr. MCCUMBER resumed his speech.

So, Mr. President, there was absolutely no ruling on the point of order. The notice was read to the Senate, and it appears in the RECORD, and the question as to whether or not it was properly given is one to be hereafter passed upon. Therefore I move to strike out of the minutes the words:

The Presiding Officer sustained the question of order.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. A careful reading of the RECORD sustains the position the Senator from Missouri takes this morning. I had supposed that the point was sustained by the Presiding Officer. That was my impression at the time.

Mr. LEA of Tennessee. Mr. President, will the Senator from New Hampshire yield to me?

Mr. GALLINGER. Certainly.

Mr. LEA of Tennessee. I was in the chair at the time, and I did decide the point of order.

Mr. GALLINGER. The Senator did decide the point of order?

Mr. LEA of Tennessee. I sustained the point of order, and so instructed the Journal clerk.

Mr. GALLINGER. I so understood, Mr. President. I am glad to have the Senator from Tennessee verify my recollection of it, but, unfortunately, the CONGRESSIONAL RECORD does not show that to have been the fact. I was so positive it was the fact that I was very much surprised when the Senator from Missouri read the RECORD.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. The Senator from Tennessee has confused this proposition with some other. I distinctly had in mind, when I offered this motion, that a point of order would be made against it. I distinctly had in mind that I intended to prevent a ruling upon that point of order, so that the questions could all be brought up together. I stood very close to the desk, and I went through with this proposition, and every word that was said that was audible to me appears in the RECORD, and the RECORD stands here as a verity.

What the Senator from Tennessee has in mind, I think, is that he sustained the right of the Senator from North Dakota [Mr. MCCUMBER] to keep the floor. There was a dispute. The Senator will remember that my colleague [Mr. STONE] came into the Chamber while the matter I was presenting was under discussion, and claimed the right to the floor upon the ground that the Senator from North Dakota had yielded, and that led to some colloquy back and forth. That was at this exact time, as the RECORD shows. So I insist that my motion to correct the RECORD ought to prevail, and then the question of the ruling can be settled later on.

Mr. GALLINGER. Mr. President, in view of the statement made by the Senator from Tennessee, who was in the chair,

and inasmuch as it confirms my recollection of the matter, I hope the motion will not prevail.

Mr. LEA of Tennessee. Mr. President——

The VICE PRESIDENT. The Senator from Tennessee.

Mr. LEA of Tennessee. The Official Reporters at that time were, naturally, having a great deal of difficulty in taking down everything that transpired. The attitude of the Chair was that the notice of the Senator from Missouri had been read, and the question was whether or not it would be received by the Senate as a formal notice. After several collateral questions had arisen, the Senator from New Hampshire made the point of order that it could not be received. The Chair sustained the point of order, and, as he thought, in an audible tone. The Journal Clerk then turned and asked whether he was correct in putting down the fact that the point of order had been sustained, and the Chair so instructed the Journal Clerk.

The VICE PRESIDENT. The question is on the motion of the Senator from Missouri to correct the Journal. [Putting the question.] By the sound the ayes seem to have it.

Mr. GALLINGER and Mr. SMOOT called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. THORNTON (when Mr. RANSDELL's name was called). I desire to announce the necessary absence of my colleague, the junior Senator from Louisiana [Mr. RANSDELL], and to say that he is paired with the junior Senator from Massachusetts [Mr. WEEKS]. I ask that this announcement may stand for the day.

The roll call was concluded.

Mr. WEEKS. I have a pair with the junior Senator from Louisiana [Mr. RANSDELL]. I ask that this announcement may stand for the day.

Mr. BRADY. I wish to inquire if the junior Senator from Kansas [Mr. THOMPSON] has voted?

The VICE PRESIDENT. He has not.

Mr. BRADY. I have a general pair with that Senator, and therefore withhold my vote.

The roll call resulted—yeas 17, nays 66, as follows:

YEAS—17.

Chilton	Martin, Va.	Simmons	Walsh
Fletcher	Martine, N. J.	Smith, Md.	White
Gore	Myers	Stone	
James	Reed	Thomas	
Lee, Md.	Saulsbury	Tillman	

NAYS—66.

Ashurst	Dillingham	McCumber	Shively
Bankhead	du Pont	McLean	Smith, Ariz.
Borah	Fall	Nelson	Smith, Ga.
Brandegee	Gallinger	Norris	Smith, Mich.
Bristow	Goff	O'Gorman	Smith, S. C.
Bryan	Gronna	Oliver	Smoot
Burleigh	Hardwick	Overman	Stephenson
Burton	Hitchcock	Owen	Sterling
Camden	Hollis	Page	Sutherland
Catron	Hughes	Penrose	Swanson
Chamberlain	Johnson	Perkins	Thornton
Clapp	Jones	Poindexter	Townsend
Clark, Wyo.	Kenyon	Robinson	Warren
Colt	La Follette	Root	Williams
Crawford	Lea, Tenn.	Shafroth	Works
Culberson	Lippitt	Sheppard	
Cummins	Lodge	Sherman	

NOT VOTING—13.

Brady	Lewis	Ransdell	Weeks
Clarke, Ark.	Newlands	Shields	
Kern	Pittman	Thompson	
Lane	Pomerene	Vardaman	

The VICE PRESIDENT. On the motion to correct the Journal, made by the Senator from Missouri [Mr. REED], the yeas are 17 and the nays are 66; so the Journal stands in that particular as read.

Mr. REED. Mr. President, I simply want to say a single word. I do not think the recollection of a man who happens to be in the chair ought to be any stronger than the recollection of a man who has proposed the motion and is watching the proceedings, when that Senator is backed by the solemn record taken in shorthand. The shorthand record ought to be followed.

Mr. GALLINGER. Mr. President, let us have the regular order.

The VICE PRESIDENT. The question now is on the approval of the Journal. There being no further errors to point out, the Journal will stand approved as read, subject to future correction.

Mr. WILLIAMS. Mr. President, I rise for the purpose of making a parliamentary inquiry.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills:

S. 145. An act for the relief of Charles Richter;

S. 543. An act to correct the military record of John T. Haines;

S. 604. An act for the relief of Sarah A. Clinton and Marie Steinberg;

S. 926. An act for the relief of the Georgia Railroad & Banking Co.;

S. 1044. An act for the relief of Byron W. Canfield;

S. 1060. An act fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy;

S. 1304. An act authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government;

S. 1377. An act for the relief of Alfred S. Lewis;

S. 1703. An act for the relief of George P. Chandler;

S. 1880. An act for the relief of Chester D. Swift;

S. 2304. An act for the relief of Chris Kuppler;

S. 2882. An act for the relief of Charles M. Clark;

S. 3419. An act admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas;

S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy;

S. 3925. An act for the relief of Teresa Girolami;

S. 5092. An act for the relief of Charles A. Spotts;

S. 5254. An act authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club;

S. 5497. An act authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska;

S. 5695. An act for the relief of the Southern Transportation Co.;

S. 5970. An act for the relief of Isaac Bethurum; and

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2668. An act for the relief of the heirs of Ellery B. Wilmar;

H. R. 7043. An act for the relief of Nabor and Victoria Leon;

H. R. 11839. An act for the relief of William Ham;

H. R. 11927. An act for the relief of Matthew McDonald;

H. R. 12075. An act to correct the military record of A. W. Sudduth;

H. R. 12369. An act for the relief of John Healy;

H. R. 13373. An act for the relief of Charles V. Wells;

H. R. 13756. An act for the relief of Augustus Dudley Hubbell;

H. R. 15168. An act for the relief of Lyman D. Drake, jr.;

H. R. 15666. An act for the relief of John A. Ryan;

H. R. 15934. An act for the relief of Mrs. Joseph Cameron;

H. R. 16594. An act for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson;

H. R. 16650. An act for the relief of Thomas P. Darr;

H. R. 16777. An act for the relief of Amato Castellano, Libero Baranello, and Michele Baranello;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army;

H. R. 17122. An act for the relief of John Burrows;

H. R. 17174. An act to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer;*

H. R. 17343. An act for the relief of Charles L. Pritchard;

H. R. 17842. An act for the relief of George Richardson;

H. R. 18197. An act for the relief of Arthur W. Fowler;

H. R. 18572. An act granting permission to Mrs. R. S. Abernethy, of Lincolnton, N. C., to accept the decoration of the bust of Bolivar;

H. R. 18884. An act for the relief of Daniel Jordan;

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington;

H. R. 19497. An act to amend the military record of George W. Laland;

H. R. 20439. An act for the relief of the heirs of the late Frank Henry Rogers;

H. R. 20702. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa.;

H. R. 20800. An act for the relief of Charlotte M. Johnston;

H. R. 21077. An act for the relief of W. F. Crawford; and

H. R. 21126. An act to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins*.

AMENDMENT OF THE RULES.

The VICE PRESIDENT. The Senator from Mississippi [Mr. WILLIAMS] has been recognized.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. To ask a question, but for nothing else.

Mr. POINDEXTER. I wish to make an inquiry about the message just received from the House of Representatives. I did not hear very well the number of a bill filed. I should like to inquire if House bill 16896 is included in the bills?

Mr. WILLIAMS. I yielded for an inquiry, and I thought the Senator rose to make an inquiry. Yielding for an inquiry at the desk might involve a different question. The Senator can make that inquiry later.

The VICE PRESIDENT. It is among the bills received.

Mr. POINDEXTER. Will the Senator from Mississippi yield to me long enough to ask for the immediate consideration of that bill?

Mr. WILLIAMS. No; I will not.

Mr. President, I rise for the purpose of making a parliamentary inquiry and with a view of obtaining a parliamentary determination of the question which was raised yesterday by the Senator from Utah [Mr. SMOOT]. There is no dispute about the facts, Mr. President.

Mr. LODGE. Mr. President, we can not hear what is being said.

The VICE PRESIDENT. The Senator will suspend until there can be order in the Chamber.

Mr. WILLIAMS. I am sure that is my fault. I always start off in a low voice. If the Senator had waited a moment I think he would have got it. I repeat, Mr. President, I rise for the purpose of making a parliamentary inquiry and obtaining a parliamentary determination by the Senate of the question at issue raised by the objection made by the Senator from Utah [Mr. SMOOT] upon yesterday to a notice which I proposed to give to change the rule. There is no dispute about the facts at all. I had the floor in my own right, unlike the case of the Senator from Missouri, where the Chair sustained the objection. Having the floor in my own right, I said that I proposed to give notice under the rule for a motion to change Rule XXII, giving that notice in writing in the manner demanded by Rule XL of the Senate. That rule reads as follows:

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

This is the only thing in the rules of the Senate which relates to the subject of a notice to amend the rules of the Senate. The purpose of the rule, in the light of which the rule is to be construed, is that a question of changing the rules of the Senate shall not come up for consideration until Senators have had an opportunity to read the proposed change in the CONGRESSIONAL RECORD. It is not a motion, it is not a resolution, it is not legislative in its character in any degree; it is a notice, and it is not a notice to be received but a notice to be given.

There is no method provided wherein the Senate receives or refuses to receive the notice. There is no vote of the Senate involved in the proposition. You have the right to give the notice, and no vote comes up at all, except when a motion later on is made that the motion to amend shall be referred to the Committee on Rules.

Mr. President, I ask the attention of the Senator from Massachusetts, who did not hear me a moment ago. The Senator from Utah [Mr. SMOOT] made the objection upon the ground that the morning hour had expired, so it follows that in his opinion notices for a change in the rules ought to be considered in the morning hour.

When you turn to Rule VII of the Senate it says what business shall be considered in the morning hour and the order in which it shall be considered. First—

The presentation of petitions and memorials.

This notice is neither a petition nor a memorial.

Reports of standing and select committees.

This is not a report of any sort of a committee.

The introduction of bills and joint resolutions.

This is neither a bill nor a joint resolution nor the introduction of one, but a notice under Rule XL, a mere administrative act, not a legislative act at all, the object of which is to give Senators an opportunity to know the nature of the proposed change before they consent to send it to the committee or to take any other action upon it.

Concurrent and other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given.

Mr. President, there is not a rule of the Senate which confines the giving of a notice to change the rules of this body to the morning hour. Of course, when a Senator rises and proposes to make a report or to introduce a bill, except such bills as are permitted to be handed in at the desk by a general rule, or to present a memorial or a petition, the rule requiring that to be done in the morning hour is operative unless unanimous consent can be obtained to present either one of them out of order after the time fixed by the rules of the Senate when they shall be presented.

The mistake in the mind of the Senator from Utah is in regarding this notice as a legislative act. The notice is not a legislative act. It is not even a resolution; it is not a bill; it is not anything except a compliance with an act which the rule requires shall be taken before a motion to amend the rules shall be considered or referred.

I contend, Mr. President, that the point of order made by the Senator, to wit, that the notice could not be received at that time, was not well taken, because he put it upon the ground—and it is the only ground on which he can place it, and that ground is not a good one—that it was after the morning hour.

Now, let me go on with the facts, Mr. President, for they are important. I had the floor in my own right. The notice was read. It was read by me. The rules do not require that the notice shall be read by the Secretary. There is no rule of this body which says so. In fact, it is very doubtful as to whether it is necessary that it should be read at all. The rule merely requires that the notice shall be given in writing; but as there is no way of conveying to the Senate the substance of a notice given in writing except by reading, it follows, I think, that it must be read by somebody. It is not like a bill or a joint resolution, where the rules require that it shall be read by the Secretary, altogether three times, and all that. Rule XL says nothing except that this notice shall be given.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended.

That is the only limitation upon the power to give notice to change the rules of this body. Why is it the only limitation? Because it is necessarily a matter of the highest privilege to submit to any legislative body a proposition to change the rules whereunder it does business, so much so that the committee on rules in most bodies has special privileges, and a report from that committee to change the rules of the body has precedence over nearly all other sorts of business.

Mr. President, I contend that this notice was given in writing, as required by the rule, specifying the rule to be changed; that it was read, so that the Senate might know that it had been given. The reading is not the essence of it; the giving in writing is of the essence, and the reading is mere testimony to the fact that the notice in writing was given; that is all.

I contend, moreover, and there is no dispute about that, the Chair did not decide the point of order made by the Senator from Utah, but expressly said that that would receive consideration at a future time. I am not giving the exact language of the Chair, but that was the substance of it. Was it not? I appeal to the Senator from Utah.

Mr. SMOOT. I will give the exact wording of the Presiding Officer.

Mr. WILLIAMS. Well, give it to me.

Mr. ROOT. On what page?

Mr. SMOOT. On page 3758 of the RECORD.

The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. And that is all.

Mr. WILLIAMS. But, later, the Chair says something about the matter.

Mr. SMOOT. It must be before that. I will read all the Chair said.

Mr. WILLIAMS. All right, when you get it. I will go ahead, and you can read it later.

The Chair said nothing is before the Senate for consideration; the Senator from Mississippi has read the notice. For what?

For the information of the Senate. The sole object of reading a notice to amend the rules is for the information of the Senate. If this had been a resolution or a bill when it is read merely for information it is, of course, not a reading for consideration by the Senate of the bill itself, but the sole object of reading this notice is the information of the Senate.

This notice was given in writing, as required by the rule, and it was read for the only purpose for which this sort of paper can be read, to wit, for the information of the Senate, because the consideration of it does not come up until 24 hours afterwards, and can not come up. Of course the Chair was correct in that, and the Chair was correct later in stating that that would be a matter of future consideration; that is to say, the point of order made by the Senator and what I said not in the shape of argument, that it was a matter of high privilege.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. Mr. President, there is no general rule among the Senate rules governing what are called notices. Ordinary notices, like notices of a speech or notice that a Senator intends to call up or move to take up a bill are mere matters of information; they have no binding effect whatever. There being no general rule as to notices we must judge this upon the rule which establishes it. The other notices have no parliamentary standing whatsoever. This notice has a parliamentary standing because it is included in a rule. The rule requires that the notice shall be given in writing. I will read the language.

> Except on one day's notice in writing, specifying precisely—

And so forth.

The VICE PRESIDENT. Now, stop there. Was it not in writing?

Mr. LODGE. I was going to touch on that. I think it was not. The mere reading by a Senator in his place does not constitute the notice in writing required by the rule.

Mr. WILLIAMS. But, Mr. President——

Mr. LODGE. Let me finish. For the Senate to take official notice and have parliamentary possession of a notice in writing it must come into the possession of the Senate. It must be formally received as a House bill is received, and it is not received until it is laid before the Senate. This notice, as I understand, was not filed at the desk and has never been received by the Senate. This notice is an integral part of legislative action. You can not put it on the ground that it is a mere notice. It is a part of the procedure for changing the rules. It is established by the Senate and is an inseparable portion of the procedure for changing the rules. It is not a mere notice of no binding parliamentary force.

I have not looked at the RECORD, but I believe it was sent to the desk; but it was not read from the desk, but was returned. Is that correct?

Mr. SMOOT. Yes.

Mr. GALLINGER. The Senator from Mississippi took it back.

Mr. LODGE. The Senator from Mississippi went to the desk and took the resolution back, and it was not read from the desk. Therefore it has never been in the possession of the Senate. It has never been received by the Senate. The mere reading of it and having it printed in the RECORD is not a notice under the rule. The notice, to have a parliamentary standing, must be in possession of the Senate formally, as a bill is put formally in possession of the Senate. That has never occurred to this notice, and I repeat it is an integral part of the legislation proposed, which is a change of the rules of the Senate.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senator from Utah. On what page is it in the CONGRESSIONAL RECORD?

Mr. SMOOT. On page 3758.

Mr. WILLIAMS. If the Senator from Utah will pardon me a moment, I want to correct an error made by the Senator from Massachusetts. The Senator says the notice was not sent to the desk. Here is what happened. The notice was sent to the desk.

Mr. LODGE. I said so.

Mr. WILLIAMS. Wait a moment.

Mr. LODGE. I said it was sent to the desk.

Mr. WILIAMS. The Presiding Officer ordered the Secretary to read it. You will find it on page 3758 of the RECORD of February 9:

> The PRESIDING OFFICER. The Secretary will read the notice.
> Mr. WILLIAMS. I ask the Secretary to return it to me. I shall myself read it, thus giving the notice.

So there was the order of the Chair to read the notice, and the only thing that took place at all was that the reading was done, and although the Chair had ordered the Secretary to read it, I read it; nobody objecting, it must have been done, of course, by unanimous consent.

Mr. SMOOT. Oh, no.

Mr. LODGE. Oh, no.

Mr. SMOOT. Allow me to correct the Senator from Mississippi. The Senator from Mississippi, at the conclusion of his remarks upon that day, made this statement:

> Mr. President, I now offer the following notice of a motion to amend the rules, to go over for 24 hours under the rule.
> Mr. SMOOT. Mr. President, I object.
> Mr. WILLIAMS. I ask that it be read.

Then the Presiding Officer said:

> Does the Senator from Utah object to receiving the notice at this time?
> Mr. SMOOT. I do.
> Mr. ROOT. Mr. President——

Then the Presiding Officer interrupted the Senator from New York:

> The PRESIDING OFFICER. The Secretary will read the notice.

I was going to object to that, but the Senator from Mississippi rose and said:

> I ask the Secretary to return it to me. I shall myself read it, thus giving the notice under the rules requiring 24 hours.

He read the notice, and I immediately said:

> I have no objection, of course, to the Senator reading it, but I object to its being offered at this time. It is after 2 o'clock; and I also call attention to the fact that some six hours ago——

Then the Senator from Mississippi interrupted me again.

Mr. President, the notice has never been printed, and it has never been laid upon the desks of Senators, as it would have been if it had been presented to the Senate.

Mr. ROOT. Mr. President, may I call the attention of the Senator from Utah to a further expression, which is necessary to complete the statement?

Mr. REED. Mr. President, I rise to make an inquiry and not to interrupt. I wish to ascertain whether the Senator from Massachusetts [Mr. LODGE] is still holding the floor or whether the Senator from Utah [Mr. SMOOT] has the floor?

Mr. LODGE. No; I am not holding the floor. I rose to obtain recognition, and I shall wait until opportunity offers.

Mr. ROOT. The conclusion of the whole matter referred to by the Senator from Utah was in these words:

> The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate, and that is everything which has thus far transpired.

Mr. SMOOT. Then, Mr. President——

Mr. WILLIAMS. Will the Senator pardon me just a moment?

Mr. SMOOT. Then I said immediately after that:

> And that is all.

I was content, Mr. President, as the objector, if that was the situation in the Senate. I had no objection whatever to the Senator reading the notice as a part of his speech.

Mr. WILLIAMS. I beg pardon; that was not all the Presiding Officer said. Upon the same page, and just above it, the Senator will find that the Presiding Officer used this language:

> The notice has been given to the Senate, but the effect of the notice will be for consideration at a future time.

Then the Chair later added what the Senator from New York [Mr. ROOT] has just stated.

Mr. SMOOT. Yes; but he added that after I made this statement:

> The rules provide that the motion shall be in writing, and shall go to the desk, and it must be in order before it can be presented. Already we are working on the legislative day of February 5; it is after 2 o'clock and the unfinished business is before the Senate. There can be nothing offered, no bill or conference report or otherwise, unless by unanimous consent, and I object to the offering of this notice.

Then the Presiding Officer made this statement:

> The PRESIDING OFFICER. There is nothing to which the objection is directed. The Senator from Mississippi has read the notice for the information of the Senate and that is everything which has thus far transpired.
> Mr. SMOOT. And that is all.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I now ask for a ruling by the Chair. I want a ruling for this reason: I am very doubtful if a notice of this sort can be given during the morning hour, because the rules enumerate just the things which can be done during the morning hour, and this is not one of them. If it can not be done during the morning hour, and can not be done after the moring hour, it can not be done at all. I therefore ask for a ruling of the Chair.

Mr. SMOOT. In answer to the Senator from Mississippi, I will say that if there had not been unfinished business, of course the notice could have been presented after the morning hour; but we were on the unfinished business.

Mr. WILLIAMS. That is the point; and I ask for a ruling of the Chair.

The VICE PRESIDENT. There is a rule of the Senate to the effect that a Senator upon the floor can not be taken off his feet for such a purpose as this, or for any other purpose—making a report or introducing a bill or a resolution. As the Chair understands, the Senator from Mississippi had the floor in his own right. The Chair does not see how, except by the exercise of a very refined technicality, there is the slightest doubt in the minds of Senators that the Senator from Mississippi had reduced to writing and read and left upon the Secretary's table this notice. The Chair accordingly rules that the Senator from Mississippi has complied with all the requirements of the law with reference to notice to be given.

Mr. WILLIAMS. Mr. President, I now ask that the resolution be referred to the Committee on Rules.

Mr. SMOOT. On that ruling I appeal from the decision of the Chair, and I ask for the yeas and nays.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

Mr. SMOOT. Mr. President, I withdraw the appeal.

Mr. LODGE. As I understand, the Senator from Mississippi asks to have the notice referred to the Committee on Rules.

Mr. WILLIAMS. Yes.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair lays before the Senate a notice, which will be read.

The Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., February 11, 1915.

MR. PRESIDENT: I very respectfully move that the honorable Committee on Rules be discharged from further consideration of S. Res. 283, proposing an amendment to Rule XIX of the Standing Rules of the Senate and proposing cloture.

ROBERT L. OWEN.

Mr. GALLINGER. Let that go over one day.

The VICE PRESIDENT. It goes over under the rule. The Chair lays before the Senate a notice, which will be read.

The Secretary read as follows:

To the United States Senate:

Pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice that I propose the following amendment to the Standing Rules of the Senate: Add at the end of Rule XXII of the Standing Rules of the Senate the following:

"Not later than the hour of 2 o'clock p. m. of the calendar day February 19, 1915, all debate upon Senate bill No. 6856 shall cease, and at the time aforesaid the Senate shall proceed to vote upon said bill and all amendments thereto without further debate. The final vote upon said bill shall be taken not later than 5 o'clock p. m. of said date.

"The foregoing proceedings shall have precedence over all other motions whatsoever."

I will move the adoption of said amendment as soon as permitted by the rules of the Senate so to do.

The purpose of said proposed amendment is to terminate the obstructive tactics now being pursued with reference to the above-named bill and to cause a vote to be had thereupon at the time above specified.

JAS. A. REED.

The VICE PRESIDENT. The notice will go over.

Mr. LODGE. Mr. President, one moment. I make the point of order on the notice that has been read that it is obviously and on its face not an amendment to the standing rules of the Senate. The rules of the Senate are standing rules, and to be an amendment to the rules the amendment must be general in its character, like the amendment just offered by the Senator from Mississippi [Mr. WILLIAMS]. This proposition carries on its face the statement that it terminates on February 19; that it deals with a special bill. It can not, therefore, be a standing rule of the Senate. This proposed amendment is a special order, which it is perfectly proper to offer; but I make the point of order that it is not and can not be an amendment to the standing rules of the Senate, because it expires by its own limitation on the 19th of February. The standing rules of the Senate, as the term implies, are general and continuous rules, while this is limited to a particular case.

The VICE PRESIDENT. The Chair does not think he is called upon now to decide that question. The proposition is presented, and assumes to be a notice to amend the rules of the Senate. It goes over for a day. When it comes up it will then be for the Senate to determine whether or not it is an amendment of the rules. At the present time the Chair does not feel called upon to decide that question.

Mr. GALLINGER. Are petitions in order, Mr. President?

The VICE PRESIDENT. Not yet. The Chair has a few matters on the table which he desires to lay before the Senate.

The Chair has received copies of the telegrams introduced by the Senator from Missouri, and will therefore not lay them before the Senate.

PUBLIC PRINTING ANND BINDING (H. DOC. NO. 1586).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, suggesting certain amendments to be included in the bill to amend, revise, and codify the laws relating to the public printing and binding and distribution of Government publications, which was ordered to lie on the table and be printed.

PURCHASE OF ARMY SUPPLIES (S. DOC. NO. 940).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, suggesting certain proposed changes to be made in the Army appropriation bill relative to the purchase or manufacture of stores or material by the Government, which was referred to the Committee on Military Affairs and ordered to be printed.

ESTIMATES OF APPROPRIATIONS (S. DOC. NO. 939).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting estimates of appropriations for contingent expenses, office of the secretary of the Territory of Alaska, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the Court of Claims, transmitting certified copies of the findings of fact and conclusion filed by the court in the following causes:

The cause of Esther E. Hale, widow of Christopher J. Hale, *v.* The United States (S. Doc. No. 943); and

The cause of Lydia E. Butler, widow of George A. Butler, *v.* The United States (S. Doc. No. 942).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution of the Senate of the State of California, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA, SENATE CHAMBER,
Sacramento, Cal., January 30, 1915.

Resolution by Senator Kehoe.

Whereas the State of California is most splendidly endowed with rivers and harbors, the improvement of which would have a marked effect upon not only the development of this Commonwealth, but of the entire United States; and

Whereas it is highly desirable, if not essential, to wise national legislation and appropriation on rivers and harbors, that the congressional Committee on Rivers and Harbors acquire intimate and personal knowledge of conditions and possibilities with respect to California's rivers and harbors: Therefore be it

Resolved, That the Senate of the State of California respectfully requests and urges Congress of the United States to empower and authorize its Rivers and Harbors Committee to visit the State of California with the express purpose of personally inspecting all of its harbors and its navigable rivers: And be it further

Resolved, That the Rivers and Harbors Committee of Congress be invited, and the invitation is hereby issued, to visit the State of California for such purpose: And be it further

Resolved, That the president of the senate be authorized to appoint a legislative reception and entertainment committee, to be composed of not less than one member from each congressional district of the State of California to be visited by the Rivers and Harbors Committee of Congress: And be it further

Resolved, That the president of the senate and the speaker of the assembly, the State engineer and the chairman of the State board of control, be ex officio members of said committee: And be it further

Resolved, That said legislative reception and entertainment committee be authorized to make all arrangements with respect to the itinerary of the visiting committee of Congress: And be it further

Resolved, That copies of this resolution be immediately forwarded to the Presiding Officers of both Houses of the National Congress.

Attest:

EDWIN F. SMITH, *Secretary of Senate.*

The VICE PRESIDENT presented a concurrent resolution adopted by the Legislature of the State of Oklahoma, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

[House concurrent resolution No. 4. By Lemon and McCollister.]

House concurrent resolution memorializing the Congress of the United States to pass the Sheppard-Hobson resolution proposing an amendment to the Constitution of the United States to prohibit the manufacture, sale, transportation, exportation, and importation of intoxicating liquors.

Be it resolved by the House of Representatives of the State of Oklahoma (the Senate concurring), That the Congress of the United States be, and the same is hereby, earnestly memorialized and requested to pass the Sheppard-Hobson resolution proposing an amendment to the Constitution of the United States to prohibit the manufacture, sale, transportation, exportation, and importation of intoxicating liquors at the earliest date possible.

Be it further resolved, That a copy of these resolutions, properly certified, be forwarded at once to the Speaker of the House of Representatives and the President of the Senate, also a copy to each of Oklahoma's Senators and Representatives in Congress.

Passed the house of representatives the 18th day of January, 1915.

A. MCCRORY,
Speaker of House of Representatives.

Passed the senate the 21st day of January, 1915.

M. E. TRAPP,
President of the Senate.

I hereby certify that the above is a true and correct copy of house concurrent resolution No. 4.

J. G. MARCH, *Chief Clerk.*

The VICE PRESIDENT presented resolutions adopted by the Legislature of the State of Colorado, which were ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Colorado, ss:

I, John E. Ramer, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of the house joint memorial No. 1, by Mr. Dunklee, Rocky Mountain National Park (forest reserves and forestry), which was filed in this office the 3d day of February, A. D. 1915, at 3.10 o'clock p. m., and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 4th day of February, A. D. 1915.

[SEAL.]

JNO. E. RAMER, *Secretary of State.*
By GEORGE M. WILLIAMS, *Deputy.*

[House joint memorial No. 1, by Mr. Dunklee.]

House joint memorial No. 1. Rocky Mountain National Park (forest reserves and forestry).

To Hon. WOODROW WILSON, President United States of America, and the Congress of the United States:

Resolved, By the house of representatives of the Twentieth General Assembly of the State of Colorado, the senate concurring, that the bill for the establishment of the Rocky Mountain National Park in Colorado that has passed the United States Senate and is now pending in the National House of Representatives be now favorably acted upon and approved by the President of the United States.

The Yellowstone National Park has its "Old Faithful," the Yosemite Valley its "El Capitan," the proposed Rocky Mountain park has "Longs Peak," over 14,000 feet in height, with marvelous canyons, precipitous walls, and dashing waterfalls, while the whole region is one of beauty and grandeur of ever-changing color.

This proposed park is unsurpassed in beauty by any other national park and far more accessible to the great centers of population. Further, it is of the greatest importance to the State and Nation to secure this as a park, and it should be established as such by the passage of the bill now pending in the national House of Representatives. Let the Nation then forever preserve this beautiful and remarkable scenic region for the perpetual use and pleasure of the people.

Further resolved, That this memorial be entered in the records of the general assembly and copies thereof forwarded by the secretary of state to the President of the United States, to the United States National House of Representatives, and to our Senators and Representatives in Congress.

PHILIP B. STEWART,
Speaker House of Representatives.

Attest:

M. E. LEWIS,
President of the Senate.
GEORGE A. CARLSON,
Governor of the State of Colorado.

Approved February 3, 1915.

(Indorsed:) House joint memorial No. 1. Filed in the office of the secretary of state of the State of Colorado on 1915, February 3, p. m. 3.10. Recorded in book —, page —, John E. Ramer, secretary of state, by George M. Williams, deputy. Fees, $—. No. —. Clerk, —. Miles, —.

The VICE PRESIDENT presented resolutions of the Legislature of the State of Nebraska, which were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Resolution on irrigation.

Whereas a controversy has arisen between the citizens of Colorado, Wyoming, and also the Reclamation Service of the United States, and the citizens of Nebraska with reference to the control of the waters in the interstate streams; and

Whereas the State of Colorado is claiming to own and control all of the waters of the Republican and Platte Rivers that head in Colorado and pass through the State of Nebraska, and is depriving the citizens of Nebraska of their just rights to the use of the water for irrigation and other purposes in Nebraska, and subsequent appropriators of waters in Colorado have made the South Platte River dry, and deprived the Nebraska citizens of the use of its waters; and

Whereas there is a suit pending in the Federal court between the citizens of Nebraska and the State of Colorado over the rights of Nebraska citizens on the Republican River, and there is also pending in the Federal courts a suit involving the rights of Colorado to take the waters of the North Platte River which head in Colorado; and

Whereas the State of Nebraska ought to protect the rights of its citizens to the waters of the river in Nebraska as against the Federal Government and against the States of Colorado and Wyoming: Therefore be it

Resolved by the House of Representatives of the State of Nebraska in session assembled, That the attorney general of the State of Nebraska is hereby requested and directed to bring an action in Federal court against the State of Colorado and its officials to protect the rights of the Nebraska citizens on the South Platte River. He is further requested and directed to intervene on behalf of the State of Nebraska in the suits pending in the Federal court involving the rights of the State of Nebraska and its people in the waters of the Republican and North Platte Rivers; and be it further

Resolved, That the attorney general of the State of Nebraska is hereby requested and directed to protect in the courts the rights of citizens of the State of Nebraska to the waters of the Pathfinder Reservoir on the North Platte River; and be it further

Resolved, That in order to accomplish this need the Federal Congress be, and it is hereby, urged and requested to pass Senate joint resolution No. 180, introduced by Senator NORRIS, of Nebraska, conferring upon the State of Nebraska the right to bring an action in the court against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State of Nebraska to the surplus waters of the Pathfinder Reservoir; and be it further

Resolved, That copies of this resolution be forwarded to Senators NORRIS and HITCHCOCK and to the Congressmen from Nebraska, and that copies of this resolution be also forwarded to the United States Senate and the Federal Congress.

A. LA BOUNTY.
W. L. BATES.
W. H. C. WOODHURST.
SCOTT REYNOLDS.
F. E. STEARNS.
W. M. STEBBINS.
M. A. HOSTETLER.
J. E. HARRIS.
SAMUEL M. PATTERSON.

The above and foregoing resolution was duly passed by the house of representatives this 3d day of February, 1915.

G. U. POTTS, *Chief Clerk.*

The VICE PRESIDENT presented resolutions of the Legislature of the State of Washington, which were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, do most respectfully represent and petition:

Whereas in order to secure the exploration and development of coal and oil resources it is necessary that leases be executed by the State of Washington, granting authority to its lessees to explore such coal and oil resources and to extract the same from its lands, and to use so much of the surface as may be necessary therefor upon the payment of a proper rental or royalty; and

Whereas by the terms of the act of Congress approved February 22, 1889, providing for the formation of constitutions and State governments for the States of North Dakota, South Dakota, Montana, and Washington, and the admission thereof into the Union, and making donations of public lands to such States, it was provided that the lands so donated and granted may be leased for periods of not more than five years in quantities not exceeding one section to any one person or company: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the State of Washington do request the Congress of the United States to so amend the aforesaid act of February 22, 1889, as to permit the said several States, including the State of Washington, by its proper officers, to execute leases for the exploration and extraction of the aforesaid minerals which may be contained upon or beneath the surface of any of said granted lands, together with the right to use so much of the surface of said lands as may be necessary therefor, and for such periods of time as may be determined by or under the legislative authority of said States.

Resolved, That a copy of this memorial be forthwith transmitted to the Presiding Officer of the United States Senate, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Public Lands, the Secretary of the Interior, and to each Member of the Washington delegation in Congress.

Passed the senate February 1, 1915.
Passed the house February 5, 1915.

The VICE PRESIDENT presented resolutions of the Senate of the State of Missouri, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

MISSOURI SENATE,
Jefferson City, Mo., February 5, 1915.

Mr. PRESIDENT OF THE SENATE IN CONGRESS:

I am instructed by the Senate of Missouri to inform you that the senate has taken up and adopted the following resolution:

"Whereas the frequent floods of the Mississippi River, caused by waters from 31 States, embracing more than 41 per cent of the total area of the United States, result in great loss of human lives in portions of the States of Illinois, Tennessee, Kentucky, Mississippi, Missouri, Arkansas, and Louisiana, and large money losses, not only in such afflicted territory but in other portions of the Nation; and

"Whereas it has been declared by every member of the Engineer Corps of the United States Army who has dealt with such floods, by the Mississippi River Commission, and by other commissions appointed by Congress, that such floods can be prevented at a reasonable cost; and

"Whereas the work of such flood prevention has been going on for many years in the least economical way, and over two-thirds of its cost has been borne by the damaged sections, who can no longer cope with this giant problem without effective aid from the National Government; and

"Whereas all political parties have declared in their campaign platforms that flood control of the Mississippi River is a national duty: Therefore be it

"*Resolved by the Senate of the State of Missouri*, That the Congress of the United States be, and is hereby, requested to fulfill this national duty at its next session and to enact such legislation as shall provide a separate and comprehensive plan for the prevention of such floods without delay; be it further

"*Resolved*, That copies of this resolution be sent to the Speaker of the House of Representatives and to the President of the Senate of the Congress of the United States."

Respectfully,

W. A. NORMAN,
Secretary Missouri State Senate.

The VICE PRESIDENT presented the petition of Nathaniel Bacon, of Chicago, Ill., praying for the enactment of legislation to limit the property that any one person may acquire by gift or inheritance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented the memorial of Wesley Salmons and sundry other citizens of New York City, N. Y., remonstrating

against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the Evangelical Church of Peace, at Schleswig, Iowa, praying for the enactment of legislation to enable the President of the United States to lay an embargo upon all contraband of war, excepting foodstuffs alone, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER. I have had a great many letters and numerous telegrams concerning an item in the Post Office appropriation bill. I ask that the telegram I send to the desk may be read.

There being no objection, the telegram was read and referred to the Committee on Post Offices and Post Roads, as follows:

[Telegram.]

PORTSMOUTH, N. H., *February 11, 1915.*

Hon. JACOB H. GALLINGER,
Washington, D. C.:

All railway postal clerks in New Hampshire respectfully ask you to oppose the change from annual to biennial promotions for men of this service.

GEORGE W. GRAY,
President Portsmouth Branch, Railway Mail Association.

Mr. GALLINGER presented a memorial of Mount Washington Lodge, No. 276, International Association of Machinists, of Concord, N. H., remonstrating against any change being made in the present locomotive boiler inspection laws, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Merchants' Association, of Berlin, N. H., praying for the enactment of legislation to place a tax on firms conducting a mail-order business, which was referred to the Committee on Finance.

Mr. HITCHCOCK presented memorials of sundry citizens of Nebraska, remonstrating against the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Nebraska, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. LEA of Tennessee presented petitions of sundry citizens of Tennessee, praying for the passage of the so-called omnibus claims bill, which were referred to the Committee on Claims.

Mr. O'GORMAN. I present certain letters and resolutions relating to the pending shipping bill, which I ask may be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

NEW YORK, *February 4, 1915.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.

SENATOR: We venture to express to you in this way our admiration of your action toward defeat of the so-called ship-purchase bill. Without exception, so far as we can ascertain, the exporting houses, who, of all business men, are most deeply interested in ships to carry American merchandise, are opposed to the measure proposed. Let us express the hope that you will succeed in decisively preventing such dangerous legislation.

Very respectfully,

CHINA & JAPAN TRADING CO. (LTD.),
HOWARD AYRES, *Secretary.*

—

Resolutions.

Whereas many nations are now engaged in a most disastrous war and are drawing, directly or indirectly, large supplies of arms and munitions of war from the United States of America; and

Whereas this war material obtained in the United States tends to multiply the loss of life, already appalling, and to cause an immense destruction of property, that is bringing nations to desolation and tends to prolong the war; and

Whereas we, on the one hand, from our hearts lift up our voices in prayer for peace and contribute to the relief of those who have been maimed and made destitute by the war, on the other hand are aiding in war and augmenting the struggle by sending our military stores to the battle fields of Europe; and

Whereas our Government has proclaimed strict neutrality, thus assuring the American citizens of all nationalities and the belligerent nations that our own acts shall break no bonds of friendship with the countries with whom we are at peace and create no discord among our citizens here by discriminating against their native land; and

Whereas this country has recognized the right of our Government to withhold war supplies from contending armies by laying an embargo upon munitions of war when the feeble armies of Mexico were arrayed against each other, nevertheless we now offer our limitless supplies to the belligerents of Europe; and

Whereas Great Britain has prohibited the importation of foodstuffs into Belgium, except such as are under the care of the Red Cross: Now, therefore, be it

Resolved, That we, citizens of St. Paul and Minneapolis in mass meeting assembled, hereby declare that it is the imperative duty of the Congress of the United States to pass the necessary laws forthwith that will enable the President of these United States to lay an embargo upon all contraband of war, saving and excepting foodstuffs alone, and thereby withdraw from the contending powers all aid and assistance of the Republic; be it further

Resolved, That we are in strict sympathy with the Christian endeavor of our Nation to appeal to the God of all nations that peace may come, and that we reject as hypocrisy and national sacrilege the commercial spirit of our country that is answering our supplications for peace by sending the instruments of destruction and death to the armies of Europe; and be it further

Resolved, That we urge upon our Government that it use its good offices to induce the Government of Great Britain to permit the importation of foodstuffs from neutral countries to Belgium's starving multitudes; and be it further

Resolved, That we call upon our fellow citizens everywhere to join with us in enforcing that strict American neutrality which will be exactly impartial in the treatment of the belligerents and that will withhold American resources from promoting destruction and slaughter among the nations of Europe; and be it further

Resolved, That the chairman of this mass meeting appoint a legislative committee to promote the enactment of a law that will place all such power in the hands of the President, and that a copy of these resolutions be placed by this committee so appointed in the hands of every Congressman, Senator, and Cabinet officer of these United States.

JAS. A. PETERSON, *Chairman.*
H. D. FUNK, *Secretary.*

—

BROOKLYN, N. Y., *January 20, 1915.*

Hon. JAMES A. O'GORMAN,
Washington, D. C.

DEAR SENATOR: As business men and citizens of the United States with neutral tendencies in the present European conflict, but stanch lovers of our own constitutional and international rights and of the rights of weaker countries under our protection, namely, the Monroe doctrine, both in our internal and foreign business relations.

As our representative, how long is our Government and that part of it which should demand and if necessary enforce our indisputable neutral rights (with some respect for our interpretation of what our United States rights are) in its marine ownership and all its business affairs, both foreign and internal, stand by and let a foreign country dictate to our Government how our Government should be conducted—financially, internally, and foreign?

How long is our Government to allow ships of war of foreign countries to infringe on our neutral shores and shores of weaker neutral countries, as the many incidents complained of by neutral shippers, such as Capt. Anderson, off the New Jersey coast, and the *Metophan* and *China*, whom we guaranteed to protect? How long is our Government to allow foreign naval officers to board neutral ships of countries not active in this war, and cleared to neutral countries, and confiscate material and mail to and from neutral countries and to and from the United States for American citizens and American business men? We look to you as our representative to raise your voice in protest to this inactivity on the part of our Government in not enforcing our absolute rights, and not what a foreign country thinks our rights are. We also ask you to give your support to an American merchant marine—if not by private capital, then by the United States Government—as soon as possible to aid our merchants to ship and, if necessary, with protection their goods. Our business in the country is being paralyzed for want of ships to carry our manufactured goods, products, and foodstuffs, as you know; or why the war tax, which we resent? Why not an export tax?

Awaiting your favorable reply, we are your constituents, and respectfully submit our indorsements:

William R. Keely, 1311 Kings Highway; Cornelius J. Curry, Avenue Y and East Fourteenth Street, Brooklyn; J. D. Moylan, Elm and East Seventeenth Streets; Leo M. Kennedy, 1699 Elm Avenue, Brooklyn; James J. Bumwan, 1408 Kings Highway, Brooklyn; Henry G. Gleister, 2771 East Twenty-sixth Street; John Uckerman, Sheepshead Bay, East Sixteenth Street; Alfred Zimmerman, 1713 East Fourteenth Street, Brooklyn, N. Y.; Oscar Selesca, 2728 East Twenty-third Street; G. D. Purcell, 2126 East Nineteenth Street; Wm. Huether, 1426 Kings Highway; Abraham Lerner, 1426 Kings Highway; David K. Higgins, 2618 East Twenty-sixth Street, Sheepshead Bay; Jno. J. Budas, 2651 East Fourteenth Street, Sheepshead Bay; J. W. Dickerson, 905 East Eighteenth Street; John J. Hall, 2626 East Fourteenth Street, New York; John F. McCormick, 2182 East Third Street, Brooklyn; Wm. Jeffrey, East Fourteenth Street, Sheepshead Bay; Walter H. Murphy, 2247 Homecrest Avenue; Frank Kenney, 2150 Homecrest Avenue; Patrick B. Lynch, 422 Park Place; James Thorndike, Kings Highway, Brooklyn; Timothy F. Cleary, 2138 East Thirteenth Street; John B. Bryan, 1207 Avenue V; E. J. Cleary, 2138 East Thirteenth Street; H. J. Hogan, 2138 East Thirteenth Street; Geo. A. Dreves, 1302 Kings Highway; Gus. H. Dreves, 1302 Kings Highway; Louis Breslow, 1306 Kings Highway, Brooklyn; Chas. M. Smeltzer, 707 Greene Avenue; J. E. Burnett, 1552 East Fourteenth Street; W. E. Downey, 2135 Homecrest Avenue; Bartley Horan, 322 Prospect Avenue; Wachkmey & Co., 1501 Kings Highway; Frank A. Smith, 2163 Homecrest Avenue; George Wunch, 135 Wykoff Avenue; J. McDonald, 107 Berkly Place; M. S. Gerhard, 112 Bridge Street; Frank Banta, 1357 Putnam Avenue; Edward Caegnt, 1819 Shore Avenue, Sheepshead Bay; H. F. Seaman, 105 Kenilworth Place; R. M. Cuthbertson, Bay View Hotel, Sheepshead Bay; Albert J. Hahn, Bay View Hotel, Sheepshead Bay; Jerome Tobin, 1247 East Fourteenth Street; John Tobin, 1247 East Fourteenth Street; Wm. J. Mulrenan, 1571 East Ninth Street; Fred Wolf, 1413 Kings Highway; F. G. Forbes, 1552 Union Street, Brooklyn; R. S. Deiskie, 604 East Seventeenth Street, Brooklyn; Conrad Gewert, 1521 East Fifteenth Street, Brooklyn; Henry A. Gould, 1656 Sheepshead Bay Road, Brooklyn, N. Y.; H. B. Fiske, Jerome Avenue and East Eighteenth Street, Brooklyn, N. Y.; Dr. C. M. Taylor, Voorhees Avenue and East Eighteenth Street, Brooklyn; Theo. F. Enduss, Phar. D., Sheepshead Bay, Brooklyn; Jno. Stuart McElree, Sheepshead Bay, Brooklyn; Frank F. Lyne, M. D., Sheepshead Bay, Brooklyn; Joseph G. Furey, jr., Sheepshead Bay, Brooklyn; E. F. Huber, Ph. D., Sheepshead Bay, Brooklyn; Stephen Moylan, Sheepshead Bay, Brooklyn; James E. Conden, Sheepshead Bay, Brooklyn; Wm. Stutemauch, Phar. D., Sheepshead Bay, Brooklyn; D. J. Lyons, 2650 East Four-

teenth Street, Sheepshead Bay; Frank G. Watthus, 2700 Ocean Avenue, Sheepshead Bay; George McGrath, East Sixteenth Street Shore Road, Sheepshead Bay; R. A. Patterson, East Fourteenth Street, Sheepshead Bay; James Hunt, Avenue Z and East Twenty-sixth Street, Sheepshead Bay; Samuel Cominsky, Sheepshead Bay; Jas. H. Chisholm, 1710 Emmons Avenue, Sheepshead Bay; J. H. McAvoy, 1610 Shore Road, Sheepshead Bay; Edmund F. McDonald, 1609 Shore Road, Brooklyn; Clement Athanasakos, 1610 Shore Road, Brooklyn; Robert G. Cornell, Shore Road and Avenue Y; Harry Ragan, 102 Rockaway Avenue; George Brooklyn, 1635 Shore Road; Joseph Gaertner, 1635 Shore Road, Brooklyn; F. T. Le Berthon, 2665 East Fifteenth Street, Brooklyn; Henry L. Medosch, 1430 East Twelfth Street, Brooklyn; Frank Schafer, 1615 Avenue Z; R. R. Kime, 2643 East Nineteenth Street; John J. Healy, Surf Avenue, corner West Twentieth Street, Coney Island; Myles A. Walsh; J. F. Shaughnessy, 2610 East Fourteenth Street, Brooklyn; H. Fredk. Lehr, 3085 Emmons Avenue, Sheepshead Bay; Charles Froch, Emmons Avenue and East Twenty-eighth Street; A. R. Gewert, Emmons Avenue and Shore Road, Sheepshead Bay, N. Y.; Terry Higgins, Shore Road, Sheepshead Bay; Karl Schubert, Sheepshead Bay; Otto Young, 2121 Emmons Avenue, Sheepshead Bay.

Mr. POMERENE presented petitions of sundry citizens of Waterville, Youngstown, Carroll, Hamilton, and Akron, all in the State of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented the petition of Otto Weltzer and 14 other citizens of Cleveland, Ohio, praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. JAMES. I have a telegram from the president of the Louisville Branch of the Railway Mail Association, which I ask may be read and referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegram was read and referred to the Committee on Post Offices and Post Roads, as follows:

LOUISVILLE, KY., *February 10, 1915.*

Hon. O. M. JAMES, *Washington, D. C.:*

Two hundred railway postal clerks of Louisville respectfully ask you to oppose the change from annual to biennial promotions for the men of this service.

JOHN M. COOMBS,
President Louisville Branch Railway Mail Association.

Mr. SUTHERLAND presented a petition of sundry citizens of Salt Lake City, Utah, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. BURTON presented memorials of sundry citizens of Ohio, remonstrating against the enactment of legislation to prohibit the sale of liquor in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Ohio, praying for the enactment of legislation for the purpose of taxing those engaged in the mail-order business, which were referred to the Committee on Finance.

Mr. NELSON. I present a joint resolution of the Legislature of Minnesota, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the joint resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Mr. Bendixen offers the following resolution:

"Whereas it has been proposed and is being urged from various sources that the Congress of the United States place an embargo on the exportation of agricultural products; and

"Whereas this is not being urged on the ground of any shortage or prospective shortage of such products, but on the ground that prices have recently advanced somewhat, especially on cereal products; and

"Whereas such embargo would be unjust and unfair to the agricultural interests of this State, in that it would deprive such interests of the advantages and benefits derived from the demand from foreign nations for these products; and

"Whereas the agricultural interests of this Nation by Federal legislation have been placed in direct competition with the same interests of other nations, they are justly entitled to all the advantages of an open world market; and

"Whereas the State of Minnesota is preeminently an agricultural State and would suffer greatly from such embargo, and all its business interests would be seriously affected by the injury that would logically and necessarily follow such embargo: Therefore be it

"*Resolved*, That the Minnesota House of Representatives, the senate concurring, earnestly and emphatically request the Representatives in Congress and United States Senators from this State to use their influence and vote to defeat any measure proposing such embargo; and be it further

"*Resolved*, That the chief clerk of the house and the secretary of the senate be, and hereby are, instructed to forward a copy of these resolutions to each of the Representatives in Congress and each Senator from this State."

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of Local Branch, Brotherhood of Boiler Makers, of St. Paul, Minn., remonstrating against any change in the present locomotive boiler inspection laws, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Branch, Minnesota Dairymen's Association, of Nicollet, Minn., remonstrating against any change in the present oleomargarine law, which was referred to the Committee on Finance.

Mr. KENYON. I present a concurrent resolution adopted by the Legislature of Iowa, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the concurrent resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing Congress to investigate the origin of foot-and-mouth disease.

Whereas the recent outbreak of foot-and-mouth disease has occasioned to the citizens of this State loss aggregating many thousands of dollars; and

Whereas it is believed to have been transmitted to the live stock in this State through the Union Stock Yards, in Chicago, Ill.: Now, therefore,

Be it resolved by the senate (the house concurring), That the Congress of the United States be, and it is hereby, memorialized and requested to institute an investigation of the Union Stock Yards, of Chicago, Ill., with the view of determining—

First. The origin of the said disease known as foot-and-mouth disease;

Second. The methods employed in disposing of stock found in said yards to be infected therewith;

Third. As to whether or not there is segregation of the diseased animals and whether or not the same are separated from those not infected with such disease;

Fourth. As to the relative cost to the consumer of feed furnished or other services rendered to the patrons of said yards; and

Fifth. That the said Congress take such action as may, in its judgment, be deemed necessary to prevent a recurrence of such outbreak of said disease.

Be it further resolved, That the Iowa Senators and Iowa Members of Congress be requested to support measures looking toward such investigation and favor legislation that may be designed to remedy such evil.

Be it further resolved, That copy of this resolution be transmitted to each Iowa Senator and each Iowa Member of Congress, and that a copy of the same be transmitted to His Excellency Woodrow Wilson, President of the United States.

W. L. HARDING,
President of the Senate.
W. I. ATKINSON,
Speaker of the House.

I hereby certify that this concurrent resolution originated in the senate.

THOMAS WATTERS, Jr.,
Secretary of the Senate.

Introduced and adopted by the senate January 30, 1915.
House concurred February 2, 1915.

Mr. GRONNA. I present a telegram from the secretary of the Farmers and Grain Dealers' Association of North Dakota. It is very brief, and I ask that it may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[Telegram.]

SHERWOOD, N. DAK., *February 3, 1915.*

Senator GRONNA, *Washington, D. C.:*

Our association protests on any embargo on exports of farm products, especially grain.

A. A. LANE,
Secretary Farmers and Grain Dealers' Association of North Dakota.

Mr. NORRIS. I present a resolution adopted by the House of Representatives of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the resolution was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Resolution on irrigation.

Whereas a controversy has arisen between the citizens of Colorado, Wyoming, and also the Reclamation Service of the United States, and the citizens of Nebraska, with reference to the control of the waters in the interstate streams; and

Whereas the State of Colorado is claiming to own and control all of the waters of the Republican and Platte Rivers that head in Colorado and pass through the State of Nebraska, and is depriving the citizens of Nebraska of their just rights to the use of the water for irrigation and other purposes in Nebraska, and subsequent appropriators of waters in Colorado have made the South Platte River dry and deprived the Nebraska citizens of the use of its waters; and

Whereas there is a suit pending in the Federal court between the citizens of Nebraska and the State of Colorado over the rights of Nebraska citizens on the Republican River, and there is also pending in the Federal courts a suit involving the rights of Colorado to take the waters of the North Platte River which head in Colorado; and

Whereas the State of Nebraska ought to protect the rights of its citizens to the waters of the river in Nebraska as against the Federal Government and against the States of Colorado and Wyoming: Therefore be it

Resolved by the House of Representatives of the State of Nebraska in session assembled, That the attorney general of the State of Nebraska is hereby requested and directed to bring an action in Federal court against the State of Colorado and its officials to protect the rights of the Nebraska citizens on the South Platte River. He is further requested and directed to intervene on behalf of the State of Nebraska in the suits pending in the Federal court involving the rights of the State of Nebraska and its people in the waters of the Republican and North Platte Rivers; and be it further

Resolved, That the attorney general of the State of Nebraska is hereby requested and directed to protect in the courts the rights of citizens of the State of Nebraska to the waters of the Pathfinder Reservoir on the North Platte River; and be it further

Resolved, That in order to accomplish this need the Federal Congress be, and it is hereby, urged and requested to pass Senate joint resolution No. 180, introduced by Senator NORRIS, of Nebraska, conferring upon the State of Nebraska the right to bring an action in the court against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State of Nebraska to the surplus waters of the Pathfinder Reservoir; be it further

Resolved, That copies of this resolution be forwarded to Senators NORRIS and HITCHCOCK and to the Congressmen from Nebraska, and that copies of this resolution be also forwarded to the United States Senate and the Federal Congress.

(Signed) A. LA BOUNTY.
W. L. BATES.
W. H. C. WOODHURST.
SCOTT REYNOLDS.
F. E. STEARNS.
W. M. STEBBINS.
M. A. HOSTETLER.
J. E. HARRIS.
SAMUEL M. PATTERSON.

The above and foregoing resolution was duly passed by the house of representatives this 3d day of February, 1915.

G. W. POTTS, *Chief Clerk.*

Mr. PENROSE presented petitions of sundry citizens of Ephrata, Pa., praying for the continuance of free rural delivery, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Philadelphia, Pa., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. POINDEXTER. I present a memorial of the Legislature of the State of Washington, requesting legislation permitting that State to lease coal lands granted to the State by the United States on terms to be fixed by the legislature of the State. I ask that the memorial may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 5.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, do most respectfully represent and petition:

Whereas in order to secure the exploration and development of coal and oil resources it is necessary that leases be executed by the State of Washington granting authority to its lessees to explore such coal and oil resources and to extract the same from its lands, and to use so much of the surface as may be necessary therefor, upon the payment of a proper rental or royalty; and

Whereas by the terms of the act of Congress approved February 22, 1889, providing for the formation of constitutions and State governments for the States of North Dakota, South Dakota, Montana, and Washington, and the admission thereof into the Union, and making donations of public lands to such States, it was provided that the lands so donated and granted may be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the State of Washington do request the Congress of the United States to so amend the aforesaid act of February 22, 1889, as to permit the said several States, including the State of Washington, by its proper officers, to execute leases for the exploration and extraction of the aforesaid minerals which may be contained upon or beneath the surface of any of said granted lands, together with the right to use so much of the surface of said lands as may be necessary therefor, and for such periods of time as may be determined by or under the legislative authority of said States;

Resolved, That a copy of this memorial be forthwith transmitted to the presiding officer of the United States Senate, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Public Lands, the Secretary of the Interior, and to each Member of the Washington delegation in Congress.

Passed the senate February 1, 1915.
Passed the house February 5, 1915.

Mr. BRISTOW presented petitions of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Kansas, remonstrating against the curtailing of the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of Coffeyville, Kans., remonstrating against any change in the present locomotive boiler-inspection laws, which was referred to the Committee on Interstate Commerce.

Mr. MYERS presented petitions of sundry citizens of Montana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. WEEKS presented a petition of the City Council of Salem, Mass., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Holyoke, Boston, Everett, Medford, and Cambridge, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Arlington Heights, Holyoke, and North Andover, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of sundry citizens of South Norwalk, Conn., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PITTMAN presented a petition of sundry citizens of Gardnerville, Nev., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Oregon, remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Oregon, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. NEWLANDS presented petitions of sundry citizens of Nevada, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. WARREN presented a petition of the German Evangelical congregation of St. Paul's Church, of Laramie, Wyo., and a petition of the Ladies' Aid Society of the German Church, of Laramie, Wyo., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 969) accompanied by a bill (S. 7597) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1003. William E. McGee.
S. 2378. Charles F. White.
S. 3423. Warren W. Norton.
S. 5742. Daniel Howery.
S. 5840. William H. Hart.
S. 6029. William M. Miller.
S. 6131. Alpheus W. Clark.
S. 6141. Charles R. Conger.
S. 6242. Fred F. Harris.
S. 6632. Benjamin Matlock.
S. 6673. John B. Turner.
S. 6891. Jeremiah C. Foley.
S. 7007. Joseph L. Addison.
S. 7068. Bernard Christianson.
S. 7169. Lee Jenkins.
S. 7251. Katharine H. McDonald.
S. 7324. John H. Hopewell.
S. 7489. William Bowen.
S. 7497. Todd L. Wagoner.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 970) accompanied by a bill (S. 7598) granting pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 935. Nancy M. Vinton.
S. 995. Edward W. Anderson.

S. 1201. Josephus Steller.
S. 1532. James J. Boothe.
S. 1668. Effie M. Bing.
S. 2371. Porter E. Nash.
S. 2605. Laura Garriett.
S. 3516. Irvin M. Hill.
S. 3606. Laura M. Goodwine.
S. 3829. Mary J. White.
S. 4018. John L. Russell.
S. 4344. Sarah A. Ferguson.
S. 4431. Isabelle E. Jones.
S. 4585. Mary A. Conway.
S. 4684. Georgianna Thomas.
S. 5019. William C. Pope.
S. 5230. Sarah J. Deloe.
S. 5391. Jesse Franklin Cochran.
S. 5421. Mary A. Flynn.
S. 5516. Leona B. Haucke.
S. 5692. Mary B. Jenks.
S. 5771. Mary A. Harrington.
S. 5779. Amelia M. Payson.
S. 5786. Ida Ingraham.
S. 5803. Amos T. Phares.
S. 6019. Louis M. Lea.
S. 6062. Johnson G. Trask.
S. 6080. William H. Langdon.
S. 6099. Catherine Curry.
S. 6133. David Delehanty.
S. 6232. James H. Clark.
S. 6234. John F. Thomas.
S. 6236. Joseph C. Townsend.
S. 6277. Rhoda C. Freeman.
S. 6423. Archie C. Fisk.
S. 6511. George W. Killin.
S. 6530. Mack Carr.
S. 6578. Henry Reed.
S. 6656. Mary A. Richards.
S. 6810. William D. Bonar.
S. 6843. Rosalie A. Partridge.
S. 6876. Andrew C. McCorkle.
S. 7000. Eli Samson.
S. 7143. Thomas J. Gwin.
S. 7152. Sarah McDowell.
S. 7156. Sadie Hatch.
S. 7173. Miles Matthews.
S. 7183. Thomas Clark.
S. 7192. Margaret J. Howell.
S. 7208. John Jones.
S. 7231. Semantha M. Hudson.
S. 7283. George T. Moulton.
S. 7294. Joseph Lieber.
S. 7313. James Gorman.
S. 7314. William A. N. Clare.
S. 7321. Clara McGaughey.
S. 7322. Edward H. Baldwin.
S. 7340. John J. White.
S. 7343. John R. Lindaberry.
S. 7356. Samuel J. Bingham.
S. 7357. Peter S. McIntosh.
S. 7358. James H. Gallup.
S. 7363. Arthur Mahar.
S. 7420. Ziba Fry.
S. 7421. Charles C. Moulton.
S. 7422. Parson B. Mix.
S. 7429. Mabel Turton.
S. 7437. William Dougherty.
S. 7438. Alonzo Cole.
S. 7441. George W. Vogel.
S. 7442. Joseph A. Fisher.
S. 7446. Edwin W. Moody.
S. 7458. Mary L. Lowe.
S. 7467. Lydia A. Brockway.
S. 7475. Elisha Thomas.
S. 7476. James B. Kitts.
S. 7482. James M. Palmer.
S. 7484. Jackson Smith.
S. 7485. Job Ingram.
S. 7486. Alice C. Cox.
S. 7490. John Jenkins.
S. 7494. Charles Woodward.
S. 7501. Hattie E. Lawton.
S. 7502. John L. Epperson.
S. 7503. William D. Eudy.
S. 7505. Annia Clark.
S. 7506. Mary L. Taylor.
S. 7516. John Lampke.
S. 7517. Herbert A. Oliver.
S. 7539. Henry C. Jordan.
S. 7540. Hazlett A. Jacobs.
S. 7541. Elias Lloyd.
S. 7549. John E. Graham.
S. 7561. John McEathron.
S. 7568. Gilbert W. Potter.
S. 7570. Sumner P. Boies.
S. 7571. Joann P. Libby.
S. 7573. Anna Trickey.
S. 7574. Mary E. Walker.
S. 7591. Henrietta C. Stanton.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 971) thereon.

Mr. CHAMBERLAIN. I am directed by the Committee on Military Affairs, to which was referred the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, to report it with amendments, and I submit a report (No. 972) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. DU PONT. I am directed by the Committee on Military Affairs, to which was referred the bill (H. R. 16713) for the relief of Samson Davis, to submit an adverse report (No. 976) thereon, and I ask that the bill be postponed indefinitely.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. MYERS, from the Committee on Public Lands, to which was referred the joint resolution (S. J. Res. 3) for the relief of Fred White, reported it without amendment and submitted a report (No. 975) thereon.

Mr. SHIELDS, from the Committee on the Judiciary, to which was referred the bill (H. R. 5850) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, reported it without amendment and submitted a report (No. 973) thereon.

Mr. CHILTON, from the Committee on the Judiciary, to which was referred the bill (H. R. 17097) to fix the salary of the auditor of the Supreme Court of the District of Columbia, and for other purposes, reported it without amendment and submitted a report (No. 974) thereon.

Mr. KERN. From the Committee on Privileges and Elections I report back favorably with amendments Senate resolution 455, providing for an investigation relating to the nomination and election of United States Senators in the States of Pennsylvania and Illinois, and I submit a report (No. 979) thereon. I ask that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee on Contingent Expenses.

PUBLIC BUILDING AT ST. PETERSBURG, FLA.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 18783) to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla., and I submit a report (No. 977) thereon. I call the attention of the junior Senator from Florida to the report.

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. BRYAN. This bill was prepared and presented by the department. The department has asked authority to increase the limit of cost by $35,000. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Mr. President, I think I shall not object to the consideration of the bill; but I simply want to say to the Senate that I think there ought to be a time set apart, and that early, to take up the calendar to consider bills to which there is no objection. There are about 200 of them on the calendar, and I think an early date ought to be set aside by the Senate to take them up for consideration.

Mr. FLETCHER. I think that is quite correct, Mr. President, and it ought to be done. This is a House bill, I will say.

Mr. SMOOT. I will say to the Senator, that being an emergency measure, I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUWANEE RIVER BRIDGE, FLORIDA.

Mr. SHEPPARD. From the Committee on Commerce, I report back favorably without amendment the bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida, and I submit a report (No. 978) thereon. I call the attention of the senior Senator from Florida [Mr. FLETCHER] to the report.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Florida asks unanimous consent for the present consideration of the bill. Is there objection? The Chair hears none.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT JERSEY CITY, N. J.

Mr. MARTINE of New Jersey. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 9584) to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J., and I respectfully ask unanimous consent for its immediate consideration. I will say that it is quite necessary that action should be taken as promptly as possible, that the proper length of time for advertisement may be given in order to seek purchasers for the site.

Mr. SMOOT. If this is an emergency measure, I shall not object.

Mr. MARTINE of New Jersey. Does the Senator from Utah object?

Mr. SMOOT. No; not if it is an emergency matter.

Mr. MARTINE of New Jersey. It is an emergency matter. It is of prime necessity now——

The VICE PRESIDENT. There is no objection.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes upon the completion of the new Federal building at Jersey City, N. J., and its occupancy by the United States, to authorize the Secretary of the Treasury, in his discretion, to offer at public sale, after proper advertisement, the present old post office and site and to sell the same to the highest and best bidder, to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt, and that the property shall not be sold for less than the sum of $25,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALE OF SEALSKINS.

Mr. THORNTON. On behalf of the Committee on Fisheries I desire to report back favorably and without amendment the joint resolution (H. J. Res. 391) authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as, in his discretion, he may deem such sale advisable; and I ask unanimous consent for its present consideration, as it is an emergency measure. I desire to state, for the benefit of any Senator who might otherwise object, that it is identical with Senate joint resolution 214, which was passed on December 21 last.

Mr. SMOOT. What is the object of the joint resolution?

Mr. THORNTON. The object of it is to allow the Secretary of Commerce to defer the annual sale of sealskins, because if it should be made at this time it would result in considerable loss of revenue to the Government, on account of the exigencies arising from the European war.

Mr. SMOOT. I think the bill ought to go to the calendar, and I object.

The VICE PRESIDENT. Objection being made, the bill will be placed on the calendar.

BOY SCOUTS OF AMERICA.

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. The Senator from Tennessee.

Mr. SHIELDS. I ask unanimous consent to take from the calendar for consideration Senate bill 6854, to incorporate the Boy Scouts of America, and for other purposes.

Mr. SMOOT. I object, Mr. President. It is 4 minutes of 2 o'clock now, and the morning business has not been completed.

The VICE PRESIDENT. Objection is made.

Mr. SHIELDS. Mr. President, this bill being one for benevolent purposes, and the incorporators being now in session in the city of Washington, I move that the Senate take up the bill and consider it, in order that they may be organized and proceed immediately with their benevolent work.

The VICE PRESIDENT. Morning business is not closed.

Mr. ROOT. Regular order!

Mr. PENROSE. Regular order!

The VICE PRESIDENT. The motion is not in order, as morning business is not closed. Bills and joint resolutions are next in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GORE:

A bill (S. 7600) to further regulate foreign commerce; to the Committee on Interstate Commerce.

By Mr. SHIELDS:

A bill (S. 7601) to appropriate $500,000 to aid the Andrew Jackson Memorial Association in the erection of a monument at Nashville, Tenn., to commemorate the life, character, and services of Andrew Jackson; to the Committee on the Library.

By Mr. ROOT:

A bill (S. 7602) to authorize the Secretary of War to grant a revocable license for the erection of a Catholic chapel on the military reservation at Governors Island, New York Harbor; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 7603) to amend that portion of the act approved August 30, 1890, relating to the limitation of acreage to be acquired under the public-land laws; to the Committee on Public Lands.

A bill (S. 7604) granting a pension to Joseph W. Hicks (with accompanying papers); to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 7605) for the relief of the heirs of Francisco Armijo y Otero; to the Committee on Claims.

A bill (S. 7606) granting an increase of pension to Juan Jose Saiz; to the Committee on Pensions.

By Mr. LEA of Tennessee:

A bill (S. 7607) for the relief of the legal representatives of William H. Fuqua, deceased; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 7608) granting a pension to Fred Burnstead; to the Committee on Pensions.

By Mr. PENROSE:

(By request) A bill (S. 7609) to provide for publishing the name and general description of aliens who file petitions for naturalization, providing for filing fees and cost of advertising; to the Committee on Immigration.

A bill (S. 7610) granting an increase of pension to Birney Marshman (with accompanying papers);

A bill (S. 7611) granting an increase of pension to Thomas B. Landis;

A bill (S. 7612) granting a pension to George W. Johnson;

A bill (S. 7613) granting a pension to Sarah Ann Ross;

A bill (S. 7614) granting a pension to Elizabeth Metz; and

A bill (S. 7615) granting an increase of pension to Hannah R. Linton; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7616) granting an increase of pension to Mary A. Snider (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 7617) in relation to the location of a navigable channel of the Calumet River in Illinois; to the Committee on Commerce.

A bill (S. 7618) granting an increase of pension to Andrew J. Vancil;

A bill (S. 7619) granting an increase of pension to Charles W. Lair;

A bill (S. 7620) granting an increase of pension to William M. Hampton;

A bill (S. 7621) granting an increase of pension to Joshua C. Clevenger;

A bill (S. 7622) granting a pension to Katherine Sternberg;

A bill (S. 7623) granting an increase of pension to Daniel Hinkle; and

A bill (S. 7624) granting an increase of pension to Mary Tilton Seay; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 7625) for the relief of E. A. Rolfe and others; to the Committee on Public Lands.

By Mr. OLIVER:

A bill (S. 7626) granting an increase of pension to William P. McCartney (with accompanying papers); and

A bill (S. 7627) granting an increase of pension to William Wright (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7628) granting an increase of pension to Carrie M. Pierce (with accompanying papers); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 7629) granting a pension to Thomas H. Jones; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7630) granting an increase of pension to Joseph L. Clark; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7631) granting an increase of pension to Katharine H. McDonald; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 7632) to provide American register for the steamer *Minnesota* upon certain conditions; to the Committee on Commerce.

By Mr. WHITE:

A bill (S. 7633) for the relief of Bella Crounse and other heirs of the estate of James Bell, deceased; to the Committee on Revolutionary Claims.

By Mr. DILLINGHAM:

A bill (S. 7634) granting an increase of pension to Susie S. Flanders (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7635) granting a pension to John C. Rowland; to the Committee on Pensions.

THE PANAMA CANAL.

Mr. POINDEXTER. I introduce a bill, and ask that it be printed in the RECORD and referred to the Committee on Interoceanic Canals.

The bill (S. 7599) providing free passage through the Panama Canal for American ships was read twice by its title, referred to the Committee on Interoceanic Canals, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That every ship flying the American flag and entitled to American registry, whether engaged in domestic or foreign commerce, shall be entitled at all times to free passage through the Panama Canal. All acts and parts of acts in conflict with this act are hereby repealed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate $50,000 for the completion of the post-office building at Portland, Oreg., etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000 to be used in cooperative work in the State of Oregon in connection with the destruction of jack rabbits, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. PENROSE submitted an amendment relative to the granting of indefinite leave of absence to employees in the Postal Service who have served for a period of 25 years, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. JONES submitted an amendment proposing to increase the appropriation for the construction, repair, and maintenance of mail roads in the Territory of Alaska from $125,000 to $200,000, intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. BURTON submitted an amendment proposing to appropriate $800 for the installation of mail chutes in the public building at Cleveland, Ohio, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SMOOT submitted an amendment authorizing the Secretary of the Senate to pay officers and employees of the Senate borne on the roll known as the soldiers' roll, etc., a sum sufficient to make their compensation at the rate of $1,440 each per annum, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $3,000 for the erection of a Navajo national monument in the State of Arizona, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GRONNA submitted an amendment proposing to appropriate $10,000 for the improvement of the game preserve in Sullys Hill National Park, in the State of North Dakota, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the appropriation for the control of diseases of forest and ornamental trees and shrubs, etc., from $47,350 to $69,510, intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Agriculture and Forestry.

Mr. KENYON submitted an amendment proposing to appropriate $6,000 to enable the Department of Labor to make an investigation as to the cost of living of wage earners in the District of Columbia exclusive of Government employees, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was ordered to lie on the table and to be printed.

Mr. REED submitted an amendment proposing to increase the salary of the Assistant Sergeant at Arms of the United States Senate from $2,500 per annum to $3,500, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was ordered to lie on the table and to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate $9,000 to provide a harbor boat for the Revenue-Cutter Service to replace the *Hartley* at San Francisco, Cal., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to appropriate $3,000 to be expended in the erection of a headquarters building at the Grand Canyon National Monument, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. STERLING submitted an amendment authorizing the Commissioner of Indian Affairs to investigate claims and negotiate agreements with any tribe or bands of Indians for the final adjudication and settlement of claims and payments of such tribes or bands against the United States, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BORAH submitted an amendment providing that no part of the appropriations made in the Post Office appropriation bill shall be available for the salary or pay of any official, superintendent, foreman, or other person having charge of the work of any employee of the Postal Service who makes or causes to be made with a stop watch or other time-measuring device for the study of the movements of any such employees, intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

DEVELOPMENT OF WATER POWER.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, which was ordered to lie on the table and to be printed.

STOCK-RAISING HOMESTEADS.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes, which was ordered to lie on the table and to be printed.

OIL AND GAS LANDS.

Mr. STERLING submitted an amendment intended to be proposed by him to the bill (H. R. 16136) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, which was referred to the Committee on Public Lands and ordered to be printed.

THE MERCHANT MARINE.

Mr. POINDEXTER. I submit an amendment in the nature of a substitute to the pending shipping bill (S. 6856), which I ask may be read.

The Secretary read as follows:

Strike out all after the enacting clause and insert:

"SECTION 1. The President is authorized and directed to expend a sum not exceeding $50,000,000 for the construction of ships in American

shipyards, preference being given to navy yards, and to operate said ships on such lines of trade, coastwise or foreign, as he may select, under such terms and regulations as he may determine: *Provided*, That such ships shall be constructed, as far as practicable, so as to be adapted for service both as naval auxiliaries and as merchant ships.

"SEC. 2. The President may sell the bonds of the United States authorized for the construction of the Panama Canal, not to exceed the amount of $50,000,000, for the purposes of this act."

The VICE PRESIDENT. The amendment will lie on the table and be printed.

DISTRICT EXCISE BOARD.

Mr. SAULSBURY. Mr. President——

The VICE PRESIDENT. The Senator from Delaware.

Mr. SAULSBURY. Mr. President, I ask to be excused from service on the special committee to investigate excise conditions in the District of Columbia.

The VICE PRESIDENT. Is the request of the Senator from Delaware granted? The Chair hears no objection, and the Senator is excused.

Now, the Chair asks the Senate that the Chair be relieved from futher duty in filling vacancies in the committee. Is there any objection? The Chair hears none, and the Chair is relieved from further obligation——

Mr. SHEPPARD. I object.

The VICE PRESIDENT. There is objection. The Chair will request the Senator from Texas to find some Senator who will serve on the committee.

Mr. SHEPPARD. I shall endeavor to do so, Mr. President.

The VICE PRESIDENT. The Chair will appoint any Senator the Senator from Texas can get to serve.

AMENDMENT OF THE RULES.

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. GORE. I desire to give notice of an amendment of and proposed change in the standing rules of the Senate.

The VICE PRESIDENT. The Secretary will read the notice to the Senate.

The Secretary read as follows:

Mr. GORE gives notice, under Senate Rule XL, of his intention to offer an amendment to the standing rules of the Senate, as follows, to wit:

Amend Rule V by adding the following language:

"Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the Senate shall adjourn, there shall be a call of the Senate, and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Secretary shall call the roll, and each Member as he answers to his name may vote on the pending question; and, after the roll call is completed, each Member arrested shall be brought by the Sergeant at Arms before the Senate, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall, together, make a majority of the Senate, the Presiding Officer shall declare that a quorum is constituted and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings under the call shall be considered as dispensed with. At any time after the roll call has been completed, the Presiding Officer may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Presiding Officer; and if the Senate adjourns, all proceedings under this section shall be vacated."

The VICE PRESIDENT. The notice will go over.

PROPOSED INTERNATIONAL PEACE CONFERENCE.

Mr. LA FOLLETTE. Mr. President, I desire to give notice that on to-morrow, February 12, after the routine business of the Senate, if we have a morning hour, and if not, as soon after 1 o'clock as I can secure recognition, I shall address the Senate briefly on Senate joint resolution 234, authorizing the President of the United States to convey to all neutral nations the desire of the Government for an international conference for the purpose of promoting by cooperation and through its friendly offices the early cessation of hostilities and the establishment of peace among the warring nations of Europe, and for other purposes.

THE MERCHANT MARINE.

Mr. GALLINGER. Mr. President, I desire to give notice that on Wednesday next, February 17, 1915, after the transaction of the routine morning business, if we have a morning hour, I shall, if opportunity offers, address the Senate on some practical questions relating to the American merchant marine and the shipping industry of the United States. I might add that this will be a discussion of the issue that is now before the Senate.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE.

Mr. GORE submitted the following resolution (S. Res. 539), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be authorized during the Sixty-third Congress to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had or may have been had in connection with any subject which may be pending before the said committee; and the expense thereof shall be paid out of the contingent fund of the Senate.

NEW YORK STATE BAR ASSOCIATION (S. DOC. NO. 941).

Mr. O'GORMAN. I have a copy of the report of the committee on duty of courts to refuse to execute statutes in contravention of the fundamental law presented at the thirty-eighth annual meeting of the New York State Bar Association held at the city of Buffalo on the 22d and 23d of January, 1915. I ask that it may be printed as a Senate document.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

COL. RICHARD H. WILSON.

The bill (H. R. 16896) for the relief of Col. Richard H. Wilson, United States Army, was read twice by its title.

Mr. POINDEXTER. Mr. President, this bill is identical with Senate bill 662, a copy of which I hold in my hand, and which passed the Senate on July 10, 1913. I ask unanimous consent that the House bill may be substituted for the Senate bill, and that it may be considered at this time.

Mr. GALLINGER. Mr. President, I will ask the Senator from Washington a question. I suppose the Senate bill is in the custody of the House of Representatives, and therefore the House bill can not well be substituted for the Senate bill. The Senator can ask unanimous consent for the consideration of this bill. Does the Senator know why the House laid aside a Senate bill and passed a bill of its own covering the same matter?

Mr. POINDEXTER. I do not know. I have copies of both bills here.

Mr. GALLINGER. The Senator can ask unanimous consent for the present consideration of the House bill.

Mr. POINDEXTER. Very well. Mr. President, I ask unanimous consent for the present consideration of House bill 16896, for the relief of Col. Richard H. Wilson, United States Army.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized and directed to credit to the accounts of Capt. Charles W. Castle, paymaster, the sum of $7,181.64, and that Col. Richard H. Wilson, Fourteenth Infantry, United States Army, be, and he is hereby, exonerated from all responsibility for the loss of the said sum at Fort William Henry Harrison, Mont., on or about May 16, 1912.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

S. W. LANGHORNE.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2334) for the relief of S. W. Langhorne and the legal representatives of H. S. Howell, which was, in lines 12 and 13, to strike out "1900" and insert "1890."

Mr. WALSH. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 7043. An act for the relief of Nabor and Victoria Leon;

H. R. 15666. An act for the relief of John A. Ryan;

H. R. 15934. An act for the relief of Mrs. Joseph Cameron;

H. R. 16594. An act for the relief of Eva G. Bond and Daisy E. Jackson, sole heirs of the late Warren F. Jackson;

H. R. 16650. An act for the relief of Thomas P. Darr;

H. R. 16777. An act for the relief of Amato Castellano, Libero Baranello, and Michele Baranello;

H. R. 15168. An act for the relief of Lyman D. Drake, jr.;

H. R. 17122. An act for the relief of John Burrows;

H. R. 17174. An act to pay the claim of the American Towing & Lightering Co. for damages to its tug *Buccaneer;*

H. R. 17343. An act for the relief of Charles L. Pritchard;

H. R. 18197. An act for the relief of Arthur W. Fowler;

H. R. 20439. An act for the relief of the heirs of the late Frank Henry Rogers;

H. R. 20800. An act for the relief of Charlotte M. Johnston; and

H. R. 21077. An act for the relief of W. F. Crawford.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 11927. An act for the relief of Matthew McDonald;

H. R. 13373. An act for the relief of Charles V. Wells;

H. R. 13756. An act for the relief of Augustus Dudley Hubbell;

H. R. 12369. An act for the relief of John Healy;

H. R. 12075. An act to correct the military record of A. W. Sudduth;

H. R. 11839. An act for the relief of William Ham;

H. R. 18884. An act for the relief of Daniel Jordan; and

H. R. 19497. An act to amend the military record of George W. Laland.

The following bills were each read twice by their titles and referred to the Committee on Public Lands:

H. R. 2668. An act for the relief of the heirs of Ellery B. Wilmar; and

H. R. 17842. An act for the relief of George Richardson.

H. R. 21126. An act to authorize the change of name of the steamer *General Garretson* to *S. H. Robbins* was read twice by its title and referred to the Committee on Commerce.

H. R. 18572. An act granting permission to Mrs. R. S. Abernethy, of Lincolnton, N. C., to accept the decoration of the bust of Bolivar was read twice by its title and referred to the Committee on the Library.

H. R. 20702. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Robert Caldwell Culbertson from Woodlawn Cemetery, District of Columbia, to Rocky Spring Cemetery, Chambersburg, Pa., was read twice by its title and referred to the Committee on Public Health and National Quarantine.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 6856.

Mr. TILLMAN. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

PERSONAL EXPLANATION—NAVAL EXPENDITURES.

Mr. TILLMAN. Mr. President, I rise to a question of personal privilege. For a second time, without a scintilla of truth to back him, George von L. Meyer, former Secretary of the Navy, and at one time Postmaster General under President Roosevelt, has slandered me grossly.

In the New York Sun of Monday, February 8, appears an editorial, "Waste in naval expenditures," which I send to the desk and ask to have inserted in the RECORD. In order to be perfectly fair and just to both the Sun and Mr. Meyer, I also ask to have inserted his article, which appeared in the North American Review of February.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TILLMAN. In order that the Senate may understand what I am quarreling about I presume that the editorial from the New York Sun of the 8th instant had better be read, and I ask that it may be read.

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Editorial from the New York Sun of Monday, Feb. 8, 1915.]

WASTE IN NAVAL EXPENDITURES.

In an article in the North American Review for February dealing with naval expenditures ex-Secretary George von L. Meyer says that "until within a few years no naval appropriation could pass the Senate which did not meet the sanction of both a northern and a southern Senator, each of whom was a member of the Committee on Naval Affairs." The northern Senator is dead; the southern Senator survives, Mr. TILLMAN, of South Carolina. These Senators in obtaining appropriations to be expended in their States were responsible for a good deal of waste. Take the Frenchmans Bay coaling station in Maine. It is now dismantled, having been "practically unused." Its cost was $624,650, of which $24,650, far above the assessed valuation, went for the site, and $600,000 for development and maintenance. A good deal of money has been sunk in the Portsmouth Navy Yard, which could long ago have been dispensed with. After a dock costing $1,122,800 was built, it was discovered that to use the dock for the larger ships of the Navy $745,300 must be spent to blast away rock in the channel. In 15 years an outlay of $10,857,603 was made upon the Portsmouth Navy Yard—and the adequate Boston yard was less than 70 miles away.

Senator TILLMAN, of South Carolina, is associated with the development of the naval station at Port Royal and Charleston, both of which represent a considerable amount of money thrown away. With the aid of the Maine Senator Mr. TILLMAN kept the appropriations going, reciprocity being the rule between them. The site of the Port Royal station, which is a joke in the Navy, cost $5,000, but $2,275,000 was spent upon Port Royal before it was abandoned. "Extravagant waste," Mr. Meyer calls it. In 1901, with the sympathy of the Maine Senator, a naval station was established at Charleston. Mr. TILLMAN was reelected in 1901. With the valuable Norfolk Navy Yard and base at Hampton Roads, the Charleston station was obviously superfluous. A dry dock was built at Charleston costing $1,250,000; intended for battleships, it is fit only for gunboats and destroyers. No less than $5,000,000 was "sunk" at Charleston.

A Louisiana Representative, now deceased, who was a member of the House Naval Committee, was the "good angel" of the New Orleans yard, "located 100 miles up the river and with a floating dock of no service to dreadnaughts." That "needless and useless station" swallowed more than $2,000,000. Up to 1910 the Pensacola yard cost the country $12,200,000, "with little return in the way of output." On the Pacific coast the Mare Island Navy Yard at San Francisco is famous for having absorbed $35,000,000 since 1850, although in the last eight years, for lack of water, no capital ship could be berthed there. The Hon. GEORGE C. PERKINS, Senator from California since 1893 and a veteran of the Naval Committee, has been the "good angel" of the Mare Island yard for many years.

When Mr. Meyer was Secretary of the Navy he took the responsibility of "practically closing" the naval stations at New Orleans, Pensacola, San Juan, Port Royal, Sacketts Harbor, Culebra, and Cavite. Secretary Daniels has reopened Pensacola and New Orleans. Pointing out that the United States has more than twice as many first-class navy yards as Great Britain, Mr. Meyer urges a reduction of the number to the actual strategic needs of the service, and he also makes these recommendations: A special committee to investigate conditions in the Navy, a general staff, a national council of defense, and the budget form for appropriations.

Mr. TILLMAN. Mr. President, a brief statement of the facts is all I care to present here. To quote our old friend Prince Hal:

Mark now, how a plain tale shall put you down.

The Port Royal Station was authorized by law in 1883 at the instance of my predecessor, Senator M. C. Butler, and the dry dock was built before I became Senator. The impression which Mr. Meyer sought to convey was that I alone was responsible for the Port Royal Naval Station.

When I was elected to the Senate I chose the Committee on Naval Affairs, among others, as one upon which I desired to serve. I have been on it ever since, and am now its chairman.

The Sun has been considered one of our most reliable newspapers; and when it editorially makes glaring misstatements of fact, as in this instance, I feel compelled to correct them. The editorial was a comment on Mr. Meyer's article in the North American Review.

The Sun mentions me by name, but does not say who the "northern Senator" is, merely saying he is "dead." I am surprised that paper keeps so badly posted. Eugene Hale, of Maine, formerly Senator and chairman of the Naval Committee, is not "dead" at all. He can speak for himself about Frenchmans Bay, as can Mr. PERKINS about Mare Island.

I take occasion to say here and now there never was any understanding or dickering between Senator Hale and myself about Charleston and Frenchmans Bay. He was too great a power in Congress to make it necessary for him to resort to any such trades; and I have sought to obtain only a reasonable amount of the taxes the South pays into the Treasury to build up a southern navy yard. And I thank God I am not narrow enough or so sectional in my desires to wish to see any great naval establishment where it is not necessary that there should be one. Not possessing Mr. Meyer's knowledge of "strategy," I never could understand why Guantanamo, which is not on the mainland, and can not be reached by railroad from the United States, should have been developed at the expense of Charleston. Should war come and we lose command of the sea, necessarily our fleet would have to go to some southern harbor like Pensacola or Charleston for supplies and repairs. Pensacola can be shelled from the open sea, but the Charleston Navy Yard is too far inland to be in danger.

The Sun says again:

Senator TILLMAN, of South Carolina, is associated with the development of the naval stations at Port Royal and Charleston, both of which represent a considerable amount of money thrown away. With the aid of the Maine Senator Mr. TILLMAN kept the appropriations going, reciprocity being the rule between them. The site of the Port Royal Station, which is a joke in the Navy, cost $5,000, but $2,275,000 was spent upon Port Royal before it was abandoned.

It has not been abandoned at all, but is still maintained, not as a naval station, for the dock has decayed, but the Navy Department still utilizes the costly brick buildings as disciplinary barracks. They are too valuable to be turned over to the bats and owls. That policy could emanate only from a wise and thrifty man like Meyer or a sectional partisan as the Sun has shown itself to be in this matter. I am endeavoring to have the Port Royal yard used as a recruiting station for the Marine Corps. The health and other advantages possessed by that whole region point to it as being superbly suited for this purpose. It is warm enough during all the winter to drill out of doors on land or sea, and not hot enough during the summer to cause very much discomfort.

The Sun again says:

In 1901, with the sympathy of the Maine Senator, a naval station was established at Charleston.

This is true. Senator Hale was broad enough to see and realize that the South had some rights to development and the expenditure of a share of the taxes it paid.

Then the Sun says:

The dock at Charleston is fit only for gunboats and destroyers.

I want to say, and I am responsible for it because it is true, the dock at Charleston can dock a battleship now, for there is ample water from the jetties up the Cooper River to the dry dock for that purpose, the only thing now necessary being to dredge out a sharp bend in the Cooper River, estimated by the Army engineers to cost $175,000.

This item has not been put in the "pork barrel" bill in the House—the river and harbor bill—and I expect to ask the Senate to amend the bill, if we get that bill up for consideration here, to include this item. It is forty times more valuable and of more use to the whole country than the little dry creeks they are pumping water in in the West. With this improvement the heaviest battleship can steam from the ocean into the Charleston Dry Dock without the aid of tugs at mean low tide. And yet they say we have no water on Charleston Bar. They are liars.

The Sun says:

With the valuable Norfolk Navy Yard and base at Hampton the Charleston Station was obviously superfluous.

And yet the Sun never omits to stress the special importance and necessity of the navy yard at Philadelphia, only 231 miles from New York, while Boston and Portsmouth are both much nearer to New York than is Charleston to Hampton Roads. If one-tenth of the money had been spent on the approaches to the Charleston Navy Yard and the yard itself as has been expended at Portsmouth and League Island, that yard would be as accessible as either. Mr. Meyer never thought it was "extravagant waste" to spend money on League Island, though he did find fault with the expenditure to blast the rock at the entrance of Portsmouth Harbor. Why he should grudge the pittance, by comparison, necessary to care for and develop the Charleston Yard is difficult to understand. Charleston Harbor is the only really good and commodious one between Norfolk and Key West. The commerce of the Cooper River would well warrant the expenditure of the $175,000 needed to dredge the point off of a shoal now jutting into the channel.

For the information of those who may be inclined to give an ear to the statements of Mr. Meyer, I herewith append a statement giving a comparison of the amounts expended by the Government on northern and southern yards since 1896, when I became a Member of this body, during which time Mr. Meyer and the Sun charged me with having logrolled to build up navy yards in the South. Men can not understand figures when they are read, but I hope every Senator here will do me the honor to read this in to-morrow morning's RECORD. It shows that during the time I have been in the Senate $120,000,000 have been spent on six northern yards, while during that whole time when Mr. Meyer says I was robbing the Treasury only $20,000,000 have been spent in the whole South, where there are also six.

I present a statement of expenditures for the period 1896 to 1914 (fiscal years), inclusive, at the navy yards listed below for improvements (buildings, public works, machinery) and maintenance:

NORTHERN YARDS, INCLUDING NORFOLK.

Yards.	Improvements.	Maintenance.	Total.
Portsmouth, N. H.	$7,808,171.87	$5,648,012.64	$13,456,184.51
Boston, Mass.	9,130,941.71	11,049,174.76	20,180,116.47
New York, N. Y.	17,553,986.32	25,963,890.72	43,517,877.04
Philadelphia, Pa.	10,437,878.84	9,778,933.65	20,216,812.49
Norfolk, Va.	11,004,857.23	13,174,199.77	24,179,057.00
Total	55,935,835.97	65,614,211.54	121,550,047.51

SOUTHERN YARDS, INCLUDING GULF PORTS.

Charleston, S. C.	$4,344,475.80	$1,383,211.59	$5,727,687.39
Port Royal, S. C.	1,010,798.50	1,337,435.26	2,348,233.76
Pensacola, Fla.	1,795,553.96	2,626,299.08	4,421,853.04
New Orleans, La.	2,668,610.50	704,002.67	3,372,613.17
Key West, Fla.	2,598,632.30	1,979,722.75	4,578,355.05
Total	12,418,271.06	8,030,672.35	20,448,742.39

These figures prove conclusively whether or not the southern Senators, the "good angels," as the Sun calls them, have been milking the Public Treasury for sectional benefit.

In this connection I ask to have read a copy of a letter furnished me by ex-Senator William E. Chandler, written to Hon. GEORGE C. PERKINS, which illuminates the whole naval situation.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, D. C., *February 8, 1915.*

Hon. GEORGE C. PERKINS,
United States Senate.

MY DEAR SENATOR: In reply to your letter of the 3d instant, allow me to write a few words in addition to my letters of January 15 and February 1.

If we ignorantly and foolishly make haste to increase the number of our old-fashioned battleships and the quantity of our obsolete naval instruments and munitions of war, there will be danger that we shall equally foolishly make haste to use them by unnecessarily making war against somebody. A naval officer whom I well knew told me he hoped that our pugnacious Admiral Robley D. Evans would bring on a war with Chile. To my dissent he replied by asking me if I had not been in favor of building a new and strong navy, and upon my replying in the affirmative he said, "Then you ought to be in favor of using it." That is apt to be too much the feeling of our Army and Navy officers. That the privates and their families have that intense desire is not sure.

It is unpleasant to read in the Washington Post of the 5th ex-Secretary von L. Meyer's article headed "Navy weak because politicians waste funds and facts kept from public, former Secretary Meyer points out, urging a national council of defense." If this attack upon his own political party by the ex-Secretary can possibly be justified, there can be no doubt that the Secretary himself, who retired from the department on March 4, 1913, is quite as much to blame for it as any other human being.

But possibly his obligations to the Navy League of the United States, of which he has become the leading and one of the most wealthy and powerful directors, have compelled him to compose and publish his philippic against politicians. There are evidences that the league has taken charge of the present pressure through the newspapers and the Congress for hasty and unwise construction of more battleships.

As well as the Navy League publication of November 14, 1914, there has been published in Washington the Advocate of Peace of February, 1915. It would be profitable for citizens who read one of these magazines to read the other also and keep their heads level on the question of American war policies.

The Advocate of Peace, in an article by Louis P. Lochner headed "Wanted, aggressive pacificism," repeats what Norman Angell has said about the German Navy League, as follows:

"When Admiral Tirpitz decided that Germany was to have a great navy he knew that the first thing to do was to create a public opinion; and he promptly started the German Navy League, saw that it was subsidized, inspired patriotic writers, entertained professors, made friends with the newspaper men, had the Krupps buy up a newspaper or two; so that in less than 10 years German opinion had formulated its demand for a great navy, and, of course, the Government had to be guided by so definitely expressed a national demand. When orders are slack at Krupps there is no difficulty in arranging that the French agents of that enterprising firm shall circulate in French newspapers statements as to the impending increase of French armaments, which are promptly reproduced—with a new coat of paint—in the German press. In England we have not one navy league, but at least two. When our great soldiers want conscription they do not wait for public opinion; they make it. Lord Roberts, earl and field marshal, takes the stump, addressing great public audiences, is most efficiently stage-managed, and for 10 years the organization which he patronizes has been industriously at work."

It is to be feared that the American Navy League will be pressed into the service of war very much after the fashion of the German Navy League, and that Secretary George von L. Meyer will be the leader, having for his aids Beekman Winthrop, Horace L. Satterlee, Richmond P. Hobson, and Augustus P. Gardner, with Treasurer Glover close at hand.

It will be enlightening to read Mr. Meyer's specifications showing the "Navy weak because politicians waste funds, and facts kept from the public."

After condemning various appropriations for navy yards and stations, and saying that they could never have passed except by the cooperation of two Senators, one a northerner and the other a southerner—not venturing to give the name of either—he urges action as follows:

1. The increase of the number of officers and men in the Navy—18,556 men, and also 922 line officers in addition to the 3,388 existing officers.

2. A special committee to investigate the conditions in the Navy, to see "to what extent political influences have misdirected the appropriations during the last 25 years," presumably thus to help ex-Secretary Meyer's political party.

3. A special committee of Army and Navy experts to recommend the abolishment of surplus naval stations.

4. Congress to inaugurate a national council of defense, such as the naval officers and the Navy League and Messrs. HOBSON and GARDNER are demanding.

5. Congress to establish a general staff in the Navy.

6. An English budget system.

7. That all these things shall be done before the 4th of March, 1915, so that all the above six indispensable movements for "reforms and changes may be made at once."

If all the six above proceedings now urged by Mr. Meyer are indispensable to the public welfare, no one is to be condemned more because they have not been adopted than he is. From March 16, 1909, to March 4, 1913, he was Secretary of the Navy. He had previously studied great subjects as ambassador to Italy in 1900, to Russia in 1905; as Postmaster General in 1907; always a director of the Navy League. What was he doing all this time? Was he a failure? Was he a politician?

Rear Admiral Knight also, as well as Mr. Meyer, knows exactly what should be done, and frankly tells what he must have in his speech on January 25 before the Efficiency Club of New York City:

(1) A new bill reorganizing the Navy personnel; (2) another reorganizing the department; (3) the council of aids; (4) the General Board and (5) the War College to be recognized by law; but these being insufficient, they are to have added (6) "a division of strategy and operations," and over all (7) a "council of national defense," with the President of the United States at its head, "for the creation of which council a bill is already before Congress." Undoubtedly, when that council meets the Secretary and Assistant Secretary of the Navy will be allowed to sit in the background on stools and take orders—with the permission of their "subordinate" organizations, which have been put over them, and of the Navy League.

Yours, truly,

W. E. CHANDLER.

Mr. TILLMAN. Mr. President, I ask to have read the letter written by ex-Senator William E. Chandler to Senator PERKINS, February 1. It is very instructive and illuminating.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Secretary read as follows:

WASHINGTON, D. C., *February 1, 1915.*

United States Senator GEORGE C. PERKINS.

MY DEAR SENATOR PERKINS: It was not expected by me that my letter to you of January 15 on naval questions would be read to "the

most distinguished legislative body in the world," as Vice President Stevenson proudly called it. In view of such honorable mention of the letter a review thereof has been made which increases rather than diminishes my conviction of the correctness of the opinions expressed therein.

First. The Republicans can make no good points against the Democratic Party on account of delays in naval construction or neglects in naval management.

Second. We should make haste slowly in ordering new constructions; especially should we not now authorize $15,000,000 "replacement" battleships to supersede the famous *Oregon* and the *Indiana, Massachusetts, Kentucky,* and *Kearsarge,* which by being called "replaced" are to be condemned as obsolete.

Third. We should not overcome the two comparatively powerless civilians—the Secretary and Assistant Secretary—sitting in the Navy Department, feebly facing the 3,385 uniformed naval officers, by putting over the two civilians any more councils of war or boards of control than now exist.

Fourth. We should always bear in mind the taxpayers of the country, now being overwhelmed by a weight of taxation imposed in a time of present and prospective peace by all the numerous methods which the ingenuity of man can devise—district, town, ward, city, county, State, and National.

It may be true that the Democratic abandonment of campaign promises and the plunging into vast expenditures and voluminous taxation have made certain the defeat of the Democratic Party in 1916, but Republicans should not on that account take part in the oppressive wrongdoing.

To realize how little need there is of putting any more guides in charge of the two civilians nominally controlling the Navy Department, will you please turn to the Congressional Directory of January, 1915, page 262, and see what follows the first two names—those of Secretary Daniels and Assistant Secretary Franklin D. Roosevelt—in the form of a list of assistants to instruct them and help them conduct the Navy of a peaceful Republic.

They are (1) an aid for operations who is a rear admiral, with 4 assistant aids; (6) more aids—an aid for the Marine Corps, 1 for personnel, 1 for material, with 4 assistants, 1 for education, 2 directors of the navy yards, and an aid for the Secretary; (17) the Admiral of the Navy, with 2 assistants; (20) director of the Office of Naval Intelligence, with 7 assistants; (28) Bureau of Navigation, with 6 assistants; (35) hydrographic officer, with 4 assistants; (40) Bureau of Yards and Docks, with 5 assistants; (46) Bureau of Ordnance, with 14 assistants; (61) Bureau of Construction and Repair, with 8 assistants; (70) Bureau of Steam Engineering, with 15 assistants; (86) Bureau of Supplies and Accounts, with 6 assistants; (93) Bureau of Medicine and Surgery, with 5 assistants; (99) office of Judge Advocate General, with 9 naval officers as assistants; (109) commandant of the navy yard, with 18 assistants; (128) various officers on duty numbering 24; (153) the General Board, headed by the Admiral of the Navy, with 3 rear admirals and 6 captains as members and 6 other officers to help them; (169) an inspecting board of 6 officers; (176) a general inspector; (177) a naval examining board of 5 officers; (182) a retiring board and medical examining board, with 10 officers; (192) marine headquarters, with 8 officers; (202) Quartermaster's Department, with 4 officers; and (206) a marine barracks, with 4 officers, all making about 210 officers, practically all of them engaged in the business of advising the 2 civilians who are at the head of the list, while Congressman GARDNER is insisting that in addition there shall be created outside boards and councillors of great pretensions and overpowering influence for the same purpose.

It is not to be overlooked, the overwhelming fact that to advise and direct the two civilians there is always at hand the Congress, with its broad power of investigation by committees, which should not be surrendered to any extent by the creation of outside councils of national defense. If the two civilian secretaries and their commander in chief want more advice than they obtain from the 3,388 naval officers with their organizations hereinabove alluded to, their natural reliance should be upon Congress and its committees, and it is the height of folly for Congress to evade its duty and shift its burden upon new organizations with high-sounding names.

THE NAVY LEAGUE.

It must further be borne in mind, in considering the influences which can be exerted to make a nation like ours sufficiently militaristic, that there are other potential agencies than merely the President, the Congress, with its committees, and the Navy Department, with its 3,388 officers commissioned for life, having many suborganizations running up to the General Board and its president, the Admiral of the Navy, the hero of Manila Bay in 1898.

That additional organization is "The Navy League of the United States," 609 Southern Building, Washington, which publishes the monthly called The Navy, and which in its November number utters "A peremptory warning" to the Nation, demanding greater preparedness of the Navy of the Republic against "the criminal negligence of its own officials."

The officers of the Navy League, as shown by the November number, are among the most honored and the most influencial of our citizens.

Horace Porter is president, Charles C. Glover is treasurer, Robert M. Thompson is chairman of the executive committee, and other well-known names follow, including William A. Clark, of Montana, George v. L. Meyer, J. P. Morgan, John C. O'Laughlin, and Beckman Winthrop, while Herbert L. Satterlee is the lawyer of the league.

This number of The Navy contains a complete answer to "The Three Men Behind the Guns" of Rev. Dr. Charles E. Jefferson, of the Broadway Tabernacle, New York City, who lately unkindly preached that the Governments of Christendom have fallen into the clutches of a triumvirate consisting of (1) the military specialist, (2) the military contractor, and (3) the Navy League advocate. The number, under the head of "The Illusions of a Pacificist," concludes its exposure of the worthlessness of the illusions by asserting that "Dr. Jefferson's opinions are no better than his information"; indeed, that the latter is "actually a mass of misinformation."

The league article goes on to show that it is not intended that our projected council of national defense shall be headed by a military specialist, but that "the general expression of Army and Navy officers has been that the council should consist of the President of the United States (presiding); the Secretaries of State, War, and Navy; the chairmen of the Senate and House Committees on Appropriations, Foreign Affairs, Military Affairs, Naval Affairs; the Chief of the General Staff of the Army; an officer of the Navy; and the presidents of the Army and the Navy War Colleges."

THE GERMAN NAVY LEAGUE.

It must be apparent to every lover of his country and friend and admirer of its Navy that there need be in the United States no more than the existing boards of advisers so long as the Navy League exists and the magazine The Navy is published. Its prototype is the German Navy League, which has given such success and fame to the Germany Navy. To be sure, our league is not yet so large and so multiform in its agencies as the German organization, but it can be easily made so. The November number says of our American league:

THE MEMBERSHIP OF THE LEAGUE.

"April 1, 1909, there were on the books of the league the names of 4,500 members. There are now on the books of the league 6,837 members. * * * The time is now ripe for a popular movement that will greatly add to our numbers the coming year. * * * Never was there greater need of patriotic education as to the reasons for maintaining a strong Navy. Dr. Edward Brock, of Boston, who is well informed regarding the Navy, will visit the various cities of the country this winter, giving his stereopticon lectures before clubs, patriotic societies, and miscellaneous organizations for the purpose of building up the league membership. It is thought that many organizations will be willing to join the league in a body as corporate members. Each organization will be expected to appoint a Navy League committee and arrange for at least one patriotic meeting each year. Committees will also cooperate with the league in the distribution of pamphlets and building up the membership. The Washington Leading Men's Association, which has a membership of 500, has been asked to join the league as a body, it being understood that their members will be considered corporate members."

Frederick William Wile, the Berlin correspondent of the London Daily Mail and the New York Times, in his wonderful book, written in Berlin in May, 1913, the Bobbs Merrill Co., Indianapolis, publishers, entitled "The Men Around the Kaiser: The Makers of Modern Germany," tells us of the size at that date of the German Navy League:

"To-day the league's membership is approaching 1,250,000. Over 3,500 local branches are scattered throughout the country. No hamlet, no matter how tiny or remote from the seaboard, is left uncanvassed.

"The league's invested fortune is nearly $100,000. Its annual income from membership subscriptions is $87,500. It earns another $35,000 from advertisements in the league's excellent official organ, Die Flotte—mostly the announcements of the shipbuilders and gunmakers whose dividends are born in the league's sleepless propaganda. Close to $125,000 a year is spent in preaching the big-navy gospel. Die Flotte spreads it broadcast to 360,000 Germans, at home and abroad, from month to month."

The amazing history of the league is fully told by Mr. Wile in his sixteenth chapter, which is headed "Admiral Von Koester." No more useful study can be made than of his picture of the Deutscher Flotten-Verein.

1. HOW QUICKLY THE REICHSTAG VOTED $100,000,000 FOR THE GERMAN NAVY.

In the early days of March, 1909, a phenomenon unprecedented in the world's parliamentary history took place in the Reichstag. German naval estimates aggregating, roundly, $100,000,000, the heaviest on record, were passed without a dissenting voice or syllable of debate. Funds for the laying down of three superdreadnaughts, a battle cruiser, and a complementary squadron of smaller cruisers, torpedo boats, and submarines, and for the fixed charges of naval upkeep, were voted without a murmur of disapproval or discussion.

2. THE AMAZING PROPAGANDA OF THE GERMAN NAVY LEAGUE DID IT.

It suggests a fascinating psychological study to examine the causes which induce tax-burdened Germany, already saddled with a colossal army budget, which amounts for 1913 to $500,000,000, to shoulder uncomplainingly naval expenditure which has risen from $30,000,000 in 1898 to $116,750,000 in 1913. The explanation is not far to seek. In the amazing propaganda carried on by the German Navy League lies the secret of the conversion of the nation once known as the land of thinkers and poets into a race of naval enthusiasts. It is the Navy League—no mere pusillanimous coterie of armchair admirals who adopt resolutions and banquet annually, but a militant phalanx of a million practical patriots—which has driven the doctrine of sea power so deep into the German marrow that it has become a religion.

3. ADMIRAL VON KOESTER, NEXT TO THE EMPEROR, REORGANIZED THE FLOTTEN VEREIN.

Such crusades in all ages have had outstanding generalissimos. Admiral von Koester, the grand old man of the German fleet, is the personality which has made the Navy League pulsate with life and fruitful energy. A sailor for 50 years, with the highest honors of the service to his credit, he became its president six years ago at a critical juncture. Fanatical methods of a predecessor in office had brought the organization to the brink of disintegration. The imperial admiralty was face to face with a calamity. The break-up of the Navy League threatened danger to the whole future of German naval policy. Koester had just relinquished the commandership in chief of the high-seas fleet with the rank of grand admiral, which corresponds to the highest rank in the army, that of a field marshal. Though the privileges and emoluments of the retired list were his due, he much preferred to remain at work. No field of usefulness at the moment compared in importance with the task of keeping intact the machinery of the Navy League. He shouldered it. The executive gifts which had distinguished his entire career speedily enabled him to restore harmony in the league's warring ranks. On the wave of enthusiasm which accompanied the dawn of the dreadnaught era, the Flotten Verein was launched on a new career of prosperity and power.

4. THE KAISER CALLED TO ARMS, VON TIRPITZ MANAGED THE PARTY POLITICS, THE NAVY LEAGUE KEPT THE CONSCIENCE OF THE COUNTRY AWAKE.

It was the Kaiser who proclaimed, at the birth of the new century, that "Germany's future lay upon the water"; that a mighty fleet was a "bitter necessity"; that "the ocean was essential to Germany's greatness"; that "the trident must be in Michel's hand"; that "the more Germans who went to sea, the better for the Fatherland"; and the other epigrammatic ukases which fired Teuton imaginations with visions of admiralty. It was von Tirpitz who piloted ever-recurring programs through the tortuous waters of party politics. But it is the Navy League which has kept the conscience of the country awake, which has aroused the nation's fears and fanned its passions as occasion demanded. "Record" naval estimates disturb the equanimity of the average German no more than budgets for the State railways. The agitation for naval expansion waged in Germany during the past 15 years is peerless among campaigns of education in our time.

5. HOW THE COUNTRY WAS AROUSED—THE FARMERS, THE MOUNTAINEERS, THE MILL HANDS, THE PEASANTS, THE LANDLUBBERS, LURED BY THE NAVY LEAGUE.

Glib-tongued orators, whose fervor sometimes triumphs over the truth, drive it home at countless meetings in village, town, and city. Twenty cinema-picture apparatuses, owned by the league, are kept moving across the country, telling in the convincing language of the film the stories and the glories of the fleet. During the summer holidays thousands of school-children and teachers are brought to the ports, war harbors, and dockyards to see the navy at work and in the making, that each may go home a missionary in the holy cause. Still other excursions are organized for members of the league as a means of training them to become agitators. The league lays special stress on educating children and people from remote inland regions. The men and women of Hamburg and Bremen, of Danzig and Stettin, in whose nostrils the salt of the sea has lodged since the cradle, need no persuasion. It is the farmers of east and west Prussia, the mountaineers of Bavaria, the mill hands of Rhineland and Westphalia, the peasants of Saxony, the landlubbers of the cities, whom the navy league systematically lures to the North Sea and the Baltic, and sends back to workaday existences confirmed enthusiasts. They have made privileged inspections of the floating fortresses which belch broadsides calculable only in tons, and believe for evermore in the "bitter need" of might at sea.

6. HOW THE LEAGUE CONTROLS POLITICAL CRISES—"ITS HAND IS SELDOM DISCLOSED, BUT ITS INFLUENCE IS EASILY RECOGNIZED."

When great political crises, like Morocco, arise, the navy league puts on extra coats of war paint. Its hand is seldom disclosed, but its influence is easily recognized. No one at such times can place his finger on the point where the "inspiration" of the league begins and ends, but there is far too much homogeneity and synchronism about the press and pamphlet campaigns which rage at psychological moments to entitle them to be considered either spontaneous or sporadic. If public opinion is excited or excitable, as it was after Agadir, the league's benchmen proceed to excite it still more. The slogan of "The fatherland in danger!" is vociferously hoisted to the ramparts. The bookshop windows fill up, as if by magic, with inflammatory prints depicting Germany on the threshhold of catastrophe. Brochures clamoring for fresh dreadnaughts rain on offenseless members of Parliament. "England the Foe." "Perfidious Albion." "The Coming War." "The British Peril." "England's Plan to Fall on Us in 1911."—a random and slender selection of titles from the literature which paved the way for the latest, but probably not the last, great increase in the German fleet. Nobody subscribes more unreservedly to the doctrine that the end justifies the means than the Deutscher Flotten-Verein.

7. VON KOESTER PLAYS THE RÔLE OF AGITATOR AT NAVY LEAGUE MEETINGS.

One of the mildest-eyed and gentlest of men is the presiding genius over this mighty engine of publicity. * * * Like every other man in the Kaiser's fleet, von Koester is a profound admirer of British naval traditions and an advocate of cordial relations with the mistress of the sea; but he believes that genuine international friendships rests on mutual esteem. Unprovided with imposing strength at sea, he declares, Germany can never command adequate respect from a naval power. This is the line von Koester espouses eloquently when he himself plays the rôle of agitator at important Navy League meetings throughout the country. He particularly combats the theory that Germany has armed in stealth or gone beyond the limits originally contemplated by her naval law. "We have always laid our cards on the table," is one of his favorite assertions. At present the Navy League's "program" is the creation of a flying squadron of battle cruisers for service in foreign waters in order that the Kaiser's flag may be able to assert itself on short notice wherever and whenever German over-sea interests are menaced or attacked.

I hope you will excuse me for giving you at such great length sketches of the American and Germanic Navy Leagues. When the first of these has been carried to the size and power and wisdom of the German one there will be no need of governing the two civilian Secretaries in our Navy Department and their present assistants and instructors by any councils of national defense. For that duty the Navy League will be sufficient until the Secretaries go out of power on March 3, 1917. Meantime, there is no common sense, and it will be a monumental mistake, in forcing them into beginning the construction of more "replacement battleships."

We are now building the following: The *Arizona, California, Idaho, Mississippi, Nevada, Oklahoma,* and *Pennsylvania*; the contract price for them, not including armor or armament, is six millions each for the *Nevada* and *Oklahoma* and seven millions for each of the other five, making forty-seven millions for the hulls and as much more for the armor and the armament, as will make the total cost reach $100,000,000. The times of completion of the ships vary from December, 1915, to December, 1917. Is there any doubt that we ought not to authorize, not the planning but the contracting, for the construction of more battleships without learning what the present European war will teach us about armored vessels, Zeppelins, aeroplanes, and submarines? Until we learn all the facts, the Navy League and Congressmen HOBSON and GARDNER can be trusted to keep sufficiently alive militarism in the United States.

Very truly, yours, WM. E. CHANDLER.

ARE NAVAL EXPENDITURES WASTED?

[By George von L. Meyer, former Secretary of the Navy.]

The public demand for the facts with respect to the preparedness of the Navy to-day grows out of a popular desire to be sure that we are getting our money's worth for money expended. The people can not pass intelligently upon the question of the size of the Navy until they know its condition, its organization as it now exists, whether it is being administered efficiently and economically, and what methods have been employed as to the making and using of the appropriations.

Our naval appropriation for 1914 was $140,000,000: that of Germany, $120,000,000. The total appropriation for our Navy from 1900 to 1914, inclusive, amounted to $1,656,000,000, while the appropriation during the same period for Germany's navy was $1,137,000,000, showing that the American Navy during 15 years has cost 45 per cent more than the Kaiser's navy. Yet to-day Germany's navy is more powerful than ours. The difference during those years represents the cost of two battleships annually for 15 years.

United within a few years no naval appropriation could pass the Senate which did not meet the sanction of both a northern and southern Senator, each of whom was a member of the Committee on Naval Affairs. It is interesting, in consequence, to analyze some of the appropriations between 1895 and 1910.

In 1899 a site was purchased in Frenchmans Bay, Me., at a cost of $24,650—far above the assessed valuation—and later an additional amount of $600,000 was expended to obtain there an absolutely unnecessary coaling station, which has since been dismantled, as it was practically unused.

At the Portsmouth Navy Yard, so called, in Kittery, Me., a dock was built at an expense of $1,122,800, and later it was found necessary to blast away rock in the channel in order to reach the dock, at an additional expense of $745,300.

Between 1895 and 1910 improvements, machinery, repairs, and maintenance in the yard amounted to $10,857,693, although there was a large navy yard within 70 miles.

On the other hand, at Port Royal, S. C., a dock was built, at the insistence of the southern Senator, at a cost of $450,000, which proved useless, and, although the original cost of the site was but $5,000, it was not abandoned as a naval base until $2,275,000 had been expended.

Not the least daunted by this extravagant waste, the same Senator determined to have a share of the naval melon for his State, so, with the assistance of the northern Senator, he obtained the establishment of another naval station at Charleston, S. C., in 1901. There was no strategic value thus accomplished, nor was it necessary, with the Norfolk Navy Yard located at Hampton Roads. The $5,000,000 which has been squandered at Charleston includes a dry dock built for battleships, costing $1,250,000, but which experience shows can only be used by torpedo destroyers and gunboats. The $5,000,000 could have been employed to great advantage at the Norfolk Navy Yard, where the battleship fleet generally assembles. A portion even could have been used wisely at Key West, Fla., a supplementary base of real strategic value for torpedoes and submarines—a protection to the Gulf of Mexico and the mouth of the Mississippi River—and on account of its geographical situation. Key West would serve as a base of supplies to the fleet in the Caribbean Sea.

The purpose of the navy yards is to keep the fleet in efficient condition. Their location should be determined by strategic conditions, their number by the actual needs of the fleet. The maintenance of navy yards which do not contribute to battle efficiency is a great source of waste.

The United States has over twice as many first-class navy yards as Great Britain, with a navy more than double the size of ours, and more than three times as many as Germany, whose navy is larger than that of the United States.

The total cost of navy yards up to June 30, 1910, with land, public works, improvements, machinery, and maintenance, including repairs, amounts to $320,600,000, as seen by the footnote on the following table:

Statement showing date of establishment; original cost of site; expenditures for buildings, public works, and improvements; machinery installed in the various buildings; and cost of maintenance of the several navy yards and stations to June 30, 1910; also the average yearly cost of maintenance for five years.

Stations.	Date of establishment.	Original cost of site.	Total expenditures for buildings, public works, improvements, and machinery installed in the various buildings.	Total maintenance, including repairs.	Total cost of land, public works, improvements, machinery, and maintenance, including repairs.	Average yearly cost of maintenance for five years.
First-class navy yards (at home):						
Portsmouth	1800	$110,500.00	$10,006,929.89	$8,720,582.09	$18,838,011.98	$428,595.15
Boston	1800	360,782.26	14,015,799.50	16,007,646.23	30,384,227.99	916,535.41
New York	1801	590,123.15	25,867,974.92	31,177,278.60	57,635,376.67	1,958,452.92
Philadelphia	1868	Gift.	11,015,439.94	10,269,160.47	21,284,600.41	708,093.69
Washington	1800	157,099.00	11,969,124.71	13,197,175.25	25,323,398.96	728,695.26
Norfolk	1800	478,517.50	15,733,682.19	16,113,733.15	32,325,932.84	1,006,598.64
Mare Island	1854	83,491.00	17,644,057.09	17,363,162.17	35,090,710.26	1,051,424.93
Puget Sound	1891	18,212.50	5,610,377.53	3,769,602.96	9,398,192.99	469,012.97
Second-class navy yards (at home):						
Charleston	1901	105,207.00	3,857,180.01	778,381.52	4,740,768.53	142,952.88
Pensacola	1828	(1)	7,700,637.10	4,516,794.01	12,217,431.11	340,011.95
New Orleans	1849	15,000.00	2,684,151.18	701,984.69	3,401,135.87	112,098.79
First-class navy yard (abroad):						
Hawaii	1899	58,140.50	1,577,814.35	590,700.73	2,226,655.58	89,318.13

[1] Military reservation.

Statement showing date of establishment; original cost of site; expenditures for buildings, public works, and improvements; machinery installed in the various buildings; and cost of maintenance of the several navy yards and stations to June 30, 1910; also the average yearly cost of maintenance for five years—Continued.

Stations.	Date of establishment.	Original cost of site.	Total expenditures for buildings, public works, improvements, and machinery installed in the various buildings.	Total maintenance, including repairs.	Total cost of land, public works, improvements, machinery, and maintenance, including repairs.	Average yearly cost of maintenance, for five years.
Second-class navy yards (abroad):						
Cavite	1898	(1)	$2,523,136.35	$8,723,088.71	$11,246,225.06	$1,056,401.84
Olongapo	1901	(1)	2,908,849.48	909,515.30	3,818,364.78	177,265.33
Naval stations (at home):						
Port Royal	1883	$5,000.00	1,173,647.78	1,100,002.00	2,278,649.78	24,351.76
Key West	1854	156,111.83	2,205,440.23	1,787,934.35	4,149,486.41	143,096.25
Naval stations (abroad):						
Guantanamo	1903	Leased.	1,189,237.01	969,211.60	2,158,448.61	178,131.21
San Juan	1898	(1)	73,754.06	770,265.31	844,019.37	95,746.85
Guam	1898	(1)	296,624.14	1,253,188.58	1,549,812.72	180,510.90
Tutuila	1900	45,125.39	489,353.09	447,005.83	981,484.31	64,258.52
Training stations:						
Newport	1869	69,850.00	2,378,171.72	4,778,286.21	7,226,307.93	506,917.90
California	1898	(2)	344,969.36	720,656.07	1,065,625.43	96,084.07
Great Lakes	1905	Gift.	2,591,546.58	313,306.90	2,904,853.48	62,661.38
Coaling stations:						
Frenchmans Bay	1899	24,650.00	541,167.44	57,884.54	623,701.98	8,655.55
Bradford	1900	35,000.00	1,148,944.80	220,536.88	1,404,481.68	38,589.37
Pichilinque, Mexico	1900	----------	51,804.44	20,032.78	71,837.22	2,019.94
San Diego, Cal	1904	(2)	204,758.87	26,822.98	231,581.85	4,742.17
Tiburon	1904	80,000.00	556,409.53	98,124.75	734,534.28	19,490.97
Miscellaneous:						
Annapolis (Naval Academy)	1845	405,345.76	10,825,529.94	10,244,815.07	21,475,690.77	1,252,519.53
Naval proving ground	1890	38,220.00	944,620.24	1,206,324.75	2,189,164.99	120,790.63
Las Animas (naval hospital)	1907	(2)	374,573.42	827,247.52	1,201,820.94	165,449.50
Culebra (naval base)	1904	(1)	23,132.08	157,788.91	180,920.99	30,187.35
Sitka	1900	(2)	124,961.96	22,909.92	147,871.88	3,324.78
Yokohama	1900	----------	88,677.99	406,232.00	494,909.99	55,811.94
New London	1868	Gift.	431,037.46	337,561.68	768,599.14	13,156.05
Sacketts Harbor, N. Y	[3] 1845	4,425.00	36,387.05	14,820.95	55,633.00	[4] 647.98
Total	----------	2,840,800.89	159,209,903.39	158,619,765.46	320,669,429.74	12,252,602.82

[1] Acquired by conquest.
[2] Military reservation.
[3] First record of any appropriation being made for improvements or maintenance.
[4] Expenditure fiscal year 1910, $2,107.91.

Overburdened with a superfluous number of navy yards distributed along the Atlantic coast from Maine to Louisiana, in 1910 I recommended that Congress give up and dispose of naval stations at New Orleans, Pensacola, San Juan, Port Royal, New London, Sacketts Harbor (N. Y.), Culebra, and Cavite, none of which was a first-class station. The average yearly cost of maintaining these stations between 1905 and 1910 was $1,672,675, and very little useful work had been performed at any of them. Later I practically closed them, but could not abolish or dispose of them, no action having been taken by Congress. Pensacola and New Orleans have since been reopened by my successor.

The interests of the country and the interests of the Navy would be best served by one first-class naval base with sufficient anchorage for the entire fleet, north of the Delaware, equipped for docking, repairing, etc., and another station of equal capacity at Norfolk, in Chesapeake Bay, with Guantanamo, Cuba, to serve as the winter-station rendezvous.

On the Pacific coast we are fortunate in having only two naval stations, one at Bremerton, on Puget Sound, established in 1891, with ample depth of water, costing to date about $9,000,000; and the other at Mare Island, established in 1850, some 30 miles from the harbor of San Francisco, with inadequate depth and width of water along its water front. The total costs, with maintenance and repairs, have amounted to $35,000,000, and, on account of insufficient depth of water, none of the battleships built in the last eight years could have been berthed there.

Arrangements were entered into some time ago, and have lately been consummated, by which the Navy will have the use of a thousand-foot dock to be built at Hunters Point by a private corporation, the Government making an annual payment of $50,000. With the completion of this great dock the fleet will not have to depend entirely on Puget Sound. Later there will be additional facilities in Hawaii, when the Pearl Harbor Dock is finished.

The situation of the naval base near San Francisco is as follows:

We have the Mare Island Navy Yard at Vallejo, with use of a future battleship dock at Hunters Point, near San Francisco, a coaling station on an island in the bay, and a training station on still another. It has been well understood for years that the California Senator on the Naval Committee would not consent to the abandonment of the Mare Island, suited to its requirements when first selected, in 1850, but absolutely unsuited to Navy requirements after battleships became a feature.

The New Orleans yard, located 100 miles up the river, and with a floating dock of no service to dreadnaughts, its capacity being limited to 16,000 tons as a maximum, was furbished up for a while with modern shop buildings and incompleted streets in order to appease a Louisiana Congressman, a member of the Naval Committee, since deceased. The amount expended on that needless and useless station was over $2,000,000.

The Pensacola Navy Yard, originally a military reservation, had cost the United States Government, up to 1910, $12,200,000, with little return in the way of output.

The fundamental cause of excessive expenditures is due to the fact that appropriations are not made with the sole view of the battle efficiency of the fleet (which is the Navy) and its military requirements. Politics and logrolling, as I have shown, have entered into the making of appropriations by Congress.

A more recent case is the training station outside of Chicago, established in 1905. The original site was a gift, but $3,646,000 has been expended, buildings erected on a lavish scale, quite unnecessary and not suitable, due to the zeal of a Congressman of the district, a member of the Naval Committee. One-half the amount would have more than met the requirements and have been better adapted to what a training station should be.

For an example as to the present lack of efficiency, in a hearing at Washington, December 9, 1914, Admiral Fletcher is asked:

"Mr. ROBERTS (member of the Naval Committee). Here is a statement reciting reasons why the submarines are in such bad condition: 'The fault has been that no one in the department has been charged with the direct responsibility of keeping submarines in constant repair.' Do you know anything about that? Is it a fact that there is no one in the department especially charged with looking after submarines and keeping them in repair?

"Admiral FLETCHER. No; I know nothing of that kind.

"Mr. ROBERTS. Then, if there is such a lack of care with submarines as set forth in this article, there is no one in the Navy Department who is responsible for it?

"Admiral FLETCHER. Yes."

When Commander Sterling made the report on the unsatisfactory condition of the submarines, if Secretary Daniels had not abolished the aid for inspection he could have sent for the aid, turned the report over to him for investigation, the findings to be made direct to the Secretary. The next move would have been to call together the chiefs of bureau concerned and thrash the matter out before the aids, in conjunction with the bureau chiefs, either in the presence of the Secretary or brought to him for final decision after conclusion had been reached. This was not done, the aid for inspection having been abolished, but Commander Sterling was reprimanded by the Secretary.

The organization of aids to the Secretary, consisting of an aid for operations, for personnel, for material, and for inspection, making a council of four responsible expert advisers, was turned over to the present head of the Navy. This has been disrupted and no established system has taken its place. In case of a crisis business would be congested, confusion would reign, discredit to the Navy would follow, with possible disgrace to the country.

Building battleships without an adequate force of men is equal to wasting money; only 10 ships of the first line and 11 of the second, according to the Navy Department, can be placed in full commission for service, due to a shortage of men and officers.

To provide a proper complement for all vessels of the Navy which could still be made useful would require an additional force of 18,556 men and 933 line officers, according to the testimony of Admiral Badger before the Naval Committee December 8, 1914.

That we have not been getting proper return for money expended in the Navy is not known to the majority of our people, nor is it realized to what extent political influences have misdirected the appropriations during the past 25 years. The remedy will only come from absolute publicity.

Let a special committee be appointed to investigate the conditions in the Navy.

Let a special committee of military experts from the Army and Navy be appointed to recommend what naval stations shall be abolished and sold and if any shall be established to take their places.

Let Congress inaugurate a national council of defense made up of Members of the Cabinet, Senate, and House, with the Chiefs of Staff from the Army and Navy, that more efficient cooperation may be obtained between the executive and legislative branches of the Government in respect to military requirements.

Let Congress establish a general staff in the Navy.

Let appropriations be made in budget form on a plan of expenditures proposed by the department.

Let action be taken by this Congress in order that necessary reforms and changes may be made at once, as it is now recognized that the Navy should be the strong right arm of the Government and one of the vital factors in the national strength.

GEORGE V. L. MEYER.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. WEEKS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Newlands	Smith, Ga.
Bankhead	Gronna	Norris	Smith, Md.
Brandegee	Hardwick	O'Gorman	Smith, S. C.
Bristow	Hitchcock	Oliver	Smoot
Bryan	Hollis	Overman	Stephenson
Burton	Hughes	Page	Sterling
Catron	James	Perkins	Stone
Chamberlain	Johnson	Pittman	Sutherland
Chilton	Kenyon	Pomerene	Swanson
Clapp	Kern	Reed	Thomas
Clark, Wyo.	Lane	Robinson	Thornton
Clarke, Ark.	Lea, Tenn.	Root	Tillman
Colt	Lee, Md.	Saulsbury	Vardaman
Culberson	Lewis	Shafroth	Warren
Cummins	Lodge	Sheppard	Weeks
Dillingham	McCumber	Sherman	White
du Pont	McLean	Shields	Williams
Fletcher	Martin, Va.	Shively	Works
Gallinger	Martine, N. J.	Simmons	
Goff	Nelson	Smith, Ariz.	

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I have desired, when opportunity offered, to say something about the international aspects presented by this bill; but I confess that it is rather depressing to be called upon to speak in regard to a bill which is dead. The bill now before the Senate, whatever the fate of a future one may be, is dead. A funeral oration over a departed subject for which I have neither admiration nor respect is not to my taste, nor have I the talent for it.

I say the bill is dead, and I ask the attention of the Senate for one moment to what has occurred. We had a bill presented. In a few days we had a substitute. and the first bill died. Then we had, after a week of debate carried on by Senators on this side, another substitute, the work of the Democratic caucus, and the first substitute died by the hands of its friends. Then came the third; and that, in turn, was killed by a proposition to amend it through the medium of a motion to recommit with instructions in the nature of amendments. And now as to this last bill, with the restoratives administered in the form of amendments, it has been demonstrated that there is not a real majority for it in the Senate. It has been demonstrated on more than one vote.

Mr. President, a great deal has been said about a filibuster. We discussed this bill through long hours of the day——

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. LODGE. I yield for a question. I do not yield the floor.

Mr. GORE. I should like to propound a question. The Senator states that a majority of the Senate are against the pending bill. I was wondering whether the Senator would be willing to fix a day and hour on which to vote on the bill?

Mr. LODGE. On this bill?

Mr. GORE. Yes, sir.

Mr. LODGE. As it now is?

Mr. GORE. Yes, sir.

Mr. LODGE. No; I do not care to vote on a dead bill.

Mr. GORE. It might possibly be resurrected, Mr. President.

Mr. LODGE. Well, the sooner you resurrect it the better.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. LODGE. I do.

Mr. SIMMONS. In view of the statement of the Senator that a majority are against this bill, I desire to ask the Senator if he will agree right now to take a vote upon the motion, which is the pending motion, to recommit with instructions? Then we will determine whether or not there is a majority against it.

Mr. LODGE. No, Mr. President; I agree to nothing about this bill, except that it is bad.

Mr. GALLINGER. And dead.

Mr. LODGE. And dead.

Mr. FLETCHER. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. LODGE. Certainly; but I am sorry my harmless remarks have caused this excitement. If I can I will answer the Senator's question with pleasure.

Mr. FLETCHER. The Senator will recall that the substitute which was offered to the original bill was pressed for consideration and for a vote, and the yeas and nays have been ordered on that substitute. That, I believe, the Senator says is dead. Will the Senator be willing to test that by a vote in response to the ordering of the yeas and nays?

Mr. LODGE. The first substitute was killed by yourselves; you killed it by offering another substitute.

Mr. FLETCHER. Will the Senator be willing by a vote to bury the substitute which he says is dead?

Mr. LODGE. This bill may be walking about unburied. [Laughter.] I do not say that it is not, but I say it is dead; and everybody knows it is dead.

Mr. FLETCHER. I should like to ask the Senator if he would be willing to bury it by a vote?

Mr. LODGE. No, Mr. President; I prefer to adopt other methods.

Now, Mr. President, I spoke of the filibuster, as it is called. Through long hours of many days we on this side discussed it honestly, and I think vigorously, and then a movement in the nature of a filibuster was introduced against fair discussion of the bill by forcing us to sit all night, when intelligent discussion of any measure is extremely difficult.

I am not going to repeat what has been said by the Senator from New York and the Senator from California—much better than I can say it—to the effect that any method of obstruction was legitimate in view of the methods which have been employed to force this legislation through the Senate. But I wish to call attention to the fact, and it is the undoubted fact, that there never has been a real majority for this bill at any moment in this body. There may have been a coerced majority of one or two at odd times, but there never has been a real, genuine, honest majority for this bill at any moment.

I have watched proceedings in the Senate for a good many years. I never have seen what is called a filibuster successful except in the very closing hours of a short session, when time made it possible to defeat, perhaps, some objectionable provision in an appropriation bill. At all other times, when there was a real, genuine majority heartily in favor, as individuals, of a measure, it never has failed to come to a vote and be passed.

The fact is, Mr. President, the support of this bill is largely artificial, and that is where the weakness of the bill arises. The men in this Senate and in the House who are called upon to vote and carry this bill have not it at heart, any of them, as the Democratic Party, for example, had the reduction of the tariff at heart. That was a real party measure, upon which they agreed. This bill has been put upon us from outside. I am not referring now to the stimulus which has come from the interests of great banking houses and ship companies, both foreign and domestic, in favor of the bill. There you will find, perhaps, the reason for the absolute unwillingness to put in a prohibition of the purchase of belligerent-owned ships, which I believe a majority of both Houses to-day thinks would be a proper thing to do in the present condition of affairs. What I am referring to is the real force behind this bill and the only thing that has brought it here or that has caused the struggle which has arisen in regard to it.

Mr. President, I have never in debate here spoken otherwise than with respect of the Chief Executive of the Nation, no matter whether he was of my party or of another party. I trust I never shall do so. I have too high a veneration for the office which represents the American people as a whole. But, Mr. President, it is absolutely impossible to consider this bill without also considering the Executive influence which has been the great force behind it.

The President has demanded the bill. He has made the bill. He insists on its passage. He is in hourly consultation with Senators, and I have no doubt with Members of the House, in regard to it. He is just as much making the bill as anyone on this floor or in the House of Representatives; in fact, he is doing far more than anyone else.

I desire, in what I am about to say, to speak with the utmost respect. and I do. I trust it will not seem disrespectful when I say that, although President of the United States, the occupant of that office is still merely human, and therefore fallible. The doctrine of divine right and that "the king can do no

wrong" has never yet attached, fortunately for us, to the President of the United States. What his reasons and arguments may be in behalf of this measure I do not know. He has never made more than a few general statements in regard to it. He seems content to stand on the broad and simple proposition, "*Sic volo, sic jubeo.*"

I think when the President is approaching a new subject the first thing he does is to make up his mind, and when his mind is made up the thoughts which in more ordinary mortals are apt to precede the decision or determination of a great question are excluded. Information upon the new subject is looked on as a mere impertinence. When the world was in the first convulsion produced by the outbreak of the war he did not wait watchfully or otherwise, he did not pause to consider conditions or what an adjustment to those conditions after the first shock had passed might bring; he simply ordered this bill to buy the German ships to be produced and passed.

I have been constantly reminded of a little rhyme which we probably all have seen, which was written many years ago—and I quote it without any thought of disrespect, of course—in regard to a celebrated Oxford don. It ran in this way:

My name is Benjamin Jowett;
I'm the master of Baliol College.
Whatever is known, I know it,
And what I don't know isn't knowledge.

[Laughter.]

I think that mental attitude is an unfortunate one in the head of a college, but it seems to me that in the great position *of President of* the United States it is a very dangerous attitude. A man occupying that high position, or even men occupying such harmless and subordinate positions as we occupy in this body, when called upon to deal with great affairs finds it, I think, the part of wisdom, before insisting on any proposition, to discover what can be said against it, and duly weigh the objections.

One man, we will say a professor in a college, develops a system about finance or the tariff. He goes over it with the utmost care. He gives to it, perhaps, hours of reflection. Perhaps he has not made up his mind about it before he thinks it over, but after full consideration he finds no flaw in the system. He then takes it out and talks it over with a dozen friends, and he hears their objections and perhaps weighs them and considers them. When that process is done, he launches his plan into space, and then it has to meet all the objections there are in the world. That is a very different situation. It is well to remember that fact, and at least to hold an open mind when forcing upon a great country a policy as far-reaching as the one embodied in this bill.

I am now going to deal with only one side of this subject which has been forced upon us in this sudden and violent manner, but that side seems to me the most important.

In the first speech which I made in the Senate in regard to this bill I tried to show, and I think I did show, that the German ships which it is proposed to buy were wholly unsuitable, with very few exceptions, for the alleged purpose of the bill. Incidentally I also pointed out that the purchase of those ships, and the attempt to send them to sea after the transfer of the flag, would certainly bring grave international complications, and in all probability would lead us to the verge of war with the belligerent nations opposed to Germany. On the second occasion when I addressed the Senate I discussed the question of rates, and I think I demonstrated that the figures given in the report of the Secretaries of the Treasury and Commerce, together with some statements in those reports, were not trustworthy. From manifests giving the actual rates paid for carrying the various products during the last five months I showed what the real rates were from the port of Boston and contrasted them with the figures given in the reports of the two Secretaries—figures which seemed to have been taken from the air, as a conjuror appears to pick silver dollars out of empty space. I also, at the same time, endeavored, very inadequately, to discuss this bill from the economic point of view and to point out the true method of building up the American merchant marine in contrast to the utterly false methods proposed by this bill.

To-day I wish briefly to discuss the international law and the precedents which would govern if the Government persists in the intention of buying these German ships or the ships of Austria now laid up in our ports to avoid capture.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. Certainly; I yield for a question.

Mr. POINDEXTER. Would it disturb the Senator to state at this point his views and information as to the purposes of the administration of this bill, if it should be passed, in regard to these belligerent ships? I ask the question for the reason that I hear it stated by a number of Democratic Senators that it is not the intention to buy belligerent ships. My impression was that the whole discussion here, in the early stages of this bill, was based upon the proposition that they did intend to buy belligerent ships.

Mr. LODGE. Mr. President, I am very glad to reply to that question. As I showed in the first speech I made, when this matter was brought up last August and an effort was made to hurry it through in the excitement of the opening days of the war, the Secretary of the Treasury went before the House committee and, under examination, substantially admitted and defended the proposition of buying the German ships. It was so understood by foreign powers; it was so understood in this country; it never has been contradicted officially; it has been defended on this floor in elaborate argument, and no authoritative denial has ever come. The amendment I offered to prohibit the purchase of belligerent-owned ships was defeated in the committee; it was subsequently laid on the table by a vote of the majority. We hear these assertions, "Oh, no; they do not mean to buy the German ships." It has never been stated, though, in any authoritative form. The chief outside resistance to-day to an agreement among our friends on the other side upon a bill which might go through both Houses is to putting in any prohibition against buying belligerent-owned ships.

On a matter of that gravity surely Congress has a right to say that it must not be done. It may seem an extreme statement, but we are a coordinate branch of the Government. We still are so—theoretically, at least. On a subject of this sort if we are of opinion that belligerent-owned ships ought not to be bought—and I believe a majority of the Senate thinks so to-day—such a provision ought to be placed in the bill.

The motive for resisting this prohibition can only grow out of the desire of wishing to have their hands free to buy the German ships if they choose. I say "the German ships"—I should apply it to English ships or to French ships just the same—but we know that these German ships, imprisoned in our ports to avoid capture, are practically the only ships of a belligerent open for sale. That is why I felt from the beginning, and believe to-day, that the great underlying purpose of this bill, as was undenied last summer, is to buy those German ships. All these vessels, as is well known, are owned by citizens or corporations of Germany or Austria. I do not know that the benevolent intentions of the administration have yet been extended to the Austrian ships. I have not heard of that, but they are here and they probably could be bought, at enormous prices.

Let me pause a moment to say that I have heard it suggested that we ought not to prohibit the purchase of belligerent-owned ships, because it would tie our hands and show that we were giving up a practice in which we had always engaged. Mr. President, no such thing as is here proposed ever was thought of or heard of before. There have been plenty of cases of the purchase of belligerent-owned ships by private individuals among neutrals, but never before has there been an opportunity to convert a belligerent-owned ship into a Government-owned ship, because never before was a Government-owned ship proposed. The difference between the Government-owned ship and the privately owned ship in time of war—indeed, at any time—is as great as that between night and day.

It has also been asserted that the United States has the right to purchase these ships, if it sees fit, without risk of seizure by English, French, or Russian warships. In support of this assertion an opinion was rendered by the Solicitor of the State Department on the 7th day of August, 1914. It is not necessary for me to repeat the admirable analysis of that opinion made by the Senator from New York [Mr. ROOT], but the last sentence may be quoted.

The Solicitor of the State Department says:

"This memorandum is hurriedly struck off and I have not had time or opportunity to revise it, but it is believed that it correctly presents the status of the question involved."

It was thought at that time—when it was proposed to rush this measure through immediately—that an opinion in favor of our right to buy these ships, transfer the flag, and then operate them was necessary. For this reason the opinion of the Solicitor of the State Department was thrust upon an expectant world, with the statement that it "had been hurriedly struck off." As to the hurry I think there can be no dispute, and as to the opinion itself I think it is possible to show that it is unfounded and erroneous. The rule as to the rights of the citizens or subjects of a neutral power to purchase belligerent ships in time of war has changed from time to time, so that it is impossible to arrive at a true understanding of its present scope and probable operation without adverting to its history, without considering the precedents and prize courts by which it will now be applied and some consequences which may be

expected to follow upon the enforcement of the rule against belligerent vessels directly or indirectly owned or operated by the United States Government, as intended under this bill. The old rule, generally adhered to for many years, if not for centuries, was that the transfer of vessels flagrante bello was originally held invalid. In the case of the *Benito Estenger* (176 Supreme Court Reports, p. 578) Chief Justice Fuller says:

> Transfers of vessels flagrante bello were originally held invalid—

and I think I need not quote any further authorities to prove this unquestioned truth. Of this general rule there have been modifications in various countries. The English and American doctrine, to which I shall presently refer more fully, is very liberal as to the trade of neutrals in ships as in other articles of trade legitimate in time of peace. On the Continent of Europe, however, the case has always been very different. France has held steadfastly, prior to the declaration of London, to the doctrine that all transfers of flag after the opening of hostilities are void.

I read from Hall's International Law, sixth edition, page 499:

> Vessels, according to the practice of France, and apparently of some other States, are, however, excepted on the ground of the difficulty of preventing fraud. Their sale is forbidden, and they are declared good prize in all cases in which they have been transferred to neutrals after the buyers could have knowledge of the outbreak of a war. In England and the United States, on the contrary, the right to purchase vessels is in principle admitted, they being in themselves legitimate objects of trade as fully as any other kind of merchandise, but the opportunities of fraud being great, the circumstances attending a sale are severely scrutinized, and a transfer is not held to be good if it is subjected to any condition or even tacit understanding by which the vendor keeps an interest in the vessel or its profits, a control over it, a power of revocation, or a right to its restoration at the conclusion of the war.

This shows in a general way what the practice has been.

In the case of the schooner *Etta*, to be found in the American Law Register, volume 13, page 48, the court says:

> The law, however, upon this subject varies in different countries. The seventh article of the French regulations of the 26th of July, 1778, which is still in force—

This was in 1865—

> provides that enemy-built vessels can not be reputed to belong to neutrals, unless there is documentary proof found on board that the sale to a subject of an ally or neutral was made before the commencement of hostilities. This regulation is thus defended in a recent French treatise in answer to the question, of what importance it is, whether enemy's vessels have been sold to neutrals before or after hostilities. Belligerents in desiring in maritime wars to appropriate to themselves ships of their enemies do not wish that the latter should, to avoid capture and confiscation, realize the capital which their vessels represent. All enemy's vessels pursued by cruisers and in danger of being captured would take refuge in neutral ports, and in order that they might not be captured their owners would sell them to neutral citizens.

It will be noticed that that statement covers precisely the case of the German ships.

In Lawrence's Wheaton, page 581, in the note, it is said:

> There is a distinction between the French law and the English and American, in reference to the transfer of ships during war. The seventh article of the French regulations of the 26th of July, 1778, still in force, provides that enemy-built vessels can not be reputed to belong to neutrals, unless there is documentary proof, found on board, that the sale to a subject of an ally or neutral was made before the commencement of hostilities, and that the act of transfer has been duly registered before the proper officer at the port of departure and signed by the owner or his attorney. This regulation is thus defended in a recent French treatise in answer to the question of what importance is it whether enemy's vessels have been sold to neutrals before or after hostilities.

Then Lawrence quotes the passage which I have just read from the opinion in the case of the schooner *Etta*, and which it is not necessary for me to read again.

Down to the time of the declaration of London the French rule, therefore, was absolute. The Russian rule was the same as that of the French. The court says in the case of the *Georgia* (7 Wall., 43), to which I shall have to refer later:

> The question in this case can not arise under the French code, as, according to that law, sales even of merchant vessels to a neutral, flagrante bello, are forbidden. And it is understood that the same rule prevails in Russia. Their law, in this respect, differs from the established English and American adjudications on this subject.

But in 1895 the Russians made some modifications of their rules, which is given in Moore's International Law Digest, volume 7, on page 424. It is taken from the Russian Prize Regulations of March 27, 1895, and is as follows:

> Merchant vessels acquired from a hostile power or its subjects by persons of neutral nationality are acknowledged to be hostile vessels unless it is proven that the acquisition must be considered, according to the laws of the nation to whom the purchasers belong, as having actually taken place before the purchasers received news of the declaration of war, or that the vessels acquired in the manner mentioned, although after the receipt of such news, were acquired quite conscientiously and not for the purpose of covering hostile property.

It will be observed, however, that this Russian rule goes but a slight distance in modifying the French rule, because it is necessary to show that the sale was not made for the purpose of covering hostile property, something which it would be quite impossible to prove in the case of the German ships which it is proposed by the administration to buy. The rise of Germany to the position of a great maritime power, with an extensive merchant marine, has been comparatively recent, but it was shown by the Senator from New York in his speech the other day, by quoting from the proceedings preceding the declaration of London, that the German view of the transfer of belligerent-owned ships to neutral flags was substantially the same as that of France and Russia.

I now come to the English and American doctrine, on which I have already read a general statement from Hall's International Law. Without going into the English doctrine, which is like ours, I wish to present certain extracts from our official correspondent on this subject, which show what the attitude of the United States has been.

The subject is considered in section 1188 of Moore's International Digest, volume 7.

I will not go over all the authorities, beginning with Marshall's well-known opinion in the case of Murray against the schooner *Charming Betsy*. They relate entirely to the purchase of belligerent-owned ships by neutral citizens and subjects, resting the right to purchase on the ground of the right of neutrals to trade with belligerents in anything practically, and therefore in ships, and they discuss at great length the question of the bona fides, which must be shown, and the various details which in a given case impugned the good faith or sustained it; but there are one or two extracts at a later time, which I think are worth reading, because they bear, as the Senate will see, more or less directly on the case of the German ships which the administration proposes to buy.

In a letter from Mr. Boutwell, the Secretary of the Treasury, to Mr. Washburn, minister to France, on May 23, 1871, which was sent to Mr. Fish, Secretary of State, on the same day, occurs the following statement:

> Can a foreign vessel be purchased by a citizen of the United States? * * *
>
> In reply * * * I have to observe that the natural right to acquire property by purchase has been held by high authority to be unaffected, so far as neutrals are concerned, by the mere fact that a state of war exists between two or more belligerent powers from the citizens or subjects of one of which the purchase is made. Such right is subject, however, to the restrictions imposed by international law, by treaty, or by the belligerent powers, respectively, as to the property of their own citizens or subjects during the existence of such war.

Then, in 1879, Mr. Evarts wrote to Mr. Christiancy, the minister to Peru, on June 20:

> It is notorious that a maritime war scarcely ever occurs when at least one of the belligerents does not seek to protect more or less of its shipping by a neutral flag. In some instances this may honestly be done, but sales of vessels of belligerents to neutrals in apprehension of war, or when hostilities may have actually broken out, are always more or less liable to suspicion, and such transactions justify the strictest inquiry on the part of the belligerent *who thereby may have been defrauded of his right to capture enemy's property*. There are various circumstances tending to show the good faith, or the reverse, of such transfers. Prominent among these is the ability of the alleged purchaser to pay for his bargain.

What I call attention to is the statement of Mr. Evarts, who was one of the greatest lawyers this country has ever had, and a great international lawyer also. His statements justify the strictest inquiry on the part of a belligerent who thereby may have been defrauded of his rights to capture enemy's property.

In a note to the letter, from which I have just read, it is said:

> In the case of the *Itata*, which, after being transferred by a Chilean corporation to Mr. Henry L. Stevens, an American citizen resident in Chile, entered Callao under the American flag with a regular clearance from Valparaiso the United States legation at Lima directed the consul to return the ship's papers and cause her to haul down the American flag. Under the suspicious circumstances of the case the action of the legation was approved.

These extracts suffice to show the care with which this question has been treated and the suspicion which attaches always to such sales.

In 1898 Mr. John Bassett Moore, Assistant Secretary of State, and, I suppose I may say, one of the greatest authorities on international law now living, wrote as follows to Messrs. Butler, Notman, Joline, and Mynderes:

> In reply to a request for some sanction or approval of the proposed transfer of enemy vessels to a neutral in a blockaded Cuban port in 1898, the Department of State said that it could not give desired permission or concede any privilege, because of transfer from belligerent to neutral in a blockaded port. Vessels might be allowed to sail *subject to capture* and to adjudication by prize court of bona fides of transaction and of effect, if any, of mortgage, on national character of vessels prior to transfer.

Those extracts which I have read define sufficiently well the American doctrine, and they show with what care it was limited, the suspicion which attached always to the transfer of a belligerent-owned ship to a neutral, and they point out more than once the objection arising in case of a vessel avoiding capture, and they speak of the right of a belligerent to capture a vessel of the opposing belligerent as an uncontested right. The English rule, I suppose, may be said to have been laid

down in the case of the *Sechs Geschwistern* in Fourth Christopher Robinson's reports.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. LODGE. Yes.

Mr. WALSH. Before the Senator passes from the consideration of the American doctrine, I should like to inquire of him whether it is his understanding that the right to buy, assuming that the bona fides of the purchase is established, was ever questioned by any American Secretary of State?

Mr. LODGE. I think it was very much questioned if the ship was one avoiding capture.

Mr. WALSH. That is not the question. Perhaps the Senator misunderstood me. I desire him to assume that there was a perfect bona fide purchase.

Mr. LODGE. I assume that.

Mr. WALSH. Is it the understanding of the Senator that any Secretary of State ever held that, assuming the purchase to have been entirely bona fide——

Mr. LODGE. I think so. I think some of the extracts I have read show that they made an exception in case of ships avoiding capture, and that the sale made, no matter how much in good faith, did not relieve a ship in that condition.

Mr. WALSH. I understand the Senator's position now, but I can not agree with him.

Mr. LODGE. This is the case of the *Minerva*, in which Sir William Scott, afterwards Lord Stowell, laid down the rule:

> The first question is whether such a purchase can be legally made. I am not aware of any case in this court or in the court of appeals in which the legality of such a purchase has been recognized. There have been cases of merchant vessels driven into ports out of which they could not escape, and there sold, in which, after much discussion and some hesitation of opinion, the validity of the purchase has been sustained. Such cases, I believe, did occur during the first war in which I attended this court or the court of appeals. But whether the purchase of a vessel of this description, built for war and employed as such and now rendered incapable of acting as a ship of war by the arms of the other belligerent and driven into a neutral port for shelter—whether the purchase of such a ship, I say, can be allowed which shall enable the enemy so far to rescue himself from the disadvantage into which he has fallen as to have the value, at least, restored to him by a neutral purchaser is a question on which I shall wait for the authority of the superior court before I admit the validity of such a transfer.

The English rule, it will be seen from that, is very liberal but absolutely strict in regard to a vessel which had been used for a vessel of war, to which I shall refer again.

The case of the *Sechs Geschwistern* is quoted in the Benito Estenger, and I will read it in Fourth Chr. Robinson, 100. Sir William Scott there said:

> This is the case of a ship asserted to have been purchased of the enemy, a liberty which this country has not denied to neutral merchants, though by the regulation of France it is entirely forbidden. The rule which this country has been content to apply is that property so transferred must be bona fide and absolutely transferred, that there must be a sale divesting the enemy of all further interest in it, and that anything tending to continue his interest vitiates a contract of this description altogether.

That is substantially the same as the American doctrine. It is thus apparent that prior to the declaration of London there was no uniformity of rule on the purchase of belligerent-owned vessels by a neutral among the great maritime nations. France and Russia took one view; England and the United States took another. But there was one point on which even then there was uniformity, and that was in regard to vessels of war or which had been vessels of war. Of course under the French and continental rule the transfer of the flag in such cases would not have been recognized for a moment, and if we consider the cases we shall find that the English and American rule in regard to vessels of this character has been the same as that held by France and the continental powers. I take the famous case of the *Georgia*. The *Georgia* had been a Confederate cruiser. She was taken to an English port, dismantled, changed into a merchant vessel, and sold to a British subject. The judgment of the court, which was delivered by Judge Nelson, is so important and covers the case so thoroughly that I should like to have it printed entire with my remarks, if there is no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

The opinion referred to is as follows:

> Mr. Justice Nelson delivered the opinion of the court.
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> It is insisted by the learned counsel for the claimant that all the depositions in the record, except those in preparatorio, should be stricken out or disregarded by the court on the appeal for the reason that it does not appear that any order had been granted on behalf of either party to take further proofs. But the obvious answer to the objection is that it comes too late. It should have been made in the court below. As both parties have taken further proofs, very much at large, bearing upon the legality of the capture, without objection, the inference is unavoidable that there must have been an order for the same, or, if not, that the depositions were taken by mutual consent. They were taken on interrogatories and cross-interrogatories, in which the counsel of both parties joined, and among other witnesses examined is the claimant himself, whose deposition, with the papers accompanying it, fill more than one-third of the record.
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> As respects the vessel, we are satisfied upon the proofs that the claimant purchased the *Georgia* without any purpose of permitting her to be again armed and equipped for the Confederate service and for the purpose, as avowed at the time, of converting her into a merchant vessel. He had, however, full knowledge of her antecedent character, of her armament and equipment as a vessel of war of the Confederate navy, and of her depredations on the commerce of the United States, and that, after having been thus employed by the enemies of this Government upward of a year, she had suddenly entered the port of Liverpool with all her armament and complement of officers and crew on board. He was not only aware of all this, but, according to his own statement, it had occurred to him that this condition of the vessel might afford an objection to her registry at the customs, and before he perfected the sale he sought and obtained information from some of the officials that no objection would be interposed. He did not apply to the Government on the subject.
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> The claimant states "that he knew from common report she (the *Georgia*) had been employed as a Confederate cruiser, but I thought," he says, "if the United States Government had any objection to the sale they or their officers would have given some public intimation of it, as the sale was advertised in the most public manner." If instead of applying to an officer of the customs for information the claimant had applied to his Government, he would have learned that as early as March 14, 1863, Mr. Adams, our minister in England, had called the attention of Lord Russell, the foreign secretary, to the rule of public law, as administered by the highest judicial authorities of his Government, which forbid the purchase of ships of war belonging to the enemy by neutrals in time of war, and had insisted that the rule should be observed and enforced in the war then pending between this Government and the insurgent States, and also that he had addressed a remonstrance to the British Government on the 9th of May, but a few days after the *Georgia* had entered the port of Liverpool, against her being permitted to remain longer in that port than the period specified in Her Majesty's proclamation. His own Government could have advised him of the responsibilities he assumed in making the purchase. Mr. Adams, after receiving information of the purchase by the claimant, in accordance with his views of public law above stated, communicated with the commanders of our vessels cruising in the channel and expressed to them the opinion that, notwithstanding the purchase, the *Georgia* might be made lawful prize whenever and under whatever colors she should be found sailing on the high seas.
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> The principle here assumed by Mr. Adams as a correct one was first adjudged by Sir William Scott in the case of the *Minerva* in the year 1807. The head note of the case is: "Purchase of a ship of war from an enemy whilst lying in a neutral port, to which it had fled for refuge, is invalid." It was stated in that case by counsel for the claimant that it was a transaction which could not be shown to fall under any principle that had led to condemnation in that court or in the court of appeal. And Sir William Scott observed in delivering his opinion that he was not aware of any case in his court or in the court of appeal in which the legality of such a purchase had been recognized. He admitted there had been cases of merchant vessels driven into ports, out of which they could not escape, and there sold, in which, after much discussion and some hesitation of opinion, the validity of the purchase had been sustained. But "whatever the purchase of a vessel of this description, built for war and employed as such, and now rendered incapable of acting as a ship of war by the arms of the other belligerent, and driven into a neutral port for shelter—whether the purchase of such a ship can be allowed, which shall enable the enemy so far to secure himself from the disadvantage into which he has fallen as to have the value at least restored to him by a neutral purchaser," he said, "was a question on which he would wait for the authority of the superior court before he would admit the validity of the transfer." He denied that a vessel under these circumstances could come fairly within the range of commercial speculation.
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> It has been insisted in the argument here by the counsel for the claimant that there were facts and circumstances in the case of the *Minerva* which went strongly to show that the sale was collusive and that at the time of the capture she was on her way back to the enemy's port. This may be admitted. But the decision was placed, mainly and distinctly, upon the illegality of the purchase. And such has been the understanding of the profession and of text-writers, both in England and in this country, and as still higher evidence of the rule in England it has since been recognized as settled law by the judicial committee of Her Majesty's privy council. In the recent learned and most valuable commentaries of Mr. Phillimore (now Sir Robert Phillimore, judge of the High Court of Admiralty of England) on international law he observes, after stating the principles that govern the sale of enemies' ships during war to neutrals: "But the right of purchase by neutrals extends only to merchant ships of enemies, for the purchase of ships of war belonging to enemies is held invalid." And Mr. T. Pemberton Leigh, in delivering judgment of the judicial committee and lords of the privy council in the case of the *Baltica*, observes: "A neutral, while war is imminent or after it has commenced, is at liberty to purchase either goods or ships—not being ships of war—from either belligerent, and the purchase is valid, whether the subject of it be lying in a neutral port or in an enemy's port." Mr. Justice Story lays down the same distinction in his "Notes on the Principles and Practice of Prize Courts," a work that has been selected by the British Government for the use of its naval officers as the best code of instruction in the prize law. The same principle is found in Wildman on "International Rights in Time of War," a valuable English work, published in 1850, and in a still more recent work, Hosack on the "Rights of British and Neutral Commerce," published in London in 1854, this question is referred to in connection with sales of several Russian ships of war, which it was said had been sold in the ports of the Mediterranean to neutral purchasers, for the supposed purpose of defeating the belligerent rights of her enemies in the Crimean War, and he very naturally concludes, from the case of the *Minerva*, that no doubt could exist as to what would be the decision in case of a seizure. This work was published before the judgment of the privy council in the case of the *Baltica*, which was a Russian vessel, sold imminente bello; being, however, a merchant ship, the purchase was upheld; but, as we have seen from the opinion in that case, if it had been a ship of war it would have been condemned.
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> It has been suggested that, admitting the rule of law as above stated, the purchase should still be upheld, as the *Georgia*, in her then condition, was not a vessel of war, but had been dismantled, and all guns and munitions of war removed; that she was purchased as a merchant vessel and fitted up, bona fide, for the merchant service. But the answer to the suggestion is that if this change in the equipment in the neutral port, and in the contemplated employment in future of the vessel, could have the effect to take her out of the rule and justify

the purchase, it would always be in the power of the belligerent to evade it and render futile the reasons on which it is founded. The rule is founded on the propriety and justice of taking away from the belligerent not only the power of rescuing his vessel from pressure and impending peril of capture, by escaping into a neutral port, but also to take away the facility which would otherwise exist by a collusive or even actual sale of again rejoining the naval force of the enemy. The removed armament of a vessel built for war can be readily replaced, and so can every other change be made or equipment furnished for effective and immediate service. The *Georgia* may be instanced in part illustration of this truth. Her deck remained the same, from which the pivot guns and others had been taken; it had been built originally strong in order to sustain the war armament, and further strengthened by uprights and stanchions beneath. The claimant states that the alterations, repairs, and outfit of the vessel for the merchant service cost some £3,000. Probably an equal sum would have again fitted her for the replacement of her original armament as a man-of-war.

The distinction between the purchase of vessels of war from the belligerent in time of war by neutrals in a neutral port and of merchant vessels is founded on reason and justice. It prevents the abuse of the neutral by partiality toward either belligerent when the vessels of the one are under pressure from the vessels of the others, and removes the temptation to collusive or even actual sales, under the cover of which they may find their way back again into the service of the enemy.

That the *Georgia*, in the present case, entered the port of Liverpool to escape from the vessels of the United States in pursuit is manifest. The steam frigates *Kearsarge*, *Niagara*, and *Sacramento* were cruising off the coast of France and in the British Channel in search of this vessel and others that had become notorious for their depredations on American commerce. It was but a few days after the purchase of the *Georgia* by the claimant the *Alabama* was captured in the channel, after a short and brilliant action, by the *Kearsarge*. The *Georgia* was watched from the time she entered the port of Liverpool, and was seized as soon as she left it.

The question in this case can not arise under the French code, as, according to that law, sales even of merchant vessels to a neutral, flagrante bello, are forbidden. And it is understood that the same rule prevails in Russia. Their law, in this respect, differs from the established English and American adjudications on this subject.

It may not be inappropriate to remark that Lord Russell advised Mr. Adams, on the day the *Georgia* left Liverpool under the charter party to the Portuguese Government, August 8, 1864, Her Majesty's Government had given directions that "In future, no ship of war of either belligerent shall be allowed to be brought into any of Her Majesty's ports for the purpose of being dismantled or sold."

Decree affirmed (7 Wallace, 38–44).

Mr. LODGE. I will not read the whole of the opinion now, but here is one passage to which I wish particularly to call attention:

It has been suggested that, admitting the rule of law as above stated, the purchase should still be upheld, as the *Georgia*, in her then condition, was not a vessel of war, but had been dismantled and all guns and munitions of war removed; that she was purchased as a merchant vessel and fitted up, bona fide, for the merchant service. But the answer to this suggestion is that if this change in the equipment in the neutral port and in the contemplated employment in future of the vessel could have the effect to take her out of the rule and justify the purchase, it would always be in the power of the belligerent to evade it and render futile the reasons on which it is founded.

And holding that view, the court, as is well known, decided that the *Georgia* was good prize.

The case of the *Minerva*, which I have just read, holds precisely the same ground in regard to a vessel of war.

These two cases, and the authorities cited in them, show that the courts held that, speaking broadly, a ship to which anything gave a military character, either past or present, was good prize. It is generally known—in fact, it is notorious—that many of the German ships which it is proposed to buy are auxiliary cruisers of the German Government, built and arranged in such a way as to be of naval service in time of war, prepared to carry guns, and with officers and crews connected with the naval service, as is the case on many of the English ships. These facts would bring many of the German ships which it is proposed to buy within the rule laid down by our own court, and nothing that we could do would efface that character. Therefore, wholly apart from the declaration of London and wholly apart from the differences of opinion as to the rule about the transfer of belligerent-owned merchant ships to neutrals during a state of war, it is clear that all nations have held that ships of the character of these auxiliary cruisers of the German Navy are good prize. If we buy them and put the American flag over them, they are good prize to-day under our own decisions.

I now come to the declaration of London. It is not necessary for me to analyze the discussions which led up to that declaration, for that has been done by the Senator from New York once for all, and he showed from the records beyond the possibility of question that the attitude taken by France, Germany, and Russia was in support, generally speaking, of what may be called the old rule or a very slightly modified construction of the rigid French doctrine. He also showed that Great Britain and the United States maintained the British and American doctrine as I have tried to set it forth, and he further demonstrated that the rules laid down as to the transfer of belligerent-owned ships to neutrals represented a compromise between the English and American views on one side and what may be roughly called the continental views on the other. The rule of the declaration of London was as follows:

ARTICLE 56.

The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

There, however, is an absolute presumption that a transfer is void—

(1) If the transfer has been made during a voyage or in a blockaded port.

(2) If a right to repurchase or recover the vessel is reserved to the vendor.

(3) If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.

The drafting committee in its report says in regard to the section which I have just quoted:

The rule accepted in respect of transfers made before the outbreak of hostilities is inverted. In that case there is a presumption that the transfer is valid; in the present, that it is void: *Provided*, always, that proof to the contrary may be given. For instance, it might be proved that the transfer had taken place by inheritance.

It is to be noted in the first place that the London rule, while modifying the German, Russian, and French doctrine, also differs radically from what might be called the English and American doctrine. Under the English and American doctrine the sale of a belligerent-owned ship to a neutral was permitted if the intent of the purchaser was bona fide, whereas by the rule of the declaration of London the intent of the vendor, as well as that of the purchaser, must be bona fide. It is true that the declaration of London was never formally ratified by the powers so as to become a binding convention on all the nations taking part in the conference, but it must be remembered that it was submitted to the Senate by the President and that the Senate, on April 24, 1912, advised and consented to its ratification. These facts do not make it binding, because it never became, as I have said, a treaty or convention formally ratified by all the signatories. It merely indicates the acceptance by our Government in all its branches of the rule. But not long after the opinion of the Solicitor of the State Department, to which I have referred, was put forth the British Government adopted the declaration of London, with certain modifications not affecting the rule which I am now discussing, and further directed that—

The general report of the drafting committee on the said declaration presented to the naval conference and adopted by the conference at the eleventh plenary meeting on February 25, 1909, shall be considered by all prize courts as an authoritative statement of the meaning and intention of the said declaration, and such courts shall construe and interpret the provisions of the said declaration by the light of the commentary given therein.

This reference to the report of the drafting committee is of course very important, for it will be observed that the committee, in order to indicate the narrow bounds of discussion in interpreting rule 56, instanced by way of illustration a transfer of the vessel by inheritance as one that would satisfy the rule. This use of a transfer of inheritance, which involves no possible evasive intent of either party, is an indication of the rigid character of the rule, in the view of the drafting committee. The English prize court will of course obey the direction of their Government, which I have just quoted, and will apply the report of the drafting committee in interpreting the declaration of London. In doing so they will be compelled to declare that a neutral, however bona fide his intent, who purchased a ship in a port of refuge would violate the rule of the declaration of London unless he was able to prove not only his own good faith but also the good faith of the former owner in selling the ship, and that the sale was made with no intent to evade the consequences of war.

It is clear that the first clause of article 56 of the declaration of London absolutely covers the German ships. I quote it again:

The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

How do the German ships happen to be in our ports, laid up and refusing to sail? They remain in our ports and do not put to sea simply because they have taken refuge in our ports, and they do not put to sea because they wish to evade capture; that is, "to evade the consequences," in the language of the declaration of London, "to which an enemy vessel, as such, is exposed." Without going further, it is obvious that under the terms of the declaration of London every one of those German vessels would be good prize, that France, England, and Russia would not recognize the transfer of the flag, and that if British ships were bought under similar conditions Germany would not recognize the transfer of the flag, but would treat a vessel thus transferred as a British ship subject to capture.

The Senator from Montana, with his usual ability, has demonstrated the English and American doctrine as I have stated it and as it was stated completely in a few lines by the Senator from New York, but his conclusion that England would not suddenly alter her doctrine, held for so many years, seems to me an impotent conclusion.

Mr. President, at the time of the *Trent* affair the first view of England, expressed by Lord Palmerston, when it was thought that the envoys were likely to be seized on a ship then coming into the English Channel, was, to state it roughly, that under the English doctrine, maintained for centuries, they could not object to one of our warships stopping that ship and taking the Confederate envoys out of it. Then came the news of the *Trent* affair; and the Crown officers being called upon to solve it, with a dexterity which sometimes appears in legal minds, put forth the extraordinary proposition that it would have been all right; that it would have been justifiable to take Mason and Slidell if we had taken the whole thing, the ship and everything—that is, the *Trent*—into port. That was a marvelous proposition; and as indignation waxed in England over the *Trent* affair, they deliberately abandoned the doctrine for which they had gone to war in 1812 and adopted the American doctrine, for which we had gone to war in the same year. They changed their mind with great rapidity, and it was in time of peace that they changed it, too. With the people of this country, in the first excitement of the *Trent* affair, when Wilkes was applauded and fêted everywhere, we were all eager to hold the Confederate envoys and justify the act. Thanks to the wisdom of Abraham Lincoln, who said on the first day, when he heard of it, that he was not very well versed in international law, but that it seemed to him that these men were white elephants, and he did not see how he could get away from the American doctrine for which we had fought, the matter was delayed forty days and the men were given back. But I think the American people at that time accepted it with some reluctance. I have always thought that Lowell expressed it rightly in his poem when he said:

> We give the critters back, John,
> 'Cos Abram thought 'twas right.

I think that was the only reason. I do not think the American people believed in it. They would have let their old doctrine, for which we have fought, go just as the English people did in a moment of excitement. This shows how hopeless it is to say that any people would not change a doctrine because they have always held it.

But, wholly apart from this, what is the use of saying that England would not alter her doctrine when she has altered it, as a matter of fact, and when the French, the Russians, and the Germans have not altered their doctrine in regard to vessels imprisoned in a port of refuge, as is the case with the German ships in our ports to-day? It does not matter how much we argue here the other side of these cases or the possibility of other views; the question as to whether those ships shall be treated as good prize under the Declaration of London, and the case of the auxiliary cruisers, under any doctrine, new or old, will be decided by the courts of the belligerents, for we have no international prize court, and our contention at The Hague was that the matter of an international prize court should be optional.

Mr. ROOT. Mr. President, if the Senator from Massachusetts will allow me, I should like to put into the RECORD, in immediate juxtaposition to his suggestion about the prize court being optional, a statement as to the effect and the scope of the option. It was not that the prize court should be optional, but that the character of its jurisdiction should be optional. The original prize-court treaty provided for an international appellate court, to which appeals might be taken from the courts of last resort of the signatory countries, including the Supreme Court of the United States. The Committee on Foreign Relations were of the opinion that there were constitutional objections to our ratifying the treaty which provided that there should be any court, even an international one, more supreme than the one Supreme Court of the Constitution. Accordingly we proposed to the other signatory powers that there should be an option attached to the prize-court provision under which any country, instead of subjecting the decision of our court of last resort in prize cases to an appeal, review, and reversal, might elect to have questions existing taken up and disposed of de novo, not by way of reviewing the courts of the country, but by deciding the question as a separate and independent decision, thus reaching the same result without reviewing the courts of last resort.

Mr. LODGE. I am very much obliged to the Senator from New York for correcting me. I stated it so broadly in a single word that it was liable to just the misunderstanding which the Senator has cleared up.

Mr. ROOT. I ventured to interrupt because I have observed several statements by writers of good repute indicating that they misunderstood the scope of the option.

Mr. LODGE. I am very glad to have it put so explicitly.

It is the exclusive province of the prize courts of the nation of the captor ship to pass upon all questions relating to the lawfulness of the prize.

A British cruiser will not carry her prize into the jurisdiction of the United States, where our courts, if they could entertain such jurisdiction, would determine the lawfulness of the capture by applying our own rule. She will carry her prize to the courts of Great Britain. The declaration of London is the law of those courts.

The same result follows in the case of a capture made by a French cruiser. We know what the rule of that country is, and have known it for a hundred years. By that rule belligerent vessels purchased by a neutral, after notice of declaration of war, are subject to seizure as lawful prize. The prize courts of France have uniformly enforced this rule.

If the United States, after notice of the rule of the prize courts of England and France, chooses to purchase belligerent vessels, it is not likely that the prize courts of those nations will look with favor upon a claim made for the release of captured vessels which were purchased in defiance of the known rule.

That such notice has a very important effect can be readily seen by a reference to *The Georgia* (7 Wall., p. 39), which I have already mentioned.

This vessel, I repeat, had been a Confederate cruiser, was taken to an English port, all her war material was taken off of her, and the vessel was bona fide purchased, without notice, by a citizen of Great Britain and registered under the laws of that nation. I repeat it in order to bring out the point of the notice. She was then captured by a war vessel of the United States and condemned as prize. The United States, however, had previously protested to Great Britain against the purchase of that class of vessels by English neutrals, but knowledge of this had never reached the purchaser.

The Supreme Court of the United States held that the vessel was lawful prize.

I know, of course, that the bill provides for the creation of a corporation in which the United States is to hold a majority of the stock, and in which it will probably hold all the stock, unless interested persons, for illegitimate purposes, take an interest in the guise of minority stockholders. This fiction of a corporation will not alter the character of the ownership. The United States can not prowl the seas under the shelter of a corporation. The United States will own the ships, and they will be the ships of the United States in the view of the American people and of the whole world. The operation of these vessels will be controlled from Washington. The trade in which they engage and their destination will be determined, directly or indirectly, by the President of the United States, just as much as he now determines the movements of the Navy. But these Government-owned merchantmen will be liable to search on the high seas for contraband of war. There is no provision in this bill to prohibit their carrying contraband or conditional contraband of war. They thus become at once liable to the right of search, a recognized right of all belligerents, disputed by no one, and recognized by our Government in the recent letter to Sir Edward Grey. This is a burden that ships engaged in commerce have always borne, even if such vessels have flown the flag of a neutral nation and were, even on the high seas, part of its territory; the fact that they were privately owned has prevented the search from being regarded as an infraction upon any sovereign right. Private ownership has prevented the exercise of this recognized belligerent right from becoming a casus belli. Governments have heard and acted upon complaints made by private owners whenever the Governments thought fit to do so, and has ignored them whenever the public interest made that course preferable.

But what will the American people say when a ship purchased with public money and operated under public direction is thus invaded? If the resentment of our people may be expected when these public ships are searched on the high seas, as they certainly will be, what will be their sentiment in the very probable event of the seizure of these vessels as the lawful prize of a British or French captor? What would be the tone of the protest that the people would compel any administration to address to the powers?

It is here that the great peril to the peace of the Nation, which this bill carries, lies. It is this which has caused the intensity of the opposition to the bill. This is no imaginary danger. It is as certain to come as the rising of the sun if the

Government persists in its plan of buying the German ships when this bill becomes law.

The Senator from Missouri [Mr. STONE] the other night made a speech, in which he scoffed at the opposition to this bill on account of the dread of war. He twitted us in his pleasant, playful way with dreading war. Well, Mr. President, I dread war for this country; I dread it profoundly, especially a needless war. I dread war anywhere; it is an awful thing; and I particularly dread war for this country with great powers when we are in a condition of utter defenselessness, and when, instead of trying to better the condition, we are engaged at this moment in the House of Representatives in making economies by cutting off submarines, of all things in the world, and refusing appropriations for airships or aeroplanes—the two great modern weapons of war. When the whole world has been watching their exploits, they are selected as the subject of economy in the House of Representatives to-day.

I do not question, Mr. President, the earnest desire of the administration in favor of peace; I am sure that the President and all his advisers are anxious for peace. I think they have the same dread and hatred of war that I believe every reflecting man must feel.

But look at Vera Cruz. Somebody told the President there would be no resistance at Vera Cruz. There was no need to send expensive envoys to Mexico to bring back a preposterous report like that. Anybody with the slightest knowledge of human nature, and particularly Mexican human nature, knew that an attempt to seize one of their cities by armed force would bring resistance. It might be futile, fruitless resistance; it might be a treacherous resistance, but it would be resistance. It came, and the bloodshed followed. The administration blundered into that miserable business. They did not mean to have a fight at Vera Cruz; they did not mean to sacrifice the lives of American sailors; they did not mean to kill and wound two or three hundred Mexicans, but they created a situation in which they tumbled and floundered into bloodshed.

Now, apparently it is believed that if we buy the German ships or the ships of any other belligerent and put them under our flag no nation would dare to interfere with us. It certainly would be against the interests of any other nation to have trouble with the United States; we are friendly with all of them; they, I hope, are friendly with us, but when you do an act during a great war which is a benefit to one side and an injury to the other, which one side believes to be an unneutral act, if not a hostile act, nations are not accustomed to hesitate. I called attention the other day, and I will again call attention, to the case of the Laird rams. Of course the Laird rams would be no parallel with this; they were ships of war built at Liverpool, but I use them as an illustration of national feeling under the stress of war. We knew the injury those Laird rams would do to us if they were let loose to break the southern blockade; we also knew perfectly well that, if we were to get into war with England, the probability would be that English help to the South would finally break the Union. We knew the enormous danger that beset us in a quarrel with England at that moment, and yet what did we do? We protested and protested again and again against the Laird rams, but still the work went on until Mr. Adams made his famous declaration, which I inadvertently misquoted the other day, when he wrote: "It is superfluous in me to point out to your lordship that this is war," and thereby declared that the American Government would hold that if the English allowed those rams to leave Liverpool it was war then and there.

This Nation was fighting for its life, and was prepared to take every risk conceivable rather than to permit its enemy to be strengthened by the act of a neutral. The nations on either side of the great war in Europe to-day are each one of them fighting for their lives; and if anyone supposes that Germany, on the one hand, or Great Britain, France, and Russia, on the other, are going to stand by in silence and allow this country to change the balance of conditions which war has created, he makes a perilous error. Those people will not measure cost when it comes to a question of aiding their enemies on the one side or the other. We are going to begin apparently by buying German ships; $20,000,000, $30,000,000, or $40,000,000 is to be handed over to Germany, relieving her subsidized steamship companies from a burden of expense and loss, and that great sum of the public money of the United States is to be turned into German coffers.

Suppose we buy British-owned ships, of which the Secretary of Commerce spoke in one of his speeches—perhaps they were only a dream, but he spoke of them to the number, I think, of 16—suppose we should buy those British ships and pay many million dollars for them, do you imagine that Germany would sit by in quiet and allow us to give that aid to British merchants and indirectly to the British treasury? Neither power would think of doing it. The mere act of buying, even if you left the ships to rot tied up at the wharves, would change the balance of the conditions created by the war and would be a hostile and unneutral act; and then, if you set them afloat and sent them to sea with the American flag over them, it is perfectly clear that the belligerent Governments will not recognize the transfer of the flag, but will regard them as still German ships or British ships liable to capture or to be sunk if they resist. It seems to me insanity to take such a risk as that.

Why, Mr. President, in view of the German declaration about the war zone, we ought not to put any Government-owned ship afloat at this time. I am not discussing the merits of Government-owned ships or State socialism as against individualism. I am only saying that this is no time to put a Government-owned ship on the sea—I do not care where she was procured or who procured her. The German Government has given notice of what they call "a war zone," and has informed neutrals that submarines may be there at any moment to destroy ships venturing into those waters. Suppose that they sent a torpedo into a Government-owned ship. What a situation would be created! The American people naturally would be filled with indignation. Do we want such a situation as that to arise? It seems to me nothing could be worse. We know what these nations think; we know what their prize courts will decide. It is all set forth in their directions to their own courts and in the declaration of London; and we know how they feel. They can not make a protest formally until the overt act has been committed; but warnings have not been lacking. They were made last summer and they have been given since. Warnings or statements of how they feel have been presented, formally or informally, to our State Department.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator from Massachusetts what he thinks would be the consequence if a German torpedo should be sent into a vessel manned by American sailors, carrying American citizens, and flying the American flag, even though that vessel was owned by private American citizens or an American corporation?

Mr. LODGE. I think, Mr. President, there is all the difference in the world between that case and a Government-owned ship.

Mr. SMITH of Georgia. I did not ask about the difference. I asked the Senator to tell what he thought would be the consequence of such an act and what ought to be our course?

Mr. LODGE. I think, Mr. President, it would arouse a feeling in this country which I should be sorry to see aroused. We are on good terms with Germany, and I am anxious to remain on good terms with her. I think that such an incident, even in the case of a privately owned ship, would arouse great and dangerous feeling. I think the destruction in this way of a British ship carrying several hundred American passengers would arouse deep anger; but such things can be controlled by Governments. The vessels are privately owned property. Such matters are open to diplomatic discussion; they are open to indemnity; they are open to a thousand channels of escape, which have been used in war time out of mind; but when you pass from the privately owned ship to the Government-owned ship, it is the ship of your Government, of your whole people, which has been destroyed; the Nation is involved, and you create a situation which, despite the remarks of the Senator from Missouri, I do not hesitate to say I dread to contemplate.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator if he does not think the sinking of such a vessel would be inexcusable? And if the Senator will permit me, my object especially in asking the question was lest the effect of his argument might seem to be to create the impression that he would palliate the destruction of such a vessel by a German submarine.

Mr. LODGE. Never for a moment, Mr. President, would I palliate such a destruction by any one of the belligerents. Such a notice as that given by Germany threatening the destruction by submarines seems to me monstrous. I do not wish to criticize, and I should not think here of criticizing, in a hostile spirit the act of one power or the act of another with which we are on good terms unless the act wantonly threatened the lives and property of our citizens. When such incidents as those suggested by the Senator from Georgia arise—and I grieve to say they may arise; I hope not—they will be, to my thinking, perilous in the extreme, but they will not be so dangerous to our peace as a similar incident occurring to a Government-owned ship.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. LODGE. I yield.

Mr. WALSH. I desire to direct an inquiry to the Senator simply to understand more clearly the position which he takes. I understood him to say that the declaration of London would be enforced by the English prize courts as the law of England.

Mr. LODGE. It has been so ordered by the Government——

Mr. WALSH. Well, is it the understanding of the Senator——

Mr. LODGE. And they stated that it was to be construed in the light of the report of the drafting committee. The modifications were on other points.

Mr. WALSH. Well, is it the understanding of the Senator that that declaration constitutes accordingly a part of the law of England?

Mr. LODGE. It constitutes to-day the law which they mean to apply in their prize courts. They may go further to-morrow and adopt the French doctrine. There is nothing to prevent it.

Mr. WALSH. I inquire of the Senator because I have on my desk a compilation of the Earl of Halsbury, lord high chancellor of England, a work issued since the declaration of London, in which he unequivocally declares that it is no part of the law of England.

Mr. LODGE. Well, Mr. President, that was long before they adopted it as their law. They have adopted it since the declaration of war.

Mr. WALSH. Well, the Senator ought to advise us how they have adopted it.

Mr. LODGE. They have adopted it by proclamation, by an order in council.

Mr. WALSH. Yes; but is it the Senator's understanding that the privy council makes laws for England?

Mr. LODGE. It is my distinct understanding that the privy council makes orders which the courts obey.

Mr. WALSH. I had an idea that it was the Parliament of England that made the laws of England.

Mr. LODGE. Parliament does make the laws, but that does not prevent orders in council in dealing with foreign nations from being the law of England in those respects until Parliament sets them aside or until they are withdrawn by the council. The Senator is too familiar with our history to question that. We went to war with England because of orders in council in 1812. If they did not have effect in 1812, our ancestors were sadly mistaken as to the situation.

Mr. WALSH. I have yet to find that any prize court of England ever accepted the orders in council as the law of England when Parliament absolutely——

Mr. LODGE. It is the law which governs the courts.

Mr. WALSH. When Parliament refuses to recognize them as a part of the law of England.

Mr. LODGE. Ah, when Parliament refuses to recognize the order in council perhaps that is so; but Parliament has not done so, and will not do so, and these orders in council are in effect now; the courts will decide as the order in council directs, and they will decide in accordance with the report of the drafting committee. This is not new. It has been done again and again.

Mr. WALSH. The Senator, I take it, understands, as I do, that the privy council is just an arm of the executive; and is it the understanding of the Senator that the executive can command the courts of England to construe the law as it sees fit?

Mr. LODGE. I do not know whether it can or not; I know in prize cases it has done so, and that it can and has directed that the prize courts shall follow the declaration of London and interpret it in accordance with the report of the drafting committee of the conference.

Mr. NEWLANDS. Mr. President——

The VICE PRESIDENT. The Senator from Nevada.

Mr. NEWLANDS. Mr. President, I have been absent from Washington during the discussion of this bill. Since my return, I have been engaged in ascertaining what are the matters of difference between the contending forces of the Senate. I find these differences represented on the record by four substitute bills for the bill originally reported by the Committee on Commerce—one substitute offered by the Senator from Florida [Mr. FLETCHER] for the committee, another by the Senator from Massachusetts [Mr. LODGE], another by the Senator from Iowa [Mr. CUMMINS], and another by the Senator from Washington [Mr. POINDEXTER].

I assume therefore that these substitutes fairly represent the differences of view of the Senate regarding this important matter; and what are those differences? These substitutes all seem to be based upon the assumption that it is expedient that the Government should either construct or purchase ships which can be used either as auxiliary ships in the Navy or in aid of commerce as occasion may require, some of the substitutes covering simply the construction, others covering both the construction and purchase of needed ships, but all apparently recognizing the fact that it is necessary that the Government should act in some way in the acquisition of ships both in aid of the Navy and in aid of commerce.

It is true these substitutes differ as to the form of the transaction. The substitute offered by the committee provides for the acquisition of these ships by a Government-controlled corporation in which it will hold at least a majority or perhaps all of the capital stock, whilst the others provide that the ships shall be directly purchased and owned by the Government itself. This is a mere difference in form as to the transaction. The Government already owns ships which it has acquired by purchase, and owns them in corporate form through its control of the stock of the Panama line. There is no essential difference between ownership by the Government and ownership by a corporation in which the Government owns the control of the whole or a majority of the stock.

What other difference is there? Why, some of these substitutes provide that the Government shall either operate or lease these ships for commercial purposes and others provide that it shall only lease. It seems to me that this is an immaterial difference, and one which could be readily adjusted by the expression of the sentiment of the majority of this body, and that such adjustment would be acquiesced in by all.

From what does the necessity of Government ownership arise? Is it because we lack the necessary supporting ships for our fighting ships in our Navy, or is it because we lack the ships that are necessary and essential to move the commerce of this country? Probably the latter demand is the more insistent now during the existence of this war; but before this war arose the former demand was the more insistent. Why? Because we were engaged in building a Navy, which we intended should be a complete and well-proportioned Navy that could maintain its place in the world's contests in case of war.

Such a Navy should be made up both of fighting ships and of auxiliary ships, the one as essential as the other; auxiliary ships consisting of colliers, transports, dispatch boats, and scouts, without which a navy would be as helpless as an army without a commissary. Yet for years we have been building up a badly proportioned Navy, consisting of splendid fighting ships capable of holding their own anywhere, but without the supporting ships which were necessary to prevent the fighting ships from being driven from the ocean in case of war.

There were two ways of furnishing these carrying and supply ships, the auxiliary ships of the Navy. One was by subsidizing an American merchant marine, whose ships could be called upon by the Government at any time for the purpose of meeting the requirements of the auxiliary Navy. It has been apparent for years that we could not develop a merchant marine unless it were either subsidized or constructed by the United States. The protective system of this country had lifted up the cost of building throughout this country above the international level, so that it required nearly twice as much to build a ship within our boundaries as it would outside, and the protective system had raised the standard of wages throughout the country, and the shipping laws had raised the standard of administration, so that the cost of operating the ships was 50 per cent or more in excess of international standards. It is apparent, therefore, that in an international contest for freight ships constructed in this country under the protective system and operated under the protective system could not compete with the ships of the outside world. It is idle to call upon the patriotism of those engaged in the shipping business to submit to a great sacrifice in order to satisfy the pride of the American people in the development of an American merchant marine.

The Democratic Party has been in full power for two years. Prior to that time the Republican Party was only in divided power; but even when in full power it was not able to establish a subsidized system. Therefore the only thing to do in order to secure the ships necessary to support our Navy in case of war was to have them built by the United States Government. In that connection questions arose as to what would be done with these ships in time of peace, and the obvious suggestion was that in times of peace these ships should be used for commercial purposes, so that they would be, in a measure, self-compensatory in their use.

All these bills recognize, therefore, the necessity of securing ships, either by purchase or by construction or by both, for the purposes of the auxiliary navy; and the commercial use of such ships now becomes accentuated by reason of the fact that the carrying trade of the world has been demoralized by the

war between the carrying nations. We are in the unfortunate position, as the Secretary of Commerce has said, of having a large business and intrusting our delivery wagons to the ownership and control of our competitors. So we have this dual necessity, the necessity of creating a well-proportioned Navy, composed of transports, colliers, scouts, dispatch boats, as well as fighting ships, and the necessity of providing commercial ships, because the delivery wagons heretofore furnished by our competitors are no longer in full operation.

I ask, Mr. President, whether this is not an occasion for patriotic action? Are we to be divided by the contentions which have arisen over this debate in such a way as to prevent us from reconciling our differences and meeting requirements, which we all admit, by some form of legislation?

During the last nine years I have been persistent in urging a naval-auxiliary bill intended to meet the requirements of our Navy, and with the consent of the Senate I will insert in my remarks, in the form of a reprint, certain quotations from proposals made by me upon this subject and certain quotations from the debates. I wish to say that the first proposal which I made was in 1906, in the shape of an instruction to the Committee on Commerce when the ship-subsidy bill, proposed by the Senator from New Hampshire [Mr. GALLINGER] was under consideration—a resolution calling upon the Committee on Commerce for the following information:

That S. 529 be recommitted to the Committee on Commerce, with instructions to report in connection therewith an estimate of the cost of the vessels required for service in the ocean mail lines provided for in section 6, and as to whether it is practicable for the United States Government to construct such ships as a part of the Navy, supplementary to the warships, to be used as colliers, transports, scouts, etc., in the emergency of war; and as to whether it is practicable to lease such ships to private corporations in times of peace for the service of the mail lines contemplated in section 6; and as to whether it is practicable to organize a naval reserve to be enlisted in the United States in the service of such ships whose wages shall be paid three-fourths by the private corporations leasing such ships and one-fourth by the United States Government, such naval reserves to be composed of citizens of the United States or those who have declared their intention to become such and to be subject to the training of naval officers in order to fit them to respond to the call of the Government in case of war, and the rentals received from such ships to form a fund for the gradual enlargement of the number of supplementary ships required by the Navy in case of war, as colliers, transports, scouts, etc., and generally to report the comparative cost of such method of enlarging our merchant marine as compared with the method of subvention provided by section 6.

I have presented the substance of that resolution in various forms of amendment to pending bills since that time whenever this subject matter has come up. In 1908 I presented an amendment to the ship-subsidy bill then pending, and with reference to my remarks upon that occasion the Senator from Maine, Mr. Hale, the chairman of the Committee on Naval Affairs, made comment as follows:

I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy.

The Senator said the other day—and the metaphor was not too strong—that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true.

Mr. Hale, proceeding to comment upon the voyage of our great white fleet around the world during Mr. Roosevelt's administration, stated that over three-fourths of the colliers required for that fleet were supplied by foreign countries, and that if a war had arisen the neutral powers could not have permitted the use of those colliers. In his comments he used these striking words:

Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"As idle as a painted ship
Upon a painted ocean."

Senator Hale at that time declared to the Senate that in the approaching naval bill he would provide an appropriation for such auxiliary vessels. When the bill came in provision was made for five colliers. Upon my taking exception to so inadequate a performance of the assurance which he had given to Congress, he replied that his disposition was to go further, and the necessity existed for the action, but that he was compelled to meet the condition of the Treasury by economy at that time. He promised, however, to continue the policy of constructing these auxiliary ships.

I regret to say that that policy has not been kept up, that the assurance has been only inadequately complied with and that to-day the American Navy would be in the same condition in case of war that Mr. Hale described in 1908—our ships would be derelicts and would be as idle as painted ships upon a painted ocean.

Mr. President, we are expending nearly $150,000,000 annually upon a naval establishment—a naval establishment composed of fighting ships, but ships which would be useless in war unless we provide these auxiliary ships, which are as necessary as the fighting ships. Our Navy is like a man entering into a fight without a leg or an arm; and yet we have been content whilst making these enormous expenditures, the burdens of which are complained of by many of our people, to allow this badly proportioned condition to exist—of a navy composed of splendid fighting ships, but without the ability to sustain itself on the sea.

I presume, Mr. President, that had not this exigency arisen I would have been moving for the next 10 years, if continued life were assured to me, for the establishment of this auxiliary navy. This exigency gives us a striking picture of possible conditions, and has aroused the country, has aroused the administration, and has aroused the responsibility of the party in power. So we are urging a measure that will give us a well-proportioned Navy and at the same time meet the great exigencies which the extraordinary situation of war has created.

Is there any real difference between Senators as to the necessity of the Government purchasing or constructing ships, or both? Is there any real difference upon that question upon this floor? If so, ought not the mere question of form to be disregarded? What difference does it make whether those ships are constructed directly by the Government or by a corporation which the Government controls? And why should there be any serious difference of opinion as to whether these ships should be leased or operated by the Government? Why should we not give both powers; let the Government operate them if it is necessary and expedient, leaving that to the administrative branch of the Government, or let the Government lease them, if it is necessary and expedient, leaving that to the discretion of the executive branch of the Government?

We can certainly guard against any imposition by a lessee by provisions in a lease either fixing the maximum rates or subjecting the rates to the determination of the Interstate Commerce Commission, thus securing fairness between the carrier and the shipper. Is there any necessity for endless debate upon this subject? Why, the very fact that all these substitutes for the original bill provide either for purchase or construction, and provide either for operation or lease, indicates that the judgment of this body is made up as to the necessity of ownership of the auxiliaries to the fighting ships and the necessity of operation commercially in some form when these auxiliaries are not required for naval purposes.

What difference does it make whether these ships are purchased as a part of the merchant marine or as a part of the Navy, provided the owner is the same? If they are purchased as a part of the merchant marine they will be owned by the Government. If they are purchased as a part of the Navy, they will be owned by the Government, and it is intended that there shall be a shifting use as between commerce and war—in time of war to have them used by the Government, in time of peace to have them used for the peaceful pursuits of commerce.

Why, Mr. President, Congress has already acted in a similar matter on these lines. As I stated, we own ships that are used in commerce to-day through our control of the Panama Railroad Co. Various proposals have been made to increase our operations in that direction.

When the question of Alaska and its development through the construction of a railway was up, an amendment was offered providing for the purchase by the Government and turning over to the Panama Railroad Co. or some corporation created by the Government all ships necessary in transportation between the east and west coast. Why was that favored? Because many feared that the canal would not have a fair show, that the railroads were so organized as to prevent water competition, that they controlled water transportation so as to make competition between the water routes and the railroads difficult and perhaps impossible. Many distinguished Senators upon this floor supported that proposal. Out of 11 votes for that proposal, 2 were upon this side of the Chamber and 9 from the other side. I would like to insert this vote in my remarks.

So nine Members upon the Republican side voted for the ownership of ships by the Panama Railroad Co., a corporation controlled by the Government, and that is substantially our proposal now.

I wish to say frankly that I have always preferred the direct ownership of these ships by the National Government, their acquisition as a part of the auxiliary navy; but that is a mere

matter of form, and as a majority of my associates have adopted a different view I yield to their view in that particular. It is not a matter which involves conviction.

So also in August last, when the Senator from New York, chairman of the Committee on the Panama Canal, had up his bill amending the canal act as to American registry, and I sought to amend it by providing for an auxiliary navy to be employed in time of peace for commercial uses, a change of five votes would have carried my amendment, and more than five of those who voted against it afterwards declared that they would favor it as a separate measure. Many of those who voted for that amendment are opposed to this committee substitute, but surely they are in accord with its general purpose, and further discussion ought to bring us in accord upon the details.

Mr. President, am I to understand that I can print these extracts?

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NEWLANDS. Mr. President, it was not my intention to make a speech. My purpose in rising was simply to obtain permission to publish the record regarding this demand for an auxiliary navy.

Mr. GALLINGER. Mr. President, may I be permitted to ask a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. NEWLANDS. Yes.

Mr. GALLINGER. The Senator and I have had some passages heretofore in reference to merchant-marine legislation, and I have followed the Senator's course with a good deal of interest. The Senator has advocated a great many times precisely what he has called to our attention to-day. The Senator believes now, I think, as he did then, in an auxiliary navy, the building of ships as an addition to the Navy. I will ask the Senator this question: Suppose that we should go into that, under this bill, if it should pass, which it will not probably, does the Senator think it necessary for us to have a shipping board to supervise the building and operation of those ships? With our experts in the Navy Department, and with our experts in our private shipyards, why the necessity for having a shipping board, as provided in this bill? That has not yet been discussed. I have thought I would in the future call attention to it, and I now ask the Senator, who has given much thought to this matter, if he does not think it is unnecessary, and might it not lead to more or less trouble and unnecessary expense to have a board of that kind?

Mr. NEWLANDS. I will state to the Senator from New Hampshire that that provision did not enter into the plan which I proposed originally and which I have been urging for many years. My own idea involved a simpler form and a better one, according to my judgment; but I have not been here during the consideration of this question by the committee and the Senate. The committee came to a different conclusion regarding it, and I have acquiesced in it, because I do not think it is essential. I think a simpler and better form would have been to have built these ships as a part of the Naval Establishment.

So far as my original suggestion is concerned, it provided for a commission consisting of the Secretary of the Navy as chairman, the Secretary of Commerce, and the Postmaster General, my view being that all three of those departments would be interested in the construction of these ships. The Secretary of the Navy would be interested in their construction as a part of the Navy, the Secretary of Commerce would be interested because of their possible commercial use, and the Postmaster General would be interested because of their possible use in opening up new ocean mail routes. Therefore I thought that would be a better method of organization. Then, I thought this commission would be a part of the President's Cabinet, directly responsible to him, and, of course, the Constitution puts upon the President the executive powers of the Government, and I did not feel like taking the exercise of these powers out of the hands of the President. Those were the views I had with reference to that matter, and the views which I still have, but I do not regard the maintenance of those views as essential to the proper carrying out of this policy. I could vote with satisfaction for any of these substitutes, as a step forward in the ultimate solution of this important question, and I see no reason why we should permit ourselves to be diverted from speedy action when in the essentials we are all practically of the same mind.

Mr. President, I shall not dwell longer on this subject. I simply close by saying that I have taken no part in the contention over this matter. I have no particular feeling regarding this legislation except that of interest in a policy which I have for years thought ought to be commenced and maintained. I regret exceedingly that the course of legislation has taken such a turn as apparently to arouse feeling and resentment and prevent the calm and thoughtful consideration which this subject ought to receive at this time from patriotic men.

The matter referred to by Mr. NEWLANDS follows.

APPENDIX.

SHIP SUBSIDY, NAVAL RESERVE, AND AUXILIARY SHIPS.

March 20, 1908.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 28) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

Mr. NEWLANDS. Mr. President, I ask that the amendment which I propose be read.

The VICE PRESIDENT. The Secretary will read as requested, in the absence of objection.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission to be known as the 'Foreign Commerce Commission,' and that they are hereby authorized to provide for the construction, either in the private shipyards of the country or in the shipyards of the Navy, or both, of 27 vessels, not exceeding 6,500 tons capacity each and costing in the aggregate not exceeding $27,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce between United States ports and the ports of South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seems advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them so manned in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and for the incorporation of such shipping companies under national law, and for reports on their operations."

Mr. NEWLANDS. Mr. President, the main purpose of this amendment is to create an auxiliary navy and incidentally to aid in the promotion of foreign commerce. We all know that we lack the ships that are necessary for an auxiliary navy, the useful ships, the indispensable ships, the scouts, the transports, the colliers, the dispatch boats, that are as essential to the Navy as the fighting ships themselves. As it is, we have a splendid Navy of fighting ships, splendidly equipped and splendidly officered and manned, but we lack the essential auxiliary ships that will be required in time of war.

NEED OF AUXILIARY SHIPS.

Recently the War Board was consulted regarding the needs of our Navy in case of a war involving the defense of our insular possessions, and the report of the board was that we would require about 232 ships, of an average tonnage of about 6,500 tons, for use as scouts, transports, colliers, dispatch boats, and so forth.

We all know that we have no such merchant marine as will supply such ships, and we are in this position, that we have the fighting ships that are necessary without the ships that are essential to maintain them in case of war. In case of war these fighting ships would, without an auxiliary navy, be absolutely derelict in the ocean, unable to move. Our Navy may be compared to a man with strong lungs and a strong heart, perfect organs, without legs or arms; or it might be compared to an army without a quartermaster's department or a commissary department.

We need, above all things, a proportionate Navy, one that is perfect in every essential particular, not simply the ships that are necessary for fighting, but the ships that are necessary to sustain the ships that do the fighting, to carry the coal and supplies, to carry the men, to act as scouts, to act as dispatch boats; and without these ships the Navy would be as helpless in case of war as we would be without the battleships or the fighting ships of the Navy.

DIRECT SUBSIDY OR A BETTER METHOD?

Now, the purpose of the amendment is to take a step in the direction of supplying this auxiliary navy. There are two ways of supplying it. One is by general subsidy. The other is by ourselves building, or, at all events, making an experiment in building, this auxiliary navy, either in whole or in part, and the purpose of this amendment is simply to enable this to be done in part. It is estimated by the Senator from New Hampshire that 27 ships, costing on an average about a million dollars each, will be required for this subsidized service. The cost of this service, according to the statement of the Senator from New Hampshire, will be about $3,600,000 per annum—that is, the cost of the subsidy which the United States is to pay annually for a period of 10 years, making $36,000,000 in all, and at the end of 10 years we shall have nothing. The ships will, of course, belong to the companies which have constructed them. Whereas if we expend $27,000,000 in the construction of these ships necessary for this service we will at the end of 10 years own the ships, and we will have expended less money than would be required for the subsidy.

This case does not, then, present the question of Government ownership as such, the question of the construction of ships by the Government for the purpose of engaging in foreign commerce; but it involves the construction of ships that are absolutely essential to our Navy, just as essential as the fighting ships that now exist, and of making them useful in times of peace by letting them out to shipping companies engaged in foreign commerce, and thus making them the advance agents of the foreign commerce which we seek to promote with foreign ports not now connected with this country by direct lines of transportation.

DECLINE OF MERCHANT MARINE.

Mr. President, the Senator from New Hampshire has commented upon the deficiency of our merchant marine; upon its sad decline. We all know, of course, that it has declined, and we all know the reason. We have been intent upon building up domestic production. We have put around the country a high-tariff wall, with a view to keeping out the products of other countries, and with a view to stimulating production upon our own soil and giving our own people the monopoly of that production; and, incidentally, it was hoped that under that process we would be able to reach such perfection in production as compared with the rest of the world that our exports of manufactured products would largely increase. Necessarily, therefore, the shipping in connection with this country, under our policy, must have full outward cargoes of agricultural products and such manufactured articles as we are able to sell in the markets, and must have

little on the return voyage, for the whole policy of the country has been to promote exports and to discourage imports.

It follows, therefore, that any shipping company organized under the laws of this country, and with a view to the promotion of its foreign commerce, must meet this condition; that it must get freights upon the voyage out that will pay the expenses of its comparatively empty bottoms upon the return. It does not present the case of a full ship going and returning. The dominant party has sought and is now seeking to remedy this difficulty by general taxation, by subsidizing these shipping lines, so as to enable them not only to overcome the competition of other countries, so far as the cost of the ship is concerned and so far as concerns the cost of operation, but to overcome the subsidies which are being paid by foreign countries. We have not only to meet their subsidies, but we also have to pay an additional amount to cover the difference between the cost of the construction of the ships and the cost of the operation of the ships, the cost of construction being 35 per cent higher and the cost of operation 25 per cent higher than that of foreign ships.

Now, this is a very hard task. It will be difficult for us to promote our merchant marine in competition with foreign ships for the transportation of freight so long as we adhere to this high protective system that is intended to discourage imports, for such a system of taxation means full vessels only one way.

FAILURE OF SUBSIDIES.

We have tried subsidies. We now have a mail-service subsidy, and the Senator admits its failure, so far as the Pacific Ocean is concerned, and he seeks to increase the subsidy by doubling it in order to meet these conditions, and he says that the service contemplated by this proposed act will cost about $3,600,000 per annum, or $36,000,000 for the 10 years. He cites us to the fact that since the failure of the last bill which he presented—the ship-subsidy bill of two years ago, I believe—one American shipping company, the Oceanic, engaged in the carrying trade to Australia, has gone out of existence, and it is only fair to assume that under these conditions there will be a further decline in our merchant marine on the Pacific Ocean.

We know that for a long time the Oceanic Steamship Co. was engaged in trade with Australia under a subsidy which gave her $2, I believe, per mile for the voyage out, as a mail subsidy. At the time the last shipping bill was under consideration the report of that company showed that in that service they used three ships of about 6,500 tons capacity, and the operating expense for these three ships was a little less than $1,500,000 per annum, or about $485,000 for each ship. The loss in operation alone, notwithstanding the subsidy, was about $66,000 per annum, or $20,000 per annum for each ship, and estimating the loss of interest on the investment, the depreciation, the insurance, the taxes, and so forth, the average annual loss was $373,000 for the three ships, or $125,000 for each ship.

I assume that that company was as economically administered as any company can be under existing conditions, so we have to assume that the loss of every ship engaged on the Pacific Ocean will be $125,000 per annum, and that we must overcome by a subsidy. So I am inclined to believe that the subsidy granted by this measure will not be sufficient to encourage our merchant marine on the Pacific.

COST OF GOVERNMENT TRANSPORT SERVICE.

I have been curious to know, by way of contrast, what has been the experience of our own Government in the Pacific Ocean service. It is well known that we have a service of transports running from San Francisco to the Philippine Islands, and in that service there are four ships, the *Logan*, the *Sheridan*, the *Sherman*, and the *Thomas*, each of about 5,500 tons capacity, approximating thus the three ships used in the Australian service. I find that the initial cost and the cost of converting these ships into transports was approximately $1,000,000 each, just about the amount paid by the Australian service for the three ships which they use. I find that the average expense per annum of operation and repair for each ship to the Army has been about $267,000, as against $486,000 for each of the ships of the Oceanic Steamship Co. engaged in the Australian service.

I have received these figures only within a few moments, and it is difficult for me to say what the cause of this enormous difference is, unless it be that the transports engaged by the Army are slower in speed, and hence less coal consumption is required. But you will observe that according to these figures the annual cost of operating a ship in the Army transport service on the Pacific Ocean is just a little over one-half of the cost of operating each one of the ships engaged in the Australian service and in the ownership of a private company.

I cite this for the purpose of showing that the Government can do this work efficiently and economically. The Government is now engaged in the shipping business. The Government now has 10 transports or more, the history of 4 of which I have given, and the Quartermaster's Department has in repeated reports to Congress insisted upon it that it would be unwise in the extreme for the Government to abandon the use of these transports.

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Mr. President, the Senator will bear in mind that my amendment does not propose that the Government shall run these ships as commercial ships. My proposal is that they shall be constructed as a part of the auxiliary Navy, and constructed in such a way as to be useful on the new lines of transportation which we are projecting, and that in time of peace they should be let out to private companies upon such terms as can be secured, manning them so far as we can with the Naval Reserve, so as to make each ship a training school for our Navy, and manning them wherever practicable with the surplus officers of our Navy itself, officers who are being educated and turned out every year from the Naval Academy.

In that way, it seems to me, we will simply have a floating training ship for men absolutely essential for our fighting ships. We know that one of the difficulties now with the Navy is that it is difficult to secure the men who are necessary for the fighting ships. One of the great pleas made for the organization of a merchant marine and for the subsidizing of a merchant marine is that it is absolutely essential that we should train American citizens for the sea who can come to the rescue of their country in time of war and man the fighting ships of the Navy.

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A DEFINITE PROGRAM PROPOSED.

Now, Mr. President, I can hardly hope that this amendment will be adopted as a substitute, but * * * I suggest that he might add this as a section to the pending bill. We need more than 27 auxiliary ships for our Navy. The war board say we need 232. The Senator's bill proposes to provide for about 27 ships in private ownership that are to be subsidized. I will ask the Senator whether he would be willing to have this offered as an additional section, so that we will have these two systems on trial, side by side, one the subsidizing of ships in private ownership upon the ground that they are needed in the promotion of the mail and commercial service and in time of war as auxiliary vessels of our Navy, and the other the Government ownership of these ships as a part of the Navy, and their incidental operation by private companies in time of peace and in the conduct of these scouting expeditions for commerce, in the hope that they will establish a business which will hereafter be taken up by American steamship companies without subsidy. I ask the Senator whether he would favor adding to the bill this section providing for the construction of 27 ships, or for any lesser number—three or more?

Mr. GALLINGER. Mr. President, I will be entirely frank with the Senator from Nevada. I agree with him that we ought to have more auxiliaries than are provided for in the bill. We ought to have had colliers enough to have accompanied our fleet in its marvelous voyage that is being made. We have them not. But I have an impression that upon consideration the Senator from Nevada will agree with me that this is not quite the place to legislate along those lines. If the Senator will assist those of us who are in favor of the bill now before the Senate to pass it and make what I think is a very desirable start in the direction of rehabilitating the American merchant marine, the Senator can then either move an amendment to the naval appropriation bill or present a separate bill, which will have consideration on its merits. I hope the Senator will not try to embarrass this bill with the amendment that he suggests.

Mr. NEWLANDS. Mr. President, I have no disposition to embarrass this bill or to delay the Senator in securing a final vote upon it, but I regard the suggestion that I have made as of value, both in protecting our Navy and in promoting our commerce, and as the present is the only opportunity I have of pressing this view, in an amendment that is undoubtedly germane, I am inclined to press it by argument at least.

A FOREIGN COMMERCE COMMISSION.

Now, let me make another suggestion to the Senator from New Hampshire, if he is willing to acquiesce in that, and that is that the portion of this amendment which provides for the creation of a commission, to be known as the "foreign commerce commission," should go in as an amendment to the bill. The amendment provides that the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the "foreign commerce commission."

Then, leaving out the provision for construction, it would provide that such commission shall make to Congress such recommendation as to it seems advisable regarding the manning of such vessels subsidized under this act, in whole or in part, by the Naval Reserves and for the incorporation of such shipping companies under national law, and for reports as to their operations.

Now, Mr. President, we would have three Secretaries dealing with this question.

Mr. HALE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. Certainly.

Mr. HALE. I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy.

The Senator said the other day—and the metaphor was not too strong—that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true.

Mr. BURKETT. Mr. President——

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Nebraska?

Mr. HALE. I——

Mr. BURKETT. I wish to ask a question right on that point, if the Senator will permit me. At the end of the Spanish War I remember the Secretary of the Navy reported that we had, I think, 36—possibly 44—of these auxiliary cruisers and transports, and the War Department had the other number, whichever it was, 36 or 44. I remember that the number was reported to Congress. What became of these transports and auxiliaries?

Mr. HALE. The auxiliary force, Mr. President, that was improvised—I use that word, because it was not much more permanent than an improvised force—consisted, with but few exceptions, of transitory ships, yachts, small cruisers that were to be used for the emergency along the coasts and in the Caribbean Sea; but when the war ended they were found to be of little use. They made up an aggregate, and I have looked over the list time and again. Most of them were of no account and have gone out of use and are good for nothing to-day and would be good for nothing in any case of emergency.

Mr. President, it is a melancholy spectacle that this great fleet of ours in this regard presents to-day. It is the greatest fleet of great and formidable ships that the whole world has ever seen. It is completely manned. It is in every respect except one the most magnificent and formidable fleet of ships that any nation has ever put upon the waters of the globe.

Admiral Converse, who knows it root and branch, has so told us, and he is right. But this great fleet, which has been sent upon its voyage around the globe, is to-day absolutely dependent upon its motion, upon its existence as a moving fleet, on the indulgence of foreign powers.

I have here, Mr. President, a list of the colliers, without which a ship and a fleet can do nothing, that are to-day in attendance upon this fleet. There are only nine of our own. There are chartered from foreign owners attending this fleet of ours, enabling it to move, making it a movable fleet, 28 foreign colliers. I have a list of them here—I will put it in the RECORD—ranging from 4,000 to 6,000 and odd tons each.

The list referred to is as follows:

Coal for the fleet going to the Pacific.

Government-owned colliers:	Tons.
Ajax to Rio with	4,800
Brutus to Rio with	3,800
Nero to Rio with	3,500
Abarenda to Rio with	3,500
Hannibal to Trinidad with	2,000
Leonidas to Trinidad with	2,000
Marcellus to Trinidad with	2,000
Sterling to Para with	2,000
Cæsar to Rio with	2,800

Chartered foreign colliers:	Tons.
Fortuna to Trinidad	4,224
Athalic to Trinidad	2,787
Kassala to Rio	5,150
Ellaline to Punta Arenas	5,449
Janana to Punta Arenas	5,627
Ripley to Punta Arenas	5,073
Towergate to Punta Arenas	5,166
Hector to Callao	5,600
Hermiston to Callao	5,392
Earl of Douglas to Callao	5,361
St. Andrews to Callao	4,351
Falls of Orchy to Callao	5,714
Allenton to Magdalena Bay	6,321
Otterburn to Magdalena Bay	6,000
Strathtay to Magdalena Bay	5,308
Needles to Magdalena Bay	6,001
Baron Androssen to Magdalena Bay	6,002
Strathgyle to Magdalena Bay	5,367
Agapanthus to Magdalena Bay	4,832
Cape Finistere to San Francisco or Mare Island	6,510
Livingstonian to San Francisco or Mare Island	5,404
Guernsey to San Francisco or Mare Island	6,156
Earl of Carrick to San Francisco or Mare Island	4,940
Carlton to San Francisco or Mare Island	6,530
Inverkip to San Francisco or Mare Island	5,955
Braemont to San Francisco or Mare Island	4,808
Amherton to San Francisco or Mare Island	5,373
Madura to San Francisco or Mare Island	5,500

Mr. HALE. Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"As idle as a painted ship
Upon a painted ocean."

We do not realize this, Mr. President. I go further. If any complication should arise in the voyage of the ships, any danger, any menace of war in a foreign power, I do not know but that every foreign power represented in the ships which we have hired would feel compelled to withdraw them from the association of the fleet, and we would be hung up.

It is not, Mr. President, an agreeable thing to contemplate. We go on year after year building up and accumulating these immense ships at an enormous expenditure, and find ourselves, as we would in any emergency for which the ships are built, without a thing being done that makes the ships formidable as a fleet at sea. The Senator is right in his theories. There ought not to be another ship added to the American Navy until we add something that every other power has done to make the ships formidable in case of an emergency.

My colleague is right; the Senator from New Hampshire is right; we can not do it here. I do not think the Senator from Nevada wants to embarrass this bill; but when we come to the consideration of the naval appropriation bill I hope the Senator from Nevada and the Senator from New Hampshire and the Senator from Maine, my colleague, and every thoughtful, patriotic Senator will join with me to try and see that something is done in this entirely neglected field that we have rashly and in the most foolhardy way neglected and abandoned in the past. Otherwise, Mr. President, if there is any call for the big ships, and they are to protect us in case of possible war, they are absolutely worthless unless we have something with which to build up an auxiliary fleet and to supply the ships that will enable them to move in the waters of the globe. Without these foreign ships, these colliers, Mr. President, we not only could not have gotten around Cape Horn, but we could not have gotten beyond the Caribbean Sea. Nobody has seemed to realize that. But when we come to the naval appropriation bill this matter will be laid before the Senate, and we will be made to consider what are the actual needs of the American Navy.

* * * * * * *

The trouble is, setting aside the question of price, that we have been deficient in just what the Senator from Nevada says, in not doing what other powers have done with auxiliary ships and colliers to make their fleet formidable.

I went over, Mr. President, on the great *Lusitania* on her first trip eastward, and I found then that the British naval administration had shortened their policy, as they have in regard to having more big ships, and have put into that auxiliary cruiser a million and a half pounds sterling to make her a formidable auxiliary cruiser, built so that she could be used in case of emergency as a transport or auxiliary cruiser, and fitted out with small armament so as to make their battleships more formidable. I took a lesson from that. I realized then, as I never had before, how lamentably deficient we have been by reason of the fact that we have been going on and piling up big ships and doing nothing to make them of any use in time of war.

PROMOTION OF FOREIGN COMMERCE.

Mr. NEWLANDS. Mr. President, I am very glad to know that the Senator from Maine, the chairman of the Naval Committee, is impressed with the fact that our Navy is not a well-proportioned Navy; that, while it has splendid fighting ships, it lacks the auxiliary ships that are absolutely essential to the operations of the fighting ships.

The Senator appeals to me not to embarrass this bill and not to delay it. I have no disposition to either embarrass or delay it. There will certainly be a vote to-day upon this bill, and I should like to press certain amendments which I think will serve the Senator's purpose as well as that which I have in view.

As I stated a few moments ago, I do not expect the Senator from New Hampshire to agree that this amendment shall be accepted as a substitute, nor do I expect him to agree that it shall be accepted as an addition to the bill; but it does seem to me that this amendment provides for certain machinery in the creation of a foreign commerce that will be of great service to the country in securing essential data upon this question, in forming the plans, and in making the estimates of the operations that are necessary to coordinate the different branches of the Government interested in our merchant marine in such a way as to make our appropriations here effective for every possible purpose which we can have in view.

We have three purposes in view. One is to increase our auxiliary ships as a part of the Navy; the other is the promotion of foreign commerce; the other the promotion of our mail service. We have three departments that are connected with those questions—one the Navy Department, one the Department of Commerce and Labor, and the third the Post Office Department. The naval service, the Postal Service, the commercial service of the country are all interested in the development of a merchant marine, and it seems to me to be of the highest wisdom to bring the chiefs of those departments into a commission and charge them with the duty of making recommendations to Congress that will serve the Nation's purpose in the advancement of our foreign mail service, in the advancement of our foreign commerce, and in the increase of our auxiliary navy.

NATIONAL INCORPORATION OF CARRIERS ENGAGED IN FOREIGN COMMERCE.

There is another thing I have in view, and that is this: We have been in the habit heretofore of making appropriations in the shape of subsidy without having any control, or very little control, over the corporations that are subsidized. I have for a long time been pressing before the Congress of the United States the national incorporation of the great trunk lines through which railways existing in the various States can be consolidated and made to serve great national purposes as well as to continue to serve the State purposes for which they were organized. Objection is made upon the other side of the House, often because they think it involves possibly too much control over the railroads, whilst on this side objection is made to it because they regard it as an invasion of State rights. I do not wish to press that question or to argue it now, but I wish to suggest to my friends upon this side that foreign commerce is exclusively within the control of the Nation, and that no question of State rights or State control can present itself that the Postal Service is exclusively within the control of the Nation, that the naval service is exclusively within the control of the Nation, and that if this Nation is a sovereignty it has the right to create the artificial beings that are to promote these various services. I think it of the highest unwisdom to subsidize any corporation for national service unless it is incorporated under national laws.

We have no national law of incorporation for shipping companies. As it is, any organization of men seeking to enter into a service exclusively within the control of the Nation is compelled to go to an individual State for the purpose of obtaining a charter that will enable it to act as an artificial being. We ought to have a national incorporation law for shipping companies engaged in foreign commerce, and my amendment provides that this commission shall consider the formation and the framing and the recommendation to Congress of a national incorporation law. If we are to subsidize these corporations, we should have them under constant supervision and, in a measure, under the control of the Nation. Such national corporations could be compelled to make their reports to this foreign-commerce commission, just as the railroads engaged in interstate commerce, even though they be State corporations, are compelled to make reports to the Interstate Commerce Commission. Furthermore, when we have a foreign-commerce commission organized, they can scrutinize the operation of these corporations, whether subsidized or not, and, if subsidized, they can present to Congress the facts that are essential that Congress should know in order to legislate wisely upon this subject. As it is, none of us really know whether the complaints of shipping companies subsidized by the Nation are well founded or not, because we have not had the machinery essential to give us the facts upon which to base a judgment. This very Oceanic Steamship Co., which, with a splendidly equipped marine service, entered upon the experimental work of opening up a line of traffic to Australia, has made statements year after year to Congress, claiming that, notwithstanding the subsidy received, it was subjecting itself to a loss in the operation of that line, and I believe that the majority of Congress disbelieved the statement; and yet their statement was vindicated, for only a year ago they went out of the business, and these three splendid steamships are now, I am told, laid up in the harbor of San Francisco.

It seems to me that it will be a very easy matter right in this bill to take these three coordinate branches of the Government, each separately considering questions intimately related to the ocean service, that we should set their intellects and their energies to work with a view of elaborating a system that will be as perfect a means of information to the Government upon all these questions as the Interstate Commerce Commission is to-day, and that we should provide a method of incorporation by the Nation that will compel reports and give us exact statements of the operations of these companies, so that we can know whether or not these subsidies are essential to their existence, whether they should be increased upon their request, or whether they should be diminished when sufficient profits appear.

SUBSIDY SYSTEM A VICIOUS ONE.

So far as I am concerned, I am opposed to a system of subsidy, for whilst I realize that some form of Government aid is absolutely essential to the creation of a merchant marine, I think that the system of subsidy will create evils greater than those which now exist, and that they will bring into our halls and corridors an importunate class of men demanding, day after day, increasing legislation in their interest, and that they will be active politically throughout the entire country, advancing the election of those who favor their projects and opposing the election of those who are opposed to them, and that we will stand in danger of increasing the favored classes of this country, whose operations are gradually changing our Government from a pure democracy into an arrogant plutocracy.

I wish to see the merchant marine advanced, and I wish to see the Navy advanced, and I wish to see a proportionate Navy, and I wish to see a proportionate merchant marine; and inasmuch as these lines that are now projected are mainly experimental, as these ships which it is proposed to subsidize by this bill are to be made the advance agents of commerce with foreign ports—the drummers of commerce—and inasmuch as we need in order to make a proportionate Navy a large number of ships and transports and colliers now lacking, ships that we can not secure in case of war from our coastwise service and ships which it may be impossible to secure from neutral powers in case of war; and inasmuch as these ships will serve all purposes—will serve the purposes of the Navy, will serve the purposes of the merchant marine, will serve the purposes of the Postal Service—and inasmuch as they can be used in time of peace for postal and commercial purposes, I do not see why we should not construct some of them and enter upon the experiment.

We need more ships than this bill provides for. It provides for only 27. The war board has declared that 232 are now needed; that if we were forced to defend our insular possessions against any great power we would be compelled to have, in order to make an efficient defense of those island possesions, in order to transport troops and munitions of war and to supply scouts and cruisers and dispatch boats, 232 ships, costing on an average a million dollars each. We have not them within reach, so far as the merchant marine is concerned. In order to bring

into being 232 ships of that kind in our merchant marine, we would have, according to the experience of the Oceanic Steamship Co., to subsidize each one to the extent of from $150,000 to $200,000 annually, involving an annual expenditure of from $40,000,000 to $60,000,000. That is out of the question. Whatever subsidy we have here will be absolutely inadequate to supplying the country with the auxiliary navy that is required.

We are expending to-day $100,000,000 annually upon the Navy, and we are creating a disproportionate Navy, a Navy like a man with one muscle enormously developed and all his other muscles withered and shrunk.

What is a wise thing for us to do? To take from $20,000,000 to $25,000,000 of that $100,000,000 annually and apply it to making a proportionate Navy and stop the construction of these great fighting ships, either in whole or in part, until the Navy becomes a thoroughly proportioned Navy.

TRAINING SHIPS FOR NAVAL RESERVES.

More than this, when we subsidize these ships we do not place them under sufficient control so far as the Naval Reserve is concerned. The Naval Reserve is just as essential to the Navy as the men who are actively employed on the fighting ships themselves. It is necessary for us to have a large force of men from whom we can recruit in case of war, and so we have organized a Naval Reserve—not a sufficient Naval Reserve, but a reserve totally inadequate as compared with that of England and other powers—and how are we to train this Naval Reserve? We have no ships upon which to train them; and when you provide for this subsidy, do you provide for the training of a Naval Reserve? No; the only provision you have in this bill is that each ship will carry six naval cadets. It seems to me that if we own these ships that we can man them, that we can make them a training school for our Navy; that we can provide them with officers who are unable to get commands in the fighting ships now, and who are drifting into civil life; that we can man them with men who will become trained men in case of war, so that they can be transferred from the auxiliary ships to the fighting ships in an emergency, and that we will have a thorough and perfected system for that purpose. Such a Naval Reserve will simply, during times of peace, discharge the duties that are discharged by men employed in the merchant marine. There should be at least one naval officer upon every such ship engaged in the commercial service, constantly training the men and keeping them in condition of discipline that will fit them for the fighting ships when actual warfare comes.

So it seems to me, if the Senator will permit me to say, it would be a wise thing now, at this session—and I should say upon this bill—to provide at least for coordinating these three departments into a foreign commerce commission that will give us their united judgment regarding the action that the Congress of the United States should take upon the important question of promoting all these three services—the foreign commercial service, the foreign postal service, and the naval service—and that we provide above all things for the national incorporation of services that are purely engaged in national work and not permit these shipping companies to go to the State of least public virtue for charters to enable them to operate upon the high seas.

If you are to subsidize these ships, make them the instrumentalities of the Nation by incorporating them under national law. If you are to subsidize them, demand annual reports, institute constant investigation of their operations, so that we may know whether these subsidies are necessary or whether they are pure gratuities, and abandon altogether the loose legislation of the past, which has resulted simply in the United States granting aid without proper restriction and control. I will submit to the Senator from New Hampshire later on what I regard as a moderate amendment, making no appropriation, but organizing this commission and giving it the power to consider the question of a national incorporation act for the shipping companies engaged in this commerce, and to report their recommendations to Congress.

April 27, 1908.

The Senate, as in Committee of the Whole, having resumed the consideration of the bill (S. 28) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

NEED OF AN AUXILIARY NAVY.

Mr. NEWLANDS. Mr. President, when the Senator from New Hampshire [Mr. GALLINGER] in 1905 was pressing with great vigor the ship-subsidy bill, which had been reported by the Committee on Commerce and which had been approved by the Merchant Marine Commission that had been in session for some time, my attention was for the first time called to the fact that our Navy was a disproportioned navy; that whilst it had a great force of fighting ships which could maintain themselves successfully as fighting ships, they lacked the supporting ships so necessary in case of war—the colliers, the scouts, the transports, the dispatch boats, the tugs, and other vessels constituting an auxiliary navy and just as essential to the success of a fighting force as the fighting ships themselves.

That view was set forth in a report prepared by the General Board of War of the Navy, over which Admiral Dewey presided, a report which was prepared for the Merchant Marine Commission at the suggestion of its chairman and presented by him with a view to supporting a ship-subsidy bill then before the Senate. The question was asked the War Board as to what vessels would be necessary as an auxiliary navy in case of war, and their reply is contained in a document, which I shall ask to have printed in the RECORD—that about 200 ships, costing on the average, I believe, about $1,000,000 each, would be necessary in order to support the fighting ships of the Navy in case of war, particularly if that war were such a war as endangered the retention of our insular possessions.

I then sought to have an amendment in the nature of a substitute acted upon by the Senate providing for the immediate construction of about 32 ships, costing a million dollars each, which I claimed could serve a double purpose. On the one hand, in case of war they could act as transports, colliers, or scouts in the Navy, and in times of peace they could be used as training ships for our Naval Reserve, and also in opening up new routes of mail and commerce to South American, Australian, and oriental ports. The Senator from New Hampshire at that time was contending that 32 vessels were necessary for that service, and he sought to secure them by a subsidy, which it was estimated would in a period of 10 years aggregate an expenditure upon the part of the National Government of about $32,000,000.

I insisted upon it that if that expenditure was necessary in the interest of commerce, if it was necessary in order to promote commerce with those ports, the United States Government should subsidize American ships for 10 years to the extent of $32,000,000, it would be a wiser policy for the Government itself to construct the 32 ships as a part of the auxiliary Navy, holding them for use as training ships for our Naval Reserve, manning them in large degree with our Naval Reserve and turning them over in times of peace under lease to shipping companies, who could themselves open up these new routes of commerce and of mail. I contended that at the end of 10 years, if we pursued the system of subsidy, the Government would own nothing; but if we pursued the system of ownership, the Government would at the end of 10 years have the 32 ships into which its $32,000,000 had gone. I insisted upon it that we could accomplish a double purpose—promote commerce with other nations, open up new commercial regions with which it is our desire to connect ourselves, and establish training ships for the sailors whom it is our desire to train for our Navy, and have, at the same time, these ships in reserve in case of war for use as an auxiliary Navy such as I have described.

I presented the same view later on in the dying hours of the ship subsidy bill, and recently, in a few remarks on the 20th of March, when the Senator from New Hampshire was presenting another subsidy measure involving simply a mail subvention, I presented an amendment, not in the hope of securing its passage, but with a view of bringing to the attention of the Senate the importance of this question, the importance of establishing a well-proportioned Navy, not a lopsided Navy, composed only of fighting ships, but a Navy including also other ships absolutely essential to support and maintain the fighting ships in case of war. My voice was raised here, without an echoing note anywhere, until finally the Senator from Maine [Mr. Hale] raised his voice, and I propose to quote his words briefly. Whilst I was on the floor the Senator from Maine interrupted me and said:

"I do not want to interfere with the line of the Senator's argument, but I am very largely in sympathy with him, for he has struck what is the weak point in our entire Naval Establishment, so far as ships are concerned. We are deplorably lacking in the essentials that make a great fleet not only formidable but seaworthy.

"The Senator said the other day, and the metaphor was not too strong, that without certain auxiliary ships the great battleships of the United States fleet upon any waters outside of our own waters, in case of any emergency, with war threatened, would be derelicts, and it is too true."

In another place the Senator from Maine said:

"Mr. President, it is a melancholy spectacle that this great fleet of ours in this regard presents to-day. It is the greatest fleet of great and formidable ships that the whole world has ever seen. It is completely manned. It is in every respect except one the most magnificent and formidable fleet of ships that any nation has ever put upon the waters of the globe."

The Senator from Maine then went on to show the number of colliers that it was necessary to employ in the present cruise of our great fleet—not American colliers, but colliers of foreign registry—and the Senator from Maine went on to show that in case of war the obligations of neutrality would prevent any one of these foreign countries permitting its ships of foreign registry from coming to our rescue. The Senator added:

"Mr. President, if when that fleet was ordered on this tour about the globe there had been the least menace of war from any power, no Government owning one of these foreign colliers would have allowed a single ship to be employed by us, and our fleet, magnificent as it is, with any menace of war upon the sky, without these foreign colliers would be as useless and—

"'As idle as a painted ship
Upon a painted ocean.'"

The Senator from Maine further said:

"It is not, Mr. President, an agreeable thing to contemplate. We go on year after year building up and accumulating these immense ships at an enormous expenditure, and find ourselves, as we would in any emergency for which the ships are built, without a thing being done that makes the ships formidable as a fleet at sea. The Senator is right in his theories. There ought not to be another ship added to the American Navy until we add something that every other power has done to make the ships formidable in case of an emergency."

And then the Senator from Maine issued me an invitation, in response to which I will at the proper time offer an amendment to this bill. If I may have the attention of the Senator from Maine a moment, I wish to read his invitation. The Senator from Maine said:

"I do not think the Senator from Nevada wants to embarrass this bill; but when we come to the consideration of the naval appropriation bill I hope the Senator from Nevada and the Senator from New Hampshire and the Senator from Maine, my colleague, and every thoughtful, patriotic Senator will join with me to try and see that something is done in this entirely neglected field that we have rashly and in the most foolhardy way neglected and abandoned in the past."

Now, Mr. President, in view of the emphatic utterance of the Senator from Maine, I must say that this bill is a most "lame and impotent conclusion." It is true that this bill does provide for a few colliers. It provided as it came from the House for two fleet colliers, each costing $1,800,000, or a total of $3,600,000. To that provision the Senate committee had added another provision for the purchase of three new steam colliers—I presume of slower speed—costing each not exceeding $600,000. So that we have a total of five ships added to our auxiliary navy at a total cost of about $5,000,000; and yet the Senator from Maine showed in his remarks upon a previous occasion that the colliers of foreign registry then employed by our fleet in Pacific waters were some 28 in number, probably cost from $25,000,000 to $30,000,000. And yet in case of war we would need not only colliers, but scouts, transports, dispatch boats, and other vessels, which would be as unattainable from the American register as the colliers would be.

Mr. HALE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. I do.

AN IGNOBLE CONCLUSION.

Mr. HALE. I do not wish to interfere with the Senator. In the long time that this bill has taken of the consideration of the Senate, in the absence of the Senator, the same questions which he now raises have come up, and I have stated what the committee felt itself justified in doing. So far as concerns the equipment of our fleet with colliers, the most important subject, the bill as reported by the committee will not satisfy the Senator. It is not a large program, but it is something in the right direction. The bill provides five good serviceable colliers at a very considerable expense, and I should hope that it would be a permanent feature of naval bills for the future, and that in

considering the continued appropriations for the Navy—and I expect so long as I am a Member of this body to see appropriations for maintaining a strong, serviceable Navy—we should go on each year and make as a part of that program provision for colliers that may accompany the fleet in any emergency and which will always be a desirable and necessary part of the establishment.

Of course the Senator knows, while it has been said to be rather an ignoble consideration, that we have to attend somewhat to the conditions of the revenue, the great expenditures, and the approaching alarming deficit. We can not consider the Navy nor the Army, nor any part of the Government, without taking that into account, and, all things considered, the committee believed that this provision for five efficient, valuable, serviceable colliers is all that we can do this year. If we had a surfeit of money and did not know what to do with it, we might go more largely—which I should be very glad to do at as early a day as possible—into the other questions of the auxiliary navy, the building up of ships in the merchant marine, as England does and other great powers, that shall be built in cooperation with the Navy Department and that can be used in an emergency as valuable accessories to the Navy. Other powers have a large list, not on paper, but existing, of the auxiliary navy. I wish we had more. I wish the condition of our finances and our revenue justified us entering that field.

The Senator is right in his general view of what we ought to do. But we have gone on devoting ourselves mainly, as the Senator and all Senators know, to the increase of the Navy proper, the ships of the Navy, and have not given great attention to these other very essential accessories to that part of the establishment. I do not believe that this year we are justified in doing more than what the bill provides in that respect.

So I would be glad if I could join with the Senator, and I am indebted to him for the early and valuable suggestions that he made, which certainly attracted my attention, and which have led, I think, *and the* Senator is entitled to credit for that, to some development in this direction.

Mr. NEWLANDS. Mr. President, I am very glad to learn that this is but the commencement of a continuous policy. The Senator from Maine will not think me too critical in saying that the action of the committee was hardly a realization of the hope which he indulged in his former speech in the Senate, for at that time his utterance was emphatic that there should not be another ship in the Navy built until this needed want was filled. I agree with the Senator from Maine that there should be a limit to naval expenditures. I would gladly see all military expenditures reduced. I would not willingly favor any large increase in the present measure of expenditures. What I hoped for was that the committee would refuse to report in favor of more fighting ships until the auxiliary navy was brought up to a certain standard.

Such a policy would not mean larger annual expenditures on the part of the Government, but it would mean a usable navy, a proportioned navy—a navy in which each part was adjusted in operation to every other part—not a great machine of war, with essential parts absolutely lacking to such a degree that the machine would break down in case of war. I have likened our Navy of splendid fighting ships to a vigorous man, with strong lungs, strong heart, firm muscles, but lacking in an arm or a leg. And that is what our Navy is to-day. It is a navy without arms. It is a navy without legs. It is a navy without the ability to support itself in case of war, without a merchant marine upon which it can call for these auxiliary ships.

We not only are without transports and colliers and dispatch boats, but we have not them within our reach, so far as our domestic resources are concerned and so far as the world itself is concerned and our ability to call upon other nations in case of war for these auxiliary ships and to purchase them—ships now under foreign registry. The Senator from Maine has well said that to permit such action upon their part would be a violation of the laws of neutrality.

Mr. President, therefore I am as opposed as the Senator is to any increase in the total of our naval expenditures. But I suggest that if we are to expend $100,000,000, of that sum $20,000,000 might now be well spent in making this a proportioned navy, in securing the parts now lacking to its efficient and successful operation, and that this work of increasing our auxiliary navy ought not only to be commenced now, but it ought to progress vigorously, at the expense, if necessary, of the immediate construction of fighting ships, of which we to-day have a surplusage as compared with these useful ships so necessary in case of war.

Judged by present conditions we have a surplusage of one kind of ships and we are lacking in other essential ships, and the businesslike thing is, while limiting the total expenditure, to divide that expenditure so as to provide the needed parts of this Navy and not to increase those parts of which we have at present a surplusage.

BUSINESSLIKE PATERNALISM.

Mr. President, while discussing this point I wish to say that I do not believe we should enter upon the policy of creating an auxiliary navy unless we pursue it in a businesslike way. I know it is not regarded as essential to apply business considerations to governmental work. Whenever an attempt is made to do it the cry is raised that the Government should not go into business, and the terrors of governmental ownership are held before us. I do not wish to see the Government go into business. I do not want to see Government ownership of any business. But it does seem to me that when the Government enters upon a great work it should enter upon it in a businesslike way.

This auxiliary navy is needed for the emergency of war. What are we to do with it during the period of peace? Can not we settle that in a businesslike way? One complaint is made that it is difficult to get the men to man the ships in case of war; that we have not a merchant marine which is training men for this service; and the necessity of a great Naval Reserve has been pointed out. It has been insisted that we should have a reserve of at least 10,000 trained men to meet the emergency of war. England has 30,000 such men. It seems to me the suggestion is a wise one, and the question is how shall we train that Naval Reserve—on land or at sea? Certainly these ships can be used as training ships, officered by surplus officers of the Navy, who will be needed in case of war. A training school on a ship will cost less than a training school on land. We have a training school at Goat Island, in California, and possibly we have others. These ships can be used in that way.

But it occurs to me that the expenditure for moving these ships from port to port in the training of the Naval Reserve should be made in a businesslike way, and if any part of it can be saved it should be. What trade is the Government of the United States endeavoring to reach out for? The promotion of commerce with South America, with Australia, and with the Orient. Complaint is made every day that our merchant marine has declined. Complaint is made every day that the merchant marine of the United States can not compete with the marine of any other country upon waters not monopolized by the United States. We all know that the cost of American ships is at least one-fourth more than that of ships of foreign register. We all know that in building American ships the American shipbuilder has to pay the Steel Trust of America $8 a ton more for its steel than does the foreign shipbuilder building for a foreign country and buying the steel from the same trust. We all know, also, that as a result of the high protective system which we have established in this country everything in this country, as compared with other countries, is upon stilts, everything adjusted to the monopoly of production in the great industrial establishments secured by the maintenance of this high-tariff wall.

The result is that the cost of administration of the American ship, manned by American sailors, is from 30 to 40 and 50 per cent higher than that on foreign ships. How, then, can we expect to open up these lines of commerce and of mail to South America, Australia, and the Orient when our merchant marine labors under these very obvious disadvantages in competition with other countries?

I ask, then, why these ships, this auxiliary Navy, which we are creating, should not be used in a businesslike way, not in traversing routes now established, but in opening up new routes; not under the direction of the Government itself, but intrusted by lease under favorable conditions to private shipping companies, the Government retaining its control over the reserves on the ships, maintaining its officers on the ships, and thus aiding to that degree in the economical administration of the ships, so far as the carrier company is concerned, and thus these ships can be used for the purpose of auxiliary ships in case of war, for training schools for our reserves, and the temporary purpose of aiding our mercantile interests in establishing new routes of mail and commerce to South America and the Orient. By doing that we can largely diminish the cost of the operation of these ships, diminish the cost of the training school itself, diminish the cost of the operation of the auxiliary Navy, and at the same time promote the commerce and business of the country.

Why should not the United States Government, when it is doing or proposes to do a paternal thing—for ship subsidy is paternalism—do it in a businesslike way? If it is to pay out money to aid in building ships for our merchant marine, let it own the ships. If it is to aid in the administration of such ships, let it share in the benefits of the administration, in the development and the training of the naval reserves capable of responding efficiently to the call of the country in case of war.

Mr. President, in that way we may possibly open up new lines, and when business is established private shipping companies will take the place of these auxiliary ships, which are simply the advance agents of commerce, and we may then have real ships upon the ocean. At present one of the chief arguments for the creation of a great Navy is protection of the merchant marine. That is the plea made by every country. That is the reason why England has a great navy; that is the reason why Germany has a great navy; that is the reason why France has a great navy. We have built our Navy in advance of our merchant marine. We have built our Navy to protect phantom ships. I would have these ships real ships. First, auxiliary ships of the Navy as advance agents of commerce, and then, as the result of established business and commerce, American lines bearing the American flag which the American Navy will protect throughout the world.

A NAVAL COMMISSION.

Mr. President, at the suggestion of the Senator from California, I have modified the amendment which I have proposed as a substitute for the amendment proposed by the Senator from Washington by striking out the last few lines, after the word "peace," in line 7, and I will ask the Secretary to read the amendment as modified.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The SECRETARY. After line 5, on page 87, it is proposed to insert:

"For an auxiliary navy consisting of transports, colliers, scouts, dispatch boats, and other vessels necessary in aid of the fighting ships in case of war, $20,000,000, and the Secretary of the Navy, the Secretary of Commerce and Labor, and the Postmaster General are hereby constituted a commission to recommend to Congress a plan for utilizing such ships in times of peace."

Mr. NEWLANDS. Mr. President, I wish to say a few words regarding the appointment of this commission. It is true that this is a naval bill, and it is true that these are naval expenditures, and they are to be made under the direction and control of the Navy Department, but it seems to me obvious that inasmuch as it is desirable that this auxiliary navy should be built and conducted in a businesslike way, with a view to as small an expenditure as possible in the future in the way of operating expenses, we should at all events study a plan under which it can be made useful, self-compensatory, or partly compensatory. Now, what departments of the Government are interested in these questions? Obviously the Navy Department, because of its control of the Navy; obviously the Department of Commerce and Labor, which has a mixed jurisdiction over the entire subject of commerce; and obviously the Post Office Department, which department has control of the mails.

We are seeking now to promote an auxiliary navy. We are seeking to promote commerce with South America, Australia, and the Orient, and we are seeking to establish new lines of mails. Why, therefore, would it not be wise to put the three heads of those departments into one commission with a view to a study of the subject, so that a ship can be constructed which will be useful for all the purposes to which I have referred—for the Navy, the commerce, and the mails—and a commission that can study a plan for economically working out the best interests of the Government in creating a proportioned Navy and in advancing commerce and new lines of mail.

No power is given to them except the power of recommendation, and I would ask the Senator from Maine whether he would have any objection to the appointment in this bill of such a commission.

Mr. HALE. Mr. President, I am not prepared to assent to that, because I do not think that it has had mature consideration enough to be embodied as a part of the appropriation bill. We are dealing with the money that we should expend. The question of a commission to take up great subjects I do not think has been presented sufficiently to justify putting on that matter at this stage, when the vote must be taken to-night by an agreement of the Senate.

I do not say that at the proper time I would not favor such a commission, although my experience is that government by commission is not very practical or effectual government. Commissions do not accomplish much unless you would give them absolute power, which we can not grant. An advisory commission never has effectuated much.

Without taking up more time, because I know the Senator desires to go on, I will say that I am not prepared to agree to that proposition upon this bill.

Mr. NEWLANDS. Mr. President, I regret that the Senator can not see his way clear to accept at all events this part of the amendment, for it always seems to me that when a question of this kind is up for discussion before the Senate that is the appropriate time for action. I am always opposed to the policy of drift, and that has been the policy of legislation ever since I have served in the House and in the Senate. I believe that now is the appropriate time for action upon this subject, and I regret, in view of the fact that the Senator himself has so emphasized the importance of action upon this subject, he does not see his way clear to assent to the proposition now.

The Senator remarks that the work of commissions is not always satisfactory; that we can not give them full power, for that might mean, I presume, a delegation of legislative power, and that advisory commissions rarely accomplish much good. Yet the Senator will bear me out in the fact that we rarely consider an important bill involving the work of any department without submitting that bill to the head of the department, with a view to securing the report of the department, involving the view of the experienced men there regarding the work. I find that that has been done in the recent mail subvention bill prepared by the Senator from New Hampshire [Mr. GALLINGER].

If the Senator will refer to the report upon that bill, he will find that it was submitted to the Postmaster General, the Secretary of Commerce and Labor, and the Secretary of the Navy for their opinion relating to it. It does seem to me if it is desirable to do that, it is desirable to get them together in consultation and have the aid of experienced men, with the aid of experts, so that we may have not simply the individual judgment of each, but combine the judgment of all after a careful study of the subject.

It is for that reason that I favor this method of proceeding, and not with a view, of course, of conferring upon the commission any of the powers belonging to Congress.

January 11, 1911.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE—AUXILIARY NAVY.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

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PROMOTION OF MERCHANT MARINE.

Mr. NEWLANDS. I was remarking, Mr. President, that I was entirely in sympathy with any proper movement that would stimulate our merchant marine and would bring about the restoration of our flag on the oceans.

But we all realize the difficulty of that task. One difficulty is that ships built in American shipyards cost, I believe, at least 50 per cent more than those constructed in foreign shipyards; and, second, that the operation of American ships costs from 40 to 50 per cent in excess of the operation of similar ships under foreign service. So we start with that initial difficulty. Assuming that other nations do subsidize their merchant marine, it is essential that we should give a subsidy very much larger than that of these other countries, because of the initial cost of the ships and the additional cost of operation.

In the next place, the ships can accomplish little unless they carry goods. It is proposed by this bill to stimulate trade with South America, and the Senator from New Hampshire paints a very attractive picture of the trade possibilities there, indicating very clearly that the per capita imports of those countries far exceed the per capita imports of oriental countries, and therefore it is of greater importance that we should stimulate trade with South American countries than trade with the Orient.

But of what does that trade consist? The exports from those countries are mainly natural products. The imports of those countries are mainly manufactured products. Those countries do not require natural products, agricultural products, such as we can export in competition with the entire world. But they do require manufactured products, in the production of which we can not compete with the rest of the world, and we confess this by declaring openly that it is essential to have in this country a protective tariff averaging 50 per cent of the value of imported manufactures in order to maintain our domestic industries. We confess that. It is not a matter of contention.

Now, then, if this contention be true, that the average cost of production of manufactured products in this country is nearly 50 per cent in excess of that of European products of a similar character, to which country will the South American peoples go for the manufactured products which they seek to import? Naturally to the country of the lowest cost of production, and those are the countries requiring South America's agricultural and natural products. So we have to meet this great natural demand of the South American countries for manufactured products, which can be secured cheapest in Europe, and of the European countries for agricultural products which can be secured as cheaply in South American countries as in the United States. So there is a natural current of trade between South American and European countries which we in our efforts to establish a merchant marine must stem and overcome.

Mr. President, it seems to me entirely logical to assume that we must either abandon this high protective system with a view to bringing our costs of production down to the world's level, so that we can compete with other countries in the export of manufactured products, or we must create subsidies of enormous proportions to meet not only the difference in the cost of building ships and of operating ships, but to meet the difference in the cost of production of the things which are to be exported to those countries.

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Mr. President, I was not unaware of the conditions to which the Senator from Georgia refers. There are doubtless many manufactured products of this country that are sold for less abroad than the price obtained at home and at prices that are competitive with the prices of foreign countries. I do not know how many industries would be included in such a practice—not very many, probably, but enough to demonstrate the fact that in addition to the subsidy we are creating by this bill, the subsidy of the ships that are to carry the goods, the American people are largely subsidizing American industries, and that in some cases that subsidy is so enormous as to enable those industries to dump their surplus abroad in competition with other countries.

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Mr. President, the Senator from Maine very truly says that the trade of these countries so near to us ought to be ours; and he presents a picture of a mutual exchange of products, which must mean that we send to those countries manufactured products in competition with European countries, whose production we claim costs much less than ours, and which must mean also that we received from them agricultural products when we are rich in agricultural products ourselves and do not require importation of such products. But I agree with the Senator from Maine that unless we embark upon this venture we will never know, and the question now is, How can we in a reasonable and sensible way embark upon the venture?

NEED OF AN AUXILIARY NAVY.

One of the arguments advanced for a subvention to a merchant marine is that it is necessary to create an auxiliary navy. What does an auxiliary navy mean? It means the ships, such as transports, colliers, dispatch boats, and scouts that are necessary to support the fighting ships in case of war, and without which, in time of war, our fighting ships would be derelict in the ocean.

We all understand that to-day we have a badly proportioned Navy, a navy like a man without a leg or without an arm, a navy like an army without a quartermaster's department or a commissary department. We realized that when our fleet sailed around the world, and in order to meet the demand of that fleet for coal we were compelled to call upon other countries to supply the colliers.

I called the attention of the Senate to this fact two or three years ago, and I remember that the Senator from Maine seized upon some expression I made and amplified it most eloquently. He declared that our Navy as it was and as it is would be in case of war as useless as "a painted ship upon a painted ocean." At that time the Senator from Maine supplemented me in my efforts to increase the auxiliary navy of the United States, to attempt at least to create a better proportioned navy, by bringing in his navy bill appropriations for three or four or five colliers. That method of appropriation was not pursued with the energy which I would have liked to have seen.

I believe it is better to have a well-proportioned navy than a badly proportioned navy, and I would rather have a well-proportioned navy, with every member belonging to a well-proportioned navy, than a navy of fighting ships larger in number but without the ability to sustain themselves in case of war. So I have urged that we should diminish the appropriations, temporarily at least, for the fighting ships and apply our energies to the construction of the ships that are to support the fighting ships in the emergency that the fighting ships are called upon to meet, that of actual war.

Now, Mr. President, the question is, What can be done with these auxiliary ships, built as a part of the Navy in time of peace? Let me suggest that we require a naval reserve. We need men who, at any time in case of war, as trained men, can enter into the service of the fighting ships. Such a naval reserve can be largely made up of boys and young men, such young men as are now being trained at the naval training schools of the country. A floating training school is just as good as one upon land, and better. It costs no more. The housing for a naval reserve upon sea costs no more than the housing upon land, and upon the sea the young men are learning to solve every day the problems which relate to their vocation. Why should we not have floating training schools, and why should not we build as a part of our Navy these transports, colliers, dispatch boats, and scouts; and why should not they be used for that useful purpose? In addition to that, could we not in times of peace let out to commercial or shipping companies these ships, largely manned by the Naval Reserves and officered—in part, at least—by United States naval officers for purposes of commerce, to open up new and untried markets, such as those in South America now in contemplation?

The estimate which I had some time ago with reference to the cost of such ships was a million dollars, I believe, for each ship of about six or seven thousand tons, such ships as the excellent ships that used to sail from San Francisco to Australia, sailing, I believe, at the rate of about 16 knots an hour. Why should not these ships be used in opening up these new routes of travel, and then we will have reached what the Senator from Maine desires to reach, an ascertainment of what can be done by an actual experiment?

SUBSIDIES UNDESIRABLE.

I do not like to open up the road to subventions, to subsidies. The whole country is now in revolt against legislation intended to advance special interests. The whole tendency of the country now is the other way, to divorce legislation from business and to do away with the temptation to these great interests to participate in elections and to influence legislation or administration. I would not see the area of the activities of these interests enlarged by inviting this great shipping interest in as a factor in politics, in legislation, and in administration. But I can see no objection to the creation of a well-proportioned navy, one that will be of real and actual service in case of war, and I can see no objection to dealing with that auxiliary navy in a businesslike way, making its primary purpose during time of peace the training of the Naval Reserve, and making its secondary purpose some recompense for cost of construction and operation by leasing them for opening up these new routes of commerce, and at the same time demonstrating whether it is possible for us with the alleged high cost of production in this country, sustained by a protective tariff system, to engage in competition with other countries having lower costs of production in the open, neutral, and untried markets of the world.

February 2, 1911.

The Senate, as in Committee of the Whole, resuming consideration of the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"—

AMENDMENT PROVIDING FOR AN AUXILIARY NAVY.

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Mr. NEWLANDS. I will only say briefly, Mr. President, that we are now making an expenditure of about $125,000,000 annually for our Navy. In a period of 10 years we will have expended at that rate $1,250,000,000 for the construction and the maintenance of the Navy, and at the end of that time we will have, if we pursue the methods which have been pursued heretofore, as incomplete a Navy, as disproportionate a Navy as we have to-day, a Navy composed altogether of fighting ships without the auxiliary ships, such as transports, scouts, colliers, and dispatch boats, which are necessary to sustain the fighting ships in case of war.

NEED OF A WELL-PROPORTIONED NAVY.

I believe in a well-proportioned Navy, and I believe that we should apply a part, say $10,000,000 annually, of the $125,000,000 now an-

nually appropriated for the Navy upon the construction of useful auxiliary ships, which will support the fighting ships in case of war, and which can be let out in times of peace to shipping companies for such purposes as are contemplated by this act. We would then have at the end of 10 years 100 ships such as are contemplated in this amendment, and we would have a well-proportioned Navy instead of a disproportioned Navy.

Mr. President, this bill may pass, and yet it will not be productive of the results desired by the Senator from New Hampshire [Mr. GALLINGER]. Through our protective system the cost of construction and the cost of operation in this country has been so raised that it is impossible for us to construct ships in this country without expending at least 50 per cent more than is expended by other nations, and it is impossible to operate them without expending at least 50 per cent more. So, in order to support a merchant marine in competition with the merchant marine of other countries upon the high seas we not only have to equal the subsidies which those nations now give, but we have to largely increase them. And even if this bill passes I can see from the utterances of the Senator from New Hampshire that he has but little hope of any substantial result.

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Mr. President, assuming that $4,000,000 annually will be paid out by the National Government in these mail subsidies, we will have the sum of $40,000,000 expended within 10 years. During that time, if I have understood the Senator from New Hampshire aright, he does not expect more than 30 ships to be constructed under this subsidy, so that we will have a total subsidy of about $40,000,000 to private companies to aid them in the construction of about 30 ships.

The amendment which I have offered proposes that only $30,000,000 shall be expended for 30 ships of 6,500 tons capacity, such ships as *those plying* some time ago between the port of San Francisco and Australia, ships which amply met the conditions of commerce and the requirements of trade.

UTILIZING SHIPS IN TIME OF PEACE.

Of course we will have the operation of these ships, and how will we utilize them? We can utilize them, in part, as training ships for our Naval Reserve, for the men who are ultimately to man our fighting ships. A floating training ship does not cost any more than a training school on land. Viewed just in that light, the ship is simply a floating boarding house or a floating hotel; and as we intend to have a Naval Reserve and go to a considerable expense for a Naval Reserve, why should we not have that reserve at sea as well as on land, where its maintenance costs no more and where that Naval Reserve is learning day by day the duties of its vocation? Then I can imagine that a commission organized as this is, consisting of the Secretary of War, the Postmaster General, and the Secretary of the Navy, could easily arrange in times of peace that these ships could be used under lease in opening up new routes of commerce, and that thus the object of subsidizing a merchant marine would be accomplished.

The ships would open up these new routes of commerce, and as they became profitable, then perhaps private shipping companies would undertake the entire field. Meanwhile the ships would serve the useful purpose of being at hand at any time in case of war and of serving during any other time as training schools for our Naval Reserves.

Man these ships even when they are employed in the merchant marine, in part, by the Naval Reserve, and to that extent you reduce the operating cost to the private shipping company. So the operation of a line of ships impossible now would become possible by reason of the Government paying a part of the operation of the vessel itself.

But what have we without this? We have a badly proportioned Navy composed of fighting ships derelict in the ocean in time of war, utterly unable to fight without the supporting ships, at a cost of $1,250,000,000 during the next 10 years. Is it not better to take during the next 10 years at least $100,000,000, less than 10 per cent of this total sum, and apply it to making a well-proportioned Navy that can meet the exigencies of war?

Mr. President, I have no hope that this amendment can be adopted at this time, though I have very gratifying evidence of a growth of sentiment on this floor in favor of this measure. The first ally we had in it was the Senator from Maine, the chairman of the Committee on Naval Affairs, who some years ago as the result of this agitation largely increased the colliers of the Navy and assured us of a still further increase. The Navy has already been compelled to build some colliers. The bill to which I refer brought in three or four. It is no new thing. The Navy is not to-day relying upon privately owned ships for the carrying of its coal.

This has no more suggestion of paternalism than the appropriations already made. It is simply an attempt to measure up to the requirements of the situation, and, when it is impossible to get such ships from a merchant marine as it exists to-day and will be impossible even under this bill, to secure the ships without which our Navy will be as incapable in time of war as an Army would be without a quartermaster's department or without a commissary department.

August 3, 1914.

AUXILIARY NAVY AND NAVAL RESERVE.

The Senate having under consideration the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America—

Mr. NEWLANDS. Mr. President, * * * I wish to say, Mr. President, in this connection that for many years I have been urging, in the form of resolutions and amendments to pending legislation and bills, the creation of an auxiliary navy, composed of transports, colliers, scouts, and other ships, which would aid the fighting ships in case of war and would be useful in time of peace in opening up new routes of commerce and as training schools for our merchant marine. This bill is not so ambitious as the project contemplated by the resolutions and amendments which I have offered from time to time, but I regard it as a step in that direction. It is a utilization by the Navy of certain ships now in the Navy for the purpose of opening up commercial routes and mail routes, new routes of transportation through which American commerce can be developed.

We all know that the great difficulty in establishing a merchant marine in the United States is, first, the initial cost of the ships, which, under our protective system, is much larger than that in other countries; and, second, the cost of operation, because of the more liberal wages which we pay. But it is perfectly apparent that, so far as our Navy is concerned, it is a badly proportioned Navy, composed almost entirely of fighting ships and lacking the auxiliary ships necessary to support the fighting ships in case of war, and without the ability upon the part of the United States in case of war to call in the ships of its merchant marine, because, practically, we have no merchant marine.

I look upon this legislation, therefore, as a step in the direction of a larger policy, which will result in the construction by the United States of commercial ships, transports, colliers, ships that can be used for scouts, and so forth, in time of war and their utilization in time of peace; and I expect that in the progress of events the opening up of these commercial routes through our Navy will gradually lead to the establishment of a substantial merchant marine belonging to the United States.

I am warmly for this measure, and hope that no objection will be interposed against its present consideration.

I should like also to insert in my remarks the resolutions that I have offered and amendments that I have proposed on this subject during previous years, with extracts from previous remarks concerning them.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

RECORD OF MR. NEWLANDS'S WORK FOR AN AUXILIARY NAVY.

Motion made by Mr. NEWLANDS, Fifty-ninth Congress, first session, February 14, 1906:

"That S. 529 be recommitted to the Committee on Commerce, with instructions to report in connection therewith an estimate of the cost of the vessels required for service in the ocean mail lines provided for in section 6, and as to whether it is practicable for the United States Government to construct such ships as a part of the Navy, supplementary to the war ships, to be used as colliers, transports, scouts, etc., in the emergency of war, and as to whether it is practicable to lease such ships to private corporations in times of peace for the service of the mail lines contemplated in section 6, and as to whether it is practicable to organize a naval reserve to be enlisted in the United States in the service of such ships whose wages shall be paid three-fourths by the private corporations leasing such ships, and one-fourth by the United States Government; such naval reserves to be composed of citizens of the United States, or those who have declared their intention to become such—and to be subject to the training of naval officers in order to fit them to respond to the call of the Government in case of war, and the rentals received from such ships to form a fund for the gradual enlargement of the number of supplementary ships required by the Navy in case of war, as colliers, transports, scouts, etc., and generally to report the comparative cost of such method of enlarging our merchant marine as compared with the method of subvention provided by section 6."

Amendment to the ship subsidy bill, Sixtieth Congress, first session, offered by Mr. NEWLANDS on March 20, 1908:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission to be known as the Foreign Commerce Commission, and that they are hereby authorized to provide for the construction, either in the private shipyards of the country or in the shipyards of the Navy, or both, of 27 vessels, not exceeding 6,500 tons capacity each, and costing in the aggregate not exceeding $27,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce between United States ports and the ports of South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them so manned in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and for the incorporation of such shipping companies under national law, and for reports on their operations."

Amendment offered by Mr. NEWLANDS to the ship-subsidy bill, Sixtieth Congress, first session, April 27, 1908:

"For an auxiliary Navy consisting of transports, colliers, scouts, dispatch boats, and other vessels necessary in aid of the fighting ships in case of war, $20,000,000; and the Secretary of the Navy, the Secretary of Commerce and Labor, and the Postmaster General are hereby constituted a commission to recommend to Congress a plan for utilizing such ships in times of peace."

Amendment offered by Mr. NEWLANDS to the naval appropriation bill, Sixtieth Congress, second session, February 15, 1909:

"Strike out the clause relating to battleships, page 68, lines 14 to 21, inclusive, and insert: 'That for the purpose of increasing the efficiency of the Naval Establishment of the United States the President is authorized to have constructed such auxiliary ships, including transports, colliers, dispatch boats, cruisers, and scouts, as will be necessary in case of war to support the fighting ships, at a total cost not to exceed $12,000,000; and that the President make such recommendations to Congress as to him seem advisable regarding the manning of vessels belonging to such auxiliary Navy, in whole or in part, by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies for the purpose of promoting foreign trade and commerce.'"

In the Sixty-first Congress, second session, on June 10, 1910, Mr. NEWLANDS introduced S. 3721, to authorize the construction of auxiliary ships for the Navy:

"A bill (S. 3721) providing for the construction of auxiliary ships of the Navy and for their use in times of peace in opening up new routes of commerce.

"*Be it enacted, etc.*, That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the foreign commerce commission, and that they are hereby authorized to provide for the construction, either in the private shipyards of the United States or in the shipyards of the Navy, or both, of 30 vessels, not exceeding 6.500 tons capacity each and costing in the aggregate not exceeding $30,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also in times of peace in opening up new routes of commerce between United States ports and the ports of South Africa, South America, New Zealand, Australia, and the Philippines; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies for the purpose of promoting foreign trade and commerce, and the incorporation of such shipping companies under national law, and reports of their operation."

In the Sixty-first Congress, third session, on February 2, 1911, Mr. NEWLANDS offered the following as an amendment to the ship-subsidy bill:

"That the Secretary of the Navy, the Postmaster General, and the Secretary of Commerce and Labor shall hereafter constitute a commission, to be known as the foreign commerce commission, and that they are

hereby authorized to provide for the construction, either in the private shipyards of the United States or in the shipyards of the Navy, or both, of 30 vessels, not exceeding 6,500 tons capacity each and costing in the aggregate not exceeding $30,000,000; that such vessels shall be so constructed as to be useful to the Navy as auxiliary vessels, such as transports, colliers, dispatch boats, cruisers, and scouts, and also useful in times of peace in opening up new routes of commerce; that such commission make to Congress such recommendations as to it seem advisable regarding the manning of such vessels in whole or in part by the Naval Reserve and the leasing of them, so manned, in times of peace to shipping companies, or otherwise utilizing them for the purpose of promoting foreign trade and commerce."

Extract from Senate resolution No. 41, Sixty-second Congress, first session, introduced by Mr. NEWLANDS, May 11, 1911:

"*Resolved*, That it is the sense of the Senate that during the extra session legislation should be enacted upon the following subjects:

* * * * * * *

"(7) Providing for the upbuilding of the American merchant marine by free entry to American registry of all ships, wherever constructed, and by the construction of auxiliary ships for our Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing new routes of commerce through lease to shipping companies; such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well-proportioned and self-sustaining Navy."

Extract from Senate resolution No. 159, offered by Mr. NEWLANDS, Sixty-second Congress, second session, December 7, 1911:

"*Resolved*, That it is the sense of the Senate that during the present session the appropriate committees shall consider and Congress enact legislation upon the following subjects:

* * * * * * *

"Twelfth. Providing for the construction of auxiliary ships for our Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing necessary service through the Panama Canal and new routes of commerce to foreign countries through lease to shipping companies; such legislation to involve the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the creation of a well-proportioned and efficient Navy."

Extract from Senate resolution No. 4, introduced Sixty-third Congress, special session of the Senate, by Mr. NEWLANDS, on March 13, 1913:

"6. *Resolved*, That the Committees on Military and Naval Affairs report at as early a date as possible during the extra session upon the following questions:

* * * * * * *

"(b) A plan for the construction of auxiliary ships for the Navy, to be used in time of war in aid of the fighting ships and in time of peace in establishing necessary service through the Panama Canal and new routes of commerce to foreign countries through lease to shipping companies; such legislation involving the temporary diminution of the construction of fighting ships and the substitution of auxiliary ships, with a view to the organization of a well-proportioned and efficient Navy."

August 8, 1914.

The Senate having under consideration the bill (H. R. 18202) to provide for the admission of foreign-built ships to American registry for the foreign trade—

Mr. NEWLANDS. Mr. President, I desire to offer again the amendment with reference to an auxiliary navy, striking out that provision which provides for the expenditure of the $30,000,000 in installments running over five years, and providing that the sum of $30,000,000 shall be available immediately for use in this emergency. I should like to have the amendment as changed read, and also a letter from the Secretary of the Navy on this subject.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. It is proposed to insert the following:

"That the Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, submarine and destroyer tenders, supply ships, cruisers, and scouts, or for use on such commercial or Navy mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish: *Provided*, That the cost in the aggregate of the aforementioned vessels shall not exceed $30,000,000: *Provided further*, That the sum of $30,000,000 is hereby appropriated, out of any money in the Treasury not otherwise obligated, to carry into effect the provisions of this act."

Mr. NEWLANDS. I ask for the reading of the letter of the Secretary of the Navy.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter. * * *

The Secretary read the letter, as follows:

"NAVY DEPARTMENT,
"*Washington, August 7, 1914.*

"Hon. FRANCIS G. NEWLANDS,
"*United States Senate, Washington, D. C.*

"MY DEAR SENATOR: I have given careful consideration to your letter of this date, inviting a suggestion in form of an amendment to the Panama Canal act covering the ground which you have heretofore embraced in a proposed legislative program.

"It appears that a slight change in the wording of the bill (S. 3721) introduced by you December 10, 1909, and somewhat modified so that the vessels mentioned therein may be utilized in case the Weeks bill, establishing one or more Navy mail lines, becomes law, would fit conditions and supply the needs of the Navy.

"The suggested amendment to the Panama Canal act is attached hereto. You will note that the number of vessels to be purchased or contracted for is limited to 6 a year, which would require five years to obtain the total of 30. This provision would enable the department to replace old naval vessels as they become worn out in the service of the mail, passenger, and freight lines which the Weeks bill proposes to establish.

"I am informed that the Naval Committee of the House will consider the Weeks bill on Tuesday next.

"Assuring you of my appreciation of the interest you have taken and are now taking in this important matter, I am,

"Very sincerely, yours,

"JOSEPHUS DANIELS."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nevada.

Mr. NEWLANDS. Mr. President, I will state with reference to this communication that I have since had a conversation over the telephone with the Secretary of the Navy, and he agrees with me that the emergency is such as to make it advisable that this entire $30,000,000 should be put immediately at the disposal of the Navy Department with a view to meeting the demands for ships for transportation, so I have amended the amendment which I previously offered to that effect. The Senate is doubtless aware that the Weeks bill passed a few days ago provided for mail lines to be conducted by the Navy Department and put at the command of the Navy Department for that purpose a number of ships that are now in the Navy. This is simply an enlargement of that auxiliary navy which is to be used temporarily in times of peace for commercial purposes.

I think it is of the highest importance that there should be some legislation upon this subject at this time. All the measures with reference to coaxing foreign vessels into American registry by taking away the restrictions of our registry laws may fail or be inadequate.

Mr. O'GORMAN. Mr. President, with great reluctance but only owing to the stress of circumstances do I resort to a point of order regarding the proposed amendment that it involves an appropriation and can not be considered as a part of this bill. It was not estimated for by the department.

Mr. NEWLANDS. I do not understand——

The VICE PRESIDENT. The Chair overrules the point of order. The amendment is germane and it is in order.

Mr. GALLINGER. This is not an appropriation bill.

Mr. BRANDEGEE. May I ask the Senator from Nevada a question?

Mr. NEWLANDS. I will yield to the Senator from Connecticut in a moment.

If the amendment is adopted now this bill will be considered in the House in connection with the Weeks bill, which is before the Naval Affairs Committee of that body and which comes up for consideration next Tuesday. It seems to me that here is an opportunity to meet an emergency such as we met during Mr. McKinley's administration, when we unreservedly put into his hands $50,000,000 to meet the exigencies of the situation growing out of the impending war with Cuba. This is a situation much more serious than that in that it possibly means the prostration of over-sea carriage. Congress is about to adjourn, and unless the restrictions upon transportation imposed by belligerency are removed we may have a most serious condition in the business and commerce of this country. It seems to me that a large fund should be put in the control of the administration with as large a discretion as possible to meet this great emergency.

Mr. GALLINGER. Can the Senator tell us approximately when Congress is to adjourn?

Mr. BRANDEGEE. That is beyond my imagination.

The Senator has used a phrase in explanation of his amendment which I should like to have him explain. If I understood him correctly, he said that these boats are for temporary use. What does the Senator mean by that?

Mr. NEWLANDS. I mean so far as they are to be used for commercial purposes.

Mr. BRANDEGEE. And then what?

Mr. NEWLANDS. The use is a temporary one, for we hope this war will be a temporary war; that it will not last over a long period; and that it will not prostrate our foreign commerce. And as Congress is at present expected to meet that emergency, in that sense it is temporary; but in the larger sense this appropriation is not temporary.

Mr. BRANDEGEE. Then what?

A PERMANENT AUXILIARY NAVY.

Mr. NEWLANDS. It creates a permanent auxiliary navy. It supplies ships to the Navy that the Navy needs. It supplies colliers, transports, scouts, dispatch boats, and other vessels without which our fighting ships will be derelict in the ocean and absolutely helpless in case of war. We have no merchant marine upon which we can call for transports and colliers and scouts. We have fighting ships without the supporting ships. We are practically an army without a commissary.

These ships are absolutely necessary, as was demonstrated in the trip of our naval squadron around the world, when we were subjected to the humiliation of calling upon foreign nations to supply us with the ships that were necessary to supply and support that great squadron. We were unable to furnish them ourselves. Here is an opportunity to make our Navy a well-proportioned, well-equipped Navy, composed not simply of fighting ships, as at present is substantially the case, but also of the supporting ships, such as transports, colliers, dispatch boats, and scouts, necessary to support the fighting ships, and at the same time to provide 30 vessels of about 10,000 tons capacity, which can supply the place of these ships that are now driven out of commerce by the extraordinary war in which the principal carrier and maritime nations of the world are involved.

Mr. President, of course it is always possible to buy 30 vessels for a million dollars apiece if you have the money. A year ago I introduced a resolution, which was referred to the Committee on Naval Affairs, calling for information as to the proportion and balance of the Navy and as to its efficiency in that respect. I have heard nothing more from it, and I did not expect to, but if the Navy is unbalanced and disproportioned and is too heavy in the battleship line and there are not sufficient accessories, that is the business of the Navy Department and the Committee on Naval Affairs. It is a legitimate consideration for the naval appropriation bill. I have always favored a most liberal appropriation for that. I think our Navy needs quite as much a rearrangement and reapportionment, in view of making it effective as a whole, as it does in new units. I agree with the Senator from Nevada about that, though I am not expert in that line of business, and that is the reason why I called for information from the department, but did not get it.

Mr. President, I am one of those who think it is wise not to lose one's head or be stampeded by shrill sounds of voices against emergencies. There may be an emergency in the transportation business by sea by which we market our products abroad and there may not. There may have been one for four or five days now and it may be entirely relieved within a week.

Before I would lightly take out $30,000,000 from the Treasury of the United States and cast it into this project I would be inclined to wait a week, and I do not think Congress is going to leave before that time, and see if the control of the sea is obtained by a power which can protect its ocean-borne commerce so that no emergency develops at all.

I do not advocate this amendment at this time. My own judgment is that it was quite a sufficient experiment when we passed the Weeks bill, if that was the bill which provided for the Government to go into

commercial business in connection with the mail and use its naval vessels for those purposes.

Mr. President, if the Government of the United States is going into the commercial business with foreign nations, all the talk about a merchant marine as we have heretofore known it and meant it is the merest idle talk. Nobody will ever build a vessel to compete with the United States Government in the commercial business. If the Government engages in that line of business, to act as a commercial prospector for good, profitable lines of commerce with foreign nations, and then as soon as an American intimates his willingness to occupy the field the Government is going to withdraw from it, that is an exceedingly curious line of governmental activity, it seems to me.

Of course, I do not think it is necessary to speak at length on this amendment. I have no idea it will be adopted upon the bill at this time. I simply did not want to get stampeded myself and I did not want anybody else to.

Mr. STONE. May I ask the Senator from Nevada a question? The amendment proposed by the Senator, I understand, appropriates $30,000,000 to be expended how?

Mr. NEWLANDS. For supporting ships to the fighting ships in our Navy.

Mr. STONE. In one year or a series of years?

Mr. NEWLANDS. The money will be available immediately to be used in the discretion of the Government.

SENATOR STONE SUPPORTS THE MEASURE.

Mr. STONE. It is estimated that $30,000,000 will be sufficient to purchase 30 good, seaworthy ships of considerable tonnage.

I have felt, Mr. President, that there was at least a great deal of merit in the suggestion. I have not the profoundest faith that the bill now before the Senate which we are presumably about to vote upon will accomplish any adequate relief to the congested commercial condition which it is said exists. How great that congestion is, or how it may be augmented in the immediate future, is necessarily more or less a subject of conjecture.

But I doubt very much, Mr. President, whether any great number of ships will be offered to American citizens, and still more doubt whether American citizens would be willing to invest their capital in foreign ships, especially ships now owned by citizens or subject of belligerent countries, under the provisions of the bill. Of course, I hope that enough will be offered and enough purchased to relieve the exigency of the hour; but if that should not occur, as I fear it will not occur, then the difficulties confronting us remain. A citizen of the United States may not be willing to invest his money in foreign-built ships and foreign-owned ships under the provisions of the pending bill, but the Government of the United States might be willing to invest its money in the purchase of commercial ships. Far more is it probable that the Government would obtain 30 ships under this appropriation than that half that number will be bought by American citizens and put into over-seas traffic under the provisions of this measure.

Mr. President, suppose the Government does purchase these ships, will it have made a mistake? Has the public suffered or benefited by the purchase? If the Government does in a comparatively short time during the continuance of the stupendous struggle now being waged throughout Europe purchase 30 commercial ships for naval use, to be made a part of the naval force of this country, the ships could be utilized at once in carrying passengers and freights from any part of the United States to any foreign port in the world.

There would be certainly less objection to the utilization of commercial ships owned by the Government as an auxiliary to the armored Navy of the Government than to employ warships themselves in commercial uses; and afterwards, when the wars raging in Europe are at an end, the Government would still own these ships. Is it a bad thing for the Government to be in the ownership and possession of an auxiliary navy of that kind? It is always at our command to meet any kind of an emergency, not only such an emergency as confronts us now, but such as might confront us in the future, more directly and intimately concerning the welfare and the very life of the Republic itself.

I am not opposed to an auxiliary navy of this kind at any time; and it seems to me that there was never a time in our history when we had greater need of it than now. I will not say "never a time in our history," for there have been other times. There was in the War with Spain a time when we needed vessels of this character so badly that a large appropriation was made to hire them for our use. Occasions of that kind may arise at any time, and the occasion may be far more pregnant of peril to us than the one which confronted us during the War with Spain.

So far as I am concerned, Mr. President, I am disposed to support this amendment by my vote.

* * * * * * *

Mr. NEWLANDS. Mr. President, I introduce a bill providing for an auxiliary navy, embracing the provisions of the amendment which I have already offered to the pending bill. I ask that the bill may be inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. O'GORMAN. What is the request?

The VICE PRESIDENT. The Senator from Nevada asks permission, out of order, to introduce a bill providing for an auxiliary navy, and to have it printed in the RECORD. Is there any objection? The Chair hears none, and it is so ordered.

The bill (S. 6246) providing for the purchase or construction of auxiliary ships for the Navy and for their use on commercial or Navy mail lines authorized by law was read the first time by its title, the second time at length, and referred to the Committee on Naval Affairs, as follows:

"A bill (S. 6246) providing for the purchase or construction of auxiliary ships for the Navy and for their use on commercial or Navy mail lines authorized by law.

"*Be it enacted, etc.*, That the Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, submarine and destroyer tenders, supply ships, cruisers, and scouts, or for use on such commercial or Navy mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish: *Provided*, That the cost in the aggregate of the aforementioned vessels shall not exceed $30,000,000.

"SEC. 2. That the sum of $30,000,000 is hereby appropriated, out of any money in the Treasury not otherwise obligated, to carry into effect the provisions of this act."

August 11, 1914.

The Senate resuming the consideration of H. R. 18202—

Mr. NEWLANDS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Nevada will be stated.

The Secretary. It is proposed to insert as a new section the following:

"SEC. 6. The Secretary of the Navy is hereby authorized to purchase or to provide for the construction, either in the private shipyards of the United States or in the navy yards, or both, of 30 vessels suitable for use by the Navy either as auxiliary vessels, such as transports, fuel ships, dispatch boats, ammunition vessels, hospital ships, supply ships, and scouts, or for use on such commercial or mail lines as the Secretary of the Navy may now or hereafter be authorized by law to establish, not to cost in the aggregate to exceed $30,000,000; and the sum of $30,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this section."

* * * * * * *

Mr. NEWLANDS. Mr. President, I am aware that many Senators who are disposed to support this proposal as proper legislation are disinclined to do so as an amendment upon this bill, and I wish to say in that connection that this is probably the only opportunity that we shall have to write this measure into the statute books.

The Senate will recall that it has already passed a bill, called the Weeks bill, which provides for the utilization in commerce of certain ships belonging to the Navy, not only in commerce in South American ports but with European ports. We have the statement of the Secretary of the Navy that there are some 20 ships belonging to the Navy that can be thus utilized. This is simply supplemental to the legislation which the Senate has already enacted and which is now under consideration by the Naval Committee of the other House. It simply recognizes the fact that our fighting ships will not have in case of war the support of supply ships, and that our fighting ships would be useless in the ocean in case of war without the aid of supply ships. It proposes, therefore, as a matter of national defense, to start upon the program of adding to our Navy those auxiliary ships that are absolutely essential for the support of the fighting ships in case of war, meanwhile utilizing them during times of peace for commercial purposes.

* * * * * * *

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

* * * * * * *

The roll call having been concluded, the result was announced—yeas 20, nays 30, as follows:

YEAS—20.

Ashurst	Clarke, Ark.	Jones	Overman
Borah	Colt	Lane	Pittman
Brady	Culberson	Lewis	Poindexter
Bristow	Cummins	Martine, N. J.	Thompson
Clapp	Gronna	Newlands	Tillman

NAYS—30.

Brandegee	Lee, Md.	Saulsbury	Swanson
Bryan	McCumber	Shafroth	Thomas
Chamberlain	Nelson	Sheppard	Thornton
Gallinger	O'Gorman	Shively	Vardaman
Hughes	Page	Simmons	West
James	Perkins	Smith, Ga.	White
Johnson	Pomerene	Smoot	
Kern	Ransdell	Sterling	

NOT VOTING—46.

Bankhead	Goff	Norris	Smith, S. C.
Burleigh	Gore	Oliver	Stephenson
Burton	Hitchcock	Owen	Stone
Camden	Hollis	Penrose	Sutherland
Catron	Kenyon	Reed	Townsend
Chilton	La Follette	Robinson	Walsh
Clark, Wyo.	Lea, Tenn.	Root	Warren
Crawford	Lippitt	Sherman	Weeks
Dillingham	Lodge	Shields	Williams
du Pont	McLean	Smith, Ariz.	Works
Fall	Martin, Va.	Smith, Md.	
Fletcher	Myers	Smith, Mich.	

So Mr. NEWLANDS's amendment was rejected.

Mr. NORRIS. I desire to submit a request for unanimous consent. I gave notice the last time we had a morning hour, as provided by the rules, that I would offer an amendment to the rules. To-day during the morning hour we did not reach that part of the morning program prior to 2 o'clock, when the unfinished business was in order. I ask unanimous consent that the rule which I have proposed be printed and referred to the Committee on Rules. I understand the committee will meet in the morning, and that is the reason why I make the request now. (S. Res. 540.)

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DILLINGHAM. Mr. President, I think it was a week ago to-day that the junior Senator from Missouri [Mr. REED] in speaking on the pending question made a most elaborate, carefully prepared, and eloquent address upon the subject of alien immigration. My purpose in what I have to say to-day is to confine myself to that phase of the pending question.

The President in his message, sent to Congress January 28, refusing his approval of House bill 6060, "An act to regulate the immigration of aliens to and the residence of aliens in the United States," said:

The literacy test and the tests and restrictions which accompany it constitute an even more radical change in the policy of the Nation. Hitherto we have generously kept our doors open to all who were not unfitted by reason of disease or incapacity for self-support or such

personal records and antecedents as were likely to make them a menace to our peace and order or to the wholesome and essential relationships of life.

He then proceeds:

In this bill it is proposed to turn away from tests of character and of quality and impose tests which exclude and restrict, for the new tests here embodied are not tests of quality or of character or of personal fitness, but tests of opportunity. Those who come seeking opportunity are not to be admitted unless they have already had one of the chief of the opportunities they seek, the opportunity of education. The object of such provisions is restriction, not selection.

Then the President proceeds to say:

If the people of this country have made up their minds to limit the number of immigrants by arbitrary tests and so reverse the policy of all the generations of Americans that have gone before them, it is their right to do so. I am their servant and have no license to stand in their way. But I do not believe that they have. I respectfully submit that no one can quote their mandate to that effect. Has any political party ever avowed a policy of restriction in this fundamental matter, gone to the country on it, and been commissioned to control its legislation? Does this bill rest upon the conscious and universal assent and desire of the American people? I doubt it. It is because I doubt it that I make bold to dissent from it. I am willing to abide by the verdict, but not until it has been rendered. Let the platforms of parties speak out upon this policy and the people pronounce their wish. The matter is too fundamental to be settled otherwise.

I have no pride of opinion in this question. I am not foolish enough to profess to know the wishes and ideals of America better than the body of her chosen representatives know them. I only want instruction direct from those whose fortunes, with ours and all men's, are involved.

IS THE SYSTEM OF REPRESENTATIVE GOVERNMENT A FAILURE?

Mr. President, it has seemed to me from such examination of this subject as I have been able to make that the President is very much mistaken in the facts upon which he assumes to base his action; that he is mistaken in his conception of the laws of the United States bearing on this question; and that he is not fully informed regarding the policy which has been adopted by Congress upon this subject. In his message he also assumes a position which, to my mind, is absolutely new in the history of the Nation. It is new in its arrogation of executive power. It is, in fact, a denial of all the principles of a representative government in the United States to-day.

Senators will remember that this same bill was introduced into this body in the Sixty-second Congress, that it was fully debated, received the fullest consideration, and passed the Senate by a vote of 56 to 9. It was then adopted in the House by a vote of 178 to 52, and was sent to the President for his approval. Instead of meeting the approval of President Taft the bill was returned to the House in which it originated, accompanied by a message in which he based his action upon reasons which were urged in a letter written to him by the Secretary of Commerce and Labor, Mr. Nagel.

Upon the question whether the measure should become a law notwithstanding the objections of the President the Senate answered in the affirmative by more than the necessary two-thirds majority, and in the House it only failed to receive the requisite two-thirds majority by perhaps four or five votes, showing that the sentiment of that Congress was overwhelmingly in favor of the principles embodied in this measure.

The same bill, with hardly a change in its phraseology, was introduced into the present Congress, passed the House by a vote of 252 to 156, and, after three weeks' debate in the Senate of the United States, passed this body by a vote of 50 yeas to 7 nays.

This bill, having been thus indorsed by two separate Congresses each coming fresh from the people, has now met with the disapproval of President Wilson, and for the reasons given in his message, from which I have already quoted.

It seems to me, Mr. President, a strange thing that the President of the United States should thus utterly ignore the existence of the representative principle in government and say, in substance, that the House of Representatives is incapable of dealing with this question as a policy, or that it is incapable of representing the opinion of the people of the United States, from whom its Members received their election. By his action he has said substantially that Senators now composing this body are incapable of interpreting the public sentiment, the thought, the judgment, the conviction of the people of their respective States, and in order to be convinced that the people are really behind this measure he demands that action by some political party be taken in favor of the policy of restriction, and that the question shall in that way be brought directly to the attention of the people and their verdict solicited. Let me read what he says:

It is because I doubt it—

That is, that the people approve this measure—

It is because I doubt it that I make bold to dissent from it. I am willing to abide by the verdict, but not until it has been rendered.

He says that he has a method of determining this question, and one only which will satisfy him. He says:

Let the platforms of parties speak out upon this policy and the people pronounce their wish.

He says further:

The matter is too fundamental to be settled otherwise.

Think of it, Mr. President! A matter of great national policy "too fundamental to be settled" by a House of Representatives, freshly chosen from the people every two years, and by the Senate of the United States, selected by the respective States to represent them in the legislative department of the Government.

POLITICAL PARTIES HAVE ALREADY SPOKEN.

The President seems to feel entirely justified in interposing a veto of this act upon the broad ground that he can only be convinced of what the people want when one or the other of the great parties of this Nation shall have incorporated the principle of restriction into its platform, and have gone to the country upon that issue. It is a remarkable attitude to be assumed by a man who is an historian. In reply, I need only to call attention to the fact that as early as 1896—I shall have occasion to refer to this matter later on in my remarks—the Democratic national convention adopted the following plank in its platform:

We hold that the most efficient way of protecting American labor is to prevent the importation of foreign pauper labor to compete with it in the home market.

The term "foreign pauper labor" must, of course, refer to the labor that comes from those nations of Europe where the wages are infinitesimal in character, where the laboring masses are largely lacking in the proper means of support, and where the standard of living conditions which exist in the United States is unknown.

It was, however, not only the Democratic Party which so long ago as that assumed this attitude, for the Republican Party in its national convention of 1896 proposed this very measure, this very scheme for reducing the flow of immigration to this country of the classes indicated. In its platform in that year it declares:

For the protection of the quality of our American citizenship and of the wages of our workingmen against the fatal competition of low-priced labor we demand that the immigration laws be throughly enforced and so extended—

Mark the words—

as to exclude from entrance to the United States those who can neither read nor write.

That was the declaration of the Republican Party in 1896, and it was the expression of a public sentiment in favor of restriction which then existed and which has been growing from that day until the present time.

DIFFERENCE IN CONDITIONS AT HOME AND ABROAD.

Why, Mr. President, the President of the United States seems to have wholly overlooked the development of public sentiment upon this question. He seems also to have overlooked the growth of a national policy, as expressed in various pieces of legislation, in which it has been sought to improve the quality and to restrict the flow of immigration to this country. He also utterly fails to recognize the difference in the conditions, industrial and legislative, existing prior to the year 1882 and since that time.

Up to 1882 we had received only about 9,000,000 immigrants, either before or after the Civil War. About 5,000,000 had come prior to that great conflict. During the busy years succeeding the Civil War, and down to 1882, we received that magnificent body of men, women, and children from northern and western Europe who, with those coming previously, have been so thoroughly assimilated and have so greatly helped to build up American institutions that their advent is counted as a national asset. We glory in the citizenship which they have developed.

The President, however, fails to understand, or perhaps fails to appreciate, the fact that since 1882 we have received not 9,000,000, which represented the immigration of all preceding years, but substantially 19,000,000 aliens, 11,000,000 of whom are of the new type, as we express it; a type differing from that which preceded it, one coming from eastern and southern Europe—Russia, Austria, Hungary, the Balkan States, southern Italy, and some nations farther east than those I have mentioned.

The President, when he spoke about the freedom of past immigration and of our generous spirit in receiving it, and in that part of his message where he refers to a denial of the generous spirit which has prevailed in the past, had in mind, I think, the immigration which came from Ireland between 1846 and 1854, during the period of the famine in that island, and that other body of immigrants which came from Germany at a later period, which in some part represented German revolutions and the dangers connected with citizenship in that country.

In the report of the Immigration Commission, volume 2, page 591, the commission, in discussing the steerage legislation, re-

ferred to this Irish immigration, and I beg leave to quote briefly from it:

The potato famine in Ireland occurred in the year 1847, and in consequence there was a great increase in emigration from that country, as well as from other parts of the United Kingdom. During the first six months of 1847 a total of 174,048 emigrants sailed from British ports to the United States and British colonies in North America. Of these, 101,767 were destined to the United States and 72,281 to the British colonies, chiefly, of course, to Canada. During the whole of the preceding year, 1846, the emigrants embarking at British ports for the United States and for British colonies in North America numbered, according to Hon. A. Dudley Mann, 82,289 and 43,439, respectively; a total of 125,728.

CONJUGAL RELATIONS.

This immigration to which the commission refers was peculiar in character and attractive in quality in this, that it came in families; that it came to remain permanently, to seek citizenship, and to improve the condition of those who composed it; in other words, that body of immigrants came here with the purpose to make the United States its home.

I find, in examining the records, that in nine years, from 1846 to 1854, we received from Ireland from 105,000 up to 221,000 annually, and that substantially 43 per cent of that entire number were females. The proportion of the unmarried was comparatively small, and the proportion of those who were married but failed to bring their wives with them was negligible.

In this connection, Mr. President, I ask leave to insert a table which gives the arrivals during each year and the percentage of females among them.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

The volume of Irish immigration from 1846 to 1854, inclusive, and the percentages of females received.

Year.	Number.	Per cent.
1846	51,752	42.5
1847	105,536	42.1
1848	112,924	41.1
1849	159,398	40.0
1850	164,004	37.8
1851	221,250	42.3
1852	159,548	43.3
1853	162,649	42.4
1854	108,606	41.1
Average	.....	43.3

Mr. DILLINGHAM. Mr. President, as the question of the relative number of males and females is one which must be noticed as we examine the history of immigration, in order to determine for ourselves the purpose with which the different classes of immigrants have come, I want also to make a comparison of the relative number of females in the immigration from the several countries which have been our contributors during the period 1899 to 1909, inclusive. During that period we received of the old immigration, those coming from Great Britain, Germany, the Scandinavian States, Belgium, and France, 2,273,782; but of the new immigration, coming from southern and eastern Europe, we received 5,930,252—a number twice greater than those of the old immigration, and among whom the proportion of females was vastly less. Let me give that proportion. Of the old immigration the proportion of females was 41.5 per cent of the whole, while of the new immigration it was only 27 per cent of the whole.

In connection with that I wish to introduce a table showing the relative number of males and females from each individual nation, constituting both the old immigration and the new, which I ask leave to insert in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

The immigration during the 11 years 1899–1909, inclusive.

Nationality.	Number.	Male.	Female.
		Per cent.	*Per cent.*
Old immigration	2,273,782	58.5	41.5
New immigration	5,930,252	73.0	27.0
Southern Italian	1,719,260	78.6	21.4
Hebrew	990,182	56.7	43.3
Polish	820,716	69.2	30.8
Slovak	345,111	70.3	29.7
Northern Italian	341,888	78.4	21.6
Magyar	310,049	72.7	27.3
Croatian and Slovenian	295,981	85.1	14.9
Lithuanian	152,544	71.1	28.9
Greek	177,827	95.4	4.6
Finnish	136,038	65.8	34.2
Ruthenian	119,468	74.0	26.0
Russian	66,280	84.6	15.4
German	682,995	59.4	40.6
Scandinavian	534,269	61.3	38.7
Irish	401,342	47.2	52.8
English	355,116	61.7	38.3

CONDITIONS WHICH INVITED OLD IMMIGRATION.

Mr. DILLINGHAM. It seems to me also, Mr. President, that in considering this matter the Chief Executive overlooks the wonderful development which occurred in this country during the period of the Germanic invasion. In some remarks submitted in the Senate when this bill was under consideration I called attention to the fact that between 1866 and 1882 we opened up a new agricultural area substantially as great as the whole area of Great Britain, of Switzerland, and of Greece combined. To resort to statistics and to state the matter accurately, let me say that during the 40 years succeeding the close of the Civil War the number of the farms operated in this country increased from 2,500,000 to 6,000,000.

During that same period there also came that great development in the railroad systems of the United States. We had passed a homestead law during the Civil War and opened our great Northwest to actual settlers and we had built the Pacific railroads. The result was that, with the confidence inspired by the restoration of the Union, capital was released and found investment in railroad construction and equipment to such an extent that during a period of 20 years succeeding the close of the Civil War no week day passed without witnessing the expenditure of a million dollars in such work.

It was the lure of the land, the attraction which the enterprises of America held out that invited this immigration from Germany, from Great Britain, and from the Scandinavian States, and they came with the full intention to become citizens of the United States, to take upon themselves the responsibilities of government as well as the privileges to be found under our institutions. They brought their wives, they brought their children, and they found permanent residences in the great new West. It was easy for them to acquire the English language. They came from the same racial stock which then constituted the population of the United States; acquaintances were soon formed; friendships followed; they very soon fitted into the social and political life of the Nation, and to-day their names are represented in this body and in the other body of this Congress in such large numbers that everyone can see just what an addition to the wealth of the Nation they constitute.

RELATIVE GROWTH OF OLD AND NEW IMMIGRATION.

It seems to me also that in the position which he has assumed the President has failed to contrast the conditions existing prior to 1882 and the conditions since that time in respect of the class and the quality of those who have sought our shores. Had he examined the records and studied them carefully he would have found that in a period of 62 years, extending from 1820 to 1882, 96 per cent of the entire body of immigrants admitted to the United States came from northern and western Europe, and that they constitute what the Immigration Commission has termed the "old immigration," to distinguish it from that new type of immigration which has been coming in such large bodies since that time.

Let me contrast that immigration coming from northern and western Europe during that period of 62 years, numbering 9,578,000—an immigration which, as I have said, was made up so largely of families and which came with the purpose to make homes in this country, to better their condition, and to cast their lot with us in every respect—let me contrast that, if you please, with the immigration which has followed in the last 33 years, a period only half as long as the other, during which time we have received 19,526,163 immigrants. Of this vast number only 7,566,000, or 38 per cent, came from the nations of northern and western Europe, while 11,960,000, or 61.2 per cent of the whole, came from Russia, Austria-Hungary, the Balkan States, Italy, and some of the smaller nations or principalities of southern and eastern Europe.

CONDITIONS WHICH INVITED THE NEW IMMIGRATION.

Have the latter class come with the purpose of making the United States their residence? Have they come with the purpose to assume the responsibilities of government, as well as to enjoy its advantages? Have they brought their wives? Have they brought their children? Are they actuated by a desire to enter into our life and to find their development under American institutions? In other words, have they sought the soil, or are they the denizens of the cities, belonging to a floating population, unrecognized by the permanent population except as so many labor units? Some have; some have not. Let us see about it.

I have already spoken of the large number of the old immigration that sought the soil and opened up farms. What about the new? If you will examine the census of 1910 you will find that during a period of 30 years, extending from 1880 to 1909, inclusive, we received of the new immigration from Austria-

Hungary 2,850,222 immigrants; from Italy, 2,801,976; and from Russia, 2,134,100; making a total of 7,786,218.

Where have they gone? What has been their occupation? The census enumerators tell us that in the year 1909 they found only nine-tenths of 1 per cent of these nationalities operating farms in the United States, either as owners or as tenants. Think of it! After 30 years' inflow of these nationalities less than 1 per cent of the men could be found operating farms in the United States. It indicates but one thing, that these millions have gone to the great centers of population; that they came here as common laborers, to take advantage of our superior conditions, to live low, hoard their savings, and eventually, in large numbers, to return to the countries from whence they came. They came here because of the phenomenal growth in the manufactures and in the mining industries of the United States.

Prior to 1860 manufactures had not flourished in the United States. The value of the output of our mills for that year was only about $2,000,000,000; but through the confidence inspired by the result of the Civil War and by a belief in the legislative policies adopted by the American Congress, manufactures were encouraged, and in 1870 our output was equal to that of France. At the end of another 10 years it was equal to that of Great Britain or of Germany. In another 10 years, in 1890, the products of our mills were equal to those of Great Britain and France combined, and in 1900 they amounted to more than the combined manufactured products of Great Britain, Germany, and France. Since that time, in the last 10 years, the increase in the manufactured products of the United States alone has been more than seven thousand millions of dollars, while between 1880 and 1909, a period of 29 years, the products of our mines and quarries advanced from $252,000,000 to $1,238,000,000 annually.

It is unnecessary that I should go further into statistics. This growth in manufactures and mining has been phenomenal—something that the world has never witnessed in any other nation. As early as 1870 it was known that labor was demanded in these industries, and this new immigration began to flow into the United States to supply the demand. It naturally went to the seats of the industries. Since that time every succeeding influx of immigrants has followed that of the same nationality which came before; and you may lay it down as a rule, I think, they will continue to do so. They come to a large extent in consequence of letters which they have received from their friends in this country. That has been observed among all nationalities, and it has continued from year to year, until you can demonstrate the fact that wherever the first from a country or from a portion of a country settled others from that same section have also settled in the succeeding years.

To illustrate what I am saying and as a proof of the fact, let me say that 80 per cent of all the immigrants admitted in the year when a record was kept had in their possession when they landed railroad tickets from New York to the point of their destination, which had been sent to them from the United States, presumably by their friends, with whom they had been in correspondence. That explains why one generation follows another of the same nationality in seeking homes in this country. Substantially 94 per cent of all who were admitted during a given year gave as a reason for coming that they were to join friends or relatives. That is an additional circumstance indicating that the proposition I have made is correct.

MOVEMENT OF THE NEW IMMIGRATION IN THE UNITED STATES.

Where has this large immigration come from, and where has it gone? I have indicated in a general manner that it has gone to the cities, and that is true. I have in my hand a table showing the countries from which immigrants came for the fiscal year 1913, ending on June 30, from which I find that the whole immigration of that year amounted to 1,197,892. Of that vast number 899,308 were of the new immigration. Only 263,226 represented the old immigration, and only 35,358 represented that coming from the Asiatic countries. Of this immigration only 13,469 out of 1,197,000 were professional men, and only 160,108 out of that entire body were skilled laborers. All of the rest, 1,024,315, were either unskilled laborers or without occupation. That represents, of course, women and children.

Where did the immigration of 1913 go? I have chosen this particular year as indicative of others. I will speak of the immigration movement as a whole later on. Of the 1,197,000 immigrants of 1913, 168,952 went to the New England States; 574,633 went to the Middle Atlantic States, New York, Pennsylvania, and New Jersey; 265,355 went to the east North Central States, Michigan, Ohio, Indiana, Illinois, and Wisconsin. So, it appears that 1,008,940 out of the entire number went to the States east of the Mississippi River, north of the Ohio, and north of Maryland. Almost the entire body, you may say more than 75 per cent of the whole, went to an area that constitutes only about 13½ per cent of the area of continental United States. That is the area in which, in round numbers, 75 if not 80 per cent of all the wages earned in manufactures in the United States are paid. It represents the district in which from 75 to 80 per cent of the manufactured products of the United States are produced; and it is to that area, east of the Mississippi and north of the Ohio, that the great bulk of this new immigration has gone.

Mr. President, I have full tables upon this subject, which I ask leave to insert.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Countries from which immigrants came for year of 1913, ending on June 30.

NEW IMMIGRATION.

Austria	137,245
Hungary	117,580
Bulgaria, Servia, and Montenegro	1,753
Greece	22,817
Italy	265,542
Portugal	14,171
Roumania	2,155
Russian Empire	291,040
Turkey in Europe	14,128
Africa	1,409
Australia	1,229
Mexico	11,926
South America	4,248
West Indies	12,458
Pacific islands	111
Central America	1,473
Miscellaneous	23
Total	899,308

OLD IMMIGRATION.

Belgium	7,405
Denmark	6,478
France	9,675
German Empire	34,329
Netherlands	6,902
Norway	8,587
Spain	6,167
Sweden	17,202
Switzerland	4,104
England	43,363
Ireland	27,876
Scotland	14,220
Wales	2,745
Other Europe	371
British North America	73,802
Total	263,226

ASIATIC.

China	2,105
Japan	8,281
India	179
Turkey in Asia	23,955
Other Asia	838
Total	35,358

Mr. DILLINGHAM. Emigrants have departed from our shores for the countries comprising the "new immigration" to the number of 229,194 for the fiscal year ending June 30, 1913; for the countries comprising the "old immigration" to the number of 74,572 (of this number, 46,981 went to Canada) and 3,301 to Asiatic countries.

Of these, only 13,469 were professional men, 160,108 were skilled laborers, and 1,024,315 were unskilled or without occupation.

WHERE HAVE THESE IMMIGRANTS GONE TO?

Sections.	Arrived.	Departed.
New England States:		
Maine	6,624	655
New Hampshire	8,230	1,622
Vermont	3,608	557
Massachusetts	101,674	17,070
Connecticut	35,138	6,259
Rhode Island	13,678	2,593
Middle Atlantic States:		
New York	330,531	83,608
Pennsylvania	182,744	43,836
New Jersey	61,358	12,401
East North Central:		
Michigan	59,192	7,529
Ohio	63,007	13,238
Indiana	13,005	3,860
Illinois	107,060	24,178
Wisconsin	23,091	4,037
West North Central:		
North Dakota	4,285	229
South Dakota	1,641	196
Nebraska	6,266	695
Kansas	3,663	595
Minnesota	18,693	2,933
Iowa	8,666	1,387
Missouri	11,509	3,386

WHERE HAVE THESE IMMIGRANTS GONE TO?—Continued.

Sections.	Arrived.	Departed.
Mountain States:		
Montana	5,796	955
Idaho	1,682	385
Wyoming	1,160	505
Nevada	1,000	402
Utah	2,932	1,349
Colorado	5,673	1,664
Arizona	3,945	613
New Mexico	758	246
Pacific States:		
Washington	18,313	2,827
Oregon	4,994	1,385
California	32,277	8,120
West South Central:		
Texas	11,214	806
Oklahoma	1,018	235
Arkansas	353	56
Louisiana	1,774	423
East South Central:		
Kentucky	761	176
Tennessee	818	134
Mississippi	415	41
Alabama	1,170	375
South Atlantic:		
Delaware	1,810	242
Maryland	8,168	1,146
Virginia	1,822	407
West Virginia	10,472	3,492
North Carolina	429	80
South Carolina	258	53
Georgia	787	158
Florida	5,352	2,520

Races admitted into the United States for year ending June 30, 1913.

NEW IMMIGRATION.	
Armenians	9,353
Bohemians and Moravians	11,091
Bulgarians, Servians, and Montenegrins	9,087
Croatian and Slovenian	42,499
Cubans	3,099
Dalmatian, Bosnian, and Herzegovinian	4,520
East Indians	188
Finnish	12,756
Greeks	38,644
Hebrews	101,330
Italian (south)	231,613
Italian (north)	42,534
Lithuanian	24,647
Magyars	30,610
Polish	174,365
Portuguese	13,566
Roumanians	13,451
Russians	51,472
Ruthenians	30,588
Slovak	27,234
Syrians	9,210
Turkish	2,015
Africans	6,634
Mexicans	10,954
West Indians	1,171
Total	902,631
OLD IMMIGRATION.	
Dutch and Flemish	14,507
English	55,522
French	20,652
German	80,865
Irish	37,023
Scotch	21,293
Spanish	9,042
Spanish-American	1,363
Welsh	2,820
Scandinavians	38,737
Total	281,824
ASIATIC.	
Chinese	2,022
Japanese	8,302
Korean	64
Total	10,388
New immigration	902,631
Old immigration	281,824
Asiatic	10,388
Whole immigration	1,194,843

Mr. LEA of Tennessee. Mr. President, will the Senator from Vermont yield to me to give notice of a motion?

Mr. O'GORMAN. Mr. President——

Mr. DILLINGHAM. In just a moment. I want to finish one table of figures here. It will take me only a moment, if the Senator will wait.

RELATIVE INCREASE OF NEW RACES WHO DWELL IN CITIES.

The impress which this new immigration is making upon the character of the population of the United States is very clearly shown by the census of 1910, covering the census years between the years 1900 and 1910, from which it appears that there was an actual decrease in the number of foreign-born population of the United States which came from Germany of 11.1 per cent, a decrease in those born in Ireland of 16.3 per cent, and a decrease of those born in Wales of 11.8 per cent. On the other hand, what was the increase coming from the nationalities of the new immigration? It was as follows: Those from Greece, 1,089 per cent; those from Italy, 175.5 per cent; those from Russia and from Finland, 170.4 per cent; those from Austria, 139.2 per cent; Hungary, 240.1 per cent; and of this vast number 75 per cent went to the cities of the Nation.

Now I yield.

Mr. O'GORMAN. Mr. President——

Mr. DILLINGHAM. I yield to the Senator from New York.

Mr. LEA of Tennessee. Mr. President, will the Senator yield to me for a moment to give notice of a motion?

Mr. O'GORMAN. Mr. President——

Mr. DILLINGHAM. I had yielded to the Senator from New York. I will be glad, of course, to——

Mr. O'GORMAN. Mr. President——

Mr. LEA of Tennessee. Will the Senator from New York yield to me for a moment to give a notice?

Mr. O'GORMAN. The motion I have to make will take only a moment. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. O'GORMAN. I move that we take a recess——

The VICE PRESIDENT. We might just as well know "where we are at" right now. The Chair has been in the habit of treating Senators on each side of the Chamber courteously. They have been in the habit of doing things which were not provided for by rules, but have grown out of custom. It has been done as much by one side as by the other. All this day Senators have been coming up and serving notice that they desired to be recognized, and the Chair has recognized them in regular order. The Chair promised to recognize the Senator from Tennessee, and the Chair does not recognize the Senator from New York for the purpose of making a motion.

Mr. LEA of Tennessee. Does the Senator from Vermont now yield to me, then?

Mr. DILLINGHAM. I have no objection to yielding to the Senator. I do not want to be taken off the floor; that is all.

Mr. LEA of Tennessee. I send to the desk and ask to have read notice of a motion I intend to make.

Mr. O'GORMAN. Mr. President, what becomes of my motion?

The VICE PRESIDENT. The Chair had not recognized the Senator from New York for the purpose of making a motion.

Mr. O'GORMAN. With great deference, I appeal from the decision of the Chair.

The VICE PRESIDENT. There is no appeal from recognition by the Chair. There is no occasion to have any trouble about this proceeding; it is just, fair, and decent. The Secretary will read.

The SECRETARY. The Senator from Tennessee [Mr. LEA] gives notice of his intention to offer a motion to amend the rules as follows:

Insert after the words "to lay on the table," in Rule XXII, the following:

"Any Senator arising in his place and asserting that in his opinion an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto, and the said motion shall be decided without debate: *Provided, however*, That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made, during which period no one Senator shall occupy more than one hour of time."

Mr. GALLINGER. It will go over under the rule.

The VICE PRESIDENT. It will go over under the rule.

Mr. O'GORMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from New York?

Mr. DILLINGHAM. I do.

Mr. O'GORMAN. Do I understand the ruling of the Chair to be that under the circumstances the Chair will not entertain a motion from a Senator?

The VICE PRESIDENT. The Chair will entertain a motion now.

Mr. O'GORMAN. I move that the Senate take a recess until 12 o'clock to-morrow.

Mr. KERN. I move that the Senate do now adjourn.

The VICE PRESIDENT. The Senator from Indiana moves that the Senate adjourn. [Putting the question.] The ayes seem to have it.

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. THOMPSON. I am paired with the junior Senator from Idaho [Mr. BRADY]. I should like to know whether he has voted.

The VICE PRESIDENT. He has not.

Mr. THOMPSON. I withhold my vote.

The result was announced—yeas 49, nays 40, as follows:

YEAS—49.

Ashurst	Kenyon	Pittman	Smith, S. C.
Bryan	Kern	Pomerene	Stone
Chamberlain	La Follette	Reed	Swanson
Chilton	Lane	Robinson	Thomas
Crawford	Lea, Tenn.	Saulsbury	Thornton
Culberson	Lee, Md.	Shafroth	Tillman
Cummins	Lewis	Sheppard	Vardaman
Fletcher	Martin, Va.	Shields	Walsh
Gore	Martine, N. J.	Shively	White
Hollis	Myers	Simmons	Williams
Hughes	Newlands	Smith, Ariz.	
James	Norris	Smith, Ga.	
Johnson	Overman	Smith, Md.	

NAYS—40.

Bankhead	Dillingham	Lodge	Root
Brandegee	du Pont	McCumber	Sherman
Bristow	Fall	McLean	Smith, Mich.
Burleigh	Gallinger	Nelson	Smoot
Burton	Goff	O'Gorman	Stephenson
Camden	Gronna	Oliver	Sterling
Catron	Hardwick	Page	Sutherland
Clark, Wyo.	Hitchcock	Penrose	Townsend
Clarke, Ark.	Jones	Perkins	Warren
Colt	Lippitt	Poindexter	Works

NOT VOTING—7.

Borah	Clapp	Ransdell	Weeks
Brady	Owen	Thompson	

So the motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 12, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 11, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Increase, O Lord, our devotion in the things which make for righteousness in the soul that faith may abound, hope increase, and love bind us together more closely in our homes, our friendships, and as citizens of a great Republic, that we may march on under the white banner of peace toward that kingdom for which we pray that it may come in all fullness, and Thy will be done on earth as it is in heaven. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Executive Mansion: For ordinary care, repair, and refurnishing of Executive Mansion, and for purchase, maintenance, and driving of horses and vehicles for official purposes, to be expended by contract or otherwise, as the President may determine, $35,000.

Mr. GILLETT. Mr. Chairman, I move to strike out the last word. The chairman of the committee the other day made some comment about economies of the Committee on Appropriations which I at that time questioned. I have looked the matter up, and I find the facts rather confirm the statement of the gentleman. I find that in the session 1914–15 the appropriations made by Congress amounted to $1,116,000,000, whereas the estimates which were sent in amounted to $1,152,000,000; so in that year the estimates exceeded the appropriations by $36,500,000. In the year preceding the appropriations were $1,098,000,000, while the estimates were $1,150,000,000; so in that year the estimates exceeded the appropriations by $51,500,000. In the year preceding that the appropriations were $1,019,000,000, while the estimates were $1,040,000,000; so the estimates then exceeded the appropriations by $21,000,000. In the year preceding that, 1911–12, the appropriations were $1,026,600,000, while the estimates were $1,026,200,000; so that there was a difference of $400,000, and for the first time the appropriations exceeded the estimates. In the year preceding that, 1910–11, the appropriations were $1,027,900,000 and the estimates were $1,028,100,000; an excess of estimates over appropriations of $200,000. This indicates that year by year for the last five years the estimates have been increasing over the appropriations, until for the last year the estimates were $36,000,000 more than the appropriations. This confirms the statement that the legislative is more economical than the executive department, and yet, if you think of it for a moment, it does not really reflect much credit on either Congress or the Executive. It does not show that there is much real economy in either branch of the Government, and under our present system of passing appropriation bills and the present system of making estimates that must be so, because the executive departments need some reform just as much as Congress does.

According to the present system each department sends in its estimates, not to the head of the Government, the responsible head—the President—but each department sends in its estimates simply to the Secretary of the Treasury and the Secretary of the Treasury transmits them to Congress, and they do not go to the President at all, I presume, unless under the circumstances prescribed by the Smith amendment, where the estimates of expenses exceed the estimated revenues; then the President is called upon to make some recommendation to Congress to relieve the discrepancy. Otherwise, unless the President wishes to go into this enormous detail of figures—and I suspect that no Presidents have ever done so—there is no head who looks into the estimates of expenditures and tries to reduce them or to see whether they are proportionate to the condition of the Treasury.

Mr. FESS. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. FESS. Upon what theory are we proceeding that would suggest that the President should see what the appropriations should be, whether they should be higher or lower?

Mr. GILLETT. Well, I do not say he should. Very likely he has too much else to do there to study these figures. But I think it would be wise that there should be somebody who has the responsibility and who should compare the estimates and appropriations and before they come here suggest what is desirable and what is not, but under the law now each head of a department simply recommends what he wants, because each head of a department has a motive in getting just as large an appropriation for his department as he can.

Mr. FESS. Why would it not be better for us to have the budget system?

Mr. GILLETT. I agree entirely that it would. What I am suggesting now is along that line, that there is need of a budget system and that there is some need of the executive as well as the legislative branch contributing its efforts toward a budget system. I am simply illustrating now that at neither end of the Avenue is there any arrangement which conduces to economy, because, as I say, each head of a department wants to get all he can and each committee has something of the same disposition. I do not say it in the line of criticism of the departments, because I think it is not only natural but human.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. Mr. Chairman, I would ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts. [After a pause.] The Chair hears none.

Mr. GILLETT. It is not only natural but it is commendable that the head of a department should have that disposition, because I suppose every head of a big department and every head of a bureau under him sees before him possibilities of doing good in his department for the country at large. If he does not see such possibilties, if he is not a man of enthusiasm who, when he gets into a department, constantly sees the outlook broadening and reaches out for methods by which he can make improvements, I do not think he is a proper man for his department. Such enthusiasm and ambition and desire to broaden the activities of his department is a necessary qualification of a good Cabinet officer.

But while he sees these opportunities there must somewhere be another agency which shall compare the expense with the resulting benefits and also with the condition of the Treasury. So that it seems to me it is wise and proper and to be expected

that the different heads of departments and heads of bureaus will always be reaching out for money and reaching out to enlarge their functions; and then it is the duty of the other department—it is our duty—to look over the whole field and say where they shall be checked and where it is extravagant and where it is not. So that simply points to the result which I meant to bring out, that as at present constituted there is nowhere, there is not in the executive department, anything which tends to check expenses, but, on the contrary, the whole tendency is to increase expenses. And I say it without any reflection upon the individuals; but it is simply a part of our system. And in the House and in the Senate a similar system prevails, so that we as individuals are always wanting to increase expenditures, and everybody is looking for an appropriation, because all our districts are pressing upon us. So everywhere in the executive department, which makes the estimates, and in the legislative, which passes upon them, there is a constant impulse toward expenditure and no impulse toward economy except what the committee may have for the good of the public service.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from New York?

Mr. GILLETT. I do.

Mr. GOULDEN. It seems from the statement just made that no one short of the Congress has the power to examine into and determine the necessity of the various estimates made by the different departments.

Mr. GILLETT. Oh, yes; the President has the power, but it is not in practice part of his duty.

Mr. GOULDEN. Let me ask this question: Would the various committees on expenditures in the different departments created by Congress have any power to investigate as to the estimates made by the various departments over which they are supposed to exercise at least some authority?

Mr. GILLETT. You mean the committees on expenditures in the departments?

Mr. GOULDEN. Yes.

Mr. GILLETT. I suppose they have that power.

Mr. GOULDEN. Then those committees could be quite useful, it seems to me, to investigate and examine into these things, and——

Mr. GILLETT. I will agree to that——

Mr. GOULDEN. And would almost take the place of the budget system. At least they would act as a check, and tend to keep the expenses down to the actual needs of the Government.

Mr. GILLETT. They could do that, but they do not.

Mr. GOULDEN. I wanted to know if they have the authority, in the judgment of the gentleman from Massachusetts.

Mr. GILLETT. Yes.

Mr. MARTIN. Mr. Chairman, for one I am obliged to the gentleman from Massachusetts [Mr. GILLETT] for collecting these figures, and it will be observed that they confirm the suggestion I made a few days ago, that the estimates from the various departments for a number of years have been considerably in excess of the actual appropriations made by Congress.

I think the question which is under consideration as to how to bring about real economy in the administration of the Government and the apportioning of appropriations is a very vital one, and I think the Smith amendment is in the right direction. If the Executive and the executive departments in the first instance were expected to and actually did make some serious comparison between the anticipated revenues and the anticipated expenditures and should send their estimates to Congress, the one having reference to the other, that would be beneficial, so far as a contribution can be made to this subject of economy from the Executive and the executive departments.

On the other hand, as I believe I stated a day or two ago, the real responsibility in these matters is in the last analysis upon the Congress, where the Constitution has placed it. I think it is placed wisely upon the Congress, and that the Constitution has been the result of the experience of governments for many centuries, that the representative branch of the Government and that of the short-term representatives, comparing with our House of Representatives, should be the body that initiates revenue and appropriation measures.

Now, as a practical way of holding down appropriations in the legislative body, in Congress, I believe that a suggestion made a few days ago has a good deal of practical merit. If there could be a general advisory committee on expenditures, consisting, perhaps, of the chairmen of the appropriating committees of this House and the chairmen of the appropriating committees of the Senate, it would be beneficial, because despite whatever we may do here, unless it receives some cooperation at the other end of the Capitol, we find ourselves constantly in controversies over these matters, and the House ideas are increased uniformly at the other end of the Capitol. If there could be an advisory committee of that kind, which could take up the estimates of expenditures and the estimates of the revenues for the coming fiscal year during each Congress and then render a report, upon which they would make what in their judgment would be a proper apportionment of the expenditures for the coming fiscal year, which would be advisory to Congress, it would at least give us something to work to, and while in the end Congress would itself determine these questions, we would have before us constantly the result of a very capable committee advising both Houses of Congress as to how the apportionment of the appropriations for any fiscal year should be made with reference to revenues.

Mr. BATHRICK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Ohio?

Mr. MARTIN. Yes; I yield.

Mr. BATHRICK. I am very much interested in the gentleman's outline of the means of curtailing unnecessary appropriations, and I think his judgment is very sound in the matter. But I would like to get into the RECORD here, very briefly, if the gentleman will permit, the fact that last year I introduced a bill in the House designed to have a new committee authorized, known as the "buying and selling committee," the purpose being to coordinate our buying facilities, which I think would operate also to a very great degree toward reducing the expenditure of money, which is a coordinate branch of appropriations.

Mr. MARTIN. That, I think, is a very good suggestion in the interest of economical expenditures, but of course it does not meet the general problem which we are constantly facing, namely, in every session of Congress to keep a proper relation between the expenditures and receipts for the fiscal year for which we are providing on a basis that will make the Public Treasury always sound, and not bankrupt, when we come to the actual expenditures of the moneys of the people. And the mischief of our present system, in my judgment, is that there is nowhere a body, either in this House or in the other House, or what would be more efficient, to my mind, a combined committee of both, that takes into serious consideration the question of expenditures and receipts.

I do not think the problem would be solved by giving any particular committee of this House further powers than it now has. I think it must be in the nature of things a union of both Houses in the sober effort to compare and adjust probable revenues with probable expenditures and the meeting of the problem; and I think the advice of that sort of a committee, while it would not be final, would be observed at both ends of the Capitol with a great deal of seriousness.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, if I may have the attention of the chairman of the committee for a moment, I would like to talk a few minutes in regard to the survey of the Alaskan coast at this time. I will be frank with the gentleman; I expect to leave the city by the middle of the afternoon to go to Boston for the purpose of speaking to-morrow night.

Mr. FITZGERALD. I understand that the gentleman will not be present when the item is reached.

Mr. HUMPHREY of Washington. Probably not. It is on page 133, and I will ask permission to speak on it at this time.

Mr. FOSTER. The gentleman is going to talk on the subject?

Mr. HUMPHREY of Washington. I am going to try to.

Mr. DIES. How much time does the gentleman want?

Mr. HUMPHREY of Washington. I think I can get through in 10 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that he may proceed for 10 minutes to address the committee on an item under the Coast and Geodetic Survey. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I thank the gentlemen of the committee for the courtesy. The item I refer to is on page 133:

For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, including $50,000 to be immediately available, $200,000.

NECESSITY FOR SURVEY OF PACIFIC COAST WATERS.

The President, in his message at the beginning of this Congress called attention to the neglect in making suitable appropriations for the survey and the proper lighting of Pacific coast waters, and particularly along the coast of Alaska. In so doing

the President deserves the thanks of the people of the United States and all humanity. He especially deserves, and has received, the thanks and praise of the people of the Pacific coast for thus bringing to the attention of Congress this important matter.

The whole Nation owes a debt of gratitude to Secretary Redfield for the forcible and persistent way in which he has brought this matter to the attention of Congress and to the attention of the country. Our neglect to take steps to increase the safety of navigation in the waters of the Alaskan coast can only be characterized as shameful and discreditable, for, notwithstanding all the efforts of the Secretary of Commerce and of the Members of the Washington delegation, Congress at the last session refused to make any appropriation for this purpose whatever.

The waters of Alaska are among the most dangerous of all the seas, and, to the everlasting discredit of this great Nation, which annually pours out its countless millions, these waters are the poorest lighted and the most inadequately surveyed of all the navigable waters of the world. This is the universal testimony of all seafaring men who are familiar with the Alaskan coast. This neglect of this great Nation of these waters is most graphically written in many tragedies. Since Russia sold us that Territory more than 280 ships have gone down in Alaskan waters, over 400 lives have been lost, and more than $12,700,000 worth of property destroyed. Most of these frightful disasters have been within recent years. I have here a list of these tragedies of the sea, giving the date of the wreck, the place, and the loss in lives and property. This list, long as it is, gives only those vessels that were totally wrecked, and even that is not complete. I have no list of the many accidents where vessels were badly damaged but not completely destroyed. I shall insert in the RECORD this list of vessels, that Congress and the whole country may look upon it and behold the result of our negligence. I will insert it in the RECORD, where it will ever "cry out, trumpet-tongued, against the deep damnation" of the indifference and the ignorance and the criminal neglect of this great and rich Nation. It is, indeed, a gruesome list. The one I hold is most appropriately printed upon black paper. It is a long list of disaster, destruction, and death. I hope it may burn its way into the memory of every Member of this House so deeply that all the speeches and selfish and ignorant cries about economy that may hereafter be made against these appropriations will not dim it.

CONGRESS NOW ALONE TO BLAME.

No adequate steps have been taken to lessen the menace to life and property in these most dangerous seas. Each year the death toll increases as our trade with Alaska increases. For this present criminal neglect Congress alone is responsible. Secretary Redfield has done his part courageously and well. He has pointed out definitely and with a detail of humiliating and discreditable facts that none disputes where the trouble lies and what should be done. He has asked for money that the Alaskan coast may be properly surveyed and lighted, in order that life and property may be reasonably well protected. He points out definitely how this money should be used. He does not ask for a vast sum of millions, but asks only for a comparatively insignificant amount when compared with our aggregate expenses or when compared with the appropriations we make for many other purposes that are neither cases of emergency nor of great necessity.

The President, the Secretary of Commerce, and the Representatives from the Pacific coast, both in the House and Senate, have now so clearly brought the facts before Congress that ignorance can no longer be pleaded in extenuation if we longer neglect to make the proper appropriation for the protection of the Alaskan coast. If we longer refuse to make these necessary appropriations, then Congress is willfully responsible for the tragedies that will occur through our refusal.

EQUIPMENT.

You may ask, Is the Government doing anything in the way of surveying and charting the Alaskan waters? Very little, but it is no fault of the department. Congress has refused to give them suitable equipment, or even to make sufficient appropriations to adequately carry on the work with such equipment as they now have.

What of the outfit that this richest of all the nations furnishes the Coast and Geodetic Survey to work in the stormiest and roughest of all the waters of the world along more than 25,000 miles of Alaskan coast? It is with a feeling of shame for Congress and the country that I relate some of the humiliating facts.

I wish I had the power to draw you an adequate word picture of the antiquated, dilapidated, rotten, and rusted rendezvous of cockroaches and rats that are called Coast and Geodetic Survey vessels that we have compelled the department to use for this work.

There are three of these vessels, and I am pleased to report that one of them is so old and unseaworthy that it could not be taken to the Pacific coast and so remains, much to our profit, on the Atlantic. There are two of these aged sea coffins that even "the ancient mariner" would have considered antique, on the Pacific coast. Both of these vessels were built over 40 years ago. Their age only commands reverence and respect. One is called the *McArthur*. I will attempt to describe it, for the other is like unto it in decrepitude, decay, and approaching dissolution. The description of the one is a description of the other.

The *McArthur* has been in use by the Government over 39 years. It cost $55,000. It has cost the Government to keep this hoary old craft in repair for the last 10 years $31,234. This expenditure did not make it efficient. It simply kept it from sinking. It can be used only in quiet waters and is dangerous in a heavy sea. For this reason it can be used only a small portion of the time in even attempting to work. This is also true of the other vessel. Neither of these vessels has wireless equipment or a cold-storage plant or a condensing outfit for fresh water or bath or adequate quarters for either officers or crew. The officers live, eat, and sleep and do their work all in one room. After the evening meal is served hammocks are swung above the dining table; in these the officers sleep. Two petty officers sleep in one room 8½ by 4 feet; three men sleep in another room 5½ by 11 feet; three sleep in another room 12 by 5 feet; three in another room 5½ by 7. Eighteen men are provided with three washbasins. If this was a commercial vessel, the Government inspectors would not permit it to go to sea, and the quarantine officers of any port would put its commander in prison and order a cremation of this floating pesthouse to protect the public health.

If this symbol of our country's greatness is anywhere matched upon all the "salted seas," it is by its ancient companion in decrepitude and inefficiency the *Gedney*. The *Gedney* is of the same age as the *McArthur* and in practically the same condition. It cost $63,400, and the repairs for the last 10 years made upon it have cost $21,600. Her equipment is similar to that of the *McArthur* and the arrangements for the officers and men practically the same. Of course with all the large expenditures for repairs these ships have never been fit to properly or economically do the work for which they are assigned.

MENACE TO NAVIGATION.

The waters of Alaska are deep, but during many months of the year they have but little daylight, and much of the time are beset by storms and fog. All these deep waters are filled with sharp, pinnacle rocks, many of them coming near the surface. These rocks are the greatest and most deadly of all menaces to navigation. But few of these many rocks along the Alaskan coast have been located. They can not be found with an ordinary lead line. Often the lead line will show a few feet from one of these dangerous points, coming almost to the surface, 50 or even 150 feet of water. Our charts report many fathoms of water at the very spot where many ships have struck one of these pinnacle points and gone to the bottom. A typical case is that of the *California*, in the very center of the channel, where the Government chart shows 60 feet of water. The *California* struck one of these rocks, her whole bottom was torn out, and she sank in three minutes. The vessel, the cargo, and 31 lives were lost. The *Pennsylvania*, the *Armeria*, a Government vessel, and many others have met the same dreadful fate in the same way. There is as yet known to men but two ways to locate these rocks—one by striking them with a vessel and the other with a wire drag. The first method has been generally followed in Alaska, and for the following of this method Congress is largely responsible. This method has cost millions of dollars and many lives. The second plan would cost but a few thousand dollars, but Congress, in its wonderful wisdom, still insists on the first method. It refused last year to appropriate anything for a wire drag.

In Tongass Narrows alone to-day are found the Potter Rock, the Ohio Rock, the Idaho Rock, and the California Rock. Each of these rocks bears the name of the doomed ship that struck them and went to the bottom. Each of these rocks is a gravestone telling of disaster and death. Each of them is a costly monument proclaiming the ignorance, the indifference, and the neglect of Congress.

Last year, out of money that was badly needed for other purposes, a small amount was used for working a wire drag in one of the main channels of navigation between Alaska and Seattle, a channel through which approximately 2,000 passages were made last year. The vessels passing through this strip of water carried last season over 43,000 passengers. A portion

of this main channel of navigation, 40 miles long and from three-fourths of a mile to 5 miles wide, was surveyed by a wire drag. The result was appalling. In that comparatively small space of one of the most traveled highways of navigation 14 dangerous pinnacle rocks were found. The presence of none of these was known before. These rocks rise abruptly from a depth of from 40 to 600 feet. In six cases these rocks were less than 8 feet from the surface, and in no case more than 30 feet.

With these facts before us, of the immense number of rocks found in so limited an area, and when we remember the vast coast line of Alaska of more than 25,000 miles, it is no wonder that so many vessels have been wrecked in these waters, but the wonder is that so few have gone to the bottom.

With these facts now called to our attention specifically in the report of the Secretary of Commerce, with the President urging the necessity upon us of these appropriations in the name of commerce and humanity, if Congress should again refuse to give the necessary sums for this purpose we would be little short of being personally responsible for the awful tragedies that would be certain to occur hereafter as the result of our neglect. Last year, be it said to our everlasting shame, we refused to appropriate $40,000 to be used in operating a wire drag in these most dangerous of all waters to locate these pinnacle rocks, the greatest of all menaces to navigation.

In the name of economy we refused to appropriate $40,000 to protect $67,000,000 worth of commerce and the ships that carried it that traversed these waters. Last year we refused in the name of economy to appropriate $40,000 to protect from these hidden dangers the lives of more than 43,000 passengers. Last year in the holy name of economy we refused this small appropriation, but in the same bill we appropriated $400,000 to purchase additional land for the site of a public building in Richmond, Va. Forty-three thousand lives, $67,000,000 worth of commerce, and many ships could wait for protection, but even the virtuous cry of economy could not prevail against the terrible emergency for an immediate appropriation of $400,000 to buy additional land for a public building in this southern city.

In this same bill, while $40,000 was denied to protect life and property in the waters of Alaska, $50,000 was appropriated to erect a monument to the memory of some great man whose name I do not now recall and whose name not one-half of the American people ever heard. This was another emergency against which holy economy could not prevail. What monstrous deeds are committed in the name of economy! Fifty thousand dollars to erect a monument to the memory of one that is dead, but nothing for the protection of the 43,000 living!

I make no criticism of the appropriation for the erection of this monument to honor one of our heroic dead; I make no criticism of the appropriation at Richmond; but doing these things, and then refusing in the name of economy to give a penny to protect life and property in the waters of Alaska, and to do this in the name of economy, is what I am criticizing. It is such performances as this that make many doubt our sincerity or our sanity.

AMOUNT NEEDED.

But what would it cost to provide a wire drag to locate the dangerous rocks in these dangerous waters and bring reasonable protection to life and property? It would cost about $50,000 per year. And how long would it take to do this work and clear the main passages? Not more than two years. Yet, notwithstanding these facts, last year Congress absolutely refused to appropriate a single dollar for this purpose.

The total amount asked for by the Department of Commerce to be used by the Coast and Geodetic Survey in this work on the Pacific coast, including the construction of three vessels, one of them a lighthouse tender, would be about $800,000, a sum less than the value of the ships belonging to the Government that have been lost in Alaskan waters within the last four years. Leave out entirely all questions of commerce; leave out the value of human life endangered; consider only the protection to Government vessels, and still it would be economy for us to survey and light Alaskan waters for this purpose only.

The Department of Commerce has asked for an immediate appropriation of $800,000, to be used in this work. Every cent of it should be appropriated at this session. No other appropriation that comes before this House is so urgently needed, except only those necessary to keep the departments of Government running. We are expending millions of dollars to construct railroads in Alaska. We are trying to develop the wonderful resources of that wonderful Territory. Our commerce is rapidly increasing; each year more ships navigate these dangerous waters; but so far we have viewed with indifference the losses of property and life along the stormy coasts of Alaska.

THE ECONOMY OF IGNORANCE.

Leave out of the question the fact that millions of dollars' worth of property and many ships have been lost because the character of vessels that are furnished to the Coast and Geodetic Survey has made it impossible to perform the same work that would have been done by modern vessels, and still the keeping in service of these old ships by the Government, owing to the heavy repairs necessary and their unfitness, has made it the grossest and most inexcusable extravagance. These vessels have been a continual source of waste of public money and have given no adequate return.

The refusal to replace with new and modern vessels espepecially designed for the work they should perform those ancient derelicts now used, those floating palaces of a nation's generosity that declare the glory of the great Republic and the serene wisdom of Congress; the refusal to provide the best and most modern means of surveying these Alaskan waters; the refusal to properly light these stormy shores; the refusal to furnish a proper vessel for the Lighthouse Service—this neglect and refusal to give appropriations necessary to protect the great commerce of the Alaskan seas and the lives of those who must traverse them is the most striking, shameful, and costly example in our Nation's history of the economy of ignorance.

Mr. MARTIN. How near the surface do these pinnacle rocks come of which you have spoken?

Mr. HUMPHREY of Washington. All these 14 were within 30 feet, and I think, with the exception of perhaps 2, were within less than 20 feet, and most of them from 8 to 10 feet below the surface.

Mr. JOHNSON of Washington. After these pinnacle rocks are discovered, what is done with them? Are they charted?

Mr. HUMPHREY of Washington. As soon as these pinnacle rocks are located they are marked with buoys, where that is practicable, and in some places with a light; sometimes they are removed, but the Secretary of Commerce has said that in some instances, even after they have located these rocks, they have been unable to mark them, because these old vessels to which I have referred were in such condition that it was not possible for them to take the material to these rocks or to carry the buoys to them for the purpose of marking them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. ESCH. Has the gentleman called attention to the fact that in the list of vessels lost there were two Government vessels, one a revenue cutter and the other a lighthouse tender, within the last four years, and the loss to the Government was $375,000, or almost enough to make this wire-drag survey.

Mr. HUMPHREY of Washington. I did; that is the fact.

Mr. GREENE of Vermont. Is it not practicable to remove some of these rocks by blasting, after they have been discovered?

Mr. HUMPHREY of Washington. I presume that would be practicable in a great many cases, where they were small and close to the surface. That would be the easiest way in such a case, but the great purpose is to locate them. That is the principal object.

And I just want to say this in conclusion, that I want to thank the Committee on Appropriations for the courtesy they have exteaded to me and to the other members of the Washington delegation in giving us hearings in relation to this matter.

I also want to express my thanks for the appropriation they have given us in the bill. I am not disposed to criticize the committee. I am not complaining. But I wish they could make the appropriation larger.

Mr. STAFFORD. The gentleman in his prefatory remarks referred to an invention which I assume was patented by the inventor. I rise for information.

Mr. HUMPHREY of Washington. I did not intend to convey the impression that it was patented. What we want is the money to operate one or more of these wire drags to locate these rocks.

Mr. FOSTER. I think the wire drag has been in operation in the Northwest for years.

Mr. HUMPHREY of Washington. Yes; and on the Atlantic coast also.

Mr. STAFFORD. It is surprising that its use has not been extended to Alaskan waters.

Mr. HUMPHREY of Washington. But when I was interrupted I was saying I did not intend to criticize the Committee on Appropriations for the size of the appropriation which has been reported. The committee have at least given us some-

thing. As I understand, it will enable two crews to operate these wire drags. And I especially want to express my appreciation to the chairman of the committee. While I do not always agree with the distinguished gentleman, I recognize that he occupies one of the most difficult positions in this House, and I recognize that this country is leaning very heavily upon the chairman of the Appropriations Committee. I take pleasure in saying that when it comes to integrity and ability he is the peer of any man on either side of this House. [Applause.]

I have sometimes listened with surprise and a feeling of regret when some of my friends on the Democratic side have criticized him. They ought at least to leave that to us. I think, when you look back over the two years just gone and in the years to come when you take a retrospect, that you will find that the distinguished chairman of the Committee on Appropriations has done as much for his country and for his party as any man in the Democratic Party. His position is a hard one. But he performs it with courage, great ability, and absolute integrity. [Applause.] I take pleasure in paying him this merited tribute.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. GOULDEN. I want to ask the gentleman the name of the old, antiquated arrangement on the Atlantic coast. What is the name of that vessel? I should know it, but confess I do not.

Mr. HUMPHREY of Washington. I do not recall the name of it, but I know it is the oldest one of the three. We did not get it, because it could not be brought around to the Pacific.

Mr. GOULDEN. It must be in much worse condition than the two on the Pacific coast.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I will insert the list of lost ships, and also "An appeal to Congress from the steamship companies of Puget Sound and Alaska."

[From the Pacific Fisherman, Seattle, Wash., November, 1914.]

SECRETARY REDFIELD SEEKS TO MAKE ALASKA WATERS SAFER.

Never before have the fishing, shipping, and allied interests of the Pacific coast been so worked up as they have by the energetic fight which Secretary of Commerce Redfield is waging to secure from Congress sufficient money to provide the absolutely necessary aids to navigation and wire drags for rocks and other hidden dangers, in order to make the waters of Alaska reasonably safe for the large fleets of fishing, commercial, and Government vessels which annually frequent those extremely dangerous waters, and the Secretary has won the admiration and respect of these interests by his resolute refusal to accept as final the defeat of his plans at the last session of Congress and his determination to carry on the fight at the coming winter session.

The chief obstacle the Secretary has met in his fight has been the indifference and also the gross ignorance which prevails generally amongst Congressmen and others as to the local conditions in Alaska and the immense extent of the trade which has been developed with our northern territory.

The customhouse records of Alaska show that during the fiscal year 1913, 220 American vessels with an aggregate tonnage of 132,283 tons, and 85 foreign vessels with an aggregate tonnage of 65,112 tons, or a grand total of 305 vessels with a tonnage of 197,395 tons, entered at the customhouses of this District. The clearances during the same period were 190 American vessels with a tonnage of 84,628 tons, and 84 foreign vessels with a tonnage of 66,318 tons, or a grand total of 274 vessels with a tonnage of 150,946 tons. These represent mainly commercial vessels as distinct from fishing and Government vessels.

The total value of the domestic and foreign merchandise shipped in vessels to Alaska during the same period amounted to $22,461,618, while the total exports from Alaska amounted to $45,110,251.

In 1913 the various fishing fleets operating in Alaska waters amounted in the aggregate to 2,221 vessels, with a total net tonnage of 143,078, and valued at $8,013,315. The home ports of these vessels are either in Alaska or in Seattle, Tacoma, and Bellingham, in Washington; Astoria and Portland, Oreg.; or San Francisco, Cal., which makes every part of the coast vitally interested in anything which may adversely affect them.

The Government vessels which operated in Alaska at least a portion of the year 1913 were 5 revenue cutters, 1 lighthouse tender, 1 naval vessel, 7 Coast and Geodetic Survey vessels, 1 Bureau of Fisheries protection vessel, and a chartered vessel for the Seal Island work.

The list given below shows that the Government has lost in Alaska waters two revenue cutters—the *Perry* (1910) and the *Tahoma* (1914)—and the lighthouse tender *Armeria* (1913). These vessels, including outfits, were valued at $860,000, a sum which would have gone far toward furnishing sufficient aids to have made the greater part of the waters fairly safe.

In the waters of southeast Alaska are a number of aids to navigation, but they are grossly inadequate for the purpose and there are still many sections where there are very few or no aids. In the great central Alaska region are but two lighthouses, very few small lights, and a beggarly number of buoys. In Bering Sea there is one lighthouse—at the entrance to Unimak Pass—and almost no other aids. In Bristol Bay the fishing companies have had to place their own buoys to mark the channels in the bays and rivers. In the Arctic there are no aids to navigation. And all this, despite the fact that we have owned Alaska since 1867, a period of 47 years.

It is small wonder that in waters which improvident Congresses have failed to safeguard there should be a heavy annual toll exacted of the shipping which frequents them. The record of wrecks in Alaska waters has never been accurately kept, but the list given below shows a portion, at least, of the large number lost. This list includes only the vessels which proved total losses, and does not include the vastly larger list of vessels which met disaster in Alaska, but yet were enabled to escape total loss. Owing to incomplete statistical data it has been impossible to show the heavy loss of life which resulted from the wrecks shown in the list, but it is positively known that in the case of 19 wrecks out of the total of 281 shown, 449 lives were sacrificed:

Year lost.	Name of vessel.	Type of vessel.	Where lost.	Value of hull and cargo.
1848	Gem	Bark	Bering Sea	$75,000
1848	Richmond	Ship	do	80,000
1851	Mary Mitchell	do	Arctic	22,000
1851	Acushnet	do	St. Lawrence Island	50,000
1851	Mexican	do	Arctic	22,000
1851	Honqua	do	Arctic, near Cape Oliver	40,000
1851	Arabella	do	Near East Cape	25,000
1851	Susan	do	Arctic	25,000
1851	Washington	do	Pitts Island	25,000
1851	Hy Thompson	do	Diomede Island	30,000
1851	Globe	do	Bering Straits	35,000
1851	Armata	do	Cape North	30,000
1851	Bramin	do	Arctic	20,000
1853	Liverpool	do	Bering Straits	35,000
1853	Marcus	do	do	20,000
1853	Kingfisher	do	do	30,000
1853	Citizen	do	Bering Sea	32,000
1853	Monongahela	do	Arctic	35,000
1856	Iris	Bark	do	20,000
1862	E. R. Sawyer	Schooner	Nunivak Island	15,000
1864	Louisiana	Ship	Kotzebue Sound	20,000
1867	Washington	Bark	Cook Inlet	50,000
1870	Hibernia	Ship	Arctic	25,000
1870	Almiral	do	do	42,000
1870	Awashonks	Bark	do	42,000
1871	Carlotta	do	do	45,000
1871	Gay Head	Ship	do	53,000
1871	Geo. Howland	Bark	do	50,000
1871	Massachusetts	do	do	57,000
1871	Oriole	do	do	35,000
1871	Reindeer	Ship	do	43,000
1871	Navy	Bark	do	55,000
1871	Seneca	do	do	55,000
1871	Thomas Dickason	do	do	60,000
1871	Champion	Ship	do	50,000
1871	J. D. Thompson	Bark	do	50,000
1871	William Rotch	Ship	do	43,000
1871	Monticello	Bark	do	41,000
1871	Florida	Ship	do	62,000
1871	Eugenia	Bark	do	40,000
1871	Fanny	do	do	51,000
1871	George	do	do	38,000
1871	John Wells	do	do	40,000
1871	Oliver Crocker	do	do	40,000
1871	Roman	do	do	41,500
1871	Emily Morgan	do	do	42,000
1871	E. Swift	do	do	40,000
1871	Henry Taber	do	do	38,000
1871	Minerva	do	do	40,000
1871	Concordia	do	do	55,000
1871	Mary	Ship	do	53,000
1872	Roscoe	Bark	do	55,000
1876	Arctic	Ship	do	60,000
1878	St. George	Schooner	Kodiak Island	25,000
1878	Kodiak	do	Geese Island	25,000
1879	Mount Waliaston	Bark	Arctic	100,000
1879	Vigilant	do	do	100,000
1880	Nagay	Schooner	Shumagin Islands	2,000
1881	Henrietta	do	St. Lawrence Island	25,000
1882	Sapho	do	Arctic	25,000
1882	General Miller	do	Shumagin Islands	15,000
1882	H. L. Tiernan	do	do	17,000
1883	Wild Gazelle	do	do	20,000
1885	Amethyst	Bark	Arctic	50,000
1885	Montana	do	Bristol Bay	50,000
1885	Gazelle	do	Arctic	50,000
1885	Rainier	do	do	50,000
1885	George and Susan	do	do	50,000
1885	Mabel	do	do	50,000
1885	Napoleon	do	Bering Sea	50,000
1886	Clara Light	Schooner	Arctic	10,000
1886	John Carver	Bark	do	50,000
1886	Western Shore	Sloop	Bristol Bay	100,000
1888	Young Phoenix	Bark	Point Barrow	50,000
1888	Julia Foard	do	Karluk	42,000
1888	Ohio	do	Point Hope	25,000
1888	Isabel	Schooner	Shumagin Islands	15,000
1888	Vanderbilt	do	Bering Sea	12,000
1889	Ancon	Steamship	Loring	100,000
1890	Eliza	Bark	St. Lawrence Island	50,000
1890	Lagoda	do	Arctic	50,000
1890	Silver Wave	Schooner	Point Barrow	10,000
1890	Thomas Pope	Bark	Point Hope	50,000
1890	Korea	Barkentine	Kalgin Island	75,000
1890	Lizzie Williams	do	Tugidak Island	100,000
1890	Orizaba	Steamship	St. Michael	100,000
1890	Oneida	Barkentine	Sannak Island	125,000
1890	Corea	Bark	Cook Inlet	51,000
1890	Wm. Lewis	Steamship	Point Barrow	150,000
1891	Sadie F. Caller	Schooner	Chignik	56,000
1891	Dashing Wave	do	Bering Sea	25,000
1892	Abraham Barker	Bark	Arctic	50,000
1892	Alexander	Brig	do	50,000
1892	Helen Mar	Bark	do	55,000
1892	John P. West	do	do	50,000
1893	Ohio	do	Nunivak Island	25,000
1893	John Hancock	Schooner	Shumagin Islands	30,000
1894	Mary H. Thomas	do	Bering Sea	8,500
1894	Mascot	do	do	8,000
1894	Mathew Turner	do	North Pacific	7,500
1895	Jacob Howland	Bark	Strong Island	50,000
1895	Raphael	Ship	Karluk	54,000
1895	Montana	Bark	Nushagak	10,000

Year lost.	Name of vessel.	Type of vessel.	Where lost.	Value of hull and cargo.
1895	Annie May	Launch	Karluk	$1,300
1896	Jas. A. Borland	Bark	Tugidak	114,000
1896	Hidalgo	Brig	Arctic	30,000
1897	Mexico	Steamship	Dixons Entrance	100,000
1897	Jessie Freeman	Barkentine	Point Barrow	50,000
1897	Orca	Steamship	do	100,000
1897	Rosario	Schooner	do	40,000
1897	Navarch	Steamship	Arctic	100,000
1898	Sterling	Ship	Cape Constantine	75,500
1898	Clara Nevada	Steamship	Lynn Canal	50,000
1898	Brixam	do	Clarence Straits	100,000
1898	Anita	do	Cook Inlet	1,000
1899	Pioneer		Arctic	45,000
1899	Laurada	Steamship	Bering Sea	150,000
1899	Wildwood	Bark	Nushagak	95,000
1899	Karluk	Launch	Karluk	5,200
1899	Lizzie Williams	Bark	Tugidak	73,000
1899	N. A. T. & T. Co. 3	Barge	St. Michael	15,000
1900	Jessie	Schooner	Nome	5,500
1900	Merom	Bark	Karluk	64,000
1900	Colorado	Barge	Wrangell Narrows	50,000
1900	Hunter	Bark	Bering Sea	50,000
1900	Catherine Sudden	Barkentine	do	50,000
1900	Alaska	Bark	do	25,000
1901	Grampus		Point Barrow	50,000
1901	Laura May	Schooner	Kvichak	6,000
1902	Balaena	Steamship	Bering Sea	100,000
1902	Chas. D. Lane	do	Nunivak Island	100,000
1902	Discovery	do	Yakutat	50,000
1902	Islander	do	Douglas Island	225,000
1902	Lettie	Schooner	Port Moller	500
1902	Anna	do	Bering Sea	18,000
1903	Cleveland	Steamship	do	75,000
1903	Sadie	do	do	50,000
1903	Delphine	Launch	Karluk	900
1903	Mary and Ida	Schooner	Bering Sea	20,000
1904	Mary D. Hume	do	Nushagak	15,500
1905	Wm. & John	do	Southeastern Alaska	2,000
1905	Servia	Bark	Karluk	205,000
1905	Pearl	Schooner	Shumagin Islands	18,000
1905	Nellie Coleman	do	do	20,000
1905	Francis Alice	do		15,000
1905	Laura Madsen	do	Off Point Barrow	20,000
1905	Marion	do	Sannak Island	20,000
1905	Mary Ann	do	Unga	15,000
1905	Mayflower	do	Solomon	3,000
1905	Seven Sisters	do	Kotzebue Sound	15,000
1905	Volant	do	Bristol Bay	18,000
1905	Admiral	Gasoline sloop.	Andreosofsky	19,000
1905	Anglo Saxon	do	Chiniak	8,000
1905	Gov. Perkins	Steamship	Nome	10,000
1905	John Reilly	do	Cape Blossom	60,000
1905	John J. Mitchell	Brig	Yukon Flats	10,000
1905	Margery	Schooner	Sanborn Harbor	4,000
1905	Pirate	do	Pirate Cove	5,000
1905	Florence	do	Egowik	3,500
1905	Bonanza	do	King Point	18,000
1905	Coryphene	Bark	Off Prince of Wales Island	40,000
1905	Arctic Bird	Steamship	Kobuk River	10,000
1906	Nicholas Thayer	Bark	Kodiak Island	20,000
1906	Oregon	Steamship	Cape Hinchinbrook	200,000
1906	Mariechen	do	Chatham Straits	300,000
1906	Themis	do	Hardigan Reef	120,000
1906	Miami	do	Kvichak	10,000
1906	Excelsior	Schooner	Nelsons Lagoon	23,000
1906	Koyukuk	Steamship	Tanana River	40,000
1906	Lotta Talbot	do	Fairbanks	60,000
1906	Miami	do	Kvichak River	25,000
1906	Explorer	do	Russian Mission	11,000
1906	Sesnon No. 5	Barge	Nome	4,000
1906	Sesnon No. 9	do	do	4,000
1906	Rock Island	Steamship	Chenoa	55,000
1906	Lila	Sloop	Dauphin Island Bay	2,000
1906	Mary Gray	Schooner	do	2,200
1906	Olivia	do	do	2,500
1906	Sehome	do	Point Gardner	2,800
1906	Alexander	Steamship	Cape Parry	50,000
1906	Leah	do	Yukon River	50,000
1906	Tanana Chief	do	Kautishna River	20,000
1906	Skip	Scow	Mount Andrew	5,000
1906	Gold Star	Barge	Tanana River	15,000
1907	John Currier	Ship	Nelsons Lagoon	145,000
1907	St. Paul	Schooner	Sukhlish Island	25,000
1907	Wm. Bayliss	Bark	Arctic	50,000
1907	Alta	Sloop	Ugashik	650
1907	Odiak	Launch	Prince William Sound	3,000
1907	Rita Newman	Gasoline sloop.	Simeonof Island	50,000
1907	Servia	Bark	Karluk	205,000
1907	Glen	Schooner	Unimak Island	20,000
1907	Richard III	Barge	Virago Sound	20,000
1907	Defender	Schooner	Kuskokwim Bay	4,200
1907	Anglo Saxon	Gasoline sloop.	Cape Woolley	8,000
1907	Bender Bros	Schooner	Good News Bay	14,000
1907	Martha W. Tuft	do	Kattalla River	14,000
1907	St. Paul	do	Chowiet Island	6,000
1907	Vine	do	Deering	15,000
1907	Ella	Steamship	Tanana River	40,000
1907	Hammond	Gasoline sloop.	Storey Island	8,000
1907	No. 3	Barge	St. Michael	20,000
1907	Nymph	Sloop	Hadley	3,000
1907	Greyhound	Gasoline sloop.	Nome	8,000
1908	Ivy	Schooner	Arctic	6,000
1908	Lucille	Ship	Ugashik	180,000
1908	Star of Bengal	Bark	Coronation Island	$330,000
1908	Saratoga	Steamship	Bushby Island	175,000
1908	John F. Miller	Schooner	Unimak Island	20,000
1908	Petrel	do	Pybus Bay	6,000
1908	Comus	do	Lynn Canal	2,500
1908	Olga	do	Port Freemantle	5,000
1908	Seven Sisters	do	Cape Espenberg	10,000
1908	Agnes E. Boyd	Steamship	Kobuk River	14,000
1908	Chignik No. 1	Scow	Cape Cleare	8,000
1908	Bear	Schooner	Near Unalaska	4,000
1909	Columbia	Ship	Unimak Pass	78,000
1909	Quatsino	Barge	Dixon Entrance	30,000
1909	Charger	do	Karta Bay	25,000
1909	Uyak	Steamship	Karluk	20,000
1909	Olga	Gasoline sloop.	Arctic	20,000
1909	Capella	do	Vanks Island	4,500
1909	Linea L	Schooner	Portage Bay	4,000
1909	Florence	Steamship	St. Michaels Canal	15,000
1909	Nunivak	do	Tanana River	35,000
1909	Iona	Gasoline sloop.	Nome	4,500
1909	Camilla A	Scow	Chignik Bay	15,000
1909	Michigan	Barge	Tanana River	18,000
1909	Winthrop	Gasoline sloop.	Nunivak Island	12,000
1910	Farallon	Steamship	Iliamna Bay	80,000
1910	Portland	do	Katalla	55,000
1910	Olympia	do	Bligh Island	150,000
1910	Perry	Revenue cutter.	St. Paul Island	150,000
1910	Stanley	Schooner	Sannak Island	8,000
1910	Sea Light	Gasoline sloop.	Southeast Alaska	5,000
1910	Bob	Schooner	Juneau	3,000
1910	Never Mind	do	Lynn Canal	3,000
1910	Bertha	Gasoline sloop.	Carter	8,000
1910	H. Johnston	do	Port Hope	25,000
1910	Louise	do	Cape Prince of Wales	10,000
1910	C. L. Hutchinson	Barge	Kaltag	6,000
1910	K. S. L. Co. No. 7	do	Channing Island	4,000
1910	Sesnon No. 6	do	Nome	4,000
1910	Sesnon No. 7	do	do	6,000
1910	Teller	Scow	Tuksuk River	5,000
1910	Princess	Steamship		5,000
1910	Elsie	do	Valdez	20,000
1910	K. S. L. Co. No. 4	Barge	Willow Bay	5,000
1910	J. Matthews	Gasoline sloop.	Cape Darby	8,000
1910	L. S. Sorensen	do	Cape Addington	15,000
1911	Czarina	Schooner	Nagai Island	30,000
1911	Ramona	Steamship	Cape Decision	150,000
1911	Jabez Howes	Ship	Chignik	105,000
1911	F. S. Redfield	Gasoline schooner.	Cape Prince of Wales	20,000
1911	Jessie Minor	Schooner	Nelsons Lagoon	12,000
1911	Koyukuk	Steamship	Tanana River	25,000
1911	P. C. S. Co. No. 1	Scow	Norton Sound	4,000
1911	St. Anthony	Gasoline sloop.	Metlakahtla	5,000
1911	Grant	Steamship	Hecate Straits	45,000
1912	Hayden Brown	Bark	Montague Island	10,000
1912	Joseph Russ	Schooner	Chirikof Island	20,000
1912	Laclabell	Gasoline sloop.	Near Ketchikan	5,000
1912	Compeer	Schooner	Bristol Bay	25,000
1912	Oakland	Gasoline sloop.	Dry Bay	70,000
1912	Sesnon No. 13	Barge	Nome	12,000
1913	Yukon	Steamship	Sannak Island	170,000
1913	State of California	do	Gambier Bay	225,000
1913	Curacao	do	Warm Chuck	225,000
1913	Kayak	do	Yakutat	12,000
1913	Welding	do	Queen Charlotte Island	55,000
1913	Elvira	Gasoline schooner.	Arctic	35,000
1913	Transit	Schooner	Kotzebue Sound	15,000
1913	Armeria (lighthouse tender).	Steamship	Cape Hinchinbrook	400,000
1914	Gay Head	Bark	Chignik Bay	44,000
1914	Tahoma	Revenue cutter.	Aleutian Islands	310,000
1914	Paramita	Bark	Unimak Pass	200,000
1914	W. H. Dimond	Schooner	Bird Island	35,000
1914	Karluk	Steamship	Arctic	45,000
1914	Alice	Gasoline sloop.	Cape Decision	15,000
1914	Schcold	Purse seiner	Frederick Sound	7,000
1914	Alert	Gasoline sloop.	Near Snettisham	9,000
	Total			12,792,250

AN APPEAL TO CONGRESS FROM THE STEAMSHIP COMPANIES OF PUGET SOUND AND ALASKA.

AN ARGUMENT FOR WIRE-DRAG SURVEY OF ALASKAN WATERS, SUITABLE STEAMSHIPS FOR UNITED STATES COAST AND GEODETIC SURVEY, CHARTING ALASKAN WATERCOURSES, ESTABLISHMENT OF AIDS TO NAVIGATION, AND CREATION OF OFFICE OF SUPERVISING INSPECTOR FOR PUGET SOUND AND ALASKA.

SEATTLE, WASH., 1914.

To Senators and Representatives in Congress.

GENTLEMEN: Actuated by the urgency of the case, we, the undersigned, representing the steamship companies engaged in Alaskan trade, herewith respectfully present for your careful reading some brief and

pertinent facts relating to the need for aids to navigation on the coast of Alaska and the proper survey of its dangerous channels. We ask that you give this communication that attention which we feel the importance of the subject demands.

It is not our intention to go into detail at this time, for the annual report of the Secretary of Commerce, a thoughtful document covering the situation in full, has but recently been published, and no doubt read by Members of Congress generally. We indorse that report for its plain straightforward statement of facts, and we desire to emphasize the need of certain work being carried out in the resurvey of Alaskan waters and the establishment of aids to navigation from the viewpoint of those engaged in operating steamships along that coast.

Alaska has a rugged, rocky coast line of some 26,000 miles, or relatively a greater length of coast line than the United States proper. Its annual commerce has reached a total of $70,000,000 in one calendar year, and will steadily increase from now on, with the prospect of a much greater activity in steamship operations. This is due to the proposed plan of the United States Government to build a 1,000-mile railroad and to develop coal, copper, and other heavy tonnage. It appears to us that now is the time to abide by the judgment of the Government officials in charge of the Department of Commerce and pass such appropriations as may be recommended by that department. It should be thoughtfully considered in this connection that the U. S. S. *Tahoma*, of the Revenue-Cutter Service, and the *Armeria*, of the Lighthouse Board, were wrecked on the unlighted shores and upon unknown rocks in Alaska, and the total valuation of the Government vessels and property lost in those two catastrophes would represent a figure that would accomplish much toward the proper charting of those dangerous channels.

These are but two instances where the Government has suffered loss. But what of the privately owned and operated steamships that for years have pioneered the water routes to Alaska? Hidden rocks are best remembered or named by the unfortunate vessels that have found them. Too often such vessels have gone to the bottom, leaving no record save that of heavy financial loss and deepest sorrow among those whose relatives or friends have been lost. A detailed and absolutely correct list of wrecks, loss of life, and value of hulls and cargoes taking place in Alaska is impossible to obtain, but from the list of the larger vessels and those of which official record is at hand the grand total in vessels lost is 85, representing a valuation of nearly $7,000,000.

There is nothing new about this statement. It has been published in the press of the country and has even found its way into the CONGRESSIONAL RECORD. The total loss of life is not known, but it is very great, some of the ships that have gone to the bottom having lost nearly all on board, while history records that several, with their entire list of passengers and crew, have never been heard from, and their fate can only be conjectured.

It is proverbial that those who go down to the sea in ships must be ready at all times to manfully face the perils of the deep, the perils being largely due to action of the elements. Those who are endeavoring to operate regular steamship service to and from Alaska must at all times meet additional contingencies and face unknown danger due to the devious watercourses, rocky formation of the shore line and sea floor, the absence of beacons and guides to navigation, and the ever-present danger of striking a pinnacle rock.

This caused the wreck of the *State of California* with its awful toll of human lives. That steamship, wrecked on August 17, 1913, struck an uncharted rock where the chart showed 12½ fathoms (75 feet), and yet the *State of California* had made 16 trips in and out of that same harbor during the two years preceding, since a new and important industry had been started at Gambier Bay. The year before, on August 13, 1912, the steamship *Mariposa* struck an uncharted rock off Port Baker in Sumner Straits, just west of where the chart shows 111 fathoms (666) feet). On January 14, 1909, the steamship *Ohio* struck an uncharted rock in Tongass Narrows, just north of Ketchikan. The charts showed the soundings where she struck at 30 fathoms (180 feet).

In the case of the *Ohio* and *Mariposa* these vessels were saved and later repaired. Mention is made of these three cases to show how steamships traveling the regular routes to and from Alaska may, under certain conditions of the tide, strike a pinnacle rock at points where they had previously crossed and recrossed without any idea of the menace to navigation lying beneath the surface of the water.

Every great industry that is started in Alaska means an increased steamship service. The only possible avenue of transportation between the United States and its northern Territory is the water route, and as the greater portion of its populous towns and mining camps are located along the inside passages, which abound throughout the southern and western coasts, it will always be necessary for any vessel serving Alaska to use those inside routes. This condition extends from the thriving fishing city of Ketchikan, in the southeast portion of the Territory, in a great arc, to the extreme end of the Aleutian Islands and takes in such well-known places as Wrangell, Petersburg, Metlakahtla, Juneau, Douglas, Treadwell, Haines (Fort Seward, United States of America), Skagway, Sitka, Yakutat, Cordova, Latouche, Valdez (Fort Liscum, United States of America), Ellamar, Seward, Portage Bay, Knik, and all the salmon canneries and other points where industries flourish.

It seems strange, indeed, that a great catastrophe in which property loss and a heavy death toll is recorded should be the means of bringing these great needs of Alaska before the people, but such has been the case, and, with the expected large addition to the number of steamships operating, while not anticipating trouble, it is apparent that unless something is done immediately to better these conditions the danger of such disasters will greatly increase.

It is not our intention to suggest an especial appropriation covering any particular lighthouse or other aid to navigation, as those are matters which should be left to the department, but we do most earnestly urge upon each of you gentlemen the necessity of giving immediate heed to the seriousness of this situation and request that you work for such appropriations as may be recommended by the department:

First. For a thorough survey and search of the channels and passages of Alaska for the purpose of locating pinnacle rocks, this work to be accomplished by wire drag.

Second. For suitable steamships and other vessels to be used in such work by the United States Coast and Geodetic Survey.

Third. For the proper charting and surveying of the watercourses of Alaska.

Fourth. Such lighthouse establishments and other aids to navigation as may be recommended by the department from time to time.

Fifth. The creation of the office of supervising inspector for Puget Sound and Alaska, headquarters Seattle, to take care of this immense coast line; also additional assistant inspectors for the Seattle office of the Steamboat-Inspection Service.

You have already been informed in detail that the steamships now used by the Coast and Geodetic Survey are entirely inadequate for such service. These vessels are such that if they were being used by any privately operated company in regular commercial traffic their owners would be most severely criticized. The cost of conducting the wire-drag survey and the cost of proper vessels for the survey would represent but a very small sum when compared with the tremendous valuation of the steamships operating in those waters, to say nothing of the more humanitarian view of the case in considering the protection of the thousands of people whose lives are imperiled by traveling through those passages.

Alaska is America's last frontier. Alaska is a land of great industrial promise. At the present time its development seems to be assured by legislation which makes for the opening of its great interior mineral storehouses, but it should be remembered that all that interior development must for all time depend upon the successful operation of the steamships connecting that Territory with the United States proper, and it is in behalf of all of the present companies operating and of those who may later join in that important traffic that this appeal is addressed to each of you gentlemen representing in Congress the great States of this Union, each one of which has been greatly aided and encouraged in its development by the cooperation at all times of its representatives. We now petition you in behalf of a great Territory of the United States, feeling sure that when these facts are brought to your personal attention you will refer to the detailed reports covering the subject and grant to that frontier country the protection her growing commerce justifies.

Yours, very truly,

J. C. FORD,
President Pacific Coast Steamship Co.
R. W. BAXTER,
Vice President Alaska Steamship Co.
H. F. ALEXANDER,
President Pacific-Alaska Navigation Co.
M. KALISH,
Vice President Humboldt Steamship Co.
H. C. BRADFORD,
Vice President Northland Steamship Co.
JOSHUA GREEN,
President Puget Sound Navigation Co.
W. L. GAZZAM,
President Puget Sound Steamboat Owners' Association.

Mr. MANN. Mr. Chairman, the distinguished gentleman from Washington [Mr. HUMPHREY] in discussing the wire-drag proposition has had brought into the Hall of the House a picture showing a wire drag. I suppose that picture was prepared and painted for the Coast and Geodetic Survey at Government expense.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. HUMPHREY of Washington. I just want to say that I am not responsible for it.

Mr. MANN. It is a useless expenditure of money to have had it painted.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. FITZGERALD. Does not the gentleman think the picture must have been painted at low tide? Otherwise they could not have located the old timbers and other things that appear with such accuracy on the bottom. [Laughter.]

Mr. MANN. This painted picture is a copy of a picture that appears in the regular report of that department. I want to call attention to the accuracy of the picture, for it is probably equal to the accuracy of the work that is done by the department. Here is a wire drag pictured as stretching across a considerable expanse of water, supported by buoys, the drag being attached to a boat at either end and to one in the middle. One can see that the boat at one end is moving away from the center at an angle of more than 45° from a forward course while the boat attached at the other end is moving away in the opposite direction from the center at an angle also of more than 45°. It would be impossible, therefore, Mr. Chairman, for those boats to proceed for 20 feet without breaking the wire drag.

Mr. FITZGERALD. But the gentleman knows that that is an artistic license. [Laughter.]

Mr. MANN. But they purport in their report to give a picture of what was being done, and then they have had it painted. They were so entranced with the idea that they had a painting made of it, but apparently they did not know enough to realize that if they had a wire with a boat attached to it at either end, the boats going in opposite directions, if the boats proceeded the wire would break.

Mr. GORDON. Or the boats would stop.

Mr. MANN. That is accurate knowledge on the part of the Coast and Geodetic Survey. When I saw this picture printed in their report I wondered if they had ever operated a wire drag, even though they have several in operation, and whether they knew how it was operated, or knew what the effect would be, or whether they knew enough to locate a pinnacle rock, if they found one, or what good did it do to locate it? Certainly whatever else they may be able to do, they do not know how to picture a wire drag in operation. I expect they know as much about that as they do about a good deal of the other work that they do. I think the picture may be taken out, now, for we are done with it. [Laughter.]

Mr. MARTIN. Mr. Chairman, I suggest to the gentleman that that sort of layman's criticism would destroy many of the masterpieces in paintings, including the one out in the rotunda in which one individual is pictured with six toes on one foot.

Mr. MANN. That is true; but that was not painted by a scientist purporting to show a scientific operation. When a scientist or a purported scientist attempts to picture the method that he pursues, if he is not accurate, he is no good.

Mr. Chairman, in reference to the question of economy and the relation to it of a suggested budget system, a committee of the House or a committee of the two Houses, about which so much has been said, I desire to make one or two observations, if I have the time, and I desire to make the observations based upon my experience in the House and the watching of appropriation bills. What I say, Mr. Chairman, is not in criticism of the present administration, because the present administration, like the administrations which have preceded it, has followed the same course. I doubt whether it is practicable for Congress to have a budget committee composed of Members of the two Houses to determine in advance how much shall be appropriated in the various departments.

I have heard several gentlemen say there was no method under our present Government system of reaching that end. In every country in the world, practically, the executive power prepares the appropriation bills. They are handled by members of the executive as members of the legislative bodies. Of course in every country which has a responsible ministry that ministry prepares all of its bills, which are submitted as coming from the Government, which carry appropriations. If the ministry wants money, it has to understand from what source it will get the money. It figures out the receipts and the expenditures. It is responsible. We do not have that system of Government, but we have this: We have a Cabinet of the President. The President gathers to himself and his Cabinet the heads of all of the executive departments of the Government, minus a few of the outside establishments, and the proper place to determine the probable expenditures or appropriations and the probable receipts is at the President's Cabinet, where the President has the authority to say to the members of the Cabinet, "You are here at the head of these executive departments all of the time, and you estimate that we will have about so much money for expenditures, but you must bring your estimates of expenditures below the estimates of the receipts." It is perfectly feasible. The old system that we have had has been for every Cabinet officer, or nearly every one, to constantly seek to get more money for his department and less money for some other department. They ought to be brought together and made to bring the estimates of appropriations within the estimates of receipts, and then leave something over, and instead of Congress being forever engaged in refusing appropriations which are asked by the executive departments, we ought to be engaged in considering the advisability of granting appropriations which are not asked by the executive departments. They ought to be compelled in making their estimates to come well within the probable receipts, and those appropriations ought in the main to be made as a matter of course, and then let Congress determine whether it will provide other appropriations.

The body exists; they are here all the time. They know the conditions and the needs of their departments. They are better qualified to determine in advance what reductions they can make in their expenditures than we can be. Since I have been a Member of this body they seldom have helped us, but always ask for more. Knowing that they will not get all they ask for, knowing that they can not have all they ask for, they have been going on the theory, to a large extent, that if they are to get $100,000 they ought to ask for $200,000; that if they want one new item, they ought to ask for two new items; that they ought to ask for a great deal more than they expect to get. What they ought to do is to ask only in their estimates for those things which they must have, which they really need, and the estimates of appropriations submitted to the Congress ought always to be less than the estimates of receipts. [Applause.]

Mr. MONDELL. Mr. Chairman, there has been a good deal said of late in regard to a budget and in regard to methods of appropriations, and this is a peculiarly apt and interesting question in the present state of the Public Treasury. The chairman of the Committee on Appropriations, who is generally very sound, and with whom I generally agree on fundamental propositions of appropriations, suggested the other day that it would be better, in his opinion, if there were less initiative on the part of the Members and we depended more largely on the departments on the matter of appropriations. It seems to me that the history of estimates for the past 20 years, let us say, scarcely supports the gentleman's contention.

I ran over rather hurriedly a day or two ago the estimates of appropriations under the sundry civil title in the last 10 years. My recollection is that the appropriations under that title in that length of time, perhaps a little longer period, were about a hundred million dollars less than the estimates, so that it seems that the departments were more extravagant than the Congress. We all of us realize that our Government is so very different and our conditions are so very different from those of European countries that we can not well compare many of their methods of legislation and appropriations with ours. A country that is developed, that is simply moving along, keeping up its public service, not greatly enlarging or extending it or opening up new avenues, a country under monarchal institutions, may very properly depend very largely on the executive for suggestions of expenditure, and that is particularly true in a Government with a responsible ministry, where the party in power goes to the people when not supported by the popular branch of the legislature. Things are very different here. The bureaus are in no wise responsible as they are under other Governments. Congress is responsible——

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. The responsibility is on the Congress itself, but, unfortunately, it is a very dissipated responsibility—that is, it does not rest heavily on any one Member, and it is difficult to fix it on any group of Members. In a way we attempt to fix it on the party in power, but even then the responsibility is more or less shifted, but whatever responsibility there is is on Congress and not on a responsible ministry.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. What is the significance of the gentleman's statement that when the party in power loses a measure before Parliament it goes out of Parliament? It does not do that. They can make an appeal to the country.

Mr. MONDELL. Of course everyone understood, I assume, what I meant, that they lost out unless the country supports them. If they appeal to the country on a proposition they may win or they may lose.

Mr. GORDON. They must resign before appealing to the country.

Mr. MONDELL. Not necessarily. In the case they lose support of the legislative branch, however, it would be an unheard of thing if they did not resign, or at any rate seek an appeal to the country.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. They do not have to resign before appealing to the country. The leader simply asks the King to prorogue Parliament. It is not a resignation, but it is a referendum to the people. Now, will the gentleman yield further?

Mr. MONDELL. I thank those gentlemen who are students of this subject for correcting me in the matter of detail. I was not attempting to give the detail of the methods of other countries, because in a five-minute speech one can not go into great detail. Discussing this matter is difficult, much less a matter that is only distantly related to it.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. FESS. Would it not be better for us to have one body in the form of a budget commission to ascertain the expenditures than to have 15 or 20.

Mr. MONDELL. Well, of course, that is quite a different question. The question of the budget is one question and the question of how we shall handle the estimates here is another question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I would ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. MONDELL. On the latter question, while there are good arguments on both sides, I have never been able to come to a conclusion that I felt altogether certain about. I think, however, it were better for all if the estimates were to come to one large committee with a goodly number of subcommittees. I believe that would result in economy. I can see that there are objections to it, but I doubt if we will ever adopt that method in Congress. There will always be a larger number of Representatives who will be inclined to divide the jurisdiction and responsibility than would be favorable to placing the responsibility on a smaller part of the membership. But I am inclined to the opinion that it would be well if all of the estimates could come to one committee, and I think we would in that way save a good many millions of dollars every year. I say "I think we would." Of course these are all matters of opinion, and in a

matter of this sort, where there are so many arguments on both sides, one is not justified in being too cocksure or certain in his opinion.

But there is another side to the matter. The departments, in submitting their estimates, the gentleman from Illinois [Mr. MANN] suggests, should be well within the estimates of receipts. Yes, very well within the estimates of receipts, under our form of government; because, while our appropriations under a certain single head or under a variety of titles generally run considerably below the estimates, the aggregate of our appropriations, in the long run, is above the aggregate of estimates, because under our system the departments ordinarily do not initiate new projects or new enterprises.

Mr. ANDERSON. Oh, yes; they do.

Mr. MONDELL. The gentleman from Minnesota says "Oh, yes; they do." That is true in matters of detail, but it is not true by and large. The departments do not start new river and harbor work. The departments do not initiate new public-building projects. The departments do not now initiate new reclamation projects, or will not in the future, and there is a large field of expenditure that is under our form of government necessarily the field of congressional initiative only, and, without a very profound change in our system, could not very well become a field of executive initiative. To make it so would be to tremendously increase the executive branch of the Government, and our people—at least Members of Congress of the minority, whichever side happens to be the minority—are always restive over the proposition that the Executive is exerting too much influence, even as matters now stand.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Ohio?

Mr. MONDELL. Yes.

Mr. GORDON. It would also be necessary to amend the Constitution to transfer that control over expenditures to which the gentleman refers—that control over the initiative. What power has the Executive to initiate anything which involves the expenditure of money?

Mr. MONDELL. I think we could under the Constitution give them more authority than they now have, although I do not like to have my friend, who is a constitutional lawyer, propound these constitutional questions to me, a layman. But I think under our constitutional power we could to a certain extent, or to a very considerable extent, transfer the initiative with regard to certain classes of expenditures to the executive departments.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I would if I had more time, but the committee has been good to me and I do not want to impose on the committee by asking further time.

Mr. FESS. Mr. Chairman, the question of whether the Executive should initiate any legislation which would involve an expenditure of money is quite a live question now, apropos to the initiation of the ship-purchase bill, which is stirring the country a good deal. I wish that that theory might receive careful consideration by the Congress. The question of the budget is one to which I think every Member of Congress has given more or less attention. I think I am safe in saying that this is the only country that does not have a budget system, and I am persuaded that every State of the Union, or most of them, have a budget system, and it does seem to me that a Government which has the largest business of any single concern in the world, involving an expenditure of a thousand million dollars in a single year, should concentrate its methods by which we can have a clearing house of these expenditures, instead of having so many different committees dealing with them.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. FESS. Yes.

Mr. FITZGERALD. I understand the gentleman to say that every State in the Union, or nearly every State, has the budget system?

Mr. FESS. I can not say every State; I think most of the States have.

Mr. FITZGERALD. Will the gentleman define what he means by a budget system? The budget system, as commonly spoken of, exists in hardly any and not more than half a dozen States in the Union. What does the gentleman mean when he speaks of the budget system?

Mr. FESS. I think there are 42 States, to speak specifically, that have adopted a budget commission to clarify the estimates and recommend appropriations.

Mr. FITZGERALD. What does the gentleman mean by a budget system?

Mr. FESS. A budget system is a commission created by authority of the Government which has to do with weighing the estimates and expenditures and making the recommendations for those expenditures to the legal legislative body providing for them.

Mr. FITZGERALD. I made a speech in 1913 in which I summarized the various provisions of the statutes relating to the submission of estimates. If the gentleman will read that, he will find that we have the most comprehensive and carefully compiled set of laws to properly regulate the submission of estimates of any political body in the United States; and much of the discussion which takes place about our system is due to an entire ignorance of what the laws relative to the estimates and appropriations by the Government of the United States are.

Mr. FESS. Well, Mr. Chairman, that is the sort of an answer that a gentleman who does not believe in a budget system will be apt to give. In other words, there is no reason why I should ask for it other than that I am ignorant of what there already is. That is usually the argument that is offered. I resist that statement. The facts are that the chairman of this committee is one, if not the one, member that keeps down the appropriations that are asked for by every department; and instead of his being at the head of a large committee, to which every interest in the Government applies seeking to drain the Treasury, it would seem to me that there should be a commission that is not to be changed with every Congress that comes in and not to be changed by the administration for political purposes, as the Cabinet is changed every four years when the administration changes, but a commission that should have a standing here, nonpartisan in administration, whose business it would be to continue to bring to light the demands in the past, and with that light to know what demands of the future should be recognized.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from North Carolina?

Mr. FESS. I do, because he is a member of the committee.

Mr. PAGE of North Carolina. The gentleman made a statement in the beginning that every other country has some system for the preparation of a budget. I think he is possibly correct in that statement, but is it not also true that in every other Government except the United States the appropriation of money is confined to one of the legislative branches?

Mr. FESS. I think the appropriation is thus made, but it is recommended by the commission.

Mr. PAGE of North Carolina. But if the gentleman will allow me to follow that up, under our system, of course, this body and the other legislative body can appropriate money. I would like the gentleman to tell the committee what plan could be devised, or what plan he would suggest that would restrict in the amount of appropriations both the legislative bodies?

Mr. FESS. Well, a budget commission which is not subject to the whims of a political election, because its existence does not depend upon it, certianly avoids the pressure that one which is subject to such pressure of political election could not avoid.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. DONOVAN. What is the request?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes.

Mr. DONOVAN. Reserving the right to object, I understood the gentleman a moment ago to say something about budgets and concentration, and so forth. I sincerely hope there will be some one to look after those things besides the gentleman from Ohio. I believe yesterday was the first day he was here in a long time. If everybody attended to it as he has been attending to it since he has been a Member of Congress there would be nobody to attend to it.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FESS. Mr. Chairman, the British system that was mentioned here a while ago is in a sense continuous. In other words, the ministry in Great Britain continues until it loses the confidence of the public. Whenever a measure is proposed by the ministry in the British Parliament and it fails to meet with the approval of Parliament, then the ministry

has its choice. It can either resign and give over the power to the opposing party or it can ask the King to prorogue Parliament and go to the people as a referendum upon the question. That makes it a continuous body, so that there is no such thing as a change every four years, as we have in the Cabinet, by the change of administration.

Mr. MANN. Will the gentleman yield?

Mr. FESS. Yes.

Mr. MANN. Does the gentleman know of any country in the world where the ministry has resigned because the legislative branch of the Government refused to pass the appropriation bills prepared and presented by the ministry?

Mr. FESS. I do not know of any case of that sort. That has nothing to do with this. What I am insisting upon is that the British system is continuous. It does not change with every administration that changes.

Mr. MANN. Why, certainly.

Mr. FESS. But the administration there does not change as it does here.

Mr. MANN. Just as much there as it does here.

Mr. FESS. Oh, no. The gentleman is mistaken.

Mr. MANN. Oh, yes; it does.

Mr. FESS. The gentleman is speaking without information about that.

Mr. MANN. The gentleman ought not to assume that he is the only one who has information about the British Parliament.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from North Carolina [Mr. PAGE]?

Mr. PAGE of North Carolina. Mr. Chairman, the gentleman from Illinois propounded the question I wanted to ask.

Mr. TOWNER. Will the gentleman yield?

Mr. FESS. I do, but for no innuendoes. If the gentleman has a question, I will yield.

Mr. TOWNER. I have nothing to ask the gentleman.

Mr. FESS. It is a very significant thing that when anyone announces a change from a system we have in vogue somebody will undertake instantly to answer by the sort of a remark that the gentleman from Illinois has made here, assuming that I am the only one who is supposed to know anything about the British system. I resent that statement. I did not make any such reference.

Mr. MANN. Will the gentleman yield?

Mr. FESS. I do.

Mr. MANN. The gentleman had just told me that I knew nothing about the British system.

Mr. FESS. I did not. I said you spoke without information on that point, and that is what I repeat.

Mr. MANN. I do not resent that statement, because it is not necessary at all. The gentleman was mistaken. He made an incorrect statement.

Mr. FESS. How did I make an incorrect statement?

Mr. MANN. By stating that I knew nothing about it.

Mr. FESS. I beg the gentleman's pardon.

Mr. MANN. I think I know as much about it as the gentleman does.

Mr. FESS. I think from what I can learn by sitting here from day to day that any man who assumes to know anything that the gentleman from Illinois does not know has no place to stand on the floor of this House. [Applause.] I am a student of these problems. Of course, teaching the subject for years is no suggestion that I know anything about it. I do, however, know that men who speak without information dogmatically ought not to insinuate that one who does speak with information is the only one that knows anything about the subject that is being discussed.

Countries that have the budget system have a system that does not change with every administration. The budget system in Great Britain continues from time to time, and is not subject to the whim of an election, while in our country the Appropriations Committee changes with the change of an administration, and the Cabinet changes with the change of an administration, and the biggest business in all the world ought not to be subject to the whim of every administration that changes; and if we had a budget system that would be avoided here.

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. I do.

Mr. MADDEN. Of course the gentleman must agree that the budget system, as it affects England, for example, not only levies the tax but makes the appropriation at the same time, and the tax is levied every year.

Mr. FESS. The budget is recommended to Parliament; yes.

Mr. MADDEN. And the budget fixes the tax at the same time it makes the appropriations, and that is not possible with us.

Mr. FESS. I do not see why it would not be.

Mr. MADDEN. We have a tariff that is fixed during a given administration. If it is a Republican administration, there is one system of taxation. If it is a Democratic administration, we have another system, but all systems are alike fundamentally in England, and all budgets there include the tax as well as the appropriation, and that would not be possible in this country under this form of Government.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, I ask for one minute more to answer the gentleman.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. FESS. Replying to my friend from Illinois [Mr. MADDEN], he says that our system would not permit the budget system as it is in vogue in England and gives as a reason that we have a different system of raising revenue; that is, if the Republican Party were in power it would differ from what it would be if the Democratic Party were in power, because we have a different view on the tariff question, which raises the revenue. If we had a budget system, I do not see why a change of administration from time to time from Democrats to Republicans and from Republicans to Democrats would necessarily change the methods of appropriations. Whatever way we raise the revenue might be left to Congress, but what should be appropriated and how much this department should have and how much that ought not to be left to each department or to a committee representing each department, but ought to be left to a central commission whose existence is continuous and will make the recommendations. That is what I mean.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Ohio has made one statement about the British system that I wish to refer to briefly. I have asserted several times that many who discuss the so-called budget system discuss it with an entirely different meaning than that given it when some other persons discuss it. I have undertaken to show that so far as the budget, in the true sense of the term under our system, is concerned, we have a provision for a budget. The gentleman from Ohio is mistaken when he says that the Government goes on and the budget does not change with the change of control of the Government of Great Britain. The very control of the Government may depend on the budget itself. It is only within a few years that a proposed method of obtaining money by novel methods of taxation, probably by the chancellor of the exchequer, Lloyd George, precipitated an election, and the people passed on the question and continued the Government in power.

Their civil service differs from ours in that the great bulk of the subordinates go on regardless of a change of control of government, but the whole fiscal policy of the Government may be entirely changed by reason of the proposals for taxation.

Every time it is proposed by the party in power in Great Britain to put a tax on foodstuffs, which would be an essential feature of a proposed budget, it might involve a control of the Government.

Their budget consists in this: They submit to Parliament their proposed expenditures and they have to show where the money is to be obtained, and, if existing law is not sufficient to obtain the money they propose to spend, they propose new laws by which they will obtain additional money. If in their proposals it is shown that there will be a surplus over what is required to meet the expenditures of the Government as set forth, they propose a method of distributing that surplus in some other way. How could we have a nonpartisan, independent commission to study the needs of the Government and determine apart from the administration and Congress what was to be spent? For instance, the naval program itself is a very vital matter as affecting our expenditures. No nonpartisan commission apart from Congress would pass on that.

The entire bill as reported to Congress provided for a naval program to cost $53,000,000, and the naval appropriation bill carried $22,900,000 on account of construction for the next fiscal year. What that program was to be was a matter of policy to be determined, not by something apart from those in control of the Government, but to be determined either by the Executive with the approval of the legislative body and initiated by the legislative body regardless of the will of the Executive. As a matter of fact, the program submitted to the House combines both of these elements. It had some features that the administration recommended and it had some things that the administration protested against. There is no way in which any independent body or commission or outfit of any kind can prepare for Congress a statement of how much it has spent for the maintenance of the public service in any fiscal year, because that question hinges to a considerable extent upon the policies to be adopted for the extension of the public service, the initia-

tion of new projects, and many other activities. That must be settled as a matter of political policy, and the control must be political.

Mr. FESS. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. FESS. Does the gentleman make any distinction or difference between the policy-determining function and the administrative function? The policy-determining function belongs to Congress.

Mr. FITZGERALD. Theoretically Congress has the power, but practically it never exercises it unless the Congress is of a different political complexion from the administration. But when the administration and Congress are of the same political complexion, as a matter of fact the legislative body is largely a reflection of the Executive desires. Occasionally it does not acquiesce in the views of the Executive, but in the long run the legislative body is merely a ratifying body.

Mr. FESS. Is that right?

Mr. GREENE of Massachusetts. It is at the present time.

Mr. FITZGERALD. The history of the country demonstrates that beyond question. It is futile for practically well-informed men to attempt to deny it. I have not obtained my information, as the gentleman from Ohio has, from teaching in the schools. I have obtained the information that I have about the practical workings of this Government and other governments from a service of 16 years in this body. All of that time has been devoted to an intensive study of methods of expenditures, not only in this Government, but in other governments. I think I have some knowledge of the various systems, and when the gentleman from Ohio [Mr. FESS] spoke a few moments ago in a somewhat, possibly justifiable, but boasting strain of the fact that he had been teaching these things for many years it reminded me of the experience of a friend of mine in a court in New York. He had been a coroner's physician for a number of years and had actually performed 8,000 autopsies. He was a witness for the people in a murder trial and was being cross-examined by the attorney for the defendant accused of murder, and the following series of questions and answers occurred: The cross-examining lawyer said, "Have you ever read Jones on such and such?" "No; I have not." "Did you ever hear of it?" "Yes." "Is it a standard work?" "It is." "Have you ever read Smith on such and such?" "I have not." "Have you ever heard of it?" "Yes." "Is it a standard work?" "It is." "Have you ever read Brown on such and such a subject?" "No." "Ever heard of it?" "Yes." "Is it a standard work?" "It is." The attorney then said, "Well, where do you get your information if you have not read these standard authors," and the reply of my friend was, "I get my information upon the operating table and in the autopsies that I have performed in the last 10 years. I have performed 8,000 in the last 10 years, more than any man in the United States." So I might reply to my distinguished college professor friend that, while I have not been teaching young men these various theories of government, I have obtained my information on the floor of the House of Representatives and in the Committee on Appropriations where I have served for 10 years, and I think I have some information on the subject in respect to both our system and the British system, which I have been compelled to study in connection with my work. [Applause.]

Mr. TOWNER rose.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. FOSTER. Mr. Chairman, has debate been exhausted on this amendment?

The CHAIRMAN. Replying to the inquiry of the gentleman from Illinois, of course under the rules of the House debate is exhausted.

Mr. FOSTER. I think we better read the bill.

Mr. FITZGERALD. Yes; let us move along.

Mr. TOWNER. I only want two or three minutes.

Mr. FITZGERALD. Very well.

Mr. TOWNER. Mr. Chairman, the difficulty in discussing a great question of this kind in this manner is that nothing except the fringes of the subject can be considered in such a merely desultory debate. It is very easy for gentlemen to talk about a budget system and declare that it is desirable. In the first place, it would be necessary to define what a budget system is. Gentlemen have said on the floor of the House that many of the States have a budget system. If by that is meant the English budget system, then I should have to take issue with the statement at once, because there is no State in the Union that has the English budget system. If we are to understand by the budget system the English budget system, I think no careful student of American affairs but would come to the speedy conclusion, from even a cursory examination of the question, that it is impossible for use to ingraft upon our system the English budget system. It would be impossible for me even in the brief time that I desire to occupy to say why that is true. Very often I have heard gentleman say on the floor of the House that we ought to adopt the English system regarding this, that, or the other thing. I have heard it very often said here that we ought to adopt the English budget system, but with our parliamentary system of Government the English budget system is impossible; and so it is with most of the suggestions about ingrafting upon our system a system so vitally different from our own as is the English parliamentary system. I think no one who has studied our governmental affairs but wishes we might have a closer coordination between the power of fixing the revenues of the Government or the obtaining of the means for carrying on the Government, and that power which expends the money which is thus obtained. The Committee on Ways and Means has jurisdiction within the House of one branch, and the various appropriation committees have jurisdiction over the other branches.

It is, of course, always necessary that the expenditures should bear some relation in amount to the revenues of the Government, and that we secure in a very halting, in a very inefficient, and in a very unsatisfactory manner. Mr. Chairman, I am willing to say, from my experience here and with a desire to adopt a more perfect system or form, that it would be exceedingly unwise for us, in my judgment, to venture upon any radical experiments of change. I think that our system as it has grown up here through more than a century is adaptable to our form of legislation and our form of government. I believe that there are many improvements that might be made, but not radical ones; not the adoption or ingrafting of another system upon our own. I think it would be wise if we had a committee of this House appointed to take into consideration these minor changes that might be made greatly to our advantage and greatly to the saving, as I think, of the revenues of the Government. I think we might effect many changes of that kind, but I am compelled to say, after a somewhat careful consideration of the matter, that I do not believe that any radical change will be very beneficial or possible to ingraft upon our present system.

I desire also to say this: Very much fault is found and very severe criticism is indulged in in respect to these various appropriation committees. I think that there is more fault to be found with the membership of the House than with the membership of the committees. The pressure that is brought to bear upon the various members of these committees by the membership of the House is sometimes, as we know, tremendous. The pressure that is brought to bear by individual interests, acting through their Representatives on the floor of this House—and I do not mean by that ulterior and wicked influences, but those that are considered by everyone as purely legitimate—is tremendous upon the various members of these committees. I think that it is only fair that we should take these things into consideration when we indulge in extravagant criticism of committees. I think that Congress itself is very much more extravagant than any appropriation committee that we have in the House. I think Congress itself is more responsible for passing legislation that appropriates the public money that is without justification than are the various appropriation committees. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to return to page 66 of the bill to offer an amendment, in line 25, striking out "$1.85" and inserting in lieu thereof "$1.80."

The CHAIRMAN. The gentleman from New York asks unanimous consent to recur to page 66 to offer an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, for the purpose of obtaining information, can the gentleman inform the committee how much reduction has been made in the price of laying asphalt during the past 10 or 20 years? This price of $1.85 has been running for a number of years.

Mr. FITZGERALD. Mr. Chairman, some years ago the price of asphalt was over three dollars and a quarter a yard. Now it is $1.49.

Mr. STAFFORD. And the purpose of this amendment is to fix a maximum price of $1.80?

Mr. FITZGERALD. No; this is to make the limitation in this law the same as in the District of Columbia act.

Mr. PAGE of North Carolina. I will say to the gentleman that the limitation in the District of Columbia bill on asphalt is $1.80, and this amendment is merely to make the item in this bill conform in amount to the item in the District bill.

Mr. STAFFORD. Why is the rate so high when you can contract at a much lower figure?

Mr. FITZGERALD. In making contracts for laying asphalt the price depends to some extent upon the quantity of the work to be done. If it is a very large job, the price will be in the

neighborhood of $1.49 to $1.50. If it is a small job, the price will be considerably higher.

Mr. PAGE of North Carolina. In addition to that there are certain characters of asphalt that are occasionally laid in small quantities that is of a stronger character and it costs more.

Mr. STAFFORD. And there is more asphalt in it.

Mr. PAGE of North Carolina. Yes; and it costs approximately these figures, but there is very little used; but if the limitation was less than $1.80 they could not use it at all where a heavy or thicker asphalt was required.

Mr. STAFFORD. Of course this limit goes above the regular price, $1.80 a square yard, whereas it is much less under the contract system.

Mr. PAGE of North Carolina. This is simply a limitation placed upon it, placed at a sufficiently high figure to enable them to contract for this asphalt, whereas the gentleman from New York has said they made these contracts at about $1.49, but there is occasionally a small amount of asphalt needed that might cost as high as $1.75.

Mr. STAFFORD. How long has the rate been at about $1.50?

Mr. FITZGERALD. I think three or four years ago the break came in the prices. There had been a consolidation prior to that time, or an understanding among the companies here, and then there was some mix up and competition.

Mr. STAFFORD. Prior to that time the contract price was in the neighborhood of $1.70 to $1.80.

Mr. PAGE of North Carolina. It was $1.75 or $1.79; I am not sure which.

Mr. STAFFORD. A dollar and seventy-nine, I think.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 66, line 23, strike out "$1.85" and insert "$1.80."

Mr. MANN. Mr. Chairman, this is a District item, and I was out when page 66 was read, and I want to ask the gentleman what is the theory of making the District of Columbia pay for the cost of installing water mains for the National Museum?

Mr. FITZGERALD. What is that?

Mr. MANN. Lines 14 to 18, to provide for laying water mains for the benefit of the National Museum. Why is one-half of that charged to the District of Columbia?

Mr. FITZGERALD. Well, it is a fire main, and the District pays one-half of all fire mains. It is to make a more direct connection through the grounds there.

Mr. MANN. Well, the item says this is for furnishing additional water supply for the National Museum building.

Mr. FITZGERALD. By extending the present——

Mr. MANN. The present 12-inch water main. It does not require a 12-inch water main for fire purposes.

Mr. FITZGERALD. This is for fire purposes, and the chief reason is for fire protection.

Mr. MANN. It is not for furnishing water, then?

Mr. FITZGERALD. No; it is to get the water now coming here in an indirect way, and this gives a direct access to the main, and it is chiefly for fire protection.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Lighting and heating for the public grounds: For lighting the public grounds, watchmen's lodges, offices, and greenhouses at the propagating gardens, including all necessary expenses of installation, maintenance, and repair, $18,500.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. In reference to the budget system, which has been much discussed here this morning, it seems to me that some plan ought to be devised by which the appropriations could be controlled in some systematic as well as economic way. A nonpartisan budget commission will never be secured. We have no nonpartisan commissions. That kind of a commission is impossible. I assume gentlemen who use the word "nonpartisan" mean "bipartisan." There is no such thing as nonpartisan. All men are partisans, and the mortal has not yet been born who is nonpartisan. All men are partisan. Men are unable to prevent their inclinations, their prejudices, their environments from warping their judgment. Their judgemnt leads them into the field of partisanship. Now, how would you appoint a budget commission so as to avoid politics? The administration and Congressmen, the Chief Executive or Congress, would select a commission, and most naturally it would select it of the same political faith or, at least, a majority of it. That is true of either the Executive or Congress. The trouble, in my judgment, with appropriations is in this: The departments are dictating the appropriation bills. There is where the difficulty comes. By this I mean no reflection on the Appropriation Committee. They are writing them according to their peculiar views of making the department which they represent greater and stronger, as they desire them, and much of the legislation that comes into the House and the Senate is not a representation of the views of committees which present the measures as much as it is the view of the department which oversees the preparation of such bills, and they reflect the view of the department for which it is made.

Mr. BARTLETT. May I interrupt my friend?

Mr. CULLOP. I yield to the gentleman.

Mr. BARTLETT. We tried having what we called a nonpartisan or independent board known as the efficiency board, on which we spent $260,000, to tell us how to carry on our business, and they made a number of suggestions to various departments how to transact the Government's business.

Mr. CULLOP. And they were absolutely ignored, I presume.

Mr. BARTLETT. No; we tried to follow out their suggestions and found out that instead of helping business it rather retarded it, and Congress abolished it after spending $260,000 on it.

Mr. CULLOP. Such is the usual result in all such instances. Now, in 1882 a tariff commission was appointed to revise the tariff.

Mr. BARTLETT. I was speaking of an efficiency commission.

Mr. CULLOP. I am only speaking as to the work of the commission system and the inclination of Congress about following reports made by the same. As a rule the report of a commission in such cases is ignored and the views of the Congress are substituted. Many instances of this kind could be given. The result of the work of the Tariff Commission was ignored because it did not coincide with the views of a majority of Congress. It made a voluminous report, constituting two large volumes, recommending a reduction of the tariff in nearly every schedule, and when Congress convened after the work of that commission for the purpose of revising the tariff it took the opposite direction and increased the tariff in nearly every schedule in the entire law. Such has been the usual experience in such matters. Right or wrong, it binds no one.

Now, when questions are asked about certain appropriations in the House the reply comes frequently that the department wants this, that, or the other thing in the bill, and that is the only answer and the only reason that is given for the proposed appropriation in many instances. The same is true of much of the legislation. And this Government, unless a stop is put to this practice soon, is rapidly drifting into a bureaucratic government. The different bureaus are writing the legislation of the country, and they are writing it according to their views. These men having made a study and devoted perhaps years to the different departments they represent, their inclinations, their learning, is all along the lines of their departments, and they become enthusiasts in it and attempt to legislate according to their peculiar views. The people and their wishes are ignored.

That is one of the troubles in controlling the appropriations, as well as the legislation of this House. Some system ought to be evolved by which appropriations can be controlled and reduced. What is true of appropriations is true of other legislation. But as long as the present system continues it is almost impossible to do it, because the departments are able to have their way too often in regard to the appropriations and the legislation made in this House and in the Senate.

This system should be reformed in this respect. Departments are in an indirect manner performing the work of the Congress, shaping it to suit their ideas and ignoring in many instances the desires of the people who must bear the expense. A reform in this regard is essential, and I hope some plan can be devised which will correct it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BORLAND. Mr. Chairman, I rise to oppose the amendment of the gentleman from Indiana [Mr. CULLOP]. Much of what he said is unquestionably true. The departments do recommend a great majority of the appropriations that get into the appropriation bills. That is necessarily true, first, because the law requires the estimates to be submitted in detail, and, second, even in the absence of such a law the natural recourse for information as to what was needed by the various branches of the Government would be to the departments. But the gentleman has probably never served actively upon any appropriation committee, or he would realize that these estimates are only the basis upon which the committee begins to act. It conducts hearings of the officials who have made the estimates, and——

Mr. CULLOP. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Indiana?

Mr. BORLAND. Yes.

Mr. CULLOP. I do not want it to be understood that I was reflecting upon the work of the committee, but here is what I am insisting on, that the committees hear the men from the departments. The people whom the committee represents, the masses of this country, have no hearing before the committee. It is an ex parte hearing.

Mr. BORLAND. I want to call the gentleman's attention to this: The committee acts as cross-examiners of those gentlemen who represent the departments and are the ones who are giving the testimony as to the various items of their recommendations. Of course they act as such cross-examiners to the best of their information and ability, which may not in many cases equal the expert knowledge of the men whom they are cross-examining, but which in all cases fully equals the average information of Members of the House on that subject, and usually exceeds it, because they have usually had experience in the committee before. Now, it is perfectly true, as the gentleman says, that every department of the Government seems to feel a natural pride in reaching out and expanding its activities and enlarging its jurisdiction and in making itself strong and popular before the people. Sometimes we think they go entirely too far in their manner and method of getting themselves before public attention. They constantly demand enlargement, and point out to the committees wonderful avenues in which their usefulness to the people can be enlarged. They frequently try to back up those propositions with an assumed expression of public sentiment.

Now, the committee discounts all of that. It discourages it. It tries to confine the department as much as possible to the duties which it was created to perform, and insists that Congress only ought to have the full right to enlarge the duties of a department and to increase and add to its activities, and that duty does not rest with the department, although the departmen assumes that it has that function. But the newest department in the Government, the latest man appointed, begins work with the idea that his powers and duties embrace the enlargement of his department or bureau, and we have to impress upon that gentleman the fact that Congress is the sole judge of its activities.

Mr. CULLOP. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. CULLOP. In other words, the departments are attempting to usurp the function of the Congress in regard to appropriations and the work of the departments?

Mr. BORLAND. We frequently think so, and when we think so we try to restrain them and to call their attention to the fact that they must not recommend things that the law does not authorize them to perform, however much they may think those things would be beneficial as branches of the public service.

But I wish to say that Congress itself is not entirely free from blame in this regard. Congress frequently tries to override the Appropriation Committees and put in items that it thinks are popular, but which have no weight or merit or importance at all, in the judgment of the committee. Frequently the committee is placed in a position of resisting that kind of a demand on the part of Members of Congress, either individually or collectively.

What we need in this country is a central authority. We need it more under a Democratic administration than under a Republican administration. We need a central authority which shall measure the outgo of the Republic by its income, or, turning it around the other way, if you choose, measuring the income by the outgo. I think that if the American people want activities performed by the Government, and enact laws providing for those activities, such as the physical valuation of railroads, the Children's Bureau, the Bureau of Mines, and other activities that we go into, we should say to the people, "If you want those things, you must pay for them. It is not a question of giving you something for nothing. The money in the Treasury is your own money, and it can not get in there without public taxation, and if you want certain things done certain taxes must be levied to meet the expense."

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BORLAND. It is manifestly necessary that if the people want certain acts performed by the Government and those activities involve expenditure for clerks and other expenses, some taxes must be provided to meet those expenses. I want to say, although in no particular partisan spirit, even though I think that is perhaps justifiable, that the Republican system is directly the opposite from the Democratic spirit in that respect. The Republican Party has taught the public for generations that taxation is a means of prosperity, and the more taxes you levy of a certain kind, the more prosperous the country is; that it did not make any difference whether you had need for the taxation or not, but that the very levying of a certain class of taxes was a guarantee and a means of prosperity. Under that system the American people have seen a recurrence of surpluses and deficits in the Federal Treasury. The surpluses have been almost as frequent as the deficits; but the last administration of the Republican Party was under a heavy deficit, and so reported by its official leaders. It left the Treasury under a deficit.

Mr. GILLETT. Only one year. There was a surplus three years and a deficit only one year.

Mr. BORLAND. It makes no difference whether there was a surplus three years or not. The gentleman talks as if there was no deficit until the Democrats came in. The Republicans went out under a deficit.

Mr. MANN. They left plenty of money in the Treasury, though.

Mr. BORLAND. That you had obligated and could not pay.

Mr. MANN. Oh, there was plenty of money there.

Mr. BORLAND. Their idea was that the more taxes you raised the more prosperity you had, and that therefore there must be some way found to expend that money, and the attention of the people was always diverted from the levying of the taxes and centralized upon the expenditures for their supposed local benefits. Now, in my judgment, the Democratic theory is precisely the opposite. It is that the revenues of the Government must meet the expenditures, and no more; that the taxes must be limited to the necessary, honest, and proper expenditures of the Government. That makes it necessary for us to go before the American people and practically educate them to understand that the Congress is their servant to perform the governmental activities, to conduct the Government, but that it can only be paid for by the taxation of the American people; that taxes are not a means of prosperity, but a burden to be distributed as lightly and as justly as Congress, in its wisdom, can distribute them. If we can adjust our financial system to that theory, there will be neither surplus nor deficit, but we will do as I understand the British Chancellor of the Exchequer does when he goes before Parliament and explains his program. He says: "Here is what the Government purposes to spend. Here is how it purposes to raise this money. If you do not want us to expend this much, we will not raise the taxes. If you do want us to expend money for these purposes, then we must raise taxes in this particular way." Now, when Congress gets down to that point and really opens the eyes of the American people and deals with them above the table, aboveboard, we will quit this talk about deficits in the Federal Treasury. We have a rich Nation, with our means of taxation hardly touched by our Federal Government; we have not begun to touch the sources of taxation in this country that other countries have had to use and abuse for years; there is no overtaxation of the American people. There is none at the present time. They are not paying a dollar more into the Federal Treasury under Democratic rule than they paid under Republican rule, but they see where they pay it, and they see where it goes to.

I take it we are going to have a system that will, under the authority of the administration in power, through the proper committees of this House, provide what is popularly called a budget system; that is, that the administration will curtail the activities of the departments, and Congress will cooperate to that extent that we will only appropriate for the needs of the Government which the administration wants to make itself responsible for before the people. If it needs so much for the Army, it ought to have it. If it needs so much for the Navy, it ought to have it. If it needs so much for internal improvements, it ought to go before the people and say so, and we will put it in the tax bill and the American people will pay for it with their eyes open, and that is my idea of the budget system.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULINGS. Mr. Chairman, it seems impossible to suggest any subject on this floor that is not given a partisan aspect. In some respects I agree with what the gentleman from Missouri [Mr. BORLAND] has said. But the Republican Party in levying taxes, to use the expression of the gentleman, has simply enacted legislation that has kept the people of this country at work; and when the people are industriously employed legitimate taxation becomes a mere bagatelle. [Applause.]

The greatest mission of the statesman, so far as the material prosperity of a people is concerned, is to provide conditions that will keep the people in productive industry.

In times like these it is a pennywise economy to stop all public works. We need good roads. Now, while work is slack and men are out of employment, the Federal Government, collaborating with the States, should build a billion dollars' worth of roads. It would be the best investment we could make and a godsend to many men now out of work. As an investment it would begin to pay dividends at once. Increased taxation? Of course; but what would that signify when people are at work? After all, it costs no more to support people at work than in idleness. It would cost society as a body no more to support men at work than in idleness. And when the people are contentedly and industriously employed, taxes are a negligible quantity; besides, we would have the roads.

Mr. BAILEY. Will the gentleman from Pennsylvania yield?

Mr. HULINGS. Yes.

Mr. BAILEY. Did the famous Republican tariff keep the people employed in 1907–8?

Mr. HULINGS. In 1907–8 we had what was called a bankers' panic.

Mr. BAILEY. That is what you called it.

Mr. HULINGS. That was designedly brought about by the money interests, but it really did not greatly affect the industrial activities of the country at all. People were kept at work.

Mr. BAILEY. Not in my town.

Mr. HULINGS. Whatever legislation you enact that will keep the people industriously employed will put them in such shape that they can afford to pay taxes. [Applause on the Republican side.] That is what the Republican Party did by its tariff policy, and that is what the Democratic Party undid with its tariff policy. Now, the gentleman from Indiana [Mr. CULLOP] has referred to a subject that has attracted my attention frequently. In my service on committees in this House, which is inconsiderable, I have observed that the very first thing that is done is to refer a bill to the department to see what the department thinks about it; and if the department turns it down, in nine cases out of ten that is the end of the bill. This Government has become bureaucratic, especially with regard to these appropriations. But what are you going to do about it? I long since found out that it is not much good simply to kick. You must be for something. And if the gentleman from Indiana [Mr. CULLOP], with his great experience, finds that our practice is objectionable, that it ought to be changed, what does he propose? It seems to me that is a question that should commend itself to the experienced legislators on this floor. How are you going to go about it to better it? The department knows more about these things than any committee to which bills are referred. If you do not take advantage of their knowledge, where are you, and what are you going to do? How do you propose to better the system? I should like to ask the gentleman from Indiana what he proposes in place of the present system of what he calls bureaucratic legislation?

Mr. CULLOP. What I would propose is that somebody who in not a member of the department investigate carefully the recommendations of the department, and that person should be a disinterested one in regard to the appropriation and in regard to the work of the department. The trouble is that when a person has been employed in one of these departments for a good while he has his judgment warped, just as a man employed in any other department of life becomes an enthusiast and a partisan in favor of the department and loses sight of the wants of the people who have the burdens to bear in furthering the work of the department. So that some system ought to be evolved where the matter would be investigated by a disinterested party who is independent of the department, and ascertain the facts and report on the same.

Mr. HULINGS. I understand; I heard the gentleman say that before, but will he not put in concrete form a proposition to better the present system?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SLOAN. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, attention was challenged by the comparison made between 1907 and the present time. I want to state that in 1907 there were 6,494 less failures than there were in 1914; that the excess of liabilities of failures in 1914 over what they were in 1907 was $66,513,407; that the number of failures in 1914 in this country was 1,251 more than in the banner failure year in the history of this country, which was the other Democratic year of 1893.

Mr. BAILEY. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. BAILEY. Those figures which the gentleman is quoting are for 1907.

Mr. SLOAN. 1907, 1914, and 1893.

Mr. BAILEY. How about 1908? The real effects of the panic of 1907 were not felt until 1908.

Mr. SLOAN. The failures of 1914 were 16,759, and in 1908 they were 14,044.

Mr. BAILEY. There was no great war raging then.

Mr. SLOAN. The war raging now is the only salvation of the party on that side of the Chamber.

Mr. BAILEY. Oh, I think not.

Mr. SLOAN. For the benefit of the gentleman I submit a record of the number of failures and the excess of liabilities over assets for these record years in our recent history:

Years.	Number.	Excess of liabilities over assets.
1914	16,759	$162,313,407
1913	14,553	134,800,000
1908	14,044	127,500,000
1907	10,265	95,800,000
1896	15,094	99,100,000
1893	15,508	150,600,000

This shows 1914 as having 1,251 failures more than the next highest year in our history. It shows the excess of liabilities over assets for 1914, $11,713,407 more than in 1893 and $66,513,407 over 1907.

The gentleman from Missouri [Mr. BORLAND] said that we have been teaching the American people. Yes, we are being taught by Democracy—it, like experience, is a very dear teacher. You have been teaching people along the lines suggested at the expense of the losses of millions of dollars in business—60 or 70 per cent higher in 1914 than in the banner failure year in the history of the country, which was in 1893. They have not only been teaching expensive lessons to the people, but been teaching the Government an expensive lesson. In February, 1913, about the time the change of administration was to take place, there were $140,000,000 in the general fund in the Treasury of the United States, and in the last report—I have not seen the report this morning—we have only $50,000,000. In other words, a reduction for every business day since that time of $150,000. A king's ransom is lost from the Treasury of the United States.

I do not believe, Mr. Chairman, because matters are not working in the smooth and ideal order that they ought to be, that we should look to England or Germany or anywhere else for the budget system and do it reverence. I think we have the best system here in America that there is in the world, with the best opportunity to work it out, and I believe that if every man on the floor of this House and the floor of the other Chamber would follow as he understands his duty under the Constitution and say to everybody else, "Keep your hands off," instead of criticizing our own system and institutions and lauding those of other nations we would be standing on the floor and upon the platforms elsewhere lauding the wisdom and the efficiency of the American system. I believe that under the American system which we have now and under which we are working, JOHN J. FITZGERALD, chairman of this committee, and aided by its able membership, can work out a better system than Lloyd George with his budget system over in England. [Applause.]

Of course I reserve the statement that if we had a chairman from this side of the Chamber he could even improve upon the excellent work of the chairman of whom I have spoken. There is not, it seems to me, sufficient pride in the American people and the Members of this body in what we have. I think we ought to stand up for it and see some of its good qualities, some of its strength, and some of its wisdom, and instead of criticizing it and finding fault, let us see its strength, its dignity, and its basis for good government in the years, decades, and centuries to come. [Applause on the Republican side.]

The Clerk read as follows:

In all, $22,320, or so much thereof as may be necessary, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I should like to comment at this point on the use of the American flag over the Federal buildings and elsewhere in the United States. I do not know whether in this particular instance the cost of raising the flag is divided between the Federal Government and the District of Columbia or not, but that

makes no difference so long as the flag is raised and the proper spirit of patriotism results from its floating over the Federal buildings of the Nation. We can not make too great a display of the flag for legitimate purposes. Some time ago by reason of complaints that had come from various quarters, I introduced a bill to protect the flag against desecration. The fact was that there was no Federal law on the subject; that if the flag was desecrated or abused in any way it was up to the legislatures of the various States to protect it, and some of them had no such laws. A more serious question has now arisen; the gentleman from South Dakota [Mr. MARTIN] has introduced a bill which looks to a greater respect for the American flag on the high seas. An emergency has arisen in this regard. It is reported in the newspapers this morning that a second ship, apart from the *Lusitania*, that does not belong to the American Nation has adopted the ruse of flying the American flag in order to avoid the attack of a belligerent. I find on inquiry that there is no law of the United States which in any way protects the American flag upon the high seas as against the improper or deceptive use of it by a foreign or belligerent nation or by a pirate. In times gone by it was customary for merchantmen desiring to save their lives in time of war to raise the flag of a foreign nation or of some other nation than the United States, but that was in the days of the old wooden ships when the conditions were vastly different from what they are now. Recently the *Lusitania*, a great British ship, in order to avoid the possibility of being blown up by a submarine or a gunboat, adopted the ruse of flying the American flag, the flag of a neutral nation, so far as the foreign war is concerned.

Mr. J. R. KNOWLAND. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. J. R. KNOWLAND. Does the gentleman know whether any other foreign nation has laws similar to the one proposed by the gentleman from South Dakota?

Mr. MOORE. I am informed that some of them have laws which prevent the use of their flag, so far as their ability to control its use is concerned.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. COX. Did the gentleman hear read from the Clerk's desk yesterday a letter written to the gentleman from New Jersey [Mr. BROWNING] by a former officer of the United States Navy, citing the case of an American vessel during the Spanish War hoisting the British flag?

Mr. MOORE. I did not hear that letter read, but I read it in the RECORD, and I am thoroughly informed in respect to it, and, it seems to me, by reason of the fact that that letter was inserted, showing the American Navy itself had resorted to the misuse of a foreign flag in order to deceive an enemy, that perhaps it was appropriate that we should call attention not only to the bill introduced by the gentleman from South Dakota in respect to our flag on the high seas, but to other bills which have been introduced in this House with reference to the desecration of the flag in the United States. The point I am raising is this, that there would be no safety for any American merchantman if, having full confidence in the Stars and Stripes floating yonder 6 or 7 miles away, he permitted himself to draw near enough for one shot to send him to the bottom.

The CHAIRMAN (Mr. BARTLETT). The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Yes.

Mr. FESS. What effect would this have if we could pass this law?

Mr. MOORE. I am not speaking for any specific law.

Mr. FESS. I do not mean any specific law, but I mean legislation of this character.

Mr. MOORE. Mr. Chairman, I once introduced, and probably will introduce again, a bill to prevent the misuse of the flag for advertising or for other purposes in the United States. There is no Federal law to prevent that now, and I believe it would be wise, it would certainly be honorable, it would certainly not conduce to the perfidy that men sometimes resort to in the misuse of the flag on the high seas, if we had a law in the United States which would provide that if any foreign vessel used the United States ports and adopted the ruse of stealing the American flag, and thus sailing under false colors to deceive anybody, it should not have the further use of our ports.

Mr. FESS. How would we enforce that?

Mr. MOORE. I think that is possible by fine or otherwise.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from South Dakota.

Mr. MARTIN. Mr. Chairman, with reference to the particular bill that I introduced, I think, if the gentleman will permit, that it is a recognized principle of international law that each nation has complete control over its own flag. There is no doubt that when the United States or any other nation takes a position as to how its own flag can be used all civilized nations will observe that requirement. Furthermore, of course all we can do in the enforcement of any statute pertaining to foreign commerce on the high seas is in respect to isolation to our own harbors or to our own jurisdiction, and we can enforce such a law by confiscation of the boat which offends when it comes into the American jurisdiction.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks upon this subject. I desire to speak further, but I ask unanimous consent at this time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, it would be entirely possible for this Congress to say to the Navy Department that what it did in the case of Santiago shall not be done again. We have got to be fair and square with other nations if we expect them to be fair and square with us. We have no more business to sail under false colors than any other nation. It is unfair and unwarranted.

Mr. PLATT. Will the gentleman yield?

Mr. MOORE. I will.

Mr. PLATT. Does the gentleman know the United States Navy has done that on a good many occasions—that a transport going to the Philippines hoisted the Spanish flag?

Mr. MOORE. I do not know of many of these cases.

Mr. PLATT. It has been done a good many times.

Mr. MOORE. I referred particularly to the letter in the RECORD yesterday introduced by the gentleman from New Jersey [Mr. BROWNING], in which an officer of the Navy stated specifically that when they were sailing in belligerent territory and in danger they raised the flag of the British nation in order to escape the Spaniards. Now, if the American Navy permits this thing to be done, and the American Congress permits the American Navy to permit this thing to be done, then there is no ill grace in the English nation saying to its merchantmen or men-of-war, "If you are in danger anywhere, raise the American flag, because that is the flag of a neutral nation just now." Now, I want to say this, that there are regulations governing the Army of the United States at war which prohibit the use of any foreign flag or any deceptive measure or the sailing under any false colors to avoid an enemy.

Mr. MANN. If my distinguished friend from Pennsylvania had had the luck to be one of the officers gracing the Navy instead of gracing this House, as he does, and he were in command of a naval vessel where an enemy was superior in strength and came in sight, and where if they knew he was in command of the vessel they would blow it out of the water or down in the water, what would he do? Would he rather raise the flag of some other country or have them sink him to the bottom?

Mr. MOORE. If I were going to die upon the land or on the seas, having a commission from the United States Government, I would rather die under the Stars and Stripes of my Nation than to go down under any other flag. I think that answers the gentleman's question.

Mr. MANN. No; I was asking the question whether he would rather live or die. The gentleman only gives the case where he would rather die.

Mr. MOORE. As to that, I recall a celebrated incident in the Revolutionary War. I can see in my mind now the gallant Capt. Lawrence as he was being carried below say to the sailors about him, "Don't give up the ship." I think if our gallant sailor boys were in a fight they would rather go down under the Stars and Stripes than any other flag.

Mr. MANN. Mr. Chairman, I am very much interested in this question both from reading what the newspapers have said and from what gentlemen have said on the floor, and from reading the history of the regulations of the different navies, and from reading history where we frequently have read of the raising of a flag by a foreign nation in order to protect the vessel. All I want to say is this: I think the captain of a vessel, naval or merchant, who would prefer to send his crew to destruction, to the bottom of the sea, rather than tell a lie has a superior morality to anybody who has common sense. [Applause.] Why, the very essence of warefare is lying and deceiving the enemy. That is what everybody engaged in war

is trying to do, and to say that you will be so high-minded that you send word to the enemy where you are, and how many people you have got, and how you are located, and what your strong points are, and what your weak points are, gets me. Here you refuse to raise a little bunting, the flag of a foreign nation, or otherwise, in order to protect your vessel, which may be essential to the success of your country. I think that anybody who was in danger—and I am afraid my friend from Pennsylvania, if he were in danger, would seize the opportunity, as he seizes all opportunities—would run up any kind of a flag to save his vessel.

Mr. MOORE. Take the other horn of the dilemma, where a designing captain raises a false flag for the purpose of deception and steals up on a neutral. What would the gentleman say to that?

Mr. MANN. I can see no object of a designing captain stealing up on a neutral. What difference does it make; he can steal up on a neutral, but he is not at war with a neutral, and if a captain, designing or otherwise, can steal up on a neutral and fire a gun, that would be an act of war.

Mr. MOORE. Well, take a neutral carrying contraband.

Mr. MANN. A neutral carrying contraband is not subject to be fired upon unless they refuse to stop. Of course, I appreciate the fact that if all the British vessels should fly American flags in a territory where the German submarines were seen to approach to the surface there might be an accident happen; and I am very sure that would raise a good deal of trouble, because, whether that is done or not, it is the duty of any war vessel before it attacks a merchant vessel to know whether it is a neutral vessel or not.

Mr. MOORE. In extension, I desire to incorporate an excellent treatise that has just been prepared for me on this subject by Jasper Yates Brinton, Esq., a former assistant United States district attorney at Philadelphia. He has grouped his information on this subject so admirably that I think it will make profitable reading. Mr. Brinton's statement is as follows:

THE RIGHT TO THE FLAG—ACTION CALLED FOR BY FEDERAL GOVERNMENT TO PROTECT OUR COLORS ON LAND AND SEA.

[By Jasper Yates Brinton.]

It is clear that the *Lusitania* violated no rule of international law in raising the flag of the United States as a ruse to escape capture by a German torpedo boat. The incident, however, will serve a useful purpose if it directs public attention to a situation in which all neutrals are deeply interested, but one which has been completely neglected in international conventions and conferences.

There are no clearly established rules of international law regulating the display by merchantmen or flags of another nation.

In a general sense, however, the right of a State to take action for the protection of its flag and to prescribe the conditions of its use is well recognized, although in the absence of affirmative action by statute or treaty no ground for diplomatic complaint exists. The matter is one which in the first instance must be dealt with by the municipal law of a State or by treaty.

The strongest expression of the general principle is thus voiced by Calvo, a distinguished European authority on international law, who observes:

"The flag is a visible sign of the national character of a ship. Each State has its own colors under which his nationals sail, and it can not be used without its permission. The assumption of the flag of a foreign State without its authorization is considered a violation of international law, as a device both fraudulent and injurious to the flag of such State. Both the State whose flag is wrongfully used and that in regard to which the use of the false flag is made have the right to demand the punishment of the guilty persons and, according to circumstances, to punish them themselves."

The same principle is recognized by Oppenheim, perhaps the leading British authority on the subject:

"It is another universally recognized rule that men-of-war of every State may seize and bring to a port of their own for punishment any foreign vessel sailing under the flag of such State without authority."

International law is silent, however, as to the enforcement or definition of this general right. Certain it is, if there is to be "punishment" for its violation, such punishment must be dependent upon statute or treaty, according to the locality of the offense and the nationality of the ship, upon such a statute, for instance, as the British shipping act of 1894, which punishes by forfeiture of the vessel any misuse of the British flag, except it be for the purpose of avoiding capture by an enemy or by a foreign ship of war in the exercise of some belligerent right.

So far as such affirmative action is concerned, the record of the United States is one of complete silence. Congress has not even taken action to protect the national flag upon land, leaving its protection to the uncertain guardianship of the several States.

In 1879 Secretary Evarts observed: "It may have been the intention of Congress when it prescribed the national flag that it should be used only by vessels of the United States as defined by law. No such intention, however, is expressed in any statute."

In line with this conclusion vessels purchased by American citizens abroad, although not entitled to American registry or to be classed as vessels of the United States, have always been held entitled to the American flag, although no declaration has ever been made as to when, if ever, vessels should not be so entitled.

This omission is not the result of oversight, for in 1872 the Solicitor of the Department of State, in commenting on the absence of any law upon the subject, remarked:

"Congress, under these circumstances, should, in my judgment, either forbid any vessel to carry the flag of the United States which is not a registered vessel of the United States or to provide for the giving of some official certificate to vessels wholly owned by citizens of the United States, wherever built."

In this connection it is of special interest to note that the use of false colors by war vessels was made one of the several topics for general discussion at the annual conference of the United States Naval War College at Newport in 1906. The conclusion of the conference was that the use of false colors by public vessels in war should be prohibited. In the course of this discussion reference was made to the question of the merchant flag. The reference is timely and of particular interest as being practically the only utterance of an official character bearing on the topic:

"It is held by some that the prohibition of the use of false colors should be limited to their use by the public vessels of the belligerents. It is argued, with much force, that the use of false colors by a neutral vessel would be in itself such strong evidence that the vessel was carrying contraband or engaged in unneutral service that the practice would be rare; and, further, to prohibit a private or merchant vessel of a belligerent from using her enemy's or a neutral flag as a possible means of diverting her enemy's attention and thus escaping capture is to deprive her of a legitimate stratagem, which involves only permissible deceit, not the slightest degree of perfidy, and no injury to the neutral in case a neutral flag were used."

In the light of the allegations now made by the German Government in respect to the alleged misuse of neutral flags by Great Britain and of the measures of retaliation now proposed by Germany, which include a statement that "in view of the misuse of the neutral flags ordered by the Government of Great Britain on the 31st ultimo, and of the hazards of neutral warfare, neutral vessels can not always be prevented from suffering from the attacks intended for enemies' ships," the problem suggested in the above paragraph assumes new and significant proportions.

On the one hand every neutral is likely in its turn to become a belligerent, and sooner or later possibly to find occasion for the temporary use of the neutral flag as a protection for its shipping. On the other hand, it is equally clear that the continued use by a belligerent of the flag of a neutral would inevitably tend to deprive the neutral of the full measure of protection which rightly belongs to its flag, as it might compel the opposing belligerent, under the exigencies of war, to adopt a course which, notwithstanding the obligation on a belligerent to ascertain the character of a merchant vessel and cargo before capture, might prove of no little inconvenience, and possibly of some danger, to neutral vessels flying their proper flags.

Upon this point the following language from the arguments presented in the discussion held at the Naval War College conference referred to, in support of the conclusion reached that the use of false colors by war vessels should be prohibited, applies with equal force to the use of false colors by merchantmen:

"It is now generally considered that a neutral has an exclusive right to the use of his own flag and the right to prescribe under what conditions it may be used. Of course this right to the exclusive use of his own flag may place upon the neutral certain obligations to guard against its misuse. A neutral would seem to be acting reasonably in demanding that his national emblem shall not be used by a belligerent to cover any act which may work injury to the other belligerent, which, as regards the neutral, is a friendly State. While the practice has hitherto been tolerated, it seems to be an infringement of the natural rights of the neutral State. It may also work hardship for a neutral vessel, for when the use of its colors is permitted to either belligerent it can not surely establish its identity by raising its national flag. Such standards of action have long been eliminated from land warfare, and its continuance on the sea is hardly in accord with the standard of fair dealing which generally obtains in naval warfare."

As has already been indicated, however, the conclusions here expressed are merely suggestions as to what should be made the law by international treaty or convention, and do not express the law as it exists.

So far as the use of false colors by war vessels is concerned, the situation is equally unsatisfactory. The present rules of international law clearly permit the use of false colors up to the point of the firing of a gun, before which time, however, the true national flag must be displayed. The attempt of Rear Admiral Stockton to change the American rule by a regulation which was embodied by him in the Naval War Code, as adopted by the Navy, was subsequently defeated by a rescinding of the regulation at the instance of naval officers.

As pointed out in the discussion before the War College, the existing rules of international law upon the subject are an inheritance from the early days of wooden sailing vessels and short-range guns. Since that time the conditions of war at sea have fundamentally changed, but the rules have not been changed to keep pace with them. At the time they were formulated, neutral rights were little considered, and the use of a neutral flag would have been regarded as a matter in which the neutral party had little concern. The approach to each other of the slow sailing vessels of the seventeenth century readily permitted time for the determination of the identity of a vessel, and thus furnished opportunity for action in case of mistake. Surprise, therefore, was not a matter of grave importance. To-day, however, a speedy and concealed approach has become a matter of first importance in naval warfare, as the first shots are often decisive of the battle.

Thus the whole reason for the rule which tolerated the use of false colors has been removed, and it seems clear that the use of a false flag by a belligerent should be effectively prohibited. Such use of the neutral flag in war should now be held to fall within the general class of offenses involving perfidy and, as such, forbidden by international law; and the rule of respect for a neutral flag and of just protection for neutral shipping should equally forbid the misuse of a neutral flag by the merchantmen of a belligerent power.

The rule as to false colors is, of course, altogether distinct from the rule which has been generally observed both by Great Britain and the United States requiring the display of the national flag before the firing of a shot.

The British Manual of Prize Law above referred to specifically provides that "before firing, the commander, if he has chased under false colors or without showing his colors, should be careful to hoist the British flag and pennant."

Similarly the Regulations of the United States Navy, 1905, provide that "under no circumstances shall he (the commander) commence an action or fight a battle without the display of the national ensign."

While, therefore, the failure to display the colors until the moment immediately preceding the opening of hostilities can not be regarded as an act of perfidy, it being for the enemy to find out for himself the nationality of the approaching vessel, it is clear that the rule which permits it, when applied in conjunction with the existing rule, or, rather, lack of rule, as to the use of false flags, it is a potent instrument for deceit and perfidy. As pointed out by the War College, the most essential part of a modern action may be not the firing of a gun, but the

getting within range. To permit an enemy to come within range under a neutral flag and then to hoist the true standard at the moment of dealing the death blow is shocking to all modern conceptions of honorable warfare.

In sharp and illuminating contrast with the situation as to naval warfare are the rules applicable to war on land. Upon land the use of false colors is universally recognized as a form of deceit involving perfidy, and is strictly prohibited. As long ago as 1863 we find in the instructions to the United States Army for the following:

"The use of the enemy's national standard, flag, or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy by which they lose all claim to the protection of the laws of war."

So, too, in the Oxford Manual for 1880, we find it provided:

"It is forbidden—

"(d) To make improper use of the national flag, of signs of military rank, or of the uniform of the enemy, of a flag of truce, or the protective marks prescribed by the convention of Geneva."

Under The Hague convention of 1899 it is provided:

"Besides the prohibitions provided by special conventions, it is especially prohibited—

"(f) To make improper use of a flag of truce, the national flag, or military ensigns, and the enemy's uniform, as well as the distinctive badges of the Geneva convention."

The discrepancy between the rules of the flag for warfare on land and at sea has long since ceased to be based on solid reasons of public policy. It would seem to be highly fitting that the United States should take measures to abolish it forever and to extend this abolition to warships and merchantmen alike.

Such action, however, must look to an international agreement that would prevent the United States from being placed at a disadvantage with the powers in times of war.

It is high time that this country should lead the way back to the writing of this rule into the law of civilized nations.

Mr. MARTIN. Mr. Chairman, near the end of the session on Monday afternoon I made some remarks upon this subject. I have taken some pains to investigate international law, so far as it is available upon the question. The House is certainly under obligation to the gentleman from Pennsylvania [Mr. MOORE] for the item he proposes to put in the RECORD in connection with his remarks under leave to extend. He has done me the honor to give me an opportunity to read it, which I have done with very great interest. It is a better compilation of international law as to a nation's control over its own flag and what ought to be done with it than can be found in any single work on international law.

We find this curious situation in the development of the law of nations on the subject of their flags: More than half a century ago all civilized nations provided in their rules of warfare that nothing but the flag of the nation actually in conflict should be used in war upon land, and that has been our law ever since 1863. The instructions to the Army in 1863 contained this paragraph:

The use of the enemy's national standard flag or other emblem of nationality for the purpose of deceiving the enemy in battle is an act of perfidy by which they lose all claims for protection under the laws of war.

The same is the law of Great Britain in fighting upon land, but by reason of some curious anomaly, which is understood only when you look into it carefully, the use of a foreign flag as a ruse has been allowed on the sea. Of course land warfare has always been a hand-to-hand combat, and therefore the need of fairness even in war has always been recognized on land. On the other hand, battles on the sea have been of a very different character. But in the march of progress, now, as soon as a vessel may come in sight over the horizon, a modern gun may destroy it; and recently, with the use of the torpedo, and particularly now with the use of the submarine, the whole damage may be done in an instant, and therefore any nation that has afloat on the high seas either a warship or a merchant marine is vitally interested in the integrity of its emblem of nationality.

We use a flag. What does it mean? It means American sovereignty, and will be defended in connection with all that American sovereignty means. At our War College in Newport in 1906 the advanced thought on this subject was formulated and embodied in their report, and I will just read from the recommendation of our military experts upon what should be the treatment at sea as well as upon land. This was the recommendation of our War College at Newport in 1906. I read:

It is now generally considered that a neutral has an exclusive right to the use of his own flag and the right to prescribe under what conditions it may be used. Of course, this right to the exclusive use of his own flag may place upon the neutral certain obligations to guard against its misuse. A neutral would seem to be acting reasonably in demanding that his national emblem shall not be used by a belligerent to cover any act which may work injury to the other belligerent, which, as regards the neutral, is a friendly State. While the practice has hitherto been tolerated, it seems to be an infringement of the natural rights of the neutral State. It may also work hardship for a neutral vessel, for when the use of its colors is permitted to either belligerent it can not surely establish its identity by raising its national flag. Such standards of action have long been eliminated from land warfare, and its continuance on the sea is hardly in accord with the standard of fair dealing which generally obtains in naval warfare.

Now, I want to emphasize again the statement that I made the other night. In my judgment, if we permit any of these belligerent nations indiscriminately to use the American flag in order to disguise the actual nationality of their ships, it will inevitably lead us into serious international difficulties, even if it does not lead us into partisanship in this war. Under present conditions of naval warfare we must perform our duty as a neutral, because unless we protect our own ships by our own flag and prohibit its indiscriminate use by belligerent nations—and one belligerent has just as much right to use it as any other—we are bound to become involved in international complications.

And I might say, touching the suggestion of the gentleman from Illinois as to what would be the first inclination of a man in saving himself or those under his command in a war at sea, that those considerations do not do away with the fact that there are some standards even in warfare, and it does not do away with the importance of this Nation's maintaining upon the sea as well as upon the land absolute neutrality as between the belligerent powers and the absolute safety of its own craft.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Texas?

Mr. MARTIN. Yes.

Mr. GARNER. Taking a concrete illustration in this case, suppose England insisted that she has the right to use the Stars and Stripes in case of danger, and we insisted to the contrary, would not that bring about some complications?

Mr. MARTIN. International law has gotten to this point, beyond all controversy, that while all nations have not agreed as to the conditions of naval warfare as they have upon land, yet they have agreed to this by all recognized conferences, that every nation has the right to prescribe how its own banner shall be used, and therefore if the United States shall make it clear that in its opinion it is not consistent with its rights and duties of neutrality that its flag shall be used indiscriminately on the high seas by belligerent powers no nation will question that position.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MARTIN. Mr. Chairman, I ask three minutes more, if the Chair please.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. GARNER. But just at this particular time, if the United States did insist that its flag could not be used by one of the belligerent powers, and the other power said it would be used, what would be the result?

Mr. MARTIN. Oh, well, that is a contingency that you do not need to anticipate. It is not a contingency that contains anything like the peril which will follow if we do not protest against the indiscriminate use of our flag, which would mean that every boat rightfully flying the American flag would have to remain in an American port or under cover.

Mr. MOORE. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Pennsylvania?

Mr. MARTIN. Yes.

Mr. MOORE. Is it not true that the American Government has made no declaration on this subject with respect to its flag on the high seas?

Mr. MARTIN. Not except the declaration or opinion of the War College.

Mr. MOORE. If the Government should declare that it did not want its flag used either for decoy purposes or perfidious purposes, what would be the result, in the gentleman's opinion?

Mr. MARTIN. If we made such a declaration, every nation would be bound to use our flag only in the way that we prescribe.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. Yes.

Mr. FESS. Our flag is the emblem of neutrality. Now, if we permit it to be used without our protest, what protection would we have?

Mr. MARTIN. Absolutely none. Any merchant marine of ours on the sea, if we did not protest against our flag being used for belligerent purposes, would be in danger of the consequences of such an act.

Mr. MOORE. How would a belligerent ship distinguish between a ship of another belligerent flying our flag and an innocent American merchantman flying our flag?

Mr. MARTIN. It is impossible for them to detect it until they get so close that the whole advantage of warfare is gone. A submarine, for instance, keeps out of sight. It does not closely scrutinize to see what kind of a ship it is. It gets its information from the flag. It does its work by getting in under the craft to be destroyed. A submarine might be destroyed by a single shot fired from a gun that might be carried by a merchant vessel. The submarine keeps out of sight. It obtains its information as to the nationality of a ship from the flag it flies, and if it is the ship of a belligerent power it lays its plans to destroy it, and that is its purpose.

Now, by what I have said I do not mean to intimate that there is any lessening whatever of the right of an American citizen anywhere in the world to be protected by the American flag. If the *Lusitania* had been in danger of destruction—which I know not—the American citizens aboard that vessel might have gathered in a group and raised the American flag themselves, as indicating by that visible emblem that they desired the protection of the American Nation and that they were American citizens.

That would have been no violation of any rule of war or any rule of peace. In a foreign country an American citizen may raise the American flag to show that he is an American citizen and that he expects to obtain its protection, and his right to do so would be recognized by the laws of nations.

I have called attention to this matter not in any spirit of criticism of the administration at all. I realize that in time of war the difficulty of sailing between Scylla and Charybdis, in the dangers that beset us, is very great, and I would not have anything I might say embarrass the administration to any extent, but I desire to say that the rules of nations, as recognized by advanced international thought upon the subject, consider it as much an act of perfidy to deceive in naval warfare as in war upon the land as to this precise question of the right to use the flag of a neutral nation. And I say, furthermore, that the right of each nation to say how its flag shall be used is recognized everywhere. And in the next place, and finally, unless we do prescribe how our flag may be used, if we permit it to be used by belligerent nations indiscriminately as a means of disguise, we not only imperil our own sea craft but we thereby, in my opinion, desecrate the flag, and the ultimate result would be that it would become a byword between the belligerent powers as well as among neutral powers everywhere.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

Washington Monument: For custodian, $1,200; steam engineer, $960; assistant steam engineer, $840; fireman, $660; assistant fireman, $660; conductor of elevator car, $900; attendants—1 on floor $720, 1 on top floor $720; 3 night and day watchmen, at $720 each; in all, $8,820.

Mr. DIES. Mr. Chairman, the discussion seems to have wandered somewhat from the measure under consideration, not only from the bill itself, but to a very foreign field, to wit, the flag of the United States, a most interesting subject and one that I wish I had time to illuminate and adorn. Of course, that is a very interesting question now, because there is a variety of opinion in our country with regard to conditions growing out of the war, not only with regard to the use of the flag, but with regard to other matters. I know that down in my own country we are very solicitous about the soaring price of wheat, and we are very anxious that there be less of it shipped away from our country, because it is making the price of bread very high among our people. I will say in passing that there is no clamor in my section of the country—which I imagine to be about as patriotic as the balance of the country—with regard to the flag or with regard to ships to take away any more wheat from our country and get it abroad; although I understand those who have wheat to sell are still quite anxious for new and more rapid facilities with which to get it abroad.

Mr. BRYAN. How about cotton?

Mr. DIES. I was just coming to that. Our people have been somewhat alarmed at the slowness with which cotton has been moving abroad. However, I notice that in the last few weeks the movement has grown to be quite heavy, having broken all previous records—almost 4,000,000 bales, in fact, for the eight weeks ending January 30. And I understand, although I have not the exact figures at hand, the last week has greatly increased the weekly exportation of cotton, and that it is now greater than it was the week before—so great, in fact, that some of the newspapers down in my country are beginning to warn the growers of cotton and the exporters of cotton that the tremendous exportation is likely to break the price of it. Cotton, as you will understand, is now going steadily up, and there is some fear that this great exportation of it that has set in from the ports of the United States to European countries is likely to damage the cotton farmer, because he will dump his cotton in too great a quantity upon the European market. For instance, it was pointed out in the Texas papers a few days ago that this extensive exportation of cotton had already broken the market in a certain European country 3½ cents a pound in one day.

Mr. BRYAN. I was just going to suggest that the great exportation of wheat is likely to have the same effect on the price of that commodity.

Mr. DIES. That may be true, though I dare say that the bread eaters in my country are not alarmed at the breaking of the price of wheat. In fact, the alarm down there is over the fact that they will not get any bread to eat if we keep on shipping wheat into European countries.

But I did not rise for the purpose of taking the time of the committee in the discussion of the price of wheat. For one, if I may belabor you with my opinion, while I regret for those of my constituents who are using wheat bread that the price of wheat is so high—for one, I would not be willing, if I could do it, to put the price of wheat too low, because I believe the man who raises wheat is entitled to a fair share of the prosperity of the country, and if it happens that his product goes up, why, I want him to have the benefit that falls to him from the high price of his product.

Mr. MOORE. Will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE. From what port is the cotton raised in the gentleman's district shipped?

Mr. DIES. From Port Arthur, Galveston, New Orleans, and some from Mobile.

Mr. MOORE. Can the gentleman say whether there has been any great congestion of cotton at that port or in the ports of the vicinity that the ordinary ships could not carry?

Mr. DIES. At the outbreak of the war there was a great deal of congestion, no doubt, as most every gentleman knows—and I expect I know less about it than others—those who use raw cotton carry a reserve on hand. I imagine that is the case in Europe, and they were carrying a good deal, and when the war broke out, in the excitement and turmoil ensuing, they were using the reserve. Now the reserve is in danger, and they are beginning to import cotton, and I have no doubt taxing the carrying facilities.

Mr. MOORE. To the ports or from the ports?

Mr. DIES. That is according to what ports the gentleman is speaking of. If you are taking our ports, it is from, and if you are taking European ports, it is to.

Mr. MOORE. Take my port of Philadelphia, and the shipments have been proceeding in an almost normal way. There has been some congestion due to conditions on the other side. I was wondering what the conditions were at the ports of shipment in the gentleman's vicinity, whether there was such a congestion as warranted our purchase of additional ships.

Mr. DIES. Mr. Chairman, I had not purposed to go into a discussion of the shipping bill, and I shall not do so now.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Texas asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DIES. Mr. Chairman, of course there are a number of vessels that have been destroyed during the war. Moreover, I understand that a great many of the waters of the country have been strewn with mines, and that there is a great amount of danger and delay now attendant on the interchange of commerce between our country and Europe. That was the case after the war broke out. That, of course, is making some congestion and some confusion, and inevitably so.

Mr. SLAYDEN. Will the gentleman permit me to interrupt him?

Mr. DIES. Yes.

Mr. SLAYDEN. Is the gentleman familiar with the fact that at the beginning of the current month there were on shipboard ready for exportation at the various ports from which cotton usually comes 582,000 bales, and that last week on one day 136,000 bales were exported, breaking the record?

Mr. DIES. And breaking the price.

Mr. SLAYDEN. To some extent, but not much. The price stands up amazingly well.

Mr. DIES. I have no doubt that if the country could exhibit its usual patience about these troublesome matters that they would right themselves in the course of a few months, or in the course of a little while.

It occurs to my mind that recently the Secretary of the Navy, in his report for 1913, recommended to Congress that the Gov-

ernment go into the business of operating oil wells and refineries. At that time I remember very well that the Government was paying $1.73 for oil; oil was quite high. We were getting $1 a barrel in my country at the well. However, Congress, with its usual sluggishness, did not make the appropriation to put the Government into the refining business, and now the price of oil has dropped down to 40 cents a barrel; and, I understand, although not officially, that the Government is getting oil at a satisfactory price, and the necessity for embarking the Government into the oil-well production and refining business has passed for the moment, and that the demand to have the Government go into all fields of business endeavor by waiting a few months or a year would pass away.

Of course I make no indirect allusion, nor do I desire to allude now, to the purchase of ships. [Laughter.] Far be it from me.

Mr. MOORE. Will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE. It may be interesting to the gentleman to know that the three commodities that have gone out of the port of Philadelphia are grain, in the rough, wheat, and oil. There has been a very large increase in the shipments of oil. The normal business of the port has not been quite so strong during the month of January as it was the preceding January, and therefore the necessity for new ships would appear to come largely from the demands of those who desire to export oil and grain and, possibly, cotton in the gentleman's own section. I thought that might interest the gentleman.

Mr. DIES. I do not know as it does interest me. I do not want to influence this body by saying that the Standard Oil Co. is behind the proposition to buy ships. That argument is quite threadbare.

Mr. MOORE. The gentleman knows that we established a Government insurance bureau, for which we appropriated $5,000,000, and that we have insured the cargoes of many ships that have been compelled to do business by reason of the war.

Mr. DIES. I had not quite finished my observation about the Government going into the oil business. Of course I knew perfectly well that when the Secretary of the Navy, for whose political sagacity and learning I have the most profound regard, would be forced to concede once the Government embarked in the oil-producing business and in the refining business—as a man who has had some practical experience and opportunity of observation, I knew that the Government would be compelled to go into the pipe-line business, because the oil at the well would avail the Government nothing unless it was transported to the refinery, nor without ships to engage in the regular business. I knew, too, that the pension bill and the public-buildings bill and the rivers and harbors bill would be very mild abuses compared with what would happen should the Government enter the oil business; and, of course, the Government would be a victim at almost every turn. But, if I am not tiring your patience—and you seem to have great patience in the discussion of this bill—that is a subject that is disturbing my dreams as a Member of Congress.

If I am earnest about anything in this world, if I am wrought up over any public question, it is this cry of having the Government of the United States take over the activities of individuals and putting the Government into Government ownership. You will be my witness when I say that I have tired this body of men often, not only in this Congress but in every Congress of which I have had the honor to be a Member, with this question. I am glad now that in this Chamber, and in another Chamber not far from here, other gentlemen, whose words carry more weight than mine, are beginning to become alarmed at this proposition of having the Government become the manager of business and the handler of pay rolls.

Mr. BORLAND. Mr. Chairman, does the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. I yield to the gentleman from Missouri.

Mr. BORLAND. The gentleman has expressed himself so strongly against Government interference in private business that I take it he was against the cotton-loan proposition.

Mr. DIES. Mr. Chairman, my friend did not do me the compliment to follow my expressions upon that question or to have observed my vote. I had the great pleasure, Mr. Chairman, of raising my voice against that monumental piece of sophistry, to use no harsher term, notwithstanding the fact that my district is one of the very largest producers of cotton in the United States. I voted against undertaking to vitalize the so-called Henry bill at the beginning of this session.

No, Mr. Chairman, whatever faults I possess, that of hypocrisy and that of a desire to occupy a seat in this Chamber at the expense of palming off gold bricks on the farmers of my district is not one of my vices. [Applause.] I am not a particularly brave man, but I did, however, give up the first office I ever had because I would not support free silver. [Applause and cries of "Good!"] I had just gotten back from the university and had been elected county judge. I might have been wrong about it, but I got it into my head in some way or other that that thing was not for the good of the people in my country, and I did not know much about any other country at that time; but I believed then, as I believe now, that a stable currency is as much to the interest of the farmers of my district as it is to the bankers of Wall Street or Lombard Street. I will tell you another thing. I never have brought myself, in my most selfish moment, to a point where I am willing to occupy a $7,500 berth at the expense of the taxpayers of this country by palming frauds off on those whose backs are bended in my district with toil. As I occupy a place in this Chamber—and I am no saint; I have enough holes in my armor to drive an ox team through—my mind goes back to the farmer in his field, rising with the sun in the morning and toiling until it sets at night. Probably he is trusting me or you in this Chamber to deal fairly with him, to come square with him and tell him the truth about public questions. Of course I knew, and we all knew, that the Government was not going to buy 5,000,000 bales of cotton any more than it was going to buy 5,000,000 mules or 5,000,000 bushels of corn or wheat or anything else. Of course I knew and you knew and we all knew, down to the pages who work in this Chamber, that the Government was not going to lend any money to the cotton farmer directly upon his cotton. I knew and we all knew that the Government did not have any money to lend; that it was just at that particular time sitting in solemn conclave, deciding which pocket of the taxpayers to insert its hand into in order to get a little more money for itself to run the Government. [Laughter and applause.]

Mr. Chairman, without criticizing my colleagues who see the matter differently—and they are as honest as I am, and many of them are better informed—and only speaking for myself, if I had committed myself to what I conceive to be a monumental fraud on the farmer and had told him that the Government was about to lend him money on his cotton or buy his cotton, then I would as soon try to trade him a gold brick, or I would have felt just as if I were perpetrating a fraud upon the men to whom I feel more grateful than any men in this country—the farmers of my district—who are toiling in their fields, depending upon me to come square and honest with them upon that question as upon other questions.

Mr. Chairman, this discussion has wandered far away from the budget matter. Where it will wind up nobody, of course, can tell. I regret that it has gotten into the war zone, because I think that is one of the most dangerous and dynamic questions that we could discuss in this Chamber. I was in hopes that the discussion would cling around some plan to curtail appropriations. I think if there is a serious thing for the Congress it is to find some plan to put an end to this friendly rivalry between a few committees to see which can appropriate the most money. Of course I appreciate and sympathize with a supply committee, for instance, like the River and Harbor Committee.

If we go to them and say, "Gentlemen, you ought not to appropriate so much money," they will say, "Yes; we know that; but there is old Gen. SHERWOOD sitting right by the door of the Treasury ready to grab anything that lies around loose for his pensioners if we do not get it." [Laughter.] Then I sympathize with the man who wants a public building in his district, but who also informs you that it is a losing game for the Government, and that the Government could get along a whole lot better by renting instead of building. He says, "Yes; but if I do not get it for a building in my district, HOBSON and these fellows will take it for another battleship or a gunboat." And so, Mr. Chairman, we see this rivalry of committees, each anxious to appropriate more money every year, each anxious to acquire more power every year, and I do not know how much further it can go. We are taxing incomes; we are taxing a good many things under the war tax; we are taxing almost everything in the country, and the ball goes merrily on, so far as appropriations are concerned. I remember when I first came to Congress—and it is only a little while, and I fear it is going to be just a little while more that I shall stay here—the appropriations for the Agricultural bill amounted to about $15,000,000.

Mr. GARNER. Eleven million dollars.

Mr. FITZGERALD. It is now $24,000,000.

Mr. DIES. In any event, it was a small sum compared to what it is now. I do not blame the chairman of that committee or its members. Power is one thing that every rational man wants. Next to self-interest it is the most universal of all of the passions—power. That is one reason this Government was made with three independent coordinate branches. Mr. Madison said that he wanted it so fixed that each branch would have that power and influence to prevent encroachments of the other branches of the Government, and that is the reason why this Congress is so independent of every other branch of the Government. [Laughter.] It is because men love power.

Mr. POWERS. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in five minutes.

Mr. NORTON. Mr. Chairman, reserving the right to object——

Mr. DIES. Mr. Chairman, I do not care to take any more time.

Mr. NORTON. Mr. Chairman, I do not object; but reserving the right to object, I would like to know why——

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate upon this paragraph and amendments thereto expire in five minutes.

Mr. MANN. I hope there will be no objection, because we must make some progress with the bill.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. NORTON. I desire to ask the chairman of the committee why this unseemly haste in the passage of this bill? [Laughter.]

Mr. DIES. What I was about to say was this: I commend the activity of the Agricultural Committee and all the committees of the House in the service of their country, and we know they have to go a long way to stretch the blanket in a great many instances and increase these appropriations in the rapid manner in which they are doing. Now, I have no doubt that much of the money, probably three or four millions of the money, spent in this Agricultural appropriation bill is doing a great deal of good for the farmers of this country, and I have no doubt if this matter is not halted, and if you do not get some sort of a correlation of the powers that appropriate the money, that this thing will go on until the farmer can not walk around his haystack without running over some fellow on the pay roll of the Government. I do not doubt if some check is not put to it, if some period is not placed on this disposition of these committees—that is, if the people do not rise up in revolution and cast us out—I do not know what will happen.

It seems that there are certain high-browed and intellectual persons in this country whose knowledge of farming has been generally obtained from the window of a Pullman palace car, who think that all the people of this country have gotten to a point where the Government should establish a guardianship over them, lest they break some of their bones or strain some of their muscles. The farmer must not only be taught how to get ticks off of cows, but he must actually have a man go with him and hold the cow in the vat, and, if necessary, coerce him into seeing that the ticks can actually be killed by inundation in the vat. We will so continue unless gentlemen can evolve some system that will give assurance to one of these committees if it does not appropriate the usual and unnecessary millions that these unnecessary millions will be licked up by some other committee standing ready to grab them. I say I regret the discussion is getting away so rapidly from that branch of the public service, because this body does not pass appropriations in the sense that we consider the legislation. Do you consider the merits of a public building outside of your district? Do you consider the merits of a pension bill that does not go to some man in your district? Do we consider carefully and on their merits appropriations for rivers and harbors unless they are in our district? So that these committees, backed up by persons interested in the bill, prize at each other, and the wonder to me is not that the appropriations are growing, but the wonder is that they have not grown in greater proportion than they have. Now, just this other word. I wish some system might be evolved, might be worked out by sensible men, so that some control should be given to these tremendous expenditures of public money. I know as well as I am living that the day is going to come when the taxpayer is going to look to the manner in which we pass these appropriation bills, and we will not be able to deceive him longer with hollow promises. The less learning a man has the deeper his prejudice is when he is aroused to the truth that you are not playing fair with him. The day is going to come when the wheat grower will look out over the wheat fields, when the cotton grower, bending his back over the fleecy staple, will rise up and ask the question, "Are you playing fair? You told us you were going to legislate so that we could borrow money. You told us that you were going to give us Government ownership; you told us that you were going to decrease freight rates and improve our condition, and in the meanwhile you have gone on and taxed us more and more, and you have eaten up our substance, and I have just found out the whole thing is a fraud." And woe betide the man or the party detected by the enraged and aroused public. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. COLLIER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and site thereof in the city of Jersey City, N. J.;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army; and

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bill of the following title:

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. G. Howell.

The message also announced that the President had approved and signed bills of the following titles:

On February 5, 1915:

S. 5614. An act for the improvement of the foreign service.

On February 6, 1915:

S. 6839. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Birthplace of George Washington, Wakefield, Va.: For repairs to fences and cleaning up and maintaining grounds about the monument, $100.

Mr. POWERS. Mr. Chairman, I move to strike out the last word. I ask unanimous consent, Mr. Chairman, to continue for 10 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to continue for 10 minutes. Is there objection?

Mr. FITZGERALD. What about?

Mr. POWERS. It is on a matter pertaining to my district.

Mr. FITZGERALD. I will ask the gentleman to wait a little while until we get further on in the bill.

Mr. POWERS. I would like to proceed now.

Mr. FITZGERALD. If the gentleman will wait a little while I will not object.

Mr. POWERS. I will wait then, as the chairman suggests.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

The appropriation of $5,000 made in the sundry civil act approved August 1, 1914, for unveiling and dedicating the memorial to Gen. Ulysses S. Grant, and for each and every purpose connected therewith, including erecting and taking down viewing stands and putting the grounds in sightly condition, is hereby made available for said purposes during the fiscal year 1916.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the latest information about when the Grant Memorial will be finished?

Mr. FITZGERALD. Col. Harts stated to the committee that the time for the completion of the memorial had been extended to the 1st of August, 1915. It is very doubtful, however, if it will be completed at that time. Mr. Shrady at work on it is in a poor physical condition. The general plan has been going on for 11 years. The Artillery group, which is in position, is completed. The Infantry group, which is to occupy a corresponding place on the other pedestal, has been designed but not cast.

It has been made in a design, and one-quarter size has been made, and they are now working on the full-size design. In addition, the statue of Gen. Grant has not yet been commenced, and there are two tablets that have not yet been commenced.

The Artillery group, which is familiar to the Members who have examined it, is one of the very striking and fine pieces of sculpture in the city, and Col. Harts says the Cavalry group will be equally fine. While the work has taken more time than was estimated, yet when finished it will be one of the most striking and artistic monuments in the city of Washington. So by request this appropriation is continued, although probably it will not be used in the next year.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Arlington Memorial Amphitheater: For continuing the construction, under the direction of a commission consisting of the Secretary of War, the Secretary of the Navy, and Superintendent of the United States Capitol Building and Grounds, Ivory G. Kimball, representing the Grand Army of the Republic, the commander of Camp 171, United Confederate Veterans of the District of Columbia, and Charles W. Newton, representing the United Spanish War Veterans, of a memorial amphitheater, including a chapel, at the National Cemetery at Arlington Va., and in accordance with the plans of Carrere & Hastings, architects, of New York City, adopted by the commission heretofore appointed, to be immediately available and to remain available until expended, $400,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. First, Mr. Chairman, may I ask what is the necessity for reciting this commission in this bill? Why is it not sufficient simply to make this appropriation for continuing the construction? The commission is already authorized. What is the object of repeating it here? And, second, what is the reason for adding to the commission, without naming him, the commander of Camp No. 171, United Confederate Veterans of the District of Columbia? What object is there in having that official, unnamed, on this commission?

Mr. FITZGERALD. A number of Confederate soldiers are buried in Arlington, and the Confederate camp in Washington presented a petition to the Committee on Public Buildings and Grounds, requesting that the commander of this camp be added to the commission. The Committee on Public Buildings and Grounds made some inquiries and ascertained that there was no objection, that it would be perfectly satisfactory to the members of the Grand Army of the Republic. The Committee on Appropriations, at the formal request of the Committee on Public Buildings and Grounds, made provision so that the commander of this camp of Confederates in Washington might be added, the belief being that these little acknowledgments of the fact that the spirit of controversy had died out continually helps to cement the better feeling now existing among the survivors of that great contest.

Mr. MANN. This commission is now in existence. It has adopted certain plans. The work is under construction. For aught I know at least the adding of some gentleman, however good he may be, to this commission may upset all the plans they have. Here is a commission now consisting of five persons, I believe.

Mr. FITZGERALD. It would not embarrass them.

Mr. MANN. A commission consisting of the Secretary of War, the Secretary of the Navy, the Superintendent of the Capitol Building and Grounds, Mr. Kimball, and Mr. Newton. Now, it is proposed to add another one, name unknown.

Mr. FITZGERALD. Well, the statement was made that the plans had been adopted and approved unanimously, to my recollection, and the addition of one other person would not make any difference. It was thought that it would be gracious to have a representative of the Confederate Veterans on the commission. They desired it particularly, and the committee thought it would be a nice thing to acquiesce in that proposition.

Mr. MANN. Well, it seems to me to be rather an impertinent thing to do. I do not know that I shall object to it; but here is a commission created and in existence, and no one would probably have objected in the first instance to naming a man from the United Confederate Veterans on the commission. But it is in existence and running along, and no question of sectionalism has entered into it, and somewhere, somebody, probably with hatred in his heart, has proposed to add somebody else to it, which introduces sectionalism in itself. It is not designed, the gentleman from New York [Mr. FITZGERALD] says, to make any difference; it is not to have any effect. Then what do they want it for? If it does have any effect it ought not to go in, and if it does not have any effect it is ungracious on their part to suggest it.

Mr. MADDEN. Mr. Chairman, I make a point of order on it.

Mr. GREENE of Massachusetts. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] makes the point of order on the paragraph. The Chair will hear the gentleman from New York [Mr. FITZGERALD] on it.

Mr. FITZGERALD. Mr. Chairman, the addition of this gentleman will not in any way affect the work. There are several thousand soldiers buried in Arlington Cemetery. A monument has recently been erected there to perpetuate their memory. The spirit of antagonism and division which for years existed between the survivors of those engaged in this conflict has gradually been eliminated. In their closing years they have come together in a kindly and friendly spirit in the patriotic support and love of their common country, and at the request of this camp, that a representative of the Confederate veterans might be included on the commission, the Committee on Appropriations thought it was one of those gracious acts which, if done by the Congress, would tend very much to promote that fraternal and friendly spirit that is so desirable. The war, with its rancors and bitterness, has passed. A great reunion a short time ago at Gettysburg of the survivors of the two contending armies has undoubtedly done much to remove the rancor and misunderstanding, and I hope the gentleman from Illinois will not press his point of order.

Mr. MADDEN. I insist on the point of order. It is a change of existing law. The words on line 1 of page 71, after the word "Republic," down to and including the word "Columbia," on line 3, reading, "The commander of Camp 171, United Confederate Veterans of the District of Columbia," are new law, and I make a point of order to that language.

Mr. SISSON. Mr. Chairman, will the gentleman withhold his point of order?

Mr. FITZGERALD. Will the gentleman from Illinois withhold it until a member of the Committee on Public Buildings and Grounds, at whose request the provision was inserted, may make a statement? He is present.

Mr. MADDEN. Very well.

[Mr. BURNETT addressed the committee. See Appendix.]

Mr. SISSON. Mr. Chairman, I want to thank the gentleman from Illinois [Mr. MADDEN] for his indulgence in withholding the point of order. Nor do I believe I could add one word to what has been said by the chairman of the committee, Mr. FITZGERALD, and by the gentleman from Alabama [Mr. BURNETT] as to the reason why this item should remain in the bill; but I should like to have the attention of the gentleman from Illinois [Mr. MADDEN], who made the point of order, so that he may listen to an appeal from a Member of this House who is the son of a Confederate soldier, one who has in his heart no spirit of bitterness or feeling because of that great struggle which ended half a century ago. I have on many occasions addressed the Union soldiers, and on one occasion up in the gentleman's own State I had the honor of addressing a body of Union soldiers, perhaps 800 or 1,000 of them. And it was my pleasure to carry to them a message of peace and good will.

Now, this provision will not cost the Government a penny. This added Confederate commissioner will not cost the Treasury one cent, but serves for nothing. This was placed in the bill not only at the instance of the Confederate camp here in Washington but also of the Union veterans, who requested that this Confederate commissioner be added. The representatives of both these organizations have united in this request. The committee of the House who have charge of public buildings and grounds have seen fit and proper to recommend this item. Not only the Subcommittee on Appropriations, but the full Committee on Appropriations, have recommended it to the House. If the gentleman will withdraw his point of order and permit the membership of the House to vote upon the proposition, I feel that we may safely leave the item to that side of the aisle. I have yet to find a brave private soldier who fought in the Union Army and wore the blue who has any bitterness in his heart toward his brave adversaries on the other side. If the Union veterans themselves are willing to request that this be done, will not the gentleman from Illinois withdraw his point of order and permit the membership of the House to vote upon the item? It is not so important a matter that it should even be suggested that the Rules Committee bring in a special rule.

The Committee on Public Buildings and Grounds and the Committee on Appropriations did not suppose that there would be any point of order or objection to it, because, if there is to be objection to this item, then we have done harm and not good by putting it in here. We want to do good. Those of us who live in the South want this Union to be cemented not only by law, but cemented by love. I want to have it so that wherever I may go in the Union I may feel not only that I have all the rights and privileges under the law that any other citizens have,

but that I have in the hearts of those to whom I go the same feeling that we would accord to you.

Next to the last speech that the great McKinley ever made in this world was made at Memphis, Tenn., to the Confederate Veterans' Association. It was there that the great martyred President said, in the presence of the Confederate Veterans' Association wearing the gray uniform and speaking with tears of love in his eyes as he talked to them, that it would be his ambition as President of all the people to see all the Confederate cemeteries taken over, with the permission of the people who were now controlling them, and have the great Government of the United States mark each Confederate soldier's grave with a little slab, just as the graves of the Union soldiers are marked. The Confederate veterans gave him a reception at Memphis, and there was never anything of the kind more beautiful. And what a beautiful recollection all of those people have of the great President. When he left Memphis he came by Washington, and a few days after that the news was flashed over the wires from Buffalo that President McKinley had been assassinated. And in every single town and village in the South of any size there were emblems of mourning displayed, and the Confederate Veterans' Associations were foremost in making that display of mourning, because Maj. McKinley was loved and revered by the Confederate soldiers, and many a Confederate soldier's face was wet with tears as they discussed in their memorial meetings mourning his loss.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask the indulgence of the committee for two minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. SISSON. It was an act like that, coupled with the action of the great veterans' association that had the reunion at Gettysburg of the Confederate and Union veterans, that has caused so much of the sectional bitterness to be eliminated, until now we can say in truth and in fact that the country is united in heart. Let us not permit this little item to show that there is still some feeling of bitterness or sectionalism in one single heart in this House. I do not believe it would come from the heart of a brave Union soldier to make that point. This provision will cost nothing, and I believe it will result in much good to permit this item to remain, a simple recognition of the fact that Confederate veterans are buried in that cemetery; and when this auditorium is dedicated and when a ceremony takes place in that sacred spot all, both from North and South, may go and participate and do honor to the brave men who saved the Nation and do honor to those brave adversaries who fought for what they believed to be right, foes worthy of the great chivalry of the great Union soldiers. Let this auditorium be and symbolize in real truth a reunited country. Let it be a place where every Confederate soldier, their sons, and daughters may assemble with every Union soldier and their sons and daughters and do honor to their sacred dead. Let them have a place where the blue and the gray can always meet, for it will be only a few years when there will be no answer to the bugle call by either side.

Both of these great Armies will have crossed over the river and will be resting under the shade of the trees. Let the Union soldier know in his dying years that he has lived to see in truth and in fact the thing nearest his heart—a reunited country—the greatest consummation of that wish of his as a soldier in the ranks. Let him learn and know that we are politically united, united in heart, united in hand, and let no discordant vote on a little item like this be heard in this Hall. [Applause.]

Mr. GOULDEN. Mr. Chairman, as a Union veteran and as a member of the legislative committee of the Grand Army of the Republic, the committee on legislation, of which I was chairman last year and am now second on the same, I desire most heartily to approve of this section to place on the commission the commander of the United Confederate Veterans' camp of this city, to indorse most cordially what has been so ably, eloquently, and patriotically said by the chairman of the committee, Mr. FITZGERALD, by the gentleman from Alabama [Mr. BURNETT], as well as the gentleman from Mississippi [Mr. SISSON], and to say that I think this ought to prevail by a unanimous vote. I hope my good friend from Illinois [Mr. MADDEN], who is always fair, and in whose heart beats the strongest impulses of true American patriotism, will withdraw his objection and let it become a law.

I want to say in answer to the distinguished gentleman from Alabama that there are no two sides to this question, no two parties to-day in citizenship nor in love of our common country. We are all marching shoulder to shoulder, whether we live in the South or in the North—marching with the touch of elbows to the music of progress and the good of all sections under that starry old banner we all love and of which we are so justly proud. I trust that this will become a law and that my good friend from Illinois will withdraw his objection to it in the interest of harmony, good will, and brotherly love. [Applause.]

Mr. MONDELL. Mr. Chairman, I hope the gentleman from Illinois will not insist on the point of order. I want to say to him that this item would not have been in the bill if the minority members on the subcommittee or on the committee had raised any objection to it. It did not occur to us that there would be any objection made anywhere. Had we believed that there was any probability of a point of order being raised we would have suggested that the item be left off the bill, because, while we hoped and believed that the insertion of this provision in the bill would be helpful, we realized that it might have an opposite effect if there were any objection made to it.

I want to remind my friend from Illinois of the fact, as I understand it, and as the gentleman from Alabama has suggested, that this memorial is one to the heroism of the women of the Nation during the Civil War. I do not recall the language of the bill, but I am sure that no one has any disposition, or would have any disposition, not to accord as much of praise and honor to the heroism of the women of the South during that great struggle as to the heroism of the women of the North. The women of the southern section, of the two, suffered the most. While it is true that the addition of this representative of the Confederate veterans to the commission will not in any wise affect the plans or the procedure in letting the contract in executing the work, we felt that it was a gracious recognition of the conditions of a reunited country and of the fact that in this cemetery at Arlington rest the remains of a large number of Confederate veterans, and that the monument was a monument to the splendid devotion of all the women of the country during the dark days of the Civil War. [Applause.]

Mr. AUSTIN. Mr. Chairman, this proposition was originally before the Committee on Public Buildings and Grounds. My colleague from Kentucky [Mr. LANGLEY], a Republican member of that committee, made the motion to direct a favorable report to be made on the bill providing for an additional member of this commission. I introduced the original bill in the House providing for an appropriation of $750,000 for the construction of the Arlington memorial amphitheater, and it was prepared by Grand Army men and delivered to me by Judge Kimball, a member of the commission.

I am sure had it occurred at that time to the Grand Army men they would have inserted in the bill the name of a representative of the Confederate veterans. This item we are considering does not provide for an appropriation, and we have proceeded with the work where the contract has been let, and the work will begin at an early day.

As has been stated by all of the speakers, there are a large number of ex-Confederate soldiers buried in Arlington Cemetery, and last summer a Confederate monument was completed and dedicated in the cemetery. In addition to the Confederate soldiers who rest at Arlington, the men brought back from Habana Harbor, drowned on the battleship *Maine*, are buried there. In addition to those men who served in the Navy in the Spanish-American War there are a large number of Spanish-American soldiers in the Army, either in the Regular or the Volunteer Army, who served in that war, buried in Arlington.

Gen. Joe Wheeler, a distinguished Member of this House for many years, is buried in the Arlington Cemetery. In the list of former soldiers in the Spanish-American War sleeping in Arlington are many sons of ex-Union and ex-Confederate soldiers. Decoration services which take place in the cemetery are not only for Union soldiers, but also for the Spanish-American soldiers and for Confederate soldiers, and on the completion of this amphitheater it will be used by the people every year to pay fitting tribute to the soldiers who served in the various wars and on both sides during the Civil War. So it is quite appropriate that the Confederate veterans should have a representative on this commission. When this matter was brought to the attention of the House and this discussion begun, I was in the act of reading a patriotic speech delivered 14 years ago on the 27th of January by the late Hon. William Richardson, of Alabama. It was a speech in which he favored an appropriation of $250,000 for the beginning of the construction of a home for the ex-Union or Federal and ex-Spanish-American soldiers in the South, near Johnson City, Tenn.—a speech made by an ex-Confederate soldier, and in which he said that since the close of the Civil War he had always favored just and fair pensions for those who defended the Union, and that it gave him great pleasure, as a Member of the House and as an ex-Confederate

soldier, to vote to establish a home that would care for and protect old ex-Union soldiers in their declining years. He expressed a regret that the bill did not carry an appropriation for twice the amount mentioned. So I appeal to my Republican colleagues to join the Republicans on the Committee on Public Buildings and Grounds in asking that this provision be inserted in the sundry civil appropriation bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not know that anything that I may say on this subject will go far toward inducing the gentleman from Illinois [Mr. MADDEN] not to make the point of order, but I do wish to express the hope that he will not insist upon it. As the gentleman from Mississippi [Mr. SISSON] says, the Union veterans in the District of Columbia have no objection to the incorporation of this provision in the bill. The Committee on Appropriations unanimously inserted it in the bill, but did not do so until the Committee on Public Buildings and Grounds, by unanimous action, requested that it be done. I have no doubt but that if the proposition had been made when the bill authorizing the erection of the building at Arlington was passed by Congress to have this provision incorporated in that bill, there would have been not the slightest objection on either side of the aisle. It is but a few months ago that we all listened to an eloquent address by the gentleman from Pennsylvania [Mr. GRAHAM] appealing to all sections of the country for a reunited country, and I am sure that his appeal touched the heart and mind of every man on either side of the aisle.

I thank God that the bitterness which was engendered by the Civil War has completely passed away; that the blue and the gray, grand old heroes of a great war, and in whose bravery, shown on a hundred battle fields, we all take a common pride, now meet in friendly reunion, each paying generous tribute to the valor and devotion to duty of the other during those years of civil strife. We all love the same flag and bear loyal allegiance to a common country. And let me say to my brethren of the North that the flag has no more devoted adherents and none who would more willingly brave shot and shell in its defense than those same soldiers who, in the dark days of 1861 to 1865, so bravely followed the great Robert E. Lee in defense of principles which they believed to be right. But that issue, Mr. Chairman, was settled as a result of the war, and there is no one in the South who would seek to question, if he could, the wisdom with which it was settled. The verdict of the war was accepted without rancor or complaint, and the South, suffering no humiliation from an honorable defeat, turned its attention to restoring its ruined homes and building up its great industries. So well have they succeeded that there is to-day no happier, more prosperous, law-abiding, and patriotic citizenship in this great Union than is to be found in the Southland. Go where you will in the South, and the war is remembered only because its history tells us not only of the courage and self-sacrificing devotion to duty of our own fathers and kindred who wore the gray, but also of the courage and chivalry of their adversaries who wore the blue—all Americans and all now, thank God, copartners in all the blessings of liberty and opportunity which is guaranteed by our flag.

There is no sectional feeling in the South, Mr. Chairman, and we are happy to know that there is no such feeling either in the North, East, or West. This could not have been more strongly emphasized than by the excellent speech made a few moments ago by the distinguished gentleman from New York [Mr. GOULDEN], who as a mere boy gave the Union splendid and highly creditable service in the terrific struggle at Gettysburg and other places, and who is now rendering the people of his State and the Nation important and valuable service in this House.

Congress has determined to build an amphitheater at Arlington, which will not only serve as a monument to the brave dead buried there, but also as a place where Decoration Day and other exercises may be held in honor of both the blue and the gray who sleep there. By oversight, I am quite sure, when the bill authorizing the building was passed the commander of the Confederate veterans here in the District of Columbia was not named as one of the commission having in charge the erection of the building. The name of the commander of the Union veterans was included, and this provision simply seeks to cure the omission.

This provision does not cost one cent. It will not add one dollar to the cost of the building at Arlington. It does not change the plan in any way, but it is a recognition of a great number of citizens, a loyal number of citizens throughout the South, and, indeed, in every section of our great country. Confederate veterans are interred at Arlington as well as those who belonged to the Federal Army, and it seems to me it is nothing but a fair recognition, a liberal and a generous recognition, of these men who fought under the gray, and who have since that time been loyal, patriotic, earnest citizens of this great country. I do hope that the gentleman from Illinois, liberal and generous as he always is, patriotic, as we all know him to be, will not see fit to insist upon the point of order. [Applause.]

Mr. MADDEN. Mr. Chairman, it has always been my hope that I might live to see every particle of bitterness engendered by the Civil War obliterated, and I still hope and pray that that day may come, if it has not already come. Surely nothing that I could do would be done with the intention of continuing any bitterness between the sections of the country, for I believe that every patriotic citizen in America should devote every energy within him to bringing harmony and peace and love into the heart and mind of every citizen in the Union. There can be no reason why this attitude should not be assumed by men of the North and men of the South, and I am glad to know that there is a growing tendency toward greater harmony between the men who fought on the side of the South and those who fought on the side of the North. We are living in a single nation, and of course we should be a single citizenship. There ought not to be any discrimination anywhere against any man, whether he be from the North or from the South. Every man in the land should be accorded the same rights, and if everybody in the country would devote himself to the establishment of a policy which would result in granting every man the same rights there would be no longer any reason for bitterness of feeling or of sectionalism. I certainly would be the last man in this House to do a thing which would continue bitterness or strife between citizens of America. On the contrary, my life has been devoted to producing harmony of thought, producing a higher degree of patriotism, to the upbuilding of a more united feeling of friendship among the citizens of our common country. My only objection to the language in the paragraph under consideration was that it was legislation on an appropriation bill. I made no objection to the language because of the fact that it provided for a commander of Camp 171 of the United Confederate Veterans of the District of Columbia being made a member of the commission. That was the last thing that entered my mind, and if leaving the language in the bill will produce that harmony and that feeling of brotherly love and that sense of justice which the gentlemen who have so eloquently spoken believe it will, I gladly withdraw the point of order. [Applause.]

The Clerk read as follows:

Improving harbor at Marquette, Mich.: For continuing improvement in completion of contract authorization, $100,000.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, I move to strike out the last word. I am not going to object to this appropriation, but I am going to direct the attention of the House to the fact that we have during the history of this country expended a tremendous amount of money to aid navigation in various ways. We have dragged the bottoms for pinnacle rocks, we have sounded the streams, charted the coasts, established buoys, signals, and lighthouses, provided the Revenue-Cutter Service to enforce the law and patrol the sea. Through the Navigation Bureau we have inspected the boilers and the hulls and licensed the mates, the pilots, and the engineers; our ships of war we have sent out to protect the privately owned vessels of commerce; the brave men of our Life-Saving Service are ever ready to succor them when in distress; our ocean tugs are out to sea, to tow them into harbor in time of storm; we dredge the harbors, so they may berth in safety; we guarantee to them the protection of the entire force and strength of the Navy, and our own lifeblood as well, as they carry the flag into foreign ports and on the high seas of the earth. For all these services out of the taxes taken from the buyers of clothes and sugar and the necessaries of life through customs we have not demanded a cent of return. Under various mail contracts and subventions we have even paid these shipowners vast sums in cash.

The people have borne these sacrifices cheerfully. They poured their treasure into the laps of the shipowners and they protected them with liberal laws without murmur. They took their satisfaction from the thought that the Stars and Stripes were thus made to fly in foreign ports and carry a message of democracy to the ends of the earth; they felt secure in the thought that in time of war the American troops could find transports to convey them to their posts in Alaska, the islands of the Pacific, or elsewhere in the Western Hemisphere where

they might be needed, and then the producers of cotton and the producers of wheat and the manufacturers and the laborers said, "We must have vessels in which to export our products; we can not depend on foreign vessels in time of emergency," and so we gave of our revenues with a lavish hand, and then we keystoned the arch with the grandest achievement of man, the job that the foreign builders had rejected, after intermitable digging in the rubbish and débris of decade after decade—we took up and accomplished and presented to the private shipowners, we had encouraged so long, the Panama Canal.

Last July the European war broke out, the emergency against which we had provided arose in mild form, comparatively speaking, and we turned to the shipowners, to find we had been basely betrayed. I will not dwell on the dark chapters that detail that betrayal.

The question arose when the war broke out as to how we were going to protect our own commerce, what we were going to do in the way of caring for our people by bringing them home from Europe, and providing means of carrying our surplus supplies to the ports of the world. Our workers were confronted with idleness and starvation, our farmers with ruin. Soon after the war began an attempt was made to remedy the existing difficulty. A sop was thrown to those who demanded an accounting. It was recognized by all sides that there were great and serious difficulties. A great statesman from New England, who was taught in the school of Cannon, who was sired in his public service as an Aldrich regular, introduced a bill and sent it over to this House to remedy that trouble. That remedy provided for the Government itself to go into the freight, passenger, and mail business. The people cheered its author and talked of him for President. The bill was passed in the Senate unanimously. It provided for the Government of the United States to take its Navy vessels, its transports, with the guns of the Navy upon their prows and the flag of the United States over all and with the officers of the Navy in uniform in command, to carry cotton and wheat and the products of this country to the foreign ports of Europe and to South America, these vessels to run in competition with the ordinary shipping trade and the steamships that might be owned by private enterprise. Brave, courageous men they were. A man of the hour, with the remedy at hand. No Shipping Trust could bluff. Government ownership and operation was declared to be the only remedy in the emergency, and the proponents of that bill were for it. It passed the Senate unanimously and was sent over to this House—the Weeks bill. During the debate it was suggested that war had already broken out, the trouble already existed, and that and defects in the measure could be remedied upon further consideration by the House.

Later the administration took up the fundamental principle of the Weeks bill, but being an administration of peace and not being willing to send the Navy to Europe with supplies, knowing such a course would be dangerous and silly and unwise, and also knowing the proposition was an economic absurdity, because naval transports are not only in need in the Navy but are not built to do the work of merchant ships, and that the attempt to carry freight on them would result in great economic loss, the administration, following the precedent of the Panama Railroad steamships, proposed an effective, workable ship-purchase bill, one that would do two things, first, keep us out of unnecessary complications as a Government with the warring nations, and, second, put us into the shipping trade on terms that are fair and sensible from a business standpoint.

Mr. Chairman, the time and the opportunity is now before the Members of Congress to take up that Weeks bill and remedy the difficulties in it, an opportunity of making it so that there is no danger of war, an opportunity of taking the naval officers off of these vessels, an opportunity of taking the guns off the vessels. That opportunity is given this House as an act of honorable statesmanship, or if the sense of public duty does not force nonpartisan action, if it be a party measure, then the opportunity is to the Democratic Party in this House to take up the Weeks bill now pending and make it a peaceful and practical measure, make it a measure that will really accomplish something that will be worth while. The gentlemen who gave us this measure and stand for it—I suppose they still stand for it—say we will get into trouble with foreign nations if we establish such a merchant marine as the administration proposed and as is involved in the Alexander bill; but they were not afraid a little while ago to send a transport of the United States Navy abroad and carry the commerce of the United States, and they were willing to have naval transports go into foreign ports at war not as a national of this country, but carrying with it the very sovereignty of this country.

The principle of Government ownership and operation that was recognized in the Weeks bill is bound to be adopted. The only difference is that it is a "phony" bill so far as efficiency in an economic sense is concerned. No Shipping Trust worried about it. "Are we not all friends?"

Let us accept the Weeks bill in principle and make it effective, so it will go into the real trade of the country and will affect the ships that carry the trade, so it will force lower rates and really be the means of providing an American merchant marine that the people will gladly support with their taxes. They were not afraid of those awful complications when they passed the Weeks bill, because the economic side for the Shipping Trust was protected. They knew these naval vessels would not effectively compete with privately owned vessels because they were not of the right type; they were not built to do that kind of work; but now, when there comes an opportunity for American-owned merchant vessels that can compete with privately owned vessels to carry the commerce of the United States into the ports of the world safely and without substantial danger, they are afraid of war. They were not afraid of war when the economic question was protected for the Shipping Trust, but they are afraid when the economic question is exposed. Verily did the prophet speak when he said, "The love of money is a root of all evil."

The Clerk read as follows:

Improving Hudson River, N. Y.: For continuing improvement in completion of contract authorization, $410,000.

Mr. POWERS. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that he may be allowed to proceed for 10 minutes. Is there objection?

Mr. PLATT. Mr. Chairman, reserving the right to object. I want to know if the gentleman is going to speak about the glories of the Hudson River, because I am interested in that myself.

Mr. POWERS. No; I shall not talk about the glories of the Hudson, although it has a great many to its credit.

Mr. PLATT. Then the gentleman is not going to infringe upon my province?

Mr. POWERS. No.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. POWERS. Mr. Chairman, a few days ago when the immigration bill was before this House, an attempt was made to pass it over the veto of the President. During the discussion of that measure the gentleman from Minnesota [Mr. MANAHAN] in the course of his remarks made this statement:

There is not a laboring man in the United States who will not agree with me that the trouble with labor is not in the number of competitors, but in the selfish greed of big business that takes from him the fruits of his toil.

He made other statements along that line, and I asked him this question:

What laws would the gentleman suggest that would bring this opportunity, this panacea, to the laboring man? We would like something specific on that score.

In reply Mr. MANAHAN said:

That is a very simple proposition, and I am surprised that the gentleman from Kentucky would ask a question so elementary; yet I ought not to say that I am surprised when I consider that he comes from a constituency where something in the neighborhood of 30 per cent of the people are illiterate.

After Mr. MANAHAN had concluded his remarks I stated to him that later in the day I would, when an opportunity presented itself, answer the charge of illiteracy which he had made against my constituency. I did that. I pointed out that the statement was unfounded in truth and in fact; that instead of having an illiteracy of 30 per cent it was less than 20 per cent. Mr. MANAHAN was present and made a brief reply to my statement and I thought that the incident had closed. The CONGRESSIONAL RECORD of the following day contained Mr. MANAHAN'S speech in full, together with the little colloquy that he and I had had, and I was sure it was over. In a day or two following that my attention was called to the fact that another issue of the CONGRESSIONAL RECORD contained an extension of remarks on the part of Mr. MANAHAN, in which he made a vicious assault upon the constituents I have the honor to represent. Among other things, he said this:

It will be conceded, I think, that the gentleman's district is in bad shape intellectually, and as it is a part of the United States geographically—

Implying thereby that it was not a part of it morally, intellectually, or otherwise—

I feel at liberty to suggest two remedies. I suggest that the gentleman from Kentucky ask unanimous consent to print as a public document the alphabet, the first reader, and the multiplication table, so that he can, under his frank, send them to the illiterate voters whom he has the honor to represent.

I desire to say that if ever I get ready to make a vicious assault, either upon the gentleman from Minnesota or his constituents, I shall do it upon the floor of this House, and if possible in the presence of the gentleman and not under leave to print. I notified him that on this afternoon I expected to make a reply to his extension of remarks in the RECORD. What I say I would like to say in his presence. I shall not pursue what I was about to say was a cowardly course and attack the gentleman or his constituents under a leave to print; but I will not use the word cowardly as applied to his conduct because I do not desire to be unparlimentary and that would be unparliamentary.

I have never at any time in a speech here attacked the motives of any Member of this House in any position he has taken on any question before this body, or upon any vote he has seen fit to cast. The man who indulges in it, in my judgment, is indulging in a little business. It sometimes happens here, and some of it has been going on recently in another body at the other end of this building. I deplore it. It comes in bad grace. In the private walks of life if one gentleman attacks the motives of another without justification his conduct justly is characterized as that of a coward. I submit that the proprieties, the amenities, the courtesies, the dignity of this body, demand of its Members the practice of at least as many of the ordinary virtues and civilities in their conduct one toward another as are practiced by the average citizen in the ordinary walks of life. If we hear a street urchin or some one from the underworld pouring forth his billingsgate and applying opprobrious epithets to some one who has displeased him, his outgivings throw no light upon the character of the man whom he assails, but they do throw a flood of light upon the individual making the assertions. That is as certainly true in this body as it is elsewhere.

Nor have I ever assailed any section of this great country by reason of its illiteracy or for any other of its shortcomings. I hope I never may. As an American citizen I would despise myself if I should pursue that sort of conduct. I would hate myself if I were to take pride in parading before the public gaze the shortcomings of the people of the State of Minnesota or the people of any other section of this great country.

The gentleman says that I ought to print in the form of a public document the alphabet, the first reader, and the multiplication table and send them down to my illiterate constituents under my frank. The advice of a man who exhibits such poor taste and judgment, as the gentleman from Minnesota has exhibited in characterizing my constituents as being illiterate, could not be safely followed by any decent, self-respecting American. And I want to say to him, and I want him to know, that there are men down in my district who, though they can not read a word or write a line in any language or dialect, if sent as Representatives here would father safer and saner legislation than any that has emanated, or ever will emanate, from the diseased and disordered brain of the windy gentleman hailing from the blizzards and snowdrifts of Minnesota. [Laughter.]

The gentleman casts the obloquy of illiteracy upon my district, and intimates that but for that I would not be here as a Member. There is at least one important difference between the gentleman's constituents and mine, and that is this: Mine know enough to elect me to office. His know too much to elect him. [Laughter.] In the recent primary down in my district I beat my Republican opponent nearly 10,000 majority. I carried 14 out of the 15 counties. I beat him nearly 5 to 1. I won by about 10,000 majority in the final election and carried all the counties. I am informed that in a primary election held not long since out in the State of Minnesota the gentleman was a candidate for the Republican nomination for attorney general out in that State and was beaten by a majority of nearly 2 to 1. His is a wise constituency. [Applause and laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MEDICAL DEPARTMENT.

Artificial limbs: For furnishing artificial limbs and apparatus, or commutation therefor, and necessary transportation, $95,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. There is such a notable reduction in the appropriation for this purpose that I would like to know the cause of it. The appropriation for furnishing artificial limbs and apparatus to disabled volunteer soldiers is so small that it attracts attention.

Mr. FITZGERALD. This is the off year. Every third year the appropriation is large, and the second year it is smaller, and the third year it is smaller still. Every third year is the large appropriation, and the two succeeding years fall off.

Mr. MANN. That is, we furnish an artificial limb every three years, and most of them come in one year?

Mr. FITZGERALD. Yes. This is what they call a low year. In 1913 the appropriation was $275,000. In 1914 it was $85,000.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Support and medical treatment of destitute patients: For the support and medical treatment of medical and surgical patients who are destitute, in the city of Washington, under a contract to be made with the Providence Hospital by the Surgeon General of the Army, $19,000, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. SISSON. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SISSON. The point of order is made upon the ground that there is not only no law authorizing the appropriation, but it is in violation of a positive statute controlling the District of Columbia appropriation.

Mr. FITZGERALD. I think not, Mr. Chairman. The appropriation is authorized under the act approved July 27, 1868, which provides—

For the completion of the Providence Hospital in Washington City, D. C., $30,000: *Provided*, That all expenditures for said Providence Hospital under appropriations by Congress shall be made under the direction and control of the Surgeon General of the Army, whose duty it shall be to report at the December session of every Congress a full and complete statement of all expenses incurred under and by virtue of appropriations made by Congress.

That is the act under which Congress appropriates for the support and treatment of medical and surgical patients under a contract with the Surgeon General.

The CHAIRMAN. The Chair would like to see that statute which was read by the gentleman.

Mr. SISSON. I have sent for it now. I did not know that the point of order would be resisted.

Mr. Chairman, the statute to which I refer is a part of a District appropriation bill passed some years ago. It provides that it shall be against the policy of the Government and unlawful to make any appropriation of money or anything of value, or of any gratuity out of the Federal Treasury to any institution under sectarian or denominational control. I had the act here on another occasion, and called the attention of another chairman to it, and if I had known that there would be any controversy about it I would have had it here. I have sent for it.

The CHAIRMAN. The Chair would like to see the statute before he rules on the point of order. If the gentleman has not the statute before him, the Chair would suggest that the item be passed over.

Mr. FITZGERALD. We will have it here in a moment.

Mr. SISSON. The provision to which I refer reads as follows:

And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise, any church or religious denomination or any institution or society which is under sectarian or ecclesiastical control; and it is hereby enacted that, from and after the 30th day of June, 1898, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control.

It is that positive statute which is in contravention of this item of appropriation. For that reason I make the point of order.

Mr. FITZGERALD. Mr. Chairman, there is nothing before this committee to show that Providence Hospital is under any church or sectarian control. I have before me the act to incorporate the Providence Hospital of the city of Washington. It provides:

Be it enacted, etc., That Lucy Gwynn, Teresa Angela Costello, Sarah McDonald, Mary E. Spalding, and Mary Carroll, and their successors in office, are hereby made, declared, and constituted a corporation and body politic, in law and in fact, under the name and style of the directors of Providence Hospital, and by that name they shall be and are hereby made capable in law to sue and be sued, to plead and be impleaded, in any court within the county of Washington, in the District of Columbia; to have and use a common seal, and to alter or amend the same at pleasure; to have, purchase, receive, possess, and enjoy any estate in lands, tenements, annuities, goods, chattels, moneys, or effects, and to grant, devise, or dispose of the same in such manner as they may deem most for the interest of the hospital: *Provided*, That the real estate held by said corporation shall not exceed in value the sum of $150,000.

SEC. 2. *And be it further enacted*, That the said corporation and body politic shall have full power to appoint from their own body a president and such other officers as they may deem necessary for the purposes of their creation; and in case of the death, resignation, or refusal to serve of any of their number, the remaining members shall elect and appoint other persons in lieu of those whose places may

have been vacated; and the said corporation shall have full power and all the rights of opening and keeping a hospital in the city of Washington for the care of such sick and invalid persons as may place themselves under the treatment and care of the said corporation.

SEC. 3. *And be it further enacted*, That the said corporation shall also have and enjoy full power and authority to make such by-laws, rules, and regulations, as may be necessary for the general accomplishment of the objects of said hospital: *Provided*, That they be not inconsistent with the laws in force in the District of Columbia: *And provided further*, That this act shall be liable to be amended, altered, or repealed at the pleasure of Congress.

Approved April 8, 1864.

That is the act incorporating Providence Hospital. There is nothing in it that puts it under the charge of any ecclesiastic or makes it sectarian in any way. There is nothing to indicate that it is. The mere statement of the gentleman that it is an appropriation for an institution of this character contrary to law certainly is not sufficient to sustain the point of order.

Mr. SHERLEY. If the gentleman will permit, there is another matter that should be considered in this connection. The language to which the gentleman from Mississippi has referred, and which he thinks makes this appropriation subject to the point of order, reads:

And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding, by payment for services, expenses, or otherwise, any church or religious denomination, or any institution or society which is under sectarian or ecclesiastical control.

So far as I have read, that is simply the expression of a viewpoint and not the enactment of any law which in any way controls Congress or makes it unlawful to do anything. The remaining part undertakes to provide:

And it is hereby enacted that, from and after the 30th day of June, 1898, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination, or to any institution or society which is under sectarian or ecclesiastical control.

But this is not a case where money is appropriated for charitable purposes in the District of Columbia, within the meaning of that language. This is an appropriation to take care of certain patients, and is not a gift to the hospital. It is not a fund for the maintaining of the hospital, but is a fund to be used in payment of contract services for taking care of destitute patients who may go to the hospital, and I submit to the Chair that it does not come within the language of the act upon which the gentleman relies.

Mr. SISSON. If the gentleman relies upon the contract, then unquestionably it is subject to a point of order, because there is no law which now authorizes that contract.

Mr. FITZGERALD. Yes; I have read the law authorizing the contract—the act of 1868.

The CHAIRMAN. The Chair would like to see the act of 1868 upon which the gentleman relies.

Mr. SISSON. Then I want to say furthermore, Mr. Chairman, that my information and knowledge—which might require proof in a court—is that the institution is absolutely under sectarian control. I do not take it that the gentleman will insist that Providence Hospital is not under sectarian control. The charter is one which enables certain trustees to acquire certain property for the purpose of holding it for certain purposes, but it is unquestionably true that the trustees are under sectarian control.

Mr. FITZGERALD. It is undoubtedly true that the trustees of Providence Hospital are not infidels or agnostics. The mere fact that the trustees profess some religious belief does not make an institution sectarian. That is very clear. A sectarian institution is one which by its charter is specifically placed under the control of a certain religious body or dedicated to the advancement of certain religion. The mere fact that men profess faith in God in some form or another does not make the institution with which they are affiliated sectarian.

Mr. SISSON. Admitting that a profession of faith in a particular religious denomination of the trustees, that they have some religion, does not, of course, make the institution of which they are trustees an institution under sectarian control, but it is common knowledge that the Providence Hospital is under sectarian control.

The CHAIRMAN. May the Chair ask the gentleman a question?

Mr. SISSON. Certainly.

The CHAIRMAN. Can the Chair take cognizance of who has control of the hospital; and if not, is there anything in the item under discussion that would advise the Chair as to whether or not the Providence Hospital is sectarian?

Mr. SISSON. There would only be one way by which the Chair could get official knowledge, and that would be by having the hearings before the proper committee—for instance, the committee that reports this bill—to have some proof in the hearings and establish the fact as to whether they were or were not under sectarian control. But I did not anticipate that that proposition would be controverted.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. DUPRÉ. Does the gentleman intend to make another point of order against the succeeding paragraph?

Mr. SISSON. I shall make a point or order against the succeeding paragraph and against all appropriations to any institution of any kind that is under sectarian control. I want to state frankly that it would be immaterial to me as to what denomination might control the institution; my objection would be as seriously made against one as the other.

Mr. DUPRÉ. How does the gentleman propose to care for these patients?

Mr. SISSON. My position is thoroughly understood by the committee, and that is that the District of Columbia should provide a hospital for the care of its own patients and not have to depend on any other institution, either of a private character or of any other character. In order that we may carry out that policy, while it does not affect the point of order, I will say that the only way we are going to be able to have the District of Columbia have its own institutions will be to stop appropriations for these private and religious institutions that make contracts to care for their patients.

Mr. DUPRÉ. Is it not true that the patients to be cared for here in this institution are not charges on the District of Columbia?

Mr. SISSON. They are charges on the District of Columbia, and half of it is paid out of the District revenues under the present half-and-half plan.

So far as the care for them is concerned, it is the duty of every civilized community to take care of the indigent people in the community. They ought not to be charges on the charity of those that happen to surround them. It ought to be a common charge against the whole community, and all civilized Christian communities do make provision for the care of the unfortunate.

Mr. LEVY. In the meantime, how do you intend to provide for them?

Mr. SISSON. We have a provision in the District bill which, if it sticks, will make provision, and there will be no immediate suffering.

Mr. DUPRÉ. Does the gentleman say that all Christian communities do make such a provision for their indigent?

Mr. SISSON. I say they ought to. I do not care whether it is a private institution or a public institution; if it is a private institution, it ought not to be connected with the Government, and if it is under private control it ought not to go to the Federal Treasury or the State or municipal treasury.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Mississippi makes the point of order on two grounds against the paragraph containing an appropriation for the Providence Hospital, one that it is unauthorized by law, and the second that it is in violation of the statute prohibiting appropriations being made to any sectarian institution.

The Chair believes that under clause 2, Rule XXI, of the House of Representatives, no appropriation is in order on an appropriation bill unless authorized by law. The Chair is of the opinion that the act of Congress of 1868 authorizes an appropriation made for the Providence Hospital, and therefore overrules the point of order on that ground.

As to the second ground, that the appropriation contravenes the statute and is not in order because it makes an appropriation to a sectarian institution, the Chair is of the opinion that there is nothing in the act or in the item under discussion to apprise the Chair that Providence Hospital is a sectarian institution. And the Chair further believes that the act of Congress cited by the gentleman from Mississippi which prohibits any funds appropriated for charitable purposes in the District of Columbia being paid to any sectarian institution is a matter that should be determined by the courts or the Treasury Department if the money was paid or sought to be paid to some institution that fell within the prohibited class. Therefore the Chair overrules the point of order.

Mr. SISSON. Mr. Chairman, I move to strike out the item.

Mr. PAGE of North Carolina. Mr. Chairman, to any observant man who has anything to do with the appropriations for hospitals or charitable institutions in the District of Columbia it must be apparent that there is a decided difference of opinion between gentlemen in this House as to the method of making these appropriations. So far as I am concerned, I agree in the main with the statement that has been made by the gentleman from Mississippi [Mr. SISSON] that the charitable patients in the District of Columbia or any other municipality or local

political division should be cared for at public expense in institutions provided by that municipality.

There is now pending as an amendment in another appropriation bill a provision for the erection of a municipal hospital, and this question must be determined by the Congress of the United States as to one policy or the other for the care of these charitable patients. I am very glad indeed that the point of order made by the gentleman from Mississippi [Mr. SISSON] against the provision in the bill did not prevail, because if it had, my information is such that I am sure the needs of the indigent sick in the District of Columbia could not have been provided for at the present time. In the Washington Asylum Hospital, which is a municipal institution, and at present the only municipal institutions for the care of indigent sick, there is capacity for about 175 patients. The situation there is such that to-day there are over 225 patients crowded into the institution. They can not be properly cared for, and it is not humane that an attempt should be made to place that number of patients in that institution above its capacity. I hope to see legislation not long deferred when the city of Washington will make ample provision for the care of its indigent sick, and when that time arrives I shall join the gentleman from Mississippi [Mr. SISSON] in an attempt to cease appropriations to private institutions, whether sectarian or otherwise, because I believe, as he believes, that the public moneys should not be appropriated to private institutions, whether they be hospitals or anything else.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. I yield for a question.

Mr. MADDEN. While I was on the Committee on Appropriations I served on the subcommittee of which the gentleman is chairman at the present time, and I entered that committee with a prejudice against the present system of appropriating money for private hospitals. However, after a careful investigation of the conditions under which the money is appropriated, I reached the conclusion that it is much more economical to do it in the way in which it is done than to have an institution owned and controlled by the District of Columbia itself. What does the gentleman think about that?

Mr. PAGE of North Carolina. Mr. Chairman, so far as my own information goes, I will not controvert the statement the gentleman has made, although I am not satisfied that it is entirely correct. It may be true or it may not be true; but whether it is true or not, merely for the saving of a few dollars we can not afford, if it is not the proper governmental policy, to continue to make contributions to private institutions that continually produce friction among the Members of this body who are interested in these appropriations. I believe it would be vastly better, even though it might cost a few dollars more, for the District of Columbia to construct a hospital of sufficient capacity to care for all of its indigent sick.

Mr. MADDEN. Does not the gentleman believe, however, that with the great number of private hospitals to which the Government now contributes there is much more opportunity for indigent sick to be cared for than there would be if the Government itself owned and controlled the hospital?

Mr. PAGE of North Carolina. No; I do not; because if the Government owned and controlled a hospital of sufficient capacity it would be able to take care of them all, and if the District provides a hospital, it will provide one that has capacity for all of the indigent sick.

Mr. MADDEN. Has the gentleman given any thought to the cost of a hospital such as he describes?

Mr. PAGE of North Carolina. I will say to the gentleman that I have, along with other gentlemen, and, in my judgment, a municipal hospital for the care of the present number of indigent patients in the District of Columbia, making ample provision for a number of years in the future for the increase in the number of patients, could be constructed for $1,000,000. That is based on an estimate not of my own but an estimate given by competent people who were called in as to the probable cost.

Mr. MADDEN. The conclusion I reached, after investigation as to the cost of constructing such a hospital, was that it would cost not less than $3,000,000.

Mr. PAGE of North Carolina. It could be made to cost not only $3,000,000 but $5,000,000, if it was constructed in an elaborate way, but ample provision in a suitable building for indigent sick, not only for the present but for a considerable number of years in the future, could be constructed for a million dollars.

Mr. Chairman, my purpose in rising was to oppose the amendment of the gentleman from Mississippi. While I am in sympathy with his general purpose—with the provision that I hope will be made some time in the near future by the District of Columbia for the care of its indigent sick—I think at this time that to strike out this appropriation of $19,000 for the care of the indigent sick under contract at one of these private hospitals would make it absolutely impossible to care for them in the District of Columbia. I hope the amendment will not be agreed to.

Mr. FITZGERALD. Mr. Chairman, I wish to make a very brief statement. I am opposed to the motion of the gentleman from Mississippi [Mr. SISSON]. I do not believe in the policy of a city like the city of Washington or any other large community having hospitals controlled exclusively by the municipality. The experience of the great municipalities of the country has been that it is a wise and benevolent use of private institutions to have the destitute taken care of in such institutions. The theory seems to be that because a person is placed in a private institution and the cost of maintaining a patient is paid by the municipality or the Government, that thereby some benefit is given to these institutions. At Providence Hospital, under this appropriation, the hospital receives a little over 50 cents a day for each person that it takes, and while a definite contract is made with the Surgeon General of the Army, the hospital never pays any attention to the number for which the contract is made, but accepts all who are sent by the Surgeon General. In another institution where contracts of the same kind are made the cost is a little over $1 a day, and in the Government medical institutions the cost is over $1.30 per day. So that the Government does not actually pay the entire cost of the service rendered. I would regret exceedingly to see the adoption of a system in the city of Washington where the charitably inclined would be divorced from all association of the care of the unfortunate of the community. In this institution and in the Garfield Hospital the Government has invested almost a million dollars in contributions made toward the erection of the hospitals, so that they might be utilized for the benefit of the city. There is no discrimination against persons sent there because of race, religion, or any other condition that might affect them. They are cared for in a proper manner and cared for at a very slight expense. I believe it is desirable to care for them. In any event, at this time there is no place where the persons who will be taken care of under this appropriation can be provided for in the city of Washington except by putting a burden upon private charities which would be too great for them to bear.

The obligation of the Government to take care of these unfortunates can not be met unless the service is rendered in some private institution. I hope the amendment will not prevail.

Mr. LEVY. How many average patients are there?

Mr. FITZGERALD. The number is 96. The number of hospital days, 34,000.

Mr. LEVY. They would be thrown on the public anyway to be taken care of unless we make this appropriation.

Mr. FITZGERALD. The obligation of the Government to take care of them could not be performed. I have no doubt that if the Government refused appropriations for the care of the unfortunate, the destitute, the sick and disabled of the city of Washington that in some manner or other the charitably inclined persons would provide the means to do so, but nobody wishes that private persons should discharge an obligation of the Government. Whatever the Government pays for services rendered under contract does not contribute to the advantage or to the benefit of those institutions, because they render the services which can not be rendered for the amount of money which the Government contributes, and the balance that is required is made up from contributions from their own funds, obtained in many ways.

Mr. FOSTER. Mr. Chairman, it may be thought that because Congress appropriates money to the different hospitals that are already established in the city of Washington that they are enabled to make a considerable profit out of what patients are taken care of there; but I think that is a mistake. It is not the fact that they make any money out of the patients that are sent to them as charity patients. It is true out at the Washington Asylum that the place is very much crowded and it is not in the condition that it ought to be in for the proper care of these unfortunate people. There are, as I remember, two large buildings there, which were erected some years ago, that could be arranged to make accommodations for 250 or 300 people; but for some reason or other, after making some plans and looking into the matter considerably, Congress has taken no action, so these two large buildings out there, which were erected at an expense of $300,000 to $500,000, are used for nothing but storing of models of the Patent Office. The Tuberculosis Hospital in the city of Washington takes care of patients that are sent there who are unable to care for themselves, and I think it costs something like $1.30 to $1.40 a day to care for them. In other hospitals for which the Government appropriates money they usually allow 60 cents a day up to as high as $1.20, but in

no case in these hospitals for which the Government appropriates for the care of destitute patients does it cost as much as it does in the Government hospital. Another thing, in the treatment of tuberculosis patients it is less expensive to care for them than it is for surgical patients—those who require more attention than they do there—so that I think, so far as the Government is concerned, that they have not lost any money; in fact, it is an economy for it to remain as it is now.

Mr. SISSON. Will the gentleman yield?

Mr. FOSTER. In just a moment. I was about to say that in the contracts which have been made in years past with these institutions I think the obligation fell on these institutions to take these patients at a very nominal figure, and it is not a money-making transaction for them in the least.

Mr. SISSON. In speaking of the cost of the tuberculosis patients the testimony before the subcommittee of the Committee on the District of Columbia was to the effect that the average cost of caring for the tuberculosis patients was greater than it was for the other patients, unless it were some patients who would require isolation, peculiar care on account of contagion, and the cost of the preparation of their food and close nursing.

Mr. FOSTER. Well, I think there is no doubt among medical men or those who have the management of these institutions that tubercular patients are less expensive than surgical or lying-in patients.

Mr. SISSON. If it is a surgical operation——

Mr. FOSTER. If it is true of the Tuberculosis Hospital, in the city of Washington, which I think is true, it is a mistake that it costs more to take care of those classes of patients than those I have mentioned.

Mr. SISSON. The gentleman will admit that where you have an institution restricted to a population of about 365 people that the overhead charges would be fully as great with a small number of patients as with a large number, would it not?

Mr. FOSTER. I think that is true. You take the Columbia Hospital out here on Pennsylvania Avenue, and they are building a new building. I will say that the pay that the Government gives to that institution for taking care of those indigent patients does not pay the expense to the Columbia Institution, and the Columbia Hospital is compelled to take from money that it receives from pay patients in that institution to make up the deficit that is caused by the taking care of these indigent patients sent to it from the Board of Charities. So that I do not think the Government loses anything. I think, in fact, the Government is ahead on this arrangement, and we have in the city of Washigton a most excellent system of hospitals.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. GOULDEN. Is it not a fact that in both these items, for Providence and Garfield Hospitals, the amount appropriated does not pay for the number of indigent patients that are treated there?

Mr. FOSTER. Yes; and nothing like it. All of these hospitals take in indigent patients, for which they receive no compensation whatever. They are treating them all the time.

Mr. GOULDEN. They never refuse a poor, unfortunate person who applies for relief?

Mr. FOSTER. No; they do not refuse.

Mr. MADDEN. Mr. Chairman, I do not believe there ought to be any disposition to cut out the appropriation for the Providence Hospital. This hospital does a great work in the District of Columbia. It takes every class of patients that may wish to come. There is no discrimination as to color or creed, and the management of the hospital, as far as it is able to do so, pays its own way, and I believe there are more patients taken into Providence Hospital without any compensation to the authorities of the hospital than in any other hospital in the District of Columbia.

It is true that the Government has appropriated and proposes now to appropriate for that hospital in this bill, but the per capita cost of those who are admitted to this hospital is very small and the service rendered is very great. I hope that the gentleman from Mississippi [Mr. SISSON] will not feel called upon to insist upon having this item stricken from the bill. It is quite as meritorious an item as any other that is reported by the committee.

There can be no complaint about the character of the service rendered by the hospital. On the contrary the character of the scrvice is entitled to high praise. I believe that the present method of caring for the indigent sick of the District of Columbia is not only more efficient, but more economical and more satisfactory than would be any system of conducting a hospital owned by the District of Columbia itself. I believe that the cost of operating a large hospital owned by the District would be much greater than is the cost under the present plan.

Moreover, I believe that in a municipal hospital, owned and controlled by the municipal government, no such facilities would be afforded as are now open to those who are obliged to go to a hospital and who are too poor to pay their own way. Here we have so many hospitals that there is never any question about the facilities that may be required by those who are unfortunate and sick.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from North Carolina?

Mr. MADDEN. Surely.

Mr. PAGE of North Carolina. The gentleman surely does not know the situation in the District of Columbia at the present time. There is a municipally owned hospital in the Washington Asylum now.

Mr. MADDEN. That is largely a tuberculosis hospital, is it not?

Mr. PAGE of North Carolina. Not at all. That remark shows the gentleman's lack of information still further. The Tuberculosis Hospital is situated in the extreme northwestern portion of the city, whereas the Washington Asylum is situated down on the Anacostia River, with several hundred patients in it. Why should there be a discrimination among indigent patients? We have 175 or 200 patients there in an inadequate and poorly equipped hospital, and a great many others are provided for in private hospitals. Would the gentleman propose to divide these 175 or 200 and send them among private hospitals, or would he build a new municipal hospital?

Mr. MADDEN. As I understand, the hospital that the gentleman describes is not finished.

Mr. PAGE of North Carolina. No. There is a group of buildings there which are falling down, and they are inadequate. Two hundred patients are crowded into that hospital where there should not be more than 170.

Mr. MADDEN. There are some brick buildings there, are there not, which are not used?

Mr. PAGE of North Carolina. I see where the gentleman is getting his information. There are some brick buildings on this reservation that were abandoned and were formerly used by the workhouse. They were constructed for workhouse buildings. They were connected with the jail. They would go to make a municipal hospital and not a private one.

Mr. MADDEN. That is true, but since we have not that at the service of the indigent sick of the District, the only other thing to do is to provide for their care and provide for them in the only way in which they can be provided for, and that is by making some arrangement with the private hospitals of the District.

Mr. PAGE of North Carolina. There is no difference between the gentleman from Illinois and myself. I am opposing the motion to strike out this item, because the District has not now the facilities for taking care of its indigent sick that it should have.

Mr. MADDEN. I am glad the gentleman is on my side, because on that account I am confident we will win our case.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FOSTER. Mr. Chairman, may I ask the gentleman a question?

Mr. MADDEN. Certainly.

Mr. FOSTER. I will say to my colleague, Mr. Chairman, that one of the great difficulties of the situation is that the secretary of the Board of Charities of the District of Columbia refuses to send patients to these hospitals because he wants to compel the construction of a municipal hospital. They could take those buildings at the Washington Asylum, that are not now used for any useful purpose, and with the expenditure of $40,000 they could be fitted up and make a good hospital to take care of all those patients. The plans have been prepared and the matter looked up.

Mr. PAGE of North Carolina. Has the gentleman suggested a proposition of that sort or made a request for an appropriation of $40,000?

Mr. MADDEN. No; but I have repeatedly spoken on the subject to members of the Committee on Appropriations.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent that my colleague may have one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. McKENZIE. I desire to ask my colleague from Illinois [Mr. MADDEN] if he can tell the committee for how many years appropriations of this character have been made to private institutions?

Mr. SISSON. Since 1906, I will say to the gentleman.

Mr. MADDEN. No; they have been made for longer than that.

Mr. SISSON. That is, this particular appropriation has been made since 1906, and some of them go back to a time when the memory of man knoweth not to the contrary.

Mr. MADDEN. Some of them go back to the beginning of the District government.

Mr. McKENZIE. May I ask my colleague another question?

Mr. MADDEN. Yes.

Mr. McKENZIE. Has there been any effort made by Congress for taking care of these unfortunate people in any other way?

Mr. MADDEN. No. No effort has been made at all.

Mr. McKENZIE. Can the gentleman from Illinois give an explanation of that?

Mr. MADDEN. Yes; I can. I think suggestions have been made time and time again that a municipal hospital should be constructed and operated by the District government, and during the time I served on the Committee on Appropriations the suggestion was made that in the operation of this hospital, established at a cost of $4,000,000, the per capita cost per patient treated would be $2 for every 50 cents that the Government pays now.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. SISSON. Mr. Chairman, in making this motion, I make it with the hope that this item will be stricken out and that the item which immediately follows will also be stricken out. The Government has been called upon to make appropriations for buildings on these two lots, and if Congress had expended these amounts on a municipal hospital, the District of Columbia would now own an up-to-date hospital.

This appropriation has been carried for a number of years; and just as long as certain influences in this District operate in Congress, just so long you will not be able, I fear, to have the District of Columbia perform its duty by its own indigent sick. I want, if I can, to divorce all private institutions and all religious institutions from the Federal and District Treasury. This is a principle for which all of us ought to stand. If, as has been said—and possibly it is true in many cases—the District of Columbia does not pay to these institutions the entire cost of the care of the patients, then the District of Columbia is imposing upon these institutions, and we should relieve them from that imposition.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SISSON. In one moment. Not only that, but you will find, as was suggested by the gentleman from Illinois [Mr. FOSTER] that in many cases they do not send patients to these private institutions, but put them in the institution that is under the control of the District of Columbia. That discrimination is rank, and ought not to be tolerated for one moment. But if the District of Columbia had its own hospital, under the control and management of the District government, where it could control the funds and the terms of admission, then no Government money would pass out from under Government control, but would always be within the control of the Federal or District Government. Now, I will yield to the gentleman from Louisiana.

Mr. DUPRÉ. Does the gentleman know of any protests or criticisms from these institutions against the so-called imposition which he says is being practiced upon them?

Mr. SISSON. I have not heard of any, but I do know that the moment you try to take away from any of these institutions—those under private or sectarian control—any of the appropriations which they have been accustomed to receive you do hear protests. I take it that, as was suggested by the chairman of the committee [Mr. FITZGERALD], these charitable institutions would, to the extent of their capacity, take care of the indigent patients who knock at their doors whether or not the District of Columbia or the Federal Government contributed one single penny to their support and maintenance. But it is a duty which devolves upon this community, as it devolves upon the various States of this Union, to take care of their indigent patients and their indigent poor, and the District of Columbia ought to do that. And if in addition to that you have private institutions or institutions of a sectarian character that from high and philanthropic motives wish to perform those acts of charity, so much the better. But I do not believe the Federal Government, the District government, or the State government ought to contribute anything to private institutions, where the money so appropriated will be controlled, either by officials appointed by the privately owned concerns or by sectarian organizations. It should always remain within the control of the government that makes the appropriation.

I have no word of criticism against either of these hospitals. I know of no criticism. I am making no criticism against the management. I know of none. I commend them in the great work which they are doing, but I do not feel that they ought to be connected with the Federal Treasury. I believe that it is the duty of this District to make an appropriation that will be ample to construct a building that will take care of the indigent poor of the District. It is the duty of the District of Columbia to care for them.

On two occasions we went into this matter thoroughly. It was contended that it would take $3,000,000 to build such a hospital, and there was another contention that it would take $4,000,000 to build such a hospital. If you should build such a Government building, ornamented with columns, frescoes, painted ceilings, and marble furnishings, with stately porticos, you could make that building cost any amount you might desire to expend; but the municipal architect submitted plans and specifications to your subcommittee when this bill was in conference at one time on an item which had been put into the bill in the Senate, and both the conferees of the House and the conferees of the Senate were then thoroughly convinced that a building could be put up for between $800,000 and $900,000 to accommodate not only the patients that are now charges upon the District of Columbia, but the increased number which might be expected from the natural increase of population, so that the building would not have to be enlarged for 7 or 8 or perhaps 10 years. And the building would be constructed so that when necessary it could be enlarged.

You will not be able to divorce these institutions from the Federal Treasury until you do build this hospital; and I am prone to believe that obstructions will be placed in the way of building the hospital as long as you make these appropriations. For that reason I have made the motion to strike this item out of the bill, because, as was suggested by the chairman of the committee, nobody is going to suffer. You might place the burden for the time being upon these institutions, but just as certainly as these and similar items go out of this bill and the other bills, just so certainly will Congress build a municipal hospital. And so far as the cost is concerned, if a building is put up sanitary, well lighted, modern, and well furnished, it is estimated that it will cost but little if any more than the contract price now in vogue to take charge of the whole business, except the tuberculosis hospital and those patients who have contagious diseases. And if you could consolidate it all under one management the overhead charge for each patient would thereby be very much reduced. And even though it should cost us a little more money, it would be better to divorce the institutions and let the Government perform the public charities and let the private institutions perform their private charities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask for two or three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. SISSON. Now, I have just as serious objections to the next item as to the item which I have made the motion to strike out; and wherever an item of that kind occurs in any of these appropriation bills I will make a motion to strike it out, and would have done so earlier, but we were very hopeful of being able to prepare plans and specifications for a municipal hospital. As soon as we get the right sort of a hospital here then all the thousands of dollars which we now pay for these purposes—I have not added up the items, but they make a considerable amount—can be included in one sum, and will make an enormous amount for the support of the municipal hospital. I believe that if you would concentrate all the public funds and put them under one management, all the charities of the District could be performed within the amount which we are now contributing to these various institutions.

There has been a large amount given to the Garfield Hospital which went into the building. The money appropriated to that

hospital and other private hospitals here amounts to some $2,000,000 within the last few years. If all that money had been spent on a municipal hospital, you would have had a Government-owned hospital, ample as the Supervising Architect says, ample as the physicians connected with the board of charities say, to take care of all the patients in the private hospitals or in the Columbia Hospital.

Mr. MONDELL. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MONDELL. Did the gentleman support my amendment that I offered in the District bill last year for money to begin the construction of a municipal hospital?

Mr. SISSON. I did not.

Mr. MONDELL. Then the gentleman can not complain that we have not started one.

Mr. SISSON. The gentleman offered an amendment to appropriate $3,000,000.

Mr. MONDELL. Oh, no.

Mr. SISSON. The gentleman's idea was a hospital costing $3,000,000, and your colleagues felt that that was entirely too much money, and when we had the Supervising Architect make plans and specifications for building an unornamented one for merely hospital uses, the estimate he made was in the neighborhood of $900,000 for the building of that hospital. In other words, we could have constructed and furnished an up-to-date building for a million dollars. If we had accepted the gentleman's proposition, it would have cost $3,000,000.

Efforts have been made to start a hospital. I will state to the gentleman from Illinois [Mr. MCKENZIE] that efforts were repeatedly made, and the reason that Congress one time several years ago, according to the information I have received from the Members of another body who were then Members of that body, that a municipal hospital would probably have been constructed if it had not been for the enormous sum that the architect estimated that the building would cost. The plan then provided a beautiful marble building, one which ought not to be erected as a hospital. The money that would have been used for such a building should go for the purpose of making patients comfortable; it should be sanitary and with plenty of air and light. In other words, the construction of hospitals are and should be on sanitary lines and not for architectural beauty. We want a sanitary hospital built on modern lines.

The Supervising Architect in the estimate and plans submitted to us, as I have just stated, provided for less than a million dollars. The efforts that have been made to build a hospital have been defeated because they wanted to build for beauty and not for service. I would gladly join with any gentleman who is willing to build a suitable building for hospital purposes for the purpose of caring for the District poor.

Mr. MANN. Mr. Chairman, the arguments of my friend from Mississippi have been devoted almost wholly to building a municipal hospital, which really has little to do with his motion to strike out the provision in the bill. The truth is a municipal hospital has not been heretofore built in Washington, probably mainly by reason of the state of the revenue. For a good many years the District of Columbia was badly in debt to the General Government. It is getting out of that debt, and with the revenue now coming in to the District of Columbia it is probable that in the next few years they will be able to get a municipal hospital, not such a one as the gentleman from Mississippi would construct—a wholly inadequate hospital—but a respectable building, whether it cost $2,000,000 or $3,000,000.

Mr. SISSON. Does the gentleman know how much the surplus revenues of the District are?

Mr. MANN. I do not know, but I know they are plenty.

Mr. SISSON. Two million and odd thousand dollars.

Mr. MANN. They have not wholly paid their debt to the Government, but will shortly. They will then have the means to construct a hospital and make some other public improvements.

Now, Mr. Chairman, I do not quite differentiate between having an employee of the Government come to the city of Washington and go to a hotel and the Government pay $4 a day for his subsistence at the hotel and for the Government to pay 50 cents a day for the subsistence of some destitute sick person at some institution. The hotel is a private institution. The Government does not maintain a hotel and feed all the Government employees, and they are very numerous, who come here during the winter and get their subsistence allowed to them. This item does not contribute an amount to the support of a private institution. It only pays a certain rate when the District sends to this institution, as it might send to the hotel, some person to be fed and cared for, the only difference being that when he goes to the hotel we pay $4 a day and when he goes to the institution we pay 50 cents a day. We are a long ways ahead of the game.

If the gentleman's amendment should prevail, what would be the situation? The destitute sick of the District of Columbia would have no place where the District could send them for care. To me it is abhorrent to say that the great government of the District of Columbia will not make any provision at all for the care of the indigent sick until we make provision for a municipal hopsital; until we find some other place to send them, we ought to put them in a private house, at a private institution, in a semipublic institution, or some other place, and they ought not to be left to wander on the streets, relying wholly upon private donations.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. SISSON) there were 6 ayes and 31 noes.

So the motion was lost.

The Clerk read as follows:

Garfield Memorial Hospital: For maintenance, to enable it to provide medical and surgical treatment to persons unable to pay therefor, under a contract to be made with the Board of Charities of the District of Columbia, $19,000, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. SISSON. Mr. Chairman, I shall not raise the point of order to this paragraph, but make the motion to strike it out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Southern Branch, Hampton, Va.: For current expenses, including the same objects specified under this head for the Central Branch, $6,0004.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 78, line 18, strike out "$6,0004" and insert in lieu thereof "$46,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For farm, including the same objects specified under this head for the Central Branch, $5,000.

Mr. MARTIN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 83, by inserting, after line 2, the following:
"For the construction of permanent steps at the front entrance of the Battle Mountain Sanitarium grounds, $5,509.50."

Mr. FITZGERALD. Mr. Chairman, on that I reserve the point of order.

Mr. MARTIN. Mr. Chairman, of course the item is not subject to the point of order. It is a question of completing a work not only already in progress but that is entirely completed except the putting in of these permanent steps and the putting up of a stone gateway over the entrance to the driveway to the grounds.

This is a small item, but it is an item that is of very great importance and one that ought not to be neglected. It is foolish for the committee or the Congress to neglect the putting in of these stairs. The Battle Mountain Sanitarium is the hospital sanitarium branch of the entire soldiers' home system of the United States, and there the most afflicted invalids are sent for treatment and convalescence. I want to say that the Government has expended over a million dollars or thereabouts in what I believe to be one of the most complete hospital equipments in the United States, and it is providing for the old soldier, the veterans of the Civil War and of the Spanish-American War, the humane service for which this institution was founded something like 10 years ago. It occupies a central position in this town of Hot Springs, which is itself a generally curative place, having about 2,500 inhabitants. The sanitarium occupies in the neighborhood of 100 acres of ground, most of it in the very center and heart of the city, all of which was donated by the citizens of the town when the Government established this palatial sanitarium there, so that the citizens have been very liberal contributors in both money and property. It is situated on a high plateau about 110 feet above the business streets of the town, and it is approached from a central part of the town up a perpendicular declivity of something like 100 feet.

When the institution was constructed the contractors took the material furnished by the citizens and built temporary wooden steps to lead from the center of the town up to the plateau upon which the Government improvement is situated. Those wooden steps are now decaying and are in a dangerous condition. They are traveled by hundreds of patients and con-

valescents, who go to and from the Government hospital to the town for their mail and other conveniences. It is a public place, where all of the citizens or the visitors must pass in going to and from the Government hospital. A part of the original design of the architect was for cement steps, passing from the street in the town up to the plateau, and the time has now arrived when they must be put in, or, as I have said, accidents and damage may come. These steps are not in a safe condition now. The engineer of the home has prepared the estimates and has sent them on in a letter from the governor and surgeon in chief at the home. The amount desired is a reduction of the architect's estimate from $7,000 down to a little over $5,000, and this is accomplished by leaving out some of the unnecessary ornamentation. It makes a suitable and permament approach, constructed entirely of cement and other permanent material, and it involves a flight of 153 steps in height. I presented this matter to the Committee on Appropriations, and there is no reason for leaving it out, unless it was for the technical reason that it was not in the estimates that come from the department. I know personally that every member who has been any length of time on the board of managers is thoroughly aware of this necessity and favors this improvement. I may say that there is another side to this question, which I think is of some consequence.

In order to get additional ground for an approach to these steps it was necessary to have some other land to connect up with the end of the street, and I know of my own knowledge that the board of managers obtained free deeds from the Evans Hotel Co. and another owner adjoining that street for additional land to round out the grounds and make the place for this improvement by these steps on the representation that these permanent steps would be put in with the least possible delay.

I am about to retire from Congress, and although these assurances were made six or seven years ago they have never been carried out. It is perfect folly, in my judgment, not to include this in the improvement and completion of the plans, and I think the chairman of the committee ought not to oppose the proposition. I wish to put in the RECORD a communication from the governor, specifications from the engineer showing not only the necessity but showing that this was the agreement when the ground was obtained for the purpose of putting in these steps, and another letter upon the same subject.

The matter referred to above is as follows:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
BATTLE MOUNTAIN SANITARIUM,
Hot Springs, S. Dak., January 12, 1915.

Hon. EBEN W. MARTIN,
Member of Congress, Washington, D. C.

DEAR MR. MARTIN: In compliance with your request of the 4th instant requesting data or information in regard to putting in the new steps leading up from the city of Hot Springs to the sanitarium grounds have to state that the old steps are very dilapidated and it is highly necessary they be promptly replaced by new ones. As this is the main avenue traveled by the members in going to and from town, these steps should be of a permanent nature.

On yesterday I had a talk with stockholders of the Evans Hotel Co., Messrs. Humphry, Bennett, and Stewart, also with Mr. Chris Jensen, and they stated to me that there was a verbal agreement between Capt. Palmer, who was the first local manager of the sanitarium, and the Evans Hotel Co. and Chris Jensen to the effect that permanent stairs leading from the top of the hill on the sanitarium grounds down to the foot of the hill, which lands in the middle of National Avenue, would be built.

Because of the above promise the Evans Hotel Co. and Chris Jensen gave a strip of land adjoining the sanitarium grounds, which strip of land straightened the line of the sanitarium reservation and extended the reservation to the foot of the hill, at the landing of the stairs.

When the plans and specifications of the sanitarium were drawn by the architect, Mr. Kimball, of Omaha, plans were also drawn for the proposed entrance by means of permanent stairs at the location of the old stairs. The estimated cost of building the proposed stairs and erecting a suitable approach at the foot of the incline is $7,773.50.

Have requested the chief engineer to make a report and estimate on the cost of building the steps and double arch gates, and inclose herewith copy of same, together with tracing of plan of steps as shown on the original drawings; also pencil sketch of proposed double arch gates at entrance to sanitarium grounds at the foot of the incline.

With regards, very respectfully,

JAMES A. MATTISON,
Governor and Surgeon.

—

JANUARY 12, 1915.

The Chief Engineer.
The governor and surgeon.
Proposed cement steps leading to the sanitarium grounds.

1. The wooden steps leading up to the sanitarium from the street leading to about the center of the grounds were built by the contractors of the buildings, the citizens of the town buying the material and the contractors doing the work. They have been kept in repair by the home for the convenience of the members and the public and citizens, who have business at the home, and they are the only near way of reaching the sanitarium grounds, the incline or main walk being a long way around. If they are maintained it will be necessary to rebuild them, as most of the stringers are rotten, they are mostly patches, and in a very short time there will be nothing left to nail to.

2. It was understood that there were to be cement steps built in place of the wooden ones, and the landscape artist shows the plan of them in his blue prints. There was a verbal agreement entered into by Capt. Palmer, local manager, and the Evans Hotel Co., that if the hotel company would give to the home a triangular tract of ground so the home grounds could be squared up, the home would build the steps; the Evans Hotel Co. gave the ground—shown in red on the tracing—and it is now a part of the home grounds. This tract of ground was necessary to have if the landscape artist's plans were carried out, as the south end of the oval lies on the acquired ground. The citizens and the Evans Hotel Co. feel that the agreement should be carried out and the steps maintained. If built of stone and concrete, they would last indefinitely.

3. The proposed steps will start at the line of the home grounds with a flight of 24 steps to a landing, where the oval starts, the second flights will swing to the right and left in the form of an ellipse with 26 steps and 2 platforms on each side to a platform and rest place with seats, the third flights continue the oval and will have 26 steps and 2 platforms to the center line of the steps, where there will be a platform and seats, then the steps are in one flight to the sanitarium ground level; this flight will have 36 steps and 2 landings with seats. There will be in all 153 steps.

4. The original estimate on building the steps was $7,000. The steps were to have been 10 feet long, 6-inch rise, and 11-inch tread, with a curbing of 12-inch thickness on each end of the steps, the curbing forming the railing. We propose to do away with this heavy curbing or railing and put instead an iron railing. This will cut down the cost and will be easier to grasp than a 6-inch rounded cement rail. The length, rise, and width of the steps will be maintained. The first flight will have to be carried on stone, as there is a straight rise of 12 feet; the stonework will be native stone rubblework laid in cement mortar. The lower sides of the ellipse will have to have rubblestone retaining walls, the inside of the lower side of the ellipse will have to have a 6-inch curbing to keep the rain wash off the steps, and the outside of the ellipse on the upper sides will have to have a similar curbing. The seats at the rest places will be made of cement, perforated. The rise of the steps will be troweled smooth, the treads will be finished with wooden floats, leaving them rough, the railing will be made of 1½-inch iron turned so the same will be free from splinters, the fittings will be standard malleable rail fittings, and the uprights will be built in the center of the steps. This will make the railing secure and permanent.

5. There will have to be a sewer from the fountain in the center of the ellipse and connected with the city sewer system. There will be 10 electroliers, the same pattern as those on the home grounds, and wired in two circuits. The top globe being wired for the all-night circuit. A sidewalk will have to be built from the steps to connect with sidewalks each side of the street.

Estimate.

Concrete for anchorages, etc., 77 cubic yards; steps, landings, curbing, sidewalks, and seats, 88 cubic yards; total, 165 cubic yards—cement, crushed rock, and sand necessary for making the concrete	$1,372.00
Rubble stonework laid in Portland cement, 2,700 cubic feet	1,755.00
Pipe railing with all the necessary fittings	185.00
10 electroliers, complete with globes	550.00
Conduit and wiring	200.00
Lumber for forms, etc	96.00
Miscellaneous: Includes powder, fuse, iron for anchors, spikes, etc	110.00
Water piping and sewer	116.50
Labor for excavating, hauling, etc.; teams	315.00
Labor for excavating, drilling, blasting, mixing concrete, and such other work as may be necessary	810.00
Total	5,509.50

6. It is proposed to build a double-arch gate at the entrance to the grounds on the main drive. The opening over the roadway to be 10 feet 6 inches wide, and 4 feet 6 inches wide over the sidewalk. The piers supporting the main arch will be 4 by 5 feet and 9 feet high. The pier for the smaller arch will be 3 by 5 feet and 7 feet high. The arch will be circular with a radius of 5 feet and 3 inches, making the height of the opening at center of arch 14 feet and 3 inches. The smaller arch radius will be 2 feet and 3 inches, and the opening will be 9 feet and 3 inches above the sidewalk.

7. The stonework up to the cornice line will be rough-faced ashler native stone. The arch stones on face and everywhere exposed will be crandalled. The cornice will project not less than 10 inches and have at least five members and wash. The cornice to be 14 inches thick and to be rubbed smooth.

8. Over the keystone of the arch, facing the street entrance and below the cornice, shall be placed and recessed a dark-colored grate panel upon which shall be cut: "Battle Mountain Sanitarium" in 4-inch letters, cut in. There will be two ornamental wrought-iron gates 5 feet 3 inches wide and 9 feet high, one ornamental wrought-iron gate 4 feet 6 inches wide and 7 feet high, patterns to be selected, and two electroliers the same pattern as those on the home grounds.

Estimate.

Excavating and foundations	$157
Stonework, completed as per plans	1,667
3 ornamental wrought-iron gates	148
1 electroliers	110
Conduit and wiring	182
Total	2,264

9. Tracing of plan of steps as shown on the original drawings, also double-arch gates on main drive, inclosed herewith.

J. S. GOODRELL.

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RAPID CITY, S. DAK., *January 11, 1915.*

Hon. E. W. MARTIN,
Washington, D. C.

DEAR CONGRESSMAN: Your letter of January 4, 1915, asking for information as to the contract or understanding between the National Sanitarium and the Evans Hotel Co. at Hot Springs, S. Dak., in regard to the property deeded to the Government for the stairway or approach to the sanitarium, received.

It is our understanding that the representatives of the sanitarium stated that it was very important to the Government to have this ground for the main approach to the sanitarium, as it is the only practical place for said entrance, and they agreed with the Evans Hotel Co. that if said ground was deeded to them that a permanent cement approach and stairway would be constructed, in keeping with the other improvements and buildings of the sanitarium. The hotel people were very loathe to part with said ground, as it was part of their park

facing the street, but they finally deeded said ground with the above understanding.

It is my understanding that the contract was not put in the deed and am unable at this time to state if a separate contract was made or not, as the old officers of the hotel company are not in this section of the country at the present time.

Anyone seeing the sanitarium property can readily understand the great necessity for this approach and the importance to the Government owning the ground deeded by the hotel company. By having this entrance the officers and employees are at least half to three-quarters of a mile nearer the main business part of the town. The City Park is directly in front of the hotel for the convenience of the patients, old soldiers, and the public, and the upper end of the approach is directly in front of the main entrance to the sanitarium.

The present structure is in a dilapidated condition and is an eyesore to everyone and a disgrace to our great Government.

Very truly, yours,

EVANS HOTEL CO.,
By GEO. P. BENNETT,
President.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, sooner or later—and the better sooner than later—we must make the improvement that the gentleman from South Dakota [Mr. MARTIN] has described to us and which is to be made under the item of appropriation for which he has asked. It seems to me that the appropriation should be made now, as the wooden stairway he speaks of is old, liable to be dangerous, and there is possibility of injury, or loss of life, and heavy damages or claims against the Government. There is nothing more necessary to say in support of the improvement than what the gentleman said other than this. The gentleman from South Dakota, who has rendered splendid service for his State in this House for a number of years, is largely entitled to the credit for this fine institution; or, rather, to put it in another way and state it more accurately, he is entitled to great thanks and credit for having called to the attention of the Congress the splendid opportunity which the little city of Hot Springs in his State afforded for the utilization of the curative waters of the springs there in prolonging the lives and relieving the distress of old veterans. The Battle Mountain Sanitarium is a splendid monument to the gentleman from South Dakota. It is one of the most useful and beneficial of all our public institutions. The gentleman from South Dakota has determined to end his services here. He could have remained had he desired, as his people would have returned him indefinitely, having full confidence in him and fully appreciating, as we do, his splendid ability and his devotion to the people's interests. But he is retiring to private life, and I think it would be a very proper and gracious thing to make this improvement now, while the gentleman from South Dakota is still with us, in order that when he leaves Congress this institution, with whose establishment and building he had so much to do, shall have been fully completed. [Applause.]

The CHAIRMAN. Does the gentleman from New York insist on the point of order?

Mr. FITZGERALD. Mr. Chairman, I withdraw the point of order. This is a matter presented to the committee after the Board of Managers of the Soldiers' Home had appeared before the committee. If the item had been included in the estimates and the situation explained as it has been explained to the committee since the board of managers appeared, I do not believe there would have been any objection to the item. The present condition undoubtedly is dangerous. The inmates of these homes, who are old veterans, suffering from tuberculosis, whose years will be short, will be considerably benefited by the elimination of the very long trip from the town up around the hill to the sanitarium. While the item is subject to a point of order, yet if the board of managers had submitted it and explained it as it has been presented to the committee, I am confident that it would have been included in the bill, and therefore I shall not oppose it.

The question was taken, and the amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I sincerely appreciate the attitude of the gentleman from New York [Mr. FITZGERALD] and the gracious comment of the gentleman from Wyoming [Mr. MONDELL] and the vote of this committee upon this item. If it will not be considered at this time to be asking too much, I would like to proceed for 10 minutes on another phase of this question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MARTIN. During my long illness last year there was a movement on foot, which received some support upon the floor of this House, to transfer the management of the soldiers' national homes throughout the country from the board of managers to the War Department. In that connection there was considerable bad feeling generated, and some developed upon the floor of the House here, and I think the proposition was not fully understood in the country at large. Three men were released or discharged from the Battle Mountain Sanitarium for improper conduct, and in that connection the gentleman from Illinois [Mr. BUCHANAN] and the gentleman from Kansas [Mr. ANTHONY] introduced considerable material from these three disgruntled members, who were not veterans of the Civil War but veterans of a very short service or enlistment in the Spanish-American War, reflecting disagreeably upon the management of the Battle Mountain Sanitarium and the officers and other members in connection with that institution. Had I been here personally at the time, my thorough acquaintance with the officers of the sanitarium and with that institution would have enabled me at that time to have said much in defense of the management. My colleague [Mr. BURKE] did speak in behalf of the institution and placed the matter in a very excellent light before the committee of the House, and investigations were had. My colleague if not detained elsewhere this afternoon would have been here when the item was reached for the purpose of commenting further on the situation.

I shall not impose upon the liberal treatment of the House at this time further than to say that there have been numerous investigations of this subject from that time until now, all with one result. These three men who were let out of the institution were, as I said, Spanish-American veterans, and the National Spanish-American Veterans' Association appointed a committee of investigation, which went to Hot Springs and there fully investigated the situation. It made a report, which I shall insert in the RECORD in connection with my remarks.

The National Grand Army of the Republic appointed another committee, and one member thereof, Capt. C. V. Gardner, the brother of Hon. Washington Gardner, formerly a distinguished Member of this House and a member of the Committee on Appropriations, has made a report, which I will also put in the RECORD. In addition to that, the Inspector General of the Army, Maj. Jackson, also investigated the subject and has made a report upon it.

Now, those reports, which are brief, and also some extracts from the testimony of these hearings, I want to have the leave of the House to put in the RECORD in connnection with my remarks, which I trust and believe will be the final chapter upon this subject.

I want to say, however, that personally I have full knowledge of this institution, and have had from the beginning. The governor or surgeon in charge, Col. Mattison, came from the State of Ohio, and had served for years in connection with the National Home for Disabled Volunteer Soldiers at Dayton, and I may say that, although I had no acquaintance whatever with him until he arrived, after due appointment, to take charge of that institution, he has shown himself a most efficient and kindly man in every way, and, in my opinion, perfectly ideal in the management of that institution. Among the hundreds of veterans that I have met from time to time I have yet to meet a member of this home who has not spoken in the highest terms not only of the management, but of the treatment received there.

I can say this much also in favor of the only other officer who has been criticized in that connection, Maj. Stanley, the treasurer and quartermaster, whom I have known almost from boyhood. He is a man of the same high character and type. Suffice it to say that every investigation that has been made—and there have been several, as the RECORD will show—has entirely vindicated the management, and they all comment in the most positive language upon the splendid manner in which this institution is conducted.

Those men who criticized it are simply chronic trouble makers, who, without any record of any consequence in connection with the War with Spain further than an enlistment, without going to the front, were simply disturbers, as will be seen from the testimony of numerous members of the same institution in the same ward with them. They are simply men who are seeking to make anarchy and trouble in that institution, and trying to back up the movement that was agitated here in Congress to transfer the management of the institution from the board of managers to the War Department.

To these reports I take this opportunity to add my own assurance as to the good management of the institution. It is indeed performing the high service for which Congress founded it some 12 years ago. It is giving to the veterans of our wars that intelligent and kindly surgical and medical treatment that their peculiar and serious diseases require, and it is but another appropriate tribute that the Nation is paying to those who have defended the country in the time of its need.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from South Dakota [Mr. MARTIN] asks leave to extend his remarks. Is there objection?

There was no objection.

The matter referred to is as follows:

STATEMENTS AND REPORTS REGARDING CONDITIONS AT BATTLE MOUNTAIN SANITARIUM, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Report of Capt. C. V. Gardner, committee appointed by the National Grand Army of the Republic:

PIEDMONT, S. DAK., *June 17, 1914.*

Hon. FRANK BUCHANAN,
Washington, D. C.

DEAR SIR: On my return home, after an absence of some weeks, my attention has been called to a speech made by you and published in the CONGRESSIONAL RECORD of April 29 last, in which you viciously assailed the management and officials of the Battle Mountain Sanitarium, located at Hot Springs, this State. My first thought was one of intense indignation; then, supreme pity, that a gentleman supposed to have the ability to represent in part one of the great States in the Congress would make such a speech without first trying to ascertain if there was just cause for it and the alleged complaint in a letter by one Walich and made a part of your bitter and unjust attack.

Permit me to state that at the last annual encampment of the National Grand Army of the Republic Association held at Chattanooga a standing committee of ten, one for each of the national homes, was appointed to investigate alleged ill-treatment of inmates and other wrongdoings by the officials of the homes. I was assigned to the Battle Mountain Sanitarium. I made application for admission, ostensibly for treatment, but in reality that I might, from personal experience and observation, study conditions as they actually existed. I was regularly admitted February 5 last and remained until March 2. I was assigned to a ward and lived just as other inmates, eating the same food at the same tables, and obeying the same rules and regulations of the institution as my comrades did.

It was a pleasant experience and a revelation along many lines. There were at the time of my visit between four and five hundred inmates.

Being a sanitarium rather than a home, I found men suffering from nearly all diseases and ailments that humanity is heir to.

Patients in all stages of diseases, from the very sick to those who were physically strong, were there for treatment of real or imaginary chronic ailments. I desire to state right here that it is my candid belief that quite a number of the inmates, judging from their physical appearance, movements, and appetites, are there because a too generous government has supplied them with all luxuries of a home without money or a price. Men able to work, yet taking the opportunity of having been enlisted as soldiers to live without labor or responsibility. This applies especially to some of the so-called Spanish War veterans.

I do not hesitate to state that if you will look up the record of the man who wrote and those who indorsed that letter you will find that they never heard a hostile shot; or if so, were far in the rear, and, further, if they are ailing they are being treated for diseases brought on by dissipation and debauched habits. They are simply "camp followers" and unworthy of the name of American soldiers and a disgrace to the great body of young men who are rightly known as Spanish War veterans.

I doubt not all the 10 homes have a greater or lesser number of these fellows, whose chief occupation is that of disturbers and faultfinders. I found the sanitarium modern in all respects and treatment the very best.

The food, while plain, as it should be, was most abundant, and the chef of the Waldorf-Astoria could not improve on its preparation and cooking. All foodstuffs are accepted only after inspection by a competent committee, two of whom are doctors, and must comply with pure-food laws. The sanitary conditions are simply perfect from "cellar to garret"

I have found that not only all the officials, but attendants as well, are most courteous and attentive to their varied duties. As to Gov. James A. Mattison, I do not believe in all the country there is a man better qualified in every respect for the position he occupies. He is kindness personified, yet firm in his administration, and the charges you make in your unconsidered, want to be charitable, speech are so foreign to his nature that they are simply absurd.

It is my good fortune to have known Maj. W. H. Stanley for a number of years. He is a most genial gentleman and the very soul of honor, and if a wrong, by any means possible, occurs in his department, no man would be swifter to right it, if in his power to do so.

Should you have any doubt of the truth of these statements, if you will go and investigate for yourself and not find them in all respects as above set forth, I will pay all your expenses from Washington and return. Should you find my contentions correct, I hope you will be big enough and broad enough to acknowledge before all the people of the country that you did a great injustice to the most worthy gentlemen and conscientious officials. It is that spirit that makes just men perfect.

Yours, truly,

C. V. GARDNER.

STATEMENT OF THE TWO MEMBERS OF THE COMMITTEE APPOINTED BY THE COMMANDER IN CHIEF OF THE NATIONAL SPANISH WAR VETERANS' ORGANIZATION TO INVESTIGATE THE CONDITIONS OF THE NATIONAL HOMES, WHO WERE PRESENT AND MADE THE INVESTIGATION OF THE BATTLE MOUNTAIN SANITARIUM, HOT SPRINGS, S. DAK., MARCH, 1914.

Having been appointed by the commander in chief of the United National Spanish War Veterans to investigate the conditions in the Soldiers' Homes, we started at Dayton, Ohio, then went to Battle Mountain Sanitarium, Hampton, Va., and Johnson City, Tenn.

We received word that there was some trouble at the sanitarium. When we arrived we had no idea what the trouble was. We reached there on the 23d of March, 1914. There were three men there—Anthony H. Walich, James H. Lacy, and John H. Yount, patients in the tuberculosis cottage—who were decided matcontents. We found them to be chronic agitators, causing trouble not only in the tubercular cottage but in the sanitarium as a whole. In making our rounds we were approached by members of the Grand Army of the Republic, members of the Civil War, as well as members of the Spanish-American War, asking us, if we were going to do anything to this sanitarium at all, to have these three disturbers removed, as they were annoying the patients and everybody about them.

We investigated every complaint made by these other patients against these three men above mentioned. We found the complaints against Walich, Lacy, and Yount justified; but when we investigated the complaints of Walich, Lacy, and Yount we found them grossly exaggerated and the complaints against the governor entirely without foundation. We found their complaints groundless, with perhaps one or two little, trifling affairs, that they had so exaggerated they gave very misleading and false impressions.

After a thorough investigation of conditions and of the complaints, we did not find one thing that reflected in any way on the governor or any other officer of the sanitarium. The investigation showed that the food and treatment received by the patients not only in the wards but in the cottage, was such as their condition needed. In going through the wards we only found one complaint against the food; that was from a soldier who complained that he was not served meat. The nurse refused to give him meat on account of the doctor's orders. The doctors had ordered that no meat be served to this man, because he had kidney and stomach disease, but substitutes had been ordered instead of meat. We also investigated the complaints about shortage of food and found that these complaints were not justified.

We searched everywhere for proof of the statements about mistreatment, abuses, and shortage of food, and we could find nothing whatever to justify the charges. We sent through the wards also and asked the patients individually, and they stated that they were well treated, well fed, and that they were satisfied.

The braggadocio conduct of Walich and the other two men before the committee, together with the evidence of the other patients examined, showed that they—Walich, Lacy, and Yount—were not only disgruntled socialists but struck us as being a type of anarchists. These three men were very bitter against the governor.

We found that the patients all received the most considerate and kindly treatment from the governor and the other officers, and that this was universally appreciated outside of this trio of men.

We found that these three men were putting up a fight to get the national homes placed under the War Department, and they were willing to resort to any measure, however unfair or unjustified, to accomplish this end. They had even gotten up petitions, addressed to Congress, requesting the homes to be placed under the War Department, but the other men refused to take any stock in such petitions.

The second member of this committee—Frank F. Jones—made a second trip here on July 24, 1914, he having come here very sick, for treatment. He received the very best of treatment and found the food better prepared and of a better quality than in any institution he had ever been in, and he neither saw nor heard of any neglect or mistreatment from any employee except as it came from these three men in question and two or three of their followers.

There have been two other men there, by the names of Hale and Benham, who are of the same type of men as Walich, Lacy, and Yount; in fact, they seem to be prompted by the same man—Walich, who is still in town, and attempts to get other men dissatisfied and to write letters to their Congressmen condemning the present management of the homes.

MELCHOR GIST COCKEY, A. M., M. D.,
Chairman, Salina, Kans.
FRANK F. JONES,
Member, Youngstown, Ohio.
UNITED SPANISH WAR VETERANS,
Committee on Soldiers' Homes.

STATEMENT OF A. W. RIERDON, MAYOR OF HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., *September 29, 1914.*

Mr. JAMES E. MATTISON,
Battle Mountain Sanitarium.

DEAR SIR: In answer to your inquiry regarding the conduct and general reputation of one Anthony Wallich, who has been a resident of our city since his discharge from the Battle Mountain Sanitarium, would say that he is generally regarded in a very unfavorable light. He appears to be very much of an agitator and seems to be imbued with the idea that the world was created for his special benefit. He has been arrested and brought before our police court twice—once for assault and once for disregarding ordinance relative to soliciting at the Union Depot. In the first instance he was tried by a jury and found guilty and fined $25 and costs, and in the second instance, at my solicitation, he was discharged. However, from what I can learn, he gets in bad with almost everyone with whom he comes in contact.

Very truly, yours,

A. W. RIERDON, *Mayor.*

STATEMENT OF CHIEF OF POLICE, HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., *September 29, 1914.*

To the PRESIDENT OF THE BOARD OF MANAGERS,
National Soldiers' Homes, New York City.

GENTLEMEN: Having been asked to make a statement in regard to the case of city of Hot Springs *v.* George Kazmer, I desire to set out what I know about the case. I did not serve the warrant or make the arrest of Kazmer. The arrest was made by the night policeman. The trial was held before the police judge, and I served all the subpœnas asked for by Walich, Lacy, or Yount; and all the witnesses that they asked for appeared. Kazmer objected to the jurisdiction of the court, and when his motion to dismiss the case was overruled he became stubborn and refused to put any defense, but said he would appeal the case. The judge then fined him $5 and costs. Kazmer consulted an attorney, and upon the advice of the attorney paid the fine and costs, because it was much cheaper and easier to pay this small fine rather than appeal to circuit court.

On or about April 10, 1914, Walich appealed to me for food and shelter, and I provided him, first, with a good, frame house in good repair; I provided him with plenty of fuel and provisions. Through the dissatisfaction and continual complaint of Walich the owner of the house and the neighbors compelled me to move Walich and his friends from that house. I then moved them to a log cabin at the corner of Minnekahta Avenue and Happy Hollow, less than a block from the Hot Springs Hotel and bathhouse. I there gave them fuel and provisions. This house is in good repair, and was occupied until very shortly before they moved in. This log cabin was suggested by the county physician. Because of the disturbance created by Walich the people who lived in the neighborhood complained to the city council, which declared them to be a nuisance and ordered them to be moved.

I waited upon the men every day that they were here to see that they had fuel, provisions, and bedding. The county physician attended them faithfully and took good care of them, as he lived in the same block in which the log cabin was situated.

Lacy and Yount, after they were declared to be a nuisance, were, at their own request, provided transportation to their homes in Connecticut and Illinois.

Walich went to work for the Hot Springs Motor Co., and on June 9 complaint was made that he was driving an automobile for this garage company and was charging double rates from visiting members of the Elks lodge who were in the city. The complaints were so numerous and persistent that the company investigated and discharged him. Then he went to work soliciting for hotels and bathhouses here and caused continual trouble with the automobile drivers, hackmen, hotel men, and bathhouse men.

On September 4 I arrested him for assault and battery upon one of the automobile men, and upon trial before a jury in police court he was found guilty and fined $15 and costs; he was defended by a good attorney and had all the witnesses he asked for. On September 20 he was again arrested for a violation of the city ordinances. He has made me more trouble than any other man who has been in the city during the past three years that I have been chief of police.

Very truly,

GEORGE H. MCCRACKEN,
Chief of Police.

STATEMENT OF POLICE JUSTICE, HOT SPRINGS, S. DAK.

HOT SPRINGS, S. DAK., *October 6, 1914.*

To the President of the Board of Managers, National Soldiers' Homes, New York City.

DEAR SIR: Having been requested to make a statement of what I know about Anthony H. Walich and his troubles, I desire to say that I never knew him until he began to work at the Hot Springs garage and was driving an automobile for the garage. Then I heard about him being discharged from the garage and starting to work as a solicitor for hotels and bathhouses.

After a time he was arrested for committing an assault and battery, and, upon trial being held before me as police justice of the peace, he was found guilty by a justice jury and sentenced by me to a fine of $15 and costs and is now under bonds to appear at circuit court, he having appealed his case.

At the trial there was considerable evidence that he has been a trouble maker, and he has been arrested once since for a violation of the city ordinances. I consider that he had a fair trial, and was well represented by his attorney, who made out as good a case as was possible under the facts. He has been to me at various times to have other people arrested, but, in my judgment, he never had a case with any merit in it, and I refused to issue any warrant for him, except once, and that time I was compelled to dismiss the case upon hearing it.

Very truly,

J. N. JONES,
Police Justice of the Peace.

REPORT OF MAJ. W. P. JACKSON, INSPECTOR GENERAL UNITED STATES ARMY, DECEMBER 10, 1914, ON BATTLE MOUNTAIN SANITARIUM.

While making the annual inspection of this branch I was directed to make a special investigation and report of the cause of discharge of three members on April 6, 1914.

The evidence showed that these three members were constantly making unjustified complaints as to the food and treatment received by them; that they referred in disrespectful terms to other patients who declined to join them in these complaints; that they used obscene language in the presence of a female nurse; and referred to the governor and other officials in a most disrespectful manner, applying to them vile and opprobrious epithets (one of the three members had been recommended previously for discharge for this offense); and that their actions were injuriously affecting the health of other patients. Their complaints were found not to be justified, and their discharge was, in my opinion, right and proper, and was for the best interests of the membership as a whole.

Furthermore, the members present at date of the investigation practically unanimously expressed themselves as being satisfied with the food and treatment received by them at the branch.

STATEMENTS OF PATIENTS.

STATEMENT OF CORNELIUS MURPHY.

Q. You are a patient in ward B, the tubercular ward?—A. Yes.

Q. How long since you first came?—A. Nine months this time. I first entered here in 1911.

Q. Do you know Edward Hale?—A. Yes, sir.

Q. He is in the same ward that you are in?—A. Yes.

Q. What do you know about Edward Hale's character?—A. From what I have seen of him I consider him to be a man of a low type, what some would call a bum. He tries in every way to deceive the officers and doctors by feigning conditions that do not exist. One of the other patients, Benham, when he first came, was told by Hale that he should be in bed when the doctors were around, so they would think he was sicker than he really was. Hale has the influence of poisoning some of the susceptible patients' minds by his influence over them. The other members, who know his character and disposition, avoid him. I regard him as an agitator. He hates anyone in authority who insists on his doing the right thing. He is given to exaggerating or misstating facts. He made the statement at the table that he was drunk when he enlisted in the Army, that he would not have enlisted if he hadn't been, and that he was sorry that he ever enlisted. Some two months ago he asked for a job as ward man. He was drinking all the time he was on as ward man, and another man had to be put on in his place at that time.

Q. Do you consider Hale reliable?—A. No, sir. He is now having meetings with a man by the name of Walich and writing letters right along, but what they are about I don't know.

STATEMENT OF ROLLIN T. BOBO.

Q. You are a patient at the tubercular cottage?—A. Yes, sir; I came here December 27, 1913.

Q. Were you there at the time Anthony H. Walich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir.

Q. Did you receive everything you needed for diet during that time?—A. Yes, sir; plenty.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaint from any other patients besides the three men mentioned above?—A. No, sir; I never heard anyone else complain.

Q. Did you see any grounds for their complaint?—A. Not in the least that I could see, and I was there as a patient myself, and I was in worse physical condition than either one of these three men.

Q. What kind of a person was Anthony H. Walich?—A. I sometimes thought he was crazy; then, after watching him, I decided he was a chronic agitator with a continuous grouch on. He is a very malicious person, and was very bitter against anyone who did not agree with him. He kept up an agitation at the cottage all the time, and that was not good for the other men.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir.

Q. How has everything been at the T. B. cottage since these men were let out?—A. The men have all been better contented in every way, and I have heard no agitation or complaint there since these men were let out.

Q. These three men, then, were constant agitators and complainers?—A. Yes, sir. The only time they were not was when they were asleep. I saw no ground whatever for their complaints.

Q. Did you ever see any grounds for any complaint of shortage of food or food being out?—A. No, sir; there was an endeavor to vary the diet, and when one article of diet was not served something else was served in its stead, and we always had plenty.

Q. What object did these three men have in keeping up their agitation and complaints?—A. Their object seemed to be to get the other men discontented and to join in their agitation. They wanted the national homes turned over to the War Department it seemed.

STATEMENT OF JAMES V. CHENOWITH.

Q. You are a patient at the tubercular cottage?—A. Yes, sir; I have been here since a year ago last August.

Q. Were you there at the time Anthony H. Walich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir; I was wardman there then.

Q. Did you receive everything you needed for diet during that time?—A. Yes, sir.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaints from any other patients besides the three men mentioned above?—A. Not that I heard.

Q. Did you ever see any grounds for their complaints?—A. I did not.

Q. What kind of a person was Anthony H. Walich?—A. A great nuisance to everybody he came in contact with at the cottage. These three men were persistent agitators, and this was a great annoyance to the other patients. They were abusive to the doctors, nurses, officers, and the board of managers, to their backs.

Q. Did you ever know of these men not getting all they needed and everything that the other patients had?—A. No, sir. I never knew anyone not to get all they needed to eat. I have never seen a meal since I have been here that there was not plenty for everybody.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir.

Q. How has everything been at the T. B. cottage since these men were let out?—A. Been fine; couldn't have been better. The men have been contented, and I have heard no complaining since these three men were let out. All the men at the cottage thought the board of managers did the right thing and the only thing to let these men out.

Q. Were these men complainers?—A. Yes; they complained almost constantly about something—about the meals or treatment or something else.

Q. Was there any grounds for their complaints?—A. No, sir; none whatever; the doctors and the governor are always glad to have anything corrected that is not all right.

Q. What object did those three men have in keeping up their agitation and complaints?—A. They seemed to be general malcontents and had their minds made up that they wanted the national homes put under the War Department, and Walich got up a petition to that effect for the rest of us to sign, and he got very angry at the rest of us who would not sign it. We told Walich that we were satisfied with the present management and that we did not want to see the homes go under the War Department.

STATEMENT OF GEORGE DOAN.

I have been at Battle Mountain Sanitarium, quartered in the tubercular cottage for treatment, for eight months. I have been thoroughly satisfied; have had as good treatment as could be found anywhere. I have always been thoroughly satisfied with the meals; have always had all I wanted to eat. Our food has always been good, and at any time that I found anything wrong with anything I have spoken to the doctor and he has always corrected it.

I was at the tubercular cottage at the time Walich, Lacy, and Yount had the trouble in March, 1914. I found these three men to be undesirable citizens all the way through; they were constant and persistent agitators. I always considered these men very unreasonable and unfair in every way. I think men like they are should be segregated and not be allowed to be thrown with the rest of the men, who are well disposed.

I never at any time while these men were here for treatment saw the least disposition on the part of the governor to be unfair or unjust to these men, or anyone else.

I have never made any request of the governor that was not cheerfully granted, and have never known any other patient to make any reasonable request that was refused if in the governor's power to grant it.

I was at the cottage at the time of the trouble between Lacy and Kazmer, but did not see it.

Q. Did the governor refuse to allow anyone to go to the trial between Lacy and Kazmer?—A. No, sir. If any witnesses that they called for didn't go, it was because they didn't want to go and not because the governor refused to excuse them. We all have standing passes to go and come as we wish anyway, and the governor did not revoke any of our passes.

Q. What do you know about these three men's conduct among the men?—A. They were such agitators and disturbers that they were not fit companions to be among other men, and I think men like they are should be segregated.

Q. How have conditions been since these three men, Walich, Lacy, and Yount were dropped from the rolls?—A. Just splendid. Everything has run without any trouble ever since, and all the men have been satisfied and contented, and I have not heard any complaints since

these men were let out. I have always found the governor approachable, and he has never refused me a hearing and has never refused any request I have made of him.

Q. Have you ever known the governor to be unkind or unjust?—A. I have never known of the governor being unkind or unjust to any of the men here.

Q. Have you always found the governor to be sympathetic toward all the patients?—A. I think the governor is the most democratic and just man I have ever known. I think he is remarkably so. I think he does remarkably well in his administration. I don't know of an institution anywhere where you could find as good treatment and as great kindness as is shown by him. You get as great consideration as you would in a private institution where you were paying for it from your own pocket.

STATEMENT OF ANDREW LOBNER.

Q. You are a patient in the tubercular ward of this sanitarium?—A. Yes, sir.

Q. How long have you been a patient here?—A. About 11 months this time.

Q. Have there been any complaints of any kind from any patients there?—A. There were two men by the name of Hale and Benham who did some complaining.

Q. Were these complaints justified in your judgment?—A. No, sir; they were not.

Q. Were there any complaints from any other patients in this ward?—A. Yes; they complained about Hale using bad language and keeping up an agitation about the ward.

Q. What kind of men were Hale and Benham?—A. Hale was no man at all; he was always agitating and making complaints that were not justified. Benham was a disturber, especially when he was drinking. At such times he disturbed the other patients in the ward. He seemed to be influenced by Hale very much when he was sober and was very disagreeable.

Q. Were these two men disagreeable to the nurse and ward men?—A. Hale was, and Benham was in so far as he was influenced by whisky and by Hale.

Q. Did you ever hear them use any disrespectful language about anyone?—A. Yes, sir. I heard Hale use some very vile language about the doctors and the governor; language that is too vile to repeat. This happened often. I heard this one time in the presence of the female nurse. Hale is a very low type of a man and has no honor about him and never has a good word for anyone.

STATEMENT OF CLARENCE M'MILLAN.

Q. You are a patient at the tuberculosis cottage?—A. Yes; have been for 13 months.

Q. Were you there at the time Anthony H. Walich, James H. Lacy, and John H. Yount were patients at the cottage?—A. Yes, sir.

Q. Did you receive everything you needed for diet during that time?—A. Yes. I have had all I wanted ever since I have been here.

Q. Have you since?—A. Yes, sir.

Q. Did you ever know of any other patients there not getting all they wanted?—A. No, sir.

Q. Did you hear any complaints from any other patients besides the three men mentioned above?—A. No; except two other men, who were of the same type of people. But since these men left there has been no complaints at all, and everybody has been satisfied.

Q. What kind of a person was Anthony H. Walsh?—A. I consider him a very dangerous man and nothing but an agitator. If he were to come back I would leave at once. He is the most contemptible person I ever knew. He was very vindictive and bitter against anyone who would not agree with him and side in with him in his agitations. He always made things very disagreeable for all of us, and he was therefore very much disliked by everyone.

Q. Was he considered truthful by the other patients at the cottage?—A. No, sir.

Q. Did you ever know of these men not getting all they needed, and everything that the other patients had?—A. No, sir.

Q. Did you ever know of the governor denying any patient any reasonable request that was within his power to grant?—A. No, sir.

Q. Were you at the T. B. cottage the day of the Kazmer-Lacy trial?—A. Yes, sir.

Q. Did the governor refuse to allow you or any other person to attend the trial?—A. No, sir. Everyone who wanted to go went.

Q. How has everything been at the T. B. cottage since these men were let out?—A. Everything has been very pleasant, and everybody has been satisfied. It has been like a different place entirely since those three disturbers were let out, and we are all contented. If these men had been allowed to stay here, the rest of us couldn't have stayed. All of us at the tubercular cottage thought that the board of managers did the right thing in dropping these men from the sanitarium.

STATEMENT OF CLEMENTINE SCHWARZER, A COOK.

Q. Please state what time you have been on duty as cook at the tubercular cottage?—A. From September, 1912, to December 15, 1913.

Q. Were there three patients there by the name of Walich, Lacy, and Yount?—A. Yes, sir.

Q. Were these men in the habit of making complaints?—A. Yes, sir.

Q. Have you ever known any just complaints by either of these men not to be corrected?—A. No, sir.

Q. Did you ever hear these men use profane or indecent language?—A. Yes, sir; very much.

Q. Were these men given the same consideration and diet as other patients at the cottage?—A. Yes, sir; in every particular.

Q. Was there any complaint from any other patients down at the cottage besides these three men?—A. I never heard of any.

Q. Were these men ever mistreated or abused by any employee to your knowledge while you were there?—A. No, sir.

Q. If there had been any abuse or mistreatment, you would have known of it, would you not?—A. Yes, sir. There was some trouble between Lacy and Kazmer after I left as cook.

Q. What kind of men did you consider these three?—A. They were chronic kickers and agitators, and were always making everything very unpleasant for everybody present by their constant agitation.

Q. Did they in any way make your work unpleasant while you were cooking at the cottage?—A. Yes, sir; by their complaining.

Q. Did their agitation, etc., have anything to do with your resigning as cook at the cottage?—A. Yes, sir; it was on account of these three men that I quit.

Q. How do conditions compare at the cottage now with what they were when these three men were there?—A. It is such a difference that it is not like the same place. Everything is very pleasant now, and all the patients seem to be very contented. There is no complaining or agitation at the cottage by anybody. I would not cook there again under any considerations if these three men were there.

STATEMENT OF MRS. MARJORY GILCHRIST, TRAINED NURSE.

Q. What time have you been on duty here as trained nurse?—A. Have been here three different times. The second time I was here from June, 1913, to February, 1914.

Q. Were there three patients at the tubercular cottage by the name of Walich, Lacy, and Yount when you were there on duty?—A. Yes, sir.

Q. Were these men in the habit of making complaints?—A. Yes, sir; they were very much given to complaining and agitating.

Q. Have you ever known any just complaint by either of these men not to be corrected?—A. I have not.

Q. Were these men given the same consideration and diet as other patients at the cottage?—A. They were.

Q. Were there any complaints from any other patients besides these?—A. No, sir; none to my knowledge.

Q. Were these men ever mistreated or abused by any employee to your knowledge?—A. Never to my knowledge. I never knew the ward men to be abusive to any patient.

Q. What kind of men did you consider these three men?—A. I considered them the worst type of agitators, constant complainers. Were very disagreeable and could not be pleased. They were in the habit, too, of using disrespectful language about the board of managers and the officers of the home.

Q. Did they make it unpleasant for the other patients by their agitation and complaints? —A. They did.

Q. How do conditions at the cottage compare with what they were when these men were there?—A. Things are so very much better that it is hard to make a comparison. All agitation and complaints seemed to leave when these three men left.

Q. Did Walich or any of these men ever make any disrespectful or untrue remarks about you?—A. Yes; one of the men, who was influenced by Walich, a Mr. Davis, made the statement that I said that I left the sanitarium myself because I was displeased with the management. This statement was absolutely untrue. I made no such statement. I was thoroughly satisfied at the sanitarium, and I went away not because I was dissatisfied but because I hoped to make more money outside. I had a widowed mother to support and wanted to make all the money I could to help take care of her. I saw no grounds for these men's complaint against the governor whatever.

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STATEMENTS OF CITIZENS OF HOT SPRINGS, S. DAK.

THE HOT SPRINGS COMMERCIAL CLUB,
Hot Springs, S. Dak., October 16, 1914.

GOV. JAMES A. MATTISON,
Battle Mountain Sanitarium, Hot Springs, S. Dak.

MY DEAR SIR: I am inclosing herewith a slight testimonial which the officials of Hot Springs have asked me to hand to you relative to the controversy with Anthony H. Walich. No attempt has been made to ask anyone to sign this, except those holding official positions in Hot Springs, except the president and vice president of the Stockman's Bank, with whom so many of the inmates of the sanitarium do their banking business. We all realize the undesirability of having this man Walich in the city, as he is continually stirring up strife wherever he goes. We also hope that this slight testimonial on our part will be of advantage to you if there is any question as to whether or not anyone would require you to make any defense against the scurrilous attack that this man Walich is continually making upon you and others in the city.

Very truly, yours, ELMER R. JUCKETT,
President Commercial Club.

We, the undersigned, citizens of Hot Springs, S. Dak., and vicinity, do hereby certify that we know Anthony H. Walich, who was expelled from the National Sanitarium for Disabled Volunteer Soldiers at Hot Springs, S. Dak., during the early spring of this year. We have known him since that time, and he has been employed at various places in Hot Springs. From our knowledge of said Walich we know him to be a trouble maker, ungentlemanly, unreliable as to truthfulness and integrity, and a very undesirable person to have in the vicinity.

We further certify that we are well acquainted with Gov. James A. Mattison, of Battle Mountain Sanitarium, and we know him to be a true gentleman, reliable in all his statements, and we believe that he has made and is one of the best governors that the sanitarium has had since it was instituted in Hot Springs, S. Dak.

E. R. Juckett, President Commercial Club; C. A. Stewart, Banker and City Treasurer; A. W. Rierdan, Mayor; F. D. Hummel, Alderman, First Ward; J. N. Jones, Police Justice of the Peace; J. Parks, State Senator, Forty-second District, South Dakota; J. A. Stanley, Vice President Stockman's Bank; J. H. Gillespie, Alderman, Second Ward; Bruce E. Lewis, Alderman, Third Ward; John Mueller, Chief of Fire Department; Frank A. Little, City Attorney; George McCracken, Chief of Police; J. J. March, President Stockman's Bank, Hot Springs, S. Dak.; C. T. C. Lollick, Alderman, Second Ward; S. Hill, Alderman, Fourth Ward; C. W. Halls, Alderman, Fourth Ward.

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STATEMENT OF REV. DWIGHT D. TALLMAN.

To whom it may concern:

Owing to the unfortunate, and as I consider it, unjust criticism now being made of the Battle Mountain Sanitarium and its management, I feel in duty bound to make this statement.

As pastor of the Presbyterian Church of Hot Springs, which position I have occupied for the past five years, I have had occasion to go in and out of the above-named sanitarium, call upon the sick, visit with the men, and, with friends visiting the city, go through the institution on many different occasions, so that I have seen the institution under all conditions, and it is a pleasure to be able to say, being myself a Spanish-American veteran, that I believe my comrades are being well cared for.

The institution itself is equipped in the latest and most modern equipment, with every convenience for comfort, care, and entertainment.

On account of the criticism I have taken occasion to talk with a number of the men and not one has expressed anything but praise for the management, with the exception of one of the three men who are the source of the criticism, and my frank opinion of his statements is that he is one of those chronic kickers who, having everything fur-

nished that a thankful Government can furnish free of charge, still kicks for the want of something else to do.

His main objection seemed to be that there were some civilians employed, and he being a veteran could not secure a position. To which I replied that undoubtedly should he qualify he would receive courteous treatment and preference.

Some of the sworn criticisms of this objector are absurd and false.

I have known Gov. James A. Mattison ever since he has been in charge of the sanitarium, and I have found him always a courteous Christian gentleman. He has spoken only in the kindliest way of the men under his care. He has spoken in no uncertain tone against the use of liquor, and has told me repeatedly that it is the cause of most of the trouble he has had in discipline.

I regret exceedingly that a man whom I must call comrade is so ungrateful for the care and the service he has received, and that he has failed to exhibit the spirit and the qualities of a real soldier.

I trust that no one will accept the criticism now being circulated of the sanitarium and its governor without first ascertaining the facts in the case, which will without question reveal the true situation.

DWIGHT D. TALLMAN,
Pastor Presbyterian Church,
Ex-Chaplain Jack Foster Camp, Spanish-American War Veterans.

JACK FOSTER CAMP, No. 3,
UNITED SPANISH WAR VETERANS,
DEPARTMENT OF SOUTH DAKOTA,
Hot Springs, S. Dak.

To whom it may concern:

In view of the fact that many letters have been written to individual Congressmen condemning Gov. James A. Mattison and Treasurer and Quartermaster William H. Stanley, of Battle Mountain Sanitarium, National Home for Disabled Volunteer Soldiers, Jack Foster Camp, No. 3, United Spanish War Veterans, Department of South Dakota, has taken upon itself to write this letter to vindicate the characters of these two men.

Never in the history of this institution have the affairs of the two offices mentioned, as far as members of the sanitarium are concerned, been administered better; never have the members of this branch of the national homes been treated better; never have they had more to eat nor better clothing to wear; and the medical treatment by the governor and surgeon could be no better in the world.

Both Gov. Mattison and Treasurer and Quartermaster Stanley are perfect gentlemen, and both exercise the kindest and best of treatment to all members of this sanitarium.

Respectfully submitted.

J. E. TRANTLA, *Adjutant.*

Approved.
[SEAL.] EARL H. KLOCK, *Commander.*

VOTE OF CONFIDENCE IN COL. JAMES A. MATTISON, GOVERNOR AND SURGEON BATTLE MOUNTAIN SANITARIUM, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS, BY MEMBERS OF BATTLE MOUNTAIN SANITARIUM.

To the honorable Members of the United States Senate and House of Representatives, Washington, D. C.

HONORABLE SIRS: Being fully aware that reports of a sensational nature against the management of Battle Mountain Sanitarium are frequently being forwarded to individual Members of your respective bodies from a few members and ex-members of said institution, and recognizing, as we do, that an injustice has been perpetrated not only upon our governor and surgeon, Col. James A. Mattison, but upon your individual Members, who have given recognition to such reports and complaints, by having same published in the CONGRESSIONAL RECORD, together with opinions expressed thereon, without said individual Members first investigating the status of said reports and complaints, thereby publicly and unfairly assailing the character, ability, and standing of the said governor and surgeon, Col. James A. Mattison, without just cause, that we, the undersigned disabled volunteer soldiers, representing the service of both the Civil War—1861 to 1865—and the War with Spain—1898 to 1902—all being members of said Battle Mountain Sanitarium, do hereto attach our signatures to this vote of confidence in the said governor and surgeon, Col. James A. Mattison, knowing, as we do, that an injustice to him would not be recognized by your honorable Members were you to know his character ability, and standing; and we humbly pray for recognition by your honorable Members.

Very respectfully.
(Signed by 205 members of Battle Mountain Sanitarium.)

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, National Home for Disabled Volunteer Soldiers, $3,825,500.

Mr. MANN. Mr. Chairman, the total was not corrected a little while ago in the item for the Battle Mountain Sanitarium.

Mr. FITZGERALD. We shall get general authority to correct all totals.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

State or Territorial homes for disabled soldiers and sailors: For continuing aid to State or Territorial homes for the support of disabled volunteer soldiers, in conformity with the act approved August 27, 1888, including all classes of soldiers admissible to the National Home for Disabled Volunteer Soldiers, $1,100,000: *Provided*, That no part of this appropriation shall be apportioned to any State or Territorial home that maintains a bar or canteen where intoxicating liquors are sold: *Provided further*, That for any sum or sums collected in any manner from inmates of such State or Territorial homes to be used for the support of said homes a like amount shall be deducted from the aid herein provided for, but this proviso shall not apply to any State or Territorial home into which the wives or widows of soldiers are admitted and maintained.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I ask unanimous consent that the gentleman from Massachusetts [Mr. PAIGE] may proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Massachusetts [Mr. PAIGE] may proceed for five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. PAIGE] is recognized for five minutes.

Mr. PAIGE of Massachusetts. Mr. Chairman, in the discussion yesterday on the valuation of railroads it was charged by some Members that the President influenced the Interstate Commerce Commission in the advance of rates for the railroads. I do not know whether this is true or not, but I want to say if it is true that the historian of the future will record the result of that act of the President as one of the most beneficial acts of his administration.

The country may survive for a time the present tariff policy, but the disaster to the country will be far greater, in my judgment, if the antagonism to railroads does not cease.

I have no doubt that many Members of this House were elected on a wave of antagonism to corporations, and particularly to the railroads, but I have no hesitation in predicting that when the people of the country have an opportunity to express themselves again on this question there are many men occupying places in this House that know them now that will know them no more. [Applause on the Republican side.]

The CHAIRMAN. The pro forma amendment is withdrawn, without objection. The Clerk will read.

The Clerk read as follows:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, including not exceeding $15,000 for clerical services in bringing up and making current the work of the General Land Office, $475,000: *Provided*, That agents and others employed under this appropriation may be allowed per diem in lieu of subsistence, pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, at a rate not exceeding $3 each and actual necessary expenses for transportation, including necessary sleeping-car fares, except when agents are employed in the District of Alaska they may be allowed not exceeding $6 per day each in lieu of subsistence.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I know we have been accustomed to authorize the payment of $6 a day for subsistence in Alaska, but we have had so many reforms in Alaska in the last few years that it seems to me it is about time we cut down that allowance, so that it shall not be $6 a day any more. We pay a man a good salary, and then we pay him another good salary and call it subsistence.

Mr. FITZGERALD. All of the departments state that conditions in Alaska are so entirely different from those in continental United States that the limitation fixed for the United States does not cover the situation in Alaska. It has been stated before the committee that there are places in Alaska where it costs 75 cents for a ham sandwich and similar prices for other articles of food.

Mr. MANN. We hear those tales, you know.

Mr. FITZGERALD. The committee are very gullible.

Mr. MANN. But we are told that they have so far developed Alaska agriculturally that they can now raise crops of all kinds.

Mr. GOOD. Even strawberries.

Mr. MANN. That they can produce immense crops of wheat and various other food products, including strawberries, currants, and various other small fruits. Now, I think that possibly when the allowance of $6 per day was provided it may have been reasonable, but Alaska is a little nearer to us now than it was then.

Mr. FITZGERALD. A little dearer to us.

Mr. MADDEN. Since they have got the railroad up there.

Mr. MANN. Unless the gentleman is willing to reduce this to $5 a day, I shall make a point of order against it, and it is subject to a point of order.

Mr. FITZGERALD. If the gentleman makes the motion to reduce it, I shall not oppose it. This was increased in the Senate, and we were overpowered in conference.

Mr. MADDEN. Since they have got the railroad up there——

Mr. FITZGERALD. They have no railroad. We have only authorized one.

Mr. MADDEN. I thought they had built one.

Mr. FITZGERALD. Oh, no; that is in the future.

Mr. MANN. I move to strike out, in line 4, page 90, the figures "$6" and to insert "$5."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 90, line 4, strike out "$6" and insert "$5."

The amendment was agreed to.

The Clerk read as follows:

For the protection of lands involved in Oregon & California Railroad forfeiture suit: To enable the Secretary of the Interior, with the cooperation of the Secretary of Agriculture or otherwise, as in his judgment may be most advisable, to establish and maintain a patrol to prevent trespass and to guard against and check fires upon the lands involved in the case of the United States *v.* Oregon & California Railroad Co. and others, suit No. 3340, in the district court for the district of Oregon, now pending on appeal in the Circuit Court of Appeals for the Ninth Circuit, $25,000.

Mr. HAWLEY. I move to amend by striking out, in lines 14 and 15, page 90, the words "Circuit Court of Appeals for the Ninth Circuit" and inserting in lieu thereof "Supreme Court of the United States."

The suit has been transferred to the Supreme Court and is now pending there.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 90, lines 14 and 15, strike out the words "Circuit Court of Appeals for the Ninth Circuit" and insert "Supreme Court of the United States."

Mr. FITZGERALD. Mr. Chairman, I wish to inquire of the gentleman from Oregon whether the case has now been taken into the United States Supreme Court?

Mr. HAWLEY. A week ago Monday the Supreme Court ordered the record to be transferred here.

Mr. FITZGERALD. Will the gentleman state to the committee what was the decision of the circuit court of appeals—whether it sustained the Government or not?

Mr. HAWLEY. The circuit court of appeals failed to pass on the matter at all, and sent a statement here to the Supreme Court, asking certain questions. The Supreme Court, instead of remanding it back to the circuit court, ordered the whole record to be sent here and the case to be tried here.

Mr. FITZGERALD. As long as the case has been transferred to the United States Supreme Court the amendment ought to be adopted.

Mr. MADDEN. What is this money used for?

Mr. HAWLEY. There are about 2,300,000 acres involved in the suit. The lands are all the odd-numbered sections within 30 miles of the main line of the Southern Pacific from Portland to San Francisco. They are scattered all through the forest reserves, the public lands of the United States, and privately owned lands. The Government and the Forest Service provide for protection on those lands. In the preceding pages in this bill we provide for protection on the public lands. The State of Oregon compels the people who own timber at their own expense to provide protection.

Mr. MADDEN. This money is to be used for the prevention of fires?

Mr. HAWLEY. For the prevention of fires. There were about 6,000 fires on the lands last year, and all of them were found by the rangers and extinguished without very great damage.

Mr. MADDEN. How many acres did the gentleman say there were?

Mr. HAWLEY. Two million three hundred thousand acres involved in this suit, for which this sum is to be appropriated to protect it from fires.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Hearings in land entries: For hearings or other proceedings held by order of the Commissioner of the General Land Office to determine the character of lands; whether alleged fraudulent entries are of that character or have been made in compliance with law; and of hearings in disbarment proceedings, $35,000: *Provided*, That where depositions are taken for use in such hearings the fees of the officer taking them shall be 20 cents per folio for taking and certifying same and 10 cents per folio for each copy furnished to a party on request.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Does this increase or decrease the amount now charged for taking depositions?

Mr. FITZGERALD. The statement was made that at present there is considerable confusion as to what the charge is. Where there is a State law providing a rate, that rate controls, but it varies in particular States. In some cases where there is no fee law it comes under the Federal act, which provides only 10 cents for taking and reproducing, and that is stated to be insufficient, that it is impossible to get the depositions taken for that price.

Mr. MANN. This amounts to about 50 cents a page and 25 cents a page for a copy.

Mr. FITZGERALD. Well, it depends on the size of the page. A legal-cap page I think would contain about two and a half folios.

Mr. MANN. It looks like rather a high charge. It would be a high charge if somebody was taking a great many depositions, especially 25 cents a page for the copy.

Mr. FITZGERALD. Ten cents a folio is the legal rate for a copy in my State.

Mr. MANN. Anybody who goes into a lawsuit in New York knows how quick money disappears.

Mr. FITZGERALD. This is for the great Western States, where they charge excessive prices for everything. If they kept within the prices of New York and Chicago, they would show a commendable restraint. The commissioner says that where the rate is 10 cents they can not get the depositions taken.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1916: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively, $15,000.

Mr. MONDELL. Mr. Chairman, I move to amend, on page 91, line 20, after the word "respectively," by inserting the following:

The Clerk read as follows:

Page 91, line 20, after the word "respectively" insert the following: *Provided*, That not exceeding $3,000 of this appropriation may be expended for clerk hire and other expenses in the General Land Office at the seat of government appertaining to the opening of said Indian reservations.

Mr. FITZGERALD. To that I reserve a point of order.

Mr. MONDELL. It is not subject to a point of order.

Mr. FITZGERALD. Yes; it provides for department service.

Mr. MONDELL. I do not intend to press the amendment if the gentleman has any objection to it. I want to call attention to the fact that the department made an estimate in this language, and I do not recall that when the subcommittee went over this the matter was discussed. It seems to me that inasmuch as these sums are reimburseable we ought to provide that all of the expenditures shall be reimbursable.

Now, there are some expenditures in connection with this item here in Washington, and if we had this provision the expenditure would be reimbursable. Up to within the last year these expenditures in Washington have been payable out of this item, but the comptroller very recently held that clerical services here could not be utilized for that purpose. The result is that we take from the Indian fund a reimbursable item of $3,000 and load it onto the appropriations for the Land Office. Inasmuch as these sums are generally reimbursable, it seems to me that the entire expenditure should be reimbursable.

Mr. HAWLEY. And it would save the Government $3,000.

Mr. MONDELL. Yes. If the gentleman from New York [Mr. FITZGERALD] will listen to the suggestion made by my friend from Oregon [Mr. HAWLEY], who puts it very patly, I think he would agree to the amendment. The amendment will save the Government $3,000, because it makes the Indians pay the $3,000 instead of having the Federal Government pay it. My idea is that if we had had the time to consider this in the subcommittee there would be no question about it. This is a new ruling that is loading on the Federal Treasury $3,000 that the Indians have heretofore been paying. If the gentleman has any objection to the amendment at all, I will withdraw it.

Mr. FITZGERALD. Mr. Chairman, I hope the gentleman will withdraw the amendment.

Mr. MANN. We do not have a chance every day to save $3,000.

Mr. FITZGERALD. We do not save anything. This is just an opportunity to put more employees here in the city of Washington.

Mr. MANN. But the employees are here now. Without this they will be paid out of the appropriation for the Land Office, chargeable to the Federal Treasury, while with this it will come out of the Indian lands which are sold.

Mr. FITZGERALD. That may be so, but I hope the gentleman will not press the amendment. I have great reluctance in expressing any doubt about any amendment that the gentleman proposes, of course, but——

Mr. MONDELL. Oh, I shall not insist upon it. I really do not understand why the chairman objects, because we are saving $3,000 to the Federal Treasury.

Mr. FITZGERALD. I do object.

Mr. MANN. He objects to saving any money.

Mr. MONDELL. Mr. Chairman, I withdraw the amendment.

Mr. FITZGERALD. And, besides, the poor Indians must have a friend once in a while.

The CHAIRMAN. The gentleman from Wyoming withdraws the amendment, and the Clerk will read.

The Clerk read as follows:

For chemical and physical researches relating to the geology of the United States, including researches with a view of determining geological conditions favorable to the presence of deposits of potash salts, $40,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word to make an inquiry. What have they been able to accomplish recently about the deposits of potash salts?

Mr. FITZGERALD. I have not inquired about their recent investigations. The last time I inquired they were still busy.

Mr. MANN. It is a good work, and I think they have made some progress.

Mr. FITZGERALD. Last year we inquired quite fully, and they were making some investigations that they hoped would result in discoveries that would disclose an adequate supply of potash for manufactures in this country. This year we did not inquire in regard to it.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

In all, United States Geological Survey, $1,355,520.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21318, the sundry civil appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CONRY, indefinitely, on account of death in his family.

To Mr. MCGILLICUDDY, for 10 days, on account of public business.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned, in accordance with the order heretofore made, until to-morrow, Friday, February 12, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting with a letter from the Chief of Engineers reports on preliminary examination and survey of Kootenai River, Idaho, between Bonners Ferry and the international boundary line (H. Doc. No. 1588); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. Letter from the Acting Secretary of the Treasury, transmitting estimate deficiency appropriation for site and commencement of post-office building at Southbridge, Mass. (H. Doc. No. 1589); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GUDGER, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21383) to change the name of the old post-office building at Minneapolis, Minn., reported the same with amendment, accompanied by a report (No. 1396), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. VOLLMER, from the Committee on Claims, to which was referred the bill H. R. 20838, reported in lieu thereof a resolution (H. Res. 730) providing for the adjudication of certain claims by the Court of Claims, accompanied by a report (No. 1397), which said resolution and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (S. 1864) for the relief of the contributors to the Ellen M. Stone ransom fund, reported the same without amendment, accompanied by a report (No. 1398), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 21414) to amend an act entitled "An act to regulate commerce," approved February 3, 1887; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDY: A bill (H. R. 21415) to promote the upbuilding of the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. CRISP: Resolution (H. Res. 729) ordering 50,000 copies of a certain House document to be printed; to the Committee on Printing.

By Mr. FIELDS: Concurrent resolution (H. Con. Res. 60) tendering the thanks of Congress to Dr. Frederick A. Cook for his Arctic explorations, resulting in his reaching the North Pole; to the Committee on the Library.

By Mr. VOLLMER: Resolution (H. Res. 730) providing for the adjudication of certain claims by the Court of Claims; to the Committee of the Whole House.

By Mr. HUMPHREY of Washington: Memorial of the Legislature of the State of Washington, asking Congress to grant to the State of Washington authority to authorize the exploration of coal and oil resources and extract the same from its land, and to use so much of the surface as may be necessary therefor; to the Committee on the Public Lands.

By Mr. SCOTT: Memorial of the Legislature of the State of Iowa, requesting Congress to make investigation relative to the foot-and-mouth disease; to the Committee on Agriculture.

By Mr. MAGUIRE of Nebraska: Memorial favoring Senate joint resolution No. 180, conferring upon the State of Nebraska the right to bring action against the Federal Reclamation Service in order to have adjudicated in the courts the rights of the citizens of the State to the surplus waters of Pathfinder Reservoir; to the Committee on the Public Lands.

By Mr. PROUTY: Memorial requesting Congress to institute an investigation of the Union Stock Yards in Chicago, Ill., with reference to disease known as the foot-and-mouth disease; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21416) granting an increase of pension to Laura E. Headington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21417) granting an increase of pension to William F. Mendenhall; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 21418) granting an increase of pension to Washington G. Marshall; to the Committee on Invalid Pensions.

By Mr. BROCKSON: A bill (H. R. 21419) for the relief of Georgia Hallman, James E. Hallman, and Margaret J. Tyson; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 21420) granting a pension to Dellvenia Emmert; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 21421) granting a pension to Granderson Welling; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 21422) granting a pension to Mary L. Baker; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of C. E. Menier, Henry Kraus, and other citizens of Cincinnati, Ohio, favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Petition signed by Arnold Kallmerten and 35 other citizens of Mansfield, Ohio, asking for the prohibition of the shipment of arms to the warring European nations; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petitions of August J. Hafner, William Butz, D. A. Holland, Jesse Sapp, L. D. Holland, J. N. Endress, Gottlieb Baer, John Zeigler, George C. Werner, Emil Sorge, C. A. Koller, C. E. Becker, John W. Stitt, Frank Hess, William Peters, E. F. Carl, L. Abt, W. R. Yeager, John Baer, Henry Weigand, Ernest Backer, S. R. Smouse, A. F. Peters, John Haller, G. W. Shaffer, J. A. Yon, J. M. Craig, and R. W. Francke, all of Altoona, Pa., for the passage of House joint resolution 377 to prohibit the exportation of war material; to the Committee on Foreign Affairs.

Also, petitions of George I. Meintel, Howard Meintel, E. M. Short, Thomas A. Gillespie, J. G. McCloskey, G. B. Moyers, John Janofski, James McCay, C. F. Gutwald, Frits Peterson, Thomas McCloskey, Albert Martin, Charles Wahl, H. S. Huey, H. R. Bertran, R. J. Miller, J. E. Koons, John V. Bacher, A. P. Miller, James Hallern, Andrew Basal, Harvey J. Keith, James L. Wilson, and W. R. Hancuff, all of Gallitzin, Pa., for the passage of House joint resolution 377 to prohibit the exportation of war material; to the Committee on Foreign Affairs.

Also, petitions of Deutscher Romisch Katholischer Staats Ver Bund Von, Pennsylvania, and German Roman Catholic Central Verein, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of G. stzel, No. 131, German Beneficial Union, of Gallitzin, Pa., protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of officers and members of Branch No. 154, affiliated to St. Michael's Church, of Brownstown Borough, Pa., relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BALTZ: Petition of citizens of St. Clair County, Ill., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURKE of Wisconsin: Petition of Rev. H. Wolter and 6 other citizens of Lomira, R. 1, Wis., asking for the passage of Senate bill 6688 or any similar measure to levy an embargo upon all contraband of war save foodstuffs only; to the Committee on Foreign Affairs.

Also, petition of Mr. L. Schliecker and 83 other citizens of Horicon, Wis., asking for the passage of Senate bill 6688 or any similar measure to levy an embargo upon all material useful in war save foodstuffs, wearing apparel, and surgical supplies; to the Committee on Foreign Affairs.

Also, petition of Hon. C. Hugo Jacobi and 252 other citizens of Watertown, Wis., asking for the passage at this session of House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548, to prohibit the sale and export of arms, ammunition, and munitions of war to any of the nations now engaged in war; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of citizens of Paterson, N. J., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FARR: Petition of W. A. McLaughlin, Edw. C. McLaughlin, and Frank H. McLaughlin, jr., of Olyphant, Pa., and John Eibalk and John Wiesler, jr., of Philadelphia, Pa., against circulation of certain anti-Catholic periodicals; to the Committee on the Post Office and Post Roads.

By Mr. GILLETT: Petitions of citizens of the second congressional district of Massachusetts, protesting against passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of citizens of Cleveland, Ohio, favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. GRAY: Petition of Henry Brier and 26 other citizens of New Palestine, Ind., protesting against H. R. 20644, relative to excluding certain publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. IGOE: Petition of members of the Lutheran churches of St. Louis, Mo., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of Tenth Ward Improvement Association, of St. Louis, Mo., favoring an appropriation by Congress for public works; to the Committee on Appropriations.

By Mr. JACOWAY: Protest of W. J. Cameron, Little Rock, Ark., against H. R. 20780, relative to exclusion from mails of certain publications; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of Russian Branch of Socialist Party of Central Falls, R. I., and Polish Branch of Socialist Party of Woonsocket, R. I., favoring legislation to provide work for the unemployed; to the Committee on Labor.

Also, memorial of City Council of Providence, R. I., relative to world federation to bring about peace; to the Committee on Foreign Affairs.

Also, petition of E. F. McKenna, of Providence, R. I., against persecution of Roman Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of Charles H. Wessels, New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

Also, petition of journeymen hatters of Connecticut, relative to operation of the Sherman Act; to the Committee on Appropriations.

By Mr. MADDEN: Petition of several thousand citizens of Chicago, Ill., against prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAGUIRE of Nebraska: Petitions of sundry citizens of Nebraska, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Club Vorwarts, of Middletown, Conn., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. METZ: Petition of physicians of Long Island, N. Y., favoring Palmer-Owen child labor bill; to the Committee on Labor.

By Mr. MOORE: Petition of Paul Schmidt, John Hagist, Henry C. Grawe, and others, citizens of Philadelphia, Pa., urging the passage of a law to prohibit the exportation and sale of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers to accompany bill for relief of Granderson Welling; to the Committee on Pensions.

By Mr. PALMER: Petition of committee of priests of diocese of Scranton, Pa., in conference assembled, protesting against passage of certain publications through mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Easton and Allentown, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. POU: Petition of 11 citizens of North Carolina, protesting against the export of war material; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolution adopted and passed by the council of the city of Alameda, Cal., at a regular meeting held February 2, 1915, protesting against any change of the present harbor lines along the Alameda side of the estuary which separates the cities of Alameda and Oakland; to the Committee on Rivers and Harbors.

Also, petition of Merchants' Association of New York, against Senate bill 6856, to provide for Government ownership and operation of vessels in the foreign trade; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Woman's Board of Trade of Massachusetts, urging passage of a law which will uphold dignity and integrity of commercial men and women; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY of Connecticut: Petition of citizens of Meriden, Conn., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of New Haven (Conn.) Trades Council and Hebrew Independent League, relative to work for unemployed; to the Committee on Labor.

By Mr. STEPHENS of California: Petition of Kahn-Beek Co., Los Angeles, Cal., favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Memorial of Aaron Helmer Woman's Relief Corps, No. 125, favoring increase of widows' pensions from $12 to $20 per month; to the Committee on Invalid Pensions.

Also, memorial of St. John's Sick Aid Society, of Utica, N. Y., protesting against the sale of munitions of war; to the Committee on Foreign Affairs.

By Mr. THACHER: Petition of citizens of Cohasset, Mass., favoring Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. VOLLMER: Petition of 17 American citizens for the adoption of House joint resolution 377 and similar resolutions, to prohibit the export of war material; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of Deutscher Verein of Jamestown, N. Dak., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *February 12, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee day by day to settle those eternal issues before we turn our thought and effort to solve the problems that can last but a day. We come to ask for the grace that can alone come from Thee, and for that authority that Thou dost give which will justify Thy servants saying to the people through the law they make, Thou shalt or thou shalt not. Grant us obedience to the Divine will. May we ever turn to Thee for guidance and for instruction. We bless Thee for that marvelous Providence that has surrounded us as a nation.

To-day our minds turn back to one of the great beacon lights of our national history, our first martyred President. We bless Thee for the strength of that stalwart life and character, and pray that to-day under the inspiration of his life we may meet the challenge of this hour, and with malice toward none, with charity to all, with firmness in the right as God gives us to see the right, may we strive to finish the work that has been committed to us. May we lead on to the further victories of *peace and* prosperity. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

THE MERCHANT MARINE.

Mr. THOMAS. Mr. President, I have an editorial from the Burlington (Vt.) Free Press of February 8. I ask unanimous consent to have it inserted in the RECORD.

Mr. SMOOT. Mr. President, I should like——

Mr. THOMAS. It relates to the pending bill—the shipping bill.

Mr. SMOOT. I was going to ask the Senator the subject of the editorial.

Mr. THOMAS. It relates to the bill, and is in favor of it.

Mr. ROOT. Mr. President, on this side we can not hear one word said by the Senator from Colorado.

The VICE PRESIDENT. The Chair does not know whence comes the confusion, but the Chair knows it is here. The Senator from Colorado has asked permission to have inserted in the RECORD an editorial from the Burlington (Vt.) Free Press.

Mr. SMITH of Michigan. What is the request, Mr. President?

The VICE PRESIDENT. The request is to have printed in the RECORD an editorial from the Burlington (Vt.) Free Press.

Mr. SMITH of Michigan. Mr. President, in order that the Detroit Free Press may not be discriminated against, I shall ask for the same courtesy after that is done.

Mr. SMOOT. I have no objection, if the Secretary will read the article at the desk.

Mr. THOMAS. I do not care to have it read, unless the Senator insists on it.

Mr. SMOOT. I should like to have the Secretary read the editorial.

Mr. THOMAS. Of course I am anxious that it should be read, but I do not wish to insist upon it if the Senate wants to take up something else.

The VICE PRESIDENT. Is there objection to reading the editorial? The Chair hears none.

The Secretary read as follows:

[From the Burlington (Vt.) Free Press, February 8, 1915.]

OUR MERCHANT MARINE AND NAVAL PREPAREDNESS.

Few of the American people fully realize the extent to which we have allowed Great Britain, Germany, and other foreign countries to dominate our foreign trade through control of steamship lines. When we speak of a railroad owning its own coal mines we can readily see how it can discriminate against other coal mines to its own material advantage and profit. When it comes to steamship lines and the application of the same principle to ocean commerce we seem to become suddenly oblivious to the operations of one of the great laws of monopoly and trade.

According to Lloyd's Register for the year 1913, Great Britain and her colonies had 10,000 steamships, with a gross tonnage of 19,849,167. The United States had only 1,871 steamships, with a gross tonnage of 4,302,294. In other words, the United States had less than one-fifth of the number of steamships sailed under the British flag, with about one-quarter of the tonnage. Germany had 2,019 steamships, as compared with Uncle Sam's 1,871.

The total number of steamships and sailing vessels of Great Britain was 11,287, as compared with 3,400 in the United States, the total tonnage being 20,431,000 and 5,427,636, respectively. Germany's total number of steamships and sailing craft was 2,019, with a total tonnage of 5,082,000.

Great Britain completely overwhelmed American shipping, while Germany, with almost no seacoast worthy of the name, with a territory not so large as Texas, and with a population about half that of the United States, was able to send her ships into the waters of Greater New York, the American metropolis, and other American ports and beat us at our own game.

Nor should it be assumed that we were overtaking our foreign rivals. The British proportion of the total new merchant ships built during the year was 58 per cent of the whole world's output for the year, as compared with 60 per cent in 1912 and 68 per cent in 1911. Germany's proportion was 14 per cent, as compared with 13 per cent in 1912 and 9.7 per cent in 1911.

Uncle Sam's magnificent proportion of the new merchant marine of the world for the year was 8.3 per cent against Great Britain's 58, or less than one-seventh of John Bull's. Our proportion was 9.8 per cent in 1912 and 6.5 per cent in 1911, as compared with 8.3 in 1913, so that we lost in the year under consideration instead of gaining.

That is a sorry picture besides that painted for the future of America's merchant marine by the lamented President McKinley in his message to Congress on December 3, 1900, in which he said:

"Foreign ships should carry the least, not the greatest, part of American trade. The remarkable growth of our steel industries, the progress of shipbuilding for the domestic trade, and our steadily maintained expenditures for the Navy have created an opportunity to place the United States in the first rank of commercial maritime powers.

"Besides realizing a proper national aspiration, this will mean the establishment of a healthy growth along our coasts of a distinctive national industry, expanding the field for the profitable employment of labor and capital. It will increase the transportation facilities and reduce freight charges on the vast volume of products brought from the interior to the seaboard for export, and will strengthen the arm of national defense, upon which the founders of the Government and their successors have relied."

President Roosevelt in his message of 1901 said: "Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as of commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon ships of competing nations for the distribution of our goods."

The truths uttered in these presidential messages are axiomatic, being self-evident. How did we Republicans build up the American merchant marine when we had control of the National Government during the following years? We had prated in our platforms for decades about the American merchant marine, and yet in 1913, when we turned the control of the Federal Government over to our Democratic rivals, we could show only 9.8 per cent for the previous year of new merchant ships as compared with England's 60 per cent.

Nor was this falling off in American shipping wholly Republican, for the same thing happened under Cleveland. In 1892 American ships carried 12.3 per cent of our American exports; in 1896, when McKinley was elected, it had dropped to 12 per cent, and in 1903 under Roosevelt, despite presidential messages, American ships carried the ridiculously small part of 9.1 per cent of American exports.

Such figures as these are enough to bring the blush of shame to the cheek of every patriotic American.

In this connection the Republican pot can not call the Democratic kettle black. Both these great parties have allowed partisan politics to prevent this magnificent Nation from entering into its own on the sea, just as they are doing at the present time in Washington. Neither party in time of peace brought this Nation up to its merited place in maritime progress.

Republicans naturally are not anxious to see Democrats do something in that direction any more than they were eager to have Democrats tackle the currency and banking problem successfully.

When a great political party promises the people a needed reform or great public improvement and fails utterly to keep faith with the people, then it must expect to see the pent-up waters break around the dam or over it. A progressive nation must move forward.

It will be a political crime if the present opportunity to start a new move for a great American merchant marine is allowed to pass unimproved. The people will not hold the Republican Party guiltless, if it simply plays the dog in the manger and helps afford no solution of the problem.

Republicans are shouting for "military preparedness." That is well, but, as we have indicated, "naval preparedness" is a vastly greater necessity for the United States. As McKinley indicated, a merchant fleet is a national necessity: First, to furnish the reserve transports and supply ships necessary in war to supplement the Navy; second, to furnish the reserve trained seamen required to put the country on a war footing at sea.

Shall we have these for naval preparedness as well as American commerce now or shall we wait until Republicans can get into power and try to supply them three years hence when it may be too late? What is the answer of patriotism?

Mr. FLETCHER and Mr. SMITH of Michigan addressed the Chair.

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. Mr. President, some comment has been made about a public meeting at Faneuil Hall, and I desire to have read a telegram with reference to that meeting, also another telegram from the Marianna Commercial Club of Arkansas, and also a news item in this morning's Post, headed "Plan to seize trade." They are all very brief, and I should like to have them read.

The VICE PRESIDENT. Is there objection? The Chair hears none and the Secretary will read.

The Secreary read as follows:

[Telegram.]

BOSTON, MASS., *February 4, 1915.*

WM. J. BRYAN,
Secretary of State, Washington, D. C.

At public meeting in Faneuil Hall to-day resolution introduced to protest against shipping bill was declared by Mayor Curley unanimously carried. Resolution strongly denounced from floor. Nay vote not called. Much indignation among citizens. I believe sense of meeting was in favor of bill and against protesting resolutions.

WM. H. MCMASTERS.
WHITFIELD TUCK.

—

[Telegram.]

MARIANNA, ARK., *February 11, 1915.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

We indorse the shipping bill and the determined stand of the Democratic Senators. It is in our judgment the greatest step that has been attempted to rehabilitate the American merchant marine as

well as a measure of vital necessity to the United States. It is an opportunity that should not be lost. We urge the bill be enacted in preference to any legislation, regardless of whether such action may necessitate an extra session.

MARIANNA COMMERCIAL CLUB OF ARKANSAS.

PLAN TO SEIZE TRADE—ALLIES WILL INVADE GERMAN MARKETS IN SOUTH AMERICA—CHARTER SHIP FOR MISSION—ENGLISH AND FRENCH MERCHANTS TO TAKE SAMPLES OF WARES TO EXHIBIT AT PRINCIPAL LATIN-AMERICAN PORTS ON NINETY-DAY CRUISE—ONE HUNDRED AND FIFTY TO MAKE TRIP.

LONDON, *February 11, 1915.*

An aggressive step in the direction of capturing trade heretofore held by Germany will be made at the beginning of April, when about 150 leaders of industry in England and France will proceed on a commercial mission to South America, taking with them a vast number of samples. The journey, which is to extend over 90 days, is being arranged by the Kelly Trading Co. A French vessel is being chartered and will start from Southampton.

SHIP TO CARRY WARES.

One of the organizers of the mission said:

"We mean to show Latin America the goods, and not merely talk to them. It is no use going out and telling the people there that we can give them as good articles as those made by Germans. We want to take the articles and show them and convince the people that the articles are not only good value but better for the money.

"The chambers of commerce and municipalities of South America will be visited and public meetings and receptions arranged. We have had applications from all sorts of industries for representatives to be sent on this voyage and have even had an inquiry about starting a new line of freight steamers. There will be about 100 Englishmen and 50 Frenchmen on the mission."

LINCOLN'S GETTYSBURG ADDRESS.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. The Senator from Michigan.

Mr. SMITH of Michigan. Mr. President, I desire to send to the Secretary's desk a very instructive editorial from the Detroit Free Press—it is not long—on the question now pending before the Senate.

Mr. O'GORMAN. Will the Senator permit a suggestion at this point, before the editorial to which he refers is read? It will only take a moment.

Mr. SMITH of Michigan. Yes, sir.

Mr. O'GORMAN. Mr. President, this is the anniversary of the birth of Abraham Lincoln, and I think we might with propriety suspend our functions for a brief moment while one of our colleagues reads his Gettysburg speech. The Hon. BLAIR LEE, the Senator from Maryland, I think will be glad to perform that service. I ask, if there is no objection, that the Senator from Maryland be invited to read the address.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Maryland will read the address.

Mr. LEE of Maryland. Mr. President, the Senator from New York [Mr. O'GORMAN] has suggested that, as the representative of a Southern State, it would be appropriate for me to read Lincoln's Gettysburg Address. It is as follows:

Fourscore and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation under God shall have a new birth of freedom; and that government of the people, by the people, for the people shall not perish from the earth.

CLOTURE IN THE SENATE.

Mr. SMITH of Michigan. I ask that the editorial which I have sent to the desk may be read.

The VICE PRESIDENT. Is there objection to the reading of the editorial?

Mr. SMITH of Michigan. It relates to a very important matter.

The VICE PRESIDENT. The Chair hears no objection.

Mr. REED. Mr. President, I am not going to object to the reading of this editorial, but I am going to object to the reading of any others. The idea of filling up the RECORD every morning with editorials of the newspapers of the country is an absurdity, and is being carried to an extent which makes the absurdity irksome.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Detroit Free Press, Thursday, Feb. 11, 1915.]

CLOTURE IN THE SENATE.

Again there is talk of cloture in the United States Senate. It is heard periodically, but it has always ended in talk. Unless the Democratic majority has utterly lost its foresight in the heat of dispute, it will end in talk this time, because the majority in our politics can never lose sight of the certainty that some day they will be the minority and the force they create for their own immediate ends in their day of power will return to plague them in their day of weakness. The reflection is the more likely to be potent now because the Democrats are fully aware that they are in control by accident—an influential consideration which the Republicans never felt, for they were always convinced that they would continue running things to the end of time.

It is highly probable that no senatorial majority in Washington ever seriously desired the cloture. It is probable, too, that the cloture is unnecessary in the American Senate. That body is small; it does not require the harsh rules which unwieldly houses must have in order to do business. The period of any filibuster in the Senate is limited by the inadequacy of material for a prolonged obstructive effort, the physical endurance of the relatively few men who can engage in the contest forbidding serious injury to the public business. If the minority in the lower House were to agree upon a campaign of dilatory tactics they could carry on a fight almost indefinitely, but the 43 Republicans in the Senate do not constitute an irresistible menace.

In any event there is no real cause for alarm in senatorial filibustering. No measure for which there is a genuine public demand could possibly be defeated by this method; in fact, no party that must seek popular favor would dare to resort to such tactics to thwart the popular will. It is only when the minority senses the support of the electorate under it that it ventures to enter upon a struggle of this kind. The fact that the ship-purchase fight could continue to the spectacular extent it has reached is enough to demonstrate the error that prompted the administration to force this measure on Congress to the exclusion of more appropriate legislation.

THE MERCHANT MARINE.

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey.

Mr. MARTINE of New Jersey. Mr. President, I hold in my hand a clipping from a newspaper. I have no desire to impose upon the Senate the reading of any more editorials, but I wish to say that some days ago, when it was my privilege to make some few observations before this body, I was interrupted by a very delightful and distinguished Senator, the Senator from New Hampshire [Mr. GALLINGER], who asked if I did not know that a great meeting had been held in Faneuil Hall, Boston, that the Democratic mayor had presided, and that there had unanimously been passed resolutions in opposition to the shipping bill; and I remember he asked what I had to say about that. I replied that all I had to say was, "May God help him." Now, I have an explanation direct from Boston, the seat of learning and of wisdom, where the sun rises and sets—from the Boston Post of Friday, February 5, in which I find this:

DECLARE AGAINST SHIP BILL—BOTH PARTIES REPRESENTED AT FANEUIL HALL MEETING.

"All those in favor of these resolutions of protest against the ship-purchase bill say 'aye,'" shouted Mayor Curley, waving his gavel from the platform of Faneuil Hall yesterday afternoon, after he had made a final plea aimed to squelch any stray opposition.

A thunderous "aye" burst from the crowd of men and the few women who packed the chilly hall, where they had listened for more than an hour to speeches from Democrats and Republicans against the Wilson administration ship bill.

"UNANIMOUS VOTE."

Echoing the remark of the Senator from New Hampshire—

"The 'ayes' have it, and it's a unanimous vote," announced the mayor emphatically, at the top of his voice, whereupon he instantly dropped his gavel with a bang and walked from the rostrum.

"No, no, no!" protested Whitfield Tuck, of Winchester, as loudly as he could, indignant because the mayor had not called for the "nays." "I didn't think you'd do that, Mr. Mayor."

But it was done and the crowd departed. Mr. Tuck had voiced the only opposition to the protest resolutions, and he won cheers from some of the crowd when he said the United States was humiliated when 150,000 Americans were stranded in Europe by the war and we had no ships to bring them home. He was also applauded when he declared he knew as much about the ship bill as anyone on the platform except the mayor.

APPLAUSE FROM THE GALLERY.

"This whole proposition is against public ownership," said Mr. Tuck. "If we had had public ownership here, New England would not be in the condition it is under the New York, New Haven & Hartford."

"Who are you?" shouted a voice from the gallery after Mr. Tuck concluded.

"I'm Whitfield Tuck, of Winchester," he replied, willingly.

"Good for Tuck," came back the galleryite.

Mr. Tuck's opposition was of little avail against the sentiment of the crowd gathered in the hall and Mayor Curley's skillful leadership and oratory.

Because it had been planned out and plotted out by the men who are allied and bound heart, body, and soul against the interests of the people.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from New Hampshire?

Mr. MARTINE of New Jersey. Yes.

Mr. GALLINGER. I thought the Senator from New Jersey had concluded. Has the Senator concluded?

Mr. MARTINE of New Jersey. I have concluded for an interruption; yes. [Laughter.]

Mr. GALLINGER. Well, Mr. President, I want to say that in the statement I made the other day I did not state the exact facts. The action of the meeting was unanimous, except for Whitfield Tuck.

Mr. MARTINE of New Jersey. Does the Senator know that?

Mr. GALLINGER. I know it.

Mr. MARTINE of New Jersey. How?

Mr. GALLINGER. Why, the Senator's own statement shows it.

Mr. MARTINE of New Jersey. No; it does not show it.

Mr. GALLINGER. That Whitfield Tuck shouted "No, no, no!"

Mr. MARTINE of New Jersey. Yes; Whitfield Tuck voiced the opposition, but through the gag methods and gag rule that had been adopted by that Boston meeting there was no chance for those whom Whitfield Tuck so ably represented.

Mr. GALLINGER. Mr. President, I have seen persons who were at that meeting, and there is no question that the result was the unanimous decision of that great meeting.

Mr. REED. Mr. President, I call for the regular order.

Mr. SMITH of Arizona. Regular order!

Mr. MARTINE of New Jersey. This is very regular; I am trying to prove how unfair these men were in their opposition to the shipping bill.

The VICE PRESIDENT. It is all out of order.

Mr. GALLINGER. Mr. President, at the proper time I will take occasion to state more definitely what happened.

The VICE PRESIDENT. This is all out of order.

Mr. MARTINE of New Jersey. Au revoir. [Laughter.]

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. OLIVER. I have here a short telegram from the president of the Second Division of the Railway Mail Association, which I ask to have read.

Mr. REED. I want to inquire if that is in the nature of a petition or memorial?

Mr. OLIVER. It is.

The VICE PRESIDENT. Is there any objection?

Mr. REED. I am going to object, unless it is in the nature of a petition or memorial.

Mr. OLIVER. Mr. President, it is a telegram addressed to me in the nature of a petition relating to pending business.

Mr. REED. Is it addressed to Congress or to the Senator from Pennsylvania?

Mr. OLIVER. It is addressed to me.

Mr. REED. I object.

Mr. OLIVER. I will read the telegram.

Mr. REED. I call for the regular order.

The VICE PRESIDENT. The question is, Shall the telegram be read? All in favor will say "aye"; those opposed, "no." The Secretary will read the telegram.

Mr. REED. I should like to know how that got to be the question, however.

The VICE PRESIDENT. By the rules of the Senate, which provide that when the reading of a paper is asked for, and there is objection, the Chair shall immediately submit the question to the Senate; and if there be a majority in favor of it, the paper shall be read.

The Secretary read as follows:

ALLEGANY, N. Y., *February 11, 1915.*

Senator GEORGE T. OLIVER,
Washington, D. C.:

Seven hundred railway postal clerks of Pennsylvania ask you to oppose change from annual to biannual promotions.

J. F. BENNETT,
President Second Division, Railway Mail Association.

FOOT-AND-MOUTH DISEASE.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. SHERMAN. Mr. President, I wish to make an inquiry of the chairman of the Committee on Agriculture and Forestry. On yesterday the Senator from Iowa [Mr. KENYON] presented a joint resolution of the Iowa Legislature asking for an investigation of the Union Stockyards at Chicago, Ill., with reference to the foot-and-mouth disease. I should like to inquire what steps the subcommittee having this matter in charge have taken with reference to the proposed investigation?

Mr. GORE. Mr. President——

Mr. WILLIAMS. Regular order, Mr. President.

The VICE PRESIDENT. The regular order is called for.

THE MERCHANT MARINE.

Mr. WEEKS. Mr. President, I wish to read a copy of a telegram which has been sent to many Senators—to seven Senators at least—relating to pending legislation. The telegram reads:

As lifelong Democrats who rejoice in the several great constructive measures enacted by the present Congress, we commend every legitimate effort to defeat the Alexander shipping bill. Opposition to it deserves the gratitude of the entire Nation, in every section of which it is condemned by experienced business men, regardless of party, as well as by the people at large, who earnestly desire avoidance of all possible international friction. No more effective means could be devised for completely destroying private enterprise, upon which successful development of a wisely encouraged American merchant marine depends.

That telegram is signed by:

Robert M. Burnett, James M. Curley, Thomas B. Fitzpatrick, Jerome Jones, Geoffrey B. Lehy, Edward F. McSweeney, James J. Phelan, Bernard J. Rothwell, Joseph B. Russell, James J. Storrow, and John A. Sullivan.

It is noticeable that in this list of signers, all of whom are Democrats, and who include many of the leading Democrats of Massachusetts, is the mayor of Boston, James M. Curley; Edward F. McSweeney, president of the dock commissioners of Massachusetts; Bernard J. Rothwell, former president of the chamber of commerce; John A. Sullivan, a distinguished Democratic Member of Congress until recently; and Joseph B. Russell, who was nominated by the President for collector of the port of Boston, but who declined the appointment—I think the only instance of that kind that has happened during this administration.

ADDITIONAL JUDICIAL DISTRICT IN KANSAS.

Mr. BRISTOW. Mr. President, I present a concurrent resolution of the Legislature of the State of Kansas and ask that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read the concurrent resolution, as follows:

House concurrent resolution 22.

Be it resolved by the house, the senate concurring therein:

Whereas there is a rumor, and newspaper publicity given, to the division of Kansas into two Federal judicial districts, and

Whereas the present court is up with its work and idle nearly one-half of the term, and is able to speedily reach all cases of an urgent nature, and

Whereas it is the belief of this body that, under existing conditions, the revenue of the Nation badly impaired, there is no necessity or need for the Nation to entail further expense by the establishment of another Federal court in the State of Kansas, but rather the strictest economy along all lines should be practiced not alone by the State, but by the Nation: Therefore be it

Resolved, That the establishment of another Federal court in Kansas is uncalled for and unnecessary and will add another burden to the taxation of the Nation, and that we are opposed to it along the lines suggested: be it further

Resolved, That a copy of this resolution be forwarded to each Member of Congress from Kansas, including our United States Senators; also the Attorney General, and that a copy be furnished the President of the United States and to all of his Cabinet. The clerk of this house is hereby authorized and commanded to forward said copies upon the passage of same.

I hereby certify that the above concurrent resolution originated in the house and passed that body January 29, 1915.

ROBERT STONE,
Speaker of the House.
I. E. LAMBERT,
Chief Clerk of the House.

Passed the senate February 3, 1915.

W. U. MORGAN,
President of the Senate.
BURT E. BROWN,
Secretary of the Senate.

Approved February 5, 1915.

ARTHUR CAPPER, *Governor.*

Mr. BRISTOW. I desire to state that in one branch of the Kansas Legislature a majority of its members are Republican in politics, and the other branch is Democratic in politics. This resolution was passed by both bodies and is signed by the governor. I am myself in thorough accord with its declaration. There is no use of a second judicial district in Kansas, and there is not in many States that have two now.

The VICE PRESIDENT. The concurrent resolution will be referred to the Committee on the Judiciary.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In conformity to the standing order of the Senate, the Chair appoints the junior Senator from Utah [Mr. SUTHERLAND] to read Washington's Farewell Address on the 22d day of February next.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a concurrent resolution adopted by the Legislature of the State of Kansas, which was

referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

House concurrent resolution 5.

Whereas times without number the great Missouri and Mississippi Valleys have been inundated, for the reason that the channels of these great rivers were not able to contain the deluge of waters that at certain seasons of the year are gathered from the immense watersheds of these rivers; and

Whereas the appeals of the thousands of people who inhabit these rich valleys have reached the Congress of these United States, and they have answered by pouring millions of dollars into the relief funds of these sections of the country; and

Whereas the relief thus offered and expended upon the channels of these rivers have been partially, if not wholly, inadequate to stop the ravages of these waters nor materially reduce the loss of life and property, which totals into the millions at each flood time, and thus the work of Congress seems to accomplish nothing and millions thus appropriated does not relieve pain and suffering or conserve the property as intended; and

Whereas the relief work carried on by the aid of the millions thus expended, as well as the preventatives thus far erected, has been wholly along the channels of said rivers without regard to source where the waters, or a large per cent of them, originate; and

Whereas about 300,000 square miles of the immense watersheds of these water courses is known as the semiarid belt of America, and that the rainfall in this section amounts to about 18 inches annually, usually fall in two or three months of the year, that the fall of land toward the rivers being from 7 to 10 feet to the mile, hurries the waters to the river channels at a time when local rainfall is all the channels can well carry; besides the rainy months of this semiarid district is usually when the winter snows of the mountains are melting rapidly and being hurried to the rivers; these combined circumstances, when conditions bring them together, always carry with them death and destruction, and we believe the ingenuity of man, with means at his command, is unable to build a channel sufficiently high and strong to cope with so formidable a foe.

At the same time that these waters are crossing, falling upon, and leaving this 300,000 square miles of semiarid country, it is leaving to be parched by the sun, a rich alluvial soil, capable of growing in abundance all of the Temperate Zone products, and the water passing on to carry destruction could most profitably be used in the dryer seasons of the year to temperate the excessive heat, water the thirsty vegetation, and moisten the fields of parching crops, as well as furnishing drink for man and beast.

If this water could be retained where it falls and the melting snows halted on their passage, a twofold purpose could be gained—that of lessening the burden of the river channels and the increasing of vegetation and crops in the semiarid belt. Thus the entire territory of the United States would be indirectly benefited and 40 per cent of its entire population directly helped; and

Whereas the State of Kansas contains 20,000 square miles of this semiarid territory, sparsely settled by thrifty, progressive American citizens, Kansans of grit and determination, true to their country, and loyal to their State. That this same territory is pleasing to the eye, attractive to the plowman, and full of productive qualities, lacking only water at the right time to make it the richest productive portion of our fair State, while the climate is healthy and invigorating; and

Whereas Kansas is ever ready and willing to step out in front and lead her neighbors to higher and better things, and her statesmen possess the wisdom and farsightedness to see that conservation of these waters, now not only wasted but actually the agency of destruction, but realizing the broad territory of the semiarid district makes it a National rather than a State question: Therefore be it

Resolved by the house of representatives, the senate concurring therein, That we urge the Members of Congress from our State to use every means in their power to bring this momentous question before the House and Senate; that they appoint a commission to investigate these facts; that thousands of dams be constructed in this district across the hundreds of draws, ravines, and rivers; that they be connected by canals and ditches, to the end that the melting snows of the mountains and the rains of the Great Plains be held in the territory where it is most needed.

That these resolutions be sent to all the States through which the Missouri and Mississippi Rivers pass and all the States which have any of the semiarid district within their borders, where the legislatures are now in session; that they be mailed to the speaker of the house and president of the senate of each State, asking that the resolutions be indorsed, and the Congressmen of the several States be requested to work for such laws and regulations as will bring about these dams and canals; and one copy to be mailed to the Speaker of the House of Congress and one copy to the President of the United States Senate and one copy to the Secretary of Agriculture.

I hereby certify that the above concurrent resolution originated in the house and passed that body January 29, 1915.

ROBERT STONE,
Speaker of the House.
I. E. LAMBERT,
Chief Clerk of the House.

Passed the senate February 3, 1915.

W. Y. MORGAN,
President of the Senate.
BURT. E. BROWN,
Secretary of the Senate.

Approved February 8, 1915.

ARTHUR CAPPER, *Governor.*

The VICE PRESIDENT presented the petition of John Kothenski, of Herminie, Pa., praying for the enactment of legislation for the relief of the unemployed throughout the United States, and also for the establishment of free employment agencies, which was referred to the Committee on Education and Labor.

He also presented the petition of F. L. Doyle, of St. James, Mo., praying for the enactment of legislation to further amend the postal laws, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of citizens of Philadelphia, Pa., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. O'GORMAN. I have a number of telegrams in the nature of memorials, which I ask may be printed in the RECORD and referred to the appropriate committees.

There being no objection, the telegrams were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Please vote against biennial promotion in Post Office bill.
WM. ROSENFIELD.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Kindly vote against biennial promotion in Post Office bill.
L. WEILER.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Please vote against biennial promotion in Post Office bill.
T. C. CONWAY.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
A. J. MOFFATT.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
LOUIS GOLDSTEIN.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
LOUIS FARKAS.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
THOS. CONNIHAN.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
CHAS. RAGOVIN.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
A. B. BLUMENBERG.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
J. M. O'SHEA.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
S. H. ORZACHOWITZ.

—

NEW YORK, *February 11.*

Hon. J. A. O'GORMAN, *Washington, D. C.:*
Enter protest against biennial-promotion clause, Post Office bill.
J. G. HOCKENBERRY.

Mr. O'GORMAN presented telegrams in the nature of memorials from sundry railway postal clerks of New York City, remonstrating against a change in the present system of promotion of postal clerks, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of the St. Raphael's Branch of the Holy Name Society, of New York City, N. Y., remonstrating against the conditions existing in Mexico, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New York City, Glens Falls, Kingston, Buffalo, and Rochester, all in the State of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BRANDEGEE. I have a communication from the president of the Railway Mail Clerks' Association of Connecticut, which is only two lines long. I ask to have the Secretary read it.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

89 SPRING STREET, NEW HAVEN CONN.,
February 11, 1915.

Senator FRANK B. BRANDEGEE,
Washington, D. C.

MY DEAR SENATOR: In behalf of the railway mail clerks of Connecticut, I beg that you will oppose the proposed change from annual to biennial promotions.

Respectfully,
JOHN E. BRENNAN,
President.

Mr. SHERMAN. I present resolutions of the Letter Carriers' Association of the Chicago Post Office, and ask that they be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary read as follows:

GARDEN CITY BRANCH, No. 11,
NATIONAL ASSOCIATION OF LETTER CARRIERS,
Chicago, February 8, 1915.

DEAR SIR: At a special meeting of the organization committee of Garden City Branch, No. 11, National Association of Letter Carriers, held Saturday evening, February 6, 1915, and attended by upward of 500 members, the following resolutions were unanimously adopted:

"Whereas the collectors of the city division of the post office in the city of Chicago (numbering 329 men) have been summoned before the superintendent of delivery of said division and informed that in the future collectors shall be paid $1,000 instead of $1,200, thereby illegally and ruthlessly setting aside an act of Congress which provides that all letter carriers are eligible to the higher grade, which is $1,200; and

"Whereas the law provides that charges must be preferred in writing, a copy of which must be presented to the accused, and a reasonable time allowed for defense before a reduction in salary is made; and

"Whereas we believe that Congress never contemplated that supervising officials should arbitrarily establish two grades of salaries in the carrier service, the highest grade of one to be $1,200 and the highest grade of the other to be $1,000, no matter what their alleged superior knowledge may be; and

"Whereas we believe that if in the interest of economy and reduction of expenses something should be done, the logical thing to do would be to start at the top and reduce the salaries of high-salaried officials (some of whom could be dispensed with altogether), and not attack the salaries of the men who do the hard work in the service, impairing in many cases their health thereby: Therefore be it

"*Resolved*, That we vigorously protest against the action contemplated by the superintendent of delivery in the Chicago post office; and further be it

"*Resolved*, That a copy of these resolutions be sent to each of the 10 Congressmen and the two United States Senators from Illinois, and a copy be furnished the press of Chicago."

JAS. W. MURRAY, *Secretary.*

Mr. McLEAN presented petitions of Hermann Lodge, No. 13, O. D. H. S., of Middletown; of the Deutscher Krieger Verein, of New Britain; of the German Singing Society of Torrington; of the Club Vorwarts, of Middletown; of Gerstaecker Lodge, No. 96, Independent Order of Odd Fellows, of New Britain; of the Ansonia Maennerchor of Ansonia; of the Turn-Verein of Derby; of the Seimsieder Club, of New Britain; of Eintracht Rebekah Lodge, No. 19, of Meriden; of Anna Ottendorfer Lodge, No. 64, D. O. H., of Meriden; of Augusta Lodge, No. 2, O. D. H. S., of Meriden; of Eintracht Lodge, No. 1, O. D. H. S., of New Britain; and of sundry citizens of Torrington, Bakersville, Ansonia, Derby, Shelton, and Meriden, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to prohibit the present practice of issuing Government-stamped envelopes bearing printed return request, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation to restrict the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the City Council of Pittston, Pa., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. BURLEIGH presented a petiton of the Ministers' Association, of Aroostook, Me., praying for the enactment of legislation to provide Federal censorship of motion-picture films, which was referred to the Committee on Education and Labor.

Mr. GRONNA. I present two telegrams, in the nature of memorials, which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegrams were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

[Telegram.]

WATERTOWN, WIS., *February 11, 1915.*

Senator A. J. GRONNA,
Washington, D. C.:

Sixteen hundred railway postal clerks in the States of Wisconsin, Minnesota, North and South Dakota respectfully ask you to oppose amendment to existing law as proposed in House bill 19906 changing from annual to biennial promotions in the Postal Service.

W. M. COLLINS,
President Tenth Division, Railway Mail Association.

[Telegram.]

MINOT, N. DAK., *February 11, 1915.*

Hon. A. J. GRONNA,
United States Senator, Washington, D. C.:

We respectfully ask you to use your influence against amendment to classification act of 1907 post-office bill.

CHARLES B. BURKE,
Secretary Branch No. 1152,
National Association of Letter Carriers.
LE ROY M. SWIGART,
Secretary Branch No. 1732,
United National Association Post-Office Clerks.

Mr. SMITH of Arizona. I present a concurrent resolution of the Legislature of the State of Arizona, favoring an appropriation for the construction of a bridge across the Gila River near the Pima Indian Agency, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the concurrent resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

House concurrent resolution for the construction of a bridge across the Gila River near the Pima Indian Agency.

To the Hon. MARCUS A. SMITH and HENRY F. ASHURST, United States Senators, and the Hon. CARL HAYDEN, Member of Congress:

Whereas a bridge across the Gila River near the Pima Indian Agency will be of great benefit and convenience to the Pima Indians in crossing the river in times of flood; and

Whereas a diversion dam is contemplated by the Federal Government at the intake of a large canal near the Pima Indian Agency: Now therefore be it

Resolved by the House of Representatives of the Second Legislature of the State of Arizona (the Senate concurring), That it is the desire of the legislature that the Arizona Representatives in the Federal Congress use their best efforts to procure by the Congress now in session an appropriation for the construction of a combined bridge and diversion dam to be located in the Gila River, Pinal County, Ariz., at a point about 2½ miles above the Pima Indian Agency and within the Gila River Indian Reservation.

Passed the senate January 26, 1915, by a vote of 19 ayes, no noes.

W. P. SIMS, *President.*
OSCAR UTE, *Secretary.*

Passed the house January 28, 1915, by a vote of 35 ayes, no noes.

WILLIAM E. BROOKS,
Speaker of the House.

Mr. SMITH of Arizona presented a memorial of sundry citizens of Flagstaff, Ariz., remonstrating against the United States Government recognizing Mexico unless religious freedom is guaranteed in that Republic, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Michigan, remonstrating against the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Plainwell, Mich., praying for a continuance of the free mail delivery in villages, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the congregation of St. John's Church, of Ypsilanti, Mich., remonstrating against existing conditions in Mexico, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SWANSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 18172) to increase the limit of cost of the United States post-office building at Seymour, Ind., reported it without amendment and submitted a report (No. 980) thereon.

Mr. OVERMAN. From the Committee on Rules, I report back adversely Senate resolution 538, submitted by the Senator from Mississippi [Mr. WILLIAMS] on February 11, 1915, proposing to amend the rules of the Senate relating to debate, and I ask that the report may take its place on the calendar.

The VICE PRESIDENT. The resolution will be placed on the calendar.

Mr. OVERMAN. By direction of the Committee on Rules, I report back adversely Senate resolution 113, submitted by the Senator from Oklahoma [Mr. OWEN] on June 17, 1913, to amend Rule XIX of the Standing Rules of the Senate, and I ask that the report may take its place on the calendar.

The VICE PRESIDENT. The resolution will be placed on the calendar.

Mr. GALLINGER. These resolutions are reported adversely?

Mr. OVERMAN. Yes. I thought the Secretary would state that they were reported adversely.

Mr. GALLINGER. The Secretary did not.

The VICE PRESIDENT. The resolutions will be placed on the calendar.

COTTON WAREHOUSES.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. SMITH of Georgia. I wish to call attention to Senate bill 6266, which was passed, sent to the House, reported, and passed in the House by substitute. The Senate has taken no action upon the report from the House that the bill was passed by substitute there. We have asked for no conference and we have not referred the House substitute to the Committee on Agriculture and Forestry.

The bill has been left somewhat to my direction, as the original Senate bill was introduced by me. I desire to bring these facts to the attention of the Senate in order that the entire Senate may take the responsibility for whatever direction shall be given to the subject. Perhaps we ought to insist upon our bill and ask for a conference.

Mr. SMOOT. Mr. President, will the Senator state what the bill is?

Mr. NORRIS. I should like to have the Senator tell us what the bill is.

Mr. SMITH of Georgia. It is the bill creating warehouses under certain circumstances. The bill, as I originally introduced it, applied to cotton warehouses. The bill now, as passed by the House, applies to that and other agricultural products. My interest in the bill is not as great as it was when I first introduced it, because we have found a way to meet the emergency that was upon us as far as that matter was concerned.

Mr. SMOOT. May I ask the Senator if it is a House bill that has been handed down to the Senate?

Mr. SMITH of Georgia. No; it is a House report presenting a substitute for the Senate bill, which lies on the table unacted upon, the Senate not having asked for a conference and not having referred it to the Committee on Agriculture and Forestry and not having called it up to take any action upon it. Of course, being reported by the House as a substitute for the Senate bill, it occupies a certain status of precedence; but I have not called it up, and I do not want to take the responsibility of nonaction upon myself alone.

Mr. SMOOT. Why does not the Senator, when the bill is laid before the Senate, disagree to the amendments of the House and ask a conference and have the Chair appoint the conferees?

Mr. SMITH of Georgia. I did not do so because I did not know the attitude of the grain Senators upon this subject. So far as those interested in the original measure are concerned, that dealing with cotton, the changes are not material; but it has been broadened so as to extend over other agricultural products, and I wanted them to take some responsibility in connection with the matter.

Mr. BURTON. Mr. President, will the Senator from Georgia yield for a question?

Mr. SMITH of Georgia. Certainly.

Mr. BURTON. I understand there are some slight amendments suggested on which there is general agreement, which would relieve certain dealers and producers from hardships created by this bill, as they think. If this matter were sent to conference, would it not preclude the insertion of those amendments?

Mr. SMITH of Georgia. I think that is probably true. We might go to conference and agree to the House bill with certain amendments.

Mr. BURTON. For that reason I should like to have it go over for the present.

Mr. SMITH of Georgia. I have not asked that it go to conference. I think, myself, that the bill as passed by the House ought to be amended. I find several provisions in it that I think certainly ought to be changed.

Mr. BURTON. I should prefer not to have the bill go to conference at the present time.

Mr. SMITH of Georgia. I wish to add that I have asked Senators who are interested in this bill to examine the House substitute and to prepare, if they would, such amendments as they thought ought to be made, believing that perhaps we could agree on those amendments and amend the House substitute, and that the House would then probably accede to the Senate amendments to the House substitute. I am not asking a conference, because I think there ought to be amendments made to the House substitute.

Mr. POMERENE. Mr. President——

Mr. BURTON. I think that much the better course—to leave this open for amendment on the floor of the Senate rather than to send it to conference. Then we could make such amendments as may be required to perfect the bill.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. SMITH of Georgia. I yield.

Mr. POMERENE. I feel like joining in the request just made by my colleague, for the reason that I have had a great many protests from Ohio from the grain dealers, and I have not had time to examine them fully enough to determine their merits. I should like the matter to be held in abeyance a few days until we can take up the matter.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Georgia will allow me, if it is in order I would suggest that we ought to have the bill referred to the Senate Committee on Agriculture and Forestry.

Mr. SMITH of Georgia. Mr. President, I wish to add that I had requested the Senators who objected to certain features of the House bill to prepare the amendments that they desired made to it; but I have received from no Senator a perfected amendment. I have received a number of criticisms, but no specific amendment, and I am not sure but that the suggestion of the Senator from South Carolina is the only way to bring the matter to a head, by referring the House substitute to the Committee on Agriculture and Forestry.

Mr. SMOOT. Mr. President, as I understand the situation, the Senate passed a bill, S. 6266. It went to the House, and the House struck out all after the enacting clause and inserted new provisions. Then that has come back to the Senate as a House bill, and it has not been handed down to the Senate. The only proper way to do is for the Chair, when the time comes, to lay it before the Senate, and then the Senate can disagree to the amendments of the House and ask for a conference. This bill can not be returned to the committee. It can be handled in conference, and in conference only. Of course it could be amended here on the floor of the Senate, but not by a committee.

Mr. SMITH of Georgia. I do not think there is any doubt——

Mr. ROOT. Mr. President, may I interrupt the Senator for a moment?

Mr. SMITH of Georgia. Certainly.

Mr. ROOT. Surely the Senator from Utah does not mean that the Senate has not the power to send this bill to a committee?

Mr. SMOOT. I mean that the bill has been to a committee, was reported from a committee, passed the Senate, went to the House, passed the House, was returned to the Senate, and has not yet been laid before the Senate; but if the Chair hands down the bill the Senate can then amend the bill on the floor of the Senate, or it can disagree to the amendments of the House and ask for a conference.

Mr. SMITH of Georgia. Or it can recommit at any time.

Mr. ROOT. The Senate can send the bill to a committee. Whether that would be a wise thing or not, I do not know. I should like to see something done with this bill. I think there is useful legislation to be gotten out of it. Whether or not the details should be thus and so, I do not know, but surely we can send it to a committee.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Georgia will allow me, this comes back to us in the form of a House bill.

Mr. SMOOT. Oh, no; the Senator is mistaken.

Mr. SMITH of South Carolina. I do not mean under a new title, but it is really new matter, and it is of such importance that I do not think it could be properly attended to on the floor of the Senate. It is competent for us to send it back to the committee, and I hope the Senator from Georgia will make that motion.

Mr. SMOOT. Mr. President, I will say that if the Senate wants to send it to the committee I shall not object, but that is an unusual way of doing.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. I do.

Mr. NELSON. It seems to me that in view of the fact that the House, by its substitute, substantially changed the entire bill, it is almost like sending us a new bill, and that it ought to be referred to the committee for consideration.

Mr. GALLINGER. Certainly.

Mr. NELSON. It is not in such condition that we can handle it on the floor of the Senate, and in its present condition it ought not to go to a conference committee. I have no particular interest in the bill, because, as I look at it, it does not particularly affect our people in the Northwest; but, after all,

I think the wisest course is to refer it to the committee and have it carefully considered.

Mr. SMITH of Georgia. Mr. President, having waited several weeks in an effort to obtain amendments from the Senators who contemplated amendment, I think the suggestion is the only proper one. Undoubtedly we can recommit this bill. We voted only a few days ago that we could recommit a bill at any time before final passage; and I move that this measure, the original bill and the House substitute, be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes, which the Secretary will read.

The Secretary read as follows:

Strike out all after the enacting clause and insert:

"That this act shall be known by the short title of 'United States warehouse act.'

"SEC. 2. That the term 'warehouse' as used in this act shall be deemed to mean every building, structure, or other protected inclosure in which any agricultural product is or may be stored or held. The term 'agricultural product' wherever used in this act shall be held to include cotton, grain, and other agricultural products designated by the Secretary of Agriculture to be staple and nonperishable.

"SEC. 3. That the Secretary of Agriculture is authorized to investigate the storage, warehousing, classifying, grading, weighing, and certification of agricultural products; upon application to him, to inspect warehouses or cause them to be inspected; at any time, with or without application to him, to inspect or cause to be inspected all warehouses licensed under this act; to determine whether warehouses for which licenses are applied for or have been issued under this act are suitable for the proper storage or holding of agricultural products; to classify warehouses in accordance with their location, surroundings, capacity, condition, and other qualities, and as to the kinds of licenses issued or that may be issued to them pursuant to this act; and to prescribe the duties of the owners and operators of warehouses licensed under this act with respect to the care of and responsibility for agricultural products stored or held therein.

"SEC. 4. That the Secretary of Agriculture is authorized, upon application to him by the owner or operator of a warehouse, to issue a license for the conduct of the same, subject to this act and such rules and regulations as may be made hereunder. Each license shall specify the date upon which it is to terminate, and, upon showing satisfactory to the Secretary of Agriculture, may, from time to time, be renewed or extended by a written instrument, which shall specify the date of its termination: *Provided*, That the Secretary of Agriculture may, under such rules as he may prescribe, issue a license to any person not the owner or operator of a warehouse, to accept the custody of agricultural products and to store the same in any warehouse or warehouses owned and operated by any State. Each person so licensed shall issue receipts for the agricultural products placed in his custody and shall give bond in accordance with all the provisions of this act affecting the owners and operators of warehouses licensed hereunder, and such rules and regulations as may be prescribed hereunder by the Secretary of Agriculture, and shall otherwise be subject to this act and said regulations.

"The owner or operator of every warehouse licensed under this act shall execute and file with the Secretary of Agriculture a good and sufficient bond to the United States, and such warehouses shall be designated as bonded. Said bond shall be in such form and amount, shall have such surety or sureties, and shall contain such terms and conditions as the Secretary of Agriculture may require to carry out the purposes of this act. No warehouse shall be designated as bonded under this act, and no name or description conveying the impression that it is so bonded, shall be used until a bond such as provided for in this section has been filed with and approved by the Secretary of Agriculture.

"Any person injured by the misconduct or negligence of the principal named in the bond shall be entitled in an action upon the bond, brought in his own right and name in any court having jurisdiction of the same, to recover all losses he may have sustained.

"SEC. 5. That the Secretary of Agriculture shall charge, assess, and cause to be collected a reasonable fee for every examination or inspection of a warehouse under this act when such examination or inspection is made upon application of the owner or operator of such warehouse, and a fee not exceeding $2 per annum for each license or renewal thereof issued to the owner or operator of a warehouse under this act. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

"SEC. 6. That the Secretary of Agriculture may, upon presentation of satisfactory proof of competency, issue to any person a license to classify or grade agricultural products or specified kinds of agricultural products and to certificate the class or grade thereof, or to weigh said agricultural products and certificate the weight thereof; or to classify, grade, and weigh agricultural products or specified kinds of agricultural products and to certificate the class, grade, and weight thereof, under such rules and regulations as may be made pursuant to this act. Any such license issued under this act may be suspended or revoked whenever the Secretary of Agriculture is satisfied that the holder thereof has failed to classify, grade, or weigh agricultural products correctly or has violated any provision of this act or of the rules and regulations made thereunder, or that the license has been used for any improper purpose whatsoever: *Provided*, That no such licensed person shall inspect or grade grain or shall certify, or otherwise indicate in writing, the grade of any grain which has been inspected or graded by him unless and until he has been duly authorized or employed by State, county, city, town, board of trade, chamber of commerce, corporation, society, or association to inspect and grade grain: *Provided further*, That in States which have State grain inspection established by law the Secretary of Agriculture may, in his discretion, issue licenses to persons duly authorized and employed to inspect grain under the laws of such State at the time this act goes into effect.

"SEC. 7. That the owner or operator of every licensed warehouse shall receive for storage, without any discrimination between persons, any agricultural products tendered to him in a suitable condition for warehousing in the usual manner in the ordinary and usual course of business: *Provided*, That grain or flaxseed so received shall be graded and inspected by an inspector duly licensed under this act and shall be stored with grain or flaxseed of a similar grade; and in no case, in a warehouse licensed under this act, shall grain or flaxseed of different grades be mixed together while in store. No owner or operator of a warehouse duly licensed under this act shall sell or otherwise dispose of, or deliver out of store, any such agricultural product without the express authority of its owner and the return of the storage receipt. For all agricultural products stored or held by a warehouse licensed under this act original receipts, serially numbered, shall be issued by the owner or operator thereof, signed by himself or by his duly authorized agent. No such receipt shall be issued except for agricultural products actually stored or held in the warehouse at the time of the issuance thereof. No duplicate of an original receipt shall be issued unless the same be plainly and conspicuously marked "duplicate" upon the face thereof. While an original receipt or any duplicate thereof issued under this act is outstanding and uncanceled by the owner or operator of the warehouse issuing the same no other or further receipt shall be issued for the agricultural product, except that in the case of lost or destroyed receipts new receipts may be issued upon the giving of satisfactory security in compliance with the rules and regulations made pursuant to this act. Any receipt issued in lieu of an original shall be upon the same terms and subject to such conditions as are prescribed by this act for such original receipt. Each original receipt shall contain such terms and conditions, not inconsistent with the laws of the respective States in which issued, as the Secretary of Agriculture may require for carrying out the purposes of this act, including a true statement of the date and place of its issuance, its serial number, and the location of the warehouse in which the agricultural product is stored or held, and shall state that the agricultural product is deliverable upon the return of the receipt properly indorsed and upon payment of proper legal charges, if any be due to the owner or operator of the warehouse. Upon return of the receipt to the owner or operator of the warehouse issuing the same and upon the payment or tender of all advances and legal charges agricultural products of the same class or grade and quantity named therein shall be delivered to the holder of such receipt within 24 hours after facilities for receiving the same have been provided: *Provided*, That in the case of cotton or other agricultural products customarily put up in bales or packages each original receipt shall include a description of such bales or packages by marks, numbers, or other means of identification, and the weight thereof; the owner of such original receipt shall be entitled upon presentation thereof and the payment of accrued charges to receive the identical bale or package described therein within 24 hours after facilities for receiving the same have been provided.

"SEC. 8. That the owner or operator of any warehouse licensed under this act shall keep complete and correct records of all agricultural products stored or held therein and withdrawn therefrom, of all original warehouse receipts, and duplicates of the same, issued by the owner or operator of the warehouse, and of the receipts returned to and canceled by the owner or operator thereof, shall make reports to the Secretary of Agriculture, in such form and at such times as he may require, and shall be conducted and operated in all other respects in compliance with this act and the rules and regulations made hereunder.

"SEC. 9. That any warehouse receipt or certificate of the class or grade of any agricultural product issued under this act shall specify the class or grade of the agricultural product covered thereby in accordance with the official standard of the United States applicable thereto, as the same may be fixed and promulgated hereunder under authority of law: *Provided*, That until such official standards for any agricultural product shall have been fixed and promulgated under authority of law, such warehouse receipts or certificates of the class or grade of agricultural products may be issued in accordance with any other recognized standard, or in accordance with such rules and regulations as may be prescribed by the Secretary of Agriculture. Such receipts or certificates shall show the description or the standard in accordance with which the agricultural product has been classified or graded.

"SEC. 10. That the Secretary of Agriculture is hereby authorized to cause examinations to be made of any agricultural product stored or held in any warehouse licensed under this act. Whenever, after opportunity for hearing is given to the owner or operator of such warehouse, it is determined that such owner or operator of such warehouse is not performing fully the duties imposed on him by this act and the rules and regulations made hereunder, the Secretary may publish his findings.

"SEC. 11. That the Secretary of Agriculture may suspend or revoke any license issued to any owner or operator of such warehouse under this act for any violation of or failure to comply with any provision of this act or of the rules and regulations made hereunder, and any such license may be suspended or revoked, after opportunity for hearing has been afforded to the licensee concerned, upon the ground that unreasonable or exorbitant charges have been made for services rendered.

"SEC. 12. That all the provisions of this act are hereby extended to include warehouses for the storage of tobacco.

"SEC. 13. That the Secretary of Agriculture from time to time may publish the results of any investigations made under section 3 of this act; and he shall publish the names and locations of warehouses licensed and bonded and the names and addresses of persons licensed under this act and lists of all licenses terminated under this act and the causes therefor.

"SEC. 14. That the Secretary of Agriculture is authorized, through officials, employees, or agents of the Department of Agriculture designated by him, to examine all books, records, papers, and accounts of warehouses licensed under this act and of the owners or operators of such warehouses relating thereto.

"SEC. 15. That the Secretary of Agriculture shall from time to time make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

"SEC. 16. That every person who shall forge, alter, counterfeit, simulate, or falsely represent, or shall without proper authority use, any license issued by the Secretary of Agriculture to any owner or operator of a warehouse, or to any grader, classer, or weigher, under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned not more than six months, or both, in the discretion of the court.

"SEC. 17. That the words 'owner' or 'operator' wherever used in this act shall be construed to import the plural or singular, as the case demands, and shall include individuals, associations, partnerships, and corporations.

"SEC. 18. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $100,000, available until expended, for the expenses of carrying into effect the pro-

visions of this act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, and he is authorized, in his discretion, to call upon qualified persons not regularly in the service of the United States for temporary assistance in carrying out the purposes of this act, and, out of the moneys appropriated by this act, to pay the salaries and expenses thereof."

Amend the title so as to read: "An act to authorize the Secretary of Agriculture to license warehouses, and for other purposes."

Mr. SMITH of Georgia. The bill was handed down three weeks ago and laid before the Senate then, when it came from the House. It was formally laid before the Senate, and the request was then made that it might go over without action. I would not have brought this matter to the attention of the Senate had not the President of the Senate handed the measure down as it came from the House and placed it before the Senate.

Mr. REED. Mr. President, a parliamentary inquiry. What is the present status of this bill?

The VICE PRESIDENT. The Chair has no means of obtaining such information except as the Chair gets it from the desk.

Mr. SMITH of Georgia. I renew the motion.

The VICE PRESIDENT. The Chair is informed that the bill was not laid down until this time; that it was requested that it be held by the Journal clerk, and he has held it from the time it came from the House until the present moment.

Mr. REED. Now, what is the motion?

The VICE PRESIDENT. The motion is to refer it to the Committee on Agriculture and Forestry. If there is no objection——

Mr. LEE of Maryland. Mr. President, I object.

The VICE PRESIDENT. The question is, Shall the bill go to the Committee on Agriculture and Forestry?

Mr. LEE of Maryland. Mr. President, I should like to be heard on that question.

The VICE PRESIDENT. The Senator from Maryland.

Mr. LEE of Maryland. Mr. President, for several weeks past this measure has been lying on the desk of the Presiding Officer of the Senate. It is a proposition of vital importance to all the agricultural interests of this country. The Senator from Georgia [Mr. SMITH] and I have been in conference about the matter. We traced the matter to the House and back and followed the proceedings there. The bill as sent back from the House to the Senate can be handled on the floor without the slightest difficulty if there is a willingness on the part of this body to actually stand behind the interests of the farmers and producers of this country. There is no reason, Mr. President, for smothering this bill in committee. There is no reason for creating a conference committee to handle the matter. The bill is a perfectly simple, clear, and straightforward measure.

Mr. SMITH of Georgia. Will the Senator allow me?

Mr. LEE of Maryland. Certainly.

Mr. SMITH of Georgia. I want to assure the Senator there is no purpose of smothering it on my part. It seemed to be smothering where it was, and I hoped by this reference the amendment of the House could be perfected and we could get it in a state where we could vote on it.

Mr. LEE of Maryland. When this matter was first discussed between the Senator from Georgia and myself after it came back from the House he was in doubt whether we could amend it on the floor, but after considering the parliamentary situation he agreed that the bill could be amended by the Senate on the floor in certain minor particulars in respect to which amendments were needed and conceded as necessary by the chairman of the Committee on Agriculture of the House. There are some small amendments that ought to go in to protect the State warehouse system, so that the State warehouse system can operate as well as the privately or corporately owned warehouses, which are provided for under the bill.

Mr. NORRIS. Mr. President, will the Senator yield for a moment?

Mr. LEE of Maryland. I yield.

Mr. NORRIS. I wish to ask the Senator what, in his judgment, is the reason why this bill can not take the ordinary course that bills usually do? Why should it not go to conference now and the amendments the Senator speaks of be agreed to in conference and then reported back to the Senate and the House?

Mr. LEE of Maryland. The reason is this. It depends on how much you are interested, how much the Senator from Nebraska is interested, in acting immediately and affording prompt recognition and relief to the producing agricultural interests of the country. If you do not think it is worth while to handle this propostion that concerns the farmers and producers of this country with any degree of promptness or consideration, very well, refer it back to the committee.

Mr. NORRIS. That is the very reason why I have suggested it ought to go now to conference.

Mr. LEE of Maryland. It is inexplicable that a bill which has been lying here for three weeks, a bill that so vitally concerns the agricultural interests of this country, a bill that can be amended in the Senate in five minutes if the Senate will act and sent back to the House, the House, as I am advised, being ready to concur at once in such amendments as the Senate may suggest, a bill of so much importance to the agricultural interests of the country, should be dealt with in this dilatory fashion.

Mr. GALLINGER. Mr. President, is not the Senator rather rash in saying we can dispose of the bill in five minutes in the Senate?

Mr. REED. Mr. President, a parliamentary inquiry. Under what order are we now proceeding?

The VICE PRESIDENT. None that the Chair knows of, except that a motion to refer a bill to a committee is debatable. The whole procedure was out of order under the call of reports of committees. We have not yet finished the morning business.

Mr. REED. I call for the regular order, Mr. President.

Mr. LEE of Maryland. Mr. President, am I in order?

The VICE PRESIDENT. The Chair is of the opinion that upon an objection being made during the regular morning procedure until it is concluded these motions are not in order.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. If I may be permitted a word, this bill has no privilege. Its privilege is exhausted when the message is laid before the Senate, and it is for the Senate to say whether it will consider it or whether it will not. Of course, it is out of order now, if the Senator from Missouri objects, because we are on morning business.

The VICE PRESIDENT. The Chair was letting it proceed——

Mr. LODGE. Certainly; I understand that.

The VICE PRESIDENT. As nine-tenths of what is done in the morning hour proceeds.

Mr. LODGE. I wish to say a single word. The Senate, of course, has a right to amend an amendment to a Senate bill returned from the House, and the House has the same power in making such amendments. It can adopt any procedure it chooses. It can send it to the committee first, if it likes, and under the House rules that is provided for. But here we have no special rule. However, of course, it is open to send it to a committee, or to amend it on the floor, but at this moment if a point of order is made, as the Senator from Missouri has made it, it is clearly out of order.

Mr. SMITH of Georgia. When a bill has been laid down from the House that had been sent to the House by the Senate, whether in the morning hour or at any other time, it has always been treated as in order to move to refer or to disagree and appoint conferees. That has been the uniform practice here at whatever hour. It does not go to the calendar; it is the present matter before the Senate.

The VICE PRESIDENT. There is not any doubt that that has been done. There is not any doubt but that we have been proceeding in that way; but the Chair believes that there is a certain order of procedure and that, if there be an objection made, that order must be followed.

Mr. SMITH of Georgia. Then will the Chair indicate at what time he considers the matter can be brought before the Senate for the Senate to give direction to it? It seemed to me that the proper time to call it up was in connection with reports of committees in the morning hour; that then we were sending matters to committees and we could handle a matter that was upon the desk not for final action but for temporary action. I do not know any rule specifically setting apart a time to handle such questions; but it is on the table, just like a resolution coming over; it occupies very much the status of a bill reported from a committee or a bill presented, and the Senate assigns it its place, as it has no place now.

Mr. LODGE. If the Senator from Georgia will allow me, a bill returned from the House, a message from the House in any form, or from the President, is privileged to the extent of its being in order to lay it before the Senate at any time; but when that is once done the privilege is exhausted, and the Senate can then deal with it as it pleases. It can consider it at the moment when laid before it. In this case it was laid before us, I understand, three weeks ago, but a request was made that it should go over. The Senate can deal with it at any time. It can consider it; it can refer it; it can amend it; it can do anything it pleases. It can refuse consideration, if it chooses, and let it remain on the table. At this moment, as the Chair has already pointed out, we are still in the morning business, and I think the regular order, of course, can not be interfered with by anything.

Mr. SMITH of Georgia. We are at the close of the morning business, when resolutions and motions that have come over are in order.

Mr. LODGE. The morning business has not closed.

Mr. REED. Mr. President, I would have had no objection at all to the matter being disposed of if it could have been disposed of without debate; but long arguments and speeches at this time imply a reply, and that implies using up the morning hour. That is the reason why I made the objection.

The VICE PRESIDENT. The Chair was in doubt about the matter and permitted the Senator from Maryland to proceed, there being no objection, but clause 6 of Rule VII provides that:

> The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

Manifestly the purpose of that rule was not to permit debate on these questions.

Mr. SMITH of Georgia. With the consent of the Senate, I will withdraw the motion to refer to the Committee on Agriculture and Forestry. I move that the Senate disagree to the House amendment and ask for a conference on the disagreeing votes of the two Houses.

Mr. BURTON. Mr. President, I hope that course will not be pursued. I think there are slight modifications which can be made in the bill, and I feel compelled to object to that course.

The VICE PRESIDENT. The Senator from Georgia moves that the Senate disagree to the amendment of the House and ask for a conference on the disagreeing votes of the two Houses.

Mr. REED. I make the point of order that that motion is out of order.

Mr. BURTON. I should like to ask if that can be done in the face of an objection?

The VICE PRESIDENT. If we can do anything about this matter at all just now, it can be done. The Chair has felt that until the conclusion of the regular routine morning business, upon objection, none of these motions are in order. In order to cut the Gordian knot the Chair will rule upon the objection that until the completion of the routine morning business they are not in order. An appeal can be taken from that, if anyone desires to appeal.

Mr. BRISTOW. Mr. President, we are now under reports of committees.

The VICE PRESIDENT. The Chair holds that the whole matter until the conclusion of the morning business is not in order.

THE PARCEL POST (S. DOC. NO. 944).

Mr. BRISTOW. I submit the report of the Joint Committee to Investigate the General Parcel Post, which I ask may be printed and referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Without objection, it is so ordered.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE.

Mr. WILLIAMS. From the Committee to Audit and Control the Contingent Expense of the Senate I report back favorably without amendment Senate resolution 539, authorizing the Committee on Agriculture and Forestry to hold hearings, and so forth, for which I ask immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 539), introduced by Mr. GORE on the 11th instant, as follows:

> *Resolved*, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be authorized, during the Sixty-third Congress, to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had or may have been had in connection with any subject which may be pending before the said committee; and the expense thereof shall be paid out of the contingent fund of the Senate.

Mr. KENYON. I should like to ask the Senator from Mississippi if this resolution proposes to cover the investigation by the subcommittee to investigate the foot-and-mouth disease?

Mr. WILLIAMS. No; that has been already covered by another resolution. This is chiefly in connection with some investigations about grain.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was agreed to.

SCHOOL BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. HOLLIS. From the Committee on the District of Columbia I report back favorably House bill 13222, to regulate the use of public-school buildings and grounds in the District of Columbia. This bill was introduced simultaneously in the House and in the Senate a year ago. It was reported unanimously by the Senate Committee on the District of Columbia, and passed the Senate without objection. It went to the House, and instead of being acted upon there the House took up a bill of the same tenor that was introduced by Mr. JOHNSON of Kentucky, and passed it and sent it here. In order that the matter may be finally disposed of I ask that the House bill may be put upon its passage at this time.

Mr. REED. Mr. President, I ask that the bill may go over until to-morrow in order that I may examine it.

The VICE PRESIDENT. Objection being made, the bill will be placed on the calendar.

Mr. HOLLIS. Mr. President, I think the request of the Senator from Missouri was not that the bill should go to the calendar. I understand that he asked to have it go over until to-morrow. I think that request would hardly displace the bill.

The VICE PRESIDENT. Where is the rule that permits a bill to go over for a day? There is objection to its present consideration.

Mr. REED. I meant my statement to be in the form of a polite objection to the consideration of the bill at this time. I meant to imply that I would not object to its consideration to-morrow morning.

Mr. HOLLIS. Then I ask unanimous consent to withdraw the report.

Mr. SMOOT. I object to the consideration of the bill.

The VICE PRESIDENT. The Senator from New Hampshire withdraws the report.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRADY:

A bill (S. 7636) granting an increase of pension to Frank L. Simpson (with accompanying papers); and

A bill (S. 7637) granting an increase of pension to James A. Saurbaugh (with accompanying papers); to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 7638) creating a board to investigate and report on the relations existing between the United States of America and the District of Columbia, and to make recommendations for legislation thereon; to the Committee on the District of Columbia.

By Mr. SHIELDS:

A bill (S. 7639) granting an increase of pension to James Wilson;

A bill (S. 7640) granting an increase of pension to William R. Morrell; and

A bill (S. 7641) granting an increase of pension to William H. Conner; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7642) granting an increase of pension to Alexander D. Smalley; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 7643) granting a pension to Neal England, alias Joseph England; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 7644) to remove the charge of desertion against Allen Ellsworth (with accompanying papers); to the Committee on Military Affairs.

By Mr. HUGHES:

A bill (S. 7645) to provide for the retirement of employees in the classified civil service in post offices of the first and second class; to the Committee on Civil Service and Retrenchment.

By Mr. CHILTON:

A bill (S. 7646) to authorize Parkersburg-Ohio Bridge Company, a corporation created and existing under the laws of the State of West Virginia, its successors and assigns, to construct a bridge across the Ohio River from the city of Parkersburg, State of West Virginia, to the town of Belpre, State of Ohio; to the Committee on Commerce.

By Mr. BRADY:

Joint resolution (S. J. Res. 235) for the relief of N. B. Pettibone (with accompanying papers); to the Committee on Post Offices and Post Roads.

Joint resolution (S. J. Res. 236) for the relief of James L. Cardwell (with accompanying paper); to the Committee on Public Lands.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GRONNA submitted an amendment providing that it shall be unlawful for any person, firm, or corporation to send through the mails any newspapers, magazines, circular letters, or other matter advertising the sale or gift of any commodity or article, etc., intended to be proposed by him to the Post Office

appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. POINDEXTER submitted an amendment proposing to provide the Federal aid necessary to demonstrate the practical value of the amendments to the denatured alcohol law of the act of October 3, 1913, intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SAULSBURY submitted an amendment providing for the connecting of the parkway between Rock Creek and Potomac Parks in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JOHNSON submitted an amendment proposing to increase the appropriation for a domestic potato investigation from $50,000 to $125,000, intended to be proposed by him to the Agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. HUGHES submitted an amendment providing that any employee in the classified civil service in post offices of the first and second class or in the Railway Mail Service or Rural Delivery Service, who has served the United States for 30 years or more and who shall have attained the age of 60 years or over, may retire and shall receive 50 per cent of the average annual salary pay or compensation he may have received for the five years next preceding his retirement, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. O'GORMAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, Executive Clerk, announced that the President had approved and signed the following act on February 11, 1915:

S. 655. An act authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reservation and open the same to settlement.

LIMITATION OF DEBATE.

Mr. REED. Mr. President, a parliamentary inquiry. I gave notice on yesterday that I would introduce an amendment to Rule XL. I desire to inquire from the Chair whether that amendment can be introduced during the morning hour under the head of "Concurrent or other resolutions"?

The VICE PRESIDENT. The Chair was proposing to hand them down in regular order.

Mr. REED. Mine was merely a notice yesterday. I now desire to present a formal resolution. Is it in order at this time to present it? That is the inquiry. The question was raised yesterday whether this could be done in the morning hour, and I desire a ruling of the Chair as to whether it can be done in the morning hour.

The VICE PRESIDENT. The thing that has heretofore been done, since the present occupant of the chair has been here, has been this: That the notice has been given, it being a notice in writing, and it has been handed down as the last thing in the regular routine morning business as resolutions coming over from a preceding day. That is the way it always has been done.

Mr. REED. I did not regard the notice as a resolution, but a notice that a resolution would be introduced.

The VICE PRESIDENT. The Senator from Missouri can introduce it now.

Mr. REED. I now desire to introduce the resolution.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

To the United States Senate:

Pursuant to the provisions of Rule XI of the standing rules of the Senate, I propose the following amendment to the rules:

Add, at the end of Rule XXII of the standing rules of the Senate, the following:

"Not later than the hour of 2 o'clock p. m. of the calendar day, February 19, 1915, all debate upon Senate bill 6856 shall cease, and at the time aforesaid the Senate shall proceed to vote upon said bill and all amendments thereto without further debate. The final vote upon said bill shall be taken not later than 5 o'clock p. m. of said date.

"The foregoing proceedings shall have precedence over all other motions whatsoever."

Mr. REED. Mr. President, upon that I ask for the yeas and nays.

Mr. GALLINGER. Mr. President, I make the point of order that the resolution proposes to fix a time for a final vote, which is a matter that heretofore it has been considered necessary to obtain unanimous consent to do. I think it should go over anyway one day.

Mr. REED. I could not hear the statement of the Senator.

Mr. GALLINGER. My observation was that the resolution changes the rules of the body, and ought to go over at least one day; and I added, furthermore, that it proposes to secure a final vote on a bill by a majority of this body without commitment to a committee. Heretofore it has required unanimous consent to secure a vote of that kind. Now, does the Senator propose to change our procedure in that regard by this resolution?

Mr. REED. I propose, if this resolution is in order, to now ask a vote.

Mr. GALLINGER. I move to refer the resolution to the Committee on Rules.

Mr. REED. I move to lay that motion on the table.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The motion to lay on the table is not debatable.

Mr. REED. Upon that I ask for the yeas and nays.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. SMOOT. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Utah will state his point of order.

Mr. SMOOT. Is this the notice that was given by the Senator from Missouri yesterday to change the rules?

The VICE PRESIDENT. It is.

Mr. SMOOT. Well, the point of order is, Mr. President, that under the rules such a notice must lie over for a day and that it must be referred to the Committee on Rules under the rules. That is the only way to proceed.

Mr. REED. The pending question is a motion to table, and the point of order does not go to that.

The VICE PRESIDENT. No.

Mr. SMOOT. The point of order——

Mr. CLARK of Wyoming. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Wyoming.

Mr. CLARK of Wyoming. I think many of us were not listening when the resolution was read, and I will ask to have the subject matter read again from the desk.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary again read the notice submitted by Mr. REED.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. GALLINGER. Will the Chair state, so that it may be understood, what we are voting on?

The VICE PRESIDENT. The Senate is not voting; the roll is about to be called in response to the suggestion of the absence of a quorum.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Newlands	Smith, Ariz.
Borah	Gore	Norris	Smith, Ga.
Brady	Gronna	O'Gorman	Smith, Md.
Brandegee	Hollis	Overman	Smith, Mich.
Bryan	Hughes	Owen	Smith, S. C.
Burleigh	James	Page	Smoot
Burton	Johnson	Penrose	Stephenson
Catron	Jones	Perkins	Sterling
Chamberlain	Kenyon	Pittman	Stone
Chilton	Kern	Poindexter	Sutherland
Clapp	La Follette	Pomerene	Thomas
Clark, Wyo.	Lane	Reed	Thompson
Colt	Lea, Tenn.	Robinson	Thornton
Crawford	Lee, Md.	Root	Tillman
Culberson	Lewis	Saulsbury	Townsend
Cummins	Lippitt	Shafroth	Walsh
Dillingham	Lodge	Sheppard	Warren
du Pont	Martin, Va.	Sherman	Weeks
Fall	Martine, N. J.	Shields	White
Fletcher	Myers	Shively	Williams
Gallinger	Nelson	Simmons	

Mr. THORNTON. I desire to announce the necessary absence of the junior Senator from Louisiana [Mr. RANSDELL] and to state that he is paired with the junior Senator from Massachusetts [Mr. WEEKS]. I ask that this announcement stand for the day.

The VICE PRESIDENT. Eighty-three Senators have answered to the roll call. There is a quorum present.

On yesterday the Senator from Missouri [Mr. REED] gave notice of an amendment to the rules. He gave it in writing. It went over until to-day. He supplements it now with what

is termed a resolution, which is in substance the same as the notice given on yesterday. The Senator from New Hampshire [Mr. GALLINGER] has moved to refer it to the Committee on Rules. The Senator from Missouri has moved to lay the motion to refer the resolution to the Committee on Rules on the table. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). I have a temporary pair with the Senator from North Dakota [Mr. MCCUMBER], and in his absence I withhold my vote.

Mr. WEEKS (when his name was called). On this question I am paired with the Senator from Louisiana [Mr. RANSDELL], and I therefore withhold my vote.

The roll call have been concluded, the result was announced—yeas 45, nays 46, as follows:

YEAS—45.

Ashurst	Lane	Pomerene	Stone
Bryan	Lea, Tenn.	Reed	Swanson
Chamberlain	Lee, Md.	Robinson	Thomas
Chilton	Lewis	Saulsbury	Thompson
Fletcher	Martin, Va.	Shafroth	Thornton
Gore	Martine, N. J.	Sheppard	Tillman
Hollis	Myers	Shields	Walsh
Hughes	Newlands	Shively	White
James	Norris	Simmons	Williams
Johnson	Overman	Smith, Ariz.	
Kern	Owen	Smith, Md.	
La Follette	Pittman	Smith, S. C.	

NAYS—46.

Bankhead	Colt	Kenyon	Sherman
Borah	Crawford	Lippitt	Smith, Mich.
Brady	Cummins	Lodge	Smoot
Brandegee	Dillingham	McLean	Stephenson
Bristow	du Pont	Nelson	Sterling
Burleigh	Fall	O'Gorman	Sutherland
Burton	Gallinger	Oliver	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Works
Clark, Wyo.	Hitchcock	Poindexter	
Clarke, Ark.	Jones	Root	

NOT VOTING—5.

Culberson	Ransdell	Smith, Ga.	Weeks
McCumber			

So the Senate refused to lay the motion to refer on the table.

Mr. REED. Mr. President——

The VICE PRESIDENT. The question is on the motion to refer to the committee.

Mr. REED. I move to amend the motion to refer to the Committee on Rules so as to refer to the Committee on Finance. I make that motion for the reason that it is well known that the majority of the Committee on Rules are opposed to any amendment to the rule that will cut off debate or that will give us an opportunity to dispose of this business. That fact is shown by the action of the committee in reporting adversely the Williams resolution, and upon my motion I now demand the yeas and nays.

Mr. GALLINGER. Mr. President, I move to lay the amendment on the table.

Mr. REED. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRYAN. Mr. President, a parliamentary inquiry.

Mr. BANKHEAD. Mr. President, a parliamentary inquiry. I should like to know what the motion is.

The VICE PRESIDENT. The motion is to lay on the table the motion of the Senator from Missouri to refer the resolution to the Committee on Finance.

Mr. BRYAN. Mr. President, is a motion to refer to a committee amendable by substituting another committee?

Mr. SMITH of Georgia. The rules expressly say that it is not.

The VICE PRESIDENT. The question was not raised.

Mr. BRYAN. I raise it.

Mr. REED. Mr. President, the roll call has been started.

Mr. GALLINGER. There has been no response to the roll call, I understand.

The VICE PRESIDENT. There has been no response to the roll call. The Senator from Florida raises the point of order that the motion to refer to the Committee on Rules is not amendable. The Chair will be compelled to sustain the point of order, under section 1 of Rule XXVI:

> When motions are made for reference of a subject to a select committee, or to a standing committee, the question of reference to a standing committee shall be put first; and a motion simply to refer shall not be open to amendment, except to add instructions.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I move to amend the motion to refer to the Committee on Rules by adding the instruction that the Committee on Rules shall report the resolution forthwith, and favorably, and without further amendment.

Mr. GALLINGER. I move to lay that on the table.

Mr. REED. The Senator from New Hampshire will kindly wait until I get off the floor.

Mr. GALLINGER. Certainly.

Mr. REED. I want to state that there is no rule of the Senate to which my attention has been called requiring any motion of this kind to go to a committee. That rule ordinarily applies, but it does not apply here, because the notice takes its place. The rule is:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule may be suspended without notice by the unanimous consent of the Senate.

Upon my motion, Mr. President, I demand the yeas and nays.

Mr. GALLINGER. Mr. President, I move to lay the amendment on the table.

Mr. REED. Mr. President, I have the floor, and am demanding the yeas and nays, and my demand has not been disposed of.

Mr. GALLINGER. That does not make any difference.

The VICE PRESIDENT. A motion to lay on the table can not be cut off.

Mr. GALLINGER. Of course not.

Mr. REED. Upon that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). Again announcing my temporary pair with the senior Senator from North Dakota [Mr. MCCUMBER], I withhold my vote.

Mr. WEEKS (when his name was called). I again announce my pair with the junior Senator from Louisanna [Mr. RANSDELL] and withhold my vote.

The roll call having been concluded, it resulted as follows:

YEAS—46.

Bankhead	Colt	Kenyon	Sherman
Borah	Crawford	Lippitt	Smith, Mich.
Brady	Cummins	Lodge	Smoot
Brandegee	Dillingham	McLean	Stephenson
Bristow	du Pont	Nelson	Sterling
Burleigh	Fall	O'Gorman	Sutherland
Burton	Gallinger	Oliver	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Works
Clark, Wyo.	Hitchcock	Poindexter	
Clarke, Ark.	Jones	Root	

NAYS—46.

Ashurst	Lane	Pomerene	Smith, S. C.
Bryan	Lea, Tenn.	Reed	Stone
Chamberlain	Lee, Md.	Robinson	Swanson
Chilton	Lewis	Saulsbury	Thomas
Fletcher	Martin, Va.	Shafroth	Thompson
Gore	Martine, N. J.	Sheppard	Thornton
Hollis	Myers	Shields	Tillman
Hughes	Newlands	Shively	Walsh
James	Norris	Simmons	White
Johnson	Overman	Smith, Ariz.	Williams
Kern	Owen	Smith, Ga.	
La Follette	Pittman	Smith, Md.	

The VICE PRESIDENT. On the motion to lay on the table the amendment of the Senator from Missouri, the yeas are 46 and the nays are 46; so the amendment is laid on the table. The question now recurs on the reference of the resolution to the Committee on Rules.

Mr. JAMES and Mr. REED called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

During the roll call,

Mr. REED. Mr. President, before the result of this vote is announced I desire to challenge the announcement of the vote last taken, which was on the motion to table my motion to instruct the committee.

Mr. GALLINGER. Mr. President, that is not in order.

Mr. PENROSE and others. Regular order!

Mr. REED. I insist that I have the right, before any other business is transacted, to have that vote verified. I challenge that vote, and I state to the Senate now that the record shows that a mistake was made in the announcement.

Mr. GALLINGER. Pending this roll call, nothing is in order.

The VICE PRESIDENT. Just a moment. The Senate of the United States can not afford, even if it does have a rule that a roll call can not be interrupted, to say that if there has been an incorrect announcement from the desk with reference to a preceding vote the matter shall not be determined. We can not afford to do that. The Chair will instruct the Secretaries to verify the preceding vote, and to state whether or not there was a correct announcement.

Mr. HUGHES. Mr. President, I ask for a recapitulation.

Mr. SMOOT. Mr. President, why not read the yea-and-nay vote?

The VICE PRESIDENT. Yes; the yeas and nays will be read, and we will see whether or not they are correct.

Mr. PENROSE. That should be done at the proper time.

The VICE PRESIDENT. The Chair does not think anyone will appeal from the Chair on a matter of that kind.

The Secretary recapitulated the vote on Mr. GALLINGER's motion to lay on the table.

The VICE PRESIDENT. The Secretary announces now that on the motion to lay on the table the vote is yeas 46, nays 46. The motion is lost.

Mr. REED. Mr. President——

Mr. CLARK of Wyoming. Regular order!

Mr. REED. I am rising to a question of high privilege.

The VICE PRESIDENT. Just one moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 6856. The Senator from Missouri.

Mr. REED. In view of the fact that there was a mistake made in the announcement of the vote on the question of laying my motion on the table, my motion being to instruct the committee to report forthwith and favorably and without amendment, I think the RECORD now ought to show that the subsequent proceedings are void, so that the question will now stand before the Senate as it would have stood if this error had not been made. I ask unanimous consent, in order that the RECORD may be correct, that the subsequent proceedings shall be held to be null and void.

Mr. OVERMAN. And expunged.

Mr. REED. And expunged.

Mr. GALLINGER. Mr. President, I do not object to that. The announcement was not made, as I remember.

The VICE PRESIDENT. It was not made.

Mr. GALLINGER. And the hour of 2 o'clock has arrived. I quite agree that that may be done as far as I am concerned.

The VICE PRESIDENT. The subsequent proceedings will be stricken out.

Mr. LA FOLLETTE. Mr. President——

Mr. REED. I make the point now, because I am appealing to the sense of fairness of the Senate. An error having occurred in the count, there being no fault on the part of anyone cencerned in making the motion, and I think without any intentional fault by anyone, the time lost ought to be counted as though it had not been lost, and we should proceed now to vote upon the main question, the reference to the committee with instructions.

Mr. JAMES. It would not have occurred but for the error.

Mr. REED. This situation would not have occurred except for the error. The Senate can not afford to take any advantage of an error of that sort.

The VICE PRESIDENT. The Chair can not turn the clock back.

Mr. GALLINGER. No; if we are going to take care of the lost time in the Senate, we will be in more trouble than we have been in the last month. I object.

The VICE PRESIDENT. There is objection.

Mr. GALLINGER. Regular order!

Mr. FLETCHER. In view of the situation I ask unanimous consent that the unfinished business be temporarily laid aside until this matter is disposed of.

Mr. GALLINGER. I object.

Mr. REED. I move that the Senate proceed——

Mr. GALLINGER. Regular order!

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin. The Chair understands that the Senator from Missouri has yielded the floor.

Mr. REED. I have yielded the floor.

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. REED. Mr. President, I desire, however, before yielding the floor——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I desire, before formally yielding the floor, to say that I reserve the right now, and I give notice now, that to-morrow morning during the morning hour I shall bring forward this question, and shall insist at that time that this proposal before the Senate, as it is privileged, shall have precedence over any other business in the morning hour.

Mr. LODGE. The Senator can move to take it up. It is on the calendar.

Mr. GALLINGER. It will be resisted as a privileged motion. The Senator can move to take it up.

Mr. REED. I have not yielded the floor. Mr. President, I move that we proceed to the consideration of the rule which I have just offered, as that rule is now amended.

The VICE PRESIDENT. The question is on the motion of the Senator from Missouri.

Mr. OLIVER. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Pennsylvania will state it.

Mr. OLIVER. My point of order is that the Senator from Missouri had, in distinct terms, yielded the floor and the Senator from Wisconsin [Mr. LA FOLLETTE] had been recognized, and that consequently the Senator from Missouri did not have the floor when he made that motion.

Mr. REED. Mr. President——

The VICE PRESIDENT. The last inquiry the Chair made was whether the Senator from Missouri had yielded the floor, and the Senator from Missouri moved to take up this motion to amend the rules. The question is on the motion.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

The VICE PRESIDENT. Senators, we must have some order. The roll call can not proceed. The clerks are unable to hear. We have had one mistake made this morning, and we do not want any more. Could the Senate of the United States just be kind enough to be in order?

Mr. GALLINGER. For a minute or two.

The VICE PRESIDENT. For a minute or two.

Mr. JONES. Mr. President, has the roll call been begun?

The VICE PRESIDENT. It has, and it will proceed.

The Secretary resumed the calling of the roll.

Mr. CULBERSON (when his name was called). Again announcing my pair, I withhold my vote.

The roll call having been concluded, it resulted—yeas 47, nays 47, as follows:

YEAS—47.

Ashurst	Lane	Pomerene	Smith, Md.
Bryan	Lea, Tenn.	Ransdell	Smith, S. C.
Chamberlain	Lee, Md.	Reed	Stone
Chilton	Lewis	Robinson	Swanson
Fletcher	Martin, Va.	Saulsbury	Thomas
Gore	Martine, N. J.	Shafroth	Thompson
Hollis	Myers	Sheppard	Thornton
Hughes	Newlands	Shields	Tillman
James	Norris	Shively	Walsh
Johnson	Overman	Simmons	White
Kern	Owen	Smith, Ariz.	Williams
La Follette	Pittman	Smith, Ga.	

NAYS—47.

Bankhead	Colt	Kenyon	Sherman
Borah	Crawford	Lippitt	Smith, Mich.
Brady	Cummins	Lodge	Smoot
Brandegee	Dillingham	McLean	Stephenson
Bristow	du Pont	Nelson	Sterling
Burleigh	Fall	O'Gorman	Sutherland
Burton	Gallinger	Oliver	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Weeks
Clark, Wyo.	Hitchcock	Poindexter	Works
Clarke, Ark.	Jones	Root	

NOT VOTING—2.

Culberson	McCumber

The VICE PRESIDENT. The yeas are 47 and the nays are 47. The Vice President votes "yea," and lays the motion before the Senate.

Mr. REED. On that I demand the yeas and nays.

Mr. LODGE. What is the question now?

The VICE PRESIDENT. The question is to refer the proposed amendment to the rules to the Committee on Rules with instructions.

Mr. REED. On that I demand the yeas and nays.

Mr. NORRIS. Mr. President, a parliamentary inquiry. Is not the question on the motion of the Senator from Missouri, to amend the motion to refer by adding instructions?

The VICE PRESIDENT. That is right.

Mr. LODGE. By adding instructions. Mr. President, I take it that the question is debatable.

Mr. REED. Upon that I ask for the yeas and nays.

Mr. LODGE. I can not be taken from the floor or be cut off with a demand——

Mr. REED. The Senator can not get the floor while I have it.

Mr. LODGE. The Senator did not have it. I made the point of order and was recognized.

Mr. REED. I have demanded the yeas and nays, and the Chair started to put it. I should like to have that part completed.

Mr. LODGE. I asked a parliamentary question, whether this is not debatable?

The VICE PRESIDENT. Undoubtedly it is a debatable motion.

Mr. REED. I demand the yeas and nays on the question.

The yeas and nays were ordered.

The VICE PRESIDENT. Under the decision of the Senate the question is debatable.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. I move to amend the motion to instruct the Committee on Rules by striking out the instructions given and adding that they be instructed to report as a substitute for the proposed amendment to the rules a new rule to be known as Rule XLI.

The VICE PRESIDENT. It will be read.

The SECRETARY. The Senator from Nebraska moves as an amendment to strike out the amendment proposed by the Senator from Missouri and in lieu to insert:

That the committee be instructed to report:

"Rule XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over one day and shall then be decided without debate. When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall in addition to said 15 minutes be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours. When the bill is being read for amendment all debate shall be confined to the amendment which is then pending."

Mr. NORRIS. Mr. President, I was interrupted and I did not hear the Secretary when he first began to read. I only desire this as an amendment to the instructions. I do not want to strike out the word "forthwith." I am informed that the Secretary did not read that word. I desire the resolution to read, if this were amended, that the Committee on Rules are instructed to forthwith report the rule back amended by inserting what I have offered as a substitute for the rule itself.

Mr. STONE. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. STONE. I understood he had yielded the floor.

The VICE PRESIDENT. The Chair does not know whether he had yielded or not.

Mr. STONE. Has the Senator from Nebraska yielded the floor?

Mr. NORRIS. Yes; I am perfectly willing to yield.

Mr. STONE. The Chair asked the question.

The VICE PRESIDENT. The Chair did not know.

Mr. NORRIS. Yes.

Mr. STONE. I wish to ask the Chair at this point a question which, I think, has been decided in different ways, whether, after the yeas and nays have been ordered, an amendment to the pending question upon which the yeas and nays have been ordered is in order. I wish to say to the Senator from Nebraska that personally I will vote for his proposition if it can be brought before the Senate, but I wish to say that I would regard it as unfortunate at this time to complicate the pending question in the way proposed. Of course, these latter observations are addressed particularly to the Senator from Nebraska and can have no influence on the mind of the Chair and should not in answering the parliamentary question.

Mr. NORRIS. Mr. President, I was unable to hear what the Senator said owing to the confusion in this part of the Chamber. If he has addressed any remarks to me, I have not heard them.

Mr. STONE. I had addressed a parliamentary question to the Chair, and pending that I made an observation intended particularly for the consideration of the Senator from Nebraska, which I will repeat. I said that if the rule proposed by the Senator from Nebraska, which is a general proposition, were adopted, it would become a part of the standing rules of the Senate. I am not objecting to it. I am not putting myself in opposition to it, except to say to the Senator and to the Senate that if it is the desire of a majority of the Senate that a vote should be had on the bill we have been discussing here for many days, the shipping bill, so called, some rule must be adopted.

Now, we have a proposition before the Senate in form, and any addition to it or material change in it, it seems to me, will result in confusing the consideration of it and tend to defeat anything. I was very greatly in hopes that the Senator from Nebraska would permit the Senate to come to a vote upon the question as presented by my colleague [Mr. REED]. If afterwards the Senate desires in due course to establish a more permanent rule, I will join the Senator from Nebraska, as far as I am concerned, in taking it up and aiding as far as I can to that end.

Mr. NORRIS. If the Senator will yield further, I should like to say to the Senator that I am perfectly willing to vote either on the proposition I have submitted or the proposition the Senator's colleague has submitted; but the Senator knows that they are both debatable and we will not reach a vote. If anyone wants to debate it, we can not help that.

Now, I prefer to adopt a rule which is permanent when we adopt one—that will apply to every bill and any bill that may be considered under its terms, although I am not saying I would not under conditions that might be exasperating vote for a special rule.

But there are serious objections to that, in my judgment. There are many Senators here who will vote for a general rule somewhat on the line I have offered, involving no principle, who will not vote for a special rule. I have not by my offering this amendment delayed consideration. Both are debatable. I was going to debate them, but I understood the Senator from Wisconsin [Mr. LA FOLLETTE], who had given us notice to make a speech on the joint resolution that he offered, wanted to be heard, and I did not care to take him off the floor by talking now.

Mr. STONE. Nor do I. Mr. President, there is this thought that I wish to impress upon the Senator from Nebraska. His proposition is an offer to amend the pending proposition. That takes another vote. Every time you add a vote you put an obstacle in the way of reaching anything.

Mr. NORRIS. That is true; but any Senator can offer a dozen substitutes, even if they were voted down or defeated. There is not any limit to the number which may be offered.

Mr. STONE. I am aware that if the Senator from Nebraska can offer an amendment, some other Senator can; but, Mr. President, we are now at a pivotal and critical point, where I feel that if we stick to this proposition we will put it through the Senate and establish a rule by which the Senate will be brought to a vote on the main question, if the friends of the measure, among whom I count the Senator from Nebraska, judging by his votes, though I have never conferred a moment with him about it, are in favor of the measure with one or two amendments to it. Here is what can be done if we get the rule.

Mr. President, here is what can be done if we get a ruling: The amendment would be offered, and under the rule we would have to vote at a certain time on the bill and all pending amendments, thus bringing it directly to a test of strength in the Senate; but we must first have the rule, and I hope the Senators who wish to bring the matter to a test will not themselves interpose anything that tends to embarrass the progress of the movement here to establish even a special rule.

Mr. President, I wish to ask a parliamentary question. I ask whether an amendment, in the present parliamentary status, such as has been proposed by the Senator from Nebraska [Mr. NORRIS], or any other form of amendment to the pending question, is in order?

The VICE PRESIDENT. There was an appeal in the Senate from a decision of the Chair the other day, and the Senate decided that the Chair was in error, and that amendments may be offered and this question debated.

Mr. STONE. Well, I withdraw the question.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. LANE. I should like to ask the Senator from Nebraska a question.

The VICE PRESIDENT. Does the Senator from Wisconsin yield?

Mr. LANE. It will take but a moment.

Mr. LA FOLLETTE. I yield merely for a question.

Mr. LANE. Mr. President, I should like to ask the Senator from Nebraska a question. I understood him in his remarks the other day to say that he was in a general way in favor of the passage of this bill or a similar measure. I ask him if he has analyzed his motion? If his motion were to prevail, and the Senate began its work upon the schedule therein provided, it would take 13 days of 24 hours each in order to reach a conclusion, and if we only worked 12 hours a day we would consume 26 days. His motion, if it prevails, practically kills the bill at this session, if every Senator takes advantage of the opportunity offered.

Mr. NORRIS. If the Senator from Wisconsin will yield to me to answer the question of the Senator from Oregon, I should like to answer it.

The VICE PRESIDENT. Does the Senator from Wisconsin yield further?

Mr. NORRIS. The Senator from Oregon obtained the permission of the Senator from Wisconsin to ask me a question.

He has not yet asked me a question, but he has made a statement.

Mr. LA FOLLETTE. I yield for a brief statement.

Mr. NORRIS. I will only reply briefly now to the Senator from Oregon [Mr. LANE], but when the Senator from Wisconsin shall have concluded, or at another time, I shall reply at length.

I wish to say that the Senator from Oregon is entirely wrong. He assumes that every Senator in the Senate is going to take the maximum time allowed by the proposed rule. If the friends of the bill want to do that, of course they can kill almost anything. I want to say to the Senator in a brief statement—and it answers the Senator from Missouri briefly also—that I consider this rule, if it should be adopted, of more importance than the pending bill, and I would rather have it adopted than any other concrete proposition of legislation that could be proposed here; it would be worth a special session; but the Senator must get away from the idea that by offering this amendment I am delaying matters.

The other proposed rule is debatable; it is subject to endless debate, just the same as is the bill itself. There is not any difference in it. It is amendable ten thousand times; and I am not willing to suffer under the charge that, as one of the friends of the measure, I am trying to delay it.

As I said the other night, I do not believe that we are going to be able to pass the shipping bill at this time; we are going to have a special session, anyway, whether we pass it or not. I want to get a rule of the Senate that will be permanent, that when we do come to take up the bill we can take it up or take up any other bill and come to a vote on it. That is the reason I have offered this amendment to the amendment. I consider it more important than any other measure which can be offered.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

PROPOSED INTERNATIONAL PEACE CONFERENCE.

Mr. LA FOLLETTE. Mr. President, I interrupt the proceedings upon the pending motion to discuss briefly the joint resolution which I had the honor to submit to the Senate on the 8th of February. I send the resolution to the Secretary's desk, and ask that it be read.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Secretary will read as requested.

The Secretary read the joint resolution (S. J. Res. 234) authorizing the President of the United States to convey to all neutral nations the desire of this Government for an international conference for the purpose of promoting by cooperation and through its friendly offices the early cessation of hostilities and the establishment of peace among the warring nations of Europe, the clear definition of the rights of neutral nations, and for other purposes, as follows:

Whereas the most powerful nations of Europe have been engaged for over half a year in a terrible war of cumulative intensity and increasing destruction of human life; and

Whereas recent inventions have revolutionized methods of warfare, giving rise to unprecedented situations and conditions; and

Whereas the ever-widening field of hostile operations in the war zone encroaches more and more day by day upon the common highways of commerce, inviting to complications which may at any moment entangle one or more of the neutral nations in situations of the gravest peril; and

Whereas it becomes of the utmost importance that at the earliest moment a conference of the neutral nations should be called to consider the rights of neutrals under existing conditions to work out a policy for the preservation of their own peace and to tender their best offices of mediation to the belligerent nations; and

Whereas we, the people of the United States, are bound to each of the warring nations by ties of blood and country, compelling in us a profound interest in the cessation of hostilities and the restoration of peace, and, by inheritance, are best fitted to make initial appeal to each nation: Now, therefore, be it

Resolved, etc., That the President be authorized to convey to all neutral nations the desire of this Government that an international conference be held for the purpose of promoting by cooperation and through its friendly offices—

First. The early cessation of hostilities and the establishment of peace among the warring nations of Europe.

Second. The consideration of uniform rules and regulations for the general limitation of armaments and the nationalization of the manufacture of all equipment and supplies used exclusively for military and naval purposes.

Third. The consideration of rules and regulations for the prohibition of the export of arms, ammunition, artillery, vessels of war, armor plate, torpedoes, or any other thing designed to be used exclusively for military and naval purposes from one country to another.

Fourth. The ultimate establishment of an international tribunal where any nation may be heard on any issue involving rights vital to its peace and the development of its national life—a tribunal whose decrees shall be enforced by the enlightened judgment of the world.

Fifth. The consideration of plans for the federation of the neutral nations and the promotion of rules and regulations which will provide for the neutralization of certain waters and maritime trade routes and such other and further action as shall establish a clear definition of the rights of neutral nations and insure, if possible, the peaceful maintenance and preservation of the sovereign rights of neutral commerce against dangers to which they are exposed through the extraordinary conditions developed by the world's greatest war.

Sixth. And for such other and further action as may tend, however remotely, to establish permanent world peace.

Resolved further, That the President be authorized to appoint commissioners to represent the United States at any such conference, whether called by the United States or any other nation.

SEC. 2. That in case such international peace conference shall be called by the United States or any other nation, the sum of $25,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the expenses of the representatives of the United States at said conference.

Mr. LA FOLLETTE. Mr. President, four days have elapsed since that joint resolution was introduced. In that brief time I have received many letters and telegrams and there have been brought to my attention a number of editorials in support of the resolution. I ask unanimous consent that I may be permitted to print certain of these telegrams and editorials as an appendix to my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, I do not purpose to speak at length on this resolution. Its object is plain. The need is urgent. Half of the world's population is at war. The heart of Europe is one great battle field.

It seems incredible that the greatest powers of the Old World could be at war for more than half a year without some definite united action on the part of neutral nations.

But it may be said in extenuation that the peace of the world was broken without warning. Stunned by the explosion, the neutral nations have looked on dazed, expecting from day to day and hoping in some vague way that a great and decisive battle with the modern enginery of war would end it as suddenly as it began. We are just coming to realize that the conflict may go on for years, with cumulative intensity and increasing destruction of human life, unless the half of the world that is neutral can, through the weight of its united appeal, without offense, find a way to lead these warring brothers back to peace.

It is estimated that by the 1st of January, in western Europe alone, more than 3,000,000 people had been rendered homeless; that more than a million of these were practically starving; that half a million men had been killed outright in battle; that more than 4,000,000 were officially reported killed, wounded, and missing; and that in the field hospitals more than 500,000 amputations had been performed. The war is adding every day not less than fifty millions of debt to be borne by coming generations. Up to January 1 it had cost seven thousand million dollars.

In our own country alone, considering all that enters into the creation, organization, and preparation of armies and navies, as well as the actual warfare for which they are designed, we have expended in the last 36 years more than $11,100,000,000. This is 72 per cent of the whole national expenditure as compared with 28 per cent spent on the civil administration of national affairs.

But no mere enumeration of the extravagant waste of money in preparation for war, and the loss of life in battle as an incident to it, can be made to measure the real cost of war.

The diversion of the energies and skill of half a dozen nations turned from useful and productive industry into an organized body of millions of men whose orders are to lay waste and destroy; the draft upon the strength and endurance of women; the orphanage of children; the destruction of life on such a scale that Governments are drafting women as "war brides," spreading broadcast the slogan "breed before you die," degrading the noblest ideals of parenthood to the rearing of children for slaughter; the serious suggestion that polygamous marriage may be encouraged at the close of the war in order to replenish its ravages—these things, in all their elemental savagery, reveal the true cost of war. It is a reversion of civilization to barbarism.

It devolves upon the peoples of the world who are not in this conflict, who can still exercise a calm and dispassionate judgment, to confer together and strive, and strive again and yet again, as the unbiased friend of each of the belligerents, to bring about a cessation of hostilities through offers of mediation.

Mediation has well been called "applied brotherhood."

Less than a year ago Argentine, Brazil, and Chile set the world a noble example in their proffer of mediation in the case of Mexico. Wholly aside from its immediate purpose, it was of inestimable value in bringing these progressive and potentially powerful sister Republics into closer and more intimate relation with our Government.

An international conference at this time, even if limited to the neutral nations of North and South America, would unify and strengthen the interrelations so fortunately established by the A. B. C. conference. But it is to be hoped that all neu-

tral nations will respond to the call, should this or some similar resolution pass, and the President act upon the authority conferred. If some nation should for any reason decline the invitation, a convention of those desirous of participating should, nevertheless, be authorized immediately. It can not do harm by any possibility. It offers opportunity to render great and lasting service to all mankind.

Because the people of the United States are bound by ties of blood and country to all the nations involved in the conflict, it is fitting that we should take the initial step in issuing the call for such a conference.

The significance of our relations was dramatically portrayed when the call to arms came from the "old country." Men who had lived at peace as fellow citizens, neighbors, friends, working side by side as brothers, hastily departed from this their adopted land, under different flags, over different routes, to meet again in hostile camps and engage in slaughtering each other on European battle fields.

The neutrality of the United States can not and should not be that of selfish indifference. It is based on sympathetic love and understanding. As a people we are intensely interested in the cessation of a war that is slaying our kindred, bringing indescribable desolation to the lands we love and to the homes of our fathers.

We do not want to see the map of Europe changed by might of conquest. We can not believe that it is in the interest of human progress that any one of the nations should be wiped off the face of the earth. It is our inherent desire that each should preserve its natural autonomy; that each should have the largest opportunity for self-development, the largest share in the world's progress; and that each should be given, as of right, access to the highways of the sea.

It is a mistaken policy that assumes a community of nations can prosper any more than can a community of individuals by one or more tyrannizing over the others and monopolizing the world's markets. The world's greatest progress must be best served by the largest possible development of the national life of each country. We believe there is still room for all in the vast and undeveloped areas of the earth.

It is objected that the warring nations do not want peace; that they would rather fight it out even if it leads to extermination. But we do not know what they want. Underneath all the unflinching courage—and it has been wonderfully sustained—between the lines of the most defiant dispatches from the seat of war one feels from time to time a desperate paralyzing apprehension. What other meaning have these mutual threats of starvation and ultimate annihilation?

Whatever may be the mind of the belligerents regarding a termination of the war to-day, no one can say what it may be to-morrow. Certain it is that they are not so entirely engrossed in the business of destroying one another or so unreservedly confident of methods and results as to be wholly indifferent to the good opinion of the balance of the world.

During this protracted struggle each side has striven with all its might to win the sympathetic approval of the United States. To this end an unprecedented effort has been put forth through organized publicity. This anxiety of the belligerents for the support of public opinion in this country should in itself inspire us with confidence at this time.

If the nations who are locked in this death struggle feel that the approbation of a single neutral country is of so much value that they have employed every conceivable means, through powerful governmental agencies to secure it, how potent will be the moral effect of a combination of all neutral nations, backed by the united voice of 800,000,000 people, pleading with a friendly persistence that can not be denied for the cessation of hostilities and demanding a peaceable recognition of their neutral rights?

But, Mr. President, if broad humanitarian considerations do not move the neutral nations to meet in conference with a view of tendering their best offices in mediation, then, sir, I say that a proper concern for the welfare of the nations at peace makes it imperative that such a conference should be called. It is demanded for the preservation of the sovereign rights and the integrity and peace of the neutral nations of the world.

In the early weeks of this war it was the commonly expressed hope and belief that the struggle would end from sheer exhaustion within three months. But day by day the combat grows more furious and its termination more remote. And as the conflict rages each side becomes more desperate and seizes upon every possible chance for advantage, with less and less regard for the rights of neutral powers.

The use for war purposes of aeroplanes, submarines, mines, torpedoes, and deadly gaseous fumes increases the horror beyond imagination. But the introduction of these new instruments of destruction is even more alarming in that they create conditions without precedent and give warrant to a reckless disregard of regulations and restraints that heretofore have been imposed by international law upon belligerents. What follows?

The situation is filled with menace. Who can say at what moment the dark curtain that veils so much of the struggle may be swept aside by uncontrolled forces that will fasten upon the peaceful nations and draw the whole world into the vortex of war?

Great Britain assumes the right to fly our flag in self-protection. We are warned that Germany may not be able to determine whether our flag designates a neutral or an enemy. England from day to day enlarges her list of contraband and imposes conditions and exactions which well-nigh paralyze neutral commerce. Germany declares "war zones" to blockade English ports.

In an address before the governing board of the Pan American Union in December, Señor Naón, ambassador from Argentina, presented a comprehensive statement of the growing need of distinction between the rights of neutrals and the rights of belligerents. Dr. Naón is a recognized authority of the highest rank. I quote from his admirable address:

> I recognize that it would have been difficult to foresee how deeply this war was going to affect the nations of the world which, far from the councils in which European interests were discussed, find themselves nevertheless compelled to suffer the restriction of their rights and the paralysis of the essential sources of their economic development. But this situation which has been created can not continue. In addition to the general inconvenience, justice and the law which direct world relations are opposed to it. Up to the present time an explanation could be found for the development of the principles of international law in giving consideration above all to the needs of belligerents, and the accentuation of their rights, because almost the entire weight of the horrors and sorrows of war fell upon them. The interests of the neutral country were not greatly affected. At that time the activity of nations from an economic and commercial point of view was exercised with much greater independence in respect to other nations than in our day. And notwithstanding the natural hardships which a state of war might impose upon them, neither the enormous and far-reaching economic development nor the intertwining commercial relationships created by modern internationalism under the influence of scientific progress upon the industrial activity of the world had been attained.

As Dr. Naón says:

> Face to face with the rights of belligerents we now have the rights of neutrals.

The safeguards of peace require that the rights of belligerents and the rights of neutrals be clearly defined in the light of modern conditions.

Pertinent to the discussion is the following from John Bassett Moore, former counselor of the State Department, and foremost American authority on international law:

> If, instead of the naval supremacy now exercised in its own interest, and in that of its allies, by the largest consumer of our agricultural products and foodstuffs, the control of the seas were actually contested by powerful hostile fleets, it is almost appalling to reflect upon what might be the present state of our commerce. The bare suggestion of such a predicament, for the study of which conditions in the more or less distant past furnish ample materials, justifies us in giving to the subject our most serious consideration, for we must look to the future as well as to the present.

Since these lines were penned by that eminent publicist the conditions have undergone a tremendous change. The very menace of which he spoke as a possibility is now foreshadowed. Every hour the danger of these complications becomes more imminent.

Mr. President, it is imperative that the nations at peace should meet in conference for the purpose of considering the rights of neutrals under existing conditions and to work out a policy for the preservation of their own integrity and their own peace.

It is far from my intention, in offering this resolution for a conference of neutral nations, to discuss in any comprehensive way its scope and powers. The exceeding gravity of the world situation will cause every neutral power to select conferees of the highest fitness and broadest outlook. At no time in history are we likely to get a wiser, more enlightened, and advanced judgment.

There are two or three propositions which the highest authorities agree are fundamental to permanent peace. These I mention in passing.

The first, perhaps, is the limitation of armaments, and the nationalization of the manufacture of all equipment and supplies used exclusively for military and naval purposes.

Another is the prohibition of the exportation of arms, ammunition, artillery, vessels of war, armor plate, torpedoes, or anything used exclusively for military and naval purposes from one country to another.

The Secretary of Commerce reports that in the month of November, 1914, American manufacturers shipped to England car-

tridges valued at $1,231,235—amounting to 50,000,000 rounds. It is estimated that one soldier is killed or wounded for every thousand rounds fired in battle. Hence in one month we shipped to England enough cartridges to kill or wound 50,000 human beings.

It is revolting that we should encourage or permit traffic in arms and ammunition by private capital for profit with organized Governments, thus prompting selfish interest to influence legislation increasing appropriations in preparation for war and furnishing incentive to intrigue in domestic and foreign affairs to make a war market for private advantage.

It is repugnant to every moral sense that Governments should even indirectly be drawn into making and prosecuting a war through the machinations of those who make money by it. Yet the vast capital privately invested in plants for naval construction and the manufacture of munitions of war necessary for the equipment of armies has the strongest possible inducement to employ every means to shape conditions and influence policies which lead on to armed conflict. It means business. It means dividends. It means great accumulations of wealth in private hands to be again turned, through organization, into the building of more plants, more battleships, the manufacture of more powder, more shot and shell. In the end it has but one purpose, and that is to sacrifice human life for private gain.

Back of every big Army and Navy appropriation bill is the organized power of private interest, pressing for larger appropriations, for more battleships, more armor plate, more powder, more rifles, more machine guns, a larger standing Army, a bigger Navy; because there follows in the wake of such legislation fat Army contracts, with attendant opportunity for graft and easy money.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. With pleasure.

Mr. KENYON. I do not want to disturb the Senator, because I am in thorough sympathy with everything he has said.

Mr. LA FOLLETTE. It will not disturb me at all.

Mr. KENYON. He will remember, too, in this report from the Secretary of Commerce as to munitions of war shipped abroad during the month of November, that it embraced, as I figure it out, in addition to the cartridges the Senator has spoken of, about 40,000 rifles, which have been used in some way to keep this war going on. Does not the Senator think we had better stop praying for peace in this country as long as we are shipping out these munitions of war for profit?

Mr. LA FOLLETTE. Yes, Mr. President; I will say to the Senator I think it hardly consistent that we should pray for peace and at the same time supply the ammunition to continue the war. Let me say further that I am indebted to the Senator from Iowa, who has just asked the question, for calling my attention to the report of this shipment of cartridges. I did not refer to the rifles, as the cartridges illustrate the point I desired to make. The report covered only the sales for one month, and involved, as the Senator from Iowa says, a large shipment of rifles and other munitions of war.

Mr. THOMAS. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Colorado.

Mr. THOMAS. If it will not disturb the Senator, the remark of the Senator from Iowa reminds me that the recent disclosures of Dr. Liebnicht of the extent to which this world-wide aggregation of capital behind the manufacture and sale of war equipment had gone, and which led to a most revolting scandal in German military and naval circles, also disclosed the amazing fact that many of those who are now praying for peace were and doubtless still are interested in furnishing this equipment, and enjoy the dividends that are earned by the blood and tears of humanity.

Mr. LA FOLLETTE. I quite agree, of course, with the observation of the Senator from Colorado. We have not escaped the taint which seems to creep into these Army and Navy contracts everywhere. We have had our own armor-plate scandals

Mr. President, over and over again we have heard the same arguments from the same organs of the great special interests, making their hypocritical appeals on the ground of patriotism; urging that thorough preparation for war is always a sure guaranty of peace.

What State, what city, finds security for peace and good order in allowing every man to "pack a gun"? Why have civilized communities enacted laws and ordinances prohibiting inhabitants from going about armed? States are but aggregations of individuals. Nations are but great groups of human beings. The deadly weapon within easy reach of the hand breeds a murderer. And nations armed to the teeth quickly resort to killing as a means of settling their differences.

It is agreed that the ultimate establishment of an international tribunal is an essential part of any world peace program. Just what form such a tribunal would take must be worked out by the combined wisdom of a conference of nations. My own judgment is that it should be more in the nature of a commission than a court, because international disputes should not be subject to the technicalities and delays incident to court procedure. It should be possible to call in the most eminently qualified persons to deal with the particular problem at the particular time.

Faith in the enforcement of the decrees of an international tribunal by public opinion alone has been weakened by recent developments. There is manifested a strong disposition to resort to the plan of an international police for the execution of the orders of a world tribunal. It may be that this is a necessary step in the evolution of universal peace, but I am inclined to the judgment of the late Justice Brewer, expressed at the Lake Mohonk Conference on International Arbitration some time ago. He maintained that a group of neutral nations could more effectively enforce an arbitration decree without than with military force and bloodshed. It was his view that a decree by an organized body representing all of the nations, whereby the offending nation would be cut off from intercourse with all others until it should comply, would be so drastic a force that no nation would ever allow itself to be placed in such a position.

If an alarming situation such as the one suggested by John Bassett Moore, just quoted, should develop to a stage which would practically prohibit neutral commerce, neutrals would be compelled to resort to naval convoys in order to reach the markets of the belligerents, or to declare an embargo on all trade with belligerents. In my judgment the peaceful course would be the most effective course.

Mr. President, I have not attempted to discuss in any comprehensive way the vital questions with which the proposed conference would deal. These problems the nations themselves must solve.

What stands out in bold relief is the unmistakable duty of the American Congress to authorize the President to convey to neutral nations the desire of this Government for an international conference for the purpose of promoting by cooperation and through its friendly offices the early cessation of hostilities, the establishment of peace among the warring nations of Europe, the clear definition of the rights of neutral nations, and for the other purposes to which I have briefly adverted.

Sir, it were folly to pretend that the mere calling of the proposed conference will end hostilities. But it is little short of an international crime for Congress to withhold from the President the authority and the necessary appropriation enabling him to act as the occasion shall commend itself to his expressed desire to initiate such proceeding as may, in the providence of God, aid in bringing peace to the nations now at war.

We can not longer avoid our responsibility. The balance of the world at peace waits on this Government. Neutral rights demand a clearer definition. Delay is filled with menace.

Shall we wait until other nations are drawn into the struggle? Or shall we and the neutral nations meet and make articulate the protest of the peaceful half of the world's population—a protest tempered by sympathy and affection and reason, and yet so strong and so persistent that it shall finally be heard above the roar and crash of the world's greatest war?

I ask, Mr. President, that the resolution may be referred to the Committee on Foreign Relations.

APPENDIX.

[From the New York Sun, Tuesday, Feb. 9.]

A CONGRESS OF NEUTRALS.

The peace resolution offered in the Senate yesterday by Mr. LA FOLLETTE, and to be advocated by him in that body to-day, deserves in its general intention and scope the sympathy and support of every American—of every neutral. Putting the need of peace proposals on the sole ground of the increasing dangers of complications likely to injure neutrals or drag them into the war, which every week, almost every day, brings, that need is instant and imperative. More and more as a fiercer, more reckless, and more desperate spirit animates the warring powers their indifference to the rights and interests of neutrals grows. Be it under the irresistible instinct of self-preservation or a maddened hatred of their foes, they are constantly encroaching on neutral trade and neutral self-respect.

Of the strong and unselfish reasons—the general, obvious, humanitarian reasons—for favoring this and every other honest attempt to end the long misery and massacre of Europe it is superfluous to speak. It is enough to say that as a matter of self-protection, if from no other motive, the neutral nations may well assemble such an international conference as Mr. LA FOLLETTE proposes. Such a congress has justification and work enough, even if it deals only "with the rights of neutrals under existing conditions" and seeks only "to work out a

policy for the preservation of their own peace." No harm, if no immediate or certain good, can come from the further aim of "promoting by cooperation and through friendly offices the early cessation of hostilities and the establishment of peace."

The rest of Mr. LA FOLLETTE'S irenic and international program need not now be considered. A congress of neutrals for the benefit of the rights of neutrals and for peace, if peace can be made; what well-founded objection lies to such a body for such a task?

But peace is impossible now; the powers don't want peace; at least Germany and Great Britain, the protagonists of the drama of ruin, don't want peace. As to this, remember Hosea Biglow on prophecy. The exterior port and pose of the fighters is known to the world. Their real wishes, exigencies, secret fears, and distrust are unknown. We guess that any one of them would be mighty glad to have the slaughter and the squandering cease if with no loss of "face" it could be done. Anyway it is intelligent self-interest for neutral nations to work for their own pocketbooks and security and try and stop a war into which our altruistic trans-Atlantic friends seem more and more bent on dragging them.

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[From the Baltimore Sun, Wednesday, Feb. 10.]

SENATOR LA FOLLETTE'S PEACE CONFERENCE.

Senator LA FOLLETTE'S resolution proposing an international conference of neutral nations for the purpose of bringing the European war to an end, limiting armaments, establishing a tribunal for the adjudication of vital international issues, and for defining and protecting the commercial rights of noncombatant countries has much to commend it, not only as a general proposition, but as an immediate need. We can not see that there is any weighty objection to it; there is a possibility that it might do a great deal of good, and there is little danger that it would do much harm. Such a conference would, of course, have to be carefully guarded so as to keep it neutral in spirit as well as in word. The slightest suspicion of bias in any direction would not only invalidate its authority, but might arouse suspicions and jealousies that would lead to serious results. Such a danger is more or less remote, and so far as the United States is concerned it would be easy to protect ourselves from serious mistakes by making the action of our delegates dependent upon the ratification of our Government.

Necessarily a conference of this kind could speak only for the powers taking part in it, and their action at the present stage could only be advisory, except as to the commercial and other rights of neutrals. It does not seem likely that Italy, Roumania, Bulgaria, or Greece would be represented. They are all so near the "ragged edge" of the precipice that they are liable to be swept down into it at any time. Their neutrality is an armed one of "watchful waiting" at best. Holland is interested in the protection of neutral commerce, and so are Denmark and Sweden, and so far as we can see there are no apparent reasons why they should not be willing to take counsel with us along the lines indicated in Senator LA FOLLETTE'S resolution. China might send delegates, and would probably be glad to do so in view of the fact that she is the victim of every aggressor who comes her way. The South American countries could also be counted on, with a good deal of confidence, to unite in the deliberations.

But though the conference would thus necessarily be very limited and one-sided in its international aspects, it could speak with a very weighty voice on the subject of neutral trade, and possibly with a great deal of ultimate influence with regard to the other questions which it is proposed to submit to it. As to commercial freedom on the part of neutrals and their relief from the impositions and encroachments of belligerents, it might serve a very important and immediate need. They have a right to commercial life, liberty, and the pursuit of trade without the consent of warring nations, and if the latter can set off "war zones," they certainly have equal authority to demand the establishment and recognition of peace zones in which their trade will be free from the threat of danger.

It was an accidental but interesting coincidence that on the day on which Mr. LA FOLLETTE introduced his resolution in the United States Senate, Earl Grey presided at a meeting held in London to advocate an agreement among the countries of the world for the enforcement of international law. He predicted that "this logical and necessary complement of The Hague tribunal will be adopted when the nations again meet in consultation"; and a resolution was adopted by the meeting declaring it to be "imperative that a peace be established which shall secure collective responsibility by all civilized nations for the maintenance and enforcement of international law."

If the conference proposed by Senator LA FOLLETTE should be held, it would naturally be held in the United States; and though at present the prospect does not seem promising that it could bring about peace in the very near future, yet the fact that such an international body was in session might offer the very opportunity and the very agency needed for the opening of negotiations. It might be two or three months before the delegates could assemble, and by that time all the combatants may be more willing than they are now to listen to suggestions.

—

[From the New York Evening Post, Feb. 9.]

Senator LA FOLLETTE'S resolution authorizing the President to seek joint action by neutral nations in order to secure peace may not be got through Congress, and if it is it may not be immediately effective, but is a move in the right direction. It would be an impressive tender of good offices to the belligerent countries. None of them might accept it at first. Any sign by one of willingness to cease fighting would be taken by the others as a confession of weakness. But the resolution of Senator LA FOLLETTE goes much further than a proffer of mediation. It includes the terms of lasting peace—peace without a worm in it, in Cromwell's phrase. For the plan is to urge as an essential part of the settlement an agreement to limit armaments, to prevent the further private manufacture and private sale of arms and munitions of war, and to provide an international court before which all nations shall bind themselves to bring their grievances. The whole scheme may be said to be impracticable at present. It can scarcely be more impracticable than the war is showing itself to be. In any case, the adoption of the resolution by Congress and an earnest attempt by the President to carry it out would be a fitting sequel to the refusal of the United States to rush into big armaments at this time, and would show what power we still believe to reside in moral forces.

—

CHICAGO, ILL., *February 12, 1915.*

ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.:

In behalf of united peace forces of Chicago, accept thanks for your efforts to stop war.

LOUIS P. LOCHNER,
Secretary Emergency Peace Federation.

CHICAGO, ILL., *February 12, 1915.*

Senator ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.:

Please accept the gratitude and appreciation of the Woman's Peace Party for what you are doing to-day.

HARRIET P. THOMAS,
Executive Secretary.

—

NEW YORK CITY, *February 11, 1915.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

Most earnestly commend your resolution inviting conference representatives neutral nations, and pray for its adoption.

OSWALD GARRISON VILLARD.
MRS. HENRY (FANNY G.) VILLARD.

—

RIDGEWOOD, N. J., *February 12, 1915.*

ROBERT LA FOLLETTE,
United States Senate, Washington, D. C.:

Your resolution for a world conference of the nations at peace expresses a very well-settled public opinion. It is a fine idea.

JAMES G. BLAUVELT.

—

NEW YORK CITY, *February 11, 1915.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

Desire to express enthusiastic approval of proposed conference of neutral States as step toward representation of neutrals in peace negotiations as soon as these may be entered on.

MARY K. SIMKHOVITCH.

—

PHILADELPHIA, PA., *February 9, 1915.*

United States Senator LA FOLLETTE,
Washington, D. C.:

Nothing that you have done in years pleases sane people of the world more than your peace-conference resolution to-day. Congratulations. Macte virtute.

JOHN E. MILHOLLAND.

—

NEW YORK CITY, *February 9, 1915.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

In the name of women of 16 countries whom I represent in your country I wish to express my gratitude for the historically important bill which you introduced in favor of early peace.

Respectfully, yours,

ROSIKA SCHWIMMER.

—

NEWARK, N. J., *February 12, 1915.*

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.:

Everybody I have talked with about it heartily indorses your resolution providing for a conference between the neutral nations in the hope of ending the European war and establishing permanent peace. I am sure the whole nation will rejoice over the adoption of your resolution.

EDMUND BURKE OSBORN.

—

CHICAGO, ILL., *February 9, 1915.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

Delighted to read of your resolution this morning. The world may think it impossible to stop the war, but we know it can be done, because it is what the whole world wants. Faith and fearlessness are all that is needed, and you are the person of all others to lead the way.

JULIET BARRETT RUBLEE.

—

JERSEY CITY, N. J., *February 12, 1915.*

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.:

I earnestly hope the Senate will unanimously pass your resolution providing for an international peace conference of the neutral nations of the world. The object which you seek to accomplish is of highest importance to mankind. Even if the attempt should fail, it is still worth making. I find that people without exception are in favor of it.

MARK M. FAGAN,
Mayor Jersey City.

—

BOSTON, MASS., *February 11, 1915.*

Senator ROBERT M. LA FOLLETTE,
Washington, D. C.:

I believe that a conference of neutral nations might react powerfully upon the men and women of every land who are opposed to wars of aggression, and who desire such terms of peace to prevent war as shall pave the way for lasting peace. I hope your resolution will prevail.

ELIZABETH GLENDOWER EVANS.

—

NEW YORK CITY, *February 11, 1915.*

Senator ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.:

I sincerely hope the peace resolution will win. It is based upon sound principles. Only through such a plan is reasonable assurance of peace possible. No measure short of what you urge can recommend itself to practical minds. Shallow measures will only prevent the progress toward a solution. The great problem involved must be met in a broad and fundamental manner. Am glad you have taken the lead in this work.

AMOS PINCHOT.

REGULATION OF IMMIGRATION—VETO MESSAGE.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. The Senator from Vermont.

Mr. DILLINGHAM. Just prior to the adjournment last evening I had been calling the attention of the Senate to the decrease in the percentage of those races in the United States which were born in northern and western Europe and the unexampled increase which had occurred during the 10 years between 1900 and 1910 in the numbers of those races coming from eastern and southern Europe. I had also called attention to

the fact that of the 11,000,000 immigrants who had been admitted from eastern and southern Europe in the preceding 17 years probably 75 per cent had gone directly to the industrial centers of the United States and were to be found in our cities. Conditions in the cities had not been so much changed when President Cleveland interposed his veto against a similar bill in 1897.

He said:

It can not be shown, however, that it affects all cities, nor that it is permanent—

He is speaking about the influx of men of foreign nations—

nor does it appear that this condition, where it exists, demands as its remedy the reversal of our present immigration policy.

The fact that the increase in the population of our cities has largely come by reason of foreign immigration during the last two decades has been sharply challenged in debate in this body during the present session. For that reason I beg leave to call the attention of the Senate to some facts which I have gleaned from the census of 1910, and among them the following: I find that in 1900, 64.6 per cent of all those born abroad residing in New England and the Middle Atlantic States of New York, Pennsylvania, and New Jersey were in the cities, and I find that 10 years later, in 1910, 70 per cent of the foreign born in that vast territory were found in the cities. The same authority states that in the Middle Atlantic States, New York, Pennsylvania, and New Jersey, 83.9 per cent of the foreign-born population were found in the cities. Going to the New England States and considering them alone, it is found that 92.4 per cent of the entire foreign-born population are residents in the great centers of society.

I quote from the census of 1910, volume 1, page 171, where it is stated that—

The conditions in the New England and Middle Atlantic divisions are especially noteworthy. Only about one-third (33.9 and 34.4 per cent, respectively) of the urban population of these divisions in 1910 consisted of native whites of native parentage, while over two-thirds of the rural population (69.8 per cent and 67 per cent, respectively) were of that class. Broadly speaking, of the urban population of these divisions almost one-third were foreign-born whites, fully one-third (including persons of mixed parentage) were native children of foreign-born whites, and about one-third were native whites of native parentage.

In this connection it is interesting to note that in this rapid movement of the foreign-born population toward the centers there has been a vast increase in the population of the cities as contrasted with the population of the rural districts. The census of 1880 showed that only 29½ per cent of the entire population of the United States were in the cities, while the census of 1910, 30 years later, shows that 46.3 per cent of the entire population were found in the cities. It also shows that the increase in the urban population during the period from 1900 to 1910 was 11,013,738, or 38.8 per cent, while in the rural sections of the country the increase is only 4,963,953, or 11 per cent. In other words, the increase in the population of the cities of the United States was more than three times as great in percentage as the increase of the population in the rural districts.

It has also been claimed, Mr. President, in this debate that the growth of the cities was more to be accounted for by the migration from the country districts to the city than by the movement of the immigrant class toward such centers. To show that such is not the fact I have selected the 10 principal cities of the United States, and beg to quote from the census regarding them.

It appears from the census of 1910 that during the 10 preceding years the increase in the native white population of New York City was 30 per cent, while the increase in the foreign population of that city was 52.9 per cent.

In Chicago the native white population increased 25.5 per cent; the foreign-born population, 33.4 per cent.

In Philadelphia the native white population increased 15.5 per cent; the foreign-born population, 30.3 per cent.

In St. Louis the increase in the native white was 20.6 per cent, while that of the foreign born was only 13.3 per cent.

In Boston the increase in the native white population was 17.5 per cent, while that in the foreign-born population was 23.5 per cent.

In Cleveland the increase in the native white was 41.7 per cent; that of the foreign-born white 57.4 per cent.

In Baltimore the increase in the native white was 9.7 per cent, and 13.4 per cent of the foreign-born white.

In Pittsburgh the increase in the first class was 16.3 per cent; that of the foreign-born white 22.7 per cent.

In Detroit the increase in the native white was 63.5 per cent and in the foreign born 63 per cent, while in Buffalo the increase in native white was 23 per cent and in the foreign-born white it was only 13.1 per cent.

From this table it appears that the increase in population among the foreign born in the larger cities has been much greater than in the country, the exceptions being St. Louis, Detroit, and Buffalo, the difference in Detroit not being appreciable.

But, to throw still greater light upon this question, I want further to quote from the census of 1910, from which it appears that in that year in New York City the percentage of those of native parentage was only 19.3 per cent. In Chicago those born of native parents was 20.4 per cent; in Philadelphia, 37.7 per cent; in St. Louis, 39.3 per cent; in Boston, 23.5 per cent; in Cleveland, 23.6 per cent; in Baltimore, 46.8 per cent; in Pittsburgh, 33 per cent; in Detroit, 24.7 per cent; and in Buffalo, 28.2 per cent.

Now, going to some of the manufacturing cities of the country, I call attention to the fact that those of native-born parentage residing in Lowell, Mass., constituted only 19.5 per cent of the population of the city; in Paterson, N. J., 22.6 per cent; in Providence, R. I., 26.7 per cent; in Worcester, Mass., 28.4 per cent; in Rochester, N. Y., 34.2 per cent; in Brockton, Mass., 45.5 per cent; in Lawrence, 13.6 per cent; and in Waterbury, Conn., 24.9 per cent.

In connection with this statement I ask leave to insert tables taken from the census which not only give the information which I have stated but also give the percentages of those of foreign birth and those whose parents, one or the other of them, were foreign born. It is a most interesting table and one to which some Senators may wish to refer.

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). Without objection leave will be granted.

The tables referred to are as follows:

Foreign born, foreign or mixed parentage, and native parentage in cities (whites).

[Census 1910, vol. 1, pp. 178, 179.]

	Per cent.
New York:	
Foreign born	40.4
Foreign or mixed parentage	38.2
Native parentage	19.3
Chicago:	Per cent.
Foreign born	35.7
Foreign or mixed parentage	40.8
Native parentage	20.4
Philadelphia:	
Foreign born	24.7
Foreign or mixed parentage	32.1
Native parentage	37.7
St. Louis:	
Foreign born	18.3
Foreign or mixed parentage	35.9
Native parentage	39.3
Boston:	
Foreign born	35.9
Foreign or mixed parentage	38.3
Native parentage	23.5
Cleveland:	
Foreign born	34.9
Foreign or mixed parentage	39.9
Native parentage	23.6
Baltimore:	
Foreign born	13.8
Foreign or mixed parentage	24.1
Native parentage	46.8
Pittsburgh:	
Foreign born	26.3
Foreign or mixed parentage	35.9
Native parentage	33.9
Detroit:	
Foreign born	33.6
Foreign or mixed parentage	40.4
Native parentage	24.7
Buffalo:	
Foreign born	28.0
Foreign or mixed parentage	43.3
Native parentage	28.2
Lowell, Mass:	
Foreign born	40.9
Foreign or mixed parentage	39.5
Native parentage	19.5
Paterson, N. J.:	
Foreign born	36.1
Foreign or mixed parentage	40.0
Native parentage	22.6
Providence, R. I.:	
Foreign born	34.0
Foreign or mixed parentage	36.7
Native parentage	26.7
Worcester, Mass.:	
Foreign born	33.2
Foreign or mixed parentage	37.5
Native parentage	28.4
Rochester, N. Y.:	
Foreign born	27.0
Foreign or mixed parentage	38.4
Native parentage	34.2
Brockton, Mass.:	
Foreign born	27.1
Foreign or mixed parentage	31.4
Native parentage	40.5
Lawrence, Mass.:	
Foreign born	48.1
Foreign or mixed parentage	37.9
Native parentage	13.6
Waterbury, Conn.:	
Foreign born	24.9
Foreign or mixed parentage	39.1
Native parentage	24.9

RESTRICTION NOT A NEW POLICY.

Mr. DILLINGHAM. But President Wilson based his veto upon the fact that this bill is what he denominates a radical departure from the well-established policy of the Government. I hardly think that statement is correct; but even if it be correct, does it furnish a basis for a veto of a measure of this character at this time?

I think he must have overlooked the fact that for 20 years the Nation has been demanding just this type of legislation; he must have overlooked the fact that 30 years ago we began the restrictive policy in the adoption of the contract-labor law, and we adopted that law because we did not want unfair competition against the labor element of the United States by those coming from foreign nations. That law was intended, undoubtedly, more to protect the skilled labor of the United States than any other, because at that time the demands for common labor had not become as great as later on; but, nevertheless, the principle of restriction was just as firmly asserted in that legislation as it is in the legislation the purpose of which is to restrict in some measure the flow of immigration into this country at the present time, consisting as it does of unskilled common or farm labor, among the males to the extent of 90 per cent of the whole, competing as it does with the common labor of this country at all the great centers of our industries, and in such a way as to reduce the earning capacity of this class of wage earners and to destroy the American standard of living.

The restrictive legislation of 1885 to which I have referred is found rewritten in the bill which has been vetoed. It is known as the contract-labor clause. Among the excluded classes are "persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country."

That, Mr. President, in substance, was the legislation adopted 30 years ago, and was absolutely restrictive in its character and was based upon the rights of the United States in the protection of its own citizens and their well-being to forbid the solicitation and the bringing into this country of men who would actually compete against the laboring men of this country in the labor market of the Nation.

So then a restrictive measure when applied to common labor stands upon precisely the same principle, a principle that has been recognized by this Government, and one which has been in operation during the last three decades of its history.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Will the Senator from Vermont yield to the Senator from South Dakota?

Mr. DILLINGHAM. I yield to the Senator.

Mr. STERLING. The Senator from Vermont may intend to cover in his discussion the point to which I should like to call his attention.

Mr. DILLINGHAM. I shall be very glad to do so.

Mr. STERLING. The President, as the Senator will recall, places his objection to the bill on two grounds, the first of which is in the following language, quoting from the President's message:

> It seeks to all but close entirely the gates of asylum which have always been open to those who could find nowhere else the right and opportunity of constitutional agitation for what they conceived to be the natural and inalienable rights of men.

The question I should like to ask the Senator is, what particular language of the bill is referred to by the President here?

Mr. DILLINGHAM. Such language does not exist. Mr. President. I know of no language in the bill which will bear that construction.

Mr. STERLING. Does not the present law exclude anarchists or persons who believe in or advocate the overthrow by force or violence of government?

Mr. DILLINGHAM. It does; and the present bill strengthens that law and makes it much more effective.

I want to say in connection with the Senator's inquiry that this bill, in addition to the literacy test, embraces all the recommendations that were made by the Immigration Commission of 1907, no one of which has ever as yet been enacted into law, sadly as they are needed, simply because President Taft, on the recommendation of a Cabinet officer, vetoed the former bill and because the veto in this case has been interposed by President Wilson. The country has been waiting for the last four years for legislation that will strengthen the existing law and make it more effective. The President admits this in his message, because he says it has many admirable features.

I have a list of the many recommendations which I might incorporate in my remarks except for the time it would take to read them, but I state broadly that all the advantages intended to have flowed from the action of the Immigration Commission, which gave three years of hard study to this work and gathered a fund of information which had never before been brought together on this subject in the history of our legislation. All, I say, of the commission's recommendations have been incorporated in this bill, and they go down with the literacy test. Speaking in reply to the inquiry of the Senator from South Dakota as to the right of asylum, let me add that the bill itself provides:

> That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

The right of asylum is fully protected in this measure.

GROWTH OF PUBLIC SENTIMENT.

Mr. President, in 1889 there was a strong and increasing interest in this question of immigration. One political party or the other in 23 different States had placed in their platforms a plank demanding a more rigid execution of the laws and the adoption of additional measures for the purposes of regulating and restricting immigration. And yet at that time the new immigration, as we style it, that was coming from eastern and southern Europe had not amounted to a million souls, but it was coming in largely increasing numbers. We had then admitted only about 700,000, but even that number had aroused the attention of thinking men. Both legislators and people were startled by the fact that the census of 1890 showed that in the last decade the increase in the native-born citizens of this country had been only 22.1 per cent, while the increase in the percentage of those born abroad had been 31.7 per cent.

I ought to say in this connection that in 1888 a report had been made by what was known as the Ford committee, appointed under authority of Congress, recommending many amendments intended to strengthen the law. The bill so recommended did not become a law, but Congress became deeply interested in the question.

THE SITUATION AT THAT TIME.

I now read from the report of the Immigration Commission:

> The subject of immigration continued to be a matter of interest, and in 1889 a standing Committee on Immigration in the Senate and a select Committee on Immigration and Naturalization in the House were established. In 1890 these committees were authorized jointly to make an inquiry relative to immigration and to investigate the workings of the various laws of the United States and of the several States relative to immigration.

The importance the country attached to legislation upon this subject will be understood when it is remembered that a standing committee of this body was instituted, and a similar one in the House.

The commission proceed by saying:

> Various reports were submitted, and the conclusion of the committee was that a radical change in the immigration laws was not advisable, although it had been found that throughout the country there existed a demand for a stricter enforcement of the immigration laws. During 1890 one or more political parties in 23 States had demanded additional regulations of immigration.

Then they go on to say what the investigation of the joint committee was, and they state that—

> The bill presented by the committee aimed to correct faults in existing law. As it was presented it received rather general favor, the only opposition to it being on the part of ultrarestrictionists, who tried to have substituted a bill which raised the head tax from 50 cents to $1 and provided for a thorough consular examination.

As a result of this agitation Congress in 1891 adopted an act concerning which the commission speak as follows:

> The contract-labor law was strengthened by prohibiting the encouragement of immigration by promises of employment through advertisements published in any foreign country, and transportation companies were forbidden to solicit or encourage immigration.

I ask leave, to save time at this point, to quote further from the report bearing upon that subject, on page 571.

The PRESIDING OFFICER. Without objection, the leave is granted.

The matter referred to is as follows:

> Under the law of 1891 the office of Superintendent of Immigration was authorized, and for the first time Federal control of immigration was completely and definitely established, United States officials exercising the functions which under the law of 1882 had been delegated to the States. It now became the duty of the commanding officer of every vessel bringing alien immigrants to report to the proper inspection officials the name, nationality, last residence, and destination of all such aliens; all decisions of the inspection officials refusing any alien the right to land were final unless appeal was taken to the Secretary of the Treasury; the medical examination of immigrants at United States ports was to be made by surgeons of the United States Marine-Hospital Service; and for the first time an inspection of immigrants on the borders of Canada and Mexico was provided for.

Mr. DILLINGHAM. The bill presented as the result of the committee's work passed the House of Representatives by a vote of 125 to 48, and passed this body unanimously. That was a bill markedly in advance of anything that had been previously enacted looking toward the restriction of immigration.

Returning again to the question of restriction of immigration let us inquire whether the literacy test is new, as the President seems to think it is, and whether it is a radical departure, as he says, from the policy of the Government. He is not sure that the people have ever heard of or seriously considered it as a policy and bases his action in vetoing this bill upon the assumption that such a proposition has never been sharply called to their attention. He seems not to have known that as early as 1892 this very test was demanded.

Let me read from volume 2, page 572, what the commission say:

The other bill presented by the Senate committee is interesting in that for the first time *restriction of immigration by means of an educational test was recommended by a congressional committee.*

The report goes on to tell how the proposition was presented, what lines the debate took, and states that although the bill failed of passage a board of inquiry was constituted by Congress to further investigate the matter and report.

The President seems also to be unaware of the fact that, following that agitation and the filing of the report of that board of inquiry, both of the great political parties of the Nation demanded through their national conventions restrictive legislation of positive type. The people also demanded such legislation, and at the polls emphasized such demands. I called attention last evening, I think, to the platforms of the two great parties of this country in that year; but let me repeat. The Democratic Party in its national platform said:

We hold that the most efficient way of protecting American labor is to prevent the importation of foreign pauper labor to compete with it in the home market.

To what did they refer as pauper labor? It was this new immigration of which we had received in all perhaps a million souls from eastern and southern Europe.

The Republican national platform of the same year contains this clause:

For the protection of the quality of our American citizenship and of the wages of our workingmen against the fatal competition of low-priced labor, we demand that the immigration laws be thoroughly enforced and *so extended as to exclude from entrance to the United States those who can neither read nor write.*

It is apparent that President Wilson is unacquainted with the political history of that period. He challenges Congress with the direct inquiry, "Has any political party ever avowed a policy of restriction in this fundamental matter—gone to the country on it and been commissioned to control legislation?"

Yes, Mr. President, the Republican Party did this in 1896. It not only declared for a reading test but for a test embracing the ability to both write and read. They went to the country on it, and in the election which followed were commissioned to control legislation by an overwhelming plurality. Heeding the voice of the people, an immigration bill in 1896 was adopted by both branches of Congress the chief feature of which was the reading and writing test, and this went to President Cleveland during the last days of his administration, and it was returned with his veto on the very day before he went out of office—March 3. And yet, in spite of the shortness of time in which to do so, that bill was taken up by the House of Representatives and passed over the President's veto by a vote of 193 to 37; but no action could be taken upon it in the Senate because of the expiration of the Congress by limitation of law.

It is evident, Mr. President, that the policy of restriction is not new, either to the American people or the American Congress; and I may add incidentally that two years later the Senate of the United States passed another measure containing the literacy test, but that bill failed to receive consideration in the other House because of the pressure of business connected with the War with Spain. Let me again quote the language of the President, when he says:

Does this bill rest upon the conscious and universal assent and desire of the American people? I doubt it. It is because I doubt it that I make bold to dissent from it. I am willing to abide by the verdict, but not until it has been rendered. Let the platforms of parties speak out upon this policy and the people pronounce their wish. The matter is too fundamental to be settled otherwise.

Surely the historic facts to which I have called attention must have been overlooked by President Wilson when he penned the lines which I have quoted from his veto message. It is still more remarkable that he is avowedly unwilling to admit that the present Congress fairly represents the thought, feeling, and opinion of the people, though its Members have been in the main selected through the medium of direct elections by the people to whom he refers. But if we must go back to party platforms to ascertain public sentiment, it still appears that the country has already spoken upon this question, and spoken emphatically.

IS RESTRICTION NECESSARY?

Now, Mr. President, I propose to discuss for a little while the question whether or not a general restriction of immigration has become necessary. In doing so I want to say that the Immigration Commission, which recommended this as the one most feasible method of reducing the number of the least desirable classes of immigrants, did not do so with any prejudice against any nationality, against any religious faith, against any class or condition of people that was mentally, physically, and morally sound. They based their recommendation upon the ground that the supply of common labor in the United States was so great that the immigrants were not only competing successfully against American labor but were competing against themselves as well, and to such a degree that they were securing for themselves labor only for a portion of the time, as the result of which they were compelled to live under un-American conditions.

But, coming back to this question, is it necessary? And if necessary in the case of skilled labor, why is it not necessary in the case of unskilled labor if there is such an oversupply that it is creating the same danger that the contract skilled labor would produce if permitted to come in. Mr. President, we want a sufficient number of this class of immigrants to do the rough work of the country. As a rule, the recent immigration represents conditions which can only be improved by coming to this country. We want them in proper numbers, and I am glad to say that in point of age they are admirable. It is undoubtedly true that 85 per cent of those whom we admit are between the ages of 14 and 45, and are capable of doing good work. They are subjected to strict medical examinations. In that way we have succeeded in eliminating those who suffer from diseases that can readily be detected. It is unfortunate, however, that in rejecting the reading test the President has also rejected the most important of the medical examinations—that relating to the mental conditions.

Everybody knows that in the nations of Europe most highly civilized there will be found the highest percentage of insanity, and the evidence taken before the Immigration Commission shows that one of the greatest evils with which we have now to contend is that so many of the aliens admitted become insane and that the asylums in New York and in other seaport cities are unduly crowded with this class. This bill contains a provision for examinations by experts on insanity, and that provision goes down under this veto with every other proposed amendment to existing law that was recommended by the Immigration Commission as a result of their three years' work.

I repeat that we want as many of these people as are necessary to fairly do the work of the country; but it is a cruelty to them as well as to our own people to allow them to come in such numbers as that they will overcrowd one another, as we think they have done.

THE IMMIGRATION COMMISSION—ITS ORGANIZATION AND WORK.

Returning to the question of restrictive immigration legislation, let me say that in 1907 there was a general revision of the immigration laws. The bill was one which I had the honor to introduce in this body. I did not in that bill, as I presented it, include the literacy test. As I have frequently stated, I entered the Senate with the conviction that this country was large enough and broad enough and its resources of such magnitude that we would be able to properly care for and assimilate all who would naturally seek admission as immigrants. I was really very much opposed to the literacy test until subsequent study convinced me that it had become vitally necessary. So, I say, when I introduced the bill which became the law in 1907, it did not contain the literacy test; but on the floor of the Senate it was offered—I think by the Senator from Massachusetts [Mr. LODGE]—as an amendment, and was adopted. The bill went to the House, where that provision was eliminated that there might be a full and impartial investigation of immigration conditions before final action was taken in that direction. The following amendment was substituted for it:

That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by subcommittee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof, to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commis-

sion shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not Members of Congress.

It will be seen that an immigration commission with broad powers was provided for, and no limit was placed upon the expense which it might incur in making that study. It consisted of three Senators, appointed by the Vice President, three Members of the House of Representatives, appointed by the Speaker of the House, and three civilians, selected by the President.

The commission at first consisted of Senators DILLINGHAM of Vermont, LODGE of Massachusetts, McLaurin of Mississippi, all of whom were members of the Senate Committee on Immigration. Mr. McLaurin, on his own motion, was excused, and Senator Latimer, of South Carolina, who was also a member of that committee, was appointed in his stead. The Speaker of the House appointed Mr. Howell, of New Jersey; Mr. Bennet, of New York; and Mr. BURNETT, of Alabama. Mr. Howell was the chairman, and the other members on the part of the House of Representatives on the commission were members of the Committee on Immigration of the House of Representatives.

The President of the United States appointed Hon. Charles P. Neill, of Texas, who was then United States Commissioner of Labor; Prof. Jeremiah W. Jenks, of Cornell University; and Mr. William R. Wheeler, of California. After the death of Senator Latimer, Senator Percy, of Mississippi, took his place. That constituted the membership of the commission which made these inquiries.

The general scope of the commission's work is well stated on page 14 of their report, as follows:

The main subjects considered in the European inquiry were as follows:

1. Causes of emigration, natural and artificial.
2. Economic conditions in Europe and the effect on emigration to the United States.
3. Steamship companies and their agents as factors in promoting emigration.
4. Classes and character of European emigrants.
5. Emigration of criminals.
6. Attitude of European Governments toward emigration.
7. Laws of the various countries respecting emigration and emigrants.
8. Effect of the United States immigration law in preventing the embarkation of undesirable emigrants.
9. Medical examination of intending emigrants at ports of embarkation and elsewhere, and practicability of having such examinations made by United States medical officers.
10. United States consular officers as a factor in regulating immigration.
11. International regulation of emigration and immigration.

The following was the plan adopted for the work in the United States:

The plan of work under which the field investigations of the commission were carried on contemplated an extensive inquiry into the status of the new immigrants and including the following subjects:

1. Congestion of immigrants in New York, Chicago, Boston, and other large cities.
2. Immigrants as industrial workers in the leading industries, including effect on wages, employment of native-born workers, conditions of work, etc.
3. Effect of recent immigration on wages and other conditions in various trades, from the standpoint of native-born and older immigrant workers in such trades.
4. Progress of immigrant industrial workers.
5. Recent immigrants as residents of industrial communities.
6. Recent immigrants in agriculture.
7. Immigrant children and the children of immigrants in schools.
8. Extent of which recent immigrants and their children are becoming assimilated or Americanized and agencies promoting or retarding Americanization.
9. The physical assimilation of immigrants.
10. Alien criminality.
11. Immigrants in penal and reformatory institutions.
12. Immigrants in institutions for the insane.
13. Immigrants as charity seekers in various cities.
14. Immigrants in charity hospital.

Other features included in the commission's plan of work and which required the collection of original data through field agents were:

1. An inquiry concerning the importation of women for immoral purposes—the "white-slave" traffic.

I may say in this connection that the report which I presented to the Senate upon that subject was the beginning of the movement in this country against that great evil.

2. An investigation of immigrant homes, aid societies, and employment agencies.
3. An investigation of the immigrant bank system, which included also an inquiry relative to the amount of money sent abroad by immigrants.
4. An investigation of conditions under which immigrants are carried at sea.

I omit reading other classes of information that was sought by the commission because of the time it would take to do so and the space it would occupy in the RECORD, but it may be found on pages 15 and 16 of volume 1 of these reports.

FINDINGS AND REPORTS OF COMMISSION.

These reports as completed constitute 41 volumes substantially of the size of the volume I hold in my hand [exhibiting], a summary of all the reports being found in the first two volumes, from one of which I am now reading. In pursuing their work and in securing the information desired the commission's agents came in contact with more than 3,200,000 individuals.

I want to call attention to what the commission have to say regarding the two principal types of immigration, which will be found on page 23 of volume 1. They say:

From 1820 to 1883 more than 95 per cent of the total immigration from Europe originated in the United Kingdom, Germany, Scandinavia, the Netherlands, Belgium, France, and Switzerland. In what follows the movement from these countries will be referred to as the "old immigration." Following 1883 there was a rapid change in the ethnical character of European immigration, and in recent years more than 70 per cent of the movement has originated in southern and eastern Europe. The change geographically, however, has been somewhat greater than the change in the racial character of the immigration, this being due very largely to the number of Germans who have come from Austria-Hungary and Russia. The movement from southern and eastern Europe will be referred to as the "new immigration." In a single generation Austria-Hungary, Italy, and Russia have succeeded the United Kingdom and Germany as the chief sources of immigration. In fact, each of the three countries first named furnished more immigrants to the United States in 1907 than came in the same year from the United Kingdom, Germany, Scandinavia, France, the Netherlands, Belgium, and Switzerland combined.

Then the commission discusses the old and the new immigration in a general way, and says:

The old immigration movement in recent years has rapidly declined, both numerically and relatively, and under present conditions there are no indications that it will materially increase. The new immigration movement is very large, and there are few, if any, indications of its natural abatement. The new immigration, coming in such large numbers, has provoked a widespread feeling of appr hension as to its effect on the economic and social welfare of the country. Because of this the commission's investigations have been mainly directed toward a study of its general status as part of the population of the country.

The old immigration movement was essentially one of permanent settlers. The new immigration is very largely one of individuals a considerable proportion of whom apparently have no intention of permanently changing their residence, their only purpose in coming to America being to temporarily take advantage of the greater wages paid for industrial labor in this country. This, of course, is not true of all the new immigrants, but the practice is sufficiently common to warrant referring to it as a characteristic of them as a class. From all data that are available it appears that nearly 40 per cent of the new immigration movement returns to Europe, and that about two-thirds of those who go remain there. This does not mean that all of these immigrants have acquired a competence and returned to live on it. Among the immigrants who return permanently are those who have failed, as well as those who have succeeded. Thousands of those returning have, under unusual conditions of climate, work, and food, contracted tuberculosis and other diseases.

Further on the commission says:

The old immigration came to the United States during a period of general development and was an important factor in that development, while the new immigration has come during a period of great industrial expansion and has furnished a practically unlimited supply of labor to that expansion.

As a class, the new immigrants are largely unskilled laborers coming from countries where the highest wage is small compared with the lowest wage in the United States.

I may say, in passing, that when I was in Europe with the commission, substantially one-fourth of the entire immigration to the United States came from Italy, and we there learned that the men who constituted that vast immigration from southern Italy were almost wholly farm laborers and until the emigration movement began had never received more than 25 cents a day for their labor; but owing to the vast number who had come to this country the price had advanced, so that the landowners were then paying substantially 40 cents a day for labor. I proceed with the reading:

About 83 per cent are between the ages of 14 and 45 years, and consequently are producers rather than dependents. They bring little money into the country and *send* or take a considerable part of their earnings out. More than 35 per cent are illiterate, as compared with less than 3 per cent of the old immigrant class.

It is upon that statement of the percentage of illiteracy that the recommendation for the reading test is based. The reading test will but little affect England, Ireland, Scotland, Germany, the Scandinavian States, and Belgium, because, as here stated, the degree of illiteracy among immigrants from these countries is less than 3 per cent; but it will naturally affect the classes of common laborers who come in such vast numbers from eastern and southern Europe as to overcrowd our labor markets. It is a test intended to produce restriction.

INCREASE OF NEW IMMIGRATION.

To what extent has this immigration grown? Is restriction desirable? I have in my hands voluminous tables showing the immigration from Europe, including Asian Turkey, since 1882 by periods, the countries named in order by periods, under division, including the countries in southern and eastern Europe furnishing the greater part of the recent immigration, and countries of western and northern Europe furnishing what is called the old immigration.

It should be remembered that between 1820 and 1882 we had received about 9,000,000 aliens, about 5,000,000 coming prior to the Civil War, and this included the great Irish immigration resulting from the potato famine in Ireland, as well as the German immigration which followed the Civil War, during which time occurred a marvelously great development of the agricultural area of the Central West.

From these tables it appears that in the period 1882 to 1889 the old immigration admitted numbered 3,019,696 and the new immigration only 708,357, making a total of 3,728,053. Now, mark the increase during the next seven years, from 1890 to 1896, inclusive. The new immigration had increased in number and the old immigration had decreased, so that there was very little difference between the two, the old immigration amounting to 1,562,797 and the new immigration to 1,194,189, which combined makes a total of 2,756,986.

But it appears that between 1897 and 1914, a period of 18 years, there was an unprecedented increase in the volume of alien immigration, particularly among the races constituting the new immigration. During that period the old immigration amounted to only 2,983,548, while the new immigration from eastern and southern Europe jumped to 10,057,576.

To recapitulate, the total old immigration for the period of 33 years from 1882 to 1914 has been only 7,566,041, while the total new immigration for the period of 33 years has been 11,960,122. So that the total immigration from Europe, old and new, during that period has been over 19,500,000 souls.

It is utterly impossible that the Nation can receive in so short a time almost 12,000,000 immigrants from non-English speaking nations, over 90 per cent of whom are common laborers, without feeling its influence and without noting a strong impress upon labor and social conditions in the country; and it was because of the changed conditions which the commission discovered in its investigations that the recommendation has been made for the adoption of some measure of restriction.

In this connection, Mr. President, I ask leave to insert in the RECORD such portions of the tables which I hold in my hand as may be deemed necessary to illustrate the text.

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair hearing no objection, permission is granted.

The tables referred to are as follows:

Immigration from Europe by countries, 33 years (1882–1914).

OLD IMMIGRATION.

Germany	2,219,047
Ireland	1,418,176
England	1,352,307
Sweden	883,286
Norway	478,942
Scotland	357,634
Denmark	221,017
France	185,007
Switzerland	152,204
Netherlands	148,324
Belgium	101,211
Wales	48,886
	7,566,041

NEW IMMIGRATION.

Austria-Hungary	3,934,673
Italy	3,878,074
Russia	3,179,663
Greece	292,111
Turkey in Asia	175,104
Portugal	156,093
Turkey in Europe	136,338
Roumania	82,782
Spain	65,760
Bulgaria, Servia, Montenegro	59,524
	11,960,122

Old immigration	7,566,041
New immigration	11,960,122
Total	19,526,163

Immigration from Europe, including Turkey in Asia, since 1882, by periods. Countries named in order by periods under divisions including countries of southern and eastern Europe, furnishing the greater part of the recent immigration, and countries of western and northern Europe furnishing what is called the "old immigration":

Immigration for the 8-year period, 1882–1889.

OLD IMMIGRATION.

Germany	1,150,058
Ireland	530,116
England	522,483
Sweden	312,384
Norway	142,511
Scotland	122,660
Denmark	69,649
Switzerland	63,702
Netherlands	40,778
France	38,652
Belgium	15,740
Wales	10,963
Total	3,019,696

NEW IMMIGRATION.

Austria-Hungary	269,585
Italy	239,905
Russia	172,643
Portugal	13,163
Roumania	5,801
Spain	3,122
Greece	1,765
Turkey in Europe	1,284
Turkey in Asia	1,089
Total	708,357

Immigration for the 7-year period, 1890–1896.

OLD IMMIGRATION.

Germany	521,952
Ireland	320,488
England	229,542
Sweden	198,891
Norway	79,325
Denmark	49,950
Scotland	49,033
Switzerland	33,012
France	29,825
Netherlands	26,663
Belgium	17,086
Wales	7,030
Total	1,562,797

NEW IMMIGRATION.

Italy	408,298
Austria-Hungary	398,740
Russia	334,475
Portugal	20,229
Turkey in Asia	10,529
Spain	7,779
Greece	7,489
Roumania	3,511
Turkey in Europe	3,139
Total	1,194,189

Immigration for the 18-year period, 1897–1914.

OLD IMMIGRATION.

England	600,282
Ireland	567,572
Germany	547,037
Sweden	372,011
Norway	257,106
Scotland	185,941
France	116,530
Denmark	101,418
Netherlands	80,883
Belgium	68,385
Switzerland	55,490
Wales	30,893
Total	2,983,548

NEW IMMIGRATION.

Austria-Hungary	3,266,348
Italy	3,229,871
Russia	2,672,545
Greece	282,857
Turkey in Asia	163,486
Turkey in Europe	131,915
Portugal	122,701
Roumania	73,470
Spain	54,859
Bulgaria, Servia, and Montenegro	59,524
Total	10,057,576

8 YEARS (1882–1889).

Old immigration	3,019,696
New immigration	708,357
	3,728,053

7 YEARS (1890–1896).

Old immigration	1,562,797
New immigration	1,194,189
	2,756,986

18 YEARS (1897–1914).

Old immigration	2,983,548
New immigration	10,057,576
	13,041,124

Total old immigration for the whole three periods, 33 years (1882–1914)	7,566,041
Total new immigration for the whole three periods, 33 years (1882–1914)	11,960,122
Total immigration from Europe, old and new (1882–1914)	19,526,163

Mr. DILLINGHAM. It is very commonly stated that we have not sufficiently guarded the rights of those of foreign nations who seek an asylum in this country, and it is intimated, if not asserted, that a very large proportion of the classes that have been coming have been impelled to do so by political or religious persecution; but the commission did not find that to be the fact. They found that in every instance where they came in contact with the different classes of the new immigration such classes had emigrated to improve their general living conditions. They were induced to come by reason of information received from this country indicating that wages were high;

that conditions were favorable; that their advantages would be greater, and in a general way that it would be to their advantage to make the change. They have come to take advantage of these conditions, and for no other purpose. They have returned to their homes in large numbers, as they would not have otherwise done.

I have taken pains to examine the outward movement of these classes from this country during the year 1914, and I find that one out of five of the Armenians, who are supposed to have been more oppressed, perhaps, by Turkey than the people of any other part of Europe—I find that one in five of all who came have returned. Of the Hebrews, I find that in the year 1914, 4,147 returned to Russia on their own motion, willingly and freely; and of the Poles I find that 18,779 returned voluntarily to Russia; and that of the 10,000 Finns 2,250, or one in four, returned. Coming to Austria, and looking at the movement of the Croatians and the Slovenians, who are Slavic races under the domination of Austria, I found that 8,500 went back in the year 1914, substantially one-half of the number coming of that class, and so in the case of Hungary, the Slovaks, who are a Slavic race upon which the Hungarian language is being forced, one of the poorest people of Europe, I found in 1914 that one in three of the number received were returning to their home country. Everything points to the fact that these people have sought admission to the United States because of our superior industrial conditions.

A fact which I think I have before mentioned strengthens my opinion that such is the case, to wit: That 80 per cent of all of whom I am now speaking, who landed at Ellis Island in a full year, had in their possession when they landed railroad tickets from New York to the point of their destination, which indicates that their coming was the result of correspondence and prearrangement with friends already in the United States. Moreover, 94 per cent of all admitted that year reported that they were going to join friends or relatives. This shows for what purpose they had come as well as the agencies through which their journeys had been arranged.

MANUFACTURES AND MINING.

Now, Mr. President, I propose to spend a little time in discussing the work of the commission in its investigation of conditions in the manufactures and in the mining industries of the country, because it was in such investigations that we received the information upon which we based our findings. That investigation was thoroughly organized and covered 37 of the principal industries of the country east of the Rocky Mountains. In pursuing it the commission's agents came in personal touch with 620,000 individual workers. They went into 200 different industrial communities, and made an intensive study of the family conditions in the case of 23,000 families. Of all with whom they came in contact in all the industries of America, 60 per cent were foreign born, and 15 per cent belonged to the second generation. There were only about 20 per cent of Americans of native-born parents employed either in manufacturing or in mining. The leading races so employed were as follows, the number of each being in the order named: Poles, south Italians, north Italians, Hungarians, Lithuanians, and Croatians.

In that investigation we tried to find a really American industrial community, one in which native-born Americans predominated in number, but failed to find such a community at the seats of any of our basic industries.

In the exhaustive investigation of the iron and steel industry the commission's agents came in contact with 86,000 individuals, of whom 57.7 per cent were foreign born and 13.4 per cent were their sons; so that 71.1 per cent of all the employees were either born abroad or were the children of those born abroad. I propose before I finish to give some statistics showing the extent of their employment and the extent of their annual incomes; but before doing so I want to state the net results coming from the investigation of the iron and steel industry.

We found that the average weekly wages paid to the men were not the subject of complaint. They amounted to $14.75 per week; and had the men had constant employment during the year they would have received upon the average $750 as the result of the year's work. As a matter of fact, however, we found that the 86,000 men averaged to receive only $326 instead of the $750, which they would have received at the prevailing rate of wages had they been employed all the time. It indicated that they had employment only one-half the time, upon an average. This results from the fact that the employers carry a large number of men upon the pay roll in order that there may be no shortage of help in case of rush orders; when work is quiet they are able to lay off those not needed and the men are compelled to be idle. In the iron and steel industry this condition prevailed to a greater extent than in any other industry examined; and that furnishes the reason why the amount received upon an average by each of these employees amounted to only $326.

Because of the overcrowded condition of the labor market it appears that the men employed in the bituminous coal industry and in the manufacture of silk and woolens in the United States were compelled to remain idle about one-third of the time; those engaged in the manufacture of leather, clothing, and in oil refining, one-fourth of the time; while those employed in the manufacture of cotton, boots and shoes, and sugar were compelled to lose about one-fifth of their time.

Returning to a consideration of conditions in the steel and iron industries in the Middle West, the commission says:

> In the steel mills of this community it is found that positions of trust and those calling for skilled labor, such as clerks, draftsmen, foremen, switchmen, teamsters, and watchmen, are filled by the Americans, Germans, and Irish, while the positions for unskilled labor, such as unloading, floating gang, etc., are filled by negroes, Poles, Bulgarians, and Macedonians. In the smelting departments the skilled and responsible positions, such as melters, ladlemen, charging-machine men, bricklayers, and chemists, are filled by Americans, Germans, and Irish; while the positions calling for unskilled labor are occupied by Bulgarians and Slovaks. The same is true of the molding departments, where the foundry men, molders, foremen, and carpenters are Americans, Germans, and Irish, and the rammers, helpers, and common laborers are Macedonians, Bulgarians, and Armenians. In the pattern department no races but Americans and Germans are employed, as all the labor in this department is skilled.
>
> In the machinery and power department practically the same condition prevails, as all the occupations, such as blacksmiths, mechanics, pattern makers, electricians, pipe fitters, etc., call for skilled labor, and are occupied by Americans, Irish, and Germans. In the finishing department, where both skilled and unskilled labor is employed, the Americans, Germans, and Irish have the positions calling for skilled labor and the Macedonians, Bulgarians, Turks, Roumanians, and negroes the positions requiring only unskilled labor.

RELATIONS BETWEEN THE RACES.

Regarding the relations between the races, I call attention to a statement in volume 9, page 66, which sheds some light upon conditions:

> In addition to not freely associating with one another, there is considerable friction between the Irish, Austrians, and Magyars on the one hand, and the Macedonians, Bulgarians, Roumanians, and other southeastern European and oriental races on the other hand growing out of the conditions under which employment is given. The unskilled and less skilled employees of the steel companies gather each morning at the gates of the different plants and are designated for work by the foremen. There is not much competition between the races so far as unskilled labor is concerned. The southeastern European peoples may be said to be practically without competition there. In the occupations which require some skill, however, and to which a large number of Macedonians and Bulgarians have attained, there is considerable direct competition. The Irish, Magyars, and Austrians frequently adopt the policy of driving the newcomers by force away from the mill gates. Oftentimes the recent arrivals resent such action and a general fight along racial lines ensues, the weapons employed being fists, stones and other missiles, and in some cases revolvers. This tendency is, of course, much intensified in seasons of slack employment or curtailment of work.

And this, Mr. President, is what the commission found:

> The immigrants, except the English, Germans, Irish, and Welsh, do not associate freely with the natives, but stay largely in the colonies of their fellow countrymen. There is a general dislike on the part of the English-speaking races for the "foreigner."
>
> The Magyars, Poles, and Slovaks are brought more or less into contact with American people and their habits of living. Their children attend the public schools, and they sometimes join trade-unions. With the Bulgarians, Roumanians, and Armenians the situation is different. A few representative men among editors, mercantile proprietors, and educated men live in American sections according to American standards, but the majority of these races are either unmarried or without their families in this country. Very few attend school or are receiving instruction in English. Practically none are members of labor unions. In their present mode of living they have little contact with American churches, schools, or business houses.

EARNING CAPACITY.

I wish now to refer to the entire body of employees in the manufacturing and mining industries of the United States with whom the agents came in contact, and to speak of the thrift, industry, and the earning capacity of these classes. Generally speaking, I find the statement in volume 1, page 413, to be correct. The statement is that upon comparing the yearly incomes of the two classes of immigrants it is seen that the highest average shown by any race of recent immigration is below the lowest average shown by any past immigration. I find, also, that under precisely equal conditions of birth the new immigration is inferior to the old in earning capacity.

Take, first, a study of households, where the native born of foreign father are classified by the race of the father. Among the races of the old immigration of that class the annual earnings were $569, while the annual earnings of the classes belonging to the new immigration were only $415. Then, coming to the actually foreign born, those who were born in northern and western Europe were receiving upon an average $657, while those born in eastern and southern Europe were receiving upon an average only $388; and the latter classes constitute nearly 12,000,000 of our immigration in the last 17 years. It shows that of those who were born abroad the old races are receiving almost twice as much as those of the new races.

I have, also, a table showing the proportional number of the two classes who are householders—that is, men owning homes—by which it appears that the men of the old immigration own homes to an extent twice or three times as great as that of the newer races. I ask leave to insert these tables in the record, or such portions of them as may be necessary.

The PRESIDING OFFICER. The Chair hearing no objection, the permission is granted.

The matter referred to is as follows:

Annual earnings of male heads of families—Per cent of heads of families earning under $400 each year.

	Per cent.
White of native birth and native father	9.6
Foreign birth	34.1
Old immigration:	
English	9.5
German	16.6
Irish	13.4
Norwegian	13.7
Swedish	3.1
Welsh	18.3
Dutch	18.1
Scotch	13.7
New immigration:	
Armenian	34.1
Croatian	32.3
Greeks	40.0
Hebrews	28.1
North Italian	30.4
South Italian	42.5
Lithuanian	27.4
Hungarian	35.2
Polish	34.8
Portuguese	48.6
Ruthenian	33.5
Slovak	35.2
Slovenian	24.9
Syrian	37.5

NATIVE BORN OF FOREIGN FATHER, BY RACE OF FATHER.

	Average earnings.
Old immigration:	
Canadian, foreign	$527
Canadian, other	744
Dutch	522
English	586
German	619
Irish	612
Scotch	465
Swedish	557
Welsh	486
Average	569
New immigration:	
Hebrew	492
Italian, north	402
Italian, south	408
Lithuanian	452
Magyar	395
Polish	537
Portuguese	408
Ruthenian	431
Slovak	362
Slovenian	263
Average	415

FOREIGN BORN.

	Average earnings.
Old immigration:	
Canadian, foreign	$538
Danish	674
Dutch	555
English	673
German	579
Irish	636
Norwegian	872
Scotch	703
Swedish	722
Welsh	623
Average	657
New immigration:	
Armenian	454
Brava	426
Bulgarian	255
Croatian	410
Greek	300
Hebrew	513
Italian, north	480
Italian, south	396
Lithuanian	454
Macedonian	232
Magyar	395
Polish	428
Portuguese	410
Roumanian	402
Russian	400
Ruthenian	418
Servian	212
Slovak	442
Slovenian	484
Syrian	370
Turkish	281
Average	388

Per cent of families owning homes, by general nativity and race of head of family.

(Vol. 1, p. 469.)

	Per cent.
Old immigration:	
Danish	50.0
Dutch	70.3
English	15.6
German	39.7
Irish	30.2
Norwegian	50.0
Scotch	33.6
Swedish	44.5
Welsh	51.6
New immigration:	
Canadian, foreign	7.5
Croatian	23.5
Greek	1.5
Hebrew	6.3
Italian, north	27.8
Italian, south	14.9
Lithuanian	18.0
Magyar	13.7
Polish	18.1
Portuguese	19.5
Roumanian	2.6
Russian	1.2
Ruthenian	6.7
Servian	4.4
Slovak	17.6
Slovenian	25.3
Syrian	4.7

EFFECT OF COMPETITION.

Mr. DILLINGHAM. I now wish to call attention, while I am upon this subject, to the effect of the competition of recent immigrants upon native Americans and older immigrant employees, found in volume 1, at page 500. I give these pages in order that they may be referred to by any person who is interested in the subject:

If the foregoing characteristics of the immigrant labor supply from southern and eastern Europe be borne in mind, the effect of the influx of recent immigrants upon native American wage earners and those of older immigration from Great Britain and northern Europe may be briefly stated. The remarkable expansion in manufacturing and mining during the past 30 years, by creating a constant demand for a relatively small number of additional places for experienced and trained employees in supervisory and skilled positions, has undoubtedly led to the advancement in the scale of occupations of a relatively small proportion of native Americans and of English, Irish, Scotch, Welsh, and members of other races who constituted the wage-earning classes before the arrival of recent immigrants. On the other hand, the entrance into the operating forces of American industries of such large numbers of wage earners of the races of southern and eastern Europe—

(1) Has exposed the original employees to unsafe and insanitary working conditions and has led to or continued the imposition of conditions of employment which the Americans and older immigrants have considered unsatisfactory and in many cases unbearable.

(2) Has brought about or continued living conditions and a standard of life with which the native American and older employees have been unwilling, or have found it extremely difficult, to compete.

(3) Has led to the voluntary or involuntary displacement from certain occupations and industries of the native American and older immigrant employees.

(4) Has weakened the labor organizations of the original employees, and in some industries has led to their entire demoralization and disruption.

The existence of unsatisfactory working and living conditions because of the competition of the recent immigrant has been due to his lack of industrial training abroad, his tractability or subserviency, and his low standard of living. When the older employees have found unsafe and insanitary working conditions prevailing in the mines and industrial establishments, and have protested, the recent immigrant employees, usually through ignorance of mining or other working methods, have manifested a willingness to accept the alleged unsatisfactory conditions. The southern and eastern European employee also, because of his tractability, necessitous condition, and low standards, has been inclined, as a rule, to acquiesce in the demand upon the part of employers for extra work or longer hours. The industrial workers of recent immigration have also accepted without protest the system of so-called company stores and houses which prevails so extensively in bituminous and anthracite coal, iron-ore, and copper mining and other industrial localities. The impossibility of competition between the older employees and those with standards of living like the standards of the recent immigrants may be readily inferred from what has already been said relative to the methods of domestic economy of immigrant households and the cost of living of their members.

EFFECT ON WAGES AND HOURS OF LABOR.

I call attention also to the effect of the employment of recent immigrants upon wages and hours of work, at page 540, where the commission says:

It has not appeared in the industries covered by this investigation of manufactures and mining that it is usual for employers to engage immigrants at wages actually lower than those prevailing at the time in the industry where they are employed, whatever the ultimate tendency of the large immigration may be. It is hardly open to doubt, however, that availability of the large supply of recent immigrant labor prevented the increase in wages which otherwise would have resulted during recent years from the increased demand for labor. The low standards of the southern and eastern European, his ready acceptance of a low wage and existing working conditions, his lack of permanent interest in the occupation and community in which he has been employed, his attitude toward labor organizations, his slow progress toward assimilation, and his willingness seemingly to accept indefinitely without protest certain wages and conditions of employment, have rendered it extremely difficult for the older classes of employees to secure improvements in conditions or advancement in wages since the arrival in considerable numbers of southern and eastern European wage earners. As a general proposition it may be said that all

improvement in conditions and increases in rates of pay have been secured in spite of the presence of the recent immigrants. The recent immigrant, in other words, has not actively opposed the movements toward better conditions of employment and higher wages, but his availability and his general characteristics and attitude have constituted a passive opposition which has been most effective.

LIVING CONDITIONS.

As to the living conditions of these classes, I wish to refer to the report of the commission, in volume 1, page 499, where they are summarized. The commission says:

The standards of living of the recent industrial workers from the south and east of Europe have been low, and the conditions of employment, as well as the rates of remuneration in American industry, have not as a rule constituted to them grounds for dissatisfaction. During the earlier part, at least, of their residence in the United States they have been content with living and working conditions offered to them, and it has only been after the most earnest solicitation, or sometimes even coercion, upon the part of the older employees that they have been persuaded or forced into protest.

The living conditions of southern and eastern Europeans and the members of their household is shown in the detailed studies of the various industries, the most significant indication of congestion and unsatisfactory living arrangements being the low-rent payments each month per capita. The recent immigrant males being usually single, or if married having left their wives abroad, have been able to adopt in large measure a group instead of a family living arrangement, and thereby to reduce their cost of living to a point far below that of the American or older immigrant in the same industry or the same level *of occupations*. The method of living usually followed is that commonly known as the "boarding-boss system." Under this arrangement a married immigrant, or his wife, or a single man, constitutes the head of the household, which, in addition to the family of the head, will usually be made up of 2 to 20 boarders or lodgers. Each lodger pays the boarding boss a fixed sum, ordinarily from $2 to $3 per month, for lodging, cooking, and washing, the food being easily bought by the boarding boss and its cost shared equally by the individual members of the group. Another common arrangement is for each member of the household to purchase his own food and have it cooked separately. Under this general method of living, however, which prevails among the greater proportion of the immigrant household, the entire outlay for necessary living expenses of each adult member ranges from $9 to $15 each month.

Think of that, Mr. President and Senators—from $9 to $15 per month! That describes the living conditions of this class of laborers in the districts to which I have referred.

The commission add:

The additional expenditures of the recent immigrant wage earners have been small. Every effort has been made to save as much as possible. The life interest and activity of the average wage earner from southern and eastern Europe has seemed to revolve principally about three points: (1) To earn the largest possible amount of immediate earnings under existing conditions of work; (2) to live upon the basis of minimum cheapness; and (3) to save as much as possible. The ordinary comforts of life as insisted upon by the average American have been subordinated to the desire to reduce the cost of living to its lowest level.

Mr. President, in view of all these circumstances, and many more to which I might allude, the commission made certain findings and certain recommendations. In volume 1, page 45, the commission say:

OPINIONS OF COMMISSION.

As a result of the investigation the commission is unanimously of the opinion that in framing legislation emphasis should be laid upon the following principles:

1. While the American people, as in the past, welcome the oppressed of other lands, care should be taken that immigration be such both in quality and quantity as not to make too difficult the process of assimilation.

2. Since the existing law and further special legislation recommended in this report deal with the physically and morally unfit, further general legislation concerning the admission of aliens should be based primarily upon economic or business considerations touching the prosperity and economic well-being of our people.

3. The measure of the rational, healthy development of a country is not the extent of its investment of capital, its outputs of products, or its exports and imports, unless there is a corresponding economic opportunity afforded to the citizen dependent upon employment for his material, mental, and moral development.

4. The development of business may be brought about by means which lower the standard of living of the wage earners. A slow expansion of industry which would permit the adaptation and assimilation of the incoming labor supply is preferable to a very rapid industrial expansion which results in the immigration of laborers of low standards and efficiency, who imperil the American standard of wages and conditions of employment.

The commission agrees that:

1. To protect the United States more effectively against the immigration of criminal and certain other debarred classes—

(a) Aliens convicted of serious crimes within a period of five years after admission should be deported in accordance with the provisions of House bill 20980, Sixty-first Congress, second session.

(b) Under the provisions of section 39 of the immigration act of February 20, 1907, the President should appoint commissioners to make arrangements with such countries as have adequate police records to supply emigrants with copies of such records, and that thereafter immigrants from such countries should be admitted to the United States only upon the production of proper certificates, showing the absence of convictions for excludable crimes.

(c) So far as practicable the immigration laws should be so amended as to be made applicable to alien seamen.

(d) Any alien who becomes a public charge within three years after his arrival in this country should be subject to deportation, in the discretion of the Secretary of Commerce and Labor.

The PRESIDING OFFICER. Will the Senator from Vermont permit the Chair to seek some information from him?

Mr. DILLINGHAM. Gladly.

The PRESIDING OFFICER. In the State where I live we have had lately a meeting protesting against the immigration bill. Among other things, the charge was sent to me in the form of resolutions to present to the Senate, that in the investigations which the Senate Members and the House Members had made, at no time had any representatives of the foreign nations been called before them except the toilers, the laborers. The commission, it was said, had none of their intelligent people before them who could speak for them, and they seemed to attach much importance to that.

While I recognize, as a Senator from Illinois, that the matter is not now before the Senate, I should like very much to have the present Senator's views, owing to his long connection with this subject, as to whether those are facts or whether those are grievances without foundation in fact.

Mr. DILLINGHAM. Mr. President, the investigation to which I have been referring was conducted by trained men. The commission had a very large body of men, selected because of their intelligence and their character and their training, as investigators. We sent them out into all of these industrial communities with instructions not to overdraw nor underdraw conditions but to present them just as they were found. If anyone who is interested in the matter will look in the closing pages of volume 2 of the report, he will find copies of all of the blanks, all of the cards, all of the instrumentalities employed by the commission upon which and through which they secured the information they sought.

In the iron and steel industry the corporations aided us in distributing those cards among the heads of families and among their male workers, and such cards were received by our agents signed by the individuals. The facts so secured were compiled, and the results are found in the reports of the commission.

A really intensive study of family conditions was made by our agents, not only through the statements made by the families, but by going to the grocery stores where they traded, taking the individual accounts, and finding what the purchases were each month, of what they consisted, and the prices paid. This is only a general statement of the methods of the commission in doing that work.

When that work, which was really scientifically conducted, was completed invitations were issued to all the various representative bodies of the different races to present to the commission their views; and in these reports will be found the papers that were filed by the leaders of the leading races of immigrants in the United States. It never has been claimed to us that there was a lack of opportunity on the part of any of them to be heard.

The PRESIDING OFFICER. The Chair wishes to thank the Senator.

RECOMMENDATIONS OF COMMISSION.

Mr. DILLINGHAM. Now, resuming, Mr. President, the report of the commission makes quite a good many recommendations which are not pertinent to the question I am discussing to-day, but which for the continuity of the story it may be well to have appear, and, with the permission of the Senate, I will insert them in the RECORD:

2. Sufficient appropriation should be regularly made to enforce vigorously the provisions of the laws previously recommended by the commission and enacted by Congress regarding the importation of women for immoral purposes.

3. As the new statute relative to steerage conditions took effect so recently as January 1, 1909, and as the most modern steerage fully complies with all that is demanded under the law, the commission's only recommendation in this connection is that a statute be immediately enacted providing for the placing of Government officials, both men and women, on vessels carrying third-class or steerage passengers for the enforcement of the law and the protection of the immigrant. The system inaugurated by the commission of sending investigators in the steerage in the guise of immigrants should be continued at intervals by the Bureau of Immigration.

4. To strengthen the certainty of just and humane decisions of doubtful cases at ports of entry it is recommended—

That section 25 of the immigration act of 1907 be amended to provide that boards of special inquiry should be appointed by the Secretary of Commerce and Labor, and that they should be composed of men whose ability and training qualify them for the performance of judicial functions; that the provisions compelling their hearings to be separate and apart from the public should be repealed; and that the office of an additional Assistant Secretary of Commerce and Labor to assist in reviewing such appeals be created.

5. To protect the immigrant against exploitation; to discourage sending savings abroad; to encourage permanent residence and naturalization; and to secure better distribution of alien immigrants throughout the country—

(a) The States should enact laws strictly regulating immigrant banks.

(b) Proper State legislation should be enacted for the regulation of employment agencies.

(c) Since numerous aliens make it their business to keep immigrants from influences that may tend toward their assimilation and naturalization as American citizens, with the purpose of using their funds, of encouraging investment of their savings abroad, and their return to their home land, aliens who attempt to persuade immigrants not to become American citizens should be made subject to deportation.

(d) Since the distribution of the thrifty immigrant to sections of the country where he may secure a permanent residence to the best advantage, and especially where he may invest his savings in farms or engage in agricultural pursuits, is most desirable, the division of information should be so conducted as to cooperate with States desiring immigrant settlers; and information concerning the opportunities for settlement should be brought to the attention of immigrants in industrial centers who have been here for sometime and who might be thus induced to invest their savings in this country and become permanent agricultural settlers. The division might also secure and furnish to all laborers alike information showing opportunities for permanent employment in various sections of the country, together with the economic conditions in such places.

6. One of the provisions of section 2 of the act of 1907 reads as follows:

"*And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country."

Instances occasionally arise, especially in the establishment of new industries in the United States, where labor of the kind desired, unemployed, can not be found in this country and it becomes necessary to import such labor. Under the law the Secretary of Commerce and Labor has no authority to determine the questions of the necessity for importing such labor in advance of the importation, and it is recommended that an amendment to the law be adopted by adding to the clause cited above a provision to the effect that the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Commerce and Labor upon the application of any person interested prior to any action in that direction by such person; such determination by the Secretary of Commerce and Labor to be reached after a full hearing and an investigation into the facts of the case.

7. The general policy adopted by Congress in 1882 of excluding Chinese laborers should be continued.

The question of Japanese and Korean immigration should be permitted to stand without further legislation so long as the present method of restriction proves to be effective.

An understanding should be reached with the British Government whereby East Indian laborers would be effectively prevented from coming to the United States.

8. The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole, and therefore demand legislation which will at the present time restrict the further admission of such unskilled labor.

I call attention especially to their eighth recommendation or finding. They say:

The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole, a condition which demands legislation restricting the further admission of such unskilled labor.

In this connection I want to say that their report was coincided in by every member of the commission; it was absolutely unanimous.

Then the commission makes the further suggestion:

It is desirable in making the restriction that—

(a) A sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.

(b) As far as possible the aliens excluded should be those who come to this country with no intention to become American citizens or even to maintain a permanent residence here, but merely to save enough, by the adoption, if necessary, of low standards of living, to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.

(c) As far as possible the aliens excluded should also be those who by reason of their personal qualities or habits would least readily be assimilated or would make the least desirable citizens.

It will be observed, Mr. President, that in these suggestions the commission is not recommending exclusion of any nationality or any class excepting those who are least desirable. They are not charging that the new immigration as a whole is undesirable, but that the immigration as a whole needs reduction, and for the purpose of securing that reduction they recommend that legislation be so framed as to exclude a portion of those who are least desirable among them as a whole.

The commission adds that the following methods of restricting immigration have been suggested.

(a) The exclusion of those unable to read or write in some language.

(b) The limitation of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.

(c) The exclusion of unskilled laborers unaccompanied by wives or families.

(d) The limitation of the number of immigrants arriving annually at any port.

(e) The material increase in the amount of money required to be in the possession of the immigrant at the port of arrival.

(f) The material increase of the head tax.

(g) The levy of the head tax so as to make a marked discrimination in favor of men with families.

READING TEST.

All these methods would be effective in one way or another in securing restrictions in a greater or less degree.

Then they say:

A majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration.

I am betraying no secret of the commission when I say that eight out of the nine members of the commission made that recommendation. Mr. Bennett, of New York, filed a separate report under the head "Views of the minority." It may be found on page 49 of volume 1. The commission adds:

The commission as a whole recommends restriction—

In that Mr. Bennett joined—

The commission as a whole recommends restriction as demanded by economic, moral, and social considerations, furnishes in its report reasons for such restriction, and points out methods by which Congress can attain the desired result, if its judgment coincides with that of the commission.

It will be observed that the recommendation of the commission is that the reading and writing test is the most feasible single method of restricting the least desirable element in this recent immigration.

The bill does not provide for a reading and writing test, but simply provides that those over 14 years of age in order to be admitted shall be able to read in some language, not the English language necessarily, but shall be required to read in some language, a test that is perfectly reasonable, a test which it seems to me can not be considered unreasonable by any person in any foreign land who has character and stamina enough to make a good citizen of the United States if admitted. It is something which such a person can easily acquire.

But how would such a test as that operate? What classes will it reach? I have read extensively from the reports of the commission to show that it is among those employed in the basic industries that the overcrowding occurs—that it is among those classes that the living conditions are insanitary and un-American, and that almost invariably such conditions exist among the classes of immigration that come from eastern and southern Europe, and not among those from the nations of northern and western Europe.

When we come to examine the record of those who have been admitted to the United States during the last 11 years, between 1899 and 1909, during which we have received many millions of immigrants, the statistics show that the degree of illiterates of the old classes—Great Britain, Germany, the Scandinavian States, Belgium, Holland, and France—is only 2.7, while, on the other hand, the average degree of illiteracy among the new immigrants is about 35.6 per cent. So the reading test, if it operates at all, will operate almost entirely upon the classes who produce the overcrowded conditions to which I have referred, and who are found living under the conditions which are so deplorable.

So it was that the commission looked upon the reading test as the one most feasible single method of reaching the least desirable classes among the vast immigration which, in the main, is made up of strong men, of men who can be made exceedingly useful under proper conditions, but who when unemployed are not only undesirable, but a menace to good order.

In this connection I ask leave to introduce a table showing the degree of illiteracy of each of the nationalities:

Relative degree of illiteracy of the old and new immigration during period of 11 years, 1899–1909.

Over 14 years of age:	
Admitted	7,199,060
Old	1,983,618
Per cent illiterate	2.7
New	5,215,442
Per cent illiterate	35.6

Percentage of illiterates of different races admitted to the United States during the 11 years, 1899–1909, inclusive.

Over 14 years of age:	
Scandinavian	0.4
Scotch	0.7
English	1.1
Welsh	2.0
Irish	2.7
Dutch	4.7
German	5.4
French	5.4
Southern Italy	54.2
Polish	35.4
Hebrew	25.7
Slovak	24.6
Northern Italy	11.8
Hungarian	11.4
Croatian and Slovenian	36.4
Magars	11.4
Russian	34.7

RESTRICTION SHOULD APPLY TO THE LEAST DESIRABLE CLASSES.

Who are the least desirable individually? Among those mentioned by the commission as being least desirable are those who are least readily assimilated into American life. In this connection permit me to read briefly from volume 1, pages 38 and 39, where the commission say:

Like most of the immigration from southern and eastern Europe, those who entered the leading industries were largely single men or married men unaccompanied by their families.

That is a point which can not be too strongly emphasized. I will give figures before I have completed my remarks, indicating how largely that is true.

There is, of course, in practically all industrial communities a large number of families of the various races, but the majority of the employes are men without families here and whose standard of living is so far below that of the native American or older immigrant workman

that it is impossible for the latter to successfully compete with them. They usually live in cooperative groups and crowd together. Consequently, they are able to save a great part of their earnings, much of which is sent or carried abroad. Moreover, there is a strong tendency on the part of these unaccompanied men to return to their native countries after a few years of labor here. These groups have little contact with American life, learn little of American institutions, and aside from the wages earned profit little by their stay in this country. During their early years in the United States they usually rely for assistance and advice on some member of their race, frequently a saloon keeper or grocer, and almost always a steamship ticket agent and "immigrant banker," who, because of superior intelligence and better knowledge of American ways, commands their confidence. Usually after a longer residence they become more self-reliant, but their progress toward assimilation is generally slow. Immigrant families in the industrial centers are more permanent and usually exhibit a stronger tendency toward advancement, although, in most cases, it is a long time before they even approach the ordinary standard of the American or the older immigrant families in the same grade of occupation. This description, of course, is not universally true, but it fairly represents a great part of the recent immigrant population in the United States. Their numbers are so great and the influx is so continuous that even with the remarkable expansion of industry during the past few years there has been created an oversupply of unskilled labor, and in some of the industries this is reflected in a curtailed number of working days and a consequent yearly income among the unskilled workers which is very much less than is indicated by the daily wage rates paid; and while it may not have lowered in a marked degree the American standard of living, it has introduced a lower standard which has become prevalent in the unskilled industry at large.

Again, on page 106 of volume 7, the commission say:

The south Italians are slow in becoming Americanized, and many in the coal regions who have been in this country from 15 to 20 years are scarcely able to speak English. They live in colonies, have very little association with natives, and show little interest outside of their own immediate neighborhood. They are suspicious of Americans, do not trust their money to the banks, and trade at American shops as little as possible. They are making little progress toward Americanization. Each year the south Italians are investing more money in homes and real estate, and in becoming property owners they are naturally led to take more interest in civic affairs. Even after the south Italian, however, has made his permanent home in the Southwest he seems to make little effort to adopt American ways. He does not encourage his children in attending school, but takes them away at an early age, thus preventing the second generation from having the opportunity of becoming assimilated. The children hear only Italian spoken in the colony and in the home, and their only opportunity to learn English is at school.

The Poles, Slovaks, and Magyars are almost as backward as south Italians, but are more popular with natives. They are very slow in learning to speak English and associate little with people outside of their own races. No civic interest is shown, and a very small percentage are naturalized.

* * * * * * *

Mexicans show less progress than any other immigrants. They have adopted no American ideas or customs, but live as they do in their own country. Although many of the Mexicans in the coal mines of Oklahoma were born in the United States, they are little nearer Americanization than those directly from Mexico.

I will not take the time to read more from this report, although I might do it with profit.

This great body of immigrants, concerning which I have spoken, is almost wholly made up of unskilled laborers, and are coming in such vast numbers that they are overcrowding labor at the bases of the great industries.

As evidence of this, let me call attention to the fact that of the Italians admitted, 85.4 per cent have been common or farm laborers; of the Hebrews, 32.9 per cent—they are largely classed as skilled laborers and most of them work in the clothing manufactories of the country. But coming to the Polish, one of the most numerous classes, 93.7 per cent are either common or farm laborers; of the Slovak, 95.6 per cent; of the north Italian, 79.6 per cent; of the Magyars, 91.4 per cent; of the Croatians and Slovenians, 95 per cent; of the Greeks, 92.3 per cent; of the Lithuanians, 93.3 per cent; of the Ruthenians, 79.5 per cent; of the Bulgarian, Montenegrin, and Servian, 96.7 per cent; of the Finnish, 94 per cent; of the Roumanian, 97.3 per cent; of the Portuguese, 93.7 per cent.

It thus appears that taking all these races together the percentage of that class goes considerably above 90 per cent, and yet with all the industry of the Bureau of Distribution, with all the inducements that are held out by the farmers of America, in spite of all the advantages the aliens might enjoy if they would go to the country districts, it is utterly impossible to turn any one of them away from the group with which he is admitted and of which he forms a part. All recent immigrants move in racial groups, and the group from one locality follows the group which last left that locality. So you will find one particular race largely predominating in one place and another particular race largely predominating in another, but they are all at the centers of industries.

NO INTENTION TO BECOME CITIZENS.

Another of the least desirable classes which the commission thought might well be restricted is the class who have come here without an intention to become citizens of the United States.

Senators will remember that it has always been the policy of our Government to encourage the admission of families. It is an admitted fact in our civilization that the family is the basic unit upon which good citizenship finds its best development. When a European immigrant is accompanied by his family it is evident that he has come to cast his lot with ours, to become a part of our national life, to enjoy our privileges, and to share in our responsibilities. It is the man who comes with his family who becomes a valuable asset in the American system; and it follows that if any are to be excluded it should be those who, though married, leave their wives in Europe.

I have before me a table covering those who have been in the United States more than 10 years. That I may be entirely fair in my discussion of the characteristics of the different races and nationalities, I have confined myself in this examination to those classes of immigrants who have been residents of the United States long enough so that their intentions and purposes can be clearly determined.

Of those who have become citizens of the United States, there have been of the Danish, 77.3 per cent; of the Dutch, 64.7 per cent; of the English, 67 per cent; of the French, 64.8 per cent; of the German, 81.5 per cent; of the Irish, 80 per cent; and of the Norwegian, 77.5 per cent.

Compare these percentages with those representing those classes which constitute the new immigration. Of the Polish who have resided in the United States 10 years or over, 39.8 per cent have become naturalized citizens; of the Slovaks, 25.3 per cent; of the north Italians, 49.3 per cent; of the south Italians, 34 per cent; of the Hungarians, 26.9 per cent; of the Croatians, 26.8 per cent; of the Slovenians, 35.3 per cent; and of the Russians, 33.6 per cent.

It will be seen from these figures that there are about three times as many from those nationalities constituting the old immigration who become naturalized citizens as there are from the same number of individuals among the races from eastern and southern Europe.

I have, Mr. President, another table showing the citizenship of employees who have been in the United States for different periods of time, from 5 to 10 years, and for a period of 10 years or over, which I ask leave to insert in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

CITIZENSHIP.

Citizenship of employees who have been in the United States for different periods of time (Vol. 1, pp. 485–489), page 488.

Per cent of those who have been here from 5 to 9 years having first papers only:

Old immigration:	
Danish	45.6
Dutch	31.7
English	42.4
French	31.5
German	40.2
Irish	30.8
Scotch	32.1
Swedish	57.3
Welsh	46.2
Norwegian	59.0
New immigration:	
Armenian	24.1
Bohemian and Moravian	46.5
Croatian	11.4
Finnish	30.1
Greek	12.8
Russian Hebrew	44.4
Other Hebrew	42.0
Italian, north	21.5
Italian, south	14.1
Lithuanian	10.3
Hungarian	15.2
Polish	11.3
Portuguese	1.6
Roumanian	10.9
Russian	11.4
Ruthenian	10.3
Servian	6.4
Slovak	8.6
Slovenian	22.6
Spanish	2.2
Syrian	10.8

Of the total number, 32,142, who had a residence here of from 5 to 9 years 6.2 per cent were fully naturalized.

The lack of political or civic interest of southern and eastern European wage earners is shown by the percentage of fully naturalized representatives of some of the principal races with a residence of 10 years or longer:

Croatian	26.8
Hebrew, Russian	48.3
Italian, north	49.3
Italian, south	34.0
Lithuanian	41.1
Magyar	26.9
Polish	39.8
Russian	33.6
Slovak	25.3

PERCENTAGE PLAN AS A MEASURE OF RESTRICTION.

Mr. DILLINGHAM. Another plan suggested by the commission for restricting immigration was the limitation of the num-

ber admitted of each nationality arriving each year to a certain percentage of the average of that race resident in continental United States, including Alaska, Hawaii, and Porto Rico. At the time this report was made there was no basis upon which to submit an estimate of the operation of such a proposition if enacted into law; but the census of 1910 disclosed by nationalities the number of each in this country in that year. With that before us we are able to make an estimate at this time of how such a test as that might apply and what results would follow. Although it has not been discussed in the Senate or elsewhere, it may be of interest to call attention to the plan, and I will do so as briefly as possible.

Some time during the present Congress—I do not remember just when—I introduced an immigration bill into this body containing this proposition. That bill has not yet been considered by the Committee on Immigration, though I hope it may be; but the salient feature of the restrictive measure in that bill was this:

Provided, That the number of aliens of any nationality who may be admitted to continental United States, including Alaska, Hawaii, and Porto Rico in any fiscal year shall be limited to 10 per cent of the number of such persons of such nationality resident in continental United States, including Alaska, Hawaii, and Porto Rico at the time of the United States census next preceding; but the minimum number of aliens of any nationality admissible in any fiscal year shall not be less than 5,000.

Then follow various conditions regulating the admission of aliens under the principle of a 10 per cent basis upon the number of each of those nationalities resident here in the last preceding census year.

This proposition has caused some comment, and it may be of interest to the Senate to observe what its operation might be. I have before me a comparative statement showing the number of aliens admitted to the United States in 1913, by countries, the number who would have been admitted under the literacy test, and the number who would have been admitted under the percentage test.

Take southern and eastern Europe. The number of aliens admitted for 1913, by countries, from that section amounted to 896,533. The approximate number of this class who would have been admitted under the literacy test in 1913 is 614,082, and the approximate number who would have been admitted under the 10 per cent test, which I have suggested, is 529,553. In other words, the number admitted that year would have been decreased under the literacy test 31.5 per cent, and under the percentage test 40.9 per cent.

In the immigration coming from northern and western Europe the results would be unique. The number admitted from Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom was 182,886. The number of those who would have been admitted under the literacy test is 171,267, and under the percentage test 658,311. That is to say, there would have been an allowable increase in the number coming from those countries representing the races of the old immigration of 260 per cent under the percentage test. It will be remembered that, while the number coming from those nations in the last 30 years has been relatively small when compared with the number coming from eastern and southern Europe, there are so many in numbers representing the races of the old immigration resident in the United States who were admitted years ago that the percentage system would not operate to cut down the number of admissions from those countries. I will make that clear as I proceed.

As over 90 per cent of the immigrant aliens from the southern and eastern group came from the three countries, Russia, Italy, and Austria-Hungary, a comparison similar to the one above confined to these three countries is interesting:

Number admitted 1913:	
Russia	291,040
Italy	265,542
Austria-Hungary	254,825
Total	811,407
Literacy test:	
Russia	210,796
Italy	151,825
Austria-Hungary	197,796
Total	560,417
Decrease, 31 per cent.	
Percentage test:	
Russia	173,520
Italy	134,426
Austria-Hungary	167,195
Total	475,141
Decrease, 41 per cent.	

Thus it will be seen, there would have been a considerable difference between the number admitted under these two tests from Russia, Italy, and Austria-Hungary. The literacy test would have cut down the immigration from these three countries from 811,408 to 560,417, or 31 per cent. The percentage test would have cut down the immigration from these three countries from 811,408 to 475,141, or 41 per cent.

It thus appears, taking the year 1913 as an illustration, that the actual immigration from each one of the countries comprising the southern and eastern Europe group would be cut down by the application of the principle in the percentage test, with the exception of that from Bulgaria, Servia, Montenegro, and Roumania, and that the cut would be greatest in the number of immigrant aliens admitted from Russia, Italy, and Austria-Hungary, which three countries furnished in 1913 over 75 per cent of the immigration to this country from all the countries in Europe, not only those in the southern and eastern group but those in the northern and western group as well. To indicate the large number of immigrants coming from these three last-mentioned countries, and how effective the 10 per cent system would prove in reducing such immigration, it may be stated that the decrease in the number of immigrants admitted from Russia and Austria-Hungary alone would be greater by 20,000 than the whole number of immigrants admitted from all the countries of the northern and western group. And yet the adoption of this system would not reduce or restrict the immigration from any country in northern or western Europe except Belgium.

To recapitulate: Basing computation upon the immigration of 1913, the literacy test would have reduced the number admitted from Austria-Hungary, Bulgaria, Servia, Montenegro, Greece, Italy, Portugal, Roumania, Russia, Spain, Turkey in Europe, and Turkey in Asia, 31.5 per cent, while the percentage test would have reduced the immigration of those countries 40.9 per cent; on the other hand, the literacy test would have reduced the number of immigrants from the northern and western group, including the United Kingdom, Germany, and Scandanavian States, France, Belgium, Switzerland, and the Netherlands only 6.4 per cent. Under the percentage test the number coming from the last-named countries might have been increased 2,304,090.

TABLE A.—*A comparative statement showing the number of aliens admitted to the United States in 1913 by countries, the number who would have been admitted under the literacy test, and the number who would have been admitted under the percentage test.*

SOUTHERN AND EASTERN EUROPE.

Country.	Number of aliens admitted for 1913, by countries.	Approximate number who would have been admitted under literacy test in 1913.	Number of aliens admissible under 10 percentage test.
Austria-Hungary	254,825	197,796	167,195
Bulgaria	1,753	1,072	5,000
Servia			5,000
Montenegro			5,000
Greece	22,817	17,280	10,151
Italy	265,542	151,825	134,426
Portugal	14,171	5,856	6,696
Roumania	2,155	1,437	6,592
Russia	291,040	210,796	173,520
Spain	6,167	4,947	5,000
Turkey in Europe	14,128	9,524	5,000
Turkey in Asia	23,955	13,549	5,973
Total	896,553	[1] 614,082	[2] 529,553

NORTHERN AND WESTERN EUROPE.

Belgium	7,405	7,074	5,000
Denmark	6,478	6,275	18,230
France	9,675	7,894	11,836
Germany	34,329	28,460	250,398
Netherlands	6,902	6,661	12,014
Norway	8,587	8,485	23,724
Sweden	17,202	16,956	66,806
Switzerland	4,104	3,640	12,506
United Kingdom	88,204	85,822	257,797
Total	182,886	[3] 171,267	[4] 658,311

[1] Decrease (literacy test), 31.5 per cent.
[2] Decrease (10 per cent system), 40.9 per cent.
[3] Decrease (literacy test), 6.35 per cent.
[4] Allowable increase (10 per cent system), 260 per cent.

So it will be seen that, under the percentage test, western and northern Europe would not be affected at all; in fact, they would be entitled to come in much larger numbers than they have done in the past; but, on the other hand, the numbers coming from eastern and southern Europe would be quite a little less than under the literacy test.

UNSKILLED WORKMEN UNACCOMPANIED BY WIVES.

The commission also suggested that the exclusion of unskilled workmen who come unaccompanied by their wives and families might be desirable, and for that reason I call particular attention to the result of my examination of the character of the immigration during the period from 1899 to 1910, inclusive.

I have already stated, Mr. President, how desirable it is that if we are to receive immigration from foreign countries it shall consist of those who come with the definite purpose to remain and who as evidence of such purpose bring their wives and children with them. To how large an extent have males predominated among the races coming from eastern and southern Europe during the 12-year period 1899–1910, inclusive?

Of those coming from south Italy, 78.6 per cent were males; of the Hebrews, 56.6 per cent; of the Polish, 69.5 per cent; of the Slovaks, 70.5 per cent; of those from north Italy, 78.3 per cent; of the Hungarians, 72.2 per cent; of the Croatians, 84.9 per cent; of the Slovenians, 70.5 per cent; of the Greeks, 95.1 per cent; and of the Lithuanians, 70.6 per cent. In this fact—that from 75 to 80 per cent of this entire immigration were males—we find a reason for the deplorable living conditions discovered by the commission, and a reason why these races do not become assimilated to American institutions.

Now, Mr. President, I call attention to what seem to me to be astounding facts, facts that ought to startle the American people and lead them to seriously consider the future of the Nation. During the last five years, 1910–1914, 2,337,557 foreign-born males, 14 years of age or over, have been admitted to the United States from southern and eastern Europe, more than 90 per cent of whom were unskilled workmen. Of this vast number 1,234,531, or 52.9 per cent, were single men and 1,102,631, or 47.1 per cent, were married men.

But the startling fact appears that of this vast body of married men, 39 per cent had left their wives abroad, and we are compelled to recognize the fact that 70.1 per cent of all the males over 14 years of age coming in the last five years and numbering 2,337,557 are leading single lives. These facts will more fully appear from the following table:

TABLE B.—*Table showing the number of males, 14 years of age or over, coming to the United States in the last 5 years, 1910–1914, from southern and eastern Europe, by countries, the number of single men, the number of married men, and the number who were widowed or divorced.*

Nationality.	Males 14 years or over.	Single.	Married.	Widowed or divorced.
South Italian	658,732	314,883	337,685	6,164
Polish	342,824	196,086	145,370	1,368
Hebrew	211,007	125,705	82,440	2,862
Greek	170,833	117,872	52,915	46
Russian	130,375	59,224	71,009	142
North Italian	121,652	70,375	50,427	850
Croatian and Slovenian	115,990	54,191	61,188	611
Ruthenian	84,189	37,222	46,697	270
Hungarian	76,771	21,525	52,417	2,829
Slovaks	75,419	29,218	45,863	338
Lithuanian	58,203	42,995	14,962	246
Bulgarian, Montenegrin, and Servian	53,405	19,123	33,785	497
Roumanian	51,924	11,825	39,409	295
Finnish	33,030	23,778	9,046	206
Spanish	31,002	20,473	10,824	305
Portuguese	26,348	13,107	12,934	307
Armenian	25,034	14,025	10,878	131
Bohemian and Moravian	21,929	13,249	8,454	226
Syrian	21,303	15,382	5,543	378
Dalmatian, Bosnian, and Herzegovinian	19,327	11,471	7,769	87
Turkish	7,660	4,620	3,016	24
Total	2,337,557	1,216,349	1,102,631	18,182

Single, widowed, or divorced, 1,234,531, or 52.9 per cent.
Married, 1,102,631, or 47.1 per cent.

Applying the percentages of the married men who reported leaving their wives abroad, by races, as found by the commission's study of the immigrants in mining and manufacturing, to the actual number of married men over 14 years of age coming to the Untied States during the last five years, it will appear that 431,553 of the whole number, 1,102,631, should really be classed with those leading single lives, 39 per cent of them as appears in the following table:

Five years, 1910–1914.

Nationality.	Married males.	Per cent reporting leaving wives abroad.	Number leaving wives.
South Italian	337,685	36.9	134,606
Polish	145,370	23.0	33,405
Hebrew	82,440	12.5	10,305
Greek	52,915	74.7	39,528
Russian	71,009	45.5	32,309
North Italian	50,427	31.6	15,935
Croatian and Slovenian	61,188	46.5	28,452
Ruthenian	46,697	44.4	20,933
Hungarian	52,417	43.3	22,697
Slovak	45,863	34.2	15,985
Lithuanian	14,962	23.3	3,486
Bulgarian, Montenegrin, and Servian	33,785	76.9	25,981
Roumanian	39,409	73.9	29,123
Finnish	9,046	17.6	1,592
Spanish	10,824	3.6	390
Portuguese	12,934	15.9	2,057
Armenian	10,878	50.8	5,526
Bohemian and Moravian	8,454	8.1	685
Syrian	5,543	35.0	1,940
Dalmatian, Bosnian, and Herzegovinian	7,769	27.0	2,097
Turkish	3,016	83.6	2,521
Total	1,102,631		[1] 431,553

Single men	1,216,349
Widowed or divorced	18,182
Married, leaving wives abroad	431,553
Leading single lives	[2] 1,663,084

[1] Thirty-nine per cent of married males.
[2] Seventy and one-tenth per cent of all the males over 14 years of age coming in the last 5 years, 2,337,557.

Mr. CRAWFORD. Mr. President, will the Senator permit me to ask him a question?

Mr. DILLINGHAM. Certainly.

Mr. CRAWFORD. Does that mean that these men had deserted their families?

Mr. DILLINGHAM. Not necessarily; no. Many of them returned.

Mr. CRAWFORD. They were maintaining their homes on the other side of the water?

Mr. DILLINGHAM. Undoubtedly; and many of them returned. But what is the condition in this country where there has been an influx of such a vast number of unskilled male laborers, 70 per cent of whom are leading single lives and living under the boarding-boss system, with perhaps 20 in a family? Of course these people who have failed to bring their families have no children in our public schools. The common schools, the great agency in this country for bringing the newcomers in contact with the old, can not serve their purpose as an assimilating agency under such conditions. These people live in parts of cities hardly ever invaded by the old residents. What does this mean? It means that this vast body of people are living, as I have indicated, under conditions which are undesirable, with no interest in the municipality where they reside, no pride in the State where they find their employment, and, as a rule, knowing very little of and having no interest in the General Government of which we are so proud and so fond.

I have in this connection, Mr. President, a table showing the percentage of those who, being married men, reported to the commission that they had left their wives in Europe, which I ask may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table referred to is as follows:

EMPLOYED IN MANUFACTURES.

Men who reported to the commission that their wives were abroad:

	Per cent.
German	4.3
English	3.4
Irish	1.2
Swedish	5.3
Scotch	3.2
Welsh	1.4
Dutch	3.8
Danish	3.2
Average	3.2
Polish	23.0
Slovak	34.2
South Italian	36.9
Hungarian	43.3
North Italian	31.6
Croatian	59.3
Lithuanian	23.3
Russian	45.5
Bohemian, Moravian	8.2
Hebrew, Russian	12.5

	Per cent.
Finnish	17.6
Portuguese	15.9
Greek	74.7
Austrian	27.0
Average	32.2

Mr. DILLINGHAM. Mark the difference between the nationalities which constitute the old and the new immigration.

APPLICATION OF THE READING TEST.

Mr. President, the reading test, to which I have referred, will apply substantially as follows: I will take the immigration of the last 11 years as a basis for the discussion.

During that time we admitted substantially 7,000,000 aliens. Of the old immigration 2.7 per cent would have been excluded, and of the new immigration, amounting to 5,215,000, 35.6 per cent would have been excluded.

Let me say also that in comparison with other means of restriction the literacy test is essentially humane to the immigrating classes of Europe. It is so simple and direct that the right of a person to admission into the United States can be determined in advance, and it will not subject individual immigrants to that uncertainty and loss which would attend a less definite method of restriction.

I venture, also, to suggest that the requirement that one be able to read in some language is not unreasonable. The ability to read in one's own language is not a difficult acquirement, particularly in the case of a person who in point of intelligence or character will make a desirable citizen, and the effort that might be required is not too high a price to pay for the benefits which will accrue to the individual in securing for himself the American standard of living and wages. Not only that, but the application of this test will prove a benefit to the countries from which they come, because it will stimulate elementary education among the masses.

Mr. President, in closing my remarks I wish to call attention to what seems to me to be a most remarkable condition in this country, disclosed by the last census, and one which must not be overlooked. It indicates a danger to which we should not close our eyes—one of which the President could have had no knowledge when preparing his veto message.

It is a startling fact that in the census year 1900 there were found within our borders 900,000 foreign-born male whites, 21 years of age or over, who had taken no steps to become citizens of the United States, but who, under our naturalization laws, were entitled to do so at once.

The census of 1910 discloses the alarming fact that in a single decade the number of foreign-born males who were over 21 years of age and who had then taken no steps to become citizens of the United States had increased from 900,000 to 2,260,000.

What does this vast increase signify? What does the presence in the United States of 2,260,000 male whites of foreign birth of more than 21 years of age portend?

While it is not probable that such results will follow, it is possible for this entire body to become naturalized citizens of the United States within a period of five years. Should that be done, who can measure the influence of the addition of this vast number of voters upon the policies and the progress of our Nation?

Do you realize that 2,260,000 men represent a number equal to one-seventh of the entire vote cast in the United States in the presidential election of 1912?

The possibilities suggested by the presence in this country of this vast number of prospective voters can be better understood when I call attention to the fact that the entire presidential vote of California, Oregon, Washington, Montana, Idaho, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, North Dakota, South Dakota, Nebraska, and Kansas in the election of 1912 amounted only to about 2,280,000, while this body of prospective citizens in the United States in 1910 numbered 2,260,000. Further comment is unnecessary.

Mr. President, I am strongly impressed with the conviction that the time has come when the policy of restricting immigration by means of a literacy test should be inaugurated. It is a policy that was demanded as early as 1896 by both political parties of the Nation. It is a policy which has been approved by affirmative legislation by three separate Congresses of the United States, chosen by the people of the Nation at three several elections, and this is conclusive evidence that the subject is one which has met the "conscious and universal assent of the American people."

And yet the President of the United States says:

> Let the platforms of the parties speak out on this policy, and the people pronounce their wish. The matter is too fundamental to be settled otherwise.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Saturday, February 13, 1915, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 12, 1915.

SECRETARIES OF EMBASSIES OR LEGATIONS.

CLASS 3.

Rutherfurd Bingham, of the District of Columbia, now in the Division of Latin-American Affairs, Department of State, to be secretary of embassy or legation of class 3 in the Diplomatic Service of the United States of America.

William Penn Cresson, of Nevada, recently secretary of the legation at Panama, to be secretary of embassy or legation of class 3 in the Diplomatic Service of the United States of America.

Jordan Herbert Stabler, of Maryland, now on detail as second secretary of the embassy at London, to be secretary of embassy or legation of class 3 in the Diplomatic Service of the United States of America.

Frederick A. Sterling, of Texas, now second secretary of the legation at Peking, to be secretary of embassy or legation of class 3 in the Diplomatic Service of the United States of America.

CLASS 4.

Glenn Stewart, of Pennsylvania, now second secretary of the legation at Habana, to be secretary of embassy or legation of class 4 in the Diplomatic Service of the United States of America.

CONSULS GENERAL.

CLASS 2.

William H. Robertson, of Virginia, now consul of the United States at Manchester, to be consul general of class 2.

John H. Snodgrass, of West Virginia, now consul general of the United States at Moscow, to be consul general of class 2.

CLASS 3.

John P. Bray, of North Dakota, now consul general of the United States at Sydney, Australia, to be consul general of class 3.

Albert Halstead, of the District of Columbia, now consul of the United States at Birmingham, to be consul general of class 3.

CLASS 4.

Joseph I. Brittain, of Ohio, now consul general of the United States at Auckland, New Zealand, to be consul general of class 4.

Leo J. Keena, of Michigan, now consul general of the United States at Buenos Aires, to be consul general of class 4.

Dominic I. Murphy, of the District of Columbia, now consul of the United States at Amsterdam, to be consul general of class 4.

CLASS 5.

Maxwell Blake, of Missouri, now consul general of the United States at Tangier, to be consul general of class 5.

William Coffin, of Kentucky, now consul general of the United States at Budapest, Hungary, to be consul general of class 5.

Philip C. Hanna, of Iowa, now consul general of the United States at Monterey, Nuevo Leon, to be consul general of class 5.

Ernest L. Harris, of Illinois, now consul general of the United States at Stockholm, to be consul general of class 5.

George Horton, of Illinois, now consul general of the United States at Smyrna, to be consul general of class 5.

Will L. Lowrie, of Illinois, now consul general of the United States at Lisbon, to be consul general of class 5.

Alexander W. Weddell, of Virginia, now consul general of the United States at Athens, to be consul general of class 5.

Alfred A. Winslow, of Indiana, now consul of the United States at Valparaiso, to be consul general of class 5.

Edward D. Winslow, of Illinois, now consul general of the United States at Copenhagen, to be consul general of class 5.

CONSULS.

CLASS 2.

Ross E. Holaday, of Ohio, now consul of the United States at Santiago de Cuba, to be consul of class 2.

CLASS 3.

Frank W. Mahin, of Iowa, recently consul of the United States at Amsterdam, to be consul of class 3.

CLASS 4.

P. Merrill Griffith, of Ohio, now consul of the United States at Pernambuco, to be consul of class 4.

CLASS 5.

Arminius T. Haeberle, of Missouri, now consul of the United States at St. Michaels, Azores, to be consul of class 5.

Michael J. Hendrick, of New York, now consul general of the United States at Christiania, to be consul of class 5.

Calvin Milton Hitch, of Georgia, now assistant chief of the Division of Latin-American Affairs, Department of State, to be consul of class 5.

CLASS 6.

Marion Letcher, of Georgia, now consul of the United States at Chihuahua, Chihuahua, to be consul of class 6.

Stuart K. Lupton, of Tennessee, now consul general of the United States at Guatemala, to be consul of class 6.

Frederick Simpich, of Washington, now vice consul of the United States at Nogales, to be consul of class 6.

CLASS 7.

Clarence Carrigan, of California, now consul of the United States at Grenoble, to be consul of class 7.

George C. Cole, of West Virginia, now consul of the United States at Dawson, Yukon Territory, to be consul of class 7.

Henry C. A. Damm, of Tennessee, now consul of the United States at Stettin, Prussia, to be consul of class 7.

Alfred W. Donegan, of Alabama, now consul of the United States at Magdeburg, Prussia, to be consul of class 7.

Claude E. Guyant, of Illinois, now vice consul of the United States at Ensenada, to be consul of class 7.

Perry C. Hays, of Montana, now consul of the United States at Zanzibar, to be consul of class 7.

William J. Yerby, of Tennessee, now consul of the United States at Sierra Leone, West Africa, to be consul of class 7.

CLASS 8.

Oscar S. Heizer, of Iowa, now vice consul of the United States at Constantinople, to be consul of class 8.

Theodore Jaeckel, of New York, now consul of the United States at Stavanger, to be consul of class 8.

CLASS 9.

Thomas D. Davis, of McAlester, Okla., to be consul of class 9.

Maurice P. Dunlap, of St. Paul, Minn., to be consul of class 9.

John R. Silliman, of Texas, now vice consul of the United States at Saltillo, to be consul of class 9.

UNITED STATES MARSHALS.

John J. Mitchell, of Marlboro, Mass., to be United States marshal for the district of Massachusetts, vice Guy Murchie, resigned.

Chester C. Middlebrooks, of Winsted, Conn., to be United States marshal for the district of Connecticut, vice Sidney E. Hawley, whose term has expired.

UNITED STATES ATTORNEY.

John F. A. Merrill, of Portland, Me., to be United States attorney for the district of Maine, vice Stephen C. Perry, deceased.

RECEIVER OF PUBLIC MONEYS.

Francis P. O'Connor, of Wausau, Wis., to be receiver of public moneys at Wausau, Wis., vice Henry G. McCrossen, whose term expired February 2, 1915.

PROMOTIONS AND APPOINTMENTS IN THE COAST GUARD.

Second Lieut. of Engineers Jesse Wilbur Glover to be first lieutenant of engineers in the Coast Guard of the United States, to rank as such from October 24, 1914, in place of First Lieut. of Engineers Harry Lansdale Boyd, promoted.

Third Lieut. of Engineers Francis Clare Allen to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from October 24, 1914, in place of Second Lieut. of Engineers Jesse Wilbur Glover, promoted. This officer has passed the required examination.

Third Lieut. of Engineers Charles Herman Johnson to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from June 12, 1914.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Third Lieut. of Engineers Clinton Philo Kendall, to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from June 10, 1914, and next after Second Lieut. of Engineers Henry Charles Roach.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Third Lieut. of Engineers Kurt Wolfgang Krafft to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from March 13, 1914, and next after Second Lieut. of Engineers Clinton Philo Kendall.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Third Lieut. of Engineers Charles Joseph Odend'hal to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from June 10, 1914. This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Third Lieut. of Engineers Herbert Norton Perham to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from August 7, 1914, in place of Second Lieut. of Engineers Hugh Burton Robinson, resigned. This officer has passed the required examination.

Third Lieut. of Engineers Henry Charles Roach to be second lieutenant of engineers in the Coast Guard of the United States, to rank as such from June 12, 1914. This officer has served the required time in his present grade and has passed the necessary examination for promotion.

George Wheeler Bowley to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

Edgar Chadwick to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

Edwin Emmet Chapman to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

John Stites Cole to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

Arthur Dominy to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

Silas Hatch Harding to be district superintendent in the Coast Guard of the United States, in accordance with the act of Congress approved January 28, 1915.

Jerome Godfrey Kiah to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

Herbert Minot Knowles to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

Gus Brynolf Lofberg to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

Patrick Henry Morgan to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

James Franklin Phillips to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

William Edward Tunnell to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

Otto Gabriel Wellander to be district superintendent in the Coast Guard of the United States in accordance with the act of Congress approved January 28, 1915.

ADVANCEMENT IN GRADE.

INFANTRY ARM.

Lieut. Col. William H. Sage, Twenty-third Infantry, to be colonel from February 7, 1915.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Edwin A. Root, Sixteenth Infantry, to be colonel from February 7, 1915, vice Col. Daniel Cornman, Seventh Infantry, retired from active service February 6, 1915.

Maj. Frank L. Winn, Infantry, unassigned, to be lieutenant colonel from February 7, 1915, vice Lieut. Col. William H. Sage, Twenty-third Infantry, advanced to the grade of colonel under the provisions of an act of Congress approved March 3, 1911.

Maj. Charles C. Ballou, Twenty-fourth Infantry, to be lieutenant colonel from February 7, 1915, vice Lieut. Col. Edwin A. Root, Sixteenth Infantry, promoted.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from February 5, 1915.

Thomas Gustin Aller, of Pennsylvania.

Edward Augustus Coates, jr., of Massachusetts.

Otto Henry Deichmann, of Illinois.
George Clark Dunham, of Oregon.
Arthur Gordon Hodgins, of Hawaii.
Thomas Francis Lancer, of New York.
Charles Clagett Marbury, of the District of Columbia.
John Andrew Murphy, of Pennsylvania.
Joseph Herbert Page, of Louisiana.
Loyd Thompson, of Arkansas.

PROMOTIONS IN THE NAVY.

Lieut. Guy Whitlock to be a lieutenant commander in the Navy from the 1st day of July, 1914.

Lieut. Roe R. Adams to be a lieutenant commander in the Navy from the 1st day of July, 1914.

Lieut. James P. Murdock to be a lieutenant commander in the Navy from the 13th day of November, 1914.

Lieut. (Junior Grade) Charles C. Slayton to be a lieutenant in the Navy from the 1st day of July, 1914.

Lieut. (Junior Grade) Irving H. Mayfield to be a lieutenant in the Navy from the 10th day of July, 1914.

Ensign Daniel A. McElduff to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

Ensign Charles C. Davis to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

Assist. Surg. John C. Parham to be a passed assistant surgeon in the Navy from the 7th day of July, 1914.

POSTMASTERS.

ARKANSAS.

Thomas C. Fleeman to be postmaster at Ozark, Ark., in place of Samuel Mullen. Incumbent's commission expired January 19, 1915.

CALIFORNIA.

George E. Alexander to be postmaster at Hayward, Cal., in place of Alonzo Bradford. Incumbent's commission expired January 16, 1915.

Joseph Galewsky to be postmaster at St. Helena, Cal., in place of Frank B. Mackinder. Incumbent's commission expires February 17, 1915.

J. I. C. Kennedy to be postmaster at Mountain View, Cal., in place of W. A. Griffin. Incumbent's commission expired December 20, 1914.

Owen Kenny to be postmaster at Calistoga, Cal., in place of Felix L. Grauss. Incumbent's commission expires February 14, 1915.

Peter D. McIntyre to be postmaster at Blythe, Cal. Office became presidential January 1, 1915.

Evelyn Mitchell to be postmaster at Dos Palos, Cal., in place of James Mitchell. Incumbent's commission expires February 17, 1915.

Henry W. Nash to be postmaster at Stirling City, Cal., in place of Henry W. Nash. Incumbent's commission expired January 11, 1915.

John R. Snead to be postmaster at Dixon, Cal., in place of Benjamin F. Newby. Incumbent's commission expired January 11, 1915.

J. V. Swift to be postmaster at Redwood City, Cal., in place of William A. Price. Incumbent's commission expires February 14, 1915.

W. W. Ware to be postmaster at Fort Bragg, Cal., in place of Erl Huggins. Incumbent's commission expires February 14, 1915.

COLORADO.

George J. W. Longmore to be postmaster at Louisville, Colo., in place of Anna Allert. Incumbent's commission expired January 10, 1915.

O. W. McKinley to be postmaster at Ault, Colo., in place of R. Lincoln Pence. Incumbent's commission expired February 8, 1915.

William D. Richardson to be postmaster at Oak Creek, Colo., in place of Carl D. Van Dorn, resigned.

CONNECTICUT.

Thomas H. Collins to be postmaster at Farmington, Conn., in place of Frederick L. Scott. Incumbent's commission expired February 6, 1915.

Alexander Gilman to be postmaster at Putnam, Conn., in place of Frank C. Letters. Incumbent's commission expired February 8, 1915.

Hugh Hearns to be postmaster at Naugatuck, Conn., in place of Isaac L. Trowbridge. Incumbent's commission expired April 21, 1914.

William S. Meany to be postmaster at Greenwich, Conn., in place of George W. Merritt. Incumbent's commission expired December 20, 1914.

David A. Wilson to be postmaster at Hartford, Conn., in place of Frank A. Hagarty. Incumbent's commission expired January 27, 1915.

FLORIDA.

Orlando E. Hannah to be postmaster at Tavares, Fla. Office became presidential January 1, 1915.

GEORGIA.

John C. Evans to be postmaster at Warrenton, Ga., in place of Annie I. Burkhalter. Incumbent's commission expires March 3, 1915.

Kate W. Kirkpatrick to be postmaster at Decatur, Ga., in place of Kate W. Kirkpatrick. Incumbent's commission expired December 19, 1914.

HAWAII.

Henry A. Juen to be postmaster at Waipahu, Hawaii, in place of John H. Travis, resigned.

IDAHO.

Everett Noble to be postmaster at Shoshone, Idaho, in place of E. H. Miles. Incumbent's commission expired January 13, 1915.

ILLINOIS.

Horace C. Aleshire to be postmaster at Plymouth, Ill., in place of Silas H. Aldridge. Incumbent's commission expires February 16, 1915.

Z. R. Genung to be postmaster at Rantoul, Ill., in place of Leone M. Weir. Incumbent's commission expired February 3, 1915.

James F. Harkins to be postmaster at Carlinville, Ill., in place of George F. Jordan. Incumbent's commission expires February 23, 1915.

Thomas W. McGraugh to be postmaster at Ashland, Ill., in place of Charles F. Douglass, removed.

Joseph P. McMahon to be postmaster at Silvis, Ill., in place of Victor H. Dumbeck. Incumbent's commission expires February 16, 1915.

William E. Powers to be postmaster at Harvey, Ill., in place of William H. Pease. Incumbent's commission expired January 27, 1915.

W. H. Stader to be postmaster at Equality, Ill., in place of A. Leslie Bowling. Incumbent's commission expired February 6, 1915.

Isaac W. Terry to be postmaster at Tamaroa, Ill., in place of Louis Kaul. Incumbent's commission expired February 1, 1915.

Louis Wolter to be postmaster at Marissa, Ill., in place of John W. Church. Incumbent's commission expires February 16, 1915.

INDIANA.

Alvin E. Hauk to be postmaster at Morristown, Ind., in place of John Bennett. Incumbent's commission expires February 23, 1915.

Charles F. Ill to be postmaster at Notre Dame, Ind., in place of Andrew Morrissey. Incumbent's commission expires February 23, 1915.

Frank L. Lashley to be postmaster at Centerville, Ind., in place of Effie E. Smith. Incumbent's commission expires February 23, 1915.

William Marmaduke to be postmaster at Wingate, Ind., in place of James A. Long. Incumbent's commission expired February 6, 1915.

Henry B. Snyder to be postmaster at Gary, Ind., in place of John W. Call, removed.

John W. Wright to be postmaster at Brookston, Ind., in place of Laron E. Street. Incumbent's commission expires February 16, 1915.

IOWA.

C. F. Duncombe to be postmaster at Fort Dodge, Iowa, in place of S. J. Robertson. Incumbent's commission expires January 18, 1915.

Martin F. Kelly to be postmaster at Dewitt, Iowa, in place of Edward C. Brown. Incumbent's commission expired January 18, 1915.

George W. McKeehan to be postmaster at Cincinnati, Iowa. Office became presidential January 1, 1915.

Pearl L. Maier to be postmaster at Dumont, Iowa. Office became presidential January 1, 1915.

Earl P. Patten to be postmaster at Danbury, Iowa, in place of Cecil Adams, resigned.

H. R. Richards to be postmaster at Churdan, Iowa, in place of Charles E. Wherry. Incumbent's commission expired January 18, 1915.

J. E. Spence to be postmaster at Milton, Iowa, in place of Henry C. Hill. Incumbent's commission expired February 10, 1915.

Thomas P. Watson to be postmaster at Dows, Iowa, in place of Clyde E. Hammond. Incumbent's commission expired January 21, 1915.

Louis A. Wiweke to be postmaster at Cherokee, Iowa, in place of James Payton. Incumbent's commission expired December 13, 1914.

KANSAS.

Aldamar P. Elder to be postmaster at Ottawa, Kans., in place of Newman Waring. Incumbent's commission expires March 3, 1915.

Hiram R. Fulton to be postmaster at Hanover, Kans., in place of William R. Jones. Incumbent's commission expired February 8, 1915.

John E. Hare to be postmaster at Cunningham, Kans., in place of J. M. Cannon. Incumbent's commission expired January 31, 1915.

KENTUCKY.

W. L. Hale to be postmaster at Mayfield, Ky., in place of Jesse C. Speight. Incumbent's commission expires April 20, 1915.

N. T. Mercer to be postmaster at Columbia, Ky., in place of W. A. Coffey, resigned.

LOUISIANA.

F. H. Gosman to be postmaster at Shreveport, La., in place of A. C. Lea. Incumbent's commission expired January 13, 1915.

H. J. Nelson to be postmaster at Vinton, La., in place of Evan J. Roderick, deceased.

MARYLAND.

Charles A. Deffinbaugh to be postmaster at Oakland, Md., in place of James C. Peddicord. Incumbent's commission expired February 1, 1915.

B. C. Lefever to be postmaster at Williamsport, Md., in place of John B. Beard. Incumbent's commission expires February 16, 1915.

Patrick T. McGann to be postmaster at Frostburg, Md., in place of Ulysses Hanna. Incumbent's commission expires February 16, 1915.

MASSACHUSETTS.

Edward E. Hoxie to be postmaster at Lee, Mass., in place of Carl Wurtzbach. Incumbent's commission expired January 11, 1915.

J. Francis Megley to be postmaster at Holbrook, Mass., in place of Charles W. Lincoln. Incumbent's commission expired January 11, 1915.

Charles D. Streeter to be postmaster at Mount Hermon, Mass., in place of Charles D. Streeter. Incumbent's commission expired April 21, 1913.

John Alden Thayer to be postmaster at Worcester, Mass., in place of James W. Hunt. Incumbent's commission expired February 1, 1915.

MICHIGAN.

Mark Boyd to be postmaster at McBain, Mich. Office became presidential January 1, 1915.

John Dunham to be postmaster at Daggett, Mich. Office became presidential January 1, 1915.

James J. Jones to be postmaster at Clio, Mich., in place of George A. Lacure. Incumbent's commission expires March 2, 1915.

Samuel McClellan to be postmaster at Springport, Mich., in place of James W. Dey. Incumbent's commission expired January 11, 1915.

Benjamin G. Oosterbaan to be postmaster at Muskegon, Mich., in place of Philip P. Schnorbach. Incumbent's commission expired January 19, 1915.

Peter Van Lopik to be postmaster at Grand Haven, Mich., in place of Fred A. Hutty. Incumbent's commission expires February 16, 1915.

Merton N. Wolcott to be postmaster at North Adams, Mich. Office became presidential January 1, 1915.

MINNESOTA.

Alma E. Bauer to be postmaster at Arlington, Minn., in place of Frederick T. Schlegel. Incumbent's commission expired February 1, 1915.

W. J. Goodfellow to be postmaster at Kenyon, Minn., in place of Anders Glimme. Incumbent's commission expired February 1, 1915.

M. J. O'Laughlin to be postmaster at Lake City, Minn., in place of Carl A. Von Vleck. Incumbent's commission expired March 30, 1914.

Charles E. Seeley to be postmaster at Coleraine, Minn., in place of W. J. Stock. Incumbent's commission expires February 17, 1915.

John Wickert to be postmaster at Hayfield, Minn. Office became presidential October 1, 1914.

MISSOURI.

Tinsley Brown to be postmaster at Hamilton, Mo., in place of Wilbur J. Clark, resigned.

John E. Cherry to be postmaster at Mount Vernon, Mo., in place of Harry O. Halterman. Incumbent's commission expired January 27, 1915.

William T. Dameron to be postmaster at Huntsville, Mo., in place of George A. Mayo, resigned.

J. Thomas Fisher to be postmaster at Jefferson City, Mo., in place of Julius H. Conrath. Incumbent's commission expired February 10, 1915.

Jefferson B. Robertson to be postmaster at Brunswick, Mo., in place of Otto K. Benecke. Incumbent's commission expired February 1, 1915.

Harry E. Shepherd to be postmaster at Seneca, Mo., in place of T. G. Buxton. Incumbent's commission expires March 2, 1915.

MISSISSIPPI.

Thomas A. Chapman to be postmaster at Lakesville, Miss. Office became presidential January 1, 1915.

MONTANA.

William Cluston to be postmaster at Great Falls, Mont., in place of Edward H. Cooney. Incumbent's commission expired December 13, 1914.

P. J. Conway to be postmaster at Fromberg, Mont. Office became presidential January 1, 1915.

Lucile D. Knight to be postmaster at Twin Bridges, Mont., in place of Lynn Comfort. Incumbent's commission expired January 27, 1915.

NEBRASKA.

Charles E. Lewin to be postmaster at Comstock, Nebr. Office became presidential January 1, 1915.

Nils Lindskog to be postmaster at Pilger, Nebr., in place of Irvin B. Jeffries. Incumbent's commission expired January 31, 1915.

George P. Miller to be postmaster at Papillion, Nebr. Office became presidential January 1, 1915.

Herbert O. Paine to be postmaster at Cook, Nebr. Office became presidential January 1, 1915.

William Sweeney to be postmaster at Emerson, Nebr., in place of Lewis H. McLaughlin, deceased.

NEVADA.

J. Lester Denton to be postmaster at Caliente, Nev., in place of Oren K. Adcock, resigned.

NEW HAMPSHIRE.

Sidney F. Downing to be postmaster at Lincoln, N. H., in place of Thomas B. Moore. Incumbent's commission expired January 19, 1915.

Ferdinand French to be postmaster at Pittsfield, N. H., in place of Natt A. Cram. Incumbent's commission expired February 3, 1915.

NEW MEXICO.

Harriet C. Butler to be postmaster at Farmington, N. Mex., in place of Austin A. Ball, resigned.

NEW YORK.

Charles F. Bergner to be postmaster at Callicoon, N. Y., in place of Charles G. Curtis. Incumbent's commission expired June 10, 1914.

John G. Gibson to be postmaster at Utica, N. Y., in place of Thomas Wheeler. Incumbent's commission expired January 26, 1915.

Sidney R. Hooker to be postmaster at Angelica, N. Y., in place of Everett I. Weaver. Incumbent's commission expired February 8, 1915.

Jesse Jacobs to be postmaster at Oxford, N. Y., in place of Milton L. Whitney. Incumbent's commission expired February 6, 1915.

James H. Joy to be postmaster at Fort Ann, N. Y., in place of Josiah S. Remington. Incumbent's commission expired June 26, 1913.

Francis Larkin to be postmaster at Ossining, N. Y., in place of John McNally. Incumbent's commission expired January 10, 1914.

David J. McHenry to be postmaster at Granville, N. Y., in place of Edward Williams. Incumbent's commission expired January 16, 1915.

Michael J. Manton to be postmaster at Sayville, N. Y., in place of Louis Lafferrander. Incumbent's commission expired February 1, 1915.

John A. Neafsey to be postmaster at Glen Cove, N. Y., in place of Ellwood Valentine. Incumbent's commission expired March 5, 1914.

W. W. O'Connor to be postmaster at Fort Plain, N. Y., in place of Charles Scott. Incumbent's commission expires February 23, 1915.

Thomas H. O'Keefe to be postmaster at Oyster Bay, N. Y., in place of Florence Bayles. Incumbent's commission expired February 6, 1915.

Michael J. Spillane to be postmaster at East Syracuse, N. Y., in place of John L. Kyne. Incumbent's commission expires March 2, 1915.

Asher C. Stafford to be postmaster at Gowanda, N. Y., in place of Walter W. Welch, removed.

Maynard A. Thompson to be postmaster at Waverly, N. Y., in place of George D. Genung, removed.

NORTH CAROLINA.

Bartholomew M. Gatling to be postmaster at Raleigh, N. C., in place of Willis G. Briggs. Incumbent's commission expires February 16, 1915.

OHIO.

Fred M. Black to be postmaster at Greenwich, Ohio, in place of D. L. Webb. Incumbent's commission expired January 23, 1915.

George O. Canaga to be postmaster at Scio, Ohio, in place of James A. Downs. Incumbent's commission expires February 23, 1915.

Carroll R. Jackson to be postmaster at Gambier, Ohio, in place of Henry M. Jacobs. Incumbent's commission expired January 23, 1915.

William P. Moore to be postmaster at Adena, Ohio, in place of Hugh A. McLaughlin. Incumbent's commission expires February 23, 1915.

F. W. Malberger to be postmaster at Monroeville, Ohio, in place of Reginald Curtis. Incumbent's commission expired February 1, 1915.

George F. Parrish to be postmaster at Toledo, Ohio, in place of William H. Tucker. Incumbent's commission expires February 23, 1915.

Frank J. Sullivan to be postmaster at South Charleston, Ohio, in place of Edward P. Flynn. Incumbent's commission expires March 2, 1915.

Charles F. Vollmer to be postmaster at Bucyrus, Ohio, in place of James R. Hopley. Incumbent's commission expired January 23, 1915.

OKLAHOMA.

Caesar F. Simmons to be postmaster at Boley, Okla., in place of William L. Jones. Incumbent's commission expired December 19, 1914.

PENNSYLVANIA.

James W. Aikin to be postmaster at Christiana, Pa., in place of Thomas R. Hirst. Incumbent's commission expired December 13, 1914.

John W. Bisbee to be postmaster at Hop Bottom, Pa., in place of E. C. Tingley, deceased.

John M. Carlin to be postmaster at Houtzdale, Pa., in place of Harry H. Sweeney. Incumbent's commission expired January 19, 1915.

Thomas A. Derick to be postmaster at Newville, Pa., in place of H. C. Snyder. Incumbent's commission expired January 10, 1915.

Harry R. Schneitman to be postmaster at Elizabethtown, Pa., in place of Hiram H. Nissley. Incumbent's commission expired January 20, 1915.

John W. Warehime to be postmaster at Waynesboro, Pa., in place of H. C. Gordon. Incumbent's commission expires February 16, 1915.

Adam Wise to be postmaster at Gap, Pa., in place of Charles A. Passmore. Incumbent's commission expired January 16, 1915.

Clarence H. Young to be postmaster at Manheim, Pa., in place of Charles A. Dunlap. Incumbent's commission expired December 13, 1914.

RHODE ISLAND.

E. W. Perry Greenman to be postmaster at Narragansett Pier, R. I., in place of James T. Caswell. Incumbent's commission expires February 14, 1915.

SOUTH CAROLINA.

Paul H. E. Sloan, jr., to be postmaster at Pendleton, S. C., in place of Paul H. E. Sloan, jr. Incumbent's commission expired January 13, 1915.

SOUTH DAKOTA.

P. H. Murphy to be postmaster at Henry, S. Dak., in place of George F. Fuller. Incumbent's commission expired February 8, 1914.

TENNESSEE.

W. T. Blackard to be postmaster at Jackson, Tenn., in place of William F. Arnold, removed.

D. M. Brumit to be postmaster at Elizabethton, Tenn., in place of Edgar E. Hathaway, resigned.

L. H. Hammond to be postmaster at Mountpleasant, Tenn., in place of William D. Brooks. Incumbent's commission expires March 2, 1915.

TEXAS.

John E. Astin to be postmaster at Bryan, Tex., in place of J. Allen Myers. Incumbent's commission expires February 23, 1915.

Milton W. Cunningham to be postmaster at Amarillo, Tex., in place of W. H. Ingerton. Incumbent's commission expired February 6, 1915.

Jack Dies to be postmaster at Beaumont, Tex., in place of Charles R. Bone, resigned.

Mary K. Hartson to be postmaster at Kyle, Tex., in place of Mary K. Hartson. Incumbent's commission expired December 16, 1914.

Daniel F. Largent to be postmaster at Bridgeport, Tex., in place of David M. Willson. Incumbent's commission expired February 1, 1915.

UTAH.

C. L. Countryman to be postmaster at Bingham Canyon, Utah, in place of Charles H. Roberts. Incumbent's commission expires March 2, 1915.

Daniel McMillan to be postmaster at Heber, Utah, in place of John A. Smith. Incumbent's commission expired January 31, 1915.

VERMONT.

Henry B. Parkhurst, jr., to be postmaster at North Troy, Vt., in place of Fred B. Hammond. Incumbent's commission expires March 2, 1915.

VIRGINIA.

Gertrude Blakey to be postmaster at Gordonsville, Va., in place of Robert M. McClure, removed.

J. D. Buchanan to be postmaster at Marion, Va., in place of Robert A. Anderson. Incumbent's commission expired February 8, 1915.

Robert P. Cummings to be postmaster at Abingdon, Va., in place of J. W. Hortenstine. Incumbent's commission expires April 13, 1915.

Charles N. Davidson to be postmaster at Stonega, Va. Office became presidential January 1, 1915.

Maurice A. Garrison to be postmaster at Cape Charles, Va., in place of Charles A. McKinney. Incumbent's commission expired February 1, 1915.

Roy Kilgore to be postmaster at Norton, Va., in place of George D. Kilgore. Incumbent's commission expired January 26, 1915.

Clara Matheny to be postmaster at Fincastle, Va., in place of Hampden Spiller. Incumbent's commission expired June 24, 1914.

WASHINGTON.

D. L. Beckes to be postmaster at Lynden, Wash., in place of David W. Bender. Incumbent's commission expired January 10, 1915.

C. E. Hancock to be postmaster at Selah, Wash., in place of George Biehn, resigned.

WEST VIRGINIA.

Frederick H. Mahey to be postmaster at Rainelle, W. Va. Office became presidential January 1, 1915.

M. T. Morrison to be postmaster at Sutton, W. Va., in place of Wilbur C. Baxter. Incumbent's commission expired February 8, 1915.

P. E. Nixon to be postmaster at Paw Paw, W. Va. Office became presidential July 1, 1914.

R. G. Oxley to be postmaster at Athens, W. Va. Office became presidential January 1, 1915.

Turner A. Wamsley to be postmaster at Parsons, W. Va., in place of William F. Squires. Incumbent's commission expires February 17, 1915.

WISCONSIN.

Alexander Buchanan to be postmaster at Lakemills, Wis., in place of Fred M. Griswold. Incumbent's commission expires March 2, 1915.

Charles B. Carstens to be postmaster at Grafton, Wis. Office became presidential October 1, 1914.

Ida Englesby to be postmaster at Eleva, Wis. Office became presidential January 1, 1915.

Peter Veling to be postmaster at Beaver Dam, Wis., in place of A. B. Chandler. Incumbent's commission expires February 17, 1915.

WYOMING.

Charles T. Sherbno to be postmaster at Sunrise, Wyo. Office became presidential January 1, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 12, 1915.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

William H. Hornibrook to be envoy extraordinary and minister plenipotentiary to Siam.

POSTMASTERS.

ALABAMA.

M. W. Camper, Florence.

MARYLAND.

Alice L. Exley, Kensington.
William J. Ford, Lonaconing.
David H. Hastings, Lutherville.
Samuel A. Wyvill, Upper Marlboro.

NORTH DAKOTA.

George W. Wilkinson, Fargo.

SOUTH CAROLINA.

James A. Clardy, Laurens.
John W. Geraty, Yonges Island.
Bernard B. James, Union.

TENNESSEE.

Fred P. Darwin, Dayton.
Joseph W. Nichols, Trenton.
George W. Phebus, jr., Union City.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 12, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Spirit, Father of all souls, the inspiration of every great thought, earnest conviction, and worthy endeavor, we are reminded to-day of a great soul whom Thou didst call to bear the burdens of the Nation in the hour of its greatest peril; who listened, heard, obeyed, and left in his wake a character so pure, so noble, so true, so brave. His deeds live and will live so long as men cherish life, liberty, and the pursuit of happiness. It is well for us to perpetuate his memory in bronze and granite, but let us hold his memory sacred to our hearts, live the principles he enunciated, follow his illustrious example, and be willing, faithful servants in the tasks Thou hast set for us, "that government of the people, by the people, for the people shall not perish from the earth." And Thine be the praise forever in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ABRAHAM LINCOLN.

Mr. RUSSELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUSSELL. Mr. Speaker, this is the anniversary of the birthday of Abraham Lincoln. I ask unanimous consent to have read at the Clerk's desk his now renowned address delivered at Gettysburg in 1863.

The SPEAKER. The gentleman from Missouri asks unanimous consent to have read from the Clerk's desk the Gettysburg address of Abraham Lincoln. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the gentleman from Missouri [Mr. RUSSELL] to read it.

Mr. RUSSELL, from the Clerk's desk, read Lincoln's Gettysburg Address, delivered at the dedication of the cemetery at Gettysburg, November 19, 1863, as follows:

"Four score and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation under God shall have a new birth of freedom; and that government of the people, by the people, for the people shall not perish from the earth."

[Prolonged applause.]

The SPEAKER. Under a special order of the House the gentleman from New York [Mr. GOULDEN] is recognized for 10 minutes.

Mr. GOULDEN. Mr. Speaker, last year on this day it was my privilege to make a few brief remarks regarding Lincoln's famous speech at Gettysburg. On the occasion when it was delivered, the dedication of the battle field as a national cemetery, it was my good fortune to be present and hear the address from its author's lips. I remember the impressive ceremonies of that solemn day and the long and eloquent tribute of Edward Everett, which has been forgotten.

Many times since that memorable day I have been asked regarding President Lincoln's appearance and manner, how he contrasted with the others present, how his speech seemed to impress his hearers, and the difference in effect between the President's speech and that of Mr. Everett.

The day was so impressive in itself and after events so fixed it in my mind that its central facts are still as clear and vivid as though it were yesterday. When the President came forward, after the finished oration of Mr. Everett, he looked tired and seemed nervous. Hearty applause greeted him as he stepped to the front of the platform.

With his right arm extended and with a smile that illumined his rugged face, giving it a charm that only those who actually saw it could understand or appreciate, he began his speech in clear distinct tones that carried to quite a distance. At first his voice trembled slightly, but speedily recovered, and amid a profound silence his audience heard the words that were uttered by President Lincoln.

It seemed that he had but started speaking when, with both arms extended as if in benediction, he finished and retired without a change in his solemn countenance. No one realized that he had finished, evidently expecting a much longer effort; and the awe-struck people, apparently deeply moved, gave no sign of approval or appreciation. That was the way it appealed to those around me and to myself.

The profound silence which attended the speech continued; not a sound was heard for a minute or two; then everyone began turning to his neighbors, looking into their faces, and making such comments as "Did he finish?" "Was it not a grand speech, but so short!"

Though Everett, Seward, and others on the platform shook Mr. Lincoln's hand, he quickly took his seat, evidently sorely disappointed that the people had given no sign of any kind as to the effect of the speech.

It was my good fortune to see the President again on several occasions, notably at City Point early in 1865, where he had gone to be in close touch with the Army leaders, then relentlessly closing in on Lee. The soldiers and sailors of the Army and Navy who were at City Point in large numbers idolized the President, and warmly and affectionately greeted him wherever he appeared. He was their hero.

On July 11, 1864, at Fort Stevens, in the District of Columbia, our improvised forces, many drawn from the clerks in the departments and the workingmen from the navy yard, had been hastily assembled to repel Early's threatened attack on Washington. President Lincoln was under fire from the enemy's guns on that day. He exposed himself by standing on the earthworks of the fort to study the field in front of our line, notwithstanding the earnest protests of Gen. McCook, the commanding officer. He slowly descended from his dangerous position the coolest of anyone in the fort. Being in the service at the time with a battery at the Shoemaker place, quite near Fort Stevens, I saw President Lincoln enter and leave our front, and while not an eyewitness to the scene, I had it direct from several who had seen the incident, and therefore I have no doubt of its being true.

Alexander H. Coffroth, of Somerset County, Pa., a Member of this House in the Thirty-eighth and Thirty-ninth Congresses, although a Democrat in politics, was one of Mr. Lincoln's warm personal friends and, like him, a capital story teller. Through mutual friends, although I was but a youngster, I grew to know Mr. Coffroth quite well, and from his lips heard many character-

istic stories of the President's big heartedness and of his humane actions.

One was that on going to the White House one day he saw two poorly dressed women, each with a baby in her arms, sitting near by and crying. Mr. Coffroth stopped and soon learned their sad plight. They were the wives of coal miners in Pennsylvania, and their husbands, recently arrived from abroad, had been drafted and sent to Washington for service in the Army of the Potomac.

The Congressman bade them wait until he returned. He at once talked to Mr. Lincoln about them, telling the whole story. The latter sent for the women, and after listening to them gave an order for the discharge of the husbands, giving it to an orderly, who, under the President's instructions, saw it carried out; and the reunited families returned home the same day.

The widow of the brave and heroic Gen. Pickett, who led the famous charge at Gettysburg on July 3, 1863, told me personally quite recently of the visit of President Lincoln to her home in Richmond the day following the evacuation of the Confederate capital, and of his great kindness. It was through Mr. Lincoln that Gen. Pickett was sent to West Point and given a place in Washington soon after the war closed.

These personal touches and impressions have endeared to me the memory of the martyred President; but I have always had a profound respect and admiration for many other things in his life and character which seemed to bind all to him personally. He was a wonderful combination of sadness and cheerfulness, of strong, steady character and moods of frivolity, and was a constant fascination and puzzle even to his intimates.

I believe this combination of sadness and cheerfulness was a natural balancing of his character, and to accentuate either one or the other is to distort the picture; to lay too much stress on Lincoln the story teller is to forget the great statesman; he relieved the profound weight of great responsibility by the delight he took in a good story, and by the clever way he used it to "point a moral" or drive home a needed lesson.

In discussing his story-telling habit with the late Senator Chauncey M. Depew he said that the common people, whom he knew and understood, were more easily influenced and informed through a broad illustration than in any other way, and he did not care what the hypercritical few thought. He also said that he had invented but two stories in his life, but that he could tell tolerably well the stories of other people.

His taste in verse ran usually in the opposite course, and he loved to recite and to sing sad and sentimental poems and patriotic songs. Among his favorites were Byron's Dream; Ben Bolt; Lament of the Irish Emigrant; I've Wandered to the Village, Tom; and Sword of Bunker Hill. He was even known on one or two occasions to compose a few verses himself, usually upon some sad occasion, such as the death of a boyhood friend. On the afternoon of the day Lee surrendered, while the President's boat was steaming up the Potomac, one of the passages from Shakspeare which he read aloud to his companions was that from Macbeth, following the death of Duncan.

But the poem which he oftenest recited and which seems to have been his greatest favorite and had become immortalized as such was the very long one by William Knox, beginning:

Oh! why should the spirit of mortal be proud?
Like a swift-fleeting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
He passeth from life to his rest in the grave.

The leaves of the oak and the willow shall fade,
Be scattered around, and together be laid;
And the young and the old, and the low and the high,
Shall moulder to dust, and together shall lie.

Years later I heard some lines which I believe Mr. Lincoln would have keenly appreciated, but which he never seems to have known. They are so appropriate to the man, so much of an epitome of his life and spirit, that I can not do better than quote them as a fitting close to this brief account of my personal recollections of the great man as well as for your thought:

Fathers, have ye bled in vain,
Ages, must ye droop again,
Maker, shall we rashly stain,
Blessings sent by Thee?

No! receive our solemn vow,
As before Thy throne we bow
Ever to maintain as now,
Union! Liberty!

[Applause.]

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent for eight minutes to talk on Abraham Lincoln.

The SPEAKER. The gentleman from Ohio asks unanimous consent that he may proceed for 10 minutes to talk on Abraham Lincoln. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Speaker, we all concede that nothing new can be said of Abraham Lincoln—neither as a man nor as a President. History and biography have been busy with his name and fame for more than half a century, and history has said its last word. It was that crash of cannon shot against the walls of Fort Sumter which started the movement that made the name of Abraham Lincoln the most sacred heritage of a redeemed Nation. Without the titanic conflict that followed the name and fame of Abraham Lincoln might never have inspired a national lyric.

It is not great men who make great epochs of history. It is great epochs that make great men. Had there been no Trojan war there would have been no Homer. Had there been no conflict of the kings in the formative period of English literature there would have been no Shakespeare. Had there been no war of the American Revolution there would have been no George Washington, and had there been no Civil War in 1861 there would have been no Abraham Lincoln.

The American people were leading a dull and melancholy life before that awful struggle of arms, but with that crash of cannon shot against the walls of Sumter came a new and inspired life. When the storm burst the finger of God dropped the plummet into the dead sea, and with the overflow came new hopes, new ambitions, and new inspirations. And throughout that four years' struggle, the most desperate and long continued of modern wars, the leading hand, the guiding spirit in the camps and courts and capitals of the Nation was Abraham Lincoln, the President and Commander in Chief.

On election day in November, 1864, I was with a veteran army, marching to battle; to the desperate death grapple at Franklin, Tenn. That morning early, before the start, I rode back to the ambulance corps and obtained an ambulance, and at every halt in that dreary November day of forced marching the soldiers of my regiment voted in an old camp kettle for President; and we counted the votes at night by the dim light of the bivouac fires—only seven votes against Abraham Lincoln in the whole regiment.

Only once did I ever meet Abraham Lincoln. That was on the 4th day of March, 1865, when I was clothed in the grim harness of war, with my once blue uniform tarnished in grime from the red clay roads of northern Georgia. Then I stood within 10 feet of him on the east front of the Capitol and heard him deliver his last inaugural—his last oration on earth. I heard him say:

Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan.

We have made a half century of history since that eventful day, but I can see Lincoln now as I saw him then—a tall, gaunt, stalwart man, with deep lines of care furrowing his checks, with inexpressible sadness in his face, the face of a man of many sorrows. A sad face, a strong face, a face radiant with the inspiration of a great soul, as he voiced in prophecy the ultimate destiny of this Nation. As a soldier of the Republic I heard Abraham Lincoln voice his national ideals in his last message to the American people.

Two million soldiers fought under Abraham Lincoln, the revered President and Commander in Chief, in the most desperate and longest enduring war of modern times. Over and above the 2,000,000 soldier graves that are, or soon will be, there rises triumphant in the radiant glory of a world-wide beneficence the prescient prophet of emancipation, the leader in the grandest epoch-making era of all civilization—Abraham Lincoln. [Loud applause.]

PENSIONS.

Mr. RUSSELL. Mr. Speaker, to-day, under the rules of the House, is set apart for the consideration of pension bills on the Private Calendar. There are no House bills upon the calendar, but there are three bills from the Senate upon that calendar. There is pending at this time and being considered in the House an important appropriation bill with which the chairman of that committee desires to proceed. Desiring to accommodate ourselves to the Appropriations Committee and the other leaders of the House, our committee desires to yield to-day, with the understanding that the committee will be recognized next Monday, in order to pass these bills under suspension of the rules.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to be recognized for the purpose of asking unanimous consent that a special report of the Interior Department upon the bill pending before the Indian Committee of the House relative to the Seneca Indians in New York——

The SPEAKER. Well, we will attend to this other matter first. The Chair will recognize the gentleman from Missouri, to suspend the rules, and pass these pension bills.

Mr. FITZGERALD. Will there be any trouble about these bills?

Mr. MANN. Let us see if there will be any opposition.

Mr. FITZGERALD. Mr. Speaker, I ask unanimcus consent, so as to find out, that these pension bills may be considered in the House as in the Committee of the Whole House on the state of the Union now.

Mr. MANN. The gentleman can withdraw the request if there is opposition.

The SPEAKER. The gentleman from New York asks unanimous consent that these Senate pension bills be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the first bill.

The Clerk read as follows:

A bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The bill was read.

During the reading of the bill,

The Clerk read as follows:

The name of Catharine Terwilger, widow of John W. Terwilger, late of Company F, One hundred and fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

Mr. PLATT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. PLATT. I would like to ask the chairman of the committee if this Catharine Terwilger bill is the one introduced by Senator ROOT. If it is, she is dead.

Mr. RUSSELL. Is it one introduced by Senator ROOT?

Mr. PLATT. Yes.

Mr. RUSSELL. I do not know. There is nothing in the report to show who introduced the bill originally. If the gentleman knows she is dead I will be glad to have him suggest an amendment.

Mr. PLATT. It will not do any harm, but I think the woman is dead. It is a bill of mine which I got Senator ROOT to introduce.

The following committee amendments were read:

Page 3, strike out lines 5 to 8, inclusive. (Herman Sebert.)
Page 4, strike out lines 22 to 25, inclusive. (Mary J. Gooding.)
Page 6, line 1, strike out "$40" and insert in lieu thereof "$36." (William Rodgers.)
Page 7, strike out lines 15 to 20, inclusive. (Elizabeth J. Mullin.)
Page 8, line 22, strike out "$20" and insert "$12." (Philamena B. Mahoney.)
Page 9, line 2, strike out "$20" and insert "$12." (Justine M. Thrift.)
Page 9, line 19, strike out "$24" and insert "$20." (Julia Sitz.)
Page 15, strike out lines 20 to 23, inclusive. (John S. Perriton.)
Page 18, strike out lines 13 to 18, inclusive. (Ella M. Decker.)
Page 19, line 8, strike out "$20" and insert "$24." (Emily S. Keller.)
Page 24, line 1, strike out "$30" and insert "$20." (Hannah C. Van Tassel.)
Page 24, line 21, strike out "$50" and insert "$40." (George W. Brewer.)
Page 25, strike out lines 15 to 18, inclusive. (George A. Blose.)

The foregoing bill is a substitute for the following Senate bills referred to the Committee on Invalid Pensions:

S. 337. James A. Fancher.
S. 369. Katie A. Beardsley.
S. 722. Mary Lotty.
S. 811. Andrew A. Kelley.
S. 969. James H. Meekin.
S. 974. Thomas H. Kennedy.
S. 1015. James Edwards.
S. 1096. Amanda Parmalee.
S. 1319. Herman Sebert.
S. 1392. Franklin Comstock.
S. 1795. Jonathan S. Nickerson.
S. 2010. Charles H. Eding.
S. 2038. Augustus M. Barnes.
S. 2127. James W. Magers.
S. 2180. George W. Smith.
S. 2324. Martha J. Whiting.
S. 2377. Joseph R. C. Hunter.
S. 2896. Grace E. McDonald.
S. 3011. Mary J. Gooding.
S. 3040. George T. Smith.
S. 3388. Anna F. Quinn.
S. 3504. James H. Nale.
S. 3613. Hattie A. Harris (formerly Hungerford).
S. 4024. Harlan Gause.
S. 4090. William Rodgers.
S. 4099. Frank A. Olney.
S. 4119. Nelson W. Armstrong.
S. 4401. Jeremiah Lyshon.
S. 4478. Ormiston C. Wing.
S. 4597. M. Theresa Sampson.
S. 4599. Almond R. Spaulding.
S. 4692. Alfred Deforest Walker.
S. 4763. John R. Boso.
S. 4766. Lucinda E. Nelson.
S. 4856. Elizabeth J. Mullin.
S. 4859. Sarah E. Badley.
S. 5054. Hugh K. Godding.
S. 5056. Thomas Dial.
S. 5185. Joseph M. Lansden.
S. 5190. Joseph M. Conway.
S. 5196. Philamena B. Mahoney.
S. 5218. Justine M. Thrift.
S. 5266. Caspar Schiesser.
S. 5333. Moses Bahney.
S. 5335. Peter Smith.
S. 5372. Julian Sitz.
S. 5379. Amanda M. Startsman.
S. 5440. Emily Morang.
S. 5453. Marcus E. Ferguson.
S. 5595. William Hurley.
S. 5638. Whitman M. Colby.
S. 5725. Anna M. Foster.
S. 5740. Jacob C. Rennaker.
S. 5765. Minerva Freeman.
S. 5766. Cornelia A. Anderson.
S. 5767. Margaret A. Bitgood.
S. 5768. Almira E. Briggs.
S. 5775. Maria Lewis.
S. 5793. Elisha W. Ellis.
S. 5795. Elizabeth Pangburn.
S. 5797. Mary M. Calef.
S. 5799. John A. Patterson.
S. 5807. Annie Wilson.
S. 5821. Benjamin F. Bourne.
S. 5822. Robert S. Clark.
S. 5828. Lucy Carey.
S. 5831. Frances Terry.
S. 5850. Mary A. De Lany.
S. 5852. Charles Nettleton.
S. 5863. Orville Choate.
S. 5867. Frederick W. Schaeffer.
S. 5868. Catharine Terwilger.
S. 5878. Stephen D. Mitchell.
S. 5889. Benjamin Williams.
S. 5895. Ezra W. Conant.
S. 5900. Laura C. Bailey.
S. 5901. David Frank.
S. 5961. Harriet J. Weddle.
S. 5964. Amanda F. Powell.
S. 5965. King R. Olmstead.
S. 5976. John S. Perriton.
S. 5983. Samuel L. Cole.
S. 5991. Egbert W. Reed.
S. 6001. James S. Crockett.
S. 6006. Mary J. Sanders.
S. 6010. Charles A. Dick.
S. 6013. Fenton Butterfield.
S. 6014. Margaret Sheridan.
S. 6017. Elizabeth Buckless.
S. 6018. Martha V. Coleman.
S. 6023. Emma S. Rowe.
S. 6038. Martha J. Bretney.
S. 6044. Peter M. Fritts.
S. 6049. Calvin Barker.
S. 6065. John G. Berry.
S. 6071. Oscar Avery.
S. 6079. Ella M. Decker.
S. 6081. William P. Stone.
S. 6086. Mary Alfrey.
S. 6096. Mary M. Nolan.
S. 6123. Emily S. Keller.
S. 6124. Georgia Ann Taylor.
S. 6135. Jean H. G. Kitchel.
S. 6139. Samuel R. Littrell.
S. 6145. Charles T. Blumenrother.
S. 6149. Jerome B. Wood.
S. 6150. Charles H. McCarty.
S. 6156. George D. Carter.
S. 6161. Hiram Bender.
S. 6164. Juliette Pierce.
S. 6174. Frank Pugsley.
S. 6180. Callie E. Kooken.
S. 6181. Seraphina Kain.
S. 6182. Ellen Milam.
S. 6193. Elmina Swan.
S. 6212. Harriet L. Willis.
S. 6213. Clara R. Squier.
S. 6223. John S. Colbath.
S. 6257. Jane Letcher.
S. 6260. Lovina J. Nudd.
S. 6273. Rufus N. Brown.
S. 6276. Sara J. Titsworth.
S. 6310. May C. Moore.
S. 6312. Horace L. Farmer.
S. 6338. Sarah E. Stoddard.
S. 6351. George H. Lewis.
S. 6353. Albert F. Wright.
S. 6356. David M. Hilton.
S. 6359. Hannah C. Van Tassel.
S. 6360. Samuel Brenner.
S. 6370. Edward E. Teter.
S. 6379. Joseph McKinsey.
S. 6393. William H. Miller.
S. 6394. George W. Brewer.
S. 6409. George W. Crouso.
S. 6421. Gertrude Cornwell.
S. 6422. Eden N. Leavens.
S. 6426. Murray V. Livingston.
S. 6432. George A. Blose.
S. 6434. Joel A. Ginter.
S. 6444. Hiram E. Tinker.
S. 6446. John C. Leith.
S. 6452. Lydia Irene Cheney.
S. 6464. Louisa Schenk.
S. 6465. William H. Howell.
S. 6481. Emily L. Small.
S. 6482. Isaiah Davis.
S. 6483. Thomas H. Core.
S. 6498. Samuel Coleman.
S. 6529. Charles M. Milligan.
S. 6534. John W. Grubb.
S. 6545. James W. Sargent.
S. 6606. Sarah B. Hamer.
S. 6607. Eliza J. Riggs.
S. 6608. Louisa C. Pangburn.
S. 6610. John W. Gaddis.
S. 6625. Caroline Dufner.
S. 6630. Smith C. Hotchkin.
S. 6640. Charles Pettys.
S. 6651. Margaret Williams.
S. 6652. Murrandia Martin.
S. 6664. Thomas Winegardner.
S. 6666. Charles L. Stuck.
S. 6669. Annie E. Yelton.
S. 6696. Amanda E. Bateman.
S. 6698. Ammazetta L. Nettleton.
S. 6701. Byron C. Davis.
S. 6705. Andrew J Hall.
S. 6707. Gordon H. Shepard.
S. 6715. Charles Wickliffe.
S. 6788. Hugh Smith.
S. 6789. John C. Wilson.
S. 6793. Maggie S. Northway.
S. 6795. William H. D. Lancaster.
S. 6796. Jay D. Morse.
S. 6798. John Nelson.
S. 6831. Perry G. Glines.
S. 6855. Charles H. Flournoy.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

SENECA AND OTHER INDIANS OF THE FIVE NATIONS, NEW YORK (H. DOC. NO. 1590).

Mr. STEPHENS of Texas. Mr. Speaker, I desire to renew my request for unanimous consent.

Mr. RUSSELL. Mr. Speaker, there are two other bills.

The SPEAKER. The Chair understands that; but the gentleman from Texas has something he wants to get done by unanimous consent.

Mr. STEPHENS of Texas. I ask unanimous consent to have a report from the Department of the Interior, and also one from the Department of Justice, on a bill to settle the affairs of the Seneca and other Indians in the Five Nations, of New York, printed as a House document.

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent to have printed as a House document certain Senate and House reports on the Seneca Indians. Is there objection?

Mr. MANN. These reports are made to whom?

Mr. STEPHENS of Texas. These reports are made to the Committee on Indian Affairs.

Mr. MANN. I have no objection.

Mr. STEPHENS of Texas. It is apparent that they can not be taken up at this session, but they are very fine reports.

The SPEAKER. Is there objection?

There was no objection.

PENSIONS.

The SPEAKER. The Clerk will report the next one of these Senate pension bills.

The Clerk read the following bill:

A bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill, with the following committee amendments, which were agreed to:

On page 1, strike out lines 6 to 9, inclusive.
On page 3, strike out lines 1 to 4, inclusive.
On page 3, strike out lines 5 to 8, inclusive.
On page 4, strike out lines 15 to 18, inclusive.
On page 5, strike out lines 15 to 18, inclusive.
On page 9, strike out lines 3 to 5, inclusive.
On page 11, line 21, strike out "$30" and insert in lieu thereof "$24."

Mr. DIES rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. DIES. I rise for the purpose of striking out a word or two, with a view to getting information on the bill or making a pro forma amendment for the purpose of asking the gentleman in charge of the bill a question.

The SPEAKER. The gentleman from Texas moves to strike out the last word.

Mr. DIES. I wanted to ask the chairman of the Committee on Pensions if it is to be the policy of that committee to continue bringing in these private pension bills in the event of an extra session? That is to say, if we have an extra session, are we to have a continuation of the private pension bills?

Mr. SHERWOOD. In answer to the gentleman's question, Mr. Speaker, I will say that it would depend upon the action of the committee. We did not do it at the last extra session. I may say, on the part of the chairman, that it is not the intention to bring in private pension bills in case there should be an extra session.

Mr. DIES. The gentleman understands that the majority of the House is strongly opposed to an extra session, and that may have an influence on the disposition of the committee.

Mr. RUSSELL. Mr. Speaker, if I may be permitted, I do not think any pension bills have been brought in at an extra session. That has been the policy at extra sessions.

Mr. DIES. I just wanted to get that information.

The SPEAKER. The Clerk will read.

The Clerk read the remainder of the bill, with the following committee amendments, which were agreed to:

On page 13, strike out lines 11 to 14, inclusive.
On page 14, strike out lines 1 to 4, inclusive.
On page 17, strike out lines 20 to 23, inclusive.
On page 19, line 15, strike out "$40" and insert in lieu thereof "$36."
On page 24, line 14, strike out "$36" and insert in lieu thereof "$30."
On page 25, line 15, strike out "$20" and insert in lieu thereof "$24."
On page 26, line 9, strike out "$30" and insert in lieu thereof "$40."
On page 27, strike out lines 7 to 10, inclusive.

The foregoing bill is a substitute for the following Senate bills referred to the Committee on Invalid Pensions:

S. 794. Frederika B. Trilley.
S. 2120. George F. Brown.
S. 2146. John Bachtler.
S. 2362. George D. Stebbins.
S. 2524. Isabell C. Dean.
S. 2790. Nancy J. Northrup.
S. 2868. Lucy P. Wheeler.
S. 2874. Catherine Kelly.
S. 2892. William C. Hinson.
S. 3141. Julia C. Nickerson.
S. 3144. Frances E. Berry.
S. 3445. Mary Parsons.
S. 3459. Watie H. Stodder.
S. 3541. Alfred Dearmy.
S. 3570. Clarkson D. Ayers.
S. 3788. Jane Hubbard.
S. 4112. James T. Kent.
S. 4114. David R. Forsha.
S. 4341. Jesse Monticue.
S. 4581. Elizabeth Martin.
S. 4785. James H. Givens.
S. 4877. Egbert Dart.
S. 4985. Larkin Russell.
S. 5240. Anthony Krass.
S. 5246. Henry Miller.
S. 5271. James W. Lansberry.
S. 5367. John H. Condon.
S. 5369. George D. Hamm.
S. 5384. Wealthy L. Kelsey.
S. 5563. Henry C. Jacks.
S. 5567. Harrison Welch.
S. 5642. Martha Lance.
S. 5769. Mary Jane Campbell.
S. 5770. Henry S. Gay.
S. 5772. Agnes M. Heck.
S. 5773. Louise M. Hunie.
S. 5774. Maria B. Hyde.
S. 5776. Johanna Mansfield.
S. 5778. Isabella Neff.
S. 5780. Francis Robinson.
S. 5800. George W. Harding.
S. 5818. William H. Hayes.
S. 5820. Robert G. Calhoun.
S. 5829. Albert A. Lance.
S. 5857. Maria E. Pitts.
S. 5891. Clara B. Randall.
S. 5926. Eugene Lenhart.
S. 5944. William D. Boyd.
S. 5992. Ann Simons.
S. 6009. George Warner.
S. 6026. Mary A. Selleck.
S. 6045. Adam F. Wilson.
S. 6063. David L. Cross.
S. 6068. Anna B. Fay.
S. 6087. Roswell Sayers.
S. 6091. Joseph L. Williams.
S. 6105. John T. Allen.
S. 6153. William Lockwood.
S. 6154. James S. Wintemute.
S. 6157. William Roseberry.
S. 6159. Albert W. Dyer.
S. 6166. John Gossage.
S. 6183. William Crouch.
S. 6189. Thomas Jefferson Stafford.
S. 6208. Benjamin McClelan.
S. 6215. David W. Mead.
S. 6222. Hymelius Mendenhall.
S. 6233. John Deering, jr.
S. 6237. Francis C. Wood.
S. 6239. Augusta A. Crommett.
S. 6240. Ella V. Jones.
S. 6258. Charles E. Ewing.
S. 6259. James M. Barnett.
S. 6274. Esli A. Bowen.
S. 6335. John F. Grayum.
S. 6336. Joseph L. Hays.
S. 6337. Sarah E. Squires.
S. 6350. Elizabeth Scott.
S. 6352. James M. Tackett.
S. 6354. Hester Morse.
S. 6358. Mary T. Ryan.
S. 6371. Lewis Walker.
S. 6380. John W. Covey.
S. 6387. William W. Graham.
S. 6388. Sylvester Chaplin.
S. 6391. Amy D. Wetherell.
S. 6416. Henry Quint.
S. 6417. Sanford B. Sylvester.
S. 6459. Sarah M. Hicks.
S. 6473. Jacob Jones.
S. 6479. Jonathan Thuma.
S. 6488. John M. Miller.
S. 6494. James F. Brown.
S. 6499. Henry Miller.
S. 6500. William H. Fountain.
S. 6501. Albert E. Magoffin.
S. 6509. John M. Herder.
S. 6522. Carrie M. Case.
S. 6524. Amanda Baxter.
S. 6539. Cora H. Alward.
S. 6541. Alfred J. Adair.
S. 6542. William Porter.
S. 6543. Henry Clay.
S. 6546. Hannah M. Bates.
S. 6550. Joseph N. Stockford.
S. 6561. Salome Nothhardt.
S. 6600. Jefferson Wood.
S. 6601. Eli C. Walton.
S. 6614. Philip Crowl.
S. 6615. Nathaniel Trueblood.
S. 6642. Anna Mary McOmber.
S. 6645. Charles H. Morrison.
S. 6661. Henry Roth.
S. 6665. John C. Hamilton.
S. 6676. John Sigman.
S. 6693. Helen A. Underhill.
S. 6695. Susan E. Holt.
S. 6711. Robert S. Thomas.
S. 6785. Wyatt C. Crawford.
S. 6792. Julia M. Sayles.
S. 6794. Nicholas Metzer.
S. 6797. Gertrude Edmonds.
S. 6799. John T. Hayes.
S. 6800. William Franklin Stotts.
S. 6804. Mary J. Wilcox.
S. 6808. George Turnbaugh.
S. 6825. Isaac Baker.
S. 6826. John Ryan.
S. 6830. Jasper McPhail.
S. 6833. Louisa Bendel.
S. 6834. Stephen K. Ashley.
S. 6836. Samuel McClure.
S. 6840. Earl W. Soper.
S. 6841. Charles Fredrick.
S. 6847. John E. Saunders.
S. 6850. Nancy I. Williams.
S. 6852. James O. Anderson.
S. 6860. Edward Pilot.
S. 6867. James K. Deyo.
S. 6870. Susan E. Manning.
S. 6874. Juriah Cline.
S. 6879. Annette M. Lamoreaux.
S. 6880. Esen Z. Guild.
S. 6884. Emanuel Klepper.
S. 6885. Hiram W. Babcock.
S. 6886. George W. Carpenter.
S. 6897. Rose Anna Nagley.
S. 6914. Robert Jenkins.
S. 6926. Charles P. Harmon.
S. 6928. James Inman.
S. 6930. John H. Masterson.
S. 6931. William Carter.
S. 6932. Maria T. Jones.
S. 6953. Joseph S. Herndon.
S. 6955. Ellen M. Bellows.
S. 6956. Victoria S. Day.
S. 6959. Lucy W. Osborne.
S. 6961. Theodore M. Burge.
S. 6984. Edwin Rudrauff.
S. 7054. Eliza M. Doran.
S. 7055. Louisa Walters.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. RUSSELL. The next bill is S. 7402.

The Clerk read the bill (S. 7402), granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The following committee amendments were read, considered, and agreed to:

Page 2, strike out lines 3 to 6, inclusive.
Page 2, strike out lines 23 and 24, and on page 3 strike out lines 1 and 2.
Page 3, strike out lines 15 to 18, inclusive.
Page 4, strike out lines 3 to 6, inclusive.
Page 4, in line 10, strike out "$30" and insert "$24."
Page 4, line 14, strike out "$20" and insert "$12."
Page 4, strike out lines 20 to 23, inclusive.
Page 5, line 6, strike out "$25" and insert "$20."
Page 5, strike out lines 16 to 19, inclusive.
Page 5, strike out lines 24 and 25, and on page 6, strike out lines 1 and 2.
Page 8, strike out lines 9 to 12, inclusive.
Page 11, in line 13, strike out "$50" and insert "$40."
Page 11, line 21, strike out "$20" and insert "$24."
Page 12, line 5, strike out "$50" and insert "$36."
Page 15, strike out lines 11 to 14, inclusive.
Page 19, strike out lines 3 to 6, inclusive.

The foregoing bill is a substitute for the following Senate bills referred to the Committee on Invalid Pensions:

S. 354. Edwin B. Wright.
S. 940. Mary W. Gross.
S. 1019. Delia E. Godfrey.
S. 1265. Thomas Buckley.
S. 1782. Samuel G. H. Whitley.
S. 2000. Joseph Johnson.
S. 2037. Marcus W. Bates.
S. 2267. Otto Kuehn.
S. 2363. Sarah H. Alldis.
S. 2869. Sarah E. Arnold.
S. 3186. Laura F. Lawton.
S. 3498. Daniel Hilliard.
S. 3750. Lovina J. Reeves.
S. 4013. Charles F. White.
S. 4050. Rose V. Stoops.
S. 4427. Julia F. Brewerton.
S. 4480. Mary Carpenter.
S. 4615. Isaac Nebbenburgh.
S. 4790. James Forsyth Harrison.
S. 5132. Benjamin Clark.
S. 5400. Jane E. Myers.
S. 5457. Vesta V. Holden.
S. 5514. Loucette E. Glavis.
S. 5518. John F. Miller.
S. 5590. Mary Healy.
S. 5599. Clara G. Branch.
S. 5672. Harriet M. Marks.
S. 5694. George M. Getts.
S. 5746. Horace Page.
S. 5777. Jessie A. Maxson.
S. 5781. Elizabeth C. Service.
S. 5782. James Tucker.
S. 5783. Ellen Twomey.
S. 5784. Julia F. Whipple.
S. 5785. Emily J. Williams.
S. 5856. John W. Sullivan.
S. 5879. Paul Philips, alias Duncan Dunbar.
S. 5898. Susan J. Flye.
S. 6003. William Henry Soule.
S. 6035. Mary L. De Mars.
S. 6088. Margaretta B. Benjamin.
S. 6104. Frances A. Rogers.
S. 6196. Cynthia Buel.
S. 6197. Cornelia S. Hitchcock.
S. 6209. James M. Watkins.
S. 6220. George M. Taylor.
S. 6221. Buril Caton.
S. 6226. William Hanoch.
S. 6243. Nelson E. Haskell.
S. 6307. George W. Boal.
S. 6377. Eli Reese.
S. 6378. John H. Tyson.
S. 6383. William T. Davidson.
S. 6390. John B. Doolittle.
S. 6407. Henry G. Dearmond.
S. 6408. Thomas Johnson.
S. 6410. Elizabeth Reed.
S. 6469. Katie M. Penfield.
S. 6508. Robert J. Martin.
S. 6517. Daniel W. Smith.
S. 6518. Charlotte A. Crowell.
S. 6527. Joseph P. Kridelbaugh.
S. 6531. Charles H. Lewis.
S. 6533. Frederick Hutton.
S. 6557. Sarah J. Crackel.
S. 6562. Jennie Jones.
S. 6591. Charlotte S. Manley.
S. 6605. George W. Read.
S. 6617. John H. Beatty.
S. 6626. William Braginton.
S. 6629. John G. Avery.
S. 6682. Susie E. Harris.
S. 6702. Walter Morrell.
S. 6703. James W. Jacobs.
S. 6704. John W. Rankin.
S. 6729. George Krone.
S. 6786. Jeremiah Adams.
S. 6806. George W. Cartwright.
S. 6811. Samuel Shaffer.
S. 6815. Warren J. Hazell.
S. 6819. Frank B. Gillespie.
S. 6838. William Bays.
S. 6842. Nancy J. Nicholson.
S. 6846. Samuel Roberts.
S. 6851. Charles S. Morse.
S. 6869. Sanford A. Herendeen.
S. 6877. William H. Brown.
S. 6911. Henry A. Smith.
S. 6929. George O. Miller.
S. 6933. Peter P. Chacey.
S. 6938. Eloise Warner.
S. 6954. George W. Case.
S. 6958. Emma Perkins.
S. 6960. John C. Simpson.
S. 6969. Aquilla M. Hizar.
S. 6976. Luther M. Blackman.
S. 6990. John J. Calkins.
S. 6992. Jennie O. Collins.
S. 6993. James L. Van Allen.
S. 6997. Clarence C. Tritle.
S. 6998. William Dickerson.
S. 7005. Joana Boone.
S. 7006. Fletcher N. Wilson.
S. 7017. Beulah C. Hicks.
S. 7033. A. Paul Horne.
S. 7034. Ellen C. Gardner.
S. 7036. Annie R. Jewett.

S. 7037. Ann Jolly.
S. 7061. Allen P. Gibson.
S. 7075. Rachel W. Carney.
S. 7076. Alie McGloughlin.
S. 7077. William A. Reames.
S. 7079. Delilah Lobenthal.
S. 7087. James Hammond.
S. 7089. Henry Walker.
S. 7092. Prudie M. Reynolds.
S. 7117. Fernando W. Moon.
S. 7127. Joseph Ludiker.
S. 7128. Jerome B. Wright.
S. 7134. Robert Conn.
S. 7137. George L. Neal.
S. 7138. Fernando Miller.
S. 7160. Anna E. Babbitt.
S. 7162. George W. Shoop.
S. 7182. Clifton Whittum.
S. 7191. George R. Davis.
S. 7219. Al Clark.
S. 7223. Charles F. Smith.
S. 7232. Louisa E. Catterson.
S. 7298. Arvilla B. Hammond.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. RUSSELL, a motion to reconsider the votes by which the several bills were passed was laid on the table.

GEORGE WASHINGTON GLICK.

Mr. TAGGART. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 28, accepting the statue of George Washington Glick, presented by the State of Kansas, and tendering thanks of Congress therefor.

I will state that by an oversight the Senate concurrent resolution had not reached the House at the time of the ceremonies incidental to receiving the statue which had been placed in Statuary Hall.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the resolution which he sends to the Clerk's desk.

The concurrent resolution was read, as follows:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That the statue of George Washington Glick, presented by the State of Kansas to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue of one of its most eminent citizens, illustrious for his distinguished civic services.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of Kansas.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

SUNDRY CIVIL APPROPRIATIONS.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

BUREAU OF MINES.

For general expenses, including pay of the director and necessary assistants, clerks, and other employees in the office at Washington, D. C., and in the field, and every other expense requisite for and incident to the general work of the bureau in Washington, D. C., and in the field, to be expended under the direction of the Secretary of the Interior, $70,000.

Mr. GILLETT. Mr. Chairman, I move to strike out the last word. Within a few days I have received a letter from a gentleman who is an officer of a gas company, in which he says:

I inclose a postal I received this morning showing how the United States Government is spending the money of the public for the benefit of some technical people. I have no sympathy with that kind of thing.

The card which he inclosed was addressed to him.

Mr. BARTLETT. What kind of people did he say?

Mr. GILLETT. Technical people. The card which he inclosed was addressed to him from the Department of the Interior, Bureau of Mines. That card reads as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF MINES.

PUBLICATIONS ON THE TECHNOLOGY OF OIL AND NATURAL GAS, JANUARY, 1915.

Technical Paper 32: The cementing process of excluding water from oil wells, as practiced in California, by Ralph Arnold and V. R. Garfias. 1913. 12 pp., 1 fig.

Technical Paper 37: Heavy oil as fuel for internal-combustion engines, by I. C. Allen. 1913. 36 pp.

Technical Paper 38: Wastes in the production and utilization of natural gas, and methods for their prevention, by Ralph Arnold and F. G. Clapp. 1913. 29 pp.

Technical Paper 42: The prevention of waste of oil and gas from flowing wells in California, with a discussion of special methods used by J. A. Pollard, by Ralph Arnold and V. R. Garfias. 1913. 15 pp., 2 pls., 4 figs.

Technical Paper 66: Mud-laden fluid applied to well drilling, by J. A. Pollard and A. G. Heggem. 1914. 21 pp, 12 figs.

Technical Paper 68: Drilling wells in Oklahoma by the mud-laden fluid method, by A. G. Heggem and J. A. Pollard. 1914. 27 pp., 5 figs.

Technical Paper 72. Problems of the petroleum industry; results of conferences at Pittsburgh, Pa., August 1 and September 10, 1913, by I. C. Allen. 1914. 20 pp.

Technical Paper 79: Electric lights for oil and gas wells, by H. H. Clark. 1914. 8 pp.

NOTE.—Only a limited supply of these publications is available for free distribution, and applicants are asked to cooperate in insuring an equitable distribution by selecting publications that are of especial interest. Requests for all papers can not be granted without satisfactory reason. Publications should be ordered by number and title. Applications should be addressed to the Director of the Bureau of Mines, Washington, D. C.

I suppose this is merely a specimen of the activity of the Bureau of Mines in advertising their wares and publications throughout the country to persons whom they think they might interest. Obviously they have a force of clerks who must be engaged in finding out the names of officials in different parts of the country engaged in business affected more or less remotely, and then they send out to them these cards, and then, I suppose, often replies come asking for the free bulletins, and then they come to us and tell us of the great demand there is for their papers and the great good they are doing to the public.

I suppose very few of those who receive them have the thoughtfulness of my correspondent, to consider that the money of the public is being wasted in this way or to write to their Congressmen objecting.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. STEPHENS of Texas. Does the gentleman know that in all the departments of the Government they endeavor to extend to the limit all their publications?

Mr. GILLETT. I do not know it, though I had suspected it. I did not know that that was being done by the Bureau of Mines. It does not seem to me that it is a proper expenditure under their appropriation.

Mr. STEPHENS of Texas. Is the gentleman aware that there are a great many wells from which natural gas is escaping and that the by-product of gasoline can be manufactured from the natural gas and that these very papers to which the gentleman refers are technical papers that will enable the owners of the gas wells to furnish one of the best by-products that can be obtained?

Mr. GILLETT. Mr. Chairman, I do not believe that that knowledge is primarily obtained by the Bureau of Mines. The companies that are engaged in such business throughout the country are the ones specially interested, and they do not need the Bureau of Mines to tell them what to do. There are scientific papers published in the country which publish discussions and the self-interest of these companies, who are all the time experimenting, do not need the Bureau of Mines to issue technical papers to direct them how they shall carry on their business.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. I ask for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks for five minutes more. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. Will the gentleman yield again?

Mr. GILLETT. Yes.

Mr. STEPHENS of Texas. If this bureau has discovered how to make a by-product from natural gas, which is now being wasted from the majority of wells in the United States; if it has discovered a method of manufacturing a by-product that is used universally as gasoline is, does not the gentleman think that that technical knowledge should be disseminated?

Mr. GILLETT. The gentleman says they make gasoline from natural gas?

Mr. STEPHENS of Texas. They do. Does not the gentleman think that this valuable information should be disseminated by publications?

Mr. GILLETT. No; I do not believe that that is a Government function. If there is some such discovery, I do not believe it was made by the Bureau of Mines. Such discoveries are made by persons in the business. I do not think there is any danger that such a great discovery will not be disseminated by scientific papers and scientific men throughout the country—I do not think it is necessary for the United States to go into the business of circulating this information to persons whom they suspect may be interested. They are being sent now to New England—this long card about oil wells. It is a waste of time and a waste of money. Of course occasionally a correspondent may send back his protest, but what most men will do is to say, "Here are papers I can get for nothing, and I will send on and get them." And most of them will go into the waste basket. I do not think it is necessary for the Bureau of Mines to be disseminating knowledge of this sort, because I believe there are journals that will do it, and I believe that the self-interest of corporations is going to keep them in touch and abreast of the discoveries.

I do not think it is right for them to in this way try to work up a circulation and then come to us and tell us what great circulation they have and how popular their publications are.

Mr. BARTLETT. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. BARTLETT. If we stop paying for this kind of work, will not the occupation of some of these scientific gentlemen be gone?

Mr. GILLETT. That is doubtless true, and it works both ways.

Mr. BARTLETT. A great many of these scientific investigations are inaugurated by these scientific gentlemen in order for them to keep their positions.

Mr. GILLETT. I think that is true; it employs a lot of men in issuing elementary pamphlets giving facts which might be found elsewhere, and it discourages the natural organs, the newspapers and scientific papers, because they must compete with this voluntary gratuitous service, so that it seems both a waste and an abuse.

I did not know that this was being done by this bureau. This card came to me, and I thought I would call the attention of the House to it. May I ask the chairman of the committee if he knows under what appropriation these clerks are employed to find out what men throughout the country would be available as receivers of such information and how these men who write the pamphlets are paid?

Mr. FITZGERALD. They have editorial assistance, and it is provided for under this particular item.

Mr. GILLETT. Page 98, line 13?

Mr. FITZGERALD. They have two editorial assistants and various kinds of clerks.

Mr. GILLETT. I presume that is the section. But it seems to me there is a great waste of efficiency here. There is probably a very small percentage of their distributions and output which reaches persons who are really improved by it, and I think those who need it would find it in some other way.

Mr. FITZGERALD. This bureau requested additional money for clerk hire and other service. The committee was convinced that the bureau was provided with sufficient clerical force; that if the service were devoted to the collating of information and making it available to those who are really interested and to whom the information would be desirable they would secure it without having it forced upon them like unwilling patients taking drugs, and the bureau would do the work much better than it does.

Nearly every service of the Government is afflicted with one malady, and that is an overpowering desire to be exploited in the public press and to magnify the importance of its work, to compel the people to read their publications, regardless of the particular value of the publications to particular classes of people. A few years ago it was ascertained that the bureaus in some of the departments of the Government maintained press bureaus, publicity bureaus, the chief purpose being to stimulate public interest so as to coerce Congress into appropriating money in larger sums than, in the good judgment of Members of Congress, were needed for the proper conduct of the public service.

Mr. TAYLOR of Colorado. Is that practice entirely discontinued now?

Mr. FITZGERALD. It is not entirely discontinued; and it is by the bringing to light of such matters as the gentleman from Massachusetts [Mr. GILLETT] calls to the attention of the House that something can be done to impress upon the executive officials of the Government that Congress has always been hostile to the so-called business of publicity methods that may be appropriate commercial enterprises but which is inconsistent in the conduct of the public service.

Mr. HULINGS. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HULINGS. On page 97 there is an appropriation of $135,000 for the investigation of mineral fuels, and so forth.

Mr. FITZGERALD. We have not yet reached that.

Mr. MONDELL. Mr. Chairman, there is no question but that the departments of the Government are at times subject to criticism on account of their self-exploiting methods. As just stated, it has been found necessary in times past to somewhat limit the activity of some of these enterprising gentlemen in spending the public money for purposes that bordered on self-advertisement; but I do not believe that the Bureau of Mines is properly subject to criticism in its methods of furnishing information to the public. I do not believe that it is subject to criticism at all in the case before us. We have an appropriation carried in this bill for inquiries and investigations concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, with a view to the economic development and conserving of the resources through the prevention of waste, a very wise appropriation, in my judgment. There has been in this country a very sinful waste of our resources in gas and oil, and while it is true that it is not the duty of the Federal Government or the province of the Federal Government alone to prevent that waste, to overcome it, to discourage it, Congress has believed, and wisely, that it is proper for us to use the agencies of the Federal Government in a legitimate way for the purpose of disseminating among the people information, first, as to the facts of these great losses, and, second, as to the methods of their prevention. Each one of the bulletins referred to has to do with the conservation of our oil and gas resources. I happen to know something about each one of these bulletins. I believe they are each and every one of them valuable and useful.

Mr. GILLETT. Mr. Chairman, has the gentleman read them?

Mr. MONDELL. I will not say that I have read them all through carefully, but I have read some of them, and I have glanced through them all, so that I know in a general way their contents.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Mr. Chairman, I hold in my hand technical paper No. 57 issued by this Bureau of Mines on the suitability of natural gas for making gasoline, by George A. Burrill, something I stated a few moments ago, which was disputed by several gentlemen on the floor.

Mr. MONDELL. Mr. Chairman, I want to refer to that a little later, if I have the time. If it is proper that we should inquire into this waste and inquire into the methods of prevention, it is highly important, it seems to me, that we should have the widest possible dissemination and distribution of this information, and in these busy days, when men engaged in industries do not have time to read everything in the newspapers and keep thoroughly abreast with everything that is going on, it is frequently necessary to challenge their attention in regard to matters that are of vital interest to them in regard to matters that they are very glad to know about but which might entirely escape them if their attention was not challenged in that way. What the Bureau of Mines does is to get the addresses of people whom they believe to be interested in these matters and notify them on a postal card of these publications and of how they may be obtained. Many of them are sold, so that, as a matter of fact, the Government does not lose the entire cost of publication.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. And if we are going to make these investigations, if it is proper that we should, it is highly important that the public should be informed with regard to what is being done. So much for that.

There is, however, a criticism to be made, a legitimate criticism, of almost every Government bureau under the flag, a criticism that, I regret very much to say, applies somewhat, though not in the same degree that it does to others, to our good friends of the Bureau of Mines. Congress does not contemplate, and none of us believes, that it is possible for the agents of the Federal Government to go into these technical questions as to the utilization of products as thoroughly as individuals or corporations owning and interested in them do and will do, and we do not ordinarily expect these agencies to make startling discoveries with regard to the utilization of these products. It is true that they will here and there make a discovery that is important and valuable and useful—they have done so—but there is a temptation to find out what other people are doing, and then, through a peculiar mental process, come to the conclusion that the department agents have discovered the process. Take, for instance, this process of the manufacture of gasoline from gas. I presume it is true that the agents of the department have illuminated that subject somewhat. They may have made some valuable discoveries, but hundreds of thousands of dollars have been expended by private parties in successfully working out those processes. There are very considerable industries in the country to-day manufacturing gasoline from gas.

Take the other phase of the question, the manufacture of motor spirits, which is a substitute for gasoline and sometimes sold as gasoline, from the heavy product of petroleum. Formerly we took from the petroleum only the amount of gasoline that could be secured by ordinary processes of distillation. But the demand for gasoline and motor spirits became so great

that there was not a sufficient amount of gasoline obtainable in that natural way from the oils of the country. Then began investigations of the possibility of securing motor spirits or gasoline from the heavy oils. I am told that one corporation of this country spent in the neighborhood of a million dollars before they worked out a successful process of manufacturing motor spirits from the heavy oil. Two years ago there was erected in my State a very large and very expensive refinery, which is taking the heavy oil which was largely valueless and manufacturing motor spirits from it. Now, I do not think the Bureau of Mines have as yet claimed to be the discoverers of that method, but my recollection is that there has been some suggestion in some of their publications that might lead one to believe that they had been largely instrumental in that very valuable and useful work. These gentlemen do not need to claim discoveries made by others, either directly or by suggestion, because they justify their employment in reporting the experience of others, in finding what the best practice is in the country, and then informing the people the country over in reference to it. There is a temptation on the part of the bureaus in sending out information which is useful and legitimate to make at least as much of a claim of originality in the matter as the facts will warrant. Of course there is a certain amount of original research being done by the department, and many new methods are developed and given to the world, but the work of the bureaus, to a large extent, is to make available facts already known by somebody.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. Mr. Chairman, there seems to be some criticism of the distribution of these circulars of information; in this particular case those issued by the Bureau of Mines. I have always believed that there was a latent danger that must be guarded against in all bureaus and departments of the Government in seeking a sort of advertising propaganda, or self-exploitation, and yet that danger is so natural and so inherent that it must be reckoned with as an incident of any activity of that kind in which the Government engages. The fact that such latent danger exists does not discount the value of the activities to the public. I do believe, on the other hand, that as this scientific information is gathered by the scientific experts, paid for by the Federal Treasury, the only possible value of those investigations and those compilations of scientific data and statistics is to get them into the hands of the people who are interested in that particular industry. If we allow that information, after it is gathered, to accumulate in the vaults in Washington because we feared that some expense will be incurred in printing and putting it before the people, we are saving at the wrong end. We are destroying the value of what has taken a good deal of money, time, and labor to create. In other words, the only value of this information from any governmental aspect is to put it into the hands of the people, and primarily into the hands of those whose business and activities make a demand for that kind of information. So that it strikes me it is perfectly legitimate to get it before the people, provided, of course, that it is valuable and accurate to a reasonable extent—not accurate in extent beyond criticism, but to a reasonably accurate extent.

Now, it is perfectly true, as the gentleman from Wyoming has said, that private enterprise, private initiative, can be depended upon to exploit almost any source of wealth in this country, and yet the very purpose of creating these governmental bureaus is to conserve the natural wealth for the benefit of all the people and not necessarily for the few with the facilities and means to exploit them for their own private gain. That is especially true of this gas proposition. Why, there is no doubt but what natural gas and oil are exploited by men with large capital in the hope of profit and much has been discovered in that way which adds to the industries of the country, of course. And so, when a wealth has been discovered, and it is a natural wealth, it ought to be in some way or other conserved for the full benefit of the people. We have found in the gas belt particularly that gas and oil are found in conjunction almost always, and the oil is capable of an immediate return on the money, but the gas is not always readily salable or controllable. The owner of an oil well will allow his gas to escape into the air in order to realize quickly a little cash out of the oil. Now, that practice may be all right from his standpoint but all wrong from the standpoint of the people who are going to need both oil and gas, and who are entitled to have this natural wealth conserved. This department, as I understand it, among other things, has a practice of instructing the ordinary prospector in the oil and gas fields that there is a way to seal up the wells and prevent the escape of the gas from the strata of the gas sand. It sends out a report and disseminates that information among the people. I do not understand they are claiming they discovered the method of reducing gasoline from gas—head gas—because I think I know the gentleman who claims to have discovered that method in his commercial operations. Yet they have a right to investigate it for the public at large and for those who think they can engage their capital in promoting that industry. In the absence of that information that industry can not be carried on——

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. STEPHENS of Texas. There is a statement here in this report of Mr. Burrill, or, at any rate, it is published by the United States Geological Survey, which says in 1911 about 7,500 gallons of gasoline was produced from natural gas in the United States.

Mr. BORLAND. Yes.

Mr. STEPHENS of Texas. That was disputed on the floor a few moments ago—that you can produce gasoline from natural gas.

Mr. BORLAND. Yes. The gas from which gasoline is produced is known technically as casing-head gas. It differs slightly in its constituents from natural gas. There is some difference among scientists as to whether casing-head gas is really natural gas or whether it is the volatile distillation of the oil, but, in any event, it exists in most oil wells.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks to proceed for five minutes more. Is there objection?

There was no objection.

Mr. BORLAND. The value of that consists in this, that a large number of prospectors are in the field prospecting for oil. Oil can be readily turned into money. They find gas, possibly natural gas, or else casing-head gas, and if it is casing-head gas it contains this gasoline, which can be produced by pressure. Ordinarily they would lose and the public would lose the value of that particular commodity, but the desire to conserve it is very strong among the departments of the Government, and it ought to be strong among the general public, and is as soon as any information is given to the public about it.

Mr. PLATT. Will the gentleman explain that matter of casing-head gas a little further? Does that casing-head gas come out of the ground?

Mr. BORLAND. Yes.

Mr. PLATT. How, then, could it be anything else but natural gas?

Mr. BORLAND. There is natural gas, the qualities and characteristics of which are well known and understood, and then there is a gas called casing-head gas, which comes out from oil wells and which may be mingled with natural gas but which is assumed to be the natural distillation from the oil.

Mr. PLATT. It is a vapor, then?

Mr. BORLAND. Yes; a vapor from the oil.

Mr. MONDELL. Is it not a fact that gasoline can be produced from practically any natural gas, but that you must get a natural gas having a certain amount of moisture in it before you can make gasoline at a price that pays commercially?

Mr. BORLAND. No. My understanding in regard to that is——

Mr. MONDELL. That is a fact.

Mr. BORLAND. My understand is that there is natural gas from which you can not produce gasoline at all. I have seen that demonstrated by scientists and experts. It is called "dry gas." There is a natural gas, a gas which has mingled with it the fumes of oil, and in the last analysis the gasoline is found in the fumes of the oil, even though it be a constituent part of the natural gas. But that is only a matter of detail. In all the gas belt of West Virginia and Ohio and of Oklahoma and southern Kansas they are not concerned chiefly with exploiting that from a commercial standpoint. Natural gas is usually available, if it can be conserved, to the inhabitants of the great cities, and it ought to be conserved in most cases, not for manufacturing primarily, but for domestic use primarily. The flat dweller and the small home owner and the little housekeeper in the cities must hurry to his work and must prepare his meals in a small home, perhaps in the suburbs of the city, in a limited time. The use of natural gas and its cheapness and its cleanliness and the small space it can occupy as compared with other forms of fuel is a great advantage and a great saving to the small, limited householder in the great cities, and he is the man primarily interested in the very last analysis in preserving the natural supply of gas and fuel in this country. He is the man

who must meet the fuel bill, and not the great corporation, which may choose to throw away its gas rather than go to the expense and trouble of conserving it.

But my idea is that those natural resources do not belong entirely to the corporation that happens to be exploiting a particular product, such as the oil, but if those natural products are there, they ought to be for the benefit of the entire community and of the wage earners and of the householders that are within reach of them. We would make a mistake—a very grave mistake—in allowing pure commercialism to dictate the destruction of that valuable commodity. The time may come when we would be glad to see it conserved for domestic and manufacturing use, and I hope it is not going too far to say that as to natural gas in this country Federal legislation will eventually step in and provide for its conservation, as it has done for the conservation of a great many other commodities which are of no more importance in the last analysis to the people.

Mr. FOSTER. Mr. Chairman, will the gentleman yield for a suggestion?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. BORLAND. Yes.

Mr. FOSTER. In Oklahoma, where the Bureau of Mines has demonstrated how this natural gas can be conserved, as stated by the gentleman, the legislature is taking action now in order to protect the gas in that State. That is brought about through the Bureau of Mines.

Mr. BORLAND. Yes. The fact is that the information furnished by the Bureau of Mines is not information furnished to some corporation for their private profit, but is furnished to the public at large, whether they want to engage in either production or consumption.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. AUSTIN. Mr. Chairman, I do not think the Bureau of Mines should be criticized, but, on the contrary, should be commended for what the gentleman from Massachusets [Mr. GILLETT] has called to our attention, in placing bulletins and technical papers at the disposal of those in this country who are interested and disseminating throughout the length and breadth of the land information concerning the valuable and important discoveries and researches made by that new bureau of the Government. Of the commendable acts of the last Republican administration, not one stands out higher than the creation of the Bureau of Mines and the appointment of its able and efficient chief, Dr. Holmes, by former President Taft.

I know something of the value of the publications issued by this bureau, because I represent a mining district and have had transmitted to the mining companies and miners the valuable bulletins issued by the Bureau of Mines, and I know that while this bureau is comparatively young, only 4 or 5 years old, yet its great work has commended itself to the American Mining Congress, to mine operators, and to the men who work in the mines. There has been a demand upon the part of operators and miners for the Committee on Mines and Mining to build up, strengthen, and extend the operations of this valuable bureau.

Why, Mr. Chairman, if the Bureau of Mines, after making important discoveries and useful investigations, should fail or neglect to call the results to the attention of those vitally interested it would lay itself liable to the just criticism of Members of this House and of the taxpayers of this country, who want to see a return for the money expended in the creation, equipment, and maintenance of this bureau. In appropriating public money to establish and maintain this bureau it was expected to accomplish good and beneficial results. It has made good and it is very properly making known its splendid work to those most vitally interested and affected.

Why keep these bulletins and papers locked up, as the gentleman from Missouri [Mr. BORLAND] says, in cold storage here in Washington, when they could be sent out to persons and companies who are interested in the various industries which are affected; and what better use or value to the country could this bureau be engaged in than conserving the natural resources of this great country which have been going to waste on account of a lack of knowledge of expert mining, and so forth, and in the discoveries mentioned in the papers and bulletins referred to by the gentleman from Massachusetts? I hope, Mr. Chairman, that this House will always stand by, uphold, and defend the Bureau of Mines as long as it is so well and efficiently conducted as it is under its present administration.

Mr. GILLETT. Mr. Chairman, I do not wish to be put in the light, as the gentleman from Tennessee [Mr. AUSTIN] attempts, of making an attack on the usefulness of the Bureau of Mines. I recognize both the usefulness and the enthusiasm manifested by that department and its chief, and I recognize that it is only men who have a great enthusiasm in the work of their department and a desire to extend it who can be of great value; but the more there is of that enthusiasm and the more valuable a man may be the more he needs a check upon him, because these men see only what is before them. They see great opportunities, and they will branch out in every direction, regardless of expense, unless they are in some way supervised. Now, it seems to me the very arguments the gentlemen have made show that in this particular they have entered upon a field on which they ought not to encroach, because these technical papers are not meant for the public at large. The people in general are not interested in them. The people to whom they are of value are the capitalists and the corporations who are going into some great undertaking; and when doing that they are not going to rely upon the bulletins of the Bureau of Mines. They are going to investigate for themselves and find out what is the very last and best method; and while they may get interesting information from the Bureau of Mines, they can never take that as conclusive and final and sufficient. They have got to investigate and search out for themselves. So it seems to me these technical papers, which are doubtless of some value and which are intended to help these great corporations and the men who are going into these big undertakings, are not the line in which the Bureau of Mines ought to branch out; and sending out cards like this and trying to build up a constituency among people who might be interested, but to whom it seems to me they would not be of any very great use, is something which ought not to be encouraged.

Mr. FALCONER. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. FALCONER. The gentleman would not have the bureau withdraw from this field and give it to the corporations exclusively, would he?

Mr. GILLETT. The corporations themselves do this investigating, and the bureau is merely gathering together what the corporations have done.

Mr. FALCONER. Not necessarily.

Mr. GILLETT. Practically so. They just find out what the corporations have done and then publish it.

Mr. FALCONER. Mr. Chairman, if I may interrogate the gentleman further——

Mr. GILLETT. Certainly.

Mr. FALCONER. Is it not a fact that the department does considerable pioneer work along these lines?

Mr. GILLETT. No; I do not think it does along these lines.

Mr. FALCONER. Then the gentleman takes the position that private corporations are always in advance of the department?

Mr. GILLETT. No; not always, but generally on these lines they are. It takes enormous capital to discover these things—too much for the bureau.

Mr. FALCONER. It just occurs to me that the argument of the gentleman would seem to mean that it is his position that the Government should abandon the field to the selfish interests of the corporations or private individuals.

Mr. GILLETT. This is just helping the selfish interests.

Mr. FALCONER. It may or may not be. Let me ask the gentleman, in that connection, is it not true that the Government has taken advanced steps in trying to find out whether or not it is advisable to extract gasoline from shale, and has any private corporation in the United States done that?

Mr. GILLETT. I do not know anything about that.

Mr. HULINGS. Mr. Chairman, it has come in my way to learn something about this oil business. I have been associated with it in one way and another ever since I began business. I quite agree with the gentleman from Massachusetts [Mr. GILLETT] in saying that so far as the oil business is concerned this department simply collates and collects what has been done by the various concerns engaged in the oil business. I believe it was a man up in my own county who first discovered that he could make gasoline from the gas coming from oil wells. Of course it was generally known for a long time that you can take any gas, and by pressure and refrigeration reduce it to a liquid, as in the case of oxygen, for instance. But in these oil wells—and it is true of all of them—there is a kind of gas called wet gas, which contains certain chemical compounds that by pressure and refrigeration can be reduced to a liquid. That is being done all over the oil country, and has been for years. They produce a very light gasoline, of 0.80 specific gravity, and this they mix with gasoline of the heavier quality, that has been produced by the distillation of petroleum, and in that way make a gasoline which is better than the low grade made from

petroleum, and yet is not so volatile as to escape so readily as this high-grade stuff does that is made wholly from gas.

Mr. BORLAND. Will the gentleman yield?

Mr. HULINGS. Certainly.

Mr. BORLAND. I will ask the gentleman whether the product of this wet gas when reduced to a liquid by pressure and refrigeration is not more highly inflammable than the ordinary gasoline, and consequently can it not be carried in a small space and afterwards used with heavier gasoline?

Mr. HULINGS. It is probably not more inflammable, but it is much more volatile and more dangerous, because it evaporates so quickly. Take a spoonful of it and throw it into the air, and none of it will reach the ground.

Mr. BORLAND. As a practical proposition it is combined with heavier grades of gasoline.

Mr. HULINGS. They have been doing that and utilizing it largely in that way.

Mr. BORLAND. So that it is much more inflammable than the heavier gasoline produced in the old way.

Mr. HULINGS. I would not say more inflammable, because either of them will rapidly and almost explosively burn.

Mr. BORLAND. My understanding is that it is reduced in its production to about 15 per cent of its volume, so that it can afterwards be transported much more cheaply.

Mr. HULINGS. They have to transport it in steel barrels, because wooden barrels will not hold it, and for that reason they mix it with a heavier grade of gasoline. I do not believe that this bureau has ever invented anything along the line of the oil business. I think they have simply collated the experience of others, and made it available for any person that desired to learn it from these publications that they issue.

I wish to call the attention of the committee to the fact that in this same Bureau of Mines, in their investigation of the mining industry, especially of soft coal, they have been making discoveries; that they have been making the most valuable investigations for the protection of explosions from coal-mine dust in these mines. I think it would be very shortsighted for this Congress to attempt to limit them in that very important and interesting field.

There was one question I desired to ask the chairman of the committee. Here is an appropriation of $135,000:

For investigation of mineral fuels and unfinished mineral products belonging to or for the use of the United States, with a view to their most efficient mining, preparation, treatment, and use, including personal services in the bureau at Washington, D. C., not in excess of the number and total compensation of those so employed during the fiscal year 1913.

Can the chairman say what that compensation amounted to?

Mr. FITZGERALD. Will the gentleman wait until we reach that item and I will give it to him?

Mr. HULINGS. I would like to say that as to the investigations of the gas business and the mineral-oil business of any sort I doubt whether the Government has any authority in that matter in territory which belongs to the States. Is it not a matter for State legislation to say how a man may utilize the product of his oil well where he has a title in fee to that property? The State, I suppose, under the right of eminent domain, might indicate or prescribe how certain wells shall be plugged or how the gas shall be taken, so that it shall be conserved, but I doubt whether the National Government has any right to do it.

Mr. FITZGERALD. Mr. Chairman, I move that all debate on this paragraph and amendments thereto be now closed.

The CHAIRMAN. The gentleman from New York moves that all debate on the paragraph and amendments thereto close.

The motion was agreed to.

The Clerk read as follows:

For investigation as to the causes of mine explosions, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, and other inquiries and technologic investigations pertinent to the mining industry, $347,000.

Mr. BRYAN. Mr. Chairman, I move to strike out the last word, and I think I can get through the short statement I have to make in three minutes. I do not know whether it is true or not, but it is suggested from various sources that there is going on in this Chamber a kind of smotherbuster—not a filibuster, but a smotherbuster. I have listened now for about an hour to this debate. It is true the gentleman from New York finally moved to stop debate, and it was done. But I have listened about an hour to a discussion that seemed to me to be a part of an attempt to asphyxiate the shipping bill and probably the seamen's bill, for certain reasons, by the application of gas—dry gas, wet gas, heavy gas, light gas, Pennsylvania gas, natural gas, and all kinds of gas. [Laughter.] That is about all the debate has involved for an hour or more.

I think that there is more to this rumor than mere idle talk. I have participated here during this session in the putting through of the various appropriation bills, and although the chairman of this committee started out the other day with the resolution to rush the bill, and on Saturday afternoon exhibited a disposition to get the bill through as soon as possible, I have found that men can talk 5 minutes, 10 minutes, 15 minutes, and, as the RECORD will show, an hour has been consumed on various kinds of gas without any restraint or any attempt to suppress the debate or any attempt to expedite the bill. I think the proceeding is joined in by men on both sides of the aisle. It is a deliberate effort to obstruct legislation, and I think we ought to be more diligent. I would not presume to lecture the chairman of the committee, but I think if he would overturn the wishes of those about him and make more motions to suppress debate he would be serving the business interests of the country.

It is said that there will be an attempt to take up the Republican measure that has come over to the House, that farce which provides that ships of the Navy shall go into the merchant marine——

Mr. HULINGS Mr. Chairman, I make the point of order that the gentleman is not discussing the bill.

The CHAIRMAN. If the point of order is made, the Chair will have to sustain it.

Mr. BRYAN. Then, Mr. Chairman, I will get back to gas. Inasmuch as the gentleman from Pennsylvania wants everything discussed from a jet of gas, we will take up and discuss Pennsylvania gas. When these other matters are pending we ought to turn off the gas. That silly war challenge, the Weeks bill, ought to be made into a decent, effective merchant-marine bill, so that the ships of the Navy will not be put into commerce and our people be compelled to send freight and traffic by vessels with cannon and uniformed officers aboard. But we might put merchant vessels into the bill and give relief, and have an efficient bill, instead of having one that amounts to nothing; have one that makes the Shipping Trust protest, not one that makes the Shipping Trust applaud.

Mr. FITZGERALD. Now, Mr. Chairman, the gentleman from Washington having relieved the pressure on himself, due to an overaccumulation of gas, we will proceed to the next paragraph.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TRIBBLE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7555. An act to authorize the construction of a bridge across the Suwanee River in the State of Florida.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For investigation of mineral fuels and unfinished mineral products belonging to or for the use of the United States, with a view to their most efficient mining, preparation, treatment, and use, including personal services in the bureau at Washington, D. C., not in excess of the number and total compensation of those so employed during the fiscal year 1913, $135,000.

Mr. FOSTER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 97, strike out lines 7, 8, 9, 10, 11, 12, 13, and insert the following:

"For investigation of mineral fuels and unfinished mineral products belonging to or for the use of the United States, with a view to their most efficient mining, preparation, treatment, selection, and the most efficient use of fuels for all purposes; for the analyzing and testing of all fuels to be selected and sampled in accordance with Bureau of Mines specifications, including personal services in the bureau at Washington, D. C., not in excess of the number and total compensation of those so employed during the fiscal year 1913: *Provided*, That no part of any money appropriated by this or any other act shall be used for the purchase of fuel in continental United States for the United States, unless expended in cooperation, when practicable, with and under the advice and direction of the Bureau of Mines, $135,000."

Mr. FITZGERALD. Mr. Chairman, on that I reserve the point of order.

Mr. FOSTER. Mr. Chairman, this changes the paragraph that is now in the bill so as to make it the duty of the Bureau of Mines to select the coal which is adapted to a particular plan where the Government plant may be located or particular equipment that may be used. It puts this selection with the Bureau of Mines, together with the testing, which is already there now. Since the Government has been testing coal according to a scientific basis as to the heat units in the coal it has been of great saving in all departments of the Government, wherever it may be, and yet the Bureau of Mines has no control over the equipment or matters of that kind. For instance,

there has been installed in a branch of the Government an equipment which is adapted to the use of coal in Illinois. It seems strange that that should be the case, and yet it is true. By changing that equipment and having it properly adapted to coal that may be within a certain neighborhood or area where it is to be used the Government would be able to save a considerable amount of money. At Fort Bayard, N. Mex., by change of certain equipment and showing them how they could use certain coal it was shown that they could use a very much cheaper coal. That was put in operation and existed for a little while, but was abandoned, and they have gone back to the old plan again; the Government is paying the extravagant price again. In California, where coal is shipped by the Government for use on the boats in the harbor and other uses, they use an expensive coal when they could just as well get coal on the Pacific coast which would save five or six dollars a ton. There is no occasion for this. Last year in the War Department alone in the buying of coal according to this basis there was a saving made of something like twenty-five to thirty thousand dollars.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MONDELL. Does the gentleman think it would be wise to give the Bureau of Mines authority to prescribe the kind of coal that the Navy is to use?

Mr. FOSTER. They do it now; it is done now. The bureau tests the coal for the Navy.

Mr. MONDELL. Oh, no; they do not.

Mr. FOSTER. Oh, yes.

Mr. MONDELL. They have no authority over the Navy.

Mr. FOSTER. They have no authority over the Navy, of course.

Mr. MONDELL. The gentleman's amendment would give the Bureau of Mines authority to say to any department of the Government, including the Navy, "You shall use this sort of coal or that sort of coal."

Mr. FOSTER. Yes. It is the selection of the kind of coal that is best suited for their use.

Mr. MONDELL. Does not the gentleman think that would be dangerous when it comes to the fighting branch of the Government?

Mr. FOSTER. No; I do not think it is near as dangerous as it is now to the Government to permit in many instances some clerk in the department to select the kind of coal used in the department. The Bureau of Mines tests all of the coal used by the Navy. For instance, take the Panama Canal. When bids were presented for coal a certain firm in the country presented an analysis of coal which the Bureau of Mines said was not correct, which they had been using, but it was found by putting the selection of that coal in the hands of the Bureau of Mines for use in the canal there was a saving to the Government of $40,000 a year. There are many instances of the kind where that can be done. As an illustration of the kind of selection the Government makes now, I have here a picture of the Knickerbocker Hotel, here in Washington, and then there is a picture of the Cox Building, which is a Government office building. We find that the Government office there is using anthracite coal with approximately 13,500 British thermal units per pound and paying $6.65 per ton for it, and that the Knickerbocker Hotel buys coal of approximately 14,500 British thermal units per pound, bituminous coal, for $4.50 a ton. That is the way that the Government in many instances buys its coal. I believe if some system were put in operation whereby we could select that coal in a proper way and say to these departments, "This is the coal that is most economical for your department" many thousands of dollars would be saved.

Mr. HULINGS. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HULINGS. The illustration the gentleman has given is a comparison between anthracite coal and bituminous coal. Anthracite coal has only 13,500 British thermal units to the pound——

Mr. BRYAN. Mr. Chairman, I make the point of order that the gentleman from Pennsylvania is not talking to the point of order.

The CHAIRMAN. The Chair overrules the point of order. The gentleman from New York reserved the point of order, and under the practice of the House the gentleman from Illinois [Mr. FOSTER] is discussing the merits of the proposition, and the gentleman from Pennsylvania [Mr. HULINGS] interrogated him. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

Mr. BRYAN. Is the gentleman debating the point of order?

The CHAIRMAN. The gentleman is debating the merits of the proposed amendment.

Mr. BRYAN. Has the point of order been decided?

The CHAIRMAN. The point of order was reserved, and under the practice of the House the Chair is not called upon to rule while it is reserved. Is there objection to the request of the gentleman from Illinois that his time be extended for five minutes? [After a pause.] The Chair hears none.

Mr. FITZGERALD. This is a very important matter, and the gentleman from Illinois is chairman of the Committee on Mines and Mining.

Mr. BRYAN. I know that.

Mr. FITZGERALD. And I think any reasonable discussion should be permitted.

Mr. BRYAN. I want to ask the gentleman from New York if he is going to make the point of order. Is it so very important that the gentleman is going to make the point of order?

Mr. FITZGERALD. I am not certain.

Mr. HULINGS. Mr. Chairman, I was recognized to ask a question.

The CHAIRMAN. The gentleman from Illinois has the floor. Does the gentleman yield; and if so, to whom?

Mr. FOSTER. I yield to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. I desire to ask this: If the gentleman thinks that the illustration he has given here, making a comparison between anthracite and bituminous coal, is entirely fair, for this reason, that in the ordinary combustion of bituminous coal there is a very large portion of it that escapes during the process of combustion, while in the case of the anthracite coal the efficiency is very much higher?

Mr. FOSTER. The gentleman from Pennsylvania falls into an error which is very often fallen into by men who do not remember that we buy coal upon the basis of so much heat to the unit of coal, and that in buying anthracite coal, which has the highest price, it gives you no more heat than does the bituminous that has the same number——

Mr. HULINGS. That is true if you get the same efficiency; but you never get the same degree of efficiency from the burning of bituminous coal, because a large portion of it goes off in the process of combustion in the way of smoke, and so forth.

Mr. FOSTER. That does not happen where there is a proper furnace equipment. It might be if it were done in the old way, but coal is not burned in such an unscientific way as it was years ago.

Mr. SLEMP. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. SLEMP. Has the gentleman's observation been applied to coal used in the Navy also?

Mr. FOSTER. Yes, sir.

Mr. SLEMP. It would apply to the Navy as well as to all other departments of the Government.

Mr. FOSTER. I will say this: In the last naval bill there was provided $75,000 for securing coal from the Matanuska coal field of Alaska, and the Secretary of the Navy put that under the control of the Bureau of Mines. They went there and mined that coal and hauled it to tidewater and brought it to the States, and that coal was tested upon the *Maryland*, I think, on the Pacific Ocean. An engineer of the Bureau of Mines went on the *Maryland* and saw the actual test of the coal. That coal was actually tested, and there is a letter in here from the commander of the *Maryland* showing how successfully and in what a gentlemanly way that test was conducted, and that it was to the satisfaction of the Navy, and it demonstrated beyond all question that the Matanuska coal was a kind of coal that could be used in the Navy. The Bureau of Mines tests this coal now; we have no new proposition so far as that is concerned, but what I am trying to get at is that when these tests are made and it is determined it is an economical coal for the Government to buy, that the Bureau of Mines shall select that coal and that these men will buy the kind of coal that ought to be bought as an economical proposition to the Government.

Mr. SLEMP. Would it be the gentleman's idea that the Government would bear the expense of testing coal that belongs to private individuals, corporations, and so forth, or that they should bear it?

Mr. FOSTER. This is for the Navy; that belongs to the United States; yes. The Bureau of Mines tests coal. They tested coal where an inquiry came from South America to have those tests to be supplied to those people who want to purchase

our coal. They made their test, and I understand sales of coal have been made as a result of that test.

Mr. MANN. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MANN. I understood the gentleman to say just now that one of the purposes of the amendment of the gentleman was so that the Bureau of Mines could select the coal used by the different departments of the Government. How would the selection be made?

Mr. FOSTER. It is the recommendation or selection, as you may call it, wherever it is to be obtained. Of course there might be cases where it would be impracticable to make that——

Mr. MANN. But how would you select? Would you select it from some mine or how would it be done?

Mr. FOSTER. No; it would select certain coals that would be the most economical to use.

Mr. MANN. They do it now.

Mr. FOSTER. But in some instances——

Mr. MANN. Coal is selected based upon an analysis?

Mr. FOSTER. Yes.

Mr. MANN. It does not mean a certain coal to be used, does it?

Mr. FOSTER. Not a particular coal of a particular mine. It does not mean that.

Mr. MANN. I can not understand how the bureau can select the coal.

Mr. FOSTER. For instance, say the department is going to buy some coal for Fort Snellings. Say that they have bids for certain coal to be sent there. Those coals would be analyzed by the Bureau of Mines. Now, that would be determined by taking into consideration the equipment and everything connected with that particular point and an analysis of the coals which are sent would be selected for the particular place.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOSTER. And they would say to them this is the coal that should be selected.

Mr. FITZGERALD. Mr. Chairman, the purpose of the gentleman from Illinois [Mr. FOSTER] is doubtless very desirable, but the effect of this amendment is so far-reaching that, I think, it would be very unwise to attempt to legislate upon this bill. I have been examining the amendment of the gentleman for some time, and I have not yet been able to ascertain just how far it would extend the present authority of the Bureau of Mines.

Mr. FOSTER. I will say to the gentleman from New York, if he will permit me, that at this time the Bureau of Mines simply tests the coal when called upon by the different departments. They test it and give the analysis that the coal shows. That is as far as they go. They do not go any further now.

Mr. MANN. Mr. Chairman, will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Under this amendment, as I read it and understand it, the Bureau of Mines practically is to select the equipment for the burning of the coal.

Mr. FOSTER. Oh, no.

Mr. MANN. Well, then, what does it say?

Mr. FOSTER. If it does, it is not so intended.

Mr. MANN. Then the Bureau of Mines would tell the Navy, for example, what kind of equipment they should have for burning the coal, and, possibly, the kind of engines they should use.

Mr. FOSTER. Well, that is not intended; but if they happen to have a certain kind of engine, such as the Government has in certain places, or certain boilers adapted to particular kinds of coal, which they can not use, it seems to me somebody ought to select the equipment that would be adapted to the use of certain coal.

Mr. MANN. Of course the department that uses it ought to control that. I do not see how you can allow the Bureau of Mines to determine what kind of equipment they must have.

Mr. FOSTER. I do not think it is intended that that should be the case.

Mr. MANN. I understood that was the purpose.

Mr. FITZGERALD. Mr. Chairman, the uncertainties are too great, and I am compelled to insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries: *Provided*, That no part thereof may be used for investigation in behalf of any private party, nor shall any part thereof be used for work authorized or required by law to be done and that is being done by any other branch of the public service, $100,000.

Mr. FOSTER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Page 98, line 1, after the word "service," insert "nor shall any part of any appropriation in this or any other act be used for work that is authorized or being done by the Bureau of Mines."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] reserves a point of order on the amendment.

Mr. FOSTER. Mr. Chairman, this limitation, as I understand, upon the Bureau of Mines is for the purpose of preventing that bureau from entering any field that is now occupied by another department of the Government. What I had tried to do in my amendment was to prevent other departments from entering the field of the Bureau of Mines and limiting it, and saying to them that they must keep off the Bureau of Mines and let that bureau perform the work that it is intended it should do. Now, I submit that is but a fair proposition—that while the Bureau of Mines should keep on its own grounds, other departments should keep on their own grounds, too.

Mr. SELDOMRIDGE. Mr. Chairman, will the gentleman yield there?

Mr. FOSTER. Certainly.

Mr. SELDOMRIDGE. Who is to be the determining factor as to the particular province of each bureau?

Mr. FOSTER. The heads of the departments.

Mr. SELDOMRIDGE. In case of disagreement between the heads of departments, who should come in?

Mr. FOSTER. This would certainly be a limitation, which would be decided by the Comptroller of the Treasury.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GILLETT. Suppose the law should allow different departments to overlap. The proposition is that the other departments should be excluded, and the Bureau of Mines would be authorized to do a particular kind of work, although the law already allowed the other departments to do it. Is that the proposition?

Mr. FITZGERALD. Some classes of work are authorized to be done by more than one branch of the public service.

Mr. GILLETT. That is just the question that I asked.

Mr. FITZGERALD. Only one branch should do it. I have suggested to the gentleman that he modify the amendment so as to apply it only to appropriations carried in this bill and to make the language correspond to the language already in the bill, so that the amendment would read: "Nor shall any part of any appropriation in this act be available for the performance of work authorized and being done by the Bureau of Mines."

Mr. GILLETT. But, after all, is that fair?

Mr. FITZGERALD. Yes. We apply that rule to the Bureau of Mines.

Mr. FOSTER. Why not apply it to the others, too?

Mr. GILLETT. Suppose there is a case where different branches of the Government have authority to do a particular kind of work. Now, by this you are taking it away from the others and giving it to the Bureau of Mines. Why would it be any more right to take it away from the other departments and give it to the Bureau of Mines than to take it away from the Bureau of Mines and give it to the other departments?

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MONDELL. Why not strike out all of the provision after the word "party," in line 23, page 97? The trouble that my friend suggested is that it still further confuses, if he will allow me, a bad situation. What we have done in this item is to legislate against the Bureau of Mines. Then, if I understand the proposition of the gentleman from Illinois [Mr. FOSTER], he would insist on a provision under which it might be possible that none of the bureaus of the public service could do certain classes of work where they are now authorized by law to do it. The fact is, it is not fair to the Bureau of Mines to legislate against it alone, as we have done in this bill, because there are many fields of the public service where two or more bureaus legitimately work, although they do not work on a subject at the same angle, nor do they investigate exactly the same phases or features of a matter. They have their legitimate work, but it is connected with the same subject matter.

Now, we have legislated the Bureau of Mines out of any field heretofore occupied by any other bureau, even though they occupy it from a different angle and from a different viewpoint and for a different purpose and along a different line. We should not have any legislation of this sort, but the committees should see to it that the bureaus are kept out of each other's jurisdiction as far as possible, because if you legislate along this line at all you must legislate against one or the other of two or more bureaus.

Mr. FOSTER. I think what is intended here is that if you are going to limit the Bureau of Mines, it is only fair that the other departments should be limited so that they should not take that work away from it which it can perform better than any other department.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FOSTER. In securing the statistics in reference to mine accidents, if that is to be done by another department of the Government, it seems to me it is unfair to the Bureau of Mines, when they are in that work all the time, that that should be taken away from them. But without something of this kind, it must necessarily be taken away, and they would lose that part of the work.

Mr. MANN. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MANN. The gentleman does not mean that this provision in the bill now would take away anything from the Bureau of Mines?

Mr. FOSTER. I should think so.

Mr. MANN. This is the existing law. I suppose they are complying with it.

Mr. FOSTER. I hope they are. But suppose some other department comes into the field? They have put in these new words this year:

And that is being done.

Mr. MANN. That broadens the scope of the Bureau of Mines, instead of restricting it. Under existing law they are forbidden to do any work which is authorized to be done by any other department. I do not think they pay much attention to it, but in a way they do. Now the committee have added these words so that any other department must not only be authorized to do it, but must actually be doing it.

Mr. FOSTER. Yes.

Mr. MANN. That broadens the scope of the Bureau of Mines, instead of restricting it.

Mr. FOSTER. As I understand, then, that excludes the Bureau of Mines from doing the work.

Mr. MANN. Only when the other bureau is authorized and is doing it. Under the existing law the Bureau of Mines is forbidden to do the work if the other department is authorized to do it, whether it is doing it or not. Now the committee have added to the language, forbidding the Bureau of Mines to do it only if another department is authorized to do it and is doing it.

Mr. FOSTER. The provisions in some of these are broad, and I know they have begun, where the Bureau of Mines has been doing it for several years.

Mr. MANN. But they are not doing it now, if they are following the law.

Mr. FOSTER. They are doing it?

Mr. MANN. I mean the Bureau of Mines.

Mr. FOSTER. They have been doing certain work, and the other departments are beginning to do that work. Now, what I want to do is to keep them out of the work of the Bureau of Mines, along with the others.

Mr. MANN. If the Bureau of Mines have ever lost jurisdiction of anything they have commenced to do, I have never heard of it.

Mr. FOSTER. I hope they have not, because they are doing good work, and I hope they will continue that work.

Mr. MANN. But the gentleman's amendment would forbid the Census Office to make any study of any of these industries. Certainly he does not want to do that.

Mr. FOSTER. No. It is simply to confine the other departments to their particular work.

Mr. MANN. But the gentleman's amendment would accomplish that, because one of the provisions is to permit the Bureau of Mines to inquire into economic conditions affecting industries relating to minerals, and so forth. The Census Office has to do that to make up the census report this year. The gentleman's amendment would forbid the Census Office to pay any attention to the industries relating to mines and minerals.

Mr. FOSTER. If the Bureau of Mines is securing these statistics, I do not see any reason for having them duplicated.

Mr. MANN. I do not think they are duplicated. If they are, the Bureau of Mines is doing the duplicating, because the Census Bureau is required to do this work, and the Bureau of Mines is merely permitted to do it. The gentleman's amendment would forbid the bureau that is required to do the work and turn it over to a bureau that has no facilities to do it, but is permitted to do it.

Mr. FOSTER. I think this only limits the departments to their particular work.

Mr. FITZGERALD. I make a point of order against the amendment.

Mr. MONDELL. Will the gentleman withhold the point of order?

Mr. FITZGERALD. I will withhold it.

Mr. MONDELL. Mr. Chairman, I do not believe the amendment offered by the gentleman from Illinois should be adopted, even if it were not subject to a point of order, because it would simply further confuse a bad situation, as I said a moment ago. This legislation, beginning with the word "nor" in line 23, page 97, and extending to the end of the paragraph, should be stricken out. We have no such legislation limiting any other bureaus of the Government. The result is that if the Bureau of Mines strictly interprets its authority under this legislation, then the Bureau of Mines is prevented from examining and investigating, let us say, the question of gases in mines, because the Bureau of Labor is also investigating that question from the viewpoint of the health and welfare of the miners. Now, the investigation of the matter of gases by the Bureau of Mines is an investigation with a view to determining how the accumulation of gases may be prevented and mines may be protected against gases; how explosions may be prevented; how miners who are the victims of gases may be rescued; and all those matters that properly come within the jurisdiction of the Bureau of Mines. There is a proper work for the Bureau of Labor, which is welfare work in the mines, and work having to do with the conditions of the labor. We do not say to the Bureau of Labor, "You shall not investigate this class of work, because the Bureau of Mines is investigating it from another angle," but we say to the Bureau of Mines, "You shall not do any work that any other bureau is either authorized to do or is doing, whether it is authorized by law to do it or not." You can not by legislation draw an accurate line between the activities of these bureaus. The best you can do is to exercise the control that Congress has over appropriations.

If this provision were stricken out, then the Bureau of Mines would be situated just as the other bureaus are, and would not be expected to occupy the same field in the same way and for the same purpose as they are occupied by other bureaus. Of course it is a question largely of what the word "work" means. what we intend by the word "work." I take it for granted that the Bureau of Mines is giving a liberal interpretation to it. If they are not, they must be tremendously hampered by this provision. I think they would be justified in holding that where they are doing a certain line of work, although it relates to the same subject matter as that under investigation by another bureau, if their work is along a different line, having a different object in view and a different purpose, they may continue that work. And yet there is likely to be a conflict of jurisdiction—there is likely to be some feeling engendered in a case of that kind. We should not put an embargo against the activities of one bureau in favor of all other bureaus. The proper thing to do is to strike out the entire provision. The gentleman from New York will recall that this was discussed somewhat in the subcommittee, that we were not entirely happy over the language, but even the genius of the gentleman from New York has not as yet evolved anything to take its place.

Mr. FITZGERALD. I insist on the point of order.

The CHAIRMAN. The Chair thinks one provision in the amendment, "or in any other act," makes it clearly subject to the point of order. The Chair sustains the point of order.

Mr. FOSTER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 98, line 1, after the word "service," insert the following: "Nor shall any part of any appropriation in this act be used for work that is authorized and is being done by the Bureau of Mines."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment. It is not germane to this paragraph of the bill. It might possibly be offered at the last end of the bill, but it is not germane to this paragraph of the bill.

The CHAIRMAN. The Chair will hear the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Chairman, it seems to me that this is directly in line with the provision already in the bill, and that this is a further limitation. I do not see why it is not germane to this particular item.

Mr. MANN. It does not relate to this particular appropriation. It is not germane to this paragraph.

Mr. FOSTER. It seems to me that it is clearly so; I may be wrong about it. I would not know where else to offer it.

Mr. MANN. The limitation in this paragraph relates to the appropriation carried by this paragraph only. It does not relate to the other appropriations carried by the bill. It seems to me that a limitation relating to all the other appropriations in the bill is not germane.

Mr. FOSTER. It seems to me that it is germane because it applies to this particular paragraph and is a limitation.

Mr. SELDOMRIDGE rose.

The CHAIRMAN. Does the gentleman from Colorado desire to discuss the point of order?

Mr. SELDOMRIDGE. No; I propose to offer an amendment.

Mr. FOWLER rose.

The CHAIRMAN. Does the gentleman from Illinois desire discuss the point of order?

Mr. FOWLER. Just for a moment. I think this is clearly a limitation upon the appropriation. The paragraph provides for a certain amount of money to be appropriated for certain purposes, and it has been repeatedly held that where an appropriation is sought to be made, Congress may place any limitation on the use of the money that it may deem proper. I have recently gone over the authorities upon limitations, and in every instance where it was sought to place a limitation on the appropriation the Chair has overruled points of order. I can not see that this amendment carries with it anything except a limitation.

In 1910, in the bill for appropriations for the Navy, there was a provision for experiments on armament, and the gentleman from Alabama [Mr. HOBSON] offered an amendment that no part of the appropriation should be used except it be used under certain conditions of distance where the experiment was to be made. The gentleman from Illinois [Mr. MANN] was in the chair, and he held that it was a limitation on the appropriation, and I think properly so. It has been repeatedly held that unless the amendment carries a direction to the department in the way of new legislation, limiting the department to do that which the law authorizes it to do, then it is a limitation on the appropriation and is in order.

Another point: If this amendment is subject to a point of order, the latter part of the paragraph is subject also to a point of order. If the latter part is subject to a point of order, then this ought to be in order, because it is germane to the subject matter and deals with the very same subject matter that the latter part of the paragraph deals with. It appears to me that on any ground that we may take it, from a parliamentary standpoint the amendment is not subject to the point of order.

The CHAIRMAN. The point of order made by the gentleman from Illinois was not on the ground that it was otherwise than a limitation, but on the ground that it was offered in a place in the bill where it was not germane. The Chair has the greatest respect for the opinion of the gentleman from Illinois on parliamentary questions. The Chair has considered this amendment, which in the opinion of the Chair is a limitation, and it is offered to a provision making an appropriation for the Bureau of Mines, and therefore the Chair overrules the point of order. The question is on the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The question was taken; and on a division (demanded by Mr. FOSTER) there were—ayes 10, noes 25.

So the amendment was lost.

Mr. FOSTER. Mr. Chairman, I offer a further amendment. I move to strike out the language beginning on line 23, page 97, down to the figures "$100,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 97, line 23, after the word "party," strike out the following language: "Nor shall any part thereof be used for work authorized or required by law to be done and that is being done by any other branch of the public service."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For per diem, subject to such rules and regulations as the Secretary of the Interior may prescribe, in lieu of subsistence at a rate not exceeding $5 when absent on official business from his designated headquarters, and for actual necessary traveling expenses of said inspector, $2,500.

Mr. MANN. Mr. Chairman, I reserve a point of order to the paragraph. This mine inspector in Alaska is there permanently, is he not?

Mr. FITZGERALD. He is in Alaska, but traveling all the time; he covers the whole Territory.

Mr. MANN. He gets a salary of $3,000, and $2,500 beside; that is, he has his subsistence all the time, besides the salary. I suppose he has to purchase his clothing himself, unless it is given to him.

Mr. FITZGERALD. His headquarters are at Juneau, and when he is away from headquarters he gets subsistence.

Mr. MANN. He is away all of the time, is he not?

Mr. FITZGERALD. Most of the time, I think. I think he is away from headquarters the better part of the time—that is, if he is trying to do the work that should be done.

Mr. MANN. If he is performing his work, he is. It seems to me we do pretty well when we pay a man a salary and then pay his board all of the time besides, and at that probably more than it costs him.

Mr. FITZGERALD. From the information before the committee the cost of living in Alaska is pretty high.

Mr. MANN. The law limits the subsistence to $4.

Mr. FITZGERALD. The law limits a per diem in lieu of subsistence to $4, but yesterday we fixed a per diem of the inspectors in the General Land Office at $5.

Mr. MANN. They travel only occasionally, I take it, while this man is traveling all of the time.

Mr. FITZGERALD. The requests for per diem for employees in Alaska from all of the departments of the Government is an allowance of $8.

Mr. MANN. Yes. A good many of the departments would like to pay a man a good salary and in addition allow him quite a good rake-off from a per diem in lieu of subsistence.

Mr. BRYAN. Does the gentleman take into consideration the fact that a mine inspector, going from one to the other of these different diggings, has to go a great part of the time with a pack and a dog team, away from the inhabited sections we spoke of yesterday, which is very expensive traveling?

Mr. MANN. He gets that paid in addition, and it is very safe to say that having traveling expenses with a dog team paid his subsistence does not cost him $5 per day. But that is what he gets. I am going to make the point of order against it. I think it is subject to the point of order under the sundry civil appropriation act of last year, which limits the per diem in lieu of subsistence to $4 a day. I make the point of order against the paragraph.

Mr. FITZGERALD. Then I shall offer the paragraph as an amendment, inserting $4 a day instead of $5.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the paragraph, and the Chair sustains the point of order. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 99, after line 8, insert the following:

"For per diem, subject to such rules and regulations as the Secretary of the Interior may prescribe, in lieu of subsistence at a rate not exceeding $4 when absent on official business from his designated headquarters, and for actual necessary traveling expenses of said inspector, $2,500."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

Mr. FOSTER. Mr. Chairman, I understand that on yesterday there was a provision inserted in the bill for a per diem in lieu of subsistence of $5, which formerly provided for $6. It was reduced to $5. Is it now proposed in this amendment to make a reduction from $5 to $4 a day? I would ask the chairman of the committee why it is that the others should receive $5 per day traveling through Alaska and this one $4 a day?

Mr. FITZGERALD. My opinion is they should receive $5 per day, but as such a provision is obnoxious to the rule, if any one objects, the only thing I can do is to offer an amendment that is in order under the rule.

Mr. FOSTER. There is no reason why one man should receive $4 a day and another $5.

Mr. FITZGERALD. The gentleman from Illinois said that his objection is that the inspectors of the General Land Office travel only occasionally, while this man is traveling all of the time and has an allowance that will equalize any excess the others have.

Mr. MANN. These land agents are now receiving a per diem at the rate of $6, and that was reduced to $5. This mining inspector is now receiving a per diem of $5, and this would reduce him to $4. It takes a dollar off each one.

Mr. FOSTER. Why should one have five and the other four?

Mr. MANN. Why should one have six and the other five?

Mr. FOSTER. There is no reason in the world that I know.

Mr. MANN. I think there is a very good reason, though I may be mistaken.

Mr. FOSTER. That is what I am trying to find out.

Mr. MANN. My understanding—and I do not assert it to be a fact—is that the mining inspector is away from his headquarters practically all of the time, while the others are not. There is a good deal of difference in the real cost. I may be mistaken about that.

Mr. FOSTER. What I do not understand is that when we are paying a per diem in lieu of subsistence why we should expect these men to make any money out of it. What difference does it make?

Mr. MANN. I do not think they ought to make any money out of subsistence.

Mr. FOSTER. Nor do I.

Mr. MANN. But I have no doubt that this mining inspector practically lives off the per diem and has his salary of $3,000 net.

Mr. FOSTER. That may be so. I do not know.

Mr. MANN. I have no objection to it if he does. If we allow it, I do not blame him for doing it.

Mr. FOSTER. It seems to me it is hardly proper to allow one five and the other four.

Mr. MANN. We make a reduction of $1 in each case.

Mr. FOSTER. It may be that both ought to be reduced.

Mr. MANN. That may be. I do not know.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

In all, Bureau of Mines, $757,300.

Mr. SELDOMRIDGE. Mr. Chairman, I move to strike out the last word, for the purpose of extending my remarks in the RECORD by inserting an article from the Colorado Springs Evening Telegraph, giving an account of a shipment of ore very recently made from the Cresson mine, in the Cripple Creek district, the value of which amounted to $361,000. This shipment was made in five cars, the first-grade ore in the shipment running 205 ounces of gold to the ton and the second grade running 104 ounces, which, figuring 25 tons to the carload, gives the amount of the highest grade at $205,000 for the two cars, the entire shipment having a total value, as I stated, of $361,000.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The article is as follows:

[From the Colorado Springs Evening Telegraph, Jan. 27, 1915.]

CRESSON SHIPMENT BREAKS RECORD HELD BY ISABELLA COMPANY—TOTAL WILL BE ABOUT $361,000, ACCORDING TO "CONTROLS" MADE AT COPELAND SAMPLER

About $361,000 will be the total returns from the shipment of five carloads of high-grade ore from the famous vug of the Cresson mine, according to the control assays made by the Copeland sampler of Cripple Creek, which sampled the ore yesterday. The ore was divided into two classes, the highest grade being loaded in two cars, and a second grade in three cars averaging about 25 tons to the carload.

The controls reported to-day show that the first-grade ore will run about 205 ounces in gold to the ton, and the second grade about 104 ounces. Figuring 25 tons to the carload gives 50 tons of highest grade and 75 tons of second grade. The two cars of highest grade will therefore produce a total of $205,000, and the three cars of second grade will total about $156,000, making a grand total of $361,000 for the shipment, not including the silver values. This is as close an estimate as can be made until the final returns on the shipment are received from the smelter at Omaha, to which place the ore was shipped. The sampler controls, however, are very accurate, and it is not expected that the final figures will vary much either way from the above.

In any event, it is now certain that the shipment from the Cresson is the record shipment from the Cripple Creek district, and its value is all the more impressive when it is considered that the ore forms only a portion of the gold found in one chamber no larger than the ordinary living room in a house.

The previous record shipment from the Cripple Creek district was that made several years ago by the Isabella Mines Co., which shipped one carload that aggregated about $229,000.

Among the high-grade ore shipments by the mines of the United States, that made by the Cresson is surpassed only by a shipment of five carloads in 1907 from the Mohawk mine in Goldfield, Nev., which collected its highest-grade ore for a period of three or four months and sent out one shipment that netted approximately $490,000 in gold and silver.

The Cresson has also shipped to the Golden Cycle mill several carloads of ore from the treasure chamber which have run 15 ounces of gold to the ton, an average of about $300 to the ton, or $7,500 to the carload. It is known that returns have been received on at least three carloads of this grade.

The Clerk read as follows:

For all expenditures authorized by the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, known as the reclamation law, and all other acts under which expenditures from said fund are authorized, including salaries in the city of Washington and elsewhere; rent of office quarters in the city of Washington, $8,040, and for rent elsewhere; examination of estimates for appropriations in the field; printing and binding; law books, books of reference, periodicals, engineering and statistical publications, not exceeding $600; purchase, maintenance, and operation of horse-drawn or motor-propelled passenger-carrying vehicles; per diem in lieu of subsistence, when allowed, pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; payment of damages caused to the owners of lands or private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior; and compensation to artisans and laborers for injuries under the act of May 30, 1908 (35 Stats., p. 556), namely:

Mr. MANN. Mr. Chairman, can the gentleman say how many automobiles this service has now?

Mr. FITZGERALD. They have motor-propelled vehicles on almost every project.

Mr. MANN. Oh, I have no doubt; but how many to the project on an average?

Mr. FITZGERALD. I am trying to find out, I do not remember the number of automobiles, but this provision is largely for motor cycles. They are using them out there largely for ditch riders and others.

Mr. MANN. Well, I am not criticizing them for using them.

Mr. FITZGERALD. I think I have a statement of the number of automobiles, but I do not just recall.

Mr. MANN. Oh, very well.

Mr. MONDELL. If the gentleman will permit, I think there is a statement on page 316 of the hearings of the automobiles in the service, the number, the power, and the cost.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the committee to this fact: That, following the practice in connection with the examination of the estimates of the Panama Canal, the committee has made provision here to permit, if they deem it advisable, an examination of the estimates of these various reclamation projects. The tremendous advantage that will result to Congress and those who are engaged in the work made this seem to be desirable. The attention of the committee is called to it, so Members will understand, in the event that hereafter it should be determined a special committee should visit these projects for the purpose of examining and ascertaining the information that will be of value, that the matter was done with the full cognizance of the House. I withdraw the pro forma amendment.

Mr. HAWLEY. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. HAWLEY. Are these motor-propelled vehicles automobiles or Ford machines?

Mr. FITZGERALD. They are mostly Fords. [Laughter.] While they are not expensive automobiles, they are very serviceable, and these machines are more useful than high-priced cars would be.

Mr. SMITH of Texas. I would like to ask the gentleman a question. I notice the bill says nothing about how long the appropriations shall be available. I have been looking over some of the statutes regarding this matter and it is not clear to me, in view of the number of statutes upon the subject, that this should not in some way be made available longer than for the year for which the appropriation is made.

Mr. FITZGERALD. Mr. Chairman, the Secretary of the Interior requested that provision be inserted making the appropriations available until expended. The request was, in my opinion, due to a misapprehension of the law. In the first place, there is doubt whether it will be advisable to make appropriations available until expended. The moneys appropriated are all payable out of the "reclamation fund." If the money were made available until expended, should a sum considerably in excess of what would eventually be used be appropriated for a project, that sum would still remain to the credit of the project, to be used at some future time without further action by Congress, and be segregated out of the fund and perhaps prevent the making of appropriations that properly should be made for other projects. Under the law, as this appropriation is made for the fiscal year, the money can all be expended within that year, or that part which is not expended by the end of the year remains available for two years, to meet the obligations which were incurred during the year, or to meet obligations for contracts properly made during the year. Section 3690 of the Revised Statutes provides:

All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year shall only be applied to the payment of expenses properly incurred during that year, or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund.

That is all that is applicable to this provision. The act of June 20, 1874, limiting to two years the time within which the unexpended balances should be available, commonly referred to as the "covering-in act," provides that at the end of two years after the expiration of the fiscal year for which appropriations are made the balances then unexpended shall be covered back into the Treasury. In this instance it will be covered back into the reclamation fund.

Mr. SMITH of Texas. Is it the opinion of the gentleman that the act to which he refers is not changed in any respect by section 7 of the act of August 24, 1912?

Mr. FITZGERALD. No. The section of the sundry civil bill to which the gentleman refers was designed to correct a certain ruling of the comptroller. The Comptroller of the Treasury had held that certain appropriations made for a specific purpose did not come within the provisions of the covering-in act, and the appropriations continued available indefinitely. The appropriations for the Reclamation Service would be affected by section 7 of the sundry civil act of 1912 to this extent: That it would be impossible to construe these appropriations as specific indefinite appropriations which would be affected by the covering-in act. The appropriations made here for the Reclamation Service would be the same as appropriations made for any other service for which annual appropriations are made. That is, the money can all be expended within the year, or if it is not actually expended within two years after the expiration of the fiscal year, the balance of it is available to make payments for work done within the year or to meet contract obligations where the contract was properly made. That is to say, where a contractor might be doing a certain work on a reclamation project he might be paid up to the 1st of May and then might continue working until the 30th of June; then for two years after the 30th of June the balance of the appropriation is available to pay any moneys due on that contract up to that 30th of June.

Mr. SMITH of Texas. Mr. Chairman, if the gentleman is correct in that construction——

Mr. FITZGERALD. There is no doubt about that——

Mr. SMITH of Texas. And I am not prepared to say he is not, that would be all right.

Mr. FITZGERALD. The Secretary of the Interior, I think, after consultation with the Reclamation Service, either misapprehended that condition or else the service may be somewhat variable under appropriations that have lapsed. They have been conducting this work heretofore without any possibility of having an appropriation lapse. Probably there is a natural fear on their part that the thing will not work out in a satisfactory manner. Now, the Committee on Appropriations——

Mr. SMITH of Texas. Mr. Chairman, if the gentleman will permit me a moment, if these appropriations should lapse at the end of the year, of course it would put the Reclamation Service to a great disadvantage in making contracts.

Mr. FITZGERALD. I was about to say that the Committee on Appropriations, in making recommendations of these items, endeavored to recommend such sums as would enable the Reclamation Service without embarrassment to continue the work upon the projects during the next fiscal year, and while all of the money requested was not given in every instance, in those instances where there was a reduction in the amount recommended it was in the belief and confident conviction that the service would not be affected. For that reason for this year the 10 per cent interchangeable provision was included. There are two reasons for that. One was the statement of the head of the Reclamation Service as to the manner in which it had been necessary to prepare the estimates and the uncertainty as to whether it would be possible to make them with that close accuracy which would be essential to definitely determine how much could be expended. The other was the fact that the service was being put upon this basis for the first time, and that made it desirable to give them some leeway, so that the work should not possibly be embarrassed.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Wyoming?

Mr. FITZGERALD. I yield.

Mr. MONDELL. I do not know whether I clearly understood the statement of the gentleman from New York with regard to the time for which these sums would be available, but what I did understand the gentleman to say was this—and I think the gentleman perhaps, if I correctly understood him, has not the understanding of the matter that I have—I understood the gentleman from New York to say that these appropriations were available for any work done during the year, and for any work done on a contract during the year.

Now, my understanding is that these appropriations are available for any work done during the year, whether paid for during the year or not. They are also available for any work done on any contract properly made within the year, whether the work on that contract is performed within the year or within two years thereafter.

Mr. FITZGERALD. I think my statement was perhaps too restricted regarding the contract work. For instance, if an appropriation of $500,000 is made upon a project and authority exists to make a contract up to $500,000, it makes no difference whether the work is performed within that fiscal year or not. It may be performed under that contract in the next fiscal year, and the money is still available to meet the obligation arising in that way.

Mr. MONDELL. Mr. Chairman, will the gentleman yield to me for a question?

Mr. FITZGERALD. Certainly.

Mr. MONDELL. After discussing this matter with the gentleman from New York the other day, I called up the comptroller's office and asked them if there had been any questions raised, having in mind those words, "contracts properly made," as to whether a contract was properly made if it were made late in the fiscal year. I had heard that such a question had been raised several years ago with regard to a contract made on the last day of the fiscal year. I think it was a naval contract. But even in that case I understand it was decided that as it was a proper contract, and that although none of the work was done during the fiscal year, the sum was available at any time within two years after the expiration of the fiscal year.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. HAYDEN. Conceding that the chairman is correct, so far as contracts are concerned, how about work done under force account?

Mr. FITZGERALD. As to work done under force account, the work must be actually performed during the fiscal year, and then the money is available to settle those accounts two years thereafter. It would not be available for work done after the 30th of June. In every department of the Government, of course, moneys for a current fiscal year, for instance, will be paid after the 30th of June on obligations.

Mr. HAYDEN. I understood that. The chief disadvantage, it seems to me, of not allowing this money to be expended beyond the fiscal year is that it happened before, when the Congress did not pass the appropriation until after the 1st of July, that work done in this service under the force account would be tied up.

Mr. FITZGERALD. Under these rulings I doubt if it would be. That is really an exceptional situation. The disadvantages that would come from making the money available until expended I have already pointed out. For instance, if $500,000 were appropriated to build a project and $250,000 were actually expended, the remaining money would be to the credit of that project; and if it remained there years afterwards, some one might come along, without action on the part of Congress, and expend it in a way not contemplated. And, again, if the amount were to remain available until expended, an attempt might be made to use it at some time when the condition of the reclamation fund would not permit it.

The CHAIRMAN. The time of the gentleman from New York has expired. The Clerk will read.

The Clerk read as follows:

Yuma project, Arizona-California: For maintenance, operation, continuation of construction, and incidental operations, $725,000.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 102, line 3, after the word "operations," strike out "$725,000" and insert "$934,000."

Mr. HAYDEN. Mr. Chairman, I have offered this amendment, restoring to the Yuma reclamation project the amount estimated by the department, because I am not satisfied with the explanation made last Saturday, on behalf of the Committee on Appropriations, by the gentleman from Wyoming [Mr. MONDELL] as to the reason for this reduction. The gentleman from Wyoming said that this action was taken by the committee for two reasons—first, that the committee understood that this appropriation was in the nature of an insurance against extraordinary floods on the Colorado River, and second, that they were influenced to take this action because of the testimony given by Gen. Marshall at the hearings, to the effect that the

river bed at Yuma had lowered some 7 feet, and that levees were, therefore, not needed.

I want to say that my information does not agree with the conclusion reached by the gentleman from Wyoming and the committee.

In the first place, certain levee work must be done on this project. It is immaterial whether it is done this year or next year, as far as the expense is concerned. The Committee on Appropriations can have no knowledge as to whether there are going to be great floods on the Colorado River between the 1st of July, 1915, and the 30th of June, 1916. Certainly the Weather Bureau could not give them advance information on this subject. Perhaps they have consulted some weather prophet, who told them that a dry year is now due.

The levee work, as I have said, must be done. It is best done, according to the testimony of the engineers, during the time of flood; that is to say, when the river is high and the banks are caving. If rock revetment work is done at that time, it serves a better purpose than if done when the river is low. There is a flood on the Colorado River every year in June. The crest of the flood comes between the 10th and the last day of that month. Some years it is higher than others, but the flood is so sure to come that levees are absolutely necessary if the bottom lands are to be protected from overflow. I can not understand how the committee could arrive at the conclusion that the appropriation was needed as a mere insurance against unusual conditions.

Neither do I understand about this 7-foot lowering of the bed of the Colorado River at Yuma. I know that when the Colorado River broke into the Imperial Valley the flow of the current was greatly increased, the river did wash back, and the bed was lowered for a time at Yuma. Since the river has been prevented from flowing into the Imperial Valley, however, the river bed has returned to its old level, and I understand that the situation there is just about the same as it was before the original break occurred.

Mr. MONDELL. The gentleman is mistaken about that.

Mr. HAYDEN. I shall be glad to hear further from the gentleman about this matter.

Mr. MONDELL. The committee reduced this item, as I stated the other day, for various reasons. First we were assured by the service that all the estimates were liberal, and the hearings bear out that fact. Second, there is some doubt as to whether all of this rock-revetment work will ever be needed. It is true that it will be wise eventually to revet the toes of all of these levees, and to complete the levee system, on which nearly a million dollars has already been spent; but the height to which the rock revetment must be carried depends, of course, upon the height to which the river will rise or is likely to rise. Now, the probability is that the river under normal conditions, before the change of channel, would not have risen sufficiently to require as large an expenditure for rock revetment as has been estimated. But there has been a permanent lowering in the channel of the Colorado. The gentleman will recall that the old channel of the Colorado was the very highest territory in the valley. The river had gradually deposited its silt along its channel, and its bed had gradually risen until it was occupying territory higher than the lands on either side. Then the break came and the waters flowed over into the Alamo and toward the Imperial Valley. That break was finally closed, but the river was never forced back into its old channel. It was forced down into what I think is called the Bee River Channel and into Volcano Lake. Now, that entire stretch, down the Bee River and through Volcano Lake and into the Gulf, is considerably lower than the old channel of the river; and while it is true that there is not the same lowering of the channel of the river that there was when the break cut through and the water was running into the Alamo and down into the Sink, there is a permanent reduction of the level by reason of the change of the channel from the old bed into the Bee River and into Volcano Lake and down into the Gulf. Gen. Marshall put that lowering at about 7 feet.

Now, as I said at the beginning, this was at first a high estimate, admittedly so, Second, in the highest flood time under the old conditions, it was doubtful if as large a sum as this could be used in one year, because this rock-revetment work can best be done when the river is high, and can not be economically done except in the high or intermediate stages of the river. It was largely insurance against the utmost possibilities, under conditions of water level that do not now exist. We did not believe that it was wise to have several hundred thousand dollars apportioned to a project and taken from the fund to be held as a sort of insurance against possibilities, because all these sums may be used interchangeably for any of this work, and with the reduction we have made there is still a large amount available for this levee work.

Then, in addition to that, the whole reclamation fund, or all of the appropriations made in this bill, can be drawn upon if necessary for this work, if the necessity of it shall become apparent during the year.

Mr. HAYDEN. As I understand it, only to the extent of 10 per cent of the appropriation for a particular project.

Mr. MONDELL. I think that is true. I do not know but what we might wisely make it 20 per cent; but at any rate 10 per cent of the amount for this project. Taking all these things into consideration, the fact that the estimate was high to begin with, and the fact that even then it was largely with a view to having a provision for every possible contingency; that it was made largely with a view to old river conditions; that the entire sum is available for this purpose if it should be needed; that you can draw 10 per cent more from the other projects if you need it—in view of these facts, it did not seem to be wise to take this sum and segregate it for a purpose for which it would not be needed.

Mr. HAYDEN. I have read the hearings carefully and I did not find anything in them to the effect that the Reclamation Service has made very liberal estimates.

Mr. MONDELL. During the hearings Mr. Ryan said that the estimates were all liberal—not especially for this project, but that they were all liberal.

Mr. HAYDEN. I might say for the information of the gentleman that I know that on this project the United States Reclamation Service has built a railroad along the bank of the river so as to make it possible to do the revetment work and complete the levees. That railroad line has recently been completed, so that the Reclamation Service is in a position to use all the money they can get for that work. It is not a question of inability to expend this appropriation during any high-water season.

Mr. MONDELL. That is true; they could organize a force great enough to use all this money in rock revetment on that project this year.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MONDELL. The gentleman must understand that his people must pay for this expenditure. It is not to their interest to have work done that is not needed.

Mr. HAYDEN. Neither is it to their interest to have the work extended over a long period of time with large overhead charges.

Mr. MONDELL. The overhead charges would not be greatly affected by this. My own opinion is—and I think I am pretty familiar with the Colorado River situation, for I have followed it pretty carefully from the time, some 14 years ago, when the Imperial Valley people were first trying to get their right of way—we have already spent a million dollars on this levee system, the building of which was not anticipated at the time we undertook the project. It is an awful burden there now. We ought not to take any chances of losing any part of it. But at the same time it is not wise to spend more money in rock-revetment work than is actually needed.

I am of the opinion that the reclamation people are not fearful the levees are going to be washed away if they do not use all this sum. They could spend a great deal of money and carry the rock revetment to the top of the levee. But if it is true, as Gen. Marshall told us—and he is about the best living authority on the subject—that the Colorado is permanently 7 feet lower than before, we would have built 7 feet of rock revetment on that project at a very great unnecessary cost, which the people of the project would have to pay.

I want to suggest to the gentleman that this is a little different from river and harbor appropriations. His constituents are expected some day to reimburse Uncle Sam for all the work, and while I do not suggest that in cutting down the estimate, the committee is trying to discourage the Reclamation Service from doing unnecessary work, if the failure to appropriate all the sums that they might possibly use would have the effect of keeping their expenditure within what is necessary, the gainers would be the constituents of my friend from Arizona. They would be the people that would gain, and they can not lose, because no one has suggested that there is an emergency existing here which necessitates the putting in of all of the rock revetment at once, and there is grave doubt whether it will ever be all needed.

Mr. HAYDEN. Doubt may exist in the mind of the gentleman from Wyoming, but not in the minds of the people at Yuma.

Mr. MONDELL. It exists in the minds of the reclamation people, in my opinion.

Mr. HAYDEN. I do not find any such thing in the hearings.

Mr. MONDELL. I think there are a number of things that were said during the hearings on the reclamation items that gentlemen may not find in the printed hearings. I do not know who is responsible for that, but I have a very lively recollection of what was said and I discussed this matter with gentlemen of the Reclamation Service, and I know, and I am confident that in the hearings it was stated, whatever the printed hearings may show on that point, that this was in the nature of an insurance or a considerable part of it, and that there was no certainty that it would all be needed.

Now, it is not in the interest of my friend's constituents that we shall encourage the service to build up the rock revetment above any possible rise in the river. On the contrary, we have given enough so that there is no danger of the work going out, no danger of any injury being done. A little more than $152,000 will remain for this purpose, assuming that all of the reduction is taken out of flood protection. If a little more is necessary there is the 10 per cent available, and the whole sum is available for any particular feature if needed. I have not the slightest idea that the service ought to spend, in the interest of that project, more than the amount suggested, $150,000, on the rock revetment and extension of the dikes this year.

Now, one word more. I think the gentleman realizes that the committee in passing on these items did not intend to limit or restrict or reduce any of these items in the way that by any possibility could work a real injury to a project. In only one case, which may be referred to later, was our reduction with the idea that the work contemplated by the service might not be needed for the next two or three years. Reductions were generally made with the idea that all the work which the service contemplated and which the service would perform during the year could be carried out and performed for the sums which were approved.

Mr. FITZGERALD. Mr. Chairman, the committee came to the conclusion that there was some doubt as to the ultimate necessity for this expenditure. The appropriation is very largely for flood protection. There is some question whether the project will ever pay if the money to be expended for flood protection is charged against the project. There was some uncertainty as to the necessity for building these dikes and the emplacement of a rock revetment. Already, I think, $1,000,000 have been expended for that work, and if all is done that was originally contemplated, about $2,000,000 will be expended. That is a very considerable sum of money to be charged against the land. I want to say to the gentleman from Arizona that in recommending this reduction it was not with the idea of in any way interfering with the project, but it was in the belief that perhaps the work originally contemplated would not necessarily be required. To that extent, of course, those interested in the project would rejoice. No one wishes more expended upon it than possible.

Mr. HAYDEN. That is perfectly true.

Mr. FITZGERALD. And there being some doubt as to whether it would be necessary, with the additional information acquired in connection with an investigation conducted relative to the item that was inserted in the bill for the protection of Imperial Valley, the committee believed that it could safely reduce the amount recommended by $200,000. If it should happen that when Congress convenes in December, with further information in the hands of the Reclamation Service, it is apparent that beyond any question this particular work should be done within the fiscal year, then, so far as I am concerned, I would be very glad to unite, as I have no doubt from time to time it will be necessary to do, with others to make provision for additional sums for some of these projects that are recommended.

Mr. HAYDEN. Mr. Chairman, of course I do not ask for a cent to be expended on the Yuma project that is not necessary, because it must all ultimately come out of the pockets of the farmers there; but I do think that, as their Representative, I ought to do everything within my power to see that sufficient funds are provided to take care of any emergency that may arise. I believe that I would be derelict in my duty if I do not make an effort to obtain at least as much of an appropriation as the amount named in the department estimates.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arizona.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

North Platte project, Nebraska-Wyoming: For maintenance, operation, continuation of construction, and incidental operations (including $800,000 for the Fort Laramie unit), $1,140,000.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. My curiosity has been aroused in regard to this item because of the fact that there is a remarkable coincidence in connection with this appropriation in that it includes an item of $800,000 not originally estimated for by the department, the expenditure to be in the State of Wyoming, represented by the one gentleman on the committee who has a reclamation project in his district. I would like to have him explain how this $800,000 increase for Wyoming happened to be placed in the bill.

Mr. FITZGERALD. Mr. Chairman, it came in a supplemental estimate. When it came in I inquired of the gentleman whether he had gone to the Reclamation Service and insisted on its being sent down, and I told him very bluntly that if the Reclamation Service had been coerced because of his position on the committee to send down an estimate not originally contemplated, I would do everything that I could to prevent an appropriation being made. We were assured, both by the gentleman himself and by the Reclamation Service, that it was purely an oversight. The estimate was $900,000, and from statements made before the committee we persuaded the gentleman from Wyoming [Mr. MONDELL] that that was one of the items in which we could safely reduce the amount recommended, and we reduced the amount from $900,000 to $800,000.

Mr. HAYDEN. I have heard of bargain sales where they mark goods up to $5 in order to be able to make a cut to $4.89, when, in fact, the article was worth $4.50. I did not know but that this might be one of those bargains in the way of an appropriation.

Mr. FITZGERALD. I inquired both from the gentleman from Wyoming and those connected with the Reclamation Service, and the assurance was given that the matter was purely an oversight in the submission of estimates, and was not due to the coercive powers of the gentleman from Wyoming.

Mr. HAYDEN. I have noticed that one of my projects has been cut $200,000, another project was reduced $100,000, and other cuts have been made that in all aggregate about $1,000,000. Now here comes along this increase of $800,000, which the reductions in the others would provide for.

Mr. FITZGERALD. Nine hundred thousand dollars were estimated for the Fort Laramie unit of the North Platte project, and that would still keep the estimates within the estimated amount in the reclamation fund in the next year.

Mr. HAYDEN. Very easily, because enough is deducted from the other projects to make up that amount.

Mr. FITZGERALD. No; without those reductions. The result of the reductions is this, that if the estimates of the revenue are accurate, there will be in the reclamation fund next year $1,000,000 in excess of what it is proposed to expend; and at the next session of Congress, if any situation should arise where Congress would agree it is imperative that a very considerable sum of money should be provided for some project not provided for, there would not be any fear or doubt as to the availability of the fund to meet the estimate. I think that is an important thing for those interested in the project—to have a situation where they would not have any doubt about getting the means.

Mr. HAYDEN. If this additional appropriation of $800,000 had not been made for use in Wyoming, we would have that amount of money in addition to be used in case of emergency.

Mr. FITZGERALD. Mr. Chairman, under date of December 7, the Secretary of the Interior transmitted the estimate referred to. I have his letter, which I will read:

DECEMBER 7, 1914.

The SECRETARY OF THE TREASURY.

SIR: There is transmitted to you herewith supplemental estimate for the North Platte project to the amount of $900,000, which sum is estimated to be an imperative necessity for continuing the work on the Fort Laramie unit thereof. This amount is requested as an appropriation in addition to the sum of $348,000 included in the Book of Estimates for the North Platte project for the fiscal year 1916.

The necessity for submitting such supplemental estimate is that the law requiring such annual estimates to be submitted to the Treasury on or before October 15, was not approved until August 13, 1914, and within the limited time permitted in which to prepare such estimates the status of the Fort Laramie unit could not be accurately determined; therefore no amount was included on account of this unit.

It is now desired to supply this omission by a supplemental estimate to the amount of $900,000 for expenditure on the Fort Laramie unit of the North Platte project.

It is therefore requested that there shall be submitted to Congress the accompanying supplemental estimate of appropriation required for the fiscal year ending June 30, 1916, by the Reclamation Service for

the Fort Laramie unit of the North Platte project in Nebraska and Wyoming the sum of $900.000.

This supplemental estimate has received the approval of the President.

Cordially, yours, FRANKLIN K. LANE.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Klamath project, Oregon-California: For maintenance, operation, continuation of construction, and incidental operations, $317,000.

Mr. SINNOTT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 104, after line 18, by inserting the following paragraph:

"For Oregon projects to be designated by the Secretary of the Interior, $450,000."

Mr. SINNOTT. Mr. Chairman, the object of this amendment is to restore the estimate that the Secretary of the Interior made in a supplemental recommendation to the committee. The committee, I understand, rejected this proposal for the reason that no project was designated by the Secretary of the Interior. I informed the Secretary that the committee would disapprove of this recommendation unless he designated the projects on which to expend this money. The Secretary immediately endeavored to have the service designate a project for the expenditure of $450,000, but he was unable to do this when the committee adjourned its hearings, as his engineers' reports were not finished. He is endeavoring to do that now; he is endeavoring to make a designation in time for the Senate committee to act if Congress insists on a designation. If the Secretary is compelled to make a designation in time for Congress to act, he will necessarily have to confine his designation to certain sections of the State from which he has final reports. This amendment will afford the Secretary ample time to examine the merits of various pojects. The State of Oregon has appropriated $50,000 in one instance and $15,000 in another for the purpose of investigating the various reclamation projects and possibilities of the State. The Secretary wrote to me that his final reports would be complete some time in June. Now, if he is compelled to designate a project at this time his investigation will be confined to certain sections of the State. I think that his investigation should be permitted to cover the entire State and let him secure the best project obtainable. It is well recognized by everyone who has examined into the distribution of the reclamation fund that the State of Oregon has been grossly discriminated against. No one has recognized that more keenly than the present Secretary of the Interior, Mr. Lane, and he is endeavoring, as far as it lies in his power, to remedy that discrimination and to accord the State its share of the reclamation fund.

Year before last the Secretary of the Interior, Mr. Lane, made a trip to Oregon and a trip into the arid sections of the State and publicly and privately he promised the people of Oregon that he would do everything in his power to secure to them a fair and equitable distribution of the reclamation fund. I think the Secretary is doing everything in his power to secure to the State an equitable distribution of the fund which he thinks the State is entitled to, and for that reason he put in this recommendation to the committee. Now, there will be a balance in the reclamation fund after all these appropriations are made of $1,394,000. The fund will not in any way be embarrassed or handicapped or jeopardized by the small additional allowance of $450,000 to the State of Oregon to be spent on a project to be hereafter designated by the Secretary of the Interior. The fact that Secretary Lane will have the expenditure of this $450,000 I think will give the assurance that it will be wisely and economically spent. In addition to that the Secretary himself will not be permitted to expend this $450,000 until he designates a project which will be approved by the President of the United States, and I think for these reasons that the fund will not be in any way endangered should the committee consent to this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Mr. Chairman, I ask for five minutes longer.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon? [After a pause.] The Chair hears none.

Mr. SINNOTT. Mr. Chairman, I would like to call the attention of the committee to the way the reclamation funds have been heretofore expended, and in doing so I do not do it for the purpose of making any invidious comparison between the expenditure of the funds in my State, the allotment of the funds to Oregon, and the allotments which other States have secured, but to show that we are not making an unreasonable request.

Now this present bill appropriates for the State of Arizona $1,315,000. The State of Arizona has contributed to the reclamation fund $1,241,696.83. The State of Arizona has heretofore secured from the reclamation fund $17,608,015.62. The State of Arizona has heretofore secured from the reclamation fund 1,348 per cent of the moneys which she put into the reclamation fund. The State of Colorado secures by this bill $1,171,000. The State of Colorado has put into the reclamation fund $6,957,991.83 and has secured from the reclamation fund the sum of $9,065,688.75. Idaho secures by this bill $2,060,000. Idaho put into the reclamation fund $5,212,408.90, and Idaho has heretofore secured $17,956,894.92. With the fund which Idaho will get by virtue of the present bill it will have secured $20,000,000 from the reclamation fund, having put therein a little over $5,000,000. Montana secures by this bill $2,420,000. Montana put into the reclamation fund $9,565,107.48 and has heretofore secured $11,295,788.40. The States of Nebraska and Wyoming secure in this bill $1,618,000. Nebraska has put into the fund $1,759,613.83 and Wyoming $4,522,900.46. Nebraska has heretofore secured $5,602,377.01 and Wyoming $7,377,899.38. The State of Washington gets out of this bill $1,301,000 and it has put in $6,555,299.73 and has secured heretofore $9,131,392.97 from this fund. Now the State of Oregon has contributed to the reclamation fund $10,550,928.22. It has received in gross only $5,644,530.82, and in that amount of $5,644,530.82 there is improperly inserted an item of $450,000 heretofore debited to Oregon cooperation account.

The net investment which the State of Oregon has secured from the reclamation fund is $3,261,623.22, having contributed thereto $10,550,928.22. Arizona has secured, according to the April number of the Reclamation Record, 1,348 per cent of the moneys which she put into the reclamation fund; Nevada, 1,067 per cent; Idaho, 327 per cent; Nebraska, 308 per cent; Utah, 166 per cent; Wyoming, 159 per cent; Washington, 137 per cent; Colorado, 128 per cent; Montana, 113 per cent; New Mexico, 110 per cent; Oregon, only 53 per cent; the State of California, 52 per cent; South Dakota, 50 per cent; Kansas, 42 per cent; North Dakota, 19 per cent; and Oklahoma, 3 per cent.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. Mr. Chairman, I ask for five minutes longer.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for five minutes longer. Is there objection?

Mr. BRYAN. Reserving the right to object, Mr. Chairman, I do not object to the gentleman's speaking, but can we not return to that lost art of suggesting a limit of 5 minutes or 10 minutes for debate on this paragraph and all amendments thereto? I have not heard that for so long that it would really be refreshing to hear it again.

Mr. FITZGERALD. There is no demand for time on this paragraph, as I understand it, except from the gentleman from Oregon [Mr. SINNOTT].

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SINNOTT. Now, Mr. Chairman, I desire to read to the committee a letter which I received from Secretary Lane of date January 8, 1915, when the Irrigation Committee was considering the reclamation bill, jurisdiction of which was afterwards given to the Appropriation Committee. He writes to me as follows:

Hon. NICHOLAS J. SINNOTT,
House of Representatives.

MY DEAR MR. SINNOTT: The estimates of appropriations for the Reclamation Service for the fiscal year 1916, now being considered by your committee, contain the following item:

"For the Oregon cooperative work, Oregon (conditioned upon appropriation of an equal amount by the State of Oregon), $450,000."

This department and the State are making an investigation of the possibilities for irrigation in central Oregon through a joint board of engineers, whose final report as to the Deschutes projects should be submitted by the end of this month, but will be delayed until March as to the John Day projects, and until June as to the Malheur and Harney Valley projects.

Now, that is the reason why we would like to have this allotment of $450,000 in this way at the present time without being compelled to designate a project. The Secretary will not have his surveys and field reports completed on the John Day project until March, and on the Malheur and Harney Valley projects until June. If we do not secure this amount in this bill, the State of Oregon will probably be delayed another year or two before we get further reclamation funds or the Secretary will be restricted in his selection of a project. The Secretary goes on to say:

I realize that these, or more extended investigations, may disclose a situation that would warrant utilizing this appropriation for the de-

velopment of a practicable project, at a reasonable cost per acre, that would materially benefit the State, and am therefore willing that the language which limits the expenditure to a cooperation dependent upon an equal appropriation by the Oregon Legislature be stricken out and the following substituted therefor:

"For Oregon: Projects to be designated by the Secretary of the Interior, $450,000."

In this form the appropriation would, as I understand it, be available for the carrying out of any new and practicable project in Oregon which could be built within such an appropriation or which could be built by cooperation with the State for such appropriation and the amount contributed by the State.

I will state to the committee that at the present time there is a bill pending before the Oregon Legislature, designed to levy a one-half mill tax on all property in the State for the purpose of securing reclamation funds to cooperate with the Government in reclamation work. The Secretary continues:

It is a matter of great regret to me that the effort to secure cooperation with Oregon along the line of Gov. West's proposal appears to have failed. (I inclose the correspondence on this subject.) It promised the institution of a joint method of using State and Government funds in the development of the West, for it would, I feel sure, have been adopted by other States. I believe that while there is so heavy a demand upon the reclamation fund for the completion of the projects already under way, that it is wisest not to adventure upon new undertakings unless upon a *dollar-for-dollar* cooperative basis. Nevertheless, I shall raise no objection to the allotment of this amount to Oregon, for I am well convinced that in the past too little consideration has been given to her needs and to the opportunities for development in that State, which I attempted somewhat to remedy by the extension of the Umatilla project and the effort to meet the suggestion as to cooperation in the Deschutes Valley.

Cordially, yours, FRANKLIN K. LANE.

I desire to add, Mr. Chairman, that the State of Oregon has done what no other State in the Union has done. It has appropriated and expended on reclamation projects the sum of $450,000 in one instance. It has also appropriated $50,000 to cooperate with the Government in making surveys, and has made another appropriation for that purpose of $15,000.

With this history in mind of the interest which Oregon has manifested in the reclamation of arid lands, and the niggardly treatment accorded it in the distribution of the reclamation funds, it seems to me that we are not asking too much when we ask you to approve of the recommendation of Secretary Lane, that Oregon be allotted another item of $450,000.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting the table of receipts, allotments, and investments, as found on page 218 of the hearings for the Reclamation Service.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to extend his remarks, as indicated. Is there objection?

There was no objection.

The table referred to follows.

RECEIPTS, ALLOTMENTS, AND INVESTMENT BY STATES.

The table following gives a statement of additions to the reclamation fund from the sale of public lands, by States, and also shows the amounts allotted and the net investment of the Government for irrigation work in each of the reclamation States:

TABLE 1.—*Receipts from the sale of public lands, allotments, and net investment, by States.*

States.	Actual receipts from sale of public lands transferred to credit of reclamation fund to June 30, 1914.	Estimated receipts with Treasury United States on June 30, 1914, not yet audited.	Total estimated receipts to June 30, 1914.	Allotments to June 30, 1914.	Net investment to June 30, 1914.
Arizona	$1,165,696.88	$76,000.00	$1,241,696.88	$17,608,015.62	$15,873,020.83
California	5,358,943.03	262,000.00	5,620,943.03	3,048,167.66	2,424,064.45
Colorado	6,680,991.93	277,000.00	6,957,991.93	9,065,688.75	6,492,836.66
Idaho	5,039,708.90	172,700.00	5,212,408.90	17,956,894.92	14,082,198.37
Kansas	963,080.07	12,000.00	975,080.07	419,000.00	376,029.16
Montana	8,872,107.48	693,000.00	9,565,107.48	11,295,788.40	7,373,177.47
Nebraska	1,664,013.83	95,600.00	1,759,613.83	5,602,377.01	4,319,375.93
Nevada	541,596.96	32,000.00	573,596.96	6,290,476.63	5,414,242.44
New Mexico	3,939,790.95	177,000.00	4,116,790.95	4,694,409.43	2,862,452.76
North Dakota	11,921,898.43	103,500.00	12,025,398.43	2,278,034.14	1,951,020.38
Oklahoma	5,783,557.84	29,800.00	5,813,357.84	172,402.22	72,852.87
Oregon	10,413,928.22	137,000.00	10,550,928.22	5,644,530.82	3,261,623.22
South Dakota	6,823,778.66	175,400.00	6,999,178.66	3,566,534.04	3,142,786.74
Texas				2,083,457.60	1,108,529.93
Utah	1,890,479.34	49,000.00	1,939,479.34	3,459,877.02	2,388,263.70
Washington	6,433,299.73	122,000.00	6,555,299.73	9,131,392.97	6,856,538.59
Wyoming	4,320,900.46	202,000.00	4,522,900.46	7,377,899.38	5,790,562.22
Secondary projects				121,708.12	
Preliminary investigations				511.27	
General accounts				392,790.00	122,512.32
Total	81,813,772.71	2,616,000.00	84,429,772.71	110,209,956.00	83,912,058.04

Mr. FITZGERALD. Mr. Chairman, the committee did not recommend this appropriation. To do so would be to initiate a policy which, in my opinion, could not be too severely condemned.

This is a request, in a case where specific appropriations are being made for the first time, to confer upon the Secretary of the Interior blanket authority to designate any project and an appropriation to be expended upon it. The Secretary of the Interior might designate a project that would eventually involve an expenditure of many millions of dollars, and, having commenced it, the excuse would be that having expended half a million dollars on the project we could not justify a discontinuance of the work.

The moneys carried on this bill for reclamation projects are to carry on work on projects already under construction. There has been expended heretofore on reclamation projects $115,000,000, if my recollection is correct, and it is estimated that these projects will take about $51,000,000 to complete. It seems unreasonable to ask Congress to appropriate money to be expended on a project unknown at this time to anyone, not designated, not selected, and with no knowledge of what the ultimate expenditure on account of the project might be.

It seems to me that before any money is appropriated for reclamation projects hereafter a project should be definitely designated and accurate information furnished as to the land to be irrigated, a careful estimate made of the cost of the work, a limit placed upon the cost of the project, and then the appropriations made to carry on the work thus authorized. If such a system as that be adopted, it will eliminate much of the criticism of these projects.

Mr. STEPHENS of Texas. I have been informed that the Government has a great deal of land under ditches that are completed, and that it is almost impossible in many instances to dispose of the land that is now under ditches and would be capable of being irrigated—that the Government is unable to find purchasers or persons to take the land. Has the gentleman any information upon that? Have they furnished him any information as to the disposal of land that is already irrigated?

Mr. FITZGERALD. Some projects have not been taken up as rapidly as was anticipated. Some of them, of course, are costing much more than was believed at the outset, but we have projects under construction which will require about $51,000,000 to complete. It seemed to the committee desirable to dedicate the proceeds of the reclamation fund to the completion of these projects, particularly as the estimates submitted relative to the so-called Oregon cooperative work were for projects to be determined on hereafter, and projects of which it will be impossible to tell how much the eventual cost will be.

I hope the amendment will not be agreed to.

Mr. MONDELL. Mr. Chairman——

Mr. FITZGERALD. How much time does the gentleman wish?

Mr. MONDELL. About five minutes.

Mr. FITZGERALD. I ask unanimous consent that the debate on the pending amendment and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate on the pending amendment and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, as a member of the subcommittee on this bill and of the Committee on Appropriations, I would have been very glad, indeed, had I been able to support the estimates proposed by the Secretary for a project in Oregon. I could not do so for various reasons. First, it presented the question of a new project. That in itself was a question that the committee would have considered carefully. Beyond that it raised the question of a new project, the size and character of which no man knew or could suggest. I am sure that my friend from Oregon realizes that this committee could hardly take the responsibility of making an appropriation for a project which we have never seen, a project which we knew nothing about, which might cost ultimately $1,000,000 or $10,000,000 or $20,000,000. We could not afford to take the chances of loading that sort of a project on the reclamation fund.

It is true that Oregon has contributed largely to the fund, and should for that reason be given proper consideration for a project. But Oregon has had more in proportion to what she has contributed than North or South Dakota or Oklahoma. Oregon is only partly an arid State. Half of the State or more is humid and does not need irrigation. Some gentleman reminds me, however, that the entire State has recently gone dry. [Laughter.]

Mr. SINNOTT. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SINNOTT. I will say that about two-thirds of the State consists of what are called arid lands suitable for irrigation. There are many feasible irrigation projects in Oregon, as I understand it.

Mr. MONDELL. I do not think Oregon has as many feasible projects as some of the other States. Otherwise it would not have taken the Reclamation Service so long to have found a feasible project in Oregon.

Mr. NORTON and Mr. MARTIN rose.

Mr. MONDELL. I am sure that the gentleman from North Dakota [Mr. NORTON] and the gentleman from South Dakota [Mr. MARTIN], on either side of me, could suggest a suitable project in either State, offhand, in a moment.

Mr. NORTON. We have several of them.

Mr. SINNOTT. The Director of the Reclamation Service, before your committee, commented upon the great number of feasible projects in the State of Oregon and laid particular stress upon them.

Mr. MONDELL. I do not recall that part of his testimony.

Mr. MARTIN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MARTIN. In this connection I should like to remind the gentleman that in the State of South Dakota there is a project of such merit that it has had an appropriation from the State legislature, and the State engineering force has surveyed it and gone into all details and has furnished the Secretary of the Interior with a detailed estimate of the number of acres and the cost per acre, and those details have been before the department now for about a year. The State has gone to the expense of several thousand dollars and done this preliminary work, and it is only waiting for the starting of a new project.

Mr. MONDELL. What the gentleman from South Dakota intends to say is that they have discovered a little more water flowing out of Wyoming that is not appropriated, and they are asking for the construction of another reclamation project with that Wyoming water.

Mr. MARTIN. They have little use for water in Wyoming, as I can testify. [Laughter.]

Mr. SINNOTT. In view of the fact that the allotment to the gentleman's State and to Nebraska has been increased nearly $800,000 more than the original estimates of the Secretary, does the gentleman still object to this little amount of $450,000?

Mr. MONDELL. The gentleman must not base his request for appropriations on misstatements of fact. There have been no increases in the item over what the Secretary originally proposed for that Wyoming-Nebraska project, unless the Secretary himself is in error in the statement he makes in submitting the supplemental estimates when he called attention to the fact that the failure to submit the item in the original estimates was an oversight.

It should be borne in mind that the reclamation fund is rapidly dwindling. We shall have a hard time completing the projects already undertaken. I question if we should undertake any new projects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Will the gentleman yield?

Mr. MONDELL. I would if I had any more time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, if I could bring myself to the viewpoint that is held by most of the gentlemen representing semiarid States, I might find myself more in sympathy with the motion of the gentleman from Oregon. But, unfortunately, to my mind, their position is totally untenable. I do not believe that we can afford to spend reclamation funds on the theory of distributing them between various States without regard to the needs of doing reclamation work in those States. This committee would have been subject to very severe censure if it had undertaken to appropriate a sum without knowing what it was to be expended for or where, other than it was to be expended in a given State. I have taken occasion repeatedly to say on the floor what I desire to now repeat, that I do not think the public lands of America belong to the States in which they happen to be situated. They belong to the people of America and all of the people of America, and the most of the abuse that has grown up regarding the expenditure of this fund has grown up because of the pernicious idea that the people in a particular locality had a special claim or ownership in all the fund that might arise from the sale of public lands in that locality. Hence there has always been a pressure to spend money there, whether it ought to be spent there or not and whether there was any project fit for the spending of the money there.

Speaking for myself, I repeat that if we are going to have this distributed on the theory of the gentlemen from the West, then the gentleman from Oregon has some right to complain. He has a right to feel that the other people have hogged more than their share; but I feel that the National Government can not afford to treat the reclamation fund with any such idea at all.

We ought not to undertake new projects without knowing what they are and what we are going into.

One curious thing about these reclamation projects is that the only project finished happens to be one that has proved an absolute failure. There is one project that has been completed, and it was discovered that the reservoir would not hold water, and no amount of work can make it hold water; and the most of the funds put into the project have been sunk and lost forever.

So I submit in candor to this committee that we can not afford to undertake new projects without knowing what they are, what we are going into, and something about what the expenditure will be.

Mr. STEPHENS of Texas. Does the gentleman allude to the Hondo project?

Mr. SHERLEY. Yes. I am sure that whenever the report comes in from the Secretary of the Interior to Congress if there is a project for Oregon it will be dealt with by the committee with the utmost liberality and fairness; but to ask us now to make an appropriation without knowing where it is to be spent and what it is to lead to, or the character of the project, is to ask us to do what no good business man would do in his private affairs and what no good official would do in public affairs.

Mr. COX. Will the gentleman tell us how much was spent on the Hondo project?

Mr. SHERLEY. I can not tell the gentleman exactly, but quite a considerable sum; something over $300,000.

The CHAIRMAN. The gentleman's time has expired; all time has expired.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent that I may have two minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to vacate the order just made and that he may address the committee for two minutes. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, I understand that the Secretary at the present time has an Oregon project, the approval of which he is considering, and which has been approved by the Reclamation Service, but that he desires, if possible, to await the final reports on the John Day, Malheur, and Harney Valley projects, which will be completed in June. My amendment will allow him time to consider all these projects. They are all projects that I believe he will approve of.

Mr. BORLAND. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. BORLAND. The gentleman will recognize that the Secretary of the Interior has that power now, and that there are $50,000 appropriated in this bill.

Mr. SINNOTT. Yes; and the State of Oregon has given him $50,000 to make these surveys.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon.

The question was taken, and the amendment was lost.

The Clerk read as follows:

Belle Fourche project, South Dakota: For maintenance, operation, continuation of construction, and incidental operations, $144,000.

Mr. BORLAND. Mr. Chairman, I was somewhat aroused and interested by the concluding remarks of the gentelman from Kentucky [Mr. SHERLEY]. I fully agree with him that the money derived from the sale of public lands belongs to all the people of the country, and that it was a mistake to insert in the original reclamation law a provision requiring in a mandatory way that some project be begun in every one of the public-land States regardless of the physical demands of the locality, and that the money should be apportioned between public-land States regardless of the needs of projects under construction. That particular feature of the law which proved so objectionable and unworkable was amended and repealed, as the chairman of the committee has just called to my attention.

Mr. SMITH of Texas. The original act provided that the major part of the money raised from the sale of public lands should be used in that State, but that was repealed by the act of June 25, 1910.

Mr. BORLAND. Then I am right in saying that it was repealed. I have always believed as a western man that the highest value the public lands had to the Nation and to the people of the Nation, including the people of the older States, was to provide for a prompt settlement of these lands by American citizens; that they were not an asset that should be held out of the market to secure a rise in price, but that the minute they got into the hands of a bona fide settler and the settler became a taxpaying, producing citizen that was an asset far greater than any possible advance in any price of the land.

Mr. SHERLEY. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SHERLEY. Nothing I have said contravenes that viewpoint at all.

Mr. BORLAND. I got the impression that the gentleman believed that this money belonged to the Nation at large.

Mr. SHERLEY. I think it does.

Mr. BORLAND. And that, therefore, it was not necessarily proper to be appropriated for the development of western land.

Mr. SHERLEY. I am perfectly willing to develop, if we are developing for a national purpose, but whenever you get the idea that the particular public land has impressed upon it a State right as against a national right, then you have an inducement to undertake things that can not be justified from the standpoint of making homes for Americans, or any other good reason.

Mr. BORLAND. I am not sure yet but that there is a fundamental difference of opinion between myself and the gentleman. I believe that the public lands in Colorado or Wyoming or California are of more importance to people of those States than they are to the people of other States, and I believe that their importance consists in getting bona fide tax-paying citizens there at the earliest possible moment, and that is the true development and the true use of the public lands. The question of whether we shall appropriate the proceeds of these lands for particular forms of internal development is a matter for the wisdom of Congress. The question of whether we ought to divide it equally among the States is a comparatively crude way of getting at it, but it is wisely used in the last analysis if it is used for the development of the internal resources of the public-land States. If the plan succeeds, as it is hoped it will succeed, in opening those arid and semiarid lands to settlement and to a tax-paying, producing population, then, in my judgment, that is the highest use that can be made of them. I have objected to starting this proposition out of the public-land fund and then saddling it upon the General Treasury of the Government. I do not believe that ought to be done. I think that the General Treasury of the Government ought not to have been invaded by that alleged $20,000,000 bond issue that was never made. It was done under the information—misleading information, I believe—given to Congress that the $20,000,000 bond issue, if authorized by Congress, would complete these projects, and that it would be rapidly paid back by settlements of projects. That expectation could not have been well founded even at the time it was made. I believe we are on the right track in confining these improvements to the fund originally set apart for that purpose. I believe as to that fund no wiser use can be made.

Mr. SHERLEY. Mr. Chairman, I do not quarrel with what the gentleman has said, but I can in a moment call his attention to the distinction between the western State view touching public land and the view that I have. It might be highly desirable for the Nation to preserve as national forests certain of its public lands, but you find the States objecting, because, according to their views, it takes away a certain amount of taxable property, and a certain amount of land which they think could be better used in making homes for people in the State and building up their population. In the determination of that question I believe in the national viewpoint, and that simply what may be to the interest of the State in which the land lies ought not to be the controlling factor.

Mr. BORLAND. Mr. Chairman, I believe that primarily public lands——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONDELL. I thought the time had all been consumed on this amendment?

The CHAIRMAN. No. The committee has disposed of the section on which debate was limited, and this is the following section. The gentleman from Missouri asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I believe the primary use of public land is to get settlers on it, and if under any view public lands are devoted to some other purpose, national forest or park or otherwise, it ought to be upon some showing that there is an overriding national necessity for withdrawing those lands from the ordinary normal uses of settlement. Right there comes a clear-cut division between the uses for national purposes represented by various services and the use for what might be called State purposes. My view is, and possibly I do not differ from the gentleman from Kentucky [Mr. SHERLEY] in the last analysis, that the primary and normal purpose of public land is for settlement by citizens, and that any other use of them is an extraordinary use that must be justified by the facts that support it. It may be it is true, and I have no doubt there are cases where land ought to be withdrawn for forest purposes and probably so withdrawn and so withheld from settlement for water-power purposes and national-park purposes and possibly for other purposes that may be discovered and developed, possibly for some mineral-research development that may come about later, but I claim that that is unusual and that the other is usual.

To get back to this proposition, the amount received from public land has, in my judgment, been largely augmented by these reclamation projects. In fact, I doubt if the public lands would have produced as much in the last 10 years if these projects had not been begun. We have almost reached the point where new public lands had stopped selling to bona fide settlers, so we can not say that if those projects were not begun we would have all this money in the Public Treasury. It is very probable that we would not. A great deal of it would not have gone into the Public Treasury. Nevertheless it is just as important for the Members of this House from the reclamation States as it is for those from the other States to see to it that the reclamation plans and projects do not become a burden on the Federal Treasury. Their development is, to a certain extent, local in the immediate benefits, and they ought to be confined, and strictly so, to the fund set apart for that purpose.

Mr. TAYLOR of Colorado. Mr. Chairman, the gentleman from Missouri [Mr. BORLAND] is in error somewhat regarding the representations made at the time Congress authorized the $20,000,000 bonded indebtedness. I was present and took part in those hearings and debates. I was present, I think, at nearly all of them. The claim made at that time was that if $30,000,000 was allowed a number of the projects would be practically completed, and the Government would that much sooner be in a position of receiving a return of the funds. In fact, they started out to ask for $40,000,000, but they always felt they were entitled to have $30,000,000. That was cut down by the House. As I recollect it, the Senate was willing to give us $30,000,000, but the House cut it to $20,000,000.

Now, nobody ever claimed $20,000,000 would complete all the reclamation projects; but it was insisted at the time, and has been ever since, that the $20,000,000 will be paid back to the Government, every dollar of it. There is no disposition anywhere to have that $20,000,000 lost to the Treasury of the United States. As a matter of fact, the western projects are going to pay back all of this money and Uncle Sam is not going to lose one dollar of it. The only trouble now is that the overhead charges are becoming so great and the expenses of construction are becoming so high that it is a great burden upon many of the people who are located under those projects. They expected originally to get title to their lands for $20 or $30 an acre, while now it is going to cost them $80 an acre and in some places higher. They are not getting land and money for nothing, as some people apparently imagine.

Mr. CLINE. Will the gentleman yield?
Mr. TAYLOR of Colorado. I will.
Mr. CLINE. Is there any indication when these projects will begin to pay back any money to the Federal Government?
Mr. TAYLOR of Colorado. Some of them are repaying the Government now.
Mr. CLINE. Some amounts have already been paid back?
Mr. TAYLOR of Colorado. Yes.
Mr. CLINE. What amount?
Mr. BORLAND. Approximately $4,000,000 on an investment of over $90,000,000.
Mr. TAYLOR of Colorado. They are only just beginning to repay the Government. I think they have done pretty well to have already repaid $4,000,000.
Mr. BURKE of South Dakota. Will the gentleman yield?
Mr. TAYLOR of Colorado. Certainly.
Mr. BURKE of South Dakota. I was one of the western Members who favored changing the law, so that appropriations for this reclamation project should be shown in the estimates annually.
Mr. TAYLOR of Colorado. Yes, sir.
Mr. BURKE of South Dakota. The gentleman from Colorado, with most of the Representatives from the reclamation States, took a different view of it. Does not the gentleman think if that practice had obtained since we began these projects that these overhead charges and these excessive expenses, that he says are now a burden upon the settler, would have been very much less?
Mr. TAYLOR of Colorado. Oh, I think that is true, but I think these excessive charges and the illy considered expenditures are now very largely stopped. I am not complaining of the present management.
Mr. BURKE of South Dakota. The gentleman does not think that the action of the last session of Congress in requiring these appropriations to be estimated for and made annually is going to injure the development under the Reclamation Service?
Mr. TAYLOR of Colorado. No; I do not think so. I do not think it will injure the development. I think the chances are it will have a tendency to improve its efficiency. I was one who did not wish to see the Committee on Appropriations have jurisdiction of it, because I felt that they had so many other things to do they could not give these projects the attention that the Irrigation Committee could; but notwithstanding I am not criticizing that committee's action on this bill at all. A careful supervision of these expenditures is undoubtedly going to work beneficially. But I did not want the impression to get out that we obtained this money under false pretenses, or that we ever said or expected $20,000,000 to complete 32 projects that are going to cost possibly $75,000,000.
Mr. BORLAND. Will the gentleman yield?
Mr. TAYLOR of Colorado. I will.
Mr. BORLAND. Now, the gentleman says he did not expect $20,000,000 would complete these projects. Did the gentleman expect $40,000,000 would complete them?
Mr. TAYLOR of Colorado. No; we did not promise that $40,000,000 would complete them, but it was said that that amount would put them in shape where Uncle Sam would commence getting his money back.
Mr. BORLAND. Then, to go further, long before they could expect to get the $20,000,000 back, did not they begin a second project in Colorado? Did not the then Secretary of the Interior, after getting the original $20,000,000——
Mr. TAYLOR of Colorado. No; Secretary Garfield started that project, and Secretary Ballinger was working on that project long before that bond issue. That has been established some 8 or 10 years.
Mr. BORLAND. That is the Grand Valley project. That was not authorized until after the $20,000,000 had been issued. It was not authorized——
Mr. TAYLOR of Colorado. Yes; there had been something like $100,000 spent on it in surveys and otherwise at that time.
Mr. BORLAND. But the fact was the Secretary of the Interior had never authorized a contract until after the $20,000,000——
Mr. TAYLOR of Colorado. There had been surveys and locations and other work done——
Mr. BORLAND. The dates will show.
Mr. TAYLOR of Colorado. There have been several surveys made and considerable money spent by the Interior Department.
Mr. BORLAND. That project is a large project—ten or eleven million dollars.
Mr. TAYLOR of Colorado. No; not half that much, but a good one. President Taft said it was the best project of all of them.
The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

No new drainage system shall be undertaken by the Reclamation Service unless and until valid and binding agreement to repay the cost thereof shall be entered into by a majority of the landowners designated by the Secretary of the Interior as equitably chargeable therewith.

Mr. MONDELL. Mr. Chairman, I offer the following amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

After the word "service," in line 2, page 106, insert:
"On a project or unit on which the construction charge per acre has been fixed and which system shall increase the cost per acre above the sum so fixed."

Mr. MONDELL. Mr. Chairman, the item to which I offer the amendment was inserted with a view of preventing the service from undertaking any new drainage system that would increase the cost of the project above the price fixed. This may be necessary in order that work of this class shall not be undertaken unless it will be reimbursable, but the language as it is in the bill does not clearly indicate the intent of the committee in my opinion. I believe the words I have suggested are necessary to make the intent of the committee clear.
Mr. FITZGERALD. Let me ask the gentleman from Wyoming. Take a case where a project has not been opened and the cost per acre has not been fixed, and there is a controversy as to whether there has not been a determination of the project's cost.
Mr. MONDELL. Well, the gentleman from New York understands that under the law as it is now, under the new legislation, no project will be opened until the price is fixed, and up to the time when the project is opened any lands under the project or the people on the project are subject to whatever charge may be fixed.
Mr. FITZGERALD. There is some controversy about that.
Mr. MONDELL. There have been controversies in the past as to whether the price per acre had been fixed, as to whether a project had been opened, as to whether the people had been notified what the price was to be, the people in some cases claiming that it was their understanding that the acre price had been fixed, and the service insisting that any statement made with regard to the construction charge was not the statement which the law contemplated as fixing the price per acre. There can be no question hereafter with regard to that matter, because a project can not be opened until the price has been fixed; and it seems to me that unless we adopt this provision the service could not carry on a drainage project the necessity of which developed during the period of construction or one which might be needed after opening, but would not increase the cost above the construction charge. Unless this language is added to the provision contained in the bill, I do not believe that the provision is workable.
Mr. FITZGERALD. I asked Mr. Davis to prepare a provision for consideration, and pointed out the situation that might exist. I said to him: "There is this question which arises as to whether such restriction should apply to the expenditure on drainage works that have not yet started, and as to whether the same restriction would be wise as to expenditures on work already under construction and on which maybe you have gone too far, and it would be wise to discontinue the scheme that you have started, regardless of whether the money is to be reimbursed or not." The reclamation officers submitted the draft that is in the bill providing that no new drainage system shall be undertaken.
Mr. MONDELL. If the gentleman will read a little further, he will see that their draft itself contemplates the situation that the language I offer makes clear. It says:

No new drainage system shall be undertaken until valid and binding agreements to pay the cost shall have been entered into by a majority of the landowners.

The CHAIRMAN. The time of the gentleman has expired.
Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.
The CHAIRMAN. Is there objection to the gentleman's request?
There was no objection.
Mr. MONDELL. Now, up to the time they are ready to open the project there is no way in which any such obligation can be accepted by the landowners.
But let me say this to the gentleman from New York: We are all interested in having this paragraph in exactly the form in which it should be. If the gentleman has any doubt about it, I have not. If the gentleman has any doubt about it, I am willing either to withdraw it or to return to the paragraph later and have the matter looked up in the meantime.

Mr. FITZGERALD. Let us pass it over and permit the amendment to be pending.

Mr. MONDELL. Any arrangement of that kind will be satisfactory to me.

Mr. FITZGERALD. I am not certain about it. If the gentleman will agree to pass over the paragraph with the amendment pending, I am willing. The purpose was to frame a provision which would prevent settlers upon a project obtaining the benefits of an expenditure for drainage and resisting the reimbursement of the Government for that expenditure.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HAYDEN. That can only occur where the total cost of the project prior to that time has been fixed.

Mr. FITZGERALD. If you gentlemen all agree that this amendment is the one that puts the paragraph in the proper shape, I shall not object.

Mr. HAYDEN. I think the amendment offered by the gentleman from Wyoming [Mr. MONDELL] makes that clear, and ought to be adopted.

Mr. MANN. Mr. Chairman, I wanted to ask a question about this. This provides, as it stands, that no new drainage system shall be entered upon unless a majority of the landowners enter into a binding agreement to pay the whole cost. Now, supposing there are a thousand owners and 501 of them enter into an agreement. Does that mean that the 501 have to pay the whole cost?

Mr. FITZGERALD. No. Under the act of last year these questions are submitted to a vote, and the majority can determine what shall bind all the settlers involved. In some of these drainage projects, however, drainage may be necessary on a project, and——

Mr. MANN. I know what is intended, but what I am trying to find out is what is covered by the language of the bill. The bill says that unless a majority enter into a valid and binding agreement to repay the whole cost, you can not enter upon the project. Now, this agreement must be some kind of an agreement—the language here is "a valid and binding agreement"—made by these people. I assume it is made in writing, and the majority will have to sign that agreement, and that majority will have to pay the whole cost. That is what the language says. The gentleman tries to overturn that by referring to the law.

Mr. FITZGERALD. Under the law these matters are submitted to the persons affected. If the majority votes in favor of doing a certain thing, it binds everybody affected.

Mr. MANN. That is the existing law, but that is not this provision. Because that is not efficient or effective sufficiently in the gentleman's opinion he proposes this, which distinctly says that the majority who sign the agreement must agree to pay the whole cost.

Mr. FITZGERALD. Under the existing law——

Mr. MANN. I am merely calling it to the attention of the gentleman. I do not care.

Mr. FITZGERALD. The purpose is to make those affected pay the expense. The Reclamation Service drafted this provision, and said that under its language——

Mr. MANN. The fact that the Reclamation Service drafted it is no sign that it is correct.

Mr. FITZGERALD. They will enforce it in that way.

Mr. MANN. What they wanted to accomplish, I suppose, is that all should pay the cost of it; but what the language means is that the majority shall pay the cost.

Mr. FITZGERALD. It says, "An agreement made by a majority vote of those affected."

Mr. MANN. If that is the intent, why not say so, instead of saying the other thing?

Mr. MONDELL. If the gentleman will allow me——

Mr. FITZGERALD. The suggestion of the gentleman has a good deal of merit, and I suggest that we pass the paragraph till to-morrow, and, in the meantime, work out the wording so that it will accomplish what is intended. I ask unanimous consent to pass the paragraph.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the paragraph, with the pending amendment, be passed until the next meeting of the committee. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

I want to say a word in regard to this question of increased cost, because that was one of the features of this new reclamation-extension law.

It was claimed originally as to most of these projects that an advance estimate had been given to the settlers as to how much the project was going to cost per acre, and that they had capitalized the water users' association upon that basis, and that that was what they were bound for. A controversy of considerable size existed between the settlers and the department on that very question. The department solved that problem in this way: The settlers in many cases wanted additional time on their payments, or they wanted an enlargement of their original projects, and when they came to the department to ask either an extension of time or relief from a default, or an extension, or new work, or any other favor, the department said to them, "Gentlemen, either you must agree to the increased cost over and above what you claim was the limit fixed by the department when the work was begun, or we will not do what you ask." In that way they compelled the settlers to agree to the real cost instead of the original estimate, which in all cases was too low and in some cases was only 50 per cent of the real cost.

Mr. MADDEN. Will the gentleman yield?

Mr. BORLAND. As soon as I finish this statement. Now, that was the condition before the reclamation-extension law was passed, and the department was actually operating successfully under that system. But along came these gentlemen, and they asked Congress to extend their time by law to 20 annual payments and to relieve them from the first five years' payment.

Mr. TAYLOR of Colorado. Because we could not possibly pay it.

Mr. BORLAND. Surely, because they could not pay it; because the projects had in many cases exceeded the original estimate. They asked Congress to pass a law extending the limit of time. Then they asked Congress not only to take away from the department the latitude the department had of compelling them to live up to the real cost, but to say that no new projects or extensions of cost should be added to the cost of construction without the consent of the majority of the water users of the project. Now, that ties the hands of the department in several ways. In the first place, the settlers have got an extension of time. In the second place, they are the absolute masters of the situation as to when new work shall be begun. In that case they failed to say that drainage should be one of the items, and it turns out that in all of the projects no estimate was made for drainage in the original estimate of cost. It was all an afterthought, although they knew that it was a necessary feature of irrigation work and it must be made an integral part of the work. In order to do that under the law that you gentlemen have lately passed, the department must submit it to the majority of the water users to say when they want the drainage done.

Now, I think that the language in this bill ought to remain as it is. It is general language, it is true, but it would be limited by the amendment of the gentleman from Wyoming to a certain case, to wit, the case where the project had been formally opened and definite construction cost fixed. He would strike out and limit the action of the department from applying it to cases where the construction cost by reason of drainage had already exceeded the original estimate, but where no actual proclamation of opening had been made.

Mr. MONDELL. What would the gentleman do? Would he abandon the project?

Mr. BORLAND. The language of the law as it stands is sufficiently broad. It says that the new drainage shall not be begun unless and until a valid agreement is had for its repayment. If the valid agreement is in existence, as the gentleman said, if the original agreement would cover the work up to the time that the construction charge is fixed, then the gentleman's amendment is not needed.

Mr. MONDELL. If the gentleman will read the item carefully, he will see that the item as it stands will prevent the service from carrying on any one of their projects that they are now carrying on that have not been opened, where they have to do any drainage work. That would be the effect of it, because they are not dealing with the people in the matter of setting prices per acre, and they can not deal with them until they have got the price fixed.

Mr. BRYAN. Mr. Chairman, in view of the fact that there has been a unanimous-consent agreement to pass the section until to-morrow, is not this debate out of order?

The CHAIRMAN. Under a strict construction of the rule the Chair would say yes, but the Chair and the committee have been proceeding with great leniency in regard to that rule. The time of the gentleman from Missouri [Mr. BORLAND] has expired.

Mr. BORLAND. I ask unanimous consent that I may proceed for two minutes, in order to reply to the gentleman from Wyoming.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. BORLAND. If the department undertook to put in a system of drainage against the opposition of the settlers, even though the project had not been formally opened, they would have the same old dispute with the settlers that they had before, but they would not have the same means of solving that dispute that they had before, to wit, the latitude to accept or refuse an extension of time. We have taken that latitude away from the department, and that was the club by which they settled the disputes of the settlers. They were all asking for an extension of time. The department gave the extension where necessary, but they gave it on such terms as would protect the department. I think the language, broad as it is, is probably needed. If the department recommends any reduction of it, that is another matter.

The Clerk read as follows:

PROTECTION OF LANDS AND PROPERTY IN THE IMPERIAL VALLEY, CAL.

For protecting lands and property in the Imperial Valley and elsewhere along the Colorado River, within the limits of the United States, against injury or destruction by reason of the changes in the channels of the Colorado River, and the Secretary of the Interior is authorized to expend any portion of such money within the limits of the Republic of Mexico as he may deem proper in accordance with such agreements for the purpose as may be made with the Republic of Mexico, $100,000, no part of which sum shall be expended until there shall have been paid into the Treasury, by contributions from the Imperial Valley irrigation district, an equivalent amount to the credit of the Secretary of the Interior to constitute with the amount hereby appropriated the total sum of $200,000, to be expended by him for the purposes herein described.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Does anyone know what the ultimate cost of this will be?

Mr. FITZGERALD. It may be that it will be necessary to expend at least a million dollars out there, but this is to take care of the immediate situation, and the representative of the settlers in the Imperial Valley stated that if Congress did what they were then requesting there would be no further request. I think the situation, from what I have heard indirectly, is worse than when the matter was before the committee.

Mr. MANN. How much have they already expended?

Mr. FITZGERALD. A million dollars.

Mr. MANN. How much did the Southern Pacific expend that they want the Government to reimburse them for?

Mr. FITZGERALD. I think one million and a half.

Mr. MANN. So there is two and a half million dollars up to date. Does the gentleman mean to say that by spending $100,000 that ends it?

Mr. FITZGERALD. Two hundred thousand dollars.

Mr. MANN. That is drawing on the imagination a long ways.

Mr. FITZGERALD. I do not think that this will permanently care for the situation, but this is to carry it past the great danger that threatens from floods this spring.

Mr. MANN. And probably next year they will need the same amount.

Mr. J. R. KNOWLAND. In the statement that was made it was said that this would carry it along at least 10 years.

Mr. MANN. Who makes the statement? They send one man here one year and the next year they send another man, and he is not bound by what the first one said.

Mr. KETTNER. The statement was made by one of the commissioners of the irrigation district. The people of the Imperial Valley voted $3,500,000 to buy this irrigation system from what they term the C. D. Co., which was formerly owned by the Southern Pacific.

Mr. MANN. The gentleman is reelected to the next House. Is he willing to say that he will not come and ask Congress to make any further appropriation while he is a Member of the House?

Mr. KETTNER. Why, Mr. Chairman, I would not like to make a statement of that kind.

Mr. MANN. I wondered if anybody would really get pinned down on it except some gentleman who is not going to be here next year.

Mr. KETTNER. The gentleman will admit that the people of the Imperial Valley are making progress. They have voted, as I say, $3,500,000 to buy this system.

Mr. MANN. The gentleman from California knows all the circumstances; I do not. It was stated that $100,000 was all that would be asked of the Government for 10 years. Is the gentleman willing to make that statement?

Mr. KETTNER. No; I am not willing to make the statement for this reason——

Mr. MANN. The gentleman does not have to give any reason. [Laughter.]

Mr. FITZGERALD. That statement was not made to the committee. They said if we gave them $250,000 they would not ask for any more.

Mr. MANN. It is perfectly evident to my mind that any promises made that they would not ask for any more were Indian gifts and are to be withdrawn, or made with the fingers crossed. I want to ask the gentleman who in the Republic of Mexico now can give consent to this.

Mr. KETTNER. The Department of the Interior spent $50,000 last year on this same project in the Republic of Mexico, and the conditions are the same now as they were a year ago.

Mr. MANN. In Mexico? Not at all.

Mr. KETTNER. In fact, they are better now.

Mr. MANN. Oh, no; they are much worse in Mexico.

Mr. KETTNER. Not in the Imperial Valley in Lower California.

Mr. MANN. No one knows now among the numerous governments in Mexico who has charge. I say no one; the gentleman may know; and if he does, will he tell us who will we deal with in the Republic of Mexico in reference to this matter?

Mr. KETTNER. The people of the Imperial Valley now are dealing with Gen. Villa. He has his governor appointed in Lower California. At the present time the people are dealing with him.

Mr. MANN. But Villa has not been acting as President more than 10 days.

Mr. KETTNER. He has had his governor there for some time.

Mr. MANN. Whom do you mean by "his governor"?

Mr. KETTNER. The man he appointed as governor.

Mr. MANN. But he has not been President but a short time.

Mr. KETTNER. He has taken that liberty, however.

Mr. MANN. Plainly that is not the Government of Mexico.

Mr. KETTNER. He is the only governor there is authorized in that section.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. MANN] propounds a very important interrogatory as to how much we will probably be called upon to spend in the future for the protection of Imperial Valley, and the gentleman from California [Mr. KETTNER] and others, individually and collectively, decline to make any promises. I do not blame them for refusing to make promises, but I think that the gentleman from California should not hereafter call upon the Federal Government to appropriate funds for the protection of the Imperial Valley. I feel very kindly toward the people of the Imperial Valley and southern California and think we should be very liberal with them; but I think they ought to understand that this is about all that Uncle Sam ought to be expected to do for them. So far as their trouble with the overflow of Volcano Lake is concerned, it is not a matter that directly concerns anybody but the people of the Imperial Valley.

There is, however, a real menace, the possibility of a break in the river in its upper reaches, the 8 miles below the headgate of the Imperial Canal, the possibility of its again breaking and running over into the Alamo, which is now used as the canal for the Imperial Valley Irrigation Works. Most of this hundred thousand dollars, I presume, will be expended in cooperation between the people of the Imperial Valley and the Government, although, of course, the Secretary of the Interior will use his judgment in the matter in strengthening the levees on the upper river. The care and the protection of the Imperial Valley from the overflow of Volcano Lake should be provided for entirely, I think, by the people of the Imperial Valley, and if $200,000 are expended on the upper river to strengthen the levees and to prevent the danger of the river again breaking through into the Alamo and into the Imperial Valley Canal I think it ought to put that work in such shape that we will not be called upon again to contribute anything in the future. After the expenditure of the sum herein provided for, I think the people of the Imperial Valley should take care of the river as it affects their valley.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Page 106, line 16, after the sum "$100,000," strike out all of line 16 and insert in lieu thereof the words "which sum shall be available for expenditure as soon as."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

ALASKA, EXPENSES IN.

Alaska *Engineering Commission*: For carrying out the provisions of the act approved March 12, 1914 (38 Stats., 305), entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," to continue available until expended, $2,000,000.

Mr. TRIBBLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out, on page 107, lines 4, 5, 6, 7, 8, 9, 10, and 11.

Mr. TRIBBLE. Mr. Chairman, it is not my purpose to raise the question of the Alaskan Railway at this time. That is legislation. The Alaskan Railway will be built. I have opposed the Alaskan Railway, and I am still opposed to it, but the bill is now law and the road will be built. There is no reason for haste in making this appropriation now. The time is not propitious to begin the construction. One million dollars was appropriated when this bill was passed last March, and only one-third of that amount has been expended. There is near $700,000 of that amount available for present demands. Congress will meet in regular session in December. The amount already appropriated will pay expenses of locating the proposed route. In the meantime we hope to see the Treasury replenished. There is no reason or justice in appropriating $2,000,000 at this time, when the Treasury is depleted and a special stamp tax is being collected to meet the necessary running expenses of the Government. When this bill was passed the Treasury was overflowing with money and no war clouds threatened the peace of the world. When the money already appropriated is exhausted there is no reason why the work should not be abandoned until taxes can be collected in the usual way and the peace of the world restored. The whole country is depressed. It is bleeding at every pore—North, South, East, and West—on account of the European war. [Laughter on the Republican side.] Oh, gentlemen on the Republican side know the reason for the depressed condition of the country, and it is perfectly silly for anyone to say that the European war is not causing it. How about Democratic prosperity before the European war? You can not convince the intelligent voter that the Democratic administration caused this depression.

Mr. FALCONER. Mr. Chairman, will the gentleman yield?

Mr. TRIBBLE. Yes.

Mr. FALCONER. Does not the gentleman know that Alaska in the next six months will send probably ten or twelve million dollars of gold into the United States?

Mr. TRIBBLE. How much has it ever sent here?

Mr. FALCONER. From seventeen to twenty million dollars per annum.

Mr. TRIBBLE. And how will this railway aid in the sending of gold into the United States?

Mr. FALCONER. It will increase it greatly. When the railroad is completed and developed it will send probably fifty or sixty million dollars into the United States.

Mr. TRIBBLE. Mr. Chairman, I stated in the beginning of my remarks that I did not care to raise the question of the benefits resulting from the Alaskan Railway and the objections to Government construction and ownership. I raise the question now of the propriety of appropriating $2,000,000 at this time. There could not be a more inappropriate time. My motion is to strike the $2,000,000 from the bill. I am informed that this money is wanted for the purpose of purchasing certain railways in Alaska owned by corporations and, I am informed, operated at great loss. I would like to know from the chairman of this committee why it is that two millions is asked for now, when not a plow has been put into the ground to build a railroad, not a shovel has been purchased, and nothing has been done. That is no small amount of money, and I would like to hear from the chairman of this committee why it is asked for now.

Mr. MADDEN. How is this commission that has been appointed going to pay its expenses if it does not get the $2,000,000?

Mr. TRIBBLE. What expenses have they?

Mr. MADDEN. That is all there is to the commission.

Mr. TRIBBLE. They had a million dollars, and they have used one-third of that amount already, and two-thirds of a million dollars should certainly pay the engineers in Alaska who are locating the railroad until this Congress meets in December.

Mr. MADDEN. The gentleman does not understand, evidently, the extravagant waste of money that this commission indulged in, or he would not say that.

Mr. TRIBBLE. I am sure there is great extravagance in the use of money there, and that is one of the reasons I am objecting to this, and I thank the gentleman for the suggestion.

Mr. J. R. KNOWLAND rose.

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from California?

Mr. TRIBBLE. I am asking the gentleman from New York a question.

The CHAIRMAN. The gentleman declines to yield.

Mr. FITZGERALD. Mr. Chairman, $1,000,000 was appropriated in the act authorizing the construction of railroads in Alaska. That act authorized the appointment of a commission. That commission went to Alaska, and has made very extensive surveys and examinations of properties, and is now preparing its report. It expended $378,000.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MADDEN. I understood the Delegate from Alaska to say when the bill was up for consideration in the last session of Congress that all of the surveys had been made, and all the commission would have to do would be to select the route.

Mr. FITZGERALD. Then he did not know what he was talking about, because this commission has made a survey.

Mr. WICKERSHAM rose.

Mr. FITZGERALD. Oh, I did not mean to be offensive in that statement. I think that perhaps there must be some misunderstanding.

Mr. WICKERSHAM. I did not make any such statement.

Mr. FITZGERALD. This commission has made a survey of the route over which it is believed nobody has ever passed at all, and they are now preparing their report. When the report is submitted to the President, the President must first locate the route, and after the route is located, if it be from points where there are existing railroads, or where existing railroads can be utilized, he must determine whether an attempt will be made to purchase any of the existing railroads.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TRIBBLE. Mr. Chairman, I ask that my time be extended.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Now——

Mr. TRIBBLE. I want to ask the gentleman this question: What is the necessity, until this commission makes a report, for according to the gentleman's statement only one-fourth of the money—I was in error when I said one-half——

Mr. FITZGERALD. If the gentleman will let me proceed for a moment or two——

Mr. TRIBBLE. This is in my time, and I am asking the gentleman a question.

Mr. FITZGERALD. I understand; but I will answer the question. The statement I make I think will answer the gentleman's question. It is expected that in the immediate future the President will determine the route to be selected. This money is necessary, because as soon as the route is selected, whether it is proposed to purchase a road or not, it is designed to utilize the coming season for construction purposes. If it is determined to purchase an existing road, it is desired to have sufficient money to make a substantial payment on account of the purchase. There seems to exist good reasons, if one of these roads is to be purchased, to attempt to complete the purchase at this time——

Mr. TRIBBLE. Does not the gentleman think it would be better for this Congress to wait until the commission reports?

Mr. FITZGERALD. No; I do not.

Mr. TRIBBLE. Let them make their report to this Congress, and if they say it is desirable to buy a certain railroad in Alaska, let this Congress pass upon the question of whether it proposes to buy a Guggenheim, Morgan, or any other road in Alaska.

Mr. FITZGERALD. No; I do not think that at all, because this Congress, after a very full, deliberate, and extensive consideration of that question, determined that it would place the power and responsibility upon the President of the United States. I was not in favor of the construction of railroads in Alaska. I am acquiescing in what Congress determined, and I think it the part of wisdom, from the information that I have been able to obtain, that so long as Congress has determined to construct this road, to comply with the request of the Secretary of the Interior and appropriate this money at this time.

Mr. TRIBBLE. I want to ask the gentleman if it was not frequently stated on the floor of this House that it was not proposed to buy these railroads, but this money was to be appropriated to build railroads?

Mr. FITZGERALD. I think it was stated that the purpose of passing the bill to authorize the construction of railroads in Alaska was not primarily designed to purchase any railroad, but the bill as worked out provided that the President should select a route of a proposed Government road. If it were ascertained that the route selected was one where an existing road could be utilized, the President was authorized to purchase the road, but was limited in the price to be paid to the appraised value of the road determined by the Government commission. Now, it depends on whether the route selected be one side or the other of Prince William Sound.

If it be one or the other, after whichever side is selected, they were to proceed to build the road to Fairbanks first. Then, whether it is desired to utilize as part of the system to be constructed either the Alaska Northern or the Copper River road, if it was decided that it would be the part of wisdom to attempt to utilize either one of those existing roads, it would be necessary to ascertain whether the road could be purchased within the terms specified in the law. Now, the information is that the Department of the Interior will be prepared at the end of the season, this coming working season, the summer months, to proceed upon a route which will be selected with this construction work. It may be necessary or desirable to attempt to purchase an existing road and to make payment on it. My own belief is that since this work has been authorized, and since in fact it has taken from private enterprise all incentive to build railroads in Alaska, that the United States should proceed to do what is contemplated by the law as rapidly as can reasonably be expected, or else it should repeal the law, so that private enterprise may have the opportunity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TRIBBLE. Mr. Chairman, I ask for one minute.

Mr. FITZGERALD. Mr. Chairman, I ask that the gentleman's time be extended.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TRIBBLE. Mr. Chairman, all I care to say is that the time is not propitious to continue this work in Alaska and there are about three-quarters of a million dollars unexpended. I assert that this money is being appropriated for the purpose of buying railroads in Alaska, and I say this is no time to appropriate to buy railroads in Alaska or anywhere else. Who wants to sell a railroad, and why this haste? These are questions that Congress should investigate before taking money raised by stamp tax, when the people are suffering in this period of financial distress. I appeal to you to keep this money at home for the comforts of our suffering people. I stand ready to appropriate money to furnish means of transportation of our corn, cotton, wheat, and other agricultural and commercial products, thus helping to relieve the congestion of the country, but I can not sit without protest and see $2,000,000 spent in Alaska when it is so badly needed at home.

Mr. DAVENPORT. Mr. Chairman, I desire to offer an amendment to the paragraph in order to perfect it. I move to strike out the figure "2" and insert the figure "1," so as to make it read "$1,000,000" instead of "$2,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 107, line 11, by striking out "$2,000,000" and inserting "$1,000,000."

Mr. DAVENPORT. Mr. Chairman, I have no doubt now, and I had none when the bill was before the House providing an appropriation for the construction of a Government-owned railroad in the Territory of Alaska, that existing railroads constructed there would be taken over by the Government, and if I could have had any doubt at that time all doubt of that has been removed by this time.

It was charged repeatedly when that bill was under discussion that certain parties opposing the enactment of the bill were favoring certain individuals who owned railroads up in that country. That was not the fact. They were opposing it because they did not think the condition of the Government funds in the Treasury at that time would justify such an appropriation. But since that time and within the last four weeks the representatives of the men who own those railroads have been to the Department of the Interior and to the executive branch of the Government, to get them to take over their roads, and all that you need to do is to examine the testimony contained in the supplemental hearings, which I shall ask leave, before I conclude, to put in the RECORD in connection with my remarks.

In the testimony of the Secretary of the Interior he mentions proposed construction in one word and devotes two pages to a discussion about taking over the Copper River Valley road and the Alaskan Northern, one or other other. He says that one or the other of those two routes should be selected. Of course we know that when it comes to that proposition they are not going up there to parallel one of those roads already constructed. Whether you write it in the bill or not, it remains true, nevertheless, that these engineers will in all probability recommend that it will be better to take over the Copper River Valley road or the Alaska Northern than it would be to undertake to construct a parallel line, for the reason that the men owning those roads will probably offer the Government such a proposition that the Government can more cheaply buy than to construct a road to parallel them and take chances in the future of making anything out of the investment.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Missouri?

Mr. DAVENPORT. Yes.

Mr. BORLAND. Would it not be good business if the Government could buy an existing road, or a portion of a road, rather than to build another? Would not that be practical business judgment?

Mr. DAVENPORT. I should think it would, but I think when we start in with an appropriation for that purpose we ought to say that that is what we are going to do, and not beat about the bush in order to relieve those men of something that they can not get rid of otherwise.

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Washington?

Mr. DAVENPORT. Yes.

Mr. BRYAN. If we put in these words to buy the roads up there, we would thereby give those parties such an advantage that they could charge any price they wanted and would not that defeat the object of the legislation?

Mr. DAVENPORT. I did not say write it in the bill; but if it were written on the face of the bill it would not stand out more clearly to the American people than it did when the bill was drawn. We knew then that that was what was intended. Mr. Lane, the Secretary of the Interior, says they will buy if satisfactory arrangements can be made to take over one or the other of these routes.

Mr. FALCONER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Washington?

Mr. DAVENPORT. I do.

Mr. FALCONER. Can the gentleman tell us whether it is the intention of the administration to take over and buy one or the other of these railroads?

Mr. DAVENPORT. I did not say so.

Mr. FALCONER. The gentleman said, and the previous speaker said, that the object of this was to buy railroads.

Mr. DAVENPORT. I said the object was, according to the testimony of Secretary Lane, to do one or the other. When the President had selected the route he would follow from the coast to Fairbanks they would buy one or the other of the railroads. That was in the supplementary hearing. In the first hearing Secretary Lane did not know whether or not they would submit an estimate of an appropriation, but subsequently, when I saw Mr. Kenzey and others at the White House, the proposition of an appropriation of $2,000,000 was included in the bill, and to carry it out Mr. Lane says if they reach an agreement with reference to buying——

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. DAVENPORT. Yes.

Mr. GOOD. The gentleman does not mean to say that if the Government should buy one of these roads that would be all the development in the way of building railroads in Alaska that was contemplated by the Secretary of the Interior?

Mr. DAVENPORT. No.

Mr. GOOD. That would be practically the beginning of the project that would be undertaken, as I understand it.

Mr. DAVENPORT. I understand it this way: I do not mean to say they would not build any more. I think, possibly, if they buy the Copper River Railroad, which is the one that will be bought when the contract is made because it has the best harbor, as I think, they will probably extend the line to Fairbanks.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. DAVENPORT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes. Is there objection?

Mr. FITZGERALD. Mr. Chairman, pending that request, I ask unanimous consent that all debate on the paragraph and amendments thereto close in 25 minutes.

Mr. WICKERSHAM. I desire some time.

Mr. MADDEN. Make it an hour. This is a very important matter.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 25 minutes. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Chairman, there is a strong demand over here for at least 25 minutes.

Mr. FITZGERALD. Oh, they do not all want to talk. I heard some men who said they wanted to talk complaining about the amount of time that had been used here to-day.

Mr. MANN. Well, I want to have five minutes myself, although my request did not provide for it. I think we ought to push this bill along. I think we ought to stay here this evening and push it along.

Mr. FITZGERALD. Well, I hope the House will stay here to-night. We will say 45 minutes, Mr. Chairman.

Mr. MANN. Will that give 25 over here?

Mr. FITZGERALD. I do not know. I guess not. Well, make it 50 minutes.

Mr. MANN. Well, the gentleman from Illinois [Mr. MADDEN] wants five minutes, and the Delegate from Alaska [Mr. WICKERSHAM] wants five, and the gentleman from Massachusetts [Mr. GILLETT], and the gentleman from Wisconsin [Mr. STAFFORD], and the gentleman from Washington [Mr. FALCONER]. I have no objection.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that all debate on this paragraph, and all amendments thereto, close in 50 minutes. Is there objection?

Mr. DONOVAN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. Reserving the right to object, Mr. Chairman, I would like to get a little information from the chairman of the committee as to why there is so much interest all at once in the debate on this proposition? [Laughter.] We have been going along heretofore in free-and-easy style. Why can you not let your associates in?

Mr. FITZGERALD. I can explain to the gentleman, I think.

Mr. DONOVAN. I hope you can.

Mr. FITZGERALD. This is a proposal whereby the committee recommends that $2,000,000 be appropriated toward carrying on the work of constructing railroads in Alaska. One element in the House—and I think a large one—believes in prosecuting the work. Other Members in the House believe it would be advisable not to build them at all. Another element thinks it advisable to defer the building. The amount is $2,000,000. It is a large sum, and he matter is a very important one. That is why I am attempting now to get a limit on the debate, before Members get warmed up and want several hours on it.

Mr. DONOVAN. Mr. Chairman, I do not think the gentleman's answer is responsive.

Mr. FITZGERALD. It is intended to be.

Mr. DONOVAN. I want to find out what is the reason for this? When we have been lagging and playing along, and things have been going in a haphazard way, what has happened all at once?

Mr. FITZGERALD. The gentleman has just come in. He has not been present; that is all.

Mr. BARTLETT. May I say to the gentleman that this bill has progressed much more rapidly than it has been accustomed to progress ordinarily.

Mr. DONOVAN. I wish the gentleman from Georgia had kept his seat, because he always has too much influence with me, and I feel impelled now to take my seat. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. THOMPSON of Oklahoma. Reserving the right to object, I do not care to object, but I want to know of the chairman of the committee if it is his intention to remain in session beyond the consideration of this item to-night?

Mr. FITZGERALD. Yes; I hope we may stay here for some time.

Mr. THOMPSON of Oklahoma. I can not be here all the afternoon, and there is an item on page 111 in which I am interested.

Mr. FITZGERALD. What is the item?

Mr. THOMPSON of Oklahoma. Platt National Park in Oklahoma.

Mr. FITZGERALD. You get everything you want there.

Mr. THOMPSON of Oklahoma. If there is to be no objection to that item, I will make no objection now.

Mr. FITZGERALD. There will not be any trouble about that item. If any attempt is made to strike out the item in the absence of the gentleman, I will ask to have the item passed over until to-morrow.

Mr. MANN. I think the Platt National Park item will go through this year without any trouble.

Mr. FITZGERALD. That item is safe.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the debate on the pending paragraph and all amendments thereto be closed in 50 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. DAVENPORT].

Mr. DAVENPORT. Mr. Chairman, I was about to answer the gentleman from Iowa. I know that the railroad is going to be constructed, and I think it is to be constructed as far as Fairbanks, but I do not think there is any necessity at present for so large an appropriation as is contained in this paragraph. If it becomes necessary to purchase either one of the roads—and, as I said a while ago, I am quite sure they will purchase one or the other—they certainly can make an arrangement with the gentlemen who now own these roads, who can not make anything out of them and can not operate them so as to pay running expenses, by which arrangement the President can pay them a sum to hold the trade and bind the bargain, and then wait until it can be reported to Congress what is to be the purchase price of the road, or what the road can be acquired for.

Mr. SHERWOOD. Will the gentleman yield for a question?

Mr. DAVENPORT. I yield to the gentleman from Ohio.

Mr. SHERWOOD. How long is that road?

Mr. DAVENPORT. There is one road 196 miles long. That is the Copper River Valley road. The other, the Alaska Northern, is 71 miles long, of which 30 miles are in operation, if I remember correctly. As it is conceded by a great many of the departmental officers that the finances of the country are not in the very best condition at present, I think that $1,000,000 is certainly sufficient to continue the engineering investigation up there, and to make a contract with either of those corporations for the purchase of their road. There is more than half a million dollars of the original appropriation unexpended, and that, with the appropriation of $1,000,000, will give a million and a half to be expended this year in the few months that they can operate up there. We have not got the reports. We do not know what the engineers' reports show. We have no reports whatever, and I find none in the hearings containing anything to show for what sum they may be able to purchase either of the roads. If there has been any proposition submitted, I fail to find it in the hearings, although it may be there. So I say, until we have ascertained what the cost of acquiring the road will be an appropriation of $1,000,000 now in addition to what is already available will certainly be sufficient to carry on the work for the next few months.

Mr. SHERWOOD. Are those roads paying now?

Mr. DAVENPORT. I will say to the gentleman from Ohio that I do not know, but I know that the hearings on the original bill disclosed that the road 71 miles long was being operated, as they used to say, tri-weekly, for 30 miles. That is, they would run a train up one week and try to get back the next. [Laughter.] The other one is being operated by the owners of the Bonanza mine, and I suppose it is hauling freight, if there is any to haul along the line.

Mr. FOWLER and Mr. LEVY rose.

The CHAIRMAN. Does the gentleman from Oklahoma yield; and if so, to whom?

Mr. DAVENPORT. I will yield first to the gentleman from Illinois, and then to the gentleman from New York.

Mr. FOWLER. I am anxious to know who are the owners of these two roads?

Mr. DAVENPORT. The Morgan interest and the Guggenheims own the Copper River road; and the other line, if I recollect aright, is owned by a man named Belaine, or some such name as that, or at least he is largely interested.

Mr. LEVY. Is it no more important to appropriate this money for Alaska than to appropriate the $3,000,000 for the physical valuation of railroads in the United States——

Mr. DAVENPORT. I think not.

Mr. LEVY. When we have taken $550,000,000 out of Alaska in minerals and other products, with no internal improvements made by the Government?

Mr. DAVENPORT. I do not know that we have taken out $550,000,000 yet. The greater part of the minerals that have been shipped out of Alaska have come from the seaboard, from the coast, and very little of it, except from the Bonanza mine,

owned by the Guggenheims, and some other smaller mines and carried over the trail, have come from the interior.

Mr. LEVY. But already $550,000,000 have been taken out of Alaska.

Mr. DAVENPORT. I can not say how much, but minerals to quite a large amount and value have been taken out of Alaska.

Mr. BARTLETT. It is contemplated, is it not, to buy one of these railroads, and how far would $2,000,000 go toward buying a railroad at $40,000 a mile?

Mr. DAVENPORT. That is the point I am making; until we find out what we can purchase them for, there is no need of making any appropriation.

Mr. BOOHER. As I recall, Congress has nothing to do with the price of the road. The President fixes the price of the road and makes the contract.

Mr. DAVENPORT. That is correct.

Mr. BOOHER. Then, why should we wait any longer for a report to Congress?

Mr. DAVENPORT. Because the President always does, and will when he makes a deal, make a report to Congress and ask for an appropriation.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. DAVENPORT. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The Chair would like to make this statement. Debate, by order of the committee, is limited to 50 minutes. The Chair has requests from 10 Members for that time. If an extension is granted to any speaker, others will necessarily be cut out. The gentleman from Oklahoma asks unanimous consent that his time be extended two minutes. Is there objection?

Mr. SHERLEY. Mr. Chairman, in view of the situation, I object.

Mr. DAVENPORT. Then, Mr. Chairman, I ask unanimous consent to incorporate the testimony of Secretary Lane given in the supplemental hearings on the sundry civil bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

The following is the testimony:

FEBRUARY 1, 1915.

ALASKAN RAILROADS.

STATEMENT OF HON. FRANKLIN K. LANE, SECRETARY OF THE INTERIOR.

The CHAIRMAN. We have before us, Mr. Secretary, an estimate just transmitted for the construction and operation of railroads in Alaska, to be used for carrying out the provisions of the act approved March 12, 1914 (38 Stats., 305), entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," the additional sum of $2,000,000 to continue available until expended. In the act providing for the construction of railroads in Alaska $1,000,000 was appropriated?

Secretary LANE. Yes, sir.

The CHAIRMAN. You are now asking for $2,000,000. Will you state the situation, please?

Secretary LANE. We have about half of that million dollars left, and we have asked for $2,000,000 more, so that we may begin construction this spring. The President has not decided on which side of Prince William Sound the road should run. We have not, in fact, got the completed report, nor any report in writing from the engineering commission as yet, but they have consulted with the President and advised with him as to the condition of the roads that exist up there and the nature of the routes and the approximate cost of the road that is proposed from the coast to Fairbanks and the interior. Of course there can not be anything done toward the purchase of any of the roads there, either the road running from Seward north, called the Alaskan Northern, or from Cordova up to Chitina, called the Coper River & Northwestern, until the President decides which route to follow. I suppose as soon as that report is made by the engineering commission to him he will decide what route is best to follow. Then the probability is we will take up at once negotiations, if he thinks it is advisable, for the purchase of one of those roads.

The CHAIRMAN. It is proposed to build a road from one side or the other of Prince William Sound to Fairbanks?

Secretary LANE. That is the main trunk line.

Mr. GILLETT. How much did you say that would cost?

Secretary LANE. Of course, if we bought the Cordova road it would depend upon the terms we could get, and that is also true of the Alaskan Northern, which runs for 71 miles. The road outside of that would probably cost an average of over $40,000 a mile, somewhere between $40,000 and $50,000 a mile. From Chitina on to Fairbanks it would run in a country where construction would probably be cheaper, but where there is very little land available for agricultural purposes for the first 100 miles.

Mr. MONDELL. Are you still considering, Mr. Secretary, the possibility of entirely new construction?

Secretary LANE. Yes.

Mr. MONDELL. I mean new construction for the entire distance.

Secretary LANE. For the entire distance; yes. There is one new route from Portage Bay. Portage Bay is about opposite Valdez on Prince William Sound. It is one of those little inlets from the sound itself. Portage Bay is cut off from Turnagain Arm by two large mountains, and Turnagain Arm runs into Cooks Inlet. There is a very practicable harbor at Portage Bay that it would be necessary to tunnel to, and those tunnels would probably amount to a total of approximately 3 miles, or perhaps 3½ miles. We have got figures made on them. Then we would run up on the north side of Turnagain Arm through the Susitna Valley, then across Broad Pass down through the Tanana Valley to the Tanana River, and across the Tanana River to Fairbanks. That is a road that would be entirely new.

Mr. SHERLEY. What distance would that be?

Secretary LANE. About 418 miles. There is not very much difference in any of these routes.

The CHAIRMAN. That is the distance to Fairbanks?

Secretary LANE. Yes. Then, on the same side you could take Seward as your terminus instead of Portage Bay and run up approximately 60 miles to Turnagain Arm, and from there on by the same route.

Mr. MONDELL. In that event you would utilize part of the——

Secretary LANE (interposing). We would then utilize part of the Alaskan Northern road, which is now being operated about 30 miles out of Seward, but which was constructed a full 71 miles. That runs for a short distance on the north side of Turnagain Arm, but the road itself is not operated the full distance.

Mr. MONDELL. As an alternative have you also had under consideration the proposition of building to the Bering River field in order to utilize those coals without deciding fully as to your main-line construction?

Secretary LANE. Yes; there is a proposition that has been considered in the past, and was reported on by the old railroad commision of which Mr. Brooks was a member—which reported two years and a half ago—for building from the Bering River coal field down to Controller Bay, a distance of about 26 miles. That route was, I believe, originally outlined by a man named Richard Ryan, who was in to see me the other day about it. He thinks that by building a branch from the Copper River road at mile 40, extending it over a distance of about 60 miles to the Bering River field, and then from the Bering River field down to Controller Bay, he would be able to get all of the copper ore that originates on the Copper River road smelted on the Bering River coal fields themselves; put up a smelter there where the coal is or else down at Controller Bay. The estimate of the old commission for protecting a harbor at Controler Bay was about $2,000,000, because it would be necessary to build a breakwater and make Controller Bay into a practicable harbor, and I just state the figure from recollection; but he thinks it could be done for $800,000, and has presented a proposition to which he wants us to give consideration—that instead of our going into the Bering River field some permit or right be given him to go in there and make that connection. I suppose that it is a possibility that Mr. Morgan, if he retains the Copper River road, would want also to drive over from his road to Bering River field and tap that for purposes of coking coal, and perhaps he would put up his smelter at the junction of the two roads or else down at Cordova.

The CHAIRMAN. Under the act a commission was appointed?

Secretary LANE. Yes.

The CHAIRMAN. Will you state the names of the members of the commission?

Secretary LANE. Mr. William C. Edes, who for the last 25 years was engaged in locating roads for the Southern Pacific, Central Pacific, and the Santa Fe; Lieut. Mears, who was the general superintendent of the Panama road.

The CHAIRMAN. And built the relocated line?

Secretary LANE. Yes; and Mr. Riggs, who surveyed the boundary line between Canada and Alaska.

The CHAIRMAN. Do you recall when they were appointed?

Secretary LANE. I think they were appointed about the last part of April.

The CHAIRMAN. Of last year?

Secretary LANE. Yes.

The CHAIRMAN. And you say they have gone to Alaska and surveyed these two routes on each side of Prince William Sound?

Secretary LANE. I can tell you in some detail what they have done, if you care to hear it.

The CHAIRMAN. I think that would be interesting.

Secretary LANE. They made an appraisement of the Alaska Northern road.

Mr. SHERLEY. Have we a map of Alaska here?

Secretary LANE. I think I can give you a rough outline of the situation. This is supposed to represent Prince William Sound, and this is Cordova, and here is the present Copper River & Northwestern road, which goes up to a place called Chitina and turns on down south [indicating].

The CHAIRMAN. Is that what is called the Morgan road?

Secretary LANE. That is commonly called the Morgan-Guggenheim road. This is Seward, and up here runs the Alaska Northern. That is the road that Mr. Ballaine was interested in originally, and that runs up to mile 71. Here is Portage Bay, and this is Turnagain Arm, and this is Cooks Inlet, and this is the Pacific Ocean here [indicating].

Mr. GILLETT. Why should they have run that railroad up there [indicating]? Is not this deep water?

Secretary LANE. Yes; that is deep water, but there is a mountain range, and it would require 3½ miles of tunnel to get to Portage Bay, and besides there is very good territory in here with a lot of small gold properties and a considerable amount of agricultural land in small valleys.

The commission divided itself in this way: Mr. Edes went to a point here called Ship Creek, at the head of Cook Inlet. He then surveyed this route down to Portage Bay. He surveyed this route and also a relocation of the road down to Seward and made an appraisement of that road. He also went from Ship Creek up to the head of Matanuska Valley, where the coal fields are, a distance of about 75 miles. Then Mr. Mears went from that junction point, at the mouth of the Matanuska Valley, up through the Susitna Valley to Broad Pass. There he was met by Mr. Riggs, who had come down the Yukon River and had made his headquarters at Fairbanks, and at Fairbanks he surveyed the route from Fairbanks over to Broad Pass. They met there and went over the route that Riggs had already surveyed and attempted relocations. Right here are the Great Nenana coal fields, to the north of Broad Pass, a great field of lignite, where they have veins exposed for 40 or 50 feet; a perfectly marvelous thing. It is a good grade of lignite. It will last under exposure for perhaps 30 days.

If they could do here as they do over on the border line between Alaska and Canada—transform the coal into power at the mine—they could use it most profitably. They attempted to mine that lignite and transport it down the Yukon Valley and found that to be a failure, because the coal would slack in a very short time after exposure; so they have to put up the power plant right at the mine and use the coal as soon as it is taken out, and transport the power to Dawson and all of the mining field around there, and that is a very practical scheme, and it is being done to some extent at the Pennsylvania field now for supplying some of the Pennsylvania cities with power instead of transporting the coal.

After Riggs and Mears got to Fairbanks they came down over this route to Chitina, making a reconnaissance survey over this line that had already been surveyed by the commission of two years ago. Then they

went down over the Copper River road to Cordova, then across over to Seward, and came up over this line again and made an appraisement with Mr. Edes, of the Alaska Northern, and an estimate of the cost of the Portage Bay project. The commission also sent a company of men through the Susitna Valley and through the Alaskan range on the west side of the Susitna Valley over into the Kuskokwim and Iditarod country, which lies to the west of the Susitna Valley about 350 miles. They found a new pass. A reconnaissance survey had been made of that route two years ago, or a partial survey, and it was found that a very heavy grade was the best that could be done. Our party found a new canyon and a new route which made a practicable grade from Susitna Valley over to the headwaters of the Kuskokwim.

The CHAIRMAN. Some of the most valuable land is supposed to be in the Kuskokwim.

Secretary LANE. They do not know about the agricultural land, because that has not been developed much.

The CHAIRMAN. I thought it had been.

Secretary LANE. No; there has been very little done in an agricultural way there, but there are, I believe, some gold placers and two or three small quartz properties.

The commission then had an agricultural survey made of all the lands in the Susitna Valley, of the lands at the headwaters of the Kuskokwim, of the lands around Fairbanks and in the Tanana Valley, and the lands in the Chitina Valley.

In addition, they ran a line from the Chitina Valley at a place called Copper Center westward down into the Matanuska field, so as to see what kind of a grade they could get from the Matanuska coal field eastward to this Copper River road if it were extended up to Fairbanks. They made a reconnoissance survey also out of Valdez over what is called the Richardson road, which is a Government road, to see what kind of grades they could get passing over the range there, and from a point on that road southward through a subsidiary stream down to the Copper River to see if it were possible to get an easier and better and cheaper route to maintain than the present Copper River road, so that it would go something like this [indicating] northward from Copper River and then down into Valdez.

The CHAIRMAN. You speak of the Richardson road—is that the road built by Col. Richardson?

Secretary LANE. Yes, sir; by the United States Government. That road extends all the way from Valdez to Fairbanks.

Mr. GILLETT. That is a highway?

Secretary LANE. Yes, sir; not a railroad. I think that is all that was done, and inasmuch as they could not get to work until the middle of June, which was the first day they could get into the country and work, I think they did exceptionally well.

The CHAIRMAN. They are engaged now in preparing reports of their work?

Secretary LANE. Yes; they are preparing a report on what they have done. Of course, their survey is not complete. Over the Susitna route they have a stake every hundred feet, but they do not know that that is the best possible route that could be made all of the way. That is particularly true when you get into the Mount McKinley country just southwest of Broad Pass. It may be they can find an easier and cheaper route than the one they have already surveyed and staked.

Mr. MONDELL. Did they also make any examination of the route from section 40 or in that locality on the Copper River road to the Bering field?

Secretary LANE. No; they have not attempted to do anything with the Bering River field except to connect up with an old survey.

Mr. GILLETT. How large a force did they have?

Secretary LANE. I think, roughly, 300 men.

Mr. GILLETT. How could they spend so much money?

Secretary LANE. We had a very close analysis made of their cost, and, of course, everything is very expensive, because everything has to be transported up there. There is no road up the Susitna. There is not even a trail through the Susitna Valley. On one side of the valley it is entirely bog and on the other side of the valley it is a forest.

Mr. GILLETT. Is Susitna the name of the river?

Secretary LANE. Yes; the Susitna River goes right through the center of the valley. What we want to do is to be in a position to begin operations in June, wherever we are going, and we want to have some leeway, so that whatever road we determine to purchase, if we determine to purchase any, we will have some kind of a deposit to make on it.

The CHAIRMAN. And before you can start to do anything you must determine whether you are going to purchase one of the roads or not?

Secretary LANE. I think the first thing to do is to determine the route—which side to go up.

The CHAIRMAN. Under the law?

Secretary LANE. Yes; and then the second thing is to determine whether you want to buy any one of the existing roads or not.

The CHAIRMAN. The law provides they shall be purchased at their appraised value?

Secretary LANE. Not to exceed their appraised value; yes.

The CHAIRMAN. So that your purpose now is, after the route is determined, if you decide to purchase one of the roads, to purchase it and then be able to go ahead with the construction work in addition?

Secretary LANE. Yes; so as to get our coal available as soon as possible. That would be my idea.

The CHAIRMAN. That would be the first thing to do?

Secretary LANE. Yes.

Mr. GILLETT. I suppose you can not give us any more in detail what you want to spend this money for?

Secretary LANE. No, because we do not know what road we will buy, or whether we will buy either one.

The CHAIRMAN. Could you furnish us, Mr. Secretary, with a detailed statement of the expenditures already made, and put that in the record?

Secretary LANE. Yes.

(The statement is as follows:)

THE SECRETARY OF THE INTERIOR,
Washington, February 3, 1915.

DEAR MR. FITZGERALD: In accordance with your request to me when I was before your committee the other day with respect to the appropriation for the construction by the Government of railroads in Alaska, I send to you a statement showing the expenditures made by the Alaskan Engineering Commission, in itemized form. This statement may be subject to a slight revision, but in no ways material to the actual amounts shown.

Cordially, yours,

FRANKLIN K. LANE.

Hon. JOHN J. FITZGERALD,
Chairman Committee on Appropriations,
House of Representatives.

Analysis of expenditures made from the appropriation for the "Construction and operation of railroads in Alaska" to Jan. 31, 1915.

Equipment of camps and surveying camps:		
Purchase of surveying instruments	$10,384.92	
Tents and tarpaulins	4,435.92	
Stoves, tools, utensils, and supplies	8,481.12	
Guns and ammunition	357.18	
Cameras and photo supplies	1,308.35	
Blankets and other bedding	3,411.00	
Drugs and medicines	645.76	
Freight	3,061.59	
		$32,085.84
Pack animals and outfits:		
Purchase of pack animals	22,227.00	
Freight—		
Railroads in United States	196.48	
Ocean steamers	2,922.00	
River steamers, Alaska	1,491.35	
Railroads, Alaska (included in ocean freights), lighterage and wharfage	119.00	
Hire of pack animals	5,084.62	
Purchase of pack outfits	4,824.36	
Supplies for outfits	309.77	
Freight	51.13	
		37,225.71
Purchase, maintenance, and hire of boats:		
Purchase of boats—		
Launches	3,249.14	
Other boats	1,066.65	
Repairs and alterations	1,227.52	
Gasoline, oils, grease, and supplies	3,742.60	
Hire of launches	5,107.75	
Berthing boats for winter	126.50	
Freight on boats	545.80	
		15,005.96
Salary and wages:		
Commissioners and office force—		
Field season	17,609.89	
After close of field service	12,519.00	
Field employees, including temporary service after close of field service	156,983.96	
Employees in Alaska, left in custody of live stock and other property after close of field season	1,850.00	
		188,962.85
Stationery and drafting supplies:		
Purchase of stationery and technical supplies for both office and field, including typewriters and certain instruments not segregated	5,156.84	
Freight	344.42	
Advertising	50.92	
		5,552.18
Subsistence:		
Primary cost of provisions	35,614.64	
Freight	4,682.76	
Hotels and restaurants—		
In United States	2,406.88	
In Alaska	5,155.23	
Other subsistence items	1,044.65	
Per diem in lieu of subsistence	7,463.00	
		56,367.16
Subsistence and care of pack animals:		
Hay	13,274.94	
Freight	1,511.93	
Oats and other grain	4,587.26	
Freight	281.17	
Salt	49.93	
Stabling and care of pack animals—		
During field season	579.85	
Contracts for wintering	2,021.84	
Medical attendance and medicine	119.80	
Shoeing	606.25	
Shoes and nails	418.33	
Freight	27.92	
		23,479.22
Storage and rent of offices and warehouses:		
In Alaska	443.39	
In United States	947.10	
		1,390.49
Telephone and telegraph:		
Telephone	251.87	
Telegraph	224.57	
		476.44
Passenger transportation:		
Railroads, United States—		
Railroad fares	2,526.23	
Pullman fares	647.40	
Trolley	4.90	
Railroads in Alaska	3,144.05	
Fares for water travel—		
Ocean steamers	17,209.95	
River steamers, Alaska	6,660.60	
Launches, Alaska	728.90	
Automobiles, Alaska	204.00	
Automobiles, United States	128.00	
		31,254.03
Furniture:		
Purchase of furniture	651.25	
Rent of furniture	39.21	
		690.40
Medical attendance and hospital bills		296.85
Drayage:		
In Alaska	207.00	
In United States	65.73	
		272.73
Total		293,059.92
Costs per mile.		
Total expenditures to Jan. 31, 1915		$393,059.92
Less cost Kuskokwim reconnoissance		14,872.00
		378,187.92

By charging the balance of all expenditures against the 1,070 miles of accurate surveys an average is obtained of $353.45 per mile.

The total cost of the Kuskokwim reconnoissance, as nearly as can be estimated without an exhaustive examination of account, but which will be found to be exceedingly close, is $14,872. With a survey of 726 miles, the average cost per mile is $20.48.

The cost of equipment is found to be $58,044.63, of which about 75 per cent is still available. To this should be added provisions on hand estimated at between $4,000 and $5,000.

Equipment	$58,044.63
Less depreciation and loss of 25 per cent	14,511.14
	43,533.49
Add provisions on hand	4,000.00
	47,533.49
Total cost of accurate surveys	378,187.92
Less equipment and supplies on hand	47,533.49
Balance	330,654.43

In round numbers, $330,700.

By giving the above credit to amount expended it is found that the cost of accurate surveys is about $309 per mile.

Summary in miles of line surveyed.

Final location	122.86
Preliminary surveys	875.99
Valuation surveys	70.8
Reconnoissance surveys (Kuskokwim)	726
Total	1,795.65

DEFINITIONS.

Final location: Lines ready for the construction engineer carefully marked on the ground with curves fully defined.

Preliminary surveys: Lines marked on the ground which, in connection with accurately taken topography, are used as bases from which to plan location.

Valuation surveys: Existing trackage rerun and measured, quantities measured, and a valuation placed on all improvements.

Reconnoissance: Exploration surveys to determine route possibilities. Grades and elevations determined by less refined methods than in preliminary surveys. All quantities estimated only approximately.

The ALASKAN ENGINEERING COMMISSION,
Washington, D. C., February 2, 1915.

Mr. GILLETT. I suppose whether you buy or not, in either case you expect to go on and begin construction work this summer, do you not?

Secretary LANE. Yes. We can not do anything on either side of Prince William Sound that will be of consequence unless we have enough money to pay something down on one of the roads, if we determine to buy one of them, and do some construction work; and, of course, there will be a considerable preliminary investment necessary for the doing of any construction work.

The CHAIRMAN. Do you mean that if you are to do any work during the coming season, commencing in June, from the information you have, an appropriation of $2,000,000 is necessary?

Secretary LANE. I do.

The CHAIRMAN. In addition to what you have on hand?

Secretary LANE. In addition to what we have on hand.

The CHAIRMAN. What would you say as to appropriating $1,000,000 instead of $2,000,000, so that you would have about $1,500,000?

Secretary LANE. That would not give you enough to do anything, if you were compelled to buy, or if you saw fit to buy, any of the roads.

The CHAIRMAN. If you determined to buy one of the roads and you made your arrangements to buy one of them, that would be all you could do with such an appropriation. You could not do any construction work?

Secretary LANE. You could not do any construction work.

The CHAIRMAN. So that part of the season would be lost for that purpose?

Secretary LANE. Yes.

Mr. GILLETT. Mr. Secretary, would there be any particular loss, aside, of course, from the postponement of the project, if nothing should be appropriated now, and the matter should be permitted to go over for another year?

Secretary LANE. Of course, the loss of time would be a very vital consideration with the people there.

Mr. MONDELL. Does the fact that no surveys were made to the Bering field indicate that the commission were of the opinion that the probability was that you would first want to utilize Matanuska coal?

Secretary LANE. I think this is the significance of that, that the Bering survey that has already been made is a very good and satisfactory one. The country is almost level, running from Controller Bay up, and they know approximately the amount of work that will have to be done on that route. I think you could almost begin work on that this year with the surveys we already have.

Mr. MONDELL. That were made——

Secretary LANE (interposing). That were made by the Copper River people; that were made by Ryan, and by our old Board of Engineers.

The CHAIRMAN. Mr. Secretary, we had an expedition to Alaska which brought back some coal that was tested out for the Navy, and my recollection of the report is that the coal clinkered so badly that it was stated that it would not be possible to use it for Navy vessels. Now, am I correct in supposing that there has been another test made with different results?

Secretary LANE. Yes, sir.

The CHAIRMAN. Can you tell us what the results of the test were?

Secretary LANE. Yes, sir. The practical outcome of the last test is the decision that for naval purposes this coal is as good or about as good as Pocahontas coal.

The CHAIRMAN. Was that coal taken from the same coal field?

Secretary LANE. It was taken from the Matanuska field.

The CHAIRMAN. The field from which the other coal was taken?

Secretary LANE. I do not remember whether there were two tests of coal taken from the Matanuska field or not, but one test was made of Bering River field coal, and that was a very poor test, so I am led to believe. It was a very poor test, because the coal was very much mixed up with clay and foreign matter. The result of that test was an adverse report. In the Matanuska test I am rather inclined to think—although this is hazy in my memory—but I am inclined to think that there was a body of Matanuska coal taken out at one time upon which there was an adverse report, but there was a very small amount of it. The last report, however, upon the Matanuska coal was very favorable.

The CHAIRMAN. That early report I had in mind led to the conclusion that Alaska coal was unsuitable for the purpose.

Secretary LANE. Yes, sir.

The CHAIRMAN. It led to the conclusion that Alaska coal was unsuitable for use in Navy vessels; and then my attention has been called to the fact that there has been a more recent test, the results of which were very different from those of that preliminary test.

Secretary LANE. I can send you a copy of that report.

The CHAIRMAN. We will be glad to have it.

NAVY DEPARTMENT, SUMMARY REPORT ON TEST OF MATANUSKA COAL.

Port test, seven days: All coal, ash, and clinker were weighed, one boiler was used, forced draft was necessary on two days. Run-of-mine coal was used for five days, slack for one day, and lump coal for one day. There were no casualties. Coal burned very freely. Firing was very good, the analyses of flue gases giving rarely below 9 per cent of CO_2. There was little clinker, but the ash was several per cent higher than with the Pocahontas coal. Draft was good and coal burned with bright yellowish flame. Coal coked very nicely; the coke was friable and very easily worked by the firemen. Fires 6 inches to 8 inches thick were carried most of the time, although occasionally they were heavier. The ash fused into clinker on the grate bars; generally about 2 inches thick, medium weight, porous, a little tough and hard while hot but friable when cold. The clinker had a little ash mixed throughout the mass. It stuck a little to the bridge wall, but not seriously. The soot deposit was about 25 per cent more than with Pocahontas coal. The soot was a little different from that of the Pocahontas as the granules appeared as minute fused grains. The load during this week of test would ordinarily have required two boilers burning Pocahontas coal.

Four-hour forced draft: Fires thin; dampers partly closed. Fires burned brightly; work of firing very easy on account of ease of breaking up the coke. Furnaces one mass of yellowish flame. Not an excessive amount of ash formed. The men, on being questioned, all said it was the easiest 20-knot run they had ever made.

Twenty-four hour 15-knot test: Started with 12 boilers, but necessary to cut out 4 boilers to get the highest efficiency. Coal burned with greatest ease, forming a very easily worked coke, not an excessive amount of ash or clinker, and in general appeared easier to handle than Pocahontas coal. CO_2 analysis generally high, over 9 per cent. Fires, carried 6 inches to 8 inches thick, were always glowing, ash pans bright, and the furnaces a mass of yellowish incandescent flame. Coal burned like pine knots. The amount of clinker was not excessive, was more or less easy to work and very friable when cold. Fires were noticeably hot. Amount of soot made was a little higher than is usually made by good Pocahontas coal, about 10 per cent more.

Ten-knot test: Started with six boilers, but it was found necessary to cut out two boilers to give greatest efficiency. This power was more than ample, as at times there were four evaporators in use. Fires were very easily worked; the coke broke up easy; clinker was not very hard; bright, level fires from 6 inches to 8 inches thick and sometimes thicker were carried, and CO_2 was generally high.

General remarks: There was very little foreign matter. The slack appeared to burn better than the lump. No evidences of gases being given off from the coal during the test. The noticeable characteristic of this coal is friability. Lumps pulverize very easily.

PORT TEST OF 7 DAYS.

Coal.	Total tons.	Gallons water evaporated.	Pounds coal per gallon.	Ash.	Efficiency.
				Per cent.	*Per cent.*
Pocahontas	94.291	248,610	1.168	11.04	100
Bering River	136.391	247,783	.811	36.6	69.4
Matanuska	116.185	305,446	1.177	15.8	100.8

4-HOUR FORCED DRAFT, SPEED 20 KNOTS.

Coal.	Total tons.	Ash.	Smoke by scale.	Knots per ton.	Indicated horsepower.	Pounds per indicated horsepower.	Steaming radius.	Average efficiency.
		P. ct.						*P. ct.*
Pocahontas	79.1	8.8	2.4	1.02	20,820.3	2.09	2,367.8	100
Bering River	127.3	38.8	1.5	.60	13,992.3	5.32	.....	.....
Matanuska	85.484	18.67	2.8	.93	19,929.15	2.32	2,002.2	91

15 KNOTS—24-HOUR TEST.

Pocahontas	153.155	7.6	1.25	2.38	7,083	2.01	4,781	100
Bering River	160.3	35.0	.60	1.09	7,600	4.98	2,372	43
Matanuska	157.212	14.59	1.99	2.29	6,142.37	2.15	4,796.3	96

10 KNOTS—48-HOUR TEST.

Pocahontas	137.325	10.5	1.18	3.515	2,134	3.08	7,077	100
Matanuska	118.582	15.67	1.86	3.37	2,686.527	3.09	7,160.6	98

The board found that this sample of Matanuska coal tested is suitable in every respect for use in the naval service.

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DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Experiment Station, Pittsburgh, Pa., December 17, 1914.

Subject: Report on tests of Matanuska coal on U. S. S. *Maryland.*

The DIRECTOR: The following is Mr. Flagg's report upon the tests of Matanuska coal aboard the U. S. S. *Maryland.*

INSPECTION AND LOADING.

Upon the *Maryland's* arrival at Bremerton a visit was made to the coal dock, where some 7,700 sacks of the coal were stored under cover. On account of the receipt of a letter from the Bureau of Steam Engineering stating that preliminary tests at Annapolis indicated high ash content and instructing that the necessary preparation be given the coal, a preliminary inspection was made to gain some idea as to the quality of the coal. Rough determinations of the ash contents of the different sized parts of a sample taken from six bags at random failed to show any excessive percentages of ash, so the coal was loaded onto the lighters and placed in the ship's bunkers.

During the loading of the lighters a shovelful of coal was taken from every fifth bag and retained for a sample. This sample (of about 3 tons) was worked over and one can retained. From the same sample a portion (about 800 pounds) was taken for a sizing test. The percentages of the different sizes, the analyses of the samples of the several sizes, and the analysis of the general sample are given in attached sheets.

SEVEN-DAY PORT TEST.

The port test was begun as soon as one lighter of coal had been taken on. The load during part of the test period was heavy, but was carried throughout the test on one boiler. Fires were cleaned every 12 hours, by which time about 2 inches of clinker had formed. The clinker was medium weight, rather porous, and dark colored, with small pieces of light-gray ash mixed in with the fused portion. The clinker stuck some to the bridge wall, but not enough to cause serious trouble, and did not stick to the grates at all. In the furnace the clinker could be broken fairly easily; when cold it was brittle and easily broken.

During the port test the gas analyses showed 10 to 12 per cent CO_2 with probably three-tenths to four-tenths per cent CO. The effort was to carry fires 7 to 8 inches thick, but they were heavier much of the time, thus accounting in one way for the presence of CO.

The soot formed was comparatively free from tarry matter, and hence did not adhere to the tubes as much as does that from Pocahontas coal, although the amount of soot formed by the Matanuska coal was more than with Pocahontas.

The figures for the evaporation, on account of the difficulties incident to the measurement of the feed water, can only be considered approximate at best. The figures obtained during the port test showed an evaporation equal to or a little better than was obtained during the test with Pocahontas coal made by the *Maryland* in 1913.

On the last two days of the port test the use of screened coal was tried. The coal for this purpose was screened on the lighter alongside the dock. One day all of the coal remaining on a 4-mesh screen was used, and on the other that which passed through the screen. The only trouble experienced with the finer coal was that the natural draft was not quite strong enough to maintain the required rate of combustion at all times.

TWENTY-KNOT TEST.

The excellent steaming properties of this coal were plainly shown in this test. For a time it looked as if it would be possible to make the turns for 20 knots without putting on the blowers, but it was not done. With about three-fourths inch pressure of air in the firerooms, however, there was an abundance of steam, and steam could be raised to the popping-off pressure at any minute. This condition obtained throughout the four-hour test, and at its close the fires were still in excellent steaming condition.

FIFTEEN-KNOT TEST.

For the 15-knot test 12 boilers were lit up, but soon after the test was started 2 of these were put out and later a third. During the remainder of the test the turns were kept up most of the time with 8 boilers working and the ninth banked. Difficulty in maintaining the desired steam pressure with the 8 boilers was experienced only at times of cleaning the fires, and then only when the fires were cleaned too soon after each other. For cruising at this speed it has been the practice to use 10 boilers with eastern coal.

TEN-KNOT TEST.

Six boilers were lit for this run, but one was banked almost at the start of the test, and later it was cut out. About two and one-half hours after the test started a second boiler was banked, and this was cut out when the test had been in progress nine hours. During the remainder of the test four boilers only were used, these furnishing plenty of steam to make the proper number of turns and keep the regular auxiliaries going. For this speed the practice has been to use six boilers with Pocahontas coal. So far as is known, the *Maryland* has never before made turns for 10 knots with only four boilers in use.

GENERAL.

The coal as stored on the dock was dry but was wet on the lighters after they were placed alongside the ship. Neither on the dock nor in the bunkers was any tendency to heating noticed. The coal was almost entirely free from lumps, but, for the most part, was not objectionably fine.

It is a very friable coal, has moderate coking tendency, and is excellent for steaming purposes. The volatile matter appears to be fairly easily driven off but is not difficult to burn.

From the standpoint of smokelessness the coal is also very desirable. Under natural draft the stack observations ranged between No. 0 and No. 3 (Rengelmann chart), averaging somewhat above No. 2. Under forced draft during the four-hour run the smoke averaged about the same but showed less of the heavier smoke. The smoke is somewhat less in density than that from Pocahontas, and it is not as black.

Both officers and men cooperated heartily with the bureau's engineer throughout the test, and this cooperation was one factor contributing to the success of the tests.

Very truly, yours,

(Signed) O. P. HOOD,
Chief Mechanical Engineer.

Mr. SHERLEY. Mr. Secretary, I want to go a little further into the inquiry made by Mr. Gillett—that is, whether there is any other reason, further than the loss of time, why it would not be advisable to fail to make an appropriation at this time. You spoke of negotiations for some roads and also of the fact that the people up there were anxious to get their roads built. Of course, that is an anxiety that has existed for some years.

Secretary LANE. I do not know what other reasons could be given for any kind of improvement except the need of it for the development of the country. This enterprise has been embarked upon, and it strikes me that it would be wise for us to do something upon it. Now, the expectation was, or, rather, they thought we should have some five or six million dollars for expenditure this year, and I think the bill as originally brought in contemplated some very large expenditures. I should say that $2,000,000 is as small an amount as you could well spend this year, if you are to do anything at all. Certainly, if you are to buy any road and pay anything down on that road, we could not have much left for building anything.

Mr. SHERLEY. In the event that you built and did not buy, would the building open up a good deal of territory that otherwise would not be opened up?

Secretary LANE. Yes, sir; and did not buy?

Mr. SHERLEY. And did not buy.

Secretary LANE. We would open up a good deal of territory in any event.

Mr. SHERLEY. I understand; but what I had in mind was this, whether the building would simply mean practically the paralleling of one or the other of those roads or whether it would mean a route remote enough from either one of those roads to give that much additional transportation facilities to Alaska.

Secretary LANE. If we build on the west side, from Ship Creek up, it will be all new territory; and if we build on the east side, from Chitina up, it will be all new territory, as it is not contemplated—at least, not in my mind—to build a road competing with either one of the existing roads, unless we find that they are not reasonable as to terms.

Mr. STAFFORD. Mr. Chairman, I voted reluctantly in favor of the Alaskan railroad bill. At that time it was a question of whether there was any coal in either the Bering or the Matanuska fields that would be of value to the Navy. Since that vote was taken it has been proven positively by the tests made by the Navy Department that the coal in the Matanuska field is of superior quality and as good as that of the Pocahontas coal used by the Navy.

The question before the committee is whether we should try to develop and reach the Matanuska field. Under the Alaskan railroad bill authority is vested in the President to purchase, if he determines, at a price not to exceed the appraised physical value, any existing railroad. The survey has been made and $350,000 in round numbers has been expended. They are now waiting to go ahead with the project. Undoubtedly the Alaskan Northern Railroad, which is built from Seward north 71 miles within 70 miles of the coal field, can be purchased at a reasonable value.

We left it to the President to determine whether it is more economical to purchase the existing road or build an additional one. There have been surveys made as to the building of a separate line to reach the Matanuska field, and everything awaits the decision of the President. Certainly it can not be claimed that whether we should build the entire road to Fairbanks or build on to the existing line from its terminus is a legislative question. That must be determined by the Secretary of the Interior and the President. I do not think there is anyone here who questions the good faith and the honesty of purpose of the Secretary and the President.

Now, why do they need $2,000,000? They do not contemplate the purchase with $2,000,000 of any existing line of railroads. It is necessary to deposit a substantial amount toward the purchase of one of the lines.

The gentlemen opposing the proposition to-day are those who opposed the original bill. That is not fair; for, by the action of Congress, it was determined that a certain policy should be adopted to extend these roads or build the road to reach the coal field; and it is not fair for those who opposed the original policy to hamstring it with no provision at all.

It is a business proposition. The Navy Department comes here and says that there has been coal discovered of high value that will save the Government hundreds of thousands of dollars in the transportation; and there is not a person, when he passes on that question, but what would say that that was a sufficient argument to vote for this proposition to give the President the authority to carry out the purpose of the law.

Oh, you can readily hold the matter up and suspend it in the air, saying that we will chloroform the project by withholding all appropriations entirely. But after Congress has passed on the project, has voted in favor of the measure, I do not believe that we should attempt to stab it indirectly by withholding appropriations. That time is past. It is the same Congress that passed on the project originally, and this is only in furtherance of the project by voting the necessary appropriation.

Secretary Lane, in the hearings, said it was proposed originally to recommend $7,000,000 or $8,000,000, but he curtailed it to $2,000,000, the lowest possible amount, so as to have sufficient for a bonus or part payment in case they determined to purchase one of these lines.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. HOUSTON. Mr. Chairman, this presents simply a plain business proposition for the Congress to look at now. The matter of building a railroad or railroads in Alaska has already been passed upon and determined by this Congress. The Con-

gress has expressed its view and it has enacted a law that railroads shall be built in Alaska within certain limitations, and has also provided that a certain amount of money shall be expended for that purpose. The President is given the power to locate this road and to determine where it shall run from the southern coast of Alaska into the interior. In that same law he is given the power to purchase other railroads in getting a connecting line from the seacoast into the interior if he finds that he can make a business deal with the owners there that will be advantageous and that would be a good bargain for him to make for the Government. He has that power. You have already given him that power. It is no longer a question to be considered. The question now is an appropriation of $2,000,000 for the purpose of carrying out a thing already decided upon. It occurs to me that is a very small amount to ask for, because we all know that the season for building railroads in Alaska is necessarily limited. We know that if we are going to get any work in there in 1915 the more money they have to do what can be done the better progress can be made, and there is no economy in having a small amount appropriated in view of the fact that you have to expend a certain amount to build your railroads, and your time is short. It is economy to avail yourself of whatever means you have and to do it quickly. There is much more to justify the building of the road now than there was when the bill was passed.

One of the great features that was contended for by the advocates of that bill was the benefit that this Government could get from the coal that was in Alaska. It had been claimed that tests had been made, and that it was not good for naval purposes. It was insisted by the Committee on the Territories that had investigated the matter that there was coal there admirably fitted for naval purposes. Since that time the test has been made, and the report is that it is as good as the best. What time could there be when we might be more in need of coal for naval use on the Pacific coast than right now, and the sooner we get that coal the greater the benefit will come from it. This railroad was not provided for for the purpose of buying a railroad or of enabling anybody to sell a railroad. The legislation was passed for the purpose of building railroads to develop Alaska. The President was given the power, if in his judgment he saw fit, to buy other lines in making this main line. If he is going to buy a railroad, give him the means to carry out the deal. If he is going to construct one, then give the President, through such agencies as he shall appoint, money enough to go to work to build the road. That is a mere business proposition. There is no business man who can look at it in any other light than that it is economy to amply supply the President with such means as he can make available within the season that is now coming on. We have had some temporary surveys made. The report has not yet been made as to what the surveys are. If they are sufficient for the President to decide where he will build the road, then he will construct it if necessary. So far as I am concerned, I am in hopes that he will not buy many miles of railroad. There is the Copper River Railroad of 186 miles, and I hope that he will not buy that, for the simple reason that Alaska already has that railroad, and the object of this legislation was to supply Alaska with railroads. I want this money expended in building other miles of railroads, so that Alaska may be developed. [Applause.]

Mr. GILLETT. Mr. Chairman, I am heartily in favor of the motion of the gentleman from Georgia [Mr. TRIBBLE] to strike out this section. I made the same motion in the committee, and if no one else had made it I would have made it here. But I have tried several times to come to the rescue of the Treasury, and my advances have not been received on that side of the House with the cordiality which my disinterested purpose deserved, and I hope, now that the motion comes from the gentleman from Georgia, it will receive better attention. I base my reason on the fact so graphically and correctly stated by the gentleman from Georgia, that the country to-day is bleeding at every pore and I do not think we ought to bleed it any further. This Congress, despite its condition, is putting the knife in deeper and deeper, and more and more copious streams of blood are coming out, and you are not doing as we did when we bled the Treasury. You are not supplying new blood, new revenue, to come in and take the place of that which is extracted. But there is a deficit staring us in the face. I have said it so many times I do not like to say it again, and I know you still less like to hear it again, but now is the time to dispense with luxuries and satisfy ourselves with necessities, and it seems to me this railroad is not a necessity. The only argument that was brought before us in our hearings which indicated that this money really was needed this year was the suggestion that one of the railroads might be purchased, and now perhaps was a more advantageous time than any other because otherwise it might be sold to somebody else or developed. But I suspect that the Secretary who told us that was not thoroughly informed, because I have heard from several sources that that railroad has been bankrupt for a long time. They have been trying to sell it, and it can not be sold, and they are looking to find a purchaser and it probably will not be sold. Certainly human nature would indicate that when there is a possibility of the Government paralleling it nobody is going to purchase that road until we have determined what the Government is going to do. So it does not seem to me there is any pressure now to get that railroad. If we are not going to get that, I see no reason for haste.

In regard to the coal fields that the gentleman from Wisconsin speaks about, they have found excellent coal there, but whether it is so located and whether it is not so broken it would not be available for commercial use has yet to be decided. The mere fact that they have found specimens of excellent coal does not show that it is merchantable coal and that the railroad will ever bring it out in useful amounts.

Mr. STAFFORD. Will the gentleman yield?

Mr. GILLETT. No; I have not the time. Now, I think the gentleman stated a very fair argument that those who are opposed to this railroad in general ought not now on that ground to combat it; but it is not on that ground I place my opposition, though I admit I was one of those who were strongly opposed to building this railroad by the Government. I did not think it was a good investment for the Government. I do not believe it will ever be remunerative. I think it will be extremely costly and extravagant. But I recognize the House voted for it. The House, I assume, still is in favor of it, but that is not the argument which I suggest. The ground on which I to-day place my opposition is the same ground on which I have opposed other appropriations in this bill. There is no necessity for this expenditure, and here is a saving of $2,000,000, which the Treasury sadly needs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I presume the proper thing to do is to make the appropriation now, since we have passed the bill; but whenever anybody has any old junk in the shape of a railroad or a lot of rotten ships to sell and they can not sell them to anybody else they come to Congress and get a law passed authorizing the Government to buy them. That is what we are doing now. That is what the Senate is trying to do now—to pass a bill to buy ships. We passed a bill to buy a railroad, and we are undoubtedly going to buy it. When this bill was up for consideration a great many men in the House said that we were going to build railroads in Alaska to prevent the monopolists from controlling Alaska and from preventing highway robbers from charging freight rates that were beyond reason, and they named the Guggenheims and others. I think I recall saying on that occasion that if any of these men had violated the law they ought to be arrested, prosecuted, and put in jail, not favored by money from the Government with which to buy railroads.

If we are going to build railroads to develop the coal fields, we ought to build our roads, not buy junk and not relieve men who are already overridden with mortgages from the burdens which they are carrying with means obtained from the Treasury of the United States. Every city in America to-day is witnessing the spectacle of men in the public service either being discharged or reduced from $1,200 to $1,000 a year because of the lack of funds with which to pay them, and yet we go on and appropriate money and empty the Treasury at the expense of the blood, bone, and sinew of the men who are at work in these great departments of the Government. We have no thought or consideration, but we go on with our reckless waste and extravagance and appropriate money to build railroads and buy junk in the shape of streaks of rust in the form of railroad tracks, and junk in the form of ships that are being wasted, tied up at the docks, with no money in the Treasury, and yet continue to tax the overburdened idle people of America in order that the administration may have its way. The American people are going to speak upon this question if they have not already spoken. The time is coming that you will hear what they have to say. There is no public sentiment for this character of expenditure, no public sentiment whatever, and I regret that we are pledged under the law that is already enacted to appropriate this money to authorize the purchase of roads which the men who favored the enactment of the law denounced when the bill was under consideration during the last session of Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WICKERSHAM. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] made the statement that the Delegate

from Alaska, when the Alaska railroad bill was originally under discussion, declared that surveys along the proposed routes had been actually made and all that was necessary was to choose the route.

Mr. MADDEN. I said I understood so.

Mr. WICKERSHAM. Well, the Delegate from Alaska was interrogated about that matter at very considerable length when making his statement in support of the original bill, and the gentleman from Illinois was probably justified in his understanding, because the Delegate from Alaska did at that time say that each one of those proposed routes had been surveyed.

One of them had been surveyed for the route of a Government military wagon road, and the other had a preliminary survey line run over it for a railroad; and upon interrogation by different Members of the House I went into that matter and explained quite fully and according to the facts. The RECORD will show how fully, but no statement was made that the surveys for a railroad had been completed, and that the only act remaining was to choose the route.

The gentleman from Illinois [Mr. MADDEN] reminds me that when the original bill was before the House he said that if transportation men, and specially mentioned the Guggenheim interests, had violated the laws of the United States relating to monopoly and extortion in respect to transportation in Alaska they ought to be arrested, prosecuted, and punished, and not favored by the purchase of their roads.

Mr. MADDEN. I say so now.

Mr. WICKERSHAM. I have the pleasure to inform the gentleman from Illinois that since the date when he said that the United States District Court at Juneau, Alaska, did that very thing—found them guilty and then fined them $25,000 upon their plea of guilty. They admitted the charges made against them, and which I repeated on the floor of the House at the time mentioned, and came into court and paid their fines. The Alaska railroad bill is doing much good in many ways, and Alaska is confident that it will yet do much more.

Mr. Chairman, some gentlemen in the House seem to be greatly excited over the thought that the President of the United States may purchase the Copper River & Northwestern Railway, often called the Guggenheim Railroad, in Alaska. I am surprised at gentlemen on that side of the House pointing the finger of suspicion at President Wilson and Secretary Lane, and suggesting that in some way or other they are going to fail to live up in good faith to the purposes of the Alaska railway act, which authorizes the President to locate and construct railroads in Alaska, and that the administration will fail to do its duty, but will purchase the Guggenheim railroad. And if I did not misunderstand the gentleman from Georgia [Mr. TRIBBLE], he declared that that was the purpose of the appropriation of this $2,000,000.

Now, if I did misunderstand the gentleman, I apologize. If I did not, I challenge his statement. It is not true. There is no man on the floor of this House who knows what route the President will yet choose. He has not yet said to the country what, in his judgment, is the best route over which to build the railroad authorized by the act. The only evidence we have on that score is the evidence of Secretary Lane, stated in his testimony before the subcommittee of the House Committee on Appropriations. There he asked for $2,000,000, and stated that less than one-half of the original million appropriated had been expended.

On the next page of this testimony, all of which the gentleman from Oklahoma [Mr. DAVENPORT] will put in the RECORD, he is asked this question by Mr. MONDELL:

> Are you still considering, Mr. Secretary, the possibility of entirely new construction?

Secretary Lane said, "Yes."

> Mr. MONDELL. I mean new construction for the entire distance.
> Secretary LANE. For the entire distance; yes.

Now, it is true that in his statement he said, "Of course, if we bought the Cordova road it would depend upon the terms we could get," and so forth. But in no part of his statement does he say that it is the intention to buy either the Copper River or the Alaska Northern Railroads; nor is there any official statement from the President or anyone that it is the purpose to buy the Guggenheim road; and I am just as justified as the gentleman from Georgia when I assert that it is not intended to buy that road. The testimony of the Secretary is that this appropriation of $2,000,000 is to be used for new construction, although Secretary Lane does say that the President may negotiate for the purchase of one of the present roads if the President thinks it advisable.

And the gentleman from Georgia [Mr. TRIBBLE], in a most eloquent statement, described the conditions of the Government finances and declared that they are being so rapidly reduced that there is a need to limit appropriations. He asserted that the Government finances are being dissipated, that the body politic is bleeding at every pore, and for a Member from that side of the House he certainly made a frank attack on the financial policy of this administration. Aided by the gentleman from Massachusetts [Mr. GILLETT], he makes out a strong case of blood letting on the part of the administration which he so ably assisted into power and which is now attempting by progressive legislation to open the door to development without monopoly in Alaska.

Let me say to the gentlemen who are so excited over the thought that the building of the Alaskan railroad will further diminish the lifeblood of the Nation that Alaska is producing what you say is running so rapidly out of the body politic, to wit, gold. Here is the report of the collector of customs of the Territory of Alaska for the year 1914, and it shows that in that year Alaska produced gold to the amount of $14,729,906. It shows also that in 1914 the people of Alaska purchased merchandise from the merchants of the United States to the amount of $21,610,860. The imports of Alaska for 1914 were $25,849,944, and the exports $44,614,696. The total trade with the United States was $70,464,640. We sent you copper, $3,365,342; canned salmon, $17,906,215; and gold, $14,729,905.

Let me show you how that affects the railroad for which this appropriation is being made. The output of gold from the Seward-Valdez-Cordova region—the coast terminal region of the road—for the year 1914 was $1,491,248, while the people there purchased merchandise from the United States of the value of $4,039,705, a total from that end of the proposed railroad for the year of $5,530,953. The output from the Fairbanks end of the road for 1914 was: Gold produced, $6,399,315; merchandise purchased from the United States, $2,978,640; a total of $9,377,955. Both ends of the proposed line in 1914 produced gold and bought merchandise of the total value of $14,908,908. Every dollar of that sum came into the channels of trade in the United States, and it will be greatly increased by the building of the road for which the appropriation is being made.

Some inquiry is also made as to the amount of mineral wealth which Alaska has produced since its purchase in 1867. Senate Document No. 882, Sixty-second Congress, second session, contains the details of this and other trade values of Alaska prepared by me up to 1911. It shows that to that date Alaska's sea and fur products amounted to $222,710,036, while the mineral products amounted to $206,813,594. The report of the collector of customs for Alaska for 1914 shows that for the years 1912, 1913, and 1914 the mineral products—gold and copper—amounted to $55,726,065, which added to the total to 1911 makes a total for mineral products in Alaska from 1867 to 1914 of $262,539,659. The amount of the sea and fur products is even larger, and the grand total of the products of Alaska for the period from 1867 to 1914 is more than $550,000,000.

If the gentlemen from Georgia and Massachusetts want to stop the financial body in the United States from "bleeding at every pore," as they described it, let them study the Alaskan trade reports and assist in pushing this railroad to completion, and Alaska alone will fill the United States with the golden lifeblood in such quantity as to make such pleas more laughable in the future than they are now.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

Mr. WICKERSHAM. Mr. Chairman, I ask leave to extend my remarks in the RECORD by adding thereto the annual report of the collector of customs of Alaska for the year 1914.

The CHAIRMAN (Mr. HUGHES of Georgia). If there is no objection, it is so ordered.

There was no objection.

The report is as follows:

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
OFFICE OF THE COLLECTOR,
Port of Juneau, Alaska, January 25, 1915.

This report of the general trade relations of the Territory shows satisfactory results and evidences a substantial growth. The increase of business over the previous year indicates that had Alaska not been materially affected by the general commercial depression which retarded some important developments, reduced the price and production of copper and certain fish products, this year's transactions would have been the greatest in its history.

Imports and exports of foreign gold and silver, and most of the exports foreign, as shown below, are in transit. The other items cover the real trade of the country.

Commerce of Alaska.

	Calendar years—			
	1911	1912	1913	1914
IMPORTS.				
Merchandise from the United States	$15,169,149	$21,992,761	$21,689,690	$21,610,860
Merchandise from foreign ports	519,221	925,034	751,173	662,994
Gold and silver from foreign ports	3,520,170	3,840,546	4,320,985	3,576,090
Total imports	19,208,540	26,758,341	26,761,848	25,849,944
EXPORTS.				
Merchandise to the United States	19,318,859	24,793,886	22,252,942	25,427,873
Merchandise to foreign ports	1,174,393	1,452,955	1,141,660	1,006,518
Domestic gold and silver to the United States	14,699,694	16,031,705	12,959,266	14,729,905
Foreign gold and silver to the United States	3,353,361	3,704,173	4,306,591	3,450,400
Total exports	38,546,307	45,982,719	40,660,459	44,614,696
Grand total of imports and exports	57,754,847	72,741,060	67,422,307	70,464,640

The following table of Alaska's products entering into commerce shows these interesting features: The greatest export of canned salmon and a marked increase in fish oils, precious metals, and marble.

The value of fur shipments by mail, amounting to $182,084, was received too late to be shown in the table. This amount added to the value shown below gives the proper total.

Value of domestic merchandise and gold and silver shipped from Alaska to the United States.

Articles.	1911	1912	1913	1914
Copper ore and matte	$2,898,885	$4,904,715	$3,765,132	$3,365,342
Fish:				
Salmon, canned	13,136,980	15,551,794	13,349,438	17,906,215
Salmon, all other	502,134	907,242	1,074,483	750,512
All other fish and fish products	478,497	589,529	1,032,274	908,921
Fish fertilizers	63,439	41,662	53,657	51,463
Fish and whale oil	170,991	283,339	243,096	310,344
Furs	816,850	728,554	672,633	610,401
Gypsum	124,200	129,375	129,375	107,347
Marble	49,455	77,159	92,588	119,796
Tin ore and concentrates	41,830	90,831	72,734	71,400
Whalebone	20,551	18,012	80	
Other merchandise	852,758	1,000,261	1,188,834	1,226,132
Gold and silver	14,699,694	16,031,705	12,959,266	14,729,905
Total	33,856,264	40,354,178	34,693,590	40,157,778

Comparative statement of domestic merchandise and gold and silver shipped from Alaska to the United States for 6 years previous to 1911.

1905	$22,065,733
1906	30,759,159
1907	27,682,263
1908	30,299,788
1909	31,686,112
1910	28,660,279

Gold and silver shipped to the United States.

Judicial divisions.	1911	1912	1913	1914
First	$3,730,264	$4,040,858	$3,586,164	$4,177,069
Second	3,246,498	3,138,881	2,239,057	2,662,273
Third	404,861	734,507	592,008	1,491,248
Fourth	7,318,071	8,117,459	6,542,037	6,399,315
Total	14,699,694	16,031,705	12,959,266	14,729,905

The following table of passenger movement indicates the travel, by regularly established routes, to and from the district and the Yukon Territory. Tourists and cannery employees bound for remote places are not included.

The Eagle and Dawson movement shows the local frontier travel, which must not be considered with the general account, as the greater number of those passengers arrived or departed from Ketchikan or St. Michael and have been accounted for in their returns:

Passenger movement.

ARRIVALS FROM THE UNITED STATES AND BRITISH COLUMBIA.

Routes.	1912	1913	1914
Southeastern, southern, and western Alaska	20,645	21,963	23,822
Nome, St. Michael, and Bering Sea	2,067	1,795	1,491
Total	22,712	23,758	25,313

Passenger movement—Continued.

DEPARTURES TO THE UNITED STATES AND BRITISH COLUMBIA.

Routes.	1912	1913	1914
Southeastern, southern, and western Alaska	18,502	21,376	22,645
Nome, St. Michael, and Bering Sea	3,375	2,974	1,893
Total	21,877	24,350	24,538
Arrivals at Eagle from Dawson	594	914	785
Departures from Eagle to Dawson	935	1,448	1,102
Total	1,529	2,362	1,887

An indication of the industrial progress of the Territory is found in the quantity of merchandise imported from the States. Developments and operations in the southeastern division were very active during the first half of the year, and had they continued a very interesting return would have been made; the result, however, shows a satisfactory increase over the previous year. The southern division makes some improvement, but the divisions where the great gold placers are located have met with the natural decline due to the exhaustion of the more easily exploited deposits.

Comparative statement showing value of merchandise shipped from the United States to the different divisions of Alaska.

Divisions.	1910	1911	1912	1913	1914
Southeastern Alaska	$5,256,325	$5,492,416	$9,769,224	$9,725,472	$11,075,532
Southern Alaska	4,538,225	3,246,464	4,321,689	3,979,178	4,039,705
Bering Sea, etc	4,150,679	2,919,456	4,168,934	4,200,520	3,516,983
St. Michael and Yukon River	3,506,359	3,510,813	3,732,914	3,784,520	2,978,640
Total	17,431,588	15,169,149	21,992,761	21,689,690	21,610,860

The tables following give the value of merchandise shipped to Alaska from the United States for the year 1914, segregated as to place of consignment, with comparative statements for five years, and general customs transactions by ports.

J. F. PUGH, *Collector of Customs.*

Value of merchandise shipped from the United States to southeastern Alaska.

Beauclerc	$28,471
Burnett Inlet	32,650
Cape Edwards	35,269
Chatham	66,069
Chichagof	75,900
Chilkoot	42,938
Chomly	94,788
Craig	63,320
Dolomi	10,415
Douglas	495,432
Dundas	43,082
Excursion Inlet	141,770
Funter Bay	93,414
Georges Inlet	13,418
Glacier	46,389
Gypsum	18,694
Hadley	31,730
Haines	274,273
Hawk Inlet	50,574
Heceta	22,105
Hidden Inlet	47,397
Holbrook	10,237
Hoonah	71,202
Hunters Bay	50,527
Hydaburg	13,958
Jualin	73,640
Juneau	4,017,710
Kake	41,955
Karheen	40,400
Kasaan	92,933
Kensington	10,086
Ketchikan	1,548,228
Killisnoo	34,755
Klawack	48,583
Klukwan	1,918
Lake Bay	41,650
Loring	126,655
Metlakatla	17,490
Moira Sound	35,399
Naket Inlet	14,296
Petersburg	246,556
Point Ellis	38,246
Point Ward	43,255
Porcupine	2,534
Port Armstrong	21,343
Quadra	52,136
Roe Point	65,439
Rose Inlet	88,531
Santa Ana	45,409
Shakan	61,707
Sitka	167,451
Skagway	390,561
Sulzer	17,498
Taku	80,452
Tee Harbor	49,778
Tenakee	14,944
Tokeen	30,320
Treadwell	1,002,372
Tyee	5,954
Wards Cove	44,419

Warm Chuck	$3,069
Waterfall	45,684
Wrangell	355,558
Yes Bay	82,596
Total	11,075,532

Comparative statement of principal places in southeastern Alaska.

Name.	1910	1911	1912	1913	1914
Douglas	$362,290	$357,467	$484,798	$473,901	$495,432
Haines	274,953	248,700	343,205	290,894	274,273
Juneau and Thane	745,822	655,182	1,417,910	3,240,681	4,017,719
Ketchikan	564,894	711,144	1,454,783	1,250,878	1,548,228
Loring	116,284	159,463	142,307	120,521	126,655
Petersburg	236,627	238,075	353,379	341,170	246,556
Sitka	212,000	171,138	143,654	218,101	167,451
Skagway	275,738	225,785	709,529	369,799	390,561
Treadwell	1,321,739	1,061,545	890,453	1,024,027	1,002,372
Wrangell	245,820	248,627	526,727	419,761	355,558
All other places	880,158	1,415,290	3,302,479	1,975,739	2,450,736
Total	5,236,325	5,492,416	9,769,224	9,725,472	11,075,532

Value of merchandise shipped from the United States to southern Alaska from Yakutat to Unalaska and Dutch Harbor.

Afognak	$19,549
Akutan	21,966
Alitak	41,997
Chignik	150,294
Chisana	17,534
Chitina	130,273
Cold Bay	7,519
Cooks Inlet	60,563
Copper Center	4,875
Cordova	783,834
Ellamar	88,450
Hope	31,106
Illiama	13,833
Karluk	77,823
Katalla	24,062
Kenai	115,623
Kennecott	115,729
King Cove	120,714
Knik	237,472
Kodiak	113,433
Latouche	205,550
McCarthy	97,719
Northwest Harbor	4,718
Orca	70,369
Ouzinkie	1,485
Pavlof	6,973
Pirate Cove	22,895
Portage Bay	7,916
Port Graham	47,291
Port Wells	16,257
Sand Point	23,501
Sannak	8,639
Seldovia	52,278
Seward	302,888
Ship Creek	26,880
Strelna	2,532
Susitna	32,366
Unalaska	51,599
Unga	73,720
Uyak	60,392
Valdez	658,302
Yakataga	2,665
Yakutat	86,121
Total	4,039,705

Comparative statement of principal places in southern Alaska.

Name.	1910	1911	1912	1913	1914
Chignik	$319,298	$307,273	$488,681	$277,339	$150,294
Chitina	8,602	63,502	106,740	109,553	130,273
Cordova	2,071,007	775,981	888,155	832,067	783,834
Ellamar	34,862	25,960	42,584	86,453	88,851
Karluk	129,511	174,480	178,151	130,703	77,823
Katalla	85,395	73,803	71,412	47,861	24,062
Kodiak	81,436	69,390	123,586	111,489	125,841
Latouche	66,823	66,687	83,715	106,323	217,958
Orca	55,687	57,163	69,066	69,989	70,369
Seward	230,206	230,095	278,061	231,704	315,296
Uyak	30,164	42,605	87,958	104,019	60,392
Valdez	805,295	685,203	563,609	716,944	670,710
All other places	619,939	624,262	1,339,971	1,154,674	1,436,074
Total	4,538,225	3,246,464	4,321,689	3,979,178	4,039,705

Value of merchandise shipped from the United States to all places on Bering Sea and Arctic Ocean, except St. Michael.

Bethel	$55,303
Bristol Bay	1,227,787
Candle	46,799
Cape York	37,286
Council	47,506
Cripple Creek	13,486
Deering	37,445
Dickson	12,246
Gambell	1,171
Colovin	76,024
Icy Cape	1,512
Igloo	1,162
Keewalik	12,826
Koggiung	201,136
Kotzebue	79,936
Kuskokwim	2,196
Naknek	1,782
Nome	$926,808
Nushagak	350,823
Point Barrow	34,047
Point Hope	3,726
Port Moller	103,521
Pribilof Islands	36,066
Shungnak	13,332
Sinuk	1,236
Solomon	93,354
Tacotna	28,449
Teller	60,803
Unalakleet	9,215
Total	3,516,983

Comparative statement of principal places, Bering Sea and Arctic Ocean.

Name.	1910	1911	1912	1913	1914
Bristol Bay	$1,833,579	$1,153,359	$1,820,829	$1,774,890	$1,227,787
Candle	79,054	53,534	68,346	70,925	46,799
Deering	41,827	23,710	90,891	66,967	37,445
Golovin	77,010	43,899	77,010	109,759	76,024
Kvichak	63,870	127,901	63,870	220,208	.....
Nome	1,145,758	1,060,995	1,279,396	1,223,599	926,808
Teller and Port Clarence	13,363	48,450	65,877	41,232	60,803
All other places	896,218	407,610	702,715	692,940	1,141,317
Total	4,150,679	2,919,456	4,168,934	4,200,520	3,516,983

Value of merchandise shipped from the United States to St. Michael and the Yukon Basin.

Anvik	$17,297
Beaver	1,444
Bettles	26,974
Chatinika	4,690
Chena	14,984
Circle	74,986
Dikeman	47,304
Eagle	65,142
Fairbanks	1,304,556
Fort Yukon	20,039
Fortymile River	3,812
Hamilton	7,959
Holy Cross	23,426
Hot Springs	158,308
Iditarod	323,343
Innoko	14,324
Kaltag	6,740
Kokrines	1,578
Koyukuk	25,572
Louden	3,200
Marshall City	1,874
Minto	2,846
Mountain Village	1,809
Nenana	4,041
Nulato	12,776
Ophir	4,354
Rampart	19,523
Ruby	169,262
Russian Mission	4,462
St. Michael	387,492
Stevens Village	4,882
Tanana	199,716
Tofty	7,571
Tolovana	9,080
Yakakaket	3,184
Total	2,978,640

Comparative statement of principal places in Yukon district.

Name.	1910	1911	1912	1913	1914
Chena	$120,799	$120,589	$159,217	$101,788	$14,984
Eagle	75,198	25,672	47,637	33,364	65,142
Fairbanks	1,096,550	895,101	1,391,025	1,280,506	1,304,556
Hot Springs	51,529	83,830	67,032	115,490	158,308
Iditarod	241,179	523,234	286,770	482,189	323,343
Ruby	.....	13,784	201,444	289,750	169,262
St. Michael	1,544,101	1,458,616	989,968	854,373	387,492
Tanana	170,926	186,422	213,509	241,317	199,716
All other places	206,077	201,565	376,262	385,743	355,837
Total	3,506,359	3,510,813	3,732,914	3,784,520	2,978,640

Statement of number and tonnage of vessels entered and cleared for the year ended Dec. 31.

DOMESTIC TRADE.

Port.	1913				1914			
	Entered.		Cleared.		Entered.		Cleared.	
	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.
Ketchikan	721	390,698	652	371,996	736	424,630	709	400,630
Wrangell	14	10,373	7	2,218	5	2,251	8	2,386
Juneau	13	19,685	16	17,878	10	27,729	14	23,189
Skagway	9	8,532	19	19,635	.....	.....	3	4,396
St. Michael	8	10,475	8	8,749	9	12,369	1	2,112
Nome	21	35,461	25	45,011	15	25,670	20	30,343
Unalaska	13	8,902	7	609	12	5,827	15	5,425
Cordova	5	7,153	15	22,705	6	9,941	17	27,534
Sulzer	8	2,787	21	16,016	12	6,866	23	13,668
Total	812	493,066	770	504,817	805	515,283	810	509,683

Statement of number and tonnage of vessels entered and cleared for the year ended Dec. 31—Continued.

FOREIGN TRADE.

Port.	1913				1914			
	Entered.		Cleared.		Entered.		Cleared.	
	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.
Ketchikan	234	157,480	204	123,812	253	148,925	228	129,356
Wrangell	25	9,296	20	2,881	33	2,020	35	2,451
Juneau	3	4,382	1	1,985	2	2,090	.....	.....
Skagway	1	1,377	.....	.....	1	1,495	.....	.....
Eagle	71	31,665	74	32,373	52	19,508	52	19,988
St. Michael	.....	.....	1	78	.....	.....	.....	.....
Nome	22	8,297	18	6,004	25	1,754	22	3,782
Unalaska	2	4,729	1	55	4	4,466	2	476
Cordova	.....	.....	.....	.....	1	2,080	.....	.....
Sulzer	7	280	8	427	7	65	10	797
Total	365	217,506	327	167,617	378	182,403	349	156,850

Recapitulation of customs business for the year ended Dec. 31, 1914.

Port.	Vessels entered.		Vessels cleared.		Entries taken.	Vessels documented.	Total vessels entered.	Total vessels cleared.
	Foreign.	Coastwise.	Foreign.	Coastwise.				
Ketchikan	253	736	228	709	122	183	989	937
Wrangell	33	5	35	8	118	84	38	43
Juneau	2	10	.....	14	93	152	12	14
Skagway	1	.....	.....	3	567	.....	1	3
Eagle	52	.....	52	.....	102	3	52	52
St. Michael	.....	9	.....	1	2	24	9	1
Nome	25	15	22	20	44	62	40	42
Unalaska	4	12	2	15	6	30	16	17
Cordova	1	6	.....	17	.....	15	7	17
Sulzer	7	12	10	23	1	23	19	33
Forty Mile	.....	.....	.....	.....	34	.....	.....	.....
Total	378	805	349	810	1,089	576	1,183	1,159

List of officers and employees in the Alaska customs service.

Name.	Title.	Station.
J. F. Pugh	Collector	Juneau.
C. D. Garfield	Special deputy collector	Do.
M. S. Whittier	Deputy collector and inspector	Do.
D. A. Meek	Stenographer and typewriter	Do.
Geo. M. Simpkins	Deputy collector and inspector	Do.
Milson S. Dobbs	Deputy collector in charge	Ketchikan.
Geo. W. Woodruff	Deputy collector and inspector	Do.
F. E. Bronson	Deputy collector in charge	Wrangell.
Fred J. Vandewall	....do	Skagway.
G. G. Miller	Deputy collector and inspector	Do.
J. J. Hillard	Deputy collector in charge	Eagle.
John L. Abrams	....do	Forty Mile.
John Elden	Deputy collector and inspector	Do.
Edwin R. Stivers	Deputy collector in charge	St. Michael.
R. W. J. Reed	....do	Nome.
N. E. Bolshanin	....do	Unalaska.
Geo. Kennedy	....do	Cordova.
Chas. A. Sulzer	....do	Sulzer.

Mr. SHERLEY. Mr. Chairman, may I inquire how much time is remaining?

The CHAIRMAN. Twenty minutes remain.

Mr. BARTLETT. Mr. Chairman, I did not support the proposition for the Government to engage in railroad building and operation in Alaska, as I would not support a proposition for the Government to engage in that business anywhere. I did not believe it was a governmental function, and I do not believe so yet. However old-fashioned that idea may be, I expect to hold to it for some time, at least so long as I have my faculties of reasoning about it and reflecting upon what I have studied and read and the conclusions I have arrived at upon that subject.

But it is not because I opposed that bill, nor is it because I opposed that policy, that I shall support the amendment to strike out this provision of $2,000,000 or vote for the amendment of the gentleman from Oklahoma [Mr. DAVENPORT] to make it $1,000,000. That project can wait. The expenditure of large sums of money upon this project can wait for a year; it can wait until a more propitious season and a more propitious time, when we can be enabled, by reason of an improvement of the present condition of affairs prevailing, by which our revenues have been reduced, to supply the necessary money to carry out this project.

Why, nothing has been done, so to speak. True, they have spent a large sum of money, some $330,000, in making the survey, but even yet they have got no report. They have a verbal statement from these people who have gone up there and driven stakes and gone over the land, but they have no written report about what the cost will be.

Mr. HOUSTON. Does not the gentleman understand that the engineering commission are now preparing a report, and that they have not yet completed it?

Mr. BARTLETT. I do not deny that.

Mr. HOUSTON. They can not file it until it is completed.

Mr. BARTLETT. They have not had the time or the energy to complete it, or they have not devoted their time to it, I do not know which. They have not yet made a report upon which Congress can act, so that Congress can ascertain what they have done and what they expect to do. Yet we are asked now, simply because this may be a favorite project, to carry out somebody's policy, to appropriate this large sum of money, when we do not know what they have done or what they propose to do. We do not know what the expenditures may be in the future. I have made no misstatement about it. We have not yet, says the Secretary, got the completed report, nor in fact any report in writing.

I do not know anything about it, except what the Secretary testified before the Appropriations Committee. He said we have not got any report in writing.

It is proposed now to embark on this unusual and, in my judgment, unnecessary and improper policy of the Government engaging in this sort of business, to show that we are so anxious to spend the money of the Government.

Mr. HOUSTON. I want to ask if the gentleman does not realize that there is nothing involved in that report except the mere matter of location?

Mr. BARTLETT. Oh, well, it is important to know how much money is to be required, and they do not know.

The CHAIRMAN. The time of the gentleman from Georgia has expired. The gentleman from Washington [Mr. BRYAN] is recognized.

Mr. BRYAN. I yield to the gentleman from Illinois to make a brief statement.

Mr. MANN. I want to make this statement, if I may: When the Alaska Railroad bill was brought into the House, it provided for the sale of bonds to pay for the cost of the railroad. We struck that out in the House. I did what I could to have it go out, and we took that action, with the statement that we would provide by appropriations for the necessary construction and so forth of the road as we went along. And I feel under a moral obligation myself, and I think the House is under a moral obligation to make this appropriation, and such others as are necessary for the road, within the original limit of cost. [Applause.]

Mr. BRYAN. Mr. Chairman, I think there is no one on this floor who doubts the absolute sincerity of the gentleman who is the senior member of the minority on the Appropriations Committee [Mr. GILLETT] when he makes this statement that he would like to strike this appropriation from this bill. We all like him, and we know he is sincere. We also like the distinguished gentleman from Georgia on the other side of the House [Mr. BARTLETT], who, I understand, would also like to strike this appropriation from the bill.

I call the attention of this House to the fact that only yesterday the same distinguished gentleman from Massachusetts [Mr. GILLETT] moved to strike from this bill the appropriation of $3,000,000 that was given to the Interstate Commerce Commission for the physical valuation of the railroads of this country, and in that motion had the support of the gentleman from Georgia [Mr. BARTLETT]. I suppose in doing that Mr. GILLETT expressed the position that he would take in case the Republican Party were in power and he was the chairman of that committee. I do not know. I suppose he would be loyal to his ideas. But when it came to a vote here on this floor on a division there were only 13 Members who were with the gentleman from Massachusetts. There were only 13 who would stand for the striking out of the appropriation for the physical valuation of the railroads.

Mr. BARTLETT. We were few in numbers, but a very select company. [Laughter.]

Mr. BRYAN. A very select and bright and shining company, and the gentleman from Georgia [Mr. BARTLETT] is one of the most able, and I think perhaps the most able, of that entire company, being equaled in ability only by the gentleman from Massachusetts.

I wish also to call attention to the fact that when this Alaska bill was passed there was an amendment offered in the Senate providing for not less than $10,000,000 or more than

$20,000,000 for the building of ships to engage in ordinary merchant shipping, and not less than a dozen Senators—one Progressive, nine Republicans, and two Democrats—voted for that ship-purchase bill over there. That shows that there was no objection at that time on the part of these gentlemen to the idea of Government ownership or to the principle of Government ownership of the Alaska railroads and of ships; and when they object now to the principle of Government ownership as applied to ships or as applied to the Alaska railroad they are inconsistent and do not pursue the same course that they pursued when that bill was before them. The inexplainable inconsistency some display is beyond my power to understand. The people are going to want to know why such glaring inconsistencies exist.

Mr. BARTLETT. May I suggest to the gentleman that he does not mean, of course, to say that I voted for Government ownership of anything.

Mr. BRYAN. Oh, no; I said in the other House. While the gentleman is eminently qualified to represent his State in that other body, I referred to the action of the Senate and not to anything that took place here.

If this project had been a matter of private ownership and the building of the Alaska Railroad by a private corporation, undoubtedly by this time they would have issued $100,000,000 of bonds for the water boys of Wall Street and $100,000,000 of stock for the cash of the widows and orphans and another $100,000,000 of stock for bonuses, and I do not doubt at all that the Yukon River would have been diverted from its course, and the water of the Yukon would have been turned into the stock issues of the Alaska Railway enterprise, after we had given to them all the land they wanted, and all the town sites and coal deposits they wanted, and all the other natural resources they would have demanded. I am glad this Congress has to go on record again for Government ownership of railroads. We are going to show to the world that the Government can build a railroad economically. We are going to show the railroad builders of this country a few tricks in the matter of the building of railroads in Alaska. We will show them that their pretended capitalization of $60,000 a mile is an absolute farce, and that the Government can construct railroads much more cheaply than they have constructed the other lines in this country, and can keep out the water and can operate them cheaply, too. [Applause.]

Mr. WHITE. Mr. Chairman, it is well known that I opposed as vehemently as I could the bill for building the railroad in Alaska. I thought it was ill advised and bad policy, and I have not changed my mind since. I agree with what the gentleman from Illinois said, that the House is to a certain extent under obligation to pass this appropriation for $2,000,000 as carried in the bill.

Anyone reading in the supplemental hearings the testimony of the Secretary of the Interior must see that the Secretary intends to recommend to the President the purchase of one of the existing railroads in Alaska. I believe he should be given the money to take advantage of the bargain, if there are any bargains in Alaska, to make a payment on an option in the next six months or a year in buying one of the railroads.

Still reserving my opposition to the whole proposition, I expect to vote for this $2,000,000. The argument of the gentleman from Alaska presents us with the fact that the Matanuska coal fields have been found to have better coal than we hitherto supposed, and that this road will probably be projected through to the Matanuska coal field, and on the ground that it will hasten the day when in the winter we will have cheap coal and in the summer cheaper ice I expect to vote for the appropriation. [Laughter and applause.]

Mr. SHERLEY. Mr. Chairman, I do not think there is any doubt in the mind of anybody as to the situation touching the building of the Alaskan railroad. Certainly I have no desire to leave the committee under any false impression. I believe that it is very likely the President will see fit to buy one of the existing railroads in Alaska, and I think if the terms are proper he would be very foolish not to do so.

I do not believe that we could possibly justify the building of a parallel line to an existing railroad just for the sake of having the Government build the line. Now, if the line determined upon happens to be over a route that is already partially equipped with a railroad, common sense would indicate that we should buy the railroad already there, if it can be bought on reasonable terms.

With that situation confronting us, it would be manifestly unwise and improper not to provide the President with funds sufficient to take advantage of any proper offers that might be made.

We have determined the broad, basic question of policy. We have decided to build a railroad in Alaska, whether wisely or unwisely, that is behind us.

Now, there are some things that a legislative body can properly do and do better than can be done by any individual. Those things that properly belong to a legislative body are things relating to a policy. But when it comes to the execution of the policy, when it comes to the administration, then the very numbers of a legislative body disqualifies it from wisely determining what to do.

This Congress very wisely left to the President the carrying out of the policy which it had determined—the building of a railroad in Alaska. Now, when he comes to us and says conditions are such as to warrant an appropriation of this amount of money being made at this time, to say that unless we know the particular route and the exact amount of money to be expended we will not make the appropriation is to undertake to determine what this House can not determine, no matter what information is given it; the very size of the body prevents its giving a judgment of as much value as that of an administrative officer charged with the responsibility of seeing the work done.

Aside from this, we committed ourselves to this appropriation by providing that Congress should control the appropriations in lieu of a bond issue. For us to undertake to stop the work would be to exhibit bad faith, after the House, upon the assurance that was given, particularly by the Committee on Appropriations, when we voted in favor of the alternative plan of annual appropriations rather than a bond issue. I believe in carrying out the agreement, and I think it is up to the House to appropriate the money.

A good deal has been said about the condition of the Treasury. I recognize that we ought not to be as prodigal now as we might feel disposed at other times to be; but if the logic of the gentleman from Massachusetts was carried to its legitimate end, we would simply refuse to pass the sundry civil bill at all or we would cut out nine-tenths of the things in it, because of lack of any real necessity, which he says is a test. Most things which the Government does could be dispensed with and we would still live and get along; but you have to keep some proper perspective, and we are not in such a situation as to warrant us in stopping everything because it requires an appropriation.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired. The first question is on the amendment offered by the gentleman from Oklahoma to perfect the text by striking out "$2,000,000" and inserting "$1,000,000."

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Georgia to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including transportation and other expenses, $70,000.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. About five years ago the Committee on the Territories made a very thorough investigation of the subject of the insane in Alaska. At that time it was found that the conditions that obtained with regard to the insane there were not all that could be desired. As I recall, persons who were adjudged insane in Alaska at that time had to be confined in the jails for days and weeks, and even months, before transportation facilities could be had to bring them, I think to the State of Oregon, where they were cared for in some private institution by contract. Congress then authorized the construction of a building to care for the insane in Alaska, and I would like to ask the gentleman from New York what has been done with regard to improving the conditions there regarding the care of the insane, if anything?

Mr. FITZGERALD. Mr. Chairman, there has not been any complaint to the committee about the condition of the insane there. I think perhaps conditions have been improved somewhat.

Mr. GOOD. Was the building that was authorized ever constructed?

Mr. FITZGERALD. I think not. My recollection is that it was not.

Mr. GOOD. Then we still bring the insane from Alaska down to some place in the States?

Mr. FITZGERALD. Yes.

Mr. GOOD. And take care of them under contract?

Mr. FITZGERALD. They take care of them in an institution in Portland, the Morningside Asylum, under contract.

Mr. WICKERSHAM. Mr. Chairman, the inquiry made by the gentleman from Iowa [Mr. GOOD] relates to a bill that was

passed about four years ago for the erection of two dentention hospitals in the Territory of Alaska—one to be erected at Fairbanks and another at Nome. Those detention hospitals were erected under a special appropriation from the Committee on Territories for the purpose of accommodating insane persons and detaining them locally pending their transportation to the hospital in Oregon, where they are permanently maintained under authority of the United States. Those detention hospitals have been built in Fairbanks and Nome. They are each large, commodious, and well adapted to the use for which they were constructed. They are under the care of the United States marshal, who is authorized to employ a guard, who receives $200 a month for taking care of them, but there has never been an insane person detained in either of them yet.

I ask leave to extend my remarks in the RECORD by attaching thereto a letter which I wrote recently to the Attorney General about this matter.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. GOOD. When were the buildings completed?

Mr. WICKERSHAM. About 18 months ago, or nearly two years ago.

Mr. GOOD. Have they been accepted?

Mr. WICKERSHAM. Yes.

Mr. GOOD. Why is it they are not used for that purpose?

Mr. WICKERSHAM. I do not know.

The CHAIRMAN. Is there objection?

There was no objection.

The letter referred to is as follows:

WASHINGTON, D. C., *January 6, 1915.*

The ATTORNEY GENERAL,
Washington, D. C.

SIR: By the act of June 21, 1910 (36 Stat. L., 852), authority was given and appropriation made for the erection of a detention hospital for the temporary care and detention of insane persons at Fairbanks, Alaska, and at Nome, Alaska; the sum of $25,000 was appropriated, and after a long period of waiting the hospitals were finally completed. Both places are now finished and are in first-class shape for the purpose which Congress intended them in the act mentioned.

Your attention is also called to the report of the governor of Alaska to the Secretary of the Interior for 1914 and to page 29, where you will find this statement:

DETENTION HOSPITALS.

"The work of erecting and equipping detention hospitals for the temporary care of the insane at Nome and Fairbanks, which was begun in August, 1913, was completed during the year. These hospitals were authorized by act of Congress, approved June 25, 1910, but no appropriation has been made for their maintenance, and therefore they have not fulfilled the purpose for which they were intended. The detention hospital at Nome is particularly a necessity, as the remoteness of that place prevents the transportation of insane persons to Morningside Sanitarium at Portland, Oreg., after the close of navigation, or from about November 1 to June 15; hence the need of the hospital for such cases as may develop during the closed season of navigation. This condition applies in part to the detention hospital at Fairbanks, although patients are not infrequently transported during the winter season to Morningside Sanitarium, but they must be conveyed by stage a distance of 375 miles, and thence by rail and water routes to their destination, at a high cost."

While these two hospitals have been waiting occupancy for more than a year the poor, sick, and insane persons at Nome and Fairbanks are still confined in the dirty, foul-smelling, old jails at those places.

Herewith I inclose three photographs, made by Dr. Sutherland, who has charge of the health of insane and other persons in the jail at Fairbanks. These photographs show the exact condition of the room in the attic of the dirty wooden jail at Fairbanks in which insane women are kept when they are so unfortunate as to get into the clutches of the United States at that place. The garret seems to be cut into three rooms, a sitting room 10 feet 9 inches by 14 feet, where the height of the ceiling is less than 8 feet at the highest point, sloping with the roof to the floor. The sleeping room is 12½ feet wide by 14 feet long, with the same kind of a sloping roof, with one window and a door, and then there is a storeroom having no windows. The sleeping room opens off this storeroom only at one side, and the sitting room opens off on the other, and both the sleeping room and sitting room have an outlet to the jail below, down a little trapdoor, and there down a narrow stairway to the jail.

In this stinking hole the United States of America keeps the insane women who fall into their clutches at Fairbanks, Alaska. It is a disgrace to the Department of Justice that such a condition may continue to exist. Some innocent woman who becomes insane is arrested as if she were guilty of a crime and chucked into one of these dirty holes over this old, rotten, foul-smelling jail filled with the stench and curses of prisoners and kept there for months at a time. I am familiar with the situation, and myself have seen women sitting at the front window trying to get a little fresh air. It was after looking at places of this kind for 10 years that I introduced the bill for the building of the detention hospital at Fairbanks. No effort was made for years by those responsible for the care of these people to procure the building of this institution, although it was greatly needed. It was not until last year that the parties responsible for putting up the building were forced to do so, and, now that it is constructed, more than a year has gone by and the Department of Justice has refused to permit those who are unfortunate enough to be insane to be confined in the detention hospital provided by the act of Congress. Gov. Strong calls attention to the situation, and says that the reason the insane persons are not confined at this detention hospital at Fairbanks is that no appropriation has been made for their maintenance and therefore they have not fulfilled the purpose for which they were intended.

Your attention is called to the fact that by the last clause of section 2 of the act of June 21, 1910, Congress provided that "the said hospitals after their erection and equipment shall be under the charge and control of the United States marshal in the division where situated, and the maintenance thereof shall be paid in the manner and from the same fund as the expenses of United States jails under the same marshal is paid." While I was in Fairbanks this summer I discovered the hospital was not being utilized for the purpose for which it was erected, but that it was being occupied by a caretaker who was getting $200 per month for watching it. I was also informed that it was used for raising chickens, and I have a photograph which I attach hereto, with an accompanying letter, which shows the chickens which have been slaughtered in the back yard, hanging by their heels to the front posts of this detention hospital.

The department authorizes the expenditure of $200 a month for watching this building, and if that $200 was utilized in addition to the amount which the department spends for the maintenance of this filthy attic in the dirty jail you would have money to maintain the hospital. Certainly conditions would be very much better under those circumstances than in the jail. Assuming that you take the bed out of the jail, as shown in these pictures, and put it in the new hospital, and assuming that you expend the same sum of money for employing the same officers at the new building that you do at the jail, and assuming that you add thereto the $200 per month which you now pay a caretaker, and the amount you now expend for heat at the hospital would keep the hospital building warm enough to care for the insane in a better way than to confine them in violation of law and in violation of all humane ideas in the jail. It is a shame and a disgrace to the Department of Justice that such a condition is allowed to exist at Fairbanks, and I am sure that when your attention is called to it you will correct the evil.

I call your special attention to the statements made on the back of the three large photographs. The statements are made in the handwriting of Dr. J. A. Sutherland, who has charge of prisoners and insane persons in the jail. He says to you over his official signature that this foul-smelling hole in the garret is a veritable fire trap; that all the windows are heavily ironed, and the only means of egress from the upper story is by means of the staircase down a trapdoor into the jail. He also says that female prisoners and female insane persons are confined in these rooms; that the middle room in the attic contains the only bath in the jail, which is used by both men and women, and gives you the number and photographs of the window and doors. Certainly, the Department of Justice will not continue this vile arrangement when Congress has approved and designated a humane way of caring for the poor women whose only fault is that they are insane.

I have tried every way I could for years to get the United States marshal at Fairbanks to treat these insane women there with common decency and humanity, but it is impossible, and without the Department of Justice shall take this matter up and do what Congress has ordered to be done, they will continue to be kept in this hole, which is not only detrimental to their health and their sense of modesty but is a constant menace to their lives.

I respectfully request the Department of Justice to give this matter immediate consideration and that it give instruction to the United States marshal at Fairbanks to occupy the detention hospital for the purpose for which it is built, even if you have no more money than you now expend upon it. Will you please advise me of your action in this matter?

Before sending this letter I have shown it to Hon. MARTIN D. FOSTER, House of Representatives, who was largely responsible for the passage of the bill for the erection of these hospitals in Alaska.

Respectfully,

JAMES WICKERSHAM,
Delegate from Alaska.

Mr. WICKERSHAM. I wish to add that poor, sick, and insane women are yet mistreated by confinement over the foul jail in Fairbanks, Alaska, by the Department of Justice.

The Clerk read as follows:

Yosemite National Park, Cal.: For protection and improvement, construction, and repair of bridges, fences, and trails, and improvement of roads other than toll roads, including not exceeding $2,700 for maintenance and repair of horse-drawn passenger-carrying vehicles for use of the superintendent, supervisor, resident engineer, and employees in connection with general park work, $75,000.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 110, line 17, after the word "work," change the comma to a semicolon and insert:

"The Secretary of the Interior is authorized to accept patented lands or rights of way, whether over patented or other lands in the Yosemite National Park, that may be donated for park purposes."

Mr. FITZGERALD. Mr. Chairman, on that I reserve the point of order.

Mr. GOOD. Mr. Chairman, I will say that the amendment is subject to a point of order. I have taken it, however, verbatim from the provision that is contained in the following paragraph of the bill except the name of the park. This amendment would simply give to the Secretary of the Interior the power to accept gifts or donations of lands and roads to be used for park purposes. As I understand, in the Yosemite National Park there are about 1,000 acres of land owned by private persons, and yet that land is within the boundaries of the park. Such ownership would prevent a general scheme of improvement of the park by the Government. If any of those private owners desired to set up some kind of business or occupation that might be injurious to the operation of the park or conduct a business on private-owned land within park boundaries that would not be permitted on Government land, they could do it and the Government would be powerless to prevent it. I understand that public-spirited citizens are willing to contribute lands from time to time to this park. They ought to be permitted to do so.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN. Mr. Chairman, this land that is owned by private individuals is similar in character to the park land?

Mr. GOOD. Similar in character, as I understand it.

Mr. MANN. As I understood the gentleman's amendment, it simply provides that if those people are willing to give the land to the Government, the Government officials are authorized to take it free of charge?

Mr. GOOD. Yes; absolutely without any charge on the part of the Government whatsoever. It is the same provision that is contained in the next paragraph of the bill.

Mr. MANN. I can not see why there should be any objection to that as long as it is the same character of land and works in with the park land.

Mr. GOOD. It is within the boundaries of the national park and of the same general character, and if not acquired by gift some day the Government may want it badly enough to purchase it. The Secretary of the Interior should have permission to accept donations of this land, if such donations are made.

Mr. FITZGERALD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

HOWARD UNIVERSITY.

For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than $1,500 shall be used for normal instruction, $65,000.

Mr. SISSON. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SISSON. The point of order is that this appropriation is not authorized by law.

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. FITZGERALD. Mr. Chairman, for 30 years Congress has been contributing to the support and maintenance of the Howard University. It is an institution incorporated by act of Congress to educate the colored people of the country. It has departments of law, medicine, and theology. Without the aid the Government gives it the institution can not continue. I have not been able to put my hand on the specific act which authorizes appropriations by Congress. Some other gentlemen may have been able to do so. I believe the appropriation should be made, and I think it would be very unfortunate if it is not made.

Mr. SHERLEY. Mr. Chairman, with the permission of the Chair, without discussing the point of order, I would like to say a word or two, if the gentleman will reserve the point of order, upon the appropriation itself.

Mr. SISSON. Mr. Chairman, I have no objection to reserving the point of order for a statement from the gentleman from Kentucky, but I would not want to prolong a discussion of the subject. I will reserve the point of order.

Mr. SHERLEY. Mr. Chairman, I have no desire to delay the committee with any lengthy speech, but I do desire to say a word or two in the hope of inducing the gentleman from Mississippi [Mr. SISSON] to withdraw his point of order. I am not prepared, Mr. Chairman, to say that as an original proposition I should have favored the establishment of the Howard University; neither am I prepared to say that I am in full accord with all of the methods of instruction there, or that I have as much belief in the results flowing from an attempt at the higher education of the negro as I should like to have. But I recognize that one of the greatest problems that has ever confronted a people is brought about by virtue of having a large number of people of a different and inferior race among a superior race, and that the problem can not be shirked by those of the superior race; and as a southern man, with the southern viewpoint upon the race problem, with considerable doubt as to the efficiency and the benefits that flow from much of the education offered the negro, I am not willing to close the door of hope in his face, and I am not yet willing to say that I believe that education for him is time and money wasted. I should peculiarly regret having this administration of my party in any way responsible for lessening the educational efforts which are now being made on behalf of the negro. Some of the work that the Howard University is doing is of unquestionable value, that particularly of the medical college. I believe that it is of tremendous importance to the negro, and of almost equal importance to the white man, that he should be made to realize the need for hygiene, for cleanliness of life, for the control of contagious diseases, and I think that any effort that serves to educate, even though it be in a limited way, negro men in medicine, with modern ideas of living, is of great value to the country and of almost equal value to the white people as it is to the negroes themselves.

Now, the Howard University is not a Government institution and does not depend entirely upon Government funds, but it is the only institution of its kind in this part of the country, and it does receive considerable benefit from the appropriations made by the Congress. For us now to deny these appropriations would be seriously to cripple that institution and would be to do a distinct harm, in my judgment, to the negro race. I do not believe that it would in any sense reflect the judgment of the white people of the South. I appreciate that the gentleman from Mississippi has a very proper view against appropriations by the Federal Government to institutions that are not governmental, and yet because of the peculiar circumstances surrounding this and because of the misunderstanding that it would lead to as to the true southern viewpoint touching the negro race, I hope he may find it possible not to make the point of order and to permit this appropriation that has been made for so many years in the past to be made.

I do not desire further to detain the committee, but I feel it would be unjust to myself and to the people whom I have the honor to represent if I did not reflect what I believe to be their viewpoint. The South is expending vast sums of money in undertaking to educate the negro, and while the results are not always what we would have them I do not believe there is any considerable body of men anywhere in the South who desire in any way to curtail this movement to help the negro forward to a broader, higher, better vision, and thereby make him a better citizen of the country. [Applause.]

Mr. MONDELL. Mr. Chairman——

Mr. SISSON. Does the gentleman want——

Mr. MONDELL. If the gentleman is going to make the point of order, I hope he will reserve it; I would like to make a few remarks.

Mr. SISSON. How much time does the gentleman desire, two or three minutes?

Mr. MONDELL. Well, four or five minutes.

Mr. SISSON. Mr. Chairman, I withhold the point of order for five minutes.

Mr. MONDELL. Mr. Chairman, I hope the gentleman from Mississippi will consent to withdraw the point of order. I desire to remind him that my understanding is that it was a Democratic Congress 35 years ago that made the first appropriation for the Howard University, and we have been appropriating regularly for that institution for the education of the colored youth ever since that time, both Republican Congresses and Democratic Congresses. The gentleman from Kentucky [Mr. SHERLEY] has well said this is an institution doing a splendid work. It is doing work for a people to whom we, as a people, owe a great deal. The institution can not live without this Government aid, as the gentleman from Mississippi knows. My recollection is that its income, outside of the appropriation made by Congress, is less than 60 per cent of the amount appropriated. This school is the only school of its kind for the colored youth in the United States. Its standing largely rests upon the fact that it is a Government institution or at least an institution largely supported by the Federal Government. It is very economically administered, as all members of the Committee on Appropriations who have studied these items know. It is doing a splendid work with comparatively a small outlay, and I do not think the gentleman from Mississippi wants to put himself in the position, or his party in the position, of declining to continue these appropriations we have been making for so many years, and can not believe he wants to desert the good work of helping the colored people of the country secure a higher and broader education and encouraging them to do their very best in the world.

Mr. GILLETT. Will the gentleman allow me a couple of minutes?

Mr. SISSON. I will reserve the point of order for a few minutes.

Mr. GILLETT. Mr. Chairman, I just want to say that I also hope the gentleman will not make his point of order, because if this were an isolated instance, if there were not constant cases in this bill and in other bills exactly parallel to this, I should not criticize the gentleman. But to pick out this one line of appropriation and make a point of order against that will, it seems to me, be taken as indicating a disposition and a temper toward the negro race of which there have been manifestations already in this administration which have excited much adverse comment in the country, which have not tended to harmonize the different sections, and which, it seems to me, the gentleman would not wish to increase.

Now, as the gentleman from Kentucky [Mr. SHERLEY] has said, the South is doing much for the negro. The North is doing much also. I myself, as executor of an estate, in the last few years transferred to an institution in the South in one sum over $300,000 which a client had left to it for the education of the negro—the savings of a pure, self-sacrificing, self-denying, simple life, and it seems to me that when that philanthropy is being shown both in the North and in the South, and when we are appropriating both in this bill and in other bills for a great many other purposes which are not authorized in law, it would be a singular and ungracious act on the part of the gentleman to pick out this one object, for which we have appropriated for many years, and make a point of order against it. Of course the gentleman has the power to strike out this claim by his point of order, but I trust he will not exercise it. When private philanthropy is doing so much the Government might continue its usual practice.

Mr. SISSON. Mr. Chairman, I would like the Chair to indulge me for just a moment. I want to say that in my State we make provision for the education of the negro, and I presume, in proportion to the amount of taxes collected from the two races, respectively, the whites pay a larger percentage for the education of the negro than any other State in the Union. We provide identically the same schools, agricultural and otherwise, for the negro that we do for the white people.

I want to assure the gentlemen of the committee that my reason for making this point of order is because I do not believe that this appropriation ought to be made, even if it were a white school. I think the Government should not appropriate any money to private or sectarian institutions. We are making appropriations in all the States of the Union for the higher education of everybody. Another reason why this appropriation should not be made is that theology is taught. I do not believe that the Federal Government or any State should spend one single penny in support of any school of theology of any kind or character.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman allow me a question?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from New Jersey?

Mr. SISSON. Yes.

Mr. PARKER of New Jersey. Has not the theological department been abolished and the theological school sold?

Mr. SISSON. It has not been abolished.

Mr. PARKER of New Jersey. I understood it so. We passed a law the other day for the purpose of allowing them to sell their theological school.

Mr. SISSON. That is a different proposition. That was to enable them to sell another piece of land. The whole thing is consolidated.

Now, Mr. Chairman, I do not think Federal money ought to be appropriated for this institution, and without detaining the committee longer I make a point of order on the item.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Mississippi [Mr. SISSON] makes a point of order against the appropriation in the bill for Howard University, on the ground that it is not authorized by law. Clause 2, Rule XXI, provides that—

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law—

And so forth.

The Chair called upon the chairman of the committee, Mr. FITZGERALD, to cite any authority of law for this appropriation, and he failed to do so. Section 3597 of Hinds' Precedents provides—and that is a ruling by this House—that "those upholding items in an appropriation bill should have the burden of showing the law authorizing it." That is the unbroken precedent of this House.

Now, the gentleman from New York [Mr. FITZGERALD] stated that this appropriation had been made from year to year. That is true. But under the rulings of the House the fact that an appropriation has been made from year to year, if unauthorized by law, does not make it in order. I cite section 3588 of Hinds' Precedents, which reads as follows:

> An appropriation for an object in an annual appropriation bill makes law only for that year, and does not become "existing law" to justify a continuation of the appropriation.

Following the rulings above cited and on account of the fact that there is no authority of law cited to authorize this appropriation, the Chair sustains the point of order, and the item is stricken from the bill. The Clerk will read.

The Clerk read as follows:

For tools, materials, fuel, wages of instructors, and other necessary expenses of the department of manual arts, $12,000.

Mr. SISSON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. For the same reasons the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For books, shelving, furniture, and fixtures for the libraries, $1,500.

Mr. SISSON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Chair sustains the point of order for the same reasons. The Clerk will read.

The Clerk read as follows:

For improvement of grounds and repairs of buildings, to be immediately available, $10,000.

Mr. SISSON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. For the same reasons the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Medical department: For part cost of needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, $7,000.

Mr. SISSON. I make the point of order on that, Mr. Chairman.

The CHAIRMAN. For the same reasons the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For material and apparatus for chemical, physical, and natural-history studies and use in laboratories of the new science hall, including cases and shelving, $2,000.

Mr. SISSON. Mr. Chairman, I make a point of order on that.

Mr. FITZGERALD. Mr. Chairman, this building was constructed by the Government.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FITZGERALD. This building and the apparatus in it were provided for out of an appropriation made by Congress.

Mr. SISSON. This is not for an addition to the building. This is for chemical apparatus and materials.

The CHAIRMAN. The Chair will hear from the gentleman from New York.

Mr. FITZGERALD. This building is called "Science Hall." It was constructed out of an appropriation made by Congress. Now, "Science Hall" is a hall in which there are chemical, physical, and natural-history laboratories, and this appropriation is for materials for use in the laboratories which belong to such a building, together with cases and shelving in such a building. The building was paid for by Government appropriations.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. FITZGERALD. Yes.

The CHAIRMAN. Has the Government any interest in this building, or in any of the buildings of the Howard University?

Mr. FITZGERALD. I guess the building belongs to the University. I think it does. We appropriated the money for the new "Science Hall," for the building.

The CHAIRMAN. Unless the gentleman from New York can cite a statute authorizing the appropriation the Chair, for the reasons given in the ruling on the first point of order, will sustain the point of order. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For fuel and light: For part payment for fuel and light, Freedmen's Hospital and Howard University, including necessary labor to care for and operate the same, $3,500.

Mr. SISSON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

In all, $101,000.

Mr. SISSON. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Enforcement of antitrust laws: For the enforcement of antitrust laws, including not exceeding $15,000 for salaries of necessary employees at the seat of government, $300,000: *Provided, however,* That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful: *Provided further,* That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. I call attention to the paragraph which has just been read for the purpose of saying that if any gentleman wishes to move to strike it out I hope he will do so now and not complain of lack of opportunity hereafter.

I withdraw the pro forma motion.

Mr. MANN. Mr. Chairman, I should have moved to strike out the item that the gentleman refers to as a sort of tribute to Democratic legislation, except that I think we ought to let the Clerk read the bill for a little while without much discussion and see if we can not make some progress on the bill. I am sure if the motion to strike out this paragraph should be made we would waste a good deal of time in discussing it and would not accomplish anything if we struck it out. Whether it is in or out does not make any difference, except that, being in the bill, it reflects upon Democrats being successful in passing the Clayton bill. I hope that remark will not provoke discussion.

Mr. FITZGERALD. Let the Clerk read.

The Clerk read as follows:

In all, National Training School for Boys, $49,276.

Mr. FITZGERALD. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CRISP reported that the Committee of the Whole House on the state of the Union had had under consideration the sundry civil bill (H. R. 21318) and had come to no resolution thereon.

LEAVE TO EXTEND REMARKS.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent that I may extend my remarks on the subject of the great emancipator's speech at Gettysburg.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the subject of the great emancipator's speech at Gettysburg. Is there objection?

There was no objection.

Mr. FALCONER. Mr. Speaker, in the early hours of to-day's session the Members of the House had the privilege of listening to two very eloquent and touching speeches on Abraham Lincoln. I ask unanimous consent to insert in the RECORD a speech delivered before a joint session of the Legislature of the State of Washington one year ago to-day by the Hon. Will H. Thompson, of Seattle, on the subject of Abraham Lincoln, and also to place in the RECORD some extracts from a speech of Dr. L. L. West, of Everett, State of Washington.

The SPEAKER. The gentleman from Washington asks unanimous consent to print in the CONGRESSIONAL RECORD a speech made before the joint session of the Washington Legislature one year ago to-day by Will H. Thompson, and also some excerpts from a speech made by Dr. West, of Everett, Wash. Is there objection?

Mr. MANN. I think I shall not object, although I do not want anybody throughout the country who is an orator to think that thereby he can make a speech before some home club on the subject of Lincoln and get it inserted in the CONGRESSIONAL RECORD, because there are too many gentlemen engaged in that thing.

The SPEAKER. Is there objection?

Mr. FITZGERALD. I object.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 7555. An act to authorize the construction of a bridge across the Suwanee River, in the State of Florida; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army;

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.; and

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p. m.) the House adjourned until Saturday, February 13, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties, etc., for the fiscal year ended June 30, 1914, as required by Paragraph Y of section 3 of the tariff act of October 3, 1913 (H. Doc. No. 1591); to the Committee on Ways and Means and ordered to be printed.

2. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of harbor at Saxis, Va. (H. Doc. No. 1592); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

3. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Alsea Bay and Bar, Oreg. (H. Doc. No. 1593); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SUMNERS, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21074) increasing the limit of cost of the United States post-office building at Excelsior Springs, Mo., reported the same without amendment, accompanied by a report (No. 1399), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 21392) for the relief of James F. Smith, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Kentucky: A bill (H. R. 21423) concerning publications in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RAKER: A bill (H. R. 21436) to provide for summer-residence homesteads, and for other purposes; to the Committee on the Public Lands.

By the SPEAKER (by request): Memorial of the Legislature of the State of Washington urging exploration of coal and oil resources in that State; to the Committee on the Public Lands.

By Mr. BELL of California: Memorial of the Legislature of the State of California urging and favoring the passage of the Keating bill, to place on the regular pension roll war veterans who served in the Indian campaign between the years 1865 and 1891; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 21424) granting a pension to Arah Ann Bussard; to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 21425) granting a pension to Sarah M. Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21426) granting an increase of pension to James W. Warfield; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 21427) granting an increase of pension to Michael Kouth; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 21428) granting a pension to Mary J. Gallager; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 21429) granting a pension to Nancy V. Norman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21430) granting an increase of pension to John J. Lee; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 21431) granting an increase of pension to Isaac Jacobs; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 21432) granting an increase of pension to Lewis Holley; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 21433) for the relief of the heirs of Isaac Hudson; to the Committee on War Claims.

By Mr. TAVENNER: A bill (H. R. 21434) granting a pension to Martha Stoneburg; to the Committee on Pensions.

Also, a bill (H. R. 21435) granting an increase of pension to William H. Stephenson; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 21437) granting a pension to Lucilla E. McDowell; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 21438) for the relief of John Marks; to the Committee on Naval Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 21439) granting a pension to Mariah Wilson Smith; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A resolution (H. Res. 731) for the relief of the heir of Robert H. Key, late an employee of the House; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Tiffin, Ohio, favoring embargo on munitions of war; to the Committee on Foreign Affairs.

Also (by request), petition of citizens of Dayton, Ohio, favoring an embargo on munitions of war; to the Committee on Foreign Affairs.

Also (by request), petition of members of the American Neutrality League, favoring an embargo on munitions of war; to the Committee of Foreign Affairs.

By Mr. ALLEN: Petition of sundry residents of Germantown and Wheelersburg, Ohio, against legislation abridging freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of John A. Herbert, J. G. Chadwick, and other citizens of Cincinnati, Ohio, and Hamilton County, Ohio, favoring an embargo on muntions of war; to the Committee on Foreirn Affairs.

By Mr. BAILEY: petition of Walter Kolakowski and others of Johnstown, Pa., relative to unemployment in the United States; to the Committee on Labor.

By Mr. BUCHANAN of Illinois: Petition of 420 citizens of Chicago, Ill., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Resolutions adopted by St. Boniface Society, of Sheboygan, Wis., with a membership of 130, asking for the passage of a resolution at this session to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. CALDER: Petition of citizens of Brooklyn, N. Y., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Brooklyn, N. Y., against increased armament in the United States; to the Committee on Military Affairs.

By Mr. COPLEY: Memorial of John V. Hagemann, of Elgin, Ill., favoring construction of public works that work may be given to the unemployed in this country; to the Committee on Labor.

By Mr. CURRY: Petitions by citizens and residents of California, favoring the passage of the so-called Hamill bill for the retirement of old and disabled civil-service employees of the United States; to the Committee on Reform in the Civil Service.

Also, petitions by citizens and residents of California, favoring 1-cent letter postage for letter mail; to the Committee on the Post Office and Post Roads.

Also, petitions by citizens and residents of California, favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of the United States, favoring House bill 5892, providing pensions for Civil War military telegraphers; to the Committee on Invalid Pensions.

Also, resolutions and petitions of citizens and residents of the State of California, protesting against the proposed change in the design of the flag of our country; to the Committee on the Judiciary.

Also, petitions by citizens and residents of California, opposing the passage of House bill 13305, the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petitions by citizens and residents of California, favoring the passage of House bill 13305, the Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition by Local No. 137, United Garment Workers of America, favoring Senate bill 2321, relative to sale of convict-made goods; to the Committee on Interstate and Foreign Commerce.

Also, petitions by citizens and residents of the State of California, favoring the immediate passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petitions by citizens and residents of California, favoring a 1-cent postage rate for first-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petitions by citizens and residents of California, favoring the pensioning of the veterans of certain of our Indian wars; to the Committee on Pensions.

Also, resolution by the Los Angeles Chamber of Commerce, favoring House joint resolution 344, authorizing appointment of a national marketing commission; to the Committee on Agriculture.

By Mr. DALE: Petition of I. Joseph Delahanty and other citizens of Wayne, Ill., favoring a law providing that when a citizen of one State is acquitted of any and all charge of crime in another State that he be returned or allowed to return to his own State; to the Committee on the Judiciary.

By Mr. DONOHOE: Petition of citizens of Philadelphia, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. ESCH: Petitions of F. Fibeger and 24 other citizens of La Crosse, Wis., and also citizens of Chicago, ill., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petition of citizens of College Place, State of Washington, against any abridgement of freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petitions of Zion Lutheran Church of Brooklyn, N. Y., and citizens of Mankato, N. Y., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of Fulton Street Board of Trade, Brooklyn, N. Y., favoring Hamill civil-service-retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Merchants' Association of New York against H. R. 18666, the Government ship-purchase bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of 100 citizens of Illinois, petitioning Congress to pass a law in accordance with the Constitution that when a citizen of one State is acquitted of any and all charge of crime in another State that he be returned or allowed to return to his own State, as Harry K. Thaw should be allowed to return to his home in Pennsylvania; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petition of M. Stoney, Boston, Mass., against increased armament for the United States; to the Committee on Military Affairs.

By Mr. GILMORE: Petition of citizens of Boston, Mass., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of Emery T. Morris, chairman, William Monroe Trotter, secretary, and other members of the executive committee, Massachusetts Branch of the National Independent Equal Rights League, against Jim Crow laws in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GOEKE: Petition of W. A. Kelmast and other citizens of Defiance, Ohio, favoring House joint resolution 377, placing embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. GRAY: Petition of Dr. W. M. Wampler, of Richmond, Ind., protesting against law regulating sale of narcotics; to the Committee on Ways and Means.

By Mr. GREGG: Petition of R. Jaenecke and other citizens of Galveston, Tex., against export of arms; to the Committee on Foreign Affairs.

By Mr. HOWELL: Petition of the German-Austro-Hungarian Relief Fund Society, of Utah, favoring the speedy enactment of Senate bill 6688, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. LEWIS of Maryland: Petition signed by a number of citizens of Hutton, Garrett County, Md., protesting against the sale and shipping of arms and munitions of war to the warring nations of Europe; to the Committee on Foreign Affairs.

By Mr. LIEB: Petition by Right Rev. A. Schmidt, Very Rev. Luke Gruwe, Rev. Celestine Sander, Rev. Anslem Schaaf, Rev. Louis Fuchs, Rev. Benno Gerber, S. Gregory Bechtold, Rev. Edward Berheide, Rev. Albert Kleber, Henry Brenner, Rev. Thomas Schaefers, Michael F. Schnurr, Rev. Robert Glasmeyer, Joseph Ernest, Rev. Aemiliam Elpers, Rev. Richard Mattingly, Brother Innocent Benkert, Benedict J. Piers, Jacob Meier, Antony Manhard, Rev. Charles Dudine, Rev. Columban Thuis, Lawrence Riebenthaler, Cyril Gaul, Justin Snyder, Ildephouse Kreidler, Sylvester Eiseman, Norbert Spitzmesser Lambert Enslinger, Bruno Luchsland, Ignatius Esser, Jerome Oligschlager, Thomas Kempf, Louis Hoffman, Otto J. Depeau, Charles Wassmer, Rev. Everard Olinger, Urban Spruik, Frank McCarthy, Ephrem Laurell, John Apke, Odislo Stocker, Wendelin Rust, Boniface Berkert, Henry St. Michael, Fidelir Berkert, Karl Muiller, Joseph Huber, Henry Phillip, Frank Strosyke, Stanislaus Kemper, Augustine Haberkorm, Rev. Benedict Brown, Rev. John

Schenk, Dan Walsh, jr., Pierre A. Bisse, M. M. Faber, Dennis O. Begley, John M. Dudine, Joseph Klug, Jacob Nickels, Vin Ciaccio, Omer Eiseman, Alois Capnath, J. J. Masnoth, George Hasser, C. Bosler, Rev. Andrew Bastnagle, Henry Dugan, Roy Meller, V. Sullivan, E. J. Ritter, G. Sebastian, M. L. McManus, William Ruckar, George Zenner, Elmer J. Ritter, N. C. Hummer, Fred C. Rothermel, John Dapp, Joseph Kempf, Alphonse Verth, Nicolous Frei, Cammillus Hoepf, Meinrad Rinderknecht, Rev. Dominic Barthel, Edward L. Eiseman, Edward Bockhold, Urban Sonderman, John H. Vagedos, Irvin Mattingly, John L. Goetz, Sims C. H. Fricher, Albert T. Rumbach, Jacob O. Goelz, V. H. Rancilio, Henry Trapp, John A. Walde, Henry Ebuet, Lloyd Burcham, Joseph O'Donnell, Joseph Fromme, Herman Koorsen, Joseph L. Quick, Aloysius Langel, George A. Behrmann, William Knapp, Harry Becker, W. E. Mulroney, Elmer Young, Louis Beecher, Joseph Collenbeck, Rev. Clement Zepf, Rev. George Schenk, John Connoly, August Ruehl, Bernard Gerlinski, J. M. Rouck, Charles Girardot, Joseph A. Snitzer, L. S. Moerygamba, Otto A. Peters, Carl Niebertholer, Jolly R. Hayden, Henry Pieper, Joseph Underburg, Clifford J. Reed, A. J. Thompson, Edward A. Dean, John Kraemer, James J. Maloney, Pierce E. Dixon, George Pauluskas, W. F. Bastnagel, Leo Moerygamba, John A. Raguckas, John J. Vincins, Bernard B. Sheridan, E. C. Peggs, Edgar O'Connor, Clarence Martin, Thomas McGrath, Simon Treller, John J. Doyle, Leonard Wernsing, Julius Schoen, Joseph Tribble, Rowan Jochum, Andrew O'Keefe, Raymond Hasbough, F. Freman, Harry A. Reed, John Lenzini, William Wigmann, L. A. Lindeman, John Johst, John Preske, Anthony Kunkel, Walter Turskis, Clemens Hunger, William Lensing, John H. Freeman, John C. Maloney, Franz Hodepp, Albert Esser, Frank Hillen, Anthony Heimann, August Fussenegger, G. Henninger, John J. Vincins, W. A. Bastnagel, Henry Peiper, Jolly R. Hayden, F. J. Timoney, Francis Mellen, John J. Geran, A. M. Princis, Leo F. Creden, John F. McBarron, Carl A. Bussold, Lawrence Durkin, Raymond Donovan, M. Herold, Joseph Schaefer, Raber Thies, Raber Bloenke, Frank Laemmle, Barrett Tieman, Martin Heiner, Carl Halsinger, Frank Claycomb, Mathew Winzapple, John Mentaugh, Thomas Hoffman, Raymond Schmidt, Francis A. Hanley, Frank Harpring, Joseph Anthony Duffy, Francis Dickhoff, Jerome Bfau, H. Wirtsschalter, Henry Doll, R. D. White, Bernard Loepker, Fred Weber, John J. Flynn, William Moore, J. J. Fitzgibbon, Frederick Rothermel, Charles Walsh, Rev. Richard Mattingly, Innocent Benkert, Benedict J. Piers, Jacob Meier, Anthony Mannheart, Rev. Charles Dudine, Rev. Columban Thuis, Lawrence Riehenthaler, Cyril Gaul, Justin Snyder, Ildephouse Kreidler, Ignatus Esser, Lambert Enslinger, Sylvester Eiseman, Norbert Spitzmesser, Jerome Ohligschlager, Thomas Kempf, Bruno Luchland, Louis Hoffman, Otto J. DeJean, Charles Wassmer, Rev. Everard Olinger. Urban Sponik, Frank McCarthy, Ephrem Laurell, John Apke, Odilo Stooker, Boniface Benkert, Wendelin Rust, Henry M. Nihel, Karl Muller, Fidelis Benkert, Joseph Huber, Henry Philipps, Friedrich Deok, Stanislaus Kemper, Frank Strosyk, A. Haberkorn, Rev. B. Brown, Niclaws Frei, A. Verth, C. Hoepf, M. Benderknecht, Rev. D. Bethel, Edward L. Eisman, Urban Sonderman, J. L. Goetz, J. H. Vagedes, E. Bockhold, Irvin Mattingly, L. C. H. Fricker, A. T. Rumbach, J. Goetz, V. A. Rancilio, Henry Trapp, J. A. Walde, Henry Ebuet, Lloyd Burcham, Bernard Loepker, J. O'Donnell, Joseph Fromme, Leonard Wernsing, Herman Koorsen, Joseph L. Quick, A. Langel, G. A. Behrmann, W. Knapp, H. Becker, W. E. Mulroney, E. C. Peggs, Edgar O'Connor, Clarence Martin, Thomas McGrath, S. Teller, J. J. Doyle, Julius Schoen, J. Trible, R. Jochum, Andrew O'Keefe, R. Hasbaugh, F. Freemen, H. A. Reed, J. Linzini, W. Wigman, L. A. Lindermann, John Jabst, John Preske, Anthony Kunkel, Walter Terskey, Clemens Hunger, W. Lensing, J. C. Maloney, Franz Hodepp, Albert Esser, M. Herold, Joseph Schaefer, Frank Laemme, Raber Thuis, S. Bloemke, Barrett Tieman, M. Geinero, Carl Holsinger, Frank Claycomb, Mathew Winzapple, J. Murtaugh, Thomas Hoffman, Raymond Schmidt, Francis A. Hanley, Frank Harping, Joseph Anthony, Francis Deckhoff, Henry Doll, H. Winterhalter, R. D. Hite, Denis O. Begley, M. L. Faber, Jacob Nichels, Ed. Menke, J. J. Massoth, Roy Mellen, George Hasser, William Rachor, jr., Victor Sullivan, George Sebastian, George Zeimer, Fred Weber, Thomas Sodye, Frank Smith, Elmer Young, Louis Becker, Rev. George Schenk, A. Rhihl, Col. Riebuflaler, Charles Walsh, E. J. Ritter, J. M. Rouck, Joseph A. Snitzer, Joseph Underberg, A. J. Thompson, E. A. Dean, Frank Hillen, Francis Mellen, Leo F. Creeden, C. A. Busald, J. F. McBarron, all of St. Meinrad, Ind., urging the adoption of House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548, to prohibit the sale and export of arms, ammunition, and munitions of war to any of the friendly nations at present at war in Europe; to the Committee on Foreign Affairs.

Also, petition of Harlan Merrick, V. V. Field, E. C. Ediston, M. T. Spurling, Albert Servant, Andrew Blair, Dock Walker, Louis Laib, jr., Louis Laib, Jesse E. Boren, L. C. Giesleman, Bruce Cox, William Witherow, W. B. Gieselman, Clark Read, John Deweese, David Sprowl, Marshall Sprowl, C. E. McMillan, Charles Stub, D. I. Haley, William Carpenter, R. A. Cushman, J. A. Brumfield, W. C. Boren, C. E. Stormont, C. H. Billingsly, J. H. Laib, all of Princeton, Ind., protesting against House bill 20644, to exclude certain publications from the mails; to the Committee on the Post Office and Post Roads.

Also, petitions of M. M. Fitzwilliam, Margaret Hartwick, J. W. Worstmann, H. V. Williams, Walter E. Foley, all of Evansville, Ind., favoring House bill 5139, the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petitions of Louis Fuchs and George W. Bauer, of Evanston, Ind., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petitions of the Ramblers' Literary Club, by Lena Highman, of Mount Vernon, Ind., and the Woman's Franchise League, of Newburg, Ind., by Dr. Phelph, Lillie Knapp, Dora Abshur, Virginia Fuguay, Mrs. S. A. Brentano, Mrs. T. P. Parsons, Miss Lena Frank, Mrs. H. E. Durgin, Mrs. J. W. Fuguay, Mrs. Charles Minnis, Mrs. Martha Williams, Mrs. William Warren, and Mrs. A. J. Rutledge, all of Newburg, Ind., favoring the Palmer-Owen child-labor bill; to the Committee on Labor.

By Mr. LLOYD: Petition of citizens of Clark and Lewis Counties, Mo., favoring House bill 20644, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of 113 citizens of Clark County, Mo., favoring House bill 20644, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. LOBECK: Petition of Socialist Party of Nebraska, favoring embargo on wheat; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Communication of Alois Schreiner, president Admiral Schley Lodge, No. 32, New Britain, Conn., in re House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Syracuse and Burnett, Nebr., favoring embargo on export of arms; to the Committee on Foreign Affairs.

By Mr. O'SHAUNESSY: Petition of Antonio Gizinskowikz, Providence, R. I., relative to unemployment in the United States; to the Committee on Labor.

Also, petition of Rev. H. N. Lawrence, Providence, R. I., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of E. F. McKenna, Providence, R. I., relative to persecution of Roman Catholic clergy in Mexico; to the Committee on Foreign Affairs.

Also, petition of Board of Hospital Commissioners, Providence, R. I., favoring a bill to establish a national leprosarium; to the Committee on Public Buildings and Grounds.

Also, petition of Manhattan Wholesale Grocery Co., Providence, R. I., favoring continued manufacture by the United States Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. PALMER: Petition of citizens of Easton, Pa., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of Philadelphi (Pa.) District, Council of Textile Workers, asking for congressional investigation of Philadelphia Arsenal works at Frankford, Pa.; to the Committee on Military Affairs.

By Mr. SIMS: Petition of Woman's Missionary Society, Paris, Tenn., favoring amendment to the Constitution forbidding polygamy in the United States; to the Committee on the Judiciary.

Mr. J. M. C. SMITH: Petition of the National Association of Vicksburg Veterans, favoring Collier bill (H. R. 19375); to the Committee on Appropriations.

By Mr. VOLLMER: Petitions of 1,050 American citizens, for the adoption of House joint resolution 377, to prohibit the export of war material; to the Committee on Foreign Affairs.

Also, resolution of the Clinton Commercial Club, of Clinton, Iowa, urging immediate legislation for flood protection and reclamation of lands in Mississippi Basin; to the Committee on Rivers and Harbors.

Also, petitions of 2,529 American citizens, for the adoption of House joint resolution 377, to prohibit the export of war material; to the Committee on Foreign Affairs.

Also, petitions of 1,175 American citizens, for the adoption of House joint resolution 377, to prohibit the export of war material; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, *February 13, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we give Thee the worship of our lives. We would glorify the service that we render to our fellow men by giving it in Thy name and through Thy grace. Amid all human conflict of opinion, which serves to winnow the true from the false, there slowly arises the perfect product of Thy grace and of Thy providence expressed in character and in spirit. So we pray that in the daily discipline of life which comes to us in all the conflict of interest and opinion there may yet arise in us the product of God's great purpose, purifying character, strengthening and ennobling life, and bringing each one of us to the point of largest and divinest service. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

LIMITATION OF DEBATE.

Mr. LODGE. Mr. President, I desire merely to give a notice. On Thursday last, when the Senator from Missouri [Mr. REED] gave notice of his so-called amendment to the standing rules, I made a point of order that it was not an amendment to the standing rules, but a proposal to suspend a rule for a specific purpose. The Chair very properly stated that that point of order would come up properly when the amendment came before the Senate. On yesterday when it came before the Senate, as we all know, an amendment was offered by the Senator from Nebraska [Mr. NORRIS], which, of course, is not obnoxious to the point of order I made. I merely wish to give notice that I reserve that point of order to be made whenever the amendment of the Senator from Missouri comes before the Senate.

DECLARATION OF LONDON.

Mr. LODGE. Mr. President, while I am on my feet I ask that there may be printed in conjunction with my remarks the two orders made in the British Privy Council relating to the adoption of the declaration of London. They are very brief, comprising only two or three pages each. There is the order adopted on the 20th of August and another adopted on the 29th of October. I think it would be very useful to have them printed in the RECORD.

I may add, Mr. President, as we had some discussion on that point when I was speaking on Thursday, there are over 100 pages here of the orders in council establishing prize courts and the rules to be observed. Of course that I do not ask to have printed, but only the two brief orders in regard to the declaration of London, and I will ask that the Official Reporters may prepare them for the RECORD. I will say, Mr. President, that these are the only copies I know of; they belong to the Congressional Library, and they must be taken good care of.

Mr. BRANDEGEE. Will the Senator be kind enough to state what the publications are entitled, in case anyone wishes to obtain them from the library?

Mr. LODGE. One is the Manual of Emergency Legislation, published by authority. The other is Supplement No. 2 to the Manual of Emergency Legislation. It embraces all the legislation by Parliament and all the orders of council relating to the war.

The VICE PRESIDENT. If there be no objection, it is so ordered.

The matter referred to is as follows:

DECLARATION OF LONDON—THE DECLARATION OF LONDON ORDER IN COUNCIL, NO. 2, 1914,[1] [2] NO. 1614—AT THE COURT OF BUCKINGHAM PALACE THE 29TH DAY OF OCTOBER, 1914.

Present, the King's Most Excellent Majesty in council.

Whereas by an order in council dated the 20th day of August, 1914,[3] His Majesty was pleased to declare that during the present hostilities the convention known as the Declaration of London [4] should, subject to certain additions and modifications therein specified, be adopted and put in force by His Majesty's Government; and

Whereas the said additions and modifications were rendered necessary by the special conditions of the present war; and

Whereas it is desirable and possible now to reenact the said order in council with amendments in order to minimize, so far as possible, the interference with innocent neutral trade occasioned by the war: Now, therefore,

His Majesty, by and with the advice of his privy council, is pleased to order, and it is hereby ordered, as follows:

1. During the present hostilities the provisions of the convention known as the Declaration of London [4] shall, subject to the exclusion of the lists of contraband and noncontraband, and to the modifications hereinafter set out, be adopted and put in force by His Majesty's Government.

The modifications are as follows:

(I A neutral vessel, with papers indicating a neutral destination, which, notwithstanding the destination shown on the papers, proceeds to an enemy port, shall be liable to capture and condemnation if she is encountered before the end of her next voyage.

(II) The destination referred to in article 33 of the said declaration shall (in addition to the presumptions laid down in article 34) be presumed to exist if the goods are consigned to or for an agent of the enemy state.

(III) Notwithstanding the provisions of article 35 of the said declaration, conditional contraband shall be liable to capture on board a vessel bound for a neutral port if the goods are consigned "to order," or if the ship's papers do not show who is the consignee of the goods, or if they show a consignee of the goods in territory belonging to or occupied by the enemy.

(IV) In the cases covered by the preceding paragraph (III) it shall lie upon the owners of the goods to prove that their destination was innocent.

2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that in respect of ships bound for a port in that country article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette, and shall operate until the same is withdrawn. So long as such direction is in force a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture.

3. The order in council of the 20th August, 1914,[5] directing the adoption and enforcement during the present hostilities of the convention known as the declaration of London, subject to the additions and modifications therein specified, is hereby repealed.

4. This order may be cited as "the Declaration of London Order in Council, No. 2, 1914."

And the lords commissioners of His Majesty's treasury, the Lords Commissioners of the Admiralty, and each of His Majesty's principal secretaries of state, the president of the probate, divorce, and admiralty division of the high court of justice, all other judges of His Majesty's prize courts, and all

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[1] The following notice was published in the London Gazette of November 24, 1914:

"FOREIGN OFFICE, *November 20, 1914.*

"The Secretary of State for Foreign Affairs has been informed by His Majesty's ambassador in France that the President of the French Republic has issued a decree of identical effect with His Majesty's order in council and proclamation, both of the 29th ultimo, setting forth the modifications subject to which the Declaration of London will be adhered to and put in force by His Majesty's Government during the present hostilities and revising the list of contraband of war." (Viz, the Declaration of London order in council, No. 2, 1914, and the proclamation printed under the heading "Contraband of war" at pp. 52–54.)

The following notice relating to a previous decree of the President of the French Republic was published in the London Gazette of September 4, 1914:

"FOREIGN OFFICE, *September 1, 1914.*

"The Secretary of State for Foreign Affairs has received from His Majesty's ambassador at Paris the text of a decree signed by the President of the French Republic on the 25th ultimo, giving effect to the provisions of the Declaration of London, with certain modifications, during the course of the hostilities now in progress.

"The tenor of this decree is substantially the same as that of His Majesty's order in council of the 20th ultimo, which was published in the supplementary London Gazette of the 22d idem." (This "The Declaration of London order in council, 1914," is printed at pp. 143–145 of the Manual.)

The following notice relating to an imperial ukase was published in the London Gazette of September 29, 1914:

"FOREIGN OFFICE, *September 26, 1914.*

"His Majesty's ambassador at Petrograd has reported to the Secretary of State for Foreign Affairs that under an imperial ukase, dated the 14th instant, the provisions of the Declaration of London will be observed by the Russian Government during the course of the present hostilities, subject to the modifications adopted by the British and French Governments as declared in His Majesty's order in council of the 20th ultimo (this "The Declaration of London order in council, 1914," is printed at pp. 143–145 of the Manual) and in the French decree of the 25th ultimo." (See Foreign Office Notice of September 1.)

NOTE.—Neither Russia nor Japan have (November 27, 1914) legislated with regard to the Declaration of London order in council, No. 2, 1914.

[2] This order was published in the London Gazette of October 20, 1914, being the second supplement to the Gazette of October 27, in the Edinburgh Gazette of October 30, 1914, and in the Dublin Gazette of October 30, 1914.

[3] Printed at pp. 143–145 of the Manual.

[4] Printed at pp. 447–463 of the Manual.

[5] Printed at pp. 447–463 of the Manual.

governors, officers, and authorities, whom it may concern, are to give the necessary directions herein as to them may respectively appertain.

ALMERIC FITZ-ROY.

DECLARATION OF LONDON—ORDER IN COUNCIL ADOPTING, DURING THE PRESENT HOSTILITIES, THE PROVISIONS OF THE CONVENTION KNOWN AS THE "DECLARATION OF LONDON," WITH ADDITIONS AND MODIFICATIONS,[1] 1914—NO. 1260—AT THE COURT OF BUCKINGHAM PALACE, THE 20TH DAY OF AUGUST, 1914.

Present, the King's Most Excellent Majesty in council.

Whereas during the present hostilities the naval forces of His Majesty will cooperate with the French and Russian naval forces; and

Whereas it is desirable that the naval operations of the allied forces, so far as they affect neutral ships and commerce, should be conducted on similar principles; and

Whereas the Governments of France and Russia have informed His Majesty's Government that during the present hostilities it is their intention to act in accordance with the provisions of the convention known as the Declaration of London, signed on the 26th day of February, 1909,[2] so far as may be practicable.

Now, therefore, His Majesty, by and with the advice of his privy council, is pleased to order, and it is hereby ordered, that during the present hostilities the convention known as the Declaration of London shall, subject to the following additions and modifications, be adopted and put in force by His Majesty's Government as if the same had been ratified by His Majesty.

The additions and modifications are as follows:

(1) The lists of absolute and conditional contraband contained in the proclamation dated August 4, 1914,[3] shall be substituted for the lists contained in articles 22 and 24 of the said declaration.[4]

(2) A neutral vessel which succeeded in carrying contraband to the enemy with false papers may be detained for having carried such contraband if she is encountered before she has completed her return voyage.

(3) The destination referred to in article 33 may be inferred from any sufficient evidence, and, in addition to the presumption laid down in article 34, shall be presumed to exist if the goods are consigned to or for an agent of the enemy State or to or for a merchant or other person under the control of the authorities of the enemy State.

(4) The existence of a blockade shall be presumed to be known:

(a) To all ships which sailed from or touched at an enemy port a sufficient time after the notification of the blockade to the local authorities to have enabled the enemy Government to make known the existence of the blockade.

(b) To all ships which sailed from or touched at a British or allied port after the publication of the declaration of blockade.

(5) Notwithstanding the provisions of article 35 of the said declaration,[5] conditional contraband, if shown to have the destination referred to in article 33, is liable to capture to whatever port the vessel is bound and at whatever port the cargo is to be discharged.

(6) The general report of the drafting committee on the said declaration presented to the naval conference and adopted by the conference at the eleventh plenary meeting on February 25, 1909,[5] shall be considered by all prize courts as an authoritative statement of the meaning and intention of the said declaration, and such courts shall construe and interpret the provisions of the said declaration by the light of the commentary given therein.

And the lords commissioners of His Majesty's treasury, the lords commissioners of the admiralty, and each of His Majesty's principal secretaries of state, the president of the probate, divorce, and admiralty division of the high court of justice, all other judges of His Majesty's prize courts, and all governors, officers and authorities whom it may concern, are to give the necessary directions herein as to them may respectively appertain.

ALMERIC FITZ-ROY.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT presented communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

The cause of Reginald Branch, administrator of the estate of Minor Knowlton, *v.* The United States (S. Doc. No. 946); and

The cause of James R. Haldeman *v.* The United States (S. Doc. No. 945).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate (S. Con. Res. 28) relative to the acceptance of the statue of George Washington Glick, presented by the State of Kansas, to be placed in Statuary Hall.

The message also announced that the House had passed the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 145. An act for the relief of Charles Richter;

S. 543. An act to correct the military record of John T. Haines;

S. 604. An act for the relief of Sarah A. Clinton and Marie Steinberg;

S. 926. An act for the relief of the Georgia Railroad & Banking Co.;

S. 1044. An act for the relief of Byron W. Canfield;

S. 1060. An act fixing the date of reenlistment of Gustav Hartfelder, first-class fireman, United States Navy;

S. 1304. An act authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government;

S. 1377. An act for the relief of Alfred S. Lewis;

S. 1703. An act for the relief of George P. Chandler;

S. 1880. An act for the relief of Chester D. Swift;

S. 2304. An act for the relief of Chris Kuppler;

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. S. Howell;

S. 2882. An act for the relief of Charles M. Clark;

S. 3419. An act admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas;

S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy;

S. 3925. An act for the relief of Teresa Girolami;

S. 5092. An act for the relief of Charles A. Spotts;

S. 5254. An act authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club;

S. 5497. An act authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 east of the sixth principal meridian, in the State of Nebraska;

S. 5695. An act for the relief of the Southern Transportation Co.;

S. 5970. An act for the relief of Isaac Bethurum;

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff;

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army; and

H. R. 18783. An act to increase the limit of cost of the United States post office building and site at St. Petersburg, Fla.

[1] This order was published in the London Gazette of August 22, 1914, being the first supplement to the Gazette of August 21; in the Edinburgh Gazette of August 24, 1914, being a supplement to the Gazette of August 21; and in the Dublin Gazette of August 25, 1914.

[2] The declaration of London is printed in Appendix H, at pp. 447–463.

[3] This proclamation is printed under the heading "Contraband of War," at p. 108. The list therein of conditional contraband was varied by the proclamation of Sept. 21, 1914, printed at p. 111, under the same heading. A list of contraband goods is printed in Appendix A, III, at p. 407.

[4] The declaration of London is printed in Appendix H, at pp. 447–463.

[5] This general report is printed in Appendix H, at pp. 464–514.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the St. Boniface School Society, of St. Louis, Mo., praying for the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to exclude certain anti-Catholic publications from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry employees of the Frankford Arsenal, Philadelphia, Pa., praying for the enactment of legislation to prohibit the use of stop-watch and time study of employees, etc., which were referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation restricting the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Woman's Missionary Society of Homewood United Presbyterian Church, of Pittsburgh, Pa., praying for the enactment of legislation prohibiting polygamy within the United States or any place subject to its jurisdiction, which was referred to the Committee on the Judiciary.

He also presented a petition of the City Council of West Pittston, Pa., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. SAULSBURY presented petitions of sundry citizens of Delaware, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the memorial was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 2 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 27th day of January, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 1st day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER,
Deputy.

House joint memorial No. 2.

To the honorable Senate and House of Representatives of the United States:

Your memorialists, the members of the Twenty-eighth Legislative Assembly of the State of Oregon, earnestly pray your honorable body to enact a law granting to the veterans of the Modoc Indian War in the State of Oregon of 1872 and 1873, engaged in the active service of the State of Oregon against said Indians, and the veterans of the State troops engaged in the Indian Wars of 1878 in the service of the State of Oregon the same pension privileges by the United States as are now given by the General Government to the veterans of the Indian War in Oregon of 1855 and 1856, and that the pensions so granted may be subject to the same rules and under the same conditions as applied to the said Indian War veterans of 1855 and 1856.

Adopted by the house January 21, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate January 26, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) House joint memorial No. 2. W. F. Drager, chief clerk. Filed January 27, 1915, at 2.20 o'clock p. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of senate joint memorial No. 1 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 20th day of January, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 1st day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State,
By S. A. KOZER, *Deputy.*

Senate joint memorial No. 1.

Memorial to the Congress of the United States of America petitioning the United States Government to appropriate $300,000 for suppressing carnivorous wild animals destructive to live stock in the public-land States of the West.

To the honorable Senate and House of Representatives of the Congress of the United States:

Your memorialists, the governor and Legislature of the State of Oregon, respectfully represent that—

Whereas in the Western States, known as the public-land States, the losses of live stock and poultry, due to the attacks of coyotes, wolves, wildcats, cougars, and bears, amount to not less than $15,000,000 annually; and

Whereas in these western public-land States the State, county, and stockmen do now, and have for years, paid large bounties and used other means to bring about the eradication of these carnivorous animals; and

Whereas in these western public-land States there is now withdrawn from settlement in some form or other approximately 225,000,000 acres of Federal land, which land constitutes the principal breeding ground and refuge of these carnivorous wild animals, and enables them to increase their numbers in spite of the efforts made by the State, county, and stockmen to exterminate them: Now, therefore, be it

Resolved, That the Legislature of the State of Oregon does hereby most respectfully urge and request that Congress immediately appropriate the sum of $300,000, to be used by the United States Department of Agriculture for the destruction of coyotes, wolves, wildcats, cougars, and bears in these western public-land States, in order that the meat supply of the Nation may be increased and the proper development of the West encouraged.

Adopted by the house January 13, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate January 13, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) Senate joint memorial No. 1, by Senator Burgess. J. W. Cochran, chief clerk. Filed January 20, 1915, at 10.05 o'clock a. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Banking and Currency.

There being no objection, the memorial was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 1 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 27th day of January, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 1st day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State,
By S. A. KOZER, *Deputy.*

House joint memorial No. 1.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas the agricultural interests of the State of Oregon and of the United States of America are of most important and fundamental interest, both in magnitude and number of people employed therein; and

Whereas said interest have no adequate or suitable system of banking or finance; and

Whereas the State of Oregon, together with 34 other States of the Union and your honorable body, have sent delegates to investigate rural-credits and farm-finance systems in Europe; and

Whereas said delegates have made their respective reports urging legislative action by Congress on this subject; and

Whereas there is very urgent need on the part of the farmers and other persons interested in agricultural pursuits to take advantage of the money markets of the world in obtaining financial assistance; and

Whereas many bills have been introduced into your honorable body bearing upon this subject: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That our Representatives and Senators in Congress be, and are hereby, memoralized and requested to use their best endeavors to secure the passage of a law providing for the enactment of a rural-credit law by the terms of which the farmers of the State of Oregon may obtain long-term loans on the authorization plan and to otherwise favor the farmers and agricultural workers by allowing them to take ad-

vantage of the money markets of the world on the same terms as other industries.

Adopted by the house January 19, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate January 21, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed): House joint memorial No. 1. W. F. Drager, chief clerk. Filed January 27, 1915, at 2.20 o'clock p. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon, praying for the establishment of an International Peace Union, which was referred to the Committee on Foreign Relations.

Mr. WORKS. I present a joint resolution of the Legislature of the State of California, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Senate joint resolution No. 4, relative to placing veterans of the United States Army who fought in Indian wars from 1865 to 1891 on the pension roll.

Whereas there is now pending in the Congress of the United States what is known as the Keating bill, providing that men who have served in the United States Army and took part in Indian campaigns between the years 1865 and 1891, shall be placed on the regular pension roll of Indian war veterans: Therefore be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Senators and Representatives in Congress of the State of California be respectfully urged to take all proper means to expedite and secure the passage and enactment into law of the said Keating bill; and be it further

Resolved, That the secretary of the senate be and he is hereby directed to transmit copies of this resolution forthwith to the Senators and Representatives in Congress of the State of California.

NEWTON W. THOMPSON,
President pro tempore of the Senate.
C. C. YOUNG,
Speaker of the Assembly.

Adopted in senate January 22, 1915.

EDWIN F. SMITH,
Secretary of the Senate.

Adopted in assembly January 27, 1915.

L. B. MALLORY,
Chief Clerk of the Assembly.

This resolution was received by the governor this 28th day of January, A. D. 1915, at 3 o'clock p. m.

ALEXANDER MCCABE,
Private Secretary of the Governor.

Attest:

FRANK C. JORDAN,
Secretary of State.

Mr. WORKS presented petitions of sundry citizens of Los Angeles and San Luis Obispo, in the State of California, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented the petition of J. R. Cunningham of San Francisco, Cal., praying for the adoption of certain amendments to the present homestead laws, which was referred to the Committee on Public Lands.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BRISTOW presented memorials of sundry citizens of Harper County, Sylvan Grove, Bird City, and Minor, all in the State of Kansas, remonstrating against curtailing the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Paola and Hillsboro, in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Topeka, Kans., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. LODGE. I present two telegrams in the nature of memorials. They are very brief. I ask that they may be read and referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegrams were read and referred to the Committee on Post Offices and Post Roads, as follows:

ROXBURY, MASS, *February 13, 1915.*

Hon. H. C. LODGE,
Washington, D. C.:

Post office clerks Boston protest biennial promotions for clerks as present in Post Office appropriation bill. Please consider.

J. H. WATERS,
President National Federated Post Office Clerks, Boston.

BOSTON, MASS., *February 12, 1915.*

Senator HENRY C. LODGE,
United States Senate, Washington, D. C.

DEAR SIR: The following resolution was adopted at a meeting of Branch 34, National Association of Letter Carriers, held in the American House February 12, 1915, and the members would respectfully ask that you lend your best efforts to the defeat of the proposed measure:

"Whereas Branch 34, National Association of Letter Carriers, has been notified that the Senate Committee on Post Offices and Post Roads will recommend to the Senate the adoption of biennial promotions for letter carriers; and

"Whereas the letter carriers in this city now serving in the $900, $1,000, and $1,100 grades served over five years as substitute letter carriers at less than a proper living wage; and

"Whereas practically all of these men served one year or more in the $600 grade; and

"Whereas under the present laws these men will serve 11 years before reaching the maximum or $1,200 grade: Be it

"*Resolved,* That Branch 34, National Association of Letter Carriers, disapprove of biennial promotions."

CORNELIUS F. MALLEY,
Secretary Branch 34, National Association of Letter Carriers, Roxbury Station, Boston, Mass.

Mr. SHERMAN. Mr. President, I present three telegrams in the nature of memorials from clerks and letter carriers of the State of Illinois, which I ask may be read.

There being no objection, the telegrams were read, as follows:

CHICAGO, ILL., *February 12, 1915.*

Senator L. Y. SHERMAN,
Washington, D. C.:

We, the executive board of Local No. 1, National Federation of Post Office Clerks, in behalf of our members, protest most emphatically against recommendations of Post Office and Post Roads Committee of the Senate that promotions in the automatic grades be made biennial instead of annually, as at present, and we hope you will use your best endeavor to prevent the present classification from being amended in that respect.

Respectfully,

EXECUTIVE BOARD OF LOCAL NO. 1,
219 South Dearborn Street, Room 735.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

The letter carriers of Pullman Station protest against the proposed amendments changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

Yours, respectfully,

C. F. NORLIN,
Executive Board Member, Garden City Branch, No. 11, Chicago.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senator, Washington, D. C.:

The carriers of Canal Station, Chicago post office, are desirous of having you protest against the passage of an amendment to the Post Office bill against biennial promotions. The long siege of subbing is in itself a suffering and hardship, and one who goes through such usually is in debt, and this will entail another year or two of close living, the present high cost of which makes it almost impossible to exist on the present salary. We believe you are well aware of the hardship endured, also the length of time consumed to reach the lowest grade, and should the amendment pass there will be no willing men of good character and ability seeking the position. Again requesting you to do your utmost to defeat its passage, we are,

Yours, respectfully,

CARRIERS OF CANAL POSTAL STATION.
CHAS. ROLAND,
Ex-Board Member, Carriers' Postal Station.

Mr. SMITH of Michigan. I desire to present a telegram addressed to my colleague [Mr. TOWNSEND] and myself, which I desire to have read.

There being no objection, the telegram was read, as follows:

CONVENTION HALL,
Grand Rapids, Mich., February 12, 1915.

Hon. WM. ALDEN SMITH and
Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.:

Republican State convention to-day unanimously commends your attitude opposing the attempt of the administration to force upon our people the iniquitous ship-purchasing bill.

D. E. ALWARD, *Secretary.*

Mr. GRONNA. I present a telegram in the nature of a memorial, and, as it is very brief, I ask that it be printed in the RECORD without reading.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK., *February 12, 1915.*

A. J. GRONNA,
United States Senate, Washington, D. C.:

One hundred postal clerks in North Dakota respectfully ask you to oppose the change from annual to biennial promotions for men in the service.

CARL H. FODNES,
President Grand Forks Branch, R. M. A.

Mr. JONES. I present a telegram in the nature of a memorial from 150 postal clerks of the Spokane branch of the Railway Mail Service, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SPOKANE, WASH., *February 12, 1915.*

Hon. W. L. JONES,
United States Senate, Washington, D. C.

SIR: One hundred and fifty postal clerks of Spokane branch ask you to oppose the change from annual to biennial promotions in the Railway Mail Service.

Respectfully, JAMES R. HARPER,
President Spokane Branch, Railway Mail Service.

Mr. HITCHCOCK. I present telegrams in the nature of memorials from 200 railway postal clerks of the Lincoln district, from members of the Capital City Branch, of Lincoln, and from the State president of the National Association of Letter Carriers, of Lincoln, Nebr., which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LINCOLN, NEBR., *February 11, 1915.*

Hon. G. M. HITCHCOCK,
United States Senate, Washington, D. C.:

Two hundred railway postal clerks in Lincoln district respectfully ask you to oppose the change from annual to biennial promotions just recommended by Senate committee.

EARL M. HIATT,
President Lincoln Branch, Railway Postal Clerks' Association.

—

LINCOLN, NEBR., *February 11, 1915.*

Senator GILBERT M. HITCHCOCK,
Washington, D. C.:

The members of Capital City Branch, No. 8, National Association of Letters Carriers, representing 63 carriers, request your support in assisting to defeat bill providing for biennial promotion of letter carriers.

C. B. HALL, *Secretary.*

—

LINCOLN, NEBR., *February 11, 1915.*

Senator GILBERT M. HITCHCOCK,
Washington, D. C.:

As State president of the National Association of Letter Carriers I respectfully petition you to use your influence in defeating biennial promotions of carriers.

Yours, truly, J. HOMER CLARK, *President.*

Mr. STERLING presented petitions of sundry citizens of Rapid City, Burke, Wetora, Eureka, and Frankfort, all in the State of South Dakota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

OCEAN TRANSPORTATION.

Mr. GALLINGER. I have two brief articles from the Boston News Bureau, a well-known trade journal, relating to ocean transportation. I ask that they may be read; they are very brief.

There being no objection, the matter referred to was read, as follows:

Boston: Steamship officials are at a loss to understand the telegram from Collector Billings made public Tuesday by Secretary McAdoo to the effect that there is a great lack of ship bottoms for the export trade at Boston; that booking for shipping space must be made two or three weeks in advance; and that grain elevators and railroad cars are filled with grain awaiting foreign shipment. In the ordinary course of business bookings are made two or three weeks and even much longer in advance of sailing, especially on lines whose service is only fortnightly, but the Cunard Line booked freight Tuesday for their Liverpool sailing next week and have plenty of room for their London sailing the following week.

On Tuesday three ships of companies controlled by the International Mercantile Marine Co. sailed from Boston carrying 35,000 tons of cargo, which cleaned up practically every pound of freight on hand for shipment by these lines.

The Boston & Albany grain elevator on Tuesday held only 561,719 bushels and there were 34 cars containing 38,000 bushels of grain being delivered at the elevator. As this elevator has held in the past 882,000 bushels, it is obviously not true that it is filled with grain.

Boston. A State Street banker in close touch with the shipping situation says: "It is greatly to be regretted that the exigencies of politics forced so excellent a business man as Collector Billings to send a telegram to the Secretary of the Treasury, advertising to the world a shortage in tonnage at the port of Boston. Of course there has been no shortage in tonnage here in Boston, as the collector could easily have determined had he made the slightest investigation. It is regrettable that politics obliges men to do things which their business judgment must condemn.

"Even if true, no one would be warranted in advertising that the port of Boston lacks facilities for handling shipments to Europe. Such a representation is sure to result in a curtailment of shipments through Boston and not only injure the steamship companies running to Boston but also the port itself.

"The collector is quoted as saying that the situation will be more congested 'unless relieved by increased service.' It is to be regretted that Mr. Billings did not go further and explain how the increased service would relieve the congestion at European ports due to the war. Cases of a month's delay in getting facilities and men to unload cargo at Liverpool and other ports are not unusual, and how increased service to such ports would lessen the congestion already existing there is difficult to understand.

"It can hardly be questioned but that steamship service to German ports, among others, has been affected by the war, and that, for a dozen different reasons, steamship rates to Europe have advanced. But the point at issue, in spite of the activity of the Secretary of the Treasury, is whether the ship-purchase bill would relieve existing conditions. The Government's purchasing ships already employed in steamship service would not in itself increase that service, and if the Government did purchase such ships at exorbitant prices, the mere fact of Government operation would not increase their capacity, nor would it relieve congestion on the other side or terminate the war."

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 11927) for the relief of Matthew McDonald, asked to be discharged from its further consideration and that it be referred to the Committee on Naval Affairs, which was agreed to.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the joint resolution (S. J. Res. 221) withholding from allotment the unallotted lands or public domain of the Creek Nation or tribe of Indians and providing for the sale thereof, and for other purposes, reported it without amendment, and submitted a report (No. 981) thereon.

Mr. LANE. I am directed by the Committee on Fisheries, to which was referred the bill (S. 5283) to regulate the catching of whales in the waters of the Territory of Alaska, to submit an adverse report (No. 982) thereon, and I ask that the bill be postponed indefinitely.

The VICE PRESIDENT. The bill will be postponed indefinitely.

SCHOOL BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. HOLLIS. From the Committee on the District of Columbia I report back favorably, without amendment, the bill (H. R. 13222) to regulate the use of public-school buildings and grounds in the District of Columbia.

This bill was introduced in the Senate and in the House of Representatives at the same time. It was passed unanimously by the Senate, but when it went to the House of Representatives, instead of passing the Senate bill they passed the House bill. It makes no difference in legislation, except that the bill will have to be again passed in one House or the other. I therefore ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. Mr. President, when this bill was previously before the Senate there were objections to it. I should very much prefer to read the bill and see if those objectionable parts are still in it. For that reason I object to its present consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 7647) to provide for the erection of a public building at Price, Utah; to the Committee on Public Buildings and Grounds.

By Mr. GRONNA:

A bill (S. 7648) to authorize an exchange of lands with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes (with accompanying papers); to the Committee on Public Lands.

By Mr. PERKINS:

A bill (S. 7649) providing for the disposal of certain lands in Imperial County, Cal., and the proceeds arising therefrom (with accompanying papers); to the Committee on Public Lands.

By Mr. GOFF:

A bill (S. 7650) granting an increase of pension to Adelphia Eskey (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7651) granting an increase of pension to Stillman Choate; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 7652) providing for the continuance of the Joint Commission to Investigate Indian Affairs; to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCUMBER submitted an amendment proposing to increase the appropriation for the maintenance of the Glacier National Park, Mont., from $40,000 to $100,000, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318) which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing for a refund of sums paid for documentary stamps, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318) which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OWEN submitted an amendment proposing to appropriate $812.60 to pay Frank Carpenter for services and team hire in 1910 and 1911 in connection with the construction of the Oklahoma State Rifle Range at Chandler, Okla., etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was ordered to be printed and, with accompanying paper, referred to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS—LEWIS M. MILLER.

On motion of Mr. BURTON, it was

Ordered, That the papers in the bill for the relief of Lewis M. Miller (S. 3128, 63d Cong.) be withdrawn from the files of the Senate, no adverse report thereon having been made.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BURTON. I submit a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 541), as follows:

Resolved, That the Secretary of War be requested and directed to transmit to the Senate a statement of the balances to the credit of the respective river and harbor projects of the country now under improvement, remaining unexpended and available on January 1, 1915, or February 1, 1915, as may be most convenient.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. LEA of Tennessee. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. BURTON. Mr. President, this is the usual order made at this time in regard to balances remaining unexpended for river and harbor work. A similar resolution passed in the last Congress. It asks for information of great value to the Senate in any discussion of the river and harbor bill. It requires some little time for the preparation of the information in the War Department, and I understand they have already commenced to compile the figures, so that, perhaps, the report can be made in a short time.

Mr. LEA of Tennessee. Mr. President, I have no objection especially to the resolution, but it is difficult for Senators on this side to obtain unanimous consent, and so I think it had better take the regular course.

Mr. BURTON. I understand, then, that the Senator from Tennessee asks that the resolution go over for the day?

Mr. LEA of Tennessee. Yes.

The VICE PRESIDENT. The resolution will lie over and be printed.

SHIPS OF BELLIGERENT NATIONS.

Mr. BURTON. I submit a resolution which I desire to have read, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 542), as follows:

Whereas the pending ship-purchase bill, being S. 6856, contemplates by certain of its provisions the purchase of shipping tonnage already constructed, and therefore suggests the possible acquisition of ships belonging to belligerents, some of which are interned in American and other ports as the result of the war; and

Whereas the purchase of such vessels would raise questions of vital importance to the interests of the United States, a knowledge of which is of supreme importance in order that the Senate may reach an intelligent conclusion as to the advisability of enacting said bill and as to the propriety of incorporating in its provisions certain amendments: Therefore be it

Resolved, That the Secretary of the Treasury be requested, and is hereby directed, to transmit, at his earliest convenience, to the Senate of the United States information responsive to the following queries:

First. Has the Secretary of the Treasury knowledge that any officer of the Government has made overtures or addressed inquiries to the owners of ships under the flags of belligerent nations, including those ships now detained in ports of the United States or other neutral ports, with a view to the purchase of such ships on the part of the Government of the United States or any of its authorized agencies?

Second. Have tenders of sale of any merchant ship or ships carrying the flag of any of the belligerent nations been made to the United States or any of its officers or agencies?

Third. Have there been any tenders for the sale of vessels at present carrying the flag of any neutral nation to the United States or any responsible officer or agent thereof?

Fourth. Is it within the knowledge of the Secretary of the Treasury that any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war; or that any person, firm, or corporation, acting either in private capacity or that of agent for the Government, holds an option on any such ship or ships contemplating their transfer either to the Government of the United States, an agency thereof, or to private citizens of the United States?

Fifth. Is it within the knowledge of the Secretary of the Treasury that the Government of the United States, or any official thereof, has in his employ or under his direction any person or agent who is making inquiry as to the possibility of purchasing any ship or ships of any description whatsoever contemplating their eventual transfer to the United States or an agency thereof?

In each of the above instances the names of the persons, ships, and terms involved in each contemplated sale or purchase is requested.

Mr. FLETCHER. I ask that that resolution go over.

Mr. WILLIAMS. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will go over under the rule.

PURCHASE OF SHIPS.

Mr. BURTON. I submit a resolution and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The Secretary will read as requested.

The resolution (S. Res. 543) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That a committee of five Senators be appointed by the Presiding Officer of the Senate with authority to compel the production of books and papers, summon witnesses, and take testimony in order to ascertain:

1. Whether any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war.

2. Whether any individual, firm, or corporation in the United States has at any time obtained options upon any such ship or ships.

3. Whether the persons, firms, or corporations having made such loans or obtained such options have any connection, direct or indirect, with the Government of the United States.

WATER-POWER SITES.

Mr. BORAH. I submit a resolution for which I ask immediate consideration; and I desire to say just a word in explanation of the resolution.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 544) was read, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to furnish the Senate with all information in his possession as to the ownership and control of the water-power sites in the United States, showing what proportion of such water-power sites is in private ownership and by what companies and corporations such sites in private ownership are owned and controlled; what horsepower has been developed and what proportion of it is owned and controlled by such private companies and corporations; and any facts bearing upon the question as to the existence of a monopoly in the ownership and control of hydroelectric power in the United States.

Mr. BORAH. Mr. President, this resolution is directed to the Secretary of Agriculture. Ordinarily it would not go there; but I am informed that the Bureau of Forestry is in possession of some very important information with regard to this matter, and that that bureau would be glad to furnish the information if it were given the opportunity to do so. For that reason the resolution is directed to the Secretary of Agriculture.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

The resolution was agreed to.

THE PREFERENTIAL BALLOT.

Mr. OWEN. Mr. President, Order of Business 333 on the calendar being Senate resolution 320, provides for the printing of an address by Prof. Lewis Jerome Johnson, of Harvard University. I desire to substitute a corrected copy of that address.

Mr. SMOOT. Mr. President, I think that copy should go to the Committee on Printing rather than have it substituted on the floor of the Senate. I do not think a reference would interfere at all with the desire of the Senator from Oklahoma or with the address being printed, if there is nothing in it to which there could be objection.

Mr. OWEN. This matter is on the calendar. It is an address by Prof. Johnson on the preferential ballot, and he has corrected it. I desire to have the corrected copy printed instead of the old copy.

Mr. SMOOT. I understood that was the request of the Senator, but I should prefer to have it referred to the Committee on Printing and allow the committee to act on it. I do not think there will be any objection on the part of the committee to reporting the corrected address as a substitute for the one originally proposed to be printed. I do not believe, however, it is proper to have the substitution made on the floor of the Senate. I will say to the Senator from Oklahoma that, as a member of the committee, I should have no objection to the substitution.

Mr. OWEN. I do not want the resolution to lose its place on the calendar.

Mr. SMOOT. It will not lose its place.

Mr. OWEN. Then I am quite content to have that course taken—to have the matter of the substitution of the corrected address for the old address referred to the Committee on Printing.

Mr. SMOOT. That is the proper course.

The VICE PRESIDENT. The address will be referred to the Committee on Printing for action.

TENNESSEE RIVER BRIDGE, ALABAMA.

Mr. WHITE I ask unanimous consent to take up for immediate consideration the bill (H. R. 17168) to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala. It is a matter of very great concern to the people in that vicinity.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAJ. JOHN O. SKINNER.

Mr. GALLINGER. I ask unanimous consent for the present consideration of Senate bill 2789, being Order of Business No. 805, to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired. I feel sure there will be no objection. If there is, I will withdraw the request.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired, for gallantry in action while serving as an acting assistant surgeon, United States Army, in having rescued a wounded soldier who lay under a close and heavy fire during the assault on the Modoc stronghold during the battle of January 17, 1873, in the Lava Beds, Oreg., after two soldiers had unsuccessfully attempted to make the rescue and both had been wounded in doing so.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, 25, 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, and agree to the same.

BENJAMIN F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.
ISAAC R. SHERWOOD,
J. A. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

The report was agreed to.

Mr. SHIVELY submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and agree to the same.

BENJAMIN F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.
ISAAC R. SHERWOOD,
J. A. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

The report was agreed to.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SHERMAN conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SHERMAN conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SHERMAN conferees on the part of the Senate.

THE MERCHANT MARINE.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The resolution (S. Res. 537), submitted by Mr. GORE on the 5th instant, was read, as follows:

Resolved, That the Committee on Commerce is hereby discharged from further consideration of S. 7552.

Mr. GORE. On that I ask for the yeas and nays.

Mr. SMOOT. What is the resolution, Mr. President?

The VICE PRESIDENT. Let it be reported again.

Mr. GORE. I withdraw the request.

The VICE PRESIDENT. The Secretary will again report the resolution.

Mr. GORE. I withdraw the request.

The SECRETARY. Senate resolution 537, by Mr. GORE:

Resolved, That the Committee on Commerce is hereby discharged from further consideration of S. 7552.

Mr. PENROSE. What is "S. 7552"?

Mr. REED. Mr. President, a parliamentary inquiry. What is the subject matter of the bill?

The VICE PRESIDENT. The Secretary will state the title of the bill.

The SECRETARY. Senate bill 7552 is entitled:

A bill to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade.

Mr. GALLINGER. Mr. President, I will ask if that resolution was presented at a former meeting of the Senate? If not, of course it will go over under the rule.

The VICE PRESIDENT. Oh, yes; it has been heretofore presented. It was presented on the 5th of February, and laid over under the rule.

Mr. GALLINGER. It was laid over under the rule?

The VICE PRESIDENT. Yes.

Mr. GALLINGER. Then it is in order.

Mr. BURTON. Mr. President, is that resolution in order at this time?

The VICE PRESIDENT. It is, at this time.

Mr. BURTON. I desire to address the Senate on this matter.

The VICE PRESIDENT. The Senator from Oklahoma has been recognized. Will he yield?

Mr. GORE. Mr. President, I desire to ask for the yeas and nays on the adoption of the motion.

Mr. BURTON. Well, wait, Mr. President. I should like to be heard.

The VICE PRESIDENT. Under the ruling of the Senate it does not make the slightest difference whether the yeas and nays are ordered or not. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. CRAWFORD. Mr. President, a parliamentary inquiry. I may be under a misapprehension. As I understand, this is a resolution to discharge the Committee on Commerce from the further consideration of that bill.

The VICE PRESIDENT. Yes.

Mr. CRAWFORD. Is not that bill out of the hands of the Committee on Commerce and before the Senate?

The VICE PRESIDENT. This is a different bill, as the Chair understands. The Senator from Ohio is now recognized.

Mr. BURTON. Mr. President——

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Arizona?

Mr. BURTON. I should like to ask for what purpose the Senator from Arizona desires me to yield?

GRAZING HOMESTEAD BILL.

Mr. ASHURST. I rose to obtain recognition, but the Chair properly recognized the Senator from Ohio. I wanted at some time to-day, and I give notice that I am going to repeat this attempt until I shall have succeeded or failed, to ask the Senate to vote on the grazing homestead bill. The entire western part of the United States, so far as I am advised, is strongly in favor of this grazing homestead bill. The bill has passed the House of Representatives. It was favorably reported from the Senate Committee on Public Lands. Here is a noble opportunity for this Congress to do something in behalf of the people. So I move that the Senate proceed to the consideration of H. R. 15799, the grazing homestead bill.

Mr. BURTON. Mr. President, I desire to be heard on the so-called ship-purchase bill; but if it is distinctly understood that at the time the Senator from Arizona concludes, or at the time the Senate concludes the consideration of his motion in regard to a homestead bill, I shall have the floor, I shall be glad to yield to him.

Mr. ASHURST. Mr. President, I am just advised, and I presume that is true, that the motion is not in order until the morning business is closed.

The VICE PRESIDENT. There is no doubt about that.

Mr. BURTON. Mr. President——

Mr. ASHURST. Mr. President, will the Senator yield to me further?

Mr. BURTON. For what purpose?

Mr. ASHURST. I wish to ask unanimous consent that the Senate proceed to the consideration of the grazing homestead bill, H. R. 15799, which bill has passed the House of Representatives and has a unanimous report in its favor from the Senate Committee on Public Lands.

Mr. BURTON. Mr. President, I again say that if it is distinctly understood that this is not to deprive me of the privilege of proceeding immediately upon the conclusion of the consideration of this bill I shall be glad to yield to the Senator from Arizona, but not under any other circumstances whatever. I am ready to proceed. I understand that bill is a very commendable one, and I have no objection to its consideration, but I waive no rights to the floor.

Mr. JONES. Regular order, Mr. President.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill referred to by the Senator from Arizona?

Mr. SMOOT. I object.

Mr. BURTON. There is an objection, as I understand.

The VICE PRESIDENT. The Senator from Ohio at last has the floor.

THE MERCHANT MARINE.

Mr. BURTON. Mr. President, the ship-purchase bill has assumed a very peculiar position of late. The question most prominently before the Senate is one of the rules. There are two propositions pending; and in the hope that out of all the confusion which has arisen we may get a better understanding of the question at issue, I desire to make a brief review of the present situation.

There is pending before the Senate a motion by the Senator from New Hampshire [Mr. GALLINGER] to refer certain propositions for amendments to the standing rules of the Senate, temporary or permanent, to the Committee on Rules. The question originally intended to be referred is a motion by the Senator from Missouri [Mr. REED], which I will read. It is found on page 3627 of the CONGRESSIONAL RECORD:

> Pursuant to the provisions of Rule XI of the standing rules of the Senate, I propose the following amendment to the rules:
> Add, at the end of Rule XXII of the standing rules of the Senate, the following:
> "Not later than the hour of 2 o'clock p. m. of the calendar day February 19, 1915, all debate upon Senate bill 6856 shall cease, and at the time aforesaid the Senate shall proceed to vote upon said bill and all amendments thereto without further debate. The final vote upon said bill shall be taken not later than 5 o'clock p. m. of said date.
> "The foregoing proceedings shall have precedence over all other motions whatsoever."

To this motion the Senator from Nebraska [Mr. NORRIS] on yesterday proposed an amendment, which is found on page 3630 of the CONGRESSIONAL RECORD, in the first column, and reads as follows:

> That the committee be instructed—

That is, the Committee on Rules—

> RULE XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over one day and shall then be decided without debate. When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall in addition to said 15 minutes be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours. When the bill is being read for amendment all debate shall be confined to the amendment which is then pending.

We have thus before us two propositions very distinct and very easily discriminated. One is a rule intended to be applied to a single bill now before the Senate of the United States. It is proposed in effect to suspend the rules and provide for cloture on one measure. If this resolution should be adopted it would be functus officio, it would have no force or effect beyond this one bill which is pending. In a word, it provides for a temporary suspension of the rules. The other is in the nature of an amendment to the rules. It can be adopted, no doubt, by a majority vote of the Senate. It provides a very radical change in the procedure and methods of the Senate which have prevailed for more than 100 years.

At this time I do not wish to go into any elaborate discussion of the question relating to the rules of the Senate under which unlimited debate is allowed, but I do wish to express myself briefly upon this subject. Personally, I should favor some rule under which unlimited debate can be brought to an end, but I do not see my way clear to favor a proposition under which this can be done by a mere majority vote. It is a question of detail whether two-thirds, or three-fourths, or four-fifths, or any larger fraction should be required.

There are possibilities in a filibuster which would not contribute to the orderly procedure of the Senate and to our usefulness as a legislative body; but there is another side to this question. When the Senate of the United States was first organized, for eight years the previous question was allowed. At the expiration of that time the rules were changed; and since then, now for 117 years, unlimited debate has been allowed in this body. I think the right of unlimited debate is one of the bulwarks of the American Nation to prevent injudicious legislation, and that it is also a safeguard for the liberty and rights of the American people.

The great problem of popular government is to secure the rights of the minority. The principle was laid down by Mr. Webster, in his reply to Calhoun, that there was so far a common interest imposed upon all the people of a country that the majority could rule without injustice or oppression to the parts. That great fundamental idea is based upon the principle that the right of government must rest somewhere. It might rest with the king, with absolute power; it might rest with an aristocracy; but in popular government it rests, as we say somewhat loosely, with the people. There must be some way in which the people can express their will, and that the orderly processes of government may go on. It has been thought the majority must rule. But over against that we must bear in mind that this Government of ours is not like those of the ancient days, wherein a popular assembly issued its decree. It is not like one of those in which a single parliamentary body determines the policy of the Government. The United States Constitution provides an elaborate system of checks and balances under which it is assured with an equal degree of fixedness, first, that the people shall rule; second, that the will of the people shall be calmly and deliberately expressed. As has been stated in a phrase which possibly has a little of flippancy, "the framers

of the Constitution had equal fear of the despot and of the mob."

Our Constitution provides an Executive, a legislative, and a judiciary. It has a perfect panoply of provisions to prevent injudicious or hasty action. Unlike many of the republics of the olden days there are two legislative chambers. The Executive has the right of veto. The legislative will does not become law after a veto has been transmitted with the reasons of the Executive unless both Houses of Congress by a two-thirds vote override that veto.

We had an illustration of this barely a week ago. A bill passed both the House and Senate by an overwhelming majority which was returned by the President with his veto. It goes without saying that in this body it would have passed four to one over his veto, but it first went to the other House, and on a very large vote it lacked a comparatively trivial number of the required majority. Perhaps a change of five votes would have resulted in the necessary two-thirds. But that prevented the bill from becoming a law, and that notwithstanding that in two Congresses, in the years 1896 and 1897 under the administration of President Cleveland and again under the administration of President Taft, a similar bill was passed, and notwithstanding some persons rose in the House of Representatives and said that while their personal convictions were against the bill they felt compelled to vote for it because the people demanded it.

So this is not a Government in which the idea of popular control is pushed to the extreme. I think I may say, Mr. President, that this Senate, with its right of unlimited debate, has thrown such illumination on great questions as to be a benefit which may have saved the people from mistaken action in times of excitement and passion.

The debates here, though somewhat lengthy, have aroused the attention of the people and caused them to change their minds.

And again, let us take the word "filibuster," so odious to some; what has been the history of the filibusters in the Senate?

In the year 1891 one was undertaken against the so-called force bill. It had passed the House of Representatives and was pending here in the Senate where it was thought it would command a plain majority. But a filibuster was organized against it, and it was defeated. If there had been any such rule in existence as is contemplated by the Senator from Missouri [Mr. REED], it would have become a law.

When we look at this question calmly and dispassionately, after a lapse of 23 or 24 years, whatever the opinions of any individual among us may be, I believe that the general judgment of the American people is that the defeat of that measure was for the best.

In the year 1893 a filibuster was organized against the repeal of the silver-purchase act of 1890. The repeal of the act had been recommended by President Cleveland. A large majority in both the Senate and the House favored the repeal. Half a dozen or less conducted a very earnest filibuster against it. Considerable time was required for discussion, but the Senate and House heard from the people, and that filibuster was ineffective.

One of my predecessors from the great State of Ohio, Hon. John Sherman, here in this body uttered an impassioned appeal to the Democrats during that discussion, placing upon them the responsibility for action. Possibly in part under the influence of that appeal, made not only to his opponents but to those on his side of the Senate, the measure was passed and it became a law. But the temporary opposition called a filibuster led to an intelligent and careful consideration of the question of silver coinage in all its phases, and I think there is none who can say it was not helpful. It was a proof that if a filibuster is not sustained by popular sentiment, if it is not in the cause of right, it will fail of its purpose.

In the year 1901 Mr. Carter, of Montana, talked a river and harbor bill to death. It was a somewhat easy task, because the measure was brought before the Senate on a conference report, as I recall it, late in the evening of March 3, and there were several conference reports on appropriation bills which it was very much desired that the Senate should dispose of.

Passing on a little further, Senator Carmack, of Tennessee, by a so-called filibuster, defeated a ship-subsidy bill. Well, that also was under unusual circumstances. It was at the very close of a session which expired by limitation, as I recall it. At a later time that same question was brought before Congress, passed the Senate on two or three occasions, but failed in the House. The consistent majority of the two Houses was evidently against the measure and justified its original defeat by exceptional means.

In the year 1911 the Senator from Oklahoma [Mr. OWEN] conducted what may be called a filibuster—I think he will not be offended, he is here, I see, if I use that term—against the bill for joint statehood for Arizona and New Mexico. He talked all night, as I recall it, on an appropriation bill.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. BURTON. I yield for a question.

Mr. OWEN. The Senator is in error with regard to the statement of the record. It was not joint statehood for Arizona and New Mexico, but was merely a question as to whether Arizona should be excluded and New Mexico admitted.

Mr. BURTON. Very well; I stand corrected on that. I was thinking of the later bill.

Mr. ROOT. It was the separate bill.

Mr. BURTON. It was the bill for the separate admission of New Mexico without Arizona.

Mr. OWEN. That is right.

Mr. BURTON. That seems to have succeeded, for now Arizona is a State and is represented here on this floor.

In the last session of this body, with a comparatively small number of my colleagues, I stood against the river and harbor bill. The Senator from Iowa [Mr. KENYON], who is present, cooperated in that enterprise. The Senator from New Hampshire [Mr. GALLINGER], the Senators from Nebraska, and the Senator from Idaho [Mr. BORAH] aided very much.

Mr. BRANDEGEE. Will the Senator yield for a question?

Mr. BURTON. Yes; if it is a question merely.

Mr. BRANDEGEE. It is simply this: It is of no great consequence, but I think it might well be stated correctly in the RECORD what was the filibuster of the Senator from Oklahoma. I should like the Senator from Ohio to ask the Senator from New Mexico [Mr. FALL] to make that statement. I think the Senator is incorrect in the statement of it.

Mr. FALL. I will be glad to give it.

Mr. BURTON. I do not know that I can yield for that under the rule. I do not know but that it would be better to have an error go into the RECORD which does not really affect the proceedings than to have the question of my right to the floor raised.

Mr. NORRIS. Will the Senator yield for a question right there?

Mr. BURTON. Yes.

Mr. NORRIS. Does not the Senator think it would be better to provide by a general rule against these filibusters and save these errors from going into the RECORD, because I think the Senator will have to admit that various rulings for the last several years when filibusters have been conducted have been promulgated here on emergency propositions that in fact everybody practically knows were wrong. If it were not for the filibuster, we would not have such rulings, and under the rule the Senator from New Mexico could get the truth put in the RECORD.

Mr. BURTON. I really was not aware that such rulings had been made, unless during this discussion on the ship-purchase bill. A ruling was made when the river and harbor bill was under consideration that one holding the floor could not yield even for a question except by unanimous consent, but after a day's discussion that ruling was reversed. Speaking of the river and harbor bill, I insist that that really was not a filibuster. A river and harbor bill had passed the House and been reported to the Senate which included the accumulation of the errors of four or five years. Indeed, it was based upon erroneous principles. It included objectionable items. It failed to recognize radical changes in transportation in this country. As was pointed out during that debate by the Senator from Nebraska [Mr. NORRIS], there was at least one improvement where it would have been more economical to have bought and burned all the freight offered than to continue the improvement. There were other items in that bill equally absurd. The subject required careful consideration, much elaboration, the reading of dry statistics, the presentation of unattractive figures, some iteration and, possibly, reiteration, so that the facts might be brought before the Senate. What was the result of that filibuster? Call it so if you have a mind to; I am not sensitive on the subject.

Mr. SMITH of Michigan. Mr. President——

Mr. BURTON. An analysis of the errors of that bill made its defeat essential if we were ever to have a rational system of waterway improvements in the United States; and, Mr. President, no serious effort ever has been made to refute the facts or explain the discouraging statistics presented during that prolonged debate. I do not claim credit for the defeat of the bill, though I did talk all night against it. I merely sought to present to the Senate and to the country the plain, unvarnished facts.

What was the result? A saving of $40,000,000 to the people of the United States. I am sure there is a certain element in

the country ready to vote for the retention of the right to filibuster.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New York?

Mr. BURTON. The Senator from Michigan rose first.

Mr. SMITH of Michigan. Oh, no.

Mr. BURTON. I yield to the Senator from New York.

Mr. ROOT. I rose merely to ask a question of the Senator from Ohio. Was the all-night session, through which he was compelled to talk in order to present the facts to justify the defeat of the rivers and harbors bill of the last Congress anything more than an attempt to prevent him from stating those facts through the operation of physical exhaustion?

Mr. BURTON. I think not. That morning there had been a meeting of the committee, in which a compromise had been discussed. At 5 o'clock in the evening word was brought to me that all propositions for a compromise were withdrawn, and that an all-night session would be insisted upon. Of course, that meant an effort to jam the bill through that night by the weight of physical exhaustion. One Senator had said, "Keep this body in session until those Senators drop in their seats and their mouths are dry." That meant a challenge of physical endurance, a threat to carry the bill through, regardless of its merits.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BURTON. I yield.

Mr. SMITH of Michigan. I wish to ask the Senator from Ohio whether he would have undertaken the work which he did in antagonism to the river and harbor bill if there had been any form of cloture in the Senate by which a vote could have been forced by a majority of this body?

Mr. BURTON. It would have been, I take it, impossible.

Mr. NORRIS. Mr. President, will the Senator yield for another question?

Mr. BURTON. Certainly.

Mr. NORRIS. I should like to have the Senator from Ohio ask the Senator from Michigan who has just propounded the question whether the Senator from Michigan did not say on the floor of the Senate that the bill was almost perfect.

Mr. BURTON. I am a little afraid of getting into a desultory discussion here——

Mr. NORRIS. And whether the Senator from Michigan did not think that the filibuster was a bad thing?

Mr. SMITH of Michigan. No; but if the Senator will allow me——

Mr. BURTON. I will yield, if the Senator from Michigan will ask me a question; I do not want to yield to a second Senator to ask it. The Senator from Michigan knows my fondness for him would make me gladly yield to him for 10, 20, or 30 minutes for a statement; but there are certain rules enforced here that compel me to restrict any interruption by him to an inquiry.

Mr. SMITH of Michigan. I realize that, Mr. President.

Mr. BURTON. If the Senator from Michigan will make it a question, I will yield.

Mr. SMITH of Michigan. I realize that I am not permitted to answer the question of the Senator from Nebraska, but I think I am under the rule permitted to say that the filibuster of the Senator from Ohio was not only justifiable but that I rejoice it was made, and as one of the members of the Committee on Commerce I have governed myself accordingly in the present bill in every part I have had in it; and it is twenty-odd million dollars less than the bill that was proposed and is a more wholesome piece of legislation. I thank the Senator from Ohio.

Mr. BURTON. It is not perfect yet, by a good deal.

Mr. SMITH of Michigan. But I thank the Senator from Ohio and I thank the absence of cloture for what he accomplished.

Mr. GALLINGER. Will the Senator from Ohio yield to me for a moment?

Mr. BURTON. Certainly.

Mr. GALLINGER. I will ask the Senator from Ohio if, in view of the fact that we shall probably have a deficit of $100,000,000 at the end of the present fiscal year, he does not think the Democratic Party and the whole country owe those of us who engaged in that so-called filibuster thanks?

Mr. BURTON. I think so; certainly to the Senator from New Hampshire and to the other Senators whom I mentioned, and I will put myself at the foot of the list.

Mr. NORRIS. Will the Senator yield to me for a question?

Mr. GALLINGER. The Senator from Ohio, I apprehend, will agree with me that if it had not been for that the deficit would have been $140,000,000 in place of $100,000,000. It is bad enough as it is.

Mr. KENYON. Will the Senator from Ohio yield for a question?

Mr. BURTON. Certainly.

Mr. KENYON. I wish to ask the Senator from Ohio if the Senator from Michigan who has just so eloquently spoken did not in the same eloquent way announce that there was not an item in the river and harbor bill presented here the last time that ought not to be passed?

Mr. BURTON. Possibly he said something like that, but he was open to conviction on the subject, and he was convinced afterwards that that was not the case. [Laughter.]

Mr. SMITH of Michigan. Mr. President, if the Senator from Ohio will permit me to ask a question——

Mr. POMERENE. I just want to ask one other brief question. What was the date of the conversion of the Senator from Michigan?

Mr. BURTON. It was in due time.

Mr. ROOT. Just let me ask the Senator——

Mr. BURTON. I yield to the Senator from New York.

Mr. ROOT. I wish to ask the Senator from Ohio whether the conversion of the Senator from Michigan was not made possible by the fact that the Senator from Michigan had been bound by no caucus rule in respect to the merits of the proposition?

Mr. BURTON. If he had been bound by a caucus rule, I am afraid he would not have been converted, and would not have uttered the very pleasant sentiments that he uttered just a few moments ago.

Mr. SMITH of Michigan. Mr. President, I want to ask the Senator from Ohio a question. It is this: Whether a statement such as has been attributed to me by the Senator from Iowa [Mr. KENYON], rather appropriately, was made in view of the fact that the War Department and the engineers of the Army had made their estimates and had approved every single item in the river and harbor bill at the last session, except one which I myself introduced, and which was of no consequence. Therefore I say that as river and harbor bills have been made—I ask the Senator from Ohio if I am not correct—as river and harbor bills have been made, that was scientifically and appropriately made; but I think that the filibuster—and it was a filibuster, and a wholesome one—saved the country many millions of dollars, and should be repeated in this Chamber whenever similar tactics are pursued.

Mr. KENYON. Mr. President, may I ask the Senator another question?

Mr. BURTON. Excuse me just one moment. I am afraid there was too much science in the bill and too little common sense.

Mr. SMITH of Michigan. There were both.

Mr. KENYON. Will the Senator from Ohio yield for a question?

Mr. BURTON. Certainly.

Mr. KENYON. I ask this question: Does the Senator from Ohio not feel that the Senator from Michigan, before making a statement of that character and being ready to vote for the bill, should have made some slight investigation of these various contracts, especially as he was a member of the committee reporting the bill?

Mr. BURTON. I venture to say that the Senator from Michigan made the investigation that is usually made by Members. You have to go down under the upper crust into the lower strata to find the real facts. It is possible that the Senator from Michigan stopped at the upper covering or crust and did not go below that, and that at first he thought it was all right; but I am unwilling——

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. BURTON. Certainly; for a question merely.

Mr. GORE. I desire to really propound my question to the senior Senator from New York [Mr. ROOT].

Mr. BURTON. The senior Senator from New York does not now have the floor.

Mr. GORE. I understand that the Senator from Ohio has the floor, but I was wondering whether he would yield to me to ask a question of the Senator from New York.

Mr. BURTON. I should be glad to do so, as the Senator from Oklahoma knows, but if the Senator from Oklahoma will present the question to me, as I am near the Senator from New York, possibly in that indirect way we can reach the desired result.

Mr. GORE. I merely wish to ask the Senator from New York whether he thinks that a party caucus ought or ought not to bind its participants?

Mr. BURTON. I am ready to answer that for the Senator from New York.

Mr. GORE. It is the opinion of the Senator from New York which I really desire in this instance.

Mr. BURTON. The Senator from New York believes that every man in this Senate is a Senator of the United States; that to bind his judgment and his conscience by a caucus held behind closed doors restrains his liberty and prevents him from performing his duty.

Mr. GORE. Mr. President——

Mr. ROOT. Mr. President, I should like very much to answer the question of the Senator from Oklahoma, if——

Mr. BURTON. I will yield to the Senator from New York.

Mr. ROOT. If I can do so without taking the Senator from Ohio from the floor.

The VICE PRESIDENT. Oh, it does not seem that anybody wants to take anybody off the floor.

Mr. GORE. I have no purpose of that sort.

Mr. ROOT. Then I beg leave to answer the Senator from Oklahoma. The Senator from Oklahoma asks whether the senior Senator from New York thinks that a caucus resolution should be binding?

Mr. GORE. That is the point.

Mr. ROOT. I think that to be bound by a caucus resolution, adopted in advance of the discussion of a measure in this body, is to be false to the constitutional duty of Senators and is to be false to their oath of office——

Mr. GORE. Mr. President——

Mr. ROOT. I am not through yet, sir.

Mr. GORE. I beg pardon.

Mr. ROOT. Because in the Government of the United States, under the Constitution, it is the duty of the Members of the two great legislative bodies of this country to consider, to discuss, and to act, each man in accordance with his individual opinion, each man in accordance with the judgment he forms upon the arguments that are presented to the legislative body to which he belongs. Any agreement made beforehand by which Senators of the United States bind themselves not to consider, not to keep an open mind to arguments that are made upon the merits of a measure, not to vote in accordance with their individual judgment, is a violation of their oaths, is an abandonment and a negation of the constitutional Government of the United States, and is the substitution for it of an extra constitutional and unconstitutional method of government.

Mr. GORE. Mr. President, I appreciate the lofty sentiments of the Senator. I now desire to ask him if he thinks that the national Republican convention in Chicago, over which he presided, ought or ought not to have bound the participants in that convention?

Mr. BURTON. Mr. President, we are really not discussing at this time any political question. We are debating a very important matter relating to the rules of the Senate; but I am perfectly willing, if I do not in any way prejudice my right to the floor, to yield to the Senator from New York.

Mr. GORE. Mr. President——

Mr. ROOT. Mr. President, I will answer the second question.

The VICE PRESIDENT. Nobody is objecting, and so long as there is no objection, the Chair is not trying to enforce any of the rules of the Senate. All this is proceeding by unanimous consent.

Mr. ROOT. Mr. President, in my opinion, the declaration of the party platform at Chicago, equally with the declaration of all other party platforms promulgated by national conventions, performed solely the function of stating to the people of the country the attitude of the party upon the great public questions that were in the minds of the people of the country. Good faith requires that the attitude of the party as stated in the party platform shall be maintained. Beyond that obligation—that moral obligation which affects every member of the party and every member of the convention—there is no obligation; but, sir, no declaration of a party platform can absolve a man who, before or after, takes an oath of office to act as a Member of the great legislative council of the Nation from the duty to keep open-minded upon all questions that are brought before the body and to vote in accordance with the judgment that he forms upon the arguments that are presented in the discussions of the body.

Mr. GORE. Mr. President——

Mr. ROOT. Wait a moment. And, sir, if there ever come to be differences between the honest judgment of a Member of this body upon a question presented to the body and the declaration of a party platform, there is no doubt whatever that the oath of the legislator must prevail over the declaration of the party platform.

Mr. GORE. I did not make my point entirely clear to the Senator.

Mr. ROOT. Well, I have made mine clear, I hope.

Mr. GORE. Does the Senator think that the participants in the Chicago convention ought to have supported the nominees of that convention? That is the point.

Mr. ROOT. Mr. President, I will not answer the question of the Senator from Oklahoma, because it is both irrelevant and impertinent.

Mr. GORE. Mr. President——

Mr. FALL. Mr. President, will the Senator from Ohio yield to me for a question?

Mr. BURTON. Yes.

Mr. FALL. I should like to ask the Senator——

Mr. BURTON. I am perfectly willing to yield, provided I do not lose the floor.

The VICE PRESIDENT. When anybody tires of it the Chair will stop it. [Laughter.]

Mr. BURTON. I will depend on the Chair.

Mr. FALL. Mr. President, I should like to ask the Senator from Ohio if the very question asked by the Senator from Oklahoma does not, to his mind, indicate the very great difference existing here in the Senate of the United States, in that some Members of the Senate confuse constitutional government with party government? Some men think that constitutional government is party government. Is not that illustrated by the very question which is asked by the Senator from Oklahoma?

Mr. BURTON. Precisely so. When you govern the action of a political party—I do not care whether it is the majority or the minority—by party caucus, from which the public are excluded, in which a majority or two-thirds may bind the whole number, you are departing from constitutional government for party government, and party government in one of its most offensive forms.

Mr. GORE. Mr. President, I am perfectly willing to segregate all constitutional questions from my inquiry, and, unless the Senator from Ohio shares the view of the Senator from New York that the question is impertinent—in which event I will not insist upon an answer to it—I should like to know if the Senator from Ohio thinks that the participants in the Chicago convention ought to have supported the nominees of that convention?

Mr. BURTON. I do not care to answer for the convictions of others; I supported them, Mr. President; but I do not care to go further into that question at this time.

Mr. CLARK of Wyoming. Mr. President——

Mr. GORE. Mr. President, just one word more. My apology for this question, if any be needed, is the fact that both the Senator from New York and the Senator from Ohio are presidential possibilities, and I desired an expression from them upon that point, as to whether, in case the convention should nominate either one of them, they would be inclined to insist that the participants in the convention should support the nominees of the convention.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. BURTON. The Senator from Oklahoma flatters me overmuch in saying that I am, what?—a presidential possibility. But I do not care to go into any suggestion or discussion actuated by a disposition to cross-examine me in regard to my views in regard to the Chicago convention. I supported the nominees, and supported them cordially; and I shall do so again, no doubt.

Mr. GORE. With the Senator's indulgence, just one word further. I think the Republican Party might go a good deal further and do a good deal worse than to nominate the Senator from Ohio.

Mr. ROOT. Mr. President, I wish now to enter an objection to having my presidential prospects destroyed by the advocacy of the Senator from Oklahoma. [Laughter.]

Mr. GORE. Mr. President, I did not understand the observation of the Senator from New York.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. BURTON. Yes.

Mr. CLARK of Wyoming. Mr. President, in view of the manner in which this subject has come up, I should like to ask the Senator from Oklahoma, who himself is a possibility as a presidential candidate, whether he believes those who participated in the last Baltimore convention were bound to respect, advocate, and adhere to the platform adopted by that convention?

Mr. KENYON. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENYON. I understood the Senator from Oklahoma indorsed the Senator from Ohio [Mr. BURTON] for President and not the Senator from New York [Mr. ROOT]. [Laughter.]

The VICE PRESIDENT. Well, about everybody has been nominated now. The Senator from Ohio will proceed. [Laughter.]

Mr. BURTON. Mr. President, that bill, with all its objectionable features and its extravagance, was defeated by what is called a filibuster; and I think I may say with serene confidence that if there is one legislative act of the last session of Congress to which the people of the United States gave their approval—and I include the Trade Commission bill and every other statute placed on the books—it was the defeat of that river and harbor bill. It is a monument in honor of unlimited discussion here in the Senate.

We all know how things happen. A wave of excitement goes over the country; telegrams, letters, and petitions come in here, loading the mails and the telegraph wires. Some sudden impulse is given to a measure, and it obtains support. The legislator often thinks that this is the voice of the people; but it is not. The second voice is more intelligent, based, as it is, upon the more careful and mature judgment of the people. In such a situation as this, which is happening every year, the Senate should be able to stand firm until the people are really heard from.

What will be the result, Mr. President, of such a rule as that proposed by the Senator from Nebraska, and especially what will be the result of such a rule as that proposed by the Senator from Missouri? I do not wish to be understood as opposing in its entirety the principle set forth by the Senator from Nebraska. I think there should be some limit upon the discussion which occurs here, but so safeguarded that it would be used only after the right of discussion has become abused, after we have heard from the people and know that we are in touch with their final and deliberate judgment upon any question. Why, Mr. President, it would mean dictation by the Executive; it would mean the preponderance of the very power that our forefathers in their wisdom sought to curtail.

In this connection I wish to read—and I regret the Senator from Oklahoma has not remained in the Chamber—a little discussion that occurred in the Senate during the administration of President Taft, showing the view that was taken at that time about suggestions from the Executive. The postal savings bank bill was pending. The then Senator from Colorado, Mr. Hughes, whose death we all deplore, for he was a most able Senator, was addressing the Senate when Mr. GORE rose to interrupt him:

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Oklahoma?

Mr. HUGHES. I do.

Mr. GORE. I wish to interrupt the Senator from Colorado at this point long enough to make one or two observations.

The Constitution provides that the President of the United States can communicate to Congress, in writing, his views and his recommendations with reference to desirable legislation. I am sure that everyone not only appreciates but desires that the President shall give expression to his views upon needful legislation by constitutional methods.

Mr. President, I doubt the propriety of noising it abroad about this Capitol that the President desires certain measures enacted into law by other than constitutional means.

What is the situation now? Let us have the facts as everyone knows them to be. Whenever any modification of the pending bill is proposed there is anxious waiting for the word from the White House. The senior Senator from Nebraska [Mr. HITCHCOCK] made the startling statement here on the floor of the Senate on Wednesday that not half of the Members on that side believed in the ship-purchase bill. That statement remains in the RECORD, sent out to the country—that half the Members on that side so consistently and persistently voting to bring up this measure and to pass it were opposed to it. It stands uncontradicted, unimpeached, acknowledged to be true, admitted, that the force behind this legislation is not the conviction of the Senate of the United States, but the will of the President of the United States.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. Certainly.

Mr. BRANDEGEE. Did not the same Senator from Nebraska in the same speech state that the two-thirds vote for the resolution in the Democratic caucus which bound it and bound all the other Democrats, as the adherents of this bill claimed, was secured by the change of one Democrat whose views were the other way?

Mr. BURTON. He did so state.

Mr. BRANDEGEE. So that one Democrat has bound the whole Democratic Party on this question.

Mr. BURTON. This position of the majority reminds me, Mr. President, of a cartoon that I saw in my boyhood, after a convention at Philadelphia which gave its support to Andrew Johnson, in which there was represented a most excellent collection of gentlemen, largely officeholders, sitting in rows, every one with a padlock on his mouth, signifying that he was bound by Executive pressure.

The Senator from Oklahoma proceeded:

It recalls an incident, I may say a glorious incident, in English history.

In 1783 what is known as Mr. Fox's East India bill passed the House of Commons. It was defeated by the House of Lords December 17, 1783. On that day George III, not unknown to American history, sent a card to Earl Temple, a member of the House of Lords, saying to him that the King would regard those who voted for the East India bill not only as not his friends but as his enemies. Immediately the House of Commons resented this royal interference, this interference on the part of the executive with the legislative part of the Government, and the House of Commons, with a spirit worthy of that body in its most glorious days, passed the following resolution, which I ask may be read to the Senate.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

"DECEMBER 17, 1783.

"To report any opinion or pretended opinion of His Majesty upon any bill or other proceeding depending in either House of Parliament with a view to influence the votes of the members is a high crime and misdemeanor, derogatory to the honor of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the constitution."

"To report any opinion or pretended opinion of his majesty!" Has there been an hour since this discussion commenced when Members of the Senate have not been confronted with opinions of the President of the United States? Why, this very morning, when Members of the Senate and House have been sitting up long and consulting what to do, there is the report that the President will not stand for a certain proposition, so they have to begin all over again—as if the Senate, with its high prerogatives, had nothing to say, but the President of the United States was to decide the measures we were to pass.

When power bows to flattery and to patronage, when the Executive has such a strangle hold as he seems now to have, is a time when we Senators should discuss what are the prerogatives, the rights, and the responsibilities of this body.

Are we willing to sink into nothingness, to become mere "me-toos," or are we going to stand up and say, "Each of us is a Member of the Senate of the United States, an integral part of this great Government, and with a duty to perform to the country and his constituents, which he will perform according to the light of his own intelligence and conscience and without Executive dictation"?

That is the question here to-day. If in this time of heat and passion the rule proposed by the Senator from Missouri or that proposed by the Senator from Nebraska should pass, it would be a declaration in words that might well be written upon parchment and exposed on the walls of this Chamber: "The Senate bows down to the Executive, and allows him to control its proceedings."

This is not a time to discuss any cloture rule. This is not a time to discuss any rule for voting on Friday. It is a time to consider soberly and carefully the constitutional question whether the great balance between the three departments of government for which our ancestors fought, this greatest and best experiment in government in the tides of time, is to continue, or whether one department is to be all.

Mr. President, I am using no extravagant language. Last year a measure came before the Senate for the repeal of the act exempting American ships in the coastwise trade from toll for passing through the Panama Canal. In the year 1912—I very distinctly remember the occasion—a motion which I myself had offered in this body, to strike out that exemption, came to a vote. It is true it was in the heat of an August evening, and thereafter it was frequently said that the measure had not been carefully considered, but I do not think that is quite correct. It had been discussed by the Senator from New York [Mr. ROOT] and the Senator from Massachusetts [Mr. LODGE]; we all had added our contributions to the question. What was the result on that motion? Eleven votes for it and 43 votes against it. A year ago last winter the President of the United States announced that he favored the repeal of that exemption. He had not taken that position in the preceding campaign. He had taken exactly the contrary position—that our boats should be exempt from tolls, and he had used some expression in regard to the platform not being "molasses to catch flies." In the most unequivocal terms he had favored that exemption on the stump when a candidate for the presidential office and when the people were making up their minds how to vote. But a year ago last winter he changed his mind. Most decidedly

do I say, Mr. President, that I think his second conclusion was right. I could not with consistency say otherwise, because in the Hall of the other House on the 1st of May, 1900, I took a stand in favor of the neutralization of the Panama Canal or the Nicaragua Canal at the time when it was an enterprise in embryo and the route undecided. I had frequent conversations with Mr. Hay, then Secretary of State, and I know that his idea was that there should be equal treatment of all vessels passing through that canal. Strangely, in all the conversations there never was a reference to the exceptional position of coastwise shipping, and I should make the statement with that reservation; but I am sure when the treaties with Great Britain, called the first and second Hay-Pauncefote treaties, were framed it was his idea to have equal treatment for the ships of all nations. I could take no other stand after that experience. So when the bill came from the House with an exemption I promptly made a motion to strike it out, which was defeated disastrously by a vote of about four to one, as I have said.

Mr. President, I have every reason to suppose that except for Executive action that exemption would be in the law to-day. The President of the United States, however, took a hand in it, and every one within the sound of my voice knows how strong that pressure was. I approve, Senators, the conclusion reached; but I would that it had been reached in some other way, namely, by the untrammeled action of the Senate and of the House of Representatives. Indeed, it is a question whether it is not better for the representatives of the people to work out these problems in their own way, even if once in a while mistakes are made; for it is the whole theory of popular government, not that the highest degree of efficiency can be attained—if we wanted that, perhaps we would have an absolute monarchy or an aristocracy—but that the whole political and social fabric is made stronger and better if every citizen has a part in the government. The thought is that even his mistakes and errors, the deficiencies of the individual citizen, will lead to ultimate good.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. BURTON. I shall be glad to yield to the Senator.

Mr. BRANDEGEE. Does not the Senator remember that when the Senate took that action upon the proposition of exempting American vessels in the coastwise trade from tolls while passing through the Panama Canal, previously to that and before the bill had come to debate at all upon the floor of the Senate, the Democratic national convention had bound all its members to the exemption?

Mr. BURTON. Yes; that is true. If I were to write a history of that period I do not know but that I would say that but for that unfortunate declaration in the Baltimore platform—for I think it unfortunate—the exemption provision in the House bill might have been stricken out. I remember addressing the Senate before that clause in the platform was generally understood, and certain Senators on the other side certainly, by their questions and by their interruptions, approved the repeal of the exemption, although they afterwards voted against it.

Now, Mr. President, to resume reading this most remarkable discussion here—most remarkable in view of what has happened recently:

Mr. GORE. Mr. President, I sometimes think that circumstances justify a similar proceeding here, and that the dignity of the Senate and the dignity of the House require the adoption of such a resolution. The Senator from Colorado is in no wise responsible for the presentation of this resolution. I present it on my own responsibility, and I apologize to him for the interruption; but this resolution was adopted by the English Parliament and it was characterized by the same spirit which inspired the British Parliament and the British people when they snatched the jewel of liberty from the iron hand of tyranny.

How preposterous it sounds, in view of the dictation of the White House at this time, to talk about "snatching the jewel of liberty from the iron hand of tyranny," when half of the Senators on that side tacitly admit that they are not in favor of this bill, but they are going to vote for it because the President stubbornly stands out.

Mr. HUGHES. Mr. President, I contend that no apology is ever necessary for calling the attention of a representative body of legislators to the true dignity of their position and the full measure of their constitutional powers and rights.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. I do.

Mr. FLETCHER. I simply wanted to inquire of the Senator by what sort of authority he made the statement that half the Senators on this side were not in favor of this measure?

Mr. BURTON. Because the challenge was thrown out to you here a few days ago by the most remarkable statement made by the senior Senator from Nebraska [Mr. HITCHCOCK]. I have here the exact words that he used; the statement can be found in the RECORD. It was made at a time when the attendance in the Senate was very full. It is found on page 3750 of the CONGRESSIONAL RECORD, in the first column:

And I say it now upon the floor of this Senate solemnly as my belief that not one-half of the Senators upon the Democratic side of the Chamber believe in this bill as it is now before the Senate.

Mr. FLETCHER. I was not present when that statement was made, but had I been I do not know that I should have felt called upon to challenge it as the expression of opinion of the Senator from Nebraska, but I certainly differ materially from any such conclusion as that.

Mr. BURTON. A little later I shall refer to a custom in the Roman Senate that I wish could be brought into vogue here, which would be a test of the question whether the Senators really believe in a bill or not.

But to resume reading:

I wish it to be understood that while I find the statement I have read in other papers, in the Associated Press dispatches in substantially the same form, I would not for a moment give credence to the statement or seek to establish the correctness of those announcements, but it leads me to inquire if it could be possible that an unsigned appropriation bill is more potent in moving the judgment of Senators to the consideration and adoption of a bill than arguments and the Constitution with reference to the contents of the bill itself. It leads me to inquire whether a patriotic bill is to be expected as a result of the application of hot weather and the contents of the pork barrel combined to the conscience of United States Senators.

That was addressed to the Republican side then.

Mr. President, it can not be that the Senate is afraid—

Can it? Can it?—

I apprehend that when, in a few weeks, many of its Members shall go back to the body of their constituents to narrate the prowess with which they fought the battle of the people in this forum, and to tell how no power could terrify them, how boldly and sturdily they always did battle for the interests of their people, they will scorn to have it said that they yielded to any threat, Executive or otherwise, when they came to the determination of a measure of this sort.

I wish to defend the Senate and its high dignity from the aspersion contained in articles like that.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is the motion by the Senator from Missouri [Mr. REED] to amend Rule XXII with the amendment pending thereto. The Senator from Ohio will proceed.

Mr. BURTON (reading)—

I wish to defend the Senate and its high dignity from the aspersion contained in articles like that.

Who has risen here and defended the Senate and its high dignity from the aspersion cast upon that side by one of the most honored members of the Democratic Party, a Democrat in season and out of season? Can you afford, my Democratic friends, to allow an accusation of that kind to be made, that half of you do not believe in this bill in its form, without one of you contradicting it?

I know that in the commission of no Senator is there a release from duty because the weather is hot, or an intermission of patriotic devotion to their duty by Senators because an appropriation bill is unsigned and has not yet escaped the danger of a veto.

Naturally a postal savings-bank bill is not to be passed because of the influence of measures of that kind. Nor can I believe that because a caucus of a bare majority—a dwindling and insecure majority, if a majority at all—in one body of Congress shall make a hard-and-fast declaration of its position, that argument and amendment are out of place in this legislative body, and that it is compelled complacently and humbly to accept that which is brought to its attention without the privilege of an amendment and without, in fact, consideration of any character whatever.

Then he closes this part of the discussion by saying:

If legislation can not be conducted in England in the closet of the King, I submit it ought not to be conducted in the little legislative school, as the papers have dubbed it, which is now and then instructed by the Chief Executive of this country. Of course I do not expect there will be any confession or boasting with regard to that matter here, but we may turn from these asserted moving and controlling reasons to the terms of the bill itself to see if in them we can find anything which can be called a justification for the changes which we have observed. I say that I can not accept these statements to which I have called attention because of the faith I have in the President's acceptance of the spirit and the letter of the Constitution, for I must believe that he accepts as the best support of the logic of the law in the buttress of the Constitution itself; and in this there can be found no warrant for issuing an edict that a legislative body shall absolutely surrender its judgment and act contrary to its views, as here indicated, and pass a bill exactly as it is told to do it, through the fear of displeasure or through an apprehension of the loss of patronage or of the loss of local expenditures.

Mr. President, there could not be a more scathing arraignment of legislative interference than that I have here before me.

Mr. JONES. I wish to ask what Senator it was who made that arraignment?

Mr. BURTON. The then Senator from Colorado, Mr. Hughes, in response to questions asked by the Senator from Oklahoma, Mr. GORE.

I have here a very old book, containing the discussion in the House of Commons referred to in the words I have quoted from the debate between Senator GORE and Senator Hughes. If there were time, I should be glad to read from it. The discussion is set forth somewhat fully. Lord North, not of very pleasant memory to Americans, took part in it; and William Pitt the younger, then quite a young man; and Charles James Fox, the great commoner. All asserted 132 years ago, in a kingdom, in a country where the wonderful currents that make for the liberty and progress that have since occurred had not yet taken place, views that I think it would be very, very profitable for Senators on the other side to consider to-day.

Mr. GALLINGER. Will the Senator yield to me?

Mr. BURTON. I shall be glad to yield.

Mr. GALLINGER. I ask the Senator from Ohio if it is not a fact that from that day to the present the ruling monarch, whether King or Queen, of Great Britain has been absolutely prohibited from interfering with legislative matters?

Mr. BURTON. Certainly. .

Mr. GALLINGER. They never have even attempted it, I believe, from that day to the present.

Mr. FLETCHER. May I make an inquiry of the Senator?

The PRESIDING OFFICER (Mr. BRYAN in the chair). Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. May I inquire of the Senator whether I understand him to be opposed to any form of cloture?

Mr. BURTON. As I stated, when the Senator from Florida was not in, I am opposed to the consideration of it at such a time as this, when the object is to facilitate the passage of a certain measure.

Mr. FLETCHER. I understood that, but I want to inquire of the Senator whether he is opposed to any form of cloture?

Mr. BURTON. As I stated earlier in the day, I think some power of demanding the previous question, say, perhaps, by a two-thirds vote, might be advisable. I would not favor its application except after long discussion and at a time when the Senate was convinced that the people favored the measure.

In this connection, I may say, I think there are three cases in which a filibuster is not only justifiable but salutary. The first is when a vital question of constitutional right is involved; when a proposition is brought in here that a Senator can not conscientiously support.

The second case is when the measure is evidently the result of crude or inconsiderate action. I think that applies with special force to this, a measure which will not bear analysis and which when the people thoroughly understand it will meet with condemnation rather than with approval. We know what happens very well. From time to time some bill is sent in here for which a first burst of enthusiasm is aroused. It seems to be all right, but on further and more careful consideration it is found to be faulty and objectionable. Until the people can be heard from the Senate is justified in holding up the measure. I think that is true of the pending bill. Telegrams have been read from the desk from boards of trade, resolutions passed by city councils and State legislatures favoring the bill which showed on their face they did not have the least comprehension of what the measure is.

A third justification for a filibuster is when the Senate is convinced that because of some compulsion if a vote is taken it will not express the honest conviction of the Members.

I was very thoroughly convinced, Mr. President, in the last session of Congress that the bill then pending, which was opposed so vigorously, would, if it came to a vote, obtain a majority of the Members of the Senate, but that the individual convictions of an overwhelming majority of the Senators were against many items in that river and harbor bill. It seemed to me not only a privilege, but more than that, a stern duty, to oppose it as best I could. Another benefit from the long discussion which occurred at that time. The country had not been considering the river and harbor policy for years, and it was a good idea to give them a rude awakening upon the subject.

Mr. FLETCHER. May I interrupt the Senator to make a suggestion? For fear I may be misunderstood and may be challenged some time for not dissenting from the expression of Senators on the floor, I had better say, with reference to that river and harbor bill, I quite thoroughly differ with the Senator from Ohio with regard to the merits of that bill and with regard to the claimed patriotic service rendered by the distinguished Senator. I give him credit for thorough convictions from his standpoint, but I believe as fully and thoroughly as I can that the public mind of the country was poisoned largely by the allegations of "pork barrel" in connection with that bill, which prejudiced it before the country unjustifiably and erroneously. I believe that that bill had merit as it stood, and my own judgment is that so far from rendering a public service in defeating that bill great public injury was done by defeating it.

I will say, furthermore, with reference to the final amendment of the bill, no great saving has resulted from it, because the appropriations, when they were made, simply maintained the improvements without extending very meritorious improvements.

Furthermore, there were only two items in that whole bill which did not receive the approval and indorsement of the Corps of Engineers.

Mr. BURTON. I give my friend from Florida full credit for conscientiously favoring that bill. He was in one extreme strongly in favor of it and I was in the other strongly opposing it. There were between us quite a number of persons who did not believe in it at all, but who were going to vote for it. That is what I complained of.

The Senator from Florida says that all but two of the items were approved by the Corps of Engineers. That old saying impresses me very strongly, but I have seen so many absurd projects recommended by the Corps of Engineers that I am beginning to feel it is time for the Senate and for Congress to exercise a judgment of their own. When, for instance, I see an item of $18,700,000 for one of the Southern States, $9,000,000 of it to be used for water-power development and $9,000,000 for navigation, and the $9,000,000 for water power to be turned over to a private corporation having 99 years in which to repay it at 3 per cent interest, I think some of these propositions that are sent in to us should be subject to very careful revision.

Mr. SUTHERLAND. Mr. President, will the Senator permit me to ask him whether the Corps of Engineers recommend various projects with the same freedom the Supervising Architect recommends the erection of a public building?

Mr. BURTON. I think so; though perhaps with somewhat more restraint.

Mr. SUTHERLAND. I think the Supervising Architect has never failed to recommend the erection of a public building for which a Congressman has introduced a bill.

Mr. BURTON. It is even so with the Corps of Engineers; both are responsive to public demand in a very great degree.

It is said the defeat of the rivers and harbors bill did not save anything. Yes; but it did, Mr. President. I could call off a number of things it saved—$5,860,000 to the Sacramento and Feather Rivers; $4,400,000 to the upper Cumberland; an indefinite number of millions, about eight, for the Chesapeake & Delaware Canal, which is less objectionable and may sometime be profitably adopted; an indefinite number of millions, ten or twenty, on the Tennessee River; $750,000 on the Oklawaha, down in Florida; a smaller appropriation for the Kissimmee. If the Senator from Florida is right and all those projects were commendable, why is it that so many of them were left out of the present bill? If they were right, why not put them in the present measure and press them to a conclusion? Why did you not put in the Kissimmee? Why did you not put in the Oklawaha? Why did you not put in others all over the country? Down there in Florida, since abandoning those projects, they have been very appropriately singing a familiar song, with a slight deviation:

> Good-by Kissimmee, farewell Tampa;
> It's a long way to Oklawaha,
> But we'll try to get there some other day.

[Laughter.]

They are left out for the present.

Mr. KENYON. I should like to ask the Senator from Ohio a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. Certainly.

Mr. KENYON. I ask the Senator from Ohio if it is not true, however, that the Senate Committee on Commerce have increased to a very large extent the appropriations in the bill as it was passed by the House?

Mr. BURTON. By three or four million dollars, I believe. I have the report here somewhere.

Mr. KENYON. Then those projects, some of which were supposed to be dead, are really not dead; at least, their ghosts seem to be stalking forth again in the present bill.

Mr. BURTON. I do not believe those ghosts that were laid in the last bill will have much vitality. I may say in this connection I regard some of the items in the present river and harbor bill as highly objectionable.

As regards the matter of obstructing the action of the majority, it has always been more or less in vogue. It has been one of the privileges of the minority in popular govern-

ment. We are very much in error when we think that there is anything new under the sun. The Roman Senate had its four methods of stopping the proceedings. One was what is familiarly known and stated by the antiquarians as talking against time. That, I suppose, would be called in modern language a filibuster. The second was by demanding that each paragraph of a pending proposition be taken up separately. The third was by asking the presiding officer of the senate to call the members, to be sure a quorum was present. There was a fourth that I wish could be tried in the Senate on this bill—by demanding that every Member get up and state, as it were on his heart, what he thought of it, singulariter consulanti.

Mr. FLETCHER. Will the Senator consent to an interruption?

Mr. BURTON. In just a moment. That was a rule. They could call on every member of the senate. It was a most effective method of creating delay and getting at the real sentiment, if possible.

I think that is one defect in the rules of the Senate. We ought to have that rule of the Roman body here, so that we could call, for instance, upon the Senator from Mississippi [Mr. WILLIAMS]. He opposed Government ownership in Alaska. Why has he changed his mind so that he is in favor of Government ownership here?

Mr. WILLIAMS. If the Senator made any reference to me, I ask him to repeat it.

Mr. BURTON. I think if we had the custom which prevailed in the old Roman Senate, where you could call upon every senator to express his real opinion on a bill, we might call on you to ask if you regard as consistent your vote and action on the Alaskan railroad bill and your action on this bill?

Mr. WILLIAMS. Absolutely; and I can not imagine how any human being with common sense could see any inconsistency between the two.

Mr. FLETCHER. I should like to ask——

Mr. BURTON. The Senator might say more than that if the rule of the old Roman Senate prevailed. Let me just answer that. Take the Alaskan railroad bill and compare it with this proposition. No international complications were involved. It is a part of our domain. The railroad is to be built through lands belonging to the Government of the United States which are undeveloped and can not be developed without transportation. Then, again, the cost of the railroad is to be paid by the sale of those Government lands, which are made more valuable by reason of the construction of the railroad.

Mr. WILLIAMS. Now, Mr. President——

Mr. BURTON. It is a modification of the old Pacific railroad grants under which, instead of giving every other section to some railroad to build the road, the Government builds it and recoups itself by the sale of the land. Now, compare that with the pending ship-purchase bill.

Mr. WILLIAMS. I should like to ask the Senator a question.

Mr. BURTON. In one moment. We are going on the sea and going into business in competition with the whole world, taking up a part of that business, entering into this absurd competition by the ships of the United States with the ships of all the nations, where every boat that you buy is liable to bring us into international complications that may mean either war or humiliation. They are as far distant from the Alaska railroad plan and as far more objectionable as the mind can conceive.

Mr. WILLIAMS. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. Certainly.

Mr. WILLIAMS. Did the Senator from Ohio understand me, when the Alaska railroad bill was up, as at any time denying the power of the United States Government to build that road?

Mr. BURTON. Oh, I do not recall. I think possibly the Senator based his justification on the post-road provision, or something of that kind, or under the decision of the Supreme Court——

Mr. WILLIAMS. On the contrary, did not the Senator understand me to admit the power?

Now, I want to ask the Senator one question. Does the Senator see no difference between spending $30,000,000 of public money to furnish about 300,000 white people with a railroad at Government expense and spending $30,000,000 of the public money to stop the exploitive freight rates now existing upon all our commerce, affecting all our people throughout the entire United States?

Mr. BURTON. In the first place——

Mr. WILLIAMS. The Government has the power in both cases.

Mr. BURTON. The endeavor to control freight rates by investing $30,000,000 in shipping is comparable to supposing that by putting a drop in a bucket you would fill it with water. I admit the Alaska proposition was a more or less unjustifiable one. I voted against it, and I probably do not differ in opinion from the Senator from Mississippi in regard to it; but the proposal for its construction was based on an express power of the Government. Some excuse could be offered, because the Government was building a railroad on its own land in order to develop it.

Now, as to this talk about settling the whole matter of ocean rates by buying a few ships, you might as well think you could regulate the freight rates between Washington and New York by buying a single automobile truck.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. I will say if there was no railroad between Washington and New York, and we could not get it any other way, I would favor the Government building one.

Mr. BURTON. That is not a parallel case.

Mr. FLETCHER. But I want to ask the Senator a question before he gets away from the Roman history and practice that he suggests. Would he be willing now to say at any time to-day or to-morrow or the next day, or at any time between now and the 4th of March, that he will join me in asking the Senate to stand up one by one, beginning with ASHURST and ending with WORKS, and answer the question whether you are in favor of the bill or not?

Mr. BURTON. I would like that first rate, but I would not want it to be followed by a vote.

Mr. MARTINE of New Jersey. I desire to say that I have never cast a vote in the Senate that I would not be willing to stand here and voice my reasons for the faith in me.

The PRESIDING OFFICER. The Senator from New Jersey is not in order. He must address the Chair and obtain permission to interrupt.

Mr. MARTINE of New Jersey. All right. I appreciate it.

Mr. FLETCHER. If the Senator will consent to a time for that——

Mr. BURTON. I would like to consent to a time for that; it would be a most interesting exposition of views, although it could hardly be substituted for our procedure. To have an expression of the real views of Senators on pending questions before a vote is taken would certainly be an enlightening practice.

Mr. FLETCHER. May I ask the Senator one further question?

Mr. BURTON. Certainly.

Mr. FLETCHER. The Senator suggested that this plan of buying ships might lead to international complications as one reason why it differs from the Alaska proposition and one objection he has to it. May I ask the Senator, if he were President, acting under this law, would he feel that he would be obliged or feel authorized to do anything that would involve the question of the quality of our neutrality under the law?

Mr. BURTON. Mr. President, I will come to that later. It has been reported by the experts of the Government that there are not 10 boats to be bought, and what does this mean except to buy the boats of belligerents? How does your measure amount to anything? How are you going to make more than a flyspeck on the transportation horizon unless you buy these interned boats? When the first argument was made in favor of this bill, it was to supply ocean transportation to South America. It was then found there are plenty of transportation facilities for that trade; in fact, it was found that the difficulties in sea-borne trade are not lack of tonnage; still the bill is pressed. What does it mean? Does it not mean that somebody is interested in selling these interned or detained boats, and that pressure is being brought, which is almost overwhelming, to sell them to the Government of the United States?

I introduced this very day a resolution calling for an investigation on that subject. I want it investigated, because I can see no benefit to be secured by this bill in aid of ocean transportation. I can see that its purpose points, just as the needle to the pole, in the direction of buying ships belonging to hostile nations. I do not see where else it leads.

Mr. FLETCHER. Will the Senator allow me?

Mr. BURTON. Certainly.

Mr. FLETCHER. I do not know what report the Senator refers to. I know of no such report.

Mr. BURTON. The statement of Mr. Baker, the expert employed by the department.

Mr. FLETCHER. I am not acquainted with that report, but I do not think the question as to where ships can be had has been gone into, because that situation has not yet been reached. There are here some letters to the effect that there are offered some Scandinavian ships, Norwegian and Italian ships, and perhaps some South American ships. That, however, is a bridge we have not reached, and there is no use going into that, it seems to me, until we have determined whether we are to get any ships or not or whether this bill is to be passed. The question may arise about building new ones, and all that sort of thing, but I submit there is no justification for the claim that it is contemplated to buy interned ships.

Mr. BURTON. Mr. President, if that is true, why not admit an amendment to this bill that no interned or detained ships in the harbors of the United States or other countries shall be purchased by the Government? That has been resisted.

Mr. FLETCHER. If the Senator asks me that question, I would say that it is not the wise, proper, patriotic, or courageous course for the Senate to take or for any branch of the Government to write into the law a renunciation of our dearest rights, which were recognized and which we had stood for in all the past.

Mr. BURTON. That shows you are looking for trouble.

Mr. FLETCHER. Not at all.

Mr. BURTON. That shows that you are willing to make trouble, and it is as distinct a statement as has been made at any time. Secretary McAdoo in a discussion last week came very nearly to that point. He seemed to advocate the purchase of these ships of belligerents interned in our harbors; and I say that we owe to the country a duty to save the people from that peril. We would be failing in our duty if we did not stand here to the bitter end and oppose a proposition so fraught with danger to the people of the United States; and, I may say, to the peace of the world.

Mr. President, I speak with a certain freedom now that I am so soon to leave the Senate, always with attachment for my colleagues here whether I differ from them politically or not; always with confidence in their patriotism, though not always with confidence in their individual judgment. I am frank to say that I have reached the conclusion that frequently the judgment of an individual in a body of this kind is better than the aggregate judgment of all. Sometimes a jury of 12 men will bring in a verdict that it is almost impossible to believe that any one of them could have voted for. But the individual members rely one upon another, and the collective judgment is something for which no man is personally responsible.

I think that sometimes in the Senate, and also in the House, measures pass which would hardly commend themselves to anyone. The mass or the collective body has different conceptions and different motives from the individuals. It may be better or it may be worse, but the action of the whole is free from that immediate and keen responsibility which belongs to one individual.

If there is any one thing which I have noticed in this body and in the other—and my legislative service extends back now a quarter of a century or more—it is the greater readiness to yield to outside pressure, the outside pressure of interested parties and, in these latter days, the pressure of the Executive.

I very much admire President Wilson and his masterful spirit; I have no word to say against his patriotism. He no doubt is seeking to work out the problems of his great office in loyalty to his ideals and with a desire to serve the people; but I can not always accept his judgment. I can not accept it especially in such a case as this, where it seems to have changed so many times since August or even since December last.

The Senate will be the glory of American institutions or it will recede from its high estate just in proportion as it asserts its independence and the independence of its individual Members. If it is like a chariot hauled behind the presidential car, the people will have little respect for us, and the Senate will be unable to fulfill its functions.

The old Roman Senate, to which I have already referred, was the center of Roman institutions at the time of Roman liberty and progress. First, it was an advisory body—senex senes, the old men. Then it maintained the sacred traditions of the people. At a later time it sought the permanency and the unity of the policy of the State. It had charge of the public purse; it had virtually control of war and peace; it made treaties with foreign countries; it controlled the Provinces and selected the proconsuls; it suggested propositions for the comitia, or tribes, to pass upon in their discussion; and to a certain extent it determined the punishment for crimes. That authority grew until it reached the highest pinnacle of Roman strength and dominion, and afterwards it diminished.

In its earlier years the Republic was designated as "Senatus populusque Romanus"—the Roman Senate and people. The Senate came first. With that transcribed on his banners, in full or by initials, Scipio fought at Zama; under that same legend the troops of Pompey gathered in the East; it was that which inspired Regulus to return to the fiercest torments at Carthage; it was that which sustained the legions of Cæsar in the conquest of the barbarians of Gaul; and that same banner was raised aloft when the popular assemblies met—the Senate and the Roman people.

Why was the Roman Senate great? Because of the independence of its members and their lack of subserviency. That Senate endured for a thousand years, a marvelous contrast of glory and of shame, of courage and subserviency, of probity and of base corruption. At length it fell from its high estate, when it became subject to a dictator or a monarch. And the glory and dignity of Rome departed in that dark day when these the representatives of the people abdicated their rights to the centralized authority of a dictator. Have we forgotten this lesson? I am not exaggerating.

What is popular government? It is government by the people. Always in the growth of popular government you will see not the edict or the ukase of the king, but the assertion of the rights of some representative of the people. It was John Hampden who stood against the power of the King to levy arbitrary taxes in the House of Commons; it was Speaker Lenthall who bowed deferentially to the King when he came to the House, but refused to give way. All along in the brightest pages of English history wherever a new conception of human rights has been asserted, wherever genuine progress has been made in the cause of liberty, it has been because some man, patriotic and courageous and free, has stood up as the tribune of the people in their representative assemblies or in the gatherings of conventions to give some new idea of the rights of man, sometimes in stress and in storm, as in the days of Mirabeau and of Danton, but always courageously progressing, sometimes in excess, sometimes going too far, but always quickening human thought and awakening new conceptions of what the political and social rights of a people should be.

Just so sure as that pathway which has been marked out by Burke, Pitt, Chatham, Gladstone, and Webster, Clay, and Calhoun, and all the great leaders of this Senate and of the other House is blocked by a new theory, that the Executive must prevail, then we must say farewell to those influences that have dominated this people.

Here is a bill virtually sent from the White House; and we are asked to remain here, to turn aside from all salutary legislation, to throw the appropriation bills into the wastebasket, to ignore rural credits, to postpone the consideration of conservation under which water power can be developed—a million dollars worth of coal is burned up every day which could be saved to the people, if we had a rational system for the development of water power, and bills are pending in the Senate to that end—we are commanded, I say, to stop the wheels of legislation and pass this ship-purchase bill! In support of that bill a varying majority are standing, and they declare that they will stand to the end of the session.

Mr. President, we feel justified in resorting to every proper means to defeat this bill. We feel that it should be thoroughly explained, that by investigations we should ascertain what is behind it, that the people should understand it, and that no hasty action should be permitted.

I deplore the action of those on the other side of the Chamber who are willing to submit to Executive dictation in this matter. They are prejudicing the cause of salutary popular government by doing so. Virgil in his poetic dreams heard Jupiter from the heights of Olympus declare of the Roman people, "To them I have given dominion without end." It was to be an everlasting republic; but it crumbled to dust, leaving its institutions, its laws, its ideas as a heritage to the world, but as a government it passed away.

In this country of ours, to which so many have come and are still coming from beyond the sea, we have tried a new experiment under new ideas, whose watchwords are liberty and progress. We have become, I believe, the hope of the most advanced, the most progressive, the most intelligent people of the world. At any rate, to America the poor and the struggling look for a bright example. That bright example will be broken like a statue thrown from its pedestal unless the Members of the Senate and the Members of the House of Representatives maintain their prerogatives as an independent force in this Republic.

The people who have migrated to these shores came to escape exclusive authority. They organized the town meeting, the village council, the legislative body; and are you now going to

trample these legislative institutions in the dust? Shall you say that the Members of this body shall wait with listening ears for the whisper from the White House, and when that whisper comes we will meet in caucus and force the measure through? Are you, Members of the Senate, willing to take that responsibility for your own future and for the future of this country? Are you willing that the Senate should abdicate its authority and become but a mere echo, as it were? The issue rests with you, Democrats.

A week ago Thursday I had the pleasure of participating in a joint discussion on this bill with the Secretary of the Treasury, who said that he hoped this would be a nonpartisan measure. The same evening another member of the Cabinet, the Secretary of State, out in the Hoosier State, declaimed in the loudest language against those Democrats who had left their party, as he expressed it. Mr. President, they did not leave their party. They had the independence to stand by their convictions of right in defiance of "King Caucus" and in defiance of Executive interference. When, on the preceding Monday, seven Members of the Senate on the Democratic side had voted against certain provisions of this bill, I felt that it might be a nonpartisan measure after all.

Mr. President, I repeat, this is no time to adopt a rule in the Senate providing for cloture. This is especially no time to adopt the resolution of the Senator from Missouri.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Ohio yield to the Senator from Washington?

Mr. BURTON. I am glad to yield.

Mr. POINDEXTER. I should like to get the opinion of the Senator from Ohio as to why it is that of all the measures that have been before this Congress, even including the tariff, there should suddenly appear this shipping measure, to take its place as the one acute party measure of the entire Congress? How does the Senator explain that?

Mr. BURTON. I will say to the Senator from Washington that it is utterly inexplicable. Not the tariff, nor the Federal reserve act, nor the Trade Commission bill, nor the Clayton antitrust bill had any such pressure behind them as has this measure here. Another feature of it is that there is a very different theory regarding this bill to-day from what there was when it was introduced. The proposition seems to be to pass the bill regardless of its provisions.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. May I inquire of the Senator how many million dollars are involved in the ships that are interned in New York and Boston? What is the actual value of the ships that are there waiting for purchase?

Mr. BURTON. I gave a partial estimate of that in some remarks I made a few days ago; I am not sure that I gave an estimate of the value, but I gave a list of the vessels. I would say, as an approximate figure, $125,000,000. That is not so much an estimate as a guess.

Mr. BRISTOW. With that much money involved in ships that are waiting to be purchased, does the Senator wonder that there is pressure behind a bill that offers the opportunity for purchase?

Mr. BURTON. Well, it does seem to me as though the great value of the ships interned, which are now useless and which cost from $50,000 to $100,000 a day to maintain, would be a very powerful factor in support of such a bill as this.

Mr. BRISTOW. Does the Senator not think that that is the most plausible reason that can be assigned for the persistency with which the demand is made that the ships be purchased and not constructed in our own yards?

Mr. BURTON. I have been groping around for reasons, but I am so utterly mystified as to the cause of the pressure behind this bill that I am prone to throw up my hands and say I can not tell what the reason may be.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. Yes.

Mr. BRISTOW. Has the Senator not observed that the opposition to changes in the bill is directed more to that clause which provides for the purchase than to any other?

Mr. BURTON. The Senator refers to that clause which provides for the purchase of the foreign belligerent ships?

Mr. BRISTOW. Yes; the foreign belligerent ships.

Mr. BURTON. Every time you bring up that proposition its advocates seem to run away.

Mr. BRISTOW. Well, has it not been distinctly stated in the public press that the force behind this bill would never consent to its amendment so as to provide against the purchase of ships from belligerents?

Mr. BURTON. Yes; I have seen that statement made. I introduced a resolution to-day providing for an investigation; and, as the Senator from Mississippi [Mr. WILLIAMS] is here, I desire to call his attention to that resolution, providing for an investigation by five Senators to learn whether any firm, individual, or corporation in the country—and that, of course, includes banking and all other firms—have made loans to ships detained in our harbors or the harbors of other countries, and also whether any options have been given on any such ships. I am sure that that investigation would produce some interesting information. I hope the Senator from Mississippi will see that that resolution is reported from the committee promptly, or, at any rate, that it is brought before the Senate at the earliest possible date. We have had many investigations in the last two or three years, and I think the one proposed by my resolution one of the most desirable of them all. Let us ascertain the real facts about this matter.

Mr. BRISTOW. Let me make a further inquiry of the Senator.

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. Is it a fact that ships that are not in use, that are tied up at the wharves, depreciate in value and deteriorate more rapidly than when they are in use?

Mr. BURTON. So far as the hulls are concerned they deteriorate more rapidly; so far as the machinery is concerned, probably not. Taking the ship as an entirety, it probably is a little worse off at the dock than it would be on the ocean.

Mr. BRISTOW. Let me make a further inquiry. Suppose that the ships now tied up in New York and Boston because of the war should remain there for two years, with the incidental expenses of taking care of them, the deterioration of the vessels, and the idle capital invested in them, what would be their comparative value now with what it would be if there were no war and they were permitted to be used?

Mr. BURTON. It would be very difficult to make an estimate. The most serious feature is that the investment in the boats is entirely lost. They are not only deprived of their earning capacity, but they are a source of very large expense while detained or interned in a neutral harbor. Their crews must be maintained, partly to care for the vessel and partly because if the time should come when they could resume their sailings it would be very difficult to get together a new crew. That does not include all of the men, but it does include expert machinists, engineers, and so forth. The vessel owners can not afford to let them go, and so they retain them and pay them wages. During the time the vessels are in port the deterioration would be very appreciable.

Mr. BRISTOW. Let me make another inquiry of the Senator. The value of the ship depends upon the duration of the war, does it not?

Mr. BURTON. Yes, largely. If the war should last much longer and they should be still interned—well, they are like useless hulks where they are now, and, indeed, worse than useless hulks, because they involve the expense of maintaining crews and keeping them in repair.

Mr. BRISTOW. Let me ask the Senator a further question. A ship costing, we will say, $2,000,000 has been used for a year and is now tied up, taking into consideration that it may have to remain there for one, two, or three years under expense to its owners, what would be its commercial value now, in the opinion of the Senator?

Mr. BURTON. That is naturally somewhat a matter of conjecture. I should say not more than half. If these ships are in the harbor of New York or Boston or Charleston or Galveston, and it is uncertain when they can be restored to service, the buyer would naturally take advantage of that fact. He would be a "bear" on the value of the ship. Another feature about it is that these boats are almost all under bond. They are mortgaged—that is generally true of boats, anyway—and they are liable to be foreclosed and sold for a song. They are liable also to some admiralty liens. They may be sold by order of the court. They are in a most undesirable position.

Mr. BRISTOW. Let me inquire again of the Senator whether he can imagine any kind of property the real value of which in a purchase could be so covered up as these ships, situated as they are?

Mr. BURTON. They certainly would be in the very front rank in that regard.

Mr. BRISTOW. In other words, would not this bill, if passed, open up the finest opportunity that could possibly be found for corruption in Government expenditure?

Mr. BURTON. It makes it possible to purchase boats that are now in a most perilous position for their owners, and revives their investment, which now threatens to be almost valueless.

Mr. BRISTOW. I did not ask the Senator whether in his opinion there would be corruption. My question was whether it would not offer the opportunity if anybody were disposed to exercise it?

Mr. BURTON. It certainly would. In this connection, I want to say that buying any ships would give an opportunity for corruption and scandal of this kind. If the Government had kept back this bill, things would have continued as they were after the passage of the act of last August. One hundred and three ships have been acquired under this act and transferred from foreign flags to our own; but with the introduction of this bill and the pressure from the administration for its passage those transactions have almost stopped.

Now, see what has happened. A boat that was then worth $150,000 is held at $450,000. A concrete case was cited here just a few days ago. A couple of old tubs belonging to an American line that could not command $50,000 then have been sold within a few days for $150,000. They have gone up to three times the price for which they could have been bought earlier in this Congress, and would have been bought by private enterprise if the Government had not interfered and scared them out.

Mr. BRISTOW. Let me inquire again——

The PRESIDING OFFICER. Does the Senator from Ohio further yield to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. Suppose some one had been of the opinion that such legislation as this was to be proposed and put through, and he had advance information to that effect. Would not the opportunity for speculation, even if he was not in the Government service, if he was outside the Government service, have been practically unlimited?

Mr. BURTON. That is, if he had secured options on the vessels?

Mr. BRISTOW. Yes.

Mr. BURTON. Yes; certainly.

Mr. BRISTOW. Has the Senator any information as to whether such options have been obtained?

Mr. BURTON. I can not say that I have. But I have to-day introduced a resolution asking that very question. Naturally I would not have asked the question if I had known.

Mr. BRISTOW. I did not ask the Senator if he knew. I asked him if he had any reason to believe that possibly such options had been obtained.

Mr. BURTON. It is currently reported that they have been obtained.

Mr. BRISTOW. And, as I understand, the Senator has introduced this resolution to find out?

Mr. BURTON. Exactly; one resolution requesting information from the Secretary of the Treasury, and another resolution calling for an investigation. They supplement each other. I wish again to say to the Senator from Mississippi [Mr. WILLIAMS] that I hope there will be no delay in acting upon that resolution. I have been seeking for some days to introduce it, but either because of continuous sessions or the fact that the morning hour was occupied with other business I have not had an opportunity to present it.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio further yield to the Senator from Kansas?

Mr. BURTON. I do.

Mr. BRISTOW. May I again inquire of the Senator whether he believes that we need a naval auxiliary?

Mr. BURTON. Oh, certain boats are needed for the Navy, but those would naturally be of a peculiar type. A naval auxiliary is not necessarily a useful boat for purposes of ordinary commerce. It should be built, perhaps, to carry coal, unloading coal at sea, transferring it to a warship, or to carry oil fuel, perhaps, to be transferred. I do not think this idea that you can buy boats and turn them into a navy is based on a correct understanding of the natural use of naval auxiliaries on the one hand and of ordinary commercial ships on the other.

Mr. BRISTOW. The question I asked the Senator was intended to be preliminary to some others. The Senator, as I understand, says that a naval auxiliary might not be the most useful as a commerce carrier.

Mr. BURTON. No.

Mr. BRISTOW. I take it also, then, that a commercial boat would not necessarily be especially useful for a naval auxiliary?

Mr. BURTON. By no means. Let me give the Senator one important distinction there. A naval auxiliary should be of a high rate of speed, 16 or 18 knots, to accompany cruisers when they are on their trips. The most economical merchant or commercial boat carries, say, 10,000 tons, or perhaps a little more, and has a speed of from 10 to 12 knots. Perhaps with quadruple expansion engines she burns, say, 25 tons of coal a day. Now, one of those naval auxiliaries with a speed of 16 knots would burn a very much larger quantity of coal, and would be adapted to different purposes. The moderately slow boat is the best carrier of freight, the one with a speed of 10 or 12 knots.

Mr. BRISTOW. Do I understand the Senator to indicate that, in his opinion, if we are to have naval auxiliaries, they should be constructed for that purpose?

Mr. BURTON. As such.

Mr. BRISTOW. As such?

Mr. BURTON. Yes. I do not deny that to a certain extent you can transfer vessels from one use to the other; but in the first place, a different type of ships is required, and in the next place, what is the use of doing one thing under the guise of doing something else? If the Navy wants more ships, why not make the appropriation courageously in the naval appropriation bill? If you are going to build a fleet for ordinary commercial purposes, then do that.

Mr. BRISTOW. Now, let me make this inquiry of the Senator: Suppose we had authorized the construction of 10 or 15 or 20 ships as a naval auxiliary fleet to carry supplies and munitions of war, and so forth, for our fleet, and an emergency such as is alleged to exist at this time should occur. Could not these ships be used commercially? While not exactly constructed for that purpose, could they not be used in the emergency if it were absolutely necessary to use them?

Mr. BURTON. In a measure. I should like to ask some one present if any of our colliers or naval auxiliaries have been used in this emergency? I understand not. That is, we are not without naval auxiliaries and colliers now, and, as I understand, not one of them has been used at this time. That tends to show that they would not be used to any very great extent.

Mr. BRISTOW. If the Senator will pardon another question, has not the Senate passed a bill authorizing the use of the naval auxiliaries for commercial purposes under certain conditions?

Mr. BURTON. Yes; but, as I recall, that bill was introduced before this war commenced.

Mr. BRISTOW. And it passed the Senate. Now if that bill, which as I understand has been lying in the House committee for a year, should be passed to-morrow, we will say, by the House, then the President would be authorized to use the naval auxiliary fleet which we now have for carrying commerce under certain conditions, would he not?

Mr. BURTON. Yes.

Mr. FLETCHER. Mr. President——

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. FLETCHER. Does the Senator refer to the bill passed on August 3 last?

Mr. BURTON. Yes.

Mr. BRISTOW. I refer to the Weeks bill.

Mr. FLETCHER. It was passed on the 3d of August last.

Mr. BRISTOW. I did not remember when it was passed.

The PRESIDING OFFICER. To whom does the Senator from Ohio yield?

Mr. BURTON. The Senator from Kansas still has the floor—I mean he has the floor for a question.

Mr. BRISTOW. If that bill should pass the House, authorizing the use of these naval auxiliaries, and if the naval appropriation bill should provide for the construction of a dozen more, would not every purpose that is sought to be accomplished by this bill be accomplished except the one thing of the purchase of these ships?

Mr. BURTON. It would be working out the problem in a different way. I think it would do more good than to pass this bill. Unless prohibitive prices are paid for ships, the Government of the United States is not going to get them if this bill passes, unless it buys those belligerent ships. Now, I am not oversanguine about what could be done by the enactment of the Weeks bill. As I recall, the Secretary of the Navy and others reported rather unfavorably on what could be done; but if you want to do something, and do it quickly, that seems the best method.

Mr. BRISTOW. Let me make a further inquiry of the Senator. Apparently the only obstacle to the passage of the Weeks bill is that it does not provide for the purchase of a lot of ships.

Mr. BURTON. It may be.

Mr. BRISTOW. And, of course, there would be no opportunity for dormant options to be revived in that event.

Mr. BURTON. Mr. President, I do not wish to say that anyone is trying to unload property on the Government. I especially do not wish to give currency to the rumors that persons close to the Government desire to sell these ships; but in view of the widespread rumors—more than that, the very common belief—that something of that kind should be investigated, we ought to ascertain the facts; and that is particularly true when here we have a bill that is pressed to the limit, and nobody can quite explain what are the reasons therefor.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. I do.

Mr. SUTHERLAND. May I ask the Senator from Ohio for his view of this situation? The Senator from Ohio has already said that he regards the omission from the bill of any provision forbidding the purchase of belligerent vessels as a dangerous omission.

Mr. BURTON. Yes.

Mr. SUTHERLAND. I agree with him. Now, the so-called Gore bill has a provision of this character:

Provided further, That in making purchases of ships during the continuance of the present European war, no purchases shall be made in a way which will disturb the conditions of neutrality.

Of course, I think the Senator from Ohio will agree with me that that provision is absolutely meaningless. It accomplishes nothing. It forbids nothing. Let us suppose, however, that the bill is passed and that provision is in it. I call the Senator's attention to the provision of this bill with reference to the shipping board, namely, that it shall consist of the Secretary of the Treasury, the Secretary of Commerce, and three others. The Secretary of the Treasury is named first. He is an important officer of the Government, outranking the Secretary of Commerce, and if not made the chairman of the board he will undoubtedly exercise a dominating influence upon the board. I ask the Senator whether or not, in view of what I am going to call his attention to, he would regard the administration of that proviso as being very effective or very safe in the hands of an officer of the Government who expresses himself in these terms? I may say, first, that the Secretary makes it perfectly clear in his testimony before the House Committee on the Merchant Marine and Fisheries that it is in contemplation that these German ships—or, rather, these interned ships—shall be purchased.

Mr. BURTON. He did state before the Committee on the Merchant Marine and Fisheries, did he not, that it was contemplated that those ships should be purchased?

Mr. SUTHERLAND. I am not sure that he stated it in positive terms, but nobody can read the testimony without coming to the conclusion that that is what he intended. Now, on page 26 of the hearing, this occurs:

Mr. SAUNDERS. How would this bill add to the number of available bottoms when it proposes to make its purchases from existing bottoms? It will not add to the volume of bottoms.

Secretary MCADOO. There is a large number of idle bottoms. They may be purchased.

Mr. SAUNDERS. Chiefly, are not those all German bottoms?

Secretary MCADOO. More of those are idle at the moment than any other.

This is the point to which I desire to invite the Senator's attention and ask his opinion about:

Mr. SAUNDERS. It has been suggested that there would be grave objection to our undertaking to purchase German bottoms.

Secretary MCADOO. Why?

Now, I ask the Senator from Ohio whether or not, in his judgment, it is a safe thing to intrust to the hands of an officer of the Government who, by his question, indicates very clearly that he can see no objection to purchasing these interned ships, the administration of this proviso, which looks to the preservation of conditions of neutrality?

Mr. BURTON. I do not think it would be.

Mr. SUTHERLAND. Further on—and I invite the Senator's attention to this—the following occurred:

Secretary MCADOO. Why?

Manifesting clearly that he can see no objection to purchasing the German bottoms.

Mr. SAUNDERS. The newspapers make the statement that objection has come from the nations concerned in this war.

Secretary MCADOO. Of course I shall not attempt to talk of diplomatic matters.

Mr. SAUNDERS. They say that would be equal to furnishing immediate pecuniary aid—that is, to Germany?

Secretary MCADOO. That is a question altogether aside, I think, from the issue. I believe that it can not be successfully disputed by any individual or any nation that this Government or any Government—

Now note, not that individuals, but that—

this Government or any Government has a right to buy merchant ships, provided it buys them in good faith and for a neutral purpose, and that is exactly what would be done in this case.

I invite the Senator's attention to the fact that the Secretary of the Treasury absolutely misunderstands and misstates the rule of international law upon that subject as now recognized by the allied countries engaged in this war.

Mr. BURTON. And by the Germans more strongly than by the allied countries.

Mr. SUTHERLAND. And by the Germans.

Mr. BURTON. I am hoping to reach that subject this afternoon and to discuss it fully.

Mr. SUTHERLAND. Yes. Now, I wish to invite the Senator's serious attention to that situation, and to ask him to give us his views as to the wisdom of committing to this officer of the Government, in this delicate matter, the preservation of our neutrality, when he first indicates that he can see no objection to the purchase of these ships, and then says they may be purchased provided they are bought in good faith, and for a neutral purpose, which does not state the rule under the declaration of London at all?

Mr. BURTON. In the discussion with the Secretary last week—I have the original proof of it here, and I was trying to find just what he did say—I certainly inferred that he maintained our absolute right to buy those German interned ships. I do not think it would be safe or desirable to purchase them. The Senator from North Carolina [Mr. SIMMONS] and the Senator from Mississippi [Mr. WILLIAMS] stated here on the floor of the Senate, as I recall it, that it was not the intention to buy any of these belligerent ships. What happened? An immediate disclaimer of that sentiment was issued by the administration.

Mr. SMITH of Georgia. Mr. President, will the Senator state by what authority he announces that a disclaimer came from the administration?

Mr. BURTON. The statement made by the President to the newspaper men on the following day, which was published in all the papers, in which he said that he was not responsible for that statement of Messrs. SIMMONS and WILLIAMS. He added that possibly they might have talked to some one at the State Department. Then followed another statement by him, given to the press and widely published, that he did not think such a provision as that should be included in the bill—that is, one forbidding the purchase of the ships of those countries.

Mr. SMITH of Georgia. But the Senator has no authoritative statement from the President, has he, that he would approve the purchase of those vessels, or that he desired the purchase of those vessels?

Mr. BURTON. No formal message making that statement, of course.

Mr. SMITH of Georgia. It is simply a newspaper publication to which the Senator refers?

Mr. BURTON. One, however, based upon the weekly interviews which he grants to the representatives of the press. There is a perfect test for that, however. In one line you can draw an amendment debarring the Government or this corporation from buying any of these ships; yet whenever that is proposed there is an immediate refusal to consent to it. Just so long as that test fails of accomplishing anything, so long as the supporters of this bill in the Senate refuse to insert so plain a provision, it is exceedingly significant.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio further yield to the Senator from Georgia?

Mr. BURTON. Certainly.

Mr. SMITH of Georgia. Does the Senator from Ohio wish to accept as the American rule a prohibition against the privilege of buying interned vessels?

Mr. BURTON. I do under the present circumstances, when it is proposed that the Government shall go into the business. If it were left to private individuals, they might take their chances; but over and over again this principle has been stated.

A private individual may strain neutrality laws. He may buy contraband and ship it to one of the warring countries. He takes the chance of his vessel being caught by the other belligerents. That is no violation of the duty of this Government. If, however, the Government attempts to ship contraband, that is a hostile act. Now, just so in regard to these ships. Suppose a private individual should buy an interned or detained ship—and in that connection I want to say, Mr. President, that this word "interned" has been used many times rather incorrectly. An interned ship is a ship of a belligerent that puts into a neutral harbor, and the neutral nation orders it, say, to depart within 24 hours or intern. "Internment" means that it must

be detained in that neutral port until the close of the war. If it is an armed ship it is placed in such a condition that it can be guilty of no hostile act.

Now, a private individual might buy one of these ships. There would be no strain on the neutrality laws in that event; but what happens if the Government buys it? This corporation is all a mask. You might just as well come out and say what it is. The Government can not create a corporation, subscribe to the stock, appoint its own officials to manage it, and then hide away and say that it is a private corporation that is acting. If the Government should buy the ship it would be interpreted as a hostile act. There is the vital distinction.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator if he considers the term "hide away" entirely just. Is not the fairer view to take that the Government, in organizing the corporation and taking stock in the corporation, instead of operating the ships as its own, puts itself in a position where it lays aside its attitude of sovereignty and subjects the corporation to all the responsibilities that attach to a private citizen? Is not that the effect of it, rather than a hiding away?

Mr. BURTON. Mr. President, you can not do anything of that kind. You can not furnish the capital to create an agency to own ships and operate them and make it a Government enterprise and then deny the consequences which would accrue if the Government had spent that same money in buying ships *and* operating them by its own officers and men. What does this mean here, having the Secretary of the Treasury——

Mr. SMITH of Georgia. Instead of denying the consequences, is it not the acceptance of an additional consequence? If the Government were operating the vessels itself, the right of suit would be barred in many instances, because the sovereign would not be subject to be sued; but the Government having placed its money in the stock of a private corporation, and having organized the business under this corporation, and having so conducted it, is it not really an act by the Government, which divests it of many of the attributes of sovereignty and subjects the corporation to legal procedure which otherwise would not be applicable to it? Instead of hiding away, is it not opening up a broader acceptance of the responsibility?

Mr. BURTON. I do not think so. You always go to the substance of the transaction.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Will the Senator from Ohio yield to the Senator from New Mexico?

Mr. BURTON. Certainly.

Mr. FALL. I will ask the Senator if this is not the distinction, rather? It is perfectly clear to me, and I think it is to the Senator from Ohio, that in forming a corporation going into the work the Government does waive some of its sovereignty and does limit itself to some extent, so far as our own laws are concerned; but in so far as avoiding international complications or placing itself beyond the pale of international law, the consequences are exactly the same as if the corporation had not been employed.

Mr. BURTON. It must be the same. The argument that is made by the Secretary of the Treasury is that in the whole management of the corporation it is essential that the ships shall be under the control of the President of the United States. In all its international phases it must be so.

Mr. SMITH of Georgia. Will the Senator pardon me? I did not mean to indicate that I regarded the Government as less responsible if the operation was through this corporation, the Government owning all the stock, than the Government would be if it operated the vessels directly.

Mr. BURTON. That is, you mean in the international phases?

Mr. SMITH of Georgia. Yes. I did not mean that at all. What I meant was that the effect of this organization would be to place that corporation in the courts of the world subject to suit as our own Government would not be subject if the Government itself were operating the vessels.

Mr. BURTON. Especially in a time of emergency like this we must adhere to the substance and not to the form. In view of the statement, which I am pleased to hear the Senator from Georgia make, that it would not change the general international relations, I can see no difference in the matter as to who shall bring suit. But as to the consequences arising from the action of a prize court it would make very little difference.

Mr. JONES and Mr. BRISTOW addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and to whom?

Mr. BURTON. I yield to the Senator from Washington. I think he rose first.

Mr. JONES. I wish to ask the Senator whether, in view of the suggestion of the Senator from Georgia, that by putting them in the hands of a corporation we subject these ships to the same risks they would have in private ownership, we would not have a right to infer that these ships, if they are willing to take the risk, might carry contraband?

Mr. BURTON. That is really for the Senator from Georgia to say. If they did carry contraband, it would be immediately regarded as a hostile act by the Government which was offended by that act. Bear in mind the essential difference between the direct or indirect act by the Government and the act of a citizen of the United States, a private individual, and you have the crux of the whole situation.

Mr. SMITH of Georgia. I agree with the Senator from Ohio fully that these vessels owned by a corporation in which the Government is a stockholder could not handle contraband of war. It would be an unfriendly act, and would be utterly inexcusable. There is no issue between us on that subject.

Mr. BURTON. I will say to the Senator from Georgia, I think that is the vital point in the whole question.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Will the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. I wish to inquire if we do not now have transports belonging to the Government under the control of the War Department that could be used commercially if so desired by the administration?

Mr. BURTON. We have the Panama boats, certainly, and the Army transports. I do not see why they could not be used. I am informed that the administration which is pressing us to pass this law authorizing the purchase of ships is seeking to sell two boats.

Mr. BRISTOW. That is exactly the question I wanted to ask. Did not the Secretary of War recommend that the *General Crook* and the *General Meade*, Army transports, be sold, and was there not a provision in the Army appropriation bill as originally introduced to sell those ships?

Mr. BURTON. I so understand.

Mr. BRISTOW. And are not these commercial ships that were transposed into transports and used, and were they not bought for the use of the Army?

Mr. BURTON. Yes; they were boats purchased some years ago as commercial ships, and during the Spanish-American War made over into Army transports. They could be restored to their old condition and used to relieve this freight congestion of which we hear so much. But instead of that the administration is seeking to sell them with one voice and with another it asks us to pass a bill appropriating thirty or forty million dollars to buy some other vessels.

Every fact that you ascertain shows the absurdity of this entire proposition. I am unable to treat with proper toleration most of the arguments we have heard in favor of it. None of them bear analysis. I am perfectly willing to say that I approach them from a nonpartisan standpoint. I do not care about political affiliations in this connection, but I view it as a business proposition. I have never known any piece of legislation based upon such an absurdity as is this measure.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Kansas?

Mr. BURTON. I yield.

Mr. BRISTOW. Let me inquire further, have we not also transports that are now lying idle and not being used at all?

Mr. BURTON. I think we have.

Mr. BRISTOW. Four or five, or probably half a dozen.

Mr. BURTON. Army transports?

Mr. BRISTOW. Yes.

Mr. BURTON. I am informed by a Representative from California, Mr. KAHN, who sits near me, that such is the case, that there are not only these two but that there are four or five others.

Mr. BRISTOW. Then, if I understand the Senator correctly, we have Army transports that were originally built as commercial ships that were acquired by the Government, and the Government is now seeking to sell two of them, asking authority from Congress to sell them, and it has a number it is not using, and these ships which the Government owns could be used for the very purposes sought to be accomplished in this bill.

Mr. BURTON. Certainly; and probably to better advantage than ships that the Government could obtain, unless it bought the interned German vessels.

Mr. BRISTOW. Let me inquire, further, if the Government should sell the transports which it now has, judging from the experience of the past, would it not sell them for a remarkably low figure?

Mr. BURTON. Yes. The fact is the Government can not sell an article of that kind and transfer it back to the trade without a very serious sacrifice. It will have to be put on the bargain counter, so to speak.

Mr. BRISTOW. Let me inquire, in the sale of the commercial ships which we bought during the Spanish-American War, did we not sell them at from 10 to 25 per cent of their original cost?

Mr. BURTON. I do not know the exact figures, but they were sold at a great sacrifice. In some remarks made here in the Senate I think possibly I did not treat with sufficient discrimination the transaction between the Government and the Atlantic Transport Co., then under the management of Mr. P. N. Baker. The general fact was stated on the floor here a couple of weeks ago that the Government obtained a lot of hulks that might well be stranded, and it created a great deal of criticism, but certain boats were bought of the Atlantic Transport Line, which, then as now, is maintaining a line between London and New York, which were of a high grade, and it is maintained that no extravagant price was paid for them. I say that in justice to all the parties, but the general statements that I made the other day and the statements made by the Senator from Iowa and others are correct, that scandal did attach to those purchases at that time.

Mr. BRISTOW. Let me inquire of the Senator again——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. Did we not sell the ships at such a ridiculously low price that Congress felt compelled to pass a law forbidding the sale unless the consent of Congress was obtained?

Mr. BURTON. It could not be done without authority of Congress. There is some such provision in this bill. But that might lead to complications worse than the disease which it is sought to cure; that is, the boats might be held indefinitely.

Mr. SMITH of Georgia. Under whose administration was the sale had?

Mr. BURTON. I think none were sold under President McKinley's administration, but they were all sold, I think, under President Roosevelt's. I do not think we can blame them so much for selling them; they were a dead-weight. The maintenance of a vessel is a constant source of expense, and it deteriorates in value very rapidly.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Kansas?

Mr. BURTON. Certainly.

Mr. BRISTOW. Referring to the administration under which they were sold, I understand they were sold under the administration of Mr. Roosevelt.

Mr. BURTON. I think so. Possibly some were sold under the administration of Mr. McKinley before his death in September, 1901, but I think not.

Mr. BRISTOW. However, the fact remains that the present administration is seeking to sell others of these boats.

Mr. BURTON. Yes.

Mr. BRISTOW. That is, as I understand the Senator, the present administration wants to sell ships which it now has, which are commercial ships?

Mr. BURTON. I am so informed.

Mr. BRISTOW. And at the same time it seeks to go out and buy others.

Mr. BURTON. Yes.

Mr. BRISTOW. Would it not be interesting if we could know the relative prices that we shall pay and receive?

Mr. BURTON. We would know before we got through with it. We might not know now.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. BURTON. Certainly.

Mr. SMITH of Georgia. Will the Senator inform us upon what authority he claims that the administration desires to sell commercial vessels that now belong to the Government? I have heard nothing of the kind. On the contrary, I thought the desire was to utilize the commercial vessels which the Government now has for commercial purposes.

Mr. BURTON. I understand that the Army transports, the *Crook*, the *Meade*, the *Logan*, and others, have been offered in the market, and the Government has been seeking to sell them. That is my information on the subject. If I am wrong about it I will be glad to correct it, but I think that statement has been made without contradiction. If it is true it is a very important fact.

Mr. SMITH of Georgia. The information I have had has been that if the Weeks bill, which the Senate passed, were passed by the other House, it is the purpose to utilize for commercial purposes all the vessels connected with the Navy which could be so used.

Mr. BURTON. The boats I mention—the *Crook*, the *Meade*, and so forth—are Army transports.

Mr. SMITH of Georgia. Then they are vessels that can not be used at all for commerce.

Mr. BURTON. Oh, yes; they were originally built over from commercial ships. I presume some of those very boats were bought from the Atlantic Transport Co.

Mr. BRISTOW. If I may do so—if it will not jeopardize the right of the Senator——

Mr. BURTON. I do not wish to lose the floor.

The PRESIDING OFFICER. No. The Senator from Ohio yields to the Senator from Kansas.

Mr. BRISTOW. If I may, without jeopardizing the right of the Senator from Ohio to the floor, I will state for the benefit of the Senator from Georgia that the Secretary of War recommended the sale of the *General Crook* and the *General Meade*, Army transports, and the provision was contained in the Army appropriation bill as it was introduced in the House. As I remember, it was cut out in the House.

Mr. SMITH of Georgia. Those were Army transports which could not be used for commercial purposes.

Mr. BRISTOW. They had been commercial vessels and were bought and transposed into transports, and of course they could be transposed back into commercial vessels just as well. They were bought just as it is proposed these ships shall be bought, and they could be changed, if need be, into commercial vessels.

Mr. SMITH of Georgia. Then, of course, they would have to be changed in connection with the others in order to be utilized for commercial purposes.

Mr. BRISTOW. It seems to me that they ought to be utilized under the Weeks bill, if we could get that bill passed, and there would not be any trouble at all.

Mr. SMITH of Georgia. Does the Weeks bill in its present terms cover those vessels as well as those connected with the Navy?

Mr. BRISTOW. It covers the Navy; I am not certain about the transports. It ought to cover the transports, I am free to say.

Mr. BURTON. I understand there was a provision in the Army appropriation bill as introduced in the House providing for the sale of two of those boats, the *Crook* and the *Meade*. Some person of an inquiring mind asked why is it that when an effort is made to pass a ship-purchase bill an effort is also made to sell these ships, and the provision was cut out. But the question arises why, when these boats are on hand, do you not remodel them? You would not have any trouble about it. If the administration sent a recommendation here for the necessary appropriations for putting those ships into a condition to carry trade, there would be no trouble in passing the bill in a very few days. It would not be opposed here. An amazing situation appears, an attempt to force a bill through having a provision for the purchase of ships and, on the other hand, the recommendation of the Secretary of War that the ships shall be sold. I think that calls for explanation.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. BURTON. Certainly, I yield.

Mr. McCUMBER. The Senator from Georgia asked a question of the Senator from Ohio that I do not think was fully answered, and I wish to press that question a little further, because it is most important.

The Senator from Georgia asked the Senator from Ohio if he thought the Government ought to adopt a policy that our citizens or the Government itself could not buy an interned vessel. The Senator from Ohio I do not think fully answered that question; therefore I want to put this question to the Senator: Has the Government ever adopted a policy under which this country or any other neutral country could buy an interned vessel?

Mr. BURTON. Not to my knowledge. I think you will search in vain for any judicial decision in support of it.

Mr. McCUMBER. On the contrary, was it not held by this Government in the case of the *Georgia* that a British subject could not buy such a vessel, dismantle it, and put it again into trade? Did we not hold directly that it could not do it?

Mr. BURTON. So far as the case is parallel, it goes to sustain the view which is held on the Continent of Europe that a

neutral does not have the right after the outbreak of hostilities to buy a belligerent ship.

Mr. McCUMBER. I am making a vast difference between buying a belligerent vessel and buying an interned vessel. The question I put to the Senator is not whether we can buy a belligerent vessel, because I understand we can always do that, but whether we have ever adopted a policy whereby we conceded to any neutral when we were at war that they could buy a vessel which we had compelled to be interned or imprisoned in their ports.

Mr. BURTON. No; we certainly have not.

Mr. McCUMBER. Now, let me ask the Senator another question.

Mr. BURTON. Is an interned boat different from a boat that is merely detained in a harbor?

Mr. McCUMBER. I am going to meet that by another question, and it is this: Are not those important vessels which have been driven into our ports—what I call imprisoned, not interned, but they are in our ports because they dare not go out—so constructed that they could be turned into army transports?

Mr. BURTON. Many of them could be.

Mr. McCUMBER. Or converted into cruisers?

Mr. BURTON. Many of them were built under the provision that they should be turned over to the army or navy whenever they were needed.

Mr. McCUMBER. Now, that brings me right to the next question. If this Government admits the right of one of our citizens to buy those vessels in our ports, would not that citizen have a right to take one of those vessels and sail it to Hamburg with noncontraband goods?

Mr. BURTON. Yes.

Mr. McCUMBER. Then I want to put the next question. Would not the citizen, after he got it into Hamburg, have an equal right to sell it to the German Government and the German Government immediately transform it into a cruiser, provided it was sold in good faith?

Mr. BURTON. For an Army transport or naval auxiliary or any warlike purpose they pleased.

Mr. McCUMBER. Does the Senator believe that would be an unneutral act?

Mr. BURTON. It certainly would not.

Mr. McCUMBER. Then, if the Senator says it would not be an unneutral act, is not the Senator forced to the conclusion that we would not have the right in the first instance to do that which, when followed up, would become unneutral?

Mr. BURTON. Certainly. I do not believe the right of purchase exists in the first instance.

Mr. SMITH of Georgia. Will the Senator allow me to ask him a question?

Mr. BURTON. Certainly.

Mr. SMITH of Georgia. The suggestion I desire to make to the Senator from Ohio is this: I wish to ask him if the view presented by the Senator from North Dakota is not a very different view from simply the suggestion that interned vessels could not be bought? Is not the case he makes one in which he insists that the purchase could not be made because the interned vessels were prepared for use as military or naval vessels, having been so constructed that they could be readily supplied with cannon? The case he makes is not one simply of objecting to the purchase of interned vessels, but of objecting to interned vessels that have been prepared for military use by the Government under the requirements of the Government whose citizens now own them. Does not that fall entirely outside of the simple class of an interned vessel?

Mr. BURTON. I do not think so altogether. Mr. President, I find I will not have an opportunity this afternoon to go into the subject of the transfer of belligerent ships to neutral flags. My intention at first was to dwell upon that at greater length than some other phases I have discussed, and at a future time I shall seek to discuss it more fully. I may briefly state some of the more important facts.

Article 56 of the declaration of London provides that the transfer of a belligerent ship to a neutral flag after the outbreak of hostilities is void unless it can be shown that such transfer was not made to avoid the consequences of war. An order of the Privy Council has made the declaration of London, with certain modifications, the policy of Great Britain as to the rights of belligerents and neutrals.

I may also state that Germany has in substance proclaimed the same rule. In all this discussion I do not mean to make any distinction between buying an English ship and buying a German ship. They are both on the same footing.

As preliminary to a later discussion of this subject I want to read the French and German rules on this point. These are the German regulations framed in pursuance of the London conference issued first on the 30th of September, 1909, approved by the Emperor and promulgated August 3, 1914:

With the exceptions specified under 6, enemy ships are subject to capture. Regarding enemy vessels of the State, see 2.

Ships are adjudged enemy or neutral ships by the flag they are entitled to carry.

The flag which a ship is entitled to carry is determined in accordance with the flag law of almost all maritime States from an official document that any merchant ship must have on board.

If the nationality of a ship can not be readily established, and especially if the document required in accordance with the flag law of the respective State is not in evidence, then the ship shall be considered as an enemy ship.

Ships that after the outbreak of the hostilities have been transferred from the enemy to the neutral flag are also to be considered as enemy ships.

(a) If the commander is not convinced that the transfer would have followed, even if war had not broken out, as, for instance, by succession or by virtue of a construction contract.

Now, that is the substance of the whole thing. The French rules do make an exception in case of inheritance or succession. The German rule goes a little further and makes an exception in the case of a belligerent ship consigned to a neutral when a construction contract had been entered into before the outbreak of hostilities.

(b) If the transfer is effected while the ship is bound on a voyage or is at anchor within a blockaded harbor.

It is hardly necessary for me to read this. The substance of it is contained in the first one.

I also read the order promulgated August 3, 1914:

LAW GAZETTE OF THE EMPIRE.

YEAR 1914.

(No. 50.)

(No. 4428.) Prize ordinance of September 30, 1909.

I approve the accompanying prize ordinance and direct that in the enforcement of the prize law my fleet commanders shall during the war proceed in accordance with the provisions of the prize ordinance. In so far as it may be necessary to make exception thereto in special cases, you shall make proposition to that end to me. I empower you to give such interpretation to this ordinance and to make such changes thereto as may be necessary, provided they are not of fundamental importance.

Rominten, September 30, 1909.

(Signed) WILHELM.

In the absence of the Imperial Chancellor,

(Countersigned) v. TIRPITZ.

Promulgated at Berlin, August 3, 1914.

There has been a good deal of discussion concerning the declaration of London and the English attitude regarding it. I insert this because it is important in this connection.

An order has been later issued by the German Government which in a manner modifies this. It is in the following language:

The Imperial German Government's naval policy is directed by the declaration of London, with only such alterations as necessitated by England's refusal to recognize the said declaration.

Passports have been issued to former British ships transferred to the American flag under the following conditions:

1. The transfer to the American flag is recognized only in case the ships are engaged in direct trade with Germany, and only as long as that is the case.

It is understood that these ships carry cargo from American to German ports and vice versa. The goods exported from Germany to the United States of America must be destined for exclusive consumption in the United States.

2. The request for a passport is to be submitted to the competent German consul, accompanied by the bill of sale, which is to be legalized by the United States Department of State. The consul will then take the necessary steps to obtain the passport from this embassy.

3. The passports are valid for one round trip only.

4. No alien enemies (British, French, Russians, Japanese, Belgians, Servians, Montenegrins) may be included in the ship's crew.

It will be noticed that that latter order modifies the former one of the approval of the London declaration, but only in one essential particular, namely, that they will allow these ships to be sold if they are engaged exclusively in trade between the United States and Germany. Of course, any combatant having difficulty in securing supplies would allow an exception of that kind; so that it does not in reality amount to any exception.

I ask also to have printed the French instructions on this subject. Perhaps the French original had better be printed, as well as the translation.

The PRESIDING OFFICER. Without objection, permission to do so is granted.

The instructions referred to are as follows:

[Extract from "Instructions on the Application of International Law in Case of War. Addressed by the minister of marine to the general, superior, and other officers commanding the naval forces and vessels of the [French] Republic." Dated December 19, 1912.]

112. Le transfert sous pavillon neutre d'un navire ennemi, effectué après l'ouverture des hostilités, est nul, à moins qu'il ne soit établi que ce transfert n'a pas été effectué en vue d'éluder les conséquences qu'entraîne le caractère de navire ennemi, par exemple, par suite d'héritage.

113. Toutefois, il y a présomption absolue de nullité:

1. Si le transfert a été effectué pendant que le navire est en voyage ou dans un port bloqué;

2. S'il y a faculté de réméré ou de retour;
3. Si les conditions auxquelles est soumis le droit de pavillon, d'après la législation du pavillon arboré, n'ont pas été observées.
114. Ces règles ne sont, bien entendu, pas applicables lorsque la vente du navire ennemi à un sujet neutre a été effectuée par les autorités Françaises, à la suite d'une prise.

TRANSLATION.

112. The transfer of an enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed; for example, by inheritance.
113. There, however, is an absolute presumption that a transfer is void:
1. If the transfer has been made during a voyage or in a blockaded port;
2. If a right to repurchase or recover the vessel is reserved to the vendor;
3. If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.
114. It is understood that these rules are not applicable when the sale of an enemy vessel to a neutral subject his been made by French authorities after a capture.

Mr. BURTON. I will read briefly from the instructions:

112. The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void, unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel as such is exposed; for example, by inheritance.

I have already called attention to the fact that there is another exception.

I understand the Senator from Oklahoma [Mr. OWEN] would like to address the Senate for an hour or so, and after that Senators wish the Senate to adjourn. I shall therefore suspend my remarks in a moment.

I wish to call attention to the resolution submitted by the junior Senator from Missouri [Mr. REED]. It seems to me the adoption of such a rule as that would plainly require a two-thirds vote. The Senate, if I understand it correctly, has settled that very recently. The general rule in a parliamentary body is that any suspension of the rules or variation from the ordinary procedure requires a two-thirds vote. Beginning on the 11th of January, 1915, this occurred:

Mr. SHEPPARD gave notice of his intention to move an amendment to the standing rules of the Senate, namely, to suspend paragraph 3 of Rule XVI, for the purpose of moving a certain amendment to the District of Columbia appropriation bill—the so-called prohibition amendment. On January 12 he offered the amendment to the rules and it was referred to the Committee on Rules. On January 13 the Committee on Rules reported favorably; and on motion the Senate proceeded to consider the report. The point of order was raised that it required, under Rule XL, a two-thirds vote upon the proposition to suspend the rules or any portion thereof. The Chair submitted the question to the Senate, and the Senate decided by a vote of 41 yeas to 34 nays that the point was well taken. This whole proceeding is recorded in the RECORD, on page 1563.

If that is not exactly on all fours with this proposition, I am unable to understand the rule. That was an appropriation bill, and general legislation can not go on an appropriation bill; but the Senator from Texas moved to suspend the rules so as to allow him to offer substantive or affirmative legislation. The matter was discussed at considerable length, and it was decided that the rule could not be suspended except by a two-thirds vote.

Here is a rule of the Senate that has existed for 117 years, namely, that there is no cloture of debate. That is perhaps the most distinctive rule of the Senate. The proposition is not one of amending the standing rules permanently, which may, in the way provided, undoubtedly be done by majority vote, but is in effect a motion to suspend temporarily a rule in the case of a particular bill. It seems to me, Mr. President, there is no answering the argument that it requires a two-thirds vote.

In view of the understanding that the Senator from Oklahoma is to follow me and that there is to be an adjournment at the close of his remarks, Mr. President, I now yield the floor.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. OWEN. Mr. President, during the last two years, since March, 1913, the Senate of the United States has had one important measure after another brought before it for consideration by the Democratic administration. There was a prolonged and obvious filibuster in the Senate dealing with the tariff bill. In order probably to prevent any action upon the Federal reserve bill, there was a resolute filibuster even on the question of allowing a water supply for the city of San Francisco; there was a filibuster, using that bill as a general buffer against proposed progressive legislation, which made it necessary in handling that bill, as well as in handling the tariff bill and the Federal reserve act, for the Senate to meet in the morning and to run until 11 o'clock at night. We had no vacation during the summer of 1913 or during the summer of 1914, because of the vicious filibustering of the Republican Senators. If this method of filibustering shall remain as a practice of the Senate of the United States, obviously the Congress of the United States must remain in continuous session from one year's end to another in order to accomplish even a slight part of what is desired by the people of the United States, and in order in some small degree to enact the important measures which are presented to the Senate for consideration on favorable reports from the committees of the Senate.

I call attention to the large calendar which we have, a calendar of some thirty-odd pages, representing hundreds of measures of importance, which we never arrive at; and even aside from the calendar there are matters of the greatest possible importance, which are not being considered by the body and not being presented by the committees, because it is well known that to make reports upon them would be perfectly useless in view of this now apparently well-established custom of a continuous filibuster against everything desired by the majority party.

This practice of filibustering has not been confined to one side of the Chamber only. I agree with the Senator from Nebraska [Mr. NORRIS] that the filibuster quickly passes from one side of the Chamber to the other as an exigency may arise, according to the desire of those who may be on either side of the aisle. I submit, however, a filibuster favoring the people is not to be compared to a filibuster against the people, although an unjustifiable parliamentary procedure, except under very extraordinary conditions.

It has been offered as a criticism of my view with regard to a cloture rule for the Senate, that on one occasion—March 4, 1911—when the question arose with regard to the admission of New Mexico to statehood with a corporation-written constitution and an unamendable constitution, and the prevention of Arizona at the same time being admitted to statehood, I did not hesitate to use the practice of the Senate to filibuster in order to compel a vote of the Senate jointly upon the admission of Arizona and New Mexico. My use of this bad practice to serve the people does not in any wise change my opinion about the badness of the practice of permitting a filibuster. I acted within the practice, but I think the practice is indefensible, and I illustrated its vicious character by coercing the Senate and compelling it to yield to my individual will.

No one man, no matter how sincere he may be or how patriotic his purpose, should be permitted to take the floor of the Senate and keep the floor against the will of every man in the Senate except himself, and coerce and intimidate the Senate. To do so is to destroy the most important principle of self-government—the right of majority rule.

I wish to submit a brief sketch of what has been the rule with regard to "the previous question." It is an old rule, established for the purpose of preventing an arbitrary and willful individual or minority coercing the majority in a parliamentary body. I call the attention of the Senate to a work printed in 1690, Lex Parliamentaria, giving the practice in the British Parliament. On page 292 of that work this language occurs:

If upon a debate it be much controverted and much be said against the question, any member may move that the question may be first made, whether that question shall be put or whether it shall be now put, which usually is admitted at the instance of any member, especially if it be seconded and insisted upon; and if that question being put, it pass in the affirmative, then the main question is to be put immediately, and *no man may speak anything further to it, either to add or alter.*

Mr. President, coming down to the days of the Continental Congress, I read from page 534 of volume 11, 1778, of the Journals of the Continental Congress, giving the rules of that body and showing the purpose of the Continental Congress at that time to prevent any individual or minority unnecessarily consuming the time of that body.

6. No Member *shall speak more than twice in any one debate* on the same day, without leave of the House.

* * * * * * *

10. When a question is before the House no motion shall be received unless for an amendment, *for the previous question*, to postpone the consideration of the main question or to commit it.

Sections 13 and 14 read:

13. *The previous question*—that is, that the main question shall be not now put—being moved, the question from the Chair shall be that those who are for the previous question say aye and those against it, no; and if there be a majority of ayes, then the main question shall not be then put, but otherwise it shall.
14. Each Member present shall *declare openly and without debate* his assent or dissent to a question *by aye and no, when required by motion of any one Member*, whose name shall be entered as having made such motion previous to the President's putting the question; the name and vote in such cases shall be entered upon the Journal, and the majority of votes of each State shall be the vote of that State.

That was the rule of the Continental Congress. The rule of the House of Representatives is equally well known to

clearly and openly recognize the previous question, count a quorum, and by a rule fix a time for voting on any question.

When it came to drafting the Constitution of the United States Mr. Pinckney proposed in his original draft a provision that the yeas and nays of the Members of each House on any question shall, *at the desire of any certain number of Members, be entered on the Journal.*

The committee on detail, page 166 of volume 2 of the records of the Federal Convention, by Farrand, reported as follows:

The House of Representatives and the Senate, when it shall be acting in a legislative capacity (each House) shall keep a Journal of its proceedings, and shall from time to time publish them, * * * and the yeas and nays of the Members of each House on any question *shall, at the desire of any Member,* be entered on the Journal.

That was retained throughout as a part of the Constitution and was discussed on Friday the 10th day of August, page 255, as follows:

Mr. Govr. Morris urged that if the yeas and nays were proper at all *any individual ought to be authorized to call for them:* and moved an amendment to that effect, saying that the small States would otherwise be under a disadvantage, and find it difficult to get a concurrence of one-fifth.

That was voted down unanimously, and the following States—New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia—voted to agree to the rule that *one-fifth of the Members might call for the record of the yeas and nays as a constitutional right.*

I call the attention of the Senate to the proper interpretation of that language. We have ordinarily held to the practice that the yeas and nays should be called after the vote had been ordered, but the right to have the yeas and nays immediately called under the Constitution of the United States is a constitutional right. As a Senator from Oklahoma, I have a right, being present, if I am supported by one-fifth of the Members of this body, to have my vote and the vote of every other Member of this body recorded on any pending question without having my right denied by an organized filibuster. You can not record a vote on the Journal of the Senate *unless you take the vote;* and, therefore, *the constitutional right to have my vote recorded* upon the Journal at the request of one-fifth of the Members PRESENT carries a PRESENT right and *not a future expectation* or vague hope at some unrecorded future time that it may be recorded, when a minority or an individual may permit it. I have, therefore, a constitutional right, when supported by one-fifth of the Members of this body, to demand the *immediate taking of the yeas and nays on any question pending* and *the record of that vote in the Journal of the Senate.*

Mr. WILLIAMS. Mr. President, will the Senator allow me to ask him a question?

Mr. OWEN. I yield to the Senator.

Mr. WILLIAMS. Is it not a truth applicable to everything that wherever a right is granted at all it is a right in præsenti and not in futuro, unless the grant is modified by an express statement that it is in futuro?

Mr. OWEN. Absolutely. Now, Mr. President, I want to call the attention of the Senate to what has been done in regard to this question of cloture or limitation of debate by the Senate itself.

The Senate rules, as established at the beginning of this Government, adopted in 1789, are found upon page 20 of the Annals of the First Congress, from 1789 to 1791, volume 1. That volume contains the rules of the Senate as of that date, from No. 1 to 19, and those rules expressly provide against the abuse of the time of the Senate in a number of particulars. First, in paragraph 2, it is provided that—

2. No Member shall speak to another or otherwise *interrupt the business* of the Senate, or read any printed paper, while the Journals or public papers are reading, or when any Member is speaking in any debate.

3. Every Member when he speaks shall address the Chair, standing in his place, and *when he has finished shall sit down.*

It obviously contemplated his finishing within some reasonable time and taking his seat.

4. No Member shall speak more than twice in any one debate on the same day without leave of the Senate.

Showing the intention of the Senate that one man should *not be allowed to monopolize* the time of the Senate.

Paragraph 8 reads:

8. While a question is before the Senate no motion shall be received unless for an amendment, *for the previous question,* or for postponing the main question, or to commit it, or to adjourn.

And paragraph 9 provides:

9 The *previous question being moved* and seconded, the question from the Chair shall be, "Shall the main question be now put?" And if the nays prevail the main question shall not then be put.

On a divided vote the main question was to be put is a necessary consequence that flows from that language. It required a majority vote in the negative to prevent the closure of debate under the original rules of the Senate.

Paragraph 11 reads:

11. *When the yeas and nays shall be called for by one-fifth of the Members present,* each Member called upon shall, unless for special reasons he be excused by the Senate, declare openly and *without debate his assent* or dissent to the question.

Mr. President, that was the rule of the Senate up until 1806. At that time the rules were modified so as to OMIT the reference to the previous question, not by putting in any rule denying the right of the previous question, but merely omitting the previous question, on the broad theory that courtesy of free speech in the Senate would preclude any Member from the abuse of the courtesy of free speech extended to him by his colleagues, and would preclude a Senator from consuming the time of the Senate unduly, unfairly, or impudently, in disregard of the courtesy extended to him by his colleagues. The failure to move the previous question now *is merely a matter of courtesy* in this body, and carries with it, so long as it lasts, the reciprocal courtesy on behalf of those to whom this courtesy is extended that they shall not impose upon their colleagues who have extended the courtesy to them of freedom of debate or deny their courteous and long-suffering colleagues the right to a vote. Freedom of debate may not under such an interpretation be carried to the point of a garrulous abuse of the floor of the Senate by the reading of old records and endless speechmaking made against time, which has emptied the Senate Chamber and destroyed genuine debate in this body. At the time the previous question was dropped from the written rules of the Senate *as a right under such written rules* there had been no need for the "previous question." The previous question had only been moved four times and only used three times from 1789 to 1806—that is, during 17 years.

There is no real debate in the Senate. Occasionally a Senator makes a speech that is worth listening to—occasionally, and only occasionally. The fact is that even speeches of the greatest value which are delivered on this floor have little or no audience now because of this gross abuse of the patience of the Senate, which has been brought to a point where men are no longer willing to be abused by loud-mouthed vociferation of robust-lunged partisans confessedly speaking against time in a filibuster, and are unwilling to keep their seats on this floor to listen to an endless tirade intended not to instruct the Senate, intended not to advise the Senate, intended not for legitimate debate, not for an honest exercise of freedom of speech, but for the sinister, ulterior, half-concealed purpose of killing time in the Senate and thereby preventing the Senate from acting, thus establishing a minority veto under the pretense, the bald pretense, the impudent and false pretense, of freedom of debate.

This courtesy in the Senate was not greatly abused prior to the war, nor until the fierce recent conflict began between the plutocracy and monopoly and the common people. Its abuse during the last century led, however, to various proposals by various distinguished Members of this body of cloture in various forms.

The first one that I care to call attention to is that of Mr. Clay, in 1841, in connection with which Mr. Henry Clay said, among other things—this was on the 12th of July, 1841—that—

He was ready at any moment to bring forward and support a measure which should give to the majority the control of the business of the Senate of the United States. Let them denounce it as much as they pleased, its advocates, unmoved by any of their denunciations and threats, standing firm in support of the interests which he believed the country demands, for one he was ready for the adoption of a rule which would place the business of the Senate under the control of a majority of the Senate.

In the first session in the Thirty-first Congress, July 27, 1850, Mr. Douglas, then a Senator of the United States, submitted the following motion for consideration:

Resolved, That the following be, and the same is, adopted as a standing rule of the Senate:

"That the previous question shall be admitted when demanded by a majority of the Members of the Senate present, and its effect shall be to put an end to all debate and bring the Senate to a direct vote, first, upon a motion to commit, if such motion shall have been made"—

And so forth.

Mr. Hale, on April 4, 1862, brought in a resolution of like purport; Mr. Wade, on June 21, 1864, proposed a like resolution; Mr. Pomeroy, on February 13, 1869; Mr. Hamlin, on March 10, 1870; and various other Senators. I ask, without reading these various proposals, to place them in the RECORD for the information of the Senate of the United States.

The PRESIDING OFFICER (Mr. RANSDELL in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

LIMITATION OF DEBATE.

[1st sess. 31st Cong., J. of S., 482, July 27, 1850.]

Mr. Douglas submitted the following motion for consideration:

"*Resolved*, That the following be, and the same is, adopted as a standing rule of the Senate:

"'That the previous question shall be admitted when demanded by a majority of the Members of the Senate present, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote, first, upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then, second, upon amendments reported by a committee, if any; then, third, upon pending amendments; and, finally, where such questions shall, or when none shall have been offered, or when none may be pending, then it shall be upon the main question or questions leading directly to a final decision of the subject matter before the Senate. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority shall have seconded such motion no call shall be in order prior to a decision of the main question. On a previous question there shall be no debate. All incidental questions arising after a motion shall have been made for the previous question and, pending such motion, shall be decided, whether on appeal or otherwise, without debate.'"

(Aug. 28. The resolution was laid on the table (ib., 588).)

[2d sess. 37th Cong., J. of S., 370, Apr. 4, 1862.]

Mr. Hale submitted the following resolution for consideration:

"*Resolved*, That the following be added to the rules of the Senate:

"'The Senate may, at any time during the present rebellion, by a vote of a majority of the Members present, fix a time when debate on any matter pending before the Senate shall cease and terminate; and the Senate shall, when the time fixed for terminating debate arrives, proceed to vote, without debate, on the measure and all amendments pending and that may be offered.'"

[1st sess. 38th Cong., J. of S., 601, June 21, 1864.]

Mr. Wade submitted the following resolution for consideration:

"*Resolved*, That during the remainder of the present session of Congress no Senator shall speak more than once on any one question before the Senate; nor shall such speech exceed 10 minutes, without leave of the Senate expressly given; and when such leave is asked it shall be decided by the Senate without debate; and it shall be the duty of the President to see that this rule is strictly enforced."

[3d sess. 40th Cong., J. of S., 256, Feb. 13, 1869.]

Mr. Pomeroy submitted the following resolution, which was ordered to be printed:

"*Resolved*, That the following be added to the standing rules of the Senate:

"'RULE —. While the motion for the previous question shall not be entertained in the Senate, yet the Senators, by a vote of three-fifths of the Members, may determine the time when debate shall close upon any pending proposition, and then the main question shall be taken by a vote of the Senate in manner provided for under existing rules.'"

[2d sess. 41st Cong., J. of S., 347, Mar. 10, 1870.]

Mr. Hamlin submitted the following resolution for consideration:

"*Resolved*, That whenever any question shall have been under consideration for two days it shall be competent, without debate, for the Senate, by a two-thirds majority, to fix a time, not less than one day thereafter, when the main question shall be taken; but each Senator who shall offer an amendment shall be allowed five minutes to speak upon the same, and one Senator a like time in reply."

[Ib., 412, Mar. 25, 1870.]

Mr. Wilson submitted the following motion for consideration:

"*Ordered*, That the Select Committee on Rules be instructed to consider the expediency of adopting a rule for the remainder of the session providing that whenever any bill has been considered for two days the question on ordering it to a third reading may be ordered by a two-thirds vote of the Senators present and voting."

[Ib., 465, Apr. 7, 1870.]

The Senate next proceeded to consider (the above); and

On motion of Mr. Edmunds,

Ordered, That the said resolution be passed over.

[Ib., 492, Apr. 14, 1879.]

The Senate next resumed the consideration of the resolution submitted by Mr. Wilson on the 25th of March last, instructing the Select Committee on the Revision of the Rules to consider the expediency of adopting a rule for the remainder of the session fixing a time when the question on ordering a bill to a third reading shall be put; and

The resolution was agreed to.

[2d sess. 41st Cong., J. of S., 778, June 9, 1870.]

Mr. Pomeroy submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That the thirteenth rule of the Senate be amended by adding thereto the following:

"'And any pending amendment to an appropriation bill may be laid on the table without affecting the bill.

"'It shall be in order at any time when an appropriation bill is under consideration, by a two-thirds vote, to order the termination of debate at a time fixed in respect to any item or amendment thereof then under consideration, which order shall be acted upon without debate."

[2d sess. 42d Cong., J. of S., Apr. 1, 1872.]

Mr. Pomeroy submitted the following resolution for consideration:

"*Resolved*, That upon any amendment to general appropriation bills remarks upon the same by any one Senator shall be limited to five minutes."

[2d sess. 42d Cong., J. of S., 614, Apr. 26.]

Mr. Scott submitted the following resolution, which was ordered to be printed:

"*Resolved*, That during the present session it shall be in order, pending an appropriation bill, to move to confine debate on the pending bill and amendments thereto to five minutes by any Senator on the pending motion, and the motion to limit debate shall be decided without debate."

[Ib., 630, Apr. 29, 1872.]

On motion by Mr. Scott,

The Senate proceeded to consider the resolution submitted by him on the 26th instant, to confine debate on appropriation bills and amendments thereto for the remainder of the session; and the resolution having been modified by Mr. Scott to read as follows:

"*Resolved*, That during the present session it shall be in order, pending an appropriation bill, to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and the motion to limit debate shall be decided without debate."

After debate,

On motion by Mr. Vickers, to amend the resolution by inserting after the word "thereto," the words "germane to the subject matter of the bill."

[Several proposed amendments to this part of the resolution are omitted.]

On motion by Mr. Edmunds, to amend the resolution by adding thereto the following:

"And no amendment to any such bill making legislative provisions other than such as directly relate to the appropriations contained in the bill shall be received."

It was determined in the affirmative—yeas 25, nays 19.

[The names are omitted.]

So the amendment was agreed to.

The resolution having been further amended on motion of Mr. Scott, on the question to agree thereto as amended in the following words:

"*Resolved*, That during the present session it shall be in order to move a recess; and pending an appropriation bill to move to confine debate on amendment thereto to five minutes by any Senator on the pending motion, and such motions shall be decided without debate; and no amendment to any such bill making legislative provisions other than such as directly relate to the appropriations contained in the bill shall be received."

It was determined in the affirmative, {Yeas—33 / Nays—13}

[The names are omitted.]

So the resolution was agreed to.

[3d sess. 42d Cong., J. of S., 615, March 18, 1873.]

Mr. Wright submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That the Committee on the Revision of the Rules be instructed to inquire into the propriety of so amending the rules as to provide—

"First. That debate shall be confined and be relevant to the subject matter before the Senate;

"Second. That the previous question may be demanded either by a majority vote or in some modified form;

"Third. For taking up bills in their regular order on the calendar; for their disposition in such order; prohibiting special orders; and requiring that bills not finally disposed of when thus called shall go to the foot of the calendar, unless otherwise directed."

[Ib., 616, Mar. 19, 1873.]

On motion by Mr. Wright, that the Senate proceed to the consideration of the resolution submitted by him on the 17th instant instructing the Select Committee on the Revision of the Rules to inquire into the propriety of so amending the rules of the Senate as to confine debate to the subject matter before the Senate, to provide for a previous question, and the order of the consideration of bills on the calendar, and the disposition thereof;

After debate,

It was determined in the negative, {Yeas—25 / Nays—30}

[The names are omitted.]

So the motion to proceed to the consideration of the said resolution was not agreed to.

[CONGRESSIONAL RECORD, 3d sess. 42d Cong. (spec. sess.), 113–117.]

[Ib., 617, Mar. 20, 1873.]

Mr. Wright submitted the following resolution for consideration; which was ordered to be printed:

"*Resolved*, That the following be added to the rules of the Senate:

"'RULE —. No debate shall be in order unless it relate to, or be pertinent to the question before the Senate.

"'RULE —. Debate may be closed at any time upon any bill or measure by the order of two-thirds of the Senators present, after notice of 24 hours to that effect.

"'RULE —. All bills shall be placed upon the calendar in their order, and shall be disposed of in such order unless postponed by the order of the Senate. All special orders are prohibited, except by unanimous consent; and bills postponed shall, unless otherwise ordered, go to the foot of the calendar.'"

[Ib., 618, Mar. 21, 1873.]

On motion by Mr. Wright, that the Senate proceed to the consideration of the resolution yesterday submitted by him, providing additional rules for the Senate.

After debate,

Ordered, That the further consideration of the subject be postponed to the first Monday of December next.

[CONGRESSIONAL RECORD, 3d sess. 42d Cong. (spec. sess.), 135–137.]

[1st sess. 43d Cong., J. of S., 532, May 6, 1874.]

Mr. Edmunds submitted the following resolution, which was referred to the Select Committee on the Revision of the Rules:

"*Resolved*, That the eleventh rule of the Senate be amended by adding thereto the following words: 'Nor shall such debate be allowed upon any motion to dispose of a pending matter and proceed to consider another. When a question is under consideration the debate thereon shall be germane to such question or to the subject to which it relates.'"

[Ib., 578, May 15, 1874.]

Mr. Ferry of Michigan, from the Select Committee on the Revision of the Rules, to whom was referred the resolution submitted by Mr. Edmunds the 6th instant, to amend the eleventh rule of the Senate, reported it with an amendment.

[2d sess. 43d Cong., J. of S., 128, Jan. 18, 1875.]

Mr. Morrill of Maine, submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That during the present session it shall be in order at any time to move a recess, and, pending an appropriation bill, to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motions shall be decided without debate."

[Ib., 134, Jan. 19, 1875.]

The Senate proceeded to consider the resolution yesterday submitted by Mr. Morrill of Maine, to limit debate on amendments to appropriation bills; and

After debate,

The resolution was agreed to, as follows:

"Resolved, That during the present session it shall be in order at any time to move a recess, and, pending an appropriation bill, to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motion shall be decided without debate."

(CONGRESSIONAL RECORD, 2d sess., 43d Cong., 560–570.)

[1st sess. 44th Cong., J. of S., 243, Feb. 28, 1876.]

Mr. Morrill of Maine, submitted the following resolution for consideration, which was ordered to be printed:

"Resolved, That during the present session it shall be in order at any time to move a recess, and, pending an appropriation bill, to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motion shall be decided without debate."

[Ib., 253, Feb. 29, 1876.]

On motion by Mr. Morrill of Maine,

The Senate proceeded to consider the resolution yesterday submitted by him to confine debate on amendments to appropriation bills; and, having been amended on motion by Mr. Morrill of Maine,

On motion by Mr. Bayard, to further amend the resolution by adding thereto the following:

" But no amendment to an appropriation bill shall be in order which is not germane to such a bill,"

After debate,

It was determined in the negative, {Yeas---------- 25 / Nays---------- 28

[The names are omitted.]

So the amendment was not agreed to.

No further amendment being proposed, the resolution as amended was agreed to, as follows:

"Resolved, That during the present session it shall be in order at any time to move a recess, and, pending an appropriation bill, to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motions shall be decided without debate."

[2d sess. 45th Cong., J. of S., 314, Mar. 20, 1878.]

Mr. Windom submitted the following resolution for consideration:

"Resolved, That during the present session it shall be in order at any time pending an appropriation bill to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motion shall be decided without debate."

[2d sess. 45th Cong., J. of S., 319, Mar. 21, 1878.]

On motion by Mr. Windom,

The Senate proceeded to consider the resolution yesterday submitted by him, providing for a limitation of debate on amendments to appropriation bills, and

The resolution was agreed to.

[3d sess. 45th Cong., J. of S., 32, Dec. 5, 1878.]

Mr. Anthony submitted the following resolution for consideration:

"Resolved, That to-day, at 1 o'clock, the Senate will proceed to the consideration of the calendar, and bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once, and for five minutes only, unless, upon motion, the Senate should at any time otherwise order; and the objection may be interposed at any stage of the proceedings; and this order shall take precedence of special orders or unfinished business unless otherwise ordered."

(The resolution went over, objection being made.)

[3d sess. 45th Cong., J. of S., 114, Jan. 14, 1879.]

Mr. Anthony submitted the following resolution, which was considered, by unanimous consent, and agreed to:

"Resolved, That on Friday next, at 1 o'clock, the Senate will proceed to the consideration of the calendar, and bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once, and for five minutes only, unless, upon motion, the Senate should at any time otherwise order, and the objection may be interposed at any stage of the proceedings."

(CONGRESSIONAL RECORD, 3d sess. 45th Cong., 427.)

[3d sess. 45th Cong., J. of S., 138, Jan. 20, 1879.]

Mr. Anthony submitted the following resolution, which was considered, by unanimous consent, and agreed to:

"Resolved, That at the conclusion of the morning business for each day after this day the Senate will proceed to the consideration of the calendar, and continue such consideration until half past 1 o'clock, and bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once, and for five minutes only, unless, upon motion, the Senate should at any time otherwise order, and the objection may be interposed at any stage of the proceedings."

[3d sess. 45th Cong., J. of S., 189, Jan. 30, 1879.]

Mr. Anthony submitted the following resolution for consideration:

"Resolved, That the order of the Senate of January 20, 1879, relative to the consideration of bills on the calendar shall not be suspended unless by unanimous consent or upon one day's notice."

[3d sess. 45th Cong., J. of S., 325, Feb. 20, 1879.]

Mr. Windom submitted the following resolution for consideration:

"Resolved, That during the present session it shall be in order at any time pending an appropriation bill to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and such motion shall be decided without debate."

[3d sess. 45th Cong., J. of S., 373, Feb. 25, 1879.]

On motion by Mr. Allison,

The Senate proceeded to consider the resolution submitted by Mr. Windom on the 20th instant to confine debate on amendments to general appropriation bills; and

The resolution was agreed to.

[2d sess. 46th Cong., J. of S., 594, May 22, 1880.]

The hour of half past 12 o'clock having arrived, the President pro tempore asked the Senate to place its construction upon the order of February 5, 1880, and known as the "Anthony rule," and submitted the following proposition: " Does the consideration of the calendar continue until half past 1 o'clock, notwithstanding the change of the hour of meeting of the Senate? "

[3d sess. 46th Cong., J. of S., 244, Feb. 12, 1881.]

On motion by Mr. Morgan,

The Senate proceeded to consider the resolution submitted by him the 10th instant, limiting debate on a motion to proceed to the consideration of a bill or resolution; and having been modified on the motion of Mr. Morgan, the resolution as modified was agreed to, as follows:

"Resolved, That for the remainder of the present session, on a motion to take up a bill or resolution for consideration, at the present or at a future time, debate shall be limited to 15 minutes, and no Senator shall speak to such motion more than once, or for a longer time than 5 minutes."

[3d sess. 46th Cong., J. of S., 234, Feb. 10, 1881.]

Mr. Morgan submitted the following resolution for consideration:

"Resolved, That on a motion to take up a bill or resolution for consideration at the present or at a future time debate shall be limited to 15 minutes, and no Senator shall speak to such motion oftener than once, or for a longer time than 5 minutes."

[1st sess. 47th Cong., J. of S., 446, Mar. 20, 1882.]

On motion of Mr. Anthony, to amend the order of the Senate known as the "Anthony rule," so as to extend the time for the consideration of the calendar of bills and resolutions until 2 o'clock p. m., it was determined in the affirmative.

[1st sess. 47th Cong., J. of S., 632, Apr. 26, 1882.]

Mr. Edmunds submitted the following resolution for consideration, which was ordered to be printed:

"Resolved, That the special rule of the Senate for the consideration of matters on the calendar under limited debate be, and the same is hereby, abolished."

Mr. Hoar submitted the following resolution for consideration, which was ordered to be printed:

"Resolved, That the resolve known as the "Anthony rule" shall not hereafter be so construed as to authorize the consideration of any measure under a limitation of debate of five minutes, or to speaking but once by each Senator after objection."

[2d sess. 47th Cong., J. of S., 282, Feb. 3, 1883.]

Mr. Hale submitted the following resolution for consideration, which was ordered to be printed:

"Resolved, That upon each amendment hereafter offered to the bill entitled 'An act to reduce internal revenue taxation,' each Senator may speak once for five minutes, and no more."

[2d sess. 47th Cong., J. of S., 396, Feb. 23, 1883.]

Mr. Hale submitted the following resolution for consideration:

"Resolved, That during the present session it shall be in order at any time pending an appropriation bill to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion, and said motion shall be decided without debate."

[1st sess. 48th Cong., J. of S., 354, Feb. 26, 1884.]

Mr. Harris submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

"Resolved, That the seventh rule of the Senate be amended by adding thereto the following words:

" 'The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.' "

Mr. Harris submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

"Resolved, That the eighth rule of the Senate be amended by adding thereto the following words:

" 'All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.' "

[1st sess. 48th Cong., J. of S., 442, Mar. 19, 1884.]

On motion by Mr. Harris,

The Senate proceeded to consider the resolution to amend the eighth rule; and

The resolution was agreed to, as follows:

"Resolved, That the eighth rule of the Senate be amended by adding thereto the following words: 'All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.' "

On motion by Mr. Harris,

The Senate proceeded to consider the resolutions reported from the Committee on Rules on the 7th instant to amend the tenth rule, and having been amended on the motion of Mr. Harris, from the Committee on Rules, by inserting, after the word " order," the words " or to proceed to the consideration of other business."

The resolution as amended was agreed to, as follows:

"Resolved, That the tenth rule of the Senate be amended by adding thereto the following words: 'And all motions to change such order or to proceed to the consideration of other business shall be decided without debate.' "

[1st sess. 48th Cong., J. of S., 431, Mar. 17, 1884.]

Mr. Harris, from the Committee on Rules, to which was referred the resolution submitted by him February 26, 1884, to amend the seventh rule of the Senate, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the said resolution; and

Resolved, That the Senate agree thereto.

Mr. Harris, from the Committee on Rules, to which was referred the resolution submitted by him February 26, 1884, to amend the eighth rule of the Senate, reported it without amendment.

Mr. Harris, from the Committee on Rules, reported the following resolution for consideration:

"Resolved, That the tenth rule of the Senate be amended by adding thereto the following words: *'And all motions to change such order shall be decided without debate.'* "

[2d sess. 48th Cong., J. of S., 359, Feb. 24, 1885.]

Mr. Allison submitted the following order for consideration, which was ordered to be printed:

Ordered, That during the remainder of the present session of the Senate it shall be in order to move at any time that debate on any amendment or all amendments to any appropriation bill then before the Senate be limited to five minutes for each Senator, and that no Senator shall speak more than once on the same amendment in form or substance. The question on such motion shall be determined without debate.

[2d sess. 48th Cong., J. of S., 389, Feb. 26, 1885.]

The President pro tempore laid before the Senate the order submitted by Mr. Allison on the 24th instant to limit debate to five minutes on amendments to appropriation bills for the remainder of the present session.

On motion by Mr. Plumb,

Ordered, That the further consideration thereof be postponed to to-morrow.

[1st sess. 49th Cong., J. of S., 505, Apr. 1, 1886.]

Mr. Ingalls submitted the following resolution, which was referred to the Committee on Rules:

"*Resolved*, That Rule XIII be amended by striking out the words 'without debate,' in the last sentence of clause 1."

[1st sess. 49th Cong., J. of S., 904, June 14, 1886.]

Mr. Edmunds submitted the following resolution, which was referred to the Committee on Rules:

"*Resolved*, That the last paragraph of the first clause of Rule XIII be amended so as to read as follows:

"'Any motion to reconsider may be laid on the table without affecting the question in reference to which the same is made, and if laid on the table it shall be a final disposition of the motion.'"

[1st sess. 49th Cong., J. of S., 945, June 21, 1886.]

Mr. Frye, from the Committee on Rules, reported the following resolution, which was considered, by unanimous consent, and agreed to:

"*Resolved*, That the last paragraph of clause 1, Rule XIII, is hereby amended by striking out the words 'without debate.'

Mr. Frye, from the Committee on Rules, to whom were referred the following resolutions, reported adversely thereon:

The resolution submitted by Mr. Ingalls April 1, 1886, to amend clause 1 of Rule XIII of the Senate; and

The resolution submitted by Mr. Edmunds on the 14th instant to amend clause 1 of Rule XIII of the Senate.

Ordered, That they be postponed indefinitely.

[2d sess. 49th Cong., J. of S., 387, Feb. 21, 1887.]

Mr. Cameron submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That during the remainder of this session no Senator shall speak on any question more than once, and shall confine his remarks to five minutes' duration."

[2d sess. 49th Cong., J. of S., 400, Feb. 22, 1887.]

The President pro tempore laid before the Senate the resolution yesterday submitted by Mr. Cameron, limiting debate during the remainder of the session;

When,

Mr. Edmunds raised a question of order, viz, that the resolution would change the standing rules of the Senate, of which proper notice had not been given, as required by the fortieth rule; and

The President pro tempore sustained the point of order.

[1st sess. 50th Cong., J. of S., 315, Feb. 14, 1888.]

Mr. Blackburn submitted the following resolution, which was referred to the Committee on Rules:

"*Resolved*, That it shall not be in order, except by unanimous consent, for the Committee on Appropriations to report to the Senate for consideration or action any general appropriation bill without having had such bill under consideration for a period of 10 days or more."

[1st sess. 50th Cong., J. of S., 829, May 16, 1888.]

Mr. Edmunds submitted the following resolution, which was referred to the Committee on Rules:

"*Resolved*, That paragraph 3 of Rule XVI be amended by adding thereto the following:

"Whenever any general appropriation bill originating in the House of Representatives shall be under consideration, it shall be the duty of the Presiding Officer to cause to be stricken out of such bill all provisions therein of a general legislative character other than such as relate to the disposition of the moneys appropriated therein; but such order of the Presiding Officer shall be subject to an appeal to the Senate as in other cases of questions of order."

[1st sess. 51st Cong., J. of S., 250, Apr. 23, 1890.]

Mr. Chandler submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

"*Resolved*, That the following be adopted as a standing rule of the Senate:

"'Whenever a bill or resolution reported from a committee is under consideration the Senate may, on motion, to be acted on without debate or dilatory motions, order that on a day, not less than six days after the passage of the order, debate shall cease and the Senate proceed to dispose of the bill or resolution; and when said day shall arrive, at 3 o'clock the vote shall be forthwith taken without debate or dilatory motions upon any amendments to the bill or resolution and upon the passage thereof.

"'Whenever a quorum of Senators shall not vote on any roll call the Presiding Officer, at the request of any Senator, shall cause to be entered upon the Journal the names of all the Senators present and not voting, and such Senators shall be deemed and taken as in attendance and present as part of the quorum to do business; and declaration of the result of the voting shall be made accordingly.'"

[1st sess. 51st Cong., J. of S., 431, July 16, 1890.]

Mr. Allison submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That during the remainder of the present session of Congress it shall be in order to move at any time that debate on any amendment or all amendments to any appropriation bill then before the Senate be limited to five minutes for each Senator, and that no Senator shall speak more than once on the same amendment in form or substance. The question on such motion shall be determined without debate."

[1st sess. 51st Cong., J. of S., 449, Aug. 1, 1890.]

Mr. Blair submitted the following resolution, which was ordered to be printed:

"*Resolved*, That the Committee on Rules be instructed to report a rule within four days providing for the incorporation of the previous question or some method for limiting and closing debate in the parliamentary procedure of the Senate.

[1st sess. 51st Cong., J. of S., 450, Aug. 9, 1890.]

The President pro tempore laid before the Senate the resolution yesterday submitted by Mr. Blair, as follows:

"*Resolved*, That the Committee on Rules be instructed to report a rule within four days providing for the incorporation of the previous question or some method for limiting and closing debate in the parliamentary procedure of the Senate."

Ordered, That it be referred to the Committee on Rules.

(Cong. Rec., 1st sess. 51st Cong., 8048–8050.)

[1st sess. 51st Cong., J. of S., 460, Aug. 9, 1890.]

Mr. Hoar submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

"*Resolved*, That the Rules of the Senate be amended by adding as follows:

"When any bill or resolution shall have been under consideration for a reasonable time it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measure shall take precedence of all other business whatever. If the Senate shall decide to close debate, the question shall be put upon the pending amendments, upon amendments of which notice shall then be given, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure not more than once and not exceeding 30 minutes.

"After such demand shall have been made by any Senator, no other motion shall be in order until the same shall have been voted upon by the Senate, unless the same shall fail to be seconded.

"After the Senate shall have decided to close debate, no motion shall be in order but a motion to adjourn or to take a recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost, or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote on the same shall have intervened."

[1st sess. 51st Cong., J. of S., 463, Aug. 12, 1890.]

Mr. Edmunds submitted the following order for consideration; which was ordered to be printed:

"*Ordered*, That during the consideration of House bill 9416, entitled 'An act to reduce the revenue and equalize duties on imports, and for other purposes,' no Senator shall speak more than once, and not longer than five minutes, on or in respect of any one item in said bill or any amendment proposed thereto without leave of the Senate, such leave to be granted or denied without debate and without any other motion or proceeding other than such as relates to procuring a quorum when it shall appear on a division, or on the yeas and nays being taken, that a voting quorum is not present; and until said bill shall have been gone through with to the point of a third reading no general motion in respect of said bill other than to take it up shall be in order.

"All appeals pending the matter aforesaid shall be determined at once, and without debate.

"Notice is hereby given, pursuant to Rule XL, that the foregoing order will be offered for adoption in the Senate.

"It is proposed to suspend for the foregoing stated purpose the following rules, namely: V, VIII, IX, X, XII, XVIII, XIX, XXII, XXVII, XXVIII, XXXV, and XL."

[1st sess., 51st Cong., J. of S., 463, Aug. 12, 1890.]

Mr. Blair submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That the following rule be adopted to fix the limit of debate, namely:

"'RULE —. When a proposition has been under debate two days and not less than four hours, which shall be determined by the Presiding Officer without debate, it shall be in order to move the previous question, unless the Senate shall otherwise fix the time when debate shall cease and the vote be taken; and in any case arising under this rule the Senator in charge of the measure shall have one hour in which to close the debate.

"'During the last 14 days preceding the time fixed by law or by concurrent resolution passed by the Senate for the end of the session, a majority of the Senate may close the debate at any time, subject to the right of the Senator in charge of the measure; and any motion for the previous question, or to limit debate and to fix the time for the vote to be taken, shall cease in one hour and be subject to the Anthony rule.'"

[1st sess. 51st Cong., J. of S., 643, Aug. 12, 1890.]

Mr. Quay submitted the following resolution for consideration, which was ordered to be printed:

"*Resolved*, That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (the tariff bill) and general appropriation bills, bills relating to public buildings and public lands, and Senate or concurrent resolutions.

"*Resolved*, That the consideration of all bills other than such as are mentioned in the foregoing resolution is hereby postponed until the session of Congress to be held on the first Monday in December, 1890.

"*Resolved*, That the vote on the pending bill and all amendments thereto shall be taken on the 30th day of August instant at 2 o'clock p. m., the voting to continue without further debate until the consideration of the bill and the amendments is completed."

[1st sess. 51st Cong., J. of S., 465, Aug. 13, 1890.]

The President pro tempore laid before the Senate the order and resolutions yesterday submitted, as follows:

Order by Mr. Edmunds, to limit debate on the pending bill to reduce the revenue and equalize duties on imports and the amendments proposed thereto.

Resolution by Mr. Blair, to amend the rules so as to fix a limit to debate.

Resolution by Mr. Quay, prescribing the measure to be considered during the remainder of the present session; and.

Ordered, That they be referred to the Committee on Rules.

[1st sess. 51st Cong., J. of S., 471, Aug. 16, 1890.]

Mr. Quay gave notice in writing, pursuant to Rule XL, that he would offer the following orders for adoption by the Senate:

"*Ordered*, 1. That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (H. R. 9416), conference reports, general appropriation bills, pension bills, bills relating to the public lands, to the United States courts, to the Postal Service, to agriculture and forestry, to public buildings, and Senate or concurrent resolutions.

"*Ordered*, 2. That the consideration of all bills other than such as are mentioned in the foregoing order is hereby postponed until the session of Congress to be held on the first Monday of December, 1890.

"*Ordered*, 3. That a vote shall be taken on the bill (H. R. 9416) now under consideration in the Senate and upon amendments then pend-

ing, without further debate, on the 30th day of August, 1890, the voting to commence at 2 o'clock p. m. on said day and continue on that and subsequent days, to the exclusion of all other business, until the bill and pending amendments are finally disposed of.

"And that it was proposed to modify, for the foregoing stated purpose, the following rules, namely: VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL.

"*Ordered*, That the notice, with the proposed orders, be printed."

[1st sess. 51st Cong., J. of S., 472, Aug. 18, 1890.]

Mr. Quay, pursuant to notice, submitted the following resolution, which was ordered to be printed:

"*Resolved*, That the following orders be adopted for the government of the Senate during the present session of Congress:

"'*Ordered*, 1. That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (H. R. 9416), conference reports, general appropriation bills, pension bills, bills relating to the public lands, to the United States courts, to the Postal Service, to agriculture and forestry, to public buildings, and Senate or concurrent resolutions.

"'*Ordered*, 2. That the consideration of all bills other than such as are mentioned in the foregoing order is hereby postponed until the session of Congress to be held on the first Monday of December, 1890.

"'*Ordered*, 3. That a vote shall be taken on the bill (H. R. 9416) now under consideration in the Senate and upon amendments then pending, without further debate, on the 30th day of August, 1890, the voting to commence at 2 o'clock p. m. on said day and to continue on that and subsequent days, to the exclusion of all other business, until the bill and pending amendments are finally disposed of.

"'For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified.'"

[1st sess. 51st Cong., J. of S., 476, Aug. 20, 1890.]

The President pro tempore laid before the Senate the resolution submitted by Mr. Quay on the 18th instant, as follows:

"*Resolved*, That the following orders be adopted for the government of the Senate during the present term of Congress:

"'*Ordered*, 1. That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (H. R. 9416), conference reports, general appropriation bills, pension bills, bills relating to public lands, United States courts, the Postal Service, to agriculture and forestry, to public buildings, and Senate or concurrent resolutions.

"'*Ordered*, 2. That the consideration of all bills other than such as are mentioned in the foregoing order is hereby postponed until the session of Congress to be held on the first Monday of December, 1890.

"'*Ordered*, 3. That a vote shall be taken on the bill (H. R. 9416) now under consideration in the Senate and upon amendments then pending, without further debate, on the 30th day of August, 1890, the voting to commence at 2 o'clock p. m. on said day and to continue on that and subsequent days, to the exclusion of all other business, until the bill and pending amendments are finally disposed of.

"'For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified.'"

The Senate proceeded to consider the resolution; and an amendment having been proposed by Senator Hoar, viz: Strike out all after the word "resolved," and in lieu thereof insert "that the rules of the Senate be amended by adding the following:

"When any bill or resolution shall have been under consideration for a reasonable time it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measures shall take precedence of all other business whatever. If the Senate shall decide to close debate, the question shall be put upon the pending amendments, upon amendments of which notice will then be given, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon a measure not more than once and not exceeding one hour.

"After such demand shall have been made by any Senator no other motion shall be in order until the same shall have been voted upon by the Senate, unless the same shall fail to be seconded.

"After the Senate shall have decided to close debate, no motion shall be in order but a motion to adjourn or to take recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote upon the same shall have intervened.

"For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL are modified."

On motion by Mr. Hoar to amend the part proposed to be stricken out by inserting, after the words "the pending bill (H. R. 9416)," the words "the bill to amend and supplement the election laws of the United States (H. R. 11045)," and by adding, at the end of the resolutions, the words "and immediately thereafter the bill to amend and supplement the election laws of the United States shall be taken up for consideration, and shall remain before the Senate every day for three days, after the reading of the Journal, to the exclusion of all other business, and on the 4th day of September, at 2 o'clock, voting thereon, and on the then pending amendments, shall begin and shall continue from day to day, to the exclusion of other business, until the same are finally disposed of."

After debate,

On motion by Mr. Spooner, that the resolution, with the proposed amendment, be referred to the Committee on Rules,

Pending debate,

The President pro tempore announced that the hour of 12 o'clock had arrived, and laid before the Senate the unfinished business at its adjournment yesterday, viz, the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

[CONGRESSIONAL RECORD, 1st sess. 51st Cong., 8841–8849.]

[1st sess. 51st Cong., J. of S., Sept. 23, 1890.]

The Senate proceeded to consider the resolution submitted by Mr. Quay August 18, 1890, prescribing an order of business during the remainder of the present session; and

Ordered, That it be postponed indefinitely.

[2d sess. 51st Cong., J. of S., 46, Dec. 23, 1890.]

Mr. Aldrich gave notice, in accordance with the provisions of Rule XL, that he would move certain amendments to the rules, which would modify Rules VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXXV, and XL, and for that purpose he would hereafter submit the following resolution:

"*Resolved*, That for the remainder of this session the rules of the Senate be amended by adding thereto the following:

"'When any bill, resolution, or other question shall have been under consideration for a reasonable time it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without debate. If the Senate shall decide to close debate on the bill, resolution, or other question, the measure shall take precedence of all other business whatever, and the question shall be put upon the amendments, if any, then pending, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure, including all amendments, not more than once, and not exceeding 30 minutes.

"'After the Senate shall have decided to close debate as herein provided no motion shall be in order but a motion to adjourn or to take a recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost, or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure, or one vote upon the same shall have intervened.

"'Pending proceedings under the foregoing rule no proceeding in respect of a quorum shall be in order until it shall have appeared on a division or on the taking of the yeas and nays that a quorum is not present and voting.

"'Pending proceedings under the foregoing rule, all questions of order, whether on appeal or otherwise, shall be decided without debate, and no obstructive or dilatory motion or proceeding of any kind shall be in order.

"'For the foregoing stated purposes the following rules, namely, VII, VIII, IX, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified.'"

Ordered, That the proposed resolution be printed.

[2d sess. 51st Cong., J. of S., 51, Dec. 29, 1890.]

Mr. Aldrich, pursuant to notice given on the 23d instant, submitted the following resolution, which was ordered to be printed:

"*Resolved*, That for the remainder of this session the rules of the Senate be amended by adding thereto the following:

"'When any bill, resolution, or other question shall have been under consideration for a considerable time it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without debate. If the Senate shall decide to close debate on any bill, resolution, or other question, the measure shall take precedence of all other business whatever, and the question shall be put upon the amendments, if any, then pending, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure, including all amendments, not more than once, and not exceeding 30 minutes.

"'After the Senate shall have decided to close debate as herein provided, no motion shall be in order but a motion to adjourn or to take a recess, when such motions shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure, or one vote upon the same shall have intervened.

"'Pending proceedings under the foregoing rule, no proceeding in respect of the quorum shall be in order until it shall have appeared on a division, or on the taking of the yeas and nays, that a quorum is not present and voting.

"'Pending proceedings under the foregoing rule, all questions of order, whether upon appeal or otherwise, shall be decided without debate, and no obstructive or dilatory motion or proceedings of any kind shall be in order.

"'For the foregoing stated purposes the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified.'"

[2d sess. 51st Cong., J. of S., 87, Jan. 20, 1891.]

On motion by Mr. Aldrich, that the Senate proceed to the consideration of the resolution submitted by him December 29, 1890, to amend the rules so as to provide a limitation of debate under certain conditions, and for that purpose to modify Rules VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL.

It was determined in the affirmative;

When,

Mr. Harris raised a question of order, namely, that the notice given by Mr. Aldrich was not sufficiently specific to meet the requirements of Rule XL, as it did not specify the parts of the rules proposed to be suspended, modified, or amended, and the purposes thereof, and that the proposed rule materially modifies Rules V and XX, and neither of these rules are mentioned in the notice as rules proposed to be suspended, modified, or amended.

Pending which [the hour of 2 o'clock having arrived, etc.].

[CONGRESSIONAL RECORD, 2d sess. 51st Cong., 1564–1568.]

[2d sess. 51st Cong., J. of S., 89, Jan. 22, 1891.]

On motion by Mr. Aldrich, that the Senate proceed to the consideration of the resolution submitted by him December 29, 1890, to amend the rules so as to provide a limitation of debate under certain conditions, and for that purpose to modify Rules VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL.

Mr. Harris raised a question of order, namely, that the unfinished business was the motion of Mr. Gorman, to correct the Journal of the day before yesterday, it being a question of the highest privilege, and under Rule III to be proceeded with until it is concluded.

The Vice President overruled the question of order, and stated that he did not find any rule bearing upon the question of amending or approving any other Journal than that of the preceding day, and is therefore of the opinion that the motion made by the Senator from Rhode Island was in order, the morning hour having expired.

From the decision of the Chair Mr. Harris appealed to the Senate; and,

On the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

It was determined in the affirmative, {Yeas—35 / Nays—30}

On motion by Mr. Cockrell,
The yeas and nays being desired by one-fifth of the Senators present,
[The names are omitted.]
So the decision of the Chair was sustained.
[CONGRESSIONAL RECORD, 2d sess. 51st Cong., 1654–1664.]

[2d sess. 51st Cong., J. of S., 90, Jan. 22, 1891.]

The question recurring on the motion of Mr. Aldrich, that the Senate proceed to the consideration of the resolution;
On motion by Mr. Gorman, to lay the motion on the table,
It was determined in the negative, {Yeas 30 / Nays 35}
On motion by Mr. Gorman,
The yeas and nays being desired by one-fifth of the Senators present,
[The names are omitted.]
So the motion to lay on the table was not agreed to.
Mr. Ransom raised a question of order, namely, that the motion to take up the resolution was not in order because the Journal of the 20th instant as read on the 21st shows that the resolution was taken up on the 20th, and if that be true, it then became and now is the unfinished business.
The Vice President overruled the question of order.
From the decision of the Chair Mr. Ransom appealed to the Senate; and,
On the question, "Shall the decision of the Chair stand as the judgment of the Senate?"
It was determined in the affirmative, {Yeas 36 / Nays 27}
On motion by Mr. Ransom,
The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,
[The names are omitted.]
So the question of order was overruled.
Mr. Gorman asked that the motion of Mr. Aldrich be put in writing.
The motion having been reduced to writing, and the question recurring on agreeing to the same,
It was determined in the affirmative, {Yeas 36 / Nays 32}
On motion by Mr. Aldrich,
The yeas and nays being desired by one-fifth of the Senators present,
[The names are omitted.]
So the motion was agreed to; and
The Senate resumed the consideration of the resolution; and
The question being on the point of order raised by Mr. Harris on the 20th instant, namely, that the notice given by Mr. Aldrich was not sufficiently specific to meet the requirements of Rule XL, as it did not specify the parts of the rules supposed to be suspended, modified, or amended, and the purposes thereof; and that the proposed rule materially modifies Rules V and XX, and neither of these rules is mentioned in the notice as rules proposed to be suspended, modified, or amended,
The Vice President overruled the question of order, and decided that it was not well taken, as in the opinion of the Chair the purpose and spirit of the rule are stated in the resolution submitted by Mr. Aldrich.
From the decision of the Chair Mr. Faulkner appealed to the Senate, and
After debate,
At 2 o'clock and 35 minutes p. m., Mr. Gorman raised a question as to the presence of a quorum;
Whereupon,
The Presiding Officer (Mr. Manderson in the chair) directed the roll to be called,
When
Fifty-one Senators answered to their names.
A quorum being present, and the question recurring upon the appeal taken by Mr. Faulkner from the decision of the Chair,
After further debate,
On motion by Mr. Aldrich that the appeal lie on the table,
Mr. Gorman asked that the motion be put in writing; and
The motion having been reduced to writing by Mr. Aldrich,
On the question to agree to the same,
It was determined in the affirmative, {Yeas 33 / Nays 28}
On motion by Mr. Gorman,
The yeas and nays being desired by one-fifth of the Senators present,
[The names are omitted.]
So the motion was not agreed to.
The question recurring on agreeing to the resolution submitted by Mr. Aldrich,
Pending debate.
(CONGRESSIONAL RECORD, 2d sess. 51st Cong., 1664–1682.)

[2d sess. 51st Cong., J. of S., 91, Jan. 22, 1891.]

The Senate resumed the consideration of the resolution submitted by Mr. Aldrich, to amend the rules so as to provide a limitation of debate.
An amendment having been proposed by Mr. Stewart,
On motion by Mr. Faulkner, the yeas and nays were ordered.
Pending debate.
On motion by Mr. Aldrich, at 5 o'clock and 15 minutes p. m.,
The Senate took a recess until 12 m., Monday.

MONDAY, 12 o'clock m.

The Senate resumed the consideration of the resolution submitted by Mr. Aldrich to amend the rules so as to provide a limitation of debate; and
The question being on the amendment proposed by Mr. Stewart.
[CONGRESSIONAL RECORD, 2d sess. 51st Cong., 1682–1738.]

[2d sess. 51st Cong., J. of S., 91, Jan. 22, 1891.]

The Senate resumed the consideration of the motion submitted by Mr. Gorman to amend the Journal of the proceedings of Tuesday, the 20th instant, by striking out, after the motion submitted by Mr. Aldrich, that the Senate resume the consideration of the resolution to amend the rules so as to provide a limitation of debate, the words "It was determined in the affirmative"; when,
By unanimous consent, the order for the yeas and nays was withdrawn; and,
The motion to amend having been agreed to,
The Journal was approved.
The Senate resumed the consideration of the question of the approval of the Journal of the proceedings of Wednesday, the 21st instant; and
The Journal was approved.

[2d sess. 51st Cong., J. of S., 178, Feb. 26, 1891.]

On motion by Mr. Allison,
The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 13462) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes;
When,
On motion by Mr. Allison, and by unanimous consent,
Ordered, That during the consideration of the pending bill debate on amendments thereto shall be limited to five minutes for each Senator on the pending question, and that no Senator shall speak more than once on the same amendment.

Mr. OWEN. Now, Mr. President, that record which I have submitted without reading comes down to 1891, when Mr. Aldrich proposed a cloture rule for the limitation of debate. I want to call attention to several other propositions which have been made since that time, one by the Senator from New Hampshire [Mr. GALLINGER], now representing the State of New Hampshire in this body, on October 14, 1893, found on page 2504 of the CONGRESSIONAL RECORD, Fifty-third Congress, first session, as follows:

When any bill or resolution reported from a standing or select committee is under consideration, if a majority of the entire membership of the Senate submit a request in writing, through the Chair, that debate close, such papers shall be referred to the Committee on Rules, and it shall be the duty of said committee within a period not exceeding five days from the date of said reference to report an order naming a day and hour when a vote shall be taken, and action upon said report shall be had without amendment or debate.

Senator GALLINGER was very much in favor of a cloture in those days.

Senator Hoar also proposed a resolution on cloture. Nor were they alone in that respect as distinguished leaders of the opposition, but Senator LODGE also proposed the following rule in order to prevent the abuse of the floor of the Senate:

And it shall not be in order at any time for any Senator to read a speech, either written or printed.

Senator Vest, of Missouri, in 1893 introduced the following resolution, the most moderate form of terminating so-called debate (CONGRESSIONAL RECORD, p. 45, Dec. 5, 1894):

Amendment intended to be proposed to the rules of the Senate, namely, add to Rule I the following section:
"SEC. 2. Whenever any bill, motion, or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days, amounting in all to 30, it shall be in order for any Senator to move that a time be fixed for the taking of a vote upon such bill, motion, or resolution, and such motion shall not be amendable or debatable, but shall be immediately put; and if adopted by a majority vote of all the Members of the Senate, the vote upon such bill, motion, or resolution, with all the amendments thereto which may have been proposed at the time of such motion, shall be had at the date fixed in such original motion without further debate or amendment, except by unanimous consent, and during the pendency of such motion to fix a date, and also at the time fixed by the Senate for voting upon such bill, motion, or resolution no other business of any kind or character shall be entertained, except by unanimous consent, until such motion, bill, or resolution shall have been finally acted upon."

Hon. Orville H. Platt, on September 21, 1893, introduced the following resolution (p. 1636):

Whenever any bill or resolution is pending before the Senate as unfinished business the presiding officer shall, upon the written request of a majority of the Senators, fix a day and hour, and notify the Senate thereof, when general debate shall cease thereon, which time shall not be less than five days from the submission of such request, and he shall also fix a subsequent day and hour, and notify the Senate thereof, when the vote shall be taken on the bill or resolution and any amendment thereto without further debate, the time for taking the vote to be not more than two days later than the time when general debate is to cease, and in the interval between the closing of general debate and the taking of the vote no Senator shall speak more than five minutes nor more than once upon the same proposition.

And, among other things, said:

The rules of the Senate, as of every legislative body, ought to facilitate the transaction of business. I think that proposition will not be denied. The rules of the Senate as they stand to-day make it impossible, or nearly impossible, to transact business. I think that proposition will not be denied. We as a Senate are fast losing the respect of the people of the United States. We are fast being considered a body that exists for the purpose of retarding and obstructing legislation. We are being compared in the minds of the people of this country to the House of Lords in England, and the reason for it is that under our rules it is impossible or nearly impossible to obtain action when there is any considerable opposition to a bill here.
I think that I may safely say that there is a large majority upon this side of the Senate who would favor the adoption of such a rule at the present time.

Mr. Hoar, of Massachusetts (1893), submitted to the committee a proposed substitute, as follows (p. 1637):

Resolved, That the rules of the Senate be amended by adding the following:
"When any bill or resolution shall have been under consideration for more than one day it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measure shall take precedence of all other business whatever. If the Senate shall decide to close debate, the question shall be put upon the pending amendments, upon amendments of which notice shall then be given, and upon the measure in its successive stages according to the rules of the Senate, but without further debate, except that every Senator who may desire

shall be permitted to speak upon the measure not more than once and not exceeding one hour.

"After such demand shall have been made by any Senator no other motion shall be in order until the same shall have been voted upon by the Senate, unless the same shall fail to be seconded.

"After the Senate shall have decided to close debate no motion shall be in order, but a motion to adjourn or to take a recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote upon the same shall have intervened.

"For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified."

Mr. LODGE, of Massachusetts, also then, as now, Senator of the United States from Massachusetts, supported this proposal, using the following language (p. 1637):

It is because I believe that the moment for action has arrived that I desire now simply to say a word expressive of my very strong belief in the principle of the resolution offered by the Senator from Connecticut, Mr. Platt.

We govern in this country in our representative bodies by voting and debate. It is most desirable to have them both. Both are of great importance. But if we are to have only one, then the one which leads to action is the more important. To vote without debating may be hasty, may be ill considered, may be rash, but to debate and never vote is imbecility.

I am well aware that there are measures now pending, measures with reference to the tariff, which I consider more injurious to the country than the financial measure now before us. I am aware that there is a measure which has been rushed into the House of Representatives at the very moment when they are calling on us Republicans for nonpartisanship which is partisan in the highest degree and which involves evils which I regard as infinitely worse than anything that can arise from any economic measure, because it is a blow at human rights and personal liberty. I know that those measures are at hand. I know that such a rule as is now proposed will enable a majority surely to put them through this body after due debate and will lodge in the hands of a majority the power and the high responsibility which I believe the majority ought always to have. But, Mr. President, I do not shrink from the conclusion in the least. If it is right now to take a step like this, as I believe it is, in order to pass a measure which the whole country is demanding, then, as it seems to me, it is right to pass it for all measures. If it is not right for this measure, then it is not right to pass it for any other.

I believe that the most important principle in our Government is that the majority should rule. It is for that reason that I have done what lay in my power to promote what I thought was for the protection of elections, because I think the majority should rule at the ballot box. I think equally that the majority should rule on this floor—not by violent methods, but by proper dignified rules, such as are proposed by my colleague and by the Senator from Connecticut. The country demands action and we give them words. For these reasons, Mr. President, I have ventured to detain the Senate in order to express my most cordial approbation of the principle involved in the proposed rules which have just been referred to the committee.

Senator David B. Hill, of New York (1893), proposed the following amendment (p. 1639):

Add to Rule IX the following section:

"SEC. 2. Whenever any bill or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days amounting in all to 30 days, it shall be in order for any Senator to move to fix a date for the taking of a vote upon such bill or resolution, and such motion shall not be amended or debatable; and if passed by a majority of all the Senators elected the vote upon such bill or resolution, with all the amendments thereto which may be pending at the time of such motion, shall be immediately had without further debate or amendment, except by unanimous consent."

Only last Congress, April 6, 1911, the distinguished Senator from New York, Mr. ROOT, introduced the following resolution:

Resolved, That the Committee on Rules be, and it is hereby, instructed to report for the consideration of the Senate a rule or rules to secure more effective control by the Senate over its procedure, and especially over its procedure upon conference reports and upon bills which have been passed by the House and have been favorably reported in the Senate. (CONGRESSIONAL RECORD, vol. 47, pt. 1, p. 107.)

And Senator LODGE argued very strongly in favor of a cloture.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. OWEN. I yield to the Senator from Colorado.

Mr. THOMAS. If the Senator will turn to pages 1637 and 1638 of the same volume that he holds in his hands, he will find, if my memory serves me right, a resolution upon the subject offered by Mr. LODGE, or else a speech in favor of a resolution previously offered by Senator Platt—a speech which contains a great deal of matter which is pertinent to the present situation.

Mr. OWEN. Senator Platt, on the 20th of September, 1893, proposed the following resolution:

Resolved, That Rule IX of the Senate be amended by adding the following section:

"SEC. 2. Whenever and bill or resolution is pending before the Senate as unfinished business the Presiding Officer shall, upon the written request of a majority of the Senators, fix a day and hour and notify the Senate thereof when general debate shall cease thereon, which time shall not be less than five days from the submission of the request, and he shall also fix a subsequent day and hour, and notify the Senate thereof, when the vote shall be taken on the bill or resolution and any amendment thereto without further debate; the time for taking the vote to be not more than two days later than the time when general debate is to cease, and in the interval between the closing of general debate and the taking of the vote no Senator shall speak more than five minutes or more than once upon the same proposition.

Senator Platt argued strongly for this; nor was he alone. Senator LODGE, on page 2536, made an argument in favor of cloture, to this effect:

I believe, of course, that the proper way is to go straight at it and to put in the hands of the majority of the Senate the power to close debate and the power to take a vote after due debate.

But as it appears that there is not a majority in the Senate for closure, as no action has been taken by the Committee on Rules in that direction, and as there appears to be a prejudice against any method of bringing the Senate to a vote because it is in conflict with Senate traditions, I have ventured to offer two amendments which I think will at least tend to prevent obstruction, although they are not as thorough and complete as they ought to be.

This question of obstruction has culminated in the great representative bodies of the English-speaking people within the last few years. It has been met and disposed of in the House of Commons by the closure rules, which recently have been applied in practice at every stage of the home-rule bill. It has been met and disposed of in the House of Representatives. Those two great representative bodies of the English-speaking people, owing to reforms which have been carried out within the last half dozen years, are able to-day to transact business, to transact it according to the will of the majority, and thereby to place upon the majority the public responsibility which they ought to bear.

And more to like effect from the distinguished Senator from Massachusetts.

The Senator from Massachusetts was not content with expressing himself in that respect in the United States Senate, but he wrote a very interesting article for the North American Review, in the issue of November, 1893, page 523, in which he sets up with great force the importance of allowing a majority to rule, in which he advocates the Reed rules in the House of Representatives, which since that time have been, wisely enough, adopted by every succeeding Congress, whether Democratic or Republican, because the common sense of a parliament requires that the majority shall not be throttled by the minority, for the simple reason the majority must be permitted to exercise the functions for which they are chosen by the American people, if representative government is to stand. I shall ask to put this short article by Mr. LODGE as an addendum to my remarks, if there is no objection. It is a very short one.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. OWEN. Mr. LODGE, after arguing strenuously for the cloture——

Mr. GALLINGER. Will the Senator give the date of that article?

Mr. OWEN. November, 1893.

After arguing strenuously for the cloture, Mr. LODGE points out the practice of the previous question, and says:

But the essence of a system of courtesy is that it should be the same at all points. The two great rights in our representative bodies are voting and debate. If the courtesy of unlimited debate is granted, it must carry with it the reciprocal courtesy of permitting a vote after due discussion. If this is not the case, the system is impossible. Of the two rights, moreover, that of voting is the higher and more important. We ought to have both, and debate certainly in ample measure; but if we are forced to choose between them, the right of action must prevail over the right of discussion. *To vote without debating is perilous, but to debate and never vote is imbecile.*

I commend the language of the Senator from Massachusetts to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, if the Senator will yield——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator has quoted an amendment to the rules which I wrote shortly after coming into this body, which was sent to the Committee on Rules and never came out of that committee. I did hold to that view at that time; but I listened to a wonderful speech from Senator Turpie, of Indiana, about that time in opposition to cloture, which did very much toward converting me to the opposite view.

The Senator from Massachusetts [Mr. LODGE] came into the Senate fresh from the House in 1893, imbued with the idea that the Reed rules were the acme of perfection, and he advocated that practice. It was during a famous debate on the repeal of the silver-purchase clause in the law that was then on the statute books, and our Democratic friends were filibustering against it with great earnestness and with a good deal of success.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. OWEN. I yield to the Senator from Colorado.

Mr. THOMAS. I simply wish to remind the Senator from New Hampshire that that filibuster was not a party filibuster. There were a great many Senators upon the Republican side

engaged in it. One was from my State, who afterwards took his seat upon this side. It was not a Democratic filibuster.

Mr. GALLINGER. There were four or five so-called Republicans at that time——

Mr. THOMAS. Oh, there were more than that, Mr. President, and there was nothing "so called" about them. They were Republicans.

Mr. GALLINGER. Mr. President, I thank the Senator for permitting me the opportunity of saying that when I first came here I did entertain the view the Senator has attributed to me; but I listened very attentively to the views of Senators, many of whom had been here a long time, and I found that they were almost unanimously against that procedure. They assured me that no harm had ever come from it, and I changed my views, and I have entertained those changed views from that day to the present time.

Mr. OWEN. Mr. President, against the views of Mr. Turpie, the Senator referred to by the Senator from New Hampshire, I wish to quote the language of another distinguished Senator of that date on the Democratic side—Senator White, now the Chief Justice of the Supreme Court of the United States. He said, on October 13, 1893 (CONGRESSIONAL RECORD, p. 2477), in commenting on the filibuster of that date:

> Sir, we have for days and days in this great body, upon which the eyes of the whole world have been turned in the past as the most exalted and the most dignified and the most responsible legislative body on the face of God's earth, witnessed scenes in it which, in my judgment, have made it an object of contempt to every civilized man and to every honest judgment. So far as I am concerned, I hope that this action to-night will initiate the first step to reach a point in which this great body, gathering its self-respect about it, will so deport itself as to save at least some of the honor and some of the character which has been its ornament for so many years. While it is sought to drag it down in the mire and dust, I hope it will so deport itself as to vindicate its duty. If gentlemen sit in this room and call attention to the absence of a quorum, and then remain silent on the roll called to ascertain whether there is a quorum, I hope there will be firmness and manhood here to visit that punishment which, in my judgment, such conduct deserves. If it be done, then, sir, those who use such methods will seek some other field for their display than this. If it be not done, the self-respect of this body is, in my judgment, gone.

Senator David B. Hill likewise objected very strongly to the abuse of the time of the Senate by the filibuster, and he was not alone in that. I call attention to the proposal of Senator Hill in 1893, page 1639:

> Add to Rule IX the following section:
> "SEC. 2. Whenever any bill or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days amounting in all to 30 days, it shall be in order for any Senator to move to fix a date for the taking of a vote upon such bill or resolution, and such motion shall not be amended or debatable; and if passed by a majority of all the Senators elected the vote upon such bill or resolution, with all the amendments thereto which may be pending at the time of such motion, shall be immediately had without further debate or amendment, except by unanimous consent."

Nor does this by any means end the matter on the two sides of the Chamber. There are many distinguished Senators who, in the course of the debates on these questions, expressed similar sentiments. I shall not encumber the RECORD with making quotations from them, except to show that the leaders on both sides of this Chamber, as the exigencies seemed to require, have not hesitated to urge amendment of the rules to provide for a previous question after reasonable debate has been had.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. OWEN. I yield to the Senator from Massachusetts.

Mr. WEEKS. I wish to ask the Senator if any Senator has ever made that contention when he was in the minority party of the Senate? Has it not always been when he was in the majority?

Mr. OWEN. Oh, I think so, very generally. That does not change the force of the opinions and arguments cited, however. If you gentlemen, through your leadership on that side, declare vehemently in favor of the virtue of a cloture when you are in the majority, and if the gentlemen on this side declare vigorously in favor of a cloture when they are in the majority, does it not argue that both sides have committed themselves earnestly to the reasonable, common-sense rule that the majority shall command this Chamber? And if both sides have committed themselves, with what face will you deny the reason of the rule which you have yourselves advocated with such force and with such earnestness? Do you wish to argue that both sides were fraudulently making the argument and that neither side is entitled to the respect of honest men, and that their opinions are worthless because merely indicating a desire for partisan advantage?

If this be true, let us follow the rule of all other great parliamentary bodies—of Great Britain, of France, of Germany, of Austria, of Italy, of Switzerland, of Hungary, of Spain, of Denmark—of the great States of our own Union, who do not permit filibuster or the rule of the minority over the majority.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. OWEN. I yield to the Senator from Florida.

Mr. FLETCHER. May I ask the Senator if he does not think that when the rule was originally adopted providing that a Senator could speak once in one day upon a question in debate, it was contemplated that the speech would be confined to the question pending and then before the Senate?

Mr. OWEN. Oh, absolutely. No one imagined in the early days of the Senate that the minority would have the shameless impudence to try to rule the majority.

Mr. FLETCHER. And does not the Senator think this abuse has grown up not because the rule ever contemplated such abuse, but rather in spite of it, and that the abuse consists largely in the fact that nowadays the so-called debate or discussion or speech is not confined at all to the question before the Senate, but all latitude is given for the discussion of any old subject at any old time, whether it is really before the Senate or not? Does not the Senator think that is really the abuse, and that that was never contemplated by the Senate when the rules were originally adopted?

Mr. OWEN. That is quite true. When the rules of the Senate were adopted in 1789 they had the "previous question" coming from the Continental Congress, which had the previous question coming from the Parliament of Great Britain, which had the previous question in 1690. The Senate maintained the previous question for 17 years. It was then a small body of very courteous men, only 34 in number, and they dropped the previous question as not needed in so small a body of such very courteous men. They had only used it three times in 17 years, and as a matter of courtesy they merely omitted the previous question from the printed rules. It still was permissible under the general parliamentary law. They never imagined the Senator from Ohio speaking for 9 hours, the Senator from California speaking for long hours on the shipping bill, but confining his rambling observations to a dissertation on Christian science, followed by the Senator from Utah by a 13-hour speech, and speech after speech consuming days for the shameless purpose of killing time and killing majority rule and defeating popular government.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him further?

Mr. OWEN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will suggest to the Senator from Florida that if he should enforce that rule it would prevent the Senator from Oklahoma from making his very interesting discussion to-day.

Mr. OWEN. Oh, that may be true, Mr. President. I agree with the Senator from New Hampshire that a speech on the cloture would not be very much in point on the pending question of the shipping bill, but——

Mr. FLETCHER. But that is the pending question.

Mr. OWEN. Yes; it is so far in point that the Senator from Missouri [Mr. REED] has moved a temporary, particular, and special cloture for the purpose of bringing to a conclusion the endless filibuster on that side of the Chamber and getting a vote on the shipping bill. I am not far afield in discussing cloture in this way, for cloture is needed to get the vote on the shipping bill.

Mr. FLETCHER. That is the precise question.

Mr. OWEN. I think I am really much more in point than the Senator from New Hampshire would indicate.

Mr. President, I wish to submit for the RECORD the practice of every State in the Union. I have in my hand a compilation of the rules on the "*previous question*" of the various States comprising this Republic, and I submit them to show that the common sense of the people of this Republic, the common sense moving the legislatures of the various States, has spoken in regard to this matter; and only when they have had no trouble from an unfair filibuster is there the absence of a rule of cloture; that is, where the rule of courtesy carries with it the reciprocal courtesy of permitting the majority to vote after reasonable debate has been had.

The PRESIDING OFFICER. Is there objection to the insertion of the statement in the RECORD?

Mr. GALLINGER. Mr. President, before agreeing to the insertion I will ask the Senator, with his permission, if he has given the rules of the State senates as well as the houses of representatives?

Mr. OWEN. Yes; both are given—both the senate and house, wherever it occurs. I had it compiled by the legislative refer-

ence division of the Library of Congress for the use of the Senate.

Mr. GALLINGER. I will say to the Senator that I chance to know that we have not a previous question in the State Senate of New Hampshire.

Mr. OWEN. In the State Senate of New Hampshire, I take it, the Senator will not allege that any filibusters have been carried on so as to defeat the will of the majority. If so, I shall be glad to have the Senator say that that is a fact.

Mr. GALLINGER. I think probably the Senator is correct. We do not have before the Legislature of New Hampshire the great questions that we have before this body.

Mr. OWEN. And therefore there is no need for the rule of cloture, because your senate does not violate the courtesy of freedom of debate by a filibuster——

Mr. GALLINGER. I do not know that there has been any prolonged filibuster, but I do know that unlimited debate is allowed under the rules. That is all I know about it.

The PRESIDING OFFICER. Is there objection to the insertion in the RECORD of the matter referred to by the Senator from Oklahoma? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

PREVIOUS QUESTION IN STATE LEGISLATURES.

ALABAMA.

Senate.

No rule.

House.

20. The previous question shall be in the following form: "Shall the main question be now put?" If demanded by a vote of a majority of the members present, its effect shall be to cut off all debate and bring the house to a direct vote; first, upon the pending amendments, if there are any, in their order, and then on the main question, but the mover of the question or the chairman of the committee having charge of the bill or resolution shall have the right to close the debate after the call of the previous question has been sustained for not more than 15 minutes. (House rules, 1915, p. 8.)

ARIZONA.

Senate.

32. There shall be a motion for the previous question, which being ordered by a majority of senators voting, if a quorum be present, shall have the effect to cut off all debate and bring the senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the president to entertain and submit a motion to commit, with or without instructions, to a standing or select committee. (Senate journal, 1912, p. 75.)

House.

Information not available.

ARKANSAS.

Senate.

19. The previous question shall not be moved by less than three members, and shall be stated in these words, to wit: "Shall the main question be now put?" If the previous question is lost, the main question shall not thereby be postponed, but the senate shall proceed with the consideration of the same. If the previous question is carried, the original mover of the main question, or if the bill or resolution originated in the other house, then the chairman of the committee reporting the same shall have the right to close the debate and be limited to 30 minutes; and should the previous question be ordered on a subject debatable, before the same has been debated, the friends and the opponents of the measure shall have 30 minutes on either side in which to debate the question if desired. (Senate journal, 1901, p. 33.)

House.

53. When any debatable question is before the house any member may move the previous question, but it shall be seconded by at least five members whether that question (called the main question) shall now be put. If it passes in the affirmative, then the main question is to be put immediately, and no member shall debate it further, either to add to or alter: *Provided further*, When the previous question shall have been adopted the mover of the main question or chairman of the committee shall have the privilege of closing the debate and be limited to one-half hour: *Provided further*, When the previous question has been ordered on a debatable proposition which has not been debated 15 minutes in the aggregate shall be allowed the friends and opponents of the proposition each before putting the main question. (House journal, 1913, p. 28.)

CALIFORNIA.

Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the senators present upon a division; and its effect shall be to put an end to all debate, except that the author of the bill or the amendment shall have the right to close, and the subject under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the senate, a call of the senate shall be in order. (List of members and rules, 1913, p. 59.)

Assembly.

45. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it. (List of members and rules, 1913, p. 119.)

COLORADO.

Senate.

X, 2. Debate may be closed at any time not less than one hour from the adoption of a motion to that effect, and upon a three-fifths vote of the members elect an hour may be fixed for a vote upon the pending measure. On either of these motions not more than 10 minutes shall be allowed for debate, and no senator shall speak more than 3 minutes; and no other motion shall be entertained until the motion to close debate or to fix an hour for the vote on the pending question shall have been determined. (Senate Journal, 1907, p. 101.)

House.

XXVI, 1. When there shall be a motion for the previous question, which, being ordered by a majority of members present, if a quorum, it shall have the effect to cut off all debate and bring the house to a direct vote upon the immediate question or questions on which it has been asked or ordered. The previous question may be asked and ordered upon a single motion, a series of motions, allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions and amendments, and a motion to lay upon the table shall be in order on the second or third reading of the bill.

2. A call of the house shall not be in order after the previous question is ordered unless it shall appear upon the actual count by the speaker that a quorum is not present.

3. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (House Journal, 1907, p. 215.)

CONNECTICUT.

Senate.

In the senate of 1911 the previous question was called for, and the point was raised that the previous question does not prevail in the senate; the president pro tempore (Peck) ruled the point well taken. (S. J., 1911, p. 555; register and manual, 1914, p. 133.)

House.

33. When a question is under debate no motion shall be received except—

1. To adjourn.
2. To lay on the table.
3. For the previous question.
4. To postpone indefinitely.
5. To close the debate at a specified time.
6. To postpone to a time certain.
7. To commit or recommit.
8. To amend.
9. To continue to the next general assembly.

Which several motions shall have precedence in the order in which they stand arranged in this rule, and no motion to lay on the table, commit, or recommit, to continue to next general assembly, or to postpone indefinitely, having been once decided, shall be again allowed at the same sitting and at the same stage of the bill or subject matter. (Register and manual, 1914, p. 113.)

DELAWARE.

Senate.

5. All motions shall be subject to debate, except motions to adjourn, to lay on the table, and for the previous question.

25. When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a certain day, to commit, to amend, and to postpone indefinitely, which several motions shall have precedence in the order in which they are arranged. (Senate rules, 1915, pp. 30, 34.)

House.

35. A motion for the previous question shall not be entertained, except at the request of five members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained it shall not cut off any pending amendment. The vote shall be taken, without debate, first on the amendments in their order and then on the main question. (House rules, 1915, pp. 43–44.)

FLORIDA.

Senate.

No rule.

House.

12. He shall put the previous question in the following form: "Shall the main question be now put?" And all debate on the main question and pending amendments shall be suspended, except that the introducer of a bill, resolution, or motion shall, if he so desire, be allowed five minutes to discuss the same, or he may divide his time with or may waive his right in favor of some other one member before the previous question is ordered. After the adoption of the previous question the sense of the house of representatives shall forthwith be taken on pending amendments in their regular order and then put upon the main question.

13. On the previous question there shall be no debate. (House journal, 1911, p. 259.)

GEORGIA.

Senate.

50. The motion for the previous question shall be decided without debate and shall take precedence of all other motions except motions "to adjourn" or "to lay on the table," and when it is moved, the first question shall be, "Shall the call for the previous question be sustained?" If this be decided by a majority vote in the affirmative, the motion "to adjourn" or "to lay on the table" can still be made, but they must be made before the next question, to wit, "Shall the main question be now put?" is decided in the affirmative; and after said last question is affirmatively decided by a majority vote said motions will be out of order, and the Senate can not adjourn until the previous question is exhausted or the regular hour of adjournment arrives.

51. When the previous question has been ordered, the Senate shall then proceed to act on the main question without debate, except that before the main question is put 20 minutes shall be allowed to the committee whose report of the bill or other measure is under consideration to close debate. When the report of the committee is adverse to the passage of the bill or other measure, the introducer of the bill shall be allowed 20 minutes before the time allowed to the committee for closing the debate. The chairman of the committee, or the introducer of the bill or other measure, may yield the floor to such senators as he may indicate for the time, or any part of it, allowed under this rule.

52. After the main question is ordered any senator may call for a division of the senate in taking the vote, or may call for the yeas and nays; but on all questions on which the yeas and nays are called the assent of one-fifth of the number present shall be necessary to sustain the call, and when such call is sustained, the yeas and nays shall be entered on the journal.

53. The effect of the order that the "main question be now put" is to bring the senate to a vote on pending questions in the order in which they stood before it was moved.

54. After the main question has been ordered no motion to reconsider shall be in order until after the vote on the main question is taken and announced.

55. In all cases of contested election, where there is a majority and a minority report from the committee on privileges and elections, if the previous question is ordered, there shall be 20 minutes allowed to the member of said committee whose name is first signed to said minority report, or to such member or members as he may indicate, for the time so allowed, or any part of it, before the 20 minutes allowed to the chairman submitting the majority report.

56. The previous question may be called and ordered upon a single motion or an amendment, or it may be made to embrace all authorized motions or amendments and include the entire bill to its passage or rejection.

57. A call of the senate shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the president that a quorum is not present.

58. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, 1900–1901, pp. 30–32.)

House.

64. The motion for the previous question shall be decided without debate, and shall take precedence of all other motions except motions "to adjourn" or "to lay on the table," and when it is moved the question shall be, "Shall the motion for the previous question be sustained?" If this be decided by a majority vote in the affirmative, the motion "to adjourn" or "to lay on the table" can still be made, but they must be made before the next question, to wit, "Shall the main question be now put," is decided in the affirmative, and after said last question is affirmatively decided, by a majority vote, said motion will be out of order, and the house can not adjourn until the previous question is exhausted or the regular hour of adjournment arrives.

65. When the previous question has been ordered the house shall proceed to act on the main question without debate, except that before the main question is put 20 minutes shall be allowed to the committee whose report of the bill or other measure is under consideration to close the debate. Where the report of the committee is adverse to the passage of the bill or other measure the introducer of the bill shall be allowed 20 minutes before the time allowed to the committee for closing the debate. The chairman of the committee or the introducer of the bill or other measure may yield the floor to such members as he may indicate for the time, or any part of it allowed under this rule. This rule shall not be construed to allow the 20 minutes above referred to to be used but once on any bill or measure, and then on the final passage of the bill or measure.

66. After the main question is ordered, any member may call for a division of the house in taking the vote, or may call for the yeas and nays; if the call for the yeas and nays is sustained by one-fifth of the members voting, the vote shall be taken by the yeas and nays and so entered on the Journal.

67. The effect of the order that the "main question be now put," is to bring the house to a vote on pending questions in the order in which they stood before it was moved.

68. After the main question has been ordered, no motion to reconsider shall be in order until after the vote on the main question is taken and announced.

69. In all cases where a minority report has been submitted on any question, if the previous question is ordered, there shall be 20 minutes allowed to the member whose name is first signed to said minority report, or to such member or members as he may indicate, for the time so allowed, or any part of it, before the 20 minutes allowed to the chairman submitting the majority report.

70. The previous question may be called and ordered upon a single motion or an amendment, or it may be made to embrace all authorized motions or amendments and include the entire bill to its passage or rejection.

71. A call of the house shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the speaker that a quorum is not present.

72. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual 1900–1901, pp. 106–108.)

IDAHO.

Senate.

IV, 2. When a question is under debate the president shall receive no motion but—

To adjourn.
To take a recess.
To proceed to the consideration of the special order.
To lay on the table.
The previous question.
To close debate at a special time.
To postpone to a certain day.
To commit.
To amend or postpone indefinitely.

And they shall take precedence in the order named. (Rules, 1915, pp. 21–22.)

House.

14. Upon the previous question being ordered by a majority of the members present, if a quorum, the effect shall be to cut off debate and bring the house to a direct vote upon the pending question. It shall be in order, pending the motion for or after the previous question shall have been ordered, for the speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee, which motion shall be decided without debate.

15. When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of.

16. All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion or after the house shall have determined that the main question shall be put, shall be decided, whether an appeal or otherwise, without debate. (Rules, 1915, pp. 3–4.)

ILLINOIS.

Senate.

62. The previous question shall be stated in this form: "Shall the main question be now put?" and, until it is decided, shall preclude all amendments or debate. When it is decided that the main question shall now be put, the main question shall be considered as still remaining under debate.

63. The effect of the main question being ordered shall be to put an end to all debate and bring the senate to a direct vote, first upon all amendments reported or pending, in the inverse order in which they are offered. After the motion for the previous question has prevailed, it shall not be in order to move for a call of the senate unless it shall appear by the yeas and nays as taken on the main question that no quorum is present, or to move to adjourn, prior to a decision on the main question. (Senate journal, 1911, p. 13.)

House.

60. The previous question shall be put in this form: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When it is decided that the main question shall not now be put, the main question shall be considered as still remaining under debate.

The effect of the main question being ordered shall be to put an end to all debate and bring the house to a direct vote, first, upon all amendments reported or pending in the inverse order in which they are offered. After the motion for the previous question has prevailed it shall not be in order to move for a call of the house unless it shall appear by yeas and nays, as taken on the main question, that no quorum is present, or to move to adjourn prior to a decision of the main question: *Provided*, If a motion to postpone is pending the only effect of the previous question shall be to bring the house to a vote upon such motion. (House Journal, 1913, p. 318.)

INDIANA.

Senate.

18. The previous question shall be put in this form: "Shall the main question be now put?" Until it is decided it shall preclude all debate and the introduction of all further amendments. The previous question having been ordered, the main question shall be the first question in order, and its effect shall be to put an end to all debate and bring the senate to a direct vote on the subsidiary questions then pending in their order, and then on the main question. When operating under the previous question there shall be no debate or explanation of votes. (Legislative Manual for 1913, p. 67.)

House.

60. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon a motion to commit if such motion shall have been made, and if this motion does not prevail, then upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question. But its only effect, if a motion to postpone is pending, shall be to bring the house to a vote upon such motion. On the previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and, pending such motion, shall be decided, whether on appeal or otherwise, without debate. And after a demand for the previous question has been seconded by the house no motion shall be entertained to excuse a member from voting. The ordering of the previous question shall not prevent a member from explaining his vote, but no member under this rule shall be permitted more than one minute for that purpose. (Legislative Manual for 1913, p. 82.)

IOWA.

Senate.

11. A motion to adjourn, to lay on the table, and for the previous question shall be decided without debate, and all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided—whether an appeal or otherwise—without debate.

12. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the senate to a direct vote upon pending amendments and then upon the main question, unless otherwise indicated by the motion and ordered by the senate, except that the member in charge of the measure under consideration shall have 10 minutes in which to close the discussion immediately before the vote is taken upon the main question. If the previous question is decided in the negative, the senate shall proceed with the matter before it the same as though the previous question had not been moved. (Official Register, 1911–12, p. 179.)

House.

26. The previous question shall always be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and to bring the house to a direct vote upon amendments and then upon the main question, unless otherwise indicated by the motion and ordered by the house, except that the member in charge of the measure under consideration shall have 10 minutes in which to close the discussion before the vote is taken. On a motion for the previous question, and prior to seconding the same, a call of the house shall be in order; but after such motion shall have been adopted no call shall be in order prior to the decision of the main question. If the previous question is decided in the negative, the house shall proceed with the matter before it the same as though the previous question had not been moved.

27. Motions to lay on the table, to adjourn, and for the previous question shall be decided without debate. (Official Register, 1911–12, p. 185.)

KANSAS.

Senate.

15. Any five senators shall have the right to demand the previous question. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When on taking the previous question the senate shall decide that the main question shall not be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending the question shall first be taken upon such amendments in their order; and when amendments have been adopted in committee of the whole and not acted on in the senate, the question shall be taken upon such amendments in like order, and without further debate or amendment. But the previous question can be moved on a pending amendment, and, if adopted, debate is closed on the amendment only; and after the amendment is voted on the main question shall again be open to debate and

amendments. In this case the question shall be, "Shall the vote now be taken on the pending amendment?" (Senate rules, 1913, 1st ed., p. 5.)

House.

51. The "previous question" shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendment or debate. When, on taking the previous question, the house shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending, the question shall first be taken upon such amendments in their order; and when amendments have been adopted by the committee of the whole and not acted on in the house, the question shall be taken upon such amendments in like order, and without further debate or amendment. (House Rules, 1913, p. 16.)

KENTUCKY.

Senate.

55. When the "previous question" has been moved, seconded, and adopted a vote shall be immediately taken upon the pending measure and such pending amendments as are in order.

The effect of the "previous question" shall therefore be to put an end to all debate; to prevent the offering of additional amendments, and to bring the senate to an immediate vote upon the measure as aforesaid.

The previous question may be ordered by a majority of the senators voting on that question. On the call of the roll no senator shall be allowed to speak more than three minutes to explain his vote and shall not speak at all if the question is not a debatable question. After the previous question has been ordered a senator, whose bill or amendment or motion—if debatable—is pending, may speak not exceeding 10 minutes thereon, and one senator of the opposition may speak not exceeding 10 minutes. (Directory, 1914, p. 244.)

House.

24. The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put. The effect of the previous question shall be to put an end to all debate except on the final passage of the measure under consideration; then the opponents of the measure shall have 10 minutes to debate the proposition and the proposer of the measure shall be limited to 10 minutes to close the debate, unless his time be extended by consent of the house, and bring the house to a direct vote on amendments proposed by a committee, if any; then on pending amendments and all amendments which have been read for information of the house by the clerk shall be regarded as pending amendments; and then upon the main question. (Directory, 1914, p. 253.)

LOUISIANA.

Information not available.

MAINE.

Senate.

No rule.

House.

31. When motion for the previous question is made the consent of one-third of the members present shall be necessary to authorize the speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: "Shall the main question be put now?" No member shall speak more than five minutes on the motion for the previous question, and while that question is pending a motion to lay on the table shall not be decided without debate. A call for the yeas and nays or for division of a question shall be in order after the main question has been ordered to be put. After the adoption of the previous question the vote shall be taken forthwith upon amendments, and then upon the main question. (Maine Register, 1914–15, pp. 186–187.)

MARYLAND.

Senate.

No rule.

House.

19. There shall be a motion for the previous question, which, being ordered by a majority of the members present, shall preclude all further debate and bring the house to a direct vote upon the immediate question or questions on which it has been asked and ordered. It may be asked and ordered upon any debatable motion or a series of motions to and embracing the main question, if desired. (Maryland Manual, 1912, p. 287.)

MASSACHUSETTS.

Senate.

47. Debate may be closed at any time not less than one hour from the adoption of a motion to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes. (Manual for the General Court, 1913, p. 533.)

House.

81. The previous question shall be put in the following form: "Shall the main question be now put?" and all debate upon the main question shall be suspended until the previous question is decided.

82. On the previous question debate shall be allowed only to give reasons why the main question should not be put.

83. All questions of order arising after a motion is made for the previous question shall be decided without debate, excepting on appeal; and on such appeal no member shall speak more than once, without leave of the house.

84. The adoption of the previous question shall put an end to all debate, except as provided in rule 86, and bring the house to a direct vote upon pending amendments, if any, in their regular order, and then upon the main question.

85. Debate may be closed at any time not less than 30 minutes from the adoption of a motion to that effect. In case the time is extended by unanimous consent, the same rule shall apply at the end of the extended time as at the time originally fixed.

86. When debate is closed by ordering the previous question or by a vote to close debate at a specified time, the member in charge of the measure under consideration shall be allowed to speak 10 minutes and may grant to any other member any portion of his time. When the measure under consideration has been referred to the committee on ways and means, under house rule 44, the member originally reporting it shall be considered in charge, except where the report of the committee on ways and means is substantially different from that referred to them, in which case the member originally reporting the measure and the member of the committee on ways and means reporting thereon shall each be allowed to speak five minutes, the latter to have the close. When the member entitled to speak under this rule is absent, the member standing first in order upon the committee reporting the measure who is present and joined in the report shall have the right to occupy such time. (Manual for the General Court, 1913, pp. 566–568.)

MICHIGAN.

Senate.

41. The mode of ordering the previous question shall be as follows: Any senator may move the previous question. This being seconded by at least one other Senator, the chair shall submit the question in this form, "Shall the main question now be put?" This shall be ordered only by a majority of the senators present and voting. The effect of ordering the previous question shall be to instantly close debate and bring the senate to an immediate vote on the pending question or questions in their regular order. The motion for the previous question may be limited by the mover to one or more of the questions preceding the main question itself, in which case the form shall be, "Shall the question, as limited, be now put?" The yeas and nays may be demanded on any vote under this rule, and a motion for a call of the senate shall be in order at any time prior to the ordering of the previous question. Any question of order or appeal from the decision of the chair, pending the previous question, shall be decided without debate. When the question is on motion to reconsider, under the operation of the previous question and it is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the senate refuses to order the previous question, the consideration of the subject shall be resumed, as if no motion therefor had been made. (Michigan Manual, 1913, p. 586.)

House.

51. The method of ordering the previous question shall be as follows: Any member may move the previous question. This being seconded by at least 10 members, the chair shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the members present and voting. After the seconding of the previous question, and prior to ordering the same, a call of the house may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending questions, except demands for yeas and nays, points of order, and appeals from the decision of the chair, which shall be decided without debate. The effect of the previous question shall be to put an end to all debate and bring the house to a direct vote upon all pending questions in their order down to and including the main question. When a motion to reconsider is taken under the previous question, and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the house shall refuse to order the main question, the consideration of the subject shall be resumed, as though no motion for the previous question had been made. (Michigan Manual, 1913, p. 594–595.)

MINNESOTA.

Senate.

25. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the senate to a direct vote upon amendments reported by a committee, if any, then upon all pending amendments in their order, and then upon the main question. On a motion for the previous question, and prior to the ordering of the same, a call of the senate shall be in order, but after a majority shall have ordered such motion, no call shall be in order prior to the decision of the main question.

26. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, Minnesota, 1913, p. 156.)

House.

30. (a) The previous question shall be in this form: "The gentleman from ——— moves the previous question. Do 10 members second the motion?" If the motion be properly seconded, the question shall be stated, as follows: "As many as are in favor of ordering the previous question will say 'aye'; as many as are opposed will say 'no.'"

There shall be a motion for the previous question which, being ordered by a majority of all members present, shall have the effect to cut off all debate and bring the house to a direct vote upon the immediate question or questions upon which it has been asked or ordered.

The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments; or it may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection.

(b) A call of the house shall not be in order after the previous question is ordered unless it shall appear that a quorum is not present.

(c) When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting unless sooner disposed of by taking a vote on the question or in some other manner. (Legislative Manual, Minnesota, 1913, p. 169.)

MISSISSIPPI.

Information not available.

MISSOURI.

Senate.

47. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted on demand of two senators and sustained by a vote of a majority of the senators present, and its effect shall put an end to all debate and bring the senate to a direct vote upon a motion to commit if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question. On demand of the previous question, a call of the senate shall be in order, but after a majority have sustained such a motion no call shall be in order prior to the decision on the main question.

48. On motion for the previous question no debate shall be allowed, and all incidental questions of order arising after the motion is made for the previous question, and, pending such motion, shall be decided, on appeal or otherwise, without debate. If, on a vote for the previous question, a majority of the senators vote in the negative, then the further consideration of the subject matter shall be in order. (Senate Journal, 1911, p. 37.)

House.

57. The previous question shall be in this form: "Shall the question now under immediate consideration be now put?" It may be moved and seconded like any other question, but it shall only prevail when supported by a majority of the members present, and, until decided, shall preclude amendment and debate; and a failure to sustain the same shall not put the matter under consideration from before the house, but the house shall proceed as if said motion had not been made. (House Journal, 1911, p. 21.)

MONTANA.

Senate.

30. The previous question shall be in this form: "Shall the main question be now put." It shall only be admitted when demanded by a majority of the senators present, upon division, and its effect shall be to put an end to all debate and bring the senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the senate shall be in order, but after a majority of the senators have seconded such motion no call shall be in order prior to the decision of the main question. If the previous question is negatived, the senate shall proceed in the same manner as if the motion had not been made.

31. On a motion for the previous question and under the previous question there shall be no debate; and all incidental questions of order arising after a motion is made for the previous question (or while acting under the previous question) shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, 1895, pp. 23–24.)

House.

XXIII. 1. There shall be a motion for the previous question, which, being ordered by a majority, if a quorum be present, shall have the effect to cut off all debate and bring the house to a direct vote upon the immediate question or questions on which it has been asked or ordered: *Provided*, That when the previous question is ordered on any proposition on which there has been no debate it shall be in order to debate the proposition to be voted on for 30 minutes, one-half of such time to be given to debate in favor of and one-half in debate in opposition to such proposition. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, and include the bill to its passage or rejection. It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the speaker to entertain and submit motion to commit, with or without instructions, to a standing or select committee; and a motion to lay upon the table shall be in order on the second and third reading of a bill.

2. A call of the house shall not be in order after the previous question is ordered unless it shall appear upon an actual count by the speaker that a quorum is not present.

3. All incidental questions of order arising from, after a motion is made for the previous question, and pending such motion shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, 1895, pp. 34–35.)

NEBRASKA.

Senate.

16. When a question is under debate no motion can be received but to adjourn, for the previous question, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit, or amend, which several motions shall have precedence in the order they stand arranged. (Legislative Manual, 1911–12, p. 112.)

House.

26. The previous question shall be in this form: "Shall the debate now close?" It shall be admitted when demanded by five or more members and must be sustained by a majority vote, and until decided shall preclude further debate and all amendments and motions except one motion to adjourn and one motion to lay on the table.

27. On a previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question and pending such motion shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, 1911–12, p. 153.)

NEVADA.

Senate.

18. The previous question shall not be put unless demanded by three senators, and it shall be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall put an end to all debate and bring the senate to a vote on the question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate. (Appendix to Journals, 1911, v. 1, p. 125.)

Assembly.

33. The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority of the members elected, shall be to put an end to all debate and bring the house to a vote on the question or questions before it.

34. All incidental questions arising after a motion is made for the previous question and pending such motion or previous question shall be decided, whether on appeal or otherwise, without debate.

35. The previous question shall only be put when demanded by three members. (Appendix to Journals, 1911, v. 1, p. 141.)

NEW HAMPSHIRE.

Senate.

No rule.

House.

23. The speaker shall put the previous question in the following form: "Shall the main question now be put?" and all debate upon the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the house shall forthwith be taken upon pending amendments, in their regular order, and then upon the main question. The motion for the previous question shall not be put unless demanded by three members.

24. All incidental questions of order arising after a motion for the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

25. If the previous question is decided in the negative, it shall not be again in order until after adjournment, but the main question shall be left before the house and disposed of as though the previous question had not been put. (Manual for the General Court, 1913, pp. 407–408.)

NEW JERSEY.

Senate.

No rule.

House.

33. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be, if decided affirmatively, to put an end to all debate, and bring the house to a direct vote upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question; if decided in the negative, to leave the main question and amendments, if any, under debate for the residue of the sitting, unless sooner disposed of by taking the question, or in some other manner. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (Legislative Manual, 1914, p. 84.)

NEW MEXICO.

Information not available, except that before inauguration of statehood previous question in both houses was allowed. (Council Rules, 1907, p. 8; House Rules, 1901, p. 11.)

NEW YORK.

Senate.

32. When any bill, resolution, or motion shall have been under consideration for six hours it shall be in order for any senator to move to close debate, and the president shall recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative votes of a majority of the senators present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion, or resolution, with such amendments as may be pending at the time of such motion according to the rules of the senate, but without further debate, except that any senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding one-half hour. After such motion to close debate has been made by any senator, no other motion shall be in order until such motion has been voted upon by the senate. After the senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn and a motion to commit. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the senate shall again convene and shall be taken up at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill, resolution, or motion to its passage or rejection. All incidental questions of order, or motions pending at the time such motion is made to close debate, whether the same be on appeal or otherwise, shall be decided without debate. (Red Book, 1914, pp. 627–628.)

House.

29. The "previous question" shall be put as follows: "Shall the main question now be put?" and until it is decided, shall preclude all amendments or debate. When on taking the previous question the house shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The "main question" shall be the advancement or passage of the bill, resolution, or other matter under consideration; but when amendments are pending, the question shall first be taken upon such amendments in their order. (Red Book, 1914, p. 659.)

NORTH CAROLINA.

Senate.

24. The previous question shall be as follows: "Shall the main question be put?" and, until it is decided, shall preclude all amendments and debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending the question shall be taken upon such amendments, in their order, without further debate or amendment. However, any senator may move the previous question and may restrict the same to an amendment or other matter then under discussion. If such question be decided in the negative, the main question shall be considered as remaining under debate.

25. When the motion for the previous question is made, and pending the second thereto by a majority, debate shall cease, and only a motion to adjourn or lay on the table shall be in order, which motions shall be put as follows: Previous question; adjourn; lay on the table. After a motion for the previous question is made, pending a second thereto, any member may give notice that he desires to offer an amendment to the bill or other matter under consideration, and after the previous question is seconded, such member shall be entitled to offer his amendment in pursuance of such notice. (Manual, 1913, p. 21.)

House.

56. The previous question shall be as follows: "Shall the main question be now put?" and, until it is decided, shall preclude all amendments and debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution, or other matter under consideration, but when amendments are pending, the question shall be taken upon such amendments, in their order, without further debate or amendment. If such question be decided in the negative, the main question shall be considered as remaining under debate: *Provided*, That no one shall move the previous question except the member submitting the report on the bill or other matter under consideration, and the member introducing the bill or other matter under consideration, or the member in charge of the measure, who shall be designated by the chairman of the committee reporting the same to the house at the time the bill or other matter under consideration is reported to the house or taken up for consideration.

When a motion for the previous question is made, and pending the second thereto by a majority, debate shall cease; but if any member obtains the floor he may move to lay the matter under consideration on the table, or move an adjournment, and when both or either of these motions are pending the question shall stand:

(1) Previous question.
(2) To adjourn.
(3) To lay on the table.

And then upon the main question, or amendments, or the motion to postpone indefinitely, postpone to a day certain, to commit, or amend, in the order of their precedence, until the main question is reached or disposed of; but after the previous question has been called by a majority no motion, amendment, or debate shall be in order.

All motions below the motion to lay on the table must be made prior to a motion for the previous question; but, pending and not after the second therefor, by the majority of the house, a motion to adjourn or lay on the table, or both, are in order. This constitutes the precedence of the motion to adjourn and lay on the table over other motions in rule 25.

Motions stand as follows in order of precedence in rule 26: Lay on the table, previous question, postpone indefinitely, postpone definitely, to commit or amend.

When the previous question is called all motions below it fall, unless made prior to the call, and all motions above it after its second by a majority required. Pending the second, the motions to adjourn and lay on the table are in order, but not after a second. When in order and every motion is before the house, the question stands as follows: Previous question, adjourn, lay on the table, postpone indefinitely, postpone definitely, to commit, amendment to amendment, amendment, substitute, bill.

The previous question covers all other motions when seconded by a majority of the house, and proceeds by regular gradation to the main question, without debate, amendment, or motion, until such question is reached or disposed of. (House Rules, 1915, pp. 8–10.)

NORTH DAKOTA.

Senate.

8. When a question is under debate no motion shall be received except to adjourn, to lay on the table, to move for the previous question, to move to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are named, and no motion to postpone to a day certain, to commit, to postpone indefinitely, having been decided, shall be entertained on the same day and at the same stage of the bill or proposition. (Senate Rules, 1915, p. 11.)

House.

14. The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the house to a direct vote upon the amendments reported by a committee, if any, upon the pending amendments and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the remainder of the sitting unless sooner disposed of in some other manner.

16. All incidental questions of order arising after motion is made for the previous question, during the pendency of such motion, or after the house shall have determined that the main question shall be now put shall be decided, whether on appeal or otherwise, without debate. (House Rules, 1915, pp. 13–14.)

OHIO.

Senate.

105. A motion for the previous question shall be entertained only upon the demand of three senators. The president shall put the question in this form: "The question is, Shall the debate now close?" and until decided it shall preclude further debate and all amendments and motions, except one motion to adjourn, one motion to take a recess, one motion to lay on the table, and one call of the senate.

106. All incidental questions or questions of order arising after the demand for the previous question is made shall be decided without debate and shall not be subject to appeal.

107. After the demand for the previous question has been sustained no call or motion shall be in order, but the senate shall be brought to an immediate vote, first upon the main question.

108. Agreement to a motion to reconsider a vote on a "main question" shall not revive the "previous question," but the matter shall be subject to amendment and debate. (Legislative Manual, 1912, pp. 22–23.)

House.

52. The previous question shall be in this form: "Shall the debate now close?" It shall be permitted when demanded by five or more members, and must be sustained by a majority vote, and, until decided, shall preclude further debate, and all amendments and motions, except one motion to adjourn, and one motion to lay on table.

53. All incidental questions or questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided without debate and shall not be subject to appeal.

54. On a motion for the previous question, and prior to voting on the same, a call of the house shall be in order; but after the demand for the previous question shall have been sustained no call shall be in order; and the house shall be brought to an immediate vote, first upon the pending amendments in the inverse order of their age, and then upon the main question.

55. If a motion for the previous question be not sustained, the subject under consideration shall be proceeded with the same as if the motion had not been made. (Legislative Manual, 1912, pp. 69–70.)

OKLAHOMA.

Senate.

33 (a) There shall be a motion for the previous question, which shall be stated in these words, to wit, "Shall the main question be now put?" which, being ordered by a majority of the members voting, if a quorum be present, shall have the effect to cut off all debate and bring the house to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, and include the bill to its passage or rejection. It shall be in order, pending the motion for or after the previous question, for the president to entertain and submit a motion to commit with or without instructions to a standing or select committee. (Jefferson's Manual, sec. 34.)

(b) If the previous question is carried, the original mover of the main question, or, if the bill or resolution originated in the other house, then the chairman of the committee reporting the same, shall have the right to close the debate and be limited to 15 minutes, and should the previous question be ordered on a subject debatable before the same has been debated the friends and opponents of the measure shall have 30 minutes on either side in which to debate the question if desired. (Jefferson's Manual, sec. 34; Red Book, 1912, v. 2, p. 109.)

House.

44. When any debatable question is before the house any member may move the previous question, but before it is put it shall be seconded by at least five members whether that question (called the main question) shall now be put. If it passes in the affirmative, then the main question is to be put immediately, and no member shall debate it further, either add to it or alter: *Provided*, That after the previous question shall have been adopted the mover of the main question or the chairman of the committee shall have the privilege of closing the debate and be limited to one-fourth hour: *Provided further*, That when the previous question has been ordered on a debatable proposition which has not been debated 15 minutes in the aggregate shall be allowed the friends and opponents of the proposition each before putting the main question. (Red Book, 1912, v. 2, p. 96.)

OREGON.

Senate.

37. The previous question shall be put in the following form: "Shall the main question now be put?" It shall only be admitted when demanded by a majority of the senators present, and its effect shall be to put an end to all debate, except that the author of the bill or other matter before the senate, shall have the right to close, and the subject under discussion shall thereupon be immediately put to a vote. On a motion for the previous question, prior to a vote of the senate being taken, a call of the senate shall be in order. (Senate Journal, 1911, p. 359.)

House.

30. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and, until it is decided, shall preclude all amendment and further debate on the main question except by the mover of the original motion, who shall be allowed 10 minutes. On a motion for the previous question, a roll call shall be in order if demanded by two members.

31. On a previous question there shall be no debate; all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether an appeal or otherwise, without debate. (House rules, 1909, p. 7.)

PENNSYLVANIA.

Senate.

9. The motion for the previous question, for postponement, for commitment, and for amendment, shall take precedence in the order mentioned, and a motion for the previous question shall preclude any of the other motions from being made; a motion to postpone shall preclude a motion to commit; or to amend a motion to commit shall preclude a motion to amend. The motion for the previous question, postponement (other than indefinite postponement), or commitment shall preclude debate on the original subject. The previous question shall not be moved by less than four members.

10. When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question in their regular order, and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion shall be decided, whether on appeal or otherwise, without debate. (Smull's Legislative Handbook, 1914, p. 1006.)

House.

21. The previous question shall not be moved by less than 20 members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained it shall not cut off any pending amendment, but the vote shall be taken without debate, on the amendments in their order and then on the main question. (Smull's Legislative Handbook, 1914, p. 1031.)

RHODE ISLAND.

Senate.

20. There shall be a motion for the previous question, which shall not be debatable, and which may be asked and ordered upon any bill or section thereof, amendment, motion, resolution, or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. All incidental questions of order arising after a motion for the previous question has been made, and before the vote has been taken on the main question, shall be decided, whether on appeal or otherwise, without debate.

When the previous question has been ordered a motion to reconsider such vote shall not be in order, and no motion to adjourn while a quorum is present shall be entertained between the taking of such vote and the taking of the vote on the main question, but 10 minutes shall be allowed for further debate upon the main question, during which no member shall speak more than 3 minutes, and a further period of 10 minutes, if desired, shall be allowed for debate to the member introducing the bill or question to be acted upon, or to the member or members to whom he may yield the floor, at the close of which time, or at the close of the first 10 minutes, in case the introducer does not desire to so use his time, the vote on the main question shall be taken. If incidental questions of order are raised after the previous question has been ordered, the time occupied in deciding such questions shall be deducted from the time allowed for debate. (Manual, 1914, p. 359.)

House.

29. There shall be a motion for the previous question, which shall not be debatable, and which may be moved, and ordered upon any bill or section thereof, amendment, motion, resolution, or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. When a motion for the previous question has been made, no other motion shall be entertained by the speaker until it has been put to the house and decided. All incidental questions of order arising after a motion for the previous question has been made, and before the vote has been taken on the main question, shall be decided, whether on appeal or otherwise, without debate. When the previous question has been ordered a motion to reconsider such vote shall not be in order, and no motion to adjourn or to take a recess while a quorum is present shall be entertained between the taking of such vote and the taking of the vote on the main question, but 10 minutes shall be allowed for further debate upon the main question, during which no member shall speak more than 3 minutes, and a further period of 10 minutes, if desired, shall be allowed for debate to the member introducing the bill or question to be acted upon, or to the member or members to whom he may yield the floor, at the close of which time, or at the close of the first 10 minutes, in case the introducer does not desire

to so use his time, the vote on the main question shall be taken. If incidental questions of order are raised after the previous question has been ordered, the time occupied in deciding such questions shall be deducted from the time allowed for debate. (Manual, 1914, p. 367.)

SOUTH CAROLINA.

No information available.

SOUTH DAKOTA.

Senate.

62. The previous question shall be stated in this form: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When it is decided the main question shall not be now put, the main question shall be considered as still remaining under debate.

63. The effect of the main question being ordered shall be to put an end to all debate and bring the senate to a direct vote, first, upon all amendments reported or pending in the inverse order in which they are offered. After a motion for the previous question has prevailed, it shall not be in order to move a call of the senate or to move to adjourn, prior to a decision of the main question.

64. The senate may at any time, by a majority vote, close all debate upon a pending amendment, or an amendment thereto, and cause the question to be put thereon, and this does not preclude further amendments or debate on the main subject. (Manual 1913, p. 565–566.)

House.

15. On a motion for the previous question and prior to voting on the same, a call of the house shall be in order, but after the demand for the previous question shall have been sustained, no call shall be in order, and the house shall be brought to an immediate vote—first, upon the pending amendments in the inverse order of their age, and then upon the main question. The previous question may be ordered upon all recognized motions or amendments which are debatable, and shall have the effect to cut off all debate and bring the assembly to a direct vote upon the motion or amendment on which it has been ordered.

16. When the previous question is decided in the negative it shall leave the main question under debate for the residue of the sitting, unless sooner disposed of by taking the question, or in some other manner.

17. All incidental questions of order arising after motion is made for the previous question, during the pending of such motions or after the house shall have determined that the main question shall now be put, shall be decided, whether on appeal or otherwise, without debate. (Manual 1913, p. 569.)

TENNESSEE.

Senate.

22. The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present. If the previous question is sustained, its effect shall be to preclude all future amendments, and terminate all debate, and bring the senate to a direct vote upon the subject or matter to which it was applied in the call. (Manual 1890, p. 157.)

House.

55. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by two-thirds of the members present. And if the call is made and sustained, its effect shall be to preclude all future amendments and terminate all debate; but it may be applied to the main question, or to the main question and amendment, or the main question, amendment, and amendment to the amendment, and shall bring the house to a direct vote on the question in the order in which they stand and from the point where the call was applied. But in all debates upon resolutions or bills immediately prior to their final passage on third reading the mover or author of the resolution or bill shall have the right to close the debate thereon, and no call for the previous question, nor any other motion, shall cut off this right in the mover or author of the measure. (Manual, 1890, p. 154.)

TEXAS.

Senate.

90. Pending the consideration of any question before the senate, any senator may call for the previous question, and if seconded by five senators the presiding officer shall submit the question, "Shall the main question now be put?" And if a majority vote is in favor of it, the main question shall be ordered, the effect of which shall be to cut off all further amendments and debate and bring the senate to a direct vote—first, upon pending amendments and motions, if there be any; then upon the main proposition. The previous question may be ordered on any pending amendment or motion before the senate as a separate proposition and be decided by a vote upon said amendment or motion. (Senate Journal, 1911, p. 172.)

House.

XIII.

1. There shall be a motion for the previous question, which shall be admitted only when seconded by twenty-five (25) members. It shall be put by the chair in this manner: "The motion has been seconded. As many as are in favor of ordering the previous question on (here state on what question or questions) will say 'aye,'" and then, "As many as are opposed say 'no.'" If ordered by a majority of the members voting, a quorum being present, it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the immediate question or questions upon which it has been asked and ordered.

2. The previous question may be asked and ordered upon any debatable single motion or series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized debatable motions or amendments, and include the bill or resolution to its passage or rejection. It may be applied to motions to postpone to a day certain, or indefinitely, or to commit, and can not be laid upon the table.

3. On the motion for the previous question there shall be no debate, and all incidental questions of order after it is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

4. After the previous question has been ordered there shall be no debate upon the questions on which it has been ordered, or upon incidental questions, except only that the mover of the proposition or the member making the report from the committee, as the case may be, or, in case of the absence of either of them, any other member designated by such absentee, shall have the right to close the debate, after which a vote shall be immediately taken on the amendments, if any there were, and then on the main question.

5. When the previous question is ordered upon a motion to postpone indefinitely or to amend by striking out the enacting clause of a bill the mover of a proposition or bill proposed to be so postponed or amended, or the member reporting the same from a committee, shall have the right to close the debate on the original proposition, after which the member moving to postpone or amend shall be allowed to close the debate on his motion or amendment.

6. No motion for an adjournment or recess shall be in order after the previous question is seconded until the final vote upon the main question shall be taken, unless the roll call shows the absence of a quorum.

7. A call of the house may be moved after the previous question has been ordered. (House Journal, 1913, p. 70.)

UTAH.

Senate.

No rule.

House.

30. The previous question shall be in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate, except as to the mover of the matter pending or the chairman of the committee who reported it, who shall be privileged to close the debate and bring the house to a vote on the question or questions before it: *Provided*, That when a motion to amend or to commit is pending its effect shall be to cut off debate and bring the house to a vote on the motion to amend or commit only and not upon the question to be amended or committed. All incidental questions arising after motion is made for the previous question shall be decided, whether on appeal or otherwise, without debate. The previous question shall be put only when demanded by two members. (House Journal, 1913, p. —.)

VERMONT.

Senate.

26. A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order, except when the senate is engaged in voting. (Senate Rules, 1915, p. 17.)

House.

38. At any time in the course of debate on a debatable question a member may move "that debate upon the pending question do now close," and the speaker shall put the question to the house without debate, and if the motion is decided in the affirmative debate shall be closed on the immediate pending question. Or a member may move "that debate on the whole question do now close," and if the motion be decided in the affirmative debate shall be closed on the whole question and the main question shall be put in its order, and no motion, except a motion to substitute either of said motions for the other, shall be in order until the main question is put and decided. (House Rules, 1915, p. 40.)

VIRGINIA.

Senate.

49. Upon a motion for the pending question, seconded by a majority of the senators present, indicated by a rising or by a recorded vote, the president shall immediately put the pending question, and all incidental questions of order arising after a motion for the pending question is made, and, pending such motion, shall be decided, whether on appeal or otherwise, without debate.

50. Upon a motion for the previous question seconded by a majority of the senators present, indicated by a rising or by a recorded vote, the president shall immediately put the question; first, upon amendments in the order prescribed in the rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion had not been made. (Rules, 1914, pp. 16–17.)

House.

65. Pending a debate any member who obtains the floor for that purpose only and submits no other motion or remark may move for the "previous question" or the "pending question," and in either case the motion shall be forthwith put to the house. Two-thirds of the members present shall be required to order the main question, but a majority may require an immediate vote upon the pending question, whatever it may be.

66. The previous question shall be in this form: "Shall the main question now be put?" If carried, its effect shall be to put an end to all debate and bring the house to a direct vote upon a motion to commit if pending, then upon amendments reported by a committee if any, then upon pending amendments, and then upon the main question. If upon the motion for the previous question the main question be not ordered, debate may continue as if the motion had not been made. (Rules, 1914, pp. 39–40.)

WASHINGTON.

Senate.

39. The previous question shall not be put unless demanded by three senators whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions before the senate, and all incidental question or questions of order arising after the motion is made after the previous question and pending such motion shall be decided whether on appeal or otherwise without debate. (Legislative Manual, 1911, pp. 36–37.)

House.

27. The previous question may be ordered by two-thirds of the members present upon all recognized motions or amendments which are debatable, and shall have the effect to cut off all debate and bring the house to a direct vote upon the motion or amendment on which it has been ordered. On motion for the previous question and prior to the seconding of the same a call of the house shall be in order, but such call shall not be in order thereafter prior to the decision of the main question.

The question is not debatable and can not be amended. The previous question shall be put in this form: "Mr. ——— demands the previous question. As many as are in favor of ordering the previous question will say 'aye'; as many as are opposed will say 'no.'"

The results of the motion are as follows:

If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer at once, and without debate, proceeds to put, first, the amendments pending and then the main question as amended. If an adjourn-

ment is had after the previous question is ordered, the subject comes up the first thing after the reading of the journal the next day, and the previous question privileged over all other business, whether new or unfinished. (Legislative Manual, 1911, p. 51.)

WEST VIRGINIA.

Senate.

56. There shall be a motion for the previous question, which, being ordered by a majority of members present, if a quorum, shall have the effect to cut off all debate and bring the senate to direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions, or may be made to embrace all authorized motions and amendments and include the bill to its engrossment and third reading, and then, on renewal and second of said motion, to its passage or rejection. It shall be in order, pending a motion for or after the previous question shall have been ordered on its passage, for the president to entertain and submit a motion to commit, with or without instruction, to a standing or select committee; and a motion to lay upon the table shall be in order on the second and third reading of a bill.

(2) A call of the senate shall not be in order after the previous question is in order unless it shall appear upon an actual count by the president that a quorum is not present.

(3) All incidental questions of order arising after a motion is made for the previous question, and, pending such motion, shall be decided, whether an appeal or otherwise, without debate. (Legislative Manual, 1913, p. 44–45.)

House.

78. If the previous question be demanded by not less than seven members, the speaker shall, without debate, put the question, "Shall the main question be now put?" If this question be decided in the affirmative, all further debate shall cease and the vote be at once taken on the *proposition* pending before the house. When the house refuses to order the main question, the consideration of the subject shall be resumed as if the previous question had not been demanded.

79. The previous question shall not be admitted in the committee of the whole. (Legislative Manual, 1913, p. 70.)

WISCONSIN.

Senate and house.

80. Moving previous question. When any bill, memorial, or resolution is under consideration, any member being in order and having the floor may move the "previous question," but such motion must be seconded by at least 5 senators or 15 members of the assembly.

81. Putting of motion; ending debate. The previous question being moved, the presiding officer shall say, "It requiring 5 senators or 15 members of the assembly, as the case may be, to second the motion for the previous question, those in favor of sustaining the motion will rise." And if a sufficient number rise, the previous question shall be thereby seconded, and the question shall then be: "Shall the main question be now put?" which question shall be determined by the yeas and nays. The main question being ordered to be now put, its effects shall be to put an end to all debate and bring the house to a direct vote upon the pending amendments, if there be any, and then upon the main question.

82. Main question may remain before house, when. On taking the previous question, the house shall decide that the main question shall not now be put, the main question shall remain as the question before the house, in the same stage of proceedings as before the previous question was moved.

83. One call of house in order, when. On motion for the previous question, and prior to the ordering of the main question, one call of the house shall be in order; but after proceedings under such call shall have been once dispensed with, or after a majority shall have ordered the main question, no call shall be in order prior to the decision of such question. (Manual, 1911, pp. 97–98.)

WYOMING.

Senate.

43. Any member may move the previous question, and if it be seconded by three other members, the previous question shall be put in this form: "Shall the main question be now put?" The object of this motion is to bring the senate to a vote on the pending question without further discussion; and if the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate shall cease, and the president shall immediately put the main question to vote: First on proposed amendments in their order, and then on the main question, without debate on further amendment: *Provided*, That a motion to adjourn and a call of the senate shall each be in order after the previous question has been sustained and before the main question is put, but no other motion or call shall be in order, except to receive the report of the sergeant at arms or to dispense with the proceedings under the call, and all motions and proceedings authorized by this rule shall be decided without debate, whether on appeal or otherwise. (Senate Rules, 1915, p. 13.)

House.

25. Any member may move the previous question, and if it be seconded by three other members, the previous question shall be put in this form, "The previous question is demanded." The object of this motion is to bring the house to a vote on the pending question without discussion, and if the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate shall cease, and the speaker shall immediately put the question to vote; first, on proposed amendments in their order, and then on the main question, without debate or further amendments: *Provided*, That a motion to adjourn and a call of the house shall each be in order after the "previous question" has been sustained, and before the main question is put, but no other motion or call shall be in order, except to receive the report of the sergeant-at-arms, or to dispense with the proceedings under the call; and all motions and proceedings authorized by this rule shall be decided without debate, whether on appeal or otherwise. (House Journal, 1911, p. 78.)

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I wish to ask the Senator whether there is not a distinction which he ought to draw between the Senate of the United States and these various legislative bodies, and also between the Senate of the United States and the House of Commons in London, the Reichstag in Berlin, and the Chamber of Deputies in Paris? In all of those cases the members vote in accordance with their judgments and their convictions, and when they come to a vote you get the vote of the majority. In the Senate of the United States, however, in the case of the pending bill, you are not permitting Senators to vote in accordance with their judgments and in accordance with their convictions. You have held a so-called Democratic caucus, and it is notorious that a number of the Democratic Senators here are under caucus compulsion to vote against their judgments and against their convictions; so that to hold them thus bound and then compel a vote is to enable 36 Members of the Senate to represent a majority. Now, those 36 Senators do not constitute a majority of the Senate, and the caucus rule coupled with the cloture would not develop the real sense of the Senate of the United States. It would not give to the majority of the Senate the decision of the question. It would be a mechanical, artificial means of enabling 36 Senators to decide the question. Is not that a distinction?

Mr. OWEN. Mr. President, I shall be very glad to answer the Senator. I am glad he asked me the question, because it affords me an opportunity to answer, and I wish to answer it frankly and with the truth as I understand it.

I think it the common rule of practice that in all the States party caucuses or conferences are used when desired to obtain party harmony in party action.

Under the system that we have of party government, where the members of each party line up with complete solidarity on either side of the aisle—I may say with complete solidarity, because the exception is very rare—where that is the case, and where there is a conference or caucus on both sides, it comes down to a question of party government; and party government must be controlled by a majority of the members of the party. The party then becomes jointly responsible throughout the Nation for the action of the party in the Senate and House of Representatives. If the party acts unwisely, the Senator from Nebraska will be defeated. If it acts wisely, he will not be defeated, under normal conditions.

That being so, if I have to choose between a Republican caucus or a Republican conference and a Democratic caucus or a Democratic conference, I will prefer to yield some portion of my judgment to my own Democratic colleagues and go with them upon a public question. If I find that I can not in conscience, if I can not as a constitutional duty, go with my colleagues, however painful it may be to me, I shall reluctantly go my way and take the consequences. But when I yield a part of my desire I do so freely and voluntarily for the purpose of accomplishing some measure of good rather than by my negative self-opinionated action preventing anything from being accomplished. I would rather go forward to some extent than try to have my own private opinion dominate the majority of my colleagues and disrupt them and not get anywhere.

I think this practice of the Senate in having no cloture, in having no time fixed for voting, has destroyed debate in the Senate and has driven the debate into a conference room, where colleagues can get together and express their minds and hearts to each other and arrive at some measure of solidarity. That is my opinion about it. I concede to the Senator his right to do as he sees fit about it, but I do not find it against my own conscience or my own free will to yield something in my judgment to my party associates. I am glad to do that, because they yield something to me also.

It is a question of mutual compromise between men who are affiliated together upon a party basis for the public good, and they go to the country upon party performance or party neglect or party success in legislation or party defeat in legislation. I am not willing to defeat the party that put me in power and turn upon them and rend them to pieces. I am not willing to disorganize my party and cooperate with Republicans to defeat my party because the majority of my party colleagues do not submit to dictation from me. I wish to cooperate with my party associates and help them when I can. I certainly would not wish to destroy them. I would prefer to be silent if I can not agree with them and merely give the reasons why I can not go with them.

Mr. HITCHCOCK. Well, I——

Mr. OWEN. Just a moment, and then I will yield further to the Senator. What I want to express is that if we had a cloture we would restore debate in the Senate Chamber, and I would then be glad to listen to debate from Members across the aisle and learn from them, and I would accept from them any proposal that I thought for the common good. In writing the Federal reserve act and taking a part in it many things were proposed by the Republicans which I gladly accepted, as far as I was concerned; and I gave them open credit for it, too.

Mr. HITCHCOCK. How could the Senator accept it if he were restrained by a party caucus?

Mr. OWEN. I was not restrained or coerced by a party caucus. I am glad to cooperate of my own free will. I wish the Senator could appreciate my sentiment in this matter.

Mr. HITCHCOCK. Well, how could he, in the case of this bill, accept it?

Mr. OWEN. In the case of this bill—the shipping bill—we have arrived at a conclusion with regard to what the bill ought to be and have agreed upon it among ourselves. It is not quite what I would prefer, but I am glad to get this much. We have had no method of cooperation with the Republican side of the Chamber, who have fought us on every endeavor we have made on this and every other bill. They have not given us an opportunity. They have lined up solidly and entered into a secret agreement with some of our own Members who were in partial sympathy with them to suddenly and unexpectedly unhorse us, and they have given us no opportunity for free debate here or listening to them. They have given the Democratic Party no opportunity of cooperation, but have tried, by using some of our Members, to wrongfully deprive the Democracy of its right to control the Government and be responsible for government.

Mr. HITCHCOCK. The question which I asked the Senator he has not perhaps apprehended, or I think he would have attempted to answer it.

Mr. OWEN. I will attempt to answer it now, if the Senator will repeat it.

Mr. HITCHCOCK. Let me put it in the form of an illustration.

The Nebraska Legislature is in session. It is true that there is a limit to debate in that body, but practically every question—and I believe I am safe in saying every question—is decided upon nonpartisan lines. The real majority of the Nebraska Senate, the real majority of the Nebraska House of Representatives, when it comes to vote, votes in accordance with its convictions—each man in accordance with his convictions. When they can so vote it is proper that there should be a cloture; but when men are restrained from voting their own convictions, when you have a machine, when you have a wheel within a wheel, so that 36 men are controlling the votes of 53 men, then I doubt very much whether we should have a cloture.

Mr. OWEN. I do not regard it as controlling my vote when I voluntarily cooperate with other men who are my political colleagues and yield something of my judgment to them when they yield something of their judgment to me. I do not feel like asserting every inch and particle of my opinion and ungenerously yielding nothing whatever to my associates who are generous to me, and then say that I am being *coerced* by others because I will not cooperate with them. When I cooperate with my associates I do it voluntarily. I do not do it under compulsion. I do it because I want to do it, and because I know it is necessary to party solidarity and to obtaining responsible action of my own party, whose *future success* depends on *present harmony*.

Mr. HITCHCOCK. The Senator is a Democrat, and he believes in the rule of the majority?

Mr. OWEN. I do, most certainly.

Mr. HITCHCOCK. Yet this mechanical device of the party caucus destroys the rule of the majority, by giving to 36 men the power to vote 53 men.

Mr. OWEN. There is a certain measure of truth in what the Senator says, and there is also serious deduction or inference which is untrue in what the Senator says. If this body consisted of men chosen upon an open ballot from Nebraska and Missouri and Oklahoma without any party designation, then the caucus would be held on this floor. As it is, the power is intrusted to a party, and in order to have party action the members of it have got to consult among themselves and determine the party action. You do not determine the party action by consulting with Senators on the other side of the Chamber who are hostile to the party, who are laying plans wherever they can to destroy the party and break it down, in order that they may themselves regain control of the country, and who show a greater party solidarity than the Democrats ever do. In a caucus of 53 men all of the members express their views and concede to each other, finally reconciling all differences by a majority vote, because that is the only way such differences can be reconciled. The implication that an organized majority of the 53 members of the caucus get together to tyrannize over the minority of the 53 members is entirely false, I verily believe. Some members constantly in such conferences find themselves now in a majority, now in a minority—and out of mutual concessions present party harmony ensues and future party success may be hoped for.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I yield.

Mr. GALLINGER. If I understood the Senator correctly, he said that the Democratic Party held caucuses and the Republican Party held caucuses, and, of course, he would follow his own party.

Mr. OWEN. I used both terms, "caucus" and "conference."

Mr. GALLINGER. I want to say to the Senator, in all seriousness, I have been here nearly 24 years and have attended every conference when I have been in the city, and the Republican Party has never undertaken to bind its members to vote on any question whatever.

Mr. OWEN. That does not seem to have been necessary.

Mr. GALLINGER. I beg the Senator's pardon.

Mr. OWEN. I suggested to the Senator that there seemed to be no necessity of imposing a rule upon a party which holds its party solidarity without a caucus.

Mr. GALLINGER. That is begging the question. What I meant to say is that in our conferences, when they are dissolved every member of the conference has a right to vote as he pleases upon any question before the body.

Mr. OWEN. I only infer from the record, and assume that there is some kind of amiable understanding, which seems to be sufficient for that purpose, because no Republican ever votes with the Democrats except on the rarest of occasions. They vote all together, even when they are obviously wrong and even on minor questions.

Mr. SMOOT and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. Senators will please be in order. The business of the Senate can not be conducted when more than one Senator is talking at a time.

Mr. OWEN. Did the Senator from Utah rise to interrupt me?

Mr. SMOOT. I simply want to add to what the Senator from New Hampshire has already stated, that not only has the Republican Party not held caucuses to bind any Senator, but in all the time I have been a Senator of the United States I have had no President of the United States ask me to vote any way but once, and then President Taft asked me if I could see my way clear to vote for Canadian reciprocity. I told the President I could not, and that I would vote against it.

Mr. OWEN. May I ask the Senator from Utah a question in response?

Mr. SMOOT. Certainly.

Mr. OWEN. I merely want to ask the Senator from Utah if it is not a fact that the last Republican President refused patronage to Republican Senators who did not vote the way he wanted them.

Mr. SMOOT. I am sure he did not. I know he did not refuse it to me. I know I voted against Canadian reciprocity and I know a majority of the Republicans voted against it, but I never have heard——

Mr. OWEN. A letter from the former President's secretary was widely published to the effect that the Progressive Republicans were very much grieved at the time and made quite a loud outcry about the treatment they received.

Mr. SMOOT. What the newspapers may say is not always true. I wish to say to the Senator that the only time I was ever asked to vote for any measure by any President was by President Taft, and he asked me if I could not see my way clear to vote for Canadian reciprocity. I told him, "No; I could not"; and I voted against it and did all I could to defeat it, and I know a majority of the Republicans voted against it and tried to defeat it; and I know of none to whom patronage was denied, as the Senator has referred to that, because of the fact that they voted against Canadian reciprocity.

Mr. THOMAS. Mr. President——

Mr. OWEN. I yield to the Senator from Colorado.

Mr. THOMAS. I merely wish to say, Mr. President, that the public were informed, and I have never seen it successfully denied, that the Congress which ended in March, 1911, which had a very large Republican majority in both Houses, and which was therefore controlled by the Republicans in both Houses, seemed to act with singular unanimity, and it was generally understood that the Republican majority of the Senate branch of that Congress voted and legislated under the dictation of a single man, thus making a caucus unnecessary.

Mr. SMITH of Michigan. When was that?

Mr. SMOOT. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield further?

Mr. OWEN. I yield to the Senator from Utah.

Mr. SMOOT. What was the bill, or to what legislation has the Senator from Colorado reference?

Mr. THOMAS. I have reference, Mr. President, to the legislation that was enacted under the domination of the then senior Senator from Rhode Island, Mr. Aldrich.

Mr. SMOOT. I suppose the Senator means the tariff bill, and I think that he——

Mr. THOMAS. He was the caucus and his mandate was your law.

Mr. SMOOT. Of course, that is an assertion made wholly without any truth whatever. I know one thing. I know that he was not the caucus for the Senator from Utah and I do not believe he was the caucus for anyone else on this side.

Mr. THOMAS. I do not think that the Senator from Utah differed very materially from the Senator from Rhode Island during that Congress. My recollection is that he was his chief lieutenant.

Mr. SMOOT. As far as that is concerned, I will say that wherever I believe a principle to be right and any other Senator may believe the same way I am not going to differ with him, if he votes his convictions as I do; and I believe the Senator will admit I always vote what my true convictions are irrespective of what any man in the world may think of it or may say.

Mr. THOMAS. I concede that; but I want Senators to be consistent. I vote my convictions, but I am accused of voting at the dictation of 36 members of my party. Now, is it possible that because 36 members of my party meet in caucus—and I am not afraid of the word "caucus," Mr. President, I believe in it—and because I vote in accordance with what the caucus of my party determines after full deliberation, am I to be accused also of surrendering my convictions, my freedom of action? It remains just the same; and I think my short record in this body will demonstrate the fact, notwithstanding that caucuses seem at present to be so annoying to those who represent the other side and also to some who are on this side of the Chamber.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield further to the Senator from Utah?

Mr. SMOOT. There is just one other statement I desire to make.

Mr. OWEN. I yield.

Mr. SMOOT. Of course, the Senator from Colorado believes in caucuses. I do not. I think some of the worst legislation that was ever enacted in Congress has been the result of caucuses.

Mr. THOMAS. Does the Senator believe in conferences?

Mr. SMOOT. I believe in conferences, but I do not believe the conferences should bind anybody who attends them.

Mr. THOMAS. I have noticed that the conferences which already have been held by my Republican friends have resulted in a unanimity of action and of sentiment that is simply astonishing.

Mr. SMOOT. I can say to the Senator from Colorado that I have attended many conferences where there was a divided vote. I will say this: I do not remember attending a conference of the Republican Party where there has been a unanimity of sentiment.

Mr. THOMAS. I do not know, of course, what is the unanimity of sentiment in the conference. I am talking about the unanimity displayed here.

Mr. SMOOT. I will say to the Senator that there has been no conference held on this bill.

Mr. THOMAS. Then there is a mysterious magnetic something which seems to act of its own volition and which binds our brethren more closely than any caucus even seems to be able to bind this side.

Mr. OWEN. Mr. President, I wish to place in the RECORD at this point the precedents of the English Government, of the French Government, of the German Government, of the Austria-Hungary Government, of the Austrian Government, and of the Governments of Belgium, Denmark, Netherlands, Portugal, Spain, and Switzerland, and, not desiring to take the time of the Senate to read them, I will ask to insert them without reading with the authority from which it is taken.

The matter referred to is as follows:

ENGLISH PRECEDENTS.

"The rule of the majority is the rule in all the parliaments of English-speaking people. In the Parliament of Great Britain, in the House of Lords, the 'contents' pass to the right and the 'not contents' pass to the left, and the majority rules.

"In the House of Commons the 'ayes' pass to the right and the 'noes' pass to the left, and the majority rules. (Encyclopædia Britannica, vol. 20, p. 856.)

"The great English statesman, Mr. Gladstone, having found that the efficiency of Parliament was destroyed by the right of unlimited debate, was led to propose cloture in the first week of the session of 1882, moving this resolution on the 20th of February, and expressing the opinion that the house should settle its own procedure. The acts of Mr. Gladstone and others of like opinion finally led to the termination of unlimited debate in the procedure of Parliament. In these debates every fallacious argument now advanced by those who wish to retain unlimited debate in the United States Senate has been abundantly answered, leaving no ground of sound reasoning to reconsider these stale and exploded arguments.

"The cloture of debate is very commonly used in the Houses of Parliament in Great Britain; for example, in standing order No. 26. The return to order of the House of Commons, dated December 12, 1906, shows that the cloture was moved 112 times. (See vol. 94, Great Britain House of Commons, sessional papers, 1906.)

FRANCE.

"In France the cloture is moved by one or more members crying out 'La cloture!'

"The president immediately puts the question, and if a member of the minority wishes to speak he is allowed to assign his reasons against the close of the debate, but no one can speak in support of the motion and only one member against it. The question is then put by the president, 'Shall the debate be closed?' and if it is resolved in the affirmative the debate is closed and the main question is put to the vote.

"M. Guizot, speaking on the efficacy of the cloture before a committee of the House of Commons in 1848, said:

"I think that in our chamber it was an indispensable power, and I think it has not been used unjustly or improperly generally. Calling to mind what has passed of late years, I do not recollect any serious and honest complaint of the cloture. In the French Chambers, as they have been during the last 34 years, no member can imagine that the debate would have been properly conducted without the power of pronouncing the cloture.

"He also stated in another part of his evidence that—

"Before the introduction of the cloture in 1814 the debates were protracted indefinitely, and not only were they protracted, but at the end, when the majority wished to put an end to the debate and the minority would not, the debate became very violent for protracting the debate, and out of the house among the public it was a source of ridicule.

"The French also allow the previous question, and it can always be moved; it can not be proposed on motions for which urgency is claimed, except after the report of the committee of initiative. (Dickinson's Rules and Procedure of Foreign Parliaments, p. 426.)

GERMANY.

"The majority rule controls likewise in the German Empire and they have the cloture upon the support of 30 members of the house, which is immediately voted on at any time by a show of hands or by the ayes and noes.

AUSTRIA-HUNGARY.

"In Austria-Hungary motions for the closing of the debate are to be put to the vote at once by the president without any question, and thereupon the matter is determined. If the majority decides for a close of the debate, the members whose names are put down to speak for or against the motions may choose from amongst them one speaker on each side, and the matter is disposed of by voting a simple yes or no. (Ibid., p. 404.)

AUSTRIA.

"Austria also, in its independent houses of Parliament, has the cloture, which may be put to the vote at any time in both houses, and a small majority suffices to carry it. This is done, however, without interrupting any speech in actual course of delivery, and when the vote to close the debate is passed each side has one member represented in a final speech on the question. (Ibid., p. 409.)

BELGIUM.

"In Belgium they have the cloture, and if the prime minister and president of the Chamber are satisfied that there is need of closing the debate a hint is given to some member to raise the cry of 'La cloture,' after a member of the opposition has concluded his speech, and upon the demand of 10 members, granting permission, however, to speak for or against the motion under restrictions. The method here does not prevent any reasonable debate, but permits a termination of the debate by the will of the majority. The same rule is followed in the Senate of Belgium. (Dickinson's Rules and Procedure of Foreign Parliaments, p. 420.)

DENMARK.

"In Denmark also they have the cloture, which can be proposed by the president of the Danish chambers, which is decided by the chamber without debate. Fifteen members of the Landsthing may demand the cloture. (Ibid., p. 422.)

NETHERLANDS.

"In both houses of the Parliament of Netherlands they have the cloture. Five members of the First Chamber may propose

it and five members may propose it in the Second Chamber. They have the majority rule. (Ibid., p. 461.)

PORTUGAL.

"In Portugal they have the cloture in both chambers, and debate may be closed by a special motion, without discretion. In the upper house they permit two to speak in favor of and two against it. The cloture may be voted. (Ibid., p. 469.)

SPAIN.

"The cloture in Spain may be said to exist indirectly, and to result from the action allowed the president on the order of parliamentary discussion. (Ibid., p. 477.)

SWITZERLAND.

"The cloture exists in Switzerland both in the Conseil des Etat and Conseil National."

Mr. GALLINGER. Has the Senator the rules or the law governing the Canadian Parliament?

Mr. OWEN. No; I have not.

Mr. GALLINGER. They have no previous question, I believe; they have unlimited debate.

Mr. OWEN. They have no need for it, as there is unanimity of sentiment and reciprocal courtesy in their comparatively small Parliament.

Mr. GALLINGER. They succeeded in defeating the reciprocity bill because of that fact.

Mr. OWEN. Oh, I think not "because of that fact," Mr. President. Now, Mr. President, I want to call the attention of the Senate to an editorial from one of the greatest journals of the country that I think is worthy of very respectful attention, the New York World of January 29, 1915:

SET THE SENATE FREE.

The Republican minority in the Senate which is attempting to talk the ship-purchase bill to death is also attempting to talk majority rule to death. If by its filibuster it can prevent action before the expiration of Congress on March 4, it will have defeated majority rule as emphatically as would gunmen at a polling place who drove intending voters away from the ballot box.

It is claimed on behalf of this minority that it is exercising the right of debate and merely asserting the time-honored privileges of the Senate. In truth, it is preventing reasonable debate, and the privileges to which it refers ought to be protected from abuse, as they have been by other legislative bodies. The British House of Commons, the mother of parliaments, exceedingly jealous of every real right and privilege, throttles those who would throttle it—

I commend that sentiment to the attention of the Senate of the United States—

The American House of Representatives has not once been coerced by a minority since the Reed rules were established 25 years ago.

Evidently the time must soon come when a courageous majority of the Senate will emancipate itself from a thraldom humiliating alike to itself and to the people. Every right properly belonging to minorities must be safeguarded, but no minority has a right to rule, no minority has a right to establish by indirection policies which it has not the votes to carry, and no minority anywhere in this country, except in the United States Senate, maintains such a pretense.

The seventeenth amendment, providing for the popular election of Senators, was a Democratic measure in its origin, and to the present Democratic administration fell the honor of proclaiming its adoption. Why should not the same party complete the reform by such a revision of the Senate rules as to strip of power those who obstruct the popular will lawfully expressed?

Now, Mr. President, I want to say just one or two words before I close. Some of our Democratic brethren in the South, still haunted by the old fear of a force bill led by the Senator from Massachusetts [Mr. LODGE], believe that it would be dangerous to abandon the alleged right of the minority to conduct an endless filibuster and thereby obstruct anything to which the minority seriously objects. What I want to call to the attention of the Senate is that under the change of the Constitution providing for the direct election of Senators by popular vote the Senate of the United States never can again be made the instrumentality of privilege or plutocracy or monopoly or organized greed; never can again, by a majority of this body, be controlled against the interests and the welfare of the common people of this country. The majority always in the future, till time shall be no more, will represent in truth the sovereignty of the common people of this country. That being so, I do not see how a man who is a heartfelt Democrat can reconcile it to his conscience to put in the hands of those who are at heart opposed to the sovereignty of the people the right to obstruct their will and prevent legislation which the people desire.

I have said on the floor to the Senator from New York [Mr. ROOT] that this filibuster was preventing the presentation of the rural credits bill. What is the use of a committee bringing forward a bill that has no possible chance of consideration? If that were possible now, if we had a reasonable cloture, the Banking and Currency Committee could get together and in all probability agree upon some measure acceptable to them, acceptable to the Senate, and acceptable to the country. But that is a small part of the terrible harm being done. This filibuster is not only preventing the rural credits bill from being considered; it is preventing this whole calendar, page after page, of listed bills that are important to the country, from receiving any consideration at all. This body is presenting the strange, unthinkable, sad spectacle to the country that a majority is willing to stay here all day and all night, night after night, in order to exercise the constitutional privilege of voting their wishes as representatives of the people of the United States, while an organized filibuster prevents the majority rule; prevents even a vote.

We can not consider rural credits, good roads, waterways, justice to labor, the employment of the unemployed, the public health, and the many vital questions affecting the conservation and development of human life and energy. We are paralyzed by partisan bigotry and ambition.

I say to the Senate that the people of the United States are not going to submit to this wrong any more. It is an outrage on justice; it is shameful; it is despicable; and no words within the scope of a parliamentary language are strong enough to express my condemnation of it.

I yield the floor, Mr. President.

ADDENDUM.

[From the North American Review of November, 1893.]

THE STRUGGLE IN THE SENATE.

II. OBSTRUCTION IN THE SENATE.

[By Senator HENRY CABOT LODGE, of Massachusetts.]

Parliamentary obstruction has of late years engaged public attention to a degree quite unusual for a subject so technical in its nature. When the Reed rules, which first brought the subject into prominence in this country, were under discussion, I pointed out in an article in the Nineteenth Century that the question was widespread and general and in no sense local or peculiar to the United States. At that time the Democratic orators and the Democratic newspapers seemed to think that the effort to do away with parliamentary obstruction in the House of Representatives was a malignant invention of the Republican Party and particularly of Mr. Reed. If they had taken the trouble to inform themselves—a form of mental exercise in which they rarely indulge—they would have discovered that it was nothing of the sort. They would have learned what is now evident to all men that the Republican reform of the rules of the House was but part of a general movement against an abuse which in the process of time had become intolerable. Not only in many States of the Union but in England also the matter of parliamentary obstruction had reached the proportion of a great and a very grave public question. This was neither accidental nor the result of partisanship. It was the outgrowth of conditions which had been slowly developed.

The English-speaking race are the originators of free representative government. Among them this great system has grown to maturity and by them its details have been gradually elaborated. The fundamental principles of popular representation and of free speech, of the control of taxation, and of public expenditures, were established long since as the result of many hard-fought battles. With this development of representative government there should have gone hand in hand a development of the rules by which the representative bodies transacted their business. This, however, did not occur. As so often happens in history, the substance of things changed, but the forms survived. While the power and the business of representative bodies both in England and the United States expanded enormously, the rules in accordance with which these powers were exercised and this business transacted remained unaltered. Ordinarily forms are not of much consequence provided the essence of things is preserved, but in this instance it happened that forms and rules were of vital importance, although it is only very recently that this fact has been fully and properly realized.

The rules and practices of the Congress of the United States and of the House of Commons were adopted under conditions widely different from those which exist to-day. They were formed for representative bodies, in this country at least, much smaller in number, and for the management of the public affairs of small populations, with industrial and commercial interests absolutely insignificant when compared with the vast volume of business to-day, quickened as it now is by the telegraph and the railroad, and beating with a pulsation which is felt in every corner of the globe within 24 hours. The result has been that the old rules and forms have not only proved inadequate for the transaction of business, but have furnished the means for indefinite resistance to action. When parliamentary rules were first formulated, the preservation of freedom of debate was rightly considered to be of the last importance, and, so far as these original rules, which were in great degree haphazard, could be said to have any principle, the protection of freedom of debate was their controlling purpose. All danger to freedom of debate in English-speaking countries at least has long since vanished, and the tendency of the old system is to encourage debate, of which there is now too much, and to prevent action, of which there is now too little.

The primary and the only proper and intelligent object of all parliamentary law and rules is to provide for and to facilitate the ordinary action of public business. When any set of parliamentary rules ceases to accomplish this object they have become an abuse—and an abuse of the worst kind. They not only prevent action, but, what is far worse, they destroy responsibility; for, if a minority can prevent action, the majority, which is entitled to rule and is intrusted with power, is at once divested of all responsibility, the great safeguard of free representative institutions.

This question has been fought out in the English House of Commons and the passage of the home rule bill is conclusive evidence that the system of enforcing action is not only necessary in England, but that it is finally and firmly established. The same battle has been fought out also, and the same result attained, in our own House of Representatives. The great reform which Mr. Reed carried through and which marks an epoch in parliamentary government in the United States has been in principle finally established. Received at the moment with much passionate oratory and many loud objurgations, such as always accompany the onward march and the ultimate triumph of a

great reform, it has at last prevailed. As the dust of that memorable conflict cleared away, it was discovered that Mr. Reed had only been enforcing principles which were accepted in nearly every other parliamentary body in the world and that he had not invented them himself for the mere gratification of a tyrannical spirit. Then it was further discovered that his methods, instead of being illegal and unconstitutional, had received the sanction of every judicial body before which they had been brought, and they were finally upheld by the unanimous decision of the Supreme Court of the United States.

The last stage, the acceptance of the reform by the opposite political party, has just been passed. Mr. Speaker Crisp, with a large Democratic majority at his back, has enforced Mr. Reed's principles by stopping dilatory motions and bringing the House to a vote. The only difference has been that Mr. Reed put his principles into practice under accepted methods and in accordance with parliamentary law, while Mr. Crisp very unnecessarily, because no such violence was required, enforced action with entire disregard of the usual and proper forms. He is not, however, to be too severely criticized for this. It was quite natural that the Democratic Party in the House should writhe at adopting the principles and carrying into effect the very methods which they had denounced so exuberantly only three years ago. They appeared to think that they could get around by some bypath to the Republican result, and thus escape a march through the valley of humiliation, if they discarded the forms under which their adversaries had performed the same work. Unfortunately such evasions are never possible and the valley of humiliation can not be avoided by those who have opposed what is righteous, and then, after a short interval, have accepted righteousness for their own purposes. In any event the result is the same. The right of the majority to rule, and to pass after due debate such measures as it sees fit, has been firmly established in the House of Representatives.

As a practical public question in the United States, parliamentary obstruction has now shifted to the Senate, where it has aroused lately the keenest public interest owing to the condition of business and the intense eagerness of the country for the passage of some measure of relief. The case in the Senate is very different in many particulars from what it was either in the House of Commons or the House of Representatives. The Senate of the United States is still a small body; it has great powers conferred upon it by the Constitution and weighty responsibility. It is properly very conservative in its habits and very slow to change those habits in any direction. There could be no better example of this than in its parliamentary procedure. The rules of the Senate are practically unchanged from what they were at the beginning. They are the same now to all intents and purposes as when they were first adopted more than a hundred years ago. There has never been in the Senate any rule which enabled the majority to close debate or compel a vote. The previous question, which existed in the earliest years, and was abandoned in 1806, was the previous question of England and not that with which every one is familiar to-day in our House of Representatives. It was not in practice a form of closure and it is therefore correct to say that the power of closing debate in the modern sense has never existed in the Senate.

The rules of the Senate are few and simple. Formed for the use of a body of 26 Senators, they have continued in force unchanged, until they now govern the deliberations of 88. That rules so simple should have worked so well during so long a period with an increasing number of Senators and an enormous growth in the volume of business is no slight tribute to the character of the body which has worked under them. But they are now beginning to show the same defects and abuses, arising from the same causes, which have produced such fundamental changes in larger representative bodies.

The rules of the Senate, providing for no form of compulsion, rest necessarily on courtesy. In other words, as there is no power to compel action, it is assumed that the need for compulsion will never arise. For this reason, obstruction in the Senate, when it has occurred, has never taken the form of dilatory motions and continual roll calls, which have been the accepted method of filibustering in the House. The weapon of obstruction in the Senate is debate, upon which the Senate rules place no check whatever. Practically speaking, under the rules, or rather the courtesy of the Senate, each Senator can speak as often and at as great length as he chooses. There is not only no previous question to cut him off, but a time can not even be set for taking a vote, except by unanimous consent. This is all very well in theory, and there is much to be said for the maintenance of a system, in one branch at least of the Government, where debate shall be entirely untrammeled. But the essence of a system of courtesy is that it should be the same at all points. The two great rights in our representative bodies are voting and debate. If the courtesy of unlimited debate is granted it must carry with it the reciprocal courtesy of permitting a vote after due discussion. If this is not the case the system is impossible. Of the two rights, moreover, that of voting is the higher and more important. We ought to have both, and debate certainly in ample measure; but, if we are forced to choose between them, the right of action must prevail over the right of discussion. To vote without debating is perilous, but to debate and never vote is imbecile. The difficulty in the Senate to-day is that, while the courtesy which permits unlimited debate is observed, the reciprocal courtesy, which should insure the opportunity to vote, is wholly disregarded.

If the system of reciprocal courtesy could be reestablished and observed, there need be no change in the Senate rules. As it is, there must be a change, for the delays which now take place are discrediting the Senate and this is something greatly to be deplored. The Senate was perhaps the greatest single achievement of the makers of the Constitution. It is one of the strongest bulwarks of our system of government, and anything which lowers it in the eyes of the people is a most serious matter. How the Senate may vote on any given question at any given time is of secondary importance, but when it is seen that it is unable to take any action at all the situation becomes of the gravest character. A body which can not govern itself will not long hold the respect of the people who have chosen it to govern the country.

No extreme or violent change is needed in order to remedy the existing condition of affairs. A simple rule giving the majority power to fix a time for taking a vote upon any measure which has been before the Senate and under discussion, say for 30 days, would be all sufficient. Such a change should be made and such a rule passed, for the majority ought to have and must have full power and responsibility.

On this point of the power of the majority, however, there is a great deal of popular misconception. It is customary to assail with bitter reproaches, as we have seen during the struggle over silver repeal, the minority who are resisting action. This is putting the blame in the wrong place. The minority may be justly censured for not conforming to a system of courtesy, but when that system has been overthrown, as is the case in the Senate in regard to voting and debate, the fault is no longer theirs. No minority is ever to blame for obstruction. If the rules permit them to obstruct, they are lawfully entitled to use those rules in order to stop a measure which they deem injurious. The blame for obstruction rests with the majority, and if there is obstruction it is because the majority permit it. The majority to which I here refer is the party majority in control of the Chamber. They may be divided on a given measure, but they, and they alone, are responsible for the general conduct of business. They, and they alone, can secure action and initiate proceedings to bring the body whose machinery they control to a vote. The long delay on the repeal of the purchasing clause of the silver act of 1890 has been due, without any reference to their internal divisions on the pending question, solely to the Democratic majority as a whole in full control of the Chamber and of the machinery of legislation. There never was a time when they could not have brought about a vote with the assistance of the Chair, whose occupant was also of their party, if, as a party, they had only chosen to do so.

No further argument is, I think, needed to show the necessity of some rule which, after allowing the most liberal latitude of debate, will yet enable the majority of the Senate to compel a vote. The prospects, however, of any such change are not very promising. It is not probable that any form of closure will be adopted by the Senate for some time to come. It will certainly never be attained unless the popular demand for it is not only urgent but intelligent. Newspapers and people generally have a way of rising up and demanding that filibustering be put down and closure enforced whenever some measure in which they are specially interested at the moment is obstructed. On the other hand, filibustering is often regarded as very patriotic by people who do not want a given measure to pass. Many of the newspapers, for example, which have been shouting themselves hoarse over the obstruction to silver repeal in the Senate, loudly applauded precisely the same methods of obstruction when directed against the Federal elections bill a few years ago. It is this fact which takes all weight from the demands of the most vociferous shouters for action at the present time. Obstruction must be always good and proper or always bad and improper. It can not be sometimes good and sometimes bad as a principle of action. If the power to close debate is righteous for one measure it is righteous for all; and until that principle is accepted there is no possibility of reform. For example, the Democratic majority in the Senate refuses to change the rules in order to pass silver repeal. They can not, then, go on and introduce closure to pass the Federal elections bill and the tariff. They must apply closure to all or none.

The only way in which proper rules for the transaction of business in the Senate can be obtained will be through the action of a party committed as a party to the principle that the majority must rule, and that the parliamentary methods of the Senate must conform to that principle. The change must also be made at the beginning of the session, so as to apply to all measures alike which are to come before Congress, and it must be carried and established on its own merits as a general principle of government and not to suit a particular exigency. Whenever this reform is made it will come and it can come only in this way.

HENRY CABOT LODGE.

Mr. STONE. Mr. President, I desire about 10 minutes of time to address myself briefly to the sole question of so changing the rules of the Senate as to enable the Senate to fix a time for voting on any question pending before it. It would be useless, I think, so far as results here are concerned, to spend further time in answering the objections to the shipping bill which Senators opposing that measure advance to justify their attitude. They have iterated and reiterated those objections until everyone is familiar with them, and they have been answered over and again by Senators who favor the bill, until now the merits of the controversy are fully understood by all Senators and by the country.

Whenever that situation becomes established, as it has been in this case, legitimate debate has served its purpose, and the natural and orderly thing to do is to bring the question at issue to the test of a vote. When legitimate debate has been exhausted, a further pretense of debate degenerates into a mere vocal obstruction of the public business in defiance of the will of the majority. Instead of debate, it becomes a filibuster. The proceedings here for the last few weeks would of themselves make it apparent that the enemies of the pending legislation are engaged upon a filibuster solely to obstruct legislation; but there is no need to speculate upon the motive actuating the other side, for it has been more than once openly admitted that they intend, if they can, to continue obstructive processes to the end of the session. This brings us squarely face to face with the question whether a rule, temporary or permanent, should be adopted under which a bald, defiant filibuster may be terminated.

Mr. President, until now I have looked with disfavor upon any form of cloture in the Senate. I know that the parliamentary practices observed in other countries and in the States of this Union provide for cloture; but I have wished the Senate might continue to constitute one legislative forum in the world where the right of debate could not be arbitrarily cut off. What I have seen here in the last month or more has shaken my attitude on this subject. Debate is one thing; a defiant filibuster, without pretense of legitimate discussion intended to enlighten the Senate or the country, is quite another thing. I believe as much now as ever in allowing a wide range for legitimate discussion on any question before the Senate; but when Senators band together merely to stop the wheels of legislation by processes only intended to prevent action by the Senate, then those engaged upon that enterprise are grossly abusing the privileges of debate.

Mr. President, if obstructive methods like those we have witnessed here through all the weary weeks of the recent past and upon which we are still engaged are to go on unchecked or are to remain permissible or possible then any well-organized minority—even a small minority—may stop the wheels not only of legislation but of the entire Government, and might leave the Government in a position of helplessness and despair. It will not do to say that in instances of especially grave concern, where the honor or life of the Nation was at stake, no contingent of Senators could be found who would resort to such methods as are now being pursued. Who can tell what might suddenly arise with respect to the disorders prevalent in Mexico or with respect to the war in Europe which might, in the opinion of the Government and of a large majority of the Congress, necessitate some urgent and important action, offensive or defensive? We have in this country, as we know, a powerful and widespread sentiment strongly sympathetic with Germany and Austria; and we have also, as we all know, a powerful sentiment favorable to the allies. I am afraid we have many men in public places who are imbued with this feeling of partisan sympathy, some for one side and some for the other. If, unhappily, it should become necessary, in the opinion of the President and the majority of the two Houses, to take or authorize some drastic action by our Government—an event I would deeply deplore and devoutly hope may not occur—but if it should become necessary to take some decisive action for the protection of American rights, I do not regard it as improbable that some public men—I will not particularize more definitely—who are either strongly pro-German or strongly pro-English might stand in the way of the Government. It is easy for gentlemen with strong sympathies or prejudices to find a reason upon which to base a justification of their conduct. At all events, as matters now stand, we are subject to that danger. Ought the Senate to have its hands so tied as to make it helpless in the face of any national emergency?

Again, Mr. President, the people may be so dissatisfied with the policies and conduct of a political party in power as to turn it out of power and put in another party to establish reforms and follow new lines of public policy. That was done two years ago. If proceedings such as have disgraced the Senate for the last month can be prolonged indefinitely, the party newly put into power could be blocked at any time, so far as legislation goes, by the minority. The Senate minority, led by Senators GALLINGER, SMOOT, ROOT, LODGE, and others, could not only laugh in the faces of the President and the Congress, but also could laugh in the face of the American people. That is what they are doing now.

Mr. President, what were these rules of procedure made for? What was the intention of those who framed and made these laws or rules for the government of the Senate? Is it to be presumed that there was an intention, open or concealed, to so frame the rules as to make them a means to prevent the transaction of business by the Senate? I scout the idea. Under the Constitution we know that the Senate is assembled to do business, not to prevent business being done, and we know that the people elect and commission Senators to transact business, not to obstruct it. Therefore the rules must have been made for the purpose of enabling the Senate to proceed with the transaction of its business in an orderly way. That is the spirit of the law under which we act. I repeat, that is the spirit of our Senate law. And now let me say that one of the cardinal principles underlying the construction of a law requires that it should be interpreted and administered according to its true spirit and intent.

I recalled to-day that when a youth I read Blackstone's Commentaries, and that I had read some cardinal rules of interpretation laid down by him. I sent for the books of the great commentator to refresh my memory about what he said. Among other things he said was this:

> The fairest and most rational method to interpret the will of the legislator is by exploring his intentions at the time when the law was made, by signs the most natural and probable. And these signs are either the words, the context, the subject matter, the effects and consequence, or the spirit and reason of the law.

This rule thus laid down has been followed by the commentators on English and American law and by all judges administering the common law. The great commentator from whom I have just quoted declared—now, here is the point—that the most universal and effectual way of discovering the true meaning of a law is by considering the reason and spirit of it, or the cause which moved the legislator to enact it. Commenting on the principles of interpretation which relate to the spirit of the law and to the effects and consequences of a law, he called attention to a Bolognian law which enacted "that whoever drew blood in the streets shall be punished with the utmost severity." And further to illustrate the importance of these rules of interpretation, he referred to a case arising under this Bolognian law, wherein "it was held after long debate not to extend to a surgeon who opened the vein of a person that fell down in the streets in a fit." Here the spirit of the law, and the effects and consequences of the law, prevailed to set aside its letter.

Blackstone referred to another law mentioned by Puffendorf, which forbade a layman to lay hands on priests; but it was adjudged, notwithstanding the letter of the law, that it extended only to him who laid hand on a priest to do him injury. If the letter of our Senate rules, technically construed, would forbid us to lay hands on the freedom of debate, the spirit of the law would justify us in laying on hands to prevent you committing a crime against the liberty of debate, the rights of the Senate, and the rights of the people. Not only would drastic action by the Senate be justified by the spirit of the law, but also because of the effects and consequences of a contrary course.

Blackstone also referred to a case, but by Cicero, where there was a law that those who in a storm forsook the ship should forfeit all property therein, and that the ship and lading should belong entirely to those who stayed with it. In a dangerous tempest all the mariners forsook the ship except only one sick passenger, who by reason of his disease was unable to get out and escape. By chance the ship came to port. The sick man kept possession and claimed the benefit of the law; but it was adjudged that the sick man did not come within the reason of the law, for the reason of making it was to give encouragement to such as should venture their lives to save the vessel. That case was properly decided, as the world admits. The reason of the law prevailed over its letter. But here, Mr. President, we have presented the reverse side of that case. The storm of 1912 drove Republicans from the old ship of State, while we Democrats stayed with her to save her. Under the letter as well as the spirit of the law we are entitled to man the ship; but since we have brought her to port the Republicans have hurtled back, threatening to scuttle her unless we surrender her into their hands. Shall we do it?

Mr. President, the spirit of the law should be observed as against its technical letter, when to observe the technical letter would be to bring about a result never intended by those who made the law. Which should have the greater weight—the technical letter or the spirit of law?

Mr. President, the best that can be said in defense of the filibustering tactics pursued by Senators on the other side is that they are within their technical rights under the letter of the rules. I do not concede that; but I might concede it and take the position, which I do, that the course they are pursuing is so grossly violative of the spirit and intent of the rules that the Senate itself, acting in defense of its own integrity, should observe and enforce the spirit of the rules and stop this outrageous abuse of its power, its rights, and its dignity. In face of the situation as we have it to-day, the Presiding Officer ought to be—and I hope is—brave and strong enough, despite any outburst of yells and whoops, to direct the Secretary to call the ayes and noes when they have been ordered and thus force the issue to a decision. If he should do that, he would receive the plaudits of the American people, even though the filibusters might be able to muster a majority to block him. In an emergency like this I believe Democrats, every man of us, should be on the firing line and fight it out at the point of the bayonet. For one, I want the test made, that we may see how many grenadiers of the guard are left.

Mr. President, having said this much, it is almost needless to add that I am now and henceforth in favor of a reasonable Senate cloture. The question immediately before the Senate is based on the resolution of my colleague [Mr. REED]. In view of the immediate circumstances in which we find ourselves, personally I would prefer to fight it out on the question as it now stands before the Senate without complicating it, at least so far as the Democrats are concerned. But this is something which addresses itself to us more as a matter of form and expediency than of principle. I would rather have the rule made permanent than temporary, but I fear to endanger the existing parliamentary status by a change of program. If we are to accomplish anything, we must have continuity of purpose and cohesiveness in action. We had a Democratic caucus this morning and we took a recess to hold another this evening if our friends on the other side will permit us by not prolonging this session beyond 8 o'clock. But again I say we must try it out, we must have a test of strength, and see whether, in fact, the power of the majority has been definitely transferred from this side to the other side of the Chamber.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. In view of the fact that our Democratic friends had a caucus this morning, and are going to have another caucus this evening, I fear they could not have been very harmonious this morning.

I listened with interest and attention to the address of the Senator from Oklahoma [Mr. OWEN], and it is a matter of regret to me that the Senator was so violent in his denunciation of some of us on this side of the Chamber. I equally regret that the Senator from Missouri [Mr. STONE] has found it necessary to say that our conduct has been disgraceful, and has even referred by name to certain Senators who have been somewhat instrumental in endeavoring to help our Democratic friends to perfect this bill.

Mr. President, it is interesting to me to hear the Senator from Missouri talk on this subject. The Senator will not have to hark back a great many years when he will find that a bill that was intended to restore the American merchant marine to the seas of the world passed this body, went to the other House, was passed by the other House with a slight amendment, I moved to concur in it, a filibuster was started on the other side, and when the late Senator from Tennessee [Mr. Carmack] was holding the floor the Senator from Missouri asked to interrupt him, having consent given him he opened a book and he proceeded to read in that book until the bill was defeated by this body.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I yield to the Senator from Colorado.

Mr. THOMAS. I should like to ask the Senator right there if he approved such conduct? [Laughter.]

Mr. GALLINGER. Well, Mr. President, that is a matter that I do not care to answer. I will say that had not the Senator from Missouri at that time done what he did, whether the conduct was reprehensible or otherwise, we would have had legislation then that would have made it unnecessary for the Senate of the United States now to be talking about the Government either buying or building ships.

Mr. HUGHES. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from New Jersey?

Mr. GALLINGER. I yield to the Senator from New Jersey.

Mr. HUGHES. Did anybody ever learn the name of that book?

Mr. SMITH of Michigan. Yes; it was The Pilgrim's Progress. [Laughter.]

Mr. GALLINGER. Mr. President, that is all I care to say. I am not going to get into any discussion with our friends on the other side who are now so anxious for cloture.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Ohio?

Mr. GALLINGER. I yield to the Senator from Ohio.

Mr. POMERENE. As the Senator from New Hampshire seems to have condemned the conduct of the Senator from Missouri when the former filibuster was on, and the Senator from Missouri now condemns the filibuster that is in progress, does not the Senator think we who came in here later are justified in voting in favor of a reasonable cloture at any time?

Mr. GALLINGER. Mr. President, I have not condemned the conduct of the Senator from Missouri. I have called attention to a historical fact which has led me to think it most surprising that the Senator from Missouri should now be using the term "disgraceful," and should be charging those of us on this side of the Chamber who have been doing precisely what he did under the rules of the Senate at that time with committing a crime. That was my purpose in it.

Mr. President, I have noticed with a good deal of interest that the Senator from Missouri is in favor of the Presiding Officer violating the rules of this body, and that he is going to carry this bill through at the point of the bayonet if it is necessary. I do not propose to engage in a contest of that kind. I presume the Senator from Missouri would prevail, as between himself and me, if we should engage in a combat of that nature; but I think it is unnecessary and rather undignified for the Senator from Missouri to suggest a resort to physical means to accomplish a legislative result.

Mr. STONE. The Senator knows I did not say that.

Mr. GALLINGER. Well, I suppose it was a figure of speech; and yet the Senator lifted his eyes to high heaven, and put on his face that sanctimonious look which he sometimes assumes, and I really thought at the time that the Senator was ready for mortal combat to carry this bill through the Senate.

Mr. JAMES. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Kentucky?

Mr. GALLINGER. I always yield to the Senator from Kentucky. I will say to him, however, that I do not propose to transfer him and put him in the place of the Senator from Missouri. [Laughter.] If we were to have a bayonet charge, I should retire at once.

Mr. JAMES. Mr. President, I am a thoroughly peaceable man. I do not want to engage in any sort of conflict; but I want to inquire of the Senator if he knows of any rule in this body that denies to the Senate the right to have a roll call upon the previous question?

Mr. GALLINGER. Why, I think there is no rule at all that warrants it.

Mr. JAMES. But is there any that forbids it?

Mr. GALLINGER. Oh, well, it does not follow at all that that is necessary. We have our rules. They are written in pretty good English and each of us can interpret them for himself. I know the Senator from Kentucky believes that this body can enforce a previous question. I have heard him say so. I do not believe there is any authority whatever for it.

Mr. JAMES. Is it not true that in the absence of a rule of the Senate, which the Senator admits the Senate has not, general parliamentary law gives every legislative body in the world the inherent right to do business?

Mr. GALLINGER. Not at all, Mr. President. General parliamentary law is always supplanted by the specific rules of a legislative body. That is a principle that the Senator from Kentucky ought to understand as well as I do.

Mr. JAMES. There is no doubt about that; but the Senator admits that there is no such inhibition in these rules against the previous question. Now, in the absence of it, my contention is that the Senate has the right to govern itself, to stop this filibuster. I have no hesitancy in saying that if I were the Presiding Officer of the Senate, and a Senator should rise and move the previous question upon this bill, I would submit it to the Senate upon a roll call; and I believe that action would be approved by the American people, and is in accord with the holding of every writer upon parliamentary law in the world.

Mr. GALLINGER. Mr. President, some of us have been afraid that might happen when the Senator from Kentucky gets in the chair.

Mr. JAMES. Well, it would happen if I were in the chair, I will say, and the motion for the previous question were made. I would submit it to a majority of the Senators upon a roll call of the Senate, without debate.

Mr. GALLINGER. When that does happen we will test that question.

Mr. President, I have said all I care to say.

Mr. JAMES. I would submit to a roll call of a majority of the Senate the right to rule itself; and I say that no Senator here and no citizen of America can take the position that a majority is not entitled to rule, even in the Senate of the United States, which has been so long the bulwark of greed and special privilege.

Mr. GALLINGER. Oh, well, Mr. President, we have gotten "greed and special privilege" now. I do not know what that has to do with this question. I presume the Senator from Kentucky does.

Mr. JAMES. The people of the United States know what it has to do with this question, if the Senator does not.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 57 minutes p. m.) the Senate adjourned until Monday, February 15, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 13, 1915.

RECEIVER OF PUBLIC MONEYS.

Matthias N. Fegtly to be receiver of public moneys at Vale, Oreg.

REGISTER OF THE LAND OFFICE.

Frank P. Wheeler to be register of the land office at Eureka, Cal.

UNITED STATES MARSHAL.

Stanley H. Trezevant to be United States marshal for the western district of Tennessee.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Walter C. Gullion, Twelfth Cavalry, to be second lieutenant of Infantry.

Second Lieut. John B. Thompson, Fourteenth Infantry, to be second lieutenant of Cavalry.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

Rev. Clifford Lore Miller to be chaplain, with the rank of first lieutenant.

MEDICAL DEPARTMENT.

Acting Dental Surg. James Francis Feely to be dental surgeon, with the rank of first lieutenant.

POSTMASTERS.

ARKANSAS.

Thomas C. Fleeman, Ozark.

ILLINOIS.

W. B. Barnum, Ridgway.
William M. Cannedy, Greenfield.
J. W. Clendenin, Monmouth.
Hazel L. Garvey, Blandinsville.
L. A. Kennedy, Chester.
Helen G. Longenbaugh, Moweaqua.
T. W. Medlin, Anna.
James Lafayette Molohon, Divernon.
J. C. Neal, Neoga.
Conrad Schweer, Crete.
George W. Spunner, Barrington.
Frank P. Williams, Carrollton.

INDIANA.

R. William I. Boggs, Veedersburg.

IOWA.

Eliza Ann Butler, North English.
Peter H. Goslin, Clarion.
S. M. Hutzell, Victor.
Maurice Moroney, Earlville.

KANSAS.

Harry M. Brodrick, Marysville.

KENTUCKY.

N. T. Mercer, Columbia.

MASSACHUSETTS.

Thomas F. Donahue, jr., Groton.
Benjamin P. Edwards, Topsfield.
Edward Gilmore, Brockton.
Aloysius B. Kennedy, Rochdale.
Thomas G. O'Connell, Wakefield.
W. S. Smith, Onset.
Maurice Williams, South Easton.

MINNESOTA.

Adolph C. Gilbertson, Ironton.
Henry F. Hopfenspirger, Morgan.
E. T. Vigen, Lake Park.

MISSOURI.

William H. Farris, Houston.
John T. Haley, Steelville.
George H. King, Birch Tree.
Edward F. Layne, Center.

NEW YORK.

William T. Vaughn, Sag Harbor.

NORTH CAROLINA.

Bartholomew M. Gatling, Raleigh.

OHIO.

Henry C. Fox, Coldwater.
Charles A. Lamberson, Coshocton.
Henry W. Streb, Canal Dover.
L. K. Thompson, Uhrichsville.
William A. Zellars, Freeport.

OKLAHOMA.

Frederick McDaniel, Bartlesville.

OREGON.

W. R. Hamer, Newport.
John T. McGuire, North Bend.

RHODE ISLAND.

John B. Sullivan, Newport.

PENNSYLVANIA.

William T. Benner, Saxton.
E. R. Benson, Mount Jewett.
G. E. Daugherty, Iselin.
James F. Drake, Hawley.
John J. Durkin, Scranton.
George J. Eppley, Hershey.
Jerome A. Hartman, Phoenixville.
George E. Hipps, Carrolltown.
William A. Irwin, Downingtown.
Norman D. Matson, Brookville.
David M. Means, New Wilmington.
Harry K. McCulloch, Freeport.

SOUTH DAKOTA.

James M. Holm, Pierre.

WASHINGTON.

John L. Field, Quincy.
Richard H. Lee, Wilsoncreek.
J. H. McCourt, Sequim.
Fenton Smith, South Bend.

WISCONSIN.

Philip B. Bartlett, Melrose.
E. F. Butler, Mosinee.
George H. Herzog, Racine.
Charles J. Janisch, Waterloo.
Henry B. Kaempfer, West Bend.
John J. Kaiser, Stratford.
John A. Kuypers, De Pere.

VIRGINIA.

Gertrude Blakey, Gordonsville.
J. D. Buchanan, Marion.
Robert P. Cummins, Abingdon.
Charles N. Davidson, Stonega.
Levi B. Davis, Roanoke.
Wirt Dunlap, Blacksburg.
Maurice A. Garrison, Cape Charles.
Roy Kilgore, Norton.
Clara Matheny, Fincastle.
George W. Sheppard, Glenallen.

VERMONT.

John J. Gallagher, Hardwick.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 13, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, draw us by the unseen forces at Thy command into Thy nearer presence that our thoughts and acts may be dominated by Thy will, that with self-control, self-respect, and efficiency we may be the instruments in Thy hands for the furtherance of all good, and thus know the art of living together in harmony, working together in harmony to the glory and honor of Thy holy name, in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

PROHIBITING CHILD LABOR.

Mr. LEWIS of Maryland. Mr Speaker, I ask unanimous consent to print a supplementary report from the Committee on Labor on the Palmer child-labor bill (H. R. 12292). I will say that when the bill was reported no full report was made, but the report that I now ask to file contains a complete discussion of the subject matter.

Mr. FITZGERALD. Why not withdraw the first report?

Mr. LEWIS of Maryland. In connection with that, Mr. Speaker, I will request unanimous consent to withdraw the original report.

The SPEAKER. The gentleman from Maryland asks unanimous consent to withdraw the report heretofore made on the Palmer child-labor bill and file a new report (No. 1400). Is there objection? [After a pause.] The Chair hears none.

NIAGARA FALLS.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent to file minority views (H. Rept. 990, pt. 2) to the report on the bill known as the Niagara bill, controlling the power

companies at Niagara Falls (H. R. 16542). The majority report was filed some time ago, but by mistake the minority views did not accompany it.

The SPEAKER. The gentleman from Virginia asks unanimous consent to file minority views on the Niagara bill. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MONTAGUE, indefinitely, on account of illness.

To Mr. O'SHAUNESSY, indefinitely, on account of illness.

HOUR OF MEETING ON MONDAY.

Mr. UNDERWOOD. Mr. Speaker, next Monday is unanimous-consent day, and there may not be many opportunities for unanimous consent after that time. In order that there may be time to call the calendar through, if possible, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Monday next.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Monday next. Is there objection?

There was no objection.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21318, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The item under consideration is the Department of Justice, and I wish to say a word.

On February 1 the Supreme Court handed down a decision holding that under the Criminal Code an indictment might be had against both the woman as well as the man for conspiring to violate the white-slave act. Under a headline of that date an article was published in the Chicago Tribune of February 2 referring to this decision, and in the course of the article the following statement was made:

The Department of Justice was greatly pleased with the decision. Ever since the Mann Act was passed the department has had its hands full of white-slave cases in which the men were punished, although they were the victims of scheming women. In fact, it has had more of these cases than those in which women were the victims of men.

While this article was published under a Washington date line, I do not feel certain whether this portion of the article was written in Washington or written in the newspaper office in Chicago, and I do not undertake to say. The inference from the statement was that the Department of Justice had, in fact, reported that there were more cases in which men were punished where they were the victims of women than there were of cases in which women were the victims of men. The assumption that this was reported from the Department of Justice was carried out in a newspaper editorial published in the Chicago Tribune on February 3, the next day, in which the Tribune editorially made this statement:

The Federal Department of Justice is said to regard the decision of the Supreme Court in the Clara Holte case as an effective check upon the abuse of the Mann Act for the purpose of blackmail. As the department reports more cases in which men are the victims of blackmailing conspiracies under this law than cases of real "white slavery," the need for some check is plain. That it comes through judicial interpretation rather than explicit amendment is to be regretted.

Of course from my standpoint the newspaper statement, to begin with, bore on its face the fact that it was erroneous. Everyone ought to know that the Department of Justice would not be prosecuting any case where they believed that the person accused, although a man, was the victim of some scheming woman. I say I think it bore upon its face the statement, but because I thought that the Department of Justice ought to be placed fairly before the country, and the country ought to know that the Department of Justice was not engaged in punishing men who were victims of scheming women, I wrote the Department of Justice asking for information, and sent the following letter to the Attorney General:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 5, 1915.

Hon. THOMAS W. GREGORY,
Attorney General, Washington, D. C.

SIR: In a news article published in the Chicago Tribune of February 2, commenting upon the recent decision of the Supreme Court relating to conspiracies to violate the white-slave act, the following statement is made:

"The Department of Justice was greatly pleased with the decision. Ever since the Mann Act was passed the department has had its hands full of white-slave cases in which the men were punished, although they were the victims of scheming women. In fact, it has had more of these cases than those in which women were the victims of men."

I inclose the article and beg to ask that the clipping be returned to me with your reply.

Is it true that since the Mann Act was passed the Department of Justice has had its hands full of white-slave cases in which the men were punished, although they were the victims of scheming women, and that it has had more of these cases than those in which women were the victims of men, and has the department made such a statement?

May I ask whether there have been any cases in which men were punished by prosecution of the Government under this act, although the men were the victims of scheming women? May I ask how many convictions have been had under the white-slave act, and how many of these were cases where men were convicted, although it was shown that they were the victims of scheming women?

An early reply will very greatly oblige,

Yours, sincerely,

JAMES R. MANN, *Member of Congress.*

The Attorney General replied to that letter as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 6, 1915.

Hon. JAMES R. MANN,
House of Representatives.

MY DEAR SIR: Answering your letter of the 5th instant as to prosecutions under the white-slave traffic act:

While this department has been confronted with occasional cases wherein the facts have made it more or less certain that the complaining women were influenced by mercenary considerations, or themselves arranged and planned to induce the man to transport them, it is not true that it has had its hands full of such cases; nor, much less, is it true that it has had its hands full of such cases in which the men were punished; nor is it true that such cases outnumber the genuine "women-victim" cases. Therefore the statement to that effect, quoted in your letter as appearing in an article in the Chicago Tribune, is entirely unfounded, and made without authority of this department.

There have been to January 1 of this year 1,014 convictions under the white-slave traffic act since its approval; 159 acquittals; 145 cases were dismissed; and 320 cases are still pending. There is no classification of cases along the lines referred to in the article in question.

It is the belief of the department that the cases in which convictions were had are cases in which the interests of justice were subserved thereby.

Very sincerely,

T. W. GREGORY,
Attorney General.

That is the letter from the Attorney General, and while it ought not to be necessary to say that the Department of Justice is not engaged, on the very face of it could not be engaged, in prosecuting cases where they believed the accused was a victim rather than a violator of the law, still, in view of the fact that the statement was made as it was in the Tribune and various other papers of the country, I think it is proper to make this statement.

Under leave to extend I append herewith the decision of the Supreme Court in the case referred to, together with the dissenting opinion of Mr. Justice Lamar:

SUPREME COURT OF THE UNITED STATES.

NO. 628—OCTOBER TERM, 1914.

The United States, plaintiff in error, *v.* Clara Holte, in error to the District Court of the United States for the Eastern District of Wisconsin.

[February 1, 1915.]

Mr. Justice Holmes delivered the opinion of the court:

This is an indictment for a conspiracy between the present defendant and one Laudenschleger, that Laudenschleger should cause the defendant to be transported from Illinois to Wisconsin for the purpose of prostitution, contrary to the act of June 25, 1910 (ch. 396, 36 Stat., 825). As the defendant is the woman, the district court sustained a demurrer on the ground that although the offense could not be committed without her she was no party to it but only the victim. The single question is whether that ruling is right. We do not have to consider what would be necessary to constitute the substantive crime under the act of 1910, or what evidence would be required to convict a woman under an indictment like this, but only to decide whether it is impossible for the transported woman to be guilty of a crime in conspiring as alleged.

The words of the penal code of March 4, 1909 (ch. 350, sec. 37), are "conspire to commit an offense against the United States," and the argument is that they mean an offense that all the conspirators could commit, and that the woman could not commit the offense alleged to be the object of the conspiracy. For, although the statute of 1910 embraces matters to which she could be a party, if the words are taken literally—for instance, aiding in procuring any form of transportation for the purpose—the conspiracy alleged, as we have said, is a conspiracy that Laudenschleger should procure transportation and should cause the woman to be transported. Of course the words of the penal code could be narrowed as we have suggested, but in that case they would not be as broad as the mischief, and we think it plain that they mean to adopt the common law as to conspiracy and that "commit" means no more than bring about. For, as was observed in Drew *v.* Thaw (Dec. 21, 1914), a conspiracy to accomplish what an individual is free to do may be a crime (Reg. *v.* Mears, 4 Cox. C. C., 423; 2

Den. C. C., 79; Reg. v. Howell, 4 F. and F., 160), and even more plainly a person may conspire for the commission of a crime by a third person. We will assume that there may be a degree of cooperation that would not amount to a crime, as where it was held that a purchase of spirituous liquor from an unlicensed vendor was not a crime in the purchaser although it was in the seller. (Commonwealth v. Willard, 22 Pick., 476.) But a conspiracy with an officer or employee of the Government or any other for an offense that only he could commit has been held for many years to fall within the conspiracy section, now section 37 of the penal code. (United States v. Martin, 4 Cliff., 156, 164; United States v. Bayer, 4 Dillon, 407, 410; United States v. Stevens, 44 Fed Rep., 132, 140; State v. Huegin, 110 Wis., 189, 246.) So a woman may consire to procure an abortion upon herself when under the law she could not commit the substantive crime and therefore, it has been held, could not be an accomplice. (The Queen v. Whitchurch, 24 Q. B. D., 420, 422; Solander v. The People, 2 Colo., 48, 63; State v. Crofford, 133 Iowa, 478, 480.)

So we think that it would be going too far to say that the defendant could not be guilty in this case. Suppose, for instance, that a professional prostitute, as well able to look out for herself as was the man, should suggest and carry out a journey within the act of 1910 in the hope of blackmailing the man, and should buy the railroad tickets, or should pay the fare from Jersey City to New York, she would be within the letter of the act of 1910, and we see no reason why the act should not be held to apply. We see equally little reason for not treating the preliminary agreement as a conspiracy that the law can reach, if we abandon the illusion that the woman always is the victim. The words of the statute punish the transportation of a woman for the purpose of prostitution even if she were the first to suggest the crime. The substantive offense might be committed without the woman's consent; for instance, if she were drugged or taken by force. Therefore the decisions that it is impossible to turn the concurrence necessary to effect certain crimes, such as bigamy or dueling, into a conspiracy to commit them do not apply. Judgment reversed.

Mr. Justice McReynolds took no part in the consideration and decision of this case.

SUPREME COURT OF THE UNITED STATES.

NO. 628.—OCTOBER TERM, 1914.

The United States, plaintiff in error, v. Clara Holte, in error to the District Court of the United States for the Eastern District of Wisconsin.

[February 1, 1915.]

Mr. Justice Lamar, dissenting:

I dissent from the conclusion that a woman can be guilty of conspiring to have herself unlawfully transported in interstate commerce for purposes of prostitution.

Congress had no power to punish immorality, and certainly did not intend by this act of June 25, 1910 (35 Stat., 825), to make fornication or adultery, which was a State misdemeanor, a Federal felony, punishable by $5,000 fine and five years' imprisonment. But when it appeared that there was a traffic in women to be used for purposes of prostitution, debauchery, and immoral purposes, Congress legislated so as to prohibit their interstate transportation in such vicious business. That there was such traffic in women and girls; that they were "literally slaves," "owned and held as property and chattels," and that their traffickers made large profits, is set out at length in the reports of the House and Senate committees (61st Cong., 2d sess.) recommending the passage of the bill. So that an argument based on the use of the words "slaves," "enslaved," "traffic in women," "business in women," "subject of transportation," and the like—which might otherwise appear to be strained—is amply justified by the amazing facts which those reports show as to the existence and extent of the business and the profits made by the traffickers in women. The argument based on the use of these words and what they imply is further justified by the fact that the statute itself declares (sec. 8) that it shall be known as the "white slave traffic act." In giving itself such a title the statute specifically indicates that while of right woman is not an object of merchandise or traffic, yet for gain she has by some been wrongfully made such for purposes of prostitution, and that trade Congress intended to bar from interstate commerce.

The act either applies to women who are willingly transported or it does not. If it does not apply to those who willingly go (H. R. 47, 61st Cong., 2d sess., p. 10), then there was no offense by the man who transported her or in the woman who voluntarily went, and in that event there was, of course, no conspiracy against the laws of the United States in her agreeing to go. The indictment here, however, assumes that the act applies not only to those who are induced to go but also to those who aid the panderer in securing their own transportation. On that assumption every woman transported for the purposes of the business stands on the same footing, and can not by her consent change her legal status. And if she can not be directly punished for being transported she can not be indirectly punished by calling her assistance in the transportation a conspiracy to violate the laws of the United States. For if she is within the circle of the statute's protection she can not be taken out of that circle by the law of conspiracy and thus be subjected to punishment because she agreed to go.

The statute does not deal with the offense of fornication and adultery, but treats the woman who is transported for use in the business of prostitution as a victim—often a willing victim, but nevertheless a victim. It treats her as enslaved and seeks to guard her against herself as well as against her slaver—against the wiles and threats, the compulsion and inducements, of those who treat her as though she was merchandise and a subject of interstate transportation. The woman, whether coerced or induced, whether willingly or unwillingly transported for purposes of prostitution, debauchery, and immorality, is regarded as the victim of the trafficker, and she can not therefore be punished for being enslaved nor for consenting and agreeing to be transported by him for purposes of such business. To hold otherwise would make the law of conspiracy a sword with which to punish those whom the traffic act was intended to protect.

The fact that prostitutes and others have used this statute as a means by which to levy blackmail may furnish a reason why that should be made a Federal offense, so that she and they can be punished for blackmail or malicious prosecution. But these evils are not to be remedied by extending the law of conspiracy so as to treat the enslaved subject of transportation as a guilty actor in her own transportation, and then punish her because she agreed with her slaver to be shipped in interstate commerce for purposes of prostitution. Such a construction would make every willing victim indictable for conspiracy. Even that elastic offense can not be extended to cover such a case.

There are no decisions dealing directly with the question as to whether a woman assisting in her own illegal transportation can be prosecuted for conspiracy. There are, however, a number of authorities dealing with somewhat analogous subjects. For example, in prosecutions for abortion "the woman does not stand legally in the situation of an accomplice, for although she no doubt participated in the immoral offense imputed to the defendant, she could not have been indicted for the offense. The law regards her as the victim rather than the perpetrator." (Dunn v. People, 28 N. Y., ——; Commonwealth v. Wood, 11 Gray, 86; State v. Hoyer, 39 N. J. Law, 608; State v. Murphy, 27 N. J. Law, 114; Commonwealth v. Follanbee, 155 Mass., 274; State v. Owen, 22 Minn., 244; Watson v. State, 9 Tex. App., 238. Keller v. State, 102 Ga., 510 (seduction). Contra apparently in England and Colorado. Queen v. Whitchurch, 24 Q. B. D., 240; Solander v. People, 2 Colo.) So, too, a person who knowingly purchases liquor from one unauthorized to sell it is not guilty of a criminal offense and is not an accomplice. (State v. Teahan, 50 Conn., 100; Commonwealth v. Pillsbury, 12 Gray, 126; People v. Smith, 28 Hun., 626; affirmed on opinion below; 92 New York, 661; State v. Roslin, 37 Minn., 212.)

Where the purchaser of liquor sold in violation of law was prosecuted for inducing the seller to commit a crime, the court said:

"Every sale implies a purchaser; there must be a purchaser as well as a seller, and this must have been known and understood by the legislature. Now, if it were intended that the purchaser should be subject to any penalty, it is to be presumed that it would have been declared in the statute, either by imposing a penalty on the buyer in terms or by extending the penal consequences of the prohibited act to all persons aiding, counseling, or encouraging the principal offender. There being no such provision in the statute, there is a strong implication that none such was intended by the legislature." (Commonwealth v. Willard, 22 Pick., 479.)

United States v. Dietrich (126 U. S., 667), though not directly in point, sheds light on the subject. There two persons were indicted under Revised Statute 5440 for conspiring to violate that law of the United States (Rev. Stat., 1781) which makes it a criminal offense to agree to give or to receive a bribe. The court held that agreeing to give or receive a bribe was the substantive offense and not a conspiracy. For when an offense, as bigamy or adultery, requires for its completion the concurrence of two persons, "the Government can not evade the limitations by indicting as for a conspiracy."

And in Queen v. Terryll (1 Q. B., 711), where a girl under 15 years of age was prosecuted for inciting a man to commit adultery with her, one of the judges considered that she could not be found guilty, because she was under the age of consent, and the other said that the statute did not apply because "there is no trace in the statute of any intention to treat the women or girls as criminals."

Applying these cases it appears that under the white-slave traffic act there must be a woman who is transported and a person who compels or induces her to be transported or who aids her in such transportation. "There is no trace in the statute of any intention to treat the women or girls as criminals" for being transported nor for agreeing that they will be transported, nor for aiding in the transportation. And if, as said in Commonwealth v. Willard (22 Pick., 479), Congress had intended that they should be subject to indictment for conspiracy, "it would have so declared by extending the penal consequences of the prohibited act to all persons aiding, counseling, or encouraging the principal offender." There being no such provision in the statute, there is a strong implication that none such was intended by the legislature.

To this may be added the practical consideration that any construction making the woman liable for participation in the transportation will not only tend to prevent her from coming forward with her evidence, but in many instances she will be in position to claim her privilege and can refuse to testify on the ground that she might thereby subject herself to prosecution for conspiracy in that she aided in the violation of the law, even though it was intended for the protection of her unfortunate class.

The woman, whether treated as the willing or an unwilling victim of such transportation for such business purposes, can not be found guilty of the main offense nor punished for the incidental act of conspiring to be enslaved and transported. Indeed, if she could be so punished for conspiring with her slaver, the fundamental idea that makes the act valid would be destroyed. She would cease to be an object of traffic; and instead of being the subject of illegal transportation would not be transported by a slaver as an object of interstate commerce, so as to be subject to regulative prohibitions under the commerce clause, but would be voluntarily traveling on her own account and punishable by the laws of the State for prostitution practiced after her arrival.

I am authorized to say that Mr. Justice Day concurs in this dissent.

True copy.

Test:

Clerk Supreme Court United States.

Mr. TAYLOR of Colorado. Mr. Chairman, by permission of the chairman of the committee, I ask unanimous consent to return for a moment to page 111 of the bill for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to recur to page 111 of the bill for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 111, after line 12, by inserting the following as a paragraph:

"Rocky Mountain National Park, Colo.: For protection and improvement, $8,000."

Mr. TAYLOR of Colorado. Mr. Chairman, a few days ago I reported and the House passed a bill creating the Rocky Mountain National Park in Colorado. The bill was approved by the President on the 26th of January. The Treasury Department and the Interior Department have made a report to the committee recommending an appropriation of $8,000 for the next fiscal year and $3,000 for the remainder of the current year. My understanding is that the $8,000 should go into this bill and that the $3,000 should be included in the emergency deficiency appropriation bill when it is brought in, in compliance with the recommendations of the Interior Department and the

Treasury Department, which have been approved by the President.

The estimates that I refer to are as follows:

ESTIMATE OF APPROPRIATION, ROCKY MOUNTAIN NATIONAL PARK.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 30, 1915.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication of the Secretary of the Interior of this date submitting two estimates of appropriations for the protection and improvement of Rocky Mountain National Park, Colo., under the act entitled "An act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes," approved January 26, 1915 (Public, No. 238), as follows:

For the fiscal year 1916	$8,000
For the fiscal year 1915	3,000

Respectfully,

W. G. MCADOO, *Secretary.*

DEPARTMENT OF THE INTERIOR,
Washington, January 30, 1915.

DEAR MR. SECRETARY: The act of Congress approved January 26, 1915, to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes, sets apart certain lands in that State as a public park for the benefit and enjoyment of the people of the United States, and places the same under the supervision of the Secretary of the Interior. The act, however, makes no appropriation for administration of the park, but it provides (sec. 4) that no appropriation for maintenance, supervision, or management of the park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law.

With a view to carrying into effect the provisions of the statute requiring the Secretary of the Interior to supervise the management of the park I have to submit herewith two estimates for protection and improvement of the Rocky Mountain National Park in amounts, respectively, $3,000 for that portion of the current fiscal year between February 1 and June 30, 1915, and $8,000 for the fiscal year ending June 30, 1916, together with a memorandum as to the proposed expenditure thereof, and have to recommend that the same be transmitted to Congress for favorable consideration. These estimates have been submitted to the President and have received his approval.

Cordially, yours, FRANKLIN K. LANE.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior.

Rocky Mountain National Park, Colo.—
For protection and improvement of Rocky Mountain National Park, Colo., Jan. 26, 1915 (Public, No. 238)..... $8,000

MEMORANDUM AS TO THE PROPOSED EXPENDITURE OF THE AMOUNT ESTIMATED FOR PROTECTION AND IMPROVEMENT OF ROCKY MOUNTAIN NATIONAL PARK FOR THE FISCAL YEAR ENDING JUNE 30, 1916.

One supervisor	$1,800	
Two permanent rangers, at $900 each	1,800	
Two temporary rangers, at $75 per month each, for six months, for fire protection	900	
		$4,500
Construction of 15 miles of telephone line from ranger station Bierstadt Lake, eastern side of park, over Flat Top Mountain, down North Inlet, to Grand Lake on western edge of park, including wire, poles, labor, and apparatus		1,000
Ranger cabins, repair of trails, rent of temporary office in Estes, telephone service, telegraphing, printing, and other miscellaneous expenses, including an edition of 5,000 copies of an administrative map of the park prepared in the Geological Survey		2,500
		8,000

Rocky Mountain National Park, Colo.—
For protection and improvement of Rocky Mountain National Park, Colo., Jan. 26, 1915 (Public, No. 238)..... 3,000

MEMORANDUM AS TO THE PROPOSED EXPENDITURE OF THE AMOUNT ESTIMATED FOR PROTECTION AND IMPROVEMENT OF ROCKY MOUNTAIN NATIONAL PARK FOR THE FISCAL YEAR ENDING JUNE 30, 1915.

One supervisor, 5 months, at $1,800	750	
Two permanent rangers, 5 months, at $900 each	750	
		$1,500
For improvements		1,500
		3,000

Mr. Chairman, I move the adoption of the amendment I have offered.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Colorado.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF COMMERCE.

LIGHTHOUSE SERVICE.

General expenses: For supplies, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks and purchase of land for same, the establishment of post lights, buoys, submarine signals, and fog signals, the establishment of oil or carbide houses, not to exceed $10,000: *Provided*, That any oil or carbide house erected hereunder shall not exceed $550 in cost; construction of necessary outbuildings at a cost not exceeding $200 at any one light station in any fiscal year, the improvements of grounds and buildings connected with light stations and depots, wages of laborers attending post lights, pay of temporary employees and field force while engaged on works of general repair and maintenance, and pay of laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for keepers of lighthouses, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board of tenders and light vessels may be paid on proper vouchers to the person having charge of the mess of such vessels, reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all $5,000 in any fiscal year, fuel and rent of quarters where necessary for keepers of lighthouses, the purchase of land sites for fog signals, the rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence can not be made permanent, the rent of offices, depots, and wharves, traveling expenses, including per diem in lieu of subsistence allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, mileage, library books for light stations and vessels, and technical books and periodicals not exceeding $1,000, and for all other contingent expenses of district offices and depots and for contingent expenses of the office of the Bureau of Lighthouses in Washington, $2,775,000.

Mr. PARKER of New Jersey. Mr. Chairman, I move to strike out the last word. I make the motion as preliminary to a statement I desire to make leading up to a request for unanimous consent to recur to pages 112 and 113 of the bill to the items respecting Howard University, which were struck out of the bill on a point of order made by the gentleman from Mississippi [Mr. SISSON]. I do so in order that I may call to the attention of the Chair a law which seems to have escaped the attention of the chairman and the members of the committee, and which is to be found in Twenty-seventh United States Statutes at Large, page 327. This law also seems to have escaped the attention of the Secretary in drawing up the estimates, although it is contained in the United States compiled statutes. The Chair will, of course, realize that when there is in the appropriation "for maintenance of Howard University," the question instantly arises in everyone's mind as to whether that means maintenance for just that particular year or maintenance hereafter.

ANNUAL REPORTS AND ESTIMATES.

On those words alone it would be construed as applying only to that particular fiscal year, but I find that in the years 1891, 1892, and 1893 there was a provision for an annual report; that the officers of the institution should report annually to the Secretary of the Interior, and in the year 1892 those words were followed by the statement that the Secretary of the Interior should send in estimates for the next fiscal year. I desire to read the exact words which occur after the use of the words "for maintenance of Howard University," and also providing that part of the money should be paid by the United States and part by voluntary donations. The law of 1892 then reads as follows:

And the proper officers of said university shall report annually to the Secretary of the Interior how the appropriation is expended; and the Secretary of the Interior shall estimate in detail for the next fiscal year the items of expenditure provided for in this paragraph.

Mr. Chairman, I respectfully submit to the Chair that this House would never want to be governed, nor would the Chairman, by the decision which the Chair made without seeing a law which has been overlooked. I submit also that when the law says "annually" it defines the maintenance as being through a course of years and permanent, and not for that particular year, and when, after providing that the officers of the institution shall report annually how the appropriation was expended and that the Secretary of the Interior shall estimate in detail for the next fiscal year the items of expenditure provided for in the paragraph, it is in fact a direction permanently to include this institution in the estimates upon which appropriations are to be made, and therefore construes the words "for the maintenance of Howard University" as though it read "for the maintenance hereafter of Howard University."

I felt it to be my duty to bring this matter immediately to the attention of the committee. I want to say that I am somewhat embarrassed by the absence of the gentleman from Mississippi [Mr. SISSON], whom I do not see in the Chamber at the present time, but when he returns I desire to ask unanimous consent to recur to the items for the purpose of bringing the matter again to the attention of the committee.

Under the leave to extend his remarks, Mr. PARKER of New Jersey submits the following:

The question arises under Rule XXI, clause 2—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuance of appropriations for such public works and objects as are already in progress.

EDUCATION A PUBLIC WORK.

Argument may justly be made that education is a public object. A national university was urged by Washington. Schools are maintained and aided in all of our appropriation bills. This university is in the District of Columbia, a territory wholly sub-

ject to the jurisdiction of the United States, and any school or college within that District is doing a public work for the benefit of the people of that District and for the country.

Appropriations for that public work may be continued under the second clause of the rule.

The university was incorporated by special act of Congress March 2, 1867. (14 U. S. Stats., p. 438.)

It has done a great public work, not exclusively confined to the colored race, but especially among them, and its benefits are admitted by all.

MAINTENANCE IMPLIES CONTINUATION AND IMPROVEMENT.

The appropriation is for maintenance. This very word involves the continuance of previous appropriations.

Maintenance of Howard University means also permanent continuance of that institution. The first meaning of maintenance is "to hold or preserve in any particular state or condition; keep from falling, declining, or ceasing." It does not mean merely to pay expenses.

This appropriation has always included details for tools, book shelving, furniture and fixtures, improvement of grounds and repairs of buildings, and materials and apparatus for laboratories. All these are permanent.

The word "maintenance" is explained by this bill. We have maintenance of the Panama Canal, of the zone, of lights for shipping.

An appropriation to maintain or preserve an institution necessarily involves authority to continue to preserve it, or else it would not be maintained or preserved.

ANNUAL APPROPRIATIONS CONTEMPLATE FUTURE.

The act of 1892 (27 Stats., 372, Aug. 5, 1892) expressly provides for the future, as already quoted, that there shall be annual reports and annual estimates in detail for the next fiscal year. The language as to appropriation for maintenance is as follows:

And the proper officials of said university shall report annually to the Secretary of the Interior how the appropriation is expended, and the Secretary of the Interior shall estimate in detail for the next fiscal year the items of expenditure provided for in this paragraph.

If the officials of the university are obliged to report annually how the appropriation is expended, this certainly is a law authorizing such appropriation, and, if on receiving such reports, the Secretary is to estimate in detail for the next fiscal year, the authority to estimate implies the authority to appropriate.

Certainly the word "annually" ought to be as strong as the word "hereafter."

PERMANENT REGULATIONS "HEREAFTER."

By the sundry civil appropriation bill of July 1, 1898, there was a proviso that no part of that appropriation should be used for the theological department or be paid until the university should give to the Secretary of the Interior or his agents authority to visit and inspect such university and to control and supervise all the moneys appropriated, and then a permanent regulation is made.

The president and directors of the Howard University shall report to the Secretary of the Interior the condition of the institution on the 1st day of July of each year, embracing therein the number of pupils received and discharged or leaving the same for any cause during the preceding year and the number remaining; also, the branches of knowledge and industry taught and the progress made therein, together with a statement showing the receipts of the institution and from what sources and its disbursements and for what objects. (30 Stats., 624.)

Howard University then became a Government institution, with absolute Government control as to its expenditures; and by the sundry civil appropriation bill of March 3, 1899 (30 Stats., 1101), the magic word "hereafter" is used. It is provided that thereafter no part of the appropriation shall be used for the theological department or be paid until the university should give the Secretary of the Interior or his agents full authority and power to visit and inspect the university and control and supervise the expenditure of all the appropriations.

Provided, That hereafter no part of the appropriations made by Congress for the Howard University shall be used, directly or indirectly, for the support of the theological department of said university, nor for the support of any sectarian, denominational, or religious instruction therein: *And provided further*, That no part thereof shall be paid to said university until it shall accord to the Secretary of the Interior, or to his designated agent or agents, authority to visit and inspect such university and to control and supervise the expenditure therein of all moneys paid under said appropriations.

CONTROL WAS EXERCISED.

The institution thereupon became thereafter for all time such a public institution of the District of Columbia and absolutely subject to the control of the Secretary of the Interior, so far as appropriations were concerned.

The United States exercised such absolute power. By the sundry civil act of March 3, 1903 (32 Stats., 1113), a new Freedmen's Hospital building was authorized, the cost to be charged one-half to the District—

Provided further, That the trustees of Howard University shall be required to supply all medical and surgical service without cost to the United States or to the District of Columbia.

That requirement certainly treats them as a public institution, and by the sundry civil appropriation bill of April 28, 1904 (33 Stats., 488), a whole block of 11 acres was retroceded to Howard University on condition that they make to the United States a perpetual lease at $1 a year for the purposes of the Freedmen's Hospital.

Freedmen's Hospital: The appropriation of $50,000 made by the sundry civil appropriation act for the fiscal year 1904 is hereby continued for the fiscal year 1905: *Provided*, That the tract of land lying and being between Sixth and Fourth Streets and between Pomeroy and College Streets, in the city of Washington, D. C., containing approximately 11 acres of ground, be, and the same is hereby, retroceded to Howard University upon the condition that the said Howard University shall make and execute to the United States a perpetual lease for the nominal rental of $1 per annum, and that upon the execution of such lease to the satisfaction of the Secretary of the Interior said Secretary shall cause to be erected on the ground so retroceded and leased the new hospital for freedmen provided for by the act above referred to. (33 Stats., 488.)

By the act of March 3, 1905 (33 Stats., 1190), all moneys paid by the District for charity patients in the hospital shall go to the Secretary of the Interior.

I have confined myself to the statutes. It is hardly needful to go into the history of Freedmen's legislation, of their pay and bounties which remained in the United States Treasury, of the many committee reports urging that this money should be used for the education of colored youth, or of the good work done by this institution. The theological department has been abandoned; the moneys appropriated goes to manual training, schools in science, law, and medicine, and this last school furnishes the physicians for the Freedmen's Hospital free of cost to the United States. (Book of Estimates for 1916, p. 840.)

The statutes contemplate the maintenance of this great public work in the District, its continuance, and appropriation therefor. The institution itself is made subject to the visitation, inspection, and control of the Secretary of the Interior. In the face of all this, objection has been made there were no statutes authorizing the expenditure in this university and that there was no continuance of appropriation for a public work and object that is already in progress. Stranger still, these statutes are not recited in the Book of Estimates, although they are found in the public Compiled Statutes (p. 1278) and in the supplement (p. 384). Stranger still, this does not seem to be known to any member of the Appropriations Committee; and on this objection the paragraph was allowed to go out by default.

DISCONTINUANCE OF APPROPRIATION A GREAT PUBLIC CALAMITY.

It is in a way material to the point of order that the discontinuance of this appropriation would be a great public calamity; it is only such a calamity because it is the discontinuance of a great public work. I print, as an appendix, an editorial in a Washington newspaper of to-day which shows how this matter is regarded by the public:

[From the Washington Times, Saturday, Feb. 13, 1915.]

HOWARD UNIVERSITY.

Closing the doors of Howard University, or seriously impairing its work, will mean a serious backward step in the development of the colored race. One or the other of these effects will be the result of the withdrawal of the annual Government allotment of $101,000 to that institution. Congressman SISSON succeeded in having the House eliminate the item by making a point of order, in the face of open protest of other southern Members.

Howard University has long been criticized for not embarking upon industrial work, similar to that of Tuskegee. Many institutions are now giving such work. Howard is the only institution of its kind in the country affording virtually the same education for the colored students that white academic colleges give white students. Moreover, Howard University has not had the funds to develop its work beyond that outlined when it was founded. But within its present scope it has grown and kept abreast of the times. No one will deny the utility of its splendid medical school, which has sent forth physicians to minister among colored persons, splendidly equipped not only for their professional task but to be leaders among their people.

Congressman SHERLEY, speaking as a southerner, questioned the wisdom of crippling Howard University. He admitted, as will many of its faculty, that an enlargement of its work would be beneficial. But the way to such a growth is not by the withdrawal of Government funds which are practically indispensable to its maintenance.

The National Capital owes a peculiar duty to the colored folk. They are here in large numbers. It was a pointed coincidence that this assault upon the only opportunity afforded here for their higher education should have been made on the birthday of the Emancipator, whose action brought them to Washington in such large numbers. Whatever its limitations in curriculum, no one will deny that Howard University, and the men associated with it, have stood for the progress and betterment of the colored race, and such leaders as Booker T. Washington have frequently testified to its radiating influence among the colored race.

Mr. FITZGERALD. Mr. Chairman, I am in favor of the appropriations for Howard University, but it is contrary to the

practice of the House to grant consent to return to a paragraph taken out of the bill upon a point of order made by a Member unless he is present when the request is made.

Mr. PARKER of New Jersey. That is true. I have not made the request as yet, and I want to reserve the right to make the request when the gentleman from Mississippi returns.

Mr. FITZGERALD. I would not object, and I think the gentleman from Mississippi will be here shortly.

Mr. PARKER of New Jersey. I certainly would like to make the request, but I thought it my duty to bring the matter to the attention of the members of the Committee on Appropriations and to the attention of the Chair as soon as I could, although deferring the making of the request until the gentleman from Mississippi returns to the Chamber may involve repeating something that I have said.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MANN. Mr. Chairman, before the Clerk reads, I move to strike out the last word. This is the item for lighthouses and lighthouse establishments, and carries an appropriation of $2,775,000. Two years ago I helped to pass through Congress a law reorganizing the Lighthouse Service, and it has been said by the department that that law resulted in a saving to the Government of in the neighborhood of a half million dollars a year. A few days ago the House passed a law reorganizing the Life-Saving and Revenue-Cutter Service and called it the Coast Guard Service. When that item of appropriation in reference to the Coast Guard Service came up in the House I stated that, based upon the figures in the bill, the new law would cost the Government $411,200 more for next year than would have been the case if the reorganization law had not passed. The gentleman from New York corrected me and stated that the exact additional expense by reason of the new law was $386,228. I find upon examination that we were both in error, and that the figures which I gave were not large enough; and as his figures were less than mine, he was still further away from the correct fact. The increased cost of the Coast Guard Service by reason of the reorganization is $414,028 for a year, as shown by the estimates.

The appropriation is not increased so much as that, because in making their estimate the department found that it could get along with making use of $7,800 on account of the dockage of cutters appropriation having been larger than necessary, and they could get along without using $20,000 of the appropriation under the act of 1882 as amended; but this had nothing to do with the reorganization. The reorganization of the service under the report of the estimates increased the expense by nearly half a million dollars, or $414,028, and it is an odd circumstance that in making their estimates they make the estimates for clothing allowance as follows: Clothing allowance, 1,997 surfmen, at 45 cents, $89,865. If the 45 cents were in figures with a decimal point, it would be easy to see how they might make a mistake, but as the cents are written out, it is not possible to understand how they could make a mistake, when they meant $45. Of course, clothing allowance, 45 cents to a man, would not amount to much.

Mr. FITZGERALD. The gentleman has been discussing the estimates submitted. The committee added to the amount carried in this bill last year, because of the mandatory provision of the Coast Guard bill, $386,000. If the gentleman can not find the figures in the estimates, I know it was added, because I added it.

Mr. MANN. Well, the gentleman is again mistaken.

Mr. FITZGERALD. No; I am not mistaken.

Mr. MANN. The gentleman added $326,228; his figures are correct; but the estimates state in language that is explicit, "Summary of additional expense, $414,028." From this should be deducted, dockage of cutters, $7,800, and of the items $70,000 for claims arising under sections 7 and 8 of the act of May 4, 1914, is deducted $20,000, which would have been unexpended in any event, because the appropriation was too large, and it was included in one lump-sum appropriation. Perhaps the appropriation is only increased by the amount named; but the additional expense of reorganization is nearly half a million dollars, which is quite in contrast with the half a million dollars which was saved by the reorganization of the Lighthouse Service.

The CHAIRMAN. The pro forma amendment of the gentleman will be considered as withdrawn.

The Clerk read as follows:

St. Johnsbury (Vt.) station and Holden (Vt.) auxiliary station: Superintendent, $1,500; foreman, $1,200; fish-culturist, $900; skilled laborer, $720; four laborers, at $600 each; in all, $6,720.

Mr. MARTIN. Mr. Chairman, I move to strike out the last word. I notice that the usual force for an ordinary fish-cultural station throughout the country seems to be a superintendent and a fish-culturist and two or more laborers. I notice that in some of these that in addition to that arrangement there is also a foreman, or, in some instances, two or more foremen, and an engineer. I would like to ask what is the difference in the requirement or system that necessitates a foreman to be appropriated for at some stations and not at others?

Mr. FITZGERALD. It all depends upon the size and character of the operations carried on. Some have small ponds, others have ponds and hatcheries combined. It depends upon the expensive character of the plant.

Mr. MARTIN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Fish hatchery, Louisville, Ky.: For addition to the Louisville (Ky.) fisheries station, including the construction of buildings and ponds, and for equipment, to be immediately available, $20,000.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee about this increase for fish hatcheries. They were established in the beginning at the amount of $25,000, and there is an increase I notice in some of them. Is that to enlarge the hatchery over the original intention?

Mr. FITZGERALD. I do not know what the original intention was.

Mr. FOSTER. What was the amount of the first appropriation?

Mr. FITZGERALD. Why, it is to provide these accessories necessary for a hatchery, to make workable and useful the hatchery. This is a combined ponds and hatchery.

Mr. FOSTER. Well, I notice on the next page there is one for Saratoga, Wyo., which is $18,000 more. Now, what I want to get at is, when we allow the amount of $25,000 for the establishment of a fish hatchery, is this an increase over the original amount or an enlargement? I mean, is it to complete what was intended to be done in the first instance or to increase the equipment?

Mr. FITZGERALD. When the original appropriation was made there was no limit of cost placed, and there was no limited plan as to what would be done. In the Louisville hatchery the State donated the ground, and the work of establishing a hatchery there was begun. It is estimated that $30,000 will be required to complete it. This bill carries $20,000 of the $30,000. Six thousand dollars is for a hatchery building, $2,000 for a hatchery equipment, then about $5,000 for four breeding ponds, and $7,000 for rearing ponds. This hatchery is so located that they have what is known as the combined hatchery—breeding ponds and hatchery buildings. Without additional facilities the plant can not be utilized in the manner which is desirable and necessary. These plants are not established as the result of some law or some special act, but they are established by items placed on appropriation bills which the House is compelled to accept in lieu of something more indefensible. It comes to a choice of evils, and these fish hatcheries, as they really accomplish some good, are a benefit to people generally, and are accepted in place of something else.

Mr. FOSTER. What I was trying to get at was that these fish hatcheries were established and were supposed to be at a limit of cost.

Mr. FITZGERALD. There never was a limit of cost.

Mr. SHERLEY. If the gentleman really desired information instead of desiring to call attention to the item because I happen to be on the committee, I will say to him that there never has been a hatchery that has been completed for $25,000, and no hatchery probably can be completed for that amount. And this item is two-thirds of the amount that was estimated by the department. The committee did not feel that it ought to allow the $30,000 they asked, and therefore cut it to $20,000. The purpose is to finish the buildings there, so as to have a complete hatchery and have complete breeding ponds for the purpose for which the hatchery was originally established.

Mr. FOSTER. I will say to the gentleman from Kentucky that I did not have a desire to talk about the one at Louisville, Ky., especially; but I wish to know that if the $25,000 is appropriated, it means the station is to be completed for $25,000?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSTER] has expired.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his time be extended for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Or whether that means the beginning and then any amount that Congress sees fit to appropriate in order to complete the station?

Mr. SHERLEY. I can only answer the gentleman by saying that in every instance I now recall the hatcheries have cost over $25,000 before they were permanently equipped. Many have cost many, many times that, according to the magnitude of them. I think it is well for the House to understand that a fish hatchery can not be completed for $25,000 if it is to be a hatchery of any magnitude sufficient to warrant its establishment.

Mr. FOSTER. That is the information I desired to have from the committee, so that it might be understood at the time these fish hatcheries are established.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MOORE. Mr. Chairman, I move to strike out the last two words.

I suppose I should not take advantage of the discussion that has just taken place between the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Illinois [Mr. FOSTER] with respect to the membership of one or the other of them upon any important committee of the House. I think any member of a committee has as much right to have his bills considered as any other member, and that we should all stand for equal rights in matters of that kind. Of course there should be no special privileges to anyone because he happens to be a member of a powerful committee.

But what interests me with respect to these fish-hatchery items is that whereas allowances are made for additions to plants, in that other very important work of making additions to buildings at arsenals, where the business of the Government is being carried on and where there is very great congestion both as to space for machinery and as to the labor facilities for the men and women who are employed there, it is very difficult—in fact, it is sometimes contrary to the policy of some large committees, like the Committee on Appropriations—to make any allowances at all. While in such cases there seems to be very great impropriety in coming in and asking for any additions or extensions which involve economy and a Government saving by reason of the waste resulting from inadequate facilities, the situation is different when it comes to fish hatcheries. Now, it may be more important to erect and to extend fish hatcheries for the purpose of propagating fish than it is to safeguard the lives of the Government's employees in the arsenals. I dispute the proposition, but the inference is drawn from the manner in which these appropriations are made. Probably $75,000 is allotted here to various fish hatcheries for the purpose of making additions and extensions. That $75,000 is intended to pay the salaries of men who are employed at these stations and to erect buildings in order that there may be more spawn and more fish on inland streams. It is all very well; we want the fish; but why should we not have erected certain very important additions to arsenals in certain sections of the country where there is sore need for more working space in order to safeguard the lives of the men and women who are employed in doing the business of the Government?

Apart from that, Mr. Chairman, it is interesting to note that while it is difficult to secure appropriations for these very needful purposes of the Government at the arsenals, we are able to make appropriations for additions and extensions at the hatcheries at a time when we might economize and thus save the administration from the pain of making up a deficit. It is also worth noting that while we can not spend money to safeguard lives and protect the property of the Government at the arsenals we are able to find money not only for the hatcheries but for the purpose of installing a cold-storage plant, apparently to preserve the fish, or fur seals, or something of that kind, in Alaska and on the Pribilof Islands. Now, this is a good thing to remember, when, in the heat and stress of a blistering summer's sun, men and women are forced to stand in the open in an arsenal and do the dangerous work of preparing the implements of war to protect the Government and at the daily risk of being blown into eternity, a part of the money that is being appropriated for hatcheries would give the arsenal workers the necessary relief and put the Government on a par with private employers in the treatment of faithful employees. I would not "carry coals to Newcastle" nor deny cold storage to Alaska. Perhaps they need it up there, but cold storage at Government expense in Alaska to preserve the fish or possibly our fur-seal skins ought not to prejudice the necessary buildings in our arsenals that would give the Federal employees proper protection against the dangers that beset them in their work.

Mr. SHERLEY. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] has just given an exhibition of as unfair and as ignorant a statement as to the facts as it is possible for any human being to give. It is unfair, because he undertakes to impute motives that he would resent if they were imputed to him and which he would not actually stand for and does not seriously mean to imply now. It is ignorant, because it shows a total lack of appreciation of the facts as they exist.

There never has been any disposition on the part of the Committee on Appropriations to deal unfairly with the arsenals of America, but not even the Treasury of the United States could keep pace with the appetite of the gentleman from Pennsylvania, and whenever he is not placated to the extent of 100 per cent of his demands he feels it in order to say something about the motives of other men. He also undertakes to get facetious about an ice plant in Alaska, and talks about the absurd waste of money for such a purpose when men's health and lives are in need or in peril in Philadelphia.

Now, if he had read the RECORD and knew anything about what he was talking about, he would know that the ice plant was for the purpose of preserving food for the people of Alaska, and that it was an absolute necessity for the health of the people there; and instead of its being one of these extravagant wastes that he facetiously talks about, it was just in the interest of humanity and life that the gentleman pretends such a solicitude about. Now, touching the Louisville fish hatchery, I am glad to say this—and I am glad that the gentleman's speech has afforded me an opportunity to say it—that I have been for 12 years a Member of the House, and I have been a member of the Committee on Appropriations for more than half that time, and no instance can be found where I have in any way sought to use my committee position for the special benefit of my district or against any Member or any district. There was put into the sundry civil bill while the Republicans were in control, as the result of a provision inserted in the Senate and concurred in by the House, an item for a hatchery at Louisville, Ky. There was appropriated $25,000 for it. The State of Kentucky gave the land for the hatchery adjoining the State fair grounds, and it is situated just outside the city of Louisville, with ample rail and river facilities, and the city of Louisville has recently built a boulevard around the city that passes through the edge of this property. It is so situated that it will supply conveniently and properly a very large area of the country.

I do not believe that because I happen to be a member of the committee any favor should be shown to this hatchery. On the other hand, I do not believe there should be any discrimination against it or that there is any reason for an attack upon the item because I happen to be a member of that committee. The committee, in considering all the items which go to make up the sundry civil bill, carrying over $100,000,000, of necessity have to reject some and grant others. It is very easy for gentlemen to pick some item that they are not in sympathy with or which they do not think is important and then contrast it with some item that they are concerned in, and undertake to reflect thereby upon the judgment and the motives of the members of the committee. I am always willing and glad to have the action of the Committee on Appropriations reviewed by the House, and the gentleman from Pennsylvania ought to be the last man in the House to make complaint. It so happens that I have been responsible for a greater enlargement of the arsenals of the United States and of the work that is done in the arsenals than any other man in Congress in the last five years, and I have shown no disposition to discriminate. But I repeat that not even the Treasury of the United States is able to keep pace with the appetite of the gentleman from Pennsylvania.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Fur-seal islands, Alaska, cold-storage plant: For purchase and installation of a cold-storage plant on the Pribil Islands, to be immediately available, $3,000.

Mr. MANN. Mr. Chairman, is that word "Pribilof" Islands spelled correctly there?

The CHAIRMAN. No. Without objection, the correction will be made.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF STANDARDS.

Testing of large scales: For investigation and testing of railroad track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post office, navy yard, and customhouse scales, including personal services in the District of Columbia and in the field, $40,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE. Mr. Chairman, while I made no direct reference to the gentleman from Kentucky [Mr. SHERLEY] nor to the Louisville item, so far as I recall, and had no intent to strike out the item, I did have in mind calling the attention of the committee to the fact that economy might be exercised on fishery projects, just as it is exercised upon arsenal projects.

It seems to me the comparison was fair and should not have evoked any special criticism from a member of the Committee on Appropriations. I have the highest respect for the gentleman from Kentucky, holding him to be one of the very ablest and best Members of this House. But he is human, like all other Members of this body, and he stands forcefully and heroically for those projects in which the people of his community are interested. He would be untrue to them if it were not so, and he ought to be thankful to me for having drawn attention to the hatchery matter, which has given him the opportunity to make one of the finest speeches of his career, a speech which was fired with the spirit of economy and a desire to serve the public weal. He did use the word "ignorant" in a manner that might have been regarded as offensive by one who does not love him as much as I do, but I take no exception to that, knowing how little he meant to apply that term to me, and knowing that when he comes to think it over and kneels him down by the side of his little bed to-night to ask forgiveness of his Creator for all his sins he will take it back. I think I know him well enough to say that I do not misjudge him in that regard.

However, Mr. Chairman, while we are discussing the matter of economy, desiring to save money by not erecting too many additions to arsenals and not maintaining the same policy toward the hatcheries, it seems to me we might call attention to one or two of these duplications of Government work that crop up occasionally in a bill of this kind. Here we have the Bureau of Standards, with an appropriation of $40,000 for the investigation and testing of railroad track scales, elevator scales, and certain other things.

In this connection it seems to me that the Bureau of Standards, a very important branch of the Government service, has been neglected, so far as its usefulness is concerned. The large committees of the House have not observed its usefulness with that care which they apply to appropriations intended to develop arsenals and to safeguard the lives of those who are employed therein.

What is the purpose of the Bureau of Standards? It is to do the work of ascertaining weights, measures, values, fixing standards, and so forth, for which we are constantly making appropriations to other departments, as, for instance, with respect to cotton and grain. We make separate appropriations to test, and fix standards for cotton and for grain. If we are going to economize, why have three or four branches of the Government service to do this one line of work? The Bureau of Standards was intended for that purpose. In the bill making appropriations to the Department of Agriculture, which passed the House a couple of weeks ago, we added to the general confusion on this subject. We provided a $5,000 appropriation to test and establish standards for naval stores. Now, when we are economizing with regard to fish hatcheries, and particularly with regard to the arsenals of the country, why do we not also economize with respect to the Bureau of Standards and draw in some of these various and extraneous avenues of employment for Government officials and concentrate the work where it ought to be, with the Bureau of Standards?

I do not know whether I will get a rise out of the gentleman from Kentucky for making this inquiry or not.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. KONOP having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.

The message also announced that the Senate had agreed to the reports of the committees of conferences on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF LABOR.

IMMIGRATION SERVICE.

For enforcement of the laws regulating immigration of aliens into the United States, including the contract-labor laws; cost of the reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 20, 1907, entitled "An act to regulate the immigration of aliens into the United States," and acts amendatory thereof; necessary supplies, including exchange of typewriting machines, alterations, and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States, by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expense of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax upon presentation of evidence showing conclusively that collection was made through error of Government officers; and including not exceeding $2,000 for operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; all to be expended under the direction of the Secretary of Labor, $2,450,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. The Committee on Immigration and Naturalization frequently has before it questions relating to the deportation of Chinese who are unlawfully in this country. Here is an appropriation of $2,450,000 for the general purposes of the Immigration Service, which include—

preventing the unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expense of conveyance of Chinese persons to the frontier or seaboard for deportation.

It would appear from that, and from the general powers conferred upon the Department of Labor and the Immigration Service, that about all the department desires for the treatment of the Chinese in the United States, including their immigration hither and their deportation from this country, is provided for; that is to say, we make an appropriation equal to all their requirements, or all their demands, and to cover this specific service.

Complaints are constantly made to the committee with respect to Chinese, and a number of bills are now under consideration looking to the further deportation of Chinese, to the registration of such Chinese as are in the country, and to the broader question of exclusion. There are some who would like to exclude all Chinese absolutely from the United States. But it would seem, as I say, that in appropriating $2,450,000 we appropriate about all the money that the Department of Labor desires for the purpose of dealing with this question. Yet in the act approved August 23, 1912, to create the Commission on Industrial Relations, which came to this House for an appropriation a few days ago, we find that a part of its province—I will not say its duties, because it was without any particular responsibility, but a part of the work which it has taken to itself—was to inquire into the scope, methods, and resources of existing bureaus of labor and into possible ways of increasing their usefulness; into the question of—

smuggling or other illegal entry of Asiatics into the United States or its insular possessions, and of the methods by which such Asiatics have gained and are gaining said admission, and shall report to Congress as speedily as possible, with such recommendations as said commission may think proper to prevent such smuggling and illegal entry.

With respect to the Bureau of Standards, a moment ago I raised a question as to the duplication of Government work and the duplication of expenditure for Government work in these times of economy. It would appear that we have just appropriated $100,000 for the Industrial Relations Commission to do the exact work that has already been conferred upon the Department of Labor in the Immigration Service. It may be that the Industrial Relations Commission will stir up something or learn of some conditions somewhere of which the Department of Labor itself does not have knowledge. But so far as all we know in the Committee on Immigration and Naturalization, the Department of Labor is as fully informed upon this subject of the Chinese, and the existing Immigration Service is as fully informed as if there were a thousand industrial relations commissions going over the country at the expense of $500,000 for three years. The Department of Labor is in charge of this work, and yet we are called upon to make an additional appropriation of $100,000 to give a handful of men the opportunity to travel over this country, making an investigation at the public

expense of questions upon which the Government officials are already fully informed. While we are discussing economy, it would seem that we might also consider this palpable duplication of public work.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word. I wish to inquire of the gentleman in charge of the bill why it is that they have not given the department the amount of money asked for for this service? I notice that last year the department used $2,649,500, and that the appropriation this year is $2,450,000. I would like to know why there is less appropriated this year than last?

Mr. FITZGERALD. The department will not expend within $300,000 of the appropriation this year, and there is no prospect that conditions will so change in the next year that there will be any larger immigration. The European war has curtailed immigration to this country to such an extent that the department is furloughing its employees in very large numbers, and the committee were of the opinion that there was no prospect that there would be any change in the next year, and so the recommendation was reduced about $200,000. That gives them a margin of $100,000.

Mr. SMITH of Minnesota. Is it not true that on our northern and southern borders a larger force is required to keep immigrants out than there was last year?

Mr. FITZGERALD. They are using more persons there, but even under these circumstances they will not expend within $300,000 of the amount of the appropriation, and the committee recommends $200,000 less than last year, so that leaves them a leeway of $100,000.

Mr. SMITH of Minnesota. Is it intended to abolish the immigration stations?

Mr. FITZGERALD. Oh, no; but the number of immigrants determines to a considerable extent the size of the force. For instance, at New York the number of immigrants arriving has fallen off to practically nothing, so that the large force over there is being discharged or detailed in other places because they can not use all the employees. It is caused by existing conditions. If the conditions should change and there should be a large influx of immigrants, the department would have to have more money, and the committee would be prepared to give it to them.

Mr. SMITH of Minnesota. As I understand, the record shows that there are 60 to 70 per cent less immigrants coming in since the war began.

Mr. FITZGERALD. The falling off is very large.

Mr. SMITH of Minnesota. But that does not interfere with the Naturalization Bureau?

Mr. FITZGERALD. No; we have increased the appropriation for naturalization $25,000.

Mr. SMITH of Minnesota. The committee is of the opinion that the Naturalization Bureau should be given sufficient money so that they can do the work thoroughly?

Mr. FITZGERALD. Yes; we did not give all that they asked for, but we have given an increase of $25,000, which is an increase of 10 per cent.

Mr. SMITH of Minnesota. An increase over the amount given last year?

Mr. FITZGERALD. Yes; and every year we have given an increase for that work.

Mr. SMITH of Minnesota. Recognizing that it is a valuable work?

Mr. FITZGERALD. Yes; within reason such appropriations made as will enable them to be continued properly.

Mr. SMITH of Minnesota. Mr. Chairman, if my time has not expired, I would like to have the letter which I send to the Clerk's desk read in my time.

The CHAIRMAN. Without objection, the letter will be read.

There was no objection.

The letter is as follows:

MINNEAPOLIS, MINN., *February 9, 1915.*

Hon. GEORGE R. SMITH,
Washington, D. C.

MY DEAR JUDGE: As you know, I am not in the habit of writing letters to Congressmen regarding pending legislation, but I want to make an exception this time in respect to the present naturalization service established by Congress June 29, 1906. This service is a wonderful improvement from what it was under the old law and is getting more valuable every day. Applicants for citizenship are commencing to realize that the privilege of being an American citizen means something.

The service in Minnesota, under the direction of Mr. Robert S. Coleman, chief naturalization examiner, St. Paul, is extremely efficient and should by all means be continued.

I have been informed that in the sundry civil appropriation bill the committee in Congress has seen fit to cut the appropriation from that requested by the department and that this matter will be up for action in the House during the present week. I have been credibly informed that the request for the appropriation was cut to the bone by the department under direction of President Wilson and that any further cut, such as is contemplated by the committee, will interfere seriously with the service now instituted. I hope you can agree with this view and that you will be able to give us your help in seeing that the efficiency of this valuable department of the Government is not crippled for lack of funds. Citizenship is beginning to mean something more than it did years ago, when they were herded in at campaign time and rushed through at the expense of some campaign committee, and I feel that any attempt to cripple the department at this time can only be a step backward.

Yours, sincerely,

P. S. NEILSON.

Mr. FITZGERALD. Mr. Chairman, of course that letter was written at the instance of somebody in the Bureau of Naturalization. The man that wrote it does not know what is going on and does not know what he is talking about. Whoever sent it ought to be censured.

Mr. SMITH of Minnesota. It was not sent from the department. It was sent by the clerk of the district court in Minneapolis.

Mr. FITZGERALD. Yes; but the department wrote out there asking him to send the letter. They ought to stop it, and they ought to mind their own business. The gentleman says that he is reliably informed that the request for the appropriation was cut to the bone. He gets his information from the Bureau of Naturalization, who wanted to get more money than they ought to have. Instead of the estimate being cut to the bone, we gave them 10 per cent more than they had last year.

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. J. M. C. SMITH. Can the gentleman tell us how many Chinese were deported last year?

Mr. FITZGERALD. I shall have to look that up.

Mr. J. M. C. SMITH. How much was the cost of deporting them last year?

Mr. FITZGERALD. I shall have to look that up also.

Mr. J. M. C. SMITH. Perhaps the gentleman can tell us, when Chinese come across the line from Mexico or Canada, are they merely sent back into those countries or are they sent back to China?

Mr. FITZGERALD. They must be sent back to the country from which they came.

Mr. J. M. C. SMITH. Sent back to Canada or Mexico. Suppose some steamship company brings then into the country, is there not a law compelling the steamship company to deport them, to take them back without expense to the Government?

Mr. FITZGERALD. Yes. They are compelled to take them back at their own expense and also to reimburse the Government for the cost of subsistence while in the custody of the Government.

Mr. J. M. C. SMITH. What was the sum used for the deportation of Chinese?

Mr. FITZGERALD. This is a consolidated appropriation. Some years ago we segregated the appropriation for Chinese exclusion, but a controversy arose because the entire fund was not expended every year. Then the Immigration Service requested Congress to consolidate the $500,000 for Chinese exclusion with the general appropriation. They said that frequently an immigration inspector at some particular place could very readily be assigned to a Chinese case, whereas if we maintained a force exclusively for Chinese exclusion, it did not permit as effective a force as if the force could be used for that purpose, and for that reason the Chinese exclusion service was consolidated with the general appropriation, so that the department can use all the employees that are necessary under this appropriation for Chinese work.

Mr. J. M. C. SMITH. Is the immigration from China increasing or diminishing?

Mr. FITZGERALD. There is very little Chinese immigration except those smuggled in. That is a profitable business, for it is worth $500 to $1,000 to smuggle a Chinaman into the country, and that is as good as gold bricks.

The Clerk read as follows:

NATURALIZATION SERVICE.

For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stats, L., vol. 37, p 736), and for their actual necessary traveling expenses while absent from their official stations, including street car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem, together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed $5,300 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stats, p. 600), as amended by the act approved June 25, 1910, including an allowance to the clerk of the supreme court for Bronx County, N. Y., for clerical assistance, to be made in the discretion of the Secretary of Labor for the fiscal year 1915; the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, $275,000.

Mr. FITZGERALD. Mr. Chairman, I move to strike all of the language after the word "ten," in line 12, page 151, down to the end of line 15.

The Clerk read as follows:

Amend, page 151, by striking out all after the word "ten," in line 12, down to and including line 15.

Mr. FITZGERALD. That language was inserted last year because a whole year had not elapsed and no allowance could be made for the county of Bronx, but it will not be necessary to continue it any longer.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. MOORE. What is the condition in Bronx County now with regard to naturalization?

Mr. FITZGERALD. Bronx County was created only last year—on the 1st of January.

Mr. CALDER. The 1st of January, 1914.

Mr. FITZGERALD. The allowances to clerks of courts are based upon the receipts for the previous year, and it would have been impossible for the department to make a proper allowance on the half year's business, so that to enable the department to make a proper allowance for the current year this authority was given in the current law, but for next year they will have a whole year's work on which to make the calculation.

Mr. MOORE. In view of what the gentleman said a moment ago about the letter that was handed up by the gentleman from Minnesota [Mr. SMITH], I think it is fair to say that the Bureau of Naturalization has been very busy this past year.

Mr. FITZGERALD. That is true; but those letters are stimulated by the bureau, and the bureau should not do it.

Mr. MOORE. That may be; but they have taken a very deep interest in their work, and I think it is fair to say that.

Mr. FITZGERALD. That is all very well; but I am opposed to, and I condemn whenever it comes to my observation, the action of officials in the departments of the Government at Washington in sending letters to persons throughout the country to get them to write to Members of Congress to try and induce them to increase appropriations, making statements about the action of the Committee on Appropriations which are not true.

Mr. MOORE. I think the gentleman takes a proper committee stand on that question.

Mr. FITZGERALD. As a matter of fact, in 1910, $125,000 was appropriated for this service; in 1911, $150,000; in 1912, $175,000; in 1913, $200,000; in 1914, $225,000; in 1915, $250,000; and for the next year, $275,000. Because the committee did not recommend $307,000 instead of $275,000 these letters have been sent out. If these clerks who are sending this information or misinformation to the clerks of the various courts throughout the country devoted their time to the work of the bureau, they would not be behind.

Mr. MOORE. As to Bronx County, I understand the congestion there is over. Is that the situation?

Mr. FITZGERALD. No. They will make an allowance for clerk hire up there right along.

Mr. MOORE. If the limit is reached, then the question of additional help would come up?

Mr. FITZGERALD. They can allow up to only 50 per cent of their receipts.

Mr. MOORE. I understand; on a basis of $3,000.

Mr. FITZGERALD. Fifty per cent.

Mr. CALDER. Fifty per cent of their total receipts for the preceding year.

Mr. FITZGERALD. Yes.

Mr. MOORE. And the limit of salary taken from fees is $3,000, I think.

Mr. FITZGERALD. Formerly the clerk got a certain amount for himself.

Mr. CALDER. The clerk can now retain for himself one-half of the first $6,000. That makes $3,000 for the clerk.

Mr. FITZGERALD. The bureau makes them expend a certain amount of that for clerical service, and does not allow anything.

Mr. CALDER. Does not allow any more.

Mr. MOORE. That is the clerk of the Federal court?

Mr. FITZGERALD. The clerks of the State courts.

Mr. MOORE. There was a reason for putting this provision in the bill last year; and if I recall, it was that the clerk of the court in Bronx County——

Mr. FITZGERALD. The reason last year was this. The allowance is made on the receipts for the preceding fiscal year. Bronx County was created on the 1st of January, 1914, so that the allowance that could have been made for 1914 would have been based on the receipts for six months, and from the amount of work that was being done there, it would not enable the bureau to give as much assistance as it was believed was necessary, so that this permission was granted the bureau to give a larger allowance for this year than one-half of the receipts of the previous year, because those receipts were based upon a six-months' business.

Mr. MOORE. The whole question, then, is relegated to the department, so far as additional help is concerned?

Mr. FITZGERALD. Bronx County will now be in the same situation as any other county.

Mr. MOORE. The gentleman understands, of course, that in view of the renewed interest in naturalization, and the activity of the bureau, it would be necessary to make other provisions of this kind if we were to continue it with regard to Bronx County. I am seeking information along that line.

Mr. FITZGERALD. Bronx County will get an allowance, under the law, the same as New York County or Kings County or Queens County.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the last word in line 17 be spelled correctly. The word "Labor" is spelled "Labro."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

For fuel, oil, and cotton waste, and advertising for the power plant which furnishes heat and light for the Capitol and congressional buildings, $82,924. This and the foregoing appropriations shall be expended by the Superintendent of the Capitol Building and Grounds under the supervision and direction of the commission in control of the House Office Building, appointed under the act approved March 4, 1907, and without reference to section 4 of the act approved June 17, 1910, concerning purchases for executive departments.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

On page 153, after line 18, insert a new paragraph as follows:

"Panama-Pacific International Exposition. The appropriation of $30,000 made in the sundry civil appropriation act for the fiscal year 1915 for the copyright and patent branch office at the Panama-Pacific International Exposition is continued and made available for expenditure during the first half of the fiscal year 1916."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE.

PUBLIC PRINTING AND BINDING.

Office of Public Printer: Public Printer, $5,500; purchasing agent, $3,600; chief clerk, $2,500; accountant, $2,500; assistant purchasing agent, $2,500; cashier and paymaster, $2,500; clerk in charge of CONGRESSIONAL RECORD at the Capitol, $2,500; private secretary, $2,500 (now being paid from "Printing and binding"); assistant accountant, $2,250; chief timekeeper, $2,000; paying teller, $2,000; clerks—2 at $2,000 each, 7 of class 4, 13 of class 3, 8 of class 2, 5 of class 1, 10 at $1,000 each, 14 at $900 each, 1 $840; paymaster's guard, $1,000; doorkeepers—chief $1,200, 1 $1,200, 6 assistants at $1,000 each; messengers—2 at $840 each; delivery men—chief $1,200, 5 at $950 each; telephone switchboard operator, $720; 3 assistant telephone switchboard operators, at $600 each; 6 messenger boys, at $420 each; in all, $130,460.

Mr. HINEBAUGH. Mr. Chairman, the bill making appropriations for the sundry civil expenses of the Government carries in its appropriation for the Department of Justice an item of $300,000 for the enforcement of the antitrust laws, the total amount appropriated for the department for 1915 being $1,229,580.

The farmers and stock raisers of Illinois and Iowa and other States are interested in knowing what use the Attorney General will make of this item of $300,000, which is appropriated for the purpose of enabling him to enforce the antitrust laws.

That the antitrust laws have been and are now being violated shamelessly by the men who control the live-stock markets has been amply shown by the gentleman from Iowa [Mr. GOOD] and other Members of this House.

On the 29th of January the gentleman from Minnesota [Mr. ANDERSON] introduced the following resolution:

Resolution 715.

Whereas the foreign and domestic price of fresh beef and pork has been advancing during the past six months; and

Whereas such advance would naturally warrant an increase in the price paid for fat cattle and hogs at the stockyards of the country; and

Whereas the domestic price of wheat and other cereals, the sale of which is not controlled by powerful interests in this country, has advanced to the farmer in proportion to the advanced price commanded therefor in our home and foreign markets; and

Whereas the average price of fat cattle at the various live-stock markets in the United States has declined more than $1.20 per hundred during the past six months, and the price of fat hogs at such markets during that period has declined more than $2.20 per hundred, and to a point where the actual cost to our farmers and stock raisers to produce fat cattle and hogs, considering the present price of corn, is in excess of the present market price of fat cattle and hogs at the principal live-stock markets of the United States; and

Whereas there has been no overproduction of cattle or hogs during the past year, nor has there been during the past six months an oversupply offered for sale at the principal stock markets of the United States; and

Whereas it is perfectly evident to anyone familiar with the situation that such live-stock markets are being manipulated and controlled by some powerful interests that are able to depress the price of fat cattle and hogs, and at the same time increase the price of pork and beef to the consumers; that said unwarrantable, unreasonable, and unconscionable depression of such prices can only be effected by an unlawful agreement or practice in restraint of trade in the live-stock industry: Now, therefore, be it

Resolved, That the Attorney General of the United States be instructed to immediately make a thorough investigation of the causes for the unreasonable depression in the price of fat cattle and hogs at the principal stock markets in the United States during the past six months, and that the Attorney General further report to Congress what action has been taken, if any, by the Department of Justice of the United States to secure the conviction of any person or persons for the violation of the antitrust laws of the United States in effecting any depression in the price paid to our farmers and cattle raisers for fat cattle and hogs sold at the principal stock markets of the United States, and if the Attorney General shall find that there has been no violation of the Federal antitrust laws in depressing the price of fat cattle and hogs in such markets, that he report to Congress what additional legislation, in his opinion, is necessary to prevent the recurrence of the intolerable condition herein referred to.

This resolution calls upon the Attorney General to immediately make a thorough investigation of the causes of the unreasonable depression in the price of fat cattle and hogs in the principal stock markets of the country while the price of the finished product, fresh beef and pork, is steadily advancing to the consumer.

This administration has the opportunity of its life to prove that it means business in the enforcement of the laws to punish men for price fixing and illegal combinations, organized for the purpose of controlling the price of food supplies.

On January 1, 1914, the farmers of Illinois owned 1,017,000 milch cows valued at $59,189,000 and 1,216,000 other cattle valued at $43,654,000, or a total of 2,233,000 head valued at $102,843,000. Illinois farmers also owned at that time 4,358,000 head of hogs valued at $47,066,000.

Since the first of December the farmers of Illinois have suffered approximately 48 per cent of the total loss of the Nation on account of the foot-and-mouth disease. Surely, under these conditions they should be entitled to the protection of their Government against unlawful manipulation of the prices of their stock.

The farmers of Illinois feed approximately 85 per cent of their corn to their stock in maturing it. They must therefore look to the profits on stock sold for whatever earnings are to accrue. The answer does not lie in the statement that Illinois farmers should sell their corn and stop growing stock. The Department of Agriculture's table of corn cost shows that the price paid for fat cattle and hogs in Illinois does not cover the corn cost of their production, and yet fresh meats are sailing skyward.

Good farms in Illinois sell for $200 per acre or $32,000 for 160 acres. Add to this at least $3,000 for teams, stock, and farm machinery—making a total of $35,000—the interest on this amount at 5 per cent is $1,750. In addition to that the farmer must pay his running and living expenses. How much money will he have left to pay on his principal indebtedness?

The large sum of money required for the purchase of a farm in Illinois and the slight prospect of ever obtaining it is very discouraging to the average farm boy.

I submit, Mr. Chairman, the farmers of my State and of the Nation are entitled to the active and most energetic service of the department in bringing to justice the financial manipulators responsible for the outrage now being perpetrated against them.

There are 6,000,000 heads of families engaged in the farming business—representing approximately 30,000,000 people, or nearly one-third of our population. They are the food and wealth producers of the Nation and should not be dependent upon or subjected to the criminal operations of a class of men who manipulate the stock markets and food supply for personal gain.

Let this administration show its good faith by running down and driving out of existence this gang of high pirates who choose to add to their dishonest millions more dishonest dollars at the expense of the consumers and producers of the country.

The farmers of Illinois tried to kill the Grain Elevator Trust that for many years controlled the price of grain by going into the elevator business.

Farmers should be entitled to the fair profits on their grain and stock which legitimate demand and supply will create, unhampered by men who desire to grow rich by unlawful price juggling.

On March 3, 1914, in the hearing which was held before the Rules Committee of the House on grain exchanges, a Mr. Drake testified that the grain gamblers of the Minneapolis exchange could depress the market one-half cent by sending in selling orders for 50,000 bushels of wheat, and that the whole amount of the future transactions of these men totaled the enormous sum of $10,000,000,000 each year. In other words, for every bushel of real wheat more than 50 bushels of phantom wheat was sold, and every bushel of future grain sold tended to fix the price received for cash grain.

On page 159 of the hearings above referred to appears the statement that the Board of Trade of Chicago practically controls the Illinois Legislature and the Illinois courts, and that the farmers and shippers of Illinois are powerless. On page 78 of the hearings a written statement by Mr. Greeley was submitted to the committee, which, among other things, contains this language:

Is it to be believed that Congress will not continue to discuss legislation hostile to so-called "legitimate speculation," when the Chicago public warehouse monopoly stands equipped with a passive governor, attorney general, State attorney, railroad and warehouse commission, board of trade directory, board of trade membership, board of trade clearing house, Illinois inspection department, warehouse receipts, possibly free elevators and banking assistance, with an army of so termed "suckers" furnished by an endless system of private wires and blackboard quotations, together with millions of grain raisers scattered in almost every town and hamlet in the country from which to secure dividends? Is any Congress free from censure which will not try to land such a conspiracy in restraint of trade, and will it not be justified in placing such conspirators behind the bars if the commerce so affected is interstate? Is trade in cash grain to suffer because of the lack of honest efforts to eliminate rascality?

Mr. Chairman, in my judgment, this language might well be applied to the men who are now controlling, regardless of the law of supply and demand, the live-stock markets of the country by reason of their vicious and unlawful manipulation of prices. The consumer is required to pay ever-advancing prices for fresh meats, while the farmers and producers are required to sell in a market which does not reflect a proportionate advance.

Who says that fat hogs on February 3, 1914, shall be $8.55 per hundred and on February 2, 1915, $6.85 per hundred in the Chicago market? Who sets the price for this live stock? Does the farmer? Indeed, he does not. The price, as every farmer knows, is fixed by these men who control the live-stock markets of the country, acting in concert and overriding the economic law of supply and demand.

The corn crop of Illinois for the year 1913 was, in round numbers, 282,000,000 bushels. The 1914 crop of the State of Illinois is estimated, in round numbers, at 300,000,000 bushels. The price of the corn which Illinois farmers fed their stock in 1914 was 66 cents on the Chicago market, whereas cash corn on the Chicago market in February, 1915, sold at 79¾ cents a bushel, making a difference of 13¾ cents a bushel on every bushel of corn fed by Illinois farmers in maturing their cattle and hogs.

It does not require an expert mathematician to demonstrate that Illinois farmers who feed their corn to cattle and hogs have lost many millions of dollars by so doing.

In February, 1914, an Illinois farmer received 66 cents a bushel for his corn in the Chicago market and $8.55 per hundred for his hogs. In February, 1915, the same Illinois farmer could get 79¾ cents for his corn and only $6.85 per hundred for his hogs, while at the same time good native steer carcasses and dressed hogs were selling to the consumer at a cent and a half a pound more than they were a year ago.

I submit, Mr. Chairman, that the Anderson resolution should be adopted forthwith by this House and the Attorney General instructed to investigate the live-stock markets of the country and prosecute criminally all offenders against the antitrust laws.

Mr. BARNHART. Mr. Chairman, I move to strike out the last two words, in order to ask a question. I would like to ask the chairman of the committee what provision is made for the medical director at the Government Printing Office?

Mr. FITZGERALD. He is paid out of a lump appropriation.

Mr. BARNHART. Now, Mr. Chairman, I desire to offer an amendment, in line 21, page 153, after the word "Printer," to strike out the figures "$5,500" and insert instead "$6,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 153, line 21, strike out "$5,500" and insert "$6,000."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order.

Mr. GILLETT. Mr. Chairman, I make a point of order.

Mr. BARNHART. Will the gentleman please reserve the point of order for just a moment?

Mr. GILLETT. All right; I withdraw my point of order temporarily.

Mr. BARNHART. Mr. Chairman, after much investigation and extensive hearings the Committee on Printing and the Joint Committee on Printing unanimously decided that it would be

well to increase the salary of the Government Printer from $5,500 to $6,000 and to reduce the salary of the Deputy Public Printer from $4,500 to $4,000. That would harmonize exactly with the salaries paid in the Bureau of Engraving and Printing. It seemed to the committee which had these hearings and which went into the investigation that a readjustment of those salaries was necessary. The salary of the Deputy Public Printer was increased from $3,600 to $4,500 some years ago, when there was a series of disturbances in the Government Printing Office, whereby, as I recall, there were about four different Public Printers appointed and discharged within the period of some 16 or 17 months. The Deputy Public Printer must necessarily be a man of considerable accomplishment; and yet, Mr. Chairman, his salary is so much more than other deputies in offices of the Government, and the salary of the Government Printer is so much lower than the salaries of other Government officials with like responsibilities, that the new printing bill, which passed this House without a dissenting vote, carried a provision that this readjustment of salaries should be made. Now, if a point of order is not made against this amendment to increase the salary of the Government Printer $500, I shall then offer another amendment providing that the salary of the Deputy Public Printer shall be reduced $500, which will leave the appropriation as it is and adjust the salaries so that I think it will be more generally satisfactory and more in harmony with the eternal fitness of things.

The CHAIRMAN. Is a point of order made against the amendment?

Mr. MANN. I make the point of order.

Mr. GILLETT. I make the point of order. The gentleman from New York reserved the point of order, and I supposed he was going to make it.

The CHAIRMAN. The Chair, of course, sustains the point of order, as it changes existing law.

The Clerk read as follows:

For public printing, public binding, and paper for public printing and binding, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving, for both Houses of Congress, the Supreme Court of the United States, the Supreme Court of the District of Columbia, the Court of Claims, the Library of Congress, the Smithsonian Institution, the Interstate Commerce Commission, the International Bureau of American Republics, the Executive Office, and the departments; for salaries, compensation, or wages of all necessary employees additional to those herein specifically appropriated for, including the compensation of the foreman of binding and the foreman of printing; rents, fuel, gas, electric current, gas and electric fixtures; bicycles, electrical vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer (not exceeding $1,500); freight, expressage, telegraph and telephone service; furniture, typewriters, and carpets; traveling expenses, stationery, postage, and advertising; directories, technical books, and books of reference, not stamps, and other machines of similar character; machinery (not exceeding $100,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; and for all the necessary materials and equipment needed in the prosecution and delivery and mailing of the work, $4,400,000.

Mr. SISSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 155, line 8, after the word "Commission," insert the words "the Federal Trade Commission."

The question was taken, and the amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I see the gentleman from Mississippi [Mr. SISSON] is now in the Chamber, and I desire to ask——

Mr. SISSON. Mr. Chairman, I think we had better finish the bill first.

Mr. PARKER of New Jersey. All right, at any time.

The Clerk read as follows:

For printing and binding for Congress, including the proceedings and debates, $1,587,520. Printing and binding for Congress chargeable to this appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress, within the fiscal year for which this appropriation is made.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, we are now reading the printing item, and one of the items is that for printing for the Interstate Commerce Commission, and that reminds me of a recent decision of the commission which is of very great importance to the people of the intermountain West. I am not given to recklessly criticizing judicial bodies or decisions. I am not chargeable with any fault in that regard, and I do not want to be understood now as unreservedly criticizing the decision to which I shall refer, and yet I profoundly regret it. I am not convinced that it is based on equity or that it is fair to the people of the intermountain country. I do not believe it is. The decision to which I refer is one handed down a few days ago by the Interstate Commerce Commission, authorizing the transcontinental railroads to grant shippers from Chicago and points eastward reduced rates on shipments through to the Pacific coast, without at the same time reducing in the same proportion their rates to intermountain points. Now, the intermountain country already suffers from a great many handicaps. It is a handicap to be 1,500 miles from tidewater or from any navigation by water. It is a handicap to be in a country where nature is not as kindly as she is in some other localities. If a community is handicapped somewhat by nature and locality, it certainly should not be further handicapped by those agencies which are established for the purpose of establishing and maintaining transportation conditions that are fair, equitable, and just. The Interstate Commerce Commission bases its decision in this case upon the necessity, as the commission sees it, of reducing the rate between eastern points and Pacific points in order to enable the railroads to compete with the Panama Canal. Now, we of the intermountain West were in favor of building the Panama Canal, and we have done our share to help pay for it, but I do not think that the building of that great waterway should be made the vehicle and means of adding to our burdens. The commission justifies its action by saying that the rates they now make will cover all of the actual outlay, and therefore they are justified in making those rates——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, in order that gentlemen may understand the tenor and effect of this decision, I shall place in the RECORD a clipping from the Washington Star of day before yesterday, as follows:

LOWER RATES DUE TO CANAL TRAFFIC—TRANSCONTINENTAL CARRIERS PERMITTED TO ESTABLISH NEW TARIFFS TO PACIFIC—EXPLANATION OF ORDER IS GIVEN BY THE INTERSTATE COMMERCE COMMISSION—RAILROADS WOULD BE UNABLE TO COMPETE WITH WATER LINES—LOWER THAN TO INTERMEDIATE POINTS.

To meet new traffic conditions which have arisen with the opening of the Panama Canal, the Interstate Commerce Commission to-day permitted transcontinental railroads to establish certain commodity rates from eastern points to Pacific coast terminals lower than those to intermediate points in intermountain territory.

This explanation of the order, which brings into prominent notice the revolutionary effect of the Panama Canal on transcontinental transportation, was made at the commission's headquarters.

"Under the original order in the intermountain case, carriers were required from the Missouri River westward not to charge more to an intermountain point than to a Pacific terminal. East of the river the stringency of the rule was somewhat abated.

"From Chicago to intermountain points the excess charge permitted over the rate to the Pacific terminals was 7 per cent; from Pittsburgh, 15 per cent; from the Atlantic seaboard, 25 per cent.

EFFECT OF SHRINKAGE IN RATES.

"The shrinkage of rates via the canal from New York to San Francisco put the transcontinental carriers in serious straits. On certain heavy commodities, largely moving by water, if the carriers reduced their rates to the Pacific to compete with the lowered water rates, a serious shrinkage in through earnings was inevitable. In addition to this loss on through revenue the carriers would have had to take a double loss on revenue to the intermountain points: First, because the intermountain rates would have to be lowered; and, second, because the percentage over the terminal rates would have been calculated on a lower base.

"Had no additional relief been afforded on intermountain points, an abandonment of much rail carriage from the Atlantic-seaboard territory was imminent, and had additional relief on intermountain traffic not been granted, there was grave reason to think that the Atlantic seaboard in the future would have supplied, by water, the Pacific coast with the commodities in question, and that many industries in the neighborhood of Chicago would have either lost their Pacific customers or have been compelled to migrate to near the Atlantic seaboard.

"In this emergency a greater degree of relief on certain commodities to intermountain points has been accorded by the commission, but only on the commodities in question. The net result of the greater relief is that industries in the Chicago and middle-west section will continue in the business of supplying consumers on the Pacific."

CHANGES IN THE RATES.

The order permits railroads to carry carload freight from Chicago, Buffalo, and New York to intermediate points, 15, 25, and 35 cents higher than from the Missouri River to the same destination, and less-than-carload commodity rates from Chicago, Pittsburgh, and New York to intermediate points may exceed those from the Missouri River to the same destinations by 25, 40, and 55 cents, respectively.

Carload rates on coal and pig iron may be less to the Pacific coast than to intermediate points, but the rates on such articles to the higher rates intermediate points must not exceed 5 mills per ton-mile.

"The Pacific coast terminals to which these rates will apply," says the explanation, "are the points at which the Atlantic-Pacific steamships deliver their freight."

"It is evident from the whole record," says the commission's opinion, "that whatever may have been the degree of competition in the past

between the rail carriers and the water carriers as to the rates on these articles, concerning which additional relief is now sought, we are witnessing the beginning of a new era in transportation between the Atlantic and the Pacific coasts.

RATES MUST BE LOWER.

"To secure any considerable percentage of this coast-to-coast traffic rates on many commodities must be established by the rail lines materially lower than those now existing. As we view it, the Panama Canal is to be one of the agencies of transportation between the East and the West, but not necessarily the sole carrier. If the railroads are able to make such rates from the Atlantic seaboard to the Pacific coast as will hold to their lines some portion of this traffic with profit to themselves, they should be permitted to do so.

"The acceptance of this traffic will add something to their net revenues, and to that extent decrease, and not increase, the burden that must be borne by other traffic. It will also give the shippers at the coast points the benefits of an additional and a competitive service.

"We are of the opinion that these carriers should be permitted to compete for this long-distance traffic so long as it may be secured at rates which clearly cover the out-of-pocket cost."

The commission says that few, if any, of the intervening interests really opposed the petition of the carriers, but that the intermountain territory protested.

The commission suggests that the railroads themselves readjust the so-called "back-haul" rates from the Pacific coast to points inland.

Mr. MONDELL. Now, Mr. Chairman, we all know that if all railroad rates were placed so low that the rates would simply cover the actual outgo, the actual expenditure in carrying the traffic, that the roads would eventually go into bankruptcy, because there must be a fair interest made on the investment. The interest must be paid on the stocks and bonds and other obligations, and to fix a rate on the basis of simply covering and paying for the actual outlay means fixing a rate that burdens some other traffic. And in order to help the Pacific coast, having already all the benefits of tidewater communication, in order to help Chicago and eastern shippers, in order to make it possible for some railroad manager to keep up his volume of business in coast-to-coast traffic, rates are allowed to be made which in the last analysis are a burden on the people who live in the intermountain region. We not only pay for the haulage of our freight and at high rates under present conditions, but we must be further burdened, because the Panama Canal has been built, in order that some one already having the advantage of ocean transportation may have other advantages. We are to be burdened because shippers not willing to adjust themselves to changed conditions want to make us pay for the losses railways sustain in hauling their traffic. It is not fair, it is not just, it is not equitable, in my opinion, and I hope and trust that eventually, and the sooner the better, this decision will be overturned. The commission suggests that not all of those affected by the rates protested, but the intermountain region protested vigorously and protested in vain. Our situation was bad enough, heaven knows, before this last decision, for, like the darky's 'coon trap, the rates heretofore in force caught us coming and going.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. MONDELL. I will.

Mr. McKENZIE. The decision of the Interstate Commerce Commission has not raised the rates affecting your country, has it, or the intermountain States?

Mr. MONDELL. The decision of the Interstate Commerce Commission has not raised our rates.

Mr. McKENZIE. Then you are in no worse position than you have been heretofore?

Mr. MONDELL. We are, for this reason: That every ton of freight hauled on this new lower rate from Chicago and points farther east to the coast is hauled at a loss, and the only place where that loss can be made up is in the rates into the intermountain region. Why, we are already paying a burden with regard to that, because under decisions heretofore made shippers are allowed to charge more for hauling to the intermountain country than a thousand miles farther to the coast.

The rates to the intermountain country are high. Our people have frequently attempted to secure a reduction, but generally in vain. Not only must we prove that a certain rate is unfair and inequitable and that another and lower rate is fair and reasonable and sufficient for the service, but it must also be proven that these lower rates we seek are not unreasonably low or confiscatory when considered in connection with the income from other rates—from these low through rates. If we have had difficulty in securing reductions in the past, how much more difficult will it be to secure reductions in the future with the low, unremunerative rates extended and rendered more unremunerative by this recent order? Further, the more tonnage secured by these low rates the more the loss to the railroads. Some one must make good that loss. It will come out of the intermountain country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. FITZGERALD. How much more time does the gentleman desire?

Mr. MONDELL Five minutes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the paragraph and the amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. Mr. Chairman, if we make a shipment from any eastern point into the intermountain country, we pay as much as though we lived on the coast and from 7 to 25 per cent more, and under this new rule from 15 to 35 per cent more. If we desire a shipment from the Pacific coast, in some cases we pay more on freight hauled only 1,500 miles than is paid on freight hauled clear across the continent.

Mr. BRYAN. Will the gentleman yield?

Mr. MONDELL. The railroads are allowed to burden us both ways. We not only lack the benefits and advantages of water transportation, but a burden is placed upon us because other communities do have the benefits of water transportation. In order to make the benefits of water transportation more beneficial, more helpful to other communities, than they would ordinarily and naturally be, the interior is taxed in order that the shipper may have even greater advantages than his naturally advantageous location gives him.

Now I yield to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. In view of the fact of these injustices the gentleman speaks of, does he not feel that it would be wise for him to join with me on the Government ownership of railroads, so that we can regulate these rates at Washington, the National Capital, and prevent these injustices, and have authority over them?

Mr. MONDELL. I sometimes, no doubt, get a little foolish on some things, but I hope I have not gotten foolish enough yet to imagine that you can secure better freight rates under Government ownership than you may secure under private ownership and Government supervision.

Mr. BRYAN. Does not the gentleman think it would be wise from a legislative standpoint to prevent this phony competition between the railroads and the steamboats, to allow traffic to take its natural course, and to go by water if it can——

Mr. MONDELL. The very thing I am complaining about is action by an agency of the Federal Government, and the gentleman wants more action by the Government.

Mr. BRYAN. But the gentleman is complaining in Congress, and he is acting on the part of the Federal Government.

Mr. MONDELL. Well, I do not want to enter into a controversy with the gentleman in regard to the merits and demerits of public ownership of railroads. I do not think there is an argument that any sane man ought to give consideration to in favor of Government ownership of railroads.

Mr. BRYAN. Of course I addressed the gentleman from Wyoming. I did not refer to anything about sanity.

Mr. MONDELL. I was not especially referring to the gentleman from Washington. If the gentleman from Washington wants to apply my words, of course that is his affair and not mine. But what I am complaining of is this, that this system of allowing lower rates for long haul than for the short haul, a system questionable in its wisdom and in its equity under any circumstances and conditions, as now extended by this decision of the Interstate Commerce Commission tends to lay a burden on the intermountain country, which is already burdened beyond most of the Union in the matter of freight rates. We now pay more per mile for freight coming to us than most sections of the country, and here is a decision which will eventually result in our paying still greater, considering the services performed.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. Under the order all time has expired.

Mr. J. R. KNOWLAND. Mr. Chairman, in view of the remarks just made by the gentleman from Wyoming [Mr. MONDELL], I ask unanimous consent to extend my remarks by quoting extracts from the decision of the Interstate Commerce Commission on the matter of commodity rates to Pacific coast terminals and intermediate points. These extracts will answer some of the gentleman's criticisms. I commend the reading of the full decision, which goes into the whole subject thoroughly.

The CHAIRMAN. The gentleman from California asks unanimous consent to print in the RECORD certain statements. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

[Extracts from decision of Interstate Commerce Commission.]

COMMODITY RATES TO PACIFIC COAST TERMINALS AND INTERMEDIATE POINTS—IN THE MATTER OF APPLICATIONS FOR RELIEF FROM THE PROVISIONS OF THE FOURTH SECTION OF THE ACT TO REGULATE COMMERCE, AS AMENDED JUNE 18, 1910, WITH RESPECT TO COMMODITY RATES FROM EASTERN DEFINED TERRITORIES TO PACIFIC COAST TERMINALS AND INTERMEDIATE POINTS.

[Submitted Nov. 23, 1914. Decided Jan. 29, 1915.]

It is evident from the whole record that, whatever may have been the degree of competition in the past between the rail carriers and the water carriers as to the rates on these articles concerning which additional relief is now sought, we are witnessing the beginning of a new era in transportation between the Atlantic and the Pacific coasts. To secure any considerable percentage of this coast-to-coast traffic rates on many commodities must be established by the rail lines materially lower than those now existing.

It has been suggested that the construction of the Panama Canal by the Government of the United States is indicative of a governmental policy to secure all of this coast-to-coast business for the water lines, and that no adjustment of rates by the rail lines should be permitted which will take away traffic from the ocean carriers which normally might be carried by them. This suggestion, however, loses force under the consideration that the Panama Canal is but one of the agencies of transportation that the Government of the United States has fostered between the Atlantic coast and the Pacific. The Government has from the beginning of railroad construction in the United States encouraged their construction and operation by private capital and enterprise. Some of these transcontinental lines would not have been built had it not been for the liberality the Government extended to them at the time of their construction. As we view it, the Panama Canal is to be one of the agencies of transportation between the East and the West, but not necessarily the sole carrier of the coast-to-coast business. If the railroads are able to make such rates from the Atlantic seaboard to the Pacific coast as will hold to their lines some portion of this traffic with profit to themselves, they should be permitted so to do. The acceptance of this traffic will add something to their net revenues, and to that extent decrease, and not increase, the burden that must be borne by other traffic. It will also give the shippers at the coast points the benefits of an additional and a competitive service.

Few, if any, of these intervening interests are really opposing the petition of these carriers for relief. The intermountain territory, however, is earnestly protesting against the request of the carriers for relief as to the coast rates without adequate provision at the same time for fair, just, and reasonable rates to intermediate intermountain points.

We are of the opinion that these carriers should be permitted to compete for this long-distance traffic so long as it may be secured at rates which clearly cover the out-of-pocket cost. The lowest proposed rate from Atlantic seaboard territory is 65 cents per 100 pounds, applicable on cast and wrought iron pipe in carloads of 40,000 pounds. This gives a per car earning of $260, and upon a basis of a 3,200-mile haul yields a car-mile revenue of 8.1 cents and a ton-mile revenue of 4.05 mills. Since the average ton-mile revenue of these carriers is approximately 9 mills on freight traffic, it is probable that a rate which produces 45 per cent as much as the average pays more than the out-of-pocket cost and therefore does not impose a burden upon other traffic. None of the rates proposed appear, therefore, to be open to the charge that they pay less than the out-of-pocket cost. Many of them are low as applied to the total haul from the Atlantic seaboard, but they are not for that reason low as applied to the haul from the Missouri River. Omaha is nearly 1,500 miles west of New York City, and it is urged that rates that yield some profit over a haul of 3,200 miles must yield a good profit when the traffic is hauled but 1,800 or 1,900 miles. The Union Pacific-Southern Pacific line from Omaha to San Francisco is 1,786 miles in length. The line of the Santa Fe from Kansas City to Los Angeles is 1,809 miles; the Northern Pacific line from St. Paul to Seattle is 1,911 miles. The average haul from the Missouri River territory to the Pacific coast is approximately 1,850 miles.

* * * * * * *

These coast cities always have had, and in all probability always will have, a marked advantage over many of the interior points by reason of their geographical position on the sea and the competition of water carriers from the Atlantic coast and other points. The new situations which have resulted by reason of the building of the Panama Canal gives to these points, however, a still greater advantage that is not natural, but artificial. The United States has provided a waterway across the Isthmus that has resulted in materially decreasing the rates, shortening the time, and increasing the efficiency of the water carriers to and from the Atlantic seaboard. In so far as any reasonable and lawful relation of rates will permit, the benefits of this increased service should be extended to all of the people. It may be said also that a policy of greater liberality on the part of the rail carriers to these interior towns will result in benefit to themselves. Every carload of freight brought from the East and distributed from these interior cities instead of from the coast will effect for the carriers a saving in expense and an addition to their net revenues.

The present coast-to-coast rates of the rail lines and the problem of holding a reasonable proportion of the business to these interior points to the rail lines can only be met on the part of the carriers with rates which will afford the interior points reasonable opportunity to distribute merchandise in contiguous territory.

Will the establishment of such rates lower than the maximum amount the carriers can possibly secure for the traffic produce discrimination against points farther east to which higher rates apply? It is obvious that the low water compelled rates to the coast terminals will inevitably affect the rates to a strip of territory lying along the coast from 200 to 300 miles in width. The adoption of any scheme of rate making that will permit cities lying within this zone to more effectively compete against the coast cities may permit these interior cities to distribute merchandise a little farther east than they would under the present plan, but that apparently will not result in unjust discrimination, for the same rule will apply to all points. That is to say, the rates to all these points will be adjusted on a uniform plan, and the rates will be increased with distance from the coast until they equal the maximum rates permitted to intermountain points. For example, iron articles on which, as heretofore stated, maximum carload rates have been permitted to intermountain points of 75 cents from the Missouri River, 90 cents from Chicago, $1 from Pittsburgh, and $1.10 from New York, bear a rate from Missouri River and many points east thereof to the Pacific coast of 55 cents. Upon the assumption that proportional rates from the terminals are established on this commodity which are, for example, 25 per cent less than the local rates when traffic does not in fact move to the terminals, the rate from the Missouri River to these back-haul points would be reduced by the coast combination wherever 75 per cent of the local rate from the coast terminal to destination is less than 20 cents. The rate from Chicago to the back-haul points would be reduced in all those cases where 75 per cent of the local rate from the terminal is less than 35 cents. The rate from Pittsburgh would be reduced to all points to which 75 per cent of the rate from the terminal is less than 45 cents. Where the carload rate on some of these commodities is 75 cents or more from the Missouri River, it is applied as a maximum to intermediate points. The rates on such commodities from the Missouri River to the back-haul points are therefore unaffected by coast combination. The rates from Chicago, Pittsburgh, and New York would be affected by coast combination to only those points to which 75 per cent of the local rate from the terminal is less than 15, 25, and 35 cents, respectively.

The maximum-rate points would thus be moved a little farther east than if the full local were applied. This would widen the zone affected by the coast rates and extend the benefit of the low rates thereto to territory farther east than at present. The differences by which rates to points on the eastern side of the back-haul territory exceed the rates to points on the western side would be less marked and discrimination against the eastern points be thereby decreased. The same result could be accomplished by the publication of basing rates on these commodities from the territories of origin to the Pacific coast terminals. These basing rates, added to the local rates from the terminals, would determine the rates to back-haul points. It is obvious that there is now, and will be under any scheme of rate making that may be devised to the back-haul territory, some discrimination against points farther east in intermountain territory. This discrimination, however, under the plan suggested, does not appear to be unjust. Each interior point will be given the benefit of its geographical position and rates which apparently are not unjustly discriminatory. The extent to which carriers are hereby relieved from the operation of the rule of the fourth section by this order shall not exceed the degree of deviation permitted herein as between the terminal rates herein approved and the maximum intermediate rates herein authorized, nor shall the aforesaid degree of deviation be exceeded by any changes made in the future unless under further order of the commission.

The method of constructing the rates to the back-haul points above suggested involves necessarily reduction in the rates to such points to a level lower than the carriers have anticipated by their application. The record in this case is not sufficient to afford a basis warranting the commission in prescribing the exact measure of these rates. We shall therefore make no order in regard thereto at this time.

No evidence has been presented in this case to show that it is necessary to apply the coast terminal rates to any points except the ports of call on the Pacific coast at which the Atlantic-Pacific steamship lines deliver freight. We shall authorize these carriers to establish the rates proposed to these ports upon all the articles in the list, excepting those to which exceptions have been noted.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

Mr. SMITH of Minnesota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting an analysis made by the Minneapolis Journal of the rate decision recently rendered by the Interstate Commerce Commission.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to print in the RECORD a certain analysis made by the Minneapolis Journal on the recent Interstate Commerce Commission decision. Is there objection?

There was no objection.

The following is the article referred to:

RAILROADS TO MEET CANAL COMPETITION WITH LOWER RATES—INTERSTATE COMMERCE COMMISSION GRANTS PERMISSION FOR CUT IN THROUGH TARIFFS—MIDDLE WEST BUSINESS TO PROFIT BY DECISION—ATLANTIC SHIPPERS THREATENED TO ACQUIRE ALL PACIFIC COAST TRADE.

WASHINGTON, *February 11, 1915.*

To meet new traffic conditions which have arisen with the opening of the Panama Canal the Interstate Commerce Commission to-day granted transcontinental railroads vital relief by permitting them to establish certain commodity rates from eastern points to Pacific-coast terminals lower than those to intermediate points in intermountain territory.

EARLIER ORDER CHANGED.

This explanation of the order was made at the commission's headquarters:

"Under the original order in the intermountain case carriers were required from the Missouri River westward not to charge more to an intermountain point than to a Pacific terminal. East of the river the stringency of the rule was somewhat abated.

"The shrinkage of rates via the canal from New York to San Francisco put the transcontinental carriers in serious straits. On certain heavy commodities, largely moving by water, if the carriers reduced their rates to the Pacific to compete with the lowered water rates a serious shrinkage in through earnings was inevitable.

DOUBLE LOSS A HARDSHIP.

"In addition to this loss on through revenue, the carriers would, under the original order, have had to take a double loss on revenue to the intermountain points—first because the intermountain rates would have to be lowered, and, second, because the percentages over the terminal rates would have been calculated on a lower base.

"Had no additional relief been afforded there was grave reasons to think that the Atlantic seaboard in the future would have supplied by water the Pacific coast with the commodities in question and that many industries in the neighborhood of Chicago would have either lost their Pacific customers or have been compelled to migrate to near the Atlantic seaboard. The net result of the greater relief is that industries in the Chicago and Middle West section will continue in the business of supplying customers on the Pacific."

NEW TARIFFS OUTLINED.

The order permits railroads to carry carload freight from Chicago, Buffalo, and New York to intermediate points 15, 25, and 35 cents

higher than from the Missouri River to the same destinations, and less-than-carload commodity rates from Chicago, Pittsburgh, and New York to intermediate points may exceed those from the Missouri River to the same destinations by 25, 40, and 55 cents, respectively.

COAL AND IRON RATES LOWER.

Carload rates on coal and pig iron may be less to the Pacific coast than to intermediate points, but the rates on such articles to the higher-rated intermediate points must not exceed 5 mills per ton-mile.

"The Pacific coast terminals to which these rates will apply," says the explanation, "are the points at which the Atlantic-Pacific steamships deliver their freight."

CANAL CHANGES SITUATION.

"It is evident from the whole record," says the commission's opinion, "that, whatever may have been the degree of competition in the past between the rail carriers and the water carriers as to the rates on these articles, concerning which additional relief is now sought, we are witnessing the beginning of a new era of transportation between the Atlantic and the Pacific coasts.

ENTITLED TO PART OF TRAFFIC.

"To secure any considerable percentage of this coast-to-coast traffic, rates on many commodities must be established by the rail lines materially lower than those now existing. As we view it, the Panama Canal is to be one of the agencies of transportation between the East and the West, but not necessarily the sole carrier. If the railroads are able to make such rates from the Atlantic seaboard to the Pacific coast as will hold to their lines some portion of this traffic with profit to themselves, they should be permitted to do so."

The commission says that few, if any, of the intervening interests really opposed the petition of the carriers, but that the intermountain territory protested.

The Clerk read as follows:

For the Smithsonian Institution: For printing and binding the Annual Reports of the Board of Regents, with general appendixes, the editions of which shall not exceed 10,000 copies, $10,000; under the Smithsonian Institution: For the Annual Reports of the National Museum, with general appendixes, and for printing labels and blanks, and for the Bulletins and Proceedings of the National Museum, the editions of which shall not exceed 4,000 copies, and binding, in half morocco or material not more expensive, scientific books and pamphlets presented to or acquired by the National Museum Library, $37,500; for the Annual Reports and Bulletins of the Bureau of American Ethnology, and for miscellaneous printing and binding for the bureau, $21,000; for miscellaneous printing and binding for the International Exchanges, $200; the International Catalogue of Scientific Literature, $100; the National Zoological Park, $200; the Astrophysical Observatory, $200; and for the Annual Report of the American Historical Association, $7,000; in all, $76,200.

Mr. MANN. Mr. Chairman, I reserve a point of order on the language in lines 5 and 6, rating the editions that shall not exceed 10,000 copies. What is the result of that language?

Mr. FITZGERALD. It increases the number of copies. I think the number now is 7,500. The Committee on Printing agreed to this.

Mr. MANN. It does increase the number?

Mr. FITZGERALD. It does increase the number. It increases it by 2,500 or 3,000 copies.

Mr. MANN. I withdraw the point of order, then.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

Provided, That if, in the opinion of the Secretary of War, it should be to the best interests of the United States, not to exceed $50,000 of the foregoing appropriation may be expended for the erection of a building for the installation of machinery to be used in the manufacture of projectiles.

Mr. McKENZIE. Mr. Chairman, I make a point of order on the proviso beginning with line 8 on page 170.

Mr. FITZGERALD. If the gentleman makes the point of order on the proviso, this appropriation would not be of any benefit.

Last year, in making appropriations for ammunition for seacoast-defense cannon, it was pointed out by Gen. Crozier that at the rate at which appropriations were being made $50,000 was required for certain additional facilities, and the fortification bill carried certain sums on the understanding that that matter would be taken up and included in the sundry civil appropriation bill. When the sundry civil bill was under consideration Gen. Crozier was very ill, and the matter escaped everybody's attention. It is connected with this particular item because it is in connection with this character of ammunition that this building is needed. The failure to provide these facilities will simply mean a very considerable delay in the acquisition of very necessary ammunition in connection with our seacoast defenses.

Mr. MANN. This building that is referred to in this paragraph is not a building on the Canal Zone?

Mr. FITZGERALD. Oh, no. It is for a building at one of our arsenals; at one of the arsenals in the United States. It is not on the Canal Zone.

Mr. MANN. Upon what theory is it appropriated for here?

Mr. FITZGERALD. We pay for these tools and appliances and the like out of the appropriation for the ammunition. At first it was suggested that a separate appropriation be made for the building, but afterwards it was included in this way.

Mr. MANN. I can not understand the purpose. I supposed this was a building on the Canal Zone.

Mr. FITZGERALD. Gen. Crozier, when he appeared before the Committee on Appropriations last year, stated that if an appropriation for ammunition was made at a certain rate he would require additional facilities and would ask that $50,000 be provided for the building. He said that would be taken up on the sundry civil bill. When the sundry civil bill was reached Gen. Crozier was very ill, and the matter escaped our attention. He came before us this year and called our attention to it, and said that it could as easily be paid out of this appropriation as out of a similar appropriation in the fortifications bill, and that the facilities are necessary.

Mr. MANN. Why should it be charged to the Panama Canal?

Mr. FITZGERALD. It will not be charged to the canal.

Mr. MANN. Certainly. Here is the appropriation.

Mr. FITZGERALD. No; the fortification items are eliminated from the cost of the canal items.

Mr. MANN. Well, it is for the fortification of the Panama Canal.

Mr. FITZGERALD. If the gentleman wishes it to go out, I have no objection.

Mr. McKENZIE. Mr. Chairman, I would like a moment in which to give my reasons.

Mr. Chairman and gentlemen, I might say that as a member of the Committee on Military Affairs I have joined very heartily in the plan of building up a reserve, not only of arms but of ammunition, for the protection of our country in case of an attack, and I said in that committee that I thought that one of the things that we ought to do was to provide for buildings and equip them with machinery for the manufacture especially of field and coast artillery ammunition; that it would be a better investment and would give us a better reserve than to manufacture and keep on hand such a large amount of ammunition.

I am in favor of that, but I am also in favor of constructing these additional new buildings at the Rock Island Arsenal. And I want to say that that is not because I am one of the Representatives from the State of Illinois, but because I believe that the great central arsenal of our country should be located far into the interior, and I will be glad to see it built there.

However, that is not my principal objection to the item as it now stands. My principal objection is to our giving the power to the Secretary of War to determine where this building is to be constructed or erected.

Mr. FITZGERALD. It is to be constructed at the Watertown Arsenal. The reason for that is that this is the best metallurgical plant. The furnaces and parts of the plant are there already, and this is to provide some additional facilities for that plant.

Mr. McKENZIE. Will the gentleman allow me to ask him this question: If it is to be built at Watertown Arsenal, why not say so?

Mr. FITZGERALD. I have no objection to saying so. There was no desire to conceal it. I say that to the gentleman so that he will have the information.

Mr. McKENZIE. With all due respect to the Secretary of War, I think it is the part of Congress to determine rather than allow him to determine where buildings shall be constructed.

Mr. FITZGERALD. If we provided $50,000 for this building at the Rock Island Arsenal, it would be of no benefit, because they would have to provide a number of additional facilities that are not now at Rock Island but which are at Watertown. It would be useless to put part of the plant at Watertown, Mass., and another part of the plant at Rock Island, Ill., and then expect anybody to manufacture under any conditions.

Mr. SHERLEY. Mr. Chairman, the gentleman should remember that all of these arsenals have distributed among them a certain character of work. That has been a matter of evolution, and the Ordnance Department is infinitely better able to determine where it can do a particular kind of work than this Congress can be. As a matter of fact, Rock Island ought to complain least, because there has been more enlargement of Rock Island and there will be more enlargement there than at any other arsenal. That is due to two facts. One is that there you have unlimited power, practically, and the other is that you have land, and the other arsenals are crowded for land and have a less economic power in some cases. But they make up in other particulars, some of them by the skilled mechanics that they have available for certain types of work. But to undertake to place a building, without regard to the work that the arsenals are now doing, would simply be to waste your money.

Mr. McKENZIE. I might say to the gentleman from Kentucky that I do not consider it would be a waste of money. I think it would be well to have more of these buildings, and to have them equipped with the machinery.

Mr. SHERLEY. But this building is for a concrete purpose, and it is needed now.

Mr. McKENZIE. I understand, and my recollection is that Gen. Crozier stated before our committee, when we discussed this very question——

Mr. FITZGERALD. Your committee did not discuss this question, because it has not jurisdiction over the kind of projectiles that are to be made. These are for coast-defense guns.

Mr. GILLETT. Does the gentleman think he is as impartial a judge of what is for the best interests of the country as the Secretary of War?

Mr. McKENZIE. I will not put that up to myself.

Mr. GILLETT. I understand the reason of your objection is that it ought to go to Rock Island.

Mr. McKENZIE. If the majority of the Members of Congress felt that way, then it ought to go to Rock Island.

Mr. GILLETT. Does not the gentleman think the Secretary of War is much more apt to determine it impartially, than even the Members of this House, as to what is best for the country?

Mr. FITZGERALD. Is the gentleman from Illinois going to make the point of order? If he wishes to do so, I hope he will.

Mr. McKENZIE. If you want to amend, and state where it is to be built, I might withdraw the point of order.

Mr. FITZGERALD. The department wants it at the Watertown Arsenal.

Mr. McKENZIE. If you want to put in an amendment, and submit to the House the question where is shall be built——

Mr. FITZGERALD. If the gentleman does not want it to go there, it ought not to go anywhere.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. FITZGERALD. It is useless to provide a building at some other arsenal, when part of the plant is located there.

Mr. MADDEN. He says amend it, and put in Watertown.

Mr. McKENZIE. If you will amend it, I will withdraw the point of order. I am opposed to giving the Secretary of War or the Secretary of the Navy such power.

Mr. FITZGERALD. After the word "building," in line 11, on page 170, I will offer an amendment to insert the words "at the Watertown Arsenal."

That is where the building is designed to be located, and that will meet the gentleman's objection.

Mr. SHERLEY. Mr. Chairman, I desire to say that I have no objection to that amendment, but I have very serious objection to the viewpoint of the gentleman from Illinois [Mr. McKENZIE] as to Congress determining these matters. If any abuse has been pronounced, it has been the abuse of individual Members of Congress undertaking to have Government plants established in their districts or their localities, not because the plant ought to be put there but because it was to the interest of a particular community. We have had constant illustrations of that kind in connection with Army posts that ought never to have been built and never would have been built if it had not been for the political power of individual men in connection with the making of appropriations for the Army. Now, to undertake to say here in Congress that we are the judges, and that we are capable judges of where various manufacturing operations should be carried on, is to say what I do not believe. I undertook to point out yesterday, in connection with the Alaskan railroad, what I believed to be the true rule. Congress, by virtue of its very size, is best able to determine questions of policy; but Congress, by virtue of its very size, is unable properly to determine matters of administration pure and simple; and for us to undertake to determine where a given thing shall be made, where the seacoast cannon shall be made, where the rifles shall be made, where the ammunition shall be made, is to undertake to determine what we are incompetent to determine and what we never would determine purely on its merits, but it would become a proposition of one section bidding against another and offsetting an appropriation for one part of the country with an appropriation for another part of the country. The trouble is that men insist on looking on these things as local when they are national. The country is interested in having the work done properly and as cheaply as it may be.

Mr. McKENZIE. I want the gentleman to understand that I do not represent the Rock Island Arsenal. It is not in my district. I have no personal interest in the matter whatever, but I want to ask the gentleman from Kentucky [Mr. SHERLEY] if he does not believe it would be good policy to have our greatest arsenal in the interior of our country, far removed from any possible attack by an enemy?

Mr. SHERLEY. Yes and no. I think it is of value to have the Rock Island Arsenal, and I think it is of value to develop it. I have undertaken to help in that movement, but I do not think it follows that because it is in the central part of the country it should be given always the preference over others. There are certain kinds of work that should be done on the coast rather than in the interior because of the saving of freight.

Mr. McKENZIE. I want to say to the gentleman from Kentucky that I agree with him perfectly in the matter of political pull. I am opposed to it all along the line, and I know the simple fact that a man is Secretary of War or Secretary of the Navy does not make him immune from influence any more than anyone else.

Mr. SHERLEY. I thoroughly agree with that statement, but there is nothing in the history of the Ordnance Department that warrants the belief that they are going to expend money at one arsenal as against another because of any ulterior purpose.

Mr. CURRY. Mr. Chairman, I have no objection to the manufacture of projectiles at the Watertown Arsenal. I think there ought to be two Government manufactories of projectiles—one on the Atlantic and one on the Pacific coast. I believe the manufacture of projectiles on the coast to be for the best interests of the Government, on account of the saving of the transportation cost of the projectiles. It has been stated that the Watertown Arsenal is the only arsenal that has a sufficient amount of land.

Mr. SHERLEY. No one has made that statement. I said it had more land, and therefore would go through a larger development than the others.

Mr. CURRY. The Benecia Arsenal and Barracks have 339.7 acres.

Mr. SHERLEY. I hope the gentleman will not undertake to develop any plea for Benicia Arsenal, for it might require statements about that arsenal that would not be very flattering.

Mr. CURRY. I am prepared to answer any questions the gentleman may ask, and to go into details regarding the economic reasons for the development of Benicia Arsenal. So far as power is concerned, while the Benicia Arsenal has not its own power, it has cheaper power than any arsenal or public plant in the United States except, possibly, Rock Island. We pay 1 cent a kilowatt, and that is about as cheap as you can manufacture it. The Benicia Arsenal ought to be developed. It is the only arsenal on the Pacific coast, and the failure of Congress to develop that arsenal and properly care for it has cost the United States millions of dollars in the past and will cost it millions of dollars in the future if it does not take care of it.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Chair can not entertain an amendment until the point of order is disposed of. The Chair understood the gentleman from Illinois to withdraw his point of order.

Mr. McKENZIE. I do withdraw it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Page 170, line 11, after the word "building," insert the words "at the Watertown Arsenal."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

In all, specifically for fortifications and armament thereof for the Panama Canal, $2,639,048.30.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Last year we carried a provision with reference to the disposition of moneys received from rents, fees, fines, and various other things. What has become of that?

Mr. FITZGERALD. We discontinued that and practically add the estimated amount to one of the appropriations.

Mr. MANN. That money is to be covered into the Treasury?

Mr. FITZGERALD. Yes.

The Clerk read as follows:

SEC. 2. That until the close of the fiscal year 1916, when any material, supplies, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal is no longer needed, or is no longer serviceable, it may be sold in such manner as the President may direct, and without advertising in such classes of cases as may be authorized by him.

Mr. COOPER. Mr. Chairman, I reserve a point of order against that section. I want to ask if that is in the existing law?

Mr. FITZGERALD. It has been carried several years and is in the current law. It was found that certain equipment

used in the Government work on the canal could be disposed of by negotiation with persons who are engaged in construction work of different kinds in South American countries much more advantageously than it could if advertised and sold at public auction.

Mr. MANN. This is practically asking for a selling agent—to send somebody around to see if they can not sell it?

Mr. FITZGERALD. Yes; and it has resulted in getting beneficial terms. Instead of making it permanent, we have carried it from year to year, so that when the time comes when the bulk of the equipment has been worked off the authority will no longer be given. As the gentleman knows, all the equipment has been charged into the cost of the canal and the more that can be obtained for it now the more credit there is. The matter is very carefully guarded.

Mr. COOPER. Mr. Chairman, I would not like to see a similar policy adopted in regard to other property owned by the Government of the United States.

Mr. FITZGERALD. This is only for the fiscal year.

Mr. COOPER. This provides that equipments heretofore or hereafter purchased or required for the construction of the canal may be sold, and so forth. It may be entirely serviceable, it may be just as good as when it was new, and yet here is an authority to sell it by private sale. If that sort of thing should obtain generally, it would open a way to all sorts of improper things and frauds.

Mr. MANN. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MANN. I think we will all agree thoroughly with what the gentleman from Wisconsin says, but this was the situation on the canal: We had a large lot of equipment there—railroad equipment and otherwise—that might be useful somewhere. It did not pay to bring it back to the United States and advertise it for sale. They could not get anybody to go down there and examine it for bids to any extent, and it was proposed to pass a law giving the President authority to employ some one to go all over the world and sell it without restriction as to time. That was not thought desirable, but it was thought desirable two years ago to put in this temporary provision and see how it would work out, and if there were any objection to it it would automatically cease. As a matter of fact, they have railroad machinery that is worthless down there, worthless up here, because it is not of the standard size, and they have other things there of that kind. They have been able to get some one to watch out where they are adding new improvement work at different places in the world, sending to people who want the machinery and who are willing to take it at a higher price than could be obtained in any other way.

Mr. FITZGERALD. Among this is a large number of locomotives.

Mr. MANN. As I understand, there has been no abuse of it. Of course it would not do at all to apply it to the general Government service. We are all agreed about that, and it seemed more desirable to carry it here from year to year than it was to give permanent authority.

Mr. COOPER. I understand the force of the gentleman's statement, yet it does not convince me at all as to the desirability of this sort of legislation. Here are locomotives, here is valuable material which may be in condition for long use, and we propose to permit its disposition at private sale. It is said that the President will take care of it. The President is thousands of miles away from the Panama Canal, and he must depend upon the statements of somebody.

Mr. MANN. Mr. Chairman, if the gentleman will permit, it is practically a question of trying to sell it for something for a particular use or selling it for old junk. It saves money, that is all.

Mr. COOPER. I do not think so, with all due respect to the gentleman from Illinois. That statement would apply anywhere else. There is no more reason, in my judgment, why the man who will buy this at private sale would not bid for it if there were an advertisement of public sale any more than there would be in any other case in the disposition of public property.

Mr. FITZGERALD. Mr. Chairman, there are a large number of locomotives that no one would purchase for use as locomotives, because the gauge is 6 feet.

Mr. COOPER. Then advertise them and say here are a lot of locomotives at such and such a price.

Mr. FITZGERALD. They would be bought for scrap. They are holding them, and as construction is being undertaken in various South American countries they suggest to the people that if they will build instead of the standard-gauge track a track of 6-feet gauge they could make arrangements to sell locomotives to them at a price that would be profitable to the canal and profitable to the people doing the work.

Mr. MANN. They say that it has been very profitable.

Mr. FITZGERALD. I will ask the gentleman to either make the point of order or let us proceed.

Mr. MONDELL. Mr. Chairman, if the gentleman will permit, I would suggest to the gentleman from Wisconsin [Mr. COOPER] that the last time I was in Panama I talked with Col. Goethals and some of the other canal officials in regard to this very matter. I saw great lines of these worn engines and cars, a lot of rails, and other material of one sort and another. I became convinced that if we were to advertise all that stuff for sale we would get very few bidders and low bids. There would be very few buyers, but it did seem to me that if we had the stuff all listed and people going down there could see the material and buy such part as they desired and could secure it without having to wait for a sale, we might sell quite a quantity of it and at a very good price. As a matter of fact, I understand they are getting fair prices for what they have sold, considering the value of the material. My own opinion was that under the conditions in Panama they would get more for the material at private sale than they would if they were to advertise it.

Mr. COOPER. Mr. Chairman, that same argument would apply to any other material for which the Government of the United States does not have immediate use. The same argument would apply to material in the United States proper.

Mr. MONDELL. Oh, no.

Mr. COOPER. Certainly it would.

Mr. MONDELL. Panama is a good many miles away and not easy to reach.

Mr. COOPER. If the Government of the United States has not immediate use of property, and it will list it, according to the gentleman's statement, people would come and look at it and buy it, or say what they would give for it.

Mr. MONDELL. If the material were where people could reach it and see it without traveling a great distance at a considerable cost and spending a lot of time, it would be entirely proper to advertise, and that would be the way to do it, but this involves a five-day trip down to Panama and a five-day trip back. People may not be able to go at the time of the sale.

Mr. COOPER. The man who buys this at private sale goes and looks at the property, and he must make that five-day trip down and five-day trip back.

Mr. MONDELL. If he does, he can buy the material right then and there, the minute that he arrives. He does not have to wait for a 30-day advertisement and all that sort of thing. But it is not absolutely necessary for a purchaser to go there at all.

Mr. COOPER. No; but if you advertise, he would make the five-day trip at the proper time. I object to this provision.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. COOPER. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

SEC. 3. That in measuring vessels for the purpose of imposing and collecting tolls at the Panama Canal and for other purposes the measurement shall be determined in all cases by the Panama Canal rules, and the maximum and minimum tolls for vessels of commerce prescribed in section 5 of the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912, shall be based on net tonnage as determined by said Panama Canal rules.

Mr. J. R. KNOWLAND. Mr. Chairman, I make the point of order on the provision that it changes existing law as to the levying of tolls.

This proposed legislation is an attempt to legalize the levying of a toll upon deck loads of vessels, thus discriminating against Pacific coast shipping interests. The Panama Canal act provides that the tolls when based upon net registered tonnage for ships of commerce "shall not exceed $1.25 per net registered ton." The President, by proclamation, fixed the toll rate for vessels of commerce at $1.20 per net registered ton. This toll has been collected and in addition an added charge has been made for deck loads, which is clearly contrary to law.

Lumber vessels do not load to their full capacity below decks, because of the convenience, particularly in the handling of long lengths, in utilizing the deck space. It requires less time to load and discharge. For this reason they do not load to a full capacity below. It should be borne in mind that a vessel is charged upon its full net registered tonnage, whether it is loaded to its full capacity or only carries half a load. Say a half of a load was carried below. It would be possible, should this authority be given—an authority now being illegally exercised—to collect a toll for the full net registered capacity of the ship and for the deck load in addition. It is bad enough for the owners of American ships to pay a toll through this Amer-

ican waterway, without being compelled to pay an amount greater than the law contemplated. Under the Suez Canal rules it is specially provided that "deck loads" are not comprised in the measurement. The navigation laws of the United States provide that nothing shall be added to the gross tonnage for any sheltered space above the upper deck, which is under cover and open to the weather—that is, not inclosed. (R. S., 4153, Mar. 2, 1895.)

The charge has been made that unsafe freak ships might be constructed. This could be easily regulated. The Suez Canal rules prohibit the overloading of decks. For these reasons I insist on the point of order.

The CHAIRMAN. Does the gentleman from New York care to be heard on the point of order?

Mr. FITZGERALD. Mr. Chairman, it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

SEC. 4. That the Joint Land Commission established under article 15 of the treaty between the United States and the Republic of Panama, proclaimed February 26, 1904, shall not have jurisdiction to adjudicate or settle any claim originating under any lease or contract for occupancy heretofore or hereafter made by the Panama Railroad Co. of lands or property owned by said Panama Railroad Co. in the Canal Zone, and no part of the moneys appropriated by this or any other act shall be used to pay such claims.

Mr. DIXON. Mr. Chairman, I make the point of order that this is new legislation.

The CHAIRMAN. Does the gentleman from New York care to be heard?

Mr. FITZGERALD. No; but I will offer an amendment in lieu of it.

The CHAIRMAN. The point of order is sustained, and the gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 171, in lieu of the section stricken out insert:

"SEC. 4. No part of the money appropriated by this act shall be used for the payment of salaries or expenses of the joint land commission established under article 15 of the treaty between the United States and the Republic of Panama in adjudicating or settling any claim originating under any lease or contract for occupancy made by the Panama Railroad Co. in the Canal Zone or for the payment of any award made by said commission on account of any such claims."

Mr. DIXON. Mr. Chairman, I make the point of order on the amendment.

Mr. FITZGERALD. Mr. Chairman, I ask for a ruling. I think it is a limitation on the appropriation.

Mr. SIMS. Mr. Chairman, I would like to submit an inquiry to the gentleman from New York.

Mr. FITZGERALD. I wish the Chair would rule on the point of order first.

Mr. SIMS. It is concerning this very proposition.

The CHAIRMAN. The Chair is of opinion that the amendment is a limitation, and overrules the point of order.

Mr. SIMS. Mr. Chairman, I think I know, but I would like to have the gentleman from New York [Mr. FITZGERALD] give the reasons why he thinks this amendment proper, so that it may go into the RECORD at the point where the amendment is offered.

Mr. FITZGERALD. Mr. Chairman, in the depopulation of the Canal Zone, due to raising the water, the Panama Canal Railroad has made certain leases at Gatun and Cascades, and when the order was issued to depopulate the zone those leases were revocable at will. The persons who had them—the natives there—had erected temporary shacks, some places with a little patch, and were declining to move unless they were compensated. There was no legal obligation upon the part of the Government, but the attorney for the Panama Railroad Co. found it was easier and better to pay some trifling sums to these persons and have them move out. A short time ago the joint land commission decided it should have jurisdiction of all those cases, and insisted on their being brought before the commission for adjudication rather than be settled in this way. The result will be that a number of claims upon the zone, with no foundation whatever, which could be adjusted and cleaned up by some trifling payment, must be brought before the joint land commission. They must sit there and hear the statements and review each case, and then determine if they have any claim. Well, the members of this commission receive $15 a day and $10 for expenses. They will get enough of these claims so that it will be a very profitable undertaking, so far as the commission is concerned, but a very expensive and useless proceeding, so far as the Government is concerned.

Mr. SIMS. The gentleman has also considered the question in connection with the Panama Canal treaty. Does the gentleman think there is anything in that——

Mr. FITZGERALD. All of these claims, if they are brought before the commission, will be decided against the claimants, and the only effect of the ruling of the commission is that it will stimulate the presentation of a great volume of claims they have to pass upon. It is notorious there is no foundation for claims against the Government, but it will lengthen the life of the commission.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 5. That in prescribing regulations under the provisions of section 5 of the sundry civil act of August 1, 1914, the President shall provide that in lieu of furnishing to the auditor individual detail collection vouchers, not provided for in said regulations, two competent persons, one from the office of the Auditor for the War Department, designated by the auditor, and one from the office of the Comptroller of the Treasury, designated by the comptroller, shall be sent semiannually, at such time as may be designated by the comptroller, to the Canal Zone to examine the accounts and vouchers and verify the submitted schedules of collections and report in triplicate to the Auditor for the War Department, the Comptroller of the Treasury, and the auditor of the Panama Canal; and such persons shall make such other examination into the accounts of the Panama Canal as may be directed by the comptroller, and for all such purposes they shall have access to all records and papers pertaining thereto. Such examination and inspection shall be made for the period covered by the persons designated as soon as practicable, and the report of such persons shall be promptly filed. Such persons shall be furnished their transportation going and returning, including meals, and be paid a per diem of $4 from the day of sailing from the United States until return thereto, both days inclusive, in lieu of subsistence on the Isthmus and all other expenses, out of such appropriation for the Panama Canal as may be designated by the governor.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman from Illinois [Mr. MANN]——

Mr. COOPER. Mr. Chairman, I reserve a point of order on the section.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. SMITH of Minnesota. I wish to ask the gentleman from Illinois [Mr. MANN], knowing that he is familiar with the conditions on the Panama Canal Zone, whether or not it is possible to use any considerable portion of the equipment on the Panama Canal Zone in the construction of the railway in Alaska?

Mr. MANN. I do not think it is possible to use very much, and they do not think so.

Mr. SMITH of Minnesota. During the debate last summer on the Alaskan railway bill it was asserted, as I remember, that that was quite possible and feasible.

Mr. MANN. My recollection is—I am not sure I am right about that—that when the Isthmian Canal Commission reported upon this subject, as they did, men who had been engaged in construction work down there reported in the neighborhood of a million or a million and a half dollars' worth of equipment which possibly might be used for the Alaskan railroad. I should doubt it would be as much as that, yet it might be. Most of the equipment down there is either iron railway locomotives or cars which are not of standard gauge. The standard gauge is 4 feet and 8 inches, whereas the Panama Canal gauge is 5 feet in width; but, still, some of them can be readjusted, and would be valuable. Now, the other machinery that they have down there is largely excavation machinery of a kind and character that will not be worth anything at all in Alaska. Of course, some incidental things they could use.

Mr. SMITH of Minnesota. I thank the gentleman.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. COOPER. Mr. Chairman, I reserve a point of order. Before I speak to that, however, I would like to ask the gentleman from Illinois if there are not a considerable number of dredges down there which could be used in work in this country?

Mr. MANN. Well, they have a good many Bucyrus steam dredges with large shovels that would be of use in this country or elsewhere, although most of the dredges they have there with the large shovels can not be used in very many places. The 3-yard dredge is fairly good in various places. They have some now with 15-yard dippers. Of course, they would not be of use anywhere else in the world except there. The 5-yard is not so good in most places in this country; but those dredges which could be used are a valuable asset.

Mr. COOPER. I have heard it said by one who ought to know that some of these dredges and some of the excavating machinery could be used to great advantage in the improvement of the Mississippi River at a very great lessening of the expense and with very great benefit, and expedite, if I may use the word, the project for the lower river.

Mr. MANN. If the gentleman will permit, some of the dredges that are in the water and work under water might be

of advantage with reference to some of the river and harbor improvements of this country; but they have a demand for them down there, and it will be a long time before they are through. In those places they are using them to excavate the slides, and the slides will be with us, I expect, until the gentleman from Wisconsin and myself are laid on the table.

Mr. FITZGERALD. Those are for maintenance purposes.

Mr. COOPER. Some are to be retained for maintenance purposes, but I do not think all are to be retained.

Mr. MANN. They use them in connection with the slides.

Mr. FITZGERALD. And they will be used on the coast channels and other parts. They are proposing to buy a new one now.

Mr. COOPER. I want to ask the gentleman from New York as to why this change is proposed in section 5?

Mr. FITZGERALD. The Comptroller of the Treasury decided that the audit of the accounts of the transactions on the canal, the papers and other transactions, should be sent to Washington, to be passed on here. That is practically impossible; so Col. Goethals and the Comptroller of the Treasury took the matter up and worked out this system by which the original audit will be made by the auditor for the Canal Zone. And then twice a year a representative of the office of the Comptroller of the Treasury and a representative of the Auditor for the War Department, under whom these accounts come, shall visit the zone and make an examination, just like an examination of accounts in a commercial business. It was a matter in which it was difficult to determine just what should be done. The comptroller at first thought that on every commercial transaction a voucher should show the cost to the Government and the profit. There was no possible way that could be figured out. And to transmit all of the papers in connection with every transaction would so multiply the work connected with the canal it would not only be expensive but very unnecessary. So the Comptroller of the Treasury and Col. Goethals, when he was here last month, went over this matter and worked out this arrangement, that the auditing might be done by the auditor on the Canal Zone; and in order that there might be a proper check, one representative of the Auditor of the War Department and one representative of the comptroller should twice a year visit the Canal Zone and check over these accounts.

Mr. COOPER. Col. Goethals was of the opinion that this was the better way?

Mr. FITZGERALD. That this was the only practicable way they could work it out, and they have gotten together on the matter and agreed to it.

Mr. COOPER. I am disposed to yield to the opinion of such a man as Col. Goethals, reenforced by the gentleman from New York [Mr. FITZGERALD], but, generally speaking, I do not believe in auditing things 2,000 or 3,000 miles from the seat of government.

Mr. FITZGERALD. The advantage really is to audit a transaction at the place where it occurs, the same as with a great commercial business.

Mr. COOPER. We compel postmasters and collectors and all that sort of people to send their accounts here to Washington to be audited.

Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That appropriations herein for printing and binding shall not be used for any annual report or the accompanying documents unless the copy therefor is furnished to the Public Printer in the following manner: Copies of the documents accompanying such annual reports on or before the 15th day of October of each year; copies of the annual reports on or before the 15th day of November of each year; and complete revised proofs of the accompanying documents and the annual reports on the 10th and 20th days of November of each year, respectively. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, or the Comptroller of the Currency.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I intended to ask a question in reference to the preceding paragraph, as to sending auditors to the Isthmus. The language reads:

Such persons shall be furnished their transportation going and returning, including meals, and be paid a per diem of $4 from the day of sailing from the United States until return thereto, both days inclusive, in lieu of subsistence on the Isthmus and all other expenses.

Upon what theory do we furnish transportation and meals to a man going from New York to Colon and then pay him $4 a day for subsistence besides, or, when we furnish his subsistence in kind, why do we pay a commutation for it in addition?

Mr. FITZGERALD. I do not think we should pay it while they are on the boat, except there are some additional expenses on the boat. I do not believe they should get the per diem while they are on the boat.

Mr. TOWNSEND. Is there ever a bridge whist game on the boat?

Mr. STAFFORD. There would be if the gentleman were there.

Mr. MANN. This will not amount to a great deal, probably, but there are a great many cases in the Government service where we furnish either subsistence in kind or a per diem, and I would hate to see us start in on the plan of furnishing both at the same time, because that would amount to a good deal in some cases.

Mr. FITZGERALD. It only amounts to about $50.

Mr. MANN. I know it does not amount to very much here, but you can not make a precedent of this kind and stop. I am not going to offer an objection at this time, however.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 8. That all sums appropriated by this act for salaries of officers and employees of the Government shall be in full for such salaries for the fiscal year 1916, and all laws or parts of laws to the extent they are in conflict with the provisions of this act are repealed.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to return to page 33 to offer an amendment in connection with a matter about which the gentleman from Illinois inquired.

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to page 33 for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 33, line 12, strike out the word "notes" and insert in lieu thereof the word "currency."

Mr. FITZGERALD. Mr. Chairman, I inquired of the Bureau of Engraving and Printing, and this corrects the matter that the gentleman from Illinois called attention to.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I offer another amendment in connection with the same matter.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 38, in line 5, strike out the word "securities" and insert in lieu thereof the word "currency."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to return to page 61 to provide for a motor-propelled vehicle at the Chickamauga National Park.

The CHAIRMAN. Is there objection to the request of the gentleman from New York to return to page 61 for the purpose of offering an amendment?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 61, line 7, after the word "of," insert the words "one motor-propelled and one."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, on yesterday we passed a provision in the Reclamation Service until to-day. A provision has been prepared, after consultation with the Reclamation Service, which I think is acceptable to the gentleman from Wyoming [Mr. MONDELL] and acceptable to the gentleman from Missouri, who demurred, and acceptable to myself, a neutral. If the gentleman from Wyoming [Mr. MONDELL] will withdraw his amendment, I will offer this amendment to strike out the paragraph and insert the following.

Mr. MONDELL. Mr. Chairman, I withdraw the pending amendment to the paragraph.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] withdraws his amendment to page 106, which was passed over, and the gentleman fram New York [Mr. FITZGERALD] offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the paragraph beginning with line 1 and ending with line 5, on page 106, and insert in lieu thereof the following:

"No work shall be undertaken or expenditure made for any lands for which the construction charge has been fixed by public notice, which work or expenditure shall, in the opinion of the Secretary of the Interior, increase the construction cost above the construction charge so fixed, unless and until a valid and binding agreement to repay the cost thereof shall have been entered into between the Secretary of the In-

terior and the water-right applicants and entrymen affected by such increase cost, as provided by section 4 of the act of August 13, 1914, entitled 'An act extending the period of payment under reclamation projects, and for other purposes.'"

The CHAIRMAN. The Chair would like to state that the gentleman from New Jersey [Mr. PARKER] has a unanimous-consent request which the Chair will put to the committee. The gentleman from New Jersey asks unanimous consent to recur to page 112, to the items concerning Howard University, which were stricken out on a point of order. The gentleman asks that that ruling of the Chair be vacated, and that the committee return to that item and reconsider it. Is there objection?

Mr. SISSON. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Mississippi objects.

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise and report the bill favorably to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. J. R. KNOWLAND. Mr. Chairman, pending that, I ask unanimous consent to extend my remarks in the RECORD in explanation of the point of order made against a paragraph of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, I ask unanimous consent to extend my remarks on the subject of Howard University.

The CHAIRMAN. The gentleman from New Jersey [Mr. PARKER] asks unanimous consent to extend his remarks in the RECORD on the subject of Howard University. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] moves that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, had directed him to report it back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

DESIGNATION OF SPEAKER PRO TEMPORE FOR TO-MORROW.

The SPEAKER. Before the Chair puts that question, he desires to designate Mr. WALSH, of New Jersey, to preside to-morrow.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PENSION APPROPRIATION BILL.

Mr. BARTLETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 21161, the pension appropriation bill.

Mr. GREENE of Massachusetts. Mr. Speaker, pending that I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BARTLETT. And pending my motion, Mr. Speaker, I would like to inquire of the gentleman from Illinois [Mr. HINEBAUGH], who is the ranking minority member, if he desires to enter into any agreement about general debate on the bill? I have a good many requests for time on this side of the House, without taking into consideration any time for myself to explain the bill or make any remarks about it, for about three hours. I have requests for about two hours and five minutes, not including members of the committee or including the time I would like to occupy myself, so that it seems to me that almost three hours on this side is requested.

Mr. HINEBAUGH. Three hours would be satisfactory to this side.

Mr. BARTLETT. That would be six hours of general debate. That is the gentleman's suggestion—three hours to a side?

Mr. HINEBAUGH. Yes.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to six hours, three hours to a side.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Georgia [Mr. BARTLETT] asks unanimous consent that general debate on this bill be limited to six hours, one-half of the time to be controlled by himself and the other half to be controlled by the gentleman from Illinois [Mr. HINEBAUGH]. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion to go into the Committee of the Whole House on the state of the Union for the consideration of the pension appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Indiana [Mr. CLINE] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21161, the pension appropriation bill, with Mr. CLINE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21161, the pension appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes.

Mr. BARTLETT. Mr. Chairman, the bill is short, but I ask unanimous consent that the first reading of it be dispensed with.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTLETT. Mr. Chairman, just a word in reference to the bill.

Mr. MANN. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman a question. It is now a quarter to 3 o'clock. I am not sure that all the time in general debate will be used, but I take it that it is quite certain that the gentleman will not have the bill ready to-night for amendment.

Mr. BARTLETT. Yes. The gentleman can go on that assumption that we will not.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. Certainly.

Mr. STAFFORD. How long does the gentleman contemplate running to-night?

Mr. BARTLETT. I am not disposed at this time in the week, after the continuous attention that the House has given to the business during the past week, to press the bill to an unusual hour, because, in my judgment, we have ample time to pass the appropriation bills in the House. If there were any necessity to keep the House in session to an unusual hour I would not object, but there is nothing to be accomplished by it.

Mr. STAFFORD. There will be no question but what the bill will be gotten out of the way by Tuesday next?

Mr. BARTLETT. I apprehend the gentleman understands that Monday will not be occupied by this bill. I have no question that the bill will be finished some time during Tuesday. There are some amendments to be offered by gentlemen of the committee which will probably provoke some discussion. Otherwise I do not know that there is any reason to take very long after the general debate is over.

Mr. STAFFORD. Then we are to understand that the committee will not run very late this afternoon?

Mr. BARTLETT. Down my way even plowhands are entitled to some part of Saturday afternoon off, and I think Members of Congress ought to be entitled to as much.

Mr. Chairman, I started to say that I would not occupy the time of the committee in any detailed explanation of this bill at the present time. The bill carries $165,000,000. Since the hearings were had before the committee further investigations have been made, and I have a letter from the Secretary of the Interior which will justify us in reducing that amount to $164,000,000 at least, and that amendment will be offered.

I now yield one hour to the gentleman from Texas [Mr. DIES].

[Mr. DIES addressed the committee. See Appendix.]

Mr. HINEBAUGH. Mr. Chairman, I yield 25 minutes to the gentleman from Maryland [Mr. LEWIS].

Mr. LEWIS of Maryland. Mr. Chairman, I am not vain enough to think that I can add anything of value to the general philosophy applicable to the subject of the remarks of the distinguished gentleman from Texas [Mr. DIES]. Nor am I vain enough to think that I can even restate the form of such philosophy to improve its application this afternoon. There are a few things, however, that I wish to say, not in defense of socialism, not in defense of individualism, not in defense of communism, for none of these principles in their proper field of application needs any defense at all. I know it is the habit of superficial talkers, if not superficial thinkers, to classify themselves and others as socialists and individualists or communists, and then in a word and in a moment determine and solve every problem before society. I want to say that in any real sense there are no socialists, there are no communists, there are no individualists in this Congress to-day, or, rather, to state it more accurately, every one of us is a combination of all three.

There is not a man here who would assign the farm and the factory and the grocery store to socialistic action. There is not a man here who would assign the public school and the public road to the field of individualism. I hope there is not a man here who would take from the post office the functions that it has so beneficently discharged in the last hundred years all over the world.

Socialism represents the Postal Department, communism the roads and the public schools. The maxim of communism is, "To every man according to his need; from every man according to his power"; and so the bachelor and the childless taxpayer is taxed to maintain the public schools. The same maxim is applied by the State to the public roads, and it collects the cost of their maintenance from the taxpayer whether he has automobiles or wagons to run over the roads or not. In the post office the socialistic maxim, "To every man according to his deed" is applied, and there we pay for what we get, and the worker is supposed to be paid according to the value of his service.

The rule of individualism implies the field of individual initiative and capital, with no interference from the State except to enforce contracts and protect the citizen in the enjoyment of what he calls his own. Now, organized society has never been able to get along successfully as a one-idea or one-fingered institution, and has had to employ all three of these principles and doubtless will always continue to do so. It is for the publicist and political economist to decide from time to time after careful examination and analysis of the particular facts and circumstances whether an activity which the citizen can not conduct for himself, according to the rules of private finance, shall be conducted by society under the rules of public finance.

Around each of these principles is a set of shibboleths and aphorisms which were designed as battle cries of their partisans to characterize themselves or their foes. What I protest against this afternoon is the inconsiderate use of these sayings, that really start nowhere and get nobody anywhere—this light aphorist, the man with the mouth full of maxims and apothegms, which he shoots out at you upon all occasions, which are mere substitutes for thought by statesmen, mere short cuts to conclusions, which only avoid particular labor, work, and study of political problems, so essential for their wise solution. A favorite aphorism among the class active this afternoon is "the least government is the best government." If you can say that "the least government is the best government," then you have disposed of all progressive problems for a hundred years. You will leave the Government just where Jefferson left it, completely crystallized and with no development, utterly oblivious of the complete change of social relations and the revolution in human affairs. Can not such gentlemen understand that what may be a philosophy in one age may become a mere prejudice in another age? Can not gentlemen understand that the idea of "the least government is the best government" applied to France before the Revolution represented, in a brief statement, the most magnificent philosophy of human freedom, but applied to our day has become a mere prejudice and often a mere barrier in the way of human progress? [Applause.]

The man who invented the aphorism, when he invented it, performed some service to society and enabled groups to think and express themselves with facility; but the man who applies it indiscriminately to our problems, and in these days, is only standing in the way of progress and employing it as a mere substitute for investigation of particular problems.

Let us take, for example, the shipping bill the immediate incitement, I presume, for the most witty address you have just heard. You can settle that question very readily if you will just think of the right apothegm, the right aphorism, and that happens to be "the least government is the best government," which is on the lips of every monopolist and exploiter of special privilege. But, good God, what would it mean so applied, gentlemen of the House? Here are the rates on the ocean to-day that run five to ten times the normal rates. Suppose the transportation agencies inside the country were to suddenly raise their rates five or ten times, would you have a filibuster and the aphoristic statesman on your hands, or have a revolution of the most dangerous character? [Applause.]

But because it happens to be out on the ocean, invisible to the provincial eye, is it to be dismissed? Let us see. Transportation, after all, has been recognized for centuries as representing a field in which the Government found one of its first duties. It went so far as to adopt the communistic principle in order to put a road to every man's door. Is that duty to be utterly neglected on the ocean? Let us analyze the case. We can not regulate ocean rates through the Interstate Commerce Commission, unfortunately, because the carrying property is not the property of citizens of this Republic, and because representing alien property, as it mostly does, its right to do commerce, its right to bring shipments here and take them away, is protected by innumerable treaties. We are unable to use the instrumentality of regulation, therefore, in that field as we have done with the railroads.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield for a question?

Mr. LEWIS of Maryland. Yes.

Mr. HUMPHREYS of Mississippi. To what treaty provision does the gentleman refer that would prevent the Federal Government from regulating oceanic rates?

Mr. LEWIS of Maryland. I am unable to refer now to any special treaty. I am giving my opinion that the treaty relations of the country would prohibit it at this time.

Mr. BRYAN. The gentleman will remember that the subsidy, so called, given under the Underwood tariff bill could not be put into effect because of treaties with foreign nations.

Mr. LEWIS of Maryland. I am convinced there are complications, diplomatic and probably economic, which prevent this Government employing regulation as one of the instruments of relief. What are we to do? Here are transportation rates ten times normal. The hog is in the garden of our commerce, and this Democracy, now responsible to the people, in some fashion ought to get that hog out. She is going, perhaps, to tangle her skirts and muss up the aphoristic statesmen in doing it, but the duty is present, and this administration ought to be applauded for the courage with which it meets problems so presented instead of impliedly being denounced as the author of all kinds of fantastic, irresponsible socialism.

Mr. Chairman, the gentleman saw fit in his omnibus characterization of governmental action to take up the subject of the telephone and the telegraph, a subject with which my own labors here in the House have been peculiarly associated. It is true that every country in the world, democratic, monarchical, republican, and what not, has treated the electrical communication the same as the letter communication, and that that function has been postalized throughout the world. Let me make a sensational statement this afternoon. I do not usually indulge in that habit, but I am going to take the liberty to do so now.

The business man of the United States has to pay as much to ship a long-distance telephone communication over the wires of our country as he has to pay to ship a ton of freight over the rails. I mean that the scale of telephone charges for long-distance purposes amounts to 6 mills a mile, while the railroads get 7 mills a mile for carrying an average ton of freight, so gentlemen can see how very weighty their conversations sometimes are—over the telephone, at least.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of Maryland. Yes.

Mr. STAFFORD. If that long-distance telephonic charge is unreasonable, why does not the Interstate Commerce Commission under the powers vested in it under the Mann Act exercise those powers and make a reasonable rate?

Mr. LEWIS of Maryland. Why, gentle shepherd, tell me why. Why? Because the whole theory of regulation is nearly worthless, applied to certain kinds of monopoly, and you can not secure through the theory of regulation—in the postal field—the kind of rates and the kind of service that the postal function can give you if it is allowed to do so. Regulation is not a substitute for competition or postal action. Why do the express companies to-day not carry a pound parcel for a nickel? Because they can not do it. They are losing money on 21 cents, the low-

est rate fixed by regulation. I can give the gentleman the facts about these things, if the House would have the patience to listen to them, but my purpose in rising this afternoon was, so far as least as one member of the majority party is concerned, to express an emphatic dissent to this implied denunciation of the administration.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield further?

Mr. LEWIS of Maryland. Yes.

Mr. STAFFORD. But in the case of express companies the Interstate Commerce Commission, though laggard for many years, did exercise that power and reduce the rates, and it did lower the exorbitant charges and make reasonable charges.

Mr. LEWIS of Maryland. It reduced the 25-cent rate to 21 cents, and Postmaster General Burleson reduced his rate to a nickel. He is making money at a nickel rate, and the express companies to-day are losing money at a quarter.

But that is the trouble with this whole problem. I am not implying that the gentleman from Wisconsin [Mr. STAFFORD] illustrates it. These gentlemen who have their stock aphorisms and apothegms can not ever be gotten to investigate particular facts. The votary of that easy philosophy does not need to examine facts. He never needs to discriminate or distinguish human conditions and circumstances. He has an aphoristic arrow that he can shoot straight to the star of the ideal solution any moment you give him a chance to talk. Take the telegraph business, for example. Of course Government operation must be uneconomical. That is fundamental with the aphorists. Well, in Australia to-day the cost to the Government of shipping a telegram, over a country as large as our own, is just 27 cents on the average. It costs the American companies 48 cents.

I am not speaking of rates; I am speaking of cost of service to the companies that conduct it. And, moreover, the number of telegraph stations in that country are about seven to one as compared with this. I want to say that while it may not always be true, when a private financier is given a complete monopoly of the field you are going to have two results in all probability. One result is the highest rates, rates that will cut down the traffic and service to society. The other is uneconomical service, the lowest product per dollar expended—and our telegraph agencies illustrate this very principle. This means low operative efficiency. I mean in the work done by the employees engaged therein. The private monopoly does not get as much product out of the employee as postal monopolies are getting, and that is true of the telephone monopoly and of the telegraph monopoly as well.

Mr. CAMPBELL. Will the gentleman yield?

Mr. LEWIS of Maryland. I will.

Mr. CAMPBELL. Upon what authority or information does the gentleman make the statement that the telegraph operatives of this country are less efficient than the operatives in other countries?

Mr. LEWIS of Maryland. I will give the gentleman the specific facts. The function of telegraphic institutions is to handle telegrams, and the number handled per year per telegraphic employee in New Zealand amounts to 4,000. The number handled per year per telegraph employee in the United States amounts to 2,900. The number of telegrams per office in the United States, upon which the operative had a chance to make a record, was some 41 per day. It was only 12 in New Zealand. The telegraph monopoly of the United States is absolutely reeking with functional inefficiency, while it charges rates that run from two to four times those of other countries.

Mr. CAMPBELL. Have the investigations of the gentleman led him to inquire as to the number of telegraph offices per capita of Australia and the United States?

Mr. LEWIS of Maryland. Seven times as many there as here. [Applause.]

Mr. CAMPBELL. Seven times as many offices?

Mr. LEWIS of Maryland. Yes, sir; compared to population. I know these facts sound incredible to gentlemen, and they will sound incredible to any school that has been instructed by an aphoristic school-teacher. Of course the Government can not do anything efficiently; of course it can not do anything economically, he thinks. It is against all the philosophy of the aphorist. Our point of view in these matters ought not to be determined by aphorisms that ought to be in the grave with the heroes who made them 100 years ago.

A Member of Congress, responsible to the Nation, ought to be willing to dig into the facts for conclusions and not merely doctor the great American patient with cheap aphorisms. [Applause.] Take the Bell system. Nobody denies its magnificent development. It collects nearly half of the telephone revenue of the world. I have no prejudices against it; but it is a fact at the same time that the postal telephone systems of the world, with rates about one-half per message, are getting nearly twice as much product out of their employees as the Bell system is getting out of its employees. Why? Because its rates are so high that the machine can not be fully utilized. On the long-distance lines abroad the rates run from one-fourth to one-eighth what they are here, and the result is those lines are utilized 10 per cent of their maximum potentiality. Here we utilize only 4 per cent of the possible maximum. Of course the aphorist has no time or need to take into account mere humble facts and human circumstances like these. Now I want to say to gentlemen who think they are going to shut off the progress of humanity with shining claptrap and characterization that there is growing up in this country some protestants. The responsible radical has come. He has no simple rules by which everything can be solved, but he studies the field and examines the facts and circumstances, and from that examination constructs his conclusions. He reports to the president of the company that a bridge is rotten and ought to go down. The aphorist would burn it down and take his time to build a new one, but the responsible radical will leave that bridge stand until a new bridge is constructed, so that traffic will not stop for a moment.

Now, I want to say that kind of a man is coming into the field of government the world over. His idea is to march forward. His philosophy embraces all men. I have no patience with the philosophy that fits only the strong man, the fine man, the man with superior mind or muscles. It is the philosophy of the jungle, that does not take into account the weak brother whom every moral system, and especially our own Christian system, takes into account, and whom our own social aspirations and our own fundamental laws as well take into account, as inseparable members of society. The gentleman said that he was utterly opposed to the doctrine that the Government owed any man a job. Of course, stated in that way here, we all would be opposed to it. But at the same time it is immutably true that the jobless, houseless, farmless, landless man is entitled to an opportunity to earn his bread and keep from starving. That is an inevitable implication from his membership in society and his right to live.

I know this truth is written in every conscience here this afternoon. Now, we have not been able so far to define this ethical right in terms of law. It is our misfortune and his misfortune, too. But the ethical right exists, and future generations of statesmen will write it in the form of law despite the aphorist and his easy philosophy.

Now, gentlemen of the House, I am for the administration in this matter. [Applause.]

Mr. GORDON. Will you let me ask you a question right there?

Mr. LEWIS of Maryland. Yes.

Mr. GORDON. Where do you find any warrant in the Constitution of the United States to engage the people of the United States in the business of carrying goods, wares, and merchandise for hire upon the open sea?

Mr. LEWIS of Maryland. The Supreme Court a half dozen times has affirmed it.

Mr. GORDON. The Constitution, I said.

Mr. LEWIS of Maryland. I will let the Supreme Court be my witness. They are pretty safe researchers in constitutional law. Half a dozen times, I will say to the gentleman from Ohio, the Supreme Court has decided that the Government can take all instruments of interstate and foreign commerce, condemn them, and operate them for its own purpose. The legal authority would seem to be the least questionable feature of the subject. The economical side of it is new and might be questioned, but the legal authority is clear.

Mr. GORDON. Of course, you do not answer me the question. I ask you to point it out in the Constitution. On what clause of the Constitution does the Supreme Court base all this authority?

Mr. LEWIS of Maryland. On the clause which provides for the regulation of interstate and foreign commerce.

Mr. GORDON. Would you cite that case?

Mr. LEWIS of Maryland. The last case is the case of Wilson against Shaw, who was then Treasurer of the United States, and may be found in Two hundred and fourth United States Reports, page 24, decided within the last 10 years.

Mr. WEBB. It is Wilson against Shaw, in the Two hundred and fourth United States Reports.

Mr. PLATT. Does the gentleman imply that gives the Government of the United States the right to condemn a ship?

Mr. LEWIS of Maryland. If it is an instrument of interstate commerce and American property——

Mr. PLATT. But if it is an instrument of foreign commerce?

Mr. LEWIS of Maryland. Equally so. If it were not used in interstate or in foreign commerce, the right might be questioned.

Mr. CALLAWAY. One question. You compared the necessity for highways by saying that the Government, first realizing that necessity, provided public roads over which the people could carry their stuff.

Now, there can be no comparison at all between undertaking to carry their freight in bottoms and merely preparing roads over which people could carry their stuff. The high seas would be the equivalent of the roads over which the stuff goes. To carry freight in bottoms would be equivalent to furnishing them transportation to haul their stuff over roads on land.

Mr. LEWIS of Maryland. Well, the physical comparison may be somewhat inexact, but the gentleman should remember that in nearly all other countries the State has provided not only the roads, but the vehicles themselves.

Mr. CALLAWAY. There is one further question that I want to ask the gentleman, and that is if he has gone into the facts so that he is able to compare this Government with that of Germany? I understand there are fundamental differences between the formation of this Government and that of other Governments, and I wanted to know if the gentleman had looked into that, so that he could give the House when he discusses that thing later a dissertation on our Government, formed as it is, as compared with other Governments, taking into consideration the voter, who is interested in drawing his salary and retaining his job here, as compared with like employment of similar men in other countries.

Mr. LEWIS of Maryland. I will say that I have heard that question discussed. In Germany, for example, it was said there was a class accustomed to command and another class accustomed to obey, and they could secure efficiency in those matters when we could not. I have tested that out in only one respect, and that is in comparing our postal establishment with theirs. Our postal establishment takes as its unit of service the number of mail pieces, and when you take the number of employees and divide them into the number of mail pieces handled in the United States in 1912 we find they averaged some 60,000 per employee. Our postal employee ranked away ahead of all other nations in that respect, including Germany, so that the supposition that our postal establishment is economically inefficient in comparison with that of other countries is not sustained.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from South Dakota?

Mr. LEWIS of Maryland. Yes.

Mr. MARTIN. Do I understand the gentleman to say that the Supreme Court of the United States in numerous cases has held that the power exists in the Federal Government under the Constitution to take over and operate the instrumentalities of interstate commerce?

Mr. LEWIS of Maryland. Yes.

Mr. MARTIN. Will the gentleman have the kindness to attach a list of those cases to his remarks?

Mr. LEWIS of Maryland. Yes. Another case is that of the Monongahela Navigation Co. case, 148, page 34. The cases are given in Nichols on Eminent Domain, section 23.

Mr. LEVY. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of Maryland. Yes.

Mr. LEVY. Do I understand that the Interstate Commerce Commission has no control over our shipping?

Mr. LEWIS of Maryland. None over foreign shipping.

Mr. LEVY. I understood the gentleman to say that, and I wondered, because the Interstate Commerce Commission has control over commerce.

Mr. SISSON. Mr. Chairman, will the gentleman yield to me for one question?

Mr. LEWIS of Maryland. Yes.

Mr. SISSON. As to the efficiency of our Postal Service as compared with that of Germany, what about the cost of handling the packages and the salaries of the employees?

Mr. LEWIS of Maryland. Our salaries are somewhat larger, but not so much so as is supposed. Because of the fact that the telegraphs and telephones are added to the postal service in Germany some of the fiscal comparisons can not be made.

Mr. SISSON. Can the gentleman make a comparison as to the cost per package? Of course, you would have to take into consideration the distance, because it is so much greater here than in Germany. But has the gentleman made a comparison as to the cost per package per employee?

Mr. LEWIS of Maryland. Germany does not happen to report postal expenses as distinguished from telegraph and telephone expenses, and therefore a comparison can not be made.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. BARTLETT. Mr. Chairman, does the gentleman from Illinois [Mr. HINEBAUGH] desire to use some time now?

Mr. HINEBAUGH. No more to-night.

Mr. BARTLETT. Then I will yield 10 minutes to the gentleman from Ohio [Mr. SHERWOOD].

The CHAIRMAN. The gentleman from Ohio [Mr. SHERWOOD] is recognized for 10 minutes.

Mr. SHERWOOD. Mr. Chairman, I desire to make a few remarks of a practical nature touching pensions. A magazine called the World's Work has been publishing a series of articles by an unworthy son of a distinguished sire of Massachusetts on my dollar-a-day pension bill, and these articles have all been based on the estimate by the former Commissioner of Pensions, Mr. Davenport, to the effect that the bill carried $75,000,000.

I made an investigation of that question in company with the gentleman from Indiana [Mr. ADAIR], and the gentleman from Missouri [Mr. RUSSELL], both members of the Committee on Invalid Pensions. We made an estimate as to what the bill would cost if enacted into law, notwithstanding the estimate fo the Commissioner of Pensions, and that estimate of ours was proclaimed by your humble speaker on the floor of the House when the bill finally passed on the 10th of May, 1912. That estimate was $21,000,000. The report of the Commissioner of Pensions for the year succeeding the passage of that law gave the amount of money that had been paid out in pensions under that law at $20,800,000, so that was less by $200,000 than the estimate made by the members of the Pension Committee. And now, in February, 1915, the World's Work magazine—and I am not rising now to a question of privilege, because I do not care what the World's Work says about it, one way or the other—has an editorial in which I am designated as "a pension fanatic," and so forth. It does not seem to be understood that we had a great war in this country; and notwithstanding the present war in Europe I still claim that the war in the United States from 1861 to 1865 was the fiercest, the bloodiest, and the longest-enduring war of modern times.

Let us take the leading characteristics of these two wars for a moment. I carried a musket that was estimated to kill at 800 yards. I would load that musket by five motions. I carried 40 rounds of ammunition, every round done up in brown paper; and the man who passed the examination then as a volunteer had to have a good set of front teeth in order to tear the brown paper from the cartridge. Now, a European soldier can pass an examination if he has no teeth at all. They are now carrying a gun that will shoot to kill at 2,000 yards. That gun will shoot 10 times as frequently and is 10 times as destructive as the guns the Volunteers carried 50 years ago.

Our field cannon—the largest that we carried—was a 20-pound Parrot gun. Now they are using a gun that will carry for 6 miles. Our guns were all muzzle-loaders. Now the man who operates a machine gun is behind armor plate; he is protected. Our trenches were thrown up overnight. Now they are having trenches built from 5 to 6 feet deep, and they are covered with an impervious substance to prevent the havoc of exploding shells. Our armies on both sides were in clear view of each other. Now the armies on both sides are all out of sight, not to be seen.

Let me call your attention to this fact, that to-day the two armies confronting each other in France and Belgium and the two armies confronting each other on the Russian border have not practically changed their positions for two months. What was the truth about our Army in the great Civil War? Take the army of Gen. Sherman, whose base of supply was at Louisville, Ky. It fought its way first to Nashville, from Nashville to Chattanooga, from Chattanooga to Rocky Face Mountain, from Rocky Face Mountain to Atlanta, from Atlanta to Savannah, from Savannah up the coast to Raleigh, to the close of the war. How many miles did that army march? Eleven hundred and twenty-five miles. In the Atlanta campaign of 110 days we made an advance of 1 mile a day—110 miles from Rocky Face Mountain to Atlanta in 110 days.

Here is another consideration. How many distinguished major generals and brigadier generals have lost their lives in this war? I am talking now to a very select audience, who are supposed to read the newspapers and the cablegrams. Is there

a gentleman on this floor who can name a single brigadier or major general who has been killed in battle in this gigantic European war? They have a line over 100 miles long in the army of the west and over 100 miles long in the army of the east. They have a battle line of over 209 miles, and we read of desperate bayonet charges every day. There can not be any successful bayonet charges when they carry guns that will kill at a mile, because every column would be annihilated before it reached half a mile. If I were a betting man, which I am not, I would bet my month's salary against a Panama bond that you can not find five soldiers in any field hospital in France, or Germany, or England, or Russia, or Hungary who are wounded with bayonets. We read of the terrible destruction in these battles. They have fought 40 great battles, according to the reports. I venture the assertion that they have not lost 25 per cent of their armies in battle.

Why, my friends, at the Battle of Franklin, where I happened to be; just at the right of the Franklin Pike, in a battle line of two and one-half miles, 12 Confederate generals were killed or mortally wounded—all on the front line of battle—in five hours' fighting. Do you know of any general being killed while leading a charging column over in this European war? There is quite a characteristic difference therefore between the commanders of our Armies in the Civil War and of those over across the ocean.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERWOOD. Will the gentleman give me five minutes more?

Mr. BARTLETT. I yield to the gentleman five minutes more.

Mr. SHERWOOD. At the Battle of Resaca, on the 14th of May, 1864, I saw Gen. Hooker, in the full uniform of a major general, with his yellow sash across his breast, magnificently mounted, right on the skirmish line. I commanded the Union advance at Pine Mountain, at the right of Kenesaw, about a mile, the day that Bishop Polk was shot. I was mounted and near the cannon which fired that shot, and saw the explosion of the shell that killed Bishop Polk, a former bishop of the Episcopal Church, then a major general, and he was killed right on the Confederate front line. I saw Gen. Jack Logan, mounted on that magnificent black horse, "Black Jack," after McPherson was killed in front of Atlanta, when Logan rallied the staggering battalions of our Army and saved the left wing. I saw Gen. Pat Claiborne at Franklin, mounted on a magnificent chestnut horse, in that fearful charge of November 30, 1864. I saw him ride diagonally across the line between the two armies. These were generals who led. Have you heard of any such gallant leadership in this great European war?

My time is limited, and I want to say a few words about this bill.

In my judgment, the item of $100,000 for medical examiners might be reduced. I am an economist on everything but pensions. [Laughter.] For instance, under the bill known as the Sherwood bill, the act of May 11, 1912, a soldier is pensioned on account of his service and his age. Disability has nothing to do with it. Now, 370,000 soldiers, in round numbers, have been pensioned under that law. What excuse is there for any medical examination for these 370,000 soldiers? They are on the pension roll not on account of disability but on account of their age and their service. There is no use making an argument on that proposition. It is apparent that they do not need any medical examination.

Who are the rest of the pensioned soldiers? Soldiers who lost an arm or a leg, and who are drawing pensions on account of that loss—pensions specifically provided for by law. They do not need any medical examination. I can not see what necessity there is for an appropriation of $100,000 for that purpose, and, with the consent of the chairman of the committee, I shall offer an amendment to reduce the amount to $25,000, thereby saving $75,000.

There is another characteristic of that war. Every soldier who stood behind the gun whether he wore the blue or the gray, knew what he was fighting for. The French soldier upon one side of the Rhine and the German soldier on the other side of the Rhine belong to the same class, but they do not either of them know what they are fighting for. The only excuse I ever saw was given by an Englishman, in a couplet, to show what he was fighting for:

My name is Tommy Atkins and I am a husky chap,
My comrade is a Cossack, and my partner is a Jap;
And with all the blooming virtues for which you know we shine,
We are carrying civilization to the people on the Rhine.

[Laughter and applause.]

Mr. AUSTIN. Will the gentleman yield?

Mr. SHERWOOD. I will.

Mr. AUSTIN. In regard to the $100,000 for medical examination, does not the gentleman think that the department may need that amount for the examination of soldiers who served in the Spanish-American War?

Mr. SHERWOOD. Very possibly that might be so.

Mr. BARTLETT. Mr. Chairman, I will ask the gentleman from Illinois if he wants to consume any time now on that side?

Mr. HINEBAUGH. I have no one ready to go on at this time.

Mr. BARTLETT. Has the gentleman any more Members who want to speak on that side?

Mr. HINEBAUGH. Oh, yes; there are quite a number of gentlemen.

Mr. BARTLETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21161, the pension appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3419. An act admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas;

S. 2304. An act for the relief of Chris Kuppler;

S. 1880. An act for the relief of Chester D. Swift;

S. 1703. An act for the relief of George P. Chandler;

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. S. Howell;

S. 3925. An act for the relief of Teresa Girolami;

S. 2882. An act for the relief of Charles M. Clark;

S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy;

S. 5092. An act for the relief of Charles A. Spotts;

S. 5254. An act authorizing the Secretary of the Interior in his discretion to sell and convey a certain tract of land to the Mandan Town and Country Club;

S. 5497. An act authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 east of the sixth principal meridian, in the State of Nebraska;

S. 5970. An act for the relief of Isaac Bethurum;

S. 5695. An act for the relief of the Southern Transportation Co.;

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff;

S. 1060. An act fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy;

S. 1304. An act authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government;

S. 926. An act for the relief of the Georgia Railroad & Banking Co.;

S. 1377. An act for the relief of Alfred S. Lewis;

S. 1044. An act for the relief of Byron W. Candeld;

S. 604. An act for the relief of Sarah A. Clinton and Marie Steinberg;

S. 543. An act to correct the military record of John T. Haines; and

S. 145. An act for the relief of Charles Richter.

ADJOURNMENT.

Mr. BARTLETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Sunday, February 14, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Zerilda Brodie, widow of Robert Brodie, deceased, *v.* The United States (H. Doc. No. 1594); to the Committee on War Claims and ordered to be printed.

2. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of

John D. Spurgeon *v.* The United States (H. Doc. No. 1595); to the Committee on War Claims and ordered to be printed.

3. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John T. Small *v.* The United States (H. Doc. No. 1596); to the Committee on War Claims and ordered to be printed.

4. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John D. Shofstall *v.* The United States (H. Doc. No. 1597); to the Committee on War Claims and ordered to be printed.

5. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles A. Schimpff *v.* The United States (H. Doc. No. 1598); to the Committee on War Claims and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Richard C. Perkins *v.* The United States (H. Doc. No. 1599); to the Committee on War Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Levi S. Warren *v.* The United States (H. Doc. No. 1600); to the Committee on War Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of James H. Lyman *v.* The United States (H. Doc. No. 1601); to the Committee on War Claims and ordered to be printed.

9. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of George H. Beers *v.* The United States (H. Doc. No. 1602); to the Committee on War Claims and ordered to be printed.

10. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Daniel N. Dressler *v.* The United States (H. Doc. No. 1603); to the Committee on War Claims and ordered to be printed.

11. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Giles R. Leonard *v.* The United States (H. Doc. No. 1604); to the Committee on War Claims and ordered to be printed.

12. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Similde E. Forbes, widow of Seloftus D. Forbes, *v.* The United States (H. Doc. No. 1605); to the Committee on War Claims and ordered to be printed.

13. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Reuben R. Lyon, executor of James R. Allen, deceased, *v.* The United States (H. Doc. No. 1606); to the Committee on War Claims and ordered to be printed.

14. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Ohio River at or near Elizabethtown, Ill. (H. Doc. No. 1607); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11694) providing for the construction of a public building at Binghamton, N. Y., reported the same with amendment, accompanied by a report (No. 1401), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARK, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11291) for the purchase of a site and the erection of a public building at Blytheville, Ark., reported the same without amendment, accompanied by a report (No. 1402), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEWIS of Maryland, from the Committee on Labor, to which was referred the bill (H. R. 12292) to prevent interstate commerce in the products of child labor, and for other purposes, reported the same with amendment, accompanied by a report (No. 1400); which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 21315) to authorize the construction of a bridge across the Suwanee River in the State of Florida, reported the same with amendment, accompanied by a report (No. 1403), which said bill and report were referred to the House Calendar.

Mr. GOEKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7949) to authorize Parkersburg-Ohio Bridge Co., a corporation created and existing under the laws of the State of West Virginia, its successors and assigns, to construct a bridge acros the Ohio River from the city of Parkersburg, State of West Virginia, to the town of Belpre, State of Ohio, reported the same without amendment, accompanied by a report (No. 1404), which said bill and report were referred to the House Calendar.

Mr. CANTRILL, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 20340) to increase the appropriation for a public building at Elkins, W. Va., reported the same with amendment, accompanied by a report (No. 1406), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DEITRICK, from the Committee on Military Affairs, to which was referred the bill (H. R. 16223) for the relief of Warren V. Howard, reported the same without amendment, accompanied by a report (No. 1405), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEPHENS of California: A bill (H. R. 21440) providing for the construction of naval auxiliaries and for their operation as merchant vessels in time of peace; to the Committee on Naval Affairs.

By Mr. WEBB: A bill (H. R. 21441) to amend section 260 of the Judicial Code; to the Committee on the Judiciary.

By Mr. FARR: A bill (H. R. 21442) authorizing the President of the United States to issue a provisional embargo upon wheat and wheat flour; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER: A bill (H. R. 21443) to reimburse owners of cattle exhibited at the National Dairy Show at Chicago, Ill., in November, 1914, and since then detained in said city because of the quarantine established by the United States Government; to the Committee on Agriculture.

By Mr. PLATT: A bill (H. R. 21449) to regulate the filling of vacancies in the Corps of Cadets at the United States Military Academy not otherwise provided for by existing law, and for other purposes; to the Committee on Military Affairs.

By Mr. NORTON: A bill (H. R. 21450) to authorize an exchange of lands with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes; to the Committee on the Public Lands.

By Mr. WATSON: Joint resolution (H. J. Res. 421) to authorize the Legislature of the Territory of Alaska to apply and expend certain license taxes of said Territory after July 1, 1915; to the Committee on the Territories.

By Mr. PADGETT: Resolution (H. Res. 732) for consideration of S. 5259; to the Committee on Rules.

By Mr. GREGG: Resolution (H. Res. 733) to amend H. Res. 591, Sixty-third Congress, second session; to the Committee on War Claims.

Also, resolution (H. Res. 734) to amend H. Res. 532, Sixty-third Congress, second session; to the Committee on War Claims.

By Mr. CAMPBELL: Memorial of the Legislature of the State of Kansas, protesting against the proposed establishment of two Federal judicial districts in the State of Kansas; to the Committee on the Judiciary.

By Mr. CONNOLLY of Iowa: Memorial of the Legislature of the State of Iowa memorializing Congress to investigate the origin of the foot-and-mouth disease; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21444) for the relief of the Johnstown Building & Loan Association Co., of Johnstown, Ohio; to the Committee on Claims.

Also, a bill (H. R. 21445) for the relief of the Home Building Loan & Savings Co., of Coshocton, Ohio; to the Committee on Claims.

By Mr. CARR: A bill (H. R. 21446) granting an increase of pension to Nancy S. McKelvey; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21447) granting an increase of pension to John Hundley; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 21448) for the relief of Abraham B. Lewis; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODBECK: Petitions of York County Branch of the German-American Alliance, protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. COOPER: Petitions of C. Buenger and other residents of Kenosha; M. L. Geubert and other residents of Clinton; William Rust and other residents of Mukwongo; Albert Wald and other residents of Burlington; German Catholic Young Men of Racine; St. Michael's Society, Racine; St. Kasmer's Society, Racine; German-American Alliance, Watertown; German-American Alliance, Wausau; Bower City Verein, Janesville; Lutheran Aid Association, Ableman, all in the State of Wisconsin, asking that legislation be enacted to prohibit the sale of arms, ammunition, and munitions of war to any of the belligerents of the present European conflict; to the Committee on Foreign Affairs.

Also, petition of the Kenosha (Wis.) Branch of the Socialist Party, asking that Congress authorize certain Government work looking toward the employment of the unemployed; to the Committee on Labor.

Also, petition of Waukesha County (Wis.) Guernsey Breeders' Association, favoring appropriation to reimburse exhibitors of cattle at the National Dairy Show at Chicago in November last for expenses incurred because of the quarantine established by the Government; to the Committee on Appropriations.

Also, petition of the Waukesha County (Wis.) Holstein-Friesian Breeders' Association, favoring an appropriation to reimburse exhibitors of cattle at the National Dairy Show at Chicago in November last for expenses incurred because of the quarantine established by the Government; to the Committee on Appropriations.

By Mr. DAVENPORT: Petition of citizens of Kitchum, Okla., protesting against passage of House bill 20644, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. DONOHOE: Petition of citizens of Philadelphia, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. DOOLING: Petition of Liberty Council, No. 296, C. B. L., New York City, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petitions of sundry citizens of the State of New Jersey, favoring citizens of the State of New Jersey, favoring the passage of bills to prohibit export of war materials; to the Committee on Foreign Affairs.

Also, petition of the Union Hill (N. J.) Emanuel Church, favoring all nations joining in world federation; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petitions of sundry citizens of Boston, Mass., favoring passage of resolution to prohibit the export of war material; to the Committee on Foreign Affairs.

By Mr. GARRETT of Tennessee: Petitions of Methodist Missionary Society of Dresden and Woman's Missionary Society of Ripley, Tenn., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of citizens of Brockton and Rockland, Mass., relative to unemployment; to the Committee on Labor.

By Mr. McCLELLAN: Memorial of St. Peter's Sick and Aid Society, composed of 170 members, urging legislation to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of C. A. Borst and 268 citizens of Kingston, N. Y., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of St. Peter's Sick and Aid Society, of Kingston, N. Y., favoring exclusion from the mails of the Menace, etc.; to the Committee on the Post Office and Post Roads.

Also, memorial of Rand Study Club, of Kingston, N. Y., relative to unemployed; to the Committee on Labor.

By Mr. MAGUIRE of Nebraska: Petition of 5 citizens of Plattsmouth, Nebr., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Mr. Barnard Wundulick, of Norwich, Conn., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. PARKER of New York: Petition of J. W. Walters and other citizens of Glens Falls, N. Y., favoring passage of resolution to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of the United States Butchers' Association of America, Chicago, Ill., urging law to prevent the slaughter of any calf weighing less than 150 pounds live weight; to the Committee on Agriculture.

Also, petitions of W. E. Davis and J. J. Johnston, of You Bet; George Flessa, of Nevada City; F. J. O'Keefe, of Placerville; and F. M. King, S. D. Lombard, and J. C. Hussey, of Chicago Park, all in the State of California, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. SABATH: Petition of Garden City Branch No. 11, National Association of Letter Carriers, Chicago, Ill., protesting against reduction in salaries of letter carriers in the Chicago post office; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS: Petition of sundry citizens of Lewisburg, Ky., protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of business men of Bowling Green, Ky., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. YOUNG of North Dakota: Petition of Paul Goldade and others, protesting against export of war material; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 14, 1915.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. WALSH].

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God, our heavenly Father, for the desire down deep in the human heart which inspires to intellectual, moral, and spiritual attainments which distinguishes men and fits them for leadership in the onward march of civilization, and for that appreciation which accords to others gratitude for those attainments.

We meet here to-day that we may render fitting tribute to a Member of this House who, though his service was cut short by the hand of death, has left a record worthy of such recognition by his faithful, intelligent service wherever he was called in State or national affairs. He has passed on to the great beyond, but still lives in his deeds and in the hearts of those who knew him. We thank Thee for that faith in the immortality of the soul which, through hope and love, enables us to look forward to a reunion of those we love, where all our longings, hopes, and aspirations may find their full fruition in a service to Thee. Be this our comfort and the comfort of those bound to him by the ties of kinship. May our lives be worthy of the tribute which is accorded to the faithful, in the name of Him who taught us how to live and to pass on with perfect faith in our God and our Father who doeth all things well. Amen.

The SPEAKER pro tempore. The Clerk will read the Journal.

Mr. HART. Mr. Speaker, I ask unanimous consent that the reading of the Journal may be postponed until to-morrow.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent that the reading of the Journal be postponed until to-morrow. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the special order.

THE LATE REPRESENTATIVE LEWIS J. MARTIN, OF NEW JERSEY.

The Clerk read as follows:

On motion of Mr. HART, by unanimous consent, *Ordered*, That Sunday, February 14, 1915, be set apart for addresses on the life, character, and public services of the Hon. LEWIS J. MARTIN, late a Representative from the State of New Jersey.

Mr. HART. Mr. Speaker, I ask unanimous consent that Members may be permitted to print their remarks in the RECORD on the life, character, and public services of Hon. LEWIS J. MARTIN.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent that Members may have the privilege of printing their remarks in the RECORD on the life, character, and public services of Hon. LEWIS J. MARTIN. Is there objection? [After a pause.] The Chair hears none.

Mr. HART. Mr. Speaker, I send to the Clerk's desk the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 735.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. LEWIS J. MARTIN, late a Member of this House from the State of New Jersey.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken and the resolution was unanimously agreed to.

Mr. HART. Mr. Speaker, on the afternoon of May 6, 1913, Death, "always mysterious and unbidden," came to the Hon. LEWIS J. MARTIN.

He was of the sturdy New Jersey Sussex pioneers. The blood of the patriots of '76 coursing through his veins, and their spirit urging him to progressive effort, he directed a life of unusual versatility, more than half a century of which was devoted continuously to the public in official service.

His primary education was obtained in the public schools of Sussex (then the village of Deckertown), where he was born on the 22d day of February, 1844. He completed his studies at the Newton Collegiate Institute, a preparatory school of the county seat, in 1862.

In 1867 he was admitted to the bar of New Jersey, and became deputy county clerk, being appointed by his father, James J. Martin, the then county clerk. He succeeded his father upon his death in 1869. During this period he occupied also the office of town clerk of Newton.

In 1878 he was chosen to represent his county in the New Jersey House of Assembly, and was reelected in 1880 and 1881. In the last year he was appointed county law judge, retaining this office through three successive terms—for 15 years. In 1896 he was selected county counsel, which office he held for five years. Simultaneously he was elected and for eleven years remained a member of the Newton town committee, the governing body of his home town.

He returned to legislative work in 1897, representing his county in the New Jersey Senate from then until 1903. Four years of this term he was its minority leader.

During 1911 he was again appointed county law judge, where he displayed a superior judicial temperament. From then until his death he was frequently called to preside over important trials in other jurisdictions.

In 1912 he was elected a Member of this House, to represent the sixth district of New Jersey.

Such was the character of his official life. In the social and business affairs of the county he was of like prominence.

We will not think of him as "dead," but contemplate the transition with Colton:

> What we call life is a journey to death.
> And what we call death is a passport to life.

Sussex County was to Senator MARTIN not alone an abiding place—he loved it, and never ceased to regret his enforced absence from it. He once said that, descending the mountain pass through which the traveler from the east enters the Walkill, its first splendid valley, he enjoyed a peculiar sense of relief and homely quietness.

Delightful Sussex County—

> The hills, rock-ribbed and ancient as the sun;
> The vales, stretching in pensive quietness between—
> The venerable woods.

Its impress is upon the stranger who contemplates it. Its pastoral, yet stern quietness; its breadth of view—all these have influenced its sons.

And as "Senator" MARTIN loved old Sussex, so its people responded to him. It would be impossible to overestimate the extent of the attachment felt for him throughout the whole county; and his death seemed a household affliction to all who enjoyed his friendship.

Each one has some reminiscence of the "Senator," and the evidences of his kindness, his cordiality, are everywhere apparent. His urbanity of manner exerted a most remarkable power, winning the esteem and affection of all; but to those whom friendship suffered to look upon the inner sanctuary of his heart, there appeared a well of affection of unfathomable depth.

He was a man of strong, almost resistless, will, but never self-willed; of positive and clearly defined opinions, but not opinionated; open to conviction, ready to receive suggestions, and as ready to change his plans and opinions for any which might seem wiser and better. He abhorred the idea of stereotyping rules of feeling, thinking, or acting. He cordially disliked all narrowness, bigotry, and exclusiveness.

He needs no eulogy. The fact that he closed so remarkable and continuous a public life with every heart warmly attached to him, retaining throughout his life the warm regard and respect and admiration of his constituents, is a commentary on his worth more forcible than words.

We would sorrow, but we believe with Ingersoll that—

> Life is a narrow vale between the cold and barren peaks of two eternities. We strive in vain to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead, there comes no word; but in the night of death hope sees a star, and the listening love can hear the rustle of the wing.

He is not dead, but lives—with a "passport to life," he "left his body as an armor which fatigued him by its weight."

Mr. EAGAN. Mr. Speaker, one of the oldest customs of this House and at the same time one of the most beautiful is the holding of commemorative exercises, at which we pay our tributes of love and respect to the memory of our colleagues whom the grim destroyer has stricken down during their service in this body. Three weeks ago to-day we gathered in this Chamber to honor the memory of a great son of New Jersey. We have assembled to-day to honor the memory of another great Jerseyman, and our friend and colleague, LEWIS J. MARTIN, who represented the sixth congressional district of New Jersey.

New Jersey had the misfortune to have 2 of its 12 Members stricken down in the Sixty-third Congress. Mr. MARTIN died on May 6, 1913, and Mr. Bremner in February, 1914. By a strange coincidence both represented in this body a section of the State which until two years ago was included in the old sixth congressional district.

My acquaintance with LEW MARTIN did not begin until our election to Congress, but I had the good fortune in the very brief time that elapsed between the beginning of our service and his death to dwell under the same roof with him. This gave me the opportunity to spend a number of very pleasant evenings with him.

I was the last member of the New Jersey delegation to see him in life. We were together for a considerable time on the Friday afternoon and evening preceding his death. He was in the best of health and spirits on that occasion and neither of us had the slightest premonition when we parted on that evening that we were together for the last time in life. Little did I think that within three days I was to be called from this Chamber with several of my colleagues from New Jersey to identify his lifeless body in the Union Station.

Upon Congressman Bremner, who was destined to follow him within a short time into the great beyond, devolved the arrangements for the return of Judge MARTIN'S remains to Sussex County.

I can not speak of my colleague's congressional achievements because death came to him in the morning of his career in this House. That he would have made a worthy Representative of his district and his State in this body there can be no doubt.

Born in 1844 in the county of Sussex, of the sturdy old revolutionary stock of northern New Jersey, LEWIS J. MARTIN had the rare distinction of serving his town, his county, and his State for more than 50 years in many elective and appointive offices prior to his election to Congress in 1912. He was elected three times to the New Jersey Assembly, twice to the senate of our State, and was serving his fourth term as county judge when elected to Congress. That he gave vastly more in service than he received in monetary compensation is evidenced by the fact that he remained all his life a poor man.

Owing to his long service in the assembly and the senate, he was one of the most widely known men in New Jersey. There are few Jerseymen who have been active in either of the great political parties who did not count Judge MARTIN their friend. On more than one occasion the opportunity was presented to him to achieve high honors in his party outside of his native county, but his love for old Sussex and for the associations of a lifetime always had the greater lure for him. That Sussex reciprocated is evidenced by the many honors it bestowed upon him and by the love and respect with which his people always regarded him. On the day of his death business in his home town was suspended and thousands of lifelong neighbors and friends followed his remains to his last resting place.

Congressman MARTIN had a very attractive personality. Unassuming and rather retiring with strangers, he was the soul of good fellowship with his intimates. Although he had almost reached the allotted three score years and ten, he showed little evidence of advancing years. His more intimate associates

were always men much younger than himself. It was evidently his intention to complete his public service with a single term in Congress. Many of his neighbors recall that in his speech in Sussex during the campaign of 1912 he said with a tinge of sadness in his voice that he would never call upon his friends to vote for him again.

LEW MARTIN was a good citizen, an honest and capable public servant, an able lawyer, and a just judge. He died when the sun of his influence and power was at its zenith, mourned by a legion of friends, the most devoted of whom were his lifelong neighbors.

Mr. Speaker, it is particularly to be regretted that it was impossible for the congressional committee to go to Mr. MARTIN'S home to pay the respect and the tribute of this House due to his remains and due his sorrowing family. The Members who were appointed on that committee will recall that the tariff bill was expected to come to a vote on the evening preceding the day of his burial. We had made all arrangements to go the moment the vote had been taken. A special train was kept waiting at the Union Station until the last minute. Unfortunately it was impossible for us to leave our duties in this House. I am sure I echo the sentiment of every Member of this House when I say that though we were not there in the flesh to pay our tribute of respect to our colleague, we were there at least in spirit. To them in their hour of sadness we extend our most heartfelt sympathy. Judge MARTIN, as I say, was a good citizen. To his family he has left the rich heritage of a good name.

ADJOURNMENT.

Mr. HART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p. m.), in accordance with the resolution previously agreed to and under the order heretofore made, the House adjourned to meet to-morrow, Monday, February 15, 1915, at 11 o'clock a. m.

SENATE.

MONDAY, *February 15, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the all-wise, all-loving One, we come bringing to Thee the offering of our lives, adoration, worship, and praise. If there is among us wisdom in counsel, strength of deliberation, passion of brotherhood, it is because of Thy care for us. Thy grace has held us together to the great, high, common purpose of our national life. We pray for that highest achievement of our lives that all our activity may be brought to the test of our devotion to Thee and that religion may be the controlling and dominating passion of our hearts and minds. May it not be written of us that we have lost our place in the great onward progress of universal brotherhood because any of our leaders have lost their thought of God. Under Thine own guidance may we lead on to the accomplishment of Thy great plan for men. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

AMERICAN INSTRUCTORS OF THE DEAF.

The VICE PRESIDENT. The Chair lays before the Senate the proceedings of the twentieth meeting of the convention of American Instructors of the Deaf, held at the Virginia School for the Deaf and the Blind, Staunton, Va., June 25–July 1, 1914. The communication and accompanying statement will be referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

The message also requested the return to the House of Representatives of the enrolled bill (S. 7555) to authorize the construction of a bridge across the Suwanee River in the State of Florida.

LIMITATION OF DEBATE.

Mr. NORRIS. Mr. President, in accordance with the rules of the Senate I desire to give notice of a proposed amendment to the rules. I ask that it may be read at the desk.

The VICE PRESIDENT. The Secretary will read the notice.

The Secretary read as follows:

In accordance with Rule XL of the Senate rules, I hereby give notice that on to-morrow I will propose an amendment to the rules of the Senate by adding thereto a new rule, to be known as Rule XLI, and to read as follows:

"Rule XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion when made shall lie over one day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution or any amendment thereon; but when any Senator's right to vote upon such motion is challenged such Senator shall be allowed to determine for himself whether he is disqualified from voting on said motion. When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall, in addition to said 15 minutes, be allowed additional time; but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a concurrent resolution of the Legislature of North Dakota, urging the passage of the so-called Sheppard-Hobson resolution relative to the sale, manufacture, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a concurrent resolution of the Legislature of the State of Kansas, urging Congress to assist in establishing a system of subirrigation for the Cimarron River, which was referred to the Committee on Public Lands.

Mr. LANE. I present a memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 4 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 8th day of February, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 8th day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER, *Deputy.*

House joint memorial No. 4.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully request that—

Whereas the Hon. David F. Houston, Secretary of Agriculture, in his report for the fiscal year ending June 30, 1914, recommends as follows:

"In regions where timber is the chief income-producing resource absence of demand for it often works a serious hardship upon those who have entered the region as the advance guard of civilization, and are seeking, in the face of many difficulties, to establish homes. There are counties in which a sparse local population of pioneer settlers find themselves surrounded by a wilderness largely consisting of national forest land, which is almost *idle so far as* any form of present use is concerned. In other words, a great, if not the greatest, of the potential sources of wealth in such counties, held in trust by the Government for the benefit of the public, not merely contributes nothing now to the upbuilding of the communities which will give value to the forests, but actually adds to the burden which these communities must assume. Were the national forests private property they would pay their fair proportion of the cost of road development, public schools, and other public activities through taxation. The Government, unlike the private owner of timberland in such regions, is holding the timber, not in order to make a profit later by its advance in value, but in order to make it promote the public welfare. That it should be made to serve the local as well as the national public welfare has been definitely recognized in the provisions of law for the use of 35 per cent of all gross receipts from the forests for local public purposes.

"To carry more fully into effect this already established principle a further step should be taken. It should not be necessary to wait until the period of hardest struggle is past before these public resources begin to assist local development. Before the national forests begin to yield large incomes, as well as after, they should be made to participate in the work of building up the country and giving value to all its resources.

"The first need of the public in undeveloped regions is for more and better roads. Without them the struggle of individuals to gain a foothold is much more difficult, while isolation from neighbors and the outside world means meager educational opportunity, a lack of comforts, and conditions unfavorable to community life. A road system, however, constitutes a capital investment which a handful of settlers must make, a little at a time. When their roads must be built largely through national-forest lands, which pay no taxes, their case is

much more difficult. In such regions the Secretary of Agriculture should be authorized to make a study of the local conditions and to gather all the data necessary to formulate a plan for public-road development based on local needs. These plans should be carried into sufficient detail to provide a reasonably accurate estimate of the cost of the road construction which it is proposed that the Government undertake. They should be accompanied by careful and conservative appraisals of the value of the national-forest timber in each locality and a forecast of the future income which the forests will bring in from all sources. On the basis of the showings of fact regarding the value of the Government's property, its potential income-yielding capacity, and the needs of the public, Congress should be asked to appropriate for the construction of specific projects recommended by the Secretary of Agriculture. The cost of such road construction by the Government should constitute an advance of the amounts which the forests would later make available for local use. In effect, therefore, the roads would become an obligation upon the forests, to be extinguished as their resources come into commercial demand": Therefore be it

Resolved by the house of representatives (the senate concurring), That our Representatives and Senators in Congress be, and are hereby, memorialized and requested to use their best endeavors to see that the honorable the Secretary of Agriculture is authorized to make a study of local conditions necessary to formulate plans for public-road development and to report his findings to Congress from time to time in accordance with his recommendations; be it further

Resolved, That the secretary of state is hereby instructed to transmit by mail a copy of this resolution to each of the Oregon delegation in Congress.

Adopted by the house January 28, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate February 3, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) House joint memorial No. 4. W. F. Drager, chief clerk. Filed February 8, 1915, at 2.45 o'clock p. m.

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER, *Deputy.*

Mr. LANE. I present a memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of House joint memorial No. 5 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 8th day of February, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 8th day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER, *Deputy.*

House joint memorial No. 5.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there is pending in the Congress of the United States a bill entitled "A bill to increase the efficiency of the Organized Militia, and for other purposes" (S. 6217); and

Whereas the purpose of the law proposed by said bill is to provide for the payment of the Organized Militia of the United States; and

Whereas the state of the national defense requires that a more dependable military reserve be created than exists at the present time: Therefore be it

Resolved, That your memorialists do favor enactment of a Federal law providing for payment and reorganizing national reserve. That we do hereby declare that, in our opinion, the above-mentioned bill is designed to create such a dependable military reserve as is desired and to greatly increase the efficiency of the Organized Militia, and that it is necessary to the national welfare that the Congress of the United States shall, at the earliest possible date, pass the said act; and the Senators and Representatives in the Congress of the United States from the State of Oregon are hereby requested to aid and assist in the passage of said bill; and for the passage of such a law your memorialists will ever pray.

Adopted by the house January 28, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate February 3, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) House joint memorial No. 5. W. F. Drager, chief clerk. Filed February 8, 1915, at 2.45 o'clock p. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. THOMPSON. I present a concurrent resolution of the Legislature of the State of Kansas, recommending the construction of demonstration plants in western Kansas to develop a system of subirrigation. I ask that it be read.

The VICE PRESIDENT. The Chair will state to the Senator from Kansas that an attested copy of the concurrent resolution was sent to the Chair and has been handed down by him this morning to be put in the RECORD.

Mr. THOMPSON. I should like to have the resolution read. It is a matter of some importance. I am perfectly familiar with the needs of the people in that section of the State in this regard.

The VICE PRESIDENT. Is there objection to reading the resolution?

Mr. TOWNSEND. What is the request?

The VICE PRESIDENT. The request is to have read a concurrent resolution of the Legislature of Kansas in reference to subirrigation.

Mr. TOWNSEND. Did I understand the Chair to state that he has handed down a similar resolution?

The VICE PRESIDENT. It has already been handed down. It was sent to the Chair.

Mr. THOMPSON. I desire not only that it shall appear in the CONGRESSIONAL RECORD, but that it may be read. This being a joint resolution passed by the legislature of my State, I regard it as the highest right and privilege that it be read upon request.

The VICE PRESIDENT. It goes in the RECORD without reading. Is there objection to reading it? The Chair hears none, and the Secretary will read the concurrent resolution.

The concurrent resolution was read, as follows:

Senate concurrent resolution No. 24.

Be it resolved by the Senate of the State of Kansas (the House concurring therein) That—

Whereas the subject of subirrigation is of the most vital importance to many homesteaders now living on our arid lands; and

Whereas the freshets in the Cimarron River carry off annually, in destructive floods, millions of dollars' worth of precious water just at the season of the year when our crops are perishing for want of moisture; and

Whereas it is now claimed that by subirrigation with tiles its value may be multiplied from six to ten fold; and

Whereas our neighboring State of Oklahoma is likewise interested in these waters to a certain extent and is now preparing to appropriate the entire stream without regard to the natural, equitable, and constitutional rights of the State of Kansas therein; and

Whereas by the present activity of the said State in surveying ditches, attempting to appropriate the sites along the river already surveyed by the National Government, and by offering to throw open its "new college lands" to the public and impliedly conveying a promise of water rights to be supplied by water from the Cimarron River, an interstate stream, the interests of our community and State are imperiled and an emergency is created which, as a State, we are unable to cope with; and the only remedy promising a fair deal between the States is, as we believe, an equitable division of this property right by the National Government: Therefore be it

Resolved by the Senate of the State of Kansas (the House concurring therein), That the Congress of the United States be requested and urged to take immediate steps for the construction of one or more demonstration plants on the west line of Kansas proving the economy of this form of irrigation, and consisting of and comprehending a reservoir at the aforementioned Government reservoir site at Garrett, Okla., a ditch leading therefrom to a system of subirrigation tile conduits leading out onto the arid lands lying on the highest general levels of Morton County, Kans.

The secretary of state is hereby instructed to send a certified copy of this resolution to each Member of the Kansas delegation in Congress and to the Speaker of the National House of Representatives and the Vice President of the United States to be laid before the Congress of the United States.

I hereby certify that the above concurrent resolution originated in the senate, and passed that body February 3, 1915.

W. Y. MORGAN,
President of the Senate.
BURT E. BROWN,
Secretary of the Senate.

Passed the house February 6, 1915.

ROBERT STONE,
Speaker of the House.
I. E. LAMBERT,
Chief Clerk of the House.

Approved February 10, 1915:

ARTHUR CAPPER, *Governor.*

Mr. THOMPSON. Mr. President, I wish to say in this connection, without taking up too much time of the Senate now, that I shall address myself later to this subject. I am perfectly familiar with it, having lived in this particular section of the State for years, and have observed the needs of the country in this respect. I regard the plan as entirely feasible, and heartily concur in the recommendations made by the legislature, and will do what I can to help carry out the suggestions made in the resolution in the way of securing proper national legislation on this subject.

The VICE PRESIDENT. The resolution will be referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. BRISTOW subsequently said: Mr. President, referring to the resolution from the Legislature of Kansas, which the Vice President handed down this morning, and in regard to which my colleague [Mr. THOMPSON] made some remarks, I desire to say that I have a bill pending now before the Committee on Agriculture and Forestry which has been in that committee for something over a year covering the subject. I have been exceedingly anxious to get action from that committee, and have made every possible effort within my power and was assisted by the Senators from Nebraska last year to get legislation of a similar character; but, I regret to say, we were unable to obtain it. I am in hearty accord with the purpose of the resolution,

and hope that the Committee on Agriculture and Forestry may at least take some action this year.

Mr. WILLIAMS. Mr. President, I send to the desk and wish to have read a resolution in the nature of a petition of the Hattiesburg (Miss.) Commercial Club.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

HATTIESBURG, MISS., *January 12, 1915.*

Whereas the unfortunate and disastrous war in Europe has caused the withdrawal and destruction of about 20 per cent of the world's total ocean steam tonnage available and has caused an increase of ocean freight rates from 100 to 300 per cent for English, European, and Mediterranean ports, and those heavy advances constitute a heavy tax on southern producers, whether it be cotton, lumber, or naval stores, the three chief products of our Southern States; and as these ocean freight rates are still increasing and will continue to increase unless there is promptly organized and put in operation a merchant marine under the flag of the United States.

The Hattiesburg Commercial Club at their annual meeting on January 12, 1915, at the city of Hattiesburg, Miss., unanimously resolves:

1. That we heartily commend the action of our President and his Cabinet in their efforts to put on the statute books and appropriate the necessary money to build up a merchant marine to take care of American shippers and producers in their trade with foreign countries.

2. That we heartily and unanimously support the bill now before our Congress known as the ship-purchase bill.

3. That we request all Members of the House of Congress and our Senators from Mississippi to support, work, and vote for this worthy bill, believing that this is the only method to pursue which will secure reasonable ocean freight rates for exporting the products of our State and country at large.

4. That a copy of these resolutions be mailed to each Member of the House of Congress and Senators from Mississippi.

Signed by the president and secretary of the Hattiesburg Commercial Club on behalf of its entire membership.

T. C. HANNAH,
President Hattiesburg Commercial Club.
R. C. HAUENSTEIN,
Secretary Hattiesburg Commercial Club.

Mr. WILLIAMS. I present a letter in the nature of a petition signed by members of the Greenwood Business League of Mississippi, which I ask may be read, omitting the signatures.

There being no objection, the letter was read, omitting the signatures, as follows:

GREENWOOD, MISS., *February 12, 1915.*

Hon. JOHN SHARP WILLIAMS,
United States Senate, Washington, D. C.

DEAR SIR: The undersigned merchants, cotton exporters, and business men of this city are heartily in favor of the emergency measure known as the ship-purchase bill and do hereby indorse same and believe it should be passed during the present session of Congress, without the necessity of an extra session.

Our advocacy of this measure is based partly on the following: Because we believe it will result in laying the foundation of an American merchant marine, the lack of which is now being so sorely felt by shippers of all kinds of commodities; it will result in freeing us from dependence upon foreign shipping lines, who are now ruthlessly breaking their contracts with American shippers, their freight rates charged being so exorbitant as to be almost piratical, robbing American commerce, particularly the South, in this hour of its commercial opportunity.

We also believe that the immediate passage of this measure would afford prompt relief to shippers in the reduction of ocean freight rates and result in the saving of millions of dollars to the business interests of our country.

Mr. McCUMBER. I present a concurrent resolution of the Legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the concurrent resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Bismarck, this 10th day of February, A. D. 1915.

[SEAL.]

THOMAS HALL,
Secretary of State.

A concurrent resolution (McClellan).

Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That—

Whereas there are now in the western part of North Dakota about 673,000 acres of rough, broken, and nonirrigable vacant Government land more suitable for grazing and stock raising than for any other purpose; and

Whereas the steady development of the West has been dependent upon and built up by actual settlers and homesteaders who came West for the purpose of finding homes for the support and maintenance of themselves and families; and

Whereas the occupation and settlement of these vacant lands will in time, through taxation and other sources, inure to the benefit of the counties and whole country in which said lands are located; and

Whereas practically all the agricultural lands in the third congressional district of the State of North Dakota have been selected and are now occupied by actual settlers; and

Whereas the balance of the unoccupied lands are quite rough and broken and consist mostly of what are commonly known as the Bad Lands, and principally valuable for stock raising; and

Whereas there is a shortage of beef throughout the land as a result of stock raising having been neglected for agricultural pursuits; and

Whereas the balance of this land, if assigned in proper quantities, will yet support hundreds of families; and

Whereas we believe an act can and should be passed by Congress which will grant each settler a sufficient acreage of said lands as will comfortably support a family by mixed farming and stock raising thereon, and which act might be drafted along the line of the 640-acre stock-raising homestead bill No. 15799, which was introduced during the second session of the Sixty-third Congress of the United States, and in which there is incorporated a classification clause which would leave absolutely no grounds for the act to monopolize lands coming under the 160-acre or 320-acre acts; and

Whereas it has come to our notice that a movement was on foot to have Congress pass a law to have said Government lands granted to the State for leasing purposes, and to also pass a national leasehold bill; and

Whereas we believe that such an act would be a crime and an outrage perpetrated upon the counties in which said lands are situated, and would deprive them of the actual settlers and families which they would otherwise get and would further deprive such counties of the assessable valuations and taxable property which they are entitled to and from which said counties would eventually realize an abundance of revenue by virtue of entrymen having their lands patented and homes built thereon for themselves and families and their children's children; and

Whereas there is not the incentive for families to build up valuable and permanent homes on rented land that there is on land they can call their own, and from which they would not have to be separated by virtue of the expiration of a lease; and

Whereas there are a number of the counties in which this land is located that are already too small in the area of their agricultural lands without robbing them of what is left, and this is especially true of Billings County, which has not any more taxable real estate than it needs for the running of their county government; and

Whereas we do not believe in heaping the burdens of taxation on the few who happen to own the agricultural land in such localities when the same can be reduced with the settlement of these vacant Government lands by homesteaders who are willing to share the burden of taxation in their community for the purpose of getting homes; and

Whereas we are heartily in favor of some act that will tend to improve said district and bring settlers who will make permanent homes therein, but that we are bitterly opposed to the submission of a national leasehold bill, or any act that will shut the lands out from actual homesteading, thereby curtailing and handicapping the development and upbuilding of said district: Now therefore be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we transmit a copy of this resolution to our Senators and Representatives in the National Congress, requesting and urging them to use all honorable means to see that the spirit of this resolution be put into execution as far as possible, and that any act which would tend to prevent the actual settlement of the lands above referred to, and which would deprive any county in said third congressional district of the full benefit of its lands through taxation or otherwise, be prevented: It is further

Resolved, That the Secretary of State is hereby authorized to transmit the foregoing resolution to the Senators and Representatives in Congress from the State of North Dakota.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

Mr. McCUMBER. I present a concurrent resolution of the Legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the concurrent resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota, and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Bismarck, this 10th day of February, A. D. 1915.

[SEAL.]

THOMAS HALL,
Secretary of State.

A concurrent resolution of the House of Representatives of the State of North Dakota, the Senate concurring (Everson).

Whereas the Sheppard-Hobson resolution amending the Constitution of the United States so as to prohibit the manufacture and sale of intoxicating liquors and beverages failed to receive the necessary two-thirds vote in the House of Representatives of Congress; and

Whereas a majority of the Members of said House of Representatives voted in favor of the resolution, among them the Representatives from North Dakota; and

Whereas Federal legislation is necessary to properly regulate and control the liquor traffic: Therefore be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring therein), That we commend the action of our Representatives in Congress in voting for the Sheppard-Hobson resolution, and urge them to continue to work for the passage of the same;

Resolved, That we urge the Senate and the House of Representatives of Congress to reconsider the action already taken and to pass the said Sheppard-Hobson resolution; and be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to our Senators and Representatives in Congress, to the Speaker of the House of Representatives, to the Vice President, and to the President of the United States.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

Mr. POMERENE. I have a number of telegrams in the nature of memorials from postal clerks in various cities of my State remonstrating against a change from annual to biennial promotions for the men in that service. I ask that the telegrams may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

TOLEDO, OHIO, *February 10, 1915.*

Hon. ATLEE POMERENE,
Washington, D. C.:

One hundred and fifty railway postal clerks from Toledo respectfully ask you to oppose the change from annual to biennial promotions for the men in this service.

WM. J. BINGHAM.
President Toledo Branch, Railway Mail Association.

—

CRESTLINE, OHIO, *February 10, 1915.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Two hundred and thirty-eight railway postal clerks of Crestline (Ohio) Branch, Railway Mail Association, respectfully ask you to oppose change from annual to biennial promotions for the men of this service.

EDW. HEY,
President Crestline (Ohio) Branch.

—

CLEVELAND, OHIO, *February 10, 1915.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Three hundred railway postal clerks from this part of Ohio respectfully ask you to oppose change from annual to biennial promotions in the service.

WM. HAMILTON.
President Cleveland Branch, Railway Mail Association.

—

COLUMBUS, OHIO, *February 10, 1915.*

Senator POMERENE,
Washington, D. C.:

One hundred and fifty railway postal clerks from Columbus, Ohio, respectfully ask you to oppose the change from annual to biennial promotions for the men of this service.

F. E. COMPTON,
President Columbus (Ohio) Branch, Railway Mail Association.

—

MARION, OHIO, *February 11, 1915.*

United States Senator POMERENE,
Washington, D. C.:

Forty railway postal clerks from Marion, Ohio, respectfully ask you to oppose the change from annual to biennial promotions for the men of this service.

H. L. RAMER.

—

PITTSBURGH, PA., *February 11, 1915.*

Senator ATLEE POMERENE,
Washington, D. C.:

The Pittsburgh (Pa.) Branch of Railway Mail Association protest against biennial promotions of railway postal clerks now proposed by the Senate committee. We respectfully ask your support that annual promotions continue as passed by House of Representatives and the Post Office Committee.

H. C. HEERLEIN, Jr.,
President Branch, 2½ Lehigh Avenue.

—

CHICAGO JUNCTION, OHIO, *February 10, 1915.*

Senator ATLEE POMERENE,
Washington, D. C.:

The 10 railroad postal clerks of Chicago Junction, Ohio, respectfully ask you to oppose the change from annual to biennial promotion for the men of the service.

E. W. BROWN, *Branch President.*

Mr. CULBERSON. I present a number of telegrams in the nature of memorials from citizens of El Paso, Tex., from 150 members of Branch 1152, United National Association of Post Office Clerks, of Dallas, Tex., and from 10,000 members of trade unions in Fort Worth, Tex., which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

EL PASO, TEX., *February 13, 1915.*

Hon. CHARLES A. CULBERSON,
United States Senate, Washington, D. C.:

Understand that committee on Post Office appropriation has recommended a reduction of wages of post-office employees, and on behalf of the citizens of El Paso I protest against the same. Use your influence to see that the bill does not pass.

C. E. KELLY, *Mayor.*

EL PASO, TEX., *February 13, 1915.*

Hon. CHARLES A. CULBERSON,
Senate Chamber, Washington, D. C.:

Understand that committee on Post Office appropriation has recommended a reduction of wages of post-office employees, and on behalf of my friends in Postal Service I respectfully protest against same. Please use your influence to see that the bill does not pass.

WM. H. BURGES.

—

DALLAS, TEX., *February 13, 1915.*

Hon. CHARLES A. CULBERSON,
United States Senate, Washington, D. C.:

The 150 members Branch 1152, United National Association Post-Office Clerks, most earnestly request you to oppose Post Office appropriation bill recommended by Senate committee; support bill passed by House with all amendments; especially oppose biennial promotions; support section 9 and Madden supervisor employees' reclassification bills.

JEFF SMITH, *Corresponding Secretary.*

—

FORT WORTH, TEX., *February 14, 1915.*

Hon. CHARLES A. CULBERSON,
Senate, Washington, D. C.:

Ten thousand members of trades-unions in Fort Worth represented in trades assembly, citizens of Texas and United States, urgently request vote against Senate amendment to House Post Office appropriation bill providing biennial instead of annual promotions, in view of fact in recent years both Army and Navy terms of service for promotion have been lowered, when cost of living has advanced to such abnormal degree it appears to us reversal of American policy and unworthy innovation in peace-loving democratic government to propose longer terms for civil service while shortening that of military.

H. O. GOSSETT, *President.*
R. W. WALKER, *Secretary.*

—

FORT WORTH, TEX., *February 13, 1915.*

Senator CULBERSON, *Washington, D. C.:*

In behalf of the members of the local organizations of postal employees in mass meeting assembled, consisting of National Association of Letters Carriers, United National Association of Post Office Clerks, Railway Mail Clerks, and National Federation of Post Office Clerks, comprising a membership of 400, we ask that your earnest efforts be made to eliminate from the postal appropriation bill now pending before the Senate the amendments which abolish the annual promotions for efficient clerks, carriers, and railway mail clerks.

If this Senate committee amendment prevails it will mean that hereafter postal employees in the automatic grades from $800 to $1,200 must wait two years for each $100 promotion, or eight years, exclusive of substitute service, before reaching the maximum grade. This is manifestly unfair to the deserving, hard-working men in the lower salary grades, and, if adopted, it will operate to demoralize the efficiency of the service by making impossible the prompt and proper recognition due to faithful, conscientious works.

A. A. SENTER, *U. N. A. P. O. C.*
P. J. SMALL, *N. A. L. C.*
L. E. MILLER, *N. F. P. O. C.*
J. A. WRIGHT, *R. M. A.*

Mr. PENROSE. I present a number of telegrams in the form of memorials from railway postal clerks in the State of Pennsylvania, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

5338 CHESTNUT STREET,
Philadelphia, Pa., February 4, 1915.

Hon. BOIES PENROSE,
United States Senate, Washington, D. C.

DEAR SIR: In the Post Office appropriation bill for the year 1915–16 it is contemplated by the department to make promotions biennially instead of annually, as at present time, based, I understand, on the idea that clerks reach the maximum salary too quickly; and, while this would be to a certain extent true, it would be a very great injustice to a great many clerks who were in the service a long time prior to the present promotion law and who, like myself, are now due at the next promotion period to receive the final promotion due us and for which we have faithfully worked and confidently expected, and the character of our work and the scope of our distribution is exactly on the same basis as the clerks who have already received their final promotion.

I sincerely hope you will lend your aid to us in this matter if you can see your way clear to do so, for you have in the past done many things for our line (the New York and Pittsburgh railway post office) for which we all hold you in grateful remembrance.

I think I am clearly within my right under the "right of petition," as I would not wish to violate any principle of the service in thus addressing you, and trust that we may not be denied the fruits of our labor which is justly due us. Thanking you very much, I am,

Very truly, yours,

W. J. POORMAN,
New York and Pittsburgh Railway Post Office.

—

NEW YORK, *February 11, 1915.*

Hon. BOIES PENROSE, *Washington, D. C.:*

Oppose amendment for biennial promotions in Post Office bill.

C. SPELZ.

—

NEW YORK, *February 11, 1915.*

Hon. BOIES PENROSE,
Washington, D. C.:

Oppose amendment for biennial promotions in Post Office bill.

W. H. MORRIS.

—

PHILADELPHIA, PA., *February 3, 1915.*

Hon. BOIES PENROSE,
United States Senate, Washington, D. C.:

Railway postal clerks in Pennsylvania protest against any change in the plan of annual promotions.

C. C. REIFF,
Secretary Second Division, R. M. A.

SCRANTON, PA., *February 5, 1915.*

Hon. BOIES PENROSE,
United States Senate, Washington, D. C.:

Oppose with all the influence in your power any change in the classification law of 1907, making promotions every two years instead of every year, as at present.

WM. F. GIBBONS,
National Secretary United National Association of Post Office Clerks.

—

PITTSBURGH, PA., *February 8, 1915.*

Senator BOIES PENROSE,
Washington, D. C.:

The Pittsburgh (Pa.) Branch of Railway Mail Association protest against biennial promotions of railway postal clerks now proposed by the Senate committee. We respectfully ask your support that annual promotions continue as passed by the House of Representatives and the Post Office Committee.

H. C. HEERLEIN, Jr.,
President Pittsburgh Branch.

—

PHILADELPHIA, PA., *February 5, 1915.*

Senator PENROSE,
Washington, D. C.:

Philadelphia post-office clerks urge you to support annual promotions which was enacted into law while you were chairman of the committee.

WILLIAM H. HART,
President Clerks' Association.

Mr. BURTON. I present a joint resolution of the Legislature of Ohio, relative to the seamen's bill, which I ask may be read.

There being no objection, the joint resolution was read, as follows:

Senate joint resolution No. 8.

Joint resolution—Memorial to Congress relative to protection of passenger and shipping interests on the high seas and Great Lakes.

Whereas there is now pending before the Congress of the United States two proposed measures purporting to be for the betterment of the conditions of sailors and the advancement of safety at sea; and

Whereas the most marked requirements of the proposed measures seem formulated to meet conditions existing, or supposed to exist, in sea commerce, but which are made applicable to all merchant vessels exceeding 100 tons, including the Great Lakes; and

Whereas the proposed measures are made applicable to ocean and lake vessels, without differentiation on account of location, trade routes, or manner of conducting business: Therefore be it

Resolved by the senate and the house of the Eighty-first General Assembly of the State of Ohio, That, without assuming to know as much of the general situation as Congress, we express our belief, nevertheless, that the best interests of the passengers and seamen, and of the trading and shipping public, can be conserved by exempting the Great Lakes from any measures which Congress may, in its wisdom, adopt at this time applying to ocean traffic, and that if any regulations are deemed necessary for the Lakes that they only be enacted after separate consideration of the special conditions surrounding the vessels and trade of the Great Lakes.

Be it further resolved, That the secretary of the State of Ohio is hereby instructed to forthwith transmit certified copies of this resolution to all Ohio Members of the Senate and House of Representatives of Congress of the United States, and the clerks of these respective bodies, at Washington, D. C.

CHAS. D. CONOVER,
Speaker of the House of Representatives.
JOHN H. ARNOLD,
President of the Senate.

Adopted February 11, 1915.

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, C. Q. Hildebrant, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original enrolled resolution now in my official custory as secretary of state, and found to be true and correct, of senate joint resolution No. 8, adopted by the General Assembly of Ohio February 11, 1915, and filed in this office on the 12th day of February, A. D. 1915.

Witness my hand and official seal, at Columbus, this 12th day of February, A. D. 1915.

[SEAL.]

C. Q. HILDEBRANT,
Secretary of State.

Mr. BURTON. I present a petition signed by the mayor, City Council, and the Board of Trade of Put in Bay, Ohio, praying for the adoption of an amendment providing that transportation on the Great Lakes be excepted from the provisions of the so-called seamen's bill. I move that the petition lie on the table.

The motion was agreed to.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. JONES. I present two telegrams, from John P. Kiggins, Clarke County commander Grand Army of the Republic, of Vancouver, and from Frank Dye, commander of Vancouver, Wash., relative to the War Department substitute in the Army appropriation bill, which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

VANCOUVER, WASH., *February 14, 1915.*

Senator WESLEY L. JONES,
United States Senate, Washington, D. C.:

War Department substitute for Madden-Chamberlain bill has my strongest approbation; also numerous of our friends. A measure of its kind, that does not cost Government a cent and releases worthy employees of their yoke, is to be commended. Urgently request your strongest influence to keep the measure in present appropriation bill until its passage.

JOHN P. KIGGINS,
Clarke County Commander.

—

VANCOUVER, WASH., *February 14, 1915.*

Senator WESLEY L. JONES,
United States Senate, Washington, D. C.:

War Department substitute in Army appropriation bill for Madden-Chamberlain bill reclassifying clerks and messengers mobile army has received strongest approval Camp Barlow, Spanish War Veterans. Proposed legislation equitable and just; does not cost Government cent; does benefit numerous superannuated employees, some of whom are our members. We urge upon you and other Members Washington representatives your strongest influence to pass this measure, and in the Army appropriation bill.

FRANK DYE, *Commander.*

Mr. JONES. I present a telegram in the nature of a memorial from 150 railway postal clerks in western Washington, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SEATTLE, WASH., *February 14, 1915.*

WESLEY L. JONES,
United States Senate, Washington, D. C.:

One hundred and fifty railway postal clerks in western Washington respectfully ask you to oppose the change from annual to biennial promotions for the men of this service.

A. W. LEONARD, *Branch President.*

Mr. OWEN. I present a resolution adopted by the House of Representatives of the Fifth Legislature of the State of Oklahoma, which I ask may be printed in the RECORD. It memorializes for the passage of the ship-purchase bill.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

House resolution 17, by Abney.

Be it resolved by the House of Representatives of the Fifth Legislature of the State of Oklahoma, That our United States Senators be, and they are hereby, memorialized to pass the ship-purchase bill at the earliest possible date to avoid calling an extra session of Congress.

Adopted by the house of representatives February 10, 1915.

A. MCCRORY,
Speaker House of Representatives.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Minnesota, praying for the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

Mr. WORKS. I present a joint resolution adopted by the Legislature of the State of California, relative to a request to the Secretary of the Interior for permission to take elk from the Yellowstone National Park for transportation to and liberation in the coast range mountains in the county of San Luis Obispo, State of California, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Assembly joint resolution 18 (by Mr. E. S. Rigdon, of fifty-third district) relative to a request to the Secretary of the Interior for permission to take elk from the Yellowstone National Park for transportation to and liberation in the coast range mountains in the county of San Luis Obispo, State of California.

Whereas the wild animal life of California has become almost extinct, this being especially true as to wild animals having a food value; and

Whereas the transporting and liberating of elk in California has heretofore been successfully undertaken; and

Whereas citizens of the county of San Luis Obispo, in the State of California, have signified their willingness to bear the expense of the transportation of elk to be liberated in the San Lucia coast range mountains of the said county: Now, therefore, be it

Resolved by the Assembly and Senate of California, jointly, That we respectfully urge and request the Secretary of the Interior of the United States to consent to and arrange for the taking of 60 head of elk from the Yellowstone National Park to be transported at an appropriate season to the State of California, to be liberated in the mountains of San Luis Obispo County; and be it further

Resolved, That the chief clerk of the assembly be, and he is hereby, instructed to forward a copy of this resolution to Hon. Franklin K. Lane, Secretary of the Interior of the United States, to each of the Senators from California in the United States Congress, and to the Hon. E. A. HAYES, Representative in Congress from the eighth district of California.

C. C. YOUNG,
Speaker of the Assembly.
L. B. MALLORY,
Chief Clerk of the Assembly.

Received by the governor this 30th day of January, A. D. 1915.

ALEXANDER MCCABE,
Private Secretary to the Governor.

Witness my signature and the seal of this office, at Sacramento, this 30th day of January, A. D. 1915.

[SEAL.]

FRANK C. JORDAN,
Secretary of State.

Mr. WORKS presented petitions of sundry citizens of Visalia, Cal., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. CATRON. I present a telegram in the nature of a memorial from 1,200 railway postal clerks in the eleventh division of the Railway Mail Service which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

EL PASO, TEX., *February 12, 1915.*

Senator T. B. CATRON,
Washington, D. C.:

Twelve hundred railway postal clerks in the eleventh division Railway Mail Service respectfully ask you to oppose the change from annual to biennial promotions for the men in this service.

G. J. DENTON,
President El Paso Branch, Railway Mail Association.

Mr. SHERMAN. I present a number of telegrams from letter carriers of different post-office stations in Chicago, Ill., which I ask may be printed in the RECORD.

There being no objection the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *February 14, 1915.*

Hon. LAWRENCE Y. SHERMAN,
Senate, Washington, D. C.:

The letter carriers of Dauphin Park Station urge you to use your best efforts to defeat the proposed change in the automatic promotion by law of employees which requires them to remain two years in each grade instead of one year.

I. S. MOORE,
Board Member, Branch 11,
National Association Letter Carriers.

—

CHICAGO, ILL., *February 14, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The letter carriers of Auburn Park Station, Chicago, Ill., post office do strenuously protest against the enactment of the clause relating to the promotion as contained in the Post Office appropriation bill.

Respectfully,

FRED SALZER,
Executive Board Member, Garden City Branch,
No. 11, National Association Letter Carriers,
Representing Auburn Park Station.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

Carriers of Lakeview Station protest against proposed amendment changing annual promotion of carriers.

A. SCHMIDT,
Executive Board Member.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
Senate, Washington, D. C.:

The carriers of Station C protest against the proposed amendment changing in Post Office appropriation bill effecting increase of pay for two years or more for carriers.

THOS. GUBBINS,
Executive Board Member for Station C,
National Association Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

DEAR SIR: The Center Street Business Men's Association herewith respectfully protest against proposed demotions of clerks and carriers of the Chicago post office.

MATH HIBBELER, *President.*
JOS. FRIEDMAN, *Secretary.*

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Ogden Park Station protest against the proposed amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

L. C. KIRCHNER,
Executive Board Member, Ogden Park Station,
Garden City Branch, No. 11, National Association Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Lincoln Park Station, Chicago post office, herewith respectfully protest against the proposed amendment changing the Post Office appropriation bill deferring promotion of carriers from one grade to another for two years or more.

Respectfully, yours,

HENRY A. HEINE,
Executive Board Member of Garden City Branch, No. 11,
National Association of Letter Carriers, for Lincoln Park Station.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
Washington, D. C.:

Letter carriers, Douglas Park Station, Chicago, protest against the proposed amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

J. M. DELANEY,
Executive Board Member, Branch 11,
National Association of Letter Carriers, Douglas Park Station.

CHICAGO, ILL., *February 13, 1915.*

Senator L. Y. SHERMAN,
Washington, D. C.:

The proposed amendment to that section of Post Office appropriation bill governing annual advancement in the grades would work a great hardship to the rank and file, who are paying for their homes. On behalf of carriers at Irving Park Station I solicit your interest to defeat same.

GEO. R. NOHREN.

—

GRAND CROSSING, CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
Washington, D. C.:

We, the letter carriers of Grand Crossing Station, protest against biennial promotions of carriers.

B. J. MURRY,
Executive Board Member, Branch No. 11,
National Association of Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Senator LAWRENCE Y. SHERMAN,
Washington, D. C.:

Carriers of Garfield Park protest about biennial raise in salaries.

GEO. T. HARTIGAN,
Executive Board Member.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Wicker Park Station protest against the proposed amendment changing Post Office appropriation bill deferring increase of letter carriers' pay for two years or more.

PETER THOMPSON,
Executive Board Member, Garden City Branch, No. 11,
National Association of Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

The letter carriers of Station M hereby protest against proposed amendment to the Post Office appropriation bill changing promotions of carriers from one to two years, and appeal to you for assistance to defeat same.

THOS. KEHOE,
Executive Board Member for Station M,
National Association of Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Senator LAWRENCE Y. SHERMAN,
Washington, D. C.:

Carriers of Twentieth Street post office protest against the pending amendment to Post Office appropriation bill for biennial promotion.

JAMES TALBOTT,
Executive Board Member, Branch 11,
National Association of Letter Carriers, Twentieth St. Post Office.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Chicago Avenue Station protest against the proposed amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

H. L. LASSEN,
Executive Board Member, Garden City Branch, No. 11,
National Association of Letter Carriers.

—

UNION STOCKYARDS, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

A protest from the letter carriers at McKinley Park Station against the amendment to the Post Office appropriation bill to biennial salary.

D. J. MCBRIDE,
Executive Board Member, Branch No. 11,
National Association of Letter Carriers.

—

ENGLEWOOD, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The members Branch 11, National Association of Letter Carriers, Englewood Station, protest against the proposed change in the law changing promotions from annual to biennial.

JOS. T. MACKIN,
Executive Board, Member Englewood Station.

—

UNION STOCKYARDS, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Fifty-first Street Station protest against the proposed amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

MATT MINAHAN,
Executive Board Member of Garden City Branch, No. 11,
National Association of Letter Carriers, for Fifty-first Street Station.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The letter carriers of the Hyde Park Station, Chicago post office, desire to protest against the amendment to the Post Office appropriation bill now pending in the Senate, which provides that clerks and carriers shall serve two years in each grade before they shall be eligible to the next higher grade of salary.

Respectfully, JAMES W. FLACK,
Executive Board Member, Branch 11,
National Association of Letter Carriers, for Hyde Park Station.

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

Carriers of North Halsted Station respectfully protest against biennial promotion of carriers as submitted by Senate Committee on Post Offices and Post Roads.

C. F. COOMBS,
Board Member, Branch 11.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: We, the letter carriers of Rogers Park Station, owing to the high cost of living, protest against Senate amendment to Post Office bill providing for biennial promotion.

Respectfully,

J. G. SOERENS,
Executive Board Member.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The carriers of Station D protest against the proposed amendment changing in Post Office appropriation bill deferring increase of pay for two years or more for carriers.

JOHN A. RAFTER,
Executive Board Member, Garden City Branch, No. 11.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.:

The letter carriers of Carpenter Station protest against the proposed amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

O. A. BENSON,
Executive Board Member of Garden City Branch, No. 11,
National Association of Letter Carriers, for Carpenter Station.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
Washington, D. C.

DEAR SENATOR: The clerks and carriers at Armour Postal Station protest against the Senate amendment for biennial promotions. We believe that under the present high cost of living the present law granting increases annually does not merit any change, and trust that you will do all in your power to maintain the annual increase for clerks and carriers. I remain,

Very truly, yours,

JAMES H. MURPHY,
Executive Board Member, Armour Postal Station.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

The 54 carriers of Ravenswood Station protest against the amendment to Post Office appropriation bill deferring all promotions for two years.

ARTHUR M. SUDDUTH,
Executive Board Member, Branch 11,
National Association Letter Carriers.

—

UNION STOCKYARDS, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
Washington, D. C.:

The carriers of Stockyards Station protest against the proposed amendment changing the Post Office appropriation bill deferring increase of pay for two years or more for carriers.

ARTHUR HENDERSON,
Executive Board Member, Garden City Branch, No. 11,
National Association of Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Senator L. Y. SHERMAN,
Washington, D. C.:

The carriers of Jackson Park Station protest against the proposed amendment in Post Office appropriation bill deferring increase of pay for two years or more.

R. HOFFMAN,
Executive Board Member, Garden City Branch No. 11,
National Association of Letter Carriers.

—

CHICAGO, ILL., *February 13, 1915.*

Hon. L. Y. SHERMAN,
Washington, D. C.:

The carriers at Austin Station protest against amendment changing Post Office appropriation bill deferring increase of pay for two years or more for carriers.

WILLIAM E. SHAPIRO,
Executive Board Member Austin Station,
Garden City Branch, No. 11.

Mr. OLIVER presented memorials of sundry citizens of Pennsylvania, remonstrating against the proposed change in the present system of promotion of postal clerks, which were ordered to lie on the table.

Mr. LODGE presented a petition of the Men's Club, of Cohasset, Mass., praying for the enactment of legislation to prohibit the interstate shipment of the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the executive committee of the National Association for the Advancement of Colored People, of Boston, Mass., remonstrating against the enactment of legislation to prohibit the intermarriage of white and colored people in the District of Columbia, which aws referred to the Committee on the District of Columbia.

He also presented a petition of the city council of Salem, Mass., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. DU PONT presented petitions of sundry citizens of Wilmington, Del., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. POINDEXTER presented petitions of Otto Hansen, of Spokane; William Haw, of Endicott; C. H. Kimpel, of Kennewick; Peter H. Peters, of Fairfield; John J. Jaeger, of Spanaway; and Carl W. Wagner, of Hillyard, all in the State of Washington, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. KERN presented petitions of sundry citizens of Fort Wayne, St. Meinrad, Hessville, Hammond, and Indianapolis, all in the State of Indiana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Branch, United Mine Workers, of Newburg, Ind., praying for the extension of the work of the Bureau of Mines, which was referred to the Committee on Mines and Mining.

He also presented a memorial of the congregation of the Grace Presbyterian Church, of Indianapolis, Ind., remonstrating against the exclusion of certain matter from the mail, which was ordered to lie on the table.

SHIP RATES ON TOBACCO.

Mr. JAMES. I present an article from the Louisville (Ky.) Courier Journal, relative to a discussion had at a meeting at Nashville, Tenn., of the Planters' Protective Association of Tennessee and Kentucky, on the state of tobacco, which I ask to have read.

There being no objection, the article was read as follows:

SHIP RATES ON TOBACCO ALMOST PROHIBITIVE—SAID TO HAVE GONE FROM 32 CENTS THE 100 POUNDS TO $3.30 SINCE WAR BEGAN.

NASHVILLE, TENN., *February 12.*

The question of securing ships to transport American tobacco abroad was discussed to-day at a meeting here of the Planters' Protective Association of Tennessee and Kentucky. It was stated that the present rate on tobacco was virtually prohibitory, having grown from 32 cents the hundred pounds to $3.50, and that shipping facilities were almost unobtainable at any price.

THE MERCHANT MARINE.

Mr. FLETCHER. I send to the desk, and desire to have read, a clipping from a newspaper published in Tacoma, State of Washington, which has been sent to me by a correspondent, bearing on the subject of our merchant marine. It is not very long, and I think it will throw some light from the Pacific coast on the situation.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

EXORBITANT RATES BEING CHARGED FOR SHIPS.

Large profits are being made by the shipowner in carrying wheat to Europe. Vessel owners are demanding and getting big rates. Before the war broke out owners were satisfied with $250 per day, and making money. Now they charge as high as $1,500 per day for their vessels. One of the biggest rates so far given a vessel to carry wheat is that of the *Lowther Castle*, to load at Portland. The rate is 65 shillings.

Speaking of this rate, a well-posted shipping man Monday declared:

"The *Lowther Castle*, after allowing for bunker coal to take her through the canal to an Atlantic coaling port, will carry 6,700 long tons. At this rate the steamer will earn for her voyage about $104,520.

"The time consumed by a vessel making this trip is about 50 days, while 10 days may be taken for loading and lining the ship. So that for 70 days the owners will get for the vessel $1,500 per day. As a vessel like the *Lowther Castle* could be obtained for $250 per day before the war, it is seen that the shipowners are not losing money.

"Two years ago a vessel could be purchased for $200,000, and some of the interned German vessels can now be purchased for this. In one or two voyages the vessel has paid for itself."

Mr. MARTINE of New Jersey. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey.

Mr. MARTINE of New Jersey. We have had very many communications from boards of trade and chambers of commerce in protest against the so-called shipping bill. I have here a communication from the Locomotive Firemen and Engineers, a very intellectual and highly qualified organization, as we all know, advocating the passage of that bill. Accompanying it is a leaflet from the magazine known as the Locomotive Engineers' Magazine in support of that measure. I desire to present the communication and leaflet, and ask that they may be incorporated in the RECORD without reading.

Mr. BURTON. I have no special sensitiveness in regard to that article. I see it contains a personal attack upon myself——

Mr. MARTINE of New Jersey. I read the article and am conscious of the fact to which the Senator from Ohio refers, and have stricken out that reference and everything in the nature of a personal attack.

Mr. BURTON. Mr. President, I think as compared with the three tailors of Tooley Street it is an exhibition of a memorial showing absolute lack of any understanding of the subject. If it is the desire of the Senate to load the RECORD with these articles, which are written by persons entirely unfamiliar with the subject, I am not going to object.

Mr. MARTINE of New Jersey. I will say, Mr. President, that I have stricken out the objectionable part; I realize that that should be done, and I would not be a party to or be guilty of anything that would malign a Senator on this floor, and with the permission of the Senate I will withdraw my request. However, inasmuch as we have had protests from the great organized interests and wealth against the bill, it seemed only fit and proper that those in the minor walks of life who might have something to say should be heard. Therefore I will withdraw the request with the consent of the Senate.

The VICE PRESIDENT. The matter is withdrawn.

Mr. GALLINGER. I desire to ask the Senator from New Jersey if he also withdrew the communication from the organization to which he referred?

Mr. MARTINE of New Jersey. I have withdrawn the entire matter.

Mr. GALLINGER. I notice that they say there are 3,000,000 people out of employment in the United States, and I rather wanted that to go in the RECORD.

Mr. MARTINE of New Jersey. Well, the Senator from New Jersey takes that with a grain of salt, of course.

The VICE PRESIDENT. The entire matter is withdrawn by the Senator from New Jersey.

SUWANEE RIVER BRIDGE, FLORIDA.

The VICE PRESIDENT. The Chair lays before the Senate the request of the House of Representatives to return to the House the enrolled bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

Mr. FLETCHER. I did not quite understand that, my attention being diverted at the time.

The VICE PRESIDENT. The Secretary will state the request of the House of Representatives.

The SECRETARY. The House of Representatives requests the return of the enrolled bill (S. 7555) for the construction of a bridge across the Suwanee River in the State of Florida.

Mr. FLETCHER. Mr. President, I should like to know just what that situation is. The Senate passed the bill, but I did not know that there was an enrolled bill here. I should like to look into the matter before any further action is taken.

The VICE PRESIDENT. The matter will lie over.

Mr. ROOT. I should like to inquire what disposition was made of the matter last before the Senate.

The VICE PRESIDENT. No disposition was made of it.

Mr. ROOT. It lies on the table, I suppose.

The VICE PRESIDENT. It lies on the table until called up.

Mr. FLETCHER subsequently said: With reference to the resolution from the House, there seems to have been some mistake regarding that bill, and I move that the Senate concur in the request of the House of Representatives.

Mr. ROOT. We can not hear the Senator.

The VICE PRESIDENT. The motion of the Senator from Florida is to concur in the request of the House for the return of the enrolled bill. The Chair is informed, without certifying to the truth of the information, that the bill failed to pass the House.

Mr. SMOOT. Mr. President, would it not be in order, and the proper way to proceed, for the Senator from Florida to ask the Senate to reconsider the vote by which the bill passed the Senate? The bill passed the Senate by unanimous consent on Friday last, as I remember.

Mr. FLETCHER. I do not think so. I understand that the situation is that instead of sending over to the House the Senate bill as it passed the Senate, they sent over what appeared to be an enrolled bill, and it was not an enrolled bill at all, because it had not passed both Houses. They simply want to get this copy of the enrolled bill out of the way, and then they will take up the Senate bill. There is no objection to it; there is simply a mistake in certifying as an enrolled bill a bill that had passed only one body. It is just a clerical mistake; that is all.

Mr. SMOOT. I may be mistaken, but as I remember last Friday the House sent a message to the Senate, and in that message it included the bill referred to. When the bill was handed down to the Senate, the Senator from Florida asked unanimous consent for its immediate consideration, and that consent was given, and the bill passed.

Mr. FLETCHER. No; the Senator is mistaken. The bill that was considered and passed by the Senate was reported by the committee, and it was a Senate bill, and therefore the error has occurred. It has been certified as an enrolled bill, whereas really it was a Senate engrossed bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida that the Senate comply with the request of the House for the return of the enrolled bill.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (S. 4619) authorizing and directing the Secretary of the Interior to vacate certain lands in Oklahoma reserved for a town site, and for other purposes, reported it without amendment and submitted a report (No. 985) thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (S. 7179) to provide for the establishment of a forest reserve within the Red Lake Indian Reservation, Minn., reported it without amendment and submitted a report (No. 984) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 7652) providing for the continuance of the Joint Committee to Investigate Indian Affairs, reported it with an amendment and submitted a report (No. 983) thereon.

PURCHASE OF SHIPS.

Mr. WILLIAMS. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report back favorably, with two amendments, a resolution (S. Res. 543) submitted Saturday last, I believe, by the Senator from Ohio [Mr. BURTON], and I call his attention to the report. I shall ask immediate consideration for the matter, and before submitting it to the Senate, and immediately after the resolution with the amendments is read, retaining the floor for that purpose, I shall explain why the amendments were ingrafted upon it.

The VICE PRESIDENT. The Secretary will state the amendments reported by the committee.

The SECRETARY. The committee proposes the following amendments:

4. What efforts the so-called Shipping Trust or any person, firm, or corporation engaged or interested in shipping have, directly or indirectly, made to prevent the passage of S. 6356, commonly known as the ship-purchase bill; whether any company of shipowners or chamber of commerce or other body influenced by or dominated by shipowners whose vessels would compete with the ships to be purchased or constructed under said act have had attorneys or lobbyists at Washington working to consummate the defeat of the said bill, and whether any Senator or Senators of the United States are stock owners or bondholders of the United Fruit Co., or of any other company owning ships, which would compete with the ships to be purchased or constructed under the provisions of said bill.

5. That the said committee, or any subcommittee thereof, be authorized to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had in connection with the subject pending before the said committee; that the committee may sit during the sessions or recesses of the Senate, and the expenses thereof shall be paid out of the contingent fund of the Senate.

Mr. WILLIAMS. I ask unanimous consent for the immediate consideration of the resolution.

Mr. GALLINGER. Have the proposed amendments been read?

The VICE PRESIDENT. They have been read. The question is on agreeing to the amendments of the committee.

Mr. BURTON. Mr. President, I may say, as the author of the resolution, that I have no objection to the proposed amendments. I think we should have the fullest and freest investigation. They might have been included in the original resolution.

Mr. WILLIAMS. I believe I have the floor, Mr. President.

Mr. BURTON. Will the Senator from Mississippi yield to me for a moment? I think it will facilitate matters.

Mr. WILLIAMS. I yield for a question.

Mr. BURTON. The inquiries that I made were in regard to substantive transactions. These are amendments which pertain to investigations as to influences brought to bear, possibly, against the bill. These latter would naturally go to a committee which has already become, if not a standing committee of the Senate, one that is practically permanent, for the investigation of the lobby, and my fear is that this will postpone action. However, I do not feel like objecting.

Mr. WILLIAMS. If I yield for a speech, I fear I may lose my place on the floor.

The VICE PRESIDENT. No.

Mr. WILLIAMS. I want, in explanation of the resolution, to say this: The Senator from Ohio submitted a resolution which carried with it certain intimations or insinuations or

suggestions, whatever you may choose to call them, of corrupt influences behind the support of this bill. The parties at whom he struck indicated to the committee their desire that the matter should be investigated at the very first possible moment, so that any sort of insinuation of that sort might not hang long in face of the proof that will undoubtedly be presented. The majority of the committee took the position that if we were going to examine into the question as to whether there was rottenness on one side of this Denmark we had better see whether there was any on the other side or not; and we concluded it would be but right, while we were examining into the suggestions or intimations of the Senator from Ohio, to examine into the truthfulness or falsity of other insinuations and intimations that had been going around.

As for myself, if the matter had been left to me entirely, and it were my good fame that had been affected instead of somebody else's, I would have taken no notice of either side of the controversy without some definite and specific charge made upon this floor; but since the Senator from Ohio chose to put out a dragnet we thought the dragnet ought to be large enough and strong enough to catch all possible fish of the character struck at by him, if there were any fish of that sort. We therefore amended the resolution so that it shall apply to the entire question of the alleged, intimated, suggested, insinuated corruption on either side of this great question, with the hope that in behalf of the good name of this body and the good name of the American people it may result in demonstrating the fact that there is no corruption on either side. I say that by way of expressing my own opinion.

I want to say this generally about dragnet investigations: This investigation struck at the Secretary of the Treasury. We might just as well be frank about it. That was what was meant by it. The Senator from Ohio is no more urgent for an immediate investigation and immediate production of evidence and proof than is the Secretary of the Treasury. Although in its terms it was general, everybody rather understood that it was striking at him and at a member of the reserve board of our banking system. At any rate, the newspapers said that was what was struck at, and I suppose they had come pretty near it, as they usually do.

Speaking generally, however, and independently of this question, which was made specific by those newspaper articles, it seems to me that the Senate of the United States ought to get out of the habit, into which it has gotten into lately, of making a grand jury of itself and of spreading around fish nets, I might say, and going into an inquisitorial investigation upon grounds that no court of chancery would admit, or anybody else, where no specific, decisive, explicit charges of any sort are made upon the floor. But the parties struck at by this resolution do not want to rest under the intimation of silence for one day; and therefore, although the Senator introduced the resolution upon Saturday, I called the committee together this morning, so that there might be quite enough investigation to satisfy everybody.

Mr. BURTON. Mr. President, I desire to state that I did not have the Secretary of the Treasury especially in mind in introducing this resolution. There have been statements made on the floor of this body that certain financial or banking firms have made loans on these ships that are in our ports, and that there were options as well, and it might be well to investigate whether any officials of the Government, the Secretary of the Treasury, or other officials, have been in communication with them; but that was not the primary object of the resolution. If it had been aimed especially at the Secretary of the Treasury, I am not sure but that action might have been taken under an almost forgotten statute—that of 1789, creating the Treasury Department.

It is to be noted that the statutes organizing the different departments sever out the Treasury Department and the Secretary of the Treasury from all the rest. He can be called before either House of Congress by a resolution under this provision, which is found in section 248 of the Revised Statutes:

> The Secretary of the Treasury shall from time to time digest and prepare plans for the improvement and management of the revenue and for the support of the public credit, shall superintend the collection of the revenue, shall from time to time prescribe the forms of keeping and rendering all public accounts and making returns——

Mr. REED. Mr. President——

Mr. BURTON. For what purpose does the Senator rise?

Mr. REED. I rose for two reasons. In the first place, it is impossible to hear the Senator from Ohio, and, secondly, I desire to inquire what citation from the statutes he is reading?

Mr. BURTON. Section 248 of the Revised Statutes. I will try to make myself heard, especially when I come to the vital portion [reading]—

> shall grant, under the limitations herein established or to be hereafter provided all warrants for moneys to be issued from the Treasury in pursuance of appropriations by law, "shall make report and give information to either branch of the legislature in person or in writing, as may be required," respecting all matters referred to him by the Senate or House of Representatives or which shall appertain to his office, and generally shall perform all such services relative to the finances as he shall be directed to perform.

I can not believe that any opposition to this resolution for an investigation or to the other resolution which comes over from yesterday proceeds from the Secretary of the Treasury. If he were asked to appear here, I have no doubt he would conduct himself ably and well and to the entire satisfaction of the Senate, and that if Senate resolution 542, which comes over from Saturday, is brought up and passed, as I trust it will be, he will also give an answer which will illuminate this subject and do full justice to his own connection or possible connection with the pending bill.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I can say to the Senator from Ohio that he need not disturb his soul over the question of any opposition on the part of the Secretary of the Treasury to either of his resolutions. He can compose himself in absolute peace upon that proposition. The Secretary of the Treasury will not only respond to any request from Congress but he will welcome any sort of investigation that the Senate desires to inaugurate. Indeed, Mr. President, he has always been so willing to furnish information that it was utterly unnecessary for the Senator from Ohio or anybody else to introduce a resolution calling for information. Much less was it necessary or proper to introduce these resolutions which, in effect, reflect upon the Secretary of the Treasury, and which, in my judgment, were intended to reflect upon him.

I make that statement because the Secretary of the Treasury has been willing at all times to give to the Senator from Ohio or to any other Senator any information in his possession. The innuendo that is contained in these resolutions is one which I think never ought to be made on the floor of this body or in public speech or private conversation against an honorable gentleman, unless the maker of the resolution or the author of the insinuation is willing to state that he has substantial evidence warranting the attitude he assumes. I do not regard it as a light thing to introduce into the Senate such a resolution.

I want to read to the Senate the resolutions of the Senator from Ohio.

> Whereas the pending ship-purchase bill, being S. 6856, contemplates by certain of its provisions the purchase of shipping tonnage already constructed, and therefore suggests the possible acquisition of ships belonging to belligerents, some of which are interned in American and other ports as the result of the war; and
>
> Whereas the purchase of such vessels would raise questions of vital importance to the interests of the United States, a knowledge of which is of supreme importance in order that the Senate may reach an intelligent conclusion as to the advisability of enacting said bill and as to the propriety of incorporating in its provisions certain amendments: Therefore be it
>
> *Resolved*, That the Secretary of the Treasury be requested, and is hereby directed, to transmit, at his earliest convenience, to the Senate of the United States information responsive to the following queries:
>
> First. Has the Secretary of the Treasury knowledge that any officer of the Government has made overtures or addressed inquiries to the owners of ships under the flags of belligerent nations, including those ships now detained in ports of the United States or other neutral ports, with a view to the purchase of such ships on the part of the Government of the United States or any of its authorized agencies?
>
> Second. Have tenders of sale of any merchant ship or ships carrying the flag of any of the belligerent nations been made to the United States or any of its officers or agencies?
>
> Third. Have there been any tenders for the sale of vessels at present carrying the flag of any neutral nation to the United States or any responsible officer or agent thereof?
>
> Fourth. Is it within the knowledge of the Secretary of the Treasury that any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war; or that any person, firm, or corporation, acting either in private capacity or that of agent for the Government, holds an option on any such ship or ships, contemplating their transfer either to the Government of the United States, an agency thereof, or to private citizens of the United States?
>
> Fifth. Is it within the knowledge of the Secretary of the Treasury that the Government of the United States, or any official thereof, has in his employ or under his direction any person or agent who is making inquiry as to the possibility of purchasing any ship or ships of any description whatsoever, contemplating their eventual transfer to the United States or an agency thereof?
>
> In each of the above instances the names of the persons, ships, and terms involved in each contemplated sale or purchase is requested.

That is followed by a resolution introduced at substantially the same moment, reading:

> *Resolved*, That a committee of five Senators be appointed by the Presiding Officer of the Senate with authority to compel the production of books and papers, summon witnesses, and take testimony in order to ascertain:
>
> 1. Whether any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war.

2. Whether any individual, firm, or corporation in the United States has at any time obtained options upon any such ship or ships.
3. Whether the persons, firms, or corporations having made such loans or obtained such options have any connection, direct or indirect, with the Government of the United States.

Mr. President, the broad implication that is running through those two resolutions is that the Senator who is their author has the right to believe that there are persons, firms, or corporations who are preparing to traffic in the vessels it is proposed to purchase who have a direct connection with the Government of the United States. The office of the Secretary of the Treasury is dragged in by these resolutions, and the implication is broad that he is in possession of such knowledge and that he is party or privy to such an infamous undertaking. That, I say, is a very grave charge to bring, and it is none the less brought because it is made by innuendo instead of by direction.

This body ought to be something besides a mere vent for scandal or the exploitation of libel. No resolution ought to be introduced in this body to give tongue to foul and evil reports that have been expressed only by the lips of the irresponsible. No food ought to be furnished here upon which newspapers that are antagonistic to an administration can base alleged news articles, stating that the Secretary of the Treasury is about to be investigated, that certain banking houses are about to be investigated, and that his connection therewith is about to be investigated, unless the Senator who offers the resolution is prepared to say upon the floor of the Senate that he has information warranting that kind of an implication.

I desire to ask the Senator from Ohio now whether he has any information from any reliable source, from any trustworthy source, that the Secretary of the Treasury has been engaged in any improper practice with reference to any of the matters referred to in these resolutions?

Mr. BURTON. Mr. President, I would not wish to vouch for statements to that effect. I am very glad to see that the Senator from Missouri is now a champion against irresponsible utterances. I think that is quite in contrast with his attitude on this floor at other times.

Mr. REED. In what respect, if the Senator please? I should like to have him present the facts instead of a mere fulmination.

Mr. BURTON. I make that statement to the Senate. The Members of the Senate will understand.

We had here at the last session, was it not, an intimation that there was an insidious lobby about the Senate. Were there any facts transmitted by those who made that assertion?

Mr. REED. Oh, yes; there were plenty of facts, and we made the charges good.

Mr. BURTON. If that is the case——

Mr. REED. There was a mass of evidence that is absolutely overwhelming. It was sufficient at the time to silence the tongue of criticism. Even the Senator from Ohio sat as mum as an oyster.

Mr. BURTON. If that is the case—if the committee made good—how came it that after not only weeks but months that committee which has found such disclosures should never have taken the Senate into its confidence——

Mr. REED. Oh, Mr. President——

Mr. BURTON. And should never have taken time to formulate a report?

What I say in regard to this, I repeat. There is no innuendo here against the Secretary of the Treasury, but it does seem to me that the circumstances under which this bill is reported are very mysterious. It was first——

Mr. REED. What bill?

Mr. BURTON. First, it was brought before us as a measure to promote trade with South America. When the props were taken out from under that argument the pressure for the bill continues, in the face of condemnatory facts, with a persistence I have never seen equaled in any measure before the House of Representatives or the Senate. In view of the unprecedented obstinacy in pushing this measure and the statements made here upon the floor of the Senate, not specially aimed against the Secretary of the Treasury—perhaps not aimed against him at all, most of them—I think it well that the Senate should investigate it.

Mr. REED. Mr. President, I am glad to know that the Senator now states on the floor of the Senate, and in that way to the country, that he has not intended to cast any imputation upon the integrity of the Secretary of the Treasury.

Mr. BURTON. No; by no means.

Mr. REED. And he also states that he will not vouch for any information that he has received. In this connection I desire to suggest that in the future he had better call some one in who can prepare a resolution of inquiry in such a way that it will not be taken by the press of the country as a charge against an honorable gentleman.

I also call attention to the fact that the Senator from Ohio this morning took pains to read a section of the statute which contains the provision that Congress may compel the Secretary of the Treasury to appear before it and answer questions. The only possible purpose of reading the statute was to aid the innuendo that the Secretary is in possession of information that he is unwilling to disclose and to make it appear that he can be compelled to make disclosure, even against his will.

I can say to the Senator from Ohio, and I say it with authority, that the Secretary of the Treasury welcomes this investigation and will gladly embrace the opportunity to meet face to face every scandalmonger, whether he be official or nonofficial, whether he be an employee of the Shipping Trust or whether he be a certain private speculator and promoter who is disappointed because he could not carry through a scheme to organize a corporation to buy interned ships and have the United States underwrite its bonds, and who is especially irritated at the Secretary of the Treasury because he refused to become a party to his promotion scheme.

Mr. President, the particular matter before the Senate is the amendment to this second resolution offered by the Senator from Ohio, which proposes to enlarge that resolution, so that we may ascertain whether our old friend, the Shipping Trust, has been unduly active. We already know that its attorneys have prepared briefs and circulated them among the Members of the Senate opposing this bill. We already know that certain exchanges which have a long time been unduly influenced, if not entirely commanded, by the shipping interests have become very active. We already know that there are plenty of Senators who have bottomed their arguments against this bill upon the hypothesis that it is a very wicked thing for the Government of the United States to compete with private business. We also know that that is the argument nearest to the heart of the shipping combine. It is an argument that they are forever putting out. So I am in favor of enlarging the inquiry.

The Senator from Ohio referred to the lobby committee and to the fact that it has not made a report. Let me say to him that a very full report of the salient points of the evidence taken was printed in the daily newspapers for weeks and months, so that everybody in the United States except the Senator from Ohio knew there had been a lobby here; that it has been a corrupt lobby; that it resorted to infamous methods to accomplish detestable ends; and that it ought to be stamped out of existence.

Mr. BURTON. Mr. President, will the Senator——

Mr. REED. Everybody but the Senator from Ohio knew that fact. Whether he now knows it I can not say, except that he just now complained that he had not been taken into the confidence of the committee. I therefore infer he has forgotten what the papers published.

Mr. BURTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. REED. I do.

Mr. BURTON. I desire most decidedly to deny any knowledge of the existence of any corrupt lobby here. I feel very sure that nothing of the kind is true. I trust that the Senator from Missouri having started out on an apparently high plane, demanding care in making accusations and demanding that all idle utterances be checked, will not indulge in anything of that kind himself.

Mr. REED. Mr. President, what I have just said may seem an idle utterance to the Senator from Ohio, but I repeat he is the only man in the United States who does not know the facts I have already asserted and does not know that they were fully proven. I attribute his lack of knowledge to the fact that he has as usual been dwelling in that intellectual dreamland in which he has habitually lived for many years. There are a great many intelligent men, very high-class men, who would not know if their own pockets were picked twenty times a day. I commend to the Senator, who does not know there has been a lobby in Washington, and that the fact was proven, the wisdom of coming down to earth. I recommend to him consideration of the old anecdote of Diogenes, who, in his day and generation, said to a dreamer who was constantly looking at the stars and who naturally fell into a mudhole in the street, "that he had better keep his head out of the stars while his feet were upon the earth."

Mr. President, I utter no idle words, I engage in no slander, I offend against no propriety when I say that volume after volume of testimony taken by the lobby committee did show an intolerable condition of affairs to have existed in Washington.

Let me call the attention of the distinguished Senator to one fact. It showed that there was an organization known as the American Wool Manufacturers' Association; that it united itself with a wool growers' association; that they had many meetings for the purpose of promoting legislation for their especial benefit. Finally, when a tariff bill was before Congress, these patriotic gentlemen sent one of their employees, their hired man, their secretary, to Washington. He was taken not only into the confidence of the Republican members of the Finance Committee of the Senate, but into the pay of the Government. He sat with the Republican members of the Finance Committee when they were engaged in private deliberations behind locked doors. The public was excluded and the Democratic members were excluded. There this man assisted them in preparing schedule K of the tariff bill. Every day he reported to his boss, the president of this woolen manufacturers' association, what had been done; and every day received his commands from the proprietor of that association. Every day he labored to write into the bill the propositions that had been put forward by the woolen and wool associations. Every night he reported progress. At the end of the deliberations of that caucus of the Republican members of that committee, held behind closed doors, this gentleman, Mr. North, transmitted to his employer, the Woolen Trust, the happy information that they had succeeded in writing into the bill every single desire they had. Then, this gentleman, Mr. North, went home, had his salary raised, and was presented with $5,000 as a bonus for his services in acting at one and the same time as the representative of the Woolen Trust and as an employee of the Federal Government.

That may not shock the conscience of the Senator from Ohio; that may not be any evidence whatever to him that anything wrong or wicked was going on; that performance may have been highly ethical; perhaps it should be regarded as the highest order of statesmanship; but if things like that can be done in this country, and if those who have been guilty of them can go unwhipped, at least by the lash of public disapproval, then the day has come when interests—selfish interests—can enter the halls of legislation, appear before committees, and control the course of legislation; selfish interests can write the laws of the country, instead of the people of the country writing them through their representatives—if that sort of thing does not shock the conscience of the Senator from Ohio, if it does not appall his sensitive soul, if it does not appeal to him as a thing utterly infamous, then let me say to him that the plain, common people who walk this earth and who do not dream beautiful dreams and keep their heads among the stars—those people, at least, regard it as infamous conduct; and if it should be persisted in, a condition utterly unspeakable and utterly intolerable would obtain.

We also had some evidence before that committee not only tending to show but absolutely demonstrating certain other facts. It was proven there that there was an organization, the National Association of Manufacturers, having an enormous membership, composed of the great manufacturing and the jobbing wholesale interests of the country, with some others added; that they constantly maintained an organization in the city of Washington. The lobbyists of this concern took means to keep track of every bill and the vote of every Member of Congress upon such bill. When a Member of Congress could not be seduced by flattery or cajoled by persuasion into acting with them they sent their hired emissaries into his district with money in their purses. They even corrupted members of labor organizations who were professing to be sincerely with the laboring men, but at the same time were in the employment of this concern. Thus, by the use of money and influence, they sought to destroy every man who dared offend against their particular wishes. They inaugurated a propaganda against those who opposed them; they maintained it for many years. They spent tens of thousands of dollars in pursuit of methods which may be justly characterized as un-American, outrageous, intolerable, and infamous.

It was produced in evidence that these gentlemen went into the State of Indiana; that they raised money there for the purpose of using it in the campaign of one of their friends. They sent their representative and agent there; they had conferences with a man then a Representative in Congress, who was also at that time a candidate for governor of that State. They continued to sit with him in his conferences and continued to furnish sinews of war for his contest. When he was defeated for governor, and when his office as Representative expired, that Representative left the Halls of Congress, and within less than 10 days' time, if my recollection serves me aright, he became the paid employee of this same beneficent and patriotic institution! Yet the Senator from Ohio doubtless can see no wrong in that. I have no doubt he belongs to that class of men who are able to imagine that the Indiana gentleman was employed merely as a lawyer; that this institution did not intend by paying him a fee to compensate him for the misfortunes of his campaign, and that it had in mind nothing in the world in the way of the purchase of political or legislative influence, and that it employed him only because there was no other lawyer capable of giving sound legal advice.

Because I say that there were improper influences here the Senator from Ohio calls that wild talk and talk that is not backed by anything. The difference between the Senator and myself is that he introduces a resolution here reflecting on an honorable gentleman and says that he does it upon a rumor that he does not vouch for, whereas I say that there was a corrupt lobby here; that we proved it and that the evidence is here now before the Senate, as it has been for many weeks. It is a singular thing to me that the Senator from Ohio, with his well-known industry and habits of study, has been prevented from reading the evidence himself, in order that he might make up an opinion that would be very much superior to any report that any committee could possibly write.

Mr. President, I welcome this investigation. I am glad it is here. I hope that every man who has been engaged in the business of peddling scandal will be given an opportunity to come before a committee and tell us the reason he has had for any statements he may have made. I hope that every man who is interested in acting with the Shipping Trust in opposition to this bill will have an opportunity to understand that there is a place where he can make known every evil and wicked thing which either exists in fact or has been disturbing his imagination; and I venture the prediction that the investigation will do much good.

So, Mr. President, I am for this resolution, and I am for the other resolution offered by the Senator from Ohio when he cuts out of it the language that is offensive and that should not be in it.

The VICE PRESIDENT. The question is on the amendment.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. The Senator from Montana.

Mr. WALSH. Mr. President, before this matter is disposed of I desire to say a word.

The distinguished Senator from Ohio [Mr. BURTON] referred, in terms that might be described as mildly contemptuous, to the work of the lobby investigating committee; and in recent months similar observations have been made by other Senators upon the other side of the Chamber. Mr. President, I desire to remind the Senator from Ohio and the Senate, in view of an apparent criticism because the report from that committee has not been received, that the committee was appointed pursuant to a resolution introduced by the Senator from the State of Iowa [Mr. CUMMINS], who became a member of that committee and rendered signal service in connection with its work. The committee performed a large amount of service, which, in my very humble judgment, was a very valuable service.

Mr. President, while we were exposing to the country and to the Senate the fact that representatives of the great sugar industry of this country were gathered here, were accumulating a great fund, and employing daily a large amount of money for the purpose of affecting legislation then pending in their interest, there was not any suggestion contemptuous in character that that investigation ought to cease. When we were exposing the remarkable revelations in connection with the inquiry, started by papers that were obtained from a man by the name of Mulhall, there was not any suggestion that that inquiry was not valuable and should not progress; and let me remark here, Mr. President, that however one may hold that gentleman in the utmost detestation—and none can express sentiments or harbor sentiments of that character more profound than those I entertain—it is to be borne in mind that the people who hired him and in whose employ he was here, knew the despicable character of the man all the time he was in their employ for the purpose of influencing legislation in the Congress of the United States.

There was not any contemptuous comment concerning those matters while they were going on; and now, Mr. President, let me remark that some time ago the chairman of the lobby committee parceled out to the various members of the committee the duty of preparing a report upon various departments of the work undertaken by the committee, a portion of that work being assigned to the senior Senator from Iowa [Mr. CUMMINS], who has not been any more speedy about getting his report done than the rest of us.

It is to be borne in mind, Mr. President, that we have been worked hard. I do not think that the lobby committee ought to be charged upon the floor of the Senate with any dereliction of

duty because they have not made a report. Of what consequence is their report? The testimony is here; it is printed. It has been read either in full or in substance by every Member of this body. Whatever good can come from the work of that committee—and I undertake to say that no man upon this floor will assert that it has not been large and valuable—has already been done without regard to the report.

Mr. BURTON. Mr. President, will the Senator from Montana yield for a question?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Ohio?

Mr. WALSH. I shall be glad to do so.

Mr. BURTON. Were any specific facts or accusations submitted to the so-called committee on the lobby when they commenced their investigation?

Mr. WALSH. Why, Mr. President, the committee immediately proceeded to inquire from all sources concerning which they had knowledge. Let me remark that just exactly what information the Senator from Iowa who introduced the resolution had which prompted him to present the resolution and urge the adoption of it by this body I am unable to say. The Senator from Ohio will get definite information on that subject by propounding his inquiry to the Senator from Iowa.

Mr. BURTON. But is it not a fact, then, that, based upon rumors which were in general circulation, the committee on the lobby, without any definite statement of facts or accusations against anyone, commenced the investigation?

Mr. WALSH. Mr. President, I am not to be diverted to the consideration of that question. I have offered no criticism of the Senator from Ohio because of the introduction of this resolution by him upon such information as he may possess. What I do object to is the suggestion that a committee of this body that labored earnestly and hard, that devoted hour after hour, day after day, and month after month, often sitting until past midnight at night, was engaged in a work which now deserves to be treated and disposed of and discussed in this body as quite contemptuous in character.

Mr. BURTON. Well, Mr. President, the inquiry that I am making is this: Did not that committee—which I have no doubt performed very valuable public service, exposed corruption, and brought to light facts which should be known to the country—begin its work without any accusation vouched for by anybody?

Mr. WALSH. That is not correct at all. It did not begin its work without accusation vouched for on the very best authority; and the information that was given to us we prosecuted and we unearthed the facts; we unearthed documents which demonstrated that corrupting influences were at work.

Mr. BURTON. What specific facts were here before the Senate at the time the resolution was presented for adoption?

Mr. WALSH. I say to the Senator from Ohio that I do not know. He must address that inquiry to the originator of the resolution. The Senator from Missouri now asks the Senator from Ohio what information he has on which he has introduced this resolution for an inquiry. I say to him that he must propound his inquiry now to the Senator from Iowa, who introduced the resolution, and ask him what information he had.

Mr. BURTON. But, Mr. President, the point I intend to make is that the so-called lobby investigation, which, it is maintained, led to such important disclosures, was instituted under circumstances precisely similar to those under which this resolution is proposed, based upon charges that were made in a vague, general way.

I do not wish, Mr. President, to have this question or the other go past the hour of 2 o'clock, I am frank to say, otherwise I might have some further remarks to make.

The VICE PRESIDENT. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The resolution as amended was agreed to.

The VICE PRESIDENT. The Chair appoints the Senator from Montana [Mr. WALSH], the Senator from North Carolina [Mr. SIMMONS], the Senator from Missouri [Mr. REED], the Senator from Ohio [Mr. BURTON], and the Senator from Massachusetts [Mr. WEEKS] the special committee.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

A bill (S. 7653) to authorize the sale of certain lands at or near Belton, Mont., for hotel purposes (with accompanying map); to the Committee on Public Lands.

By Mr. JONES:

A bill (S. 7654) granting an increase of pension to Mary S. Underhill (with accompanying paper); and

A bill (S. 7655) granting an increase of pension to John Little (with accompanying paper); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7656) granting an increase of pension to Leroy Harding; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7657) granting an increase of pension to Roderick O'Connor; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment proposing to appropriate the sum of $100,000 for a proportionate share of the amount required to construct an interstate wagon road or highway from the Kaibab Indian Reservation, Utah, intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. SMOOT submitted an amendment proposing to appropriate $110,998.12 for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WORKS submitted an amendment proposing for terminal inspection of postal packages containing plant products, etc., intended to be proposed by him to the agricultural appropriation bill (H. R. 20415), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. ROOT submitted an amendment, intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

Mr. TILLMAN submitted an amendment providing that hereafter vacancies in the grade of second lieutenant of the Corps of Engineers, United States Army, shall be filled by promotion from the Corps of Cadets at the United States Academy, etc., intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

PALOUSE IRRIGATION PROJECT.

Mr. JONES. Mr. President, I have here a report, prepared after a very careful and special investigation, on the Palouse irrigation project in our State. In view of the fact that Congress now has to make appropriations for irrigation purposes, I want to submit a request that it be printed as a public document, and ask that it be referred to the Committee on Printing.

The VICE PRESIDENT. The report will be referred to the Committee on Printing.

PROMOTION OF AMERICAN COMMERCE.

Mr. SMITH of Michigan submitted the following resolution (S. Res. 545), which was read:

Whereas the Secretary of the Department of Commerce, Hon. William C. Redfield, delivered an address before the United States Chamber of Commerce at its session held in the city of Washington, February 4, 1915, in which the following statement was made:

"I have had a dispatch from the prime minister of a great country abroad, so frank as hardly to be publishable in its original form, almost begging—let us say strongly urging—that America take the place in his country that Europe has laid aside. I have another from a monarch himself of a European power saying frankly that he wanted America to come into his land and take the place which others had hitherto filled.

"To-day an able attaché is there at the court of that monarch speaking the monarch's language, thank God, and entering his country to do what he can do to unite that nation to ours. The King has said that he will put into America a branch of the bank of his country if we will undertake to establish banks in his country, and that whatever he can do officially to forward American commerce in his land shall be willingly and continuously done"; and

Whereas under the present delicate and critical state of international relations arising from the assertion of neutral and belligerent rights and obligations during the present war it is desirable that Congress shall know how many and what different departments of our Government are engaged in carrying on negotiations with foreign powers and whether such negotiations are of a character to disturb the balance of conditions created by war between other powers and to involve the United States in violation of neutrality: Therefore be it

Resolved, That the Secretary of Commerce be, and he is hereby, directed to send to the Senate copies of the communications referred to in the remarks above quoted and of the instructions to and the reports from the attaché therein mentioned.

Mr. FLETCHER. Mr. President, I should like to ask the Senator from Michigan if he knows of his own knowledge whether that is the exact language used by the Secretary of Commerce in that address, or did he get it from some other source?

Mr. SMITH of Michigan. I sent to the office of the United States Chamber of Commerce and received the corrected proof

of the Secretary's speech. I went through it carefully and compared it with this language, which has been publicly printed, and I find that it is the same language. I think it is most inappropriate language, especially in view of the fact that the statutes of our country forbid correspondence of this kind by citizens. I therefore feel that we ought to ask the Secretary of the Department of Commerce whether or not this was his statement, and what he has to say about it.

Mr. SMITH of Georgia. The resolution will go over, I presume.

Mr. FLETCHER. I will not enter into any discussion of the matter, because we have not time to dwell upon it at all. I only suggest that it seems to me the language of the resolution is scarcely courteous or considerate, in that it directs the Secretary of Commerce to give certain information. There is no head of a department who can be directed by the Senate to do things. The direction must come from a joint resolution approved by the President.

Mr. SMITH of Michigan. Oh, I think the Senator is mistaken about that. I think we ought to direct him.

Mr. FLETCHER. I am not going to discuss it. I ask that the resolution may lie over.

Mr. SMITH of Michigan. Under the rule it must go over, though I am sorry the Senator makes that request.

HOUSE BILL REFERRED.

H. R. 21318. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF GEORGIA.

Mr. SMITH of Georgia. Mr. President, I desire to call the attention of the Senate to a bill, being House bill 17869, Order of Business 796, for the appointment of an additional district judge for the southern district of Georgia. It is only 9 lines long, and originated in the Judiciary Committee of the House. It has the unanimous indorsement of the Judiciary Committee of the Senate. It is a local bill, and an emergency measure. It gives the southern district of Georgia an additional judge, and it is very necessary that they should have it. I certainly would appreciate it if the Senate would grant unanimous consent for the consideration of this bill, and I ask such consent.

Mr. BURTON. Mr. President, I have a resolution here which has been pending since Saturday. As I understand, this bill has been amended by direction of the Senate Judiciary Committee.

Mr. SMITH of Georgia. It has.

Mr. BURTON. I may say that by a coincidence I have received a protest against that bill, but I think, in the form it is amended, it is without objection. I should, however, feel like insisting that the Senate adhere to it in the form as amended.

Mr. SMITH of Georgia. I shall ask for its passage just as it is amended.

Mr. BURTON. And the Senator from Georgia intends to adhere to that?

Mr. SMITH of Georgia. I will get it that way, if possible, if it goes to conference. Personally, I very much prefer it to be just as the Senate has amended it.

Mr. BURTON. And the Senator from Georgia will advocate that in conference?

Mr. SMITH of Georgia. I certainly shall; yes. I very much prefer it as the Senate has amended it.

Mr. GALLINGER. Mr. President, I have likewise received one or two letters about this bill. I will ask the Senator from Georgia if in conference the conferees of the other body should resist this amendment, whether he would be willing to bring it back to the Senate for a vote of the Senate on the amendment?

Mr. SMITH of Georgia. I should be obliged to do it. I would hate to jeopardize the bill. I will say to the Senator that I very much prefer the bill just as the Senate Judiciary Committee has amended it. Personally, I would take nearly any kind of bill to get the additional judge, but I greatly prefer it just as it is, and I certainly would do everything I could in conference to get it just as it is.

Mr. GALLINGER. It has been suggested to me, very likely without authority, that if the bill passes in its present form it will come back to the Senate shorn of the amendment.

Mr. SMITH of Georgia. I hope not.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The first amendment of the Committee on the Judiciary was, on page 1, line 9, after the word "therein," to strike out "*Provided, however,* That the President shall make public all indorsements made in behalf of the person appointed as such district judge."

The amendment was agreed to.

The next amendment was, on page 2, to strike out all of section 2, as follows:

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of the State of Georgia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The amendment was agreed to.

The next amendment was, on page 2, after line 5, to strike out section 3, as follows:

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

The amendment was agreed to.

Mr. BRANDEGEE. Has the bill been read?

The VICE PRESIDENT. It has not.

Mr. BRANDEGEE. I should like to hear what the bill contains.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read as follows:

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF THE RULES.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. Is Senate resolution 542 now before the Senate?

The VICE PRESIDENT. No; the Chair is about to hand down another matter coming over from a previous day. We are not running on schedule time.

The Secretary read the following resolution (S. Res. 546), given by Mr. GORE on the 11th instant:

Amend Rule V by adding the following language:

"Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the Senate shall adjourn, there shall be a call of the Senate, and the Sergeant at Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Secretary shall call the roll, and each Member as he answers to his name may vote on the pending question; and after the roll call is completed each Member arrested shall be brought by the Sergeant at Arms before the Senate, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall, together, make a majority of the Senate, the Presiding Officer shall declare that a quorum is constituted and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings under the call shall be considered as dispensed with. At any time after the roll call has been completed the Presiding Officer may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Presiding Officer; and if the Senate adjourns, all proceedings under this section shall be vacated."

Mr. REED and Mr. SMOOT addressed the Chair.

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. The Senator from Oklahoma does not appear to be in the Chamber. This is a notice given by him, and it ought not to be disposed of in his absence.

Mr. SMOOT. I suggest to the Senator from Missouri that it ought to go to the Committee on Rules, ought it not?

Mr. REED. Let it go to the Committee on Rules, Mr. President.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the notice will be referred to the Committee on Rules.

The Chair lays before the Senate a motion coming over from a previous day, which will be read.

The Secretary read the following motion, submitted by Mr. OWEN on the 11th instant:

UNITED STATES SENATE,
Washington, D. C., February 11, 1915.

Mr. PRESIDENT: I very respectfully move that the honorable Committee on Rules be discharged from further consideration of S. Res. 283, proposing an amendment to Rule XIX of the Standing Rules of the Senate and proposing cloture.

ROBERT L. OWEN.

Mr. SMOOT. I do not see the Senator from Oklahoma in the Chamber, but I suppose that motion should also go to the Committee on Rules. I suggest, therefore, that it be referred to that committee.

Mr. FLETCHER. I think it ought to lie over.
Mr. STONE. Why should it not lie over?
Mr. SMOOT. I am perfectly willing that it shall lie over.
The VICE PRESIDENT. Shall it go over without prejudice?
Mr. REED. Mr. President——
Mr. NORRIS. Mr. President——
The VICE PRESIDENT. Does any Senator desire to object to this motion going over without prejudice?
Mr. NORRIS. Mr. President, I wanted to suggest that I think the RECORD will show that the Committee on Rules reported on Saturday the very resolution that this motion seeks to bring before the Senate.
Mr. LEA of Tennessee. That was another resolution, I will say to the Senator from Nebraska.
Mr. NORRIS. Very well.
The VICE PRESIDENT. The resolution will lie over without prejudice.

SHIPS OF BELLIGERENT NATIONS.

Mr. FLETCHER. I ask to have laid before the Senate resolution 542.
Mr. REED. Mr. President——
The VICE PRESIDENT. The Senator from Missouri.
Mr. REED. Did the Senator from Florida wish to——
Mr. FLETCHER. I wish to have the resolution laid before the Senate.
Mr. LODGE. Mr. President, we can not hear what is the request.
The VICE PRESIDENT. No; nor can the Chair.
Mr. REED. I wanted to know what the request of the Senator from Florida was, and I understand that he wants resolution 542 laid before the Senate. I am willing to yield for that purpose.
The VICE PRESIDENT. Is there any objection?
Mr. ROOT. What is the resolution?
The VICE PRESIDENT. It is a resolution coming over from a preceding day. Is there objection to it?
Mr. BURTON. Mr. President, it is evident that if there is to be any discussion upon this resolution the hour of 2 o'clock will be reached before it can be disposed of; so, unless Senators on the other side are ready to vote immediately on it, I ask that it may go over without prejudice.
Mr. FLETCHER. I would like to have it disposed of. I have no objection to it being agreed to. I desire to put into the RECORD a letter which I have just received from the Secretary of the Treasury on the subject, and for that reason I want to present it now. I have no objection to the resolution being agreed to, if it is desired to take that course.
Mr. BURTON. Certainly. I desire to have it agreed to as soon as possible.
Mr. FLETCHER. I desire to say that it is unnecessary to pass the resolution. The letter speaks for itself. I will read it:

OFFICE OF THE SECRETARY OF THE TREASURY,
Washington, February 15, 1915.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR FLETCHER: Please let me thank you for your courtesy in calling to my attention Senate resolution No. 542, introduced by Senator BURTON on Saturday last, the 13th instant, calling upon the Secretary of the Treasury for certain information. An implication seems to underlie the resolution, which, I take it for granted, is not intended.

Inasmuch as I am more than glad to furnish the Senate all the information at my command in response to the inquiries suggested by the resolution, and as the information is now in preparation and will be sent to you as soon as completed, the passage of the resolution is unnecessary.

Faithfully, yours,

W. G. MCADOO.

With that statement from the Secretary of the Treasury, if the Senator desires to press the resolution, I have no objection to its adoption.
Mr. BURTON. I think it should pass. The Secretary of the Treasury is no doubt preparing now——
Mr. REED. Mr. President, with all due respect to my friend the Senator from Florida, I do not think this resolution ought to be adopted in its present form.
The VICE PRESIDENT. In order that we may proceed regularly the Chair takes this resolution out of its regular place and lays it before the Senate.
The SECRETARY. Senate resolution 542, by Mr. BURTON.
Mr. GALLINGER. Let it be read.
The VICE PRESIDENT. The Secretary will read the resolution.
Mr. BURTON. It has already been read, has it not?
The VICE PRESIDENT. Unfortunately, the Chair thinks that when a Senator asks for the reading of a resolution he is entitled to have it read.

The Secretary read Senate resolution 542, submitted by Mr. BURTON on the 13th instant, as follows:

Whereas the pending ship-purchase bill, being S. 6856, contemplates by certain of its provisions the purchase of shipping tonnage already constructed and therefore suggests the possible acquisition of ships belonging to belligerents, some of which are interned in American and other ports as the result of the war; and

Whereas the purchase of such vessels would raise questions of vital importance to the interests of the United States, a knowledge of which is of supreme importance in order that the Senate may reach an intelligent conclusion as to the advisability of enacting said bill and as to the propriety of incorporating in its provisions certain amendments: Therefore be it

Resolved, That the Secretary of the Treasury be requested, and is hereby directed, to transmit, at his earliest convenience, to the Senate of the United States information responsive to the following queries:

First. Has the Secretary of the Treasury knowledge that any officer of the Government has made overtures or addressed inquiries to the owners of ships under the flags of belligerent nations, including those ships now detained in ports of the United States or other neutral ports, with a view to the purchase of such ships on the part of the Government of the United States or any of its authorized agencies?

Second. Have tenders of sale of any merchant ship or ships carrying the flag of any of the belligerent nations been made to the United States or any of its officers or agencies?

Third. Have there been any tenders for the sale of vessels at present carrying the flag of any neutral nation to the United States or any responsible officer or agent thereof?

Fourth. Is it within the knowledge of the Secretary of the Treasury that any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war; or that any person, firm, or corporation, acting either in private capacity or that of agent for the Government, holds an option on any such ship or ships, contemplating their transfer either to the Government of the United States, an agency thereof, or to private citizens of the United States?

Fifth. Is it within the knowledge of the Secretary of the Treasury that the Government of the United States or any official thereof has in his employ or under his direction any person or agent who is making inquiry as to the possibility of purchasing any ship or ships of any description whatsoever contemplating their eventual transfer to the United States or an agency thereof?

In each of the above instances the names of the persons, ships, and terms involved in each contemplated sale or purchase is requested.

Mr. REED. Mr. President, the resolution itself I have no objection to, but the preamble to the resolution is of such a character that the Senate ought not to be committed to it. The preamble, I think, is highly objectionable. It is no part of the resolution. I ask the Senator from Ohio if, in order to get his resolution through this morning, he is not willing to strike out the two whereases and let the resolution stand by itself?

LIMITATION OF DEBATE.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, the motion by the Senator from Missouri [Mr. REED] to amend Rule XXII of the standing rules of the Senate.
Mr. BURTON. I ask unanimous consent——
Mr. REED. I move that the motion made by the Senator from New Hampshire [Mr. GALLINGER], to refer the pending resolution to a committee, together with all amendments to the resolution or to the motion of the Senator from New Hampshire, be laid upon the table.
Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.
Mr. WILLIAMS. A parliamentary inquiry, Mr. President.
The VICE PRESIDENT. The Senator from Connecticut.
Mr. BRANDEGEE. Is Senate resolution 542 before the Senate at the present time?
The VICE PRESIDENT. No; the unfinished business is the motion by the Senator from Missouri [Mr. REED] to amend Rule XXII of the standing rules of the Senate. That is the unfinished business, and it is before the Senate. The motion of the Senator from Missouri is addressed to that, the Chair understands.
Mr. BRANDGEE. That is what the motion of the Senator from New Hampshire refers to?
The VICE PRESIDENT. The Chair thinks the Chair is in possession of the proposition to which the Senator from Missouri addressed his motion, namely, that the proposed amendment to Rule XXII, it was moved by the Senator from New Hampshire, be sent to the Committee on Rules, and a motion to lay that motion on the table——
Mr. GALLINGER. Did not prevail.
The VICE PRESIDENT. Did not prevail. Then the Senator from Missouri amended his resolution attaching instructions to the resolution he moved to amend, and the motion to lay that on the table failed. Then the Senator from Nebraska [Mr. NORRIS] introduced an amendment. Now, as the Chair understands, the Senator from Missouri moves to lay the motion of the Senator from New Hampshire with all subsequent amendments on the table.
Mr. REED. I ask for the yeas and nays on that motion.

Mr. GALLINGER. Mr. President, I do not recall that I have made a motion to lay the resolution on the table as amended by the Senator from Nebraska.

Mr. BURTON. It has not been amended.

Mr. GALLINGER. It has not been amended as yet, I understand.

Mr. REED. Mr. President, I call for the regular order.

Mr. GALLINGER. This is the regular order.

Mr. WEEKS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Martine, N. J.	Shively
Brandegee	Gronna	Myers	Simmons
Bristow	Hardwick	Nelson	Smith, Ariz.
Bryan	Hitchcock	Newlands	Smith, Ga.
Burton	Hollis	Norris	Smith, Md.
Camden	Hughes	O'Gorman	Smoot
Catron	James	Overman	Stephenson
Chilton	Johnson	Owen	Sterling
Clapp	Jones	Page	Stone
Clark, Wyo.	Kenyon	Perkins	Sutherland
Clarke, Ark.	Kern	Pittman	Swanson
Colt	La Follette	Pomerene	Thomas
Crawford	Lane	Ransdell	Thompson
Culberson	Lea, Tenn.	Reed	Tillman
Cummins	Lee, Md.	Robinson	Vardaman
Dillingham	Lewis	Root	Walsh
du Pont	Lippitt	Saulsbury	Warren
Fall	Lodge	Shafroth	Weeks
Fletcher	McLean	Sheppard	White
Gallinger	Martin, Va.	Shields	Williams

Mr. RANSDELL. The senior Senator from Louisiana [Mr. THORNTON] is absent on account of illness. He is paired with the Senator from Washington [Mr. JONES]. I ask that this announcement may stand for the day.

Mr. VARDAMAN. I wish to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. I rise to a question of order. A motion was made to lay the motion of the Senator from New Hampshire to refer on the table and that motion was defeated. The rule is a very familiar one about the renewal of motions to lay on the table. I quote it because it is well stated in Reed's Parliamentary Rules:

> If the motion to lay on the table be decided in the negative, the original question proceeds as if the motion had not been made, and the motion may be renewed when there has been such progress as to make the motion substantially a new one.

There has been no progress made whatever. Moving amendments does not constitute progress. The original motion has been in nowise changed. If an amendment had been adopted, then a motion to lay on the table would undoubtedly be in order, but there has been no change in the motion. It is a repetition to lay on the table the original motion.

The VICE PRESIDENT. The Chair supposes that this is a question that might as well be settled now as at any other time, and the Senate must settle it finally. The Chair thinks that sufficient time has elapsed and sufficient progress has been made in the consideration of this question to entitle the Senator from Missouri to again move to lay on the table the original motion and the amendments thereto.

Mr. LODGE. Mr. President, from that ruling I respectfully appeal.

The VICE PRESIDENT. The Senator from Massachusetts appeals from the ruling of the Chair.

Mr. LEA of Tennessee. I move to lay the appeal on the table.

The VICE PRESIDENT. The Senator from Tennessee moves that the appeal be laid on the table.

Mr. SMOOT. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES (when his name was called). I desire to announce that for the day I am paired with the Senator from Louisiana [Mr. THORNTON], and therefore I withhold my vote.

Mr. CLARKE of Arkansas (when the name of Mr. SMITH of South Carolina was called). The Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family. He is paired with the senior Senator from Kansas [Mr. BRISTOW], which pair will expire this evening.

The roll call was concluded.

Mr. OLIVER. I am paired with the senior Senator from Oregon [Mr. CHAMBERLAIN], and therefore withhold my vote. If at liberty to vote, I would vote "nay."

Mr. BRISTOW (after having voted in the negative). I desire to state that for the day I am paired with the junior Senator from South Carolina [Mr. SMITH]. As he is not present, I withdraw my vote.

The result was announced—yeas 44, nays 46, as follows:

YEAS—44.

Ashurst	La Follette	Pittman	Smith, Ariz.
Bryan	Lane	Pomerene	Smith, Ga.
Chilton	Lea, Tenn.	Ransdell	Smith, Md.
Culberson	Lee, Md.	Reed	Stone
Fletcher	Lewis	Robinson	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hollis	Martine, N. J.	Shafroth	Thompson
Hughes	Myers	Sheppard	Tillman
James	Newlands	Shields	Walsh
Johnson	Overman	Shively	White
Kern	Owen	Simmons	Williams

NAYS—46.

Bankhead	Crawford	Lodge	Smith, Mich.
Borah	Cummins	McCumber	Smoot
Brady	Dillingham	McLean	Stephenson
Brandegee	du Pont	Nelson	Sterling
Burleigh	Fall	Norris	Sutherland
Burton	Gallinger	O'Gorman	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Weeks
Clark, Wyo.	Hitchcock	Poindexter	Works
Clarke, Ark.	Kenyon	Root	
Colt	Lippitt	Sherman	

NOT VOTING—6.

Bristow	Jones	Smith, S. C.	Thornton
Chamberlain	Oliver		

So the Senate refused to lay Mr. LODGE's appeal on the table.

The VICE PRESIDENT. The question is now, Shall the ruling of the Chair stand as the decision of the Senate.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. I ventured very briefly to call attention to the parliamentary practice in regard to motions to lay on the table.

Mr. REED. Mr. President——

Mr. BRANDEGEE. I ask for order.

Mr. REED. I make the point of order that the motion to lay on the table is not debatable.

Mr. LODGE. I am not debating a motion to lay on the table. I am debating the appeal.

Mr. REED. I make the point of order that the appeal is not debatable.

Mr. LODGE. We just voted down the motion to lay the appeal on the table, and that makes it debatable.

The VICE PRESIDENT. The Chair thinks it must be debatable when the motion to lay the appeal on the table was voted down.

Mr. LODGE. The question of order was whether the motion to lay on the table could be renewed, the vote having once been had on the motion to refer and it having been rejected. My point of order was that it could not be renewed until the subject had been changed and made substantially new matter. Nothing has changed the character of the motion to refer. There has been debate, there has been an amendment offered, but if you can change the character of what it is proposed to lay upon the table by the mere moving of amendments you can renew the motion to lay on the table every few minutes. If the moving of an amendment constitutes substantial progress and changes the character of the original subject you can repeat the motion to lay on the table indefinitely. If an amendment had been adopted, then it would have been in order, of course; but as for making a motion to carry these amendments with it, it does not alter it. If the motion to refer it laid on the table, of course, the amendment can not stand in the empty air attached to nothing.

But my point is that offering an amendment and debate do not change the character of the original subject. The Senate refused to lay on the table. Therefore I made the point of order that this renewal of a motion to lay on the table as applied to the motion of the Senator from New Hampshire to refer was not in order. It was moved to lay the appeal on the table. The Senate has refused to lay the appeal on the table. I do not care to discuss it further. I think the parliamentary point is distinctly clear.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the decision of the Senate?

Mr. BRANDEGEE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRISTOW (when his name was called). Making the announcement that I made formerly, that I am paired for the day with the junior Senator from South Carolina [Mr. SMITH], I withhold my vote. If I were permitted to vote, I would vote "nay."

Mr. JONES (when his name was called). I again announce my pair for the day with the Senator from Louisiana [Mr. THORNTON]. I wish this announcement to stand for the remainder of the day. If permitted to vote on this question, I should vote "nay."

Mr. OLIVER (when his name was called). I again announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I will allow the announcement to stand for the day. I withhold my vote.

The roll call having been concluded; the result was announced—yeas 45, nays 45, as follows:

YEAS—45.

Ashurst	La Follette	Pomerene	Smith, Md.
Bryan	Lane	Ransdell	Stone
Chilton	Lea, Tenn.	Reed	Swanson
Culberson	Lee, Md.	Robinson	Thomas
Fletcher	Lewis	Saulsbury	Thompson
Gore	Martin, Va.	Shafroth	Tillman
Hollis	Martine, N. J.	Sheppard	Walsh
Hughes	Myers	Shields	White
James	Newlands	Shively	Williams
Johnson	Overman	Simmons	
Kenyon	Owen	Smith, Ariz.	
Kern	Pittman	Smith, Ga.	

NAYS—45.

Bankhead	Crawford	McCumber	Smoot
Borah	Cummins	McLean	Stephenson
Brady	Dillingham	Nelson	Sterling
Brandegee	du Pont	Norris	Sutherland
Burleigh	Fall	O'Gorman	Townsend
Burton	Gallinger	Page	Vardaman
Camden	Goff	Penrose	Warren
Catron	Gronna	Perkins	Weeks
Clapp	Hardwick	Poindexter	Works
Clark, Wyo.	Hitchcock	Root	
Clarke, Ark.	Lippitt	Sherman	
Colt	Lodge	Smith, Mich.	

NOT VOTING—6.

Bristow	Jones	Smith, S. C.	Thornton
Chamberlain	Oliver		

The VICE PRESIDENT. The ruling of the Chair is sustained by a very slight majority. The question now recurs on the motion of the Senator from Missouri [Mr. REED] to lay on the table.

Mr. REED. Have the yeas and nays been ordered on that motion, Mr. President?

The VICE PRESIDENT. They have not been ordered.

Mr. REED. I call for the yeas and nays.

Mr. LODGE. Do I understand the Chair to say that he voted?

The VICE PRESIDENT. Oh, no.

Mr. LODGE. Then the motion to sustain the Chair is lost.

The VICE PRESIDENT. No.

Mr. LODGE. On a tie vote the contention of the proponent is always lost, of course. It has not received a majority.

The VICE PRESIDENT. The appeal from the decision of the Chair must have a majority.

Mr. LODGE. That is not the question, if the Chair will pardon me. The question is, "Shall the ruling of the Chair stand as the judgment of the Senate?"

The VICE PRESIDENT. Well, the Chair will vote "yea," then, and the judgment of the Chair is sustained. The question recurs——

Mr. NORRIS. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Nebraska will state it.

Mr. NORRIS. If this motion prevails, the proposition of the Senator from Missouri [Mr. REED] then being before the Senate, will the amendment which I have offered as a substitute to his original proposition be in order? In other words, will the laying on the table of these three motions preclude me from again offering the amendment which I have offered and which is pending?

The VICE PRESIDENT. The Chair has not been so readily sustained by the Senate lately as to take any chances on making a ruling until the question arises. The Chair does not at the present time know whether the Senator's amendment would be or would not be in order.

Mr. NORRIS. I do not feel like taking any chances on it being in order for me to again offer my amendment.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. ROOT. Mr. President, there is a good deal of uncertainty among Senators as to the precise question which is pending before the Senate, and I myself would be very glad, in answer to a parliamentary inquiry, if I might be informed as to the pending question.

The VICE PRESIDENT. As the Chair understands, the pending question is on the motion of the Senator from Missouri [Mr. REED] to lay on the table the motion of the Senator from New Hampshire [Mr. GALLINGER] to refer the proposition of the Senator from Missouri to the Committee on Rules, together with the motion of the Senator from Missouri to refer with instructions, together with the amendment of the Senator from Nebraska [Mr. NORRIS].

Mr. STONE. Mr. President, I beg to say that it would seem perfectly clear that if the motion to lay on the table the motion of the Senator from New Hampshire to refer should be agreed to, the motion of the Senator from Nebraska, which is merely an amendment to the original motion made by the Senator from New Hampshire, would be in order as a separate and substantive proposition.

Mr. NORRIS. Mr. President, will the Senator from Missouri yield to me?

Mr. STONE. I meant to say it would be in order for the Senator from Nebraska to offer his proposition.

Mr. NORRIS. I have no doubt about that; I have never had any doubt about it in my own mind; but there have been some queer parliamentary decisions made here already to-day, and I do not want to take any chances on it.

Mr. LODGE. The Senator from Nebraska is right; there can be no doubt but that his amendment would be in order.

Mr. STONE. The Senator from Nebraska would not be taking any chances.

Mr. NORRIS. I do not think I would be taking any chances.

Mr. REED. I call for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered and taken.

Mr. BRISTOW. I desire to make the same statement in regard to my pair on this vote as I have on previous votes to-day.

The result was announced—yeas 45, nays 45, as follows:

YEAS—45.

Ashurst	Lane	Pomerene	Smith, Md.
Bryan	Lea, Tenn.	Ransdell	Stone
Chilton	Lee, Md.	Reed	Swanson
Culberson	Lewis	Robinson	Thomas
Fletcher	Martin, Va.	Saulsbury	Thompson
Gore	Martine, N. J.	Shafroth	Tillman
Hollis	Myers	Sheppard	Walsh
Hughes	Newlands	Shields	White
James	Norris	Shively	Williams
Johnson	Overman	Simmons	
Kern	Owen	Smith, Ariz.	
La Follette	Pittman	Smith, Ga.	

NAYS—45.

Bankhead	Crawford	Lodge	Smoot
Borah	Cummins	McCumber	Stephenson
Brady	Dillingham	McLean	Sterling
Brandegee	du Pont	Nelson	Sutherland
Burleigh	Fall	O'Gorman	Townsend
Burton	Gallinger	Page	Vardaman
Camden	Goff	Penrose	Warren
Catron	Gronna	Perkins	Weeks
Clapp	Hardwick	Poindexter	Works
Clark, Wyo.	Hitchcock	Root	
Clarke, Ark.	Kenyon	Sherman	
Colt	Lippitt	Smith, Mich.	

NOT VOTING—6.

Bristow	Jones	Smith, S. C.	Thornton
Chamberlain	Oliver		

The VICE PRESIDENT. On the motion of the Senator from Missouri [Mr. REED] to lay the motion of the Senator from New Hampshire [Mr. GALLINGER] and all amendments thereto on the table the yeas are 45 and the nays are 45. The Vice President votes "yea," and the motion of the Senator from New Hampshire and all amendments thereto are laid on the table.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. As a substitute for the pending resolution of the Senator from Missouri [Mr. REED] I offer what I send to the desk.

The VICE PRESIDENT. The Secretary will read the substitute proposed by the Senator from Nebraska.

The Secretary read as follows:

Rule XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion when made shall lie over one day and shall then be decided without debate. When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for 3 hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate 3 hours. When the bill is being read for amendment all debate shall be confined to the amendment which is then pending.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. Mr. President, I desire to discuss briefly the amendment just offered by the Senator from Nebraska [Mr. NORRIS] to the special order for the suspension of the rules proposed by the Senator from Missouri [Mr. REED]. In that connection I wish to call the attention of the Senate for a moment to the history of the rules.

Mr. President, almost the only information we have in regard to the proceedings of the Senate of the United States in the First Congress is contained in the Journal of William Maclay. Mr. Maclay was a Senator from Pennsylvania, and, as I have said, he wrote this journal during his service in the Senate, which was during the First Congress of the United States. Mr. Maclay was a man of strong prejudices and many dislikes, but he was diligent in his business in the Senate and followed everything very closely, making comments on his associates as he went along, such as the one that catches my eye at this moment by mere accident:

December 29.—This day a blank in the Senate with respect to any business of importance. Mr. Morris told me I was blamed for not going among the Members and speaking to them, etc. What a set of vipers I have to deal with.

That is a mere casual remark; but it is a very amusing diary, is quite instructive, and has a good deal of history in it. On the cover of his journal he wrote down the rules of procedure for the United States Senate in the First Congress. I have been much puzzled as to where those rules came from. They are obviously official, because the sixteenth rule requires that they "shall be engrossed on parchment and hung up in some conspicuous part of the Senate Chamber." They do not differ much in effect from the rules adopted by the Senate, but they are a different text. As a matter of curiosity merely——

Mr. OVERMAN. Mr. President, some of us over here would like to know from what the Senator is reading?

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Chair will admonish Senators to be in order.

Mr. OVERMAN. Am I not in order, Mr. President?

Mr. LODGE. The Senator is entirely in order, but he did not hear me. I mentioned the name repeatedly, but there was so much confusion that naturally he could not hear what I said.

Mr. OVERMAN. Several Senators on this side did not hear the name.

Mr. LODGE. This is the Journal of William Maclay, Senator from Pennsylvania in the First Congress of the United States, and it is an interesting book. The debates were not reported, the Journal is a dry and sterile record, and this diary is a valuable and amusing account of what the Senate did from April, 1789, to March 4, 1791. I ask that the rules as written on the cover of this diary may be printed at this point in my remarks. They are very brief.

SEVERAL SENATORS. Read them.

Mr. LODGE. Very well, I will ask to have them read.

The PRESIDING OFFICER. Was the Senator's request that the matter be read?

Mr. LODGE. Several Senators around me have asked that the rules be read, and if there is no objection I will ask the Secretary to read them.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Secretary read as follows:

[From the cover of William Maclay's Journal.]

THE RULES OF PROCEEDINGS FOR THE FIRST UNITED STATES SENATE.

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member (second clause, fifth section, first article on the Constitution of the United States).

Rule I. The President (of the Senate) should be in the chair within half an hour of the time to which the Senate stands adjourned, and the Senators shall immediately take their seats in a circular order, those from New Hampshire occupying the right of the Chair and those from Georgia the left.

Rule II. The minutes of the preceding day shall be read before any other business is entered upon; inaccuracies or inelegancies may be corrected or amended, but no reconsideration as to matter of substance shall take place on such reading.

Rule III. Every Senator presenting a petition, memorial, or other writing shall briefly state the import of the same, and every such paper after being read shall be deemed to lie on the table, unless the same is dismissed upon special motion for impropriety or want of decency.

Rule IV. Every motion made and seconded shall be repeated from the Chair and then be open to discussion. The motion, if verbal, shall be put in writing at the request of the President (of the Senate) or any two Senators.

Rule V. Adoption, rejection, amendment, commitment, or postponement shall be considered as proper modes of treating business; and in all cases (treaties, returned bills, etc., and the expulsion of a Member, excepted) a majority of votes shall govern.

Rule VI. Every Senator when speaking shall address himself to the Chair. No Senator shall be named in debate, but may be referred to by mentioning the State he represents or by alluding to his place in the House.

Rule VII. In case of a debate becoming tedious, four Senators may call for the question; or the same number may at any time move for the previous question, viz, "Shall the main question now be put?"

Rule VIII. Priority of speaking and all questions of order shall be decided by the President (of the Senate); but either party may appeal to a vote of the House.

Rule IX. The name of the Senator making and of the one who seconds a motion shall be entered on the Journal of the House.

Rule X. No Senator shall speak more than twice on the same subject without leave obtained from the Chair.

Rule XI. Inviolable secrecy shall be observed with respect to all matters transacted in the Senate while the doors are shut, or as often as the same is enjoined from the Chair.

Rule XII. Every member of a committee shall attend the same at the time appointed by the chairman, who shall be the Senator of the most northerly State of those from whom the committee are taken.

Rule XIII. When a commitment is agreed upon, the President (of the Senate) shall take the sense of the Senate as to the manner of appointing the committee, whether by motion from the Senators, nomination from the Chair, or by ballot, which shall take place accordingly.

Rule XIV. The files of the House shall remain open for the inspection of all the Senators, etc., but no original paper shall be removed from the House without leave obtained for that purpose by the Senate.

Rule XV. The yeas and nays on any question shall be entered on the Journals at the desire of one-fifth of the Senators present.

Rule XVI. These rules shall be engrossed on parchment and hung up in some conspicuous part of the Senate Chamber. And every Senator who shall neglect attendance during a session, absent himself without leave or withdraw for more than a quarter of an hour without permission after a quorum is formed, shall be guilty of disorderly behavior, and his name, together with the nature of the transgression, shall be written on a slip of paper and annexed to the bottom of the rules; there to remain until the Senate, on his application or otherwise, shall take order on the same.

Mr. LODGE. Mr. President, we can find in those rules, I think, the origin at least of some of the customs of the Senate. Wherever these rules came from, however they were superseded on April 16, 1789, by the adoption by the Senate of 19 rules. These, too, are very brief, and I shall not ask to have them read, but merely request that they be printed at this point in my remarks. I will read only one, as follows:

Rule VIII. While a question is before the Senate no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

I ask that all these rules may now be printed as I have indicated. There is a whole set of them, but they are very brief.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Resolved, That the following rules, from No. I to XIX, inclusive, be observed:

I. The President having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistake may be corrected that shall have been made in the entries.

II. No Member shall speak to another, or otherwise interrupt the business of the Senate, or read any printed paper while the Journals or public papers are reading, or when any Member is speaking in debate.

III. Every Member, when he speaks, shall address the Chair, standing in his place, and when he has finished shall sit down.

IV. No Member shall speak more than twice in any one debate on the same day without leave of the Senate.

V. When two Members rise at the same time, the President shall name the person to speak; but in all cases the Member first rising shall speak first.

VI. No motion shall be debated until the same shall be seconded.

VII. When a motion shall be made and seconded it shall be reduced to writing, if desired by the President or any Member, delivered in at the table, and read by the President before the same shall be debated.

VIII. While a question is before the Senate no motion shall be received unless for an amendment for the previous question or for postponing the main question or to commit it or to adjourn.

IX. The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.

X. If a question in debate contains several points, any Member may have the same divided.

XI. When the yeas and nays shall be called for by one-fifth of the Members present, each Member called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the Members shall be taken alphabetically.

XII. One day's notice, at least, shall be given of an intended motion for leave to bring in a bill.

XIII. Every bill shall receive three readings previous to its being passed; and the President shall give notice at each, whether it be the first, second, or third, which readings shall be on three different days, unless the Senate unanimously direct otherwise.

XIV. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

XV. All committees shall be appointed by ballot, and a plurality of votes shall make a choice.

XVI. When a Member shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President without debate; but if there be a doubt in his mind he may call for the sense of the Senate.

XVII. If a Member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing that the President may be better enabled to judge of the matter.

XVIII. When a blank is to be filled and different sums shall be proposed the question shall be taken on the highest sum first.

XIX. No Member shall absent himself from the service of the Senate without leave of the Senate first obtained. (Journal of the Senate, 1789, pp. 14, 15.)

Mr. LODGE. Mr. President, under those rules the Senate carried on its business until January, 1806. On Thursday, January 9, of that year:

On motion that it be—

Resolved, That a committee be appointed to take into consideration the twenty-third, twenty-seventh, thirty-fifth, and forty-first articles of the rules for conducting business in the Senate of the United States, and report to the Senate such alterations and amendments, if any, as they shall judge proper;

It was agreed that this motion lie for consideration.

* * * * * * *

Friday, January 10.

The Senate took into consideration the motion made yesterday for revising the rules for doing business in the Senate; and having amended the same,

Resolved, That a committee be appointed to take into consideration the rules for conducting the business of the Senate of the United States, and report to the Senate such alterations and amendments, if any, as they shall judge proper; and

Ordered, That Messrs. Anderson, Tracy, Baldwin, Bradley, and Adams be the committee.

The Mr. Adams referred to was John Quincy Adams.

On March 13, page 183 of the Annals of Congress—

Mr. Anderson, from the committee to whom was referred, on the 10th of January last, the motion for a revision of the rules for conducting business in the Senate, made report; which was read, and ordered to lie for consideration.

On March 18—

The amendments reported by the committee to the rules for conducting business in the Senate were considered as in Committee of the Whole; and, having been further amended, were adopted and reported to the House.

Ordered, That they pass to a third reading.

On March 21—

The amendments reported to the rules for conducting business in the Senate were read the third time and further amendment proposed.

At that period amendments apparently were permitted after the third reading, which is not the case to-day. It was then—

Ordered, That the further consideration thereof be postponed.

On March 26—

The Senate resumed the amendments reported to the rules for conducting business of the Senate; and having agreed to further amendments, the rules were adopted as follows:

Mr. TOWNSEND. In what year was that?

Mr. LODGE. In 1806. These rules I shall also ask to have printed in my remarks, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The rules referred to are as follows:

I. The President having taken the chair and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistake may be corrected that shall have been made in the entries.

II. No Member shall speak to another or otherwise interrupt the business of the Senate, or read any newspaper, while the Journals or public papers are reading or when any Member is speaking in any debate.

III. Every Member when he speaks shall address the Chair, standing in his place, and when he has finished shall sit down.

IV. No Member shall speak more than twice in any one debate on the same day without leave of the Senate.

V. When two Members rise at the same time, the President shall name the person to speak, but in all cases the Member first rising shall speak first.

VI. No motion shall be debated until the same shall be seconded.

VII. When a motion shall be made and seconded it shall be reduced to writing, if desired by the President or any Member, delivered in at the table, and read by the President before the same shall be debated.

VIII. While a question is before the Senate no motion shall be received, unless for an amendment, for postponing the question or to commit it or to adjourn, and the motion for adjournment shall always be in order and decided without debate.

IX. If the question in debate contain several points, any Member may have the same divided.

X. When the yeas and nays shall be called for by one-fifth of the Members present each Member called upon shall, unless for special reason he be excused by the Senate, declare openly, and without debate, his assent or dissent to the question. In taking the yeas and nays and upon the call of the House the names of the Members shall be taken alphabetically.

XI. One day's notice at least shall be given of an intended motion for leave to bring in a bill.

XII. Every bill shall receive three readings previous to its being passed; and the President shall give notice to each, whether it be the first, second, or third, which readings shall be on three different days, unless the Senate unanimously direct otherwise. And all resolutions to which a concurrence of the House of Representatives is requisite or which may grant money out of the contingent or any other fund shall be treated, in all respects, in the introduction and form of proceedings on them in the Senate, in a similar manner with bills.

XIII. No bill shall be committed until it shall have been twice read, after which it may be referred to a committee.

XIV. All committees shall be appointed by ballot, and a plurality of votes shall make a choice. But when any subject or matter shall have been referred to a select committee any other subject or matter of a similar nature may, on motion, be referred to such committee.

XV. When a Member shall be called to order he shall sit down until the President shall have determined whether he is in order or not, and every question of order shall be decided by the President without debate; but if there be a doubt in his mind he may call for the sense of the Senate.

XVI. If a Member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.

XVII. When a blank is to be filled, and different sums shall be proposed, the question shall be taken on the highest sum first.

XVIII. No Member shall absent himself from the service of the Senate without leave of the Senate first obtained. And in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Sergeant at Arms, or any other person or persons by them authorized, for any or all absent Members, as the majority of such Members present shall agree, at the expense of such absent Members, respectively, unless such excuse for nonattendance shall be made, as the Senate, when a quorum is convened, shall judge sufficient; and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned.

XIX. All bills on a second reading shall first be considered by the Senate in the same manner as if the Senate were in a Committee of the Whole before they shall be taken up and proceeded on by the Senate, agreeably to the standing rules, unless otherwise ordered. And in the absence of the Vice President, when the Senate consider a treaty, bill, or resolution, as if they were in Committee of the Whole, the President pro tempore may call a Member to fill the chair during the time the Senate shall remain in Committee of the Whole; which chairman is hereby vested, during said time, with all the powers of the President pro tempore, were he to remain in the chair.

XX. Before any petition or memorial addressed to the Senate shall be received and read at the table, whether the same shall be introduced by the President or a Member, a brief statement of the contents of the petition or memorial shall verbally be made by the introductor.

XXI. When a question has been once made and carried in the affirmative or negative it shall be in order for any Member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of possession of the Senate, nor after the usual message shall have been sent from the Senate announcing their decision; nor shall any motion for reconsideration be in order unless made on the same day in which the vote was taken, or within the three next days of actual session of the Senate thereafter.

XXII. At the commencement of each session a committee, consisting of three Members, shall be appointed, whose duty it shall be to examine all bills, amendments, resolutions, or motions before they go out of possession of the Senate, and to make report that they are correctly engrossed, which report shall be entered on the Journal.

XXIII. Every vote of the Senate shall be entered on the Journals, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate be also inserted on the Journals.

XXIV. The proceedings of the Senate when they shall act in their executive capacity shall be kept in separate and distinct books.

XXV. The proceedings of the Senate when not acting as in a Committee of the Whole shall be entered on the Journals as concisely as possible, care being taken to detail a true and accurate account of the proceedings.

XXVI. The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted on the Journals.

XXVII. On a motion made and seconded to shut the doors of the Senate on the discussion of any business which may, in the opinion of a Member, require secrecy, the President shall direct the gallery to be cleared, and during the discussion of such motion the doors shall remain shut.

XXVIII. No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Senate Chamber to present any petition, memorial, or address, or to hear any such read.

XXIX. Messages shall be sent to the House of Representatives by the Secretary, who shall previously indorse the final determination of the Senate thereon.

XXX. Messages sent from the House of Representatives by their Clerk shall be received at the bar by the Secretary, and by him be delivered to the President of the Senate.

XXXI. When the Senate are equally divided, the Secretary shall take the decision of the President.

XXXII. Extracts from the executive records are not to be furnished but by special order.

XXXIII. All bills, after the first reading, shall be printed for the use of the Senate.

XXXIV. When nominations shall be made in writing by the President of the United States to the Senate, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration. When the President of the United States shall meet the Senate in the Senate Chamber, the President of the Senate shall have a chair on the floor, be considered as the head of the Senate, and his chair shall be assigned to the President of the United States. When the Senate shall be convened by the President of the United States to any other place, the President of the Senate and Senators shall attend at the place appointed. The Secretary of the Senate shall also attend to take the minutes of the Senate.

XXXV. All questions shall be put by the President of the Senate, either in the presence or absence of the President of the United States; and the Senators shall signify their assent or dissent by answering, viva voce, "aye" or "no."

XXXVI. All confidential communications made by the President of the United States to the Senate shall be, by the Members thereof, kept inviolably secret; and all treaties which may hereafter be laid before the Senate shall also be kept secret until the Senate shall, by their resolution, take off the injunction of secrecy.

XXXVII. Whenever a treaty shall be laid before the Senate for ratification, it shall be read a first time for information only; when no motion to reject, ratify, or modify the whole or any part shall be received. Its second reading shall be for consideration, and on a subsequent day; when it shall be taken up as in a Committee of the Whole, and everyone shall be free to move a question on any particular article in this form, "Will the Senate advise and consent to the ratification of this article?" or to propose amendments thereto, either by inserting or leaving out words, in which last case the question shall be, "Shall these words stand as part of the article?" And in every of the said cases the concurrence of two-thirds of the Senators present shall be requisite to decide affirmatively. And when, through the whole, the proceedings shall be stated to the House, and questions be again severally put thereon for confirmation, or new ones proposed, requiring in like manner a concurrence of two-thirds for whatever is retained, the votes so confirmed shall, by the House, or a committee thereof, be reduced into the form of a ratification, with or without modifications, as may have been decided and shall be proposed on a subsequent day; when everyone shall again be free to move amendments, either by inserting or leaving

out words, in which last case the question shall be, "Shall the words stand as part of the resolution?" And in both cases the concurrence of two-thirds shall be requisite to carry the affirmative, as well as on the final question to advise and consent to the ratification in the form agreed to.

XXXVIII. When any question may have been decided by the Senate, in which two-thirds of the Members present are necessary to carry the affirmative, any Member who votes on that side which prevailed in the question may be at liberty to move for a reconsideration; and a motion for reconsideration shall be decided by a majority of votes.

XXXIX. Messengers are introduced in any state of business except while a question is putting, while the yeas and nays are calling, or while the ballots are calling.

XL. When an amendment to be proposed to the Constitution is under consideration the concurrence of two-thirds of the Members present shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

Mr. LODGE. I call attention to Rule VIII, which covers the point we are now considering:

VIII. While a question is before the Senate no motion shall be received unless for an amendment, for postponing the question, or to commit it, or to adjourn; and the motion for adjournment shall always be in order and decided without debate.

It will be observed that the motion for the previous question disappears. It is not the mere leaving of a blank——

Mr. BRANDEGEE. It not only disappears, but it is prohibited.

Mr. LODGE. I was going to say that it does not merely disappear, but it is prohibited by its omission, because only those motions can be put which are enumerated; and they are enumerated here in Rule VIII and to-day in our Rule XXII.

Mr. GALLINGER. Mr. President, I will call the attention——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. LODGE. Yes; certainly.

Mr. GALLINGER. I will call the attention of the Senator from Massachusetts to the fact that when that change was made the word "main" was also dropped from the rule.

Mr. LODGE. That is perfectly true; the word "main" was left out before the word "question" in the phrase "for postponing the question." So that the Senate took out the last vestige of the previous question and made it impossible to offer such a motion, because the motions that could be offered were enumerated, as I have said.

There are no debates given. I have read all that occurred in regard to the rules. I have looked in the diary of John Quincy Adams, who was a member of the committee, but he merely mentions the fact once or twice that he was on the committee and that they were revising the rules; but of course the experienced men on that committee knew perfectly well what they were doing. They did not leave out the previous question and the word "main" by accident. They meant to leave them out and they meant to establish the rule in such a way that they could not be brought back without a change in the rule, and that they effected.

I have not undertaken to follow this question down to the most recent times, but I turned to Benton's Thirty Years in the United States Senate to see if by chance there was anything in that period relating to this discussion; and I found that in the second volume, page 247, he devotes an entire chapter—chapter 69—to this question. The House had just established the hour rule in debate. I ought to say, as a preliminary, that the Whigs were in full control of both Houses. They had just carried the election of 1840, and the House established this hour rule. Mr. Clay, who was greatly annoyed by the delays caused by the Democratic minority in the Senate, proposed to establish the hour rule in the Senate which the House had just taken up. I will cut the story short. Finding himself unable to do that, he then tried the previous question, and he failed in that also.

Benton gives a very amusing account, in his own way—not intentionally amusing—of the whole thing. I am not going to read the whole of it, although it is well worth reading. It has the usual classical allusions which were the fashion in that day. You all remember that it was at that precise time when Webster came away from discussing President Harrison's inaugural, and they asked him what he had been doing, and he said he had had a weary afternoon; he had killed 17 Roman proconsuls. So I leave out the beginning here, where he refers to Cæsar, Pompey, and Crassus, and just select such passages as illustrate what we are doing now.

Benton says:

No doubt the license of debate has been greatly abused in our Halls of Congress, as in those of the British Parliament; but this suppression of debate is not the correction of the abuse, but the destruction of the liberty of speech; and that, not as a personal privilege but as a representative right, essential to the welfare of the people. For 50 years of our Government there was no such suppression * * *.

Then, having sketched what had happened in the House, he says:

The measure having succeeded in the House which made the majority master of the body, and enabled them to pass their bills without resistance or exposure, Mr. Clay undertook to do the same thing in the Senate. He was impatient to pass his bills, annoyed at the resistance they met, and dreadfully harassed by the species of warfare to which they were subjected and for which he had no turn. The Democratic Senators acted upon a system, and with a thorough organization and a perfect understanding. Being a minority and able to do nothing, they became assailants, and attacked incessantly, not by formal orations against the whole body of a measure but by sudden, short, and pungent speeches, directed against the vulnerable parts, and pointed by proffered amendments. Amendments were continually offered—a great number being prepared every night and placed in suitable hands for use the next day—always commendably calculated to expose an evil and to present a remedy. Near 40 propositions of amendment were offered to the first fiscal agent bill alone—the yeas and nays taken upon them seven and thirty times.

They did not have our rule about laying amendments on the table without carrying the main question.

All the other prominent bills—distribution, bankrupt, fiscal corporation, new tariff act, called revenue—were served the same way. Every proposed amendment made an issue, which fixed public attention, and would work out in our favor, end as it might. If we carried it, which was seldom, there was a good point gained; if we lost it, there was a bad point exposed. In either event we had the advantage of discussion, which placed our adversaries in the wrong, and the speaking fact of the yeas and nays, which told how every man was upon every point. We had in our ranks every variety of speaking talent, from plain and calm up to fiery and brilliant, and all matter-of-fact men—their heads well stored with knowledge. There were but 22 of us, but everyone a speaker, and effective. We kept their measures upon the anvil and hammered them continually; we impaled them against the wall and stabbed them incessantly. The Globe newspaper was a powerful ally, Messrs. Blair and Rives setting off all we did to the best advantage in strong editorials, and carrying out our speeches, fresh and hot, to the people; and we felt victorious in the midst of unbroken defeats. Mr. Clay's temperament could not stand it, and he was determined to silence the troublesome minority, and got the acquiescence of his party and the promise of their support, and boldly commenced his operations, avowing his design, at the same time, in open Senate.

It was on the 12th day of July—just four days after the new rule had been enforced in the House and thereby established—for up to that day it was doubtful whether it could be enforced—that Mr. Clay made his first movement toward its introduction in the Senate, and in reply to Mr. Wright, of New York.

I assume that was "Silas Wright."

Mr. GALLINGER. It was "Silas Wright."

Mr. LODGE (reading)—

One of the last men in the world to waste time in the Senate or to speak without edification to those who would listen. It was on the famous fiscal bank bill, and on motion of Mr. Wright to strike out the large subscription reserved for the Government, so as to keep the Government unconnected with the business of the bank. The mover made some remarks in favor of his motion, to which Mr. Clay replied, and then went on to say—

If I could close my eyes and repeat this, I should almost think I had heard the Senator from North Carolina [Mr. SIMMONS]—

He could not help regarding the opposition to this measure as one eminently calculated to delay the public business with no other object that he could see than that of protracting to the last moment the measures for which this session had been expressly called to give to the people. This, too, was at a time when the whole country was crying out in an agony of distress for relief.

Then follows some more of similar purport, but I will only read this:

Mr. Calhoun observed that to attempt, by such charges of factious and frivolous motives, to silence the opposition was wholly useless. He and his friends had principles to contend for that were neither new nor frivolous, and they would here now, and at all times and in all places, maintain them against those measures in whatever way they thought most efficient. Did the Senator from Kentucky mean to apply to the Senate the gag law passed in the other branch of Congress? If he did, it was time he should know that he (Mr. Calhoun) and his friends were ready to meet him on that point.

This question, and the avowed readiness to meet the gagging attempt, were not spoken without warrant. The Democratic Senators having got wind of what was to come had consulted together and taken their resolve to defy and to dare it—to resist its introduction and trample upon the rule, if voted; and in the meantime to gain an advantage with the public by rendering odious their attempt. Mr. Clay answered argumentatively for the rule, and that the people were for it:

Let those Senators go into the country, and they will find the whole body of the people complaining of the delay and interruption of the national business, by their long speeches in Congress; and if they will be but admonished by the people, they will come back with a lesson to cut short their debating and give their attention more to action than to words. Whoever heard that the people would be dissatisfied with the abridgment of speeches in Congress? He had never heard the shortness of speeches complained of. Indeed, he should not be surprised if the people would get up remonstrances against lengthy speeches in Congress.

With respect to the defiance, Mr. Clay returned it, and declared his determination to bring forward the measure.

With regard to the intimation of the gentleman from South Carolina [Mr. Calhoun], he understood him and his course perfectly well, and told him and his friends that, for himself, he knew not how his friends would act; he was ready at any moment to bring forward and support a measure which should give to the majority the control of the business of the Senate of the United States. Let them denounce it as much as they pleased in advance; unmoved by any of their denunciations and threats, standing firm in the support of the interests which he believed the country demands, for one he was ready for the adoption of a rule

which would place the business of the Senate under the control of a majority of the Senate.

Mr. Clay was now committed to bring forward the measure, and was instantly and defyingly invited to do so.

Mr. Calhoun said there was no doubt of the Senator's predilection for a gag law. Let him bring on that measure as soon as ever he pleases.

Mr. BENTON. Come on with it.

Without waiting for anything further from Mr. Clay, Mr. Calhoun proceeded to show him, still further, how little his threat was heeded, and taunted him with wishing to revive the spirit of the alien and sedition laws.

Mr. Calhoun said it must be admitted that if the Senator was not acting on the Federal side, he would find it hard to persuade the American people of the fact, by showing them his love of gag laws and strong disposition to silence both the national councils and the press. Did he not remember something about an alien and sedition law, and can he fail to perceive the relationship with the measure he contemplates to put down debate here? What is the difference, in principle, between his gag law and the alien and sedition law? We are gravely told that the speaking of the representatives of the people, which is to convey to them full information on the subjects of legislation in their councils, is worse than useless and must be abated. Who consumed the time of last Congress in long speeches, vexatious and frivolous attempts to embarrass and thwart the business of the country, and useless opposition, tending to no end but that out of doors, the presidential election? Who but the Senator and his party, then in the minority? But now, when they are in the majority, and the most important measures ever pressed forward together in one session, he is the first to threaten a gag law, to choke off debate, and deprive the minority even of the poor privilege of entering their protest.

This is Mr. Calhoun. Benton gives some of the speech of Mr. Linn, and then he says:

Here this irritating point rested for the day, and for three days, when it was revived by the reproaches and threats of Mr. Clay against the minority.

The House, he said, had been treading on the heels of the Senate, and at last had got the start of it a long way in advance of the business of this session. The reason was obvious. The majority there is for action, and has secured it. Some change was called for in this Chamber. The truth is that the minority here control the action of the Senate, and cause all the delay of the public business. They obstruct the majority in the dispatch of all business of importance to the country, and particularly those measures which the majority is bound to give to the country without further delay. Did not this reduce the majority to the necessity of adopting some measure which would place the control of the business of the session in their hands? It was impossible to do without it; it must be resorted to.

To this Mr. Calhoun replied:

"The Senator from Kentucky tells the Senate the other House has got before it. How has the other House got before the Senate? By a despotic exercise of the power of a majority. By destroying the liberties of the people in gagging their representatives. By preventing the minority from its free exercise of its right of remonstrance. This is the way the House has got before the Senate. And now there is too much evidence to doubt that the Senate is to be made to keep up with the House by the same means."

Mr. Clay, finding such undaunted opposition to the hour rule, replied in a way to let it be seen that the threat of that rule was given up, and that a measure of a different kind, but equally effective, was to be proposed, and would be certainly adopted.

Mr. Clay gave up the hour rule and substituted the previous question, which Mr. Benton says Mr. Clay regarded as a compromise. Of course, it went much further than the hour rule.

He said if he did not adopt the same which had proved so beneficial in the other House, he would have something equally efficient to offer. He had no doubt of the cheerful adoption of such a measure when it should come before the Senate. So far from the rule being condemned, he would venture to say that it would be generally approved. It was the means of controlling the business, abridging long and unnecessary speeches, and would be every way hailed as one of the greatest improvements of the age.

This glimpse of another measure, confirmed the minority in the belief of what they had heard—that several Whig Senators had refused to go with Mr. Clay for the hour rule, and forced him to give it up; but they had agreed to go for the previous question, which he held to be equally effective; and was, in fact, more so, as it cut off debate at any moment. It was just as offensive as the other. Mr. King, of Alabama, was the first to meet the threat, under this new form, and the Register of Debates shows this scene:

Mr. King said the Senator from Kentucky complained of three weeks and a half having been lost in amendments to his bill. Was not the Senator aware that it was himself and his friends had consumed most of that time? But now that the minority had to take it up, the Senate is told there must be a gag law. Did he understand that it was the intention of the Senator to introduce that measure?

Mr. CLAY. I will, sir; I will!

Mr. KING. I tell the Senator, then, that he may make his arrangements at his boarding house for the winter.

Mr. CLAY. Very well, sir.

Mr. King was truly sorry to see the honorable Senator so far forgetting what is due to the Senate, as to talk of coercing it by any possible abridgment of its free action. The freedom of debate had never yet been abridged in that body since the foundation of this Government. Was it fit or becoming, after 50 years of unrestrained liberty, to threaten it with a gag law? He could tell the Senator that, peaceable a man as he (Mr. King) was, whenever it was attempted to violate that sanctuary, he for one would resist that attempt even unto the death.

The issue was now made up, and the determination on both sides declared, on the part of Mr. Clay, speaking in the name of his party, to introduce the previous question in the Senate, for the purpose of cutting off debate and amendments; on the part of the minority, to resist the rule, not only its establishment but its execution. This was a delicate step, and required justification before the public, before a scene of resistance to the execution—involving disorder and possibly violence—should come on. The scheme had been denounced and defied; but the ample reasons against it had not been fully stated; and it was deemed best that a solid foundation of justification for whatever might happen should be laid beforehand in a reasoned and considered speech. The author of this view was required to make that speech, and for that purpose followed Mr. King.

Then Mr. Benton himself follows Mr. King. He says that he was put forward to represent their side, a view of himself which I think Mr. Benton frequently took, and he said a good many rather amusing things, but I will read only one or two passages:

Mr. Benton would take this opportunity to say a word on this menace, so often thrown out, of a design to stifle debate and stop amendments to bills in this Chamber. He should consider such an attempt as much a violation of the Constitution and of the privileges of the Chamber as it would be for a military usurper to enter upon us at the head of his soldiery and expel us from our seats.

"It is not in order," continued Mr. Benton; "it is not in order, and would be a breach of the privilege of the House of Representatives to refer to anything which may have taken place in that House. My business is with our own Chamber, and with the threat which has so often been uttered on this floor, during this extra session, of stifling debate and cutting off amendments by the introduction of the previous question."

* * * * * * * *

"The Government has been in operation above 50 years, and the freedom of debate has been sometimes abused, especially during the last 12 years, when those out of power made the two Houses of Congress the arena of political and electioneering combat against the Democratic administration in power. The liberty of debate was abused during this time, but the Democratic majority would not impose gags and muzzles on the mouths of the minority; they would not stop their speeches, considering, and justly considering, that the privilege of speech was inestimable and inattackable; that some abuse of it was inseparable from its enjoyment; and that it was better to endure a temporary abuse than to incur a total extinction of this great privilege."

He then discusses at some length the previous question, as follows:

"The previous question cuts off amendments; and therefore, neither in England or in the United States, until now, in the House of Representatives, has that question ever been applied to bills in the Committee of the Whole, on the second reading. This question annihilates legislation, sets at nought the wisdom of the House, and expunges the minority. It is always an invidious question, but seldom enforced in England, and but little used in the earlier periods of our own Government. It has never been used in the Senate at all, never at any stage of the bill; in the House of Representatives it has never been used on the second reading of a bill, in Committee of the Whole, until the present session—this session, so ominous in its call and commencement, and which gives daily proof of its alarming tendencies, and of its unconstitutional, dangerous, and corrupting measures. The previous question has never yet been applied in this Chamber; and to apply it now, at this ominous session, when all the old Federal measures of 50 years ago are to be conglomerated into one huge and frightful mass, and rushed through by one convulsive effort; to apply it now, under such circumstances, is to muzzle the mouths, to gag the jaws, and tie up the tongues of those whose speeches would expose the enormities which can not endure the light, and present to the people these ruinous measures in the colors in which they ought to be seen.

"The opinion of the people is invoked—they are said to be opposed to long speeches, and in favor of action. But do they want action without deliberation, without consideration, without knowing what we are doing? Do they want bills without amendments—without examination of details; without a knowledge of their effect and operation when they are passed? Certainly the people wish no such thing. They want nothing which will not bear discussion. The people are in favor of discussion, and never read our debates with more avidity than at this ominous and critical extraordinary session. But I can well conceive of those who are against those debates, and want them stifled. Old sedition law federalism is against them; the cormorants who are whetting their bills for the prey which the acts of this session are to give them, are against them; and the advocates of these acts, who can not answer these arguments, and who shelter weakness under dignified silence, they are all weary, sick, and tired of a contest which rages on one side only, and which exposes at once the badness of their cause and the defeat of its defenders. Sir, this call for action! action! action!—as it was well said yesterday—comes from those whose cry is Plunder! Plunder! Plunder!"

He took a somewhat dark view of the Whigs.

"The previous question and the old sedition law are measures of the same character, and children of the same parents, and intended for the same purposes. They are to hide light; to enable those in power to work in darkness; to enable them to proceed unmolested; and to permit them to establish ruinous measures without stint and without detection. The introduction of this previous question into this body, I shall resist as I would resist its conversion into a bed of justice—lit de justice—of the old French monarchy for the registration of royal edicts. In these beds of justice—the Parliament formed into a bed of justice—the kings before the revolution caused their edicts to be registered without debate and without amendment. The King ordered it, and it was done—his word became law. On one occasion when the Parliament was refractory Louis XIV entered the chamber, booted and spurred, a whip in his hand—a horsewhip in his hand—and stood on his feet until the edict was registered. This is what has been done in the way of passing bills without debate or amendment in France. But in extenuation of this conduct of Louis XIV, it must be remembered that he was a very young man when he committed this indiscretion, more derogatory to himself than to the Parliament which was the subject of the indignity. He never repeated it in his riper age, for he was a gentleman as well as a king, and in a 50 years' reign never repeated that indiscretion of his youth. True, no whips may be brought into our legislative halls to enforce the gag and the muzzle, but I go against the things themselves; against the infringement of the right of speech; and against the annihilation of our legislative faculties by annihilating the right of making amendments. I go against these; and say that we shall be nothing but a bed of justice for the registration of presidential or partisan or civil chieftain edicts when debates and amendments are suppressed in this body.

"Sir, when the previous question shall be brought into this Chamber—when it shall be applied to our bills in our quasi committee—I

am ready to see my legislative life terminated. I want no seat here when that shall be the case. As the Romans held their natural lives, so do I hold my political existence. The Roman carried his life on the point of his sword; and when that life ceased to be honorable to himself or useful to his country he fell upon his sword and died. This made of that people the most warlike and heroic nation of the earth. What they did with their natural lives I am willing to do with my legislative and political existence; I am willing to terminate it either when it shall cease to be honorable to myself or useful to my country; and that I feel would be the case when this Chamber, stripped of its constitutional freedom, shall receive the gag and muzzle of the previous question."

Mr. HUGHES. Who was that?

Mr. LODGE. Thomas H. Benton, of Missouri.

Mr. GALLINGER. A good Democrat.

Mr. OVERMAN. He was born in North Carolina.

Mr. LODGE. A very distinguished Senator in his day, and a very able man. Then Mr. Calhoun follows, and Mr. Calhoun is always interesting:

He thought this business closely analogous to the alien and sedition laws. Here was a palpable attempt to infringe the right of speech. He would tell the Senator that the minority had rights under the Constitution which they meant to exercise, and let the Senator try when he pleased to abridge those rights, he would find it no easy job. When had that (our) side of the Senate ever sought to protract discussion unnecessarily? [Cries of "Never! Never!"] Where was there a body that had less abused its privileges? If the gag law was attempted to be put in force, he would resist it to the last. As judgment had been pronounced, he supposed submission was expected. The unrestrained liberty of speech, and freedom of debate had been preserved in the Senate for 50 years. But now the warning was given that the yoke was to be put on it which had already been placed on the other branch of Congress. There never had been a body in this or any other country, in which, for such a length of time, so much dignity and decorum of debate had been maintained. It was remarkable for the fact the range of discussion was less discursive than in any other similar body known. Speeches were uniformly confined to the subject under debate. There could be no protext for interference. There was none but that of all despotisms. He would give the Senator from Kentucky notice to bring on his gag measure as soon as he pleased. He would find it no such easy matter as he seemed to think.

Later Mr. Calhoun returned to the point, and said:

The Senator from Kentucky had endeavored to draw a distinction between the gag law and the old sedition law. He (Mr. Calhoun) admitted there was a distinction—the modern gag law was by far the most odious. The sedition law was an attempt to gag the people in their individual character, but the Senator's gag was an attempt to gag the representatives of the people, selected as their agents to deliberate, discuss, and decide on the important subjects intrusted by them to this Government.

This was a taunt, and Senators looked to see what would follow. Mr. Clay rose, leisurely, and, surveying the Chamber with a pleasant expression of countenance, said:

The morning had been spent so very agreeably, that he hoped the gentlemen were in a good humor to go on with the loan bill, and afford the necessary relief to the Treasury.

The loan bill was then taken up and proceeded with in a most business style, and quite amicably. And this was the last that was heard of the hour rule and the previous question in the Senate; and the secret history of their silent abandonment was afterwards fully learned. Several Whig Senators had yielded assent to Mr. Clay's desire for the hour rule under the belief that it would only be resisted parliamentarily by the minority; but when they saw its introduction was to produce ill blood and disagreeable scenes in the Chamber, they withdrew their assent, and left him without the votes to carry it; and that put an end to the project of the hour rule. The previous question was then agreed to in its place, supposing the minority would take it as a "compromise"; but when they found this measure was to be resisted like the former, and was deemed still more odious, hurtful, and degrading, they withdrew their assent again; and then Mr. Clay, brought to a stand again for want of voters, was compelled to forego his design, and to retreat from it in the manner which has been shown.

So that great attempt, made under the leadership of one of the most brilliant men and most popular leaders this country has ever had, failed, and somehow or other the country has gone on for 75 years since that failure pretty cheerfully and well. It has not been materially hurt, and a good deal of business has been transacted and many laws passed in the Senate.

I am aware that except as a picture of the struggle, which is historically interesting, this debate of 1841 has no particular bearing as an authority upon the question now before us except in one way. It will be observed that every one of the speakers in opposition alludes to the fact that it never had been applied for 50 years, and they were all Democrats and all engaged in obstruction. That covered, then, the whole life of the Senate. I have not had the time to go through the Journals from 1789 to 1806, so that I can not say whether it was ever used as provided for in the rules of 1789.

Mr. GALLINGER. It was used three times during that period.

Mr. LODGE. The Senator from New Hampshire says it was used three times during that period, but evidently it was used so slightly that it made no impression, and every one of those who opposed the previous question states broadly that it never had been used. It never has been used since 1806, 100 years ago, when those rules were adopted by the Senate of the United States. It can be adopted now only by changing Rule XXII. No temporary rule can do it except by suspending Rule XXII.

The Senators of 1806 knew perfectly well what they were about. They not only took out the previous question and the word "main," as I have already said, but they provided strictly what motions should be in order. The previous question can not be put without an absolute disregard of the rules of the Senate as the rules stand to-day. It can be established, undoubtedly, by the Senate acting in the way prescribed for changing or amending the rules, and through the medium, I should hope, of its proper organ, the Committee on Rules, but it can not be done by a so-called amendment to the standing rules which suspends the rules or makes a special order, which both require a two-thirds vote. It is in the nature of a special order, because it fixes a time not only for voting but for the consideration of a subject. The previous question can not be imposed by a special order, which, under the guise of an amendment to the standing rules, undertakes to suspend Rule XXII.

Mr. President, I do not wish to enter further into that point to-day.

Mr. THOMAS and Mr. HUGHES addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. LODGE. I yield for a question.

Mr. THOMAS. I thought the Senator had yielded the floor.

Mr. LODGE. Oh, no; I said I would speak no further on that point.

Mr. THOMAS. I misunderstood the Senator.

Mr. LODGE. Certainly; the Senator very naturally did so.

Neither do I desire, Mr. President, to discuss fully to-day the general question of cloture or previous question. I prefer previous question as the expression familiar to our parliamentary law. That is a very large subject. It consumed the time of the House through a large part of one session when I first entered Congress. But I wish before I sit down to-day to make a brief statement in regard to myself and my course on this question.

I entered the Senate and was sworn in on the 4th of March, 1893. I came here on the 7th of August, 1893, to the Congress called in special session to repeal the silver-purchase act. I was just from the House, fresh from the great struggle in which, under the leadership of Mr. Reed, the rules had been changed, and I was of opinion that that same thing ought to be done everywhere. I promptly introduced a resolution for the purpose of bringing the silver question to an immediate vote. I remember to this day the kindly smile with which Senator Teller, who was the leader of the silver men, regarded me. He evidently thought me very, very young, and so I was in the Senate. That resolution of mine drifted off on the stream of time and was disposed of in ways with which I was not then familiar but which I came afterwards to know better.

About the same time I wrote an article on Obstruction in the Senate. I think it was just at that time. I felt perfectly confident that both the resolution and the article would make their appearance in the Senate in this debate—something which did not trouble me in the least, for I think nothing is of less importance in considering any public question than to say that some individual who is discussing it has changed his mind. The fact that a man has changed his mind has but little to do with the intrinsic merits of a given case, unless it is thought that he has changed his position on good grounds which justify the attitude which he and others are taking at the moment.

Mr. President, having stated that general proposition, I desire to call attention to this fact: When I wrote that article and when I offered that resolution the Democratic Party was in the majority in this body. So it could not be suggested that I was making it for party reasons. I changed my mind not very long after 1893; but it so happens that 10 years afterwards, in 1903, the matter came up, and I had occasion to make a brief speech, in which I explained that I had changed my mind. When I made that speech in behalf of maintaining the existing rules and customs of the Senate my own party was in full control and in a large majority. So whatever else I changed my mind for, I did not change it for party benefit, because when I advocated cloture the Democrats were in control, and when I opposed it publicly—although I had been against it for some time—my own party had a large majority. This is what I said:

Mr. LODGE. Mr. President, when I entered the Senate I came here fresh from the greatest contest that had been made in the House of Representatives, certainly in this generation, and which involved the question of cloture or of the previous question. Stated more broadly, the issue was whether the majority in the House of Representatives was to transact any business at all. The House of Representatives, when I entered it, was under the old system of rules, and had fallen into a condition where practically one man could arrest the business of the House by an apt use of complicated rules and long roll calls. I was in the House which revised the old rules and adopted what were known as the Reed rules, which, in my judgment, were the salvation of the House of Representatives and of its position as a legislative body, for under the old rules it had fallen into a state of almost complete inanity. Therefore I came to this body with a very strong prejudice in favor of vigorous and prompt methods of closing debate.

I entered the Senate with all these opinions very strongly upon me, and I remember on August 7, 1893, or immediately afterwards, when we assembled in extra session, I introduced a resolution to compel the Committee on Finance immediately to report a bill for the repeal of the Sherman law, moved thereto by the discipline which I had received in the House. That motion was met by the Senator from Colorado [Mr. Teller] as an impossible method of procedure, and with much the same argument that he has repeated here to-day.

Mr. President, I have been here since then for 10 years. In a very short time after my coming into this body, within a year or two, in fact, I came to the conclusion that the practice of the Senate was on the whole a wise one, and though hard at times to bear when we are interested in passing a bill and grow naturally impatient, that it was the safest system for the country and for the general interests of the Government. Mr. President, I have seen in that short time both parties in control of the Senate, and I do not remember that any measure desired by an actual and true majority of the Senate has ever failed of a vote.

In the first session of the Senate a previous question was adopted which could be applied, by a majority vote, if moved and seconded from the floor. In 1806 the Senate struck that provision from the rules, and for a hundred years has never reenacted it. I think the principle involved, therefore, ought not to be lightly set aside, for there is much to be said in behalf of the practice of a hundred years. Moreover, Mr. President, as I was just saying, in that long period and in late years it has been clear that the majority of the Senate always gets a vote when it is a real majority.

Mr. President, I believe thoroughly in majority rule. I had that lesson borne in upon me in my service in the House of Representatives; but those who invoke majority rule, Mr. President, must not begin by overthrowing it. This country intrusts the Government to one political party or the other, and the party in power is responsible for the Government, and is the majority party. If a bill passes this Congress, it makes no difference by what combination of votes it passes, the party in power at the moment, which now happens to the Republican Party, is held responsible for it, even if the great mass of their Members and Senators voted against it.

A bill, for example, came to this table the other day from the other House settling the currency of the Philippine Islands. It was passed there by the minority party acting with a small fraction of the majority party; that is, the party to whom was intrusted the Government of the country was, under that vote, to be made responsible for a measure to which the great majority of its members objected, and which they did not believe in.

Therefore, Mr. President, a majority in this Senate must be something more than a numerical majority at any given moment, and there must be time to develop the fact whether it is a genuine and responsible majority, and also whether votes can not be changed.

I was deeply and profoundly interested in the force bill, as it was called, which has been alluded to here. I had it in charge in the House of Representatives and I saw it defeated on this floor by methods of obstruction, which resulted finally in the change of votes which has been here alluded to. But, Mr. President, I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through under rules which may be absolutely necessary in a large body like the House of Representatives or the House of Commons in England, but which are not necessary here. I think here we should have, minority and majority alike, the fullest possible opportunity of debate.

I myself have never indulged in obstruction and I have no desire to indulge in it now, but I think, Mr. President, that it would be the height of unwisdom to pass a resolution like this and open the way to a closure rule, which is what this resolution does, and which is a matter of the utmost gravity, without more consideration than can be given in the morning hour. Those whom it most behooves to oppose such resolutions as this are the party of the minority, for it is the minority whose rights are at stake and whose last protection is found on the floor of this Senate.

Mr. President, those are the views which I expressed in 1903, and I have not changed them since that time. I think we are sound still. As it was thought important on the other side to bring forward what I had done in October, 1893, and the article which I had written at that time—I have not seen it for a great many years, but I have an impression it was a very good one, and as they saw fit to avail themselves of it, which I think is a compliment—it seems to me not without relevancy to explain the reasons for my change of mind, which were, as I said, given in the speech from which I just quoted, and which I think I have covered in the quotation I have made. Mr. President, that is all I desire to say to-day. To me this matter of a change of the rules of the Senate which have been in force in this respect for 109 years is a matter of very grave moment indeed. I think if a change from our present system to the previous question, like that of the House, is put in operation it is going to alter completely the character of the Senate.

Now, without arguing the merits of the question at this moment, this is a change so serious that it ought to have the most thorough and the fullest consideration of every Senator on the floor. Every Senator ought to think well before he makes a change of this sort in the very constitution of the Senate for the sake of passing, in a moment of heat and passion over a single bill, a measure which strikes at that quality which has been more distinctive of the Senate than any other body in parliamentary history and which to-day is the only refuge the people of this country have who desire to know something about the measures before their Representatives. The people of this country have the right to know the reasons for and against every important measure, for in no other way can they rightly judge.

At this moment, as an illustration of the evil I refer to, they are proposing to take up this great measure in the House of Representatives and dispose of it in six hours. Surely that is an illustration of the evil in the other direction—the evil of putting through great measures under drastic rules and without discussion. I believe this to be a much worse evil than that which these efforts to introduce the previous question here are designed to remedy.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. THOMAS. Mr. President, my purpose in rising a few moments ago was to refer to the subject which the Senator from Massachusetts [Mr. LODGE] immediately considered. I designed calling attention to the views of the Senator upon this subject on the 21st day of September, 1893.

Mr. LODGE. If the Senator will allow me, I have just done that; but, of course, I would be delighted to have it done again.

Mr. THOMAS. I made the statement that the Senator had anticipated me to the extent of informing the Senate that his views had undergone a complete change. Nevertheless, Mr. President, I find the other side so well stated, and to my mind so conclusively stated, by the Senator on the floor of the Senate on the 21st of September, 1893, that, notwithstanding his own change of heart, I think those of us who are still obdurate can find much comfort in referring to it as presenting the question much better than any of us are able to do. The Senator has changed his views, but he can not change the force of his former arguments.

Mr. LODGE. If the Senator will allow me, I wish to make only a single remark.

Mr. THOMAS. I yield.

Mr. LODGE. I am delighted to have the Senator read the speech and put it in the RECORD. I dare say it expresses the argument on that side very well. But I think the Senator was anticipated by the Senator from Oklahoma [Mr. OWEN] on Saturday.

Mr. THOMAS. No; the Senator from Oklahoma did not refer to this particular speech.

Mr. LODGE. I would be very glad to have everything I said put in the RECORD.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). The Senator from Colorado will proceed.

Mr. THOMAS. Mr. President, I do not propose to do that; the RECORD is already somewhat encumbered; but I think this speech should be incorporated as one of the many excellent arguments which have fallen from the lips of the distinguished Senator from Massachusetts. It was made before he saw the new light which seems to have found its inspiration from the utterances of John C. Calhoun and other great Democratic figures of history, whose doctrines have not been particularly palatable to the Senator. But his ante-conviction argument should be kept fresh before the public mind that we who believe in cloture may justify ourselves by his example.

On the 21st of September, 1893, the Senator from Connecticut, Mr. Platt, introduced a resolution which read as follows:

Resolved, That Rule IX of the Senate be amended by adding the following section:

"SEC. 2. Whenever any bill or resolution is pending before the Senate as unfinished business, the presiding officer shall, upon the written request of a majority of the Senators, fix a day and hour, and notify the Senate thereof, when general debate shall cease thereon, which time shall not be less than five days from the submission of such request; and he shall also fix a subsequent day and hour, and notify the Senate thereof, when the vote shall be taken on the bill or resolution, and any amendment thereto, without further debate; the time for taking the vote to be not more than two days later than the time when general debate is to cease; and in the interval between the closing of general debate and the taking of the vote no Senator shall speak more than five minutes, nor more than once, upon the same proposition."

At that time, Mr. President, a filibuster was on in this body. It was conducted by Republicans and Democrats forming a minority of the Senate, but intent upon defeating the bill which had passed the House and which provided for the unconditional repeal of the purchasing clause of what was known as the Sherman Silver-Purchase Act. The special session of Congress then in session had been convened, as I remember, for the 7th day of August. It had therefore been in session for about a month and a half and had made no progress. A number of resolutions amending the rules, of which that by the Senator from Connecticut was one, had been suggested. The Senator from Connecticut spoke in behalf of his own proposition, and I quote a part of his argument because of its pertinency to the present situation. He said:

Next comes what is sometimes known as the process of "sitting it out"—

We might, perhaps, refer to the proceedings of last week as "running it out," because we have been running out of the

Senate most of the time and running in only for the purpose of answering to roll calls.

Next comes what is sometimes known as the process of "sitting it out"; that is, for the friends of a bill to remain in continuous session until the opponents of it are so physically exhausted that they can not struggle any longer. That may or may not result in a vote either upon this measure or upon any great measure upon which a determined contest is made. It did not result in reaching a vote upon the consideration of the bill in amendment of the election law, miscalled the force bill. If I am not mistaken, we sat up here all one night on that bill; at any rate, in other matters since I have been in the Senate we have remained in session all night and all the next day and the next night, and finally a vote was not reached. Why not?

I take my original supposition. Suppose that there are 30 Senators who feel that they are justified in using every parliamentary means to prevent the reaching of a vote on the bill which has been pending. Suppose we continue in session the whole 24 hours, 10 of those Senators, without making very long speeches, as speeches go on this bill, can occupy one 24 hours, 10 more of them can occupy another 24 hours, and 10 more another 24 hours, and then those who occupied the first 24 hours will be fresh and prepared again to deliver other speeches. In the meantime what will have become of the friends of the bill?

Mr. President, we have even made progress in filibustering. Relays of 10 are not required any more. Relays of 3, or at the best 4, are all that are necessary to prevent the ultimate consideration of any measure, and relays composed of that number can, of course, be multiplied by the number of Senators in the opposition.

To say the best, such a method of trying to reach a vote is harsh, and I might almost say inhuman. It requires that the friends of the bill shall keep a quorum of the Senate here constantly during continuous sessions. If at any moment there are present in the Chamber less than 43 Members of the Senate who favor the bill, that being a quorum, a quorum will be called and business will cease.

Mr. President, there are Senators in favor of this bill who can not, as a matter of physical ability, continue day after day and night after night in session here in order to get a vote. The Senator from Vermont [Mr. Morrill], who is on the Committee on Finance, has been called to his home by his inability to remain in this climate at this season; other Senators will be absent sick; and other Senators, by reason of age or by reason of feebleness, will be unable to continue in continuous session long enough to tire out the opposition.

I said such a practice was almost inhuman. It smacks of the methods of obtaining a verdict by a jury where the jury is locked up continuously until they give a verdict. The proposition is to force the minority to surrender upon a test of physical endurance. The result usually is that the majority surrenders upon the test of physical endurance.

I think, Mr. President, I may safely say that such is the outcome of nearly all such tests in the Senate, and the reason is obvious. The filibustering minority knows precisely what it is going to do. It can arrange and carry out a program. The majority must be constantly on the alert to answer roll calls and keep a quorum, and at same time take advantage of any possible opportunity or break which may offer for the purpose of securing a vote.

It is one of the principal condemnations of the system that a disciplined minority with a program deliberately arranged can conduct it without a break and present it in spite of the majority, which can not possibly pursue such a course, and which may be compared to a large body of undisciplined militia opposed by a smaller one of regular soldiers. It is therefore inevitable that where the contest becomes one of physical endurance, which always comes sooner or later, those who are conducting the filibuster must prevail.

On the same day the Senator from Massachusetts [Mr. LODGE], who then was new to the Senate, as he says, and who had come fresh from the House, where he had witnessed the vigorous, systematic, and successful manner in which business was there conducted under the new rules, supported with much earnestness and with unanswerable logic the resolution of the Senator from Connecticut. I shall not read all the remarks of the Senator from Massachusetts upon the subject upon that occasion, although they were, for the Senate, very brief. Although the Senator has changed his mind and is now a defender of this antiquated, illogical, and fossilized system of obstruction, he can not change the logic of his position nor avoid the reasons which he then gave for the faith that was in him. He said among other things:

The rules of the Senate have remained practically unchanged for a hundred years.

That is now urged by him and his associates as a conclusive reason why no change should be made. He takes refuge in the antiquity of an abuse, and because it is hoary with age it must not be disturbed.

Mr. President, I might digress to say that for more than a hundred years Members of the Senate were chosen by legislatures and not by the people. This was a constitutional requirement. Nevertheless an important reform has been made, and made successfully, in that direction. The argument of antiquity was for years a potent weapon of defense against that great reform, but the system went down, as it should have done, before the stern logic of the present demand, the necessities of modern conditions, and the supreme importance of restoring this body to its constitutional functions, and keeping it in touch with and responsible to its constituency.

The rules of the Senate have remained practically unchanged for a hundred years. Formed for a body of 26 Senators, they still continue to govern the deliberations of 88—

Now of 96—

They contain no method of compelling a vote. They are therefore rules which are based upon courtesy. By the courtesy of the Senate every Senator can speak at any length and at any time. There is, in a word, no method of preventing unlimited debate. But a system of courtesy in the conduct of business for a great legislative body, if it is to be anything or to have any effect, must be reciprocal. The unwritten law of mutual concession must be observed or a system of courtesy is impossible.

How true that is. The courtesy which is extended to the majority by this outrageous system of filibuster is a courtesy which keeps us here day after day and night after night. Broken rest and constantly diminished physical capacity are necessarily productive of dissension, of resentment, and of ill feeling. There is no courtesy about it, Mr. President. It is simply the use of brute force personified in the ability of those opposing needed legislation to obstruct through the exercise of their powers of physical endurance an ultimate determination of the business as they want it to be, although it holds up the entire business of the country without regard to its character.

Our calendar is burdened with four or five hundred measures, many of them of vast importance, but the business of the Senate is paralyzed. We can not reach it. We, the majority, are helpless. We are justly responsible for the affairs of government, yet our hands and feet are tied and our efforts stifled by a system that is defended on account of the fact that it has been in force for so many years.

The right of debate is not the only or the most important privilege to be considered.

There is another right more sacred in a legislative body than the right of debate, and that is the right to vote.

It was true in 1893; it was true before then; it is equally true now, Mr. President, because by our votes alone can we perform the functions of the body and carry out those measures which we at least deem to be essential to the public welfare.

It is assumed, it must be assumed, that if there is to be unlimited debate, by unwritten law there must equally be no obstruction to a vote.

It would interest me greatly to hear the Senator from Massachusetts refute himself upon that subject.

When it appears that unlimited debate, the right of which is accorded by courtesy, is used for the purposes of obstruction, then the system of courtesy has become impossible. When a minority not only does not allow a debate to come to a close, but will not even name any date, no matter how distant, at which it will assent to the close of that debate, it is obvious that courtesy has become entirely one sided; that unlimited debate is to be permitted, but that the right to vote is to be taken away. When the system of courtesy has reached this point it has not only ceased to be practicable, but it has become an abuse and a danger.

If it was an abuse and a danger in 1893, it is an abuse and a danger in 1915, and the later conversion of the Senator to the other side of the question in no manner affects the truth of his previous proposition.

Mr. President, I do not desire to be misunderstood. I do not lay the blame for obstruction upon the minority in this or any other case. It never rests with them. If the rules of any legislative body permit a minority to obstruct a measure the defense of which they deem of the least importance, they have the right under those rules to obstruct. The reason why there is filibustering or obstruction in any legislative body is because the majority does not prevent it. If there is delay, it is the fault of the majority, and of the majority alone, not of the minority.

Mr. President, I do not know that I can assent to that. It is true, as a general proposition, but I question its application to this body, because under the construction which has been given to our rules we are, and for years have been, bound hand and foot by them, so that the minority, using "the courtesy" of unlimited debate, may exercise that power not only against a particular measure, but can, and always do, invoke it against any attempt to so amend the rules as to modify the abuse.

The filibuster that is now going on, Mr. President, is not aimed at the shipping bill, but at an attempt of the majority to amend the rules, so that this Senate may do business; it has merely shifted the point of attack. We have changed the subject, but it has not altered the situation. Originally the majority by a surrender of its undoubted right to demand a vote may be responsible; but to hold it responsible for such a condition of affairs as confronts the country to-day can not, in my mind, be justified in view of our peculiar condition, which is the outgrowth of a misconstruction, if not an abuse, of the rules, as I regard it.

If a legislative body can not reach a vote, it is because the majority, responsible for the conduct of business, does not choose to have that vote reached. They ought to be able to reach it by rule. To substitute for a proper rule the test of physical endurance in a body like the Senate of the United States, seems to me, I must say, and I say it with all respect, to be pitiable. If the courtesy system has broken down, why can we not reach a vote in a dignified and proper way if it is to be

done, as it must be done, by some form of compulsion? If the day has come when the courtesy of the Senate no longer exists, except for those who would speak and, by speaking, obstruct, then why is it not the more dignified and the better thing to pass a suitable rule to enable this body at some time, through its majority, to reach a vote?

A most pertinent inquiry, Mr. President, which the Democratic majority is now making, to which it wants to obtain an affirmative and a proper answer, an answer which will come, Mr. President, if I am any judge of public opinion, either by the mandate of public opinion operating directly upon the Senate or by a change of our system of procedure, which must be taken, and which I affirm will be taken, in order that the voice of the majority shall prevail, although by so doing we may be obliged to disregard, as we should disregard, some of the ancient precedents which have been set, to which we are so frequently referred as conclusive obstacles to change, however impervious the demand for it.

We govern in this country in our representative bodies by voting and debate. It is most desirable to have them both. Both are of great importance. But if we are to have only one, then the one that leads to action is the more important. To vote without debating may be hasty, may be ill considered, may be rash; but to debate and never vote is imbecility.

Another proposition, Mr. President, which is self-evident:

A legislative body which can not govern itself can not hold the respect of the people who have intrusted to it the duty of governing the country.

A legislative majority in any body which can not control the proceedings of that body becomes a subject of contempt both to itself and to the constituency which elected it. Yet such is our condition. For three weeks we have been endeavoring to get somewhere, and we have not even marked time, the Senator says.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I yield.

Mr. CUMMINS. I rise for the purpose only of asking the Senator from Colorado if he will yield to me long enough to enable me to offer an amendment? I am compelled to leave the Chamber for a few moments.

Mr. THOMAS. I yield with the greatest pleasure.

Mr. CUMMINS. Inasmuch as the pending question is the amendment offered by the Senator from Nebraska [Mr. NORRIS], I offer the amendment which I send to the desk, to be added to the substitute proposed by the Senator from Nebraska.

The PRESIDING OFFICER. Does the Senator from Iowa desire to have his amendment to the amendment now read?

Mr. GALLINGER. Let it be read.

Mr. CUMMINS. Let it be read, Mr. President. It is very short.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. It is proposed to amend the amendment of Mr. NORRIS by adding at the end thereof the following:

This rule shall not apply to any bill, motion, resolution, or question upon which Senators belonging to any political party have held a caucus and passed a resolution or declaration in any form attempting to bind the members of such party in the Senate to vote in any particular way, and where the application of the rule is moved by a Senator belonging to any such political party.

The fact respecting the existence of such caucus, resolution, or declaration shall be determined in the first instance by a committee of five Senators, appointed by the Presiding Officer, who shall report within two days and upon its report by the Senate without debate.

Mr. THOMAS. Mr. President, I rather anticipated that some reference to a caucus would be made before I finished, for we can not discuss the necessity of transacting business here and limiting debate to a reasonable area without the stale and chronic reference to the Democratic caucus. Mr. President, if it be true that the caucus is a justification of excuse for filibustering, then I concede that to be a very strong argument against it. It is the only one I have so far heard that is worth considering. Senators upon the other side of the Chamber criticize and denounce the caucus of the majority for the very good reason that if, by their denunciations or their criticisms they can compel an abandonment of its use, they perceive an opportunity for an entering wedge into our organization. They are concerned less about a caucus than they are for party success. The caucus may be objectionable, but the party which resorts to it has never yielded its views or its course of action to the mandate of a single Senator.

Mr. President, I do not propose to apologize for a caucus. Such caucuses as are held by the Democratic majority are useful; they are desirable; and with this unlimited power of filibuster they are absolutely essential. My own hope is, if we can not do it otherwise, that, through the exercise of the caucus power, we may determine upon some plan or method by means of which this infernal method of talking bills and Senates to death may be forever ended. If it can do this, it will have vindicated its right to live.

Mr. President, it is true, and no man denies it, that every public measure should be subject to full and to public discussion; to as much discussion as its importance demands. I do not believe that there is or can be any dispute upon that proposition, provided always that the discussion shall be bona fide and earnest and sincere. Minorities are thus made useful and formidable; their usefulness is in proportion to the earnestness of the opposition which they can make upon pending measures. But, Mr. President, discussion does not consist in a system of obstruction, miscalled debate, the purpose and object of which are to prevent any ultimate action whatever. I am in favor of real discussion, and I do not know of any man within the hearing of my voice who is not; but what sort of discussion, Mr. President, of this measure under the guise of debate has been inflicted upon the Senate and the country? This is not discussion—it is drivel.

I do not believe that many of our obstructing Senators would submit to the punishment involved in requiring them to read their own words pronounced in this Chamber. Ten, twelve, and fourteen hours each by one stalwart vocalist have been consumed, not in discussion, not in argument, but in vocal exercises full of sound and fury, but signifying nothing whatever; talks against time, involving competition between the actors, each of whom seems to be desirous of winning the belt for the longest period of physical endurance.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I yield to my friend, the Senator from New Hampshire, of course.

Mr. GALLINGER. I will ask the Senator from Colorado if he includes the very interesting speech that he delivered on this question when he openly announced that he was filibustering?

Mr. THOMAS. I think so, Mr. President. I should hate to inflict upon my very genial friend from New Hampshire even a request that he should read or review my remarks on that interesting occasion.

Mr. GALLINGER. The Senator from Colorado will use the same characterization as to the quality of that speech, I suppose, that he has applied to us on this side?

Mr. THOMAS. Yes, Mr. President; perhaps the quality of my remarks was not so good as that of the remarks of the Senator from New Hampshire.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. THOMAS. I do.

Mr. WEEKS. Does the Senator think it is reprehensible to filibuster?

Mr. THOMAS. I do, as a general proposition; yes, sir.

Mr. WEEKS. Does not the Senator admit that the majority in this Chamber filibustered the whole of the week before last, and that if a vote had been allowed any day of that week the shipping bill would have been defeated?

Mr. THOMAS. No, Mr. President, I do not admit that. On the contrary, I have been assured by some of the seven insurgent Democrats—who, I understand, made their agreement with the Republican minority, through and with the Senator from Massachusetts—that in the event of a recommitment of the bill they would have reported it right out again and that its consideration would then have continued. I say some of them have assured me so. I thought, and I still think, that a reference of the bill without instructions would have had the effect which the Senator states. I am not prepared, Mr. President, to make admissions for others, but I willingly make it for myself as to what I was attempting to do.

I did, Mr. President, for an hour or two talk against time. I did it because we were suddenly confronted with an unexpected and remarkable condition, sprung upon us without warning and which found us with three Democratic Senators absent from the Senate and without pairs. It was our duty to hold the fort for their return; but if my friend will join me and those who believe with me in the effort to place a limitation upon what is miscalled debate, then such things as are charged against me can not occur, or, if they do, they will be subject to whatever restrictions the rule itself may require.

Mr. President, I believe I was referring to caucuses a moment ago. Let me simply say that, for my part, that names do not appall me. I am unable to see any distinction between a caucus and a conference, either in the proceedings or in the outcome. I have noticed that, while our friends upon the other side never caucus, their conferences seem to result in a

unity of action which should set this side a good example. If conferences can produce such unanimity of action, which caucuses apparently can not, then possibly we could make a change of nomenclature and accept the more desirable and less offensive term "conference"; but, to my mind, to attempt a distinction between them is like "straining at a gnat and swallowing a camel."

In line with my remarks, I read from the New York World of to-day:

THE DOOM OF AN ABUSE.

If caucus can kill filibuster, it will do the people a service. Few caucuses have taken more important action than that of the Senate Democrats on Saturday night, which decreed the end of that very vicious form of senatorial courtesy.

Senatorial courtesy had its origin in the theory that Senators were gentlemen and men of honor who did not need to be bound by hard-and-fast rules. The country is concerned just now with the abuse of the courtesy of debate. "Men of honor" talk for 15 hours, not to expound principles, but to consume time. "Gentlemen" who are great sticklers for courtesy mumble and drone all night, not to show gracious respect for their associates, but to wear them out and prevent them from doing what they have a right to do. In such circumstances filibustering becomes a conspiracy against majority rule.

We need not suppose that any Senator believes cloture can be carried during the present Congress. Unlimited debate has prevailed in the Senate for more than a century. It is the only legislative body on earth in which majorities are suppressed by minorities. What was at first a gentlemen's agreement has become by license an insuperable barrier to the popular will. An evil of such long standing can hardly be cured during the last days of a session, but as a party issue carried into the new Congress the decision of the caucus ought speedily to be made effective.

Mr. President, I sincerely trust that my associates will never abandon the caucus until its power can be utilized for the final overthrow of the greatest of all parliamentary abuses—the power of an obstructive minority by unlimited talk, miscalled discussion, to destroy the majority, render it powerless, and substitute itself for the lawful government of the country.

Mr. President, I am willing to concede in part that obstructive tactics in the Senate have been the result of what is called "courtesy," but I am not sure that that is the only basis for them. I have noticed that obstruction, or the threat of it, can be used to put legislation through here which but for its use or the threat of it might have been defeated, and which but for its use perhaps should be defeated. No legislation should find a place upon the statute books which is placed there through the threat of unlimited debate before an unwilling and reluctant audience.

I recall, Mr. President, shortly after I came to the Senate, one night when the public-buildings bill was before the Senate, that a Senator offered an amendment providing for an appropriation of $45,000 for the improvement of certain public buildings in one of the great cities of the country. A point of order was about to be made against it, which would have been sustained, whereupon the Senator, having a vast bundle of manuscript and papers with him, took the floor and said, "Very well; if the point is to be made against it, I have some general remarks to make against the whole bill." He did not say so, but every appearance was that he proposed to talk all night. In order to prevent that infliction upon the Senate, in order to save time, which was then very valuable because the session was drawing to a close, the point of order was withdrawn and the Senator permitted to incorporate his amendment in the bill for an appropriation of $45,000. It may have been perfectly proper; the amendment may have been a needed one; the amount of money covered by it may have been essential for the purpose mentioned; but the fact remains that it became a part of that bill because of the power of a single Senator to hold this body as long as he was physically able to work his jaw. And I dare affirm that this was but one of many similar instances. An appropriation which depends upon the threat of a filibuster for its enactment stands under the shadow of suspicion and furnishes an additional and a potent argument against the system.

Mr. President, so far as I am concerned, I have not undergone a change of mind upon the necessity of a reasonable limitation upon debate. Senators upon both sides who have been here many years have said to me several times, "You are a new man here, and all new men want cloture; but after they have been here a little while and find how smoothly the old machinery works and how desirable it is at times and how difficult it is to change it, they are gradually transformed from advocates of a cloture to the champions and defenders of the filibuster." I was forcibly reminded of that, Mr. President, when on Saturday the Senator from New Hampshire [Mr. GALLINGER], interrupting the Senator from Oklahoma [Mr. OWEN], declared that he had been convinced that his original conception of the filibuster was wrong by listening to a speech by a Democratic Senator upon the other side of the subject. The only pleasure derived from that statement was that a Democratic Senator could convince my genial friend from New Hampshire of anything.

Now, the Senator from Massachusetts [Mr. LODGE] has also called attention to his conversion, which occurred, I think, 10 years after his speech. It may be that if I am spared long enough to see the "real insides" of this method of procedure, after I shall have learned it by heart, after long years of experience I, too, may see the rare advantage of it; but my earnest prayer is that long before that time comes there will be a radical change in our method of procedure.

When we provided for the election of Senators by the people we only took but one step, Mr. President, toward popularizing this body. That step will prove worthless so long as our present antiquated system of rules enables the same influences which brought this body into disrepute to impede the progress of legislation and defeat the will of the majority. Let us take that step, Democrats, and let us take it as soon as we can, to the end that the Senate of the United States may again become in very truth a representative body, a body responding to the needs and necessities of the great constituencies for whom its Members speak; a body for the promotion, and not for the prevention, of needed legislation.

The PRESIDING OFFICER. The question is on the——

Mr. REED and Mr. ROOT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	Nelson	Smith, Ga.
Bankhead	Fletcher	O'Gorman	Smith, Md.
Brady	Gallinger	Oliver	Smith, Mich.
Brandegee	Goff	Overman	Smoot
Bristow	Hardwick	Owen	Stephenson
Bryan	Hollis	Page	Sterling
Burleigh	Hughes	Perkins	Stone
Burton	James	Pittman	Sutherland
Camden	Johnson	Poindexter	Swanson
Catron	Kern	Ransdell	Thomas
Chilton	Lane	Reed	Thompson
Clark, Wyo.	Lea, Tenn	Robinson	Townsend
Clarke, Ark.	Lee, Md.	Root	Vardaman
Colt	Lewis	Saulsbury	Warren
Crawford	Lippitt	Shafroth	Weeks
Culberson	Lodge	Sheppard	White
Cummins	McCumber	Shively	Works
Dillingham	Martin, Va.	Simmons	
du Pont	Martine, N. J.	Smith, Ariz.	

Mr. SHAFROTH. I desire to state that the Senator from Nebraska [Mr. NORRIS], the Senator from Iowa [Mr. KENYON], and the Senator from Oklahoma [Mr. GORE] are absent from the Senate on official business.

The PRESIDING OFFICER. Seventy-four Senators have answered to their names. A quorum is present.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

Mr. ROOT. I wish to make some observations bearing upon the subject which is now before the Senate.

The unfinished business which is now before us is the resolution offered by the junior Senator from Missouri [Mr. REED] to amend Rule XXII of the standing rules of the Senate by providing that a vote shall be taken upon a bill now on the calendar of the Senate, and which we call the ship-purchase bill, by providing that that vote shall be taken at a specified hour on the 19th day of the present month.

There are certain amendments pending to that resolution. I suppose the merits of the whole resolution are relevant to the discussion of the amendments, and I suppose also that the question whether the resolution of the Senator from Missouri ought to be adopted must depend upon two different considerations: One, the consideration of the question whether the method of transacting the business of the Senate ought to be interfered with by fixing a time to vote on a particular bill by resolution; the other, the consideration of the question whether, if under any circumstances the general business of the Senate ought to be interfered with by fixing a time to vote by resolution, such a resolution ought to be employed with reference to this particular bill.

I undertake to say that there should be a negative answer upon each of those questions. I shall address myself to the first; that is, the question whether the business of the Senate as it has been conducted for a century ought to be interfered with by a resolution of this description. Let me first say a word about the proposition which was made in this Chamber on Saturday of last week by the senior Senator from Kentucky [Mr. JAMES]. He said, in substance, that if he were in the Chair and a motion for the previous question were made he would put the question to the Senate.

Now, sir, I wish to say about that that it would be a plain, unequivocal violation of the express rule of the Senate. Rule XXII of the Senate provides:

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.
Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table shall be decided without debate.

Mr. President, it is plain—it must be plain to anyone in the possession of his faculties and ordinary composure—that the previous question can not be moved except upon the matter which is before the Senate. No one can move that a question now be put unless it is a question upon the matter before the Senate; and when any matter is before the Senate, when any question is pending, the rule says no motion shall be received but the motions which are enumerated. The rule says, in necessary effect, that no motion that the previous question be put shall be received.

The perfectly plain reading of the rule, which it is impossible to mistake, is enforced by the fact that the original rule of the Senate provided for the previous question, and that down to the year 1806 this rule relating to the motions which shall be received while a question is pending enumerated the previous question as one of the motions that could be put equally with the motion to adjourn, to take a recess, to lay on the table, to postpone, to commit, to amend, and the others that are enumerated. I say that in the rule of the Senate which existed down to 1806, and which enumerated the motions that should be received when a question was pending, the previous question was included. In that year—the year 1806—a committee of the Senate, of which John Quincy Adams was a member, was appointed to revise the rules; and they brought in, and the Senate adopted, a revision which excluded the previous question from the motions which could be received when any question was pending.

Prior to 1806 the rule of the Senate said that when a question is pending no motion shall be received except the previous question, the motion to adjourn, to postpone, and so forth. After 1806 the rule of the Senate said that when a question is pending no motion shall be received except a motion to adjourn, to postpone, and so forth, enumerating the list, which excludes the previous question.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oklahoma?

Mr. ROOT. One moment. For 108 years the Senate of the United States has so understood the rule, has so practiced and applied the rule, and in all the great controversies that have occurred in this Chamber, excited as were the feelings, great as were the interests involved, determined as was the opposition, determined as has been the majority to enforce its will, never has there been any question but that the rule as it is written here and as it has stood during all the century excluded the previous question from the motions that can be entertained while a question is pending.

I now yield to the Senator from Oklahoma.

Mr. OWEN. Mr. President, I merely wanted to ask the Senator if it is not a fact that between 1789 and 1806 the Senate, because of its small number and the small business, had found no use for the previous question, and if it is not a fact that it was only used three times in 17 years?

Mr. ROOT. Mr. President, that is in accordance with my understanding of the facts; and it was because the Senate of that day considered that the previous question was not a useful motion that they put the rule into the present form, which excludes the previous question. I am not now, sir, arguing whether there ought to be or ought not to be a previous question. I am merely undertaking to demonstrate that if the Senator from Kentucky had done as he said he would do he would have violated the express rules of the Senate as they have stood for a century. What I am trying to do is to leave no doubt in the Senate that what the Senator from Kentucky said he would do if he went into the Chair would be revolution.

Mr. President, I use the term advisedly. If the Senate of the United States does not proceed in accordance with its rules, then there is no deliberative body to consider and make the laws. You may consider a rule inexpedient and unwise; if so, you can change it; but so long as rules stand there is no protection for liberty, there is no protection for representative government, unless they are obeyed. You can not draw the line between a Senate of the United States that violates its rules of procedure, between a Senate that permits its presiding officer to violate the express rules of its procedure, and any ward meeting of a political party or faction. You have either one or the other, and if you cut loose from one you go to the other. Mr. President, you can not limit your damage. [A pause.]

The PRESIDING OFFICER. The Senator from New York may proceed.

Mr. ROOT. I am under obligations to the Chair for this kindly though somewhat belated recognition.

The PRESIDING OFFICER. The Chair will say for the Chair that the admonition on the part of the Senator from New York was not necessary. The Chair felt that his ears were quite copious enough to take in the remarks of the Senator from New York while a little side remark was going on. [Laughter.]

Mr. ROOT. The Senator from New York is far from disputing the Chair's estimate as to the capacity of the Chair's ears, but the division of attention is necessarily a check to the free flow of thought on the part of the speaker.

I was observing that you can not limit the injury which is done by a failure to observe the rules of procedure. If a rule is broken after debate has continued for a month it can be broken when debate has continued for a week, or for an hour, or when it has not begun. If the Chair, in violation of the express rules of the Senate, can put the previous question, when the rule says it shall not be put, after long debate, the Chair can put the previous question when there has been no debate. If the Chair can refuse to recognize a Senator of the United States when he rises in his place to debate, to be heard upon a matter pending before the Senate, after there has been long debate, the Chair can refuse recognition when there has been no debate. You can not have your rules and ignore them. You can not break them to-day and have their protection to-morrow.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. ROOT. I yield.

Mr. POMERENE. Would the Senator object to the adoption of a rule providing for the previous question after there had been, in the minds of all reasonable men, reasonable debate of a bill which was pending before the Senate?

Mr. ROOT. Mr. President, I do not wish to be drawn aside from the specific question to which I am addressing myself by a discussion as to what changes of the rules may be expedient. I am talking now about the observance of the rules as they are, whatever they are.

Mr. POMERENE. Mr. President, may I ask the Senator another question?

The PRESIDING OFFICER. Does the Senator from New York further yield to the Senator from Ohio?

Mr. ROOT. I do.

Mr. POMERENE. Does the Senator think that the rules of the Senate, if given a reasonable interpretation by reasonable men, recognize unlimited debate to the extent that Senators shall talk 10, 12, and 13 hours—one after another—continuously, when their manifest purpose is to defeat a vote upon the bill, and it has been so declared on the floor of the Senate?

Mr. ROOT. Mr. President, I think the rules of the Senate prohibit the putting of the previous question. I think the rules of the Senate require the Chair to recognize every Senator who seeks recognition to debate a question. I think the rules of the Senate preclude the prevention of any Senator of the United States being heard upon a question pending before the Senate, and what I am endeavoring to impress upon the Senate is that if you refuse to abide by and keep inviolate the rules of the Senate the whole system of a deliberative body is destroyed and you are no better off than you would be in a ward meeting of a political faction.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oklahoma?

Mr. ROOT. I do.

Mr. OWEN. I wish to ask the Senator from New York if in his opinion unlimited debate is within the rule, whether the Senate could ever pass upon the question of a previous question, if it were before the Senate, if the Senator from New York and his colleagues objected?

Mr. ROOT. Oh, Mr. President, the previous question is a well-known parliamentary method of ending debate; and when a motion for the previous question is received and put there can be then no debate, and if it is carried there can be then no

debate; but as the previous question is expressly excluded by the rules of the Senate there is no question left about it but the question whether we will violate the rules of the Senate.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York further yield to the Senator from Oklahoma?

Mr. ROOT. I do.

Mr. OWEN. May I ask the Senator whether he is unwilling to answer my question?

Mr. ROOT. I have answered it, if I understood it. If not, will the Senator repeat it?

Mr. OWEN. What I did ask the Senator was whether we can ever change these rules under his interpretation of this rule?

Mr. ROOT. I think they can be changed, Mr. President; yes.

Mr. OWEN. I should like to know how.

Mr. ROOT. It is not my purpose to instruct the Senator. [Laughter.] I fear that he would make a use of the instruction which would be disagreeable to me.

The PRESIDING OFFICER. Does the Senator decline to yield further?

Mr. ROOT. I think I will go on.

Mr. OWEN. I do not wish the Senator to yield further. He has made a sufficient answer for my purpose. [Laughter.]

Mr. ROOT. I am very glad to have gratified the Senator.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. ROOT. I say what I have said because of the declaration of the Senator from Kentucky [Mr. JAMES] as to what he would do, and because there have been floating about the Senate rumors, to which I have given no credence, that it was the purpose of this and that and the other Senator taking the chair to refuse to recognize Senators when they rose to speak upon the pending question.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Kentucky?

Mr. ROOT. I do.

Mr. JAMES. If I understand the Senator from New York, his position is that for a Presiding Officer to recognize a Senator to move the previous question, which motion was submitted to the Senate upon a roll call, would be an act of revolution, but that a few Senators upon that side, two or three, who openly, boldly, and defiantly say that you will not permit a majority of the Senate to express its will are highly patriotic.

Mr. ROOT. No, Mr. President; I say nothing of the kind. I say that, in the first place, the will of a majority is always certain to control, and there never has been a case where it did not. I say, in the next place, that the one situation which the Senator from Kentucky proposes is a violation of an express rule of the Senate, and the other is something which does not exist. No one that I know of has declared that he would not permit the majority to have its will. I have heard Senators say, and I have said myself, that so far as I can prevent it by proper parliamentary procedure the majority should not force this particular measure to a vote until it had been so discussed that the people of the United States have had an opportunity to know what was going on and to form and express their opinions about it. If that be treason——

Mr. JAMES. Mr. President, does the Senator from New York know of any specific rule of the Senate that denies to this body the right to have the previous question ordered?

Mr. ROOT. I do. Perhaps the Senator from Kentucky was not here when I referred to it.

Mr. JAMES. I was not.

Mr. ROOT. I have read to the Senate Rule XXII, which prohibits in express terms the receiving of such a motion.

Mr. JAMES. But, if the Senator will permit me, the Senate, at last, is the final power of decision upon all questions, and if the Presiding Officer should refuse to recognize a Senator to move the previous question, might he not appeal from that decision and let the Senate itself decide whether or not the appeal was well taken, and if the Senate did decide that the appeal should be sustained, would it not be the duty of the Presiding Officer then to put the previous question to the Senate; and, at last, would it not be just the same as an original ruling submitting the question to the Senate, because the Senate would decide for itself? I know of no ruling that you might properly call a revolution which submits to the determination of the majority the decision of any question.

Mr. ROOT. Mr. President, the Senator from Kentucky has merely proposed an ingenious method of violating the rules of the Senate. The rule is that when a question is pending no motion shall be received but the enumerated motions. Under that rule it is the duty of the Chair to refuse to receive the motion. Under the rules of the Senate its rules can be changed only in a specific way and in no other way. There has to be a particular notice given, and the notice has to be for a given time until another meeting of the Senate, and the change of the rule is debatable. It must be deliberate and upon consideration, and the rule expressly prevents the ingenious sidestepping which the Senator from Kentucky suggests.

Mr. JAMES. Mr. President, I will say to the Senator from New York that I have quite frequently seen questions of that sort submitted to the Senate and I have heard quite often our distinguished Vice President say the Senate, at last, is the arbiter of its own fate; it, at last, must decide for itself what rules it desires. Now, the Senator says those rules exist for the minority, they do not exist for the Senate. Have they been adopted by the Senate?

Mr. GALLINGER. Certainly; we always adopt them at the beginning of a Congress.

Mr. JAMES. I am asking the Senator from New York. If the Senator from New Hampshire wants to answer that, let him do so. Does the Senator say they have been adopted?

Mr. GALLINGER. Mr. President, the Senate is a continuous body.

Mr. JAMES. I know; and that is the ingenious way you gentlemen——

Mr. GALLINGER. That is the fact.

Mr. JAMES (continuing). Have to tie the hands of the representatives of the American people.

Mr. ROOT. This is a new proposal.

Mr. JAMES. These rules have not been adopted by the Senate. There are merely the inheritance of a hundred years behind us, with the gathered cobwebs and dust that have come down through the centuries. It is to say that it must be done by some new change and that we can not ourselves submit to the majority the right to transact business.

Mr. ROOT. Mr. President, I infer from the last remarks of the Senator from Kentucky that his naturally incisive mind has penetrated to the substantial basis which I have been presenting to show that such a thing as he proposes can not be done in accordance with the rules of the Senate, and he now makes the proposition that the Senate has no rules. That is rather a startling proposition. The Senate is a continuous body, and its rules once adopted continue until they are changed. Does anybody dispute that?

Mr. THOMAS. Mr. President——

Mr. ROOT. Does anybody dispute that the Senate is a continuing body?

Mr. THOMAS. I dispute it; and that will be tested out at the beginning of the next Congress. The Senate is a continuous body, in the sense that two-thirds of it hold over with every Congress. We appoint our new committees and assign the new Members; but there is no more reason why the rules of the Senate should continue from Congress to Congress than that our committees should continue from Congress to Congress. I do not know what others may think about it, but one of the efforts I shall make will be to secure a change of the rules and test that question when the new Senate shall organize.

Mr. ROOT. Mr. President, that will be very interesting.

Mr. THOMAS. I hope it will also be successful.

Mr. ROOT. I shall, from my distant home, follow the public press with great interest to see what results flow from the Herculean efforts of the Senator from Colorado to change the rules of the century; but it has not a very important bearing upon the question now before us.

Mr. THOMAS. Will the Senator permit me?

Mr. ROOT. I yield to the Senator.

Mr. THOMAS. I do not pretend to be able to make any Herculean efforts or to exercise the same power and ability as the Senator from New York. I am merely stating an opinion which is drawn from the Senator's inquiry and which I thought should be answered. I do not know whether we shall succeed or not, but the fact that the Senate is under rules of construction which have tied its hands and feet for a hundred years has no terrors for me. I believe the rules are made for the Senate. I do not think the Senate was made for the rules.

Mr. ROOT. May I ask the Senator from Colorado, if I can do so without losing the floor, whether he thinks we have any rules?

Mr. THOMAS. Oh, Mr. President, I think we have rules, but I have been unable to find any rule——

Mr. ROOT. May I ask a further question? Whether the Senator from Colorado thinks that we can deny the existence of rules that do not suit us and assert the existence of rules that do?

Mr. THOMAS. I do nothing of the kind.

Mr. ROOT. Does the Senator from Colorado then agree with the Senator from Kentucky?

Mr. THOMAS. I do. If I understand the position of the Senator from Kentucky, it is——

Mr. ROOT. May I ask if that agreement was brought about by a caucus resolution, because the Senator from Kentucky says there are no rules and the Senator from Colorado says there are? I can see no agreement in that unless it is the result of a resolution.

Mr. THOMAS. It is evident the only answer that can be made when a Senator can make no other is to refer to the caucus and ask some question about the caucus. I had not completed my answer to the Senator's first question. If I understand the position of the Senator from Kentucky, it is that the rules nowhere justify the conclusion that the previous question does not exist, and that unless there is some express prohibition of it it can be invoked.

Mr. JAMES. Under parliamentary law.

Mr. THOMAS. In view of the fact that Jefferson's Manual, now a part of the rules, which treats of the previous question, was discussed, I am able to agree with the Senator from Kentucky upon that proposition. I may be wrong. If I am, I hope to be corrected by the Senator from New York.

Mr. ROOT. The last proposition of the Senator from Kentucky was that the Senate has no rules.

Mr. THOMAS. I am not responsible for that.

Mr. JAMES. What I stated, if the Senator will allow me——

Mr. THOMAS. I am taking the position of the Senator from Kentucky as he stated it on Saturday evening. I gather his position from what he then said.

Mr. ROOT. The Senator from Colorado was quite correct. The position taken by the Senator from Kentucky last Saturday was that he would break the rules into little bits. His position now is that there are no rules to break.

Mr. THOMAS. The Senator can not place that construction on the remarks of the Senator from Kentucky, but he is able to answer for himself. His position was—at least as I understood it, as it addressed itself to my intelligence at the time—as I stated a few moments ago.

Mr. JAMES. Will the Senator from New York permit me?

Mr. ROOT. Certainly.

Mr. JAMES. My position was that the Senate now serving in the Sixty-third Congress had not adopted these rules. Of course, I understand the Senator's position is that we are acting under the rules formulated back yonder a hundred years ago. If I understand the position of the Senator from New York, that the Senate is a continuous body, why is it that we have every two years to reintroduce bills? They ought not to die if the Senate is a continuous body.

Mr. ROOT. Because the Congress comes to an end, Mr. President.

Mr. JAMES. Yes; the Congress comes to an end, but the Senate does not, and if the Senate is a continuous body, I know this, that every bill ought to continue alive, just like these rules do. If the Senator from New York will permit me, I should like to ask him this question. If I state his proposition aright—and he is very able to do that himself—it is this: We had 13 States in the Union, and therefore 26 Senators; 130 years ago they met and formulated certain parliamentary rules to govern their deliberations, among which was unlimited debate. That right of unlimited debate was given in the Senate. Being a continuous body, it has existed from year to year until we find ourselves, 130 years removed from that time, with our hands still tied and with a minority of Senators given the right to talk and talk and to deny to the Senate the right to transact public business.

Is it possible, I ask the Senator, that we, here in this progressive age, a great Republic of 100,000,000 people, have our hands still tied by the action of 13 States, by 26 Senators, when back yonder they did not have the one-thousandth part of the public business to transact that we have at this time, and that by reason of that action we can not transact public business because a minority, I may say, of two men—anyhow, three men—can as effectively prevent the transaction of business in this body as a majority of men can?

Mr. ROOT. Mr. President——

Mr. GALLINGER. May I ask the Senator from New York a question?

Mr. ROOT. Certainly.

Mr. GALLINGER. I have here the Constitution of the United States, made over a hundred years ago, and every one who subscribed to it is dead. Yet it is the law of the land, and it has not been acted upon since as a whole and confirmed in any way.

Mr. JAMES. I think there is some difference, if the Senator from New York will permit me, between the Constitution and the rules of the Senate; at least I hope there is.

Mr. THOMAS. The rules seem to be superior here.

Mr. JAMES. The Constitution points out the way by which it can be amended.

Mr. GALLINGER. So do our rules.

Mr. JAMES. But I understand the Senator from New York is driven, in order to sustain his position, to the ground that the Senate by a minority of two or three men are given a right, that it was given by the Senate 130 years ago and we can not get away from at all, as long as physical endurance will allow those men to talk and keep the majority from a vote.

Mr. GALLINGER. If the Senator from New York will permit me further, I call attention to the fact that there is a rule governing this body in the Constitution of the United States.

Mr. JAMES. Oh, certainly; that we shall vote, but we do not seem to do it.

Mr. ROOT. Mr. President, if I may get back to the floor.

The VICE PRESIDENT. The Senator from New York has the floor.

Mr. ROOT. The Senator from Kentucky has incorrectly stated through inadvertence the fact that the 13 States which formed our Union did not adopt in the Senate unlimited debate. They established a rule for the previous question, and that continued until 1806.

Mr. LODGE. If the Senator will allow me, 11 States adopted the rules of the Senate. I do not think that either North Carolina or Rhode Island was then represented here.

Mr. ROOT. The original 11 States adopted then, not unlimited debate, but a rule for a previous question. In 1806 the Senate came to the conclusion that the previous question was not useful, and coming to the conclusion that there should be no limit upon debate, changed the rule and made the rule as it now stands, prohibiting the Chair from receiving any motion for the previous question.

Now, Mr. President, the Senator from Kentucky asks, "Shall we be bound by these old dead hands?" Yes; unless we see fit to change the rule. Nor is it the dead hand alone that binds us; it is the observance and recognition of the rule at every session of the Senate for these 108 years. Time and again in this body you, Mr. President, have declared Senators in order or out of order, their motions and their steps in parliamentary procedure permissible or forbidden with reference to these rules, and to the precedents which in the construction of them have been built up year by year in every session of the Senate during all the century. Bound by the men of a hundred years ago? No; bound by all the great and patriotic and wise and able men who have made the Senate of the United States for that century, bound by the rulings of every Vice President and every President pro tempore of the Senate during that century.

The Senate not a continuing body! Why, sir, what happened here two years ago come the 4th of March, when the hammer had fallen that marked the death of the Sixty-second Congress? It was here in the Senate of the United States you were inducted into office. What will happen when this session is adjourned on the 4th of March? The Senate, not the House, is called together to pass upon the nominations which the President may see fit to make. What happens with our joint committees? These grounds about us, this great library with its store of learning, the Botanic Garden, are under the control and direction of the Joint Committee on the Library. What happens when Congress adjourns? The House goes out of existence; there is a new House, and until that House is organized the statute says the Senate committee is the Joint Committee of Congress on the Library. No reorganization is required; no new appointment of committees is required; but ipso facto the instant the gavel falls upon the Sixty-third Congress the Joint Committee of Congress upon the Library, with all its powers, will be composed solely of the Senate committee, with Mr. LEA of Tennessee at its head.

Mr. JAMES. Mr. President——

Mr. ROOT. You can not break in with a new idea of that kind upon the agreement of minds for a century, as if it were a matter of first impression.

Mr. JAMES. Suppose the term of the Senator from Tennessee [Mr. LEA] expired, and the Vice President's term expired?

Mr. ROOT. The Senate committee still continues.

Mr. JAMES. That is made so by a special law, though, is it not?

Mr. ROOT. It is by a law which recognizes the continuance of the Senate and of its committees.

Mr. JAMES. I understand that; but it is by a law that has passed both Houses of Congress, and which has been signed by the President?

Mr. ROOT. Yes.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Connecticut?

Mr. ROOT. I do.

Mr. BRANDEGEE. The Senator from Kentucky—I will ask a question, but I have first to make the statement briefly—the Senator from Kentucky, if I understood him correctly, stated that, although the rule prohibited the Chair from receiving a motion for the previous question, if the Chair should submit the question to the Senate and should be sustained by a majority of the Senate in receiving it, then that procedure would cease to be revolutionary and would become justifiable. In the opinion of the Senator from New York, would the breach of that rule be any less revolutionary if it were approved by the entire majority of the Senate?

Mr. ROOT. No, Mr. President; it would not be in the slightest degree cured, because the purpose of rules is to establish a course of conduct which shall be a protection to the minority and preserve them in the performance of their duties against arbitrary repression on the part of the majority.

There is an old phrase that I remember from my student days, when the good Queen Victoria was upon the throne of England, and men spoke in the House of Commons of Her Majesty's opposition—not merely Her Majesty's Government, but Her Majesty's opposition—and rightly so, for the functions of the minority are as important to the preservation of representative government as are the functions of the majority. It is the duty of the minority to insist upon discussion, consideration, publicity, openness, to bring out and keep in the full sunlight of public knowledge the conduct of public business; and, sir, there is no right of liberty in a Republic more essential and vital than is the preservation and the protection of the minority in the performance of their duty.

Otherwise, sir, why are we here at all? Why should not all of the members of the minority go to their homes? Why are we here through long days and nights inhaling poison, enfeebling our powers, shortening our lives? Why should not the resolution of the caucus—my friend from Colorado [Mr. THOMAS] will forgive me if I refer again to that subject, which seems to cause him so much discomfort—why should not the resolution of the caucus have been brought into this Chamber and registered the day it was passed? Why have a vote? Why have any discussion if the rights of the majority are all that are to be considered; if the verdict of the majority must without let or hindrance, without postponement or discussion, except as a privilege, be registered as law? I say, sir, that unless the minority has rights which are to be protected, unless the minority is performing a public duty, why should not the edict of the caucus have been brought into this Chamber and registered as law?

But, sir, if you do that there is an end of representative government; if you do that, there is no occasion for the majority. If they destroy the functions of the minority, they equally destroy the functions of the majority, for they can not perform the duties of representative government by holding a secret conclave and coming to an agreement with an Executive. That is not the function of a majority.

Mr. President, the views that have been expressed here, the views that are entertained here by the majority, under the pressure of their excited feelings in this controversy, go to the length of destroying representative government and substituting for it a government which does not differ in any degree whatever from the government of Rome under the Emperors, of France under the later Bourbons, of Mexico under Diaz. It is a serious matter, sir; it is of more importance than shipping bills. They raise the question whether our Government is to be permitted to function or whether they will paralyze this body; whether they will cut out its essential machinery and substitute results that are obtained without its action by an entirely extra-constitutional proceeding.

Sir, the only protection for this system of government by representation is to be found in these rules. If you break the rules or ignore the rules and undertake to go on without them, then you cast aside the only protection for the real performance of the duties of a representative body against the arbitrary will of a majority, which is reached by agreement made outside of the Chamber.

Mr. President, I have said all that I wish to say upon this particular subject. I had in mind going on with something further, changing the topic somewhat; but I will take occasion to do that at a later time if the rules of the Senate are not destroyed, so that it will be impossible.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question before he takes his seat.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. SMITH of Michigan. I should like to ask the Senator from New York a question.

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I yield for a question.

Mr. SMITH of Michigan. A great deal has been said on the other side about a majority. In the opinion of the Senator from New York, does it make any difference whether a majority of the States have at no time recorded their votes in favor of this measure? We have had a number of roll calls, but upon no single roll call has there been revealed a majority of the States of the Union in favor of the proposition advocated by the other side.

Mr. ROOT. Mr. President——

Mr. SMITH of Michigan. I had supposed that this forum was the place where the States were peculiarly represented.

Mr. REED. I yield to the Senator from Michigan to ask a question.

Mr. SMITH of Michigan. I am through. The Senator from Missouri need not worry about my extending my remarks.

Mr. REED. I do not intend that you shall.

Mr. SMITH of Michigan. I had supposed that the States here had a special right; that this was peculiarly the forum of the States; and yet there has not been a majority of the States voting on a single roll call in favor of this administration measure.

Mr. ROOT. Mr. President, I had intended, if I had gone on with my remarks, to make some observations upon a subject very close to that which has been mentioned by the Senator from Michigan—not the precise proposition which he has made, but very close to it, and having a direct relation to the attitude of the representatives of the States in this body to the rules and to the practices which are creeping in and which are exhibited in the dealing with this subject; but, sir, I will defer to another time my remarks on that subject.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. Mr. President, I move to lay the amendment of the Senator from Iowa [Mr. CUMMINS] on the table, and upon that I ask for the yeas and nays.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Martine, N. J.	Smith, Ariz.
Bankhead	Goff	Nelson	Smith, Ga.
Brady	Gore	Norris	Smith, Md.
Brandegee	Gronna	O'Gorman	Smoot
Bristow	Hardwick	Oliver	Stephenson
Bryan	Hitchcock	Overman	Sterling
Burleigh	Hollis	Owen	Stone
Camden	Hughes	Page	Sutherland
Catron	James	Penrose	Swanson
Chilton	Johnson	Perkins	Thomas
Clapp	Kenyon	Poindexter	Thompson
Clark, Wyo.	Kern	Pomerene	Tillman
Clarke, Ark.	La Follette	Ransdell	Townsend
Colt	Lane	Reed	Vardaman
Crawford	Lea, Tenn.	Robinson	Walsh
Culberson	Lee, Md.	Saulsbury	Warren
Cummins	Lewis	Shafroth	Weeks
Dillingham	Lippitt	Sheppard	White
du Pont	Lodge	Shields	Williams
Fall	McCumber	Shively	Works
Fletcher	Martin, Va.	Simmons	

The VICE PRESIDENT. Eighty-three Senators have answered to the roll call. There is a quorum present.

Mr. STONE. Mr. President——

Mr. TOWNSEND. Mr. President, I rise to a parliamentary inquiry. What is the question before the Senate?

The VICE PRESIDENT. The Senator from Missouri has moved to lay the amendment of the Senator from Iowa [Mr. CUMMINS] upon the table.

Mr. CRAWFORD. I ask that the amendment be stated.

Mr. TOWNSEND. May we have that amendment read, so that we may know what it is?

EXECUTIVE SESSION.

Mr. STONE. Pending that I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had canceled his signature to the enrolled bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

The VICE PRESIDENT. The Chair announces the cancellation of the signature of the Vice President to the enrolled bill just received from the House of Representatives.

RECESS.

Mr. STONE. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m., Monday, February 15, 1915) the Senate took a recess until to-morrow, Tuesday, February 16, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 15, 1915.

UNITED STATES ATTORNEY.

John F. A. Merrill to be United States attorney for the district of Maine.

POSTMASTERS.

CALIFORNIA.

George E. Alexander, Hayward.
Joseph Galewsky, St. Helena.
J. I. C. Kennedy, Mountain View.
Owen Kenny, Calistoga.
Evelyn Mitchell, Dos Palos.
Peter D. McIntyre, Blythe.
Henry W. Nash, Stirling City.
John R. Snead, Dixon.
J. V. Swift, Redwood City.
W. W. Ware, Fort Bragg.

COLORADO.

William D. Richardson, Oak Creek.
O. W. McKinley, Ault.

CONNECTICUT.

Thomas H. Collins, Farmington.
Alexander Gilman, Putnam.
Hugh Hearns, Naugatuck.
William S. Meany, Greenwich.
David A. Wilson, Hartford.

IDAHO.

Everett Noble, Shoshone.

HAWAII.

Henry A. Juen, Waipahu.

INDIANA.

Alvin E. Hauk, Morristown.
Charles F. Ill, Notre Dame.
Frank L. Lashley, Centerville.
William Marmaduke, Wingate.
John W. Wright, Brookston.

KENTUCKY.

W. L. Hale, Mayfield.

LOUISIANA.

F. H. Gosman, Shreveport.
H. J. Nelson, Vinton.

MICHIGAN.

Mark Boyd, McBain.
John Dunham, Daggett.
Samuel McClellan, Springport.
Merton N. Wolcott, North Adams.

MINNESOTA.

M. J. O'Laughlin, Lake City.

MISSISSIPPI.

Thomas A. Chapman, Leakesville.

MISSOURI.

William T. Dameron, Huntsville.

NEW HAMPSHIRE.

Ferdinand French, Pittsfield.

NEVADA.

J. Lester Denton, Caliente.

OHIO.

Levi E. Bierer, McComb.
Joseph E. Blackford, Martins Ferry.
James W. Stoneburner, Roseville.

OKLAHOMA.

Caesar F. Simmons, Boley.

OREGON.

Lizzie M. Perkins, Gardiner.

TENNESSEE.

D. M. Brumit, Elizabethton.
L. H. Hammond, Mountpleasant.

TEXAS.

John E. Astin, Bryan.
Milton W. Cunningham, Amarillo.
Jack Dies, Beaumont.
Mary K. Hartson, Kyle.
Daniel F. Largent, Bridgeport.

VERMONT.

Henry B. Parkhurst, jr., North Troy.

WASHINGTON.

D. L. Becker, Lynden.
C. E. Hancock, Selah.
Elmer McBroom, Chehalis.

WYOMING.

Charles T. Sherbno, Sunrise.

WEST VIRGINIA.

Frederick H. Mahey, Rainelle.
M. T. Morrison, Sutton.
P. E. Nixon, Paw Paw.
R. G. Oxley, Athens.
Turner A. Wamsley, Parsons.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 15, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in Heaven, that amid all the changing scenes of life Thou art permanent. We are the moving procession. Thou art the same yesterday, to-day, and forever. We may pause, even retrograde, but Thy love stands waiting with beckoning hand to lure us onward and upward to permanency of character in righteousness, truth, justice, mercy, purity; for Thou art God—

"That God, which ever lives and loves;
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves."

So may we trust and advance under the leadership of the Master. Amen.

The Journals of the proceedings of Saturday, February 13, 1915, and Sunday, February 14, 1915, were read and approved.

BRIDGE ACROSS SUWANEE RIVER.

Mr. MANN. Mr. Speaker, the RECORD of Saturday in both the Senate and the House proceedings shows that Senate bill 7555, an act to authorize the construction of a bridge across the Suwanee River in the State of Florida, was signed by the Speaker and the Vice President as an enrolled bill. The Senate bill, with a similar House bill, was reported on Saturday. I do not think that the Journal shows that it passed the House. If it passed the House at any time, it has not been shown by the proceedings here.

Mr. ADAMSON. Mr. Speaker, the fact is, if the gentleman will permit, the House bill was reported by the committee on Friday, and after the committee had adjourned the Senate bill came over to the committee too late to report it out at that meeting. So the fact is that the House bill stands on the calendar reported by the committee, and the Senate bill has been referred to the committee and has been unacted upon.

Mr. MANN. But the CONGRESSIONAL RECORD shows, on page 3762 in the House proceedings, that the bill had been signed by the Speaker as an enrolled bill.

Mr. ADAMSON. That ought to be corrected.

Mr. MANN. The RECORD also shows in the Senate proceedings on page 3696 that the bill was messaged from the House to the Senate as having been signed by the Speaker and that it was thereupon signed by the Vice President.

Mr. ADAMSON. I have no doubt that was some other bill, and that a mistake of identity has been made.

Mr. MANN. But in each case the title of the bill is given correctly.

Mr. ADAMSON. It is not the fact.

Mr. MANN. That is the reason I am calling attention to it. If, as a matter of fact, it was sent over by inadvertence——

The SPEAKER. It was.

Mr. MANN. It ought to be recalled.

The SPEAKER. Will the gentleman make a motion to that effect?

Mr. MANN. I ask unanimous consent that the Senate be requested to return the bill to the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the Senate be notified of the situation and that they be requested to return the bill to the House. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. ADAMSON. That bill did not get reported in time to be put upon the Calendar for Unanimous Consent, but I hope that we will be permitted to pass it to-day notwithstanding.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The business in order to-day is the Calendar for Unanimous Consent, and the Chair repeats a request he made about this calendar on several occasions. If a gentleman has made up his mind resolutely to object to a bill, the Chair requests that he make his objection immediately after the reading of the title. The Clerk will call the first bill on the Calendar for Unanimous Consent.

BRIDGE ACROSS ST. LOUIS RIVER, BETWEEN WISCONSIN AND MINNESOTA.

The first business on the Calendar for Unanimous Consent was the bill H. R. 17762, to amend an act approved February 20, 1908, entitled "An act to authorize the Interstate Transfer Railway Co. to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota."

Mr. MILLER. Mr. Speaker, this bill has been read at a previous time, and I think it is not necessary to read it again. I ask unanimous consent that present consideration be given to H. R. 17762, the bill just reported, and also to H. R. 15727, authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin, and also S. 5325, authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin. I ask unanimous consent that all three of these bills be considered at this time.

Mr. BORLAND. Mr. Speaker, that is exactly what would happen in the calling of the Calendar in the regular way.

Mr. MILLER. I want to know now whether unanimous consent is to be given to the consideration of each one of the three.

Mr. BORLAND. How could the gentleman know that?

Mr. MILLER. We certainly can know it if the House agrees to it at this time.

Mr. BORLAND. Are these three all for the same bridge?

Mr. MILLER. No; two are for the same bridge and one is not.

Mr. BORLAND. What is the connection between them?

Mr. MILLER. I think there is no connection whatever between them. There are other gentlemen who think that there is a connection, and I therefore make this request in respect to them all.

Mr. ADAMSON. Mr. Speaker, while it has not appeared to the committee that there was any necessary or proper conflict between the two propositions, yet the alignment has been such that there are gentlemen on each side who do not want consent to be given for one to pass until they know the other will pass.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that all three of the bills referred to be considered.

Mr. ADAMSON. They are all upon the same subject.

Mr. LENROOT. I object. Let us take them up in their order.

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] objects. Is there objection to the present consideration of the bill H. R. 17762, which the Clerk has reported?

Mr. MILLER. I object. The gentleman from Wisconsin [Mr. LENROOT] objects to the consideration of his own bill, and I object to this.

The SPEAKER. The Clerk will report the next bill on the Calendar.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2789. An act to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SHERMAN as the conferees on the part of the Senate:

S. 6980. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 7213. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 7402. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2789. An act to award the medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired—to the Committee on Military Affairs.

BRIDGE ACROSS ST. LOUIS RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15727) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects, and both of these bills are stricken from the calendar.

Mr. ADAMSON. I want to observe, while the gentlemen seem to be even, this is not getting us anywhere.

Mr. MILLER. Mr. Speaker, reserving the right to object——

The SPEAKER. There is nothing before the House.

Mr. MILLER. We can object to a great many of these bills.

CONSTRUCTION OF TWO REVENUE CUTTERS.

The business on the Calendar for Unanimous Consent was the bill (H. R. 18876) to provide for the construction of two revenue cutters.

The title was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

TO AMEND THE ACT TO REGULATE COMMERCE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20496) to amend section 15 of the act to regulate commerce, as amended June 29, 1906, and June 18, 1910.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

SALE OF LAND TO TOWN OF TEMPE, ARIZ.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11253) authorizing the Secretary of the Interior to sell to the town of Tempe, Ariz., a tract of land containing road-making material.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am inclined to object to this bill unless some very good reason can be advanced.

Mr. FERRIS. Mr. Speaker, the author of the bill is not here, but this bill only involves a very small tract; but I have not the facts fresh in my memory.

Mr. STAFFORD. The report says this is part of a monument and it might affect the scenic beauty of that monument. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill is ordered stricken from the calendar.

FALSE ADVERTISING IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4931) to prevent false advertising in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this bill, I see, provides a jury shall determine the penalty. Is that the case in the District of Columbia in other matters? It provides a jury shall determine the penalties.

Mr. JOHNSON of Kentucky. Mr. Speaker, I will say to the gentleman that after the bill was reported some inaccuracies were found in it, and it has been carried along with a view that they might be perfected by the author of the bill, but we have not yet corrected them.

Mr. MANN. Mr. Speaker, I ask that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS ST. LOUIS RIVER BETWEEN MINNESOTA AND WISCONSIN.

The next business on the Calendar for Unanimous Consent was the bill (S. 5325) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the bill is ordered stricken from the calendar.

FEDERAL BUILDING, POCATELLO, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4920) to increase the cost of construction of the Federal building at Pocatello, Idaho.

The Clerk read the title of the bill.

The SPEAKER. Is there objection.

Mr. BORLAND and Mr. MADDEN. Mr. Speaker, I object.

Mr. SMITH of Idaho. Will the gentleman withhold his objection?

Mr. BORLAND. I will withhold my objection if the gentleman desires to submit a statement.

Mr. SMITH of Idaho. Mr. Speaker, I wish to call attention to the fact that this bill provides for an increase in the appropriation for the Federal building at Pocatello, where work has already been begun, the basement being completed; but work was suspended about eight months ago, with the expectation of getting an additional appropriation. The population of the town has increased very materially since the original appropriation was made, and the present building is not in conformity with the improvements of the city and the growing community around it.

An appropriation of $100,000 for this building was made in the Sixty-second Congress; but because of the increase in the price of materials since the appropriation was made it was found that a building which would furnish sufficient accommodations for the Federal officers at Pocatello could not be constructed for this amount, and the plans were modified and a new contract let. Without this additional appropriation the building will necessarily have to be constructed of brick with sandstone trimmings and terra cotta belt course, and it is believed that a Federal building in a city of this size and importance, where so many Federal officers have quarters, should be constructed of stone. A new depot is being erected here at a cost of $250,000, which conveys an idea of the importance of the city. The postal receipts for the last fiscal year were $30,467.46.

Mr. FITZGERALD. What was the original limit of cost?

Mr. SMITH of Idaho. The original limit of cost was $100,000.

Mr. FITZGERALD. How large a population?

Mr. SMITH of Idaho. About 12,000 population now.

Mr. FITZGERALD. How much increase is asked?

Mr. SMITH of Idaho. Twenty-five thousand dollars.

Mr. FITZGERALD. It is too much. If you can not get a building for $100,000 in a community of 12,000 people we ought to quit building public buildings.

Mr. STAFFORD. The report says this is to be used for other purposes than a post office.

Mr. FITZGERALD. I do not care if it is.

Mr. SMITH of Idaho. It is to be used for other purposes, including the Federal Court, the Forest Service, Weather Bureau, and so forth.

Mr. BORLAND. Mr. Speaker, I have no objection to the gentleman from Idaho making his statement at that time as to the bill and have them appear in the RECORD, but I feel that this is no time to increase these estimates, especially in a city of that size, and I object. If the gentleman wants to add anything to what he has already said he can go ahead.

Mr. SMITH of Idaho. Mr. Speaker, I do not care, of course, to take up the time of the House if the gentleman insists on objecting.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

PIKE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18747) to reserve certain lands and to incorporate the same and make them part of the Pike National Forest.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Colorado; we have just established a national park out in Colorado——

Mr. FITZGERALD. The Rocky Mountain Park.

Mr. KEATING. This is not intended to establish a new national park.

Mr. BORLAND. Practically; it is to enlarge one.

Mr. KEATING. No; that is not the idea. It is simply to carry out a policy of the Forestry Service which is cooperating with towns in the mining sections of Colorado and other Western States for the purpose of safeguarding the water supply. This bill takes into the forest a sufficient amount of ground to safeguard the water supply of a stream that furnishes the city of Idaho Springs with water. If this bill is passed, the Forestry Service will enter into a contract with the city of Idaho Springs by which that particular district will be regulated, and the matter of pasturing cattle in that district and other questions affecting the safeguarding of the city's water supply will be taken up and an agreement entered into by which the city will probably pay a part of the cost of policing the district.

Mr. BORLAND. What progress has been made by the city toward assuming these burdens? It seems to be for their benefit.

Mr. KEATING. If the city does not do it, the Forest Service will not be obligated.

Mr. BORLAND. Is it anything more than retaining these lands?

Mr. KEATING. It simply includes them in the forest reserve.

Mr. MADDEN. Mr. Speaker, I object.

PAYMENT OF PENSION SURGEONS.

The next business on the Calendar for Unanimous Consent was House joint resolution No. 294, providing for payment of surgeons making examination at claimant's home in connection with claim pending in the Bureau of Pensions.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Clerk will report the next bill.

APPLICATIONS FOR LETTERS PATENT, ETC.

The next business on the Calendar for Unanimous Consent was the bill H. R. 2036, to extend temporarily the time of filing applications for letters patent and registration in the Patent Office.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, I object.

ADDITIONAL LAND DISTRICT IN CALIFORNIA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 17388, creating an additional land district in the State of California, embracing lands contained in the county of Imperial, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar. The Clerk will report the next bill.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill S. 5449, to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BORLAND. Mr. Speaker, I object to that.

Mr. NORTON. Mr. Speaker, I hope the gentleman will withhold his objection.

Mr. BORLAND. Does the gentleman want to make a statement? If so, I withhold my objection.

Mr. NORTON. Yes; I would like to make a statement. I trust the gentleman will not be so indifferent to the welfare of other portions of the country than his own as to object to this bill. There is much need for this legislation, and I can not see any reason why anyone should have an objection to giving the privilege of the first section of the act of June 10, 1880, to this port. There is a great deal of freight coming from Canada to the port of Pembina and consigned to Duluth, Minneapolis, and St. Paul, that can be better appraised at these ports than at Pembina. And that is the purpose of this act.

Mr. BORLAND. The gentleman will know by reference to the previous history of this House that we passed a bill to have the Customs Service reorganized, and under that President Taft

reorganized that service and established certain districts, and he has abolished certain offices and centralized certain other divisions, and this is one of the attempts which are being made now constantly to add new ports of entry in addition to that system.

Mr. NORTON. The gentleman apparently has not read this bill at all.

Mr. BORLAND. This is a new port of entry.

Mr. MANN. The gentleman is mistaken. This does not affect the reorganization at all.

Mr. BORLAND. This adds a new port of entry.

Mr. MANN. Not at all. We have passed a great many of these. It is only a matter of convenience for the Treasury Department and importers. It does not add anything whatever to the expense of the Government. It does not create a new district, and it does not affect the reorganization.

Mr. BORLAND. Is the gentleman prepared to say that this does not add anything to the expense of the Government?

Mr. MANN. It does not.

Mr. BORLAND. How can that be, providing for appraisement at a port where no appraisement has heretofore been had?

Mr. MANN. There is no more expense in appraising it there than there is about appraising it at the other place.

Mr. BORLAND. That is a mere matter of conjecture.

Mr. MANN. We frequently have had that report from the Treasury Department. I do not speak from personal experience. We passed all these bills that have been recommended by the Treasury Department and by the Committee on Ways and Means. It does not affect the reorganization in any sense whatever. If it did, I would object.

Mr. BORLAND. It evidently enlarges the reorganization plan.

Mr. MANN. Oh, not at all.

Mr. NORTON. It certainly does not.

Mr. BORLAND. I have not any objection to the gentleman putting a statement in the RECORD.

Mr. NORTON. I do not care at all about making a statement. I want this bill passed, and I think it should pass. It does not add a cent of expense to the Government.

Mr. BORLAND. I expect to object to its passage under unanimous consent, I will say to the gentleman. If he wants to offer anything else, it is all right.

Mr. NORTON. Why do you object to it?

Mr. BORLAND. Because I do not think it properly belongs on the Unanimous Consent Calendar.

Mr. NORTON. Has the gentleman read the bill?

Mr. BORLAND. I have not.

Mr. NORTON. I think the gentleman ought to read it before assuming the responsibility of objecting.

Mr. MANN. I will say to the gentleman from Missouri [Mr. BORLAND] that during the past two years we have passed more than a dozen of these bills on the recommendation of the Treasury Department.

Mr. BORLAND. Mr. Chairman, I ask that the bill be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

BRIDGE ACROSS MISSISSIPPI RIVER, MUSCATINE, IOWA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 17907 granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation at or near Muscatine, in the county of Muscatine, in the State of Iowa, in accordance with the provision of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire whether this project is one in process of formation, whether the company has already been organized, or whether it is merely for the purpose of exploitation, to ascertain whether ultimately there will be capital sufficient to build the bridge?

Mr. ADAMSON. Mr. Speaker, I yield to the author of the bill to answer that question, the gentleman from Iowa [Mr. VOLLMER].

The SPEAKER. The gentleman from Iowa [Mr. VOLLMER] is recognized for five minutes.

Mr. STAFFORD. I am yielding, Mr. Speaker, for an answer to my question.

Mr. VOLLMER. I will say to the gentleman from Wisconsin, Mr. Speaker, that this is a bill in which the people of Muscatine, in the district I have the honor to represent, and across the river, in the district of the gentleman from Illinois [Mr. TAVENNER], are very much interested. They have sent communications from their commercial bodies and their boards of supervisors and the City Council of Muscatine and prominent people there vouching for this measure; that it is not a scheme of promotion, or anything of that kind, but a proposition that is intended to bring electric railway communication between the two sides of the river; and they hope and believe that as soon as the money market eases up they will be able to make arrangements to get their money and get an electric road to cross this bridge.

Mr. STAFFORD. When was the company formed for this purpose?

Mr. VOLLMER. I think three or four months ago.

Mr. STAFFORD. Are there any substantial backers behind it?

Mr. VOLLMER. Yes; Kansas City people and Muscatine people are back of this project, and they are said to be entirely responsible.

Mr. ADAMSON. Question.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

INTERNATIONAL DRY-FARMING CONGRESS.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 382) authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress, to be held at Denver, Colo., September 27 to October 8, inclusive, 1915.

The title of the joint resolution was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to extend invitations to other nations to appoint delegates or representatives to the International Dry-Farming Congress, to be held at Denver, Colo., September twenty-seventh to October eighth, inclusive, 1915: *Provided*, That no appropriation shall be granted for the expenses of delegates or for other expenses incurred in connection with the said congress.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next one.

EXCHANGE OF FOREST LANDS WITH THE STATE OF OREGON.

The next business on the Calendar for Unanimous Consent was the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. The Clerk will report the next one.

CONTRACTS UNDER RECLAMATION ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

THE SPEAKER. The gentleman from Wisconsin objects. The bill is stricken from the calendar. The Clerk will report the next one.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

Mr. BORLAND. Mr. Speaker, I objected a few minutes ago to calendar No. 377, Senate bill 5449, to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement. I want to withdraw that objection.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to withdraw his objection to Calendar No. 377. Is there objection?

Mr. CLINE. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana objects. The Clerk will report the next one.

RETIREMENT OF CERTAIN OFFICERS OF PHILIPPINE SCOUTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1281) providing for the retirement of certain officers of the Philippine Scouts.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. The Clerk will report the next one.

Mr. PETERSON. Mr. Speaker, will the gentleman withhold his objection a moment? I would like to make a statement about that.

Mr. MANN. Certainly.

Mr. PETERSON. Mr. Speaker, this is a bill for the relief of Capt. John J. Clark. It applies to only one man. Capt. Clark was a soldier of the Civil War and served in that war until its close, and after that he served in the Regular Army. His entire service has amounted to over 40 years. After that he joined the Philippine Scouts, and his service in all aggregates nearly 53 years. Unfortunately the law is such that he can not be retired. This bill is to relieve that situation and retire this old soldier. It seems to me this bill ought to be permitted to pass.

Mr. MANN. Mr. Speaker, that is the objection I have to this bill. It is general in form, but it is intended to apply to only one person. If it is to apply to one person only, it should have been introduced as such and placed on the Private Calendar.

Mr. PETERSON. This bill has passed the Senate twice, and has been favorably reported here twice by the Committee on Military Affairs, and the War Department has approved it, and it is certainly just and right that it should be passed.

The SPEAKER. Does the gentleman from Illinois withdraw his objection?

Mr. MANN. No.

The SPEAKER. The bill is stricken from the calendar. The Clerk will report the next one.

SHOSHONE INDIANS IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14869) authorizing the Shoshone Tribe of Indians residing on the Wind River Reservation in Wyoming to submit claims to the Court of Claims.

The title of the bill was read.

Mr. SHACKLEFORD. Mr. Speaker, I make a point of order against that bill, for the reason that the committee that reported it had no jurisdiction even to consider or report it. It should have gone to the Committee on Claims. It is here improperly. The committee had no jurisdiction whatever to consider it.

The SPEAKER. What committee reported it?

Mr. SHACKLEFORD. The Committee on Indian Affairs.

The SPEAKER. The Chair thinks the gentleman's objection comes too late.

Mr. SHACKLEFORD. No. I call the attention of the Chair to the second paragraph of Rule XXII.

Mr. MANN. Paragraph 4 of Rule XXII.

The SPEAKER. What does the gentleman read from?

Mr. SHACKLEFORD. House Rules, Rule XXII, paragraphs 2 and 4. I call the Chair's attention to these words in paragraph 2:

Any petition or memorial or private bill excluded under this rule shall be returned to the Member from whom it was received; and petitions and private bills which have been inappropriately referred may, by the direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

Now, in the footnote to that it says:

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in Committee of the Whole.

It refers to Hinds' Precedents, volume 4, section 4382.

The SPEAKER. What is this bill about?

Mr. SHACKLEFORD. It authorizes a band of Indians to sue the United States Government, and to be paid out of the Public Treasury in case they recover a judgment. In other words, it is a claim to be paid out of the Treasury of the United States, and not out of Indian funds. Now, if the Chair does not happen to remember it, I call the attention of the Chair to paragraph 16 of Rule XI, which defines the things to be referred to the Committee on Indian Affairs:

The relations of the United States with the Indians and Indian tribes, including appropriations therefor.

The footnote says:

This committee has a broad jurisdiction of subjects relating to the care, the education, and management of the Indians, including the care and allotment of their lands. It also reports both general and special bills as to claims which are paid out of Indian funds.

The bill here does not provide that it shall be paid out of the Indian funds, but it is to be paid out of the Public Treasury, which clearly carries it to the Committee on Claims.

Mr. MANN. Mr. Speaker, the gentleman might also cite paragraph 27 of Rule XI, stating the jurisdiction of the Committee on Claims.

Mr. SHACKLEFORD. Yes. If the Speaker will pardon me, I will call attention to that:

To private and domestic claims and demands, other than war claims, against the United States—to the Committee on Claims.

Mr. Speaker, there are great numbers of these private bills being referred to the various committees. If this claim stood alone, I should not make the point.

The SPEAKER. The Chair will inquire of the gentleman: Is this a private bill or a public bill?

Mr. SHACKLEFORD. It is a private bill.

Mr. MILLER. Mr. Speaker——

The SPEAKER. The Chair thinks the point of order is well taken.

Mr. MILLER. This is not a private bill.

Mr. SHACKLEFORD. Oh, yes; it is.

Mr. MILLER. Mr. Speaker——

The SPEAKER. In a moment.

Mr. SHACKLEFORD. The fact that it is a band of Indians taken together does not make it a public bill any more than if it was a bill for the relief of one Indian.

The SPEAKER. If this is a private bill, it has no business on this calendar, anyway.

Mr. MILLER. That is certainly granted, but I do not agree with the proposition that it is a private bill.

The SPEAKER. Why not?

Mr. MILLER. It is a bill in relation to the rights of certain Indians who are wards of the Government, who are not represented here in any capacity whatever. Any bill that affects their welfare, their lands, their property, must of itself be a public bill, as far as the United States is concerned. It is not for the benefit of any private individual, corporation, or concern in the United States. It is a public matter, dealing with our relations with the Indian tribes. If the bill were a private bill, there could be no question whatever about the gentleman's statement that it was erroneously referred. But it is not a private bill.

I also desire to call the attention of the Chair to the fact that bills of this character have been referred to and considered by the Indian Affairs Committee without question for a great many years. Certainly for all the time I have been a member of that committee, which is six years, nobody has thought of raising the point that bills of this kind were not properly referred to that committee.

Section 16 of rule 686 gives the Committee on Indian Affairs jurisdiction over all bills that deal with the relations of the United States with the Indians and the Indian tribes, including appropriations therefor.

The footnote, referring to this committee, says:

It has a broad jurisdiction of subjects relating to the care, education, and management of the Indians, including the care and allotment of their lands.

The subject matter of the bill we are considering deals with two treaties made between the United States and Indian tribes; it also deals with public laws of the United States; the relations between the United States and Indian tribes as such in their very essence are public, not private.

Then, too, this bill deals with the allotment of Indian lands. It proposes that there shall be an inquiry into the treaties made controlling allotment of the Indian lands, and also an inquiry into whether or not in the allotment of the Shoshone Indian lands we have violated the terms of those treaties.

Let me also call the Chair's attention to the fact that the Indian Committee has jurisdiction, as everyone admits, of

claims arising from Indian depredations, and this whether the Indians complained of have funds in the hands of the United States out of which the claims can be paid or not.

Mr. SHACKLEFORD. May I interrupt the gentleman?

The SPEAKER. Does the gentleman yield to the gentleman from Missouri?

Mr. MILLER. I do not understand that I have the floor, Mr. Speaker.

Mr. SHACKLEFORD. Then I will say what I want to say in my own right. The condition that the gentleman refers to is just what induced me to make this point. In order to keep these claims within proper bounds it has been thought advisable that they should be properly coordinated by sending them all to one committee when they are to be paid out of the Treasury of the United States.

But the gentleman says an abuse has grown up in that committee, and I agree with him that it has, and that is what I have in mind in raising this point of order, to get this thing back where it belongs.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. SHACKLEFORD. Yes.

Mr. BURKE of South Dakota. The gentleman is entirely mistaken in saying this question has never been raised in the Committee on Indian Affairs. It has been often raised and was always sustained when I was chairman of the committee, and I think it has universally been held when the question has been raised that the Indian Committee is without jurisdiction.

Mr. MILLER. Mr. Speaker, with due respect to the distinguished gentleman from South Dakota and with due deference to his personal recollection as to what he did when he was chairman of the committee, I still maintain that not at any time since I have been a member of that committee has that point ever been raised, except when the gentleman from Missouri [Mr. SHACKLEFORD], who now raises the point here, raised it in the committee a few weeks ago.

The SPEAKER. The Chair will ask the gentleman from South Dakota, Is this a private bill or a public bill, in the gentleman's opinion?

Mr. BURKE of South Dakota. There is some doubt about it, but I am inclined to think it is a public bill. Many of this class of bills provide for appropriating the money that may be recovered in the judgment, and universally they have gone on the Union Calendar. Perhaps this bill is different in that respect. Recently we passed a bill restoring the annuities to the Santee Sioux. That bill was on the Union Calendar, and I think that has been the universal practice. If it is a private bill, of course it does not belong on this calendar.

Mr. MILLER. That was the point I started to make. These bills go to the Union Calendar. This bill is on the Union Calendar. A private bill is never placed on the Union Calendar.

The SPEAKER. Yes, but the way this bill got on the Unanimous Consent Calendar is that it was erroneously referred to the House Calendar.

Mr. MILLER. Yes, but in addition to that, will the Speaker allow me to call his attention to what it seems to me is the determining factor? This bill proposes to deal with the relations between the United States and a band of Indians, not between the United States and a citizen of the United States. If it did, the bill would be a private bill and a private claim.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. MILLER. This contemplates the consideration of the conduct of the United States in its trust capacity in relation to the property belonging to a large band of Indians, and it does not seem to me that it could from any point of view be considered as a private measure. It is a public measure. It deals with a public question. If the relations between the United States Government and a band of Indians are not a public question, I can not possibly conceive of anything that would be a public question.

The SPEAKER. Nobody understands or can define the exact relations between the Indian tribes and the United States. Sometimes they are treated as independent and sometimes as wards of the Nation.

Mr. SHACKLEFORD. In considering the importance of this as disclosed by what the gentleman from Minnesota says, the habit is growing up in several committees of taking jurisdiction of these bills, and that is the reason that I am opposing it, and I say that it is a private bill.

The SPEAKER. Why does the gentleman say it is a private bill?

Mr. SHACKLEFORD. A private bill does not necessarily have to be a bill for a private individual. It might be for Jim Jones, and it might be for some particular corporation composed of a hundred men, or an individual company composed of a million men. Still the single unit you are dealing with makes it a private bill. This is not dealing with the Indians generally; it is dealing with a band of Indians as a consolidated unit that seeks to recover from the United States Government some money because that particular unit received some injury. It does not apply to all Indians. If it was for Jim Crow or Big Feather it would be a private bill, and the fact that it is for a particular band does not prevent its being still a single unit, and it does not apply to any other Indian tribe, and therefore, I say, is a private bill.

Mr. MANN. Mr. Speaker, to save any question about the matter I object.

Mr. FERRIS. Will not the gentleman withhold his objection and let the Speaker rule upon it for the benefit of the Indian Committee?

Mr. MANN. It is just because I think the Speaker ought not to be called upon to determine this question at this time without an opportunity to consult precedents that I have objected.

Mr. FERRIS. I have no desire to hurry the matter except to point out, as the House will remember, that when the Indian Committee had its bill in here the chairman of the committee ruled that everything subject to a point of order was a gratuity appropriation out of the Treasury. Now the gentleman rules that the Indian Committee has no authority to deal at all with these matters, but I want to call attention to the fact that the jurisdiction of the Indian Committee is slipping away pretty fast and soon will not have anything left.

Mr. MANN. Oh, no; I think not. I went over this matter when the bill was reported, and I was in doubt about it. I do not think the Speaker ought to be called upon to rule offhand, and I was going to object, anyhow.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

MANUFACTURE OF DENATURED ALCOHOL.

The next business on the Calendar for Unanimous Consent was the bill H. R. 9591, to permit the manufacture of denatured alcohol by mixing domestic and wood alcohol while in process of distillation.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, or the act amendatory to same approved March 2, 1907, or subsection 2 of subsection N of the act approved October 3, 1913, amendatory to same, domestic alcohol while it is in its nascent condition, before it has passed from the state of vapor, or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials or admixture of the same as to render such alcohol unfit for use as an intoxicating beverage and thereupon shall be directly conveyed from the still by continuous closed pipes to locked and sealed receptacles, from which it may be withdrawn under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 2. That where such alcohol is of insufficient proof to be denatured the same may be transferred in bond from such locked and sealed receptacles, free of tax, to a central distilling and denaturing plant, as provided for in subsection 2 of subsection N of the act approved October 3, 1913, where such alcohol may be redistilled and denatured when sufficient denaturants shall not already have been mixed with said alcohol, as hereinbefore provided, under such regulations and upon the execution of such notices and bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to ask some member of the Ways and Means Committee as to the reason that the bill was not submitted to the Treasury Department for condemnation or approval. I notice there is no reference whatever in the report to its having been submitted to the Secretary of the Treasury.

Mr. MOORE. The bill was introduced by my colleague [Mr. PALMER], and he was very much interested in it. It had the approval of the committee. As he is not here at the moment I ask that it be passed without prejudice.

Mr. STAFFORD. I notice that the chairman of the Ways and Means Committee has just come in. While the gentleman was temporarily absent I made an inquiry as to the reason the bill was not submitted to the Treasury Department for its approval or disapproval.

Mr. UNDERWOOD. I will say to the gentleman that I have not had charge of the bill personally. It was referred to a subcommittee, of which the gentleman from Pennsylvania [Mr. PALMER] was chairman, and he reported the bill. My understanding is that he had the matter up with the Treasury Department and they stated that it would not interfere with the revenue. It was a unanimous report from the Ways and Means Committee; the Members on both sides agreed to the bill. I am not in a position to give the gentleman full information because I have not given it any detailed study.

Mr. STAFFORD. I was not so much concerned about the first section of the bill as about the second section, which involves a question of practice as to the operation of making denatured alcohol which I think should be submitted to the commissioner general of internal revenue for his opinion. I have no objection to the bill being passed over without prejudice.

Mr. UNDERWOOD. I will say to the gentleman that I do not like to make a statement from memory without I am positive, but I am quite positive that this bill did go to the Treasury Department and met with its approval.

Mr. STAFFORD. I am in sympathy with the object sought to be obtained by the bill, particularly the first section, which seeks to legalize a new practice in making denatured alcohol, but I was thinking whether the second section might not meet with some objection from the Commissioner of Internal Revenue.

Mr. UNDERWOOD. I did not know the bill was coming up and therefore I have not the papers here, but I am satisfied in my own mind that it was submitted to the Treasury Department and met with its approval, or it would not have been reported by the committee.

Mr. JOHNSON of Kentucky. Mr. Speaker, I have read the bill a number of times, and I have serious doubts whether it will accomplish the purpose which it seeks to accomplish, and that is whether the new mixture of denatured alcohol will be free from tax. I think it had better be looked into before it is passed to see whether that is so or not.

Mr. UNDERWOOD. That would not hurt the Government any.

Mr. JOHNSON of Kentucky. No; but it would be better not to pass the bill unless it is going to accomplish the object sought.

Mr. UNDERWOOD. On what ground does the gentleman think the bill does not free the alcohol from tax?

Mr. JOHNSON of Kentucky. Will the gentleman show me where, in the bill, it does free it from tax?

Mr. UNDERWOOD. It says "notwithstanding anything contained in the act entitled 'An act for the withdrawal from bond, tax free, of domestic alcohol,'" and so forth.

Mr. JOHNSON of Kentucky. But that is only giving the title of another bill.

Mr. UNDERWOOD. The bill puts the new process under the same process and the same conditions as the act providing for the manufacture of denatured alcohol.

Mr. JOHNSON of Kentucky. I do not think it does. I think it gives the right to mix the vapors or condensed vapors, which mixing heretofore has not been allowed; but, after it is mixed, I doubt if the bill relieves it of the tax.

Mr. UNDERWOOD. I do not see why.

Mr. JOHNSON of Kentucky. Because it does not say so in so many words. I do not know that I am opposed to the bill. I am really seeking an explanation of its provisions with the view of determining whether I am for it or not.

Mr. UNDERWOOD. Here is the situation in reference to the bill: The general provisions of an act passed some years ago provide that denatured alcohol shall not be taxed. That is proposition No. 1. In the bill that became a law some time ago the way of denaturing alcohol was described in the bill. This method of denaturing alcohol is to denature it by mixing the vapors instead of after it has become a liquid.

Mr. JOHNSON of Kentucky. Mr. Speaker, if the gentleman will read line 4, page 2, he will find that he is mistaken in that respect. There it speaks of condensed vapors, and condensed vapor is a liquid.

Mr. UNDERWOOD. The process is intended to run the vapors out of one pipe system, or whatever it may be called, and as they go into the condensing pipe they go in together, where they will be denatured.

Mr. JOHNSON of Kentucky. If the condensing pipe is the worm, and there is no provision for other than one worm, then it goes from the still and must come from the one condensing pipe or worm; and the bill provides, in lines 3 and 4, page 2, that the condensed vapors may be mixed.

Mr. STAFFORD. But in line 3 it says "vapors."

Mr. JOHNSON of Kentucky. It says "vapors or condensed vapors." Vapor is one thing and condensed vapor is another.

Mr. STAFFORD. It permits both.

Mr. UNDERWOOD. This bill provides:

> Or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials.

In other words, the purpose of the bill is to allow the man who makes the denatured alcohol to run the vapors of wood alcohol together with the vapors of grain alcohol, and I suppose that when they go through the worm, as the gentleman calls it, where they are condensed into liquid form, the two classes of alcohol become condensed together, and the result is that you have an alcohol that has a sufficient amount of wood alcohol in it to prevent it from being used for drinking purposes.

Mr. JOHNSON of Kentucky. This goes further than that, however. The first vapor that comes from the worm, or the condensing pipe, if you choose to call it that, is of very high proof, and the longer vapor continues to come into the pipe and flow from it the lower in proof it becomes. Section 2 provides that this condensed vapor, or liquid, may be shipped in bond from one place to another when it is of "insufficient proof" to be denatured.

Mr. UNDERWOOD. I think that is the law to-day. There are certain classes of alcohol that can be shipped in bond.

Mr. JOHNSON of Kentucky. Oh, yes; whisky can be shipped in bond, but it would have to pay a tax of $1.10 on a measured gallon instead of $1.10 on a proof gallon if it were below 100 proof.

Mr. UNDERWOOD. That is when it comes out with an insufficient degree of wood alcohol in the balance of the alcohol to be of the test that the inspectors require in order to say that it amounts to denatured alcohol.

Mr. STAFFORD. Mr. Speaker, the second section provides that it shall be transported under those conditions free of tax.

Mr. JOHNSON of Kentucky. Yes; it can be transported free of tax, but when you are transporting it free of tax it is still in bond, and when it comes out of bond it must or must not pay the tax, and there is no provision in the bill which says in so many words that it shall not pay the tax when it comes out of bond. You can ship whisky from Kentucky to California in bond, but when it gets out to California, before it gets out of bond, the tax must be paid. There is no direct provision in this bill which says that the tax on these goods shall not be paid.

Mr. UNDERWOOD. The gentleman is mistaken about that, because he does not read this in the light of the present law.

Mr. JOHNSON of Kentucky. Oh, yes; I will say to the gentleman that I have read the present law in connection with it, and I fail to comprehend it.

Mr. UNDERWOOD. If the gentleman will allow me, I will try and explain it again. If there is sufficient denaturant which goes into the alcohol in this process, then it becomes denatured alcohol, and no denatured alcohol is taxed under the general law. Therefore, it is not subject to tax. If, during the process, the alcohol comes out, and there is not sufficient denatured alcohol to come up to the requirements of the law, then for mechanical purposes they are allowed to ship it in bond, if used for mechanical purposes, such as they are allowed to ship alcohol for to-day.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MADDEN. What advantage is there in mixing it?

Mr. UNDERWOOD. I will say to the gentleman that I am not sufficiently familiar with this process to know, except that I know there are certain gentlemen who have a process—I am not sure whether it is patented or not——

Mr. MADDEN. Is it intended to take the place of gasoline?

Mr. UNDERWOOD. Oh, no. Alcohol is used in the arts for a great many purposes.

Mr. MADDEN. I know it is.

Mr. UNDERWOOD. And they contend that if you denature it in this way they can produce denatured alcohol very much more cheaply than they can by the process of denaturing it as it is used to-day.

Mr. MADDEN. And they could use it for the same purpose for which gasoline is now used?

Mr. UNDERWOOD. Probably for some purposes for which gasoline is used, but alcohol is used for a good many purposes that gasoline could not be used for.

Mr. MADDEN. Oh, yes.

Mr. SHACKLEFORD. Mr. Speaker, if the gentleman will permit, I was a member of the committee at the time this bill was considered, and while I did not hear all that was presented, I was present at the committee when some of the hearings were had. The proposition was that under this process the denaturized alcohol was made by a single process, whereas as it is now made it requires a double one. First, you manufacture the alcohol and then you subsequently denaturize it. These gentlemen have a process, which they propose to test, which produces the denatured alcohol in one process, thereby greatly reducing the cost of it. Now, as to the use of it, it will be used in whatever way denatured alcohol is used.

Mr. MADDEN. Does this strengthen it at all or make it better for fuel?

Mr. SHACKLEFORD. It is not made better or worse.

Mr. UNDERWOOD. I do not think it makes it any better or worse, as the gentleman from Missouri says. It is only the question that these men claim they can make cheaper denatured alcohol in this way. I do not say they can or not, but I think it is worth while that they should be given the opportunity.

Mr. SHACKLEFORD. As it is now, they can not even experiment in it without violating the internal-revenue law.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill may be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906, or the act amendatory to same approved March 2, 1907, or subsection 2 of subsection N of the act approved October 3, 1913, amendatory to same, domestic alcohol while it is in its nascent condition, before it has passed from the state of vapor, or while in the original closed and continuous process of distillation, may be denatured by so mixing with it the vapors or condensed vapors arising from the destructive distillation of wood or other denaturing material or materials or admixture of the same as to render such alcohol unfit for use as an intoxicating beverage and thereupon shall be directly conveyed from the still by continuous closed pipes to locked and sealed receptacles from which it may be withdrawn under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 2. That where such alcohol is of insufficient proof to be denatured the same may be transferred in bond from such locked and sealed receptacles, free of tax, to a central distilling and denaturing plant, as provided for in subsection 2 of subsection N of the act approved October 3, 1913, where such alcohol may be redistilled and denatured when sufficient denaturants shall not already have been mixed with said alcohol, as hereinbefore provided, under such regulations and upon the execution of such notices and bonds as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SHOSHONE TRIBE OF INDIANS.

Mr. STEPHENS of Texas. Mr. Speaker, during my absence from the Hall a few moments ago Unanimous Consent Calendar No. 385 was called and some disposition made of it. I desire to know what disposition was made of the case.

The SPEAKER. It was stricken from the calendar.

Mr. STEPHENS of Texas. Was the question raised as to the jurisdiction of the Committee on Indian Affairs?

The SPEAKER. There were four or five questions raised, and finally the gentleman from Illinois [Mr. MANN] settled the whole squabble by objecting.

Mr. STEPHENS of Texas. Then it was objected to and went off the calendar on that ground and not on the ground of the lack of jurisdiction of the Committee on Indian Affairs?

The SPEAKER. No; the Chair is going to investigate that matter.

LOBSTER-REARING STATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 4725) providing for the establishment of a lobster-rearing station at some suitable point on the Atlantic coast.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

ENTRIES UNDER ACT OF MAY 29, 1908.

The next business on the Calendar for Unanimous Consent was the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That all entries made by beneficiaries under section 6 of the act of Congress approved May 29, 1908, entitled "An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes" (35 Stat., p. 465), in connection with which such beneficiaries have submitted proof of their compliance with the homestead law in Wisconsin, and where such proof shows full five years' residence and improvements on the Wisconsin land, to which their title failed by reason of the decision of the Supreme Court in the case of the Wisconsin Central Railroad Co. *v.* Forsythe (159 U. S., p. 46), whether such entry is now being asserted by the original entryman or by his transferee, be, and the same are hereby, confirmed, and the Secretary of the Interior is directed to issue patents thereon: *Provided*, That this legislation is to be construed as only removing the objection with relation to transfer, heretofore raised by the Interior Department against said entries, and is not to be construed as confirming entries, if any, made for lands not subject to entry or entries made by persons not entitled thereto: *Provided further*, That if any of the said entries under the remedial act or amendments thereto have been canceled and the lands embraced therein reentered by intervening adverse claimants, such canceled entries are not to be reinstated and validated by this act, but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted.

The committee amendment was read as follows:

Page 2, strike out after the word "act," line 17, the comma and the words "but the right to make locations in lieu thereof for land subject to homestead entry is hereby granted."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the report from the Department of the Interior.

The SPEAKER. On this bill?

Mr. FERRIS. A report on this identical bill.

The SPEAKER. What is the request?

Mr. FERRIS. The request is to print in the RECORD a letter from the department's report on this identical bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to print in the RECORD a letter from the department about this bill. Is there objection? [After a pause.] The Chair hears none.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 18, 1914.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: By your reference I have for report Senate bill 5629, for the relief of certain persons who settled under the homestead laws upon certain lands which were lost to them because of conflict with the grant to the Wisconsin Central Railroad.

Congress has on three occasions legislated respecting the homestead settlers on the lands found to belong to the Wisconsin Central Railroad Co. The first was the act of April 19, 1904 (33 Stat., 184); the second, the act of May 29, 1908 (35 Stat., 465); the third was the joint resolution No. 164 of June 25, 1910 (36 Stat., 885).

A number of entries were made under said legislation by the alleged beneficiaries, and it appeared that agreements had been made by them prior to entry for the transfer of the lands to be so entered.

In the test case of Leopold Bauer, decided by the department February 21, 1910 (38 L. D., 460), adhered to on review and rereview (39 L. D., 304), the department held that the remedial legislation referred to contemplated merely that in making homestead entries for other lands for their own benefit the entrymen should be credited for the time spent and improvements made on the Wisconsin lands, but did not grant a scrip right nor authorize agreement prior to entry for transfer of the lands to be entered thereunder.

It appears that the entry of Bauer was canceled on August 6, 1913.

The action of the department was predicated upon its view as to the proper construction to be placed upon said remedial legislation, which, in the opinion of the department, did not authorize transfer of the right of entry, but merely authorized entries to be made by the beneficiaries for their own use and benefit. The present legislation obviates the objection theretofore raised by the department and provides for confirmation of the entries whether such entries are now being asserted by the original entrymen or by transferees. The department is not at all averse to this legislation, inasmuch as it appears that the settlers made their settlements and improvements upon lands supposed to be public lands and lost their claims without any fault of their own. Having in effect earned title to the former lands, which could not be given them because the lands were not public lands of the United States, they may very properly be accorded the right to transfer the additional lands, and any agreements to do so made prior to entry may be allowed if Congress desires to grant such privilege.

It is believed, however, that the following provisions should be added to the proposed bill, viz:

"*Provided*, That this legislation is to be construed as only removing the objections with relation to transfer, heretofore raised by the Interior Department against said entries, and is not to be construed as confirming entries, if any, made for lands not subject to entry or entries made by persons not entitled thereto: *And provided further*, That if any of the said entries under the remedial act or amendments thereto have been canceled and the lands embraced therein reentered by intervening adverse claimants, such canceled entries are not to be reinstated and validated by this act, but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted."

Respectfully,

A. A. JONES,
First Assistant Secretary.

NONAPPRAISEMENT OF GOODS AT NYANDO, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I want to say to the House that this bill seems to be similar to Calendar No. 377, providing that same privilege for Pembina, N. Dak. I withdrew my objection to the other bill, being convinced that it was a measure that ought to pass in the interest of the efficiency of the service, and I hope these two bills will be taken up together, and I ask unanimous consent that Calendar Nos. 377 and 391 be taken up together, as they are exactly similar bills.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Calendar No. 377, at the foot of the first page of the calendar, and Calendar No. 391, being similar, shall be taken up together.

Mr. NORTON. Mr. Speaker, as the gentleman from Missouri has stated, these bills are similar in their purpose. The gentleman from Indiana [Mr. CLINE] a few minutes ago objected to Calendar No. 377, but since having more carefully considered the bill I am advised has no objection to it now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report 377.

Mr. MANN. Mr. Speaker, I ask unanimous consent that both bills may be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

NONAPPRAISEMENT OF MERCHANDISE, PEMBINA, N. DAK.

The Clerk read as follows:

An act (S. 5449) to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and the same are hereby, extended to the port of Pembina, N. Dak.

The bill was ordered to be read a third time, was read the third time, and passed.

NYANDO, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and the same are hereby, extended to the port of Nyando, N. Y.

The bill was ordered to be read a third time, was read the third time, and passed.

RESERVATION OF SCHOOL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20851) to reserve lands in the Territory of Alaska for educational uses and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, it seems to me this bill is one which ought to receive some discussion and consideration in the House.

Mr. FERRIS. The gentleman from Wisconsin [Mr. LENROOT] is familiar with it and I hope he will reply to the gentleman and give all the information the gentleman desires.

Mr. MANN. As I understand this bill it would not raise any money immediately for school purposes.

Mr. LENROOT. When the coal lands are leased it will.

Mr. MANN. When the coal lands are leased. Is the money received from that put in a fund?

Mr. LENROOT. Put in a fund and the income therefrom shall be available only.

Mr. MANN. So necessarily it would raise no money very soon.

Mr. LENROOT. No; I will state to the gentleman the object of the bill is not with the idea of any substantial amount being raised at this time, but surveys are being made and lands are being entered. The purpose of the bill and all that it does is to make reservation of these school sections, a certain amount of the land when the lands are surveyed, if they are nonmineral in character.

Mr. MANN. I do not know that I would have any objection to the passage of the bill, but it does involve some questions which I think ought to be considered and discussed.

Mr. LENROOT. I will say to the gentleman that the bill as originally introduced was a very sweeping one, and attempted to make a grant of land to establish a college, and many other things. The committee simply cut all of that out of the bill and simply provide for the reservation and the income from leased lands to go into a territorial fund, the principal of which will remain intact and the income used for school purposes.

Mr. MANN. Of course, it is almost self-evident, maybe not quite, that this bill will not become a law at this session of Congress, owing to the situation in the Senate, and it seems to me that a bill of this character, involving the question and, I might say, almost a novel proposition, ought to be discussed somewhat in the House, and not passed by unanimous consent without any consideration. I do not know but that I am in hearty accord with the propositions in the bill, but I think it ought to be considered in the House, and, with some regret, I shall have to object at present.

The SPEAKER. The gentleman from Illinois objects.

Mr. MANN. I am perfectly willing to pass it over.

Mr. LENROOT. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

TO PLACE BARROW COUNTY, GA., IN EASTERN DIVISION, NORTHERN DISTRICT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20688) to place Barrow County, Ga., in the eastern district of the northern district of Georgia.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I should like to make one inquiry. What is the name of this county?

Mr. LEE of Georgia. It is Barrow County.

Mr. MANN. It is Barrow, and not Bartow?

Mr. LEE of Georgia. Mr. Speaker, I want to amend in line 3.

The SPEAKER. You have not unanimous consent to consider the bill as yet.

Mr. MANN. The bill has one name and the report another.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Bartow, in the State of Georgia, is hereby attached to and made a part of the eastern division of the northern judicial district of said State.

Mr. LEE of Georgia. Mr. Speaker, I desire to offer an amendment. I should like to amend in line 3 by inserting the word "Barrow" in place of the word "Bartow."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

The title was amended to conform with the text.

LEGISLATIVE REFERENCE DIVISION, LIBRARY OF CONGRESS.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 20095, to establish the Legislative Reference Division of the Library of Congress.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I see that the gentleman from Texas [Mr. SLAYDEN], the author of the bill, is not present. I ask unanimous consent that the bill be passed without prejudice.

Mr. BORLAND. Mr. Speaker, I object to the consideration of the bill.

Mr. MONDELL. Mr. Speaker, I hope the gentleman from Missouri [Mr. BORLAND] will not object and insist on the bill going off the calendar. The gentleman from Texas [Mr. SLAYDEN], who is interested in this bill, as many of us are, unfortunately is not here to-day.

The SPEAKER. It has not been three minutes since he was here.

Mr. BORLAND. The gentleman recollects the bill was——

Mr. MANN. Mr. Speaker, I withdraw my request.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that this bill be temporarily passed.

The SPEAKER. The gentleman from Texas asks that the bill be passed temporarily. Is there objection?

Mr. BORLAND. Reserving the right to object, I want to say that this is a bill that will occasion a great deal of debate. There is a pretty widely marked difference of opinion as to the character of the legislative bureau that ought to be created. Under a clause that got into an appropriation bill in another body a year ago, they established this bureau and employed a large number of people and collected a lot of information upon

general subjects, such as the advisability of having a budget system, and so on. This is not the kind of legislative bureau that we thought we were going to have, by which Members could have bills redrafted to comply with the decisions of the Attorney General and the courts and Comptroller of the Treasury, but a legislative bureau to go into the investigation of what foreign Governments have done on various matters, such as for rural credits and public health, and so forth.

The SPEAKER. Is there objection to the request that this bill be passed temporarily?

Mr. BORLAND. I object on the ground that it does not properly belong on this calendar and it will occasion a good deal of debate when it comes up.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BORLAND. I object to that, too.

Mr. STEPHENS of Texas. I hope the gentleman will not object.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] objects, and the bill is stricken from the calendar.

CLAIMS OF SISSETON AND WAHPETON BANDS OF SIOUX INDIANS.

The next business on the Calendar for Unanimous Consent was the bill S. 5255, an act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States.

Mr. NORTON. Mr. Speaker, I ask that the bill be passed without prejudice.

Mr. SHACKLEFORD. I make the same point of order against that bill that I made against the bill H. R. 14869. The gentleman from Minnesota [Mr. MILLER] made the point that it was not a public bill, which I think is not tenable; but, if it were, it does not alter the case. This is a bill for a claim against the Government. It is a claim against the United States Treasury, and as such, regardless of the character of the claim, it should have gone to the Claims Committee. Now, like the chairman of the Committee on Indian Affairs [Mr. STEPHENS], I would like to have a ruling on the point of order; and I will ask, if the Speaker is not ready to rule, to have it submitted to him and have him take it under advisement until some future day and give us a ruling.

The SPEAKER. The Chair will do that. The gentleman asks unanimous consent that this bill be passed without prejudice.

Mr. MANN. Mr. Speaker, I object to the consideration of the bill.

Mr. SHACKLEFORD. Mr. Speaker, I think the point of order has precedence over the objection to it. Whenever it comes up it is subject to a point of order, and I make the point of order. I do not ask the Chair to decide it now, but let it be pending.

The SPEAKER. The gentleman from Missouri will please furnish the Speaker with a brief on all these points. The gentleman from Illinois [Mr. MANN] objects.

Mr. STEPHENS of Texas. I want to state, Mr. Speaker, that this has been a vexed question, and we want it decided one way or the other.

The SPEAKER. The Chair will settle it as soon as he gets a chance to investigate it, but it is an important matter, and as it will probably affect many other bills, he does not wish to settle it offhand. It is as troublesome a bill as there is in the House.

The gentleman from Illinois [Mr. MANN] objects, and the bill is stricken from the calendar.

LEGISLATIVE JOURNALS AS SECOND-CLASS MAIL.

The next business on the Calendar for Unanimous Consent was the bill (S. 1701) to admit legislative journals of State and Territorial legislatures to the mails as second-class mail matter.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MURDOCK. Reserving the right to object, Mr. Speaker, I would like to have some explanation as to what extent this is going to increase the free matter. It is penalty matter?

Mr. MADDEN. That bill passed the Senate and was referred to the Committee on the Post Office and Post Roads, and Senator BRYAN appeared before the committee and made the statement that a great many requests had been made by officers of the States that permission should be granted to send the journal of the legislatures to the people within the States, not outside the States, without payment of postage.

Mr. MURDOCK. The Post Office Department at the present time is struggling with a deficit that seems to be growing.

Mr. MADDEN. This will not amount to much.

Mr. MURDOCK. There are 48 States in the Union, and some of them have yearly sessions of the legislature, and some have biennial sessions.

Mr. MADDEN. Yes.

Mr. MURDOCK. It seems to me that would increase the amount of franked matter considerably.

Mr. STAFFORD. Mr. Speaker, if my colleague on the committee will permit, this is not intended to increase the amount of franked matter, but merely to grant to daily legislative journals the second-class mailing privilege. It is not frankable.

Mr. MANN. Reserving the right to object, Mr. Speaker, what are the "daily legislative journals" of the legislative bodies? I know that we have a Journal here, but it is not printed every day.

Mr. MADDEN. Whatever it is, that is what they want.

Mr. MANN. Yes; "whatever it is." I would like to know what it is. It may be a chance to insert all sorts of matter in a legislative journal and send it out under the second-class privilege. The legislative journal is not printed daily.

Mr. MADDEN. In our hearings it was understood that it was merely the journal of the proceedings of the day.

Mr. MANN. Perhaps it is a daily legislative calendar.

Mr. MADDEN. No; it is not a calendar.

Mr. MANN. Certainly the journal of the proceedings is not printed daily in any legislative body on earth.

Mr. MADDEN. If it is not printed daily it would not be sent out daily.

Mr. MURDOCK. Do any legislatures keep a stenographic report of the proceedings?

Mr. MANN. I think not. But it would not be that. We have a legislative Journal here in the House, but it is not printed daily. It is printed some time after the end of a session. I do not think there is any legislative body that prints what we call a journal daily. Now, if this means something, apparently no one knows what it does mean. The sending out of the CONGRESSIONAL RECORD is now quite an expense, and if we undertake to allow them to send out everything that is inserted in every legislative body in the States, including all the bills that are introduced and all the reports that are made, the privilege would be used very extensively, possibly, and at considerable cost.

Mr. MADDEN. This is not giving the franking privilege.

Mr. MURDOCK. That was my first impression—that it did give it.

Mr. MANN. Oh, I know; but to send at 1 cent a pound is practically below cost.

Mr. MADDEN. The question is whether the people in the States are not sufficiently interested in the proceedings of the legislatures of the States to justify the enactment of such a law as this.

Mr. MANN. I suspect that if I were in one of the legislative bodies in a State and desired to publish to my constituents the great amount of work that I was doing, I would have the journal showing that I had introduced such and such bills and mail that at 1 cent a pound to all the constituents in my district. It is purely political campaigning that ought to be paid for by the man that does it, and not by the Government of the United States.

Mr. MADDEN. I am not interested in that at all.

Mr. MOORE. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] objects.

AMENDMENT OF THE INTERSTATE COMMERCE ACT.

Mr. CULLOP rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. I want to call up the bill (H. R. 2496) to amend section 15 of the act to regulate commerce, as amended June 29, 1906, and June 18, 1910. It was called up a few moments ago and objection was made when it was called up, and it was stricken from the calendar. I want to know if the gentleman from Illinois [Mr. MANN] will consent that the bill be passed over without prejudice, and not stricken from the calendar. It is the bill H. R. 2496 to amend section 15 of the Interstate Commerce act. It is No. 368 on the calendar.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] asks if the gentleman from Illinois [Mr. MANN] will withdraw his objection made to the consideration of this bill, and let it be passed over without prejudice?

Mr. MANN. So far as I am concerned, Mr. Speaker, I have no objection.

The SPEAKER. The gentleman from Indiana asks unanimous consent to pass over the bill without prejudice. Is there objection?

Mr. MOORE. I object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] objects.

Mr. CULLOP. Mr. Speaker, will the gentleman from Pennsylvania withhold his objection for a moment?

Mr. MOORE. I have no objection to withholding it.

Mr. CULLOP. This bill passed the Sixty-second Congress by practically a unanimous vote. It is a bill of great importance to the country, for the uniform classification of freights, and I hope that the gentleman will consent that the bill may be passed over now, as objection has been made, without prejudice, so that at some other time it may be taken up during the session. It is a matter of great importance.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MOORE] adhere to his objection or does he relent?

Mr. MOORE. Mr. Speaker, this is a very important bill, and it is one to which some of the commercial bodies of my section of the country object. I have been hearing from them on this subject. There should be a full discussion of a measure of this importance, and it seems unfair to bring it up in this way on unanimous-consent day when everything is under such high pressure. I would be willing to have it considered in the regular way, but it should not be considered now.

Mr. CULLOP. I want to say to the gentleman, in that connection, that very extensive hearings were had on this bill.

Mr. MOORE. May I ask the gentleman what his request was?

Mr. CULLOP. It was that the bill may now be passed over without prejudice, as objection was made to its consideration.

Mr. MOORE. I do not object.

The SPEAKER. Is there objection?

There was no objection.

INVESTIGATION AND SETTLEMENT OF ACCOUNTS UNDER RECLAMATION ACTS.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. For the purpose of asking unanimous consent that the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes, No. 383 on the calendar, be passed over without prejudice. I want to call the attention of the gentleman from Illinois [Mr. MANN] to the fact that I have taken this matter up with the department and have had the matter practically looked into, and I ask that it be passed over without prejudice. It has to do with the settlement of accounts under reclamation projects for labor performed.

Mr. MANN. I have no objection. That is the mechanics' lien matter?

Mr. RAKER. Yes.

Mr. STAFFORD. I object to having it returned to.

Mr. MANN. The gentleman is trying to prepare a proper bill?

Mr. RAKER. Yes; I am having it put in proper shape, and at the next consideration I will have it in proper shape.

The SPEAKER. The gentleman from California asks unanimous consent that Calendar No. 383 (H. R. 124) be passed without prejudice. Is there objection?

Mr. MILLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER. I understand that bill was stricken from the calendar.

The SPEAKER. Yes.

Mr. MILLER. Will the unanimous consent asked for by the gentleman from California restore it to the calendar; and, if so, to the place it formerly occupied on the calendar?

The SPEAKER. The Chair thinks it would; but to be on the safe side the Chair will put the request in this way: The gentleman from California asks unanimous consent to pass Calendar No. 383 (H. R. 124) without prejudice and to have it restored to the relative place on the calendar that it now occupies. Is there objection?

Mr. BORLAND. I object.

Mr. RAKER. Will the gentleman let it go to the bottom of the calendar?

Mr. BORLAND. This bill has been on the calendar every time it has been called.

Mr. RAKER. Will not the gentleman let it go to the bottom of the calendar?

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. BORLAND. I object.

SANITARY CONDITIONS IN COMPOSING ROOMS, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18383) to provide better sanitary conditions in composing rooms within the District of Columbia.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That all typesetting, type-casting, and similar machines and apparatus, such as linotype machines, monotype casters, stereotype melting pots, and the like, shall be piped in a proper and efficient manner, so as to effectually carry off the noxious fumes and gases arising during their operation: *Provided*, That exhaust fans, blowers, or other suitable devices shall also be installed when deemed necessary for the purpose of further aiding in the discharge of all deleterious matter from composing and other rooms where any of the above machines may be in operation.

SEC. 2. That it shall be the duty of the health officer of the District of Columbia to inspect the composing rooms of all printing offices within his jurisdiction at least once a year. He shall, in addition to observing that the intent and purpose of this act is carried into effect, order such other changes as he may deem necessary to give proper ventilation to the employees therein. Such orders of the health officer to be complied with within 30 days thereafter. Any failure so to do to be reported by him to the District attorney for prosecution.

SEC. 3. That any person, firm, or corporation found guilty of a violation of, or a failure to comply with, any of the requirements of this act shall be guilty of a misdemeanor, punishable by a fine of $25 for each and every machine so operated: *Provided*, That each and every day such machine or machines are operated after proper notification by the health officer of the insanitary conditions surrounding them shall be deemed a separate violation and punishable in like manner as the original offense.

SEC. 4. That this act shall take effect three months from the date of its passage.

With the following committee amendments:

Page 1, line 3, after the word "That," insert the words "the melting pots of."

Page 1, line 9, strike out the words "when deemed necessary."

Page 2, strike out all of section 2.

Page 2, line 13, strike out the figure "3" and insert the figure "2."

Page 2, line 17, strike out all of said line after the word "operated" and all of lines 18, 19, 20, and 21 and insert in lieu thereof the following: "; and each day operated shall constitute a separate offense."

Page 2, line 23, strike out the figure "4" and insert in lieu thereof the figure "3."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

THE LATE SENATOR JOHN T. MORGAN.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 196) to authorize the Secretary of War to grant permission to the Southern Commercial Congress to place a tablet at Gamboa, Canal Zone, as a memorial to the late Senator John T. Morgan.

The title of the joint resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, let us have the joint resolution reported.

The SPEAKER. The Clerk will report the joint resolution.

The joint resolution was read, as follows:

Resolved, etc., That permission is hereby granted for the placing of a tablet containing a portrait bust of the late Senator John T. Morgan, with an appropriate inscription, at Gamboa, in the Canal Zone, at such time and under such regulations as the Secretary of War may direct.

With the following committee amendment:

In line 3, strike out the words "for the placing of" and insert in lieu thereof the words "to the Southern Commercial Congress to place."

Mr. MANN. Mr. Speaker, reserving the right to object, I see in the report this statement made concerning Senator Morgan:

It will be universally admitted that but for his persistent, earnest, and able efforts in behalf of the Isthmian Canal there would not be such canal to-day in existence. He was firmly convinced that the Nicaraguan route was the most feasible, but this does not in any way lessen the importance of his efforts, through which, more than anything else, the canal connecting the Atlantic and Pacific Oceans in America was finally constructed and is now in operation.

I assume that as the bill provides the authority to erect a bust on the Panama Canal with an appropriate inscription, those who favor the bill would put on the bust an inscription something like what I have read from the report. I am not willing to admit that that statement in the report is correct. With the highest regard for Senator Morgan and for the work which he did, it is not universally admitted by a long way—

that but for his persistent, earnest, and able efforts in behalf of the Isthmian Canal there would not be such a canal to-day in existence.

I do not think it is desirable to give authority to some one to erect an appropriate bust or otherwise with such inscriptions on the canal. If that authority were granted quite generally, we would soon have a large number of these memorial busts along the canal, each claiming that the particular gentleman whose bust was erected was really the author and father of the canal. That would be exceedingly ludicrous.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman from Illinois has finished what he has to say, I desire to say a word if he will yield the time.

Mr. MANN. I will reserve the right to object. The gentleman can take the floor in his own right.

Mr. UNDERWOOD. Mr. Speaker, it is with very deep regret that I have heard the gentleman from Illinois indicate his intention to object to the consideration of this bill. There is no charge on the Government. The Southern Commercial Congress represents the business interests of the Southern States. John T. Morgan was for more than 30 years a typical representative of those States in the Congress of the United States. He was a man whose character was without question, whose loyalty and earnest devotion to his State and to his country entitled him to a place in history and a place in the hearts of his countrymen. The gentleman from Illinois says it is absurd to say that the work of John T. Morgan was not largely responsible for the building of an Isthmian Canal.

Mr. MANN. If the gentleman will yield, I did not make any such statement as that.

Mr. UNDERWOOD. I thought that was the gentleman's statement.

Mr. MANN. Not at all.

Mr. UNDERWOOD. I withdraw it, if I misquoted the gentleman. I did not intend to do so.

Mr. Speaker, I do not hesitate to say that there are several, if not many, great men in this country whose names should be immortal for the work they have done in the building of this canal; but I say that no man has ever been connected with the history of this Government whose work was more continuous and more earnest in behalf of the building of an Isthmian Canal, or the result of whose work was more effective in producing the legislation that ultimately built the canal, than John T. Morgan.

It is true he believed the Nicaragua route was the safest, the best, and the cheapest to be built. When the bill was passed this House, by more than a three-fourths vote, agreed with his position. The House accepted the bill that was finally passed, because it could get no other legislation from the other body.

This gentleman from Iowa, Mr. Hepburn, whose fame will live as long as the canal exists, reported and passed through this House the bill that was advocated by John T. Morgan for building an Isthmian Canal, but it was his insistence that a way should be cut for the passage of the ships through the Isthmus that agitated the American people, that created a sentiment from one coast to the other for the building of this canal. And now I say for the Congress of the United States to deny his own people, who ask nothing of the Government, the right to place a tablet at this canal and record on it the work that he had done in the past connecting the two oceans together in the interest of the commerce and trade of the world, is most unfortunate, and I shall regret most deeply if the distinguished gentleman from Illinois exercises his privilege to defeat this bill.

Mr. MANN. Mr. Speaker, I have always had, since I knew anything about him, the greatest admiration for Senator Morgan and for the work which he did in reference to an Isthmian Canal. It is undoubtedly true that his constant effort on the subject had great weight and effect, but it is not correct, in my judgment, to say that but for him there would have been no canal. He was not the only one; he was not the originator at all of the idea that the Government should construct the canal. That is the only way it ever would be constructed. Senator Morgan from the start was insistent upon doing something for the Nicaragua Canal Co., which had a concession. That was the way he thought the canal ought to be constructed. He was strongly in favor of the Nicaragua route and against the Panama route. In that I always agreed with him, and I do yet. But I am unwilling, if I can prevent it, to let some one start in by erecting busts or tablets containing inscriptions along the line of the Panama Canal, claiming that a particular person was the author or the father of the plan.

Mr. UNDERWOOD. If the gentleman will allow me, I know of no intention on the part of the people who intend to erect the tablet to say that he was the father of it. The bill says that they may erect this tablet with a suitable inscription on it, and, of course, that inscription must have the approval of the Secretary of War. I know of no intention on the part of the people to claim that John T. Morgan alone was responsible for building the canal. He undoubtedly is entitled to great credit for the work that he did. He was undoubtedly among the foremost men of those who created a sentiment in the United States for the legislation that was ultimately passed, and I think the gentleman from Illinois is not justified in claiming that these people propose to erect a tablet claiming all the credit for Senator Morgan, because I am sure they do not.

Mr. MANN. I read from the report on this bill, and I have no doubt the report shows the line along which the committee think the proper inscription should be written. Of course, I appreciate the fact that it is highly desirable that the people in Alabama, which State Senator Morgan so long and so ably represented, should believe that he was the one who did the work, and yet there are other points of view without any reflection upon the work that he did do.

Mr. UNDERWOOD. I have just stated to the gentleman that neither I nor anyone else claim that Senator Morgan did all the work. History and time itself will give him the place that he is entitled to for the great work he did, and I do not think this Congress should withhold the mere privilege from his own people of placing a tablet at the Canal Zone and let future generations know that they believe in the man and the work he did.

Mr. MADDEN. Mr. Speaker, I would like to make this suggestion: That the sentiment to be placed on the table or monument, or whatever it may be, should be in the bill.

Mr. UNDERWOOD. I have no objection to that; but I do not propose to advocate a bill which would violate the proprieties of any occasion. As to the Congress dictating who is entitled to the greatest credit, the people of the United States will find that verdict, and nobody in building a monument can find the verdict for them.

Mr. MANN. I suppose if the bill passes it would not be long before we should have a variety of portrait busts, with inscriptions, along the line of the canal that would rival the "Chamber of Horrors" right here behind us.

Mr. DENT. Will the gentleman yield?

Mr. MANN. Yes.

Mr. DENT. I want to ask the gentleman from Illinois, if the objectionable sentence which he read in the report was stricken out by unanimous consent, there being nothing in the bill on this subject, it would relieve his objection to the bill?

Mr. MANN. I think that is the kind of appropriate inscription that the Southern Commercial Congress would think was proper to be placed upon the bust. I do not think that is correct history.

Mr. GREENE of Vermont. Mr. Speaker, I might say now, if it will shorten this debate, that I shall object to the consideration of the bill under any circumstances.

Mr. NORTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from North Dakota objects, and the bill will be stricken from the calendar.

GRANTING LANDS TO SCHOOL DISTRICT NO. 44, CHELAN COUNTY, WASH.

The next business on the Calendar for Unanimous Consent was the bill (S. 4146) granting certain lands to school district No. 44, Chelan County, Wash.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted to school district No. 44, Chelan County, State of Washington, 1.77 acres in lot 3, section 13, township 27 north, range 16 east, Willamette meridian, more particularly described as follows: Beginning at the corner No. 1 of the tract of land to be described, which is a stone marked "S. H.–44," from which the quarter corner between sections 13 and 14, same township, bears north 450 feet, thence south 62 east 418 feet to corner No. 2, thence south 209 feet to corner No. 3, thence north 62 west 418 feet to corner No. 4, thence north 209 feet to corner No. 1, the place of beginning, being the same as now used and occupied by said district for public-school purposes, and the Secretary of the Interior is hereby authorized and directed to issue patent for said lands to said school district.

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I ask that this bill go over without prejudice, as I do not see the author of the bill here.

Mr. FERRIS. Mr. Chairman, will not the gentleman reserve his objection and his request? This only affects 1.7 acres, and the gentleman may not be able to get the bill up again.

Mr. MADDEN. Mr. Speaker, I withdraw the request.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was ordered to be engrossed, and read a third time, and was accordingly read the third time, and passed.

LEASING OF UNPATENTED OIL OR GAS LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5434) authorizing the Secretary of the Interior to grant permits to the occupants of certain unpatented lands on which oil or gas has been discovered, and authorizing the extraction of oil or gas therefrom.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether since we embodied this provision in the omnibus bill the Supreme Court or any other court has passed upon the cases which were pending in which these lands were involved?

Mr. CHURCH. Mr. Speaker, I will say to the gentleman from Wisconsin that it has not.

Mr. MADDEN. Mr. Speaker, I object to the consideration of the bill.

Mr. CHURCH. Mr. Speaker, I hope the gentleman will withhold his objection for a moment, until the matter has been considered somewhat.

Mr. MADDEN. Mr. Speaker, several gentlemen seem to desire to discuss the bill, and I reserve the objection.

Mr. MONDELL. Mr. Speaker, would the gentleman have any objection to the bill going over without prejudice?

Mr. MADDEN. I would not. I would be very glad to agree to that.

Mr. MONDELL. Mr. Speaker, it is rather important that this legislation be enacted at this session of Congress. The session is so near to a close that it is quite certain that general legislation on the subject will not be had; and there are quite a number of cases in California and some in Wyoming that would be affected by this legislation, where relief is needed. The provision is that where a claimant for a patent desires to surrender his right to a patent he may, in lieu of the patent, secure the opportunity to lease not to exceed 640 acres. I do not undertsand why there should be any objection to the passage of the bill. The House has already adopted this provision in the general leasing law.

Mr. MADDEN. Then why do they want this at this time?

Mr. MONDELL. Because the general leasing bill, along with other meritorious legislation, is not very likely to be enacted at this session of Congress. It is now before the Senate, and this is only a fragment of that legislation—an effort to pass a bill that covers those cases that require immediate relief.

Mr. MADDEN. Does not the gentleman think the bill is too important to consider by unanimous consent?

Mr. MONDELL. But the bill has been fully considered by the House and has been approved by the House.

Mr. MADDEN. It will probably have to be considered again at the extra session.

Mr. MONDELL. Not this feature of it, if we provide for it here. It affects only a comparatively few cases; but those cases are important to the industry of the region in which they are located. In my own State, I will say to my friend, we have an oil field whose development just now is very greatly hampered and restricted by reason of the fact that there are some of these entries that are under contest.

Mr. MADDEN. Was the gentleman in favor of this provision in the law, which he said passed the House, for leasing public lands for any purpose?

Mr. MONDELL. Mr. Speaker, I offered it as an amendment and it was adopted. That would indicate, I think, that I favored it. There was some discussion in respect to it, and I will ask the chairman of the Committee on Public Lands, the gentleman from Oklahoma [Mr. FERRIS], if his recollection is the same as mine—that the amended bill as we now have it before us is not in exactly the same language as the amendment adopted to the general leasing bill?

Mr. FERRIS. I think it is identical, and the gentleman from California [Mr. CHURCH] says that it is word for word. I have not compared it myself. The situation is this: We had two relief bills here—one for the relief of some phosphate lands in Idaho, offered by the gentleman from Idaho [Mr. FRENCH], and this bill that the California and Wyoming people were interested in. By tacit agreement we put both of those bills on the general leasing bill. That bill went to the Senate with these two amendments upon it, and, as the House knows, the Senate is blocked and is not passing anything. Consequently this bill will probably not get through.

Mr. MONDELL. Has not the House since allowed by unanimous consent the passage of the phosphate bill?

Mr. FERRIS. I was just about to add that two weeks ago, perhaps four—in any event on one unanimous-consent day—the Idaho bill for the relief of those parties was brought up by unanimous consent and passed. I expressed the hope at that time, and I express the hope now, that this bill be passed. It does not affect anybody in my State, but all winter long, and for the last year, people from California and Wyoming have journeyed away across the continent at great expense to themselves to urge the Congress to help them out, and I think we will get a chance to get some royalty and some leases out of a very badly mixed-up situation. I think the House ought to do it.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I do; but I have not the floor.

Mr. MADDEN. Will the gentleman from Wyoming yield, so that I may ask a question?

Mr. MONDELL. Yes.

Mr. MADDEN. If this bill is passed, would it not legislate several cases out of the courts?

Mr. FERRIS. No; I think not. The trouble arose over this by reason of making the placer law applicable to oil lands. I never have thought the placer law should be applied to oil; I do not think it fits; and recent developments show that it does not fit. I think this will allow these parties that are trying to get title——

Mr. MANN rose.

Mr. FERRIS. I wish the gentleman would permit me to proceed.

Mr. MANN. The gentleman ought not to proceed too long along that line, because the gentleman is slightly in error.

Mr. FERRIS. What is the error?

Mr. MANN. These cases do not involve a distinction between the placer and the lode mining laws.

Mr. FERRIS. I was not stating that——

Mr. MANN. That is what the gentleman did state.

Mr. FERRIS. No; I was not stating that; I was stating——

Mr. MONDELL. The gentleman from Oklahoma suggests the difficulty arose because we applied the placer law to oil lands. I do not think that is quite accurate; but having applied it, there are certain questions in regard to withdrawals.

Mr. FERRIS. Let me follow up with the gentleman from Illinois [Mr. MADDEN]. This bill merely allows these people to surrender their opportunity to get a patent under that law and take out a lease and pay royalty to the Government. Now, the House, by an almost unanimous vote, committed itself to the proposition last summer that we should get for the Government some royalty out of these oil lands. This will make it uniform; this will allow the Government to get something now where in all probability they will not get it under the other law. The oil people—a great many of them—feel they are losing a good deal by being compelled to take this; but they want to get their fat out of the fire; they want to get their cases tried; they want to get their peace of mind and go ahead with their business.

Mr. MADDEN. Suppose this legislation should be enacted into law, what effect will that have on the litigation now pending?

Mr. FERRIS. The gentleman means the litigation in the Land Office?

Mr. MADDEN. In the Supreme Court.

Mr. FERRIS. These cases are pending in the Land Office, which this bill remedies. They are trying to get title to land, but they were held up for one reason or another, and they were held up in getting their patents. They now no longer seek patents but are willing to relinquish and take leases instead of a patent, and this bill gives them the right to do that.

Mr. MADDEN. I think I shall have to object. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken——

Mr. MONDELL. Will the gentleman consent to this bill being passed without prejudice?

Mr. MADDEN. I am willing to let it go over without prejudice; yes.

The SPEAKER. The gentleman asks unanimous consent that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

RIGHT OF WAY FOR PIPE LINE AND RESERVOIR, LINCOLN NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (S. 2278) granting the El Paso & Rock Island Railway Co. a right of way for its pipe lines and reservoir upon the Lincoln National Forest for the carrying and storage of water for railroad purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I glean from the report there are some suits pending concerning these water rights now exercised by this railroad company which are being contested by the Government.

Mr. YOUNG of Texas. Yes; there are some such suits. The bill specially provides that this legislation shall not in any manner affect the merits of this litigation. That provision was put in at the instance of the Department of Justice.

Mr. STAFFORD. Yet it might affect the merits of this litigation. Will not the passage of this bill supersede and obviate the necessity of the further prosecution of that case?

Mr. YOUNG of Texas. Oh, I do not know that necessarily it would.

Mr. STAFFORD. Is not the very purpose of this bill to grant this railroad company rights which to-day they have not?

Mr. YOUNG of Texas. No; that is not the purpose involved. There have been some controversies about pipe lines running across the forest reservation. A permit was issued by the Department of Agriculture, and one of the other departments raised some controversy about it. This is the only pure water the railroad can get for miles and miles, and they have gone to hundreds of thousands of dollars of expense, and they find this water on top of the mountain there, and it is the only water they can use that will run the machinery without being very deleterious and destroying the machinery. The water question is a very important question to-day in that particular section, and this bill was introduced and passed through the Senate so as to eliminate this controversy that had arisen between the departments, and the Government is protected in every way in the world.

Mr. MONDELL. Will the gentleman from Texas yield for an inquiry?

Mr. YOUNG of Texas. Yes.

Mr. MONDELL. Has this railroad company ever attempted to secure this right of way under the act of 1905 that authorizes the use of a right of way for water for domestic purposes?

Mr. YOUNG of Texas. As far as I know, that act does not go far enough to embrace railroads.

Mr. MONDELL. Well, it might go far enough to embrace water for the purposes for which a railroad uses water.

Mr. YOUNG of Texas. I understand that act covers mining companies and municipalities, and I do not think it extends far enough to give railroads protection.

Mr. STAFFORD. Why has not this bill been submitted to the department for their views?

Mr. YOUNG of Texas. It has been so submitted.

Mr. STAFFORD. There is nothing in the report which shows that it has.

Mr. YOUNG of Texas. The Secretary of Agriculture's communication was before the committee, and it shows that there is no objection to this legislation. There were quite extensive hearings in the Senate, and in fact the real hearings were had over there.

Mr. STAFFORD. Why was it not embodied in the report, so that Congress might have the views of the department on such a bill?

Mr. YOUNG of Texas. The gentleman will find that information in the hearings before the Senate committee on this same proposition.

Mr. STAFFORD. The gentleman knows that these hearings before the various committees are not easily available to Members. There is no mention here of any such hearings.

Mr. YOUNG of Texas. That is true; but quite extended hearings were had, and I will say to the gentleman I took this matter up with representatives from that section of the country who had the bill passed through the Senate. It is purely a local matter to that section of the country, but it is a matter of great importance to this railroad company.

Mr. STAFFORD. Mr. Speaker, I have no objection to this bill being passed without prejudice, and in the meantime the gentleman can have a supplemental report in which may be contained the ideas of the department, but where there is litigation on a question which is at issue, and where a bill seeks to overcome the litigation, I think we ought to have the views of the department concerning it.

Mr. YOUNG of Texas. Mr. Speaker, I will ask that the bill be passed without prejudice and that it retain its place on the calendar.

The SPEAKER pro tempore (Mr. RAKER). The gentleman from Texas asks unanimous consent that this bill be passed without prejudice and that it retain its place on the calendar. Is there objection? [After a pause.] The Chair hears none.

COPYRIGHTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21137) to amend section 23 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MORRISON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The bill will be stricken from the calendar. The Clerk will report the next bill.

TRADE-MARKS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16098) revising and amending the statutes relative to trade-marks.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. HOWARD. Mr. Speaker, I object.

WATER SUPPLY OF NEVADAVILLE, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I would like to inquire why this municipality does not avail itself of the privilege of the general act of February 1, 1905.

Mr. FERRIS. The gentleman from Colorado [Mr. KEATING] is here. He is familiar with these Colorado matters, and will answer questions on the bill. The gentleman from Colorado [Mr. TAYLOR] is sick in bed, and could not attend the session to-day.

Mr. KEATING. I will say to the gentleman that Nevadaville is a small mining town, and this bill affects only 17 acres.

Mr. STAFFORD. I am aware of that fact.

Mr. KEATING. And that land is needed to protect this water supply.

Mr. STAFFORD. Although the report of the Assistant Secretary says that it affects 17,399 acres, a clear reading of the bill says that it affects only 17 acres.

Mr. KEATING. That is a typographical error. There should be a period inserted after the figures "17" instead of a comma.

Mr. STAFFORD. The bill says it is only 17 acres. The report carries the impression, by reason of the typographical error, that it is 17,399 acres.

Mr. SELDOMRIDGE. Mr. Speaker, I hope the gentleman will not object.

Mr. STAFFORD. My original question was, Why does the municipality not avail itself of the privilege under the law of 1905?

Mr. SELDOMRIDGE. I suppose this land is included in the forest reserve. The Government has been unwilling to allow them to take any land included in a forest reserve.

Mr. STAFFORD. Under the law of 1905 they are privileged to grant a right of way over and through a forest reserve.

Mr. KEATING. As the officials of the town presented this matter, they insisted it was necessary for them to have a clear title to this tract of land in order that they might put in a water system and issue some bonds.

Mr. STAFFORD. Although my question has not been answered, inasmuch as it involves only a small quantity of land, I will not object.

Mr. KEATING. Thank you.

Mr. MANN. I notice that section 2 says—

That within one year after the survey of the foregoing-described property proposed to be granted to the town of Nevadaville said town may purchase said land by paying the amount prescribed in section 1 hereof, and the Secretary of the Interior is authorized and directed to cause the same to be patented to said town.

This property has not yet been surveyed, I believe.

Mr. KEATING. Apparently not.

Mr. MANN. And under this authorization the town is to pay for the survey?

Mr. KEATING. Yes.

Mr. MANN. Suppose it did not put in any money for the next 25 years? The authorization would still stand. Nothing else could be done with the property, and they would have the right within one year after the survey to purchase it. They would practically have purchased it when the bill passed. Now, does not the gentleman think there ought to be some limitation of time in which the survey should be made?

Mr. KEATING. I am perfectly willing to accept any limitation the gentleman suggests, because it is the intention of the town officials to carry out the transaction just as soon as possible.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the town of Nevadaville, a municipal corporation of the State of Colorado, is hereby granted the right to purchase the public lands situate in the county of Clear Creek, Colo., described as follows: Beginning at corner No. 1, from which corner the south one-fourth corner section 32, township 2 south, range 73 west of the sixth principal meridian; bears north 65° 8′ 12″ east 7,227.7 feet; thence south 46° 46′ east 681 feet to corner No. 2; thence south 43° 14′ west 175 feet to corner No. 3, from which corner No. 3 corner No. 1 of survey No. 16,380 bears south 70° 22′ east 223 feet; thence south 46° 23′ east 2,094.97 feet to corner No. 4; thence south 64° 22′ east 730 feet to corner No. 5, from which corner the south one-fourth corner section 32, township 2 south, range 73 west sixth principal meridian, bears north 36° 35′ 21″ east 6,719.17 feet; thence south 52° 55′ west 256 feet to corner No. 6, from which corner No. 6 corner No. 1 of survey No. 19,015 bears south 60° 50′ east 113.6 feet; thence north 61° 18′ 43″ west 675.23 feet to corner No. 7; thence north 44° 59′ west 2,095.1 feet to corner No. 8; thence south 43° 14′ west 175 feet to corner No. 9; thence north 46° 46′ west 681 feet to corner No. 10; thence north 43° 14′ east 500 feet to corner No. 1, the place of beginning; all of said land being situate in unsubdivided township 3 south, range 73 west of the sixth principal meridian (the survey of said land being bounded at its corner with rock monuments chiseled "N1, N2, N3, N4, N5, N6, N7, N8, N9, N10," consecutively), and containing 19.474+ acres, of which 2.075 acres under survey No. 16,380 are in conflict, leaving a total of 17.399 acres, more or less, upon the payment of $1.25 per acre by said town to the United States.

SEC. 2. That within one year after the survey of the foregoing-described property proposed to be granted to the town of Nevadaville, said town may purchase said lands by paying the amounts prescribed in section 1 hereof, and the Secretary of the Interior is authorized and directed to cause the same to be patented to said town.

SEC. 3. That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above described premises, or any part thereof, and now existing under and by virtue of the laws of the United States or of the State of Colorado: *Provided*, That there is reserved to the United States all gas, oil, coal, and other mineral deposits and the right to prospect for, mine, and remove the same: *And provided further*, That the cost of the survey, mentioned in section 2 of this act, shall be paid by the said town of Nevadaville: *And provided further*, That in the event said lands are ever abandoned and not used for municipal purposes all right, title, and interest therein to be conveyed to the said town of Nevadaville by this act shall be forfeited and the same shall revert to the United States.

Mr. MANN. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 3, line 22, after the word "Nevadaville," insert the words: "And within two years after the passage of this act."

Mr. MANN. That is in order to save time.

Mr. KEATING. I want to make this suggestion to the gentleman from Illinois. It has just occurred to me that the situation in the Senate is such that I am afraid we will never get the Senate to concur in the proposed amendment on account of the parliamentary situation there. I have absolutely no objection to the amendment. It seems to me the survey would have to be ordered by the Secretary of the Interior, and that he could fix the time when the survey should be made.

Mr. MANN. He can not survey it until the town puts up the money. They might not put up the money under this bill for 50 years.

Mr. KEATING. My only objection is that it might be tied up in the Senate.

Mr. MANN. That applies to so many bills——

Mr. KEATING. But this is such a small matter. However, we will take our chances.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

INTERNATIONAL CONGRESS OF EDUCATION.

The next business on the Calendar for Unanimous Consent was the House joint resolution 273, requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

The SPEAKER pro tempore. Is there objection to consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to invite foreign Governments to appoint honorary vice presidents and otherwise participate in the International Congress on Education, to be held at Oakland, Cal., August 16 to 27, 1915, in connection with the Panama-Pacific International Exposition: *Provided*, That no appropriation shall be granted at any time hereafter in connection with said congress.

Mr. J. R. KNOWLAND. Mr. Speaker, the Senate joint resolution 187 having passed the Senate, I ask unanimous consent to discharge the Committee on Foreign Affairs from further consideration of the House joint resolution and take from the Speaker's table Senate joint resolution 187.

The SPEAKER pro tempore. The gentleman from California [Mr. J. R. KNOWLAND] asks unanimous consent to discharge the Committee on Foreign Affairs from the further consideration of House joint resolution 273 and consider Senate joint resolution 187 in lieu of the House resolution. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, can the gentleman give us some information in regard to this?

Mr. MANN. This is similar to the resolution which the gentleman from Pennsylvania had in reference to the International Educational Congress to be held at Philadelphia.

Mr. LOGUE. Which was to be held last September, but which was called off on account of the war.

Mr. MOORE. And it is to be held in San Francisco?

Mr. J. R. KNOWLAND. In Oakland, Cal.

Mr. MOORE. I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. CLINE. Reserving the right to object, Mr. Speaker, I would like to inquire of the gentleman from California if this Senate resolution provides for an appropriation?

Mr. J. R. KNOWLAND. No. It is the identical bill. No appropriation is contained in it.

Mr. MANN. Let us have the Senate joint resolution read, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Resolved, etc., That the President of the United States is hereby authorized and requested to invite foreign Governments to appoint honorary vice presidents and otherwise participate in the International Congress on Education, to be held at Oakland, Cal., August 16 to 27, 1915, in connection with the Panama-Pacific International Exposition: *Provided*, That no appropriation shall be granted at any time hereafter in connection with said congress.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I would like to be recognized for a moment.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Illinois for five minutes.

Mr. MANN. No; I am recognized for one hour, but I shall not consume it. Was this International Congress on Education held at Philadelphia?

Mr. MOORE. No; it was not held.

Mr. LOGUE. It was called off on account of the European war.

Mr. MANN. Then all the labor that the two gentlemen from Pennsylvania performed last summer was of no avail and went for naught?

Mr. MOORE. The bill was passed.

Mr. LOGUE. It was called off.

Mr. MANN. A great deal of time was spent on that. Does my friend from California [Mr. J. R. KNOWLAND] understand that it really will be held at Oakland this year?

Mr. J. R. KNOWLAND. I have been advised by numerous telegrams that the people of Oakland will be, as they always have been, ready for the entertainment of their guests.

Mr. MANN. I understand that there are somewhere between 117 and 170 different conventions and congresses, and so forth, to be held at the Panama-Pacific Exposition during the coming summer. Where will the delegates come from? Certainly the European nations at war will not be sending delegates to this international congress.

Mr. J. R. KNOWLAND. Oh, I think there will be some. There will be a good many from the United States, and, I think, some foreigners will be able to attend. All the nations are not at war.

Mr. MANN. Does the gentleman know whether each one of these congresses is going to ask the Congress to authorize the President to invite representatives of each of the nations of the world to attend each congress at the expense of the delegates and not at the expense of our Government?

Mr. J. R. KNOWLAND. I think that is specifically stated in the resolution.

Mr. MANN. I know about this one, but I am trying to get information as to the others.

Mr. J. R. KNOWLAND. Congress is within 16 days of closing, and I do not think there will be much opportunity afforded for passing other resolutions of this character.

Mr. MANN. Well, as soon as this resolution in the House was restored to the calendar recently, it having been stricken from it by mistake some time ago, I received several communications from different portions of the country in reference to

other congresses, with suggestions that other international congresses would also like to have the President invite delegates from foreign countries to attend those congresses. I think the people who sent the letters to me did not know, perhaps, that this resolution provided that the delegates should come at their own expense. Maybe that makes a difference.

Mr. KENT. Mr. Speaker, will the gentleman yield to me a moment?

Mr. MANN. Certainly.

Mr. KENT. In reference to the gentleman's question as to the possibility of people going there, I received a letter from one of the big universities of California in which the writer stated that he considered this as very important, inasmuch as he expected a great many people to come from Europe.

Mr. MANN. I do not object now to this as it comes toward the end of Congress, and as the gentleman from California [Mr. J. R. KNOWLAND], from the Oakland district, suggests, there is not very much time for all the others to make a request. I never have believed, and do not now believe, in having the Government of the United States invite people to attend something at their own expense.

Mr. J. R. KNOWLAND. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. J. R. KNOWLAND. I think we did at the Chicago Exposition in 1893.

Mr. MANN. Well, I know that the gentleman does not know, and I myself do not know whether they did or not.

Mr. J. R. KNOWLAND. The report so states.

Mr. MANN. Well, the report was written by a gentleman who did not know. I think the Government entertained quite a good many people at the Chicago Exposition, invited from abroad; and if the gentleman has any doubt about that, I will refer him to the gentleman from New Jersey [Mr. TOWNSEND], who, in one of his "Chimmie Fadden" articles positively asserts, in a very humorous manner, that that was the case.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

Mr. MANN. Now, Mr. Speaker, I ask unanimous consent that House joint resolution 273 be again stricken from the calendar and laid on the table.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next one.

GRANT OF CERTAIN LANDS TO GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19116) to grant certain lands to the city of Grand Junction, Colo., for the protection of its water supply.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the city of Grand Junction, in the county of Mesa and State of Colorado, section 34, township 12 south, range 97 west of the sixth principal meridian, in said county and State, to have and to hold said lands for the purpose of the protection of the head gate of the water-supply pipe lines and waterworks system of said city: *Provided*, That the said city of Grand Junction shall pay for said lands or such portions thereof as it may need for said purpose at the rate of $1.25 per acre: *And provided further*, That the grant hereby made is, and patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises or any part thereof and now existing under and by virtue of the laws of the United States.

With a committee amendment, adding the following proviso:

Page 2, line 4, change the period to a colon and add the following: *Provided*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted, and all necessary use of the lands for extracting the same: *Provided further*, That the lands hereby authorized to be purchased as hereinbefore set forth, and all portions thereof, shall be held and used by or for the said grantee for the purpose herein specified, and in the event the said lands shall cease to be so used they shall revert to the United States, and this condition shall be expressed in the patent to be issued under the terms of this act: *And provided further*, That the grant herein contained shall not be construed to deprive the public the right to continue the use of what is known as the Kannah Creek trail across said land.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. FERRIS. Mr. Speaker, the bill is on the Union Calendar. I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. I object. I have some amendments to offer.

Mr. FERRIS. Then, Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19116, objection having been made.

The SPEAKER pro tempore. Is there objection to the consideration of the bill in the Committee of the Whole House on the state of the Union?

Mr. MANN. I objected. A motion is pending.

Mr. FERRIS. I made the motion, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. FERRIS] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 19116. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOSTER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19116, with Mr. FOSTER in the chair.

The CHAIRMAN. The Clerk will report the bill.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill. It was read a moment ago.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. MANN. Will the gentleman explain this bill a little more fully?

Mr. FERRIS. I will give the gentleman the explanation that I have. It simply authorizes the city of Grand Junction to buy 640 acres of unoccupied, rough, hilly land at $1.25 an acre, the usual Government price, for the purpose of protecting the water supply of the city. The bill was referred to the department, and the department made a favorable report on it, and the committee made a unanimous report. I will say, parenthetically, that the author of the bill is sick to-day and is not here.

Mr. MANN. That is one reason why we did not object to the consideration of it. If he had been here he would have excited opposition.

Mr. FERRIS. The gentleman from Colorado [Mr. SELDOMRIDGE] is here, however, and he can perhaps respond to any question the gentleman may wish to ask.

Mr. MANN. I do not care especially to ask the gentleman from Colorado about the bill. I should like to ask the gentleman from Oklahoma. We have passed so many of these bills, I should like to ask the gentleman is there no way under which the town can make a purchase of Government land?

Mr. FERRIS. Under the act of 1905 they can procure rights of way, but there is no general act under which they can buy land for watershed purposes, and each case has to stand on its own bottom apparently. Some one raised that question in the committee a short time ago, and suggested that we ought to pass a general act. It was our thought that the calendars were congested with about 400 bills and that a bill of that kind would probably provoke discussion and debate, and we felt unwilling to bring that up in the House.

Mr. MANN. Could not anybody take possession of the land?

Mr. FERRIS. Anybody could enter it if he wanted to. It is open to homestead entry.

Mr. MANN. How could an individual obtain it under existing law?

Mr. FERRIS. If the gentleman from Illinois and myself were clothed with homestead qualifications, we could go out and homestead the land and acquire title to it, and then probably hold the city up afterwards.

Mr. MANN. It is unfair to make that statement. Neither the gentleman from Oklahoma nor myself would hold up the city. Other people might do it. We are exempt from such a charge.

Mr. FERRIS. I was merely using the gentleman from Illinois and myself for an illustration, for the moment.

Mr. MANN. I might hold up the city, but I am sure the gentleman from Oklahoma would not.

Mr. FERRIS. I bow in reverence to the gentleman from Illinois.

Mr. MANN. There are a great many who would attempt it, of course.

Mr. FERRIS. That is true.

Mr. MANN. Is there no other way of obtaining title to this land except by homestead entry?

Mr. FERRIS. If this was desert land they could make a desert entry on it and then buy it, but in order to do that they would have to show that it was irrigable, and then put water on it.

Mr. MANN. Can you not obtain desert land until you can show that it is irrigable?

Mr. FERRIS. No; and you actually have got to put the water on it before you can get it.

Mr. MANN. They could put water on it, I suppose. That is what this is for, to maintain the water supply, or a water reservoir. There is a water pipe that will run through it, is there not?

Mr. FERRIS. The gentleman knows that the rainfall is very slight up there, and they must have a large area to catch the snow that falls in the winter. I know that the House has been to the trouble of considering a good many bills of this kind, and no doubt it is annoying to the gentleman from Illinois to have them come up continually.

Mr. MANN. I will say that nothing in the way of legislation ever annoys me. I take it as it comes.

Mr. FERRIS. The thought I was trying to leave was this, that these lands have no value for homestead purposes. They have no value as desert-land claims. They have no value for anything on earth, as I believe, other than they may have some mineral under them, or that they may be used to protect the watersheds of these cities, so that they may have pure water.

Mr. MANN. As I understand, this bill is for the purpose of retaining this land as a watershed, to furnish pure water to this city.

Mr. FERRIS. I so understand.

Mr. MANN. And yet it contains a provision that a trail shall continue across the land for the purpose of having cattle travel over it. It does not seem to me that would be very appropriate for a 640-acre watershed, to leave it so that the ranchmen in that country could run their cattle over it. That would not be my idea of pure water.

Mr. FERRIS. I confess there is very much force in what the gentleman says. Still it is better to have one road across it than it would be to have people camp on it and hold their cattle on it overnight. The report also states that they have a caretaker. The city of Grand Junction is under the commission form of government, and it has a caretaker who can look after it without additional expense. While the gentleman from Colorado could tell better than I, it is probably some old trail that they would have trouble about if they should close it up. There are many mountain passes up there that must be preserved. I think they can handle a local matter of that kind. It is worthless land. They want it; they need it. Pure water is always important.

Mr. SELDOMRIDGE. While I am not personally acquainted with the land in question, I know that Grand Junction has constructed its waterworks at some distance from the city, and these lands are evidently located several miles, perhaps 10 or 15 miles, away from the city. The trail probably leads up through the canyon to a place otherwise inaccessible, so that it is necessary to preserve this convenient means of travel to the section of country that is reached by it. The purpose of getting the land, as I understand it, is to furnish protection to the water supply and allow the city to exercise police power over the land.

Mr. MANN. I can not understand how it will furnish protection to the water supply to have 640 acres of land, over which there is a cattle trail, where large numbers of cattle are constantly passing. That is to me a queer idea.

Mr. SELDOMRIDGE. Probably the city does not want to interfere with the only route of travel that exists.

Mr. MANN. I suspect that the city does want to interfere.

Mr. SELDOMRIDGE. The bill will leave the trail open.

Mr. MANN. Yes; but that is one objection to the bill. What sense is there in giving to a city the right to 640 acres of land for the purpose of letting it have pure water and at the same time provide for a cattle trail over it?

Mr. SELDOMRIDGE. It is not exactly a cattle trail.

Mr. MANN. I imagine it is for the purpose of accommodating some private persons.

Mr. SELDOMRIDGE. The gentleman would not want to discontinue the only possible route for travel in going into the mountains with pack animals, would he? This trail would bear the same relation as a public road in a narrow canyon.

Mr. MANN. If there could not be a trail put anywhere else, the gentleman's remarks would be fully appropriate; but that is what I want to know.

Mr. SELDOMRIDGE. I think that is the condition.

Mr. MANN. The bill as introduced did not provide for any such exemption. I suppose somewhere some stockman kicks because he does not want to go around half a mile farther with his stock. I should say that the protection of the water supply of a city like Grand Junction was of more importance than the convenience of some stockman.

Mr. SELDOMRIDGE. Has the gentleman read the report?

Mr. MANN. Oh, yes; I have read the report.

Mr. FERRIS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. FERRIS. I know the gentleman is always right, and he probably has his powder dry in this instance; but where did the gentleman get the idea that this is cattle trail?

Mr. MANN. The report on page 2 says:

> It appears to your committee that for some 25 years past certain stockmen and ranchmen have constructed and used a trail extending from the valley below up to the highlands beyond and across a portion of this land.

Mr. FERRIS. That is sufficient.

Mr. MANN. I would like to ask one further question. I suppose it is the intention, probably, of the city to purchase the entire 640 acres, but the bill provides—

> That the said city of Grand Junction shall pay for said lands, or such portions thereof as it may need for said purpose, at the rate of $1.25 per acre.

Should they not pay for the entire 640 acres within some limit of time?

Mr. FERRIS. I think so. I do not know whether the land has been surveyed or not.

Mr. MANN. It must have been surveyed or they could not describe it as section 34, township 12 south, range 97 west of the sixth principal meridian.

Mr. FERRIS. I do not know what the facts are about that, but if the gentleman has an amendment he wishes to offer I do not think the gentleman from Colorado [Mr. TAYLOR] would object to it.

Mr. MANN. I expect to offer an amendment striking out, commencing in line 11, page 1, the words "or such portions thereof as it may need for said purpose," and then insert after the word "shall," line 11, the words "within [stating the time] from the passage of this act."

Mr. FERRIS. I feel sure that there will be no objection to that.

Mr. MONDELL. Mr. Chairman, this legislation should be had. It is regrettable that we have not some general legislation on this subject. As I understand it, the Committee on the Public Lands has had under consideration for some time general legislation on the subject. I think such a bill was reported out at one time, but for some reason or other it was not passed.

Mr. Chairman, I feel like protesting against the restrictions we place around transfers to municipalities of land of the character of this description. This tract, as I understand, is very rough, mountainous land, through which a deep canyon runs. It has a little brush on it and, probably, is not worth more than the price fixed—$1.25 an acre—if it is worth that. It has never been considered valuable enough to tempt anyone to homestead it. The probability is that no portion of it is fit for cultivation; it is just a scrubby, brushy canyon-cut mountainside. We are selling it to a municipality, to a collection of American citizens who are going to hold it in their collective capacity, and yet we throw as many restrictions about it as if we were proposing to sell it to some grasping corporation that we thought was going to utilize it for the purpose of holding up the community.

We first provide that if, perchance, any minerals shall be found they shall be reserved to the United States. Now, in all probability the land does not contain any minerals. I assume that no one has ever suggested that it contains minerals. So this reservation is entirely superfluous; but it has this effect: We are granting land which is to be used for the protection of the water supply, in order that the city may keep trespassers off the tract and protect it, to prevent pollution of the water supply, and we place in the law a provision which invites trespassers, invites evil-intentioned persons to go on the tract ostensibly for prospecting after any or every sort of mineral, going up there and camping under pretense of prospecting, and liable to commit all sorts of depredations under the pretext of prospecting, if they are so disposed.

If we were disposing of this land to an individual, there might be some excuse for this mineral reservation. As a matter of fact, there is probably no excuse for mineral reservation even in such a case, because the lands contain no minerals, as far as anybody knows. The geological formation is such that there

is not the remotest probability of any mineral being found under the surface. But dealing with American citizens collectively, a municipality, for the purpose of enabling them to protect their water supply, we insist on reserving all kinds and sorts of minerals, as though they actually might sometime be found, and by so doing we invite every person who in good faith may seek to prospect, every blackmailer, every person who for any reason might desire to go on the lands under pretense that they were prospecting, to interfere with the protection of the water supply.

Then, although the land is worthless, simply a square mile serving to hold the surface of the earth together, made up of brush, canyon, and rock of no value—nobody wants it, nobody has homesteaded it—if the city shall not use it for these particular purposes we propose to take it back, not that we have any use for it, not that we know that anyone will ever want it or desire it or have any particular reason for utilizing it, but if the city shall not use it for this particular purpose, for the protection of its water supply, we propose to take it back. We throw around a grant of this kind—of rocky, brushy hillside—more regulations and provisions which may be harmful, in disposing of it to a community in its community capacity, than would be necessary were we disposing of something that really might become very valuable to some grasping corporation that might use the values for the purpose of holding up the community.

Mr. Chairman, I realize that the gentlemen on the Committee on the Public Lands understand that only by inserting all of these reservations and provisions with regard to the extinguishment of the title for nonuse can legislation of this kind be gotten through the House. I presume they are probably correct in their view of the matter. It seems to me that we have arrived at a peculiar state of mind in the House when it is necessary to have all of these conditions and limitations surrounding the transfer from all of the people to part of the people of a tract of rocky, barren, practically worthless hill land.

Mr. STAFFORD rose.

The CHAIRMAN. Does the gentleman desire to be recognized in his own right?

Mr. STAFFORD. I do.

Mr. FERRIS. How long does the gentleman desire?

Mr. STAFFORD. I do not intend to consume very much time.

Mr. FERRIS. I desired to ask unanimous consent to close the general debate.

Mr. STAFFORD. I think the gentleman will get it closed more quickly by having me proceed now.

Mr. FERRIS. Very well.

Mr. STAFFORD. I wish to inquire of the chairman of the committee the reason why they embodied the following proviso:

And provided further, That the grant herein contained shall not be construed to deprive the public the right to continue the use of what is known as the Kannah Creek trail across said land.

Mr. FERRIS. Mr. Chairman, I do not know what the trail is, I do not know how important it is, and I do not know why it was suggested. It was suggested by the department, and it was in obedience to their suggestion that we reserved it. The information is that the city has a caretaker who lives on the land and can protect these watersheds. I presume it is a mountain pass or something that could not well be closed, although that is an assumption upon my part.

Mr. STAFFORD. Mr. Chairman, I think the gentleman is in error when he states that it was suggested or recommended by the department. I direct his attention to the letter of the Secretary of the Interior, as found on page 2 of the report, wherein the Secretary makes some suggestions, but in those suggestions nothing is contained as to this reservation of the rights to this trail. Some person outside, other than the Secretary, and outside of the department, has made that suggestion.

Mr. FERRIS. Perhaps the gentleman is right. The department made the suggestion with reference to the mineral reservation; and as I look at it again I think the gentleman is right. There are two provisos there, and it was my thought that the committee copied them verbatim; but it seems the gentleman is right. The mineral reservations were suggested by the department and the committee adopted them.

Mr. STAFFORD. The committee adopted the recommendations of the department, but added another proviso for which it is difficult to find any suggestion, so far as the department is concerned.

Mr. FERRIS. It is unfortunate that the author of the bill who knows about this is sick and unable to be here to-day.

Mr. STAFFORD. It is a minor matter, and I presume it does not impair the general provisions of the bill. I will not press the inquiry further. I reserve the balance of my time.

Mr. FOWLER. Mr. Chairman, I desire to inquire of the gentleman from Oklahoma if the city of Grand Junction is now using this lease of land for the purpose denominated in the bill, and if so, how long have they been so using it?

Mr. FERRIS. They are really not using it at all. It has been vacant land, and they desire to use it as a part of their watershed.

Mr. FOWLER. Have they ever used it for the purpose of a watershed to supply the city with water?

Mr. FERRIS. Oh, no. They do not own it. It is public land. Anybody could, if they desire, go upon it and enter it.

Mr. FOWLER. They may have been using the water from it even though it is public land.

Mr. FERRIS. I presume they have, inadvertently.

Mr. FOWLER. It has occurred to me that they might want to get across that particular tract of land to a more desirable tract of land for the purpose of supplying the city with water.

Mr. FERRIS. That may be true. The House is unfortunate in not having the exact information at hand regarding this trail.

Mr. FOWLER. The reason I am led to that conclusion is because the sanitary conditions of the tract of land are not very well preserved by the bill, and it occurred to me that perhaps the city did not want the land for the purpose of the watershed to furnish water, but as a right of way over which they might go to a more desirable fountain of water supply.

Mr. FERRIS. They have the power to get the right of way under another act, without coming to Congress, so that I believe the gentleman's presumption would hardly be correct. An act was passed in 1905 authorizing cities to get rights of way without coming to Congress. So it could not be for that purpose.

Mr. FOWLER. It is not very clear in the bill, and no information has been given which is clear, as to the real intent of the purchase of this land by the city.

Mr. FERRIS. Mr. Chairman, I think the gentleman is in error in that. The bill and the report are clear on those points, but we are unfortunate in not being able to tell the gentleman about this road, and the committee has gladly confessed that inability to the gentleman and to the gentleman from Illinois [Mr. MANN] and the gentleman from Wisconsin [Mr. STAFFORD], owing to the absence of the gentleman from Colorado [Mr. TAYLOR].

Mr. FOWLER. The conflict between the high purpose which is urged for the purchase of this land and the promiscuous use permitted by the bill which might defeat that high purpose is of such a character that it does not appear to Members who are not acquainted with conditions there that it is the real purpose to use this land for a watershed.

Mr. FERRIS. About that there can be no question. The city needs this as a part of their watershed. They have asked for it. The city council has asked for it and the officials of the city who have appeared before us asked for it. This road matter is the only part of the bill I am not familiar with. I assume it is some local matter, some mountain pass or something of that kind, and if the gentleman feels it is wrong or has any doubt about the matter he can move to strike it out when the time arrives.

Mr. FOWLER. I shall not do so, because I feel the committee knows more about it than I do. I know nothing whatever about this, although I have been to Grand Junction and I know something about the surroundings there, and it appears to me that the practical effect the bill pretends to seek is not very clearly defined.

Mr. Chairman, I do not agree with my colleague from Wyoming [Mr. MONDELL] in his remarks concerning the disposition of real estate. Apparently he objects to the limitations surrounding this purchase, or proposed purchase, by the city of Grand Junction. It never was intended by the wonderful God of all that any one man or any set of men should get a monopoly of what is known to be the greatest physical inheritance that men ever had. The right of a man to have a home ought to be preserved in the State; the State has title to the land in republics, the king in absolute forms of government. The State ought to see that the real estate shall never be hedged about by the control of the few against the rights of the many, and if a State has permitted such to be done it becomes the solemn duty of the State to remedy such wrongs and see that the real estate is held for homesteads for the poor. To do otherwise——

Mr. MONDELL. Will the gentleman yield?

Mr. FOWLER. In a moment—to do otherwise is a violation of the divine gift from heaven to man. Now I will yield to the gentleman from Wyoming.

Mr. MONDELL. I agree with what the gentleman has said——

Mr. FOWLER. I only yielded for a question.

Mr. MONDELL. And much admire his eloquence, but there is no reservation here of a homestead right. So far as home-

stead rights are concerned, they are wiped out and obliterated by this legislation. There is a reservation here in the United States as against the good people of Grand Junction to minerals that are not there.

Mr. FOWLER. Mr. Chairman, the gentleman from Wyoming has lost sight of the necessity for preserving real estate for homes, instead of allowing it to go into the hands of corporations. Municipal corporations have no more right to acquire large areas of land and hold them in deference to the rights of individuals than private corporations have. One of the greatest acts that was done by Napoleon was the division of the real estate of France into small tracts and placing them within easy reach of the French peasants. That was one of the great reasons why France was able to pay the wonderful indemnity in 1872 imposed on her by Germany.

Mr. McKENZIE. Will my colleague yield?

Mr. FOWLER. In a moment. The gentleman from Wyoming objects to this land going back to the United States in case the city of Grand Junction should cease to use it for a watershed supply. What could be more sensible than to let it go back to the real owner? What does Grand Junction want with it now except to keep the people supplied, according to the terms of this bill, with water, and as soon as that necessity has ceased, then the real estate ought to go back where it came from, to the State, to be held for the purpose of use in the future, whether for mineral purposes, homestead, or otherwise. Real estate ought not to be perpetuated in large tracts in the hands of the few. Corporations ought not to be permitted to hold real estate except for the purpose of their business; manufacturing industries may own the ground on which their plants rest; banking institutions may hold the ground on which their business buildings rest; but no country will ever be prosperous which permits the few to gobble up the real estate and hold it against the rights of the many. I now yield to my colleague from Illinois.

Mr. McKENZIE. I understand this bill is for the purpose of granting certain lands to the municipality of Grand Junction for the protection of its water supply. I desire to ask my colleague if he does not believe it is perfectly proper for municipalities to control tracts of land, even large tracts of land, for park purposes and for the protection of a water supply, and if the control of the same does not inure to the interests of the people.

Mr. FOWLER. Oh, certainly; that is true. Municipalities ought to have an opportunity to see that sanitary conditions prevail within their limits, and that is always desirable; but it is never desirable to hold large tracts of land against the interest of individuals so as to deprive them of homesteads. The happiest place in the world is the place which a man can call his home. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STOUT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had concurred in the request of the House of Representatives for the return of the enrolled bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

GRANT OF CERTAIN LANDS TO GRAND JUNCTION, COLO.

The committee resumed its session.

Mr. MANN. Mr. Chairman, I move to amend the committee amendment by inserting, in line 18, after the word "public," the word "of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the committee amendment by inserting after the word "Public," in line 18, the word "of."

The question was taken, and the amendment was agreed to.

The question was taken, and the committee amendment as amended was agreed to.

Mr. MANN. Mr. Chairman, I move, page 1, line 11, after the word "shall," to insert the words "at least two years from the passage of this act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 1, by inserting after the word "shall," in line 11, the words "within two years after the passage of this act."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, I move to strike out, commencing with line 11, the language "or such portions thereof as it may need for said purpose."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 11, after the word "lands," strike out the words "or such portions thereof as it may need for said purpose."

Mr. FERRIS. Mr. Chairman, let me make a suggestion to the gentleman on that. I can think of a case where there might be some objection to adopting that. Suppose that only half the land fell into the watershed at all, and the other half carried the water off in another direction, does the gentleman think, then, that the land ought not to be used for its proper purpose on the other side; that is, mining, or grazing, or such other uses as it might be put to, and not compel the city to buy something to hold in idleness—something it did not want?

Mr. MANN. If the gentleman's supposition was correct, the criticism would be correct. The statement, however, is, that this land is valueless so far as its use for anything else is concerned. They take the water from Kannah Creek and on this section they have what is called a head gate. This is some distance from the city, and there the water pipe starts and carries the water to the city of Grand Junction. Well, I doubt whether any of this section can be used if the city should just get the land right around the head gate. Now, they say they want to buy it all. I am willing to sell it all to them, but I doubt whether it would be fair to the Government and the rest of the land to sell just a little bit of it right around the head gate and right along the line of the creek.

Mr. FERRIS. I can see how that would work an unfairness. I only thought of a supposititious case.

Mr. MANN. They stated they wanted to purchase the whole section. There are no adverse rights.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise and report the bill favorably.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 19116) to grant certain lands in the city of Grand Junction, Colo., for the protection of its water supply, and had directed him to report the same back to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNAPPROPRIATED LANDS IN NORTH DAKOTA.

Mr. NORTON. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Legislative Assembly of the State of North Dakota, pertaining to legislation for the purpose of assisting in settling up unappropriated lands in North Dakota and the West.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD by publishing certain resolutions of the North Dakota Legislature in reference to settling up the wild lands there. Is there objection? [After a pause.] The Chair hears none.

The following is the joint resolution:

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, Secretary of State of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Bismarck, this 10th day of February, A. D. 1915.

[SEAL.] THOMAS HALL, *Secretary of State.*

A concurrent resolution (McClellan).

Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That—

Whereas there are now in the western part of North Dakota about 673,000 acres of rough, broken, and nonirrigable vacant Government land more suitable for grazing and stock raising than for any other purpose; and

Whereas the steady development of the West has been dependent upon and built up by actual settlers and homesteaders who came west for the purpose of finding homes for the support and maintenance of themselves and families; and

Whereas the occupation and settlement of these vacant lands will in time, through taxation and other sources, inure to the benefit of the counties and whole country in which said lands are located; and

Whereas practically all the agricultural lands in the third congressional district of the State of North Dakota have been selected and are now occupied by actual settlers; and

Whereas the balance of the unoccupied lands are quite rough and broken and consists mostly of what are commonly known as the Bad Lands and principally valuable for stock raising; and

Whereas there is a shortage of beef throughout the land as a result of stock raising having been neglected for agricultural pursuits; and

Whereas the balance of this land, if assigned in proper quantities, will yet support hundreds of families; and

Whereas we believe an act can and should be passed by Congress which will grant each settler a sufficient acreage of said lands as will comfortably support a family by mixed farming and stock raising thereon, and which act might be drafted along the line of the 640-acre stock-raising homestead bill No. 15799, which was introduced during the second session of the Sixty-third Congress of the United States, and in which there is incorporated a classification clause which would leave absolutely no grounds for the act to monopolize lands coming under the 160-acre or 320-acre acts; and

Whereas it has come to our notice that a movement was no foot to have Congress pass a law to have said Government lands granted to the State for leasing purposes, and to also pass a national leasehold bill; and

Whereas we believe that such an act would be a crime and an outrage perpetrated upon the counties in which said lands are situated and would deprive them of the actual settlers and families which they would otherwise get, and would further deprive such counties of the assessable valuations and taxable property which they are entitled to and from which said counties would eventually realize an abundance of revenues by virtue of entrymen having their lands patented and homes built thereon for themselves and families and their children's children; and

Whereas there is not the incentive for families to build up valuable and permanent homes on rented land that there is on land they can call their own, and from which they would not have to be separated by virtue of the expiration of a lease; and

Whereas there are a number of the counties in which this land is located that are already too small in the area of their agricultural lands without robbing them of what is left, and this is especially true of Billings County, which has not any more taxable real estate than it needs for the running of their county government; and

Whereas we do not believe in heaping the burdens of taxation on the few who happen to own the agricultural land in such localities when the same can be reduced with the settlement of these vacant Government lands by homesteaders who are willing to share the burden of taxation in their community for the purpose of getting homes; and

Whereas we are heartily in favor of some act that will tend to improve said district and bring settlers who will make permanent homes therein, but that we are bitterly opposed to the submission of a national leasehold bill or any act that will shut the lands out from actual homesteading, thereby curtailing and handicapping the development and upbuilding of said district: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we transmit a copy of this resolution to our Senators and Representatives in the National Congress, requesting and urging them to use all honorable means to see that the spirit of this resolution be put into execution as far as possible, and that any act which would tend to prevent the actual settlement of the lands above referred to, and which would deprive any county in said third congressional district of the full benefit of its lands through taxation or otherwise, be prevented.

It is further resolved, That the secretary of state is hereby authorized to transmit the foregoing resolution to the Senators and Representatives in Congress from the State of North Dakota.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

VESSELS FOR COAST AND GEODETIC SURVEY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional survey by the Coast and Geodetic Survey.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, is my friend from Georgia [Mr. ADAMSON] serious about this?

Mr. ADAMSON. I suppose so. I have not cracked a smile about it lately. I would like to have the bill passed.

Mr. MANN. The gentleman knows that in the sundry civil bill there escaped me, unfortunately, while I was detained by some one else in conversation, a provision for two new vessels, to cost $290,000, for this service. That probably will get into the law, although it ought to have been stricken out on a point of order.

Mr. ADAMSON. I am very much obliged to the Committee on Appropriations for granting that much. And if those are really intended as a part of this authorization, I am willing to give credit for them when they go to appropriate for these.

Mr. MANN. Those two having been carried in the appropriation bill, where they will probably be provided for, and assuming that was satisfactory to the department, I did not suppose the gentleman would be pressing a bill now for six.

Mr. ADAMSON. I am not advised that those two are a part of this authorization at all.

Mr. MANN. That was what I was trying to get at, whether the new Department of Commerce, with a view to economy in its efforts to restrict expenditures—and we all know how hard it is working in that direction—wanted to build eight new vessels this year, or only six, or only two.

Mr. ADAMSON. I have always voiced my protest against using economy on the small matters from my committee only, and letting extravagance run wild on other things. If gentlemen would use it on the large matters that come in in millions, on the large propositions, it seems to me, with less hurt to any of them, we would do a great deal on the side of saving, and still grant the little authorizations from my committee.

Mr. MANN. I vote for economy on the large measures. I am not sure that my friend always does.

Mr. ADAMSON. Oh, yes.

Mr. MANN. I have in every case. I notice the half-million dollar items mount up if there are enough of them.

Mr. ADAMSON. There are not many. Our committee has jurisdiction of a few things that go to the vitals of the Government's operations and transactions, and when we come in with a bill for a few little necessary appliances and facilities to carry on the necessary work of the Government, it strikes some of the gentlemen very hard—I do not allude to the gentleman from Illinois; he is not the worst one—and yet they can swallow without choking hundreds of millions of dollars that do not go for any such beneficial purposes.

Mr. MANN. The gentleman will have an opportunity to-morrow, or soon, to show whether he is in favor of economy on large measures or not. I am in favor of economy on both the large and small measures.

Mr. ADAMSON. I thank the gentleman for his suggestion, and, inasmuch as he has mentioned it, I am sure he has reference to the administration ship bill. If I do have a chance to vote for it, I shall vote for it with the greatest of pleasure, as the most necessary thing to be done that has come before the House in a generation, because the business of the world is paralyzed, we are without shipping to do our business, and our products here at home are wasting. We are not able to secure their transportation, and if we do not provide transportation for them at once our people will lose the benefit of them and also lose an opportunity to capture the trade of the world. [Applause.] That bill ought to pass, and pass quickly.

The SPEAKER. Is there objection?

Mr. CLINE. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana objects, and the bill will be stricken from the calendar. The Clerk will report the next bill.

PREVENTION OF LEPROSY IN THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20040) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That for the purpose of carrying out the provisions of this act the Secretary of the Treasury is authorized to select and obtain, by purchase or otherwise, a site or sites suitable for the establishment of a home or homes for the care and treatment of persons afflicted with leprosy, to be administered by the United States Public Health Service; and the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, or the Secretary of Agriculture is authorized to transfer to the Secretary of the Treasury any abandoned military, naval, or other reservation suitable for the purpose, or as much thereof as may be necessary, with all buildings and improvements thereon, to be used for the purpose of said home or homes.

SEC. 2. That there shall be received into said home or homes, under regulations prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, any person afflicted with leprosy who presents himself or herself for care, detention, and treatment, or who may be apprehended under authority of the United States quarantine acts, or any person afflicted with leprosy duly consigned to said home or any of said homes by the proper health authorities of any State, Territory, or the District of Columbia. The Surgeon General of the Public Health Service is authorized, upon request of said authorities, to send for any person afflicted with leprosy within their respective jurisdictions, and to convey said person to any such home for detention and treatment, and when the transportation of any such person is undertaken for the protection of the public health, the expense of such removal shall be paid from funds set aside for the maintenance of said home or homes.

SEC. 3. That regulations shall be prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, for the government and administration of said home or homes and for the apprehension, detention, treatment, and release of all persons who are inmates thereof.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized to cause the erection upon such site or sites of suitable and necessary buildings for the purposes of this act at a cost not to exceed the sum herein appropriated for such purpose.

SEC. 5. That when any commissioned or other officer of the Public Health Service is detailed for duty at the home or homes herein provided for he shall receive, in addition to the pay and allowances of his grade, one-half the pay of said grade and such allowances as may be

provided by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury.

SEC. 6. That for the purposes of carrying out the provisions of this act there is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of $250,000, or as much thereof as may be necessary, for the preparation of said home or homes, including the erection of necessary buildings, the maintenance of the patients, pay and maintenance of necessary officers and employees, until June 30, 1916.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, where are these homes to be located?

Mr. ADAMSON. That has not been determined. I will state to the gentleman that the only suggestion I have heard about it is that two or three States are now maintaining homes of that kind—one in Louisiana, and one in Massachusetts, and one in some other State—and the supposition is that these States will be glad to turn over those homes to the Government.

Mr. MANN. And have the Government support them instead of the States?

Mr. ADAMSON. Yes; just as the Government did with respect to the quarantine stations.

Mr. MANN. Well, why not have the Government support all other State eleemosynary institutions?

Mr. ADAMSON. Well, I suppose the fundamental questions involved it is unnecessary for us to discuss at length just now. It is a practical proposition, and not a theory. The country is filling up with lepers, and they go about from State to State, and it has gotten so that we have about 4,000 lepers in the United States. The Government should protect interstate commerce and health by removing the menace to travel and by taking care of these people.

Mr. MANN. Do I understand that it is the purpose of the department now to have a leprosorium in Massachusetts?

Mr. ADAMSON. No; they have not said that. I said that Massachusetts has a leprosorium, and Louisiana has a leprosorium, and some other State, possibly California, has one, and it has been suggested to us that those homes might be acquired. It is objectionable, of course, in some communities for the Government to establish a leprosorium in their vicinity, but wherever they already exist and are maintained by the State authorities and can be sold to the Government, I think all friction in that respect could be removed.

Mr. MANN. This matter has been under consideration by the committee, which undoubtedly has had hearings upon it. How many leprosoriums is it intended to have under the provisions of this bill? There is no limit placed in the bill.

Mr. ADAMSON. No; there is no limit in the bill, but it is not intended to have many. One proposition was to acquire an island somewhere off the coast and to have just one. I do not know what will be determined upon about that.

Mr. MANN. This bill authorizes the Secretary of the Treasury to buy a site at any place in the United States for a leprosorium, wherever he chooses.

Mr. ADAMSON. I would take it for granted, however, that he would not do so over the objections of the community, and the easiest way would be to purchase or acquire those already established in the States.

Mr. MANN. I take it that if he does it, it will be over the objections of the immediate community. They certainly will never consent. The bill also authorizes practically all the departments to turn over at any time any land which they have in the way of a reservation.

Mr. ADAMSON. Well, it might be that a reservation would be found suitable for it free from objection, where the Government could allow it to be constructed. We can not, of course, settle all these details in advance. One of the best reasons why we can not is the one suggested by the gentleman, that if we were to propose to locate one at a particular place the people around that place would do to us just as they did before, when we proposed to locate one in Arizona. They defeated the entire bill, because the people interested in that country did not want it.

Mr. MANN. I remember that very well. I have no objection, I will say to the gentleman, to giving the Public Health Service authority to locate a leprosorium and take the chances on where it will be located, but I am very much opposed to giving them authority to locate 40.

Mr. ADAMSON. So am I.

Mr. MANN. This gives them that authority, without any limit at all, practically to take any piece of land that the Government owns and to buy any piece they choose.

Mr. ADAMSON. I do not suppose they would establish one where it was unnecessary or force one on an unwilling community. I believe they would work it out with more common sense than that.

Mr. MANN. I do not always assume that a department will exercise all the power it can; but whenever we give them unlimited authority we find that they do exercise it, just the same, and they say, "There is the law."

Mr. ADAMSON. What is the gentleman's suggestion?

Mr. MANN. The gentleman suggests that the purpose is to establish only one leprosorium?

Mr. ADAMSON. Suppose you make it no more than two.

Mr. MANN. I can not see what they would want to have two for.

Mr. ADAMSON. This is a big country, you know, and we would not want to haul them from coast to coast.

Mr. MANN. Oh, a leper in this country is no danger at all, so far as communicating disease to others by traveling is concerned.

Mr. ADAMSON. Well, the State of Massachusetts and the State of Louisiana have thought otherwise by establishing homes in those States. There is one, also, on the Pacific coast.

Mr. MANN. We had one here. I do not know what became of Mr. Early. They still have a leprosorium here, for all I know.

Mr. ADAMSON. I do not think there would be any objection to limiting the number to two or three, but I think they ought to have more than one.

Mr. MANN. I do not think we ought to authorize more than one. If they need one, very well; but I am not in favor of giving a blanket authority for locating leprosoriums wherever they please, regardless of the wishes of the communities. The proper place to locate one is out in the wild somewhere, where nobody lives within a radius of many miles and where nobody ever will live.

Mr. ADAMSON. I would rather have authority to start with one than none at all. What would the gentleman suggest?

Mr. MANN. I have not any amendment prepared.

The SPEAKER. Is there objection?

Mr. MANN. I think the bill ought to go over, if the gentleman is serious about it. I will call the gentleman's attention to what I think is an error. The bill undertakes to appropriate $250,000 for the construction of buildings, and so forth, and gives authority to use $250,000 until June 30, 1916. You could not appropriate for a building after that date, and it is quite certain you could not buy a site and build one before that date. So your authorization would not do any good if the bill should pass. That is section 5 of the bill.

Mr. ADAMSON. We can amend that, if the gentleman does not object to the consideration of the bill.

Mr. MANN. We could, as far as I am concerned, spend the afternoon on it; but I think we want to pass some other bills this afternoon.

Mr. ADAMSON. I do not think we will have any chance to pass this after to-day.

Mr. MANN. Oh, I think so. I suggest to the gentleman that he ask to have the bill passed over without prejudice. I think we will have time during the latter days of the session. Of course, this bill will not become a law at this session anyway.

Mr. ADAMSON. Mr. Speaker, under the circumstances I am glad to oblige the gentleman by making the request that the bill go over without prejudice.

The SPEAKER. The gentleman asks that the bill be passed without prejudice. Is there objection?

There was no objection.

WALTER DEAN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20427) to authorize the sale of certain land in Alabama to Walter Dean.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, this is a Private Calendar bill, but I suppose it is not the fault of the author of the bill that it is on the Union Calendar; and as we would have passed it the other night if it had been on the Private Calendar, I shall not make the point of order.

Mr. FERRIS. I thank the gentleman. It is quite important to get this fixed up at this time.

The SPEAKER. Does the gentleman object?

Mr. MANN. No; I do not.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERRIS. I ask unaniomus consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider this bill in the House as in Committee

of the Whole House on the state of the Union. Is there objection?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Walter Dean, of Calhoun County, Ala., for the north half of section 24, township 14 south, range 7 east, Huntsville meridian in the State of Alabama: *Provided*, That the said Dean shall within six months from approval hereof file his application for said tract and pay the register and receiver of the *land office at* Montgomery, Ala., the sum of $1.25 per acre therefor.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the last vote was laid on the table.

HOMESTEAD ENTRYMEN UNDER RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19061) for the relief of homestead entrymen under the reclamation projects of the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Oklahoma [Mr. FERRIS] if there are many cases that are expected to be affected or relieved by this legislation?

Mr. FERRIS. I understand there are only a few.

Mr. MONDELL. I notice that the report says there are about eight on the Uncompahgre reclamation project in Colorado and several in California. The bill is general in form, and I am not able at this time to bring myself to believe that sections 2 and 3 are necessary. It does not seem to me that there is any objection to section 1, but section 2 is a general provision. On reading it hurriedly I think it would apply to other cases than cases such as are proposed to be relieved by section 1, and I can scarcely conceive of a situation that would arise that would necessitate any such provision as section 2.

Mr. FERRIS. Did the gentleman read the letter of Mr. Sweeney, the Assistant Secretary?

Mr. MONDELL. I have read the letter of Mr. Bo Sweeney on the subject, but it does not convince me. I doubt if there is any situation that they could not meet, and I doubt if section 3 should be adopted without pretty full consideration.

Mr. FERRIS. Will not the gentleman allow it to be considered, and content himself with offering an amendment? The gentleman may be right about it. I see, however, that the report says:

Section 3 is added to meet a situation that is the source of considerable distress among settlers, for which there appears to be no remedy either in the law or in the discretion of the Secretary of the Interior.

On section 2 the report says:

The provisions of section 2 are suggested to cover the circumstances where two or more entrymen who have relinquished their entries shall apply for the same farm unit. It is intended to avoid the necessity of other methods of selection as between two applications for the same farm unit, also to provide that when the number of farm units subject to entry is insufficient to afford a lien selection for each person in the situation described those open to entry shall be awarded in sequence of original entries.

That seems to be in order to determine priority, and the department thinks it is necessary to avoid other methods of selection.

Mr. MONDELL. Let me say to the gentleman that if there is any necessity for any provision of that kind, it is a necessity that arises, in the main, outside of any legislation of this sort; it is possible that there will be some such contests between applicants for the same tracts on reclamation projects generally; but where you have only 8 entrymen in one case and 15 in another to deal with, it is not at all likely that any such contingency will arise as is intended to be provided for by this section. As a general provision applying to all projects, if there is some law necessary to guide the Secretary in his discretion, we should have it; but I doubt the necessity of making any provision to guide his discretion in these cases.

Mr. BORLAND. Will the gentleman yield?

Mr. MONDELL. Yes

Mr. BORLAND. Sections 1 and 2 seem to have no necessary connection with section 3; but as to sections 1 and 2, the gentleman has no objection to that power being conferred on the department, has he? Where settlers have made an entry in good faith upon land withdrawn for the purpose of irrigation, and either by delay in completion of the project or change in the location of the ditches, it is found that their land is not within the irrigable area, is it not a good thing to give them the right to exchange their land for some land that is within the irrigable area?

Mr. MONDELL. Will the gentleman point out to me the class of cases affected by section 3 that are not affected by section 1?

Mr. BORLAND. I confess I do not understand section 3. I am going to try to get some information on it.

Mr. MONDELL. I never like to vote for anything I do not understand. I do understand section 1, and I can understand that there may be a necessity for that. But I doubt the necessity of section 2 or the advisability of section 3.

Mr. BORLAND. If there were an amendment to strike out section 3, are not sections 1 and 2 applicable to the situation, and are they not a good thing to pass?

Mr. MANN. There is no necessity for section 2.

Mr. BORLAND. Probably not; I understand that is a practice of the department.

Mr. MANN. I am going to object to the bill unless sections 2 and 3 go out.

Mr. FERRIS. I think section 2 is the existing law, and I do not think section 3 would be insisted upon by the author of the bill. If the gentleman thinks that that will relieve the objection, I will agree to it.

Mr. MONDELL. I hope the gentleman will agree to strike out sections 2 and 3 because I think the relief can be had under section 1 of the bill.

Mr. FERRIS. I think there will be no objection to that. I will ask that it be done.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any person who has made homestead entry under the act of June 17, 1902 (32 Stat. L., p. 388), for land susceptible of irrigation which at the time of said entry was withdrawn for any contemplated irrigation project, may relinquish the same, provided that it has since been determined that the land embraced in such entry is not or will not be irrigable under the project, and in lieu thereof may select and make entry for any farm unit included within such irrigation project as finally established, notwithstanding the provisions of section 5 of the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund," etc., and acts amendatory thereof: *Provided*, That such entryman shall be given credit on the new entry for the time of bona fide residence maintained on the original entry.

SEC. 2. That in case more than one application be made at the same time for the same farm unit, preference shall be given to the applicants in the order of the dates of their original entries for the lands relinquished, and if two or more such entrymen having made previous entry on the same date shall apply to enter the same farm unit at the same time in lieu thereof, the precedence shall be decided between them by lot.

SEC. 3. That any person who has heretofore established residence upon and improved any tract of land within the irrigable area of a reclamation project withdrawn from entry under the provisions of the reclamation act of June 17, 1902 (32 Stat. L., 388), and acts supplementary thereto and amendatory thereof, and who shall have made bona fide improvements upon such land, and who shall have resided thereon in good faith for two years prior to the passage of this act, may make entry for the farm unit upon which his residence is established, notwithstanding the provisions of section 5 of the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund," and so forth, and acts amendatory thereof, and the homestead entry of any entryman who has heretofore established residence upon any such tract of land and who shall have resided thereon in good faith for two years prior to the passage of this act and who has placed bona fide improvements thereon is hereby validated, but such entry shall be subject to conformation to a farm unit when established.

The following committee amendments were read:

Page 1, line 6, after the word "land," insert the words "believed to be."

Page 1, line 9, after the word "entry," insert the following: "or all thereof in excess of 20 acres."

The committee amendments were agreed to.

Mr. FERRIS. Mr. Speaker, agreeably to the arrangement made a few moments ago, I move to strike out all of sections 2 and 3.

The SPEAKER. The gentleman from Oklahoma moves to strike out sections 2 and 3.

The motion was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CANDLER AND EVANS COUNTIES, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20814) to place Candler and Evans Counties,

of Georgia, in the eastern division of the southern district of Georgia.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Candler and Evans, in the State of Georgia, are hereby attached to and made a part of the eastern division of the southern judicial district of said State.

The following committee amendments were read:

In line 3, after the word "Candler," insert the word "Jenkins."

The SPEAKER. Is there objection?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill to place Candler, Jenkins, and Evans Counties, Ga., in the eastern division of Georgia."

POST OFFICE AT CARLISLE, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18645) for the acquisition of additional site and improvement of Federal post office at Carlisle, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the United States Treasury not otherwise appropriated, the sum of $20,000 for the acquisition of additional land for a site and for the improvement and alteration of the Federal post office at Carlisle, Pa.

The following committee amendments were read:

Line 6, strike out the figures "$20,000" and insert in lieu thereof the figures "$3,500."

Lines 6 and 7, strike out the words "for the acquisition of additional land for a site and."

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. LOGUE. Will the gentleman reserve his objection?

Mr. MANN. Yes.

Mr. LOGUE. This has been amended by the committee. It is not for the acquisition of an additional site.

Mr. MANN. I know what it is for; it is to put certain things in a more attractive condition.

Mr. LOGUE. No; if the gentleman will pardon me.

Mr. MANN. The gentleman does not know what it is for.

Mr. LOGUE. Yes, I do; it is for the alteration and improvements of the stairway that was reported to be in an unsafe condition.

Mr. MANN. To put the stairway in a more attractive condition.

Mr. LOGUE. In a safer condition.

Mr. MANN. I am only reading from the report, which the gentleman from Pennsylvania can read; he is denying what is in the report.

Mr. LOGUE. It is to be placed in a safer and more attractive position.

Mr. MANN. That is what I said.

Mr. LOGUE. No; the gentleman stated only that it was to be put in a more attractive condition.

Mr. MANN. Here is a stairway which has just been erected, and the people do not like it because they say it does not look nice.

Mr. LOGUE. This is under the report of the department, coupled with the report of the postmaster, that several people have fallen down these stairs and that there is danger to the citizens of injury. The fact in connection with this situation is that the building was completed within the appropriation and a large sum of money was covered back into the Treasury. At that time the department should have had notice, and it has been called to their attention that these changes are needed, and the appropriation of $3,500 does not reach the limit originally made for the erection of the building. It is not an attempt to beautify it. The Representative to Congress from that district [Mr. RUPLEY] was before our committee. The report of the department was such that our committee thought that it was needed for the safety of the public and that these changes should be made.

Mr. MANN. I have read the report, and it is about as ridiculous as anybody could make it. Here is a stairway just erected, and because the patrons who are served by rural routes want to go there and get their mail, they want this stairway changed. They prefer to go there and climb these steps, but they say they do not look nice, and want somebody to build them over again.

Mr. CLARK of Florida. Mr. Speaker, I want to ask the gentleman from Illinois one question. I want to ask him if he thinks it is fair to this committee and to the House to make a statement that the report of the committee is simply to the effect that the stairway is to be changed merely to be made more attractive, when the report itself says it is to be made safer and more attractive?

Mr. MANN. The gentleman should quote what I really said.

Mr. CLARK of Florida. The two are not analogous at all. When you say to make it safer and more attractive you do not mean simply to make it more attractive. The burden of the thing is, if the gentleman will read the report from the department, that this stairway is absolutely in a dangerous condition, and the main purpose of this is to make it safe. Of course it may be made a little more attractive.

Mr. COOPER. Mr. Speaker, will the gentleman from Illinois yield?

Mr. MANN. Yes.

Mr. COOPER. Mr. Speaker, I would like to ask the gentleman from Florida what is the nature of the defect in the stairs that makes them so unsafe?

Mr. CLARK of Florida. I understand that they are so steep that it is positively dangerous to go up and down. That is the report made to us. It is a very insignificant sum; and, besides that, I understand that the stairway is so constructed as to detract largely from the appearance of the building; that it makes it appear hideous, in other words, besides being absolutely unsafe. The gentleman from Pennsylvania [Mr. RUPLEY], the Member from that district—and I believe that is his home town—came before the committee and he enlarged upon those two propositions. The main proposition, however, is the unsafe condition of the stairway, and that is why we made this report.

Mr. MANN. Mr. Speaker, I had not stated what actuated the committee. I stated in the first place that the purpose of this bill was to make the stairway more attractive. Here is the report of the department:

The steps in use at the present time are not in harmony architectually with the building, and to a great extent mar its appearance. Otherwise it is a splendid structure—

And so forth. It is true they later say——

Mr. CLARK of Florida. Will not the gentleman be fair enough to read the balance of that?

Mr. MANN. I shall not take the trouble to read the three pages. I was just stating that it was true that later on they say the steps are dangerous. It is also true that they say there are handrails there and that the people will not use the handrails. Evidently the people do not think the steps are dangerous or they would use the handrails. It is perfectly patent. The department has just constructed a building and the people there do not like it. I would be very glad to have the stairway rebuilt if we had plenty of money.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman permit me to read a line on page 3?

Mr. MANN. So far as I am concerned, the gentleman can read it all.

Mr. CLARK of Florida. I read from the report:

It is unfortunate that the building was so designed in the first instance as to provide for a flight of entrance steps so steep as to be dangerous.

Mr. MANN. It is unfortunate. How long has this building been constructed? It has just been finished.

Mr. COOPER. Mr. Speaker, I did not become interested in this until I picked up this report a moment ago. I see that the Secretary of the Treasury, Mr. McAdoo, said in a letter on December 22, written to the chairman of the Committee on Public Buildings and Grounds, which letter is found in the report of the committee on page 3:

The matter of the entrance steps is in a different category. It is unfortunate that the building was so designed in the first instance as to provide for a flight of entrance steps so steep as to be dangerous. Of the estimated cost of $7,500, it is believed that the cost of reconstructing the steps would amount to $3,500.

Mr. CLARK of Florida. That is what the committee recommends, and nothing more.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects; and the bill is stricken from the calendar.

PUBLIC BUILDING AT HARTFORD, CONN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18310) to acquire a site for a public building at Hartford, Conn.

The Clerk read the title of the bill.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

FEDERAL BUILDING AT OAKLAND, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21239) to increase the limit of cost of the site of a Federal building at Oakland, Cal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to have some explanation of what the amount of money appropriated in the bill—$51,750—is for?

Mr. J. R. KNOWLAND. Mr. Speaker, I will state to the gentleman that in 1912 an appropriation was made to enlarge the site of the Oakland post-office building. The owners of the property refused to accept the amount that had been appropriated and condemnation proceedings were begun by the Government. The award is $57,750 in excess of the amount appropriated. The Attorney General states that he considers this a reasonable price, and adds that if any more delay is had he fears the site can not be secured for the amount awarded. The necessity for the additional land is apparent when I state that the post-office building is now so crowded that the internal-revenue office, the customs office, and the commissioner of bankruptcy and other Federal officers are compelled to rent quarters outside of the Federal building.

Mr. BORLAND. Are we to assume that the Government went ahead with condemnation proceedings and that the verdict of the jury was for $57,750 more than the amount estimated?

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. And that is the sole cause of this?

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. And no more land was embraced?

Mr. J. R. KNOWLAND. No; the same land; and in the opinion of the Attorney General this is a reasonable figure; and if more delay is had, owing to the rapid increase in the values in that locality, it will unquestionably cost the Government more to acquire the property. The bill is recommended by the Treasury Department.

Mr. CLARK of Florida. This bill gives just enough so that, added to the authorization heretofore made, it completes the amount of the award.

Mr. J. R. KNOWLAND. Yes.

Mr. BORLAND. Will this complete the acquisition of the site?

Mr. J. R. KNOWLAND. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. J. R. KNOWLAND. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limit of cost for the purchase of a Federal building site at Oakland, Cal., be, and the same is hereby, increased $51,750, or so much thereof as may be necessary to meet the additional cost of the said site.

With the following committee amendment:

Line 5, strike out the figures "$51,740" and insert the figures "$51,750."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

QUIETING TITLE TO PROPERTY, GUTHRIE, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21200) quieting and confirming the title of the Methodist University of Oklahoma in and to certain tracts of land located in the city of Guthrie, Okla.

The Clerk read the title.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there does not seem to be very much information given in the report in this case. The bill was introduced to give a quitclaim title to the Methodist University. The amendment is to give title to the city of Guthrie.

Mr. FERRIS. Or rather to relinquish.

Mr. MANN. Is that for the benefit of the university?

Mr. FERRIS. It is intended to be given to the university.

Mr. MANN. Suppose they do not give it to the university; then what?

Mr. FERRIS. Let me state the facts concerning this case; I suppose the gentleman will be interested. Pursuant to the act of May 2, 1890, which is the general act and does not give very much light on this identical town site, there were ten and a fraction of acres of land reserved in the city of Guthrie as the Territorial capital of Oklahoma for capital purposes and for the capital city. It is called a park, but is never used as a park but for capital purposes. Later statehood came and there was added to what was originally Oklahoma the Indian Territory. The people of the adjoining Territories took a vote as to where the capital should be, and located the capital at the city of Oklahoma as distinguished from the city of Guthrie. It then left the people of Guthrie with quite a large building on their hands, and left them with 10 acres of land on their hands, and they sought as best they could to recoup their loss by reason of having the capital removed——

Mr. MANN. But what was the title the Government conveyed?

Mr. FERRIS. The Government by the act of May 2, 1890, conveyed a limited title to them.

Mr. MANN. I know; but what was that title?

Mr. FERRIS. Later on——

Mr. MANN. What was the title conveyed?

Mr. FERRIS. For park and school purposes.

Mr. MANN. Oh, no; it was conveyed for capital purposes; but what was the limitation upon the title?

Mr. THOMPSON of Oklahoma. Will the gentleman permit?

Mr. MANN. I will.

Mr. THOMPSON of Oklahoma. Originally it was conveyed to the town-site trustees. Afterwards, under the act of 1904, the town-site trustees conveyed it to the city of Guthrie with a limitation. In 1913 the President of the United States conveyed the second title with absolute fee without any reservation at all. Now, afterwards when this question came up, when the grant was made to the Methodist University, the Supreme Court held that the limitation of the original town-site act of 1890 applied; that the town held it in trust, so that the object of this bill is to convey title to the city, so that the city can do as it pleases.

Mr. MANN. Well, I know; but what is the city going to do with it?

Mr. THOMPSON of Oklahoma. I presume, Mr. Chairman, it is the intention of the city to convey it to the university.

Mr. MANN. I really think in fairness we ought to know.

Mr. THOMPSON of Oklahoma. That is the intention.

Mr. MANN. The substitute says here it is to be conveyed to the city of Guthrie. Now, the city of Guthrie has conveyed to the Methodist University this land, but did not have a good title. Now, if they convey a good title to the city of Guthrie and if the city does not choose to convey it to the Methodist University, really that university is up in the air.

Mr. THOMPSON of Oklahoma. Mr. Chairman, I would say in reply to the gentleman from Illinois, that the deed was put in escrow and a condition imposed on the university, that they are to raise $250,000 as an endowment fund, and they are now waiting until the deeds are approved before they commence to raise that money. When the deeds are approved, they will raise the money.

Mr. MANN. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill be printed in the RECORD and that the substitute be read.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be printed in the RECORD and that the substitute be read. Is there objection? [After a pause.] The Chair hears none.

The bill is as follows:

Be it enacted, etc., That the title of the Methodist University of Oklahoma in and to a certain tract of land located in the city of Guthrie, State of Oklahoma, and more particularly described as follows, to wit: A tract of land 680 feet square, containing 10.62 acres, located within that part of the city of Guthrie, Logan County, Okla., formerly known as Capitol Hill, and bounded as follows: On the north by Cleveland Avenue, on the west by Capital Boulevard, on the south by Harrison Avenue, on the east by Drexel Boulevard, designated and known on the official plat as Capital Park, and heretofore conveyed by said city of Guthrie to the Methodist University of Oklahoma by a deed executed May 16, 1913, pursuant to an election held in said city on the 9th day of May, 1913, authorizing and directing the execution of said conveyance, be, and the same is hereby, in all things quieted

and confirmed, subject only to the compliance on the part of said Methodist University of Oklahoma with the terms and conditions of said conveyance.

The substitute was read, as follows:

Strike out all after the enacting clause and insert:

"That for the purpose of removing a cloud from the title to that certain tract of land located in the city of Guthrie, State of Oklahoma, and more particularly described as follows, to wit: A tract of land 680 feet square, containing 10.62 acres, located within that part of the city of Guthrie, Logan County, Okla., formerly known as Capitol Hill, and bounded as follows: On the north by Cleveland Avenue, on the west by Capitol Boulevard, on the south by Harrison Avenue, on the east by Drexel Boulevard, designated and known on the official plat as Capital Park, whatsoever right, title, or interest the United States may have in and to said tract of land by reason of escheat or otherwise, be, and the same is hereby, released and quitclaimed unto said city of Guthrie."

The SPEAKER. The question is on the substitute.

The question was taken, and the substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill quieting title to a certain tract of land located in the city of Guthrie, Okla."

On motion by Mr. THOMPSON of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT BATH, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1702) increasing the limit of cost fixed by act of Congress approved June 25, 1910, for enlargement, extension, etc., of Federal building at Bath, Me.

The Clerk read the title.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I would like to know who is in charge of this bill. This bill adds $10,000 to the authorization, but according to the report it seems to be for some work which was omitted when the contracts were originally let. Does the gentleman from Florida know what that work was which was omitted? The report does not state it.

Mr. CLARK of Florida. The report says:

It is estimated that an increase of $10,000 will be sufficient to complete the approach work along the lines originally contemplated and also provide for certain desirable betterment.

I do not know just exactly what it is further than that, Mr. Speaker. The gentleman from Maine [Mr. MCGILLICUDDY] came before the committee. I do not think I was present when he was there. He stated that there were a number of small things they had to cut off in order to put up the building. These things are necessary, and the committee felt it was necessary that they should be done.

Mr. BORLAND. That seems a little vague. The word "approaches," as the gentleman understands, is generally used in these bills to signify some work that is doing in the city or in the street contiguous to the site. I think it had better go over. The gentleman from Maine [Mr. MCGILLICUDDY] is not here.

The SPEAKER. The gentleman from Maine [Mr. MCGILLICUDDY] is down in West Virginia at present.

Mr. BORLAND. Mr. Speaker, I ask that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

VALIDATION OF HOMESTEAD ENTRIES.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21122) to validate certain homestead entries.

The SPEAKER. Is there objection to the consideration of the bill.

Mr. MANN. I object.

Mr. FERRIS. Will the gentleman hear me a minute on that?

Mr. MANN. Yes; I will reserve my objection.

Mr. FERRIS. In 1900 Congress passed an act opening certain lands to settlement. There were a lot of remnant lands left that no one wanted. After the first 60-day period anyone could take the remaining lands who would go and settle on them, and the first settler thereon got them. Two or three years went along with some activity in homesteading and a few remnant lands were still remaining. I incorporated in the Indian appropriation bill—or at least I advocated it and it was adopted—a short amendment providing for the sale of these remaining remnant lands. I thought we could close it up in that way.

Mr. MANN. What had it to do with the Indian appropriation bill? These are not Indian lands.

Mr. FERRIS. Oh, no; only it passed as other amendments that were added to the bill. It was land that had been ceded to the Government.

Mr. MANN. We supposed at that time these were Indian lands. The gentleman puts an amendment in the appropriation bill. I do not say that he led us erroneously to suppose that these were remnant lands belonging to Indians; but that is the only way that the bill would have jurisdiction over them.

Mr. FERRIS. The gentleman and I both know how these appropriation bills go through, and that at the Senate end they very often hang on everything in the shape of amendments.

Mr. MANN. I remember the item. I remember the impression I received on the floor that these were remnant lands belonging to the Indians and hence it was proper in the Indian appropriation bill to provide for their disposal.

Mr. FERRIS. I think the gentleman was probably incorrect, as I think this amendment went in at the Senate end, and I do not think the gentleman had any statement from me at the time. There was a question at the time as to whether or not they were Indian lands. But the department later held they were public lands and not Indian lands. This is what happened. After this amendment had passed, the local land office down at Guthrie gave out a published statement in the newspapers, and the matter was current in the State, and asked the people to come and enter these lands, and they did enter them—some 56 in number. They filed on them. A good many of them proved them up, got their receipts, and built houses on them. Last fall when I was home they had received notices by reason of the amendment in the Indian appropriation bill which provided for the sale of these land, back in 1911; that these lands had been erroneously entered and their titles were held for cancellation. I said to them that I did not believe the Government would let them go on the land and build homes and prove them up and then take the lands away from them. I called it to the attention of the Land Office, and they were willing to favor legislation to straighten it out. They think themselves that they ought not to let people enter land and live on it two or three years and then take it away from them. I introduced the bill, and the department recommended it favorably, and the committee reported it. It ought to pass. It will straighten out a tangle that should be straightened.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. STAFFORD. Under the Indian appropriation provision, what prevented these settlers from purchasing these lands on which they made improvements at the appraised value?

Mr. FERRIS. The Land Office did not offer them under the 1911 provision, and they being segregated by existing entries were not subject under the 1913 provision.

Mr. STAFFORD. Were they not subject to entry under the prior act of 1911? Is not the gentleman confusing the dates?

Mr. FERRIS. That is the one I referred to. And it is that one that the land should have been sold under, and the local land office made the error and invited numerous families to come on to settle on the land. There was for a time some confusion about it as to whether or not the land was Indian land. This probably was the cause of the trouble.

Mr. STAFFORD. Under the act of 1911, which is not the appropriation act.

Mr. FERRIS. It was an amendment to the Indian appropriation bill. The act of 1911 was the Indian appropriation act.

Mr. STAFFORD. Not according to the report here.

Mr. FERRIS. It is, though.

Mr. STAFFORD. They have a right to-day to buy the lands at the appraised value, not including the improvements.

Mr. FERRIS. Oh, yes; but a man has exhausted his homestead right. A man who three or four years ago was invited to go and enter on the land and build a house on it and cultivate it and comply with the homestead law, and even prove up on it, does not want to give it up. He is entitled to it. He should not be compelled to buy it a second time.

Mr. STAFFORD. The gentleman's statement is not correct when he says he is deprived of his entire right, because he is not. He can purchase this land at the appraised value, not including the improvements. He does not wish to buy at the appraised value.

Mr. FERRIS. The gentleman should not say I am in error. I know it from A to Z. There were two amendments in the appropriation bill under which the department could sell the land. Later I came along and put a provision in the appropriation bill in 1913 authorizing that they sell and clean up these remnant lands. I want to get rid of them and get rid of any trouble of this kind.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. FERRIS. I was first trying to satisfy the gentleman from Wisconsin.

Mr. BURKE of South Dakota. These lands in the Kiowa, Comanche, and Apache Indian Reservations that originally

were authorized to be disposed of were sold, were they not, to the highest bidder—that is, under sealed bids?

Mr. FERRIS. This first opening was not; no. The first opening was ceded lands, and they had a general drawing. These are lands that were carried over from that first opening. The latter opening was under the 1906 opening.

Mr. BURKE of South Dakota. From the original opening?

Mr. FERRIS. Yes.

Mr. BURKE of South Dakota. Did the Indian appropriation act contain an item for the disposition of remnant lands, or did it not apply to reserve tracts that had been used for schools and agency purposes?

Mr. FERRIS. The last act more particularly did. There were two acts. An amendment was placed in the Indian appropriation act for 1911 which provided that the Secretary of the Interior was authorized to sell the Kiowa, Comanche, and Apache lands. They did not sell them, but on the contrary the local land office people went out and invited people to settle them by homestead entry.

Mr. BURKE of South Dakota. They were open to homestead entry before that act was passed, and did not that act withdraw them from homestead entry?

Mr. FERRIS. I believe it did, and they held that they can not prevent these people from entering, even if they have entered or already have gotten title. I present herewith the report on the bill from the Public Lands Committee. It also contains the views of the department. It is as follows:

[House of Representatives, Rept. No. 1367, 63d Cong., 3d sess.]

VALIDATING CERTAIN HOMESTEAD ENTRIES.

Mr. FERRIS, from the Committee on the Public Lands, submitted the following report.

The Committee on the Public Lands, having had under consideration H. R. 21122, entitled "A bill to validate certain homestead entries," after carefully considering the same, reports the bill back to the House with the recommendation that the same do pass with the following amendment added thereto:

"*Provided*, That in addition to the land-office fees prescribed by statute for such entries the entryman shall pay $1.25 per acre for the land entered at the time of submitting final or commutation proof."

The bill is short, and is therefore printed herewith at length, with the provision added thereto, which is strictly in accord with the recommendation of the Interior Department, and as it was unanimously approved by the committee. It is as follows:

"A bill to validate certain homestead entries.

"*Be it enacted, etc.*, That all homestead entries heretofore erroneously allowed for the unused, unallotted, and unreserved lands of the United States in the Kiowa, Comanche, and Apache Indian Reservations, which lands were authorized to be sold under section 16 of the act approved March 3, 1911 (36 Stat. L., p. 1069), and under the provisions of the act approved June 30, 1913 (38 Stat. L., p. 92), are hereby ratified and confirmed: *Provided*, That in addition to the land-office fees prescribed by statute for such entries the entryman shall pay $1.25 per acre for the land entered at the time of submitting final or commutation proof."

The bill was regularly referred to the Interior Department by the Public Lands Committee for report and recommendation. The department, under date of January 26, 1915, rendered a favorable report thereon and it is printed herewith at length, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 26, 1915.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: I have before me for consideration H. R. 21122, which provides:

"That all homestead entries heretofore erroneously allowed for the unused, unallotted, and unreserved lands of the United States in the Kiowa, Comanche, and Apache Indian Reservations, which lands were authorized to be sold under section 16 of the act approved March 3, 1911 (36 Stat. L., 10069), and under the provisions of the act approved June 30, 1913 (38 Stat. L., 92), are hereby ratified and confirmed."

These, with other lands, were ceded to the United States by the Indian tribes named by treaty of October 21, 1892, and, with the exception of certain reservations, were made subject to entry at $1.25 per acre by the act of June 6, 1900 (31 Stat., 680).

The act of March 3, 1911 (36 Stat., 1096), authorized the Secretary of the Interior to sell such lands as remained then undisposed of upon such terms and under such rules as he might prescribe. After the passage of the last-named act the Commissioner of the General Land Office on April 29, 1911, instructed the register and receiver to allow no more entries for such lands until further notice. However, the register and receiver did allow about 56 entries to be made, 12 of which have been passed to patent.

In the Indian appropriation act of June 30, 1913 (38 Stat., 92), which further authorized the sale of the unused, unallotted, and unreserved lands in the reservations mentioned, it was provided that the Secretary of the Interior might "grant to settlers a preference right to purchase for 90 days from and after notice, at the appraised price, exclusive of improvements, such lands as are occupied by such settlers in good faith on January 1, 1913."

It is pointed out on behalf of the 56 entrymen that they occupy a different status from the settlers described in the act last cited in that the settlers went upon the land of their own accord and were not misled by the allowance of their claims by the register and receiver, whereas the 56 entrymen in question were misled by the allowance of their homestead entries, and, relying thereupon, constructed houses and other improvements upon the land, secured loans from banks, and took other steps in reliance upon the allowance of their said entries.

Under the circumstances, and as the entrymen were misled by the erroneous action of the Government officers, it is the opinion of the department that they are entitled to relief. While H. R. 21122 is apparently designed to permit the perfection of the entries in the same manner and at the same price as entries allowed under the act of June 6, 1900, supra, it is believed that in order to make this clear there should be added a proviso to the following effect:

"*Provided*, That in addition to the land-office fees prescribed by statute for such entries, the entrymen shall pay $1.25 per acre for the land entered at the time of submitting final or commutation proof."

So amended, the department recommends the enactment of the bill.

Very truly, yours,

A. A. JONES,
First Assistant Secretary.

The bill relates to 56 homestead entries which were allowed by the Guthrie local land office to be erroneously made. Notices were published by the land office inviting settlers to take up certain remnant lands which were left after two preceding openings had been held. Under this invitation and these notices 56 entries were made during the year 1912. Twelve of the entries have been passed to patent, the entrymen having entered promptly, resided upon the lands, proved up, and received final certificate thereto, in some cases loans having been made thereon. The other 44 entries were regularly made pursuant to the invitation issued by the local land office. The entrymen improved the land, constructed dwellings and buildings thereon, made the land more valuable, and in every way complied with the homestead laws. Later it was discovered that the lands, technically, were not subject to entry, and each of the 56 settlers were called upon to show cause why their entries should not be canceled. The land office is without power, technically, under the law to render these homesteaders relief. Certainly they are entitled to relief. To grant them this relief would not divest the Indians of any money or property, the lands having heretofore been ceded to the Government. In order to secure this relief the settlers would be required to pay $1.25 per acre for the land, the Government price for nonmineral, nonirrigable, nontimbered lands. The lands mentioned are remnant odds and ends of little value which were left over from preceding openings and are nontimbered, nonirrigable, and nonmineral.

It is thought that the only honorable thing for the Government to do in this instance is to allow their entries to stand of record, permit the homesteaders to acquire title to the lands in strict compliance with the law, and it is therefore the recommendation of your committee that this bill do pass and the relief be granted.

It may not be out of place to say that from the year 1901 up until March 3, 1911, these lands were subject to homestead entry and were not taken or selected, and it is the thought of your committee that the bill does not in any way work a hardship upon the Government; that the Indians' rights were formerly entirely severed from these lands by the treaty of October 21, 1892; that the settlers entered upon the lands in good faith and in strict accord with the invitation of the Government; that they have complied with the homestead laws—have placed improvements on the lands; that the rights of innocent persons have entered into the matter; and that these settlers are entitled to the relief mentioned.

Mr. MANN. Well, two years ago the gentleman from Oklahoma [Mr. FERRIS] put a provision on a bill authorizing them to sell the land and giving the settlers the right to buy them at the appraised value.

Mr. FERRIS. That is true; but I did not intend it to be construed in that way.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. FERRIS. Would the gentleman from Illinois object to its retaining its place on the calendar?

Mr. MANN. Not at all.

Mr. FERRIS. I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER. Is there objection to passing over the bill without prejudice?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

CHICOT AND DESHA COUNTIES, ARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18086) to amend section 71 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 4, 1911.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, this transfers two counties from one district to another?

Mr. FLOYD of Arkansas. That is all. It transfers two counties from one district to another.

Mr. MANN. I understand; but was the convenience of the United States considered in any way? There is no report here or anything to indicate that this matter was ever submitted to the Attorney General or to the United States district attorney or to the district attorney for a report. It is usual to do that.

Mr FLOYD of Arkansas. Well, it is more convenient to the people of those two counties, and I know of no objection to it from any source. It takes two counties that lie along the Mississippi River and where railroad communication is direct with Helena and transfers them from the Little Rock district, which is far more remote, to Helena.

Mr. MANN. I know that recently we passed a law dividing the State into districts—or a reenactment of the law—and it is customary when these cases are up to consult the officials, so that we shall have information before us.

Mr. FLOYD of Arkansas. I will state to the gentleman from Illinois, Mr. Speaker, that in this case it is the same trial judge that holds the courts.

Mr. MANN. That is all the more reason why we should have asked him whether this is a proper transfer, so that we would have his opinion on the subject. However, I am not going to object, although I think this is a pretty loose way to do business.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 71 of an act approved March 4, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," be, and the same is hereby, amended as relates to the eastern district of the State of Arkansas, so that when amended it shall read as follows:

"The State of Arkansas is divided into two districts, to be known as the eastern and western districts of Arkansas. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Sevier, Howard, Little River, Pike, Hempstead, Miller, Lafayette, Columbia, Nevada, Ouachita, Union, and Calhoun, which shall constitute the Texarkana division of said district; also the territory embraced on the date last mentioned in the counties of Polk, Scott, Yell, Logan, Sebastian, Franklin, Crawford, Washington, Benton, and Johnson, which shall constitute the Fort Smith division of said district; also the territory embraced on the date last mentioned in the counties of Baxter, Boone, Carroll, Madison, Marion, Newton, and Searcy, which shall constitute the Harrison division of said district. Terms of the district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the Fort Smith division, at Fort Smith on the second Mondays in January and June; and for the Harrison division, at Harrison, on the second Mondays in April and October. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Lee, Phillips, St. Francis, Cross, Monroe, Woodruff, Chicot, and Desha, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Independence, Cleburne, Stone, Izard, Sharp, and Jackson, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Crittenden, Clay, Craighead, Greene, Mississippi, Poinsett, Fulton, Randolph, and Lawrence, which shall constitute the Jonesboro division of said district; and also the territory embraced on the date last mentioned in the counties of Arkansas, Ashley, Bradley, Clark, Cleveland, Conway, Dallas, Drew, Faulkner, Garland, Grant, Hot Spring, Jefferson, Lincoln, Lonoke, Montgomery, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, and White, which shall constitute the western division of said district. Terms of the district court for the eastern division shall be held at Helena on the second Monday in March and the first Monday in October; for the northern division at Batesville on the fourth Monday in May and the second Monday in December; for the Jonesboro division, at Jonesboro on the second Mondays in May and November; and for the western division, at Little Rock on the first Monday in April and the third Monday in October. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Little Rock, at Helena, at Jonesboro, and at Batesville, which shall be kept open at all times for the transaction of the business of the court, and the clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Fort Smith, at Harrison, and at Texarkana, which shall be kept open at all times for the transaction of the business of the court."

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOYD of Arkansas, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

FOUNDATION FOR THE PROMOTION OF INDUSTRIAL PEACE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21236) to dissolve the Foundation for the Promotion of Industrial Peace, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the Calendar. The Clerk will report the next one.

CRATER NATIONAL PARK REVENUE FUND.

The next business on the Calendar for Unanimous Consent was the bill (S. 2223) to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object, Mr. Speaker.

Mr. SINNOTT. Mr. Speaker, this bill is one designed to give to the Secretary of the Interior authority to expend the receipts coming from leases, franchises, and licenses in Crater Lake Park, Oreg., in the improvement of the park. The bill was drawn in the office of the Secretary, and he states that the Crater Lake Park and the Mesa Verde Park, in Colorado, are the only parks under his supervision where he has not the authority to expend the funds in the management of the parks. It can readily be seen that this park ought to be placed on the same footing with the other parks with regard to expending the revenues of the park upon the park.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, for just a moment, I am not in sympathy with the purpose of the bill, but it would not accomplish the purpose which it is designed to accomplish if it were enacted.

It only shows how carelessly rough some bills are sent to us from the various departments. The language of the bill was originally prepared and sent as an estimate to go into the sundry civil appropriation bill. The sundry civil bill contains an appropriating clause at the beginning of the bill, and it would have appropriated, if this item had been inserted in the sundry civil bill, the receipts referred to in this bill.

But there is no appropriation at all in this bill. All that this bill would accomplish would be to do what is now done—to turn the money into the Treasury, as is now the case, and when the money is once in the Treasury there is no way of getting it out without an appropriation, and there is no appropriation in this bill. In order that it may be properly corrected, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar. The Clerk will report the next one.

GREAT NORTHERN RAILWAY.

The next business on the Calendar for Unanimous Consent was the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. COOPER. Reserving the right to object, Mr. Chairman, I should like to hear a statement of the purport of the bill.

Mr. STOUT. I have no particular statement to make, further than that made in the report. It is desired to eliminate a very heavy grade at the point referred to in the bill. The length of the right of way which is sought to be abandoned is something less than 2 miles. The length of the right of way which is desired by this bill is something in excess of a mile. It cuts out a wide curve. The railroad forms the southern boundary of Glacier National Park. The bill provides that the land which is left between the old and the new rights of way shall be added to the national park, in order that the line of the railway shall continue to constitute the southern boundary of the park.

Mr. COOPER. I do not quite understand the last paragraph of the report. Is this bill as now presented the bill recommended by the department?

Mr. STOUT. It is.

Mr. COOPER. It differs from the Senate bill?

Mr. STOUT. The bill recommended by the department is substituted for the original Senate bill.

Mr. COOPER. The report says the committee have had the bill under consideration, but there is no statement in the report that that is the bill reported by the committee.

Mr. STOUT. It is the bill submitted by the department in lieu of the original bill as introduced.

Mr. COOPER. So this is the amendment of the Department of the Interior?

Mr. STOUT. Yes; it is.

The SPEAKER. Is there objection?

There was no objection?

The SPEAKER. This bill is on the Union Calendar.

Mr. STOUT. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Montana asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That, with the consent and approval of the Secretary of the Interior and upon the filing with the Interior Department and the approval thereof by said Secretary of maps of definite location, the Great Northern Railway Co., a corporation of the State of Minnesota, be, and it is hereby, authorized to revise the location of that part of its line of railway along the southern boundary of the Glacier National Park, in the State of Montana, on the terms and conditions and subject to the limitations and restrictions granted by and contained in an act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875 (18 Stats., p. 482), as amended by an act of Congress entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes," approved March 3, 1899 (30 Stats., p. 1233): *Provided*, That all lands north of the north line of the revised right of way, when said revised line of right of way shall have been approved as aforesaid, shall be excluded from the Lewis and Clark National Forest and become and remain part of the Glacier National Park, and be subject to all the provisions of an act of Congress entitled "An act to establish 'the Glacier National Park' in

the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes," approved May 11, 1910 (36 Stats., p. 354), and to all the provisions of any act of Congress that may hereafter be passed relative to said park, and the regulations of the Secretary of the Interior heretofore or hereafter prescribed in accordance with law for the government of the park, and that any and all lands south of the north line of such revised line of right of way which may now be within the Glacier National Park shall become and remain a part of the Lewis and Clark National Forest and be subject to and be governed by the laws heretofore or hereafter enacted by Congress and the regulations heretofore or hereafter prescribed by the Secretary of Agriculture for the control of national forests.

With the following committee amendments:

Insert, on page 1, in line 6, after the word "location," the words "within three years from the passage of this act."

Add, at the end of the last paragraph on page 3, the following: "*Provided further*, That before the Secretary of the Interior shall consent to and approve the revision of location herein authorized the said Great Northern Railway Co. shall file with the said Secretary a relinquishment of all claims, of whatever nature, to that portion of its right of way affected by said revised location."

The committee amendments were agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. STOUT, a motion to reconsider the last vote was laid on the table.

CERTAIN TOWN SITES IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20498) to validate title to certain town sites in the State of Montana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask if Mr. Tallman represents the railroad company?

Mr. STOUT. He does not.

Mr. MANN. This is a private speculation of his own?

Mr. STOUT. He is just a private individual.

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

WESTERN DISTRICT OF SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20894) to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

Mr. FINLEY. Mr. Speaker, I will ask the gentleman from Illinois to withhold his objection.

Mr. MANN. Certainly; I reserve the objection.

Mr. FINLEY. Mr. Speaker, this proposed legislation is necessary. In my State we have over 1,800,000 population and only one district judge. While it is true that there is a circuit judge who is appointed from that State, he does not hold any courts in South Carolina. His time is taken up with his other duties.

I will say to the gentleman from Illinois that this bill has passed one House or the other three times. I think it has passed both Houses twice.

Mr. MANN. When did it pass this House?

Mr. FINLEY. In the Fifty-seventh Congress a substantially similar bill passed.

Mr. MANN. That was 14 years ago, and they have gotten along very well from that time up to date, and nobody even reintroduced the bill, I think.

Mr. FINLEY. Oh, no; I beg the gentleman's pardon. The bill has been here in each Congress.

Mr. MANN. It has not been reported. I think in the present state of the Treasury they can get along for at least another year.

Mr. FINLEY. This bill was vetoed once by the President, on the ground that we did not provide a district judge. Every State in the Union of anything like the size of South Carolina that has two districts has two separate sets of court officials.

Mr. MANN. When was this bill vetoed by the President?

Mr. FINLEY. It was vetoed by President Roosevelt in the Fifty-seventh Congress.

Mr. MANN. And they have gotten along very well since then.

Mr. FINLEY. No; the bill passed again in the Fifty-eighth Congress. I will suggest to the gentleman from Illinois that the report is short——

Mr. MANN. I have read the report. I remember the case.

Mr. FINLEY. I will say to the gentleman that this district judge is one of the most industrious judges on the bench in this country. I do not know what he says about it, but some of his friends are anxious about him, because he has more work than he should do. I hope the gentleman from Illinois will not object.

Mr. MANN. I do not think this is a very good time to create another judgeship.

The SPEAKER. Is there objection?

Mr. CULLOP. I object.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] objects, and the bill is stricken from the calendar.

PUBLIC BUILDING AT BIDDEFORD, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6134) to amend the act authorizing the construction of a public building at Biddeford, Me.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects. The bill is stricken from the calendar. This completes the Calendar for Unanimous Consent.

Mr. ADAMSON. There are two uncontested bridge bills which were reported too late to get onto this calendar. I hope no one will object to allowing me to ask unanimous consent for their consideration at this time. They will take only a moment.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of two bridge bills. Is there objection?

Mr. COOPER. Mr. Speaker, reserving the right to object, the House is entitled to know what business is to come up for consideration. These are not emergency measures, and therefore I object.

HOUR OF MEETING TO-MORROW.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. RAGSDALE. I object.

ACADEMY OF ARTS AND LETTERS.

Mr. SLAYDEN. Mr. Speaker, I move to suspend the rules and discharge the Committee on the Library from further consideration of S. 583, incorporating the American Academy of Arts and Letters, and to pass the bill.

The SPEAKER. The gentleman from Texas moves to suspend the rules, discharge the Committee on the Library from further consideration of S. 583, and pass the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That William Dean Howells, of New York; Henry James, of Massachusetts; Henry Adams, of the District of Columbia; Thomas Raynesford Lounsbury, of Connecticut; Theodore Roosevelt, of New York; John Singer Sargent, of Massachusetts; Alfred Thayer Mahan, of New York; Daniel Chester French, of New York; John Burroughs, of New York; James Ford Rhodes, of Massachusetts; Horatio William Parker, of Connecticut; William Milligan Sloane, of New Jersey; Robert Underwood Johnson, of New York; George Washington Cable, of Massachusetts; Andrew Dickson White, of New York; Henry van Dyke, of New Jersey; William Crary Brownell, of New York; Basil Lanneau Gildersleeve, of Maryland; Woodrow Wilson, of New Jersey; Arthur Twining Hadley, of Connecticut; HENRY CABOT LODGE, of Massachusetts; Francis Hopkinson Smith, of New York; Edwin Howland Blashfield, of New York; William Merritt Chase, of New York; Thomas Hastings, of New York; Hamilton Wright Mabie, of New Jersey; Brander Matthews, of New York; Thomas Nelson Page, of the District of Columbia; Elihu Vedder, of Massachusetts; George Edward Woodberry, of Massachusetts; Kenyon Cox, of New York; George Whitefield Chadwick, of Massachusetts; Abbott Handerson Thayer, of New Hampshire; John Muir, of California; Charles Francis Adams, of Massachusetts; Henry Mills Alden, of New Jersey; George de Forest Brush, of New Hampshire; William Rutherford Mead, of New York; John White Alexander, of New York; Bliss Perry, of Massachusetts; Abbott Lawrence Lowell, of Massachusetts; James Whitcomb Riley, of Indiana; Nicholas Murray Butler, of New York; Paul Wayland Bartlett, of New York; Owen Wister, of Pennsylvania; Herbert Adams, of New Hampshire; Augustus Thomas, of New York; Timothy Cole, of New York, and their successors, duly chosen, are hereby incorporated, constituted, and declared to be a body corporate of the District of Columbia, by the name of the American Academy of Arts and Letters.

SEC. 2. That the purposes of this corporation are and shall be the furtherance of the interests of literature and the fine arts.

SEC. 3. That the American Academy of Arts and Letters shall consist of not more than 50 regular members, and the said corporation hereby constituted shall have power to make by-laws and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign, domestic, or honorary associate members, and the division of such members into classes; and to do all other matters needful or usual in such institutions.

SEC. 4. That the American Academy of Arts and Letters shall hold an annual meeting at such place in the United States as may be designated and shall make an annual report to the Congress, to be filed with the Librarian of Congress.

SEC. 5. That the American Academy of Arts and Letters be, and the same is hereby, authorized and empowered to receive bequests and donations of real or personal property and to hold the same in trust, and to invest and reinvest the same for the purpose of furthering the interests of literature and the fine arts.

The SPEAKER. Is a second demanded on this bill?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. SLAYDEN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. SLAYDEN. Mr. Speaker, I have had this bill up once on the Unanimous Consent Calendar, and ran against an objection. It is a bill that proposes to charter the American Academy of Arts and Letters, an association of gentlemen distinguished in the profession of letters, in painting, in sculpture, and the other fine arts. The only objection that I have heard advanced by any gentleman is that some gentlemen say they are opposed to granting charters.

In reply to that I call attention to the fact that it has been done. I have here a list of 15 or 20 associations to which charters have been granted by the Congress of the United States. Several of these are within the last 10 years. One was in 1912, the Naval History Society; and another in 1912, the American Numismatic Association. There is quite a list of them, too numerous to call attention to in detail, and I can see no reason, Mr. Speaker, why, if charters were granted to these associations, it should not be granted to the one which makes the request, which consists of some of the most eminent men in the country.

Another objection that has been sometimes urged by some gentlemen is that it is sectional. Mr. Speaker, that is not true. The bulk of these gentlemen do live in New York and in the East, and that is not an unreasonable thing under the circumstances. They came from all over the country originally, but the market for their wares is in New York and Boston, and they do like a mechanic or a lawyer or a merchant would under like circumstances—they go to the market in which they will thrive and in which their profession has the greatest recognition.

I call attention to the fact, in reply to the charge that it is sectional, that 10 of these gentlemen come from New York City, 8 from Boston, 2 from Cambridge, 1 from Beverly, 1 from Lowell, and 1 from Williamstown, 10 from Connecticut, Vermont, and New Hampshire, 8 from Ohio, 4 from Indiana, 1 from Michigan, 8 from Pennsylvania, 2 from New Jersey, and so on; 11 of these gentlemen, while living mostly in the East, were born in the South.

Mr. Speaker, there is nothing in the charge that this association is in any respect sectional. Now I will yield to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. How was this list of distinguished men arrived at?

Mr. SLAYDEN. Originally it was a volunteer association.

Mr. MILLER. Does not the gentleman think it is most unfortunate that these are all practically eastern men and no one west of the Allegheny Mountains except two?

Mr. SLAYDEN. Since its organization there have been people from west of the Allegheny Mountains, some of the most eminent in the country among its members. Samuel L. Clemens, better known perhaps as Mark Twain, was a member of the association, and he lived the first half of his life not only west of the Alleghenies, but largely west of the Rocky Mountains. James Whitcomb Riley, of Indiana, and John Muir, of California, who is now dead, were from the West.

Mr. MILLER. I am not opposed to the bill; I am in favor of it; but is it not possible to get some recognition for American arts and letters, and not localize it all in New York and Massachusetts?

Mr. SLAYDEN. I am glad that the gentleman is going to support the measure, but his statement that this localizes it in New York and Massachusetts is inaccurate. I have no affiliation with New York, although I go to New York and Boston occasionally and pay a pretty big hotel bill and meet some agreeable people, but that is all of my connection with that section.

Mr. COOPER. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. COOPER. George Washington Cable, of Massachusetts, was born in Louisiana.

Mr. SLAYDEN. Yes.

Mr. MILLER. I know that many of these individuals were born in the West, where the best people are born, but they have gravitated to the East.

Mr. AUSTIN. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. AUSTIN. I do not see a resident of the Southern States south of the Potomac River in this list of individuals.

Mr. SLAYDEN. I will say to my colleague from the South—and he can not regret it any more than I do—that at this time the most eminent men in arts and letters are not residents of the South. They do not live there. I have spent all my life in the South; I am a southern man. My sympathies are all with the South, my hopes are for the South, my pride is in the South; but on account of the great Civil War, the poverty and distress which it brought upon us, the sacrifices we were called upon to make, the high-class schools of training in arts and letters have been lacking in that section.

But, Mr. Speaker, we are coming into our own in that respect. We have produced a number of distinguished men in the last few years in art and letters, in painting and sculpture, and because these men go from the South where their services are not so much required, for the reason that we have not the wealth or demand for works of art of the higher order, to those communities in which there is a better and more remunerative demand for their services we ought not to deny them the privilege of associating themselves in this way. This association is an inspiration to men who work in the arts. It is educational. It is not sectional. It is open to any man who does such work as to command the respect and admiration of his fellow citizens, who are qualified to pass on these things. Frankly, Mr. Speaker, I would not be qualified to say who is so eminent a sculptor, who so distinguished a painter, who such a master in letters, that he is entitled to belong to an association which devotes itself entirely to the development of those arts. We have produced poets and fiction writers, historians and philosophers, and they have been recognized. Some of them are in this list.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. STEPHENS of Texas. Does not my colleague think it is possible he might be mistaken in the statement there are no eminent men from the Southern States——

Mr. SLAYDEN. Oh, I did not say that.

Mr. STEPHENS of Texas. Is it not a fact that in the Southern States he will find university graduates, and in our own State men who are graduates from the very best schools not only in the United States but in Europe, who are now residents of the South, who are southern born and raised? I dissent from the gentleman's statement.

Mr. SLAYDEN. But the gentleman did not catch my statement. However, in reply to him I will state that I have personally known a great many very distinguished and honorable graduates of the greatest universities in the world who could not speak and write correct English and who certainly could not paint a great picture, chisel a worthy statue, or write a high-class book.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. SHERLEY. I will ask the gentleman what he thinks of a given number of men, self-appointed, creating themselves through an act of Congress into a self-perpetuating body that shall determine who shall be entitled to recognition. The thing about this that I do not like is the fact that these gentlemen appoint themselves as the arbiters of all matters of science and art and determine who shall be worthy of future admission to this academy of immortals.

Mr. SLAYDEN. Mr. Speaker, I do not personally know much about that. I do not recall anything at this moment about the academy in Germany, the academy in England, or in Spain. They have them in all of these countries. We have all read perhaps more about the French academy, and I think that academy selects its own members.

Mr. SHERLEY. And what we have read about the French academy is mostly of the distinguished men who have been denied admission to the French academy, men whom the world admitted to a real hall of fame, in spite of the action of the academy.

Mr. SLAYDEN. Oh, being men, no doubt they will make mistakes.

I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, when I first read the list of notables here enumerated in the proposed act I thought there was a good deal of sectionalism in the bill. But I notice that the very first name, the president of the association or incorporation we propose to incorporate, is W. D. Howells, who Ohio claims. I notice also that the chancellor, William M. Sloane, is an Ohio man, although they are both scheduled in the list as residents of other States. In looking over Who's Who in America I find there are 8 of these men who are really Ohio men, and I have just learned from the statement of the gentleman from Texas [Mr. SLAYDEN] that there are 11 of them who are from the Southern States. I notice some of them who are very well known in the world of achievement as coming from

the South. Take, for instance, Mr. Brander Matthews. He is domiciled in New York, but a southern man. Then there is Mr. Gildersleeve, who was born, as I remember it, in South Carolina. Then there is President Woodrow Wilson listed as coming from New Jersey, when, as a matter of fact, he was born in Virginia. An analysis of the list shows the following facts against what has been termed a sectionalism in the bill: Sixteen come from New York, 13 from Massachusetts, 5 from Connecticut, 3 from Vermont, 2 from New Hampshire, 8 from Ohio, 4 from Indiana, 1 from Michigan, 8 from Pennsylvania, 2 from New Jersey, 11 from the Southern States, and 6 from foreign countries.

It is easy to understand why they are printed as coming from the East, and especially the great centers. These men who have distinguished themselves in various fields of art and letters are located in places where they can get together, where a community of interest is possible. They have gotten together, evidently, and have asked for this incorporation to give them the recognition and dignity that goes with the incorporation by the authority of the Nation. It does not mean that the number is to be limited to these who are asking to be incorporated whose names are in the proposed act, and therefore I think that that objection would not be valid.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. MARTIN. Has the gentleman noticed that the bill does propose to limit the number of this association at any time to 50?

Mr. FESS. That is, of regular members. All associations of this kind have two classes of members—regular and associate. Sometimes they are classed as regular and honorary. Other associations classify under the heads active and associate members.

Mr. MARTIN. Is there any provision in the bill for any other kind of members?

Mr. FESS. I see no provision; but it would not prevent the election of associate members, just as in the American Historical Association or other similar associations.

Mr. MANN. The bill does provide for the election of honorary and associate members.

Mr. FESS. I thank the gentleman for calling my attention to that. I had not noticed it. Mr. Speaker, I sent over to the Library a moment ago for a list of similar associations incorporated by the authority of Congress. The list sent to me numbers 34. Since receiving it I went to the telephone to verify the statement that these have all been incorporated by act of Congress, and am told that they have been, and, if I desired it, the date of the act would be furnished. The list is as follows:

1. Academy of Natural Sciences, Philadelphia.
2. Academy of Science, St. Louis.
3. Academy of Science and Art of Pittsburgh.
4. Academy of Science and Letters, Sioux City.
5. American Academy of Dramatic Art.
6. American Academy of Political and Social Science.
7. American Forestry Association.
8. American Forestry Congress.
9. American Historical Association.
10. American Institute of Architects.
11. American Institute of Electrical Engineers.
12. American Institute of Mining Engineers.
13. American-Irish Historical Society.
14. American-Jewish Historical Society.
15. American Philological Association.
16. American Philosophical Association.
17. American Psychological Association.
18. American Society of Mechanical Engineers.
19. Archæological Institute of America.
20. Association of Engineering Societies.
21. Illuminating Engineering Society.
22. National Academy of Design.
23. National Academy of Sciences.
24. National Institute of Arts and Letters.
25. National Institute of Social Sciences.
26. Southern Historical Society.
27. Unitarian Historical Society, Boston.
28. California Academy of Sciences.
29. New York Academy of Sciences.
30. Academy of Natural Sciences of Philadelphia.
31. American Philosophical Society, held at Philadelphia, for Promoting Useful Knowledge.
32. Carnegie Foundation for the Advancement of Teaching.
33. Carnegie Institution of Washington.
34. National Conservatory of Music.

I hope that there will be no serious objection to this national recognition of the effort toward the organization of an academy of arts and sciences. It is only another item in the great movement toward the better and higher appreciation of things that are worth while. The objection that it is undemocratic is without force. If denial is placed upon that ground, then all such organizations should be so opposed. I do not see any serious objection to this any more than to the American Historical Association or to the American Philosophical Association or any of the other 32 such associations already incorporated. Some of these associations are domiciled at Philadelphia, others in New York, others in Boston, others in Pittsburgh, and still others in Washington. They are all incorporated under the authority of national law. I sincerely hope objection will not be pressed, but this House will show its appreciation of this sort of achievement.

The following is a list of the officers and members of the American Academy of Arts and Letters:

[Revised to January, 1915.]

OFFICERS.

President, Mr. Howells; chancellor and treasurer, Mr. Sloane; permanent secretary, Mr. Johnson.

Directors, Messrs. Blashfield, Brownell, Hastings, Howells, Johnson, Mead, and Sloane.

MEMBERS.

William Dean Howells, Augustus Saint-Gaudens (deceased), Edmund Clarence Stedman (deceased), John La Farge (deceased), Samuel Langhorne Clemens (deceased), John Hay (deceased), Edward MacDowell (deceased), Henry James, Charles Follen McKim (deceased), Henry Adams, Charles Eliot Norton (deceased), John Quincy Adams Ward (deceased), Thomas Rainsford Lounsbury, Theodore Roosevelt, Thomas Bailey Aldrich (deceased), Joseph Jefferson (deceased), John Singer Sargent, Richard Watson Gilder (deceased), Horace Howard Furness (deceased), John Bigelow (deceased), Winslow Homer (deceased), Carl Schurz (deceased), Alfred Thayer Mahan (deceased), Joel Chandler Harris (deceased), Daniel Chester French, John Burroughs, James Ford Rhodes, Edwin Austin Abbey (deceased), Horatio William Parker, William Milligan Sloane, Edward Everett Hale (deceased), Robert Underwood Johnson, George Washington Cable, Daniel Coit Gilman (deceased), Thomas Wentworth Higginson (deceased), Donald Grant Mitchell (deceased), Andrew Dickson White, Henry van Dyke, William Crary Brownell, Basil Lanneau Gildersleeve, Julia Ward Howe (deceased), Woodrow Wilson, Arthur Twining Hadley, Henry Cabot Lodge, Francis Hopkinson Smith, Francis Marion Crawford (deceased), Henry Charles Lea (deceased), Edwin Howland Blashfield, William Merritt Chase, Thomas Hastings, Hamilton Wright Mabie, Bronson Howard (deceased), Brander Matthews, Thomas Nelson Page, Elihu Vedder, George Edward Woodberry, William Vaughn Moody (deceased), Kenyon Cox, George Whitefield Chadwick, Abbott Handerson Thayer, John Muir (deceased), Charles Francis Adams, Henry Mills Alden, George de Forest Brush, William Rutherford Mead, John White Alexander, Bliss Perry, Francis Davis Millet (deceased), Abbott Lawrence Lowell, James Whitcomb Riley, Nicholas Murray Butler, Paul Wayland Bartlett, George Browne Post (deceased), Owen Wister, Herbert Adams, Augustus Thomas, Timothy Cole, Cass Gilbert, William Roscoe Thayer.

Mr. STAFFORD. Mr. Speaker, no bill in my memory which has sought to form a close corporation has embodied the idea that it was not subject to revision and repeal by the Congress. Here we provide by this bill—different from the House bill, which had the repealable clause—the authority that these gentlemen, estimable, holding high positions as they do, may constitute themselves a small, exclusive body to determine who shall be included within the class of immortals. I do not wish to dispute that these persons named have achieved high distinction in the realm of letters, painting, and the like, but a mere glance over the list shows that it is sectional in its character. I take issue with the author of this bill that there are not men from the South, men from the West, the Middle West, and the far West, who have achieved as much distinction in the line of letters as those men who are named here.

Mr. SLAYDEN. Mr. Speaker, if the gentleman is referring to me, I hope he will take the stenographer's notes and see that he is quoting me absolutely incorrectly.

Mr. STAFFORD. I do not intend to quote the gentleman incorrectly, but I say that there are men in the South who have achieved as high distinction in the realm of letters—for instance, James Lane Allen——

Mr. SLAYDEN. I hope the gentleman——

Mr. STAFFORD. And other men who, by their records in art and literature, have achieved as high worth as these men, some of whom are on the verge of the grave and some of whom have already passed into the realm beyond.

Mr. SLAYDEN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. SLAYDEN. I protest against the gentleman putting words in my mouth which I did not say.

Mr. STAFFORD. I did not refer to the gentleman in my second statement. The gentleman misunderstands me entirely.

Mr. SLAYDEN. The gentleman repeated it a second time.

Mr. STAFFORD. And I repeat it a third time.

Mr. SLAYDEN. And I desire to protest that I did not say anything of the kind.

Mr. STAFFORD. I am not saying what the gentleman said, but I will repeat it a third time, that there are gentlemen as worthy of inclusion in this list from the South and West as those who are named. There are two fundamental objections. We are seeking to create by act of Congress a corporation with certain 50 named persons designated, and another provision limiting the number hereafter to 50. If there were no restrictions as to the number, the objection would not be so great, but here you create a small class of 50 selected dignitaries—you leave it to these men to say who shall be considered as a

select class, the only worthy of the worthy. I do not think that is American. I have no objection to a corporation being formed which comprises all who are entitled to it nationally, but when it comes to enacting a law which creates a class which shall arrogate to itself the privilege of determining that they alone have the high characteristics to obtain membership to this select class I dissent because I know many who are equally as worthy as those who are included, even though they happen not to be domiciled in the sacred precincts of the commercial center of the country, not the literary center but the commercial center—New York.

Mr. STEENERSON. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. STEENERSON. Does the gentleman think the United States Government ought to be represented on this board, that some of the officials, like the Commissioner of Education or some other officials, the President of the United States?

Mr. STAFFORD. That is worthy of consideration, except that might include many worthy people.

Mr. PLATT. The President of the United States is included.

Mr. STAFFORD. That is not officially. He is included by reason of his historical writings, essays, and very worthily so, on account of the position he has occupied in the realm of letters.

Mr. PLATT. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PLATT. Does not the gentleman think after this association has been incorporated we can easily get up another one to take in all those very worthy men, and even ourselves, if necessary?

Mr. SHERLEY. If the gentleman will permit, that goes to the main question. These gentlemen have a perfect right to associate themselves together and put the seal of their approval upon whom they please; but for them to come and ask the Congress to delegate to them the seal of authority to determine who are fit to be within an exclusive class of 50 immortals is to undertake something that comes mighty near the extreme of egotism and presumption, no matter what the ability of these gentlemen.

Mr. STEENERSON. Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I must decline to yield further. We surrender to them for all time the right of Congress to repeal this act, never before, in my knowledge, done; and I challenge anyone to say where in any of these 36 similar incorporations of the past Congress did not reserve the right to repeal, and yet under this bill we surrender that privilege.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. STAFFORD. How much time have I occupied?

The SPEAKER. Seven minutes.

Mr. STAFFORD. I yield to the gentleman from Texas.

Mr. STEPHENS of Texas. Does the gentleman remember the instance of three tailors who got into a back room in a tailor shop in London and declared that those three were the people of London, and proceeded then to give directions to the British Empire?

Mr. STAFFORD. We do not have to go to London to find that. We find it here in this country. I reserve the balance of my time.

Mr. SLOAN. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. SLOAN. I desire to ask the gentleman from Wisconsin if he has discovered any reason why Walt Mason, the most widely read, and the most generally read, and the best-paid poet on the Western Continent, a citizen of Nebraska, loaned temporarily to Kansas, is not mentioned in that list?

Mr. STAFFORD. You can keep on citing names ad infinitum of men illustrious in the realm of letters who are entitled as much to inclusion in this list as this select few.

I reserve the balance of my time. How much time have I used, Mr. Speaker?

The SPEAKER. The gentleman has used eight minutes.

Mr. SLAYDEN. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman from Texas has five minutes remaining.

Mr. SLAYDEN. Mr. Speaker, I ask the gentleman from Wisconsin to go on and use some more of his time.

Mr. STAFFORD. I am strongly opposed to this bill in its present form. I am under obligations to yield five minutes to a gentleman in favor of it, the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am grateful to the gentleman from Wisconsin [Mr. STAFFORD], who controls the time for the opposition, yet generously yields to me, knowing I will support the bill.

Mr. Speaker, this bill is in substance an application made by a number of American citizens, distinguished in arts and letters, who desire to incorporate as a national association, having for its purpose the furtherance of the interests of literature and the fine arts in the United States. No one here will venture to question the entire worthiness of that purpose. No one but desires that literature and the fine arts may be encouraged, that their standards may be elevated; that their appreciation may be increased. If the Congress of the United States can by this mere recognition of the worthiness of their purpose aid these gentlemen in their endeavor to further these interests it ought to do so.

The American Academy of Arts and Letters as a voluntary association has been in existence some years. It will doubtless continue its existence whether we incorporate it or not. But it is desired that as this association is composed of men from all over the United States and is national in its scope, it be given national recognition, just as we have given national recognition to the American Academy of Political and Social Science, to the American Historical Association, to the National Academy of Sciences, and to some 30 other national associations of similar character.

Mr. SHERLEY. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. SHERLEY. Why do they need a special act of Congress? They can incorporate under the laws of practically every State in the Union or under the laws of the District of Columbia?

Mr. TOWNER. I think that is a very pertinent inquiry, and I will say in reply that, so far as I am informed, it is only because they desire to add as much dignity and importance to the association as is possible.

Mr. SHERLEY. Now, if the gentleman please, is it not the real reason that they hope by virtue of an act of Congress to have themselves designated as the exclusively chosen patrons of art and letters?

Mr. TOWNER. Mr. Speaker, if the gentleman would reflect, I think he would not desire to asperse the character of those men by attributing to them any such selfish purpose.

Mr. SHERLEY. Oh, if the gentleman——

Mr. TOWNER. I decline to yield any further, Mr. Speaker, because I have not the time.

These men are representative of that which is best in American art and letters. They are incapable of such an unworthy desire as the gentleman ascribes to them. In so far as any selfish purpose is indicated, it is only that the association may become more efficient and influential in promoting art and letters in the United States. It is not intended that an exclusive cult shall be formed which shall determine standards or ideals. It is certainly proper to place a limit on the membership of an association of this kind. That is always done. But how unreasonable it is to charge that because a number of men and women desire to associate themselves for the furtherance of any worthy purpose, such an endeavor is an attempt to arrogate to themselves exclusive possession of merit or distinction in such field. Other associations may be formed. Individual effort is not in any way discredited or handicapped. In order to better accomplish a worthy purpose these gentlemen, who have won distinction in their several lines, who stand for that which is best and most elevated in American letters and art, desire to associate themselves into an organization that shall assist in advancing the cause and increasing the influence of letters and art. This is a worthy purpose. We should encourage rather than disparage it.

Mr. DIES. Will the gentleman yield?

Mr. TOWNER. For a question only.

Mr. DIES. I would like to ask the gentleman how many new stars have been added to the constellation since we killed the bill before?

Mr. TOWNER. I hardly know what the gentleman means. If he means that the selection of membership does not meet with his approval, I will say to the gentleman that any selection that could be made would be subject to criticism.

Mr. DIES. I want to know if there are any new names.

The SPEAKER. The gentleman declines to yield.

Mr. TOWNER. The charge has been made before and is again urged that the bill is sectional; that in the names of the incorporators there are too many from the East and too few from the West and South. As I view it, that objection, if true in fact, should be given little weight. If a number of gentlemen in any worthy cause of this character desire to associate themselves and they are of enough distinction to compel national respect and approval, even if they were all from a

single State or city, I would not consider that fact a sufficient reason why we should not recognize them.

But the sectional objection has little basis in fact. In giving the present location of the organizing members it appears that a large number are found in New York, Boston, and the East. But the chairman, Mr. Howells, is from Ohio, as is the chancellor and treasurer, Mr. Sloane. There are eight Ohio men in the association. There are 11 from the Southern States. Chase, *the artist*, and Riley, the poet, come from Indiana. Cable comes from Louisiana, Joel Chandler Harris from Georgia, and John Muir was a Californian. Woodrow Wilson is put down from New Jersey, but he was born in Virginia. Many men of arts and letters have gravitated to the eastern centers because they find in such centers the association, the market, and the material for their work. To urge this objection under the circumstances is an exhibition of narrow provincialism unworthy of the Members of this House.

It is not likely if we fail to incorporate the association it will be materially injured by such failure. The association can continue its work as a voluntary association without national official recognition. But we shall injure ourselves if we do not pass this bill. Our refusal to do so for reasons assigned today will not be creditable to us. We should be able, at least occasionally, to be broadminded, and to understand and appreciate some of the things that rise above neighborhood prejudices. It will be altogether creditable to the American Congress if it shall pass this bill. It will be a reflection upon our intelligence if we refuse to pass it.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I make a similar request. I want to print a letter from Robert Underwood Johnson.

The SPEAKER. Is there objection?

Mr. MANN. Suppose everybody did that? Everyone has a letter from Mr. Johnson.

Mr. FERRIS. They have not had a good one, like this.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, the letter is from the Hon. Robert Underwood Johnson, formerly editor of the Century Magazine. He is a fluent writer and a distinguished citizen of the Republic. His letter has certain value to this question. It is pertinent and deserves a place in the CONGRESSIONAL RECORD in connection with this bill. It is as follows:

THE CENTURY ASSOCIATION,
7 West Forty-third Street, February 12, 1915.

DEAR MR. FERRIS: If you were selecting the best chemists in the country, would you select them according to States or according to distinction?

As a matter of fact, the members of the American Academy of Arts and Letters since its organization is geographically well distributed if you take the birthplaces of the 79 members, living or dead. You see, writers and artists come to New York and Boston for their market and for the sympathy and comradeship found in large cities. I inclose a list. Will you not have the justice and kindness to show it to those who are affected by the geographical distribution of residences? No amount of residence in New York can obscure the fact that Mark Twain was a Missourian. So is Augustus Thomas. Howells, Sloane, Kenyon, Cox all came from Ohio; Cass Gilbert from Michigan; Chase, the artist, from Indiana, where I spent my boyhood, coming east to join the Century Magazine staff—a national organ. Riley lives in Indiana, where Moody was born; John Muir was a Californian; Joel Chandler Harris from Georgia; Prof. Gildersleeve, born in South Carolina, lived in Virginia, and now lives in Maryland; Cable and Matthews were born in Louisiana; Brush, whose paintings are in the Corcoran, was born in Tennessee; Van Dyke, Wister, and Furness, the great Shakespeare commentator, came from Pennsylvania.

Please ask Mr. SLAYDEN to let you see the full list.

Is it not a trivial objection that the academy, based on large achievement, has no representative of certain States where less attention is given to literature and the arts? So much more do they need the help of such an organization. With thanks for your frank letter and hope that you will help us with our enabling act on Monday, I am,

Very sincerely, yours,

R. U. JOHNSON.

Geographical distribution of the birthplaces of the 79 members of the American Academy of Arts and Letters.

New Yorks City	10
New York State	6
Boston	8
Massachusetts (outside Boston)	5
Connecticut	5
Vermont	3
New Hampshire	2
Pennsylvania	8
New Jersey	2
Ohio	8
Indiana	4
Michigan	1
Maryland	1
District of Columbia	1
Virginia	2
South Carolina	1
Georgia	1
Louisiana	2
Tennessee	1
Missouri	2
Abroad (including Muir, of California, and Schurz, of Missouri)	6
Total	79

RÉSUMÉ.

New York City and State	16
Boston and Massachusetts	13
Connecticut, Vermont, and New Hampshire	10
Pennsylvania and New Jersey	10
Ohio, Indiana, and Michigan	13
South	11
Wisconsin and California (resident, Muir)	1
Abroad (besides Muir, including Carl Schurz, of Missouri)	5

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I do not desire to reflect upon any of the individuals named in this list. Some of them I happen to have the pleasure of knowing. All of them are men of distinction, and I in no way object to the bill because of the absence of the names of men residing in the South. I am not sectional in my opposition. I realize fully that art and science know no geographical limitations, and it is for that very reason that I deeply resent the egotism that I believe underlies this movement. It is not the first time in the history of the world when men distinguished in art and letters have, from what they thought very proper motive, or, as the gentleman from Iowa put it, a desire to elevate the world in art and letters, undertaken to arrogate to themselves the sole right of determining what shall be thought worth while in art and letters and who shall be worthy of the approval of these self-appointed censors. The world has grown too big for academies of 50 people to pass upon eligibility for fellowship in the society of intellectual endeavor and achievement, and there is nothing more distinctly un-American than for the National Congress to give its sanction to 50 self-appointed individuals, no matter how eminent they may be, with power to perpetuate themselves and their association and to put the ban of their disapproval or the smile of their approval upon all who may knock hereafter for recognition in art, in science, or in literature. And, as I said a moment ago to the gentleman from Texas [Mr. SLAYDEN], a good many academies of the world, self-created, have become famous because of the men they refused admission to rather than on account of those that they admitted within their sacred portals. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] has five minutes left.

Mr. STAFFORD. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN] three minutes.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for three minutes.

Mr. MANN. Mr. Speaker, this bill is a companion piece to the law creating the National Institute of Arts and Letters that we passed some time ago. I believe the membership in that institute is 250, or something like that.

Mr. SLAYDEN. That is right.

Mr. MANN. This provides for the American Academy of Arts and Letters, with a membership of 50. Both of these institutions have been in operation for a number of years. The American Academy has been in existence for about 10 years. Men are elected members of the academy, which is the 50-membership institution, from the national institute, which is the 250-membership institution.

Of course, they will exist voluntarily, one of them now being already authorized by law, even if we do not authorize this one by law. There is no doubt in my mind that it is intended by the bill to give these gentlemen a distinction, possibly adding somewhat to the distinction which they would otherwise attain. Yet I can see no harm in it. If this proposal were simply to name these 49 gentlemen named in this bill to create an American academy as a new proposition, I would be opposed to it, because I note from an examination of the bill that out of the 49 members named, 21 come from the State of New York, 11 come from Massachusetts, 2 from the District of Columbia, 3 from Connecticut, 5 from New Jersey, 3 from New Hampshire, and 1 from Maryland, 1 from Indiana, 1 from California—and he is dead—and only 1 from Philadelphia and Pennsylvania combined. [Laughter.]

I would not have created the institute in this manner if it had been left to me to determine the organization. But as the institute is already in existence and men have been selected because of their prominence in arts and in letters, it seems to me that we can not criticize because these men happen to reside in the States named.

It is true that many of them came from other States to New York and Massachusetts. It is undoubtedly true also that many of them are named in this list because they have come in per-

sonal touch with the other men living in New York and Boston. And yet it is inevitable that a center grows up in reference to any line, either of thought or business, and the center of thought in the way of literature and art does actually exist in New York City and Boston, in the main; and those of us, if we should attain prominence in the arts or literature, would probably move to one of those cities, as every man in the country who endeavors to attain to prominence in statesmanship in the end desires or seeks Washington for a home a portion of the time, because this is the center of the country as to statesmanship. Therefore I can see no objection to the passage of the bill. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for two minutes.

Mr. STAFFORD. Mr. Speaker, I would like to inquire if the gentleman from Texas [Mr. SLAYDEN] intends to close in one speech?

Mr. SLAYDEN. It is my purpose to yield all of my time, except half a minute for one statement, to the gentleman from Wisconsin [Mr. COOPER].

Mr. STAFFORD. It is only fair, then, to say that I hope the gentleman will use his minute, and I propose that we shall have only one more speech on this side.

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] is recognized.

Mr. SLAYDEN. Then I will act on the suggestion of the gentleman from Wisconsin. I have a letter here from a gentleman highly connected with the Government of the United States which, I think, should meet the approval of gentlemen from Minnesota. It is the President of the United States who is anxious for the passage of this bill.

It must be admitted, as stated by the gentleman from Illinois [Mr. MANN], that the men most eminent in letters, in painting, sculpture, and in architecture are associated with this institution, and no reason has been advanced to show why it should not pass.

I yield the balance of my time, Mr. Speaker, to the gentleman from Wisconsin [Mr. COOPER].

Mr. STAFFORD. Mr. Speaker, in all fairness to the gentleman, I will say that we have on this side but one speech remaining. The gentleman from Texas is entitled to close. I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, I would like to give this bill my support, but as a Representative from a Southern State, I can not do it. I can not virtually say by my vote that the entire Southern States are without men who are qualified and that their names should not be associated with a great national project or proposition of this kind. I should consider it a reflection upon the South and an insult to my constituents to be compelled to vote for a bill of this kind, and I hope we shall send it back to the committee, and that the gentlemen mentioned in the bill will find out there is a great section of this country not only south of the Ohio River, but west of the Mississippi River. [Applause.]

During the Sixty-first Congress—a Republican Congress—in having the pictures of the previous Speakers of this House painted we found well-known southern artists to paint the pictures of Speakers who were elected from the Southern States; and in this matter I ask this Democratic House, made up practically of a majority of southern men, to vote with me, a southern Republican, against this bill, and send it back to the committee, and if those interested do not know that we have men of art and literary talent in the South and West, we will give them time to find out before they get a proposition of this kind through the House with the aid of our votes [Applause.]

BRIDGE ACROSS THE SUWANEE RIVER, FLA.

The SPEAKER. Before the Chair recognizes the gentleman from Wisconsin [Mr. COOPER], he desires to announce the cancellation of his signature to the bill (S. 7555) to authorize the construction of a bridge across the Suwanee River, in the State of Florida.

AMERICAN ACADEMY OF ARTS AND LETTERS.

The Chair now recognizes the gentleman from Wisconsin [Mr. COOPER] for four and one-half minutes.

Mr. COOPER. Mr. Speaker, I am heartily in favor of this bill. Gentlemen have given various reasons for opposing it. Some have said that its tendency is exclusive, aristocratic, sectional, and that it confers unwarranted special privileges. But it is no more exclusive, aristocratic, or sectional than are the 34 or 35 corporations that Congress already has created, nor does it confer any more unwarranted privileges. We already have the American Academy of Sciences; we already have the American Historical Society. This bill merely proposes to create a sister society to these to include in its membership painters, sculptors, musicians, and authors, and to be called the American Academy of Arts and Letters.

Gentlemen complain of the limited number of the incorporators. Of course their number is limited. Of necessity this must be so. But in this there is nothing either aristocratic or unduly exclusive. Congress incorporated the American Red Cross Society. Its original incorporators were limited in number. But at that time no one said, as gentlemen have said here to-day, "We must not incorporate the Red Cross Society, because if we do we thereby say that only those whose names are mentioned as incorporators shall be entitled to be considered charitable; we will support no bill of this kind unless its list of incorporators shall include the name of somebody from my congressional district or State." Mr. Speaker, with all respect for the gentlemen who have made that argument to-day, it is the narrowest possible sort of a way to consider a question of this kind. Wisconsin has nearly completed, at a cost of $6,000,000, a superb State capitol. Among the other great artists who have decorated the structure is Blashfield, of New York, one of the incorporators named in the pending bill. Who decorated the beautiful State capitol in Minnesota? Were they men from some congressional district in Minnesota or were they from the East? How preposterous to talk about art as though it were a matter of mere geography. Painting, sculpture, and music speak a universal language and make a universal appeal.

Mr. MARTIN. Will the gentleman yield?

Mr. COOPER. I have no time to yield.

The SPEAKER. The gentleman declines to yield.

Mr. COOPER. One gentleman says, "Let us send this bill back until we can get into it the name of somebody from the South." Well, George W. Cable was born in Louisiana. His name is here. The name of Thomas Nelson Page, of Virginia, is here.

Mr. SLAYDEN. And the name of Joel Chandler Harris.

Mr. ESCH. Joel Chandler Harris.

Mr. COOPER. The name of Joel Chandler Harris is here. I am not going to vote against this bill because it makes no mention of anybody from Wisconsin.

The gentleman from Texas [Mr. DIES] asks, "Have there been any distinguished reputations made since we killed the bill before?" Now, the fact that a bill has been killed before does not signify that it was not meritorious. The amendment for the income tax was killed by Congress more than once before it became a part of the Constitution. The constitutional amendment for the election of Senators by the people was killed time and again before at last it became a part of the Constitution. Consecutive defeats do not always demonstrate the unworthiness of the measure that is defeated. I can not understand the logic of the gentleman.

Mr. DIES. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. COOPER. No; I have only very little time. I can not yield. The bill makes provision not only for regular members, but also for foreign, domestic, or honorary members. I regret that I have not time in which to discuss it.

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is on suspending the rules, discharging the Committee on the Library from the further consideration of the bill read at the desk, and passing the bill.

The question being taken, on a division (demanded by Mr. STAFFORD) there were—ayes 62, noes 41.

Accordingly, two-thirds not voting in the affirmative, the motion was rejected.

INTERSTATE COMMERCE IN THE PRODUCTS OF CHILD LABOR.

Mr. PALMER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12292) to prevent interstate commerce in the products of child labor, and for other purposes, as amended.

Mr. MANN. I will ask the gentleman from Pennsylvania whether the motion is to pass the House substitute as it is printed?

Mr. PALMER. Yes; the amended bill as it is printed in the report.

Mr. MANN. As it is printed in bill form, as amended?

Mr. PALMER. Yes.

The SPEAKER. Of course, whatever is read from the desk is what will be voted upon.

The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful for any producer, manufacturer, or dealer to ship or deliver for shipment in interstate commerce the products of any mine or quarry which have been produced, in whole or in part, by the labor of children under the age of 16 years, or the products of any mill, cannery, workshop, factory, or manufacturing establishment which have been produced, in whole or in part, by the labor of children under the age of 14 years, or by the labor of

children between the age of 14 years and 16 years, who work more than eight hours in any one day, or more than six days in any week, or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m.

SEC. 2. That the Attorney General, the Secretary of Commerce, and the Secretary of Labor shall constitute a board to make and publish from time to time uniform rules and regulations for carrying out the provisions of this act.

SEC. 3. That for the purpose of securing proper enforcement of this act the Secretary of Labor, or any person duly authorized by him, shall have authority to enter and inspect at any time mines, quarries, mills, canneries, workshops, factories, and manufacturing establishments in which goods are produced for interstate commerce.

SEC. 4. That it shall be the duty of each district attorney to whom the Secretary of Labor shall report any violation of this act, or to whom any State factory or mining or quarry inspector, commissioner of labor, State medical inspector, or school-attendance officer, or any other person shall present satisfactory evidence of any such violation to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay for the enforcement of the penalties as in such cases herein provided.

SEC. 5. That any person, partnership, association, or corporation, or any agent or employee thereof manufacturing, producing, or dealing in the products of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment who shall violate any of the provisions of section 1 of this act, or who shall refuse or obstruct the entry or inspection authorized by section 3 of this act, shall be guilty of a misdemeanor and shall be punished by a fine of not more than $1,000 nor less than $100, or by imprisonment for not more than one year nor less than one month, or by both fine and imprisonment, in the discretion of the court: *Provided*, That no dealer shall be subject to conviction under the provisions of this section who shall establish a guaranty issued by the person by whom such goods were manufactured or produced, and residing in the United States, to the effect that in the manufacture and production of such goods, neither in whole nor in part, had children been employed or permitted to work in any mine or quarry under the age of 16 years, or in any mill, cannery, workshop, factory, or manufacturing establishment under the age of 14 years, or between the ages of 14 years and 16 years, who worked more than eight hours in any one day, or more than six days in any week, or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m. Said guaranty, to afford the protection above provided, shall contain the name and address of the person giving the same, and in such event such person shall be amenable to any prosecution, fine, or penalty to which the person seeking the protection of such guaranty would otherwise have been subject under the provisions of this act. The word "dealer" as used in this act shall be construed to include any individual or corporation, or the members of any partnership or other unincorporated association.

SEC. 6. That in prosecutions under this act each shipment or delivery for shipment shall constitute a separate offense.

SEC. 7. That this act shall take effect from and after one year from the date of its passage.

The SPEAKER. Is a second demanded?

Mr. BYRNES of South Carolina. Mr. Speaker, I demand a second.

Mr. PALMER. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that a second be considered as ordered.

Mr. BYRNES of South Carolina. I object.

The SPEAKER. The gentleman from South Carolina objects, and the Chair will appoint the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Pennsylvania [Mr. PALMER] as tellers.

The House divided, and the tellers reported that there were 54 ayes and 32 noes.

Mr. TRIBBLE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Georgia makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees.

Mr. CRISP. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and on a division (demanded by Mr. PALMER) there were—36 ayes and 64 noes.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask for the yeas and nays.

Mr. TRIBBLE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from Georgia will state it.

Mr. TRIBBLE. When the call comes on the point of no quorum, will the vote be on an adjournment?

The SPEAKER. If there are enough Members rise to order the yeas and nays, the vote will be on the question to adjourn.

Mr. PALMER. If a sufficient number of Members do not arise to get the yeas and nays, will the vote be on the adjournment?

The SPEAKER. No; and if the yeas and nays are refused, the House will have refused to adjourn by a vote of 64 to 36. The question is on taking the vote by yeas and nays, and all those in favor of taking the vote by yeas and nays will rise. [After counting.] Twenty-eight Members; a sufficient number.

Mr. PALMER. The other side, Mr. Speaker.

The SPEAKER. Those opposed to taking the vote by yeas and nays will rise. [After counting.] Sixty-five gentlemen have arisen. Twenty-eight is a sufficient number, and the Clerk will call the roll on the motion to adjourn.

The question was taken; and there were—yeas 63, nays 201, not voting, 159, as follows:

[Roll No. 59.]

YEAS—63.

Adamson	Davenport	Helm	Post
Aiken	Dies	Henry	Ragsdale
Ashbrook	Doughton	Hoxworth	Rayburn
Aswell	Dupré	Hughes, Ga.	Saunders
Bailey	Eagle	Hull	Slayden
Bell, Ga.	Fergusson	Johnson, S. C.	Small
Booher	Ferris	Kirkpatrick	Stedman
Borchers	Fields	Lazaro	Stephens, Miss.
Byrnes, S. C.	Finley	Lee, Ga.	Taggart
Callaway	Fordney	Lever	Tribble
Carlin	Glass	Moon	Vinson
Chandler, N. Y.	Gordon	Morgan, Okla.	Weaver
Claypool	Gregg	Murray	Webb
Cline	Hardy	Page, N. C.	Witherspoon
Collier	Harrison	Park	Young, Tex.
Crisp	Heflin	Parker, N. J.	

NAYS—201.

Abercrombie	Edmonds	Konop	Rainey
Adair	Esch	Lafferty	Raker
Alexander	Evans	La Follette	Rauch
Allen	Fairchild	Langham	Reilly, Conn.
Anderson	Falconer	Langley	Reilly, Wis.
Austin	Farr	Lenroot	Rogers
Baker	Fess	Levy	Rouse
Baltz	FitzHenry	Lewis, Md.	Rubey
Barchfeld	Flood, Va.	Lieb	Russell
Barkley	Floyd, Ark.	Lindbergh	Seldomridge
Barton	Foster	Linthicum	Shackleford
Beakes	Fowler	Lobeck	Sherley
Beall, Tex.	Francis	Lonergan	Sherwood
Bell, Cal.	French	McAndrews	Sims
Britten	Gallagher	McKellar	Sinnott
Brown, N. Y.	Gallivan	McKenzie	Sloan
Browne, Wis.	Garner	McLaughlin	Smith, Idaho
Browning	Garrett, Tenn.	MacDonald	Smith, J. M. C.
Brumbaugh	Garrett, Tex.	Madden	Smith, Minn.
Bryan	Gill	Maguire, Nebr.	Smith, N. Y.
Buchanan, Ill.	Gillett	Mapes	Smith, Saml. W.
Buchanan, Tex.	Gilmore	Martin	Smith, Tex.
Bulkley	Gittins	Metz	Stafford
Burke, S. Dak.	Goodwin, Ark.	Miller	Steenerson
Burke, Wis.	Gray	Mitchell	Stephens, Cal.
Burnett	Green, Iowa	Mondell	Stephens, Nebr.
Byrns, Tenn.	Greene, Mass.	Morrison	Stephens, Tex.
Candler, Miss.	Greene, Vt.	Moss, Ind.	Stevens, Minn.
Caraway	Guernsey	Moss, W. Va.	Stevens, N. H.
Carter	Hamilton, Mich.	Mott	Stone
Church	Hamilton, N. Y.	Mulkey	Stout
Clancy	Hamlin	Murdock	Stringer
Coady	Hayden	Neeley, Kans.	Sumners
Connelly, Kans.	Helgesen	Neely, W. Va.	Sutherland
Connolly, Iowa	Helvering	Nelson	Talcott, N. Y.
Cooper	Hill	Norton	Tavenner
Cox	Hinds	O'Hair	Ten Eyck
Cramton	Hinebaugh	Oldfield	Thomas
Cullop	Houston	Padgett	Thompson, Okla.
Curry	Hughes, W. Va.	Paige, Mass.	Towner
Davis	Humphreys, Miss.	Palmer	Vaughan
Decker	Igoe	Parker, N. Y.	Vollmer
Deitrick	Jacoway	Peters	Volstead
Dershem	Johnson, Ky.	Peterson	Walsh
Dickinson	Keating	Phelan	Watkins
Dillon	Kennedy, Conn.	Platt	Wingo
Dixon	Kennedy, Iowa	Plumley	Woods
Donovan	Kent	Porter	Young, N. Dak.
Doolittle	Kindel	Pou	
Driscoll	Kinkaid	Powers	
Eagan	Knowland, J. R.	Quin	

NOT VOTING—159.

Ainey	Dooling	Howard	Morgan, La.
Anthony	Doremus	Howell	Morin
Avis	Drukker	Hulings	Nolan, J. I.
Barnhart	Dunn	Humphrey, Wash.	O'Brien
Bartholdt	Edwards	Johnson, Utah	Oglesby
Bartlett	Elder	Johnson, Wash.	O'Shaunessy
Bathrick	Estopinal	Jones	Patten, N. Y.
Blackmon	Faison	Kahn	Patton, Pa.
Borland	Fitzgerald	Keister	Price
Bowdle	Frear	Kelley, Mich.	Prouty
Brockson	Gard	Kelly, Pa.	Reed
Brodbeck	Gardner	Kennedy, R. I.	Riordan
Broussard	George	Kettner	Roberts, Mass.
Brown, W. Va.	Gerry	Key, Ohio	Roberts, Nev.
Bruckner	Godwin, N. C.	Kiess, Pa.	Rothermel
Burgess	Goeke	Kitchin	Rucker
Burke, Pa.	Goldfogle	Korbly	Rupley
Butler	Good	Kreider	Sabath
Calder	Gorman	Lee, Pa.	Scott
Campbell	Goulden	L'Engle	Scully
Cantor	Graham, Ill.	Lesher	Sells
Cantrill	Graham, Pa.	Lewis, Pa.	Shreve
Carew	Griest	Lindquist	Sisson
Carr	Griffin	Lloyd	Slemp
Cary	Gudger	Loft	Smith, Md.
Casey	Hamill	Logue	Sparkman
Clark, Fla.	Harris	McClellan	Stanley
Conry	Hart	McGillicuddy	Switzer
Copley	Haugen	McGuire, Okla.	Talbott, Md.
Crosser	Hawley	Mahan	Taylor, Ala.
Dale	Hay	Maher	Taylor, Ark.
Danforth	Hayes	Manahan	Taylor, Colo.
Dent	Hensley	Mann	Taylor, N. Y.
Difenderfer	Hobson	Montague	Temple
Donohoe	Holland	Moore	Thacher

Thomson, Ill.	Underwood	Watson	Wilson, Fla.
Townsend	Vare	Whaley	Wilson, N. Y.
Treadway	Walker	Whitacre	Winslow
Tuttle	Wallin	White	Woodruff
Underhill	Walters	Williams	

So the motion to adjourn was rejected.

The Clerk announced the following pairs:

For the session:

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. GRAHAM of Illinois with Mr. AINEY.
Mr. WILSON of Florida with Mr. DUNN.
Mr. MCGILLICUDDY with Mr. DANFORTH.
Mr. CONRY with Mr. KENNEDY of Rhode Island.
Mr. DALE with Mr. SWITZER.
Mr. WHALEY with Mr. HAMILTON of New York.
Mr. BARNHART with Mr. ANTHONY.
Mr. BARTLETT with Mr. BUTLER.
Mr. BLACKMON with Mr. AVIS.
Mr. BORLAND with Mr. CALDER.
Mr. BROWN of West Virginia with Mr. CAMPBELL.
Mr. BURGESS with Mr. CARY.
Mr. CANTRILL with Mr. BURKE of Pennsylvania.
Mr. CASEY with Mr. DRUKKER.
Mr. CLARK of Florida with Mr. FREAR.
Mr. DENT with Mr. COPLEY.
Mr. DOREMUS with Mr. GOOD.
Mr. EDWARDS with Mr. GRIEST.
Mr. ESTOPINAL with Mr. GRAHAM of Pennsylvania.
Mr. FITZGERALD with Mr. HAUGEN.
Mr. GOLDFOGLE with Mr. HAWLEY.
Mr. GOULDEN with Mr. HAYES.
Mr. HAY with Mr. HOWELL.
Mr. HOWARD with Mr. HUMPHREY of Washington.
Mr. HOLLAND with Mr. JOHNSON of Utah.
Mr. KEY of Ohio with Mr. JOHNSON of Washington.
Mr. KITCHIN with Mr. KAHN.
Mr. LEE of Pennsylvania with Mr. KEISTER.
Mr. LESHER with Mr. KELLEY of Michigan.
Mr. LLOYD with Mr. LEWIS of Pennsylvania.
Mr. DOOLING with Mr. LINDQUIST.
Mr. MORGAN of Louisiana with Mr. MANAHAN.
Mr. O'SHAUNESSY with Mr. MCGUIRE of Oklahoma.
Mr. PATTEN of New York with Mr. MOORE.
Mr. PRICE with Mr. MORIN.
Mr. RIORDAN with Mr. PATTON of Pennsylvania.
Mr. RUCKER with Mr. PROUTY.
Mr. SABATH with Mr. ROBERTS of Nevada.
Mr. SCULLY with Mr. ROBERTS of Massachusetts.
Mr. SISSON with Mr. SCOTT.
Mr. SPARKMAN with Mr. SELLS.
Mr. TALBOTT of Maryland with Mr. SHREVE.
Mr. TAYLOR of Arkansas with Mr. SLEMP.
Mr. TAYLOR of Colorado with Mr. TEMPLE.
Mr. WALKER with Mr. TREADWAY.
Mr. WATSON with Mr. VARE.
Mr. WILLIAMS with Mr. WALLIN.
Mr. CAREW with Mr. WINSLOW.
Mr. MAHER with Mr. KIESS of Pennsylvania.
Mr. JONES with Mr. KRIEDER.

Mr. GOODWIN of Arkansas. Mr. Speaker, on a second roll call before my name was reached I voted "nay," thinking the Clerk called by name. I may have been mistaken, owing to the great confusion in the Hall. It may have been that the Clerk called the name of Mr. GODWIN of North Carolina, which sounds very much like my own.

The SPEAKER. The Chair will inquire if Mr. GODWIN of North Carolina voted on this roll call, or if he is here. [After a pause.] Does any gentleman from North Carolina know whether Mr. GODWIN was in the room or not? [After a pause.] The Chair gets no response. There is no question but the gentleman from Arkansas [Mr. GOODWIN] has voted.

The result of the vote was announced as above recorded.

Mr. BYRNES of South Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNES of South Carolina. Before the motion to adjourn was made a second was demanded and tellers were ordered on the question of ordering a second. Upon the announcement of the vote by tellers the yeas and nays were ordered on the point of no quorum being made. Does the vote now recur on ordering a second?

The SPEAKER. No. The motion is to suspend the rules and pass the bill.

Mr. MANN. Mr. Speaker, the roll call discloses the presence of a quorum.

Mr. PALMER. The only other question was the point of no quorum. That has been disposed of.

The SPEAKER. That is true. The Doorkeeper will open the doors.

Mr. BYRNES of South Carolina. Mr. Speaker, when the vote was taken by tellers the point of no quorum was made.

The SPEAKER. Not when taken by tellers.

Mr. BYRNES of South Carolina. No quorum was present when the vote was taken by tellers.

The SPEAKER. The Chair does not recall that anybody raised the point on the vote by tellers on ordering the second.

Mr. BYRNES of South Carolina. The point was raised, Mr. Speaker.

The SPEAKER. The Chair understood that the point of no quorum was made on the motion to suspend the rules and pass the bill.

Mr. BYRNES of South Carolina. That motion was made. The gentleman from Georgia [Mr. TRIBBLE] made the point of no quorum when the announcement of the vote by tellers was made on ordering a second.

Mr. TRIBBLE. That is correct.

The SPEAKER. In any event a quorum is now present.

Mr. TRIBBLE. There was no quorum present when the vote was taken by tellers on ordering a second. I made the point of order that no quorum was present.

The SPEAKER. A quorum is present now.

Mr. BYRNES of South Carolina. The contention is that the vote on ordering a second should now be taken again.

The SPEAKER. That is exactly what is going to happen if the gentleman will give the Chair a chance to put the question.

Mr. CRISP. Mr. Speaker, if the Chair will indulge me, the vote by tellers on ordering a second was no vote, because immediately upon the announcement of the result of the vote the point of order of no quorum was made.

The SPEAKER. The Chair will ascertain what the Reporter's notes show.

Mr. MANN. Mr. Speaker, as a matter of fact, after the vote was taken by tellers, the gentleman from Georgia [Mr. TRIBBLE] did make the point of order of no quorum. I do not think anyone understood that that was on the vote by tellers, but if he claims it was, the vote now would be on ordering a second by tellers.

Mr. TRIBBLE. That was the purpose of my making the point.

The SPEAKER. The Chair will state that the Reporter's notes show that the gentleman from Georgia is correct in his contention as to when he made the point of order of no quorum.

Mr. PALMER. The point of order of no quorum was made, and the Chair then counted, and the Chair determined that no quorum was present. A motion was then made that the House adjourn. That vote was taken by the yeas and nays and the roll disclosed the presence of a quorum. That settles the question of whether a quorum is present, and the motion to suspend the rules having been seconded by a majority by tellers, there is nothing in order now except 40 minutes of debate.

Mr. ADAMSON. Mr. Speaker——

Mr. MANN. Let us take the vote by tellers.

The SPEAKER. The gentleman from Georgia.

Mr. ADAMSON. Mr. Speaker, I distinctly remember the gentleman from Georgia [Mr. TRIBBLE]——

The SPEAKER. There is no question about that.

Mr. ADAMSON. But in regard to the other matter. The gentleman asked the question as to what the roll call would be on, whether it would be on tellers or on the motion to adjourn.

The SPEAKER. It was on the motion to adjourn.

Mr. ADAMSON. Then after the gentleman had made it he asked the question.

The SPEAKER. Of course you could not vote on a motion until after it was made.

Mr. ADAMSON. But when the point of no quorum is settled——

The SPEAKER. But there is a quorum here now.

Mr. ADAMSON. Of course; but the question is, ought the vote by tellers be taken again?

The SPEAKER. What is the statement of the gentleman from Illinois?

Mr. MANN. The gentleman from Georgia claims that he made a point of no quorum on the vote by tellers. I do not think the Speaker so understood——

Mr. BURKE of South Dakota. I was watching closely the proceedings, and if the Speaker will allow me to state——

Mr. MANN (continuing). If so, the proper thing to have done would have been to have had the roll call on seconding the motion.

Mr. BURKE of South Dakota (continuing). After the Speaker put the question, the gentleman from Georgia made the point of no quorum.

Mr. TRIBBLE. Correct.

Mr. BURKE of South Dakota. That is what transpired; and then the motion to adjourn was made.

Mr. TRIBBLE. Correct.

The SPEAKER. A motion to adjourn takes precedence over the other, and the thing to do is to vote on whether this matter is seconded or not. The question is on seconding the motion to suspend the rules.

The question was taken; and the tellers (Mr. PALMER and Mr. BYRNES of South Carolina) reported that there were—ayes 140, noes 27.

Mr. TRIBBLE and Mr. BYRNES of South Carolina. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. The Chair will count.

Mr. RAGSDALE. Mr. Speaker, I move to adjourn.

Mr. MANN. I make the point of order that the motion to adjourn is dilatory.

The SPEAKER. The Chair thinks it is.

Mr. PALMER. Mr. Speaker, I move a call of the House.

The SPEAKER. The Chair will count to see if a quorum is present.

Mr. TRIBBLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TRIBBLE. We have just had the Members of the House pass through tellers, and the record shows there is no quorum present.

The SPEAKER. The record does not show anything of the sort. The record shows that a quorum did not vote.

Mr. TRIBBLE. All right.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-seven Members are present—not a quorum.

Mr. TRIBBLE. Mr. Speaker, I move to adjourn.

Mr. PALMER and Mr. MANN. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. The Chair thinks it is dilatory. The question is on seconding the motion to suspend the rules. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 212, nays 45, answered "present" 3, not voting 163, as follows:

[Roll No. 60.]

YEAS—212.

Abercrombie	Doremus	Kent	Porter
Adair	Driscoll	Key, Ohio	Post
Alexander	Dupré	Kindel	Pou
Allen	Eagan	Kinkaid	Powers
Anderson	Edmonds	Kirkpatrick	Quin
Anthony	Esch	Knowland, J. R.	Rainey
Ashbrook	Evans	Konop	Raker
Aswell	Fairchild	Lafferty	Rauch
Austin	Falconer	La Follette	Reilly, Conn.
Bailey	Farr	Langham	Reilly, Wis.
Baker	Fergusson	Langley	Rogers
Baltz	Ferris	Lazaro	Rouse
Barchfeld	Fess	Lenroot	Rubey
Barkley	Fields	Lewis, Md.	Russell
Barton	FitzHenry	Lieb	Seldomridge
Bathrick	Foster	Lindbergh	Shackleford
Beakes	Fowler	Linthicum	Sherley
Bell, Cal.	Francis	Lloyd	Sherwood
Borchers	French	Lobeck	Sims
Bowdle	Gallagher	Lonergan	Sinnott
Britten	Gallivan	McAndrews	Sloan
Brown, N. Y.	Garner	McKellar	Smith, Idaho
Browne, Wis.	Garrett, Tenn.	McKenzie	Smith, J. M. C.
Browning	Garrett, Tex.	McLaughlin	Smith, Minn.
Brumbaugh	Gill	MacDonald	Smith, N. Y.
Bryan	Gillett	Madden	Smith, Saml. W.
Buchanan, Ill.	Gilmore	Maguire, Nebr.	Smith, Tex.
Bulkley	Gittins	Mapes	Stafford
Burke, S. Dak.	Glass	Martin	Steenerson
Burke, Wis.	Gordon	Metz	Stephens, Cal.
Burnett	Graham, Ill.	Miller	Stephens, Tex.
Byrns, Tenn.	Gray	Mitchell	Stevens, Minn.
Carter	Green, Iowa	Mondell	Stevens, N. H.
Church	Greene, Mass.	Montague	Stone
Clancy	Greene, Vt.	Morgan, Okla.	Stout
Cline	Gregg	Morrison	Stringer
Coady	Guernsey	Moss, Ind.	Sumners
Collier	Hamilton, Mich.	Moss, W. Va.	Sutherland
Connolly, Iowa	Hamlin	Mott	Taggart
Cooper	Hardy	Mulkey	Talcott, N. Y.
Cox	Hayden	Murdock	Tavenner
Cullop	Heflin	Neeley, Kans.	Thomas
Curry	Helgesen	Neely, W. Va.	Thompson, Okla.
Davenport	Helvering	Nelson	Towner
Davis	Hill	Padgett	Vaughan
Decker	Hinds	Paige, Mass.	Vollmer
Deitrick	Hinebaugh	Palmer	Volstead
Dershem	Houston	Parker, N. Y.	Walsh
Dickinson	Hull	Peters	Watkins
Dillon	Igoe	Peterson	Williams
Dixon	Keating	Phelan	Woods
Donovan	Kennedy, Conn.	Platt	Young, N. Dak.
Doolittle	Kennedy, Iowa	Plumley	Young, Tex.

NAYS—45.

Adamson	Doughton	Lever	Stedman
Aiken	Eagle	Moon	Stephens, Miss.
Beall, Tex.	Floyd, Ark.	Murray	Taylor, Ark.
Bell, Ga.	Fordney	Norton	Tribble
Brockson	Goodwin, Ark.	O'Hair	Vinson
Buchanan, Tex.	Harrison	Oldfield	Weaver
Byrnes, S. C.	Helm	Page, N. C.	Webb
Callaway	Hughes, Ga.	Park	Wingo
Candler, Miss.	Humphreys, Miss.	Parker, N. J.	Witherspoon
Caraway	Jacoway	Ragsdale	
Crisp	Johnson, S. C.	Rayburn	
Dies	Kitchin	Small	

ANSWERED "PRESENT"—3.

Flood, Va.	Levy	Mann

NOT VOTING—163.

Ainey	Elder	Jones	Rupley
Avis	Estopinal	Kahn	Sabath
Barnhart	Faison	Keister	Saunders
Bartholdt	Finley	Kelley, Mich.	Scott
Bartlett	Fitzgerald	Kelly, Pa.	Scully
Blackmon	Frear	Kennedy, R. I.	Sells
Booher	Gard	Kettner	Shreve
Borland	Gardner	Kiess, Pa.	Sisson
Brodbeck	George	Korbly	Slayden
Broussard	Gerry	Kreider	Slemp
Brown, W. Va.	Godwin, N. C.	Lee, Ga.	Smith, Md.
Bruckner	Goeke	Lee, Pa.	Sparkman
Burgess	Goldfogle	L'Engle	Stanley
Burke, Pa.	Good	Lesher	Stephens, Nebr.
Butler	Gorman	Lewis, Pa.	Switzer
Calder	Goulden	Lindquist	Talbott, Md.
Campbell	Graham, Pa.	Loft	Taylor, Ala.
Cantor	Griest	Logue	Taylor, Colo.
Cantrill	Griffin	McClellan	Taylor, N. Y.
Carew	Gudger	McGillicuddy	Temple
Carlin	Hamill	McGuire, Okla.	Ten Eyck
Carr	Hamilton, N. Y.	Mahan	Thacher
Cary	Harris	Maher	Thomson, Ill.
Casey	Hart	Manahan	Townsend
Chandler, N. Y.	Haugen	Moore	Treadway
Clark, Fla.	Hawley	Morgan, La.	Tuttle
Claypool	Hay	Morin	Underhill
Connelly, Kans.	Hayes	Nolan, J. I.	Underwood
Conry	Henry	O'Brien	Vare
Copley	Hensley	Oglesby	Walker
Cramton	Hobson	O'Shaunessy	Wallin
Crosser	Holland	Patten, N. Y.	Walters
Dale	Howard	Patton, Pa.	Watson
Danforth	Howell	Price	Whaley
Dent	Hoxworth	Prouty	Whitacre
Difenderfer	Hughes, W. Va.	Reed	White
Donohoe	Hulings	Riordan	Wilson, Fla.
Dooling	Humphrey, Wash.	Roberts, Mass.	Wilson, N. Y.
Drukker	Johnson, Ky.	Roberts, Nev.	Winslow
Dunn	Johnson, Utah	Rothermel	Woodruff
Edwards	Johnson, Wash.	Rucker	

So a second was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARLIN with Mr. ANTHONY.

Mr. BARNHART with Mr. CHANDLER of New York.

Mr. LEE of Georgia with Mr. CRAMTON.

Mr. BOOHER with Mr. LEWIS of Pennsylvania.

Mr. BROUSSARD with Mr. SLEMP.

Mr. CONNELLY of Kansas with Mr. WALLIN.

Mr. DONOHOE with Mr. GOOD.

Mr. FINLEY with Mr. JOHNSON of Washington.

Mr. GARD with Mr. KAHN.

Mr. HENRY with Mr. HUGHES of West Virginia.

Mr. HENSLEY with Mr. WINSLOW.

Mr. MANN. Mr. Speaker, I voted "yea." I am paired with the gentleman from Alabama, Mr. UNDERWOOD, but I do not think he voted. Therefore I withdraw my vote of "yea" and vote "present."

The SPEAKER. A quorum is present, and the House seconds the motion to suspend the rules and pass the bill. The Doorkeeper will open the doors.

The gentleman from Pennsylvania [Mr. PALMER] has 20 minutes and the gentleman from South Carolina [Mr. BYRNES] 20 minutes.

Mr. RAGSDALE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. PALMER. Mr. Speaker, I ask that the Chair advise me when I have consumed five minutes.

Mr. RAGSDALE. Mr. Speaker, on account of the fact that we are to have a caucus to-night, I rise to move to adjourn.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] has the floor.

Mr. PALMER. Mr. Speaker, I will say to the gentleman from South Carolina and other gentlemen that there is no reason why the consideration of this bill should interfere with the caucus to-night. Forty minutes' debate will take us only up to 20 minutes of 7, and the bill can be easily passed in order to allow the Members to get to the caucus at 8 o'clock.

Now, Mr. Speaker, this is a Federal child-labor bill. The bill in its original form is the best thought of all of the social workers of the country who have given time and attention to this

very important question of child labor. The bill was originally drafted by the National Child Labor Committee after a conference with child-labor committees of various States. I want to say at the outset that in its present form, though it is changed somewhat from the original form, it is satisfactory to and has the unqualified approval and indorsement of every child-labor association of America, not only the National Child Labor Committee but also the various child-labor associations of the different States as well.

Now, what the bill does is this: It fixes a standard for child labor, and prohibits from interstate commerce the product of any mine, or quarry, or any mill, factory, or workshop which is produced by children below that standard, and the standard is this: Sixteen years in mines and quarries and 14 years in mills, factories, workshops, canneries, and manufacturing establishments, and provides an eight-hour day, six days a week, and no nightwork; that is, there is to be no labor for children between the hours of 7 p. m. and 7 a. m.

Mr. TRIBBLE. Will the gentleman yield?

Mr. PALMER. For a question.

Mr. TRIBBLE. Suppose a boy 15 years old were gathering peaches in Georgia and those peaches were carried to the cannery and he had a part in canning them, and those were shipped from the State of Georgia?

Mr. PALMER. He would not be working in a cannery.

Mr. TRIBBLE. But suppose he were working in a cannery.

Mr. PALMER. If he were working in a cannery and were under 14 years of age, the product of his labor would be kept out of interstate commerce.

Mr. BURNETT. Will the gentleman yield?

Mr. PALMER. I will.

Mr. BURNETT. There seems to be an impression among some of my colleagues of the South that this would prevent the working of girls in little home canning clubs. There is nothing of that kind, is there?

Mr. PALMER. There is nothing of that kind. The kitchen stove is not a cannery, and a kitchen cannery is not within the purview of this act. Neither does it apply to plantation or farm labor. It must be in the quarries or the mines where the limit is 16 years, and in the workshop where the limit is 14 years.

Mr. TRIBBLE. I will ask the gentleman if he would not favor a bill that provided that cotton could not be shipped out of the South if boys 16 years of age were employed who were raised in the cotton fields instead of going to school?

Mr. PALMER. I am discussing this bill. I have said this does not apply to production in the cotton fields. There is nothing new about these standards. The fact is that 15 States in the Union have adopted the age of 16 years with respect to mines and quarries, and 14 States have adopted the standard age of 14 years in respect to labor in workshops, mills, and factories; 22 States have adopted the standard of forbidding anything more than eight hours a day for children, and I think about an equal number of States have adopted the standard of forbidding any work on the part of any children.

Mr. AUSTIN. Would the gentleman include in his remarks a list of those States?

Mr. PALMER. Yes; and I will say that the report of the committee, which is very full on this subject, does include the names of all the States where these standards have been fixed.

Now, the purpose of this bill is to take this accepted and generally employed standard——

The SPEAKER. The gentleman from Pennsylvania has consumed five minutes.

Mr. RAGSDALE. Mr. Speaker, I make the point that there is no quorum present.

Mr. PALMER. Just one moment. I have the floor; and to analyze that standard——

Mr. RAGSDALE. Mr. Speaker, can not a Member make a point of no quorum at any time?

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. RAGSDALE. To make a point of no quorum.

The SPEAKER. The Chair will ascertain by counting.

Mr. PALMER. Mr. Speaker, I make the point that that is dilatory.

Mr. RAGSDALE. Why, it is apparent on the face of it, Mr. Speaker, that a quorum is not here.

The SPEAKER. The rule about it is that but one motion to adjourn is in order under a suspension of the rules unless a quorum disappears. The Chair will count. (After counting.) One hundred and fifty-one Members are present—not a quorum.

Mr. RAGSDALE. Mr. Speaker, I move that we do now adjourn.

Mr. PALMER. I move a call of the House, Mr. Speaker.

Mr. MANN. Mr. Speaker, I make the point of order that the House has voted down a motion to adjourn since the motion to suspend the rules was made, and under paragraph 8 of rule 16, which reads—

> Pending the motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion until the vote is taken on suspension—

But one motion could be made since the motion was made to suspend the rules.

The SPEAKER. Let the gentleman read the rest of that.

Mr. RAGSDALE. But, Mr. Speaker——

Mr. MANN. I have read the entire rule.

The SPEAKER. You read the entire rule, but you did not read the decisions on it.

Mr. PALMER. The rule is so plain that there ought not to be any doubt about it.

The SPEAKER. Section 5744, volume 5, Hinds' Precedents, reads:

> A motion to suspend the rules having been entertained and one motion to adjourn having been voted on, another motion to adjourn may not be made unless the failure of a quorum be demonstrated.

Now, the Chair will inquire of the gentleman from Illinois if that is not the exact situation here?

Mr. MANN. No. I think if the point of no quorum is made, and the Chair decides there is no quorum present, then a motion to adjourn is in order.

Mr. RAGSDALE. All that took place, Mr. Speaker.

Mr. MANN. I did not understand the Speaker to have declared that there is no quorum present.

Mr. RAGSDALE. Yes; he did.

Mr. MANN. Just now?

Mr. RAGSDALE. Yes.

Mr. MANN. I was not aware of it.

Mr. RUSSELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUSSELL. Does the gentleman from Pennsylvania [Mr. PALMER] lose the floor when a point of order is made?

The SPEAKER. Until that is disposed of he does; and the Chair has announced that there is not a quorum present, and now the gentleman from South Carolina [Mr. RAGSDALE] moves to adjourn.

Mr. PALMER. Mr. Speaker, can a Member take another Member off the floor by raising a point of no quorum?

The SPEAKER. He can on a point of order.

Mr. RUSSELL. If an order is sent out to bring Members in, would not the gentleman from Pennsylvania have the right to the floor?

The SPEAKER. He would not. The trouble is that the quorum has disappeared. The gentleman from South Carolina [Mr. RAGSDALE] raised the point of no quorum, as he had the absolute right to do, and after that nothing except one of two things is in order—a motion to adjourn or a call of the House. Now, if it had turned out on the Speaker's count that there was a quorum here he would not have had any right to make a second motion to adjourn, although there is a decision here that sort of squints that way, but does not decide it clearly.

Mr. CRISP. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. CRISP. The House having seconded this motion to suspend the rules and pass the bill, if the House should adjourn would not this motion come up as the unfinished business on the next day that the suspension of the rules was in order?

The SPEAKER. It undoubtedly would.

Mr. PALMER. That would be four days before the end of the session.

The SPEAKER. The gentleman from South Carolina [Mr. RAGSDALE] moves to adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. PALMER. A division, Mr. Speaker.

The House divided; and there were—ayes 45, noes 124.

Mr. RAGSDALE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 34, nays 184, not voting 205, as follows:

[Roll No. 61.]

YEAS—34.

Aiken	Eagle	Jacoway	Smith, N. Y.
Bell, Ga.	Fergusson	Lafferty	Stephens, Miss.
Borchers	Floyd, Ark.	Lee, Ga.	Stephens, Nebr.
Brockson	Goodwin, Ark.	Oldfield	Vinson
Byrnes, S. C.	Gregg	Page, N. C.	Webb
Callaway	Hardy	Park	Whaley
Candler, Miss.	Harrison	Ragsdale	Wingo
Caraway	Helm	Rothermel	
Dies	Hughes, Ga.	Small	

NAYS—184.

Abercrombie	Dillon	Kent	Porter
Adair	Dixon	Key, Ohio	Powers
Alexander	Donovan	Kinkaid	Quin
Allen	Doolittle	Kirkpatrick	Rainey
Anderson	Doremus	Kitchin	Raker
Anthony	Driscoll	Knowland, J. R.	Rauch
Ashbrook	Eagan	Konop	Reilly, Conn.
Aswell	Edmonds	La Follette	Reilly, Wis.
Austin	Esch	Langley	Rogers
Bailey	Falconer	Lazaro	Rouse
Baker	Farr	Lenroot	Rubey
Baltz	Ferris	Lewis, Md.	Russell
Barchfeld	Fess	Lieb	Seldomridge
Barkley	Fields	Lindbergh	Shackleford
Barton	FitzHenry	Linthicum	Sherley
Bathrick	Flood, Va.	Lloyd	Sherwood
Beakes	Foster	Lonergan	Sims
Bell, Cal.	Fowler	McAndrews	Sinnott
Britten	French	McKellar	Sloan
Brown, N. Y.	Gallagher	McKenzie	Smith, Idaho
Browne, Wis.	Gallivan	McLaughlin	Smith, J. M. C.
Browning	Garner	MacDonald	Smith, Minn.
Bryan	Garrett, Tex.	Maguire, Nebr.	Smith, Saml. W.
Buchanan, Ill.	Gill	Mann	Smith, Tex.
Buchanan, Tex.	Gillett	Mapes	Stafford
Bulkley	Gilmore	Martin	Stephens, Cal.
Burke, S. Dak.	Glass	Metz	Stephens, Tex.
Burke, Wis.	Gordon	Miller	Stevens, Minn.
Burnett	Graham, Ill.	Mondell	Stevens, N. H.
Byrns, Tenn.	Gray	Morgan, Okla.	Stone
Carlin	Greene, Mass.	Moss, Ind.	Stringer
Carter	Greene, Vt.	Moss, W. Va.	Sumners
Clancy	Guernsey	Mulkey	Talcott, N. Y.
Cline	Hamilton, Mich.	Murdock	Tavenner
Coady	Hamlin	Nelson	Taylor, Ark.
Collier	Heflin	Norton	Thomas
Connolly, Iowa	Helgesen	Padgett	Thompson, Okla.
Cooper	Hill	Paige, Mass.	Towner
Cox	Hinds	Palmer	Vaughan
Cramton	Hinebaugh	Parker, N. J.	Volstead
Crisp	Humphreys, Miss.	Parker, N. Y.	Walsh
Cullop	Igoe	Patton, Pa.	Watkins
Curry	Keating	Peters	Whitacre
Davenport	Keister	Phelan	Williams
Decker	Kennedy, Conn.	Platt	Woods
Dershem	Kennedy, Iowa	Plumley	Young, N. Dak.

NOT VOTING—205.

Adamson	Fairchild	Kelley, Mich.	Roberts, Nev.
Ainey	Faison	Kelly, Pa.	Rucker
Avis	Finley	Kennedy, R. I.	Rupley
Barnhart	Fitzgerald	Kettner	Sabath
Bartholdt	Fordney	Kless, Pa.	Saunders
Bartlett	Francis	Kindel	Scott
Beall, Tex.	Frear	Korbly	Scully
Blackmon	Gard	Kreider	Sells
Booher	Gardner	Langham	Shreve
Borland	Garrett, Tenn.	Lee, Pa.	Sisson
Bowdle	George	L'Engle	Slayden
Brodbeck	Gerry	Lesher	Slemp
Broussard	Gittins	Lever	Smith, Md.
Brown, W. Va.	Godwin, N. C.	Levy	Sparkman
Bruckner	Goeke	Lewis, Pa.	Stanley
Brumbaugh	Goldfogle	Lindquist	Stedman
Burgess	Good	Lobeck	Steenerson
Burke, Pa.	Gorman	Loft	Stout
Butler	Goulden	Logue	Sutherland
Calder	Graham, Pa.	McClellan	Switzer
Campbell	Green, Iowa	McGillicuddy	Taggart
Cantor	Griest	McGuire, Okla.	Talbott, Md.
Cantrill	Griffin	Madden	Taylor, Ala.
Carew	Gudger	Mahan	Taylor, Colo.
Carr	Hamill	Maher	Taylor, N. Y.
Cary	Hamilton, N. Y.	Manahan	Temple
Casey	Harris	Mitchell	Ten Eyck
Chandler, N. Y.	Hart	Montague	Thacher
Church	Haugen	Moon	Thomson, Ill.
Clark, Fla.	Hawley	Moore	Townsend
Claypool	Hay	Morgan, La.	Treadway
Connelly, Kans.	Hayden	Morin	Tribble
Conry	Hayes	Morrison	Tuttle
Copley	Helvering	Mott	Underhill
Crosser	Henry	Murray	Underwood
Dale	Hensley	Neeley, Kans.	Vare
Danforth	Hobson	Neely, W. Va.	Vollmer
Davis	Holland	Nolan, J. I.	Walker
Deitrick	Houston	O'Brien	Wallin
Dent	Howard	Oglesby	Walters
Dickinson	Howell	O'Hair	Watson
Difenderfer	Hoxworth	O'Shaunessy	Weaver
Donohoe	Hughes, W. Va.	Patten, N. Y.	White
Dooling	Hulings	Peterson	Wilson, Fla.
Doughton	Hull	Post	Wilson, N. Y.
Drukker	Humphrey, Wash.	Pou	Winslow
Dunn	Johnson, Ky.	Price	Witherspoon
Dupré	Johnson, S. C.	Prouty	Woodruff
Edwards	Johnson, Utah	Rayburn	Young, Tex.
Elder	Johnson, Wash.	Reed	
Estopinal	Jones	Riordan	
Evans	Kahn	Roberts, Mass.	

So the House refused to adjourn.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ADAMSON with Mr. BARTHOLDT.

Mr. DICKINSON with Mr. BARTON.

Mr. DOUGHTON with Mr. DAVIS.

Mr. DUPRÉ with Mr. FAIRCHILD.

Mr. EVANS with Mr. FORDNEY.

Mr. HAYDEN with Mr. GREEN of Iowa.

Mr. HOUSTON with Mr. LANGHAM.

Mr. HULL with Mr. MADDEN.

Mr. JOHNSON of South Carolina with Mr. STEENERSON.

Mr. LEVER with Mr. SUTHERLAND.

Mr. LOBECK with Mr. DRUKKER.

Mr. MOON with Mr. HAYES.

Mr. MONTAGUE with Mr. LEWIS of Pennsylvania.

Mr. MORRISON with Mr. MORIN.

Mr. POU with Mr. WOODRUFF.

Mr. SLAYDEN with Mr. WINSLOW.

Mr. SAUNDERS with Mr. J. I. NOLAN.

Mr. UNDERWOOD with Mr. KAHN.

Mr. KINDEL. Mr. Speaker, I should like to vote.

The SPEAKER. Was the gentleman in the Hall, listening, when his name should have been called?

Mr. KINDEL. No; I was not.

The SPEAKER. Then the gentleman can not vote.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present.

Mr. RAGSDALE. Mr. Speaker, how many Members voted?

The SPEAKER. Two hundred and seventeen Members voted, and it takes only 213 to make a quorum now. There are 11 vacancies.

Mr. PALMER. Mr. Speaker, I will ask the gentleman from South Carolina [Mr. BYRNES] to use his time.

The SPEAKER. The gentleman from South Carolina [Mr. BYRNES] is recognized for 20 minutes.

Mr. BYRNES of South Carolina. Mr. Speaker, I am not opposed to the prohibition of child labor by the States of the Union, but I am opposed to the Federal Government under the pretense of regulating interstate commerce usurping the powers of the State and fixing the hours of labor for its citizens. The Legislature of the State of South Carolina at this session is considering a bill seeking to raise the age for child labor from 12 to 14 years. Notwithstanding any view I might hold as to the age which children should be forbidden to work in the State of South Carolina, or any view you might hold, I think it is the right of that State and not that of the Federal Government to say at what age a child should be prohibited from working in a factory, cannery, or workshop within the State of South Carolina. Step by step an effort is being made to substitute the power of the Federal Government for that of the State. Under the guise of regulating interstate commerce we now seek to enact the laws fixing the hours during which citizens of the various States may work.

My friend from Pennsylvania [Mr. PALMER] says that this bill does not prohibit one working in a cannery on a farm. It prohibits the shipment in interstate commerce of the products of any mill, cannery, workshop, factory, and so forth, manufactured or produced, in whole or in part, by a child under the age of 14. What is a cannery if it be not a place where fruit and vegetables are canned? How many cans must be put up to bring a cannery within the provision of the law? What shall constitute a cannery? From the orchard peaches are brought into the home of the farmer, and there he and his children and the children of his neighbors, 13 years old—under the age of 14—can the peaches. Are these canned peaches to be denied the right of interstate commerce? As far as the cotton mills are concerned, does this prohibition refer only to the labor in the cotton mills, or does it refer to those who contribute in part to the production of the cotton that is manufacured in the cotton mill? Who is to say what construction will be placed upon the bill by the inspectors and thereafter by the courts who shall pass upon it?

No matter whether or not you gentlemen from South Carolina, Georgia, North Carolina, and other States of the Union favor the prohibition of child labor, I ask, are you willing to surrender the right of your respective States to enact those laws in accord with your own views on the subject?

The gentleman from Pennsylvania [Mr. PALMER] says that there are 16 or 17 States that have laws prohibiting the labor of children under 14 years of age. If this be so, then why insist on this legislation? Conditions differ in different States of the Union. No demand has been shown for this legislation. You have not heard from your constituents any demand for this legislation. Under the pretense of regulating interstate commerce we are to take from the States the power of controlling the hours of labor and place it under the control of the Federal Government. I ask my colleagues on this side of the House to vote against the bill.

Mr. PALMER. Mr. Speaker, I ask for a vote.

Mr. RAGSDALE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from South Carolina makes the point of no quorum, and there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House adjourn.

Mr. PALMER. Mr. Speaker, I ask unanimous consent to address the House for one minute.

Mr. MANN. The House can not give unanimous consent when there is no quorum present.

The SPEAKER. The gentleman from South Carolina moves that the House adjourn.

The question was taken; and on a division (demanded by Mr. RAGSDALE) there were 13 ayes and 97 noes.

Mr. RAGSDALE. I make the point of order that no quorum is present.

The SPEAKER. The Chair has already announced that no quorum is present.

Mr. MANN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll.

The SPEAKER. One hundred and eighty-six Members have answered to their names; not a quorum.

Mr. PALMER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House do now adjourn.

The question was taken.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 93, nays 114, answered "present" 1, not voting 216, as follows:

[Roll No. 62.]

YEAS—93.

Abercrombie	Cox	Hughes, Ga.	Rouse
Adamson	Crisp	Igoe	Rubey
Alexander	Cullop	Jacoway	Rucker
Ashbrook	Dershem	Key, Ohio	Russell
Aswell	Dickinson	Kirkpatrick	Sherley
Baker	Doremus	Lafferty	Sherwood
Bailey	Doughton	Lazaro	Sims
Baltz	Dupré	Lee, Ga.	Small
Barkley	Eagan	Lee, Pa.	Smith, N. Y.
Bell, Ga.	Eagle	Lever	Smith, Tex.
Blackmon	Fergusson	Levy	Stedman
Booher	Ferris	Lewis, Md.	Stephens, Miss.
Borchers	Finley	Lloyd	Stephens, Nebr.
Bowdle	Flood, Va.	Lobeck	Stephens, Tex.
Brockson	Floyd, Ark.	Mulkey	Sumners
Brown, N. Y.	Goodwin, Ark.	O'Hair	Vaughan
Brumbaugh	Gordon	Oldfield	Vinson
Buchanan, Tex.	Hamlin	Padgett	Watkins
Byrnes, S. C.	Hardy	Page, N. C.	Webb
Church	Harrison	Palmer	Williams
Clancy	Hayden	Park	Wingo
Coady	Heflin	Quin	
Collier	Helm	Ragsdale	
Connelly, Kans.	Houston	Rothermel	

NAYS—114.

Adair	FitzHenry	La Follette	Patton, Pa.
Allen	Fowler	Lenroot	Peterson
Austin	French	Lieb	Phelan
Barchfeld	Gallagher	Lindbergh	Porter
Barton	Gallivan	Lindquist	Powers
Bathrick	Garner	Logue	Raker
Beakes	Garrett, Tenn.	Lonergan	Rauch
Bell, Cal.	Garrett, Tex.	McAndrews	Reilly, Conn.
Browne, Wis.	Gill	McKellar	Reilly, Wis.
Browning	Gillett	McKenzie	Rogers
Bryan	Gilmore	McLaughlin	Seldomridge
Buchanan, Ill.	Goeke	MacDonald	Shackleford
Burnett	Graham, Ill.	Maguire, Nebr.	Sinnott
Byrns, Tenn.	Gray	Mapes	Sloan
Carlin	Greene, Mass.	Metz	Smith, Idaho
Cline	Greene, Vt.	Miller	Smith, J. M. C.
Cooper	Gregg	Mitchell	Smith, Minn.
Cramton	Hamilton, Mich.	Mondell	Stephens, Cal.
Curry	Hinebaugh	Morgan, Okla.	Stevens, Minn.
Decker	Howard	Moss, Ind.	Stevens, N. H.
Dillon	Humphreys, Miss.	Moss, W. Va.	Stone
Dixon	Keating	Mott	Tavenner
Donohoe	Keister	Murdock	Thomas
Driscoll	Kennedy, Conn.	Nelson	Thompson, Okla.
Edmonds	Kennedy, Iowa	Nolan, J. I.	Volstead
Esch	Kent	Norton	Walsh
Falconer	Kinkaid	Paige, Mass.	Young, N. Dak.
Farr	Knowland, J. R.	Parker, N. J.	
Fess	Konop	Parker, N. Y.	

ANSWERED "PRESENT"—1.

Mann

NOT VOTING—216.

Aiken	Bruckner	Carew	Davenport
Ainey	Bulkley	Carr	Davis
Anderson	Burgess	Carter	Deitrick
Anthony	Burke, Pa.	Cary	Dent
Avis	Burke, S. Dak.	Casey	Dies
Barnhart	Burke, Wis.	Chandler, N. Y.	Difenderfer
Bartholdt	Butler	Clark, Fla.	Donovan
Bartlett	Calder	Claypool	Dooling
Beall, Tex.	Callaway	Connolly, Iowa	Doolittle
Borland	Campbell	Conry	Drukker
Britten	Candler, Miss.	Copley	Dunn
Brodbeck	Cantor	Crosser	Edwards
Broussard	Cantrill	Dale	Elder
Brown, W. Va.	Caraway	Danforth	Estopinal
Evans	Hobson	Moore	Stout
Fairchild	Holland	Morgan, La.	Stringer
Faison	Howell	Morin	Sutherland
Fields	Hoxworth	Morrison	Switzer
Fitzgerald	Hughes, W. Va.	Murray	Taggart
Fordney	Hulings	Neeley, Kans.	Talbott, Md.
Foster	Hull	Neely, W. Va.	Talcott, N. Y.
Francis	Humphrey, Wash.	O'Brien	Taylor, Ala.
Frear	Johnson, Ky.	Oglesby.	Taylor, Ark.
Gard	Johnson, S. C.	O'Shaunessy	Taylor, Colo.
Gardner	Johnson, Utah	Patten, N. Y.	Taylor, N. Y.
George	Johnson, Wash.	Peters	Temple
Gerry	Jones	Platt	Ten Eyck
Gittins	Kahn	Plumley	Thacher
Glass	Kelley, Mich.	Post	Thomson, Ill.
Godwin, N. C.	Kelly, Pa.	Pou	Towner
Goldfogle	Kennedy, R. I.	Price	Townsend
Good	Kettner	Prouty	Treadway
Gorman	Kiess, Pa.	Rainey	Tribble
Goulden	Kindel	Rayburn	Tuttle
Graham, Pa.	Kitchin	Reed	Underhill
Green, Iowa	Korbly	Riordan	Underwood
Griest	Kreider	Roberts, Mass.	Vare
Griffin	Langham	Roberts, Nev.	Vollmer
Gudger	Langley	Rupley	Walker
Guernsey	L'Engle	Sabath	Wallin
Hamill	Lesher	Saunders	Walters
Hamilton, N. Y.	Lewis, Pa.	Scott	Watson
Harris	Linthicum	Scully	Weaver
Hart	Loft	Sells	Whaley
Haugen	McClellan	Shreve	Whitacre
Hawley	McGillicuddy	Sisson	White
Hay	McGuire, Okla.	Slayden	Wilson, Fla.
Hayes	Madden	Slemp	Wilson, N. Y.
Helgesen	Mahan	Smith, Md.	Winslow
Helvering	Maher	Smith, Saml. W.	Witherspoon
Henry	Manahan	Sparkman	Woodruff
Hensley	Martin	Stafford	Woods
Hill	Montague	Stanley	Young, Tex.
Hinds	Moon	Steenerson	The Speaker

Mr. MANN. Mr. Speaker, I voted "No." I am paired with the gentleman from Alabama [Mr. UNDERWOOD]. I desire to withdraw that vote and answer "present."

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is not present.

Mr. MANN. May I ask what was the announcement of the Chair?

The SPEAKER. Yeas 92, nays 113, present 1.

Mr. PALMER. Mr. Speaker, I move a call of the House.

The SPEAKER. We are operating under a call of the House.

Mr. MANN. No. A call of the House was ordered and then the gentleman from Pennsylvania moved to adjourn.

Mr. PALMER. Mr. Speaker, I made a motion to adjourn which has been voted down. If the House does not want to adjourn, we will get the Members and do business, and I move a call of the House. The roll call was on the motion to adjourn.

Mr. MANN. Mr. Speaker, a motion was made and carried awhile ago for a call of the House.

The SPEAKER. The Chair does not understand the gentleman.

Mr. MANN. Was there not a motion for a call of the House awhile ago that prevailed?

The SPEAKER. Yes; they had a call of the House, but the business under the call of the House has never been dispensed with. In the first place, the gentleman from Illinois [Mr. MANN] moved a call of the House; we had a call of the House and failed to develop a quorum.

Mr. MANN. Which was in progress and never has been dispensed with.

The SPEAKER. That is what I say.

Mr. MANN. It is in progress.

The SPEAKER. It is still a part and parcel of the call of the House. If the gentleman wants to make a motion to send out and have the Members arrested, the Chair will entertain it very suddenly.

Mr. PALMER. I make the motion, Mr. Speaker.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] moves that writs be issued for the absent Members, and that they be brought in.

The question was taken, and the motion was agreed to.

Mr. MURDOCK. Mr. Speaker, how does a man vote when he comes in?

The SPEAKER. He votes "present" on this vote. The gentlemen who want to vote now, who have come in since that vote on ordering the call of the House—that is, trying to get a quorum—will answer "present."

Mr. MANN. I would like to inquire whether the tally clerk has the tally on the motion to adjourn or on the call of the House?

The SPEAKER. He ought to have the one on the call of the House.

Mr. MANN. I know what he ought to have, but I think he has the other.

Mr. STOUT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STOUT. On a motion to adjourn I voted "nay."

The SPEAKER. It does not make any difference about the motion to adjourn. This motion is on the call of the House to get a quorum. It is a call of the House. Did the gentleman vote on that or not?

Mr. STOUT. I voted on the call of the House.

The SPEAKER. Then the gentleman does not want to vote on it again.

Mr. STOUT. There was a motion to adjourn in the meantime.

Mr. MANN. Mr. Speaker, I move that the roll be called again for those who did not answer on the call of the House to vote "present."

The SPEAKER. The Clerk will call the roll.

Mr. LOGUE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LOGUE. Is it in order now, under the recent motion to adjourn, to change one's vote?

The SPEAKER. That question has been settled. It is too late. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the names of those who failed to vote on the call of the House shall now be called by the Clerk. Is there objection?

Mr. MURDOCK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. Will not that leave one roll call in the midst of the two halves of the other roll call?

Mr. MANN. Not at all. The motion to adjourn is out of the way, and that roll call is ended.

The SPEAKER. The question of adjourning on the roll call has been settled. The House refused to adjourn; and what the gentleman from Illinois [Mr. MANN] wishes is to have the names of those who failed to vote on the call of the House called now, because it is easier to do that than it is to find out how these men want to vote.

Mr. MURDOCK. Will not that result in a complete roll call being found in the RECORD in the midst of two halves?

The SPEAKER. The Chair understands, but you can do anything on earth by unanimous consent.

Mr. BUCHANAN of Illinois. I call for the regular order, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MANN]?

Mr. BUCHANAN of Illinois. Mr. Speaker, I object.

Mr. PALMER. I make the motion.

Mr. MANN. The Manual says you can. Although there may not be a quorum present, they may order a roll call again on the call of the House at any time.

The SPEAKER. There is no trouble about it, if the gentlemen who did not vote on the roll call will come forward and separate themselves from those who are standing around there and did vote.

Mr. MANN. I will call the attention of the Speaker to the Manual, page 330, section 752, which says:

But during proceedings under the call——

The SPEAKER. Where is the gentleman reading?

Mr. MANN. From the next paragraph from the bottom, page 330. I read:

But during proceedings under the call the roll may be ordered to be called again by those present.

The SPEAKER. Well, the motion of the gentleman from Pennsylvania [Mr. PALMER], then, is in order, to have this roll called for the absentees. Those in favor of the motion will say "aye"; those opposed will say "no."

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will call the absentees on that roll call.

The Clerk again called the roll, and the following Members failed to answer to their names:

[Roll No. 63.]

Aiken	Butler	Danforth	Gard
Ainey	Calder	Davis	Gardner
Allen	Campbell	Dent	Gerry
Anderson	Candler, Miss.	Difenderfer	Gittins
Anthony	Cantor	Dooling	Glass
Avis	Cantrill	Drukker	Godwin, N. C.
Bailey	Carew	Dunn	Goldfogle
Barnhart	Carr	Edwards	Good
Bartholdt	Cary	Elder	Gorman
Blackmon	Chandler, N. Y.	Evans	Goulden
Borland	Clark, Fla.	Fairchild	Graham, Pa.
Brodbeck	Claypool	Faison	Green, Iowa
Broussard	Collier	Ferris	Griest
Brown, W. Va.	Conry	Fields	Griffin
Bruckner	Copley	Fordney	Gudger
Burgess	Crosser	Francis	Hamill
Burke, Pa.	Dale	Frear	Hamilton, N. Y.
Harris	Korbly	Oglesby	Switzer
Harrison	Kreider	O'Shaunessy	Taylor, Ala.
Hart	Langham	Page, N. C.	Taylor, Colo.
Haugen	Langley	Patten, N. Y.	Taylor, N. Y.
Hawley	Lee, Ga.	Platt	Temple
Hayes	L'Engle	Plumley	Ten Eyck
Helvering	Lesher	Post	Thacher
Henry	Lewis, Pa.	Pou	Thomson, Ill.
Hensley	Lindquist	Price	Townsend
Hobson	Linthicum	Prouty	Treadway
Howell	Loft	Reed	Tuttle
Hoxworth	McClellan	Riordan	Underhill
Hughes, W. Va.	McGillicuddy	Roberts, Mass.	Underwood
Hulings	McGuire, Okla.	Roberts, Nev.	Vare
Hull	Madden	Rupley	Vinson
Humphrey, Wash.	Mahan	Sabath	Walker
Humphreys, Miss.	Maher	Saunders	Wallin
Johnson, Utah	Manahan	Scott	Walters
Johnson, Wash.	Montague	Scully	Watson
Jones	Moon	Sells	Weaver
Kahn	Moore	Shreve	Whaley
Kelley, Mich.	Morgan, La.	Sisson	Whitacre
Kelly, Pa.	Morin	Slemp	White
Kennedy, R. I.	Morrison	Smith, Saml. W.	Wilson, Fla.
Kettner	Neeley, Kans.	Sparkman	Wilson, N. Y.
Kiess, Pa.	Neely, W. Va.	Stanley	Winslow
Kindel	Nolan, J. I.	Steenerson	Woodruff
Kitchin	O'Brien	Sutherland	

The SPEAKER. On this call 245 Members, a quorum, have answered.

Mr. MANN. Mr. Speaker, I move to dispense with further proceedings.

Mr. PALMER. I move, Mr. Speaker, to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BYRNES of South Carolina. I ask for a division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 132, noes 10.

Mr. TRIBBLE. Mr. Speaker, I call for tellers.

The SPEAKER. Tellers are demanded. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Three gentlemen have risen—not a sufficient number.

Mr. RAGSDALE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from South Carolina [Mr. RAGSDALE] demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Three gentlemen have risen—not a sufficient number. The yeas and nays are refused. The ayes have it, and the motion to dispense with further proceedings under the call is agreed to. The Doorkeeper will open the doors.

Mr. PALMER. Mr. Speaker, I am entitled to the floor to debate the bill, am I not?

The SPEAKER. Yes.

Mr. PALMER. Mr. Speaker, though time is precious, I want to take a couple of minutes to explain——

The SPEAKER. Did the gentleman from South Carolina [Mr. BYRNES] reserve his time or not?

Mr. BYRNES of South Carolina. A point of no quorum was made.

Mr. MANN. He does not have to, Mr. Speaker, under the rules.

The SPEAKER. The Chair knows; but the gentleman from Pennsylvania [Mr. PALMER] has the right to close if he wants to. Does the gentleman from South Carolina [Mr. BYRNES] desire to use his time?

Mr. BYRNES of South Carolina. I desire to use my time. I reserved it.

The SPEAKER. Does the gentleman from Pennsylvania want to speak first?

Mr. PALMER. Yes. I want to speak now.

The SPEAKER. The gentleman will proceed.

Mr. PALMER. Mr. Speaker, it goes without saying, of course, that I am very anxious to pass this bill. The Committee on Labor, which reported it unanimously, is anxious to pass it. It is in the platforms of all the political parties. The Republican Party, and the Progressive Party, and the Democratic Party, and the Nation have declared for this kind of legislation. The country is for it, as it is for very few things in either branch of Congress to-day. [Applause.]

A little while ago I made a motion to adjourn, for this reason: That a caucus of the Democratic Party has been called to meet in the Hall of the House here at 8 o'clock to-night to consider important proposed legislation, and in order that that caucus might meet on time and in order that I might not be

responsible for interfering with it I made the motion to adjourn. The House voted down that motion, and is of a temper to do business, and therefore I think we might well postpone our caucus for a couple of hours in order to put this bill through the House. [Applause on the Democratic side.] And therefore, Mr. Speaker, I want to say that the caucus, which was called for 8 o'clock, will be deferred for a little while, and if the Members on this side who want to stand by party pledges and by the little children of the Nation will stand by for just a few minutes we will pass this bill through the House and hold our caucus and pass our ship-purchase bill also to-night. [Applause on the Democratic side.]

I ask the gentleman from South Carolina [Mr. BYRNES] to use some of his time.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BELL of Georgia. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. I make the point of order that that is a dilatory motion.

Mr. BYRNES of South Carolina. Why is it dilatory? A speech has been made.

Mr. BELL of Georgia. I insist on my motion.

Mr. MANN. I withdraw the point of order.

Mr. PALMER. I make the point of order that that is dilatory. We have just had a roll call, upon which a quorum was developed.

Mr. RAGSDALE. A point of order, Mr. Speaker. It has been at least half an hour since the motion to adjourn was made.

The SPEAKER pro tempore. The present occupant of the chair is not prepared to hold that this motion is dilatory, as now advised. The present occupant of the chair has not been present during all the proceedings, but he is informed that in the absence of a quorum a motion to adjourn was made.

Mr. PALMER. Mr. Speaker, I make the point of order that the motion to adjourn is not in order, the presence of a quorum having been developed; and only one motion to adjourn can be made pending the motion to suspend the rules and pass the bill.

Mr. MANN. Mr. Speaker, I may be in error; but as I recall the matter there has been one motion made to adjourn, which motion was defeated with a quorum present, since the motion to suspend the rules was made, and under the rule there can be only one motion to adjourn pending the motion to suspend the rules when a quorum is present.

The SPEAKER pro tempore. The Chair is now informed that since the motion to suspend the rules was made a motion was made that the House adjourn, and the House on that motion refused to adjourn. Paragraph 8 of Rule XVI provides:

> Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion till the vote is taken on suspension.

[Applause.]

The House having already acted on the motion to adjourn, under the rule the Chair is prohibited from entertaining the motion a second time, and the Chair sustains the point of order.

Mr. BELL of Georgia. Mr. Speaker, may I ask if there was a quorum present at the time when the motion to adjourn was voted down?

Mr. RAGSDALE. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The Chair is attempting to dispose of one point of order.

Mr. RAGSDALE. It is along that very line that I wish to be heard. At the time that the motion to adjourn was made the Speaker made a count of this House and it developed at that particular period of time that there was no quorum present, and I believe that the only time we have voted on the motion to adjourn was when there was no quorum present. Subsequently on a call of the House it was developed that there was a quorum here.

The SPEAKER pro tempore. The Chair is informed that the notes of the Journal Clerk show that a quorum was present.

Mr. MANN. I understand; but let me make a statement of what the fact was. The motion to suspend the rules was made, and a second was ordered by tellers. On the vote by tellers no quorum appeared. The point of no quorum was made, and the Speaker declared that no quorum was present, whereupon a motion to adjourn was made, and on that motion no quorum appeared; after the motion to adjourn had been disagreed to the Speaker again ordered the call of the House to be completed, and so, as a matter of fact, when that motion to adjourn was made there was no quorum present, and that declaration had been made by the Speaker.

Mr. RAGSDALE. And it being shown affirmatively once that there was no quorum present the motion to adjourn now is in order.

The SPEAKER pro tempore (Mr. FITZGERALD). The Chair has before him the notes of the Journal Clerk.

Mr. RAGSDALE demanded the yeas and nays, which were ordered.

The roll was called, and the yeas were 34 and nays 183, and so the motion to adjourn was not agreed to.

There were 217 Members present. The Chair is informed that 213 constitute a quorum as the House is at present constituted.

Mr. RAGSDALE. Mr. Speaker, since that period of time the gentleman from Pennsylvania [Mr. PALMER] moved to adjourn, and it developed that there was no quorum, and then the gentleman from Pennsylvania demanded a call of the House, and thereafter a quorum was developed, but at the time the motion to adjourn was made there was no quorum. The quorum has developed since the call of the House, and therefore I contend that my motion is in order.

The SPEAKER pro tempore. Since the motion to suspend the rules was submitted to the House, a motion was made to adjourn, and on that motion the yeas and nays were ordered and the House refused to adjourn with a quorum present, as disclosed by the roll call. Under the rule, a motion to adjourn having been submitted since the motion to suspend the rules was presented to the House, with a quorum present, the Chair is prohibited from entertaining another motion to adjourn until the vote is taken on the suspension, and the point of order being made against the gentleman's motion, the Chair is compelled to sustain the point of order.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MURDOCK. Before the present occupant of the chair took the chair, it was held by the Speaker that a motion to adjourn was in order under the rule where a quorum was not present.

The SPEAKER pro tempore. That is true; but that situation does not exist at this time. The gentleman from South Carolina [Mr. BYRNES] is recognized for 15 minutes.

Mr. BYRNES of South Carolina. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. RAGSDALE].

Mr. RAGSDALE. Mr. Speaker——

Mr. TRIBBLE. Mr. Speaker——

Mr. RAGSDALE. Mr. Speaker, I yield to the gentleman from Georgia [Mr. TRIBBLE].

Mr. TRIBBLE. Mr. Speaker, I move to reconsider the motion by which the House refused to adjourn.

The SPEAKER pro tempore. The gentleman from South Carolina can not yield to the gentleman from Georgia for that purpose.

Mr. MANN. You can not reconsider a motion to adjourn, anyhow.

Mr. TRIBBLE. Mr. Speaker——

Mr. RAGSDALE. I yield to the gentleman from Georgia.

Mr. TRIBBLE. I make the point of order that there is no quorum present.

Mr. BUCHANAN of Illinois. And I make the point of order that that motion is dilatory.

The SPEAKER pro tempore. The gentleman from Georgia makes the point of order that there is not a quorum present. The Chair will count. [After counting.] Two hundred and thirteen members present, a quorum,, and the gentleman from South Carolina [Mr. RAGSDALE] is recognized for five minutes.

[Mr. RAGSDALE addressed the House. See Appendix.]

Mr. PALMER. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, the gentleman who has just spoken says that this bill will destroy the industries in certain Southern States; that it yields to the Federal Government control of the industries in those States. Mr. Speaker, this bill will not interfere in the least with the industries of the Southern States or of any other State. Any Southern State that will stop the exploitation of child labor—that will stop sacrificing the lives of its little children—will not be affected in the least degree by this law, but all this law says is that if you insist on doing that thing you will keep within the confines of your own State when you do it, and you shall not exercise a right under the interstate-commerce clause of the Constitution to bring the products of your child labor into competition with other States where they have some respect and some regard for the lives of the little children of the country. [Applause.]

I wish I had the time to discuss somewhat the constitutionality of this question, but I have not in three minutes. This very Congress, however, passed a convict-labor bill prohibiting

the shipment in interstate commerce of the products of convict labor; and if we have the right to do that, and we have, then we have the right to prohibit all interstate-commerce shipments of the products of child labor, which ought to be of a great deal more concern to this country than any other form of labor.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask the gentleman from Pennsylvania to yield to me in order that I might make a request for unanimous consent.

Mr. PALMER. I yield to the gentleman for that purpose.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, will the gentleman inform us if the special rule for the consideration of the shipping bill is to come in to-morrow?

Mr. UNDERWOOD. I am not sure about that, but if it does not there will be an appropriation bill under consideration, as well as other business, which we better dispose of one way or the other as soon as we can, because if we expect to avoid an extra session we better be at work.

Mr. MURDOCK. Does the gentleman expect the shipping bill to come in?

Mr. UNDERWOOD. I can not answer that question now; I am not prepared to answer it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

CHILD LABOR.

Mr. BYRNES of South Carolina. Mr. Speaker, I do not care to use any more of the time allotted to me. [Applause.]

Mr. PALMER. Mr. Speaker, while I have time remaining, owing to the lateness of the hour I shall not use any further time, and I ask for a vote. [Applause.]

The SPEAKER pro tempore. The question is, Shall the rules be suspended and the bill passed?

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER pro tempore. Those in favor of ordering the yeas and nays will rise and stand until counted. Evidently a sufficient number, and the yeas and nays are ordered.

Mr. RAGSDALE. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. The yeas and nays have been ordered.

Mr. RAGSDALE. But I made the point of order of no quorum present, and the roll has not yet begun.

The SPEAKER pro tempore. The Chair will count and will ask gentlemen not to move, so there will be no confusion. [After counting.] Two hundred and twenty-one gentlemen are present, a quorum——

Mr. RAGSDALE. Mr. Speaker, on that I demand tellers.

The SPEAKER pro tempore. But the yeas and nays have been ordered.

The question was taken; and there were—ayes 233, nays 43, answered "present" 2, not voting 145, as follows:

[Roll No. 64.]

YEAS—233.

Abercrombie	Burnett	Dupré	Glass
Adair	Byrns, Tenn.	Eagan	Goeke
Alexander	Caraway	Eagle	Goodwin, Ark.
Allen	Carlin	Edmonds	Gordon
Ashbrook	Carter	Esch	Graham, Ill.
Aswell	Casey	Estopinal	Gray
Austin	Church	Evans	Greene, Mass.
Bailey	Clancy	Falconer	Greene, Vt.
Baker	Cline	Farr	Gregg
Baltz	Coady	Fergusson	Gudger
Barchfeld	Collier	Ferris	Guernsey
Barkley	Connelly, Kans.	Fess	Hamilton, Mich.
Barton	Connolly, Iowa	Fields	Harris
Bathrick	Cooper	Fitzgerald	Hay
Beakes	Cox	FitzHenry	Hayden
Bell, Cal.	Cramton	Flood, Va.	Heflin
Booher	Cullop	Floyd, Ark.	Helgesen
Borchers	Curry	Foster	Helvering
Borland	Davenport	Fowler	Henry
Bowdle	Decker	Francis	Hill
Brown, N. Y.	Deitrick	French	Hinds
Browne, Wis.	Dershem	Gallagher	Hinebaugh
Browning	Dickinson	Gallivan	Houston
Brumbaugh	Dillon	Garner	Howard
Bryan	Dixon	Garrett, Tenn.	Hull
Buchanan, Ill.	Donohoe	Garrett, Tex.	Igoe
Buchanan, Tex.	Donovan	George	Jacoway
Bulkley	Doolittle	Gill	Johnson, Ky.
Burke, S. Dak.	Doremus	Gilmore	Jones
Burke, Wis.	Driscoll	Gittins	Keating
Keister	MacDonald	Rainey	Stevens, N. H.
Kennedy, Conn.	Mann	Raker	Stone
Kennedy, Iowa	Mapes	Rauch	Stout
Kent	Martin	Reilly, Conn.	Stringer
Key, Ohio	Metz	Reilly, Wis.	Sumners
Kinkaid	Miller	Rothermel	Taggart
Kirkpatrick	Mitchell	Rouse	Talbott, Md.
Knowland, J. R.	Mondell	Rubey	Talcott, N. Y.
Konop	Morgan, Okla.	Rucker	Tavenner
Korbly	Moss, Ind.	Russell	Taylor, Ark.
Lafferty	Moss, W. Va.	Seldomridge	Thomas
La Follette	Mott	Shackleford	Thompson, Okla.
Lazaro	Murdock	Sherley	Towner
Lee, Pa.	Nelson	Sherwood	Townsend
Lenroot	Norton	Sims	Underwood
Lesher	Oldfield	Sinnott	Vaughan
Lewis, Md.	Padgett	Slemp	Vollmer
Lieb	Paige, Mass.	Sloan	Volstead
Lindbergh	Palmer	Smith, Idaho	Walsh
Lindquist	Parker, N. Y.	Smith, J. M. C.	Watkins
Linthicum	Patten, N. Y.	Smith, Md.	Whitacre
Lloyd	Patton, Pa.	Smith, Minn.	Williams
Lobeck	Peters	Smith, N. Y.	Wingo
Logue	Peterson	Smith, Tex.	Woods
Lonergan	Phelan	Stafford	Young, N. Dak.
McAndrews	Porter	Stephens, Cal.	Young, Tex.
McKellar	Post	Stephens, Nebr.	
McKenzie	Powers	Stephens, Tex.	
McLaughlin	Quin	Stevens, Minn.	

NAYS—43.

Adamson	Dent	Lee, Ga.	Slayden
Aiken	Dies	Lever	Small
Bartlett	Doughton	Mulkley	Stedman
Beall, Tex.	Finley	O'Hair	Stephens, Miss.
Bell, Ga.	Hardy	Page, N. C.	Tribble
Blackmon	Harrison	Park	Vinson
Brockson	Helm	Parker, N. J.	Watson
Callaway	Holland	Pou	Weaver
Candler, Miss.	Hughes, Ga.	Ragsdale	Webb
Clark, Fla.	Humphreys, Miss.	Rayburn	Witherspoon
Crisp	Kitchin	Sisson	

ANSWERED "PRESENT"—2.

Byrnes, S. C. Saunders

NOT VOTING—145.

Ainey	Fordney	Kiess, Pa.	Roberts, Nev.
Anderson	Frear	Kindel	Rogers
Anthony	Gard	Kreider	Rupley
Avis	Gardner	Langham	Sabath
Barnhart	Gerry	Langley	Scott
Bartholdt	Gillett	L'Engle	Scully
Britten	Godwin, N. C.	Levy	Sells
Brodbeck	Goldfogle	Lewis, Pa.	Shreve
Broussard	Good	Loft	Smith, Saml. W.
Brown, W. Va.	Gorman	McClellan	Sparkman
Bruckner	Goulden	McGillicuddy	Stanley
Burgess	Graham, Pa.	McGuire, Okla.	Steenerson
Burke, Pa.	Green, Iowa	Madden	Sutherland
Butler	Griest	Maguire, Nebr.	Switzer
Calder	Griffin	Mahan	Taylor, Ala.
Campbell	Hamill	Maher	Taylor, Colo.
Cantor	Hamilton, N. Y.	Manahan	Taylor, N. Y.
Cantrill	Hamlin	Montague	Temple
Carew	Hart	Moon	Ten Eyck
Carr	Haugen	Moore	Thacher
Cary	Hawley	Morgan, La.	Thomson, Ill.
Chandler, N. Y.	Hayes	Morin	Treadway
Claypool	Hensley	Morrison	Tuttle
Conry	Hobson	Murray	Underhill
Copley	Howell	Neeley, Kans.	Vare
Crosser	Hoxworth	Neely, W. Va.	Walker
Dale	Hughes, W. Va.	Nolan, J. I.	Wallin
Danforth	Hulings	O'Brien	Walters
Davis	Humphrey, Wash.	Oglesby	Whaley
Difenderfer	Johnson, S. C.	O'Shaunessy	White
Dooling	Johnson, Utah	Platt	Wilson, Fla.
Drukker	Johnson, Wash.	Plumley	Wilson, N. Y.
Dunn	Kahn	Price	Winslow
Edwards	Kelley, Mich.	Prouty	Woodruff
Elder	Kelly, Pa.	Reed	
Fairchild	Kennedy, R. I.	Riordan	
Faison	Kettner	Roberts, Mass.	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. GILLETT and Mr. SUTHERLAND, for bill, with Mr. BYRNES of South Carolina, against.

Mr. ROGERS and Mr. PLUMLEY, for bill, with Mr. SAUNDERS, against.

Mr. SAUNDERS. Mr. Speaker, I find I voted "nay." I wish to withdraw that vote and vote "present." I understand that Mr. ROGERS did not vote.

The SPEAKER pro tempore. He did not vote.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WHALEY, for three days, on account of sickness.

To Mr. HENSLEY, for three days, on account of sickness.

To Mr. BARNHARDT, indefinitely, on account of illness and death in his family.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.;

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army; and

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 59 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Tuesday, February 16, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion in the case of D. I. Smith et al. *v.* The United States (H. Doc. No. 1608), was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the resolution of the Senate (S. J. Res. 210) to authorize the President to invite certain Governments to send delegates to the Pan American Medical Congress, reported the same with amendment, accompanied by a report (No. 1409), which said joint resolution and report were referred to the Committe of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21451) providing for artificial limbs for soldiers every two years; to the Committee on Invalid Pensions.

By Mr. PAGE of North Carolina: A bill (H. R. 21452) to authorize the Secretary of the Treasury to audit and adjust certain claims of the State of North Carolina; to the Committee on Claims.

By Mr. VOLLMER: A bill (H. R. 21453) to repeal sections 35 to 49, inclusive, of the act of June 13, 1898, concerning mixed flour, as amended by act of April 12, 1902; to the Committee on Ways and Means.

By Mr. CRISP: A bill (H. R. 21454) to prohibit banks holding membership in the Federal reserve system from receiving deposits when insolvent, and prescribing penalties therefor; to the Committee on Banking and Currency.

By Mr. BRYAN: Joint resolution (H. J. Res. 422) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By the SPEAKER (by request): Memorial of the Legislature of the State of North Dakota, urging upon Congress to reconsider and pass the Sheppard-Hobson prohibition-amendment resolution; to the Committee on the Judiciary.

Also (by request), a memorial of the Legislature of the State of Kansas, asking Congress to take necessary steps to deal with the Cimarron River situation as affecting the lands of Kansas and Oklahoma; to the Committee on Irrigation of Arid Lands.

By Mr. ASHBROOK: Memorial of the Legislature of the State of Ohio, relative to the protection of passengers and shipping interests on the high seas and Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALLEN: Memorial of the Legislature of the State of Ohio, respecting protection of passengers and shipping interests on the high seas and the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, asking that Congress authorize the Secretary of Agriculture to make a study of local conditions necessary to formulate plans for public-road development, etc.; to the Committee on Agriculture.

Also, a memorial of the Legislature of the State of Oregon, favoring the enactment of Senate bill 6217, entitled "A bill to increase the efficiency of the Organized Militia, and for other purposes"; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota urging Congress to reconsider and pass the resolution submitting the Sheppard-Hobson prohibition amendment to the Constitution; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of North Dakota opposing the passage of proposed legislation to have granted to the State for leasing purposes certain tracts of Government lands; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21455) granting an increase of pension to James C. Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21456) granting an increase of pension to John W. Warman; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 21457) granting an increase of pension to Leonidas C. Kilgore; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 21458) granting an increase of pension to Thomas J. Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21459) for the relief of Charles K. Bolster; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 21460) for the relief of the legal representatives of R. H. Wells; to the Committee on War Claims.

By Mr. TAYLOR of Arkansas: A bill (H. R. 21461) for the relief of S. Reamey; to the Committee on War Claims.

Also, a bill (H. R. 21462) for the relief of the legal representatives of Archer Hays, deceased; to the Committee on War Claims.

By Mr. NEELY of West Virginia: A bill (H. R. 21463) granting a pension to Theodore H. Robinson; to the Committee on Pensions.

By Mr. KORBLY: A bill (H. R. 21464) granting a pension to James O'Neal; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Augusta, Mo., favoring embargo on arms; to the Committee on Foreign Affairs.

Also (by request), petition of Chamber of Commerce, Atoka, Okla., relative to Choctaw Indian money; to the Committee on Indian Affairs.

Also (by request), petition of Amalgamated Clothing Workers of America, relative to unemployment in the United States; to the Committee on Labor.

By Mr. ALLEN: Petition of citizens of Mount Vernon, Ohio, against passage of laws abridging the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Cincinnati, Ohio, favoring embargo on munitions of war; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of A. L. Ostman, of New York City, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. BELL of California: Petition of the Shakespeare Club, Pasadena, Cal., protesting against sending American horses to European battle fields; to the Committee on Foreign Affairs.

Also, memorial of Le Mesa (Cal.) Chamber of Commerce, favoring an appropriation for the construction of a military road to Yuma, Ariz.; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: Petition of S. E. Pearl, C. C. Curtis, and others, of Arpin and Wood County, Wis., favoring

freedom of speech and of the press and opposing House bill 20644; to the Committee on the Post Office and Post Roads.

Also, petition of G. W. Paulus, John A. Gaynor, and others, of Grand Rapids, Wis., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. BRUCKNER: Petition of J. C. Noonan, Miss M. T. Murphy, Miss C. I. Farrell, and 97 other Roman Catholic citizens, of New York City, against use of the mails by the Menace; to the Committee on the Post Office and Post Roads.

Also, petition of John Murphy, Washington, D. C., favoring a bill placing on the retired list of the Army, with the rank of major general, Col. John L. Clem, Quartermaster Corps; to the Committee on Military Affairs.

Also, petition of New York associated dailies against increase in postage rate on newspapers; to the Committee on the Post Office and Post Roads.

Also, petition of harbor boatmen of New York, favoring passage of seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of E. R. Davis and Norman King, of New York City, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. COPLEY: Memorial of St. Joseph's Branch, No. 67, Western Catholic Union, protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. CURRY: Petition of Chamber of Commerce of Northern San Joaquin County, Cal., against legislation prohibiting manufacture by the Government of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Petition of citizens of South Dakota, favoring embargo on war material; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of 32 citizens of Herington and Lehigh, Kans., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. DONOHOE: Petition of citizens of Philadelphia, Pa., favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petition of Miss Mary S. Burroughs, chairman, and 6,000 citizens in a mass meeting at Elmwood Music Hall, Buffalo, N. Y., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. FLOYD of Arkansas: Petition of citizens of Baxter County, Ark., for the completion of the system of locks and dams on the upper White River; to the Committee on Rivers and Harbors.

Also, papers to accompany H. R. 21061, granting an increase of pension to William R. Fisher; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petition of citizens of Indianapolis, Ind., and citizens of Jamaica Plain and Boston, Mass., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. HELGESEN: Petitions of citizens of Elgin, Linton, and Gladstone, Lidgewood, Newhome, Sykeston, Hankinson, and Richardton, N. Dak., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of 40 citizens of Kindred, N. Dak., in the interest of peace; to the Committee on Foreign Affairs.

By Mr. KONOP: Memorial of Women's Club, of Green Bay, Wis., favoring passage of the Palmer-Owen child labor bill; to the Committee on Labor.

Also, petition of citizens of the ninth congressional district of Wisconsin, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Anna Warner Bailey Chapter, Daughters of the American Revolution, of Groton, Conn., favoring an appropriation to be used to make copies of certain historical data now on file in the Pension Office; to the Committee on Appropriations.

By Mr. MOORE: Petition of sundry citizens of Philadelphia, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MORIN: Petitions of Vorwaerts Singing Society, of Pittsburgh, Pa.; German Roman Catholic Central Verein, of Philadelphia, Pa.; and E. C. F. Ernst, of Pittsburgh, Pa., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of E. C. Keyser, of Pittsburgh, Pa., relative to system of Federal, State, and municipal free-employment agencies; to the Committee on Labor.

Also, petition of Simpson, Brown & Williams, of Philadelphia, Pa., protesting against House bill 16098, relative to registration of trade-marks; to the Committee on Patents.

Also, memorial of Woman's Home Missionary Society, Oakland Methodist Episcopal Church, Pittsburgh, Pa., protesting against polygamy in the United States; to the Committee on the Judiciary.

Also, memorial of chamber of commerce of Pittsburgh, Pa., protesting against House bill 18666, ship-purchase bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Frankford Arsenal Association, of Philadelphia, Pa., relative to appropriation for improvements in Frankford Arsenal; to the Committee on Appropriations.

Also, petition of the Lutheran Mutual Fire Insurance Association, Burlington, Iowa, relative to exempting from bill to compel companies doing business in a State to pay taxes there on mutual insurance within church organizations; to the Committee on Ways and Means.

By Mr. NEELY of West Virginia: Papers to accompany House bill 20389; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: Petition of Legislature of Arkansas, favoring completion of a system of locks and dams begun in 1898; to the Committee on Rivers and Harbors.

By Mr. PALMER: Petition of citizens of Easton, Pa., protesting against abridgment of freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of 48 citizens of New Salem, Ill., and 34 citizens of Bluffs, Ill., against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. REILLY of Connecticut: Petition of sundry citizens and societies of Connecticut, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petition of Art Ring, of Long Branch, N. J., favoring establishment of municipal free-employment agencies; to the Committee on Labor.

By Mr. SIMS: Petition of the Woman's Christian Temperance Union of Big Sandy, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petitions signed by 1,200 citizens of Los Angeles, Cal., favoring House joint resolution 377, prohibiting the export of arms and munitions of war; to the Committee on Foreign Affairs.

Also, petitions signed by 41 citizens of Los Angeles, Cal., favoring House joint resolution 344, authorizing a national marketing commission; to the Committee on Agriculture.

Also, petitions signed by six citizens of Los Angeles, Cal., favoring Palmer-Owen child labor bill; to the Committee on Labor.

By Mr. TALCOTT of New York: Memorial of common council of the city of Utica, N. Y., favoring the pensioning of civil-service employees; to the Committee on Reform in the Civil Service.

Also, petition of citizens of Vienna, N. Y., protesting against Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, *February 16, 1915.*

(Legislative day of Monday, February 15, 1915.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

PUBLIC BUILDING AT FORT WORTH, TEX.

Mr. CULBERSON. Mr. President, I ask unanimous consent, out of order, to submit a report from the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I object. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Martine, N. J.	Smith, Ga.
Bankhead	Fall	Nelson	Smith, Md.
Borah	Fletcher	Norris	Smith, Mich.
Brady	Goff	O'Gorman	Smith, S. C.
Brandegee	Gore	Overman	Smoot
Bristow	Gronna	Page	Stephenson
Bryan	Hitchcock	Penrose	Sterling
Burleigh	Hollis	Perkins	Sutherland
Burton	James	Pittman	Swanson
Camden	Johnson	Pomerene	Thomas
Catron	Jones	Reed	Thompson
Chilton	Kenyon	Robinson	Townsend
Clapp	Kern	Root	Vardaman
Clark, Wyo.	Lane	Saulsbury	Walsh
Clarke, Ark.	Lippitt	Shafroth	Warren
Colt	Lodge	Sheppard	Weeks
Crawford	McCumber	Sherman	White
Culberson	McLean	Shively	Williams
Cummins	Martin, Va.	Simmons	Works

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present. The Senator from Texas asks unanimous consent to submit a report.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The bill reported will be stated by title.

The SECRETARY. The Senator from Texas [Mr. CULBERSON], from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 7545) to provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the remodeling, altering, and so forth, of the present post-office building, reports it without amendment and submits a report (No. 986) thereon.

Mr. SMOOT. Mr. President, the Senator from Texas offered the report before I objected, but I have no objection now to its being made, as it has already been reported, but I shall object to any further morning business.

Mr. REED. Mr. President, what is the request?

The VICE PRESIDENT. There is not any; it is all over. The request was for leave to submit a report, and the report has been received and the bill has gone to the calendar.

AGRICULTURAL APPROPRIATIONS.

Mr. THOMPSON. I ask unanimous consent to offer an amendment to the Agricultural appropriation bill (H. R. 20415). The committee is now considering the appropriation bill, and I should like to have it go to the committee.

Mr. SMOOT. No; I shall object to any morning business being received.

The VICE PRESIDENT. There is objection.

Mr. GORE. Mr. President, I ask the Senator from Utah if he will object to a report of the Agricultural appropriation bill?

Mr. SMOOT. I did not hear what the Senator said.

Mr. GORE. I was asking whether the Senator would feel obliged, under his statement, to object to the report of the Agricultural appropriation bill?

Mr. SMOOT. I will ask the Senator from Oklahoma if the bill is ready to be reported?

Mr. GORE. Not yet. The report is being written now. I had intended to have it ready this morning.

Mr. SMOOT. I will say to the Senator I will wait until that time arrives, and then I will see.

PURCHASE OF SHIPS.

Mr. WEEKS. Mr. President, yesterday the Chair honored me with an appointment on the special committee to investigate certain shipping matters. It is extremely inconvenient for me to serve on that committee, and I ask to be excused.

The VICE PRESIDENT. Will the Senate excuse the Senator from Massachusetts? Consent is given. The Chair appoints the Senator from Utah [Mr. SUTHERLAND] in place of the Senator from Massachusetts.

LIMITATION OF DEBATE.

The Senate resumed the consideration of the motion of Mr. REED to amend Rule XXII of the standing rules of the Senate.

The VICE PRESIDENT. The pending question is on the motion of the Senator from Missouri [Mr. REED] to lay the amendment of the Senator from Iowa [Mr. CUMMINS] on the table.

Mr. REED. Mr. President, the Senator from Iowa stated to me last evening that he desired to address the Senate upon his amendment for 15 or 20 minutes. If I can do so, with the general understanding that I shall have the privilege of the floor to renew my motion immediately upon the conclusion of the remarks of the Senator from Iowa, I will withdraw the motion. Otherwise, I will let it stand. I, of course, desire to give the Senator from Iowa a fair opportunity to present his motion.

Mr. CUMMINS. I could not quite hear the Senator from Missouri.

Mr. REED. None of us can hear as long as the business of the Senate is being transacted between individual Senators on the floor, and 15 or 20 are talking at the same time. I made this statement, that the Senator from Iowa had last evening said to me that he desired 15 or 20 minutes to present his motion or resolution to the Senate, and that his opportunity would be cut off if I insisted on my motion to lay on the table. I am willing to withdraw my motion to lay on the table if by general consent I shall be entitled to the privilege of the floor to renew it as soon as the Senator from Iowa concludes his remarks.

Mr. NORRIS. Mr. President, I wish to say to the Senator from Missouri that when the Senator from Iowa concludes I may want to occupy the floor for a few moments.

Mr. REED. On that same question?

Mr. NORRIS. Yes.

Mr. REED. Well, I will include the Senator's speech in my request. I am not asking the Senate to formally agree; I only mean to arrive at a general understanding which will be observed as a matter of good faith. I expect to renew the motion, if I withdraw it, as soon as these two Senators have concluded.

Mr. CLARK of Wyoming. Mr. President, there may be other Senators who may want to be heard on this same motion. It seems to me that it is a little unusual for a Senator to hold the Senate and allow certain Senators to speak and ask them to close debate at that time.

Mr. REED. It seemed to me that courtesy might well be accorded to the Senator from Iowa, but if I can not have the understanding that I will be permitted to have the floor I will not withdraw the motion.

Mr. CLARK of Wyoming. I shall not object, but there is no understanding, so far as I am concerned, that any Senator can yield the floor and then retake it at any time it suits his convenience.

Mr. REED. I will leave it to the honor of the Senate, and I will take the liberty of withdrawing the motion.

Mr. BRISTOW. Mr. President, I do not want it understood that my honor is involved in this. If I want to speak and can get the floor, I will speak on this or any other motion, regardless of the wishes of the Senator from Missouri or anybody else; that is, if I can get the recognition of the Chair.

Mr. BRANDEGEE. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. Is it possible for the Senate by unanimous consent to agree that the presiding officer of the Senate shall recognize the Senator from Missouri at a specified time?

The VICE PRESIDENT. The Senate can not take away from the presiding officer the right to recognize a Senator.

Mr. REED. I shall ask for recognition immediately after the Senator from Nebraska [Mr. NORRIS] shall have concluded his remarks, if he gets the floor after the Senator from Iowa.

Mr. CLARK of Wyoming. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Wyoming.

Mr. CLARK of Wyoming. Can a Senator retain the floor, even by unanimous consent, under the condition and under the motion now pending by the Senator from Missouri?

The VICE PRESIDENT. The motion to lay on the table, of course, is not debatable. There is not any doubt about that.

Mr. REED. I was simply desirous of according a courtesy to the Senator from Iowa, but it is perfectly manifest that the Senators on his side of the Chamber do not want that courtesy extended.

Mr. CUMMINS. Mr. President, I desire, of course, to say a few words in regard to the amendment I have proposed, but I shall not detain the Senate for a very great length of time—not over half an hour. However, I have no authority to speak for anyone else, and I do not want any courtesy extended to me to bind anybody else.

Mr. REED. The Senator says he does not want any courtesy extended to him?

Mr. CUMMINS. I said while I would be very glad to have the courtesy extended to me, yet I did not want that courtesy, which I assumed was personal largely, to draw any other Senator into its operation. I can not speak for other Senators upon the floor, and I do not intend to.

Mr. REED. Mr. President, I will take the chances on getting the floor, and I will withdraw the motion in order that the Senator from Iowa may make his remarks.

Mr. CUMMINS. Mr. President, the question of cloture in the Senate is one upon which I think honest men can differ. I know that there are a great many reasons for preserving unlimited debate in this body, and I have been very much impressed—Mr. President, I should like to have order.

Mr. VARDAMAN. Mr. President, we can not hear anything the Senator from Iowa is saying.

The VICE PRESIDENT. The Senate has decided a great many times that it is a self-governing body.

Mr. CATRON. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Mexico?

Mr. CUMMINS. I yield for a question.

Mr. CATRON. This amendment, I understand, has not been printed. I suggest that it be read before the Senator proceeds with his remarks.

The VICE PRESIDENT. The Secretary will read the amendment proposed by the Senator from Iowa [Mr. CUMMINS].

The SECRETARY. At the end of the amendment proposed by the Senator from Nebraska [Mr. NORRIS] the senior Senator from Iowa [Mr. CUMMINS] proposes the following amendment:

Add, at the end of the substitute, the following:

"This rule shall not apply to any bill, motion, resolution, or question upon which Senators belonging to any political party have held a caucus and passed a resolution or declaration in any form attempting to bind the members of such party in the Senate to vote in any particular way and where the application of the rule is moved by a Senator belonging to any such political party.

"The fact respecting the existence of such caucus, resolution, or declaration shall be determined in the first instance by a committee of five Senators appointed by the presiding officer, who shall report within two days, and upon its report by the Senate without debate."

Mr. CUMMINS. Mr. President, as I was just observing, there is room for a very wide difference of opinion with regard to the propriety or wisdom of imposing a cloture upon the deliberations or debates of the Senate.

I have given due heed, I think, to the arguments for and against the limitation of debate, and without entering into the reasons which have influenced me, I desire to say that in my opinion, the weight of the argument is in favor of a limitation of debate in the Senate. When I say that, I am not to be understood as saying that I believe the majority of the Senate should at any time have the power to absolutely foreclose further debate, but I do think that a proportion of the Senate—I have not reached a definite conclusion upon that point, whether it should be a majority or whether two-thirds of the Senate—ought to have the power to put into effect a rule which will automatically close debate after a reasonable time, after every Senator has had an opportunity to reasonably discuss the question before the body.

There are, however, two conditions which ought to be excluded from the operation of any such rule. There are two conditions against which a filibuster, so called, is not only justified but, I think, imperatively demanded. Whenever the Chief Executive of the country attempts to impose his will upon the Senate, and thus to preclude or prevent that fair and open mind to which all discussion ought to be directed, when Senators do not feel that they are at liberty to vote upon a particular measure in any way which their judgment and their conscience direct them to vote, then a rebellion in the form of a filibuster is not only justified but, I think, it is absolutely required if we would preserve the freedom and the dignity of the Senate of the United States. I recognize, however, that there is no practicable way in which the existence of that fact or that condition can be shown. I do not know of any method through which proof could be offered of that fact. Therefore I pass it without further consideration.

But there is another condition, Mr. President, which justifies a political minority in prolonging debate to the uttermost limit of their strength. That condition is a caucus held by Senators which, under a rule adopted by some political organization, binds or attempts to bind all Senators belonging to that political organization to vote in a particular manner. I have already many times expressed my opinion with regard to the practice of a caucus; I have expressed it with regard to the party of which I am a member as emphatically and as indignantly as I express it now with regard to my friends upon the other side of the Chamber. I think that a caucus held by any political party with respect to legislation that is intended to have for its effect the foreclosing of a matter under debate, that is intended to have for its effect the subversion of the judgment and the conscience of Members of the Senate, is not only intolerable in a free country but that it ought to be made unlawful.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I yield to the Senator.

Mr. THOMAS. I wish to inquire of the Senator from Iowa if that was his opinion when he was governor of the great State of Iowa?

Mr. CUMMINS. It was. It was not only my opinion but it was publicly expressed and continually insisted upon. I was once a member of the Legislature of Iowa, and I absolutely declined to enter a legislative caucus for the purpose of determining the attitude of the members of the party to which I belonged upon a legislative matter that was then pending before the general assembly. In all my life I never entered a caucus upon any such subject, and I have always denounced it, just as I am denouncing it now.

Mr. THOMAS. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. THOMAS. If I am in error, of course I want to be corrected; but my recollection is that the Senator from Iowa, for the purpose of accomplishing a number of very much needed reforms in his State, which were accomplished by him, held a good many conferences and meetings with the majority members of the legislature, to the end that a common purpose and concerted action might be established, and was established, without which his reforms would have been impossible.

Mr. CUMMINS. Mr. President, during the seven years I was governor of the State of Iowa there was not a single caucus upon legislation held by the members of the general assembly of that State by either party. Long ago it became disreputable in the State of Iowa for any political party or the members of any political party organization in the general assembly to hold a secret caucus and endeavor in that way to bind the members of the body to any particular course upon legislation.

Mr. THOMAS. The Senator seems to overlook the fact that, out of regard for his feelings, I used the word "conference."

Mr. CUMMINS. Well, Mr. President, there is a vast difference between a caucus and a conference. It is true that a conference may be just as vicious as a caucus; it makes no difference what name is used. The vital thing is what transpires at the conference or the caucus. I have no objection, and no one could have objection, to members of a body who are of the same general mind meeting together and discussing the merits of legislation or the merits of any proposal, whether it be legislation or no. That is not the point I am endeavoring to make.

Inasmuch as the Senator from Colorado [Mr. THOMAS] has referred to a time when I was governor of Iowa, I will say that I know of a good many conferences held during the legislative sessions of those years. Those conferences were not political. Men of both political parties joined in the conferences. I think I know the fact sufficiently well to state it without any qualification, that in no conference ever held in my State during the time I was governor was there even a suggestion that any man who attended such conference felt under the slightest obligation as he passed out of it to do any particular thing.

We have here, though, a case—and I have seen it before—in which 35 or 36 members of a political party met together and acted under a rule which was adopted in 1903, a rule which definitely and specifically declares that when two-thirds of the members of that party vote in favor of a particular question in caucus, the action of the caucus becomes binding upon every member of that political organization, with two or three exceptions which I shall not attempt to repeat, because all Senators will remember the discussion of the junior Senator from Georgia [Mr. HARDWICK] a few days ago, in which he read and commented upon the exceptions to the rule.

I am not attempting, and I beg you will not believe that I am attempting, to disparage the political organization which now constitutes the majority in this Senate, for what I am saying has been applicable at times just as fully and completely to the party to which I belong as it is now applicable to the party upon the other side of the Chamber.

It seems to me that as free men, independent men, as patriots, as men who have been intrusted with great power to be employed for the good of all the people, we ought to be able to discuss such a question as this without any partisan bias.

Mr. SUTHERLAND. Mr. President, will the Senator from Iowa permit me to interrupt him for a question?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield.

Mr. SUTHERLAND. The Senator from Iowa has just said in effect that his argument would apply at times in the past to the party to which he belongs. I should like to say to the Senator from Iowa that in my service in the House of Representatives and here, covering nearly 14 years, I never have known of a binding caucus being held in either House on the part of the Republican Members. I have attended many conferences, but I have always gone out from those conferences with a perfect understanding that I was free to vote as I pleased.

Mr. CUMMINS. Mr. President, I did not refer in what I said to the action of Republican Members of Congress.

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him?

Mr. CUMMINS. I do know, however, that Republican members of other legislative bodies have been in caucus and have done precisely what was a short while ago done by the Democratic Members of the Senate. I yield to the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I would go further than the Senator from Utah [Mr. SUTHERLAND] and remind the Senator from Iowa that at least in my experience of nearly 18 years in this body I do not recall any conference or any caucus on matters of legislation, whereas under the present régime we have witnessed caucuses prolonged for a week, surrounded by great mystery and secrecy, binding the members under a two-

thirds rule, and then presenting legislation to this body with a notice that it must be passed by sessions held from early in the morning until late at night, without deliberation or the privilege of studying it.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I hope the Senator from Pennsylvania will understand that I am not speaking of any recent action, or possibly remote action—I know nothing of that—on the part of the Republicans in Congress. I only know that there have been times and places in which the Republican Party has held caucuses and has attempted to bind its members to vote in a particular way. I know it, because I refused absolutely to enter a caucus of that kind when I was a member of the General Assembly of the State of Iowa. But I am not referring at all to what has been done here. I know that the practice has been abolished here in our party, anyhow. I am simply attempting to show that this is a course which has not been peculiar to any one political organization; but it is just as bad though it has been practiced by all the political organizations of the country.

Mr. THOMAS. Mr. President——

Mr. CUMMINS. I yield to the Senator from Colorado.

Mr. THOMAS. I merely wish to say, Mr. President, that during the period of time covered by the remarks of the Senator from Pennsylvania the Republican majority generally took its orders from and acted by the direction of one man.

Mr. PENROSE. The Democrats are doing that now.

Mr. CUMMINS. Just a moment. I understand perfectly what the Senator from Colorado has in his mind, and I know that there was a time when one man, a leader in the Senate, had very great influence. However, as much as I deprecated that influence and as widely as I differed from the man who exercised it, he never had the temerity to call his associates together and attempt by the passage of a resolution to bind them to vote in a particular way. I have been in the Senate now six years, and more, and I have never even been invited to attend a conference of Republicans that had for its purpose the determination of the manner in which Republican Senators should vote upon any measure of legislation or anything that was incident to it.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield to the Senator from Mississippi for a question.

Mr. VARDAMAN. Mr. President, I want to say at this point of the very interesting observations which the Senator is making that the secret caucus is not more distasteful to the people of his State, those of any other State, or to the people anywhere on earth, than it is to the honest white Democrats of the State of which I have the honor in part to represent on this floor. I do not believe a man running for the legislature in Mississippi could carry a single supervisor's district if he announced that he would be bound by a secret caucus in casting his vote on any question that might come before the legislature. Mississippi had a very notorious experience with the secret caucus in 1910.

The secret caucus is responsible for one of the blackest, most disgraceful, and dirty pages in the history of that great Commonwealth. No self-respecting Mississippian can look back upon that unfortunate period without the blush of shame mantling his or her cheek; but, thank God, the stain has been wiped from the fair name of the State, in so far as it could be effaced by the action of the people. Their first opportunity came in 1911 at the primary election which nominated me for a seat in this Chamber. A more complete, thorough, overwhelming repudiation of the advocates and champions of the secret caucus it is not possible for a people to make, and the system of the secret caucus was denounced, spat upon, by the voters at the polls in a manner which admit of no doubtful interpretation. I am so thoroughly impressed with the iniquity of the system that I am loath to enter into any sort of agreement or understanding that could be construed as consenting on my part to be bound by the vote of any man or any set of men to control my vote on any measure of public importance, especially, Mr. President, if the understanding and caucus action shall be entered into behind closed doors. I feel that I have been instructed by the people of my State to oppose in every honorable and proper way the methods of the secret caucus. I believe that legislation enacted by such methods can not be the voluntary enactment into law of the best judgment of the servants of the people, and therefore it must of necessity be pernicious.

Mr. CUMMINS. Mr. President, I should be glad to yield to any Senator, but it must be understood that I yield only for a question, and not under circumstances that would take me from the floor, because I feel that I must observe in good faith—and I will observe in good faith—to the implied understanding between the Senator from Missouri and myself when he withdrew his motion to lay my amendment upon the table.

Mr. President, I thought that the advancing civilization of this country, I thought that the influence of the progressive movement upon this country, had annihilated the caucus. I am not now speaking of the progressive movement in the Republican Party any more than I am speaking of the progressive movement in the Democratic Party, or the progressive movement as shown in the organization of a third party; I am speaking of the general advance in political thought; I am speaking of the consensus of opinion, which I think is universal, that in these days men who come into a legislative body to serve the people must be free men, and must be at liberty to vote at all times so that the interests of the country shall be promoted.

I was astonished more than I could well express when the senior Senator from Missouri [Mr. STONE] a few days ago rose and read from the record of the caucus of 1903 a formal resolution which, by its very terms, attempted to bind one-third of the members of the Democratic organization to any measure upon which two-thirds could agree. I assumed, even in the palmy days of the caucus, even when there was no public opinion challenging the caucus as there is now, that the effect of the caucus would be rather implied than expressed. I assumed that the action of the members of the caucus or the party was dependent rather upon their sense of honor than upon their express obligation entered into formally in the way of a written contract to do a particular thing; and I believe the country was astonished when the senior Senator from Missouri [Mr. STONE] laid before it the resolution upon which he relied to coerce one-third of the Democratic Members of this body into action favorable to the pending measure.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. I should like to have the Senator tell me when I introduced a resolution in the Senate to coerce one-third of the Democratic Senators or to coerce anybody else.

Mr. CUMMINS. I was speaking of the senior Senator from Missouri [Mr. STONE]. I referred specifically to the senior Senator from Missouri. The junior Senator from Missouri will remember that a few days ago his colleague rose and read a resolution of the Democratic caucus held in 1903, and then recited what had occurred at a recent Democratic caucus respecting this bill, and thereupon he declared—I shall not attempt to quote it—that every Democratic Member in this body was bound by the resolution passed a few weeks ago to support this measure.

Mr. REED. Oh, well, that is a very different statement than I understood the Senator to be making. I deem it entirely unnecessary to make further reply.

Mr. CUMMINS. I appeal to those who are about me either to verify or to overthrow my recollection of that remarkable address; but I am not mistaken when I say that the senior Senator from Missouri read a resolution of 1903, which expressly declared that whenever two-thirds of the Members on the Democratic side of the Chamber united in a particular course, then every Democratic Member was bound to pursue that course unless it involved the Constitution of the United States, or some pledge that he had made to his constituents, or—there was one other exception which I do not now recall.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I yield to the Senator from Colorado.

Mr. THOMAS. I merely wish to ask that before the Senator takes his seat he will give the Senate the benefit of his views upon filibustering as well as upon the caucus.

Mr. CUMMINS. I will do it. I said in the very beginning that I do not believe in the filibuster simply because of difference of opinion. I believe that where there is in any body a free and fair debate, where every mind is open and at liberty to reach the conclusion which the conscience behind the mind directs, when the question has been fairly debated, when the period of instructive debate ceases, the vote should be taken. I believe in the rule of a majority. I stated that with candor, I think, and with emphasis. But now, in order that there shall be no dispute about what the resolution was to which I referred,

I read it from the remarks of the Senator from Missouri. This resolution was passed on the 15th day of December, 1903:

Resolved, That hereafter all members of the Senate Democratic caucus shall be bound to vote in accordance with its decision made by a two-thirds vote of all its members upon all questions except those involving a construction of the Constitution or upon which a Senator has made pledges to his constituents or received instructions from the legislature of the State which he represents.

Mr. WEEKS rose.

Mr. CUMMINS. Does the Senator from Massachusetts desire to interrogate me?

Mr. WEEKS. I desire to ask a question, Mr. President, namely, whether the Senator from Iowa has appreciated the extreme measures which might be taken by a caucus. For instance, I am informed that at a caucus held at the other end of the Capitol last night a resolution was passed, and has been reported to the House to-day, under which the previous question is to be ordered without debate on a proposal to prevent amendments and pass a bill after six hours' debate, which would mean about 40 seconds to each Member.

Mr. CUMMINS. Mr. President, as I view it, there is no way of exaggerating or unduly emphasizing the wrong of a course of that kind. If two-thirds of a caucus can bind the Members to one thing, it can bind them to another. There is no limit to its powers; and if two-thirds of the Democratic Members of this body can compel unison of action between the Democratic Members, then there is no legislative body. The Senate of the United States has ceased to exist, just exactly as the House of Representatives has ceased to exist as a deliberative body. It is controlled in all great measures by the caucus of the prevailing party. But I recall Senators to the language I have just read:

That hereafter all members of the Senate Democratic caucus shall be bound to vote—

Such a surrender of manhood, such an abdication of responsibility, such an utter disregard of the oath which every man takes when he enters this body, I have never before known; and I desire to say this much for my Democratic friends: I do not believe they would pass such a resolution now. I do not believe they would dare to do it; but there has been revived a resolution which savors of medieval tyranny in order to facilitate and speed the progress of this measure. I appeal to every Senator who believes that he is progressive, who is willing to march along the path toward better legislation and toward greater responsibility, to pause when he considers the resolution under which our Democratic friends are now acting.

I repeat that if there is a fair field for debate I think there should be in the power of the Senate a limitation upon debate, for I have too much confidence in my fellow Senators, without regard to their political affiliations, to believe that a measure, after being fully discussed, could be passed which would inflict great injury upon the country of which we are all citizens. But what has been done, so far from giving the majority a right to determine what legislation we shall enact, the caucus has conferred upon a minority the right to determine the character of our legislation. It may not be so in this particular instance, because seven members of the Democratic organization have refused to be bound by this rule; but assuming that they were all bound, assuming that the 16 members of the Democratic part of the Senate were opposed to this bill and were bound to vote for it because 36 members of their organization have declared that it was legislation that ought to be passed, what, then, is the spectacle presented to the American people? Instead of requiring 49 Members of the Senate to pass a law, 36 Members of the Senate have passed a law; and against that usurpation on the part of a minority there is no extent of filibuster that is not justified and defensible.

There has never been a moment of real debate in this Chamber upon the bill now before us, because real debate involves a mind that is willing to listen, involves the opportunity at least for conviction and for change of opinion. Since the action of the caucus, so far as those who have regarded themselves as bound by it are concerned, there has never been an hour in which any discussion of the question would avail those who were participating in it. I do not know how many of these Members are in fact opposed to this measure. I do not know that. I do not propose to say. I only say that we are operating under a rule of the caucus which enabled or is intended to allow 36 members of the caucus to control the action of 53 members.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield.

Mr. REED. What does the Senator think about, say, five or six long-winded gentlemen by a mere filibuster controlling not only the action of one side of the Chamber but the action of both sides? Does he think that is less objectionable than it is for a party to assume responsibility as a party?

Mr. CUMMINS. Mr. President, I answer the question in this way: If the seven Members to whom the Senator from Missouri refers——

Mr. REED. I am not referring to any particular seven Members. I am stating a situation. Under the present rule, four or five able-bodied physical orators can absolutely stop the entire business of the country by merely standing on the floor and pouring out a ceaseless stream of talk. I ask the Senator if he thinks that is to be preferred over caucus action?

Mr. CUMMINS. Mr. President, I think they are both thoroughly indefensible.

Mr. REED. I ask if that does not present a case where 6 men control the business of the country instead of 40 or 50, against which the Senator inveighs?

Mr. CUMMINS. Well, Mr. President, sometimes a minority must rebel. There have been occasions when it was necessary for a minority to fight, and fight hard. There are a great many instances of that in the history of the world. If it were not so, Darius would have occupied Greece, and the Saracens would have overrun Europe and given us Mohammed and the Koran instead of Christ and the Bible.

Mr. REED. But, Mr. President, all minority rebellions are not just. A minority may rebel in a bad cause. Since the Senator from Iowa has gone into historical lore I might cite him to the rebellion of one Judas Iscariot and to a somewhat later rebellion by an individual known as Benedict Arnold. Both of these gentlemen were in the minority, but the fact that they were in the minority did not put any virtue into their infamous acts. So minorities may be wrong as well as majorities.

Mr. CUMMINS. Oh, unquestionably.

Mr. REED. And since the Senator has said that there comes a time when a minority may rebel against the tyranny of a majority, it occurs to me that the time has now arrived when a majority may well rebel against the tyranny of a minority.

Mr. CUMMINS. Mr. President, the Senator from Missouri is not happy in his reference to Judas Iscariot, for reasons which I shall not develop just now; but from my standpoint a minority has a right to fight if it has no opportunity to speak. I have said many times that if the minority had a chance to convince the individual Members of the Senate through the force or the merit of their argument in my humble judgment the attempt to prevent a vote after fair discussion had ensued can not be justified; but if they enter the contest knowing that the minority of the Senate has held a caucus and has bound enough Members to constitute in the whole a majority, then it would seem to me that any course that would prevent the success of the caucus action and the overthrow of individual judgment and conscience would be right.

Mr. REED. Even though the men who entered into that effort to destroy the caucus action had themselves made an agreement so hard and fast that by force thereof they were holding Members to vote against their judgment and their will? Does the Senator think that is proper? The Senator knows that is exactly the situation in the Senate at the present hour. He knows that the Republican Members held a meeting—whether or not they met all together in one room is immaterial—and they arrived at an absolute agreement to vote to recommit the present bill. He knows that every Member upon that side of the Chamber except two men were drawn into that agreement. He knows that the Republican representatives and seven Democrats all finally united in the agreement. If he does not know the fact, I can tell him that a number of Senators on a number of votes have said that they did not like to vote as they did, but that they were in honor bound by their agreement to so vote because they had pledged themselves to vote to recommit this bill, and that they could not break away from their agreement. I want to ask the Senator if he does not call that sort of agreement a caucus?

Mr. CLARK of Wyoming. Mr. President, I rise to a question of personal privilege.

Mr. CUMMINS. I yield to the Senator.

Mr. CLARK of Wyoming. I wish to rise to a question of personal privilege. The Senator from Missouri has made a statement which he says the Senator from Iowa knows and every Senator on this side knows. I challenge the truthfulness of that statement, so far as the Senator from Wyoming is concerned. The Senator from Wyoming neither directly nor indirectly has agreed with anybody how he will vote on any question in this body.

Mr. REED. Somebody has made the agreement for him, then.

Mr. CLARK of Wyoming. No; nobody makes an agreement for the Senator from Wyoming.

Mr. CUMMINS. I desire——

Mr. REED. I repeat my statement, and I intend to make it good.

Mr. CLARK of Wyoming. The statement is untrue.

Mr. REED. I call the Senator to order, and if he is not called to order I shall bring him to order.

Mr. CLARK of Wyoming. The Senator from Missouri made a statement as to every Republican Senator. I rose to a question of personal privilege and stated that so far as this Senator is concerned he was mistaken in his statement. He repeated it, and I say the Senator is mistaken.

Mr. REED. That is a very different statement than that my statement was untrue. I have no objection to the Senator saying that I am mistaken.

The VICE PRESIDENT. At least let the Senate maintain good humor if it can not maintain order.

Mr. CUMMINS. Mr. President, answering, which I want to do fairly, the question of the Senator from Missouri, I say that we have not attended any conference of Republican Senators with regard to this bill. I have no doubt that some Senators have discussed the matter among themselves, but I do say that in so far as I know there is no Republican Senator bound to vote in any particular way with regard to this bill.

I am thoroughly in favor of the limitation of debate proposed by the Senator from Nebraska, reserving only one point of difference, provided always that it is not made to apply to instances in which a caucus has been held and Senators bound to vote in a particular manner without regard to their own judgment.

Mr. REED. Mr. President——

Mr. CUMMINS. That ought to be evidence enough that there has been no caucus on our side that binds anybody to vote in any particular way.

Mr. REED. I want to ask the Senator from Iowa if he will say to the Senate and the country that an arrangement has not been made on that side of the Chamber by which the pending bill is to be referred to a committee, and if an agreement has not been arrived at to support that proposition between the Republican side and the seven gentlemen upon this side who have been voting with the Republicans?

Mr. CUMMINS. I do not know, Mr. President. As far as I am concerned, no such agreement has been entered into.

Mr. HARDWICK. Mr. President——

Mr. CUMMINS. If the Senator from Georgia will allow me just a moment, I believe it to be true that there was a time when by discussion among Members on this side of the Chamber it was understood that it was the view of the Senators upon this side that the bill should be recommitted in order that the committee might consider certain amendments which had been proposed, but which it was apparent at that time could not be considered.

Mr. REED. The question of purpose is not in this matter. Everybody has a purpose for every vote he casts. We need not go into the purpose back of any agreement. I want to know if the Senator proposes to tell the country that there has not been an agreement, an understanding, or an arrangement pursuant to which all of the Senators on the other side of the Chamber, with the exception of Senators LA FOLLETTE and NORRIS, have been voting solidly to recommit this bill and if that arrangement between the Republican side and the seven Democrats has not produced a concert of action which has been manifested in something like 25 or 30 votes?

Mr. CUMMINS. I will answer that now, and then I will yield to the Senator from Georgia [Mr. HARDWICK].

In so far as I know there is no agreement among Senators with respect to anything. I believe it to be true that the views of Senators with regard to recommitting this bill were known; I think known to all of us, because we came to a time when, if there was to be any opportunity for presenting amendments at all, the bill had to be recommitted, and I think the views or purpose of every Senator upon this side of the Chamber were known with regard to that motion. But there was no agreement, there was no obligation, there was no attempt upon the part of the Senators upon this side to impose upon any Senator the force of a caucus or the force of a conference even.

Mr. REED. No; you just all got together, or, if you did not all get together at one time, you just passed the word around in something like this form: "Now, it is understood that we are going to make a motion to recommit the bill, and we are all going to stand to it," and then Members were asked if they would stand to it, and these tactics were pursued until you found out you could get a nearly solid Republican vote. Then an arrangement was made with the seven Democrats to assist in carrying through the scheme. I want to ask you if such pledges were not obtained.

Mr. CUMMINS. If what?

Mr. REED. If pledges were not obtained to the effect that the two different parties to this arrangement would stand together solidly to recommit this bill, and if they have not carried that agreement into effect by voting together even upon mere points of order.

Mr. CUMMINS. Mr. President, I never heard of any pledge by anyone. I have heard Senators state how they intended to vote. I have a substitute for this bill, and I have been exceedingly anxious to secure an opportunity to present it to the committee or to present it to the Senate, and I have asked, I suppose, every Member upon his side of the Chamber his views with regard to that substitute. I have asked a good many Senators upon the other side of the Chamber other than the seven to whom the Senator from Missouri refers and I intend to ask as many more as I can reach, for I have a perfect right to know what Senators believe with respect to a measure which I intend to propose. But there has not been a suggestion of a caucus or a conference the outcome of which would bind those who were opposed to the measure to vote for it, and that is the vice of the Democratic caucus. I yield to the Senator from Georgia, who has been standing for some time.

Mr. HARDWICK. Mr. President, although it would not be necessary to correct the statement of the Senator from Missouri for the benefit of anyone who recalls exactly what has been said on this subject before on this floor, yet I think it is not right that the statement as he has put it in the RECORD this morning should be allowed to go uncontradicted and unchallenged. In the interest of truth and accuracy I think it is well for the Senate and the country to know exactly what happened in reference to this matter.

The Senator refers to certain gentlemen on this side of the Chamber who found themselves unable to agree with their associates on this matter, and who had, I think, given their associates ample notice of their disagreement, some of whom at least were acting under the express rule of the caucus of the party to which the Senators on this side belong, and who conferred among themselves, not with Republicans, and determined among themselves to make an effort to recommit this bill, so that it might be amended in certain particulars, so that those Senators might be enabled, some of them at least, to support it when it came to a final vote. If there is anything like treason in that, the Senator can make the most of it.

Mr. REED. Oh, I did not say anything about treason. The Senator may characterize his own conduct.

Mr. HARDWICK. The Senator undoubtedly has attempted at various times to leave that impression.

The Senator said that this motion or this movement came from the Republican side of the Chamber. The very reverse is true, and the Senator from Missouri either knows it or ought to know it if he can understand the English language, because the truth has been repeatedly stated here before.

Now, pursuing this subject with the utmost frankness and with the candor to which the Senate is entitled: When the seven Democrats who wanted this bill recommitted in order that it might be amended in certain particulars, in the hope that amendments would remove some of their objections to it, made up their minds to make that motion they inquired on the Republican side whether the Republicans were inclined to support that motion, and were informed that it was the belief over there that the Republican side would support that motion. There has been a good deal said——

Mr. REED. And then what?

Mr. HARDWICK. And then what? Then it was made.

Mr. REED. Then it was made?

Mr. HARDWICK. Made by the Senator from Arkansas [Mr. CLARKE], just as good a Democrat as sits in this Chamber.

Mr. REED. Then there was an agreement made between seven Democrats on this side and somebody professing to represent the Republicans on the other side?

Mr. HARDWICK. I should not call it an agreement.

Mr. REED. You just said an agreement was made.

Mr. HARDWICK. No.

Mr. REED. What was made?

Mr. HARDWICK. I said we were informed that the Republicans intended to support this motion to recommit. We did not go to the Senator from Missouri for support. We knew he could not support it.

Mr. REED. Why, certainly.

Mr. HARDWICK. Mr. President, one more thing. There has been complaint made about a failure to notify Senators.

Mr. REED. No; let me state at this moment——

Mr. HARDWICK. All right; I will yield to the Senator if I may.

Mr. REED. Before I am——

Mr. CUMMINS. Before we go further I should like to have an understanding that I am not to lose the floor.

Mr. REED. Oh, no.

The VICE PRESIDENT. The Senator from Iowa has the floor.

Mr. CUMMINS. Very well; I yield further.

Mr. HARDWICK. I would not proceed if it would cut off the Senator from Iowa.

Mr. REED. The Senator from Iowa asked for 15 minutes, and he has had nearly an hour.

Mr. LIPPITT. Most of the time the Senator has challenged the Senator from Iowa with using has been occupied by the Senator from Missouri.

Mr. REED. The RECORD will show the fact about that.

Mr. LIPPITT. I think it will.

Mr. REED. The Senator says that the seven Democrats at a meeting agreed that they were going to try to get some amendments on the bill which would enable them to support it, and thereupon they communicated with the Republican side, and that the Republican representative or the Republican side said they would see what could be done. I then asked, "And then what?" And the Senator said an understanding or agreement was made.

Mr. HARDWICK. I did not intend to make that statement. I did not make it. If the Senator will let me answer——

Mr. REED. What was that understanding or agreement?

Mr. HARDWICK. Let me answer. I ask the Senator not to put words in my mouth which I did not use. We were informed that the Republicans would vote for a motion to recommit. Exactly what negotiation or arrangement or conferences or conversations were had on that side I did not know, because I had nothing to do with it. My part was that I agreed to vote to recommit the bill so that certain amendments could be made to it that would enable the Democrats who felt like I did to vote for it when amended. That is all that happened as far as I know. I have considered myself bound, as the Senator knows and as I think I have stated to him, to support a motion to recommit. I am not only bound, but I am willing and anxious to do so.

Mr. REED. Not only willing, but bound to it because it is an agreement. Are you not, Senator?

Mr. HARDWICK. I will answer the Senator.

Mr. REED. Frankly?

Mr. HARDWICK. In utmost frankness, as the Senator knows.

Mr. CUMMINS. Mr. President——

Mr. HARDWICK. Just one thing more. Because of the agreement with my associates on this side——

Mr. REED. And because of the agreement that they made with the Republicans on the other side.

Mr. HARDWICK. I do not so consider that; I do not think they have such an agreement.

Mr. REED. Does not the Senator also know that there are certain Republicans on the other side of the Chamber who have repeatedly said that they would be obliged to vote in a certain way because they were bound to support the motion to recommit?

Mr. HARDWICK. If they were, they were not bound by me and not by any conference I had with them. I want the Senator to get that exactly right.

I want to say one thing more, and then I will trespass no longer on the time of the Senator from Iowa. There was no question of taking advantage of anyone. Within 15 minutes from the time the Republican side knew of this proposed motion—and I think it was within a very short time, only a few minutes after that—it was freely discussed in the Democratic cloakroom. There was no surprise about this thing. You gentlemen knew that this motion was coming.

Mr. REED. I want to say to the Senator, speaking for myself, that I had not the slightest information that it was coming until I heard the motion made on the floor by the Senator from Arkansas [Mr. CLARKE].

Mr. HARDWICK. The discussion was so general on this side that Senators were discussing whether the motion was in order, and had a discussion with the Vice President. I do not know about that, however.

The VICE PRESIDENT. Leave the Vice President out.

Mr. HARDWICK. Of course the Presiding Officer, it was known, had to rule on it, and I assume they discussed it in the cloakroom.

The VICE PRESIDENT. The Vice President made no ruling in advance.

Mr. HARDWICK. Be that as it may, the parliamentary experts on this side were discussing whether the motion was in order and made, as soon as it could be made, the precise point that the Vice President sustained and was overruled about. That is all there is to it. I thank the Senator from Iowa for his courtesy.

Mr. VARDAMAN. Mr. President——

Mr. CUMMINS. I yield for a question. I think I ought to proceed with my remarks, but for a question I would be glad to yield.

Mr. VARDAMAN. I should like to make a statement just in this connection since I have been brought into this debate.

Mr. CUMMINS. With the understanding that I am not to be taken from the floor, I yield for that purpose.

Mr. VARDAMAN. Mr. President, I have never done anything in politics or in the performance of official duty that I was unwilling for the public to know. I have always maintained that the utmost publicity in public matters is conducive to efficient service and promotive of the public good. All my life I have opposed the secret caucus. If I had my way I should take the door off of every committee room in this Capitol and turn the spot light upon every caucus, that the public might see and hear through the newspapers the discussions of all questions dealing with the affairs of the people. The people have a right to know how their representatives vote in caucus and act on committees and their reasons therefor, because we all understand that the larger amount of legislation is proposed in the caucus and finished in the committee rooms. I have been opposed to the ship-purchase bill since first I informed myself of its provisions. I think I announced my opposition to it before it was known what stand the Democrats of the Senate would take upon it. When this matter under discussion came up at our first conference I said distinctly to my colleagues who were inclined to think and act about it as I do, and I have repeated it at every subsequent conference: "You owe me nothing; there is no agreement between us that is binding upon you to do or not to do anything pertaining to the ship-purchase bill that does not meet your approval or accord with your sense of duty. If we can act in harmony, doing what we believe to be our duty in the premises, and defeat the bill, I shall be greatly pleased, but I want it distinctly understood that my opposition to the bill and my action in opposing the bill will not be determined in the least by what either or all of you may do." I was opposed to the bill then, and I am still opposed to it, and I wanted to recommit it.

In a casual conversation with the Senator from Massachusetts [Mr. WEEKS] I asked him what would be the attitude of the Republicans on the question of recommitting the bill. He replied that he thought a majority of the Republicans would vote to recommit it. I do not want to be misunderstood about the matter. My first and foremost purpose in recommitting the bill was to kill it. I believe it to be a pernicious piece of legislation, and I wanted to get it off of the calendar. I wanted to recommit it, amend it, or do anything else that I could do to get it out of the way. In discussing the matter further with Senators CLARKE, O'GORMAN, and HARDWICK, and other Senators with whom I have affiliated in this fight against the bill, I stated the result of my conversation with Senator WEEKS but always emphasized the fact that they were not in any way bound to me. I want that understood.

Mr. HARDWICK. If the Senator will pardon me, the Senator understands that several of his colleagues on this side did not go that far.

Mr. VARDAMAN. I understand that several of my colleagues did not go that far. They were opposed to the bill upon principle, some of them on the ground of Government ownership, and yet others who thought the bill might be amended so as to make it possible for them to vote for it; but I was not opposed to it upon that principle. As I have said on the floor of this Chamber heretofore, I would be perfectly willing at the proper time to consider a proper measure looking to State ownership of public utilities, including railroads, ships, and so forth. But not until after the American people—especially that part who compose the great Democratic Party—shall have had an opportunity to consider it and make some declaration upon the policy. I know that the Democratic Party as a political organization does not agree with me on the question of public ownership. But some of the other Senators do not agree with me about that, and, recognizing that fact, I desired to make it clear that there was no agreement between us which in any way hindered or prevented each one of us from following his own judgment and doing the things that his sense of duty might dictate. I am

going to vote against the ship-purchase bill; I am going to vote to recommit it if I shall be the only Senator on the floor of this Chamber, be he Republican or Democrat, who votes that way.

Now, that is where I stand on this question. There has been no secrecy or desire on my part, or on that of any of my colleagues that I am aware of, to conceal anything that we have done or said from the whole wide world. There has been no attempt to bind this Senator or that Senator. There has been no attempt by me to control or dictate to any Senator in the performance of his great function here. I think my colleagues with whom I have conferred in this matter understand this question just as I do. Mr. President, I am opposed upon principle to secret caucus instruction. I think such methods are subversive—destructive of the very genius—of the vital principles upon which our Government rests. There is no form of despotism or tyranny so despicable and undemocratic as binding by caucus action the minds and consciences of the servants of the people in the performance of their official duties. Freedom of action and utmost liberty of thought are the necessary prerequisites to writing into the law the best thoughts and highest purposes of the serious-minded, patriotic representatives in this body of the sovereign States of this Republic. I believe in the patriotism of party organization. I believe in the virtue that results from cooperative action on the part of men holding kindred views touching governmental matters and moved forward by a common ambition. Legislation wrought in that way is always helpful, proper, beneficial. It is the ripened fruit of legitimate and sound mental and spiritual processes. But when men are driven—forced—to subordinate their own views and act under the dictation of others, who themselves are sometimes acting under orders, we must expect such laws to partake more of the spirit of tyranny than of a government deriving all of its just powers from the consent of the governed, whose laws should be at all times for the protection of the people.

Mr. CUMMINS. Mr. President, inasmuch as this matter has received——

Mr. CLARKE of Arkansas. Mr. President, I ask, while this matter is under consideration, will the Senator from Iowa indulge me?

Mr. CUMMINS. I yield to the Senator from Arkansas under the same conditions.

Mr. CLARKE of Arkansas. Mr. President, there is no mystery about the way and occasion when the seven Senators on this side of the Chamber happened to cooperate. The Senator from Missouri [Mr. REED] is substantially correct, that there is what might be considered an understanding about what would be done with the motion to recommit. The circumstances under which the motion was made were in a measure accidental.

On the morning of the day on which I made the motion, after the Sergeant at Arms had called me to the Senate three different times to make a quorum, I came into the Senate Chamber much disposed to make my attendance very brief. I had been going along day after day for about four weeks helping to make a quorum, being paired with the junior Senator from Utah [Mr. SUTHERLAND], doing everything that the most ardent advocate of the bill could do to help it along, feeling that I would allow the responsibility for its passage to rest upon those who favored it. I did not favor it and never had favored it as a permanent proposition.

I discussed the bill with some persons in official life and some persons outside of official life in the late summer of last year before the cotton crop began to move. It was then thought feasible as a temporary means of transporting cotton to foreign markets ready to purchase it. I favored it solely as an emergency proposition. When I came into the Senate Chamber on the morning of the day on which the motion to commit was made, the senior Senator from North Carolina [Mr. SIMMONS] said to me, "The Senator from Mississippi [Mr. VARDAMAN], I believe, is working on a plan to beat the shipping bill." I replied, "I am glad to hear this; I shall hunt him up and join him."

In the course of half an hour, or such a matter, I was invited to go to the room of the Committee on Post Offices and Post Roads, where a number of Senators were assembled. I said, "I believe this bill has progressed now for a sufficient length of time to satisfy us that the opposition to it is not going to permit it to pass. There does not seem to be any sentiment in the country in its favor; the pressure in its favor is local and special, and I believe that sooner or later the effort to pass it will give way. I want the bill recommitted to the Committee on Commerce for the purpose of creating a hiatus on our calendar, so that I may move to take up the river and harbor bill and the bill which provides a system of rural credits. I do not want to fritter away the entire session without having made some substantial effort toward something for the people whom I represent." Other Senators had other reasons. As the Senator from Mississippi states, his reason was to defeat the bill entirely; the Senator from Georgia [Mr. HARDWICK] desired to have the bill recommitted for the purpose of amending it; and so the comments and discussion about the bill went forward. The motion to recommit the bill was one motion upon which we could all agree.

It was suggested that as the junior Senator from Massachusetts [Mr. WEEKS] had been interesting himself in the various parliamentary stages that were transpiring here from time to time, that he be sent for to know what would be the attitude of the Republicans on a motion to recommit. He expressed a preference for the continued consideration of the bill and a daily adjournment. I suggested that that would not meet the purpose I had in view, as I wanted the bill recommitted with the definite purpose of opening up the calendar for such action on other bills as the majority of the Senate might see proper to take. He said he did not know at that time what would be the vote on the Republican side of the Chamber until after some conference with his associates, either general or individually, when he would be better able to inform us of their attitude. In a short time he returned to say that the Republican minority would vote for a motion to recommit the bill to the Committee on Commerce. Their vote, added to the seven votes we had, made the number sufficient to carry out that purpose.

It is not my purpose to say that the action of the seven Senators on this side in no way depended upon what the Republicans through the Senator from Massachusetts [Mr. WEEKS] indicated a willingness to do. We were thereby advised that we could accomplish our purpose to recommit the bill on a basis of cooperation that we could afford to adopt. I am not disposed to make any denial or concealment of anything connected with this incident that is true. What I have stated is just exactly what occurred. It therefore does not offend me when Senators say that we are supporting the motion to commit as the result of an agreement or understanding with some of the Senators on the other side of the Chamber. But no express or tacit understanding exists for cooperation beyond a vote on the pending motion to recommit.

Mr. CUMMINS. Mr. President, inasmuch as the matter has been discussed upon the other side, I think it but fair to state my own attitude toward the bill.

I am very much opposed to the bill, but I am not opposed to the Government buying ships and operating ships in commerce. My objection to the bill lies principally to the intervention of the irresponsible corporation with minority stockholders, the presence of whom, in my opinion, will destroy the effort that is being made.

Mr. REED. Mr. President——

Mr. CUMMINS. May I proceed? I beg pardon.

Mr. REED. I want to say to the Senator—of course I can not interrupt him unless he permits me—but I do hope, if he is going to leave the theme we were on, that he will permit me to ask him a question about it before he leaves it.

Mr. CUMMINS. Does the Senator from Missouri wish to ask me a question with regard to that?

Mr. REED. Yes.

Mr. CUMMINS. Well, I intend to state very briefly my answer to the question heretofore put to me by the Senator from Missouri. Then I shall submit the matter, so far as I am concerned.

Mr. REED. Very well.

Mr. CUMMINS. Mr. President, the Senate will remember that at one time the Senator from Florida [Mr. FLETCHER] introduced a substitute for the shipping bill. Upon the substitute he instantly demanded the yeas and nays. They were ordered upon the spot, and a short while after that the Senator who occupied the chair held, or I understood him to hold, that there could be no amendment presented to the substitute offered by the Senator from Florida. Of course I was interested in presenting my amendment, and the Senator from Nebraska [Mr. NORRIS] was interested in presenting his two amendments, for without his two amendments and without the adoption substantially of the substitute which I proposed to offer I was opposed to the bill. I was in deep earnest in securing further action on the part of the committee. I wanted the bill recommitted to the committee in order that it might come from the committee in such form as that amendments could be offered to it if the committee did not itself make those amendments. I asked certain Senators upon this side of the Chamber how they

would vote upon a motion to recommit, and they told me. That is all the connection I have had with any conference or with any arrangement with regard to the conduct of the bill.

The Senator from Missouri must be perfectly aware that there is a vast difference between these two things. Assume that all the Democratic Members were present at the caucus—53; that 36 of them vote for the bill and 16 of them vote against the bill; the effect of the rule to which I have referred binds the 16 who have recorded their judgment against the bill to vote for it——

Mr. REED. Mr. President——

Mr. CUMMINS. Just a moment—whereas if the 53 Senators who were present were each asked how he would vote upon the bill and each one answered truthfully, it would be a conference and might be helpful; it might be beneficial; I do not say that it would not; I believe in the interchange of views and in the expression of views, but the vice appears when we come to a resolution that imposes the judgment of one man upon another and compels him in honor, if he respects his party obligation, to abandon his own conviction and accept that of another man.

Now, Mr. President, I intend to do whatsoever I can here and elsewhere to make it impossible for the members of any political party in any legislative assembly to hold a caucus to determine how the members of the body shall vote upon a particular measure and attempt to bind them to a particular course. I have therefore offered this amendment, which does nothing more than to declare that in cases in which such a caucus has been held and such an order or declaration made, this rule shall not apply; and if in the future there is no such caucus held by either of the political parties, then the rule will be as general in its operation with my amendment as it will be without it. But now is the time and this is the place for those who are opposed to caucus domination upon matters of legislation to attach my amendment to the proposal of the Senator from Nebraska, for if we do I venture to say there never again will be held a caucus in the Capitol that attempts to bind members of a political party to vote for a particular bill.

I close by saying——

Mr. REED. Mr. President, I desire to ask the Senator some questions before he closes.

Mr. CUMMINS. I yield.

Mr. REED. Mr. President, first I want to correct a statement which has been made here so often that it needs correction. The Senator has spoken of 35 Democrats voting for an instruction, and of 16 Democrats voting against it.

Mr. CUMMINS. I said 36.

Mr. REED. Thirty-six for it and sixteen against it.

Mr. CUMMINS. No, Mr. President; I did not say so. I simply presented that spectacle. I did not say that 55 Senators gathered together in this caucus and 36 of them voted one way and 16 the other. I said that that would be the effect of a rule of this sort if observed.

Mr. REED. Well, the Senator then was dealing with a hypothetical case.

Mr. CUMMINS. I said so.

Mr. REED. Of course, the Senator may not know that every man who was at this conference voted for the instruction.

Mr. CUMMINS. No, Mr. President; as I understand, there were in the first place 35——

Mr. REED. I am talking about the final vote.

Mr. CUMMINS. Thirty-five who voted in favor of the bill and three, four, or five against it Then one of the Senators who voted against the instruction or against the bill changed his vote in order that there might be two-thirds, in compliance with the rule of 1903. Then I think the other two or three Members moved to make it unanimous, and there were probably 38, 39, or 40 votes.

Mr. REED. The Senator is misinformed. There was one vote on the roll call against the proposition—not the proposition to bind, but against the proposition—that Senator having said that he was willing to go with his associates, but that he desired to record his vote in order to express his preference, after that was done the action of the conference was made unanimous. It, of course, does not follow that all those who were outside of the conference were against the bill. As a matter of fact they were not.

Now, passing from that, which straightens up the statement of fact, I desire to ask the Senator if he thinks it was any worse for a body of men, all the representatives of a party, to get together in a room, discuss a proposition, and then, if two-thirds of them favor the proposition, for the others to feel bound thereby, than it is for an individual Senator to take the individual pledges of other Senators to stand by him or to stand by some certain proposition?

Mr. CUMMINS. Does that complete the question?

Mr. REED. Yes. Is one any worse in principle than the other?

Mr. CUMMINS. I do not believe that any man should pledge himself to vote in any particular way, whether to a caucus or to an individual Senator. I think it is perfectly proper for a Senator to declare to another how he intends to vote upon a particular, a special proposition. In other words, every honest man must keep his mind free to vote as he believes he ought to vote.

Mr. REED. And he ought to maintain that condition of mind up to the time he casts his vote.

Mr. CUMMINS. I do not know of any circumstance that would alter that.

Mr. REED. Now, is it not a fact that——

Mr. CUMMINS. But that is no defense. Why does the Senator from Missouri desire discussion upon that question of ethics?

Mr. REED. The Senator will get it in my next question.

Mr. CUMMINS. That does not pertain to my amendment. The question here is whether the Senator from Missouri is in favor of a caucus which attempts to bind the members of a political organization to a certain bill or a certain course. If there are other vicious methods prevailing in the Senate Chamber, they can be reached in some other fashion, I am sure, but they are not material here.

Mr. REED. The question here is a choice of procedure. I asked the Senator the question whether he believed that it was right for a Senator to take the pledges of his fellow Senators to support a given proposition. He stated in reply that he thought no Senator should give any pledge or any promise; that he should keep his mind open until the time for voting. I want to ask the Senator if, in and about this very controversy, he has not asked certain Senators how they would vote, and if they have not thereupon stated that they were going to vote a certain way, and if certain of the Senators referred to have not actually gone to him and asked to be released from that arrangement, and if he has not declined to release them?

Mr. CUMMINS. It is not true in any sense. It is true that certain Senators told me how they intended to vote upon the motion to recommit.

Mr. REED. And is it not true——

Mr. CUMMINS. It is not true that Senators have asked me to be relieved from any promise, because they made me no promise or pledge.

Mr. REED. Is it not true that afterwards these certain Senators came to the Senator from Iowa and stated to him in substance and effect that they desired to be released from voting upon certain propositions pertaining to the question of recommitment, or which concerned it, and that the Senator from Iowa said to them in substance and effect they were in honor bound?

Mr. CUMMINS. There is a measure of truth in that.

Mr. REED. Yes. Well, about how much measure now?

Mr. CUMMINS. Well, Mr. President, so far as the Senator from Missouri is concerned he is not my instructor in political ethics. If I were seeking some one to lift me to a higher plane in political life, I would not address myself to the junior Senator from Missouri.

Mr. REED. Mr. President——

Mr. CUMMINS. I decline to yield a moment further. When the Senator from Missouri has so far forgotten himself as to intrude the subject which he has just suggested upon the Senate, I decline to yield for a single moment.

Mr. REED. Very well; I will reply in my own time.

Mr. CUMMINS. I will attempt to declare now to the Senate exactly what happened. I do it with very great reluctance, because it draws into the discussion a matter which ought to be purely personal and which ought not to have been mentioned here at all, and I think the Senator from Missouri has violated all the proprieties between gentlemen in mentioning the subject which he has just introduced.

It is true that when the motion to recommit was proposed I asked certain Senators how they would vote upon the motion to recommit. They knew my interest in it perfectly well, because I had a substitute for the bill, for which I desired consideration; I desired it earnestly and sincerely, and a ruling of the Chair, as I understood, had precluded me from offering it upon the floor of the Senate. I wanted the motion to recommit sustained, because I believed that if the subject were again considered by the Committee on Commerce the view which I entertained would prevail in the committee, and I was trying hard to impress upon my fellow Senators the merit of the proposal that I had laid before the Senate in the form of a substitute. I asked Senators how they would vote on the motion

to recommit, and they told me how they would vote on the motion to recommit.

The only other question that ever came up between those Senators and myself was whether a motion to recommit with instructions to report two certain amendments—mine, of course, not included—was consistent with the purposes and the objects of a motion to recommit. I said, and I have no hesitation in saying it again and publicly, now that the Senator from Missouri has made it public, that a motion to recommit with instructions to report forthwith two certain amendments is not the same as a motion to recommit so that the committee could again take the subject under consideration and report according to its view of the whole matter.

The Senator from Missouri has now the entire personal, confidential communication between the Senators whom he had in mind and myself. I want them to understand that I would not have willingly obtruded upon the Senate an intimate, personal matter of this character, and that it has only been drawn from me by the Senator from Missouri in his endeavor to break the force of an argument against the caucus and to divert the attention of the public from the practice of controlling legislation by a secret caucus to the effort upon my part—and upon the part of other Senators, too—to put this bill into such form and in such parliamentary situation as that amendments could be offered to it.

Mr. President, I hope sincerely that the amendment I have proposed will prevail. If it does, I intend to vote for the limitation of debate proposed in the amendment of the Senator from Nebraska [Mr. NORRIS]. If it does not, I shall vote against it, because I will not willingly forego my right to protest on the floor of the Senate against a bill which comes here as the result of a party caucus, accompanied with a binding resolution which compels every member of that organization to support it or suffer a charge of party disloyalty and treason.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. The Senator from Iowa has paid me the compliment of saying that if he desired a political mentor he would not call upon me. Mr. President, I have not been posing as a political mentor for the Senator from Iowa, for the Democratic Party, or for the country, but if I know anything about the history of public matters for the last five or six years the Senator from Iowa has assumed that he is a sort of political Baedeker not only for the Republican Party and for all of its hitherto discordant and disunited elements, but for the country at large. He is now attempting to enlarge the field of his operations so that he may regulate the business of the Democratic Party.

Having succeeded to a large extent in disrupting his own party, by adhering to his favorite doctrine that when he can not control a party he will ruin it, he now crosses the aisle of the Chamber and poses as one entirely capable of managing the business of the Democratic side. He assumes the self-righteous air of a man who is capable of directing the morals and shaping the ethics of everybody else on earth.

If I were inclined to act as guide for others, I surely would not undertake to act as the political mentor for a man who stands here on the floor of the Senate and in one breath denounces the meeting together in a room of all the Members of the Senate who represent a political party, where there is a full and fair and free discussion, where, at least so far as those men are concerned, the question is settled upon its merits, and yet who thinks it is highly proper to have a secret meeting between three or four Senators and to exchange mutual pledges. Who, while he is denouncing public caucuses and public agreements, still insists that it is entirely right to have private agreements and who, when charged with the fact, pleads that it is grossly impolite to even mention the fact that a private agreement had been made.

Let us see where the distinguished Senator stands. The Democrats had a caucus or a conference. Every Member was invited. They came there representing States from all parts of this Union. They had full and fair and free discussion. They agreed to abide by the action of two-thirds. They finally got a vote of all of the Members present in favor of a proposition. They were then merely, as a matter of honor, bound to support that proposition. Any one of them could say he would not obey the caucus vote. If any one of them said it was a matter of conscience with him, he was not required under the rules to obey it. If he said that in his opinion anything required was violative of the Constitution of the United States, he was not bound to obey it. If he said that he had made pledges to his people to the contrary, he was not bound to obey it, and in the last analysis he was not bound to obey it at all except merely as a matter of honor between gentlemen. A record was kept of the proceedings of that caucus. While it is not generally public, it is open to all of those who participate and to all members of the conference. That it is not in any sinister sense secret is shown by the fact that all of the proceedings of the caucus have been exposed here upon this floor freely and without protest. Indeed, the proceedings of our caucuses are generally, in substance, printed in the newspapers.

The Senator condemns that, and says that is wrong, that is wicked. Then the Senator says it is all right for him to get one or two or three or a dozen men together and say to them, "How do you stand?" Of course he did not say to them, "You ought to stand this way" or "You ought to stand that way," or "You ought to stand with me." He just puts it to them, "How do you stand?" They say, "Well, we stand in a certain way." Thereupon days intervene, debate intervenes, motion after motion comes up, and these Senators say to the Senator from Iowa, "We do not think we ought to be bound; we desire to vote differently," and the Senator from Iowa says, "I can not release you from our agreement." The Senator from Iowa says that kind of secret meeting is so sacred a thing that it is wrong even to mention it, ungentlemanly to expose it to the public gaze. Such, sir, is the indefensible position in which the Senator from Iowa finds himself.

Mr. President, one of the great reasons for conferences and party caucuses is to get rid of secret agreements among individual members. It is to substitute party agreement for private agreement; party council for private conspiracy. It is to put the responsibility for public policies upon a political party instead of leaving them to the tender mercies of self-constituted leaders who go about pledging enough men to stand with them so that by private conspiracy they may control the public business.

Why, Mr. President, it is well known that before party conferences came to be recognized that the very cause for the birth of the party conference, the condition of affairs I have described existed. Before the party conference came into being sinister influences were often able to obtain the support of a small coterie of men who, by uniting their votes and throwing them first to one side and then to the other, could control legislation. These gentlemen were merely political pirates, engaged in the business of destroying honest legislation. Albeit, instead of the pirates' black flag bearing the honest skull and crossbones of their trade, they usually fly the milk-white banner of reform, emblazoned with a halo of virtue. Also their motto has been and is independence. Loudly they proclaim that they owe allegiance to nobody and to no party. They are a law unto themselves. They possess all wisdom and all goodness. Under such conditions when the people undertook to determine who was responsible for legislative iniquity it was frequently very hard to fasten that responsibility upon any individual or any political party. Therefore, in order to avoid the evil of secret conferences and private conspiracies between men elected to represent the people, the plan was adopted of bringing all of the members of a party into a room and inducing them there to cast their votes and express their opinions, so that when a man saw fit to organize a coterie of his own he had at least to assume the obloquy of having broken with his party associates. The caucus was intended to abolish the private conference and the private agreement and the private conspiracy in which the Senator from Iowa practically admits he was concerned with reference to this bill.

Mr. President, speaking for myself, I am getting a little tired of this "holier than thou art" proclamation from gentlemen who are engaged in that sort of thing.

One word further. Without intending to provoke any particular discussion or debate, I asked the question this morning whether the Senator from Iowa believed that it was any worse to call the members of a political party in a room, and, after having full and fair council, determining by a two-thirds vote what should be done than it was to get all the members of a political party into a secret agreement or conspiracy and then extending that agreement so as to take in Senators upon the other side so that complete unity of action results? After a good deal of discussion, which has occasioned some acrimony and some avowals that what I charged by my question was untrue, the bald truth is at last made plain, so plain that "the wayfaring man, though a fool, can not err therein." It is this: That a conference or caucus was, in fact, held upon the other side. I do not mean they all got together in a room at one time and by formal action, where there was a chance for mutual expression of opinion, they finally arrived at a determination. What I do say is that an agreement was in fact made, and that is the purpose of a caucus. It is all a caucus can do. Whether the agreement is obtained by going from Member to Member or whether it is done by calling all in a room, when-

ever you find that a concert of opinion and action has been arranged and agreed upon, whether it is done in one room or a dozen rooms, the result is none the less a conference or a caucus, sir. The place where you do the thing is not important. The particular manner in which you do it is of no concern. The whole question is, Did you do it? And it now stands admitted that an agreement was made upon the other side and that the seven Democrats joined in that agreement.

It also stands admitted that the Senator from Iowa pledged some of his fellow Members—or if he did not actually pledge them he asked them what they were going to do—and then, when the course of conduct was entered upon, he held them to their previous statements, and thus put upon them every coercion that a conference can put upon any man. He put upon them the coercion of their honor, of their agreement, of their binding pledge, which is all any man can give to any conference or any caucus; and yet, pure brain, from his holy lips, from his sacred tongue, comes a denunciation of others who get together in a more open way and in a fairer way and arrive at an agreement!

Woe unto you, scribes, Pharisees, hypocrites!

An attempt has been made during this debate to at least convey the impression that there had been no concerted action on this side among the seven Democrats and no agreement between the seven Democrats and the Republicans.

Again, they did not all get in a room together; but, again, it now stands admitted, that seven Democrats did get together and did arrive at a conclusion, and that a representative of the Republican side met a representative of the seven, and the agreement was then and there made, and it has been religiously adhered to ever since. We have found the seven voting every time with the almost solid Republican side. We have found them voting together upon questions of order even; upon the construction of the rules. They have stood together with a fidelity that would have done credit to a Greek phalanx in the days of Alexander. You could not break the spear of one unless you were able to overcome the entire number.

The only exceptions to this binding rule and agreement on the other side is found in the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Nebraska [Mr. NORRIS], who refused to enter the conspiracy. Outside of them, the agreement has held every Republican fast and firm, immutable and indestructible; and acting with the Republicans, without a variation or the least shadow of turning, have been the seven Democrats on this side. Regretting as much as I do the fact that the agreement was made, regretting as much as I do the fact that seven Democrats were willing to act with the Republicans on the other side, I yet give the allies credit for standing hitched, for keeping their agreement once they had made it. At least, it appears that there is honor among Republicans and Democratic sinners. They do keep their agreements. Let us hear no further denial in this Chamber that there was an agreement, and let all the subterfuges and evasions that have been resorted to now be wiped out, for we now know the fact; it stands admitted and confessed that there was an agreement. An agreement is none the less an agreement if made as was the one at Gerry's celebrated dinner, wherein gentlemen arrived at a gentleman's understanding, or if it be made in a garret between a band of highwaymen who are about to go on a marauding expedition, the conversation being in the lingo of the slums, or whether it be solemnly written down and signed; if there is one mind and one purpose, there is an agreement. It is utterly immaterial whether that agreeement be arrived at in a caucus or in an alley, you arrive in the end at the same thing.

The Senator from Iowa is at this moment a party to such an agreement. It does not lie in his mouth to read lectures to Democrats because they held a conference.

Mr. NORRIS. Mr. President, before I take up the proposed amendment of the Senator from Iowa [Mr. CUMMINS], which I expect to oppose, I want to say a few words in regard to the caucus and perhaps the filibuster. I am led to it because of what has been said by the Senator from Iowa and the junior Senator from Missouri [Mr. REED]. I also desire to do so because the pending amendment of the Senator from Iowa is intended to be a blow at the caucus, and while I shall not support this amendment I am just as much in favor of dealing a blow to the caucus as any man in this body or elsewhere.

In speaking of the caucus and caucus control, Mr. President, I want it distinctly understood that I am not insinuating or attempting to insinuate that because a man believes in caucus rule, and I do not, that I am therefore better than he or that I do not admit the honesty of his purpose and the patriotism of his motives.

I have heard it said many times since I have been in Washington, in the other House and in this, mostly in the other, by great leaders, great statesmen, that this is a Government of parties. I have heard the doctrine promulgated by Mr. Cannon, who was formerly Speaker of the House of Representatives; I have heard this same doctrine promulgated by the present Speaker of the House of Representatives. I hear it here.

Personally, I believe the theory is wrong; but I do not believe that any man has any right or privilege when, believing it is wrong, I condemn it, to say to me that I am putting myself up as a judge of the action of somebody else.

As against party responsibility I believe in individual responsibility. I know there is argument on both sides of the question, and a man has a right to be on either side and still retain his honesty, his patriotism, and, I think, his wisdom. So I am not going to cast any reflection on any man because he believes in a contrary doctrine.

One theory is that we should have two great political parties, and that when we get in a legislative body the members of one side belonging to one party should get together and agree upon a course to be taken in reference to some particular bill, that the other side shall get together and agree what the course of that party shall be, and that a majority or two-thirds, or whatever the rule might be, should decide the course of each one of the political parties.

In my judgment that is wrong. I believe that the American people are beginning to realize that it is wrong. I believe that the progressive spirit of the age is condemning it now and that the caucus will soon be relegated to the past.

If that theory be true, then all a man has got to do if he is in the House of Representatives or the Senate or any other deliberative body is to go to his caucus and do the best he can there to bring about the enactment in the caucus of the legislation which he favors. If he fails, then he supports the bill that he was opposed to or in a form that he is opposed to. If he succeeds, then, of course, he is gratified to know that his party has adopted his ideas.

Mr. President, I want to call your attention to an instance. Several years ago, under the prior administration, the question of reciprocity with Canada was brought up by the President in a special message and a great deal of debate and discussion took place on that law. You will remember that the reciprocity law was passed through the House of Representatives, sent over to the Senate, and failed here because of the expiration of the Congress; that the President called a special session, and that it was put through the House of Representatives the second time, and then again brought to the Senate.

I heard the speech of a noted Member of the House of Representatives who believed in party control and party government and in the submission of the individual to a majority of his political colleagues. I heard his speech made to his constituents after he had gone home at the end of that session. He had made his campaign for election on the theory that he was opposed to reciprocity with Canada. His people were opposed to it. He had denounced it all over his district. But he was a good Democrat. He came to the House of Representatives and his party held a caucus. He went into the caucus. Of course, it was secret. I do not know what happened there. I suppose he did just what he said he did. I have no doubt of it, because he was an honest, upright man. He fought against reciprocity in the caucus, but he was defeated. The Democratic Party in the House decided to stand by the Republican President in favor of Canadian reciprocity, and he voted with his party.

Then he went home, and he made another speech and this is the one I heard or read. He did not dwell much on it. He thought he was justified in the course he took. He assumed that his people would think that way. He said, "I was elected on an antireciprocity platform; I fought it; I denounced it"; and he said, "I carried out the instructions of my constituents. I went down to Washington, and I went into that Democratic caucus, and I did everything I could to defeat reciprocity."

Under one theory of government he had performed his full duty, but when he came to the place where his official action was recorded, he voted just the other way. That is party solidarity. That is party responsibility. That is government by party. That is the submission of the individual judgment to the judgment of his party colleagues.

Mr. FLETCHER. May I interrupt the Senator?

Mr. NORRIS. I yield to the Senator from Florida.

Mr. FLETCHER. I suggest that under the rule which applies in the Senate he need not have done anything of the kind; that he would have been released from the rule if he had notified his colleagues.

Mr. NORRIS. Exactly. I think the Democratic caucus of the House has the same kind of a rule, but there are men who

feel in honor bound to follow the party, and they are men of a high sense of honor. I am not sure but what I honor them for it. At least that is what he did. He followed his party.

Mr. HUGHES. Mr. President——

Mr. NORRIS. I yield to the Senator from New Jersey.

Mr. HUGHES. It seems to me the Senator must know that the rule is at least equally if not more liberal which prevails in the Democratic caucus than among the Republicans. At the time of which the Senator speaks the terms of the rules were published in the newspapers over and over again. There were a great many at that caucus who for the reason which could have been given by the Representative to whom the Senator has referred declined to be bound by that rule.

Mr. NORRIS. Exactly; I understand that.

Mr. HUGHES. A great many of them, I understand, remained in caucus and actually voted on the proposition and then declined to be bound without being held to any responsibility.

Mr. NORRIS. Oh, yes; and I have heard them condemned up one side and down the other until it seems to me a man could hardly stand up under the adverse criticism that was hurled at them.

Mr. HUGHES. It seems to me the Senator has had an unfortunate experience as far as caucuses are concerned.

Mr. NORRIS. I have had lots of it.

Mr. HUGHES. I am willing to admit that there may come a time when the caucus situation on this side of the Chamber may be what it was at one time on the Senator's side, but until that time arrives it seems to me that no general denunciation of caucus rule or of caucus measures ought to be indulged in. So far as I am concerned, my people care little or nothing whether I go into a caucus or not. I doubt if there are a hundred people in my district who are aware whether I have participated in a Democratic caucus, and they will not excuse me for any improvident vote I cast on the ground that I was following the caucus.

Mr. NORRIS. The Senator means to say that his people are going to hold him responsible personally for his political action.

Mr. HUGHES. Undoubtedly.

Mr. NORRIS. That is what they ought to do.

Mr. HUGHES. Undoubtedly; and it would be idle for me to go before my people and plead the action of the Democratic caucus.

Mr. NORRIS. If the theory of caucus government is right, the Senator has a right to do that very thing. He can go to his people and say, "I was elected a Democrat, and the caucus of Democrats decided so and so, and I went with them." That is a defense under the caucus system of government.

Mr. HUGHES. Still I was about to state my position on this caucus proposition. I think there has been some change in the public sentiment toward the caucus, because of the manner in which the caucuses on this side of the Chamber at least have been conducted of late. If the Senator could get admission to one of our caucuses, and I do not see that any great harm would come either to the Senator or to our party if he were permitted to attend and listen, if not personally participate, I think his mind would be disabused of a great many erroneous ideas he has with reference to the caucus. I have gone into every Democratic caucus, and I have tried to bring about certain results, and in the final analysis I have always accepted what I have regarded as the best thing that could be gotten from the Democratic caucus.

Mr. NORRIS. Of course it is your duty as a caucus Democrat to get the best you can, and to take what you can get.

Mr. HUGHES. But as to my duty as a Democrat, knowing that this side of the Chamber is charged with the legislation, and it is the only side of the Chamber to which one can look for legislation so long as I am satisfied that the Democratic caucuses are being held, as I firmly believe they are being held now, in the interest of the people of the United States, I propose to participate in them and to submit to their conclusions so long as I do participate in them. The moment that I come to the conclusion that the Senator came to some time ago I shall probably follow the course he followed. When I come to the conclusion that the Democratic caucus is being controlled by outside interests and influences, and not acting for the best interests of the people, I shall probably follow the Senator's course.

Mr. NORRIS. The question of the Senator was so long I have really forgotten the first part of it; but I am not finding fault with the Senator; I am not criticizing him for going into the Democratic caucus if he wants to do so. I think it is wrong. I think I have the privilege to say so, and I am not casting any insinuation on the Senator. He has a right to believe in that kind of government if he wants to, if he believes that is the best way to get good results for the people. I do not believe it, and I have a right to say I do not believe it. Of course the Senator has attended Democratic caucuses where it is claimed it was free and fine, everything lovely, full, fair, free debate and discussion; but he says the caucuses of the other party are controlled by different influences and different interests. In other words——

Mr. HUGHES. I took the Senator's word for that a few moments ago.

Mr. NORRIS. Yes, sir; you can get my word for that; but I want to say that the interests or the methods of controlling a caucus are not decided by the political party that is holding the caucus. The same interests that handle a Republican caucus held in secret will get in their work in a Democratic caucus held in secret. You are individuals and human beings the same as other people, no better and no worse. You can not make a caucus good because you call it Democratic and make it bad because you call it by another name.

I know that it is an impossibility to consider a bill of any great magnitude or importance in caucus. Are we elected to caucuses? The law provides, even the Constitution, that on the demand of one-fifth the roll shall be called and every man recorded. Here where we perform the official work that we are sent here to do, have we met fully our obligation to our people and our consciences when we permit our official work to be controlled by the work of a secret caucus?

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Nebraska yield to his colleague?

Mr. NORRIS. I yield to the Senator.

Mr. HITCHCOCK. I have been interested in the colloquy between my colleague and the Senator from New Jersey concerning the caucus. I notice the Senator from New Jersey makes the point that the caucus is an evil thing when it is controlled by outside influences. I want to say to my colleague what I think is generally understood by well-informed people in Washington to-day, that there would have been no Democratic caucus if it had not been for outside influences.

Mr. NORRIS. That is the case nine times out of ten. I am glad my colleague has made the statement. I had no doubt of it. I would rather it would come from him than from me, however.

Mr. HUGHES. Mr. President——

Mr. NORRIS. But as a rule that is always true, because, to put it down in a nutshell, a caucus is a means by which a minority can control a majority. We have an illustration of it in nearly every caucus that is held.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. NORRIS. I yield, although I hope the Senator will be brief. I do not want to take up the time of the Senate.

Mr. HUGHES. I think the Senator's colleague is mistaken.

Mr. NORRIS. Suppose we let it go at that. I believe he is right.

Mr. HUGHES. I sat in the cloakroom when the matter of calling a caucus was first discussed. I was opposed to it. I did not feel that it was necessary, and I said so; but the order was gotten up and signed in my presence. I think I finally agreed to sign it. The Senator may have information not available to me, but my judgment is that the caucus was not asked for by any outside influence of any kind.

Mr. NORRIS. I suppose the Senator from New Jersey will not try to have us believe that my colleague meant some outside influence made a written command and signed it in writing and sent it by some official to each Senator and told them to get together and hold a caucus.

Mr. HUGHES. No; I mean to say——

Mr. NORRIS. But the methods, the instrumentalities, were provided by the caucus itself. Now, I do not want to get into a debate as to whether your caucus was a good or a bad one or called regularly or anything else. That is nothing to me. I am willing to concede for argument's sake that it was good. The best in my judgment ever held are not fit to legislate. Here is the place to legislate.

Mr. REED. Mr. President——

Mr. NORRIS. I yield to the Senator from Missouri.

Mr. REED. The Senator from Nebraska has made the statement that this caucus never would have been called except for outside influence. That may mean something very sinister. I do not think the question ought to be left in that way.

Mr. NORRIS. I do not mean to say that it is sinister, necessarily; not by any means.

Mr. REED. No; but——

Mr. NORRIS. It might be and it might not be.

Mr. REED. The statement was made by the other Senator from Nebraska that an influence was exerted which, if it had not been exerted, would have resulted in no caucus being called, and the innuendo is left or the inference that that influence may have been sinister. I challenge any man on this floor to name an influence that produced our caucus except the influence of the Members of the Senate who signed the call.

Mr. NORRIS. Now, the Senator——

Mr. REED. I challenge the assertion and I insist that now is the time to speak. You should not rest upon insinuation and innuendo. I challenge an answer to my interrogatory. Now is the time to speak. Let us know the influence, and when and where the influence was put into force. If there is no answer, I have the right to assume that the statement is without warrant. There is no answer.

Mr. NORRIS. The Senator has not stopped yet to get an answer. There may be one. [Laughter in the galleries.]

Mr. REED. I had stopped twice and I stop now, and I challenge the Senator from Nebraska, who has the floor, to state upon his honor that there was any such influence, and tell how and when it was exerted.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. The Senator will pardon the Chair before he proceeds. The Chair desires to admonish the occupants of the galleries that under the rules of the Senate any demonstration of approval or disapproval of what transpires on the floor is forbidden. The Chair expresses the hope that the occupants of the galleries, who are there by the courtesy and permission of the Senate, will not again transgress the rule.

Mr. NORRIS. Mr. President, I said a while ago I had no disposition to take up any particular caucus. I have no more fault to find with the last caucus that was held than with the one that was held eight years ago. I had yielded, however, to Senators who brought in the last caucus that was held of the Democratic Party, or the caucus on this bill; I do not know whether it was the last one or not. I have said, and I repeat now, I do not believe there would have been a caucus on this bill or a good many other bills if it had not been for influences outside of this Chamber. I repeat now what I said to the Senator from Missouri, that does not mean that the influence was sinister or that it was wrong. It may be proper, if you are going to run the Senate by a caucus, that individuals outside of the body ought to have something to say in the advisory council of the party that is trying to hold the caucus.

Mr. REED. Mr. President, just a matter of correction. The Senator said a good many caucuses had been held. I think I came into the Senate at the same time the Senator did. There have been in three years and over that I have been here just two caucus votes taken. We did not even take a caucus vote on the tariff bill. The other bill, in addition to this one, was a trivial measure. As a matter of fact, the caucus vote was passed as a sort of joke on those who had not seen fit to come. It was some small matter, I have forgotten what it was. So, when the Senator speaks of many caucus votes and many caucus actions, he is not accurate.

Mr. NORRIS. The Senator, in the first place, does not quote me accurately. I said there had been many caucuses, and I repeat it. There have been two within the last few weeks. You had a caucus the other night, so Democratic Senators told me, one the day before that——

Mr. REED. We had a conference.

Mr. NORRIS. That was a conference, was it? A rose would smell just as sweet called by any other name. You may call them all conferences if you want to; that is immaterial to me.

Mr. REED. Let me point out the difference to the Senator.

Mr. NORRIS. I will not yield to the Senator unless he wants to take up time.

Mr. REED. I want to correct the statement and I will make it very brief.

Mr. NORRIS. All right; I do not want to filibuster on this bill.

Mr. REED. The Democratic conference merely discusses the proposition, and is not supposed to bind anybody except as the general course of debate may lead Senators to a conclusion. When two-thirds of the members, however, have voted to make a question a matter of party action it is supposed to bind, with the exceptions that I named some time ago. So when I say to the Senator there have been many conferences, and that there have been but few caucuses, I am stating a distinction that is substantial and not merely chimerical. I do not think that even the Senator or anybody else can object to men getting together in a room and discussing a proposition, which is a Democratic conference.

Mr. NORRIS. I am not even objecting to getting together and discussing it in caucus if gentlemen want to do so. I do not want Senators to continually put me in a false attitude. I do not believe in a caucus on legislative matters. Any Senator who does so believe has a perfect right to his belief, and a perfect right to attend a caucus. I believe caucuses result in bad government. You can not, in my judgment, get as good legislation if you do it through a caucus binding men to vote for what they do not believe in, and keeping out other men because they do not happen to wear the party tag, and preclude them from taking any part in the consideration of the matter you have up. I think it is a good thing for Senators or members of any legislative body to agree on any particular proposition, to get together on a proposition, and agree on a method which they shall adopt to bring about, if possible, the enactment of their views in legislative form.

But what do we have here? We are divided by that aisle, and when a Senator on one side talks with a Senator on the other in relation to a bill he is liable to criticism and to be held up to derision and suspicion. What we ought to have on any measure that comes up here is a meeting, without any political lines, without any partisan division, of those who favor it, and let those who oppose it get together if they so desire. I do not mean now to bind anybody, and I am speaking now of what the Senator from Missouri refers to as conferences. To that I agree. Next time there is a bill or something important up for consideration the same thing could take place, but what would happen if anybody undertook to do that here in the Senate? Because of the partisan feeling that exists and has existed for the years and years that have gone men would almost be ridiculed who would undertake it; and yet you hold a secret caucus, binding men who do not believe in a measure and precluding men who do believe in it even from offering an amendment or their views to be taken into consideration when you come to the enactment of the legislation. That is the evil of the caucus, particularly when it is partisan.

You not only bind men to vote contrary to their convictions, but you really decide upon a bill in secret, excluding Members, probably nearly one-half of the membership of the Legislature, from any participation in it. How often has it occurred when a bill has come in here that by long debate by men who were excluded from the councils of the men who drew the measure, you yourselves were convinced that there was something wrong with it and you took it back into caucus and changed it?

What happened when you brought in one of your great measures that was in your platform—the Trade Commission bill—without any caucus and with no attempt to bind any man? You brought it on the floor of the Senate; you had the active assistance of men on this side of the Chamber to help you shape the bill and to get it into good form. In the form in which you passed it you proclaimed to the country that it was a great achievement and you mentioned it in your campaign book; you talked of it on every stump in the last campaign, and yet some of the most valuable suggestions and amendments and assistance that you got you got from this side of the Chamber.

Why, Mr. President, that illustrates that it is not necessary for any party to go into a secret caucus to frame a bill, and then try to pass it through the assembly without giving members of a different political faith who believe in that kind of legislation the right to be heard and the right to perform the official functions which they are sent here to perform. So it has those two evils.

But, Mr. President, that is not all. The caucus is held in secret. If it is a good thing, then why not have the CONGRESSIONAL RECORD record the proceedings of the caucus? If that is really the institution that does the legislation, then why not take down what is said and done and publish it to the world? It is always claimed that men are not coerced. If they are not, what is the use of a caucus? What good does it do? If you do not attempt to bind men to vote contrary to their convictions——

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. NORRIS. I yield to the Senator.

Mr. WORKS. The Senator from Nebraska has stated that he either knows or assumes that some outside influence brought about the caucus. I should like to ask if he knows or assumes that any particular influence from any particular source was used for that purpose?

Mr. NORRIS. Oh, no; I am not speaking of any caucus in particular. I said as a rule that was true of all caucuses. I said if you were going to run your government on that form, then it would be perfectly proper, in my judgment, for outside influence to come in and ask a caucus.

Mr. WORKS. I should like to ask the Senators, further, if there was outside influence used for such purpose whether it could be other than sinister and improper?

Mr. NORRIS. I think it could. I will take that up. I did not intend to go into it at all until I had been interrupted, but I will answer that question. It is a very proper question. I think such influence could be other than sinister. If caucus control is right, then we ought to always have party solidarity; that is the object of a caucus, to get the members of a party to vote together on everything pertaining to the particular bill about which they are caucusing; to have all vote as a unit. That is for the party. I should say if the Members of the Senate believed in running this body through the mandates of a caucus and the President of the United States belonged to their party, they would consult with him, and very properly he would consult with them. They would consult with the Cabinet officers, and the men who are chairmen of their committees or otherwise high in the councils of the party in control would also be consulted and would have a right to have their views taken into consideration in party control.

If we are going to run our Government by a party caucus, then Members of the legislative body ought to shape their conduct—and when they act through caucus, as a rule they do so—they ought to shape their conduct so as to bring about the greatest possible benefit to that party. That is another objection I have to the caucus. It puts party above country. I am not by that expression intimating that anybody is unpatriotic who believes in a caucus. He thinks that to put his party first is the way to better his country.

Mr. President, I read last night in a paper published in my State a very able article of about two columns describing the Democratic quarrel in the State of Nebraska between the Secretary of State and my colleague here. I thought it was a very fair statement from the editor's standpoint. He went on to give the names of candidates for post offices, for United States marshalships, for the land offices at different places where the terms of the Republican officials had long ago expired but no Democrat had been appointed.

The argument in relation to every case was made in that editorial, and not in a single instance was the question ever raised or anything said about the qualifications of the man to fill the place—not once—but the argument was, "Here is a man who has been a Democrat for 20 years; the Senator from Nebraska has recommended him for this office; and he is held up." Why? Because he did not follow some certain other leader at some other time in the history of the party. It was a question of party entirely, nothing else. The good of the country was not considered by the article, though the writer of the article is one of the ablest editorial writers in the United States and is a high-minded, honorable man; but his enthusiasm over party was so great that the only thing he offered in favor of a man for an office was that he had done good service for the Democratic Party. That is one of the results of partisan control, of party-caucus control, of party government, of party responsibility, instead of individual responsibility.

Mr. POINDEXTER. Mr. President——

Mr. NORRIS. Mr. President, I yield to the Senator from Washington.

Mr. POINDEXTER. Did this article discuss the question of the needs of the Postal Service?

Mr. NORRIS. Not once. It discussed the needs of the Democratic Party.

Mr. POINDEXTER. I suppose it did not pretend that the people would get any better service in the post offices if these Democrats were appointed?

Mr. NORRIS. Oh, no; but it did contend that the Democratic Party would be better off.

Mr. POINDEXTER. As a matter of fact, it might have discussed the proposition of leaving out both Democrats and Republicans, so far as the postmasters were concerned, and let the post offices run without them. They would run a good deal better in most cases without any postmasters at all, because there is an expert, the assistant postmaster, who is a man who has technical knowledge and who has been promoted up to that place through his experience and his faithfulness in the service, and is paid a reasonable salary. As a rule, the postmaster, who is a politician, appointed through some such controversy as the Senator from Nebraska is describing, knows very little about the workings of the office and pays less attention to it. The chief function that he seems to perform in our political system is being the recipient of a political reward from one party or the other and drawing a salary. Fifteen million dollars a year could be saved to the Government, without impairing the Postal Service at all, by abolishing the office of postmaster altogether.

Mr. NORRIS. That is true; and I want to digress here to say that I am not charging this to the Democratic Party any more than I am to the Republican Party. The system is not right. It all comes about from men putting party too high in the councils of the Government in matters of legislation. It is one of the results of party government and party responsibility rather than individual responsibility and independent action upon the part of every public official.

Mr. President, if we had a legislative body, I will say merely for the purpose of illustration, that contained 100 members, and there were 51 members of one party and 49 members of the other; the party in control gets into caucus; 26 men would be a majority of that caucus, and those 26 men would bind that party, would bind the 51 men, and thus pass the legislation. Where we are divided along party lines and caucus only along party lines, you may have a condition where 26 men out of a hundred are in favor of a bill, all the balance of the hundred being opposed to it, and yet those 26 men would pass that bill. Such a result would be perfectly feasible under the caucus system; and we have hundreds of illustrations where such things have actually taken place, where less than a majority of the body, although a majority of the dominant party, favoring a given proposition have been able to put it through the legislature. It is a very common thing, and is something that happens several times almost every year.

Now, Mr. President, it seems to me that here, in this place, where the law and the Constitution provide that official action shall be taken, every man ought to approach his vote without any strings tied to him and without any coercion from any source.

Something has been said about sinister influences in a caucus. Again I say I am not referring to any particular caucus, but to caucuses in general. Nine times out of ten a party that continually acts by caucus and keeps that practice up will eventually arrive at a stage where fewer men than you can number on the fingers of one hand will control every caucus where they meet in secret.

What would you think, Mr. President, of a caucus of a majority party being held here—it matters not what the party is—with the administration belonging to the same party, and the Postmaster General coming up to the Capitol, buttonholing Members, and saying to them: "I should like to have this" or 'I should like to have that"? He makes no threat; he does not make any demand that is wrong on its face, perhaps, and he does not demand the caucus; but, after he talks with a few of the leaders, a paper commences to circulate; men sign it, and they go into the caucus, and, with closed doors, yes, and locked doors and drawn blinds, laws for the people are enacted, with every man having held up over his head the knowledge that 50 or 100 postmasters that he would like to name may be contingent on the vote he casts. There is no threat made, but Members of the House of Representatives, of the Senate, or of the State legislatures are, as a rule, wise enough, so that they can appreciate what will happen without being told in so many words what the result is going to be.

We know what happens when men are not "good" in their party and fail to yield their convictions. We know what patronage is. I knew it, Mr. President, in my own party; I had it used against me; I know its evils; and yet I am not able to go anywhere and put my finger on any individual and say, "I can prove thus and so in regard to it."

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair.) Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. NORRIS. I hope the Senator will not interrupt me just now. Later I will be glad to yield.

Mr. SMITH of Michigan. I want to give the Senator a concrete case.

Mr. NORRIS. I prefer not to have it at this time.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. NORRIS. I was about to say, Mr. President, when I was interrupted, that I know from my own personal experience what that means; and there is not a Senator here who does not understand it just as well as I do, although he may rise in his place and say, "Point out any particular case." I could point out several; but, as a rule, you only know that such and such a thing has happened. You know what the powers that be want when you go into that secret caucus; you know the man who controls the post offices, and you know what he would like to have you do. He has let you understand it, indirectly perhaps, but you are wise enough to understand, and you know that what you may want to ask for afterwards will depend upon your actions there. That is caucus control; that is party solidarity; that is party government; that is party responsibility. Why, party responsibility means that you will follow your leader anywhere, at any time, in any way. You lose your

individuality, and the means to bring that about more often used than any other is the caucus.

Mr. President, I had not intended to take so long a time in discussing the caucus. I desire now to take up the particular amendment which the Senator from Iowa [Mr. CUMMINS] has offered. In effect it provides that under the proposed rule, if it shall be adopted, no bill upon which a party has caucused can be considered under the rule. That is the intended effect of the amendment of the Senator from Iowa.

Mr. President, it is a difficult matter to draw an amendment that will prohibit the proposed rule from being used when caucuses are held on measures without doing more harm than good, and I believe the amendment proposed by the Senator from Iowa would be an injury rather than a benefit. Many Republicans have said to me—and the Senator from Iowa recently said it on the floor—that they are in favor of the substitute which I have offered if it could have added to it some such amendment as this, but they are opposed to it unless it has. Their reason is that they wish to take advantage of this opportunity to prohibit the use of the caucus in legislative matters. That is a worthy motive; but I should like to say to them that the caucus is on its last legs. We have seen in the case of this very bill that some of the members of the majority party refused to follow the dictates and the command of a caucus. The evil effects of the caucus system are becoming better known every day, and I believe it will not be long until the caucus will be known only in history. Personally I believe it is a relic of political barbarism. But let us see what would happen under this amendment if it were adopted. It reads:

> This rule shall not apply to any bill, motion, resolution, or question upon which Senators belonging to any political party have held a caucus and passed a resolution or declaration in any form attempting to bind the members of such party in the Senate to vote in any particular way and where the application of the rule is moved by a Senator belonging to any such political party.

Let us suppose now that a bill is pending here and that the majority party caucuses, and that the minority party also hold a caucus, both of them attempting to instruct and to control their members and their votes—and that is the object of a caucus—what would happen if that were done? Who would be qualified to make the motion? Absolutely the entire Senate would be disqualified.

But if it be said by the Senator from Iowa, in defense of his amendment, that there is only one party that will caucus, I say in answer to that that it ought to be framed in such general terms—as his amendment is, of course—so that it would apply to all political parties. We have, however, so far as the consideration of the amendment is concerned, as much right to suppose that one party will hold a caucus as another. Let us suppose, then, that we had a bill here in relation to which one of the parties caucused. Now, any member of that party would be disqualified under the amendment of the Senator from Iowa, if it were adopted, from proposing to consider a bill under the proposed rule. It says——

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. Shortly, but not until I finish this sentence. It says that the proposed rule shall not apply—

> where the application of the rule is moved by a Senator belonging to any such political party.

So that no one belonging to a political party which had met in caucus would dare make the motion; he could not make it. Now, suppose there were a few Members on the other side who were opposed to having this rule apply to some bill, and they wanted to filibuster, let us say. They could get together and hold a caucus. Under the proposed amendment the caucus does not have to be participated in by all the members of the political party in the body. The amendment provides that the rule shall not apply to questions upon which "Senators belonging to any political party have held a caucus." Suppose half a dozen Members of the other side should get together and pass a resolution solemnly declaring that it was the sense of the members of their party that some bill, whatever it might be, should not be passed, and that "all members of the party are bound by this resolution." Then nobody would be qualified on that side in that party to make the motion. So, if a few Members in each party were opposed to taking up a bill, under this amendment they could take action that would disqualify any Member of the body from making a motion to take it up. Now I yield to the Senator from Iowa.

Mr. CUMMINS. Mr. President, I suppose there is no form of words that can be used upon any subject that is not capable of being misapplied. I think, however, that we ought to look upon this amendment as it relates to matters as they generally transpire. The Senators who desire to prevent a filibuster will be the Senators who will move for the application of this rule. It is not a majority that ordinarily filibusters, but a minority numerically, so that in its ordinary application this motion could only be made by a Senator who belonged to the political party which has held the caucus and which desires that debate shall be brought to an end.

Mr. NORRIS. Well, if a caucus were held, he could not make the motion.

Mr. CUMMINS. No Senator who desired to prolong the debate indefinitely would move for an application of this rule. That would only be done by a Senator who would want debate to be closed. Now, what Senator would want debate to be closed? A Senator belonging to a majority of the Senate and to the party that has held the caucus. In that event the rule would not apply; that is to say, unless it were shown that the caucus had not been held and the order made the rule would not apply. So I can not conceive of how it could practically be misused. While I know that theoretically Senators would divide themselves into groups or knots——

Mr. NORRIS. Who could make the motion now in connection with the shipping bill?

Mr. CUMMINS. The Senators who would make the motion are Senators from the majority.

Mr. NORRIS. Exactly.

Mr. CUMMINS. But they could not make it, because they had held a caucus.

Mr. NORRIS. The rule would not apply if it were shown that they had been in caucus.

Mr. CUMMINS. Exactly.

Mr. NORRIS. Now, suppose that I and two or three other Senators should get together on this side and hold a caucus. We could preclude the Senator from Iowa from making the motion, could we not?

Mr. CUMMINS. No; the Senator from Nebraska could make the motion, but the rule could not be made applicable, because a political party had held a caucus upon it.

Mr. NORRIS. Mr. President, the objections I have offered are not the only ones which can be suggested, although I believe they are valid objections. It only shows how nearly impossible it is to draw a rule that will be workable. Let us see what else would happen under this rule.

How are we going to demonstrate the fact respecting the existence of a caucus? Suppose we had such a rule, and I made a motion to consider a bill under the rule, and the question as to whether or not a caucus had been held was raised. That would have to be determined. This proposed rule is designed to prevent filibustering and delay; but the first thing we run up against is an outside question, the determination of which of itself very naturally means delay. The Senator seeks to meet that contingency. He realizes that it is often a difficult thing to say whether there has been a caucus held or not, as defined in the first part of his amendment. So he adds in his amendment:

> The fact respecting the existence of such caucus, resolution, or declaration shall be determined in the first instance by a committee of five Senators appointed by the presiding officer, who shall report within two days, and upon its report by the Senate without debate.

When the question is raised, this proposed amendment says that the existence of this caucus or the passage of such a resolution must be determined in the first instance by a committee. Well, who will determine it in the second instance? What does that mean?

Mr. CUMMINS. It means the Senate.

Mr. NORRIS. I am glad to get the Senator's explanation.

Mr. CUMMINS. That is exactly what it means—in the first place by a committee, and then by the Senate without debate.

Mr. NORRIS. Well, I did not take it that way. It is to be determined in the first instance by a committee, and that committee must report in two days. Why, Mr. President, if such a question were submitted, and an attempt had been made to hold a caucus in violation of the rule, instances would often arise where it would take two weeks for a committee working diligently to determine whether, under the terms of this rule, there had been a caucus. In other words, this rule provides on its very face, it seems to me, its own destruction, and makes it practically unworkable. This committee have to report, it is true, in two days. Whether they are able to report in two days or two weeks depends upon the difficulty of the matter that is before them. It may be easy, and it may be almost impossible to determine.

> Shall report within two days, and upon its report by the Senate without debate.

I hardly get just exactly what that language means, the last line and a half, but I assume it means that when the report comes in it shall be decided without debate. They may ask additional time. The very report on its face may show that

they have not gone to the bottom of it. It may show on its very face that they need additional time, and you must either give it to them and get the facts or pass on it without having the facts.

I would not care about the investigation; I would be perfectly willing that that should be made; but you must remember all the time that this is a rule intended to limit debate, intended to bring these interminable and everlasting discussions to some end some time in our lives; and yet we are going to appoint a committee to go outside and make an investigation as to whether a caucus was held and as to whether certain resolutions were passed at that caucus. While it is not provided for here, I think we would have to pass a resolution every time giving them authority to summon witnesses, to compel the attendance of witnesses, and to compel Senators and others to testify. You could not get along without that. At least it would leave it all with the fellows who held the caucus; and while I know that the Senator is acting in the best of faith—I am not questioning that—I take it that if this amendment were adopted it would practically nullify the rules.

Mr. CUMMINS. Mr. President——

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. CUMMINS. Does not the Senator from Nebraska feel that if the committee provided for in my amendment should be unable to report, and the matter were then submitted to the Senate without debate, a majority of the Members of the Senate would know whether or not a caucus of this sort had been held?

Mr. NORRIS. Probably; but the Senator knows—he is too good a lawyer not to know—that when you start out to try a lawsuit you may know a whole lot of things that you can not prove, and a great many things that it is very difficult to prove, and a great many other things that it takes a good deal of time to prove. We know about these influences that control caucuses, but a man can get up with perfect safety and say, "I challenge you to cite an instance where, in this particular caucus, anybody used any influence." If you know it, you would not tell it, because you have gotten it confidentially. We know it in this case; it has been announced on the floor of the Senate; but if this rule were adopted, I take it that would not always occur. We would not know, in such a way that we could put it in writing or testify to it, just exactly what resolution they had passed, and hence we would be unable to decide whether there had been such a caucus or such an attempt to control the vote of Members as would disqualify the bill under this rule from being considered under its terms.

Mr. President, I believe that if the substitute I have offered should be enacted into law, there never would arise any difficulty about its enforcement. If men are going to hold caucuses, they will still continue to hold them until they are condemned more strongly than they have been by the people. As I said a while ago, I do not believe it will be long until they will be banished entirely from all legislative bodies. But I would not if I could prevent any man or any set of men from holding a party caucus. I would not take away that right if I could, although if I could get an amendment here—and I believe, in the amendment to the rules that I have offered, I have come nearer to it, though not completely—that would prevent a man who was bound by a caucus from voting to take up a bill under this rule I should be glad to do it. But if you undertake to draw the rule you will find that it is almost an impossibility to do it, and I have reached the conclusion that we must leave it to the honor of each individual and let him decide it for himself; and personally I do not believe we would run any risk if we did it.

For these reasons I shall feel constrained to vote against the amendment offered by the Senator from Iowa.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. OWEN. With the point of view of the Senator from Nebraska I have some sympathy. I believe it would be better for the country if each Member of the Senate of the United States, for himself, upon public questions, and upon honest, sincere argument upon the floor, would determine his vote, so that the action of the Senate would represent in truth the sober, honest judgment of each and every man upon the floor, uninfluenced by any mere party interest or by merely the question of party solidarity or of any undue desire to merely gratify his party associates. But we all know about these agreements, either express or implied, that move either side of the aisle. The Senator from Iowa, of course, can not and will not deny that the word is passed around to get solidarity among the Members on his own side, so that in the votes upon this bill, and even upon the various points of order, there has been the most complete unanimity of the Members on his side of the aisle, trying to get some advantage over the opposing party on this side of the aisle. The Senator wraps himself in a cloak of virtuous indignation when he speaks against the caucus, as if there were, in fact, no caucus upon his side of the aisle, notwithstanding that there is the most complete agreement arrived at with regard to the course of conduct moving the membership on that side of the aisle, and beyond that no caucus can go.

The Senator may say that it is a voluntary agreement. It is voluntary in a certain sense. It is voluntary in the sense that Members on his side of the aisle do not feel willing, when they find a preponderance of opinion favoring a certain course of conduct on that side of the aisle, to go against party colleagues and associates; and therefore, by that procedure having arrived at party solidarity on that side of the aisle, the Senator argues with extreme zeal against any party solidarity on this side of the aisle.

The franker, more open, and more decent method, I think, is to go into a caucus room and there arrive at a party policy, determine what is to the best interests of the country and the best interests of the party, and then and there agree to merge minor personal differences and establish a caucus action and stand firmly by it. In my opinion it will not be many years in this country when we shall have a change from the caucus action, because we will have ultimately in this country a preferential ballot; and when we have a preferential ballot we will do away with minority rule, we will do away with minority nominations, we will do away with minority elections or plurality elections. Then the Members who come to this floor will in fact, and not colorably, represent the majority of the people in the States from which they are accredited. When they do represent the people they will find themselves representing groups of people, representing Democrats, representing other parties that will be allied with them in greater or less degree, and representing ultimately all the people of a State, and feeling that sense of responsibility which will make a Member on this floor in fact and in truth undertake to represent the best interests of all the people of his State and all the people of this great Republic. So long as we have these strongly drawn party lines it is the wisest and the best thing for a party having party responsibility to have a conference of its own members, and in that conference or caucus to work out the personal differences, to argue the matter with perfect freedom among themselves, and arrive at a party conclusion.

Senators continually speak of the party caucus as being a secret party caucus. In fact, there is no secrecy in a party caucus on either side of the Chamber, any more than there is secrecy in the so-called executive sessions, which, under a seal of profound secrecy, are published at great length in the morning papers every day after these sessions are held. More than that, it is a part of the Democratic caucus action that the votes of the members of the caucus shall be given to the press.

I have desired, myself, to have an open party caucus. There is nothing in the party caucus that I would not be willing to make public. I think there is nothing that occurs in a party caucus that is not made public. You can not get half a dozen Senators together and retain anything secret among them. You can not get 53 Senators together and have any hope of secrecy, and to attempt to have it secret is absurd and ridiculous.

Senators talk about a caucus dominating and overwhelming the private individual judgment and controlling men against their will to do this or that. My answer to that is that when I enter into a caucus I find myself sometimes in the majority and sometimes in the minority; something is yielded to my opinions, I yield something to the opinions of others; but when the conclusion is reached I give my voluntary assent and my cordial support to the party action. I do that for the benefit of the party; I do that for the benefit of the legislation, in order to arrive at some adjustment, and in order to prevent a minority on that side of the Chamber entering into a collusive agreement with a small faction on this side of the Chamber, and appropriating the power to conduct the affairs of this Government contrary to the will of the people who put the majority on this side of the Chamber.

It is an old rule of military strategy to divide and conquer. You will not be permitted to divide and conquer the Democratic Party on this side of the Chamber with my consent. There are Members on your side of the Chamber who entertain views with regard to public questions almost identical with my own, yet they rarely find themselves able to break away from their environment, even when they feel strongly upon a question, and vote with those on this side of the Chamber with whom they may be in accord on certain economic questions.

Mr. CLAPP. Mr. President——

Mr. OWEN. I yield to the Senator from Minnesota.

Mr. CLAPP. I will tell the Senator why that is not possible. It is because instead of those on that side who are somewhat in harmony with some on this side coming together with them that particular force on that side yields to a caucus, and surrenders—and I do not use that term in any reprehensible sense—that particular conviction which is in harmony with the group here; and that is the trouble with the caucus system.

Take, for instance, the Trade Commission bill, which was worked out in the Senate through an equation. Of all the measures that the Democratic Party will have to its credit in the next campaign, the one measure which no Democrat will have to stand for one moment to defend is the Trade Commission bill, because that, freed from the trammels of a caucus, was worked out upon this floor, and those who did look upon certain public questions alike had the opportunity to come together without any caucus intervening between them and produce a bill which will stand to the credit of the Democratic Party.

Mr. OWEN. There was a considerable measure of sentiment on either side of the Chamber with regard to that measure, and therefore it was possible to deal with it in that way; but where the lines are very sharply drawn it is impossible to do that. The time will come, in my opinion, when that will be the rule, and I hope to see it speedily come. It has not yet altogether arrived.

Mr. CLAPP. Mr. President, will the Senator pardon another interruption?

Mr. OWEN. Certainly.

Mr. CLAPP. Take the present shipping bill: There are a number of Senators on that side who are opposed to the corporation feature of that bill. There are a number of Senators on this side who are opposed to the corporation feature of that bill. We believe that it is fundamental; that that feature destroys the Government ownership and control of the ships that it is proposed to build and purchase. If those on that side were as free from the caucus as they were in the case of the Trade Commission bill, those who are opposed to the corporation feature could then come together, and I believe give this country a shipping bill that in the end would redound to the credit of the present administration.

Mr. OWEN. Mr. President, if the sentiments on that side of the Chamber were altogether like the sentiments of the Senator from Minnesota [Mr. CLAPP], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Nebraska [Mr. NORRIS], I would be opposed to any caucus on this side of the Chamber. Unfortunately that is not the case.

On yesterday the Senator from New York [Mr. ROOT] made a very elaborate argument on Rule XXII, on the ground that the previous question could not be moved in the Senate of the United States, and on the ground that Rule XXII provides as follows:

> When a question is pending no motion shall be received but—
> (1) To adjourn.
> (2) To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
> (3) To take a recess.
> (4) To proceed to the consideration of executive business.
> (5) To lay on the table.
> (6) To postpone indefinitely.
> (7) To postpone to a day certain.
> (8) To commit.
> (9) To amend.
> Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

The Senator argued with great zeal that no motion could be received but the motions which are here enumerated without what he was pleased to designate as revolution, without what he was pleased to declare a destruction and overthrow of the rules of the Senate, on the ground that the words "previous question" had been omitted from this rule in 1806, and that, the Senate being a continuous body, the rules were continuous, and that the rule of 1806 had continued through 108 years up to this day, and that we were still bound by the rule of 1806, and that we could not without revolution change this rule, even by a majority vote of the Senate. The theory that a majority vote of the Senate can not change it is because you can only change it, under the rules, by certain forms, and when you raise the question of changing this rule, that question is itself debatable, and an organized filibuster against it will prevent any change of this rule; and therefore, in effect, that the majority of this body can not change its own rules. He challenges the idea that the rules of the Senate of the Sixty-fourth Congress are not fixed by the rules of the Sixty-third Congress, and insists that the rules of the Sixty-third Congress are made by the rules of the Sixty-second Congress, and so back to the year 1806; and when I ventured to ask him how, in the face of a filibuster which he was taking an active part in conducting on this floor, we might change these rules, the Senator evaded the question in the first place, and when I pressed the question he answered with facetiousness and disappeared behind his own humor. He did not answer the question. He could not answer the question, because, under the right of an organized filibuster a minority can prevent Rule XXII being changed if that rule is, as they contend, not amenable to change by the open action of the Senate.

I should not hesitate one moment in moving the previous question on this floor, and I should expect when it was moved on this floor that the majority of the Senators on this floor would sustain the motion on the ground that common sense and common decency, recognizing the right of the majority to rule this body and to make the rules of this body were involved in that proposition.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Kansas?

Mr. OWEN. I yield to the Senator from Kansas.

Mr. BRISTOW. I understood the Senator to say, or my inference was from the Senator's remarks, that he believed that the caucus action should be binding. Was I right in that?

Mr. OWEN. The Senator is diverting me from the argument I am making on the previous question, and I decline to be diverted now. I have already passed from the question of caucus. I will come back to that after I have finished with the previous question, if the Senator will permit me.

Mr. BRISTOW. I shall be glad to renew my question at that time.

Mr. OWEN. I shall be very glad to answer the Senator then.

Mr. President, I call the attention of the Senate again to the reason why the Senate of the United States in 1806 omitted the previous question from their printed or written rules. There were only 17 States at that time. There were only 34 Senators at that time—a small group, with a small number of bills before them. The statutes at that time were almost negligible. The various States were connected only by the stagecoach. They had but little in common among themselves. This great country was not then gridironed, as it is now, by hundreds of thousands of miles of steam railroad lines and steamboat lines and connected together by telephone lines to the extent of millions and millions of private telephones, connecting the whole country intimately together. The business of the country at that time was small. These gentlemen—and they were gentlemen—meeting together, had occasion to invoke the previous question only three times in 17 years. Therefore, in recasting the rules, it was regarded by them as being unnecessary to have the previous question, because no man abused the right of freedom of debate. The previous question is necessary only when you have a large legislative body transacting important business, dealing with many public questions of importance, and it is necessary only where men no longer show the reciprocal courtesy which the courtesy or freedom of debate ought to inspire.

The necessity for cloture or the previous question has grown more and more important. It was presented at various times in the past by many distinguished Republicans, as by Mr. Edmunds and Mr. Morrill, of Maine. There are various forms of modified cloture that were suggested by Mr. Windom in 1878, by Mr. Anthony in 1878, by Mr. Allison in 1879, by Mr. Edmunds again in 1882, by Mr. Hale in 1883, upon certain matters; by Mr. Hale again in 1883, and a similar proposal by Mr. Harris in 1884; by Mr. Allison in 1885, by Mr. Frye in 1886, by Mr. Cameron in 1887, by Mr. Edmunds in 1887, by Mr. Chandler in 1890. As the years went on these proposals for cloture grew more and more particular and grew more and more intense. Mr. Chandler, for instance, proposed this:

> *Resolved*, That the following be adopted as a standing rule of the Senate:
> "Whenever a bill or resolution reported from a committee is under consideration the Senate may, on motion, to be acted on without debate or dilatory motions, order that on a day, not less than six days after the passage of the order, debate shall cease and the Senate proceed to dispose of the bill or resolution; and when said day shall arrive, at 3 o'clock the vote shall be forthwith taken without debate or dilatory motions upon any amendments to the bill or resolution and upon the passage thereof."

Mr. Chandler, I believe, at one time was one of the members of the Cabinet representing the Republicans in the Cabinet, as well as having represented the Republicans on the floor of the Senate Chamber, until he was run over by the Boston & Maine Railroad, an incident of a tragical character which I venture to refer to at this moment, in 1890.

Mr. CLAPP. May I ask the Senator——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. Yes; I yield to the Senator from Minnesota.

Mr. CLAPP. Is it not a fact that when that Senator was urging that rule he was for the steam-roller method to rule the minority in the Senate?

Mr. OWEN. Oh, Mr. President, I can not answer whether the Senator was or was not a member of the steam roller. The majority always tries to exercise its authority. If it does not do so, it ought to be kicked out of authority and become a minority, as it deserves to be. A majority that has not intelligence enough or enough virility to exercise control ought to be made a minority; it does not deserve to rule if it has not enough manhood to exercise the power.

Mr. CLAPP. That is true; but it turns out that the group of which the Senator at that time was a part, while nominally a majority, was not in fact a majority of the Senate.

Mr. OWEN. I shall not undertake to analyze that relationship, because it is not before me and would divert me from the presentation of the Republican authority which I am now offering on the previous question.

In 1898, August 1, Mr. Blair, quite a distinguished Republican Senator, submitted the following resolution, which was ordered to be printed:

Resolved, That the Committee on Rules be instructed to report a rule within four days providing for the incorporation of the previous question or some method for limiting and closing debate in the parliamentary procedure of the Senate.

Mr. Blair did not do that without some cause. Doubtless he felt that a majority party in control of the Senate ought to be allowed to exercise the powers given to them by the people of the United States, and Mr. Blair was right about it. But these various Republican authorities that I have cited are not all. Here comes in Senator Hoar, a distinguished Senator from Massachusetts, August 9, 1890, and submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

Resolved, That the rules of the Senate be amended by adding as follows:

"When any bill or resolution shall have been under consideration for a reasonable time it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measure shall take precedence of all other business whatever. If the Senate shall decide to close debate, the question shall be put upon the pending amendments, upon amendments of which notice shall then be given, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure not more than once and not exceeding 30 minutes.

"After such demand shall have been made by any Senator, no other motion shall be in order until the same shall have been voted upon by the Senate, unless the same shall fail to be seconded.

"After the Senate shall have decided to close debate, no motion shall be in order but a motion to adjourn or to take a recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost, or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote on the same shall have intervened."

That was not all. On the 12th of August, 1890, Mr. Edmunds—and Mr. Edmunds is regarded also as a man of sound mind, a man learned in the law, learned in parliamentary practice, a man of very great intellectual distinction—proposed the following order:

Ordered, That during the consideration of House bill 9416, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," no Senator shall speak more than once, and not longer than five minutes, on or in respect of any one item in said bill, etc.

All appeals pending the matter aforesaid shall be determined at once, and without debate.

Mr. Blair, August 12, 1890, submitted the following resolution for consideration:

Resolved, That the following rule be adopted to fix the limit of debate, namely:

"RULE —. When a proposition has been under debate two days and not less than four hours, which shall be determined by the Presiding Officer without debate, it shall be in order to move the previous question, unless the Senate shall otherwise fix the time when debate shall cease and the vote be taken; and in any case arising under this rule the Senator in charge of the measure shall have one hour in which to close the debate.

"During the last 14 days preceding the time fixed by law or by concurrent resolution passed by the Senate for the end of the session, a majority of the Senate may close the debate at any time, subject to the right of the Senator in charge of the measure; and any motion for the previous question, or to limit debate and to fix the time for the vote to be taken, shall cease in one hour and be subject to the Anthony rule."

On August 12, 1890, Mr. Quay, then a Senator from the State of Pennsylvania, submitted the following resolution for consideration, which was ordered to be printed:

Resolved, That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (the tariff bill) and general appropriation bills, bills relating to public buildings and public lands, and Senate or concurrent resolutions.

Resolved, That the consideration of all bills other than such as are mentioned in the foregoing resolution is hereby postponed until the session of Congress to be held on the first Monday in December, 1890.

Resolved, That the vote on the pending bill and all amendments thereto shall be taken on the 30th day of August instant at 2 o'clock p. m., the voting to continue without further debate until the consideration of the bill and the amendments is completed.

On August 16, 1890, Mr. Quay again made a proposal for the limitation of debate:

Ordered, 1. That during the present session of Congress the Senate will not take up for consideration any legislative business other than the pending bill (H. R. 9416), conference reports, general appropriation bills, pension bills, bills relating to the public lands, to the United States courts, to the Postal Service, to agriculture and forestry, to public buildings, and Senate or concurrent resolutions.

Ordered, 2. That the consideration of all bills other than such as are mentioned in the foregoing order is hereby postponed until the session of Congress to be held on the first Monday of December, 1890.

Ordered, 3. That a vote shall be taken on the bill (H. R. 9416) now under consideration in the Senate and upon amendments then pending, without further debate, on the 30th day of August, 1890, the voting to commence at 2 o'clock p. m. on said day and continue on that and subsequent days, to the exclusion of all other business, until the bill and pending amendments are finally disposed of.

And that it was proposed to modify, for the foregoing stated purpose, the following rules, namely: VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL.

Ordered, That the notice, with the proposed orders, be printed.

The purpose of that was to put an end to the debate on the tariff bill.

On August 18, 1890, Mr. Quay urged a similar rule for the purpose of limiting debate on the tariff bill.

On December 23, 1890, Mr. Aldrich, long recognized as the leader of the Republican Party—

gave notice, in accordance with the provisions of Rule XL, that he would move certain amendments to the rules, which would modify Rules VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXXV, and XL, and for that purpose he would hereafter submit the following resolution:

Resolved, That for the remainder of this session the rules of the Senate be amended by adding thereto the following:

"When any bill, resolution, or other question shall have been under consideration for a reasonable time it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without debate. If the Senate shall decide to close debate on the bill, resolution, or other question, the measure shall take precedence of all other business whatever, and the question shall be put upon the amendments, if any, then pending, and upon the measure in its successive stages, according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure, including all amendments, not more than once, and not exceeding 30 minutes.

"After the Senate shall have decided to close debate as herein provided, no motion shall be in order but a motion to adjourn or to take a recess when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost, or shall have failed of a second, it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure, or one vote upon the same shall have intervened.

"Pending proceedings under the foregoing rule no proceeding in respect of a quorum shall be in order until it shall have appeared on a division or on the taking of the yeas and nays that a quorum is not present and voting.

"Pending proceedings under the foregoing rule, all questions of order, whether on appeal or otherwise, shall be decided without debate, and no obstructive or dilatory motion or proceeding of any kind shall be in order.

"For the foregoing stated purposes the following rules, namely, VII, VIII, IX, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified."

Ordered, That the proposed resolution be printed.

On December 29, 1890, Mr. Aldrich, pursuant to notice given on the 23d, submitted a resolution, which was ordered printed in the form which I have just presented to the Senate.

Mr. SUTHERLAND. Mr. President——

Mr. OWEN. I yield to the Senator from Utah.

Mr. SUTHERLAND. The Senator has shown several attempts to amend the rules of the Senate so as to limit debate, beginning, I think, as early as 1872.

Mr. OWEN. As early as 1841.

Mr. SUTHERLAND. Very well, since 1841. Have any of those attempts been successful?

Mr. OWEN. Oh, no. Oh, no minority filibuster can defeat them.

Mr. SUTHERLAND. At any rate, the Senate has gone along since 1841——

Mr. OWEN. Yes; under the rule of the minority filibuster.

Mr. SUTHERLAND. About 70 years, and the Senate has not amended the rule in this respect?

Mr. OWEN. Not yet.

Mr. SUTHERLAND. Not yet.

Mr. OWEN. But it is about to amend it now.

Mr. SUTHERLAND. Although there have been a great many attempts to do it.

Mr. OWEN. They are going to be amended now.

Mr. SUTHERLAND. The Senator says so, but I would rather have the Senator's view as a historian than his view as a prophet now.

Mr. OWEN. The Senator will have both.

Mr. SUTHERLAND. I think his view as a historian will differ from that as a prophet when we get through.

I was going to ask the Senator whether he does not think the failure of the Senate for 70 years to make this amendment is entitled to greater weight in considering this question now than the futile attempt of a Senator now and then during the course of 70 years to make the amendment?

Mr. OWEN. Oh, Mr. President, under the interpretation of the rules by the Senator from Utah, who, I take it, is in strict accord with the Senator from New York [Mr. ROOT], they having had a caucus, you can not amend the rules. Under their view the rules of 1806 are perpetual and can never be changed so long as a vigorous minority objects.

Mr. POMERENE. Mr. President——

Mr. OWEN. I yield to the Senator from Ohio.

Mr. POMERENE. It occurs to me the mere fact that Senators for 100 years neglected to do what was their duty in order to cut off interminable debate ought hardly be pleaded now as a justification for further neglect along that line.

Mr. OWEN. There was quite a vigorous effort made on the part of Senator Aldrich and the Senators behind him to modify these rules. I shall not go into the debate except to point out that it will be found in the debates of 1891, beginning in January, where vote after vote was taken and where a filibuster was organized by the Democrats against a change of the rules.

Mr. WEEKS. Mr. President——

Mr. OWEN. I yield to the Senator from Massachusetts.

Mr. WEEKS. I wish to ask the Senator if he is filibustering?

Mr. OWEN. Oh, no, Mr. President; I am simply making a few observations on the need of changing the rules and putting an end to filibustering. I am merely occupying the floor that would be otherwise occupied by the filibusterers. [Laughter and applause in the galleries.]

Mr. SUTHERLAND. Will the Senator from Oklahoma yield to me?

The PRESIDING OFFICER. The Senator from Oklahoma will please suspend. Under the rules of the Senate the occupants of the galleries are not permitted to give any expression of their approval or disapproval of any remarks made by a Senator.

Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator from Utah.

Mr. SUTHERLAND. Will the Senator from Oklahoma tell us what he is reading from?

Mr. OWEN. He is reading from the RECORD of the Congress of the United States.

Mr. SUTHERLAND. That is, the Senator is reading from his own speech?

Mr. OWEN. I am reading from the abstract from the RECORD made by the legislative reference bureau under my instruction.

Mr. SUTHERLAND. Which the Senator put in the other day?

Mr. OWEN. And which it is impossible to make the Senator from Utah give attention to unless by reading it to him in person. For that reason he is reading it to him in person.

Mr. SUTHERLAND. I ask the Senator whether it is the same matter he read the other day?

Mr. OWEN. No; it was not read. It was inserted in the RECORD. I am now reading it, and I am reading it in order to bring it to the attention of the Senate and the country, and I will do it on more than one occasion until the country realizes what is being done to public business by the filibuster on the other side of the Chamber.

Mr. WEEKS and Mr. LIPPITT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield; and if so, to whom?

Mr. OWEN. I yield to the Senator from Massachusetts.

Mr. WEEKS. If the Senator is anxious to have an audience, I think he should have it. I suggest the absence of a quorum.

Mr. REED. Mr. President, I submit that no Senator can rise in the time of another Senator and make any such suggestion as that.

Mr. OWEN. I make the point of order that the Senator from Massachusetts is out of order; that I did not yield to him for that purpose.

The PRESIDING OFFICER. The point of order is sustained.

Mr. LIPPITT. Mr. President——

The PRESIDING OFFCER. Does the Senator from Oklahoma yield to the Senator from Rhode Island?

Mr. OWEN. For a question.

Mr. LIPPITT. I was only going to ask the Senator whether he would kindly tell us about how long he intends to continue to read these interesting articles, that I might make my plans accordingly.

Mr. OWEN. I should say about 20 minutes.

Mr. LIPPITT. Thank you.

Mr. OWEN. I have no purpose to hold the floor longer than to emphasize the Republican authority which I have in favor of cloture or the previous question or the limitation of debate in this body.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I yield to the Senator from Utah.

Mr. SMOOT. Is it not a fact, I will ask the Senator, that not one of the proposed amendments or orders ever was passed or became a part of the rules of this body?

Mr. OWEN. I have already said to the Senator that a minority filibuster can prevent the modification of the rules, if his interpretation of the rule prevails, and therefore I say that his interpretation of the rules is unreasonable and absurd and self-contradictory if majority rule is to control this body.

No; they have not been adopted, because a robust minority prevented the majority from establishing a change of the rule, and I do not care whether the minority was Democratic or not. It is both a Democratic principle and a Republican principle in this country that a majority shall rule, and when Democrats on this side assert minority rule, and when Republicans on that side assert minority rule, I think the origin does not dignify the argument. The argument stands independent of the authority—that the majority has a right to rule. I am in favor of exercising that right, and I am in favor of doing it now, not to-morrow.

Mr. GALLINGER, of New Hampshire, on the 14th of October, 1893, on page 2504, made this proposal:

When any bill or resolution reported from a standing or select committee is under consideration, if a majority of the entire membership of the Senate submit a request in writing, through the Chair, that debate close, such papers shall be referred to the Committee on Rules, and it shall be the duty of said committee within a period not exceeding five days from the date of said reference to report an order naming a day and hour when a vote shall be taken, and action upon said report shall be had without amendment or debate.

Senator HOAR made a similar proposal to this effect in 1893, CONGRESSIONAL RECORD, page 1637:

Resolved, That the rules of the Senate be amended by adding the following:

"When any bill or resolution shall have been under consideration for more than one day it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measure shall take precedence of all other business whatever."

And so forth.

Senator HOAR, Senator GALLINGER, Senator LODGE, Senator Platt, and Senator ROOT, all of them are on record for limiting debate. Here is a resolution proposed by Senator Orville H. Platt, of Connecticut, introduced September 21, 1893, CONGRESSIONAL RECORD, page 1636:

Whenever any bill or resolution is pending before the Senate as unfinished business the Presiding Officer shall, upon the written request of a majority of the Senators, fix a day and hour, and notify the Senate thereof, when general debate shall cease thereon, which time shall not be less than five days from the submission of such request, and he shall also fix a subsequent day and hour, and notify the Senate thereof, when the vote shall be taken on the bill or resolution and any amendment thereto without further debate, the time for taking the vote to be not more than two days later than the time when general debate is to cease, and in the interval between the closing of general debate and the taking of the vote no Senator shall speak more than five minutes nor more than once upon the same proposition.

Senator VEST, of Missouri, in 1893 introduced the following resolution, the most moderate form of terminating so-called debate:

Amendment intended to be proposed to the rules of the Senate, namely, add to Rule I the following section:

"SEC. 2. Whenever any bill, motion, or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days, amounting in all to 30, it shall be in order for any Senator to move that a time be fixed for the taking of a vote upon such bill, motion, or resolution, and such motion shall not be amendable or debatable, but shall be immediately put."

And so forth.

Now, Mr. President, Senator ROOT, on the 6th of April, 1911, submitted the following resolution:

Resolved, That the Committee on Rules be, and it is hereby, instructed to report for the consideration of the Senate a rule or rules to secure more effective control by the Senate over its procedure, and especially over its procedure upon conference reports and upon bills which have been passed by the House and have been favorably reported in the Senate. (CONGRESSIONAL RECORD, vol. 47, pt. 1, p. 107.)

I have quoted these very distinguished Republican leaders in order to call the attention of the country to the fact that Senator Root, Senator Gallinger, Senator Lodge, Senator Orville H. Platt, Senator Quay, Senator Edmunds, and the various Senators whose names I have quoted have demanded the right of the limitation of debate in this body; and therefore, since it has been demanded in this way by the leaders on that side of the Chamber and the leaders on this side of the Chamber,

under the broad ground that the majority has a right to rule in this body, no further argument is necessary. Even under the unanimous consent of the Senate the change of the rule ought to be recognized. Indeed, I think no change of the rule is necessary. The only thing which is necessary is to carry out these rules in the spirit of the rules. The only thing necessary is to recognize the constitutional right of one-fifth of the Members of this body to demand the yeas and nays upon any question pending, and no sophistry, no intellectual quibbling or crafty argument, can abate the force of that language of the Constitution of the United States, which says that "the yeas and nays," being ordered by "one-fifth of those present," shall be "entered on the Journal." You can not enter them on the Journal without taking the vote. That constitutional right carries with it the right to take a vote at the time it is demanded and not at some future, delayed, or refused time. It is refused by an organized filibuster—organized not with a caucus, perhaps, but, what is worse than a caucus, without even debate among themselves. They meet in the cloakroom and check up man by man to conduct an organized filibuster, so that every step is known to every man in the filibuster. It is an organized conspiracy against the sovereign power of the people of this Republic, denying them the right to rule, denying them the right to speak and to make effective their will through the majority of their chosen representatives in this body.

Mr. President, I shall from time to time submit some further observations upon the question of the limitation of debate in this body and on the previous question. I now move to lay on the table the amendment of the Senator from Iowa, and I demand the yeas and nays on that proposal.

Mr. CUMMINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Oklahoma moves to lay on the table the amendment proposed by the Senator from Iowa [Mr. CUMMINS]. The Senator from Iowa suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Martin, Va.	Shively
Bankhead	Gallinger	Martine, N. J.	Smith, Ariz.
Brady	Goff	Nelson	Smith, Ga.
Brandegee	Gore	Norris	Smith, Md.
Bristow	Gronna	O'Gorman	Smith, Mich.
Bryan	Hollis	Overman	Smith, S. C.
Burleigh	Hughes	Owen	Smoot
Burton	James	Page	Stone
Camden	Johnson	Penrose	Sutherland
Catron	Jones	Perkins	Swanson
Chilton	Kenyon	Pittman	Thomas
Clapp	Kern	Poindexter	Thompson
Clark, Wyo.	La Follette	Pomerene	Tillman
Clarke, Ark.	Lane	Ransdell	Townsend
Colt	Lea, Tenn.	Reed	Vardaman
Crawford	Lee, Md.	Robinson	Walsh
Culberson	Lewis	Root	Warren
Cummins	Lippitt	Saulsbury	Weeks
Dillingham	Lodge	Shafroth	White
du Pont	McCumber	Sheppard	Williams
Fall	McLean	Shields	Works

Mr. VARDAMAN. I desire to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], on account of illness.

Mr. RANSDELL. I wish to announce the unavoidable absence of the senior Senator from Louisiana [Mr. THORNTON], on account of sickness. He is paired for the day until 6 o'clock with the Senator from South Dakota [Mr. STERLING].

The VICE PRESIDENT. Eighty-four Senators have answered to the roll call. There is a quorum present. The Senator from Oklahoma [Mr. OWEN] has moved to lay on the table the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. REED. Upon that motion I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. RANSDELL (when Mr. THORNTON's name was called). I wish to announce the unavoidable absence of the senior Senator from Louisiana [Mr. THORNTON] on account of illness. He is paired until 6 o'clock this evening with the Senator from South Dakota [Mr. STERLING].

The roll call having been concluded, the result was announced—yeas 45, nays 47, as follows:

YEAS—45.

Ashurst	Lea, Tenn.	Ransdell	Smith, S. C.
Bryan	Lee, Md.	Reed	Stone
Chilton	Lewis	Robinson	Swanson
Culberson	Martin, Va.	Saulsbury	Thomas
Fletcher	Martine, N. J.	Shafroth	Thompson
Gore	Myers	Sheppard	Tillman
Hollis	Newlands	Shields	Walsh
Hughes	Norris	Shively	White
James	Overman	Simmons	Williams
Johnson	Owen	Smith, Ariz.	
Kern	Pittman	Smith, Ga.	
Lane	Pomerene	Smith, Md.	

NAYS—47.

Bankhead	Colt	Kenyon	Root
Borah	Crawford	La Follette	Sherman
Brady	Cummins	Lippitt	Smith, Mich.
Brandegee	Dillingham	Lodge	Smoot
Bristow	du Pont	McCumber	Stephenson
Burleigh	Fall	McLean	Sutherland
Burton	Gallinger	Nelson	Townsend
Camden	Goff	O'Gorman	Vardaman
Catron	Gronna	Page	Warren
Clapp	Hardwick	Penrose	Weeks
Clark, Wyo.	Hitchcock	Perkins	Works
Clarke, Ark.	Jones	Poindexter	

NOT VOTING—4.

Chamberlain	Oliver	Sterling	Thornton

So the Senate refused to lay the amendment of Mr. CUMMINS on the table.

Mr. LIPPITT. Mr. President——

The VICE PRESIDENT. The Senator from Rhode Island.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oklahoma?

Mr. LIPPITT. I yield for a question only.

Mr. GORE. I will say to the Senator from Rhode Island that I desire to ask unanimous consent to report the Agricultural appropriation bill.

Mr. LIPPITT. If I can yield to the Senator for that purpose without losing the floor, Mr. President, I shall be glad to yield.

The VICE PRESIDENT. The Senator may do so by unanimous consent. The Chair hears no objection.

AGRICULTURAL APPROPRIATIONS.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, reported it with amendments and submitted a report (No. 987) thereon.

LIMITATION OF DEBATE.

Mr. LIPPITT. Mr. President, a few days ago the Senator from Colorado [Mr. THOMAS], in discussing the then existing situation in the Senate, caused by the Republican opposition to the shipping bill, said that extraordinary conditions demanded extraordinary remedies. He was considering the subject from the standpoint of what might justly be done to remedy what he regarded as an extraordinary condition.

I want to consider that situation, not viewed from the standpoint that it was an extraordinary condition but from the standpoint that what was occurring then was in itself an extraordinary remedy, for the extraordinary condition, to my mind, existed prior to that situation, and the dramatic events that were occurring here were in themselves an extraordinary remedy for unwise and unjustifiable attempts to conduct the business of this body in extraordinary and unusual ways.

The Congress of the United States, and the Senate in particular, may reasonably be regarded as a piece of legislative machinery; machinery that, within the limits of what it is designed for and is capable of performing, is efficient and works with creditable satisfaction; but, like all machines, if asked to put through a larger output than it was designed for, if run at a higher speed than it is intended for, it begins to creak and groan and show signs of distress. The gears grind and the belts slip. What has been undertaken in connection with the legislation of this session is to put through the senatorial machine a larger volume of business than it is possible to properly consider, formulate, and enact into law in the necessarily limited period of time of a session which expires by law on the 4th of next March.

Primarily, the business of this session of Congress is to pass appropriation bills. This in itself is a very great and a very important undertaking. It is one to which more time should be given than is frequently the case. The records of past Congresses, I think, show conclusively that these great appropriation bills are often neglected; that they have generally failed to receive the amount of consideration in this body that their importance entitles them to. That is particularly the case during these alternate terms of Congress, which are known as the short sessions, beginning on the first Monday of December and expiring, necessarily on the 4th day of the succeeding March. It has often happened—I think the records will show it has usually happened that the consideration of these appropriation bills gets pushed over to the last few days of such sessions. Other subjects are taken up in the first days of these sessions; the Senate becomes interested in them; they open up wider fields for discussion than was at first expected, perhaps, and by the time they have finally been disposed of the remaining time is so short that in the natural desire of Senators to finish the business of the session and in the necessity that exists for the disposal of these sub-

jects in some way they are rushed through an impatient Senate more inclined to hasten their passage than to analyze their details. That they are important I think nobody will be disposed to deny. The Government of the United States is a great business organization. Even in these modern days of great commercial undertakings it is the largest business organization in this country. I presume it is the largest business organization in the world. Its annual income and outgo are now considerably more than a billion dollars a year, and the regular appropriation bills of this session, I understand, will provide for even a larger total expenditure than that enormous sum.

The first necessity of every business management is to provide for the prompt and orderly management of its finances. Obligations that are due under the customs of business at fixed times have to be met at that time. Failure to do so results in trouble and disaster. And what is true of private business is also true of governmental business. Sitting as a board of directors of the United States this body has no more important duty than to carefully supervise and provide for its financial arrangements. Extravagance, waste, and inefficiency mean a burden upon the people. In the magnitude and complexity of governmental administration they may not be aware of the causes that produce it. They may not fully appreciate the situation or perhaps locate the blame, but the duty exists, nevertheless, in this body to give this important subject complete, ample, and unhurried consideration. That necessarily can not be done when in a short session, such as the one we are now in the midst, other important and fundamental subjects of legislation are allowed to push the subject of finances into the crowded days at the end of a strictly limited session.

When the attempt, therefore, is made, as it has been made in this session of Congress, to interfere with the necessary and legitimate work of the session by introducing other important subjects of legislation the extraordinary situation arises here which occurs when any machine is pushed beyond its reasonable and proper limits. That is the extraordinary situation in which we find ourselves to-day. There has been an attempt to enact at this short session of Congress more legislation than could be properly and efficiently debated and considered in the time at its disposal.

Because of this desire to push the congressional machine beyond its limit of production, to run it at a higher rate of speed than it was capable of going and do good work, the parliamentary machinery has become clogged. It is perhaps an unprecedented situation. Taking all the circumstances of it together, I presume there has been no occasion in the history of the Senate when a greater strain has been put upon its machinery.

That the situation may be understood, that the reasons and the causes which have produced it may at least be known, and such weight as those causes are entitled to as a justification or otherwise may be given them, I want to review the steps that have led up to our present situation.

It can not be denied that the shipping bill is an important measure. It is important on account of the large sum of money—$40,000,000—which is directly involved at the start of the project with which it is concerned, and of the still larger sum which in all human probability will be involved if the project is ever put into operation. How much larger that sum may be nobody has undertaken to estimate, so far as I know, but that additional sums will be required, and large sums, I have also not heard denied, and I presume nobody will undertake to deny it.

The bill is also important because it starts the Government on a new field of activity and because that field involves the principle of Government ownership instead of Government regulation of industrial affairs, a principle that, under the growing pressure of modern industrial development, is daily becoming more insistent and whose revolutionary possibilities, as regards social and business relations, are so great that to take any action upon it without due and careful consideration, without a full understanding of the nature of that step and the future possibilities of what it is committing us to, would be an unforgivable negligence of duty on the part of every legislator involved in the transaction. A measure of this character, so far-reaching in its possibilities, is entitled to be presented to this body with at least as complete a statement of the exact nature of the proposed project, with at least as voluminous testimony of men's judgment in regard to its operation, and to be debated by both its advocates and its antagonists at least as fully as is customary with other measures of similar importance in this body.

One of the causes of the extraordinary condition in which we now find ourselves is that these conditions have not been fulfilled. The course of this bill has been hurried from its beginning up to the present moment, or, at least, it has been attempted to be hurried, but like many other things that are undertaken without careful preparation, without thorough understanding, the lack of time given to preparation has resulted in delay and waste of time instead of progress.

It is customary when an important measure is to be considered by Congress to gather together in convenient form special information in regard to it. Such information is necessary for the intelligent consideration of new projects. Members of Congress have not all the information in the world at their finger ends. They are not experts in every direction and on every subject. But what they do have to guide them in becoming at least well informed, if not expert, is the machinery for getting together the information necessary for their guidance. The usual way of obtaining and making available in concentrated form such necessary information is through the instrumentality of hearings. At such hearings men who are experts, who have the information, are brought to testify. They are subjected to examination, and their statements are questioned, so that doubtful points can be cleared up, obscure or incomplete testimony can be made plain, and by the use of the information derived from such hearings it is possible for Congress to form opinions with at least some plausible ground for supposing them to be correct. On this bill this important and usual course was practically omitted. No hearings at all were held upon this bill by any committee of this body. The only hearing that has been held was by the House committee that had a shipping bill under consideration, and that hearing was of the very briefest description. No expert in this complicated and diversified and far-reaching business of shipping appeared at all. The entire testimony that was given occupied not more than four or five hours and covers but 48 printed pages. To show how different this is from the ordinary proceedings let me compare it with the hearings that were held upon some of the other subjects that have been legislated upon during this Congress.

The Panama tolls bill was taken up for consideration. On that bill the hearings that were held occupied 1,022 pages of testimony. An important bill revising the banking and currency law of the country was being considered. Testimony was taken upon that subject by the Senate committee in 1913 occupying 3,200 pages. The Federal Trade Commission bill was considered and passed by this body. Hearings were held upon that subject in 1914 occupying 1,538 pages, and this was in addition to the fact that under a special provision of the Senate the Senate Committee on Interstate Commerce had two years before, in 1912, on what was substantially the same subject, spent a large part of a winter in taking testimony which in its completed form occupied 2,500 pages. On the tariff bill, which was taken up for consideration in 1913, there were 6,345 pages of hearings. And yet, in spite of what has been the usual custom, as indicated by this list, on this equally important shipping bill the entire testimony that was taken occupied but 48 pages.

If the domain of this measure had simply involved the broad question of Government ownership, such lack of information would be unusual and, I think, inexcusable. Nevertheless it might be of less importance, because Government ownership as a principle has been much thought of and much discussed of late years and has necessarily been a matter for reflection on the part of every man in public life. There is much literature on the subject. But dealing with an emergency, as this measure is supposed to do, manifestly there was an unusual necessity that the nature and the extent of that emergency should be clearly stated and defined and that information as to the effect of this proposed remedy should be gathered from whatever reliable sources were available. Instead of that we have this bill presented with none of that information except such as might drift into the way of Senators through casual news items or stray editorials in the daily press. Manifestly none of the ordinary sources of information could supply the facts of an emergency of a character unprecedented in history, and the result was, and is, that it has been left to the diligence of individual Senators to gather together such information as they could without official assistance from any source.

Now, what was attempted to be done in the Senate with this bill? The business of the Senate during this session has been taken up so far with the consideration and passage of three measures in addition to this shipping bill. Congress met on the 7th of December, and on the 9th of December the immigration bill was made the unfinished business of the Senate and continued to be debated and to occupy the time and consideration of the Senate until it was passed on the 2d day of January. Two days before that, on December 31, the urgent deficiency bill, appropriating $4,398,000, had been reported to the Senate, and immediately after the completion of the immi-

gration bill it was taken up and was passed on January 6. Two days before that, on Monday, January 4, this shipping bill was reported to the Senate and made the unfinished business, but was laid aside to complete the consideration of the urgent deficiency bill. On the 7th day of January, the day following the passage of the urgent deficiency bill, this shipping bill was again laid aside for the consideration of the District of Columbia bill, appropriating some $12,000,000, one-half of which, $6,000,000, was to be paid by the National Government. The consideration of that bill and of the national prohibition constitutional amendment, which was injected into it, lasted until January 18. So that for practically the first six weeks of the session the Senate was engaged in considering the subjects of immigration and of prohibition and in passing two appropriation bills, the total amount of money involved in which was a trifle over $10,000,000. About one-half of that time was devoted to the consideration of the appropriation of this comparatively small sum of money out of a total of over a billion dollars that the Government will have to appropriate at this session if it completes the work ordinarily performed at this time.

If that three weeks was properly needed for the discussion and consideration of these two small appropriation bills, it would naturally seem that the balance of the session would have been none too short a time to devote to the consideration of bills appropriating the enormous additional sums that are needed to run the Government, without interjecting into the discussion and into that consideration any other great and important subject upon which the Senate was sure to differ and whose importance was sufficient to justify a careful consideration and a general debate. That, however, was not the course that was decided upon by the majority party. But on January 18, after the passage of the District of Columbia appropriation bill, this shipping bill was again made the unfinished business. The previous history of the bill in the Senate had been this:

On December 9 it was introduced by Senator STONE.

On December 16 it was reported with amendments.

On December 31 a majority report was filed.

On January 4 a minority report was filed.

On January 4 it was made the unfinished business of the Senate.

On January 6 the Committee on Commerce reported a substitute for the original bill.

On January 7 the consideration of the bill was laid aside for the District of Columbia appropriation bill.

On Monday, January 18, the shipping bill was finally taken up as the main business of the Senate.

During the following week, from January 18 until Friday at 20 minutes past 4, the bill was kept continuously before the Senate. The Senate met each morning at the unusual hour of 11 o'clock, and the sessions lasted as follows: Monday, until 6.17; Tuesday, until 6.16; Wednesday, until 6.25; Thursday, until 6; Friday, until 20 minues past 4.

In all, the Senate was in session for 29 hours and 30 minutes, and during those 29½ hours not one single speech was made by any Member of this body in favor of this measure. What did occur, if the current reports around this body are true, and I have no doubt they are, was that every evening during that week the Democratic Senators, or a large proportion of them, were engaged in a secret caucus of whose proceedings the Senators on this side of the body had no knowledge; were holding meetings for the purpose of preparing a bill they could finally support; and the cause of the adjournment of Congress on Friday of that week and its not sitting on Saturday was for the purpose of enabling that caucus to have further secret consideration of this bill during that day and to try to arrive at some definite agreement upon the form of a bill that would be accepted as a party measure.

Nevertheless, in spite of the fact that this bill was being secretly considered in this way for the purpose of perfecting it, there was constantly laid upon the Republican Members of this body the task of occupying the whole of that 29½ hours with continuous discussion of the bill, under the threat that if their discussion ceased even for a minute the bill, even in its imperfect form, would be promptly passed by the majority.

On Monday, January 25, as a result of the previous week's secret caucus action, a new substitute for the bill, the second that had been presented, was reported by the Committee on Commerce as the form in which the majority then proposed to enact this measure into law, and although there had been up to that time, with the exception of a single short speech by the Senator in charge of this bill, the Senator from Florida, no presentation of it from the Democratic side, the attempt to rush the bill through the Senate without debate was further continued. During the following week, beginning on Monday, January 25, the Senate met at 11 and adjourned at 6; on Tuesday, January 26, the Senate met at 11 and recessed at 5.52: on Wednesday, January 27, the Senate met at 11 and recessed at 9; on Thursday, January 28, the Senate met at 11 and recessed at 10.15; and on Friday, January 29, having met at 11 o'clock, an attempt was made to keep the Senate in continuous session until it should have passed this bill, and as a result of that unusual proceeding the Senate did remain in session all Friday night and until 11.15 Saturday night, a total of 67 hours for that week, or for those two weeks that the bill had been before the Senate a total of 96½ hours. And during that 96½ hours only one single speech was made in favor of this bill by any of the Democratic advocates of it, that speech being one occupying some two hours, made by the Senator from Montana [Mr. WALSH] on one of the legal aspects of the bill, the question of the international relations that might be involved in the purchase of ships from belligerent nations.

In other words, what this record shows is that for the two weeks of this short session prior to midnight on Saturday, January 30, an attempt had been made to force through this Senate a bill that had been presented to it by the party responsible for its creation without providing any adequate information for its consideration, the construction of which had been three times radically changed as the result of secret consideration of its provisions—and I might add that it has been changed since that time—and practically without making any adequate attempt to debate or explain or defend on the floor of the Senate either its original provisions or its subsequent changes, a proceeding which I believe was absolutely indefensible, which is unworthy of any responsible legislative body, which I think is unparalleled in the history of the Senate, and which if it should become customary would inevitably destroy the usefulness of this body.

This attempt to speed up the legislative machinery far beyond its capacity of efficient performance, as is well known, was accompanied by constant declarations of the purpose on the part of the majority that in using these extraordinary methods they intended to enact this legislation into law, not by an attempt to convince its opponents of the propriety and justness of its provisions, but by the power of the physical weight of a majority sitting by in a conspiracy of silence, waiting for the physical exhaustion of their opponents.

If this proposed bill had been a thoroughly digested measure at the beginning, presented as a result of a thorough consideration of the ends it was designed to accomplish, complete in all its parts to accomplish its purpose, and meeting carefully formed views of its advocates, though the proceedings would have been revolutionary as compared with the ordinary practice of this body, perhaps the men who adopted them might have found in these facts an excuse for their course; but the changes that this bill has gone through since it was taken up for consideration by this body on January 18 until to-day is ample evidence that no such thing was the case. For scarcely had the bill been brought before the Senate on January 4 than it was almost immediately—on January 6—followed by a substitute bill from the committee having it in charge. On January 25, as the result of a week of Democratic caucus, although there had been no public debate upon it at all from the Democratic side, a second substitute was introduced, and to-day, as the result of still further private consideration, some of the provisions of that second substitute have been withdrawn and a new substitute, known as the Gore amendment, containing provisions not in either of the previous forms of the bill, has been presented to the Senate as the last form in which this silent Democratic team propose to enact their captain's bill.

Now, certainly nothing can be more unwise in a country governed as is ours than hasty and ill-considered action on important subjects by its legislative bodies. I think I am well within the bounds when I say that far too much of that inevitably takes place. There is a strong and growing conviction that a large part of our present commercial troubles are the result of such proceedings. We do not hear many complaints these days of too few laws being passed. We do hear many complaints, and from the most responsible sources of too many laws being passed. The distinguished Senator from New York [Mr. ROOT] in a recent address pointed out that in the five years from 1909 to 1913, Congress had passed 2,013 statutes and other lawmaking bodies in this country had passed 60,000 statutes. So that the excuse for speeding up the legislative machinery on this bill can not be defended on the ground that we are suffering from a lack of lawmaking.

By long-established custom this body has become the sole tribunal in which national legislation can be given the ripe and mature consideration necessary to avoid costly mistakes. As every Member of it knows, we do enact in the course of a ses-

sion many bills, some of them of very considerable importance, without long consideration or lengthy debate. But they almost invariably deal with subjects upon which the convictions of Senators are thoroughly established and where those convictions are in substantial accord. But when this is not the case and the importance of proposed projects justifies consideration, reasonable time for debate must be allowed as well for the protection of the responsible majority against insidious errors as for the welfare of the country, and the adoption of this course has repeatedly vindicated itself.

What, then, is a reasonable time for the consideration of such a fundamental and far-reaching measure as the one under consideration? Take the Panama Canal tolls amendment of last year as an example. It was received in the Senate and referred to the Committee on Interoceanic Canals on April 1. It was under consideration by that committee for a month, until the 30th day of April, during which time hearings were held covering 1,022 pages. It was reported to the Senate on that day, and two days later, on the 2d of May, was made the unfinished business by the Senate, and so continued until it was passed on the 11th of June. For 40 days that bill was before this body, and the debate that occurred upon it was of such a high order and so illuminating as to various phases of the subject that I doubt if many thoughtful people would be willing to say that it was unnecessarily extended. Nevertheless the total amount involved in that bill was only some $2,000,000 annually, as against the $40,000,000 initial expenditure of this shipping bill, and the fundamental principle involved in it was certainly not more far-reaching than the fundamental principle in this measure.

The Federal Trade Commission bill of last year was originally introduced on January 24, a substitute was reported on June 6, and on June 25 it was made the unfinished business. Forty-one days later, on August 5, it passed this body. I can not conceive that anyone would believe that that bill to establish machinery among other things, for regulating monopoly was any more important or fundamental than this bill, which proposes to establish a monopoly, and that, too, the most pernicious form of monopoly, because, while an ordinary business monopoly can be regulated or controlled by the Government, from the exactions of a Government monopoly there is usually no practicable appeal.

If, then, in the case of these two recent bills, a consideration of nearly seven weeks each was justified, there can be no justification for attempting to force this bill through the Senate in the way the majority have undertaken to do. If this amount of time, as the RECORD shows, was taken for consideration of these bills, the question naturally arises, Why is the attempt being made to curtail the consideration of this shipping bill? The reason is very plain, for the fact is that in the limited time of this session it would be utterly impossible to give this shipping bill the usual consideration that is given bills of such importance, and also to give to the appropriation bills the reasonable and proper consideration that they are entitled to.

If, therefore, an extra session of Congress was to be avoided and all of this legislation was to be accomplished, it was absolutely necessary that one portion or another of it should not have proper consideration, and the trouble that has arisen in connection with this matter is entirely due, I think, to this attempt to force upon Congress more legislation than it could legitimately undertake in the time at its disposal. If this shipping bill had been presented in the customary way, if there had been no attempt to prevent a reasonable and full discussion of its provisions, with reasonable time allowed for the consideration and digestion of the circumstances that discussion might develop, which is the only way any bill can be properly considered by this body or any other, I do not believe that anything like the present situation would have arisen here. Other measures have been presented here by this Democratic majority, to the principles and details of which the Republicans were opposed, without there being any suggestion of any extraordinary measures of opposition, and if this bill had been allowed by its advocates to take the ordinary course I do not believe it would have excited any extraordinary opposition. But that has not been the case. It has not been presented here in the ordinary way in which such measures are presented.

From the very beginning of its active consideration an attempt was made to establish a practical cloture—to limit discussion, to avoid debate. The Senate was kept in session unusual hours, and every minute of the time the opponents of the bill had to exercise constant watchfulness lest in an unwary moment they were caught off their guard and a vote be taken. Speakers had to be ready to follow each other in unbroken succession, unusual parliamentary devices had to be resorted to. Was this because the debate had been unusually extended? Can anybody pretend that a shipping bill ought to have been passed during that first week of its consideration, when the form of bill for which its advocates would finally stand had not even been agreed upon, much less presented for consideration? Yet it was under the well-understood threat of such a step that the Republicans carried on their discussion of the general subject during that entire week. I say of the general subject, for no one knew what the exact bill was to be, not even the Democrats themselves. That remained for the secret deliberations of the caucus to decide, influenced by considerations that were not made public, and yet it was the business of the public that was being discussed.

And then the second week began. And on that second Monday what then was supposed to be the final form of the bill was laid before the Senate—the first notice that the Senate, as a whole, had of its details. Was it then proposed that time should be permitted for a full and free and fair consideration and discussion? Not at all. The same threat, but intensified, was in the air. There was no doubt about it here on the floor or in the cloakroom. It was reflected in the press and on the street. And to carry out the undenied purpose of the majority the Senate was kept in session on Wednesday till 9 o'clock, on Thursday till 10.15, all night on Friday, and, without interruption, until 11.15 Saturday evening. And how were these long hours spent? Were they for the purpose of enabling the advocates of this new measure to explain and defend the policies and the purposes and the changes of this bill? Not at all. Practically all of the time had to be used up in some way by the bill's opponents, or this unexplained, undefended bill was to pass. The majority believed they could pass it before that Saturday evening came to a close, and they meant to do it. The gallery yonder was filled with their wives and daughters come to see the triumph of their cause. And it was not the cogency of their arguments they were relying upon to accomplish this result, for they had made none, but upon the physical exhaustion of their opponents.

But this un-American form of argument did not succeed. It ought not to succeed. Men came from their sick beds to risk their lives to oppose it. Men of advanced age, in their seventies, willingly faced the strain upon their health and strength to keep the vigil of those long night hours to see that it did not succeed. And younger men skilled in debate, equipped for such a struggle through long years spent in the study of public questions, took up the burden of discussion. And then what happened? Why, the un-American policy of silence and secrecy and physical exhaustion failed, but the thoroughly American policy of frank and full publicity and discussion did not fail. It succeeded, for scarcely had the next week opened when seven of the ablest among the Democrats declared their intention to oppose this measure. The habit of free and full debate that for more than a century has been the custom of this body vindicated itself. It has been said that oratory never changed a vote. I do not know whether those long two weeks of continuous speeches changed these votes, but if they had not been made the opportunity for the convictions of these courageous and conscientous Senators to become crystallized would not have existed.

What are the purposes of these debates here in the Senate? What is the justification of them? There are two principal ones. The effect they will have on the opinions and the votes of the Senators themselves. We have seen that this debate was not without results in that direction. And then the effect they will have on the opinions and votes of the people outside of this Chamber, and to give time and opportunity for those outside opinions to be reflected back here again. This can not happen in a day or a week. The American people, thank God, are usually busy with their own concerns, but they expect us to conduct ours with the same patience and wisdom and thoroughness that they give to their own. But when they find us in doubt and the opportunity is given them, the weight of their opinions usually finds a way to manifest itself. It comes through the press, whose general policy is to mirror that opinion. It comes through the declarations of public and semipublic organizations. It comes through private correspondence. It seems as though the weight of that opinion to-day is against this measure. But perhaps it has not yet had the time to be definitely formed, or at least to convincingly express itself. Senators may doubt the final form it will take.

But of the situation here there is no doubt. It is a tie. Practically the Senate is equally divided, at least so far as votes are concerned. So far as the personal convictions of Senators are concerned it is not a tie. It is against the bill. And if it is a tie as regards the actual votes in the population those votes represent it is not a tie. I have here a table showing the population of those States whose Senators are united in favor of this bill, of those States whose Senators are against the bill, of those

States whose Senators are divided on the question. I will not read it, but without objection I will ask permission to have it printed as part of my remarks. I presume the Senators have a fairly good idea of the opinion of the people of the States they represent on this subject.

The VICE PRESIDENT. It is so ordered.

The table referred to is as follows:

FOR.	
Arizona	204,354
Colorado	799,024
Florida	752,619
Indiana	2,700,876
Louisiana	1,656,388
Maryland	1,295,346
Missouri	3,293,335
Montana	376,053
Nevada	81,875
New Jersey	2,537,167
North Carolina	2,206,287
Oklahoma	1,657,155
Oregon	672,765
South Carolina	1,515,400
Tennessee	2,184,789
Texas	3,896,542
Virginia	2,061,612
17 States	27,891,487
AGAINST.	
California	2,377,549
Connecticut	1,114,756
Idaho	325,594
Iowa	2,224,771
Massachusetts	3,366,416
Michigan	2,810,173
Minnesota	2,075,708
Nebraska	1,192,214
New Mexico	327,301
New York	9,113,614
North Dakota	577,056
Pennsylvania	7,665,111
Rhode Island	542,610
South Dakota	583,888
Utah	373,351
Vermont	355,956
Washington	1,141,990
Wyoming	145,965
18 States	36,314,023
DIVIDED.	
Alabama	2,138,093
Arkansas	1,574,449
Delaware	202,322
Georgia	2,609,121
Illinois	5,638,591
Kansas	1,690,949
Kentucky	2,289,905
Maine	742,371
Mississippi	1,797,114
New Hampshire	430,572
Ohio	4,767,121
West Virginia	1,221,219
Wisconsin	2,333,860
13 States	27,435,687

Mr. LIPPITT. What that table shows is that the 18 States where the Senators are a unit against the bill have a population of 36,314,023 people; that the 17 States whose Senators are a unit in favor of the passage of this bill represent 27,891,487 people. If this is any guide to the sentiment of the people, it shows that there are 33 per cent more against the bill than there are in favor of it.

What, then, ought to be done with this bill if its consideration is to be continued? I think it ought to be dropped, anyway for the time being, and the appropriation bills taken up. But if it is to be continued, what then is the right policy to be adopted under the conditions as they exist? Manifestly, to continue the discussion in a fair and patient and temperate and customary manner. To let both sides present their arguments on this actual measure, have amendments made and considered on their merits here on the floor of the Senate, and decided here, not in a caucus, whether secret or open, so that whatever is done will be the record of the majority of the Senate and not of two-thirds of a secret society. Probably we would then arrive at a decision sooner or later—and there is no hurry about it—that will represent the best opinion and the final wish of America. Perhaps we would find a compromise that even if it did not suit the extremist on either side, might be satisfactory to moderate-minded people. And then, when the discussion had run its course, whether in this session or an extra one, do as this body has done on hundreds of other questions, great and small, in the past, take a vote and settle this question in accordance with the mature convictions of the Senate, convictions formed here as the result of consideration and not under coercion from any source. Then the Senate and its ways will be justified to itself and the country.

But what is it that it is proposed to do? Violate and ignore the rules established for the orderly conduct of the meetings of this body on the one hand, destroy them by the ruthless hands of arbitrary power if that power can be assembled and bound for the purpose, override them against such protest as the minority can make, put the vote and declare it carried if a majority of even a single vote can be found to cast it. Or establish a cloture rule to cut off debate on the pretense that debate has been too extended. Why, there has not been a single hour of free and untrammeled debate on this bill yet. And even if the time that has elapsed since the bill in its completed form was laid before the Senate on January 25 by some freak of the imagination is to be assumed to have been spent in proper debate, then it is but three weeks that have been so spent, when six and seven weeks have been spent in the consideration of no more important bills without a suggestion from either side of the Chamber or from the country that such time was wasted. On the contrary, it has been repeatedly recognized by many students of congressional procedure that these debates had materially improved the measures they were directed to. Such an editorial was in last night's Washington Star, and no doubt hundreds of them could be collected from important papers all over the country. What then would be the purpose and result of such a rule passed in opposition to the century-old experience of the Senate? Why, simply to make easier in the future the task of an impatient majority that was willing to substitute the policy of physical exhaustion of the minority, as has been attempted on this occasion, for the method of meeting it in fair discussion.

Mr. TOWNSEND. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. LIPPITT. I yield for a question.

Mr. TOWNSEND. The Senator from Rhode Island has, as have several other Senators in this discussion, referred to the Democratic claim that the majority have been prevented from voting on this measure. Is it not a fact that practically on every test vote which has come near the heart of this question there has been shown an exact division of the two sides of the Chamber, and that it has required the vote of the Vice President to decide many of the questions? So, instead of speaking of the majority, is it not better to say that, when the Senate is equally divided on this question, one-half of the Senate is asked to surrender to the other half and to allow the Vice President to cast the deciding vote? Half of the Senators are opposed to this bill, as practically every record vote has disclosed. I have no doubt the Senator from Rhode Island has observed this fact.

Mr. LIPPITT. Mr. President, the question which the Senator from Michigan asks is certainly very pertinent. In the previous part of my address I had referred to the situation of the Senate being that of a tie, and suggested that the only proper method to pursue in regard to this bill was to continue the debate until we could arrive at some conclusion. I think what the Senator says about the Senate's being in a tie and neither side having a majority is absolutely correct.

We know the explanation of all this. We know that this is a measure that the President of the United States, as a team captain, had decided upon. We know that it was being pushed without the approval of a very considerable number of the Democrats of this body. We know that even of those who now support it that it is not deep conviction that animates them, but the assumed necessity of party loyalty. We have a record in the presumptious, and I think I am justified in saying the impertinent, threat which the President of the United States indulged in in his speech at Indianapolis toward the Republican Members of this body which shows the arbitrary temper with which the administration were dealing with this subject at that time. If the President was in such a state of mind then that he could characterize the Republicans of this body, from whom he would naturally expect criticism, as misguided or blind or ignorant, and challenge them to show their right to oppose his measure, what he would think or do or say to opposition in his own party I think may well be left to the imagination.

These, then, are the extraordinary conditions that have surrounded the attempt to pass this bill. Their adoption led to the use of extraordinary methods to meet them. Those methods have been called a filibuster. Perhaps that name is as useful as any. Justification for the things itself exists in the indefensible character of the methods to which it has been opposed. If the Republicans have apparently accepted the challenge to talk this bill to death, it is because the Democrats have failed to perform their duty of talking it into life. The bill has been brought in here like a vagrant waif from the city slums, nameless, half fed, half clothed, and defenseless, its merits, if it has any, unrecognizable from neglect and abuse. The situation here is certainly extraordinary. I am told by those who have

been long in this body that nothing like it has occurred for 20 years, since the early nineties, when the protest in regard to silver legislation took this form, and when on another occasion, at about that same period, the able representatives from the South of the State rights doctrine—a doctrine which the representatives from the same communities to-day have apparently forgotten—used this same weapon of filibustering to protect a theory which they believed was vital to their existence.

In another way this occasion is extraordinary. It is extraordinary because the resentment on this side of the Chamber against the methods that have been adopted for the passage of this bill is so strong and because the conviction on this side of the Chamber in regard to the unwisdom of the measure itself is so great that for the first time in four years there exists here a practically united opposition to the policies of those who sit on the other side of the aisle. With but a single exception, the Senators on this side of the Chamber, whether conservative or progressive, are a unit in opposing this product of a combination between the secret caucus and the presidential prerogative. And not only has this extraordinary procedure in connection with this bill caused these extraordinary remedies to be adopted, but another extraordinary remedy of even deeper significance has been forced into action, for seven of the ablest Democratic Members of this body have felt obliged to temporarily break their allegiance to party policy and throw the great weight of their influence against this bill and the methods being used in its favor. I say seven of the ablest Democrats, for I venture to say that it would be impossible to get together from the Democratic side of this Chamber another seven men who would stand higher than those seven in the judgment of their associates. I do not mean to say that there are not other Democratic Senators who are not highly esteemed by all the Members of this body. I do not mean to say that there are not other individual Democratic Senators who are not as highly esteemed as any of these seven; but I do say that there is no group of Senators on that side whose character and ability is held in any higher estimation. They not only stand high individually, but what they represent is suggestive. It is not a revolt caused by any sectional feeling. The East and the West and the South have in that seven some of their ablest representatives. The importance of the communities that they represent, in numbers and in high character, is suggestive. The life-long affiliations of these Senators with Democracy is suggestive. Men of this type do not lightly break their party ties. They do not hastily or *without* the incentive of deep convictions put themselves in opposition to a party policy. They all of them understand the strength that comes from union. They, as much as anyone, realize the necessity of some subordination of personal belief to the convictions of a majority. That the extraordinary circumstances, then, attending this measure have brought into existence this most extraordinary remedy is in itself the severest condemnation that can be conceived of those methods themselves.

Within the last two or three days there have been several propositions introduced by the more radical supporters of this bill looking to help its passage by the establishment of some kind of a cloture, and the authors of them in some cases have urged in favor of them, and not without heat, the necessity of the majority of the Senate being able to register its will. Let me say again to the gentlemen who think such changes are necessary that the result of the Republican discussion of this bill, which you can call a filibuster if you wish, has absolutely vindicated itself in the situation which exists here to-day. This discussion and consideration, one sided as it has been, has already forced change after change to be made and remade from the original bill that was laid before this body. It has produced the extraordinary revolt that has occurred in the Democratic ranks and it has established the fact in the consciousness of every Member here that if this bill could be voted upon in such a way that each Senator should record his individual convictions, free from the coercion of party machinery, there would be an ample majority against it.

I believe the procedure that has been adopted in favor of this bill is absolutely indefensible, and whatever action I have been impelled to take in opposition to it I have taken not alone because my convictions are against the wisdom of the measure, but as a protest against these revolutionary practices which, if persisted in, I believe will inevitably destroy the usefulness of the Senate. The Senate can not be useful unless it is independent. There has been a growing tendency toward domination by the Executive over this body. It did not originate with the present administration. But, in spite of the very positive preelection declarations of Mr. Wilson in regard to publicity and openness in the conduct of governmental business, he has not merely adopted the policy of Executive domination that some of his predecessors had attempted but he has gone far beyond it, and in this particular instance the attempt has been made not merely to compel the adoption of his particular views on this subject, but also to compel their adoption without the usual opportunity for the discussion and consideration of those measures.

The break in the Democratic ranks has enabled us to know something of the inside caucus history of this bill. We know now by the declarations on this floor of men who participated in these secret meetings something of what occurred there. That there was opposition there was easily inferred from the fact that it took a whole long week of repeated conferences to arrive at a decision. But we know now that, while the rules under which that secret organization compelled its decisions to be registered on this floor by the votes of its members was through the drastic use of a two-thirds vote, binding the entire membership, in this case so strong was the opposition that out of the 53 Senators comprising its membership, when the vote was taken upon the approval of the bill, there were only 35 Democrats who voted in favor of it, that being 1 less than the two-thirds necessary to bind the entire membership, and therefore it was necessary, in order to get the majority necessary for the despotic dictates of the caucus to operate, to persuade one of the Senators opposed to the measure to change his vote. This was done, by what inducements has not yet been revealed, and so the final vote which set all this machinery going was the bare 36 votes, without which it could not be put in force at all.

We know now that, as this situation stands, the attempt is being made to put this bill through this body because 35 Democratic Senators out of a total of the 96 Members in this body perhaps believed in it. That may be modern Democratic doctrine, but it is not the rule of the majority as it is understood by the American people, and it is not a method of transacting business that will enable the Senate of the United States to retain the confidence of the people.

I believe there is but one proper proceeding that should now be taken by this body, and that is to proceed to the consideration of the proper business of this session, the consideration and passage of as many as possible of the appropriation bills. Even if we undertake that at once and use all the time there is at the disposal of Congress before the 4th of March, we shall, even then, be obliged to give too little rather than too much time to the consideration of the very important subject of national finance. But the consideration of that subject is the legitimate and proper business of this session, and it ought not to be neglected.

If when that is done the President of the United States thinks the enactment of legislation on this shipping question is of such importance that it justifies the calling of Congress together in extra session, I for one have no objection at all to that session being called. And if, after a reasonable and proper time has been given to the discussion of a shipping bill under those circumstances, free from the extraordinary attempt that has been made at the present session to throttle debate, and free from any attempt to introduce a practical cloture by trying to physically exhaust the opponents of the measure—if then a majority of this body, influenced by their convictions instead of a caucus gag, decide that they want to pass this shipping bill or something like it, I believe there will be no unusual objection made to it by the Republican Members of this body. But under the conditions that I have attempted to describe, and by the methods that have been adopted, this bill ought not to pass; and if, through any parliamentary manipulation, it is forced through at this session as a result of this two-thirds caucus gag rule, itself instigated by what I consider an improper use of the presidential prerogative, the Senate will have taken a long step toward destroying its prestige and its usefulness.

Among the departments of the Government, this Senate is the citadel of free speech. It is the only forum where the great principles of government and the rights and liberties of the people can be freely and exhaustively debated and discussed. It is not a new thing to have that prerogative of this body challenged by ambitious and obstinate Executives, carried away by enthusiasm for their own ideas and impatient at opposition to their plans.

The character of the present Executive as it has day by day unfolded itself seems to point to as determined an effort in that direction as has ever been made. We begin to see the basis for the generally accepted belief that the trustees of Princeton University, fearful of the effects of the domineering disposition of Mr. Wilson upon the future of that institution, were not displeased when he left them for other activities. We begin to see why the rugged honesty and sturdy independence

of Grover Cleveland forced him to break away from his connection with that university.

The significance of President Wilson's laudation of President Jackson at Indianapolis is given a deeper meaning by the events that have rapidly followed each other since that speech was made. The most determined attack that was ever made upon those rights and prerogatives that are essential to this body if it is properly to perform its duties and continue to occupy an important place in the function of government occurred under Jackson's administration. I do not know of any better way to set forth the larger meaning and the possibilities of the present situation than to quote the language in which Daniel Webster discussed this same question of the Senate's duties and powers at that time. In the Senate, on May 7, 1834, Senator Webster used the language which, without objection, Mr. President, I ask to have printed as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Every encroachment, great or small, is important enough to awaken the attention of those who are intrusted with the preservation of a constitutional government. We are not to wait till great public mischiefs come, till the Government is overthrown, or liberty itself put into extreme jeopardy. We should not be worthy sons of our fathers were we so to regard great questions affecting the general freedom. Those fathers accomplished the Revolution on a strict question of principle. The Parliament of Great Britain asserted a right to tax the Colonies in all cases whatsoever, and it was precisely on this question that they made the Revolution turn. The amount of taxation was trifling, but the claim itself was inconsistent with liberty; and that was, in their eyes, enough. It was against the recital of an act of Parliament rather than against any suffering under its enactments that they took up arms. They went to war against a preamble. They fought seven years against a declaration. They poured out their treasures and their blood like water in a contest against an assertion which those less sagacious and not so well schooled in the principles of civil liberty would have regarded as barren phraseology or mere parade of words. They saw in the claim of the British Parliament a seminal principle of mischief, the germ of unjust power; they detected it, dragged it forth from underneath its plausible disguises, struck at it; nor did it elude either their steady eye or their well-directed blow till they had extirpated and destroyed it, to the smallest fiber. On this question of principle, while actual suffering was yet afar off, they raised their flag against a power to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drumbeat, following the sun and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England.

The necessity of holding strictly to the principle upon which free governments are constructed, and to those precise lines which fix the partitions of power between different branches, is as plain if not as cogent as that of resisting, as our fathers did, the strides of the parent country against the rights of the Colonies, because, whether the power which exceeds its just limits be foreign or domestic, whether it be the encroachment of all branches on the rights of the people, or that of one branch on the rights of others, in either case the balanced and well-adjusted machinery of free government is disturbed, and, if the derangement go on, the whole system must fall.

* * * * * * *

Mr. President, the contest for ages has been to rescue liberty from the grasp of executive power. Whoever has engaged in her sacred cause, from the days of the downfall of those great aristocracies which had stood between the King and the people to the time of our own independence has struggled for the accomplishment of that single object. On the long list of the champions of human freedom there is not one name dimmed by the reproach of advocating the extension of executive authority; on the contrary, the uniform and steady purpose of all such champions has been to limit and restrain it.

Mr. LIPPITT. Mr. President, at other times in the history of the Government more or less vigorous attempts have been made to sweep away senatorial opposition to presidential plans. They have not succeeded because heretofore they have always been vigorously and successfully resisted. As this present attempt is being made by Democrats, perhaps it will not be amiss to quote the language in which one of the great Democrats of the last century expressed his opinion upon this subject. In the speech which Stephen A. Douglas made at Alton, Ill., on the 15th of October, 1858, he spoke as follows:

I hold that an attempt to control the Senate on the part of the Executive is subversive of the principles of our Constitution. The Executive department is independent of the Senate, and the Senate is independent of the President. In matters of legislation the President has a veto on the action of the Senate, and in appointments and treaties the Senate has a veto on the President. He has no more right to tell me how I shall vote on his appointments than I have to tell him whether he shall veto or approve a bill that the Senate has passed. Whenever you recognize the right of the Executive to say to a Senator, "Do this or I will take off the heads of your friends," you convert this Government from a Republic into a despotism. Whenever you recognize the right of a President to say to a Member of Congress, "Vote as I tell you or I will bring a power to bear against you at home which will crush you," you destroy the independence of the Representative and convert him into a tool of Executive power. I resisted this invasion of the constitutional rights of a Senator and I intend to resist it as long as I have a voice to speak or a vote to give.

The particular method which is now relied upon to destroy the independence and the importance which has adhered to this Senate from the beginning, and which Webster so eloquently defended, is the two-thirds rule of the Democratic caucus. Probably no more efficient instrument could be devised for that purpose, if it can be established and maintained in practice. If the entire vote of a party can be absolutely bound by such a device, if all the independent and courageous men on the other side of the Chamber can be brought into subjection in this way, it makes the task of an ambitious and forceful Executive comparatively easy.

Such a rule, while obnoxious under any circumstances in such a body as this, is perhaps not of so great importance while a party is in a minority, but as an instrument of legislation in a majority party, its effect upon the importance of the Senate in legislation must be swift and deadly. This rule was adopted, as it has recently developed, in 1903, and one of the very earliest attempts at its enforcement occasioned a determined revolt from its tyranny on the part of one of the Democratic Senators of that day, against whose right of independent action it was invoked. I want to read the language in which Mr. Patterson, then Senator from Colorado, expressed his disapproval of it.

Without objection, Mr. President, I will not read this, but I will ask that it be inserted as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The Senate proceeded to consider the resolution submitted by Mr. Patterson on the 5th instant, as follows:

"Whereas the Constitution of the United States provides that 'the Senate of the United States shall be composed of two Senators from each State, chosen by the legislatures thereof,' and that 'each Senator shall have one vote'; and

"Whereas each Senator, before assuming the duties of his office, is required to solemnly swear or affirm that he 'will support and defend the Constitution of the United States, and that he will faithfully discharge the duties of the office upon which he is about to enter'; and

"Whereas, because it was currently reported that one or more Democratic Senators might vote upon certain matters pending before the Senate contrary to the view of a majority of the body of Democratic Senators, the Democratic Senators were called to caucus upon such matters; and

"Whereas it was found at such caucus that said reports were correct, and that certain Democratic Senators might or would vote contrary to the views of said majority; and

"Whereas thereupon the following resolutions were presented and adopted by more than two-thirds of the Senators present at said caucus:

"'*Resolved*, That the Senate ought not to advise and consent to the treaty between the United States and the Republic of Santo Domingo, now pending before the Senate.

"'*Resolved*, That if two-thirds of this caucus shall vote in favor of the foregoing resolution it shall be the duty of every Democratic Senator to vote against the ratification of the said treaty'; and

"Whereas the apparent purpose of said resolutions and action was to improperly induce or coerce Democratic Senators who might believe that the best interests of the country required the ratification of said treaty, and because thereof held it to be their duty to vote for its ratification, into disregarding that part of their oaths in which they declared that they would faithfully discharge the duties of the office of Senator: Therefore be it

"*Resolved*, First. That such action by the said or any other caucus is in plain violation of the spirit and intent of the Constitution of the United States.

"Second. That for two-thirds or any other number of the Senators of any party to meet and declare that 'it shall be the duty' of any Senator to vote upon any question other than as his own convictions impel him is a plain violation of the manifest intent and spirit of the Constitution all have sworn to uphold and defend.

"Third. That the 'one vote' the Constitution declares each Senator shall have is his own vote and not the vote of any other or of any number of other Senators, and for a Senator to cast that 'one vote' against his convictions of right and duty in the premises is to disfranchise his State in the Senate and to deprive it of the representation in that body the Constitution provides it shall have.

"Fourth. That when any number of Senators by combination or otherwise undertake, through any species of coercion, to induce other Senators to vote except as their judgments and consciences tell them, it is an invasion of the rights of a State to equal representation with other States in the Senate, and is subversive of their rights to equal representation and the votes of its Senators in the Senate that the Constitution has provided for.

"Fifth. That the Senator who permits any body of other Senators to declare and define for him what his duty is in the matter of his vote in the Senate, and who casts his vote in response to such interference, votes not as a Senator from his own State, but as a Senator from the other States, and he augments the power of the other States beyond that permitted by the Constitution and weakens and degrades the power of his own State in the Senate, in violation of the spirit of the Constitution.

"Sixth. That for any Senator to vote except as his judgment and sense of duty under his oath of office requires is to degrade the high office of Senator and to assail the dignity and standing of the Senate of the United States—qualities possessed in such high degree by no other legislative body in the world."

Mr. LIPPITT. It seems to me, Mr. President, that whatever importance might have attached at the beginning to the propriety or otherwise of enacting this shipping legislation has been dwarfed into insignificance by the selection of the instrument with which it is hoped now to drive this legislation through a Senate in which it had been impossible to hold on its merits a majority in favor of it.

We have become so much accustomed to inconsistencies in the present administration that we have perhaps become hardened to them; but when we consider the situation of an

Executive who, in his preelection addresses, had exalted publicity and frankness into such a high place as did Mr. Wilson in his address on "Let there be light," and who again recently reasserted his allegiance to that principle of publicity in no less forcible language in his address before the electrical engineers in Washington last month, on which occasion he used words which, without objection, I shall ask to have inserted in my remarks.

The VICE PRESIDENT. Without objection it is so ordered.

The matter referred to is as follows:

There are, therefore, I suppose, certain rules of the game. I will mention what seem to me some of them. I have already mentioned one of them by way of illustration. First of all is the rule of publicity: Not doing anything under cover; letting the public know what you are doing and judge of it according as it is. There are a great many businesses in this country that have fallen under suspicion because they were so secretive, when there was nothing to secrete that was dishonorable. The minute I keep everything in my pocket and will not show anybody what is there, they conjecture what may be in my pocket; whereas if I turn my pockets inside out the conjecture is, at any rate, dissipated. There is no use inviting suspicion by secretiveness. If a business is being honorably done and successfully done, you ought to be pleased to turn it inside out and let the people whom you are inviting to invest in it see exactly how it is done and with what results. Publicity, which is required in sport, is required in business. Let's see how you are running the game!

Mr. LIPPITT. Then when we find ourselves confronted by this attempt to enact legislation by the device of a secret caucus, and when we find Mr. Wilson expressing in his speech at Indianapolis his high appreciation of the importance of independence in politics and of the independent voter, and we then find this same caucus using this tyrannical two-thirds device to suppress every vestige and possibility of independence in their own ranks, we find a situation developing itself that even the most callous can not be indifferent to.

Mr. Webster forcibly stated the necessity of resisting the first encroachment of Executive domination upon the equal participation in affairs of the coordinate branches of this Government. This situation now has developed far beyond the condition of a first step. It is in the condition of a full-fledged conspiracy, rapidly moving to accomplish its purpose, and demands the immediate consideration of the American Senate and the American people.

We have seen the present Executive undertake an impertinent and entirely improper interference with the internal affairs of a neighboring nation, and when his officious meddling was received with the resentment that was inevitable, not hesitating to use all the influence and powers of his great position, even to the extent of employing the Navy against one of the chief cities of that friendly nation to bring about the demoralization and the horrors of a Villanized Mexico. Patriotism demands that our opposition be swift and decisive against the first steps, however unwittingly they may be made, toward an Executive domination of the government of this country which may ultimately result in the despotism of a Diaz and a Mexicanized America.

Mr. FLETCHER. Mr. President, I desire to present to the Senate a communication just received from the Secretary of the Treasury, beginning:

In compliance with the letter I addressed to you yesterday, I now have the pleasure of answering the questions propounded in the resolution introduced in the Senate by Senator BURTON on the 13th instant.

I ask to have this communication inserted in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

TREASURY DEPARTMENT,
Washington, February 16, 1915.

MY DEAR SENATOR FLETCHER: In compliance with the letter I addressed to you yesterday, I now have the pleasure of answering the questions propounded in the resolution introduced in the Senate by Senator BURTON on the 13th instant.

First. Has the Secretary of the Treasury knowledge that any officer of the Government has made overtures or addressed inquiries to the owners of ships under the flags of belligerent nations, including those ships now detained in ports of the United States or other neutral ports, with a view to the purchase of such ships on the part of the Government of the United States or any of its authorized agencies?

No; unless certain inquiries made last summer by the Secretary of War as a member of the Board of Relief, composed of the Secretaries of State, Treasury, War, and Navy, appointed by the President on the 5th of August, 1914, to have general charge of the work of relief, protection, and transportation of American citizens abroad, under and by virtue of joint resolution 314, passed August 5, 1914, may be considered as coming within the purview of the question.

It will be recalled that upon the outbreak of the European war in August, 1914, it was estimated that more than 100,000 American citizens were scattered throughout Europe. Their letters of credit had become unavailable because of the breaking down of exchange transactions between the various countries at war, steamship traffic was partially paralyzed, and they were left in a precarious situation. Congress made an appropriation of $2,750,000 for their relief, and by Executive order the President appointed the Board of Relief to which I have referred.

The question of the transportation of American citizens across the high seas was one of the most serious problems with which the Board of Relief had to contend. As the War Department had large experience in transporting troops and handling matters of transportation, this particular branch of the work was intrusted to the Secretary of War. Whatever negotiations he had with steamship companies were solely with a view to making provision for the transportation of American citizens in this emergency. Since the emergency disappeared no communications have been had by the Relief Board, or any member thereof, or any agent or employee of the Government, so far as I have knowledge, with any steamship company or companies or shipowners, except to the extent that such communications have been made necessary to effect a settlement for charter parties or for charges made by such companies for transporting American citizens from Europe to the United States.

Second. Have tenders of sale of any merchant ship or ships carrying the flag of any of the belligerent nations been made to the United States or any of its officers or agencies?

Possibly some vessels were offered to the Secretary of War in connection with the relief and transportation of American citizens, as stated in my answer to the first question.

The Merchant Marine Agency, J. V. McCarthy, manager, of Boston, Mass., in January, 1915, voluntarily and without the solicitation or request of the Secretary of the Treasury sent to the Secretary of the Treasury a list of vessels, some of English and some of German registry, as shown in Exhibit 77 to the report made to the Senate by the Secretary of the Treasury and the Secretary of Commerce on the 27th of January, 1915, in response to Senate resolution of December 18, 1914, and to which reference is made. Reference is also made to Exhibits 75, 75A, 75B, and 75C of said report, showing some offerings of ships of British and French registry, made through Mr. B. N. Baker, of Baltimore. Mr. Baker gave the information contained in these exhibits in response to a question I asked him, viz, whether it was true, as alleged by opponents of the shipping bill, that no ships other than the interned German vessels could be purchased if the shipping bill became law?

Third. Have there been any tenders for the sale of vessels at present carrying the flag of any neutral nation to the United States or any responsible officer or agent thereof?

I attach as Exhibit No. 1 several letters and voluntary offerings made by the Merchant Marine Agency, of Boston, J. V. McCarthy, manager, dated February 3, 4, and 6, of various ships of neutral registry. The Secretary of the Treasury has entered into no negotiations with Mr. McCarthy or anybody else for the purchase of ships. These offers were submitted to the Treasury Department, as before stated, without solicitation on my part, and resulted, I presume, from the publication of the fact that the shipping bill is under consideration by the Congress, and that the Secretary of the Treasury is mentioned as a member of the shipping board.

Fourth. Is it within the knowledge of the Secretary of the Treasury that any individual, firm, or corporation in the United States has made loans or advances to any individual, firm, or corporation owning ships which are detained in the ports of the United States or elsewhere to avoid the consequences of war; or that any person, firm, or corporation, acting either in private capacity or that of agent for the Government, holds an option on any such ship or ships contemplating their transfer either to the Government of the United States, an agency thereof, or to private citizens of the United States?

I have no knowledge whatever of any such transactions as those referred to in this question, nor have I heard of any such.

Fifth. Is it within the knowledge of the Secretary of the Treasury that the Government of the United States, or any official thereof, has in his employ or under his direction any person or agent who is making inquiry as to the possibility of purchasing any ship or ships of any description whatsoever contemplating their eventual transfer to the United States or an agency thereof?

In each of the above instances the names of the persons, ships, and terms involved in each contemplated sale or purchase is requested.

I have no such knowledge, except as to the Treasury Department, where I can state that neither the Secretary of the Treasury nor anyone under his authority, or acting upon his direction, or as an agent, is making or has made inquiry as to the possibility of purchasing any ship or ships of any description whatsoever contemplating their eventual transfer to the United States or an agency thereof, or otherwise.

In view of false rumors and statements which have come to my ears, permit me to say in conclusion that the Secretary of the Treasury has at no time had a communication from or discussion with any banking house, banking institution, or banker, in or out of the United States, in connection with the purchase, sale, or disposition in any manner whatsoever of the German ships interned in the ports of the United States or elsewhere, or in connection with any other ships of belligerent or neutral nations for any purpose whatsoever.

Respectfully,

W. G. MCADOO, *Secretary.*

Hon. DUNCAN U. FLETCHER,
United States Senate.

(Inclosures.)

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MERCHANT MARINE AGENCY,
Boston, Mass., February 6, 1915.

Mr. COOKSEY,
Private Secretary to Secretary of Treasury,
Washington, D. C.

DEAR SIR: Inclosed find a description of Dutch, Norwegian, and Swedish boats which I wrote and telegraphed about from New York City.

As I stated when I saw you in Washington, wherever prices are quoted to me in pounds sterling I estimated on $5 to the pound in my list of prices. Where prices have been quoted to me as net prices by some people who have listed their boats for sale, I have added 5 per cent as a commission, which is the customary commission charged in connection with the sale of steamships by brokers in this country.

In the offering of French ships *Nos. 24, 25,* and *26* I was requested to ask 60,000 pounds sterling for each ship, but to offer the three ships for sale and to try a price of 150,000 pounds sterling for the three. The other ships are all listed exactly as they came to me.

In event of the shipping bill going through and becoming a law I hope to be able to still have some ships left to sell to the Government, but I am now starting a campaign to see what I can do in the way of placing some of these neutral ships in the different shipping centers of the United States.

Very truly, yours,

J. V. MCCARTHY.

[Telegram.]

NEW YORK, *February 4, 1915.*

SECRETARY TREASURY,
Washington, D. C.:

Can offer nine more Swedish steamships. Particulars later.

McCARTHY.

—

NEW YORK CITY, *February 3, 1915.*

SECRETARY UNITED STATES TREASURY,
Washington, D. C.

DEAR SIR: I have cable on *Boye Marstal*, 8,000-ton dead-weight, Danish, price about $335,000, delivery February. Kindly keep names of ships confidential, as they are my only protection; if other people get hold of names, they could possibly make a sale and I would lose out on commission.

Respectfully,

J. V. McCARTHY.

—

NEW YORK CITY, *February 3, 1915.*

SECRETARY UNITED STATES TREASURY,
Washington, D. C.

DEAR SIR: I can offer you for purchase two steamships in Holland, *Prins Willem I*, 24,100 pounds sterling; *Prins Willem V*, 17,500 pounds sterling.

I will write further when I arrive in Boston.

Respectfully,

J. V. McCARTHY.

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STEAMERS FOR SALE BY MERCHANT-MARINE AGENCY, 1123 OLD SOUTH BUILDING, BOSTON, MASS., J. V. M'CARTHY, MANAGER. WE CAN NOT MAKE THE PRICES OR OFFERS OF THE STEAMERS AS FIRM OFFERS. THEY ARE SUBJECT ONLY TO BEING STILL AVAILABLE ON RECEIPT OF YOUR REPLY. WE WILL NOT BE RESPONSIBLE FOR ERRORS IN DESCRIPTION.

No. 23.

7,437 tons dead-weight, including bunkers, on 24.11½-foot draft loaded; built 1906 of steel, 100 A1 Lloyd's; dimensions, 379.5 feet by 50 feet by 25.4 feet; molded; cubic capacity, 416,309 cubic feet; grain; 11 knots on a moderate consumption; triple engines; cylinders, 26 inch, 42 inch, 72 inch, by 54-inch stroke; three boilers (S. E., F. D.), 180 pounds working pressure; water ballast in double cellular bottom, 888 T–A. P. T. 45 T.; peaks and deep tank; 6 hatches, (3)–24 by 16 feet, 28 by 16 feet, 18 by 16 feet; 4 holds; 9 steam winches; steam windlass; steam steering gear; between decks, 7 feet 11½ inches by 8 feet high; bronze propeller; electric light; 2 steel decks, with shelter deck above same; coefficient, '77.

Gross registry, 3,974; net registry, 2,541; price, $262,500. Under British registry.

No. 24.

7,890 tons of dead-weight, including bunkers (summer), on 25.10-foot draft loaded; built 1904 of steel, Veritas; dimensions, 413.5 feet by 49.7 feet by 29.7 feet, molded; 9.38 knots, /9.11 knots on 37¾ T./43¾ T. consumption; triple twin screw engines; 6 cylinders, 25½ inch, 33 inch, 52 inch by 35½-inch stroke; water ballast, 1,202 tons; electric light; 2 decks and awning deck; accommodations for 45 first-class passengers, 48 third-class passengers; bunks, including hospital, 496.

Gross registry, 6,472; net registry, 4,203; price, $300,000. Under French registry.

No. 25.

7,163 tons dead-weight, including bunkers, on 25-foot draft loaded; built 1899 of steel, Veritas; dimensions, 408.4 feet by 49.5 feet by 27.5 feet, molded; 10.7 knots on 41 T. consumption; triple engines; cylinders, 29 inch, 47 inch, 78 inch by 51-inch stroke; F. D. boilers; water ballast, 1,087 tons; electric lights; 1 deck and spar deck; accommodations for 71 first-class passengers, 76 third-class passengers.

Gross registry, 6,075; net registry, 3,890; price, $300,000. Under French registry.

No. 26.

8,819 tons dead-weight, including bunkers, on 25.4-foot draft loaded; built 1903 of steel, Veritas; dimensions, 414.4 feet by 50.6 feet by 29.5 feet, molded; 9.96 knots on 38 T. consumption; triple twin crew engines; cylinders, 21⅝ inch, 33 inch, 52 inch by 35½-inch stroke; water ballast, 1,202 tons; electric light; 2 decks and awning deck; accommodations for 45 first-class passengers, 48 third-class passengers; bunks, including hospital, 496.

Gross registry, 6,474; net registry, 4,214; price, $300,000. Under French registry.

No. 35.

6,825 tons dead-weight, including bunkers, on 25.5-foot draft; built 1902 of steel, 100 A1 Lloyd's; dimensions, 382½ feet by 47 feet 2 inches by 37½ feet, molded; cubic capacity, 376,540 cubic feet; 10/10½ knots on 25 tons consumption per day; triple engines; cylinders, 26 inch, 43 inch, 72 inch by 48-inch stroke; 2 S. E. boilers, 180 pounds working pressure; water ballast, 1,785 tons; C. D. B. and peaks; 5 hatches; 10 steam winches; between decks, 8 feet; 2 decks laid with poop; bridge and T. G. forecastle; coefficient, '77.

Gross registry, 4,268; net registry, 2,773; price, $250,000.

No. 36.

7,415 tons dead-weight, including bunkers, on 25.4-foot draft; built 1900 of steel, 100 A1 Lloyd's; dimensions, 405 feet by 48.7 feet by 32 feet 3 inches, molded; cubic capacity, 373,000 cubic feet; 10 knots on 28 tons consumption; triple engines; cylinders, 27 inch, 44½ inch, 74 inch by 54-inch stroke; 2 D. E. boilers, 180 pounds working pressure; water ballast, 1,900 tons; C. D. B. and peaks; 5 hatches; 10 steam winches; 8 derricks; between decks, 8.4 feet; 2 decks laid with poop; bridge and T. G. forecastle; 16 cargo ports.

Gross registry, 4,808; net registry, 3,112; price, $225,000.

Above ships (Nos. 35 and 36) are under British registry.

The parties in England who have listed these ships with me say these boats are now trading under time charter and are expected to arrive in New York about the end of the month of January. They could not, however, be delivered in the States now, as they are committed to load in Baltimore in February. Owners would, however, be willing to sell, with delivery in England, about March or April next, and brokers offer to send inspection order to be used on arrival in New York.

No. 37.

3,297 gross ton; built of steel, 1895; dimensions taken from Lloyd's Register; 330 feet by 43 feet by 18.4 feet, 29 feet molded depth; triple engines; 3 cylinders, 24 inches, 38 inches, 64 inches, by 42-inch stroke; 160 pounds working pressure. A. P. T. 118 T. 100 A1 Lloyd's. Under Danish registry. Price, $210,000.

No. 38.

2,598 gross ton; built, 1897, of steel; dimensions, 312.5 feet by 45 feet by 20.5 feet; triple engines; 3 cylinders, 22 inches, 35 inches, 57 inches by 39-inch stroke. These dimensions taken from Lloyd's Register, W. B. Under Danish Registry. Price, $182,500.

No. 39.

2,157 gross ton; built, 1888, of steel; dimensions, 279 feet by 37.7 feet by 19.1 feet; molded depth, 21 feet 8 inches; figures taken from Lloyd's Register; triple engines; cylinders, 22½ inches, 36 inches, 58 inches by 39-inch stroke; 160 pounds working pressure; W. B. & Cell. D. B. 240, A. P. T. 40 T. 100 A1 Lloyd's. Under Danish registry. Price, $110,000.

No. 40.

1,316 gross ton; built, 1910, of steel; dimensions, 231.5 feet by 36.2 feet by 14.4 feet; figures taken from Lloyd's Register; triple engines; 3 cylinders, 16½ inches, 27 inches, 44 inches by 30-inch stroke, W. B. Under Danish registry. Price, $130,000.

No. 41.

2,625 gross ton; built, 1907, of steel; dimensions, 284 by 42 by 18.4 feet; molded depth 28.1; figures taken from Lloyd's Register; triple engines; 3 cylinders, 20⅞ inches, 33 inches, 55½ inches by 35½-inch stroke; 185 pounds working pressure; intermediate bulkhead in fore hold dispensed with; 4 B. H only; W. B. Cell. D. Ba. 88 feet, A. P. T. 150 T. 100 A1 Lloyd's; electric light; one deck, steel, and deep framing and awning deck, steel. Ship is offered for sale subject to purchaser overtaking time charter for one year commencing May, 1915, on contract of £17,000 sterling. Under Danish registry. Price, $250,000.

No. 42.

1,065 gross ton; built, 1904, of steel; 100 A1 Lloyd's; dimensions from Lloyd's Register; 200.5 feet by 32 feet by 14.6 feet; depth molded 22.3 feet; triple engines; 3 cylinders, 15 inches, 26 inches, 42 inches by 30-inch stroke; 180 pounds working pressure; W. B. & Cell. D. Ba., A. P. T. 6 T. F. P. T. 46 T.; electric light; one deck, steel; spar deck, steel; and deep framing; cable says delivery prompt, England. Under Norwegian registry. Price, $75,000.

No. 43.

1,672 gross ton. Steamer offered under Spanish registry, delivery to be made at Barcelona immediately. Not listed in Lloyd's or Veritas, but have seen name of ship in weekly publication. Price, $105,000.

No. 44.

3,520 gross ton; built, 1895, of steel; 100 A1 Lloyd's; dimensions, 344 feet by 44.5 feet by 25.8 feet; depth molded 28.6 feet; triple engines; 3 cylinders, 25 inches, 41 inches, 67 inches by 45-inch stroke; 170 pounds working pressure; W. B. & Cell. D. Ba., A. P. T., 2 decks and deep framing; 3 deck rule; electric light. Under Norwegian registry. Price, $230,000.

No. 45.

3,569 gross ton; built, 1896, of steel; dimensions taken from Lloyd's Register, 344.5 feet by 44.7 feet by 25.7 feet; triple engines; 3 cylinders, 23 inches, 37 inches, 60 inches by 54-inch stroke; W. B.; two decks. Under Norwegian registry. Price, $230,000.

No. 46.

3,314 gross ton; built, 1899, of steel; dimensions taken from Lloyd's Register, 336 feet by 46.1 feet by 24 feet; triple engines; 3 cylinders, 21½ inches, 37 inches, 62 inches by 45-inch stroke; W. B.; turret deck. Under Italian registry. Price, $160,000.

No. 47.

4,158 gross ton; built, 1899, of steel; dimensions taken from Lloyd's Register, 360.2 feet by 48.2 feet by 20.3 feet; depth molded 30.11 feet; triple engines; 3 cylinders, 23½ inches, 38½ inches, 68 inches by 48-inch stroke; 200 pounds working pressure; one deck, steel, and spar deck; 100 A1 Lloyd's. Under Italian registry. Price, $210,000.

No. 48.

2,913 gross tons; built 1883, of iron; dimensions, taken from Lloyd's Register, 299.8 feet by 40.1 feet by 28.5 feet; depth, molded, 29.10 feet; triple engines, 3 cylinders, 21½-inch, 35½-inch, 58½-inch, by 48-inch stroke; water ballast; one deck and spar deck. Letter in regard to boat says she is built of steel and loads about 4,200 tons dead weight, all told; delivery to be made in Norway on all-cash payment.

Price, $120,000. Under Norwegian registry.

No. 49.

2,121 gross tons; built 1901, of steel; 100 A1, Lloyd's; dimensions, 284 feet by 38 feet by 21 feet; mean draft, fully laden, 20.2 feet; cubic cargo capacity, including spare bunkers, 2,312 tons of 40 cubic feet; dead weight, 1,970; bunkers, 435; spare bunkers, 190; passenger accommodations for 37 first, 8 second, 52 steerage; triple compound engine, amidships, cylinders 23-inch, 37-inch, 59-inch, by 39-inch stroke; indicated horsepower, 1,100; nominal, 268.

Price, $120,500. Under Dutch registry.

No. 50.

2,108 gross tons; built 1897, of steel; 100 A1, Lloyd's; dimensions, 282 by 37 by 20.4 feet; mean draft, fully laden, 20.1 feet; cubic cargo capacity, including spare bunkers, 2,260 tons of 40 cubic feet; dead weight, 2,055; bunkers, 410 tons; spare bunkers, 180; passenger accommodations for 34 first-class, 8 second-class, 33 steerage; triple compound engine, amidships, cylinders 22-inch, 35-inch, 59-inch, by 39-inch stroke; indicated horsepower, 1,000; nominal, 260.

Price, $87,500. Under Dutch registry.

No. 51.

Built 1907, of steel; dimensions, 230 by 31.1 by 20.3 feet; 100 A1, Lloyd's; registered tonnage, 1,261; one deck; 1,550 tons dead weight; 74,500 cubic feet; draft, loaded, 16.9 feet; triple engines, cylinders 19-inch, 30-inch, 50-inch, by 33-inch stroke; consumption, 20 tons American; speed, 11½ knots.

Price, 302,500 kroner. Under Swedish registry.

No. 52.

Built 1907, of steel; dimensions, 240 feet by 35 feet by 17.10 feet; Lloyd's, A1; registered tonnage, 1,360/830; one deck and bridge deck; dead weight, 2,150 tons; 103,900 cubic feet; 4 hatches; water ballast, 345 tons; draft, loaded, 17.4½ feet; triple engines; horsepower, 855, indicated; cylinders 18-inch, 29-inch, 48-inch, by 33-inch stroke; 180 pounds working pressure; 14 to 15 tons consumption; speed, 10 knots; bunker capacity, 145 tons; steam winches, 4.
Price, 352,000 kroner. Under Swedish registry.

No. 53.

Built 1894, of steel; dimensions, 310.1 feet by 40.5 feet by 17 feet; 100 A1, Lloyd's; registered tonnage, 3,021/1,837; one deck; dead weight, 4,600 tons; 219,633 cubic feet; 4 hatchways; water ballast, 535 tons; draft, loaded, 21.6 feet; triple engines, amidships, cylinders 23-inch, 36-inch, 57-inch, by 42-inch stroke; boilers, 2, S. E.; heating surface, 4,000; working pressure, 160 pounds; consumption, 18 tons; speed, 9½ knots; 9 steam winches.
Price, 440,000 kroner. Under Swedish registry.

No. 54.

Built 1904, of steel; dimensions, 259.1 feet by 36 feet, by 19.9 feet; Lloyd's, A1; registered tonnage, 1,693/1,015; 2 decks; 2 holds; dead weight, 2,300 tons; 2 hatchways; water ballast, 394 tons; draft, loaded, 17.1 feet; triple engines, cylinders 19-inch, 31-inch, 51-inch, by 36-inch stroke; 2 boilers; working pressure, 180 pounds; consumption, 13 W.; speed, 9 knots; bunker capacity, 250 tons; donkey boiler; 8 steam winches; cabin passengers, 8.
Price, $110,000. Under Swedish registry.

No. 55.

Built 1890, of steel; dimensions, 340 feet by 42.6 feet by 28.3 feet; 100 A1, Lloyd's; registered tonnage, 2,317/2,136; 2 decks, iron and shade; 5 holds; dead weight, 4,720 tons; 309,485 cubic feet; 5 hatchways; water ballast, 833 tons; draft, loaded, 24.7½ feet; triple engines, cylinders 26-inch, 42-inch, 67-inch, by 51-inch stroke; 2 boilers, D. E., very good; working pressure, 160 pounds; consumption, 27 tons; speed, 11 knots; bunker capacity, 694 tons; donkey boiler; 5 steam winches.
Price, $101,750. Under Swedish registry.

No. 56.

Built (?); steel; dimensions, 277/265 feet by 42 feet by 20 feet; registered tonnage, 1,823/1,099; 1 deck; well deck; 2 holds; 4 bulkheads; dead weight, 3,000 tons; 141,850 cubic feet; 4 hatches; water ballast, 604 tons; draft, loaded, 17 feet 7 inches; triple engines, amidships, cylinders 20-inch, 33-inch, 56-inch, by 36-inch stroke; 2 boilers, S. E., 180 pounds working pressure; consumption, 17 tons; speed 10 to 11 knots; 5 steam winches.
Price, 577,500 kroner. Under Swedish registry.

No. 57.

Built 1907, of steel; dimensions, 287 feet by 44 feet by 19 feet 8 inches; 100 A1, Lloyd's; registered tonnage, 2,152/1,311; 1 deck; 2 holds; dead weight, 3,730 tons; 164,045 cubic feet; 4 hatchways; water ballast, 731 tons; draft, loaded, 18 feet; triple engines, amidships, cylinders 21-inch, 35-inch, 57-inch, by 39-inch stroke; 2 boilers, S. E.; heating surface, 3,248; working pressure, 160 pounds; consumption, 15 best Welsh coal; speed, 9 knots; 4 steam winches.
Price, 501,000 kroner. Under Swedish registry.

No. 58.

Built 1890, of steel; dimensions, 299 feet by 40 feet 2 inches by 20 feet 2 inches; 100 A1, Lloyd's; registered tonnage, 2,631/1,670; 1 deck; 6 bulkheads; dead weight, 3,800 tons; 187,241 cubic feet; 4 hatchways; water ballast, 502 tons; draft, loaded, 21 feet; triple engines, amidships, cylinders 22-inch, 36-inch, 59-inch, by 42-inch stroke; 2 boilers; working pressure, 160 pounds; consumption, 16 to 17; speed 9 knots; steam winches, 4.
Price, 657,500 kroner. Under Swedish registry.

No. 59.

Built 1903, of steel; dimensions, 281 feet 6 inches by 40 feet by 22 feet; 100 A1, Lloyd's; registered tonnage, 2,035/1,309; 1 deck; 3 holds; 5 bulkheads; dead weight, 3,200 tons; 4 hatchways; water ballast, 550 tons; draft, loaded, 18 feet 6 inches; triple engines, amidships, cylinders 21-inch, 35-inch, 57-inch, by 39-inch stroke; 2 boilers, S. E.; working pressure, 160 pounds; consumption, 14 tons; speed, 9 knots; steam winches, 4.
Price, 495,000 kroner. Under Swedish registry.

Mr. FLETCHER. I have here something which I should be willing to have read, but I presume it is sufficient to insert it in the RECORD. The Secretary of the Treasury delivered an interesting address before the Chamber of Commerce of the United States on the 4th of February, which I should like to have inserted in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

ADDRESS OF SECRETARY M'ADOO BEFORE THE CHAMBER OF COMMERCE OF THE UNITED STATES, AT WASHINGTON, D. C., FEBRUARY 4, 1915.

"Before I begin my speech I want to take exception to the statement of your presiding officer that the Secretary of the Treasury is not a seafaring man. He unconsciously betrayed in that statement the ignorance on the part of the American public at large of the functions of the Secretary of the Treasury. The Secretary of the Treasury is the oldest seafaring man in the history of the American Government. Since 1790 the Secretary of the Treasury has been the head of the most unique and gallant and remarkable service known to the history of the nations, the Revenue-Cutter Service. It was the inception of the American Navy, and to-day there is not a sailor who faces the wintry or the summer sea, nor a passenger who is bound homeward or outward upon one of those great ocean liners, who does not feel safer and more secure because he knows that that service, maintained by the American people, is on guard to protect him against the disasters of the sea. And this gives me an opportunity of saying, ladies and gentlemen, that when criticism is made of this bill because the Secretary of Commerce and the Secretary of the Treasury are made members of the proposed shipping board that you are putting men at the head of this commission who do not know anything about the sea or anything about the shipping business, it is an error.

"I am not here to appeal for a place on the shipping board. That is the last thing I want myself—and when I speak of the Secretary of the Treasury I am not speaking of myself, but of the office and of the duties that devolve upon it and of the appropriateness in any enterprise of this character of having these two men, these two Government officials, charged with great responsibilities in connection with the shipping interests of this country, upon that board.

"In the first place, the Secretary of Commerce has charge of all the lighthouses in this country; he has charge of the light-house-tender service of this country, running a fleet of vessels in connection with that service, and he is bound to know something about the shipping business. He comes intimately into contact with it at various points of the compass. The Secretary of the Treasury, in the command and direction of that splendid fleet of 44 vessels, whose value in the aggregate is as large as that of many of the merchant fleets of the world—and greater than any of them in the service that it performs—must have knowledge in very considerable degree of the shipping business. He, with the Secretary of Commerce, enforces the navigation laws of this country. He, in connection with the Secretary of Commerce, deals with every ship's manifest that is filed in this country. I might enumerate the manifold points at which these two great departments come into intimate touch with the merchant marine of all the nations in the world, making it necessary both for the heads of these departments and for their staffs to keep in close connection and relationship with the shipping interests of all the nations that have intercourse with the United States of America.

"Objection has been made against this bill that the Government may make a loss if it goes into the shipping business. I do not think the Government will make a loss. But are we to be determined in our action about great and vital national policies by the question as to whether or not we may lose or make a few hundred dollars or a few thousand dollars?

"Let me illustrate by the Revenue-Cutter Service. In the last year, 1914, it cost $2,500,000, approximately, to keep those vessels in service. Under the regulations of the department no revenue cutter can stay in port over 24 hours without an explanation to the department. Why? Because its function is to keep upon the high seas, to save life and property, as well as to protect our coast against smuggling and other offenses. The revenue cutters, in saving vessels at sea, do a salvage business without charge, and wrecking and salvage companies have complained that the Government is engaged in private business, competing with private wrecking and salvage companies, but should we abandon the Revenue-Cutter Service for this reason?

"In the year 1914 the Revenue-Cutter Service saved nearly $10,000,000 of shipping property in peril at sea, and it saved, in addition to that, 450 or more priceless human lives; and yet, would you say, gentlemen, that the Revenue-Cutter Service should be abolished because it costs this Government money to maintain it? Are we governed by such sordid considerations that nothing should be done by the Government unless a profit is received? Why did we build the Panama Canal, in which we have invested over $375,000,000? Did we do that because we expected to make a financial profit for this Nation? Would we have hesitated to enter upon that great work because we could not see at the end of it an actual money return upon our investment? Where the vital interests of this Nation are at stake, where the lives of its citizens are involved, where the property of its subjects is put in peril by the seas or otherwise, it is the function of government, regardless of cost, to come to the relief of its people.

"And so, my friends, when American commerce is to-day in jeopardy; when, through acts of belligerent nations in which the innocent American people had no part, freight rates are soaring to impossible heights, hampering our commerce, affecting our material as well as our financial interests, affecting, in large measure, the actual life of the Nation itself, I confess that I have no patience with the idea that the American Government must sit with fettered feet and trammeled hands and refuse to protect the American farmer, the American business man, and the American producer in circumstances of this kind.

"My friends, there are times in the life of every nation when it is necessary that every power of the Government shall be exercised to protect the property, the rights, and the lives of its citizens, and this is a time when we must face this issue squarely and when we must not, because of any hidebound

dogma or any academic theories, or any fears that this or that thing may happen, hesitate to go straight forward in the path of duty, and do the things that are necessary to be done, and do them at the time that it is necessary to do them, because remedies are not worth a continental unless they are applied when the disease is at the acute stage.

"Now, we are at the acute stage. Since August, 1914, our commerce has been seriously affected by the conditions which have arisen on the other side of the water. In response to a Senate resolution, the Secretary of Commerce and myself made a report to the Senate a few days ago, and I want to read to you a few things in this report which will convey to you more strikingly than any words of mine can possibly convey, the conditions that affect American shipping interests, American farmers, American manufacturers, and American business men in general who are interested in our export and import trade.

"These letters were sent to the two departments without any direct request whatever for information. They were voluntarily sent in response to the request in the Senate resolution that these two departments, connected as they are with the shipping and business interests of the country, should furnish all available information.

"Garcia & Co., general commission merchants of San Francisco, wrote under date of January 5, as follows:

"We beg to say that we ourselves have shipped in the last two months 500 or 600 tons of dried fruit to New York, through the canal at Panama, for reshipment to Scandinavian ports, and also to Holland. To a great extent these goods have been in New York for a long time, for the reason that our forwarding agents, Messrs. C. B. Richards & Co., could not get any space. It seems that whenever the Scandinavian-American Line are asking higher freight rates, other lines do so, too, and now even the Holland-American Line is asking 100 shillings for 2,240 pounds, while only a few days ago this company asked 45 shillings for 2,240 pounds. These advances in freight rates are made without notice, and even previous engagements have not been protected. So that the shippers, instead of making a small profit on their sales to European countries, are losing money.

"And yet I have heard it seriously contended, although I know I need not discuss such a proposition with intelligent American business men, that freight rates, ocean transportation rates, do not make any difference to our business men, because the man on the other side pays it. There is not a man within the sound of my voice who has anything to do with business who does not know that the cost of transportation is an elemental and serious factor in every business transaction involving the shipment or movement of goods.

"William Haas & Sons, manufacturers and exporters of 'D' shovel handles, Houston Heights, Tex., December 28, 1914:

"For years our entire output has been disposed of abroad, but owing to the present prohibitive tariffs in ocean transportation we are unable to deliver our goods, consequently our plant will remain closed down until such rates are established as will enable us to market our goods. * * * In our judgment a Government merchant marine will solve the problem.

"Charles E. Moore, president Leaf Tobacco Association, Baltimore, Md., December 28, 1914:

"* * * I desire to file with your department an urgent protest against the unwarranted advance in freight rates on tobacco as recently established by the Holland-American Line. Some of our exporting members shipping to Holland points have signed contracts with this company, expiring December 31, 1914, for a rate of $3.50 per hogshead of tobacco. This contract has been disregarded entirely and the rate increased first to $5.25, then to $6.85, and to-day a notice that it will be $7.50 until further notice. This, I repeat, in the face of the written contract for $3.50 per hogshead.

"Gano, Moore & Co., coal, coke, iron, steel, ores, Philadelphia, Pa., December 28, 1914:

"The shortage of vessels is so serious now that it is practically stopping the exportation of coal. We have several orders for coal, principally to South American ports, and it is impossible to secure vessels.

"American Tripoli Co., 'Tripoli' flour, Seneca, Mo., December 28, 1914:

"We have an offer of some orders from Barcelona, Spain, and the first two of the attached letters refer to our effort to get quoted us a rate from New Orleans to Barcelona; and you will see that the steamship company operating steamers to Barcelona refuse to quote rates at all. In the first letter the reason given was that other commodities which permit of a higher rate are being carried, so that our material, which must have a lower rate, is not at all desirable, and they even refuse to quote rates at all. * * * The fourth letter, dated December 18, quotes us a rate of 49 cents per 100 pounds from New Orleans to Havre, France, and for comparison will say that just previous to the European war, on July 3, 1914, we made a shipment at the rate of 18 cents per 100 pounds, a little more than one-third of the rate now asked. This high rate is, of course, prohibitive on a commodity such as ours.

"Inman, Akers & Inman, Atlanta, Ga., December 28, 1914:

"We are paying ocean freight from Savannah to Rotterdam and to Bremen of $2, $2.25, to $3 per hundredweight. Formerly the rates to these places were about 35 cents per hundredweight on cotton.

"W. B. Cooper & Co., cotton merchants, Wilmington, N. C., December 31, 1914:

"Please allow us to indorse the action of the administration in trying to secure boats for the movement of American products. We are frank to say that as a general proposition we are not anxious to see the United States Government get into too many lines of business, but when 3 cents per pound or more is to be paid freight on cotton across the water against 35 cents per hundred pounds six months ago it is time something should be done, in our opinion. (Three cents per pound equals $15 per bale; 35 cents per hundredweight equals $1.75 per bale.)

"T. F. Jenings, hardwood manufacturer, Marianna, Fla., December 28, 1914:

"I am exporting hickory lumber in bundles to Christiania, Norway, and freight rates have become so exorbitant that it is almost out of the question to ship. * * * Now, I am compelled, under the circumstances, to shut down my business if this can not be rectified.

"Funch, Edye & Co., steamship agents and ship brokers, in a letter to T. F. Jenings, Marianna, Fla., December 14, 1914, state:

"We have no room to offer prior to the steamship *United States*, March 11.

"Chattanooga Wheelbarrow Co., Chattanooga, Tenn., December 26, 1914:

"We have been endeavoring for about a month to get a shipment through some of the Atlantic or Gulf ports for shipment to Bristol or Liverpool. * * * We are still holding this carload trying to get booking through some of the various steamship companies, and in this connection would state we have three more cars which we want to get out early in the year, provided we can get them handled from port.

"Brown & Adams, wool commission merchants, Boston, Mass., December 30, 1914:

"We have been unable to make shipments wool from Buenos Aires to Boston or New York since December 15. Very little chance securing freight room for next 30 days account scarcity of vessels. Have over $600,000 worth waiting shipment already paid for. Freight rates when available about 150 per cent increase over last year.

"Ike Manheimer, green and dried apples, Rochester, N. Y., December 28, 1914:

"In connection with the Scandinavian-American Line out of New York (Messrs. Funch, Edye & Co., agents), I have had so much trouble in securing space to Copenhagen and in getting the goods on board steamer, even after the space had been promised, that I was compelled to stop selling goods to Copenhagen. * * * The freight on fresh apples in barrels is almost equal to the value of the apples, and practically prohibitive.

"The Norwegian-American Line (Messrs. Benham & Boyesen, agents) has until recently given me very satisfactory service out of New York to points in Norway, * * * but has now also advanced the rates to the above maximum quotations and notified me within a short time that no space is available until next April.

"American Glue Co., Boston, Mass., December 30, 1914:

"Within the past few days, having a shipment of merchandise to export from this port to Liverpool, we were informed by the carriers that they could not handle same at all on account of having more freight than they could handle.

"Phoenix Iron & Steel Co., Galveston, Tex., December 26, 1914:

"* * * We are shippers of old rails and scrap iron and steel. * * * Steamship companies now either quote abnormal freights or refuse to quote at all, so it is impossible to ship any material, as the freights in some cases amount to three-fourths of the delivered price of the commodity.

"L. & E. Frenkel, importers of electric specialties, New York, N. Y., December 31, 1914:

"We procured orders to ship gas coal to Italy, but on account of the high shipping rates we can not ship it.

"J. D. Kremelberg & Co., Baltimore, Md., December 26, 1914:

"We are shippers of Maryland, Ohio, Kentucky, and Virginia tobacco to Europe, and most of our shipments are consigned to Holland, Germany, Austria, Italy, Norway, and Belgium. At present only shipments to Holland, Italy, and Norway are possible at prohibitive rates. In fact, the latter have become so high that now cable orders, 'Stop buying,' have been received.

"Although we have made a yearly contract with the Holland-American Line—the only shipping opportunity from here to Holland—as per copy inclosed, this line has arbitrarily raised its rates 100 to 300 per cent, and even at the raised rates shipments can be booked only for first available room.

"Rates to Italy also have become entirely too high; i. e., from $4 per hogshead of Maryland tobacco to about $27, or nearly 3½ cents a pound, so that tobacco shipments have become out of question.

"R. M. Bryan, eastern manager of the Black Diamond, New York, December 30, 1914:

"This business (coal industry) has been almost prostrated by the inability of shippers to secure vessels and upon terms that will permit them to make shipments.

"Henry Lauts & Co., Baltimore, Md., December 29, 1914:

"The present rates charged by this line (Holland-American Line) are almost prohibitive and are a decided menace to the tobacco-export industry of this country.

"Industrial Lumber Co., Elizabeth, La., January 5, 1915:

"We have in the past exported considerable lumber to England, Holland, Germany, and some to France. Since the war, however, we have been unable to make any shipments, primarily because of the uncertainty of securing vessels; also on account of the excessive freight rates.

"Danforth Geer, president Walter A. Wood Mowing & Reaping Machine Co., Hoosick Falls, N. Y., January 9, 1915:

"We find, however, that the cost of getting goods to foreign ports and the uncertainty of proper shipping facilities is becoming a great menace and will have a very serious effect on the business that we have in hand and wish to protect.

"* * * We can not but feel that the steamship companies are taking advantage of present conditions to exact rates which are all out of reason and which are unjust and unfair.

"* * * It would appear to us that there never was a more opportune time for this country, either under legislative action or private capital, to create a merchant marine, for lack of which, in our judgment, this country has suffered for many years. We can only hope that some measures may be enacted or some policy created which will relieve the present situation, and in time to affect our business interests this year.

"G. Stallings & Co., Lynchburg, Va., tobacco exporters, December 28, 1914:

"There is a considerable scarcity of steamers flying the American or neutral flags, and unless more ships can be put at the disposal of shippers, causing a general reduction of ocean freight rates, which are now unreasonable, excessive, and almost prohibitive, the export business of this country is bound to suffer greatly.

"M. B. Nelson, general sales manager the Long-Bell Lumber Co., Kansas City, Mo., December 29, 1914:

"I inclose a quotation from ship brokers, issued under date of December 26, showing rates have advanced more than 300 per cent. * * * We now have in pile at port a little over 9,000,000 feet of lumber, of an approximate value of $280,000, all of which is deteriorating and could be disposed of if shipping facilities would permit.

"There are many others in the same condition as ourselves, and we sincerely hope you can do something to relieve the situation.

"Panama Railroad Co., January 15, 1915:

"Our stock (of coal) has been reduced from 90,000 to 40,000 tons, and both the Earn Line and our company are scouring the charter market in the effort to secure sufficient tonnage to carry to the Isthmus the amount of coal it is imperative we should keep there.

"Gentlemen, there are something like 75 letters of a similar character in this pamphlet. I do not want to take your time to read them. I wish, indeed, that a copy of this document might be put in the hands of every delegate here, and if it would not be violating the rules of the chamber I should like very much to have permission to send for distribution among the members of this convention copies of this report, which has been printed and issued as a public document by the Senate. It is entitled 'Senate Document No. 673, part 2, Increased Ocean Transportation Rates.'

"Now, as to the effect of these rates. I should like to summarize them very briefly from this report:

"From the foregoing tables it will be observed that ocean freight rates on grain from New York to Rotterdam have been increased since the outbreak of the war 900 per cent; on flour, 500 per cent; on cotton, 700 per cent.

"From New York to Liverpool the rates on the same commodities have increased from 300 to 500 per cent.

"From Baltimore to European ports, excepting Germany, rates have been increased on grain, 900 per cent; on flour, 364 per cent; on cotton, 614 per cent.

"From Norfolk to Liverpool rates on grain have been increased from 157 to 200 per cent; on cotton, 186 per cent.

"From Norfolk to Rotterdam the rates on cotton have been increased 471 per cent; to Bremen the rates have increased on cotton 1,100 per cent, namely, from $1.25 per bale to $15 per bale.

"From Savannah to Liverpool the rates have been increased on cotton 250 per cent; to Bremen the rates have been increased on cotton 900 per cent.

"From Galveston to Liverpool the rates have been increased on grain 174 per cent; on cotton, 361 per cent; to Bremen the rates have been increased on cotton 1,061 to 1,150 per cent.

"Since this report was written, gentlemen, freight rates have in many instances been still further increased. Now, it is stated that marine insurance and war-risk insurance have added very greatly to these costs. Let me say to you that the marine insurance rates have been increased one-eighth of 1 per cent only since the war broke out, while war-risk insurance rates have been very much reduced. The war-risk insurance rate to Liverpool is only 2 per cent and to Bremen it is only 3 per cent, made so by the Government of the United States, and if the Government of the United States were not to-day in this privatest kind of private war-risk insurance business, gentlemen, the rates of war-risk insurance would be prohibitive, and they might be stopping American ships altogether. And yet in the face of these uncontroverted facts and with the situation growing more acute every day we stand here and talk and talk and talk while American interests are being put daily into greater jeopardy because some people prefer to be bound by a hoary dogma than to have the Government protect its own citizens and the business men and producers of this country by doing for them what private capital refuses to do.

"Now, gentlemen, I had hoped very much when the shipping question came up that it would not be treated as a partisan question. There is nothing that I deplore more than the fact that this question has, by the action of our politicians—and I use the term not in disrespect, but because it is descriptive—I deeply regret that our politicians have succeeded in making this a partisan question, because it is not a partisan question and no man in this hall and no impartial American mind interested in the welfare of this country ought to be influenced by partisan considerations in passing a deliberative judgment upon it. To show you that it is not a partisan question and has never been a partisan question, I want to read you what the Democratic and Republican and Progressive platforms said on this question in 1912.

"The Democratic national platform of 1912 said:

"We believe in fostering, by constitutional regulation of commerce, the growth of the merchant marine which shall develop and strengthen the commercial ties which bind us to our sister Republics of the south, but without imposing additional burdens upon the people, and without bounties or subsidies from the Public Treasury.

"The Democratic Party made similar declarations in 1880, 1884, 1904, and 1908; in other words, since 1880 down to the present time it has declared in favor of an American merchant marine. But the party has always stood against subsidies, and that is a very important point to remember in this discussion, because it has a material bearing upon the possibility of getting any remedy whatever for existing conditions.

"The Republican Party said in 1912:

"We believe that one of the country's most urgent needs is a revived merchant marine.

"But I judge, from what is happening up there on the hill, that they have not read this platform lately.

"There should be American ships, and plenty of them—

"They are not satisfied with American ships; they want plenty of them—

"To make use of the great American oceanic canal now nearing completion.

"They have reiterated those declarations for the last 30 years.

"The Progressive Party, while it did not come out specifically for a merchant marine in express terms, had this to say:

"The time has come when the Federal Government should cooperate with manufacturers and producers in extending our foreign commerce.

"That is one thing in the Progressive platform that I thoroughly approve.

"To this end we demand adequate appropriations by Congress and the appointment of diplomatic and consular officers solely with a view to their special fitness and worth and not in consideration of political expediency. It is imperative to the welfare of our people that we enlarge and extend our foreign commerce. We are preeminently fitted to do this because as a people we have developed high skill in the art of manufacturing; our business men are strong executives and strong organizers. In every way possible our Federal Government should cooperate in this important matter.

"I want to read you now just one more section from the Republican platform of 1900. Here is what they said:

"Our present dependence upon foreign shipping for nine-tenths of our foreign-carrying trade is a great loss to the industry of this country.

"They admitted it was a great loss to the industry of this country.

"It is also a serious danger to our trade—

"Mind you, this was 14 years ago. This fellow had sense—

"It is also a serious danger to our trade, for its sudden withdrawal in the event of European war would seriously cripple our expanding foreign commerce. The national defense and naval efficiency of this country, moreover, supply a compelling reason for legislation which will enable us to recover our former place among the trade-carrying fleets of the world.

"Now, gentlemen, that is a singularly distinct and a singularly prophetic declaration in that platform of one of our political parties—the platform of the party which was then dominant in this country and had control in 1900. Yes, sir; they had control of both branches of the Congress, if I am not mistaken, Senator [addressing Senator BURTON], and they were in position to legislate upon this important question.

"Did they do anything? If so, I have not heard of it. And if they had carried out that statesmanlike utterance—and I am liberal enough always to give my political oppenents, even, credit—if they had carried out that really statesmanlike utterance—because the man who wrote that had the vision of a seer and the imagination of a statesman—if they had carried that out, I venture to say that American commerce, American foreign trade, would be double what it is to-day.

"Of course that is an opinion; I can not prove it; but I am just as satisfied as I am that I am talking here that that would have been the result, and I say that it would have paid the American people to have contributed any reasonable amount for that purpose.

"That brings us back to the question of subsidy. The Republican Party favored a subsidy. Why did they not give us a subsidy? Why did they not do it? They had the power to do it. For 14 years, gentlemen, since that declaration was made, we have sat like knots on a log and done nothing.

"When you have an administration that is willing to do something for the American business man are you going to support it or are you not?

"I am not wedded to Government ownership and operation of anything. I do not want to see the American Government engaged in any activity where private capital, upon reasonable

terms, will come in, but I am opposed to the American Government sitting still in the face of an acute crisis when our vital interests are at stake and waiting for the benevolence of private capital to come in and rescue us from a critical situation, when, for more than 50 years, private capital has refused to do anything to relieve the situation.

"When I think of this shipping business and of the claim of private capital to further consideration, it reminds me very much of that famous colloquy between Weber and Fields in New York some years ago. Fields proposed to Weber—who was always the goat—that they organize a 'skindicate.' Mind you, a 'skindicate,' to go into the shipping business. After some parley Weber said, 'Vell, vhere do I come in?' Fields said, 'Vell, I furnish ze ocean and you furnish ze ships.'

"Private capital has furnished the ocean for 50 years, but who has furnished the ships? Our foreign competitors, who master the seas and who to-day have the entire power to destroy American commerce or to retard it, as they see fit, because they can lift the rates over night and there is no power to control them—and they are doing it over night and putting them at such prohibitive figures that they can stop any export they want to from this country to-day. And we sit here and gabble about whether the Government shall or shall not come in and relieve the situation.

"Eleven hundred per cent! Why, even a banker would call that excessive. And they put that on cotton, when the poor people in the South are groaning and grinding under the load that was saddled on them by the first cannon shot that echoed throughout Europe; and we sit here and talk about the Government not coming to the front and doing something to relieve the situation.

"What is government for? Is it something in a straitjacket? Is it sitting in a corner like a concrete thing with palsied hands, afraid to act, or is it something vital? Is it a flexible instrument in the hands of the people of this country, to be used within constitutional limitations for their relief and benefit? Is it intended to be something to act in this emergency, something to come to the front and do things for the American people when private capital can not be commanded or commandeered or persuaded for that purpose? Why, my friends, it does not seem to me that there is room for argument. This shipping bill seems to be a matter of such vital consequence to somebody—I am not questioning motives, gentlemen, and I do not want you to understand me as indulging in innuendo, because I do not; I impute no motives to anyone; I no not believe in winning that way. I would not get a vote out of this Chamber in favor of this bill by an argument that I felt would be demeaning to myself or to the Government, but I do want to say with all the sincerity that I can command, that for some reason somebody is more concerned about the Government not relieving this situation than they have been about anything that has come before the American people within my lifetime or within my knowledge, except the currency bill.

"Now, I want to say this about the currency bill, and it is very apropos. We talked about a revision of the currency for something like 30 or 40 years. In the meantime we sat still and did nothing. We literally did nothing except talk. While we talked we paid the penalty in untold millions of loss, in panic after panic, for our stupidity and our lack of courage. Finally this administration took hold of the currency question. The section of the country to-day that is most opposed to this shipping bill was most opposed to the currency bill. I believe it was because they did not understand the measure. They did not know what the currency bill meant, and we had to fight every night and day for nearly six months—continuous fighting—to get the Federal reserve act passed; and I want to read you just one little paragraph in connection with the Federal reserve act from a speech which was made in Congress about a month before it was passed. [After glancing at speech referred to.] Why, this was made only 10 days before it passed. Here is what was said:

"I say that this bill presents a financial heresy twice repudiated by the people of the United States. I say that the central reserve board appointed under this bill will have to represent that very heresy. If this bill passes as it stands, America stands to lose all she saved when Grant vetoed the inflation bill, all we saved when Grover Cleveland abolished the silver purchase, all we saved when we elected McKinley, all the Republicans and all the gold Democrats saved when they helped in the repudiation of the vital principle which has been put into this bill.

"That rather startling declaration had relation to the character of the Federal reserve notes, and the earnest and solemn statement made with impressive warning to the people of America in this very speech was that the Federal reserve notes were fiat money or greenbacks! And yet there is nothing in this country, not even a Government bond—I say it advisedly, because I know; this is one thing I really know—that even a Government bond is not as secure as a Federal reserve note. It has not got as large assets back of it; no Government bond has. And yet this gentleman solemnly warned the American people that these notes were greenbacks, and that they were going to repeat the very financial heresy which for years had been prevented from being grafted upon the people of this country.

"Who do you suppose made that speech? One of the most distinguished men in the Republican Party—a man for whose ability and intelligence I have the greatest respect. That man was the senior Senator from the State of New York—Senator ELIHU ROOT; and that is what he said about the currency bill 10 days before it was enacted into law.

"I want to read you, gentlemen, what I happened to see the other day in a paper that I read every once in a while, to see if I am getting too progressive—because this paper is so reactionary that it is enough to pull a fellow into a hole if he will read it long enough. Here is a paper that fought the Federal reserve act from A to izzard—one of many. I am told that the sentiment against the shipping bill in the city of New York and in the city of Boston is unanimous. It does not surprise me. The sentiment in each of those cities was similarly unanimous against the Federal reserve act. It is due to the fact—— [Cries of 'No!' 'No!']

"I say I am told so. I am glad to hear you deny it, gentlemen, because I got this from some politician or some newspaper, and whenever a politician or a newspaper tells me anything I am inclined to believe it! I am glad to hear that it is not accurate.

"Here is what this paper said the other day—the Federal reserve banks had been in operation for only two months—and here is what it said:

"The Federal reserve bank is the reliance of the present—

"My goodness, what has happened to this fellow?—

"and the promise of the future.

"Think of it! In a year absolutely turned around, admitting that the administration knew what it was doing when it passed the Federal reserve act. He says:

"It is the promise of the future, as the clearing house was in the past—

"The clearing house does not come within a mile of the Federal reserve act—

"Its first report is the starting point of a new banking dispensation, in which panics are to be prevented rather than cured. In some respects the Federal Reserve System is the enactment of the clearing-house system.

"Of course they do not like to say unreservedly that they did not make a great impression upon the character of this bill, and therefore they want to tell us it is rather a beautified clearing-house system; but it is deeper than that.

"I will not read any more of that. It is significant of the change of opinion that has come over the country since that act was passed; and yet, my friends, let me say to you that if that act had not been passed and nothing had been done with our currency system—and I speak somewhat advisedly, because I think there has not been a minute of the time since that fateful day in July last when the first declaration of war was made in Europe to the present time when the great department over which I have the honor to preside has not had to be intimately in touch with every part of financial business in this country—I say to you advisedly that if it had not been for that great measure, that great constructive measure, the Aldrich-Vreeland bill, even as modified by that act, would not have saved this situation, and there is no telling what penalty the American people would be paying to-day for the neglect of the American Congress to give them that very vital and necessary measure of protection. I violate no confidence, gentlemen, when I say that if it had not been for President Wilson standing almost single-handed and alone against the advice of many strong and influential men in this country, who earnestly and honestly believed, as a matter of judgment, that the Congress ought to adjourn after the passage of the tariff law, this act might not have been upon the statute books even by this time. But it was because, with that singular prescience of his, a singular power, a wise divination, so to speak, he insisted that the Congress remain in session until action was taken upon a measure which was absolutely vital to the business interests of the people of this country, that this great law was passed.

"My friends, am I unreasonable when I say to you that the gentlemen who are so strenuously opposing the shipping bill may be similarly mistaken? The opposition comes from the same interests that denounced the currency act. What possible harm can come to you business men—I want somebody to answer this—what possible harm can come to you business men if the

Government steps in in this emergency to relieve the situation, to protect you against the eventualities of war, to save your commerce and your business. Because I tell you now, and I make the prediction with confidence, that if this bill is not passed there is not a man in this audience who will not rise up and denounce himself inside of 12 months because he would not allow us to do the things that were necessary to save him.

"What carries your commerce to-day? What is the protection of American commerce to-day? It is the flag of one nation—a nation involved in war, at that—the British flag. That is the only thing that stands between you and complete cessation of your export and import trade. I mean almost complete cessation, because more than 50 per cent of the bottoms in service to-day upon the seas sail under the English flag. Once you put that flag in more serious jeopardy than it is to-day, what is going to happen to you? What will happen to you? You may have a complete cessation of your export trade. Do you know what that means? It means disaster throughout this country; it means absolute disaster, because if you are deprived of the opportunity of selling your surplus at reasonable or profitable prices, what are you going to have at home? Simply panic and disaster and trouble. Yet, when the sure salvation of your situation is to let the Government come in and do this thing in your interests, you hesitate.

"Since I have come to Washington there is one word in the English language with which I have become more familiar than any other, because it is the one word that is used most. I say that advisedly. I use it myself too much, and every time I use it I get ashamed of myself. You can talk to any man about anything and the first thing he says is 'I am afraid of so and so and so and so.' He is afraid of something. Where is the courage of the American Nation? Where is that virile power that has made this American Nation great? Has it disappeared? I do not believe it. We are not afraid of anything, my friends, so long as we walk the path of rectitude and justice as a nation, and we intend to do that; and if this shipping bill passes, all this talk about getting into international difficulties is mere twaddle. Why, my friends, there is no more danger of getting into international difficulties if this bill is passed than there is that I will pick up the Washington Monument and walk across the Potomac River with it. Let us get rid of this bogy now and forever. The American Government is going to stand upon its plain rights, which are the rights of justice and neutrality, and if there is a man in the United States of America who is a firmer friend of peace or who has stood more strongly and courageously for it than the President of the United States, I would like to be introduced to him.

"Now, gentlemen, on the question of international relations I wish to say this: I do not know of any protests that have been filed by any foreign Government against this shipping bill. This is a matter of domestic concern, in which no foreign nation has the right to say one word. This is a matter of policy for this country alone to determine. The execution of that policy is another question. The execution of that policy means that we have to observe the rules of international law and the conditions of neutrality. That being done, nobody can complain. Can this Nation ever surrender to anybody the power to protect itself and its own citizens? Who proposes that—who means it seriously? I do not believe that any man could mean any such thing seriously; and yet there are speeches in Congress where it has been seriously suggested.

"Why, the historic position that this country has taken ever since its existence is in favor of the right to do the very things that we are attempting in this shipping bill. But if anybody is sensitive about the exercise of that right, let me call his attention to one or two things that have been done. Shortly after the war began, recognizing the serious and grave situation that confronted this country, because of the paralysis of shipping and the complete disorganization of international credits, the Secretary of the Treasury on the 7th day of August, three days after the first serious effects of the involvement of all of these nations in war had become apparent, issued a call to the country asking for the cooperation of the responsible bankers and business men and shipping men in an effort to accomplish two things: First, to restore our shipping so that grain, which was piled up in every port on the Atlantic and Gulf seaboards, could be moved; and, second, to reestablish foreign exchange upon a normal basis. In response to that call, gentlemen came to the Treasury Department representing in the highest degree the business interests of this country. I wish I had time to read all their names to you, but I am obliged to read just a few. Among them were Mr. J. A. Farrell, of New York, and Mr. P. A. S. Franklin, of New York. Mr. Farrell is the president of the United States Steel Corporation. Mr. Franklin is the vice president of the International Mercantile Marine Co. Mr. Bernard Baker, of Baltimore, well known in the shipping world, a gentleman who has no interests of any kind in the shipping business, and who is interested in this great question purely as an American citizen, and who knows the vitality of the question and the necessity of acting promptly upon it, was also present, as were also Mr. Robert Dollar, of San Francisco, Mr. Hemphill, of New York, and many other prominent men, including President Fahey, of Boston, who is now the president of this Chamber of Commerce of the United States.

"Now, gentlemen, that conference passed several resolutions. I am going to read you two that have a bearing on this question:

"*Resolved*, That this conference urge the United States Government to establish a bureau of war-risk insurance, to be administered under the direction of a suitable Government department by a board of three or five members, which shall assume the risks of war on American vessels and American cargoes shipped or to be shipped therein whenever, in the judgment of the board, it shall appear that American vessels or shippers in American vessels are unable in any particular trade to compete on equal terms with the vessels or shippers of other nationalities by reason of the protection offered such other carriers or shippers by arrangements for indemnity through their Governments; and that such board have power to fix rates of premium.

"That resulted in the enactment of the war-risk insurance measure to which I have already referred.

"*Resolved*, That the present opportunity to extend American foreign trade and the opportunity now to begin the creation of a mercantile marine under the United States flag is so great that this conference appeals to Congress by immediate and effective legislation and by necessary changes in our navigation laws to make it possible for our citizens, without discrimination, to buy and operate ships under American registry in foreign trade on equal competitive terms with all other maritime nations.

"Those were significant declarations by men prominent in the business and banking world, most of them not Democrats in politics—men willing to put aside partisan considerations and come here to Washington and ask this Government to go, first, into private business for the purpose of protecting the shippers of this country, because war-risk insurance in times like these is just as essential a part of the shipping business as the steel plates in the hull of the vessel, and no vessel will go to sea without war-risk insurance any more than it would go to sea without a crew. And here they ask this Government to go into private business to protect the American business man. When that matter came before Congress it was voted for by Democrats and Republicans alike. It was passed by a yea-and-nay vote in the Senate, and the distinguished Senator from Ohio is one of the men who voted for it, or, at least, he is not recorded against it. There was opposition in the House, led by Mr. MANN, the Republican leader, but the measure was overwhemingly passed, and a day or two after that the War Risk Bureau was started. It was made a bureau of the Treasury Department and is actually doing business in insuring American ships.

"Now, they say that the Government can not conduct any business without a loss of efficiency and without extremely great expense. Let me call your attention, gentlemen, to what has happened in the war-risk business. Now, this is mighty private business. It collides with other people who are in the war-risk insurance business. But it was justified. It was the right thing to do. They may say, 'Well, that was only a temporary measure, because it has to expire with the war.' Of course it has to expire with the war. What is war-risk insurance for except for use while the war is in progress, but the principle is the same.

"We have issued up to February 2, 1915—the bureau went into operation on September 2—nearly $48,000,000 of insurance upon American ships and cargoes, and we have kept the rates down. The premiums we have received to date in actual money paid into the Treasury of the United States amount to $1,250,000. Earned premiums to date on expired risks are $397,897, and we have not made a loss yet.

"Now, gentlemen, suppose we had said, 'Oh, well, we will reject this; we can't afford to have the Government engaged in private business,' just as they are saying about the shipping bill: 'You are bound to run this thing at a loss. You will involve the American people in a loss.' Suppose we had done that. Where would we be to-day? I hesitate to tell you what would have happened to the commerce of America if this had not been done. What do you suppose it has cost us to run the bureau up to this time? Mind you, we have taken in $397,987. You would think $50,000 very reasonable for handling the bureau during that time, wouldn't you? It has cost us exactly $6,449.68 to do the business.

"Did we put any conditions in the war-risk insurance bill that we must not issue an insurance policy on an American vessel unless we had the consent of some other power? Not a bit of it. It is our business. We have a right to do this thing. But they say, 'If you are going into the ship business, you will get us into trouble.'

"My friends, when the Government of the United States insures the cargo and the hull of a vessel a policy is issued under the seal of this Government and signed by its responsible executive officer insuring that cargo, and when a vessel and cargo are seized and taken into a prize court this Government has a direct interest in the issue. We insure as much as a million dollars upon any one hull and cargo. Suppose a vessel is seized, as I said before. A million dollars is the equivalent of four good tramp steamships. You could buy four good tramp steamers for a million dollars. So we have, analogously, four ships under this flag belonging to this Government in a prize court in a foreign country. Are we afraid of it? Certainly not. When the Government goes into the war-risk insurance business it goes in as any citizen would go in. It divests itself, to a certain extent, of its sovereignty, because it is engaging in private business; and that is one of the most extreme cases I could cite where a Government has directly gone into a business which might involve it in such complications as these gentlemen fear. But it has no elements of danger, because we expect those cases to be determined in the same way as if they affected any citizen of the world, by the decision of a just prize court, and we can not complain as long as we get justice—and that, of course, we will get.

"We passed a ship-registry bill. There is a lot of cry about free ships. They say, 'Just give us free ships; that is the remedy.' Do you know that you have had free ships since 1912? What effect has the ship-registry bill had on our commerce? Nothing; literally nothing.

"Do you know that under the Panama Canal act you get 'free ships,' and that everything that enters into the furnishing of a ship is 'free'? And yet American capital has not come forward to do anything. Do you know why? The Chamber of Commerce of New York made a report by their experts—I know they are experts, because they say so over their own signatures. They made a report in which they said it cost from 5 to 10 per cent more only, not 40 or 50 per cent, as is commonly understood and alleged as a reason for giving a subsidy to American ships. They said it cost from 5 to 10 per cent more only to operate an American ship as against a foreign ship. You can buy them free in the markets of the world to-day, and operate them in our commerce, except in our coastwise trade. You can buy a ship anywhere and do it.

"When this war broke out a number of American citizens had ships, which they were operating under the British or some other flag—mostly under the British flag. They were anxious to have the law changed to such an extent that those ships could be transferred or that they could buy ships and transfer them to American registry, and they asked us to support such a measure. We did support it, and the distinguished Senator from Ohio, if I am not mistaken, voted for it, and Senator Root voted for it, and nearly every Republican in Congress voted for that measure, which went promptly upon the statute books. These American shipowners did not want to transfer their ships from a belligerent flag to the American flag because they loved our flag; they transferred them because it saved them from possible capture by hostile cruisers. It may cost them a little more to operate them under the American flag, but they pay this for safety—for insurance.

"When we passed that law we put it in the hands of any American citizen to buy a ship of any belligerent flag and transfer it to American registry. We have given any citizen the power—a power that our opponents now hesitate to give to the President of the United States, who has not a motive on earth except to serve you and to keep this country out of trouble—we have given to any citizen a power that these gentlemen are unwilling to accord to the President of the United States under this shipping bill.

"You know that individuals, for self-interest or for some other reason, may collusively or in bad faith transfer a ship. They may transfer it to our registry for some purpose that is not square, that is not fair, and if they did the American Government has got to come to the front and make diplomatic representations in order to protect the man who does that, because his ship which we permitted to come under American registry flies our flag. We have got to make representations. So far as that transfer is bona fide it is recognized in international law as being a proper transfer. The burden of proof rests upon the man who effectuates that transfer to show in a prize court that it was bona fide. But the Government of the United States would have to intervene through diplomatic channels in each of such cases and see that its citizens and the ships under its flag got justice in that prize court.

"My friends, when the Republicans in Congress and the Democrats in Congress and the Progressives in Congress voted for this ship-registry bill, did they attach any condition to it that no American citizen or other person should transfer a vessel bearing the flag of a belligerent to American registry, unless we first got the consent of some foreign government? No, sir. And yet in the shipping bill, where we confer upon the President of the United States the power to determine whether any ship bearing a belligerent flag shall be bought, they say they are so afraid that he will do something to involve us in international difficulties that they can not trust him. They would rather surrender the vital American right to protect our own people than to trust the President of the United States, although they are willing to trust an individual.

"I speak with some diffidence about the President of the United States, gentlemen; I speak with diffidence because I have recently had the rare fortune to become a member of his family, and I would not speak of him to-day if it were not well known that the views I now express of him I entertained for years before I ever had any thought that any such great good could come to me. There is no man, if that power is intrusted to him, who will exercise it more wisely, who will exercise it more justly, who will exercise it with greater regard to the rights of every belligerent nation and every neutral nation, who will exercise it with greater fidelity to the interests of the people of this country and to the business men, the farmers, and producers of this country than the President of the United States. Can you trust him? Can you trust him in this shipping bill?

"Gentlemen, there is not an act that this shipping board can commit without the approval of the President of the United States; and more than that, let me say to you that when you talk about limiting or restricting the powers of the President of the United States with a view to preventing him from doing something that might imperil the peace of this country, let me ask you what you mean by conferring upon him the supreme powers of commander in chief of the Army and Navy of this Nation when, without consulting anybody, if he were not wise and prudent and just and honorable and peaceful, he could plunge this country into war in five minutes, and you could not say a word; and yet you hesitate to trust him to buy a few paltry ships for the protection of American commerce. It is not worthy of consideration.

"I want to call your attention to this fact: We all admit the necessity and we admit the opportunity. The report of the Chamber of Commerce of the city of New York admits the necessity and the opportunity. The report of your own chamber admits the necessity and the opportunity—the necessity for dealing with the emergency in the first place, and the opportunity for extending our trade in the second place. To the south of us lies the great southern continent, seeking to establish trade relations with us; seeking to strengthen our social relationship; seeking to extend its financial relationships in this country, and depending absolutely and wholly upon transportation to bring about those great results.

"If we do not give them transportation, gentlemen, what is the use of establishing branch banks in South America and expecting them to compete with English banks or German banks or any other banks? What is the use of our merchants trying to do business in that country if they have not the transportation? They must not only have transportation which will put them upon a parity with other nations in the matter of rates and quality of service, but also in the matter of time, because time is of the very essence of trade and commerce. You can not do business on a freight train when your competitor does it by express. If he does it by express, you have got to use the express or get out of the field. Is that not true? I ask you as business men if that is not true? South America does business with Europe on an express basis, while we do little business on any basis with South America.

"I am afraid I am exceeding my time very much, Mr. President, but I beg your indulgence for a moment or two more. I want to tell you what the ambassador of one of the greatest nations of South America said not long ago in a speech at Boston—Dr. Naon, a most able and distinguished diplomat, and one of the most progressive men from his own great southern continent. He said:

"Let us see, now, what practical method could be adopted for supplying these needs and increasing the amount of our international commerce. There can surely be no better authority in this regard than the official word of the Argentine Government as cabled some days ago to him who has the honor of addressing you at this moment. In this cablegram my Government says in brief:

"'Our products are being exported without increased difficulties, but a scarcity of bottoms is foreseen in the near future for the transportation of our products.'

"This speech was made last December. He continues:

"A very efficient means of overcoming the difficulty would be if vessels were to come from that country with the usual cargoes, namely, unrefined naphtha, woods, iron, machinery, and other agricultural imple-

ments, petroleum, furniture, lubricating oils, typewriters, machines, etc., these vessels would return with our products, such as refrigerated meats, wool, hides, quebracho, tannin, live stock, etc. American manufacturers could step into the place left by European industries in all branches formerly supplied by them, such as coal (Argentina depends wholly upon the imports of coal), steel rails, galvanized iron, wooden goods, pig and sheet iron, machinery in general, cement, locomotives, railroad cars, refined sugar, automobiles, galvanized iron or steel wire, rail joints, sheet zinc, cotton fabrics, printing paper, electric wire and cables, iron pipe of all kinds, manufactures of iron and steel, household articles, woolen clothing, etc. The present moment offers to manufacturers of such articles most advantageous opportunities for openings, taking advantage of the shutting down of the European markets.

"Then he goes on to speak of the difficulty of securing vessels, and he even goes so far as to say that the Argentine Government itself would be willing to cooperate with this Government in the establishment of suitable steamship lines to take this trade. He goes on to say that there are $100,000,000 of trade in Argentina seeking American treatment, and yet we are hesitating to do the thing that is necessary to make it possible for us to take it, and not only to take it but to keep it.

"Let me call your attention to the fact that the Panama Railroad & Steamship Line has been operated for 12 years by this Government under the supervision of the War Department. Here is a private corporation engaged in the steamship business and railroad business, the steamships running from the city of New York to the Isthmus, and running at a profit, and as well handled as any steamship company in this country or anywhere else, for that matter. The Panama Railroad & Steamship Co. is a private corporation, of which the Government owns the stock. The Government owns every share of that stock. Its directors are chosen by the Government. It is operated under the supervision of the War Department. The War Department does not make the rates on the Panama steamships. The War Department does not handle the details of operation. It selects a competent board of directors, such as any other private corporation has, and that board of directors selects experts to operate those ships, and they have been successfully operated for 12 years under the supervision of the War Department. We were put into that private steamship business by the Republican Party, and it is to their credit, and I give them credit for it, because it was a necessary and a desirable thing to do, both in the interest of American business and in the interest of the construction of the Panama Canal. The canal has been completed. What are you going to do with those ships? Are you going to give them away? Are you going to require the Panama Railroad Co. by act of the Congress to turn those ships over to the War Department or the Navy Department, to be used solely as reserves, at great expense to this Government, instead of keeping them occupied in trade, as every other intelligent nation does, so that they will not be an expense to the Government, but a profit, and so that we may have them ready for use as naval auxiliaries in time of war? Or are you going to say, 'No; we can not stay in this private business. It offends our every sentiment as the proper agency of government. We are going to get rid of this thing at any cost and get back to our hoary dogma and hug it to death'?

"My friends, where have American intelligence and courage gone? Have they deserted us? I do not believe it. We want to deal with these questions as practical and courageous men. We have to keep that steamship line going. Whether we pass this shipping bill or not, it must continue to be operated in the interest of American commerce throughout Central and South America. The rates of freight have always been reasonable, and I will venture to say that during this period, when extortion has been practiced with a high hand upon American commerce, the Panama Steamship Co. has not raised a single rate an iota of a cent.

"We have been in private business in a great many directions. We have recently passed the Alaskan bill to build a railroad in Alaska. Why did we do that? Because private capital will not develop that great Territory, a Territory whose development is necessary in the interest of the commerce of this great country. We are more justified in going into a Territory for a development of this kind than into a State, because the Territory is the common property of the people of the United States and it is essentially a national function that we should develop it, if we can not get private capital to do it upon reasonable terms.

"You have to make up your minds to one of two things: You either have to let the Government organize this shipping corporation and let it take care of American commerce and protect you, or do nothing to protect the commerce you now have. Recently German submarines have appeared in the English Channel, and even off the coast of Ireland, sinking British merchantmen in which your cargoes are being carried, and that menace is likely to continue longer and grow more dangerous. The only protection to your commerce is to put the American flag upon these ships.

"You have either to adopt this shipping bill or you can do nothing except sit still and submit to robbery and the jeopardy of war. Which will you choose? The Democratic Party can not under its platform adopt any plan involving a subsidy. It is useless to talk about it. You could not get within a thousand miles of a bill that contained a subsidy, so far as the Democratic Party is concerned, and as it has power in both branches of Congress, the only alternative is to continue your commerce under foreign flags, subject to all of the incidents and hazards of war, or to adopt this bill.

"Your committee makes a suggestion to the dangers of which I wish to call your attention. They propose that a Federal shipping board be organized; we do it under this bill. They propose that our navigation laws and regulations be altered; the bill provides for that. However, the point of difference is that they propose that the Government shall organize a marine development company in which the Government shall be the sole stockholder, and that this marine development company shall engage in the business of guaranteeing mortgages issued by private corporations; and this same suggestion emanates from the city of New York. My friends, where are we going; whither are we tending? A proposition of that character from the ctiy of New York! The mortgage companies in the city of New York—the private business of guaranteeing the mortgages of corporations or of individuals upon real estate or anything else—you propose to put the Government into competition with, in the most private kind of private business. You also ask us under this plan to have the Government make direct loans to shipping corporations or shipping firms. Do you know what that means? It means that the Government must lend money direct to anybody. There never was a more dangerous experiment or expedient on the face of the earth that could be adopted, and I do not believe any American business man or any intelligent American, if he will study the question for 15 minutes, will stand for it a single second.

"Last fall, when the conditions in the South were so grave and so serious, the price of cotton was down to 5 cents a pound, and a great disaster confronted the southern people. We were asked to sanction the issue of $250,000,000 of greenbacks or the sale of $250,000,000 of Government bonds to put that money into the Treasury of this Government and to lend it to farmers upon their cotton. I had to stand against it, although I am from the South—and I hated to do it, gentlemen, so far as the effect was concerned; but I could not, as the representative of this Government, standing on guard at the doors of the Treasury of the United States, advocate any such action. Once you adopt this plan and put the seal and the sanction of the sound business men of America—you sound business men who represent every section of this country—upon a proposition to lend Government money direct to any corporation or any individual, you might as well take the doors down from the National Treasury and involve the entire credit of this Government, because, I tell you, it will be extended everywhere.

"Let me give you an instance of what has happened. In 1837 we had $38,000,000 surplus in the Federal Treasury. It was during Mr. Van Buren's administration. We were so concerned about that surplus, it was so much money, that there was a great 'row' in Congress to know what to do with it. They did not know what to do with so much money. It became a political question. They finally voted to lend it to the States. You would think that the credit of the States and their obligations to pay were the most reliable assets you could possibly have. I mean, you would think that such obligations were the safest investments you could possibly have. Congress passed a resolution to distribute that money among the States and take back their demand obligations. To-day the Treasury of the United States holds $28,000,000 of the demand obligations of the richest States in this Union—New York, Ohio, Pennsylvania, Massachusetts, Georgia, Alabama, Tennessee—every State that was in the Union at that time. We have those demand obligations in the Treasury of the United States to-day, money loaned by this Government to these States. What happened? After we had given them $28,000,000 a panic struck the land. The act directed that the money be distributed to them in four installments. After the first three had been paid a panic swept the land and the Secretary of the Treasury, the National Treasury being in need of these funds, called upon the different States to pay back, and the representatives of all of these States in Congress passed a resolution, which is on the statute books to-day, preventing the Secretary of the Treasury from collecting these debts until further directed by Congress. The Secretary can not move a peg to collect that money, because they put this inhibition upon the statute books:

"Until further directed by the Congress, the Secretary of the Treasury shall not call these loans.

"Yet, gentlemen, when we can not get a State of the American Union to pay its just debts to the Government for money loaned to it, you ask us to stand for a proposition to lend money to private corporations or individuals upon the security of mortgages.

"Never on the face of the earth; and I tell you, gentlemen, if you ever enter upon it, you will have to lend it upon railroads and every other enterprise. Bills are referred to me asking that every conceivable sort of scheme be approved, submitting them for the judgment of the department, for raids upon the United States Treasury in the form of actual loans to be made by the Treasury of the United States on this thing and that thing—farm loans, loans upon houses built by workingmen, and so on. They are all entitled to consideration if we are going into the money-lending business. We will have to lend it to everybody. You can not discriminate under our system of government. Everybody must tap the Treasury till if you adopt any such resolution as this.

"There are many things that I wish I could say to you, but I am trenching upon the time of the distinguished Senator from Ohio. I want to thank you heartily for the courtesy you have extended to me, and to thank you all for the opportunity you have given me to speak to you, and for the very patient hearing you have accorded me."

Mr. ASHURST. Mr. President, I ask leave to insert in the RECORD an editorial on "Government-owned merchant ships," appearing in La Follette's Magazine, signed by the Senator from Wisconsin [Mr. LA FOLLETTE].

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

GOVERNMENT-OWNED MERCHANT SHIPS.

The bill for Government-owned ships to aid in carrying our products to foreign markets has been buried under a mass of bitter partisan discussion. This has been cleverly managed by Republican Senators who are hostile to public ownership of any public utility.

One after another they have pounced upon the President and the policies of his administration with a fury calculated to fire party feeling and carry some Republican Senators of progressive tendencies into opposition to the bill as an administration measure.

Hence day after day the bill is ignored, while the tariff and currency, the war tax and business depression, idle mills and idle men, the President's Indianapolis speech, his "hostility to business manifested in legislation," his "surrender to monopoly in naming captains of finance and industry to administer the laws enacted to regulate monopoly"—these have furnished the principal subjects for discussion and for slashing criticism in the long hours of this filibustering debate.

A few statesmen of the archaic type have spoken against the bill. No one listened, and no one will ever read their speeches. For the most part they were the product of another age. It was almost pathetic to witness their efforts as they stolidly toiled through masses of worn-out arguments and obsolete "facts" against Government ownership and operation of public utilities. But at least these "elder statesmen" had the merit of frankness and sincerity in opposing the bill.

But mark the course of their more astute colleagues. I speak now of those distinguished opponents of the bill who with superior skill and cunning spent little time arguing against Government ownership, but with a great show of mingled wisdom and mystery, in throaty and awe-inspiring whispers, admonish us to beware of war! war! war!

It was just before the beginning of the debate on this bill that these same Senators were arraigning the President for his Mexican policy of "watchful waiting." It was stigmatized as puerile and cowardly. The echoes of their censure have scarcely died within our ears. It seems but yesterday that they were denouncing the President because he would not make war on Mexico, to protect the dear property rights of big American business. And to-day these same Senators profess to believe and would have the country believe that back under cover, behind this bill, the President has some dark and sinister plan to force a war with the allies.

If war is lurking anywhere in this proceeding, it must be behind the bill. It is not written in its terms. It can not be found within its four corners.

Ah, but say these suspicious gentlemen, this bill by its terms gives the Government the right to buy vessels as well as to build vessels in which to carry our products to the waiting foreign markets. Now many merchant vessels owned by German companies have taken refuge in our harbors. As Great Britain commands the sea, they can not escape capture were they to venture forth while the war is on. Naturally the German owners desire to sell such vessels.

For 125 years the United States has maintained the doctrine that a citizen of a neutral nation has the right to buy merchant vessels, as he has the right to buy merchandise, of the citizens of any country in time of war as in time of peace; that this is a sovereign right which inheres in every government in conducting its commerce, and, as asserted by Caleb Cushing, Attorney General in 1854, in this we have the support of the authoritative writers on the public law of Europe.

The decisions of our Supreme Court, the opinions of American jurists, and the policy of our Department of State have uniformly sustained this contention. It is an invaluable commercial right, and the administration that surrendered it would be justly denounced as cowardly and un-American.

To maintain this sovereign right on principle is one thing. To wantonly and unnecessarily provoke a controversy regarding it at a time or under conditions which would involve us in serious foreign complications is quite another thing.

Great Britain has always maintained the same view of this sovereign right that our Government has adhered to. But it is now to her interest to take the other side, and she promptly does so. She now asserts that she will contest our right to purchase any interned German merchantmen.

Such a contest, if one were to arise, would go first to an English prize court. If her court were to reverse its former decisions and sustain her foreign office in its new contention, the matter would then become a subject for diplomatic correspondence. If not adjusted by departmental agencies of the two Governments, we would then demand that it be submitted to arbitration, as we have the right to do under our arbitration treaty with Great Britain. It will be seen, therefore, that there is a peaceful and orderly way in which any controversy that might occur would be settled.

It should be stated that Senator ROOT, of New York, advanced the contention early in this debate that our rights as a neutral to purchase the interned vessels of a belligerent were surrendered by article 56 of the Declaration of London This declaration is a draft of rules and regulations for the government of an international prize court. It was framed by a convention of delegates representing the participating Governments which assembled in London in 1908. The claim made by Senator ROOT was shown to be without any foundation whatever by Senator WALSH, whose able argument exposed the entire subject, first, because the convention "was never ratified by Great Britain, and as the ratifications of those powers which indorsed the work of their delegates have never been exchanged, it has not become obligatory as a treaty"; second, the representatives of Great Britain who participated in the London conference, in their report to Lord Grey themselves construed article 56 as "in accord with the rules hitherto enforced by British prize courts." They further stated specifically regarding the transfer of the vessels of belligerents to a neutral that "transfers effected after the outbreak of hostilities are good if made bona fide." Furthermore, Great Britain has issued three proclamations since the beginning of the European war giving notice that she would not be bound by the terms of the London declaration as to many of its important provisions. In this proclamation she has been followed by the allies. As stated by Senator WALSH, "it is accordingly idle to assert that the declaration of London, so contemptuously treated by the allies, can be appealed to by them in justification of any course they may take in the present war, or even that it can justly have any persuasive force in the ultimate determination of our right to purchase the interned ships."

No claim for the London declaration has been advanced since Senator WALSH made his argument.

Our right as a neutral government stands, therefore, as established and maintained in many notable contests. Naturally, President Wilson's administration can not assume the responsibility of surrendering a right which has been sustained by the opinions of our ablest jurists, an unbroken line of decisions by our courts, and the uniform policy of the Department of State declared by such eminent authorities as Secretaries Marcy, Cass, Fish, and Evarts

Wilson will not plunge this country into war. At the head of a Nation that stands for peace, he has guarded our neutrality with noble care. He has been first to anticipate possible trouble, and quick to speak the word of admonition to avert it. With almost the first clash of the great conflict came his solemn appeal to the people to refrain from any act or utterance which might inflame partisan feelings. Mark his words:

"The United States must be neutral in fact as well as in name during these days that are to try men's souls."

And again, I feel sure it is the earnest wish and purpose of every thoughtful American that this great country of ours, which is, of course, the first in our thoughts and in our hearts, should show herself in this time of peculiar trial a Nation fit beyond others to exhibit the fine poise of undisturbed judgment, the dignity of self-control, the efficiency of dispassionate action; a Nation that neither sits in judgment upon others nor is disturbed in her own counsel, and which keeps herself fit and free to do what is honest and disinterested and truly serviceable for the peace of the world.

This hue and cry about the purchase of German ships plunging us into war with Great Britain lacks sincerity. President Wilson will not, for the saving of a few thousand dollars in the purchase of a ship, hazard the awful cost of war. He will permit nothing to be done that will in any way disturb conditions of neutrality, and it is unnecessary by congressional action to sacrifice our long-established right of a neutral to buy merchantmen or merchandize of a belligerent. It is an insult to propose that President Wilson should give bond to keep the national peace.

These clever opponents of this bill have at heart no fear that the administration will involve us in war with any foreign power. They know better than that. But that the Government will make war upon the Shipping Trust—that is their real fear!

ROBERT M. LA FOLLETTE.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 4146. An act granting certain lands to school district No. 44, Chelan County, Wash.;

S. 5449. An act to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement; and

S. J. Res. 187. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

The message also announced that the House had passed the bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House insists upon its amendments to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. BURKE of Wisconsin, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. BURKE of Wisconsin, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. BURKE of Wisconsin, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 9591. An act to permit the manufacture of denatured alcohol by mixing domestic and wood alcohol while in process of distillation;

H. R. 12292. An act to prevent interstate commerce in the products of child labor, and for other purposes;

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River;

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement;

H. R. 18086. An act to amend section 71 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 4, 1911;

H. R. 18383. An act to provide better sanitary conditions in composing rooms within the District of Columbia;

H. R. 19061. An act for the relief of homestead entrymen under the reclamation projects of the United States;

H. R. 19116. An act to grant certain lands to the city of Grand Junction, Colo., for the protection of its water supply;

H. R. 20427. An act to authorize the sale of certain land in Alabama to Walter Dean;

H. R. 20688. An act to place Barrow County, Ga., in the eastern division of the northern district of Georgia;

H. R. 20814. An act to place Candler, Jenkins, and Evans Counties, Ga., in the eastern division of the southern district of Georgia;

H. R. 21200. An act quieting title to a certain tract of land located in the city of Guthrie, Okla.;

H. R. 21239. An act to increase the limit of cost of the site of a Federal building at Oakland, Cal.; and

H. J. Res. 382. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress to be held at Denver, Colo., September 27 to October 8, inclusive, 1915.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 17168) to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the House of Delegates of Porto Rico, requesting that the Porto Rico Regiment of Infantry be completed and that the officers thereof be transferred to the lineal rank of the United States Army, which was referred to the Committee on Military Affairs.

Mr. PERKINS presented the petition of Hugh Doherty, of San Jose, Cal., praying for the enactment of legislation to exclude certain matter from the mails, which was referred to the Committee on Post Offices and Post Roads.

Mr. ROBINSON presented petitions of sundry citizens of Batesville, Ark., praying that an appropriation be made for the construction of seven locks and dams on the upper White River in that State, which were referred to the Committee on Commerce.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Mankato, Minn., praying for the enactment of legislation to exclude certain matter from the mail, which was ordered to lie on the table.

Mr. POINDEXTER presented petitions of Michael Dowd, of Tacoma; of Mrs. A. L. Weichbrod, of Tacoma; of H. A. Roberts, of Tacoma; of Charles W. Haley, of Tacoma; of J. F. Schwarts, of Puyallup; of Adolf and Agnes Saul, of Puyallup; of Herman F. Eckert, of Auburn; and of sundry other citizens, all in the State of Washington, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Pend Oreille County, Wash., praying for the enactment of rural-credit legislation, which was referred to the Committee on Banking and Currency.

He also presented a petition of Sedgwick Women's Relief Corps, No. 4, Kate Carlin, president, of Spokane, Wash., praying for the enactment of legislation providing pensions for widows who married soldiers of the Civil War after the year 1890, which was referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS:

A bill (S. 7658) for the relief of the estate of Franklin S. Whitney, deceased; to the Committee on Claims.

By Mr. CHILTON:

A bill (S. 7659) granting a pension to Gideon Mason (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 7660) granting a pension to Edward J. Gleason; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. POINDEXTER submitted an amendment proposing to appropriate $25,000 for a rifle range for small arms at the navy yard, Puget Sound, Wash., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate $50,000 for the publication of the military records of the Revolutionary War, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River; and

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H. R. 18086. An act to amend section 71 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 4, 1911;

H. R. 20688. An act to place Barrow County, Ga., in the eastern division of the northern district of Georgia; and

H. R. 20814. An act to place Candler, Jenkins, and Evans Counties, Ga., in the eastern division of the southern district of Georgia.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 19061. An act for the relief of homestead entrymen under the reclamation projects of the United States;

H. R. 19116. An act to grant certain lands to the city of Grand Junction, Colo., for the protection of its water supply;

H. R. 20427. An act to authorize the sale of certain land in Alabama to Walter Dean; and

H. R. 21200. An act quieting title to a certain tract of land located in the city of Guthrie, Okla.

H. R. 9591. An act to permit the manufacture of denatured alcohol by mixing domestic and wood alcohol while in process of distillation was read twice by its title and referred to the Committee on Finance.

H. R. 12292. An act to prevent interstate commerce in the products of child labor, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 18383. An act to provide better sanitary conditions in composing rooms within the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

H. R. 21239. An act to increase the limit of cost of the site of a Federal building at Oakland, Cal., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. J. Res. 382. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress to be held at Denver, Colo., September 27 to October 8, inclusive, 1915, was read twice by its title and referred to the Committee on Foreign Relations.

Mr. FLETCHER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 47 minutes p. m., Tuesday, February 16, 1915) the Senate adjourned until to-morrow, Wednesday, February 17, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 16, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Bring us, O God, our heavenly Father, as a fitting preparation for the duties of the hour, into oneness with Thee, that we may think right, act right toward Thee and our fellow men, which is salvation. The kingdom of heaven now, with all its uplifting power, removes all doubt, all uncertainties, and makes life sublime.

"Come unto me all ye that labor and are heavy laden and I will give you rest. Take my yoke upon you and learn of me, for I am meek and lowly in heart, and ye shall find rest unto your souls, for my yoke is easy and my burden is light."

Hear our prayer and help us to answer it. In the spirit of the world's great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 17869) providing for the appointment of an additional district judge for the southern district of the State of Georgia, in which the concurrence of the House of Representatives was requested.

The message also announced that the President of the Senate has canceled his signature to the enrolled bill (S. 7555) to authorize the construction of a bridge across Suwanee River, in the State of Florida.

ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, to-morrow is Calendar Wednesday. I think we need the day on appropriation bills. I understand the purpose of the Committee on Rules is to present a rule this morning and dispose of the shipping bill before adjournment to-night, but I think it is necessary to move along with the appropriation bills, and I therefore desire to ask unanimous consent that Calendar Wednesday be dispensed with to-morrow, and that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the Calendar Wednesday business to-morrow be dispensed with. Is there objection;

Mr. MANN. Reserving the right to object, I believe the bill making appropriations to pay pensions is the unfinished business, and would naturally come up to-day unless displaced by order of the House?

Mr. UNDERWOOD. Yes. I understand it will be displaced to-day; that is, if a majority is in favor of doing so, which I think is the case.

Mr. MANN. Well, if there is such a rush about appropriation bills, why not take up the pension appropriation bill and pass it to-day? That is a very important bill to the pensioners of the country.

Mr. UNDERWOOD. It is an important piece of legislation, but the majority has determined to pass another bill to-day.

Mr. MANN. Well, if the majority is determined to set aside the most important appropriation bill there is, we will have to wait until we see what is done before we dispense with Calendar Wednesday. For the present I object.

The SPEAKER. The gentleman from Illinois objects. Does the gentleman from Alabama want his other request put or not?

Mr. UNDERWOOD. No. If Calendar Wednesday is not dispensed with, I do not desire to make the other request.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table three Senate pension bills—S. 6980, S. 7213, and S. 7402—the Senate having disagreed to the House amendments, and asked for a conference. I move that the conferees be appointed on the part of the House.

The SPEAKER. The Chair lays before the House three Senate pension bills, which the Clerk will report.

The Clerk read as follows:

S. 6980. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 7213. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 7402. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The gentleman from Ohio [Mr. SHERWOOD] asks unanimous consent to agree to the conference requested by the Senate on these three bills. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. RUSSELL, Mr. BURKE of Wisconsin, and Mr. LANGLEY.

ORDER OF BUSINESS.

Mr. BARTLETT. Mr. Speaker, being in charge of the pension appropriation bill, which would naturally come up this morning as unfinished business, I do not desire to interfere with the purposes of the majority, although it is an important bill and I should like to go on with it in conformity with the general purpose of getting rid of the appropriation bills. But it having been determined in a Democratic caucus last night to consider other business, however much I may agree or disagree with the action on that matter, I do not feel that it would be my duty now to present a motion to go into Committee of the Whole House on the state of the Union upon that bill. I want to make this statement in order that it may be known why I do not, being in charge of that bill, now make the motion to go into Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Illinois?

Mr. BARTLETT. In one moment; that is, if the gentleman from Texas [Mr. HENRY], the chairman of the Committee on Rules, is ready to present a rule for the consideration of another bill.

Mr. HENRY. I am ready now.

Mr. BARTLETT. Now I yield to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, if the special rule should be offered by the Committee on Rules and the House should not agree to that rule, would the gentleman then move to go into Committee of the Whole House on the state of the Union for the consideration of the pension appropriation bill?

Mr. BARTLETT. I would. That would be my duty, as the gentleman understands, and I would undertake to carry it out.

Mr. MANN. I understood it, but I would like to have the RECORD show.

Mr. BARTLETT. The gentleman knows I would, and I would.

PURCHASE OF SHIPS.

Mr. HENRY. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 736 (H. Rept. 1410).

Resolved, That immediately upon the adoption of this resolution the Committee on Naval Affairs shall be discharged from further consideration of S. 5259 and the House shall proceed immediately to the consideration of same There shall be not exceeding six hours' general debate on the bill, one half of the time to be controlled by the gentleman from Missouri [Mr. ALEXANDER] and the other half by the gentleman from Massachusetts [Mr. GREENE]. That it shall be in order to offer the following amendments only, which may be offered during the general debate and considered as pending, to wit: Page 1, line 3, after the word "that," insert "with the approval of the President"; in line 5, page 2, strike out the word "shall" and substitute the word "to"; at the end of the bill add new sections, as follows:

"SEC. 5. That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation organized under the laws of a State, a majority of the stock being owned by citizens of the United States, firm

or individual, citizen or citizens of the United States, to be used for such purposes, and shall have power to carry out said objects and purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share: *And provided further*, That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual party to such charter or lease shall violate the provisions of the same.

"The members of said shipping board, as incorporators, may, for the purpose of carrying out the provisions of this act, form a corporation of the District of Columbia, by making and filing a certificate of incorporation, as provided in subchapter 4 of chapter 18 of an act entitled 'An act to establish a code of laws for the District of Columbia,' approved March 3, 1901.

"The corporation so formed, its officers and trustees and stockholders, shall possess all the powers conferred and perform all the duties imposed by said subchapter 4, except as the same are by this act limited or qualified.

"The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

"Said corporation may sue and be sued in any district court of the United States, and may remove to said courts any cause brought against it in any other court.

"Said corporation may require any officer or employee to give security for the faithful performance of his duties.

"Persons subscribing to the stock of said company shall pay for the same in full at the time of subscription.

"The stock owned by the United States shall be voted by the shipping board or its duly selected representative.

"The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stock at any meeting thereof.

"Said corporation and its capital stock shall, so long as the United States owns a majority of said stock, be free from all public taxes.

"At no time shall less than 51 per cent of the stock of said corporation be held by the United States unless the United States shall dispose of all of its stock.

"Congress reserves the right to alter, amend, or repeal this act.

"SEC. 6. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof may be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but the shipping board may cause such corporation to begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000, neither shall the proportion of stock held by the United States at any time be less than 51 per cent: *Provided*, That a sufficient number of the shares of stock of said corporation shall be set apart for holding by the persons for whom the stock of the United States may be voted as trustees, and such shares shall be issued or transferred to such persons to qualify them as trustees of such corporation, and such shares shall be transferred to the successor or successors of any such person or persons.

"SEC. 7. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable in the judgment of the shipping board for the purposes of such corporation with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000, for the purpose of purchasing or constructing such vessels: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section or other existing authority may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from the proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board: *And provided further*, That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

"SEC. 8. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds, bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to be secured by a first-mortgage lien upon such vessels, severally, thus transferred: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion, and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels: *And provided further*, That said corporation shall not issue any bonds in excess of $40,000,000, or incur any liabilities other than stock issues in excess of $10,000,000. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner, in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to all laws, regulations, and liabilities governing merchant vessels in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

"All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States heretofore made or published by authority of law shall only be and remain in force until midnight on the 31st day of December, 1915, and by proclamation of the President shall cease to have any force or validity at any prior date when new shipping rules and regulations shall, as provided hereby, take the place of those now in existence.

"The shipping board herein provided for shall propose such rules and regulations applicable to the shipping and water-borne commerce of the United States, in lieu of those now in force and covering matters of like character, as they may determine suited to the present needs of such shipping and commerce, which, when approved by the President and published, shall apply and become of full force and effect, in lieu of such rules and regulations as are now applicable thereto. In the rules and regulations hereby authorized to be adopted and put into force different classes of shipping, navigation, and water-borne commerce may be appropriately and differently treated and provided for. Such rules and regulations when promulgated may be modified, changed, or amended by the shipping board.

"SEC. 9. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with Alaska, the Philippine Islands, the Hawaiian Islands, and the islands of Porto Rico, Guam, and Tutuila: *Provided*, That the above restrictions shall not apply to such of said vessels as are built in the United States. Such vessels shall be subject to the navigation laws of the United States, except as herein provided.

"SEC. 10. That the Secretary of the Treasury and the Secretary of Commerce, and three additional members, two of whom shall be of practical experience in the management and operation of steamships in the foreign trade, are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States, said three additional members to be appointed by the President, by and with the advice and consent of the Senate. The salary of each of the three additional members of said board so appointed shall be $6,000 per annum.

"SEC. 11. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

"SEC. 12. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries belonging to the Naval Establishment of the United States as are suitable for commercial use, and which are not required for use in the Navy in time of peace; and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace; and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided, upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

"SEC. 13. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily for use as naval auxiliaries of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board, with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

"SEC. 14. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

"SEC. 15. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000, or, in lieu of such appropriation, the Secretary of the Treasury may sell Panama Canal bonds to the amount of $10,000,000 in addition to those provided for in section 7, and on the same terms, and set apart and use the proceeds thereof for such purposes.

"SEC. 16. That two years from and after the conclusion of the present European war, that fact to be determined by the President, the corporation and the shipping board shall turn over and transfer all vessels purchased or constructed under the provisions of this act to the Navy Department, and the Secretary of the Navy shall have the right, with the approval of the President, to lease or charter any of such vessels not needed for naval or military purposes to any firm, individual, or corporation for use as merchant vessels.

"That the Secretary of the Navy shall in such leases provide for their cancellation whenever such vessels may be required for naval or military purposes.

"That all leases made under this section of the act shall be subject to all of the provisions of section 5 of this act relating to maximum rates and charges and terms and conditions of forfeiture.

"That when the vessels, land, piers, leases for land or piers, and other property held by the corporation are disposed of as herein provided the corporation herein provided for shall be dissolved and said shipping board abolished.

"SEC. 17. That sections 1, 2, 3, and 4 of this act shall not take effect until two years from and after the conclusion of the present European war, that fact to be determined by the President."

At the conclusion of the general debate the previous question shall be considered as ordered upon the amendment and the bill and vote shall be had upon the final passage of the bill without other intervening motion, except one motion to recommit.

Mr. HENRY. Mr. Speaker——

The SPEAKER. The gentleman from Texas is entitled to 20 minutes.

Mr. HENRY. I am entitled to an hour.

The SPEAKER. That is correct.

Mr. MANN. Before the debate begins, will the gentleman yield for a question?

Mr. HENRY. Yes.

Mr. MANN. I notice the last paragraph of the rule provides that the previous question shall be considered as ordered upon the "amendment," while the first paragraph of the rule provides for offering certain "amendments."

Mr. HENRY. It should be "amendments" in the last paragraph. I will ask that the letter "s" be added to it.

The SPEAKER. The gentleman asks unanimous consent to amend by adding the letter "s."

Mr. HENRY. It is a typographical error.

Mr. MANN. In line 6, page 13.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry. I should like to inquire whether the Speaker in construing this rule will hold that the bill is to be considered in the House as in Committee of the Whole?

The SPEAKER. The Chair thinks it so states somewhere in the rule.

Mr. BARTLETT. I have not been able to find it.

Mr. HENRY. I suggest that the construction of the rule will come up after it is adopted.

The SPEAKER. That is true.

Mr. BARTLETT. Of course I do not want——

The SPEAKER. It is perfectly proper for the gentleman to make the parliamentary inquiry.

Mr. HENRY. The rule reads that—

The House shall proceed to consider.

Mr. BARTLETT. I am perfectly willing to pretermit the question.

The SPEAKER. Where is that provision?

Mr. HENRY. In line 3 of the first section.

The SPEAKER. The Chair is of the opinion from the verbiage of this rule that it would be considered in the ordinary way.

Mr. BARTLETT. That is what I was going to suggest.

The SPEAKER. That is, that the House would resolve itself into the Committee of the Whole House on the state of the Union.

Mr. BARTLETT. That is the reason I ask the question, because unless otherwise specifically provided for the rules of the House require that all bills making appropriations shall be considered in the Committee of the Whole House on the state of the Union, and it is to be presumed that if the committee intended that the bill should be considered in the House instead of in the Committee of the Whole House on the state of the Union they would have so stated.

The SPEAKER. The Chair thinks the gentleman is entirely correct about that.

Mr. HENRY. Of course I have no objection to it being modified to that extent.

The SPEAKER. If the gentleman wishes to ask for that modification, he can do so; and if he does not want to do so, he does not have to.

Mr. HENRY. It makes no difference. I suppose gentlemen on the other side do not desire more than 20 minutes on this rule.

Mr. CAMPBELL. The gentleman from Texas is mistaken. We would like to have a little more time than that.

Mr. HENRY. How much time would you like?

Mr. CAMPBELL. I really have requests for much more time than I have the face to ask for.

Mr. HENRY. I think the rule is so liberal that you should not ask much.

Mr. CAMPBELL. I think we can get on with an hour on this side.

Mr. HENRY. I think 30 minutes on a side ought to be an abundance of time, and I suggest, if the gentleman is willing to take 30 minutes, that I will yield him 30 minutes of my hour; and I suggest that we agree that at the end of that time the previous question be considered as ordered on the resolution.

Mr. CAMPBELL. Will the gentleman move the previous question at the end of the hour?

Mr. HENRY. I hardly think it is necessary to do that. I think the gentleman might agree that we should order the previous question.

Mr. CAMPBELL. It will be impossible to secure unanimous consent to have the previous question ordered.

Mr. HENRY. Mr. Speaker, I wish the gentleman to have an abundance of time; but it seems to me that 30 minutes on a side are sufficient. This matter has been thoroughly discussed.

Mr. MADDEN. Where?

Mr. HENRY. In various quarters.

Mr. CAMPBELL. The 30 minutes will be satisfactory, but I shall ask that the gentleman move the previous question at the close of the debate.

Mr. HENRY. I ask unanimous consent that the previous question be considered as ordered at the end of one hour.

The SPEAKER. The gentleman asks unanimous consent that at the end of one hour's debate on this rule the previous question shall be considered as ordered.

Mr. MURDOCK. Reserving the right to object——

Mr. MANN. I will object.

Mr. HENRY. Mr. Speaker, I move the previous question on the resolution.

The question was taken on ordering the previous question, and the Speaker announced that the ayes appeared to have it.

Mr. CAMPBELL. Division, Mr. Speaker.

Mr. MADDEN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 181, nays 126, answered "present" 4, not voting 112, as follows:

[Roll No. 65.]

YEAS—181.

Abercrombie	Doolittle	Igoe	Reilly, Conn.
Adair	Doremus	Jacoway	Reilly, Wis.
Adamson	Doughton	Johnson, Ky.	Rothermel
Alexander	Dupré	Johnson, S. C.	Rouse
Allen	Eagle	Keating	Rubey
Ashbrook	Estopinal	Kennedy, Conn.	Rucker
Aswell	Evans	Kirkpatrick	Russell
Bailey	Fergusson	Kitchin	Seldomridge
Baker	Ferris	Konop	Sherley
Baltz	Fields	Korbly	Sherwood
Barkley	FitzHenry	Lafferty	Sims
Beakes	Flood, Va.	Lazaro	Small
Bell, Ga.	Floyd, Ark.	Lee, Pa.	Smith, N. Y.
Blackmon	Foster	Lesher	Smith, Tex.
Booher	Fowler	Lever	Stedman
Borland	Gallagher	Levy	Stephens, Miss.
Brodbeck	Garner	Lewis, Md.	Stephens, Nebr.
Brown, N. Y.	Garrett, Tenn.	Lieb	Stephens, Tex.
Bryan	Garrett, Tex.	Linthicum	Stone
Buchanan, Ill.	Gilmore	Lloyd	Stout
Bulkley	Glass	Lobeck	Stringer
Burke, Wis.	Goeke	Lonergan	Sumners
Burnett	Goldfogle	McAndrews	Taggart
Byrnes, S. C.	Goodwin, Ark.	McKellar	Taylor, Ala.
Byrns, Tenn.	Goulden	Maguire, Nebr.	Taylor, Ark.
Candler, Miss.	Graham, Ill.	Metz	Taylor, Colo.
Caraway	Gray	Mitchell	Ten Eyck
Casey	Gregg	Moon	Thomas
Church	Griffin	Mulkey	Townsend
Clancy	Gudger	Murray	Tribble
Clark, Fla.	Hamlin	Neeley, Kans.	Underwood
Claypool	Hardy	Neely, W. Va.	Vaughan
Cline	Harris	Oldfield	Vinson
Coady	Harrison	Padgett	Vollmer
Collier	Hay	Page, N. C.	Walsh
Connelly, Kans.	Hayden	Palmer	Watkins
Cox	Heflin	Park	Watson
Crisp	Helm	Peterson	Weaver
Crosser	Helvering	Phelan	Webb
Cullop	Henry	Post	Whitacre
Davenport	Holland	Pou	Williams
Decker	Houston	Quin	Wingo
Dershem	Howard	Rainey	Young, Tex.
Dickinson	Hughes, Ga.	Raker	
Dixon	Hull	Rauch	
Donovan	Humphreys, Miss.	Rayburn	

NAYS—126.

Anderson	Gallivan	La Follette	Porter
Anthony	Gardner	Langham	Powers
Austin	Gerry	Langley	Prouty
Barchfeld	Gillett	Lenroot	Roberts, Mass.
Barton	Good	Lindbergh	Rogers
Bathrick	Gordon	Lindquist	Scott
Bell, Cal.	Green, Iowa	McGuire, Okla.	Sells
Borchers	Greene, Mass.	McKenzie	Shackleford
Britten	Greene, Vt.	McLaughlin	Sinnott
Brockson	Guernsey	MacDonald	Sisson
Broussard	Hamilton, Mich.	Madden	Slemp
Browne, Wis.	Hamilton, N. Y.	Mann	Sloan
Browning	Haugen	Mapes	Smith, J. M. C.
Burke, S. Dak.	Hawley	Martin	Smith, Minn.
Butler	Helgesen	Miller	Smith, Saml. W.
Callaway	Hinds	Mondell	Stafford
Campbell	Hinebaugh	Moore	Steenerson
Chandler, N. Y.	Howell	Morgan, Okla.	Stephens, Cal.
Cooper	Hughes, W. Va.	Morrison	Stevens, Minn.
Cramton	Hulings	Moss, Ind.	Stevens, N. H.
Curry	Humphrey, Wash.	Moss, W. Va.	Sutherland
Davis	Johnson, Utah	Mott	Switzer
Dillon	Johnson, Wash.	Murdock	Temple
Donohoe	Keister	Nelson	Thomson, Ill.
Edmonds	Kelley, Mich.	Norton	Towner
Esch	Kelly, Pa.	Paige, Mass.	Volstead
Fairchild	Kennedy, Iowa	Parker, N. J.	Walters
Farr	Kennedy, R. I.	Parker, N. Y.	Witherspoon
Fess	Kent	Patton, Pa.	Woods
Fordney	Kindel	Peters	Young, N. Dak.
Frear	Kinkaid	Platt	
French	Knowland, J. R.	Plumley	

ANSWERED "PRESENT"—4.

Bartlett	Beall, Tex.	Dies	Logue

NOT VOTING—112.

Aiken	Dooling	Kahn	Rupley
Ainey	Driscoll	Kettner	Sabath
Avis	Drukker	Key, Ohio	Saunders
Barnhart	Dunn	Kiess, Pa.	Scully
Bartholdt	Eagan	Kreider	Shreve
Bowdle	Edwards	Lee, Ga.	Slayden
Brown, W. Va.	Elder	L'Engle	Smith, Idaho
Bruckner	Faison	Lewis, Pa.	Smith, Md.
Brumbaugh	Falconer	Loft	Sparkman
Buchanan, Tex.	Finley	McClellan	Stanley
Burgess	Fitzgerald	McGillicuddy	Talbott, Md.
Burke, Pa.	Francis	Mahan	Talcott, N. Y.
Calder	Gard	Maher	Tavenner
Cantor	George	Manahan	Taylor, N. Y.
Cantrill	Gill	Montague	Thacher
Carew	Gittins	Morgan, La.	Thompson, Okla.
Carlin	Godwin, N. C.	Morin	Treadway
Carr	Gorman	Nolan, J. I.	Tuttle
Carter	Graham, Pa.	O'Brien	Underhill
Cary	Griest	Oglesby	Vare
Connolly, Iowa	Hamill	O'Hair	Walker
Conry	Hart	O'Shaunessy	Wallin
Copley	Hayes	Patten, N. Y.	Whaley
Dale	Hensley	Price	White
Danforth	Hill	Ragsdale	Wilson, Fla.
Deitrick	Hobson	Reed	Wilson, N. Y.
Dent	Hoxworth	Riordan	Winslow
Difenderfer	Jones	Roberts, Nev.	Woodruff

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. RIORDAN with Mr. KIESS of Pennsylvania.

Mr. BEALL of Texas with Mr. KREIDER.

Mr. MCGILLICUDDY with Mr. DANFORTH.

Mr. AIKEN with Mr. BARTHOLDT.

Mr. BARNHART with Mr. CALDER.

Mr. LEE of Georgia with Mr. BURKE of Pennsylvania.

Mr. BURGESS with Mr. DRUKKER.

Mr. CARLIN with Mr. GRAHAM of Pennsylvania.

Mr. CARTER with Mr. KAHN.

Mr. DALE with Mr. CONRY.

Mr. DENT with Mr. COPLEY.

Mr. FINLEY with Mr. LEWIS of Pennsylvania.

Mr. FITZGERALD with Mr. MORIN.

Mr. MORGAN of Louisiana with Mr. MANAHAN.

Mr. SABATH with Mr. SHREVE.

Mr. TALBOTT of Maryland with Mr. SMITH of Idaho.

Mr. THACHER with Mr. VARE.

Mr. HENSLEY with Mr. WALLIN.

On this vote:

Mr. SCULLY (for previous question) with Mr. J. I. NOLAN (against).

Mr. WALKER (for previous question) with Mr. AINEY (against).

Mr. HAMILL (for previous question) with Mr. TREADWAY (against).

Mr. WHALEY (for previous question) with Mr. WINSLOW (against).

Mr. EDWARDS (for previous question) with Mr. DUNN (against).

Mr. STANLEY (for previous question) with Mr. AVIS (against).

Mr. CANTRILL (for previous question) with Mr. GRIEST (against).

Mr. UNDERHILL (for previous question) with Mr. HAYES (against).

Mr. FALCONER. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. FALCONER. No, sir; I was at the telephone booth.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. BRUMBAUGH. Mr. Speaker, I desire to be recorded.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. BRUMBAUGH. I was not.

The SPEAKER. The gentleman can not vote.

Mr. GILL. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. GILL. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. BUCHANAN of Texas. Mr. Speaker, I desire to be recorded.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. BUCHANAN of Texas. No, sir; I was in the cloakroom.

The SPEAKER. The gentleman can not vote.

The result of the vote was then announced as above recorded.

Mr. HENRY. Mr. Speaker, there is nothing that I can say at the present time more than is contained in the rule. I think we all understand the rule. Its language is as plain as it can be, and we understand the object of it. There is no need of my taking up the time of the House, and therefore I shall for the present yield five minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, next year is election year. It has been quite noticeable of late that the nearer we approach the coming election the greater becomes the abuse of the President. He is denounced by partisan press as only a criminal ought to be denounced. What has he done? Has he deserved all this partisan abuse? Has he deserved any of it? Let us see. He has urged the passage of several great reform measures. He urged tariff revision. He urged currency reform. He urged the measure defining more clearly our antitrust laws. He urged the trade-commission bill. All of these great measures have now become the law of the land.

There is one significant fact about the passage of these bills which should not be forgotten. While there is a large Democratic majority in this Chamber and a working majority in the other Chamber, all of the measures which the President has recommended would have passed both bodies if we had had no majority at all.

If our membership in this Chamber had been just half instead of two to one, we would nevertheless have passed all of the measures President Wilson has urged. Yet he is denounced as a dictator and political tyrant by the Republican press, and we who vote for these administration measures are called automatons who sit here with no views or convictions of our own, simply carrying out the wishes of the President.

It seems, Mr. Speaker, in this day and time a man to be independent, to be credited with having convictions of his own, must vote against the President. No matter what your convictions are, if you vote with the President you are merely obeying orders. To be an independent American Representative, you must be against the President.

Mr. Speaker, there must be something more than the presidential will behind these measures. I can understand how his influence might affect a Democrat, but I can not understand why so many Republicans and Progressives support these measures unless there is real merit in them, and on every occasion we have received sufficient Republican or Progressive votes to pass every one of the measures if the two Chambers had been equally divided between two parties.

Mr. Speaker, we will hear the caucus held last night denounced. Why? We stood by the President.

The enemies of the President hoped we would break up in a row. If we had done that, our popularity among the President's enemies would have been great indeed. Oh, what splendid men we would have been if we had repudiated the President! For my part I do not want that kind of popularity. God knows if I thought the President was wrong I would not go with him. The trouble with me is I can not help thinking he is right upon these measures, and if I did not go with him under those circumstances I would not be fit to sit in this Chamber.

Oh, Mr. Speaker, it is amazing to what extent men will go to win a party victory.

Here is this man in the White House working, striving, for what—for some special interest? Oh, no; not that. There is not a political enemy of the President in this Chamber who will rise in his seat now and say that he believes any but the purest motives prompt Mr. Wilson in all he has done or is trying to do.

What will be the fate of this bill? Why is it Mr. Wilson wants us to pass it? Freight rates are prohibitively high and cargoes of American goods, the products of our farms and factories, await shipment. Those cargoes will not be sent abroad at all if this bill does not pass unless somebody pays a tremendous freight rate. The President says there is a very practical remedy—the passage of this bill. For my part I am proud of the chance to help, and I do not care the snap of my finger what anybody says. I believe the President is right, and when I vote with him I believe I am doing what is best for the American people.

The President has at his disposal the great army of Government patronage. Nobody has charged that he has offered to punish any man who has differed from him. He could use the patronage ax. It has been used, but that is not the Wilson way of doing things. He has influence which extends beyond his own party. He carries not only his own party but part of both the other parties, and he does it without threat of any kind.

It must be he is right. [Applause on the Democratic side.] That is the secret of the President's success. He is trying to serve

the American people. And when the record of his administration is made up, thank God, it will not be passed upon by any partisan jury, but by free American voters.

Republicans who are willing to be unfair may talk about our secret caucus; you may denounce the President because he is not of your party; you may criticize your colleagues in this Chamber because we will not break with the President; but, after all, these measures will be passed upon by the jury of American voters, and the President and those who stand with him with perfect confidence await their verdict. [Applause on the Democratic side.]

Mr. HENRY. Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, this rule will be adopted by this House, although a majority of the membership of this House is against the rule. The bill to which the rule relates will be passed by this House before we adjourn to-night, although a majority of the membership of the House is against the bill. I make that deliberate statement, that if the majority of this House were free to record their convictions upon the merits of the bill, it would be defeated before we adjourn to-night. [Applause on the Republican side.] The gentleman from North Carolina [Mr. POU] has just said that we will denounce the caucus and denounce this bill as the work of a secret caucus. You will hear no one on this side of the aisle denouncing this bill as the work of a secret caucus. You held a caucus last night, but you made only one slight amendment to the bill. This bill was not the work of a secret caucus, it was not the work of any committee of this House, it was not the work of the membership of this House. This bill, sir, is the product of the President of the United States [applause and cheers on the Democratic side], and your caucus was not held for the purpose of considering this bill, but to carry out the orders of the captain of your team. [Applause.]

Mr. Speaker, the time will come when you will understand that whenever the captain of a team undertakes to order every move that shall be made by the members of the team, at the end of the season that team will always find itself the tail-ender of the league. [Applause and laughter on the Republican side.]

What is this proposition? A rule comes in this morning to discharge a committee that has never considered the bill and make that bill in order. The Committee on Rules undertakes further to attach as an amendment a proposition that has never been introduced in the House of Representatives. They have attached a proposition to the bill that has been introduced in the Senate of the United States, but which has never been considered by any committee in that body. Oh, you ought to be proud of your method of legislating.

The Washington Herald this morning undertakes to quote from a speech that the distinguished Speaker of this House made to the caucus last night. Mr. Speaker, you are reported as saying:

> The President wants this bill—
>
> And that is all you are considering—
>
> The President wants this bill, and it is probably as good a bill as could be framed, even if we delayed matters. I am opposed to Government ownership, but this is an emergency measure. The House should do everything possible to expedite action and avoid an extra session. If there is an extra session the Democratic Party will be wiped off the face of the earth at the next election.
>
> [Applause and laughter on the Republican side.]

For your judgment, sir, as to the result of an extra session, I have the profoundest respect. [Laughter and applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired. [Renewed laughter.]

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, the great complaint that our opponents have against this Congress and this administration has been that it has not shown the lack of efficiency that they predicted it would show, and for some reason or other they are utterly unable to get over that particular complaint. If the Democratic Party had shown the lack of efficiency and the lack of power to grasp the great public questions and emergencies of this administration, they would have denounced it with the time-honored and threadbare denunciation that they have used on the stump. But the fact that the Democratic majority in this House can work in harmony with the Democratic President and a Democratic administration to accomplish the great economic good of the American people seems to sit pretty ill upon their stomachs.

No attempt has been made to jam this bill through this House, and no attempt will be made to jam this bill through this Congress. [Laughter on the Republican side.] This bill has been carefully considered [laughter on the Republican side]—yes; this bill has been given as careful consideration as any measure before the American Congress. It has attracted as widespread public attention, it has been debated by as many experts and as much light has been thrown on this economic measure as upon any measure that ever came before Congress, and it is simple in its characteristics. Except for the question of detail, the question is purely and simply whether the Government will establish the mercantile marine in the face of an emergency in this country. All else is a matter of machinery and detail.

Mr. J. M. C. SMITH. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. J. M. C. SMITH. Does not the bill provide that within two years after the cessation of the European war these ships shall all be disposed of, and we shall go out of the business entirely?

Mr. BORLAND. Mr. Speaker, this bill will be explained by gentlemen who are more familiar with it than I, but I can say in the limited time that I have that the bill provides in effect that for two years the shipping board shall buy and acquire ships, charter and lease them under the shipping board, and at the end of two years after the cessation of the European war the ships shall be turned over to the permanent operating agency, which is the Navy Department itself.. In brief, that is the bill. The ship board itself is a temporary matter, coming to an end altogether by proclamation of the President two years after the end of the European war. At that time these ships become auxiliaries of the Navy and are turned over to the Secretary of the Navy. The proposition is simple, and the American people are asking action on this matter. It has been debated now week after week, and practically month after month, while the business conditions in the country are waiting. Now, through the efficiency and team work and harmony of the Democratic caucus and of the Democratic administration this bill comes before this House. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker, I desire to be notified at the end of three minutes and to yield the two remaining minutes to the gentleman from Kansas [Mr. MURDOCK].

The gentleman from Missouri [Mr. BORLAND] talks of efficiency of the party in power. Efficiency which depends on despotism and which takes all power from the majority of the membership of this House is not the kind of efficiency to be commended in a representative body. There is something just as important as efficiency, and that is liberty. I want to call attention to the quadruple gag in this resolution. Here are united four separate ways of gagging this House through the Committee on Rules. We may forget the caucus of last night and simply put our attention to the power of the Committee on Rules of the House. First, here is the discharge of a committee. The rules provide for the discharge of committees. Under the rules we have a system supposed to furnish a method for discharging a committee from consideration of a measure after a due time has elapsed. On the first day possible in this term, December 1, 1913, a resolution was introduced to discharge a committee under the rule. That motion and all others like it have never been considered in the Sixty-third Congress and never will be. During the entire two years of this Congress no motion to discharge a committee has been considered, yet the Rules Committee come in here and offers a rule to discharge the Committee on Naval Affairs from consideration of a bill, thus doing what a majority of this House has never been able to accomplish. Second, this rule limits debate to six hours on a proposition that the Senate has been considering for many weeks and which has never been considered by the House. Third, it forces an arbitrary rule on the House by which no amendment can be made to the measure. Fourth, it is the enactment of new legislation that has never been considered by a committee or by this House. The rule takes the four sections of the Weeks bill, but in the last provision provides that these four sections shall not go into effect until two years after the European war is over. These are the ways in which this rule proves that the majority of the membership is absolutely lacking in power and efficiency under customary methods of procedure. I want to support this measure, because I am in favor of the principle involved. I believe in the principle and policy of Government ownership of steamships, but these methods of dictating consideration are unjustifiable and can not be successfully defended any more than they have been by the chair-

man of the Committee on Rules, Mr. HENRY, and the others who have spoken here. These men are silent on the vital issues of legislative procedure in this rule, for such methods can not be defended.

The SPEAKER. The time of the gentleman has expired.

Mr. KELLY of Pennsylvania. Mr. Speaker, I desire to yield two minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, I am for this bill. [Applause on the Democratic side.] But if I were against it, I would have a better reason for being against it than the fact that the President of the United States is for it. [Applause on the Democratic side.] The opposition to the bill is largely partisan. I have seen the time in this body when if the Republican organization had proposed such a bill it would have had practically the unanimous Republican support. So much for the partisan side of this discussion. Now as to the proposed rule. As usual, whenever the House and the Senate have entangling parliamentary difficulties with a measure, the House is made the goat. Because there is no cloture rule whatever in the Senate, we must have complete cloture over here. Why should we be made to suffer for the sins of the Senate? Why should you Democrats gag us? Why should the majority here, when you have the President and are in complete control of both branches of the National Legislature—why should you apply the gag? Now, I am not shedding any crocodile tears over this procedure with the weeping Republicans. I have seen practically the same thing here before under Republican rule and in connection with shipping legislation. On January 14, 1907—if some of the Democratic chieftains care to do so they can hunt it up—a ship-subsidy bill, under the direction of the then Republican organization, was rammed through the Committee on the Merchant Marine and Fisheries in one day. It had been introduced by a new member of the committee, appointed to the committee for that purpose, apparently. There had been no previous regular meeting of that committee upon that bill. There had been for weeks previous, however, private dinner parties, at which the bill was considered, under direction of the Republican leaders. [Applause on the Democratic side.] So this is no new procedure. It is an old one. But why continue it? Now, Mr. Speaker, as to this measure, if I did not believe that there was included in it a plain proposition that we shall observe complete neutrality in the taking over of vessels [laughter on the Republican side]——

SEVERAL MEMBERS. Read it.

Mr. MURDOCK. Oh, I have read it over and over again.

A MEMBER. When?

Mr. MURDOCK. And, besides my satisfaction with the plain language of the provisions, I have in my mind what the Republicans could not have if they tried—full confidence in the President of the United States in reading those words as they are. [Applause on the Democratic side.] I wish the Democrats in this House would applaud more and gag less. I shall vote for the bill. The measure merits support, but it does not warrant the gag which accompanies its presentation here to-day.

The SPEAKER. The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I will ask the gentleman from Kansas to use some time.

Mr. CAMPBELL. How many speeches has the gentleman?

Mr. HENRY. Just one.

Mr. CAMPBELL. Mr. Speaker, this gag rule purposes to make in order the latest scheme of the President for reviving prostrate industry in the United States.

The President's appeals for the passage of his ship-purchase bill would be more convincing if any one of the other schemes he has proposed, one after another, had made good his promise that they would revive languishing industries throughout the country. What the country needs is more buying and selling at home, more confidence, more business among our own people; but nothing is proposed that will bring this condition.

And this bill is urged when it is doubtful if anyone believes it will become a law in this Congress. It is equally certain that few believe it should become a law at all, and a less number believe it would do any good if it does. It is safe to say that less than one-third of the American people or of the Members of this Congress believe in either the principle the bill involves or in the wisdom of its enactment into law. This gag rule purposes to force through the House, with whip and spur, the White House bill, with only a secret caucus indorsement. The bill in its present form has not even had the consideration of a committee at either end of the Capitol, and has had scant, if any, consideration at the Legislative Mansion, if I may borrow from the gentleman from Wyoming.

This bill launches the Government into the business of carrying private property for the private gain of a very few people. It put all of the people, by Government action, into competition with those of our people who are common carriers upon the sea. The President says the scheme will revive our languishing industries. The President has been just as sure that each of the five other schemes he has purposed, one after another, would do the same thing.

The purchase of foreign ships belonging to belligerents now interned in our ports, as proposed, would launch the Government upon a dangerous and most expensive experiment. Even if there were no danger that with the purchase of belligerent ships we should become involved in a foreign war, there is still no justification for the passage of this bill.

The Government must purchase ships, the President says, to afford facilities for exporting American products. There may have been a few days, after the beginning of the war in Europe, when our commerce, outward and inward, languished, but that condition has long since passed.

Since the beginning of the war our exports have increased far beyond our normal outward commerce. The official reports, up to the 1st of January, 1915, show we have exported since the war began over $9,000,000 worth of automobiles, $41,000,000 worth of steel products, $8,500,000 worth of woolen goods, $33,000,000 worth of leather products, and $17,000,000 worth of sugar. In the month of last December alone we exported 29,000,000 bushels of wheat, five times the amount exported in December of the year before, at the average price of $1.25 per bushel, while in December of the year 1913 the average price was 98 cents per bushel. In last December we exported $9,500,000 worth of flour, more than twice as much as in December, 1913. In December, 1914, we exported 5,250,000 bushels of oats, as against 30,000 bushels in December, 1913. The exports of oats in the month of December, 1914, was greater than for the entire year of 1913.

We exported in December, 1914, 4,500,000 bushels of corn, valued at $3,500,000, as against 749,000 bushels, valued at $560,000, in December, 1913. In December, 1914, we exported 6,500,000 pounds of fresh beef, as against 524,000 pounds in December, 1913. We exported as much fresh beef in December, 1914, as in the entire year of 1913. We have exported over $200,000,000 worth of breadstuffs since the war in Europe began. We have exported over $8,000,000 worth of horses. Last week cotton exports were 365,733 bales, a greater number of bales, it is claimed, than in any week last year; and the total exports of cotton for the year now totals almost 4,500,000 bales.

Mr. Speaker, all this vast outward commerce has brought better prices to the American producer, except cotton, than he has received for similar products under normal conditions of export in recent years.

But the President says that the cost of over-sea transportation is abnormal. The conditions of over-sea transportation are abnormal. Search and possible seizure, mines, war zones, congested foreign ports, difficulty in unloading in foreign ports, returning with light loads—all these abnormal conditions account for the abnormal increase in ocean freight rates and for whatever temporary difficulty cargoes find in leaving American ports.

From whom and from where does the demand come for this legislation? Certainly not from the farmers and manufacturers of the United States, for they are exporting in larger quantities than in the normal years of peace, and at better prices; and it follows that they have found sufficient facilities for carrying their larger exports, while the President and two members of his Cabinet have been taxing their own energies and the patience of the American people in an endeavor to secure the passage of this bill.

Why, the President within three days has received, if press reports are to be credited, from the mayor of New York an appeal to place an embargo on wheat, one of the chief products of the American farmer, and the reason for urging the embargo is that we have so enormously increased our wheat exports within the last few months that we have endangered the food supply of our own people.

The suggestion of an embargo on wheat has been made from many points in the eastern portion of the United States, while from the West there come demands to every Member of the Congress for an embargo on munitions of war, products of manufacture. Demands from every portion of our country come for an embargo on exports, and the answer of the administration is a proposition to embark the Government as a common carrier upon the seas of additional export products.

While the President has been taking his time and the time of the Congress in urging the purchase of five or six ships of commerce our increased exports have stimulated American shipbuilding, and private enterprise is now employed in building American ships for use in the common paths of the sea to the ports of the world with the export products of the American

people. There is an unprecedented boom in shipbuilding in the shipyards of the United States. All along the Atlantic seaboard shipyards are busy. Newport News, the Maryland Steel Co., the New York Shipbuilding Co., the Fall River Shipbuilding Co. are all working to the limit of their capacity filling orders for ships. To-day there is under construction at Newport News two 15,000-ton steel vessels and two 10,000-ton steel freighters.

Is it the purpose of the Government to stop this one demand for American labor by the purchase of interned ships of belligerents now in American ports? There are 66 of these now in the ports of our country—55 German ships and 11 Austrian ships. Private citizens do not buy these, because of the diplomatic and international questions involved and the danger of involving our country in the deplorable war now waging in Europe. The administration should profit by the example of American citizens and refrain from an act that may involve this country in foreign complications that may at any time result in war.

In the meantime the promises of the Baltimore platform and of the President for rural-credit legislation and to reduce the cost of living are unkept. Nothing is done for conservation, and the appeals of Porto Rico for better government are unheeded. We approach the last days of this Congress, and only one of the great supply bills for the Government has become a law, and the President insists on consuming all the time on another experiment not promised by him or his platform.

Why does the President insist on this Congress, that has been so nearly repudiated, spending its last days passing on this important measure? Does he fear to submit his new proposal for Government competition with private enterprise in our overseas commerce to Representatives lately chosen by the people?

The President requires a platform pledge from his party as a basis of his support for woman suffrage and for limiting foreign immigration. He has neither a platform pledge nor a favorable expression from the people for this proposal. Indeed, he seems to fear to submit this measure to the latest Representatives chosen by the American people, and insists upon this consideration by a Congress that has been all but repudiated.

Mr. Speaker, I am opposed to both the rule and the bill. I would avoid war by not provoking it. I would not purchase a quarrel by purchasing ships of belligerents in violation of the principles of international law to which we have subscribed. [Applause.]

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. HENRY. Mr. Speaker, the gentleman from Wisconsin [Mr. LENROOT] said that he had noticed where a baseball team started in by following every order of the captain they usually came out at the tail end when the season closed. Evidently the gentleman is a novice in the baseball business. I have seen a few baseball games myself, and my observation has been that where a team starts in by not following the orders of the captain at the beginning of the season they begin at the tail end and end there.

Mr. Speaker, we are following the lead of our captain, and you gentlemen will find that the American people follow his lead when he is this day undertaking to rescue them from the shipping pirates of the high seas. [Applause on the Democratic side.] Their attention is fixed on this body, and they know what is going on. The gentleman from Kansas, Mr. MURDOCK, made a very sensible speech. [Laughter on the Republican side.] The only regret I have is that he did not commence making sensible speeches at the beginning of his career. Now, Mr. Speaker, the other gentleman from Kansas, Mr. CAMPBELL—and I presume I will not be accused of saying anything offensive when I refer to him as a "standpat Republican"—speaks of this "gag rule" that we are passing to-day. Let me say to him that the people, the voters, everywhere will justify this "gag rule" rescuing them from the monopoly of the Shipping Trust and the oppression that has been going on for more than a hundred years. [Applause on the Democratic side.] And more than that, Mr. Speaker, when the contest comes in this country, when the session of Congress is ended, when we appeal to the American people under the leadership of Woodrow Wilson, and the people hear the voice of that other tribune of their rights, the Speaker of this House, the Hon. CHAMP CLARK [applause on the Democratic side], than whom no man here is better loved, and hear the voice of that other leader who goes to the other end of this Capitol, the Hon. OSCAR UNDERWOOD, in support of the Wilson administration, they will record a verdict justifying our action.

Gentlemen, we welcome this contest. It is a struggle between this administration and the Shipping Trust. He is grappling with the shipping monopoly before the gaze of the world. The Shipping Trust is going to destroy Wilson's administration or Wilson will destroy the Shipping Trust. [Applause on the Democratic side.] I believe when the contest is over the Shipping Trust will fall. It will not be the Democratic administration fighting in behalf of the American people. Ah, gentlemen talk about Government ownership and this Government embarking in commercial enterprises! Do you not recall that in the very beginning of this Government we embarked in Government ownership and constructed highways leading from one part of this continent to the other—among them the Cumberland Road—in order that the commerce of the people might be carried over them? Under Jefferson, Jackson, Madison, and Monroe we constructed these highways for the benefit of the people, so they might interchange their commerce. And then the war came on and this Government again embarked in Government ownership and aided in the construction of the great transcontinental railways, and the people applauded and justified that governmental enterprise. And when we came to the Panama Canal, under Roosevelt again we embarked in Government ownership, and are now making a success of that enterprise. And recently we passed the Alaskan railroad bill. And if you call that Government ownership, all well and good. It will justify itself, and if it takes Government ownership, if this Government must go into a commercial enterprise, to destroy the shipping monopoly and trust on the high seas, I am ready to follow the leader and cast my vote in favor of it. What do you gentlemen propose? You propose a subsidy, to be taken out of the pockets of the taxpayers and put in the pockets of this monopoly, and at the end of that time the people will have no relief.

We propose something that is sound, that is sane, that will justify itself, and that will bring the relief we have promised the American people; and let me say that when this fight has been finished, after Woodrow Wilson has presented his record to the voters and you have taken the other side of the issue, in 1916 he will triumph, because he is fighting for the people's cause, and you are on the side of the special privileged class.

We welcome the conflict. Call on the battle. Shall the shipping pirates of the high seas win or the Democratic administration of Woodrow Wilson go down in loss of confidence and support? For my part, I will be standing by Wilson's side in this last death struggle against the world's greatest and most conscienceless monopoly. [Applause on the Democratic side.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CAMPBELL. Mr. Speaker, I call for the yeas and nays.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those who favor the resolution will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 186, nays 139, answered "present" 2, not voting 96, as follows:

[Roll No. 66.]

YEAS—186.

Abercrombie	Coady	Gittins	Kirkpatrick
Adair	Collier	Glass	Konop
Adamson	Connelly, Kans.	Goeke	Korbly
Aiken	Connolly, Iowa	Goldfogle	Lafferty
Alexander	Cox	Goodwin, Ark.	Lazaro
Allen	Crisp	Goulden	Lee, Pa.
Ashbrook	Crosser	Gray	Lesher
Aswell	Cullop	Gregg	Lever
Bailey	Decker	Griffin	Levy
Baker	Dershem	Gudger	Lewis, Md.
Baltz	Dickinson	Hamlin	Lieb
Barkley	Dixon	Hardy	Linthicum
Beakes	Donovan	Harris	Lloyd
Bell, Ga.	Doolittle	Harrison	Lobeck
Booher	Doremus	Hay	Lonergan
Borland	Doughton	Hayden	McAndrews
Bowdle	Driscoll	Heflin	McKellar
Brodbeck	Dupré	Helm	Maguire, Nebr.
Brown, N. Y.	Eagan	Helvering	Metz
Brumbaugh	Eagle	Henry	Mitchell
Bryan	Evans	Hensley	Moon
Buchanan, Ill.	Fergusson	Hill	Neeley, Kans.
Buchanan, Tex.	Ferris	Holland	Neely, W. Va.
Bulkley	Fields	Houston	O'Hair
Burke, Wis.	FitzHenry	Howard	Oldfield
Burnett	Flood, Va.	Hoxworth	Padgett
Byrnes, S. C.	Floyd, Ark.	Hughes, Ga.	Palmer
Byrns, Tenn.	Foster	Hull	Park
Candler, Miss.	Fowler	Humphreys, Miss.	Peterson
Caraway	Francis	Igoe	Post
Casey	Gallagher	Jacoway	Pou
Church	Garner	Johnson, Ky.	Quin
Clancy	Garrett, Tenn.	Johnson, S. C.	Rainey
Clark, Fla.	Garrett, Tex.	Keating	Raker
Claypool	Gill	Kennedy, Conn.	Rauch
Cline	Gilmore	Key, Ohio	Rayburn

Reilly, Conn.	Small	Taggart	Vollmer
Reilly, Wis.	Smith, N. Y.	Talcott, N. Y	Walsh
Rothermel	Smith, Tex.	Taylor, Ark.	Watkins
Rouse	Stedman	Taylor, Colo.	Watson
Rubey	Stephens, Miss.	Ten Eyck	Weaver
Rucker	Stephens, Nebr.	Thomas	Webb
Russell	Stephens, Tex.	Townsend	Williams
Seldomridge	Stone	Tribble	Wingo
Sherley	Stout	Underwood	Young, Tex.
Sherwood	Stringer	Vaughan	
Sims	Sumners	Vinson	

NAYS—139.

Anderson	Fordney	Knowland, J. R.	Plumley
Anthony	Frear	La Follette	Porter
Austin	French	Langham	Powers
Barchfeld	Gallivan	Langley	Roberts, Mass.
Bartlett	Gardner	Lenroot	Rogers
Barton	Gerry	Lindbergh	Scott
Bathrick	Gillett	Lindquist	Sells
Bell, Cal.	Good	McKenzie	Shackleford
Borchers	Gordon	McLaughlin	Sinnott
Britten	Green, Iowa	MacDonald	Sisson
Brockson	Greene, Mass.	Madden	Slayden
Broussard	Greene, Vt.	Mann	Slemp
Browne, Wis.	Guernsey	Mapes	Sloan
Browning	Hamilton, Mich.	Martin	Smith, Idaho
Burke, S. Dak.	Hamilton, N. Y.	Miller	Smith, J. M. C.
Butler	Haugen	Mondell	Smith, Minn.
Callaway	Hawley	Montague	Smith, Saml. W.
Campbell	Helgesen	Moore	Stafford
Chandler, N. Y.	Hinds	Morgan, Okla.	Steenerson
Cooper	Hinebaugh	Morrison	Stephens, Cal.
Cramton	Howell	Moss, Ind.	Stevens, Minn.
Curry	Hughes, W. Va.	Moss, W. Va.	Stevens, N. H.
Davenport	Hulings	Mott	Sutherland
Davis	Humphrey, Wash.	Murdock	Switzer
Deitrick	Johnson, Utah	Murray	Temple
Dies	Johnson, Wash.	Nelson	Thomson, Ill.
Dillon	Jones	Norton	Towner
Donohoe	Keister	Page, N. C.	Volstead
Edmonds	Kelley, Mich.	Paige, Mass.	Walters
Esch	Kelly, Pa.	Parker, N. J.	Whitacre
Fairchild	Kennedy, Iowa	Parker, N. Y.	White
Falconer	Kennedy, R. I.	Patten, N. Y.	Witherspoon
Farr	Kent	Patton, Pa.	Woods
Fess	Kindel	Peters	Young, N. Dak.
Fitzgerald	Kinkaid	Platt	

ANSWERED "PRESENT"—2.

Beall, Tex.	Logue

NOT VOTING—96.

Ainey	Drukker	L'Engle	Sabath
Avis	Dunn	Lewis, Pa.	Saunders
Barnhart	Edwards	Loft	Scully
Bartholdt	Elder	McClellan	Shreve
Blackmon	Estopinal	McGillicuddy	Smith, Md.
Brown, W. Va.	Faison	McGuire, Okla.	Sparkman
Bruckner	Finley	Mahan	Stanley
Burgess	Gard	Maher	Talbott, Md.
Burke, Pa.	George	Manahan	Tavenner
Calder	Godwin, N. C.	Morgan, La.	Taylor, Ala.
Cantor	Gorman	Morin	Taylor, N. Y.
Cantrill	Graham, Ill.	Mulkey	Thacher
Carew	Graham, Pa.	Nolan, J. I.	Thompson, Okla.
Carlin	Griest	O'Brien	Treadway
Carr	Hamill	Oglesby	Tuttle
Carter	Hart	O'Shaunessy	Underhill
Cary	Hayes	Phelan	Vare
Conry	Hobson	Price	Walker
Copley	Kahn	Prouty	Wallin
Dale	Kettner	Ragsdale	Whaley
Danforth	Kiess, Pa.	Reed	Wilson, Fla.
Dent	Kitchin	Riordan	Wilson, N. Y.
Difenderfer	Kreider	Roberts, Nev.	Winslow
Dooling	Lee, Ga.	Rupley	Woodruff

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. UNDERHILL (for) with Mr. HAYES (against).

Mr. HAMILL (for) with Mr. TREADWAY (against).

Mr. STANLEY (for) with Mr. AVIS (against).

Mr. EDWARDS (for) with Mr. DUNN (against).

Mr. WHALEY (for) with Mr. WINSLOW (against).

Mr. GRAHAM of Illinois (for) with Mr. BARTHOLDT (against).

Mr. LEE of Georgia (for) with Mr. KAHN (against).

Mr. WALKER (for) with Mr. AINEY (against).

Mr. CANTRILL (for) with Mr. GRIEST (against).

Mr. SCULLY (for) with Mr. WALLIN (against).

Until further notice:

Mr. SPARKMAN with Mr. PROUTY.

Mr. ESTOPINAL with Mr. MCGUIRE of Oklahoma.

Mr. HART with Mr. MANAHAN.

The result of the vote was announced as above recorded.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that those who have spoken on the rule and those who may speak on the bill may have five legislative days in which to revise and extend their remarks in the RECORD.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that those who have spoken on the rule and those who speak on the bill may have five legislative days in which to extend their remarks. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The Chair wishes to correct a ruling. When the gentleman from Georgia [Mr. BARTLETT] made a parliamentary inquiry this morning the Chair read only the first sentence of this rule:

Resolved, That immediately upon the adoption of this resolution the Committee on Naval Affairs shall be discharged from further consideration of S. 5259 and the House shall proceed immediately to the consideration of same.

The Chair is still of the opinion that if that was all there was to it the House would go into Committee of the Whole; but the gentleman from Missouri [Mr. ALEXANDER] has called the attention of the Chair to the last paragraph in the rule, which reads as follows:

At the conclusion of the general debate the previous question shall be considered as ordered upon the amendments and the bill, and vote shall be had upon the final passage of the bill without other intervening motion, except one motion to recommit.

Inasmuch as the previous question can not be ordered in Committee of the Whole, that settles the intention of the gentleman who drew this resolution; and the Chair will request the gentleman from Alabama [Mr. UNDERWOOD] to preside in the House as Speaker pro tempore. [Applause.]

The SPEAKER pro tempore (Mr. UNDERWOOD). The gentleman from Missouri [Mr. ALEXANDER] is recognized.

Mr. ALEXANDER. I yield one minute to the gentleman from Tennessee [Mr. PADGETT].

Mr. PADGETT. Mr. Speaker, under the rule I desire to offer the following amendments to the bill.

The SPEAKER pro tempore. The Clerk will report the amendments. Does the gentleman desire the entire paper read?

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to consider the amendments as read and pending. They are the identical amendments provided for in the rule.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The Clerk will report the amendments.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MADDEN. I understand that the bill as presented in the House does not contain some of the amendments offered by the caucus. Where are they?

The SPEAKER pro tempore. The Chair understands that the printed copies of the bill, as agreed to in the resolution which has been adopted, will be on the Doorkeeper's desk shortly.

Mr. MADDEN. Are we going to proceed to the consideration of a bill without the bill before us?

The SPEAKER pro tempore. The printed bill will be here in a few minutes.

Mr. PADGETT. The Senate bill is printed.

Mr. CAMPBELL. Will the reading of the amendments offered by the gentleman from Tennessee be taken out of the time of the gentleman from Missouri [Mr. ALEXANDER] for general debate?

The SPEAKER pro tempore. It will not. This is the presenting of the amendments to the House, and the reading does not come out of the time on either side.

The Clerk read as follows:

By Mr. PADGETT:

Page 1, line 3, after the word "that," insert "with the approval of the President"; in line 5, page 2, strike out the word "shall" and substitute the word "to"; at the end of the bill add new sections, as follows:

"SEC. 5. That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, organized under the laws of a State, a majority of the stock being owned by citizens of the United States, firm or individual citizen or citizens of the United States, to be used for such purposes, and shall have power to carry out said objects and purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share: *And provided further*, That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same.

"The members of said shipping board, as incorporators, may for the purpose of carrying out the provisions of this act, form a corporation of the District of Columbia, by making and filing a certificate of incorporation, as provided in subchapter 4 of chapter 18 of an act entitled 'An act to establish a code of laws for the District of Columbia,' approved March 3, 1901.

"The corporation so formed, its officers and trustees and stockholders, shall possess all the powers conferred and perform all the duties imposed by said subchapter 4, except as the same are by this act limited or qualified.

"The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

"Said corporation may sue and be sued in any district court of the United States, and may remove to said courts any cause brought against it in any other court.

"Said corporation may require any officer or employee to give security for the faithful performance of his duties.

"Persons subscribing to the stock of said company shall pay for the same in full at the time of subscription.

"The stock owned by the United States shall be voted by the shipping board or its duly selected representative.

"The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stock at any meeting thereof.

"Said corporation and its capital stock shall, so long as the United States owns a majority of said stock, be free from all public taxes.

"At no time shall less than 51 per cent of the stock of said corporation be held by the United States, unless the United States shall dispose of all of its stock.

"Congress reserves the right to alter, amend, or repeal this act.

"SEC. 6. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof may be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but the shipping board may cause such corporation to begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000, neither shall the proportion of stock held by the United States at any time be less than 51 per cent: *Provided*, That a sufficient number of the shares of stock of said corporation shall be set apart for holding by the persons for whom the stock of the United States may be voted as trustees, and such shares shall be issued or transferred to such persons to qualify them as trustees of such corporation, and such shares shall be transferred to the successor or successors of any such person or persons.

"SEC. 7 That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable in the judgment of the shipping board for the purposes of such corporation with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000, for the purpose of purchasing or constructing such vessels: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section or other existing authority may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from the proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board: *And provided further*, That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

"SEC. 8. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds, bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to be secured by a first-mortgage lien upon such vessels, severally, thus transferred: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion, and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels: *And provided further*, That said corporation shall not issue any bonds in excess of $40,000,000 or incur any liabilities other than stock issues in excess of $10,000,000. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board, and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner, in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to all laws, regulations, and liabilities governing merchant vessels in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

"All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States, heretofore made or published by authority of law, shall only be and remain in force until midnight on the 31st day of December, 1915, and by proclamation of the President shall cease to have any force or validity at any prior date when new shipping rules and regulations shall as provided hereby take the place of those now in existence.

"The shipping board herein provided for shall propose such rules and regulations applicable to the shipping and water-borne commerce of the United States in lieu of those now in force and covering matters of like character as they may determine suited to the present needs of such shipping and commerce, which, when approved by the President and published, shall apply and become of full force and effect in lieu of such rules and regulations as are now applicable thereto. In the rules and regulations hereby authorized to be adopted and put into force different classes of shipping, navigation, and water-borne commerce may be appropriately and differently treated and provided for. Such rules and regulations when promulgated may be modified, changed, or amended by the shipping board.

"SEC. 9. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with Alaska, the Philippine Islands, the Hawaiian Islands, and the islands of Porto Rico, Guam, and Tutuila: *Provided*, That the above restrictions shall not apply to such of said vessels as are built in the United States. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

"SEC. 10. That the Secretary of the Treasury and the Secretary of Commerce and three additional members, two of whom shall be of practical experience in the management and operation of steamships in the foreign trade, are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States, said three additional members to be appointed by the President, by and with the advice and consent of the Senate. The salary of each of the three additional members of said board so appointed shall be $6,000 per annum.

"SEC. 11. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

"SEC. 12. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace, and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

"SEC. 13. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily, for use as naval auxiliaries of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board, with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

"SEC. 14. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

"SEC. 15. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000, or, in lieu of such appropriation, the Secretary of the Treasury may sell Panama Canal bonds to the amount of $10,000,000 in addition to those provided for in section 7, and on the same terms, and set apart and use the proceeds thereof for such purposes.

"SEC. 16. That two years from and after the conclusion of the present European war, that fact to be determined by the President, the corporation and the shipping board shall turn over and transfer all vessels purchased or constructed under the provisions of this act to the Navy Department, and the Secretary of the Navy shall have the right, with the approval of the President, to lease or charter any of such vessels not needed for naval or military purposes to any firm, individual, or corporation for use as merchant vessels.

"That the Secretary of the Navy shall in such leases provide for their cancellation whenever such vessels may be required for naval or military purposes.

"That all leases made under this section of the act shall be subject to all of the provisions of section 5 of this act relating to maximum rates and charges and terms and conditions of forfeiture.

"That when the vessels, lands, piers, leases for land or piers, and other property held by the corporation are disposed of as herein provided the corporation herein provided for shall be dissolved and said shipping board abolished.

"SEC. 17. That sections 1, 2, 3, and 4 of this act shall not take effect until two years from and after the conclusion of the present European war, that fact to be determined by the President."

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Will the gentleman withhold that just a moment, until the Chair ascertains the situation? Has the pending bill been read?

Mr. PADGETT. It has not. The bill (S. 5259) ought to be read.

The SPEAKER pro tempore. Will the gentleman from Illinois withhold his point of order and allow the Chair to have the bill read?

Mr. MANN. Yes.

The SPEAKER pro tempore. The Clerk will read the original Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish one or more United States Navy mail lines, by employing such vessels of the Navy as in his discretion are available, without impairment to the paramount duties of the Navy, and as are necessary and appropriate, for the purpose of establishing and maintaining regular communication between the east or west coast, or both coasts, of the United States and either or both coasts of South America

and between the United States and the countries of Europe. The vessels so employed shall carry United States mail, passengers, and freight under such regulations and at such rate or rates as the Secretary of the Navy may prescribe. Such civilians, such officers of the naval auxiliary service, and such officers and enlisted men of the Navy, including officers on the retired list, as the Secretary of the Navy may deem necessary, shall be employed in the business of the said mail line or lines, and retired officers of the Navy so employed at sea or on shore shall, in all respects, be held and considered to be in an active duty status, and shall receive the pay and allowances of officers of the active list of the same rank and length of service: *Provided*, That officers placed on the retired list on account of wounds or disability incident to the service, or on account of age, or after 30 years' service, shall not be ordered to such duty without their consent.

The enlisted strength of the Navy, as now or hereafter authorized by law, is hereby increased by the number of men required to man the vessels so employed, and the Secretary of the Navy is hereby authorized to enlist such number of men in the Navy for such terms of enlistment, not to exceed four years, as may be desirable, and to distribute the number of men so enlisted among the various ratings of the Navy.

SEC. 2. That in addition to and as a part of the line of the Navy there is hereby established an active reserve list. Line officers placed on the active reserve list under the provisions of this act shall be held to be in an active-duty status in all respects, except that officers on the active reserve list shall not be advanced on the active reserve list except for eminent and conspicuous conduct in battle, or extraordinary heroism, when their advancement thereon for these causes shall be governed by the provisions of law governing the advancement of officers on the active list for like causes. All laws now in effect with reference to the retirement of officers from the active list are hereby extended to include officers on the active reserve list.

SEC. 3. That sections 8 and 9 of the act approved March 3, 1899, entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," as amended by the act approved August 22, 1912, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes," are so far amended that officers who hereafter volunteer or are selected for retirement as therein provided shall be held and considered to have volunteered for transfer to the active reserve list, or shall be selected for transfer to the active reserve list, respectively; and the transfer of such officers to the active reserve list in lieu of their retirement shall be made subject to the restrictions imposed by the provisions of the said sections as amended.

SEC. 4. That in addition to such part of existing appropriations as may be available for the expenses of operating the line or lines herein provided for, the sum of $100,000 is hereby appropriated, to be paid out of any money in the Treasury of the United States not otherwise appropriated, to be expended in the discretion of the Secretary of the Navy for the purpose of organizing, inaugurating, and carrying on the traffic provided for in this act and in defraying the operating expenses incident thereto: *Provided*, That all money received for the transportation of mail, passengers, and freight, as provided in section 1 of this act, and for such other services as may be incident to the operation of the said line or lines, is hereby made available, in addition to the aforesaid sum of $100,000 herein appropriated, for expenses incident to the proper conduct of the business contemplated in this act: *Provided further*, That any sum of money herein appropriated which remains unexpended at the end of the third fiscal year after the passage of this act, and at the end of each fiscal year thereafter, shall be covered into the Treasury of the United States.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-two Members are present, not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

[Roll No. 67.]

Ainey	Dooling	Kettner	Roberts, Nev.
Anderson	Drukker	Kiess, Pa.	Rupley
Anthony	Dunn	Kitchin	Sabath
Avis	Edwards	Korbly	Saunders
Baker	Elder	Kreider	Scully
Barnhart	Estopinal	Langham	Sells
Bartholdt	Fairchild	Lee, Ga.	Shreve
Bowdle	Faison	L'Engle	Smith, Md.
Brown, W. Va.	Farr	Lesher	Smith, Minn.
Bruckner	Ferris	Lever	Smith, N. Y.
Bulkley	Fields	Lewis, Pa.	Sparkman
Burgess	Finley	Lindquist	Stanley
Burke, Pa.	Gard	Lobeck	Stevens, Minn.
Burke, S. Dak.	George	Loft	Sumners
Calder	Gerry	McClellan	Talbott, Md.
Callaway	Gittins	McGillicuddy	Taylor, N. Y.
Cantor	Godwin, N. C.	McGuire, Okla.	Thacher
Cantrill	Gorman	Maher	Thomas
Carew	Graham, Pa.	Manahan	Treadway
Carr	Greene, Vt.	Moore	Tuttle
Carter	Hamill	Morgan, La.	Underhill
Cary	Hamilton, N. Y.	Mulkey	Vare
Clancy	Hart	Nolan, J. I.	Walker
Clark, Fla.	Hawley	O'Brien	Wallin
Claypool	Hay	Oglesby	Weaver
Conry	Hayes	O'Shaunessy	Whaley
Copley	Helgesen	Patton, Pa.	Whitacre
Dale	Hensley	Post	White
Danforth	Hobson	Price	Wilson, Fla.
Davenport	Hull	Ragsdale	Wilson, N. Y.
Davis	Johnson, S. C.	Reed	Winslow
Deitrick	Johnson, Utah	Reilly, Conn.	Woodruff
Dent	Kahn	Riordan	

The SPEAKER pro tempore. On this roll call 292 Members have answered to their names, a quorum. The Doorkeeper will open the doors.

Mr. ALEXANDER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. ALEXANDER. Mr. Speaker, I yield 30 minutes to the gentleman from North Carolina [Mr. WEBB].

Mr. WEBB. Mr. Speaker and gentlemen of the House, in order that we may thoroughly understand the situation with reference to the two bills in one I will take a little time to explain it as I understand it. The Gore bill, which we are about to vote upon at the end of six hours' debate, is practically the same as the Alexander bill reported by the Committee on Merchant Marine and Fisheries last September and introduced in the Senate by Senator STONE. The bill before you now is a composite bill composed of the Weeks bill, so called, and the Gore bill, so called. The Weeks bill last August passed the Senate practically unanimously; in fact, I think it did pass unanimously. The Gore bill is now pending in the Senate.

We have had assurances from the other end of the Capitol frequently that if the Gore bill could be made a temporary measure much support would be gained for it, and, in fact, some have been led to believe that the Gore bill, under those circumstances, could pass.

Now, what is done in the bill under consideration to-day is to make the Gore bill a temporary measure and abolish the shipping corporation two years after hostilities in Europe are concluded, and at the end of that time put in effect the Weeks bill, which passed the Senate unanimously. In other words, we have given gentlemen at the other end of the Capitol what they say they want in the Gore bill and what they voted for in the Weeks bill.

Mr. MANN. Will the gentleman yield?

Mr. WEBB. I will.

Mr. MANN. How are the minority stockholders to be protected when the vessels are turned over under this bill?

Mr. WEBB. That is a matter of detail, but I will answer it. You will have no minority stockholders. I do not think any private party will invest in the stock of the corporation.

Mr. MANN. That is the gentleman's answer—that there will be no minority stockholders?

Mr. WEBB. I think not; it will be a corporation like the Panama Railroad or the Panama Steamship Co., and if there should be any minority stockholders the stock will be paid for when it is turned over to the Navy Department.

Mr. TOWNER. Will the gentleman yield?

Mr. WEBB. For a brief question.

Mr. TOWNER. If that be the case, and I agree with the gentleman, if this property is to be turned over without compensation, there are no minority stockholders who would subscribe. If this is the case, where would there be any reason for the organization of a corporation at all?

Mr. WEBB. None whatever, except that it is a mere fiction. We did it in the case of the Panama Railroad Co. and in the case of the Panama Steamship Co. It is a mere fiction, which the American people love to follow because of the habit. There is not much real difference between authorizing the outright purchase by the Government of these vessels and the owning and operating of them by a corporation, all of whose stock is owned by the United States.

The Weeks bill, which, as I say, passed the Senate practically unanimously, provides that the Secretary of the Navy may take such vessels as are not absolutely necessary in the Navy Department and use them in the establishment of mail steamship lines, which lines shall also carry not only mail but passengers and freight also.

Now, you would have thought that our friends in the Senate who inveigh against socialism in the Gore bill would have raised a mighty howl against that proposition in the Weeks bill, and yet the principle in the Gore bill is the same as is involved in the Weeks bill, with one exception, and that is that the vessels operating under the Weeks bill shall be operated by naval officers, while those operated under the Gore bill are operated by civilians. I confess that, in view of troubled conditions across the sea, I think it is better at present to have Government vessels operated by civilians rather than have them operated by naval officers in United States uniforms.

Therefore we have provided that the Weeks bill shall be suspended until two years after hostilities cease, and in the meantime the Gore bill shall take effect, so when the Gore bill dies the vessels which the shipping corporation own may be operated under the Weeks bill or may be leased or chartered.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WEBB. I will.

Mr. JOHNSON of Washington. Does the Gore bill provide that these ships shall go into Alaskan ports and operate to and from Alaska?

Mr. WEBB. Yes, sir. That was an amendment adopted in caucus last night—providing that Alaskan ports should be included in the bill.

Mr. JOHNSON of Washington. It is to be treated as a foreign port and not as a coastwise port?

Mr. WEBB. It is to be treated like Hawaii. Hawaii is a Territory, and so is Alaska, and we thought it would be unfair to make a discrimination between different ports, both being coastwise countries.

Mr. JOHNSON of Washington. Does not the gentleman think that is a very important matter to be considered?

Mr. WEBB. This is an emergency measure, and it is proposed that the vessels shall go where they are most needed, as I shall show the gentleman later on.

Now, we all, Republicans and Democrats alike, for 25 years have agitated the question of a larger merchant marine.

In 1821 American-owned vessels carried 89 per cent of the commerce of the United States, but from that time to the present hour our American vessels have been carrying less and less of our commerce, until they have almost vanished from the seas. To-day they carry 7¾ per cent of our foreign commerce. That commerce amounts to two billions and a half dollars of exports and $2,000,000,000 of imports, and yet we carry in American bottoms only a little pitiful 7¾ per cent of that tremendous commerce. Sir Walter Raleigh, after whom my own State capital was named, at one time said that the Nation that controls the seas controls the commerce of the world, and the nation that controls the commerce of the world controls the wealth of the world, and the nation that controls the wealth of the world controls the world.

England learned this many, many years ago, and although she is little larger than my native State in area, still she has 20,000,000 tons engaged in deep-sea commerce, while our country with a hundred million people has a little pitiful 1,000,000 tons. Everyone agrees that we ought to have a merchant marine, that our expanding commerce demands it, and yet American statesmanship up to this good hour has failed to devise a plan by which that great merchant marine may be built up. Our Republican friends, many of them, have supported the idea that we should go into the Public Treasury and take out the people's money and put it into the private pockets of corporations to build up the merchant marine; but that has not been satisfactory. That has not succeeded. In fact, we subsidize vessels now to the extent of a million dollars a year. That has done no good. England's entire subsidy is only $3,000,000 a year, and England has twenty times as many tons on the seas as the United States, which has $1,000,000 of subsidies a year. I say again that something ought to be done, and, if possible, quickly. How shall it be done? The Republican Party has been in power for half a century, and during all that time our great merchant marine has been gradually fading from the seas. It has been a great problem. Of course, land business has been more profitable than sea business. Our Republican friends have tried to revive the merchant marine with subsidies, but with a great Republican majority they have not been able to pass a bill subsidizing merchant ships, for there are always enough Republicans opposed to it who, together with the Democrats, kill it, and the Democratic Party has never stood for that, and we therefore agree that subsidies can not be granted.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. MOORE. Has not the Democratic Party always uniformly opposed every Republican effort to build up a merchant marine by subsidies?

Mr. WEBB. All the Democrats and some Republicans have opposed private subsidies, and we expect to do that as long as we are a party. We believe that it is better to take all of the people's money and spend it for all of the people rather than to take all of the people's money and put it into the private pockets of a few great corporations for their private benefit. [Applause on the Democratic side.] That is the fundamental difference between the Democratic Party and those Republicans who feel like my friend from Pennsylvania does.

Mr. MOORE. What is the difference between taking $30,000,000 direct from the pockets of the people and buying ships and having the Government enter into an enterprise that involves risks?

Mr. WEBB. If my friend can not see the difference between them, I do not want to spend the time telling him. I ask him to come over and vote for this bill if he sees no difference, because this bill takes $30,000,000 direct for the use and benefit of all the people, and not for a few private shipowners. My friend knows the difference, and everyone in the House knows it.

I am willing to answer any question if the question is direct, because I think sometimes we can bring out matters more clearly by questions than we can in general debate if the question is asked in good faith. But I do not want to explain any more the difference between the proposition in this bill and a private subsidy.

Mr. CAMPBELL. What effect does the gentleman think the passage of this bill will have on shipbuilding now going on in shipyards of the United States for private shipowners?

Mr. WEBB. Mr. Speaker, I confess to my friend that I can not answer that and nobody else can. I see that all the shipyards are being opened now and are "booming." I suppose if we construct some more ships under this act in the American shipyards it will help the "boom," and if we can not build them in that way we can buy them.

Mr. CAMPBELL. Has the gentleman from North Carolina observed in the press that some proposed builders who had contemplated giving orders for four ships have cancelled these orders, pending the legislation now under contemplation?

Mr. WEBB. Oh, that is like some of the great factories I have heard of, that close down just before an election and tell the workmen that if they do not vote the Republican ticket they will stay closed down forever. [Applause and laughter on the Democratic side.] That is a bluff, pure and simple, and will fool nobody.

Mr. ALEXANDER. Mr. Speaker, will not the gentleman from North Carolina ask the gentleman from Kansas to give the names of those people to whom he refers and to be more explicit?

Mr. WEBB. Mr. Speaker, I will ask the gentleman from Kansas to do that a little later. Let us see now if there is any necessity for such a bill.

Mr. ROBERTS of Massachusetts. Mr. Speaker, I understood the gentleman to say that he was willing to explain certain features of the bill as he went along?

Mr. WEBB. I would not want to go into the details of the bill. I will leave that to Judge ALEXANDER. I can not do it in 20 minutes, but any general question I am quite willing to answer.

Mr. ROBERTS of Massachusetts. That is what I want to ask. First, I want to know if the Democratic caucus last evening made any change in the so-called Weeks bill on page 1, lines 7, 8, 9, 10, and 11?

Mr. WEBB. I have not the bill before me, and I can not answer the question. What is provided in those lines?

Mr. ROBERTS of Massachusetts. If the gentleman is familiar with the so-called Weeks bill——

Mr. WEBB. I am.

Mr. ROBERTS of Massachusetts. It provides that the Secretary of the Navy might operate naval vessels on certain lines of trade.

Mr. WEBB. I can answer the question. The only amendment made to the Weeks bill was, after the words "Secretary of the Navy" insert the words "with the approval of the President."

Mr. ROBERTS of Massachusetts. That is the only change made in the Weeks bill?

Mr. WEBB. That is the only amendment to the Weeks bill, except to postpone its effect until two years after hostilities cease.

Mr. ROBERTS of Massachusetts. Will the gentleman yield for a further question?

Mr. WEBB. I hope the gentleman will not insist; I would be glad to yield if I had the time.

Mr. ROBERTS of Massachusetts. I wanted information only; I have no idea of delaying the gentleman.

Mr. WEBB. I have only about 10 minutes remaining and I have just begun. I hope the gentleman will understand that I do not intend to be discourteous. I always answer questions, because I think that is a good way to debate matters.

Mr. GOOD. Will the gentleman yield?

Mr. WEBB. If the gentleman will allow me to proceed with my statement, I will yield later, if I have the time. Now, gentlemen, we all agree we ought to have a merchant marine. We all agree, so far, no plan has been presented that will produce that great merchant marine. I doubt if there are 50 men in the Hall who will agree on one particular method by which an American merchant marine may be built up. You may say, Repeal the shipping laws; but you can not do it. The Republicans, I think, would not vote to ever repeal all the shipping laws, and neither will many Democrats, so that can not now be done. The question is, Shall we do something now in the nature of Government control and ownership to save the situation or do nothing? We produce 25 per cent of all the wheat in the world. We pro-

duce 45 per cent of all the pig iron in the world. We produce 40 per cent of all the coal in the world. We produce 60 per cent of all the corn and 65 per cent of the world's cotton. We export 30,000,000 barrels of petroleum oil every year. We have not the vessels in which to transport even a decent fraction of our products. Eight per cent is all we carry in American bottoms, and our exports must be carried in our foreign competitors' bottoms, and will be carried in our competitors' bottoms unless this Congress does something in the present emergency to relieve the situation not only temporarily, but I would like to see it be relieved permanently and forever, and you gentlemen who oppose this proposition ought not to criticize the sponsors of this bill, unless you can present something better in its stead.

Mr. MADDEN. We do not get a chance to present anything, not even an amendment.

Mr. WEBB. Yes; you do. At the end of this debate you have an opportunity to offer your own bill to be voted on.

Mr. MADDEN. You will not even let us offer an amendment.

Mr. WEBB. We provide how it can be done on a motion to recommit, and then you gentlemen will have a chance to show how you would build up a merchant marine.

Mr. GLASS. They had the opportunity for 40 years and did not do it.

Mr. WEBB. They have had the opportunity for half a century to build it up, and during all that period the merchant marine has been growing sadly less. Now, Mr. Speaker, is there any necessity for an emergency merchant marine as provided in this bill? Is there any man who denies that the exports of the United States are being hampered by the checked and clogged conditions in every port in the United States? Only on the 6th day of this month the collectors of practically every port in the United States telegraphed to the Secretary of the Treasury the conditions with regard to commerce in each particular port, and without an exception the collectors wired that all the ports were jammed, clogged, and crowded with wheat, cotton, corn, lumber, tobacco, and many other products ready for export, with no ships to take them. Can we as American Representatives afford to go to the country and say we have no way by which we can relieve that situation, but must let our commerce be clogged, choked, and left to rot and die because you do not want to embark the Government on an idea of ownership and control of vessels in order to relieve that situation and keep the commerce and business of this country from dying?

Mr. STEENERSON. Will the gentleman yield for a question?

Mr. WEBB. I would prefer not just now. My time is limited. I do not desire to be discourteous to the gentleman, and if possible I will yield later.

Mr. STEENERSON. Only for a question.

Mr. WEBB. When I get through I will be glad to do so. In some of the ports the collectors wire that the railroads had placed embargoes on any further delivery of cargoes into those ports. What are we going to do, gentlemen? What are we going to do? Are we going back to our people and tell them that we can do nothing? Are we going back to them and tell them we tried to do nothing?

If you gentlemen on that side have any better scheme than this one, pray present it. You ought to have presented one long ago. We have tried to get together on some bill to relieve this terrible situation, but in some parts of this Capitol they seem to be fiddling while Rome is burning. It is an emergency situation. The life, health, and blood of our entire commerce depends upon something being done for it and on its being done quickly. It will not do to wait, even six months or two years. The patient may die, stagnation may set in, and worse business conditions may spring up than even those already created by this terrible war in Europe. That is not the worst of it. We not only have not the vessels—because practicaly all the German merchant vessels have gone out of business and numbers of other vessels have been taken over by the warring nations as naval auxiliaries—consequently we have a great scarcity of merchant vessels at a time when we need them most. We now have an opportunity that few nations in their history ever had, in reference to foreign commerce, and the thing that is needed to make it blossom like the rose and return prosperity in great waves is sufficient ships, with reasonable freight rates, to carry our commerce abroad to the people who want it.

Not only, my friends, is there a scarcity of vessels, but the men who own and control the great Shipping Trust, both foreign and domestic, know they have the American people by the throat, and instead of charging normal or twice normal prices they have run rates, in some instances, up a thousand per cent, and just last December they took out of the shippers, out of the pockets of the American people, $18,000,000 more than normal freight rates. In 12 short months if we can save to the people of the United States an average of $18,000,000 per month, we would have saved them $206,000,000, and with this result attained at the end of that time you could afford to burn all the vessels that we could buy under this bill.

Mr. KELLEY of Michigan. Will the gentleman yield?

The SPEAKER pro tempore. Will the gentleman from North Carolina yield to the gentleman from Michigan?

Mr. WEBB. I would rather not. Cotton, the great staple that has always kept the balance of trade in the United States—its exportation has been hampered because, instead of charging the normal price of $1.25 a bale, these high-sea pirates are charging $17 a bale to carry it across the ocean, and other freight rates are being raised in proportion. I ask you what you are going to do? Are you going to let foreign and domestic trusts rob us and not try to break loose from that strangle hold?

This may not be a perfect measure, but it is a patriotic measure, and men ought to join in in order to relieve this situation as best we may. You say it is Government ownership. That has no terrors to me. Long ago this country went into Government ownership—from the days of Thomas Jefferson and Abraham Lincoln down to the time of William H. Taft and Woodrow Wilson. We have been in the Government control and ownership of interstate highways and business for a hundred years, and if there was ever a time when we should engage in it that time is now. Thomas Jefferson ordered a great highway surveyed from Baltimore to New Orleans. Has the Government a right to build highways? Yes. A little later on the Cumberland Road was ordered to be built, a great interstate-commerce road from Cumberland, Md., to Jefferson City, Mo., and they spent $710,000 to build it. And in Abraham Lincoln's administration great transcontinental railroads needed to be built, and the Government got behind them and built them, and in many cases practically controlled them. And not only that, they built the same kind of road from Chicago and Cairo to New Orleans. In 1904 the Government of the United States authorized the building of the Philippine railroads and guaranteed 4 per cent interest on their bonds. That is on the statute books now, and a Republican Congress passed it, and they let the building materials go into the Philippine Islands duty free, even though they were such strong protectionists in those days. And then there was the parcel post. For years and years we heard the cry that "you are going to put the Government in the carrying business in competition with private enterprise, the express companies. Do not dare to put the Government in the business of carrying small packages." But the Government went into it, and is in it, and where is the man who now would vote to repeal it—the parcel-post law?

The Government is carrying freight on land. Why not carry it on the sea? We authorized the Alaskan Railroad. We make powder and armor plate and many other things that private individuals not only make, but want to make. Here in our foreign commerce is the situation that private individuals can not meet even if they wanted to. But human hands fail and are unable and the Government steps in; there is no paternalism in the proposition. We print envelopes and sell them to the people of the United States. We are in the stationery business, and private individuals want to do the work. We destroy the cattle tick and the boll weevil and do thousands of other things. And not only that, I suppose that many of you on that side of the House voted to put the Government into the insurance business.

Mr. MANN. We voted against it very decidedly, and it has proven a failure.

Mr. WEBB. The gentleman will have to wait and give us more time before he can say that——

Mr. ALEXANDER. It is not a failure. The Government is writing war-risk insurance at one-eighth of 1 per cent.

Mr. WEBB. The war-risk insurance bill passed the Senate, and the Republican Senators who are now holding their hands up in holy horror against this shipping bill voted to allow the Government to insure the cargoes that are carried abroad in monopolistic ships. I can not see the difference in owning the ships that carry the cargoes and the Government insuring the cargoes which the ships carry. I have no metaphysical scissors with which I can make a distinction in principle.

Mr. MANN. The gentleman does not think we voted for that on this side of the House?

Mr. WEBB. I think a number of you did.

Mr. MANN. A very small number.

Mr. WEBB. Well, I am sure that quite a number of Republicans in the Senate did, and also a goodly number of Republicans in the House.

There are others who say this bill is unconstitutional, because there is no warrant in the Constitution that gives the Government the right to do this. That is worn-out doctrine. That has been declared otherwise by the Supreme Court for many, many years, and I refer gentlemen who care to read on this point to the case of Wilson versus Shaw, reported in the Two hundred and fourth United States Reports, where a man by the name of Wilson undertook to restrain the building of the Panama Canal, and the Supreme Court, Justice Gray speaking for that court, said it has too long been settled under the commerce clause of the Constitution of the United States that Congress not only has the power to construct railroads but create corporations for the purpose of building railroads and constructing canals and operating them. There is your highest authority in this country construing the Constitution with reference to the building of railroads and canals. If we have the power under the interstate-commerce clause of the Constitution to build railroads, maintain them, and operate them, why have we not the right under the same clause of the Constitution, which is granted in the same identical language, to maintain and build a line of ships to foreign countries?

Mr. MILLER. Will the gentleman yield for a question?

Mr. WEBB. Just for a question.

Mr. MILLER. Does not the gentleman make a distinction between the authority to regulate commerce and authority to engage in commerce?

Mr. WEBB. That point has been made many times, but the Supreme Court says the point is not well taken.

Mr. MILLER. And that is the distinction the Supreme Court has made every time it has been before it.

Mr. WEBB. The Supreme Court says the contention is not sound. If it were the court would have restrained the building and operation of the Panama Canal. They say we have the right to build the Panama Canal under the interstate-commerce laws of the Constitution. Under that commerce clause we can establish, regulate, and operate a ship line or lines to foreign countries.

Now, if we can establish railroads and build canals, we can also establish a ship line on the sea, because we have the same power on the sea with reference to foreign commerce as we have on the land with reference to interstate commerce. I shall not take the time of the House to read what Mr. Justice Gray said, but if any of you are in doubt about it, I ask you to read it. I will, without reading it, put it in the RECORD.

Mr. MANN. You will not put it in the RECORD unless you read it. I am going to object to all extensions.

Mr. WEBB. I hope the gentleman will not filibuster.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. ALEXANDER. Mr. Speaker, will the gentleman from Massachusetts [Mr. GREENE] use some of his time?

Mr. GREENE of Massachusetts. Mr. Speaker, I have served as a member of the Committee on the Merchant Marine and Fisheries ever since I have been a Member of this House. Since the Democratic Party came into power in 1911 I have never filed a minority report against a bill brought out by the majority of the committee, of which my friend from Missouri, Judge ALEXANDER, is chairman, until I prepared a minority report upon this bill.

The hearings on the bill (H. R. 18666) which was reported to this House were only of one day's duration, and the only person who appeared before us as representing the Government was the Hon. William G. McAdoo, Secretary of the United States Treasury. The members of the committee tried to ascertain from him what was intended by the bill; whether it was intended to go into the overseas foreign trade or whether it was intended to go into the South American trade. We obtained but very little information from him, and most of the information furnished was that it was intended to go into the South American trade, but that it was, as we well knew, in the power of Congress to do whatsoever it pleased. And when some of the members of the committee raised the question as to the advisability of the bill providing for Government ownership, his answer was: "Leave the matter to the President. You all have confidence in the President. Leave the whole subject to him."

I replied that I thought the Congress of the United States should take the responsibility rather than have the President of the United States take all the responsibility for the pending legislation. The report of the majority of the committee was filed on the 5th day of September, 1914. I obtained permission from the House of Representatives on the 8th day of September to file within five legislative days the minority report, and the minority report was filed on the 13th day of September. And nothing has been heard from the other side of the House, with their great majority, in regard to this bill until we are confronted to-day with a bill which no one has had a chance to understand or consider. We are met with a bill to-day without any hearings having been held upon it, without any definite explanation of what it is to be; but we learn from the newspapers that it was agreed to in a Democratic caucus held last night. It is not even printed for the information of the House, and yet we have this bill brought before us for final action and debate limited to three hours.

At the time the original hearing was held before the Committee on the Merchant Marine and Fisheries it was represented that a great emergency then existed; that we could not wait for anything to be done except to act upon the bill that was then presented. It was suggested there by one of the members of the committee that we should admit the vessels mentioned in the bill to the coastwise trade, and when that proposition was brought to the attention of the committee I made the suggestion that if that subject were introduced it would mean a delay in any final action on the bill, whether that delay occurred in this House or in the other body at the northerly end of the Capitol, and that such a proposition would lead to interminable debate. Consequently that project was thrown aside, although the Secretary of the Treasury kindly informed us that he himself had no objection to that proposition, and that he would like to see it carried into effect.

Mr. Speaker, allusion has been made to the fact that the party now in power has its first opportunity to bring in a bill for the building up of the American merchant marine in the presentation of this Government-ownership bill. If I recollect rightly, when the Panama Canal bill was passed an amendment was placed upon that bill that brought out the exact Democratic theory, and that was the right to buy ships in the markets of the world. That has always been the Democratic argument in opposition to every proposition that we put up to build up the merchant marine—that if they only had the right to go into the markets of the world to buy ships they could build up a merchant marine.

The Panama Canal act provided that vessels could be bought in the markets of the world, but that vessels thus purchased should not be over five years of age. That provision of the bill was tested. Not a single vessel was bought under that proposition. Then that limitation was stricken from the bill, in order that all who desired might buy with perfect freedom—buy vessels of any age, in any way that they could get them. That finally resulted in no purchase of vessels, and at last a ship-registry bill was provided. Unfortunately, I did not happen to be present in the House when the bill was brought up and hastily rushed through the House, but a ship-registry bill was provided, and it was put in the discretion of the President of the United States to provide that foreign watch officers might be engaged to act in charge of these vessels thus purchased if it was found necessary. That bill finally passed both branches of Congress, and the next day thereafter the signature of the President was attached to that bill. He also granted the right to put foreign watch officers on every one of these vessels granted an American registry, and then an attempt was made to put these vessels into the coastwise trade of the United States, but this attempt failed of consummation by the action of the Senate.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Massachusetts yield to the gentleman from Ohio?

Mr. GREENE of Massachusetts. I decline to yield.

Now, the coastwise trade of the United States was established in 1787, and when that trade was established it was provided that it should be confined to American-owned, American-built, and American-officered vessels; and this proposed extreme change in policy was one that I am sure would not be made with the approval of the American people. Some of the most prominent Democrats I know called my attention to the fact that the admission of such vessels, with such officers to take charge of the same, to the coastwise trade would be an unwise act that would take away our means of defense, which had been practically provided for by the men who had manned these vessels year after year since the coastwise trade was established in 1787.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Yes.

Mr. ALEXANDER. Is it not true that the United Fruit Co. of Massachusetts and the Standard Oil Co. and the United States Steel Corporation were the ship companies that asked to have the law extended as to the captains and watch officers?

Mr. GREENE of Massachusetts. I do not know who asked for it. I am not familiar with the action, except as I read of it in the newspapers. But I do know the President granted that

privilege, whoever asked for it, without stopping to consider the importance of the question, after the Congress had given him the discretion to act.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Massachusetts yield to the gentleman from Pennsylvania?

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE. Is it not an interesting fact that the administration *yielded* so readily to the request of the United Fruit Co., the Standard Oil Co., and the United States Steel Corporation?

Mr. GREENE of Massachusetts. Yes. It is peculiar, because the Democrats have been abusing the Standard Oil Co. and the United States Steel Corporation and the United Fruit Co. for, lo, these many years. That has been their stock argument ever since they have been in existence.

But, gentlemen, I find that my time is so limited, and I have promised so much of the time granted to me to others, that I have very little time that I am privileged to occupy myself.

One great argument made by those on this side of the House and those upon the other side who have opposed subsidies to vessels in the foreign trade was that if we subsidized vessels and put them into the over-seas trade, it would cause an increase in freight rates, and that if an increase in freight rates resulted the farmer would be injured, because he would have to pay larger freight rates. Now, the fact is that since the breaking out of the war—and that terrible war is the cause of everything troublesome now with our friends on the other side of the aisle—it is true freight rates have been very largely increased, but the price of farm products does not seem to have been reduced, and as far as I have been able to ascertain the farmer delivers his freight at the dock in this country and the man who buys the farm product across the broad ocean pays the freight.

Mr. GORDON. The consumer pays the freight.

Mr. GREENE of Massachusetts. Yes; the consumer on the other side of the water pays the freight. Therefore the argument that has been presented heretofore on this side and on the other side of the aisle has been dispelled, and if no other proposition has been settled by the discussions arising from the great European war that one proposition has been shown to have no foundation in fact.

Now, gentlemen, I shall not take any more time myself, although I would be glad to do so if time would admit. I desire to yield to gentlemen who undoubtedly will be able to present this case much better than I am able to present it myself. I yield to the gentleman from Wisconsin [Mr. LENROOT] 15 minutes. [Applause.]

Mr. LENROOT. Mr. Speaker, upon this bill the fundamental propositions in controversy are few. In the short time allotted to me I wish to discuss two propositions which have not had the attention which I think their importance deserves. They may be stated as follows:

First. What will be the international status of the ships procured under this bill?

Second. Can these ships carry contraband without violating our neutrality and possibly involving us in war?

The second proposition is dependent upon the answer to the first.

As to the status of these ships the supporters of the bill take the position that inasmuch as a corporation is provided for to acquire the ships, and the United States is only a majority stockholder, and inasmuch as it is expressly provided that the ships shall be regarded in all respects as private ships are regarded, that therefore no foreign power can claim that they are public ships or subject to any different rules or treatment than private ships would be. While this is the contention of the supporters of the bill their position has not been sustained, and it can not be. On the contrary, in our international relations these ships are Government ships, and they may be so treated by any foreign power. The only effect of the creation of the corporation proposed in the bill will be to give to any foreign power the option of treating them as either Government or private ships.

Upon this proposition I would observe, first, that any laws that we may make can not bind any foreign power. We can not make a law regarding our own affairs and then declare to Germany or Great Britain that they are bound by what we have done to limit any rights that they might otherwise have. The form of the ownership amounts to nothing internationally. If we, the Government of the United States, own them to the extent of exercising control over them as a proprietor, and we will do so under this bill, we can not escape responsibility to a foreign Government by declaring we have created a corporation in which we are the principal stockholder and the title is in the name of the corporation. The question will be, "Does the Government of the United States control them to the same extent as if operated directly by it?" The answer must be "Yes," otherwise the only reason given for the passage of this bill would disappear. If, then, the Government controls them, then the Government is responsible for whatever they may do.

International law is well settled as to this proposition. I shall give only two short quotations from Moore's Digest of International Law, page 878:

> The measure of a neutral's obligations is to be found in the rules of international law, and it can not shelter itself by the allegation that its own legislation imposes a laxer standard on its subjects.
>
> The duties of neutrality by the law of nations can not be either expanded or contracted by national legislation.

This last quotation is from a great Democratic Secretary of State, Mr. Bayard.

I have searched diligently all the arguments that have been made in behalf of the bill to find some authority for the claim that the United States has the right to shield itself behind a corporation, so far as our international relations are concerned, but have found not one. The eminent advocates of this legislation either can not understand or willfully misunderstand the point involved. They cite a number of bank cases where the sovereign power was a stockholder, and the question at issue was whether the corporation bank was subject to suit in the Federal courts. It has been uniformly held that in such a case the sovereign power could not interpose as a defense its sovereign capacity. But that question is not in issue at all here. Everyone must admit that the United States may waive its sovereign rights by the creation of a corporation in the manner proposed in this bill. If a foreign power chooses so to do, it may treat its ships as private ships and subject them to the international law relating to private ships. That is not in issue. The issue is whether a foreign power is bound to do so. Will a foreign power have the right to treat them as public ships and hold the United States responsible for them, if they choose so to do? The answer must be "Yes." We may waive our sovereign rights over these ships, but we can not waive our sovereign responsibilities.

The tremendous importance of this will be seen in the discussion of the second proposition, "Can these ships carry contraband without violating our neutrality and possibly involving us in war?"

Granted that these are public ships, for which we are in our sovereign capacity responsible to foreign powers, then it is well settled in international law that they can not carry contraband at all without violating our neutrality. A citizen may carry contraband in his private ship and his doing so will not violate the neutrality of his Government. He takes the risk of capture and confiscation of his cargo, but that is all. The Government can not carry contraband at all without violating its neutrality.

Again quoting from Moore's Digest of International Law, page 865:

> It is no offense, either against the law of nations or against our neutrality statutes, for a citizen of the United States to sell munitions of war to a belligerent; yet it could scarcely be contended that the Government would be justified in employing its agents to promote such transactions.

Do I need to argue that if these ships carry contraband these ships would be an agency of the Government to promote the transaction?

The reason for the exemption of the Government from violation of its neutrality by the act of one of its citizens in carrying contraband is stated in Woolsey, International Law, sections 193 and 194. I quote:

> If the neutral (Government) should send powder or balls, cannon or rifles, this would be a direct encouragement of the war, and so a departure from the neutral position. * * * Now, the same wrong is committed when a private trader, without the privity of his Government, furnishes the means of war to either of the warring parties. It may be made a question whether such conduct on the part of the private citizen ought not to be prevented by his Government, even as enlistments for foreign armies on neutral soil are made penal. But it is claimed to be difficult for a Government to watch narrowly the operation of trade, and it is annoying for the innocent trader. Moreover, the neutral ought not to be subjected by the quarrels of others to additional care and expense. Hence, by the practice of nations, he is passive in regard to violations of the rules concerning contraband, blockade, and the like, and leaves the policy of the sea and the punishing or reprisal power in the hands of those who are most interested, the limits being fixed for the punishment by common usage or law. * * * It is admitted that the act of carrying to the enemy articles directly useful in war is a wrong, for which the injured party may punish the neutral taken in the act.

Here the reason for the distinction between a private trader and a Government ship, so far as neutrality is concerned, is made plain, and it is the law.

It must, then, be admitted that if these are public ships they can not carry contraband at all without violation of our neutrality, while private ships may do so. This brings us to a consideration of what constitutes contraband of war. Our own

Supreme Court has defined contraband of war to be articles manufactured and primarily and ordinarily used for military purposes in time of war. Articles which may be and are used for purposes of war or peace are contraband only when actually destined to the military or naval use of a belligerent. The United States has had a fairly consistent policy in the treatment and definition of contraband of war, but the practice of other nations is involved in hopeless confusion and inconsistencies. A careful study compels one to the conclusion that there is practically nothing produced that at some time or other has not been declared contraband by the great powers of the world. In our war with Spain we find in the list of absolute contraband, horses; in the list of conditional contraband, coal. England once declared contraband all grain, flour, or meal bound to any port in France. In 1885 France declared rice destined to certain portions of China as contraband. In 1905, in its war with Japan, Russia placed cotton upon the contraband list. Without giving further instances, we all know what is happening in the present war. The list of contraband articles is being enlarged every month, and it is impossible to say from day to day what has been declared to be contraband by one or the other of the belligerent powers. In the case of a private trader these are the chances that he takes, but let a Government ship have a cargo that England or Germany declares to be contraband, and we may be immediately met with the charge of having violated our neutrality, the result of which might be war. Because of the inexcusable limitations of time, this question can not be given such discussion as its importance deserves, and I must content myself with this very imperfect presentation.

To sum up, the ships provided for in this bill will be public ships, so far as foreign powers are concerned, if they choose to so regard them, and we in our sovereign capacity will be responsible for their operation. These ships can not carry contraband at all without violating our neutrality. As to what is contraband is so uncertain that we could not, without the risk of grave complications, engage in trade at all with any of the belligerent countries. If we can not engage in trade with them, then the reason for the bill fails.

Mr. MARTIN. Will the gentleman yield?

Mr. LENROOT. I am afraid I can not. If I have time, I will yield later.

There is another phase of the matter which I would like to discuss, but I have not the time. I can only state the proposition. It is: These ships, being public ships, must not discriminate against any of the belligerents in the trade carried on by them. If they do, we violate our neutrality. If this bill passes many in this country will insist that these ships engage in the German trade, on the ground that English ships are constantly carrying cargoes from the United States to England; and, therefore, if we would be strictly neutral, that we should devote the ships to the German trade to equalize our exports. To this England would strenuously object. Aside from the international complications involved, there would be complications at home, public opinion would become inflamed, and consequences might follow which would be most unfortunate.

Mr. Speaker, serious and delicate questions are daily arising, and I will not vote for this bill and add uncounted new ones. A vote against the bill can work no serious injury. Every Member who votes for it, if it should become a law, may regret his vote to his dying day.

Some gentlemen on the other side of the aisle treat this matter lightly. The day may come—God knows we all hope it will not—when you may realize that instead of blindly following any man, however great and patriotic he may be, you owed it to your country in this hour to vote your own convictions and not those of some one else's. [Applause.]

Mr. GREENE of Massachusetts. I yield to the gentleman from New Jersey [Mr. PARKER] 10 minutes.

Mr. PARKER of New Jersey. Mr. Speaker, I can not begin without thanking the gentleman who has just spoken [Mr. LENROOT] for his careful presentation of the dangers of this bill. But there is danger also in the way that this bill comes forward. It is not merely that it was reported six months ago and now comes before this House as a caucus measure at the end of the session, but that we have heard it stated that gentlemen have been assured that unless it is passed in the few remaining days of this session there will be an extra session. That means that every Member of this House is threatened with a sentence of six months' confinement at hard labor in a tropical climate, away from home, and likewise that he will be sentenced to pay expenses, and so be fined at least $1,000; and he is also told, if the statement in the morning papers be true, that such an extra session would be the political suicide of gentlemen on the other side of the aisle. How can a great measure be considered under those circumstances, with no power of amendment and only the power to say "No"?

I am going to give only two thoughts as to this bill, full as it is of features which are subject to criticism.

The first four sections are known as the Weeks bill. They provide that the ships of the United States Navy shall be fully manned with retired officers, civilians, and new enlistments, and that the Navy shall be got ready for use; and that meanwhile, as we have an exigency in our foreign trade, especially with South America, those ships which can be spared shall be used in that foreign trade. When that bill was passed in the Senate it was insisted and admitted that it was a temporary measure to meet a temporary exigency and to be passed now for that exigency. This present bill passes the Weeks Act not for this exigency but for kingdom come; not for the needs of the present trade, not for the needs that may come upon us because of the danger of war and the need for enlarging our Navy, but to be without effect until two years after the European war shall have ended and shall have been so declared by the President. It reminds me in its value of a will that was probated, in which a man reserved to himself the use of his real and personal property at the resurrection. And if it is a comfort to the majority party who have introduced this proposition to know that that will was sustained as not made by an absolutely insane man, I will give them that consolation; but the good of the Weeks bill is gone when it is postponed until the need for it will not exist.

How many minutes have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has six minutes remaining.

Mr. PARKER of New Jersey. I am anxious to yield back some of my time. The rest of this bill is a novelty. It was reported six months ago. It proposes that the United States of America shall own or control a corporation which shall buy, build, equip, or charter merchant ships. There are none to be had anywhere except those in harbor belonging to one of the belligerents. Any other ships must be built. This corporation has leave to charter its ships to whom it pleases, and to do business under a shipping board composed of political officials who know nothing about it. The only ships that it can get are useless as freighters, and that is the only kind of ships for which there is a demand. These fast ships are ocean liners meant for passengers, and very few people are going to Europe to spend their money there now. These provisions bring us at least into a doubtful realm with reference to our relations with foreign countries, for while they provide that we shall not do anything with those ships that is not neutral, the very purchase is doubtful as to neutrality. Such provisions imperil this country, and for no good. They drive Americans out of the shipping trade instead of encouraging them to go into it. We want Americans at sea.

I will say only one word more. I am ready to stand for postal or freight subsidies, as other countries have done, or for a tonnage subsidy, but I have always proposed something that I thought better, and that was to pay the difference in cost between the running of an American ship and a foreign ship, which is caused by the cost of American labor. I was always ready to vote for a bill which would say that the United States would pay to any shipowner the difference in cost of the labor of the captain and crew that was aboard the American ship, compared with a foreign ship, or, if necessary, more than the difference, but based on the men being there and their being enlisted in a naval reserve. [Applause.]

That is a single and separate proposition, and would go directly to the evil that prevents Americans being at sea. I have no time to debate it now. If this bill were before the House, I would offer that bill as a substitute, because I believe that the country and the House are determined to have something that will induce Americans to go back on the seas. Unfortunately this is an act to prevent their going back on the seas. Mr. Speaker, I yield back the balance of my time. [Applause on the Republican side.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 12 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MANN. Mr. Speaker, I think the gentleman from Pennsylvania ought to have a better audience, and I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum, and the Chair will count. [After counting.] One hundred and thirty-two Members present—not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following-named Members failed to answer to their names:

[Roll No. 68.]

Ainey	Gallivan	L'Engle	Scully
Anthony	Gard	Lewis, Pa.	Seldomridge
Avis	George	Lindquist	Sherwood
Barchfeld	Gerry	Loft	Shreve
Barnhart	Gillett	McClellan	Smith, Md.
Bartholdt	Gilmore	McGillicuddy	Smith, N. Y.
Bartlett	Godwin, N. C.	McGuire, Okla.	Sparkman
Broussard	Gorman	Maher	Stanley
Brown, W. Va.	Graham, Pa.	Manahan	Stevens, Minn.
Bruckner	Guernsey	Mondell	Sutherland
Brumbaugh	Hamill	Morgan, La.	Taggart
Burgess	Hamilton, N. Y.	Mott	Talbott, Md.
Burke, Pa.	Hardy	Murdock	Taylor, N. Y.
Cantrill	Hart	Neeley, Kans.	Thacher
Carew	Hay	Nolan, J. I.	Townsend
Carr	Hayes	O'Brien	Treadway
Carter	Hill	Oglesby	Tuttle
Cary	Hinds	O'Shaunessy	Underhill
Clancy	Hinebaugh	Peterson	Vare
Conry	Hobson	Plumley	Walker
Copley	Hoxworth	Porter	Wallin
Curry	Hughes, W. Va.	Post	Walsh
Dale	Jones	Price	Walters
Danforth	Kahn	Prouty	Watkins
Deitrick	Kelly, Pa.	Ragsdale	Weaver
Dixon	Kettner	Rainey	Whaley
Dooling	Kless, Pa.	Rauch	Whitacre
Dunn	Kitchin	Reed	Wilson, Fla.
Edwards	Knowland, J. R.	Riordan	Wilson, N. Y.
Elder	Korbly	Roberts, Nev.	Winslow
Faison	Kreider	Rouse	Woodruff
Falconer	Langham	Rupley	Woods
Fitzgerald	Langley	Sabath	
French	Lee, Ga.	Saunders	

The SPEAKER. On this call 289 Members have answered to their names, a quorum.

Mr. ALEXANDER. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The doors were opened.

Mr. ALEXANDER. Will the gentleman from Massachusetts yield to me a moment?

Mr. GREENE of Massachusetts. Certainly.

Mr. ALEXANDER. Mr. Speaker, I would like to have the attention of this side of the House for a moment. We have consumed a little over one hour in debate this morning and an hour in roll calls. It will be impossible to get through with this bill by midnight unless Members remain in the Chamber and maintain a quorum at all times. There are two or three more appropriation bills still pending, and those who have a lingering hope of getting away from here on the 4th of March will simply destroy that hope by not remaining here, and thus wasting the time.

Mr. HENRY. Will the gentleman yield for a question?

Mr. ALEXANDER. Certainly.

Mr. HENRY. I will state that some Members did not catch the terms of the rule this morning and think that the bill will be read for amendment under the five-minute rule. I think the gentleman should explain that at the end of the six hours' debate the vote will be on the bill and the pending amendments.

Mr. ALEXANDER. Yes; the rule provides that at the close of the debate the previous question will be ordered and the vote will come on the bill and amendments to final passage. Members must realize that we lose half an hour or more on every roll call.

Mr. MANN. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MANN. I hope the admonition of my friend from Missouri will be given due attention, because there is not a quorum of the House here now.

The SPEAKER. The Chair hopes that Democrats will all stay here.

Mr. MANN. The Speaker knows the Republicans will.

The SPEAKER. And he also invites the Republicans. [Laughter.]

Mr. MANN. Oh, we will stay.

Mr. GREENE of Massachusetts. Mr Speaker, I yield 12 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, I do not wonder the Democrats do not want to remain in the House during the discussion of this bill; a great many of them have consciences and they do not want to break records for personal independence that up to this time have been creditable. The bill they are asked to support, partly at the dictation of the White House and partly because of the party caucus, is a bill which does not propose to build up American industries; it is a wreckage bill pure and simple. Gentlemen on the other side have suggested that opposition to this bill comes from the so-called Shipping Trust. None are better posted in regard to the Shipping Trust than the gentlemen who make that allegation; there is absolutely no information on this side, so far as I know, concerning any such institution. The Democratic Party will again reverse its professions about the trusts if it passes this bill. It will do this even at the risk of forsaking the plain people, for whom it has professed such undying love. The Democrats used to inveigh against the Guggenheims in Alaska, and it was charged that certain privileges were being granted to extend railroads in that country. Then Democrats were on the alert; they had a great deal of information about the Guggenheims and the great railroad trusts and private monopolies, but it did not take long after the present administration came into power to pass an Alaskan government-ownership bill for the very purpose of buying out the so-called Railroad Trust in Alaska, and if our information be true, that is what is actually occurring under the direction of this administration.

When the railroads of the country were complaining because the freight rates were insufficient and because they were losing money, notwithstanding the Democrats for 16 long years had denounced the railroads and had made all sorts of charges against railroad trusts, 62 very distinguished railroad men and representatives of the "big interests," most of them coming direct from Wall Street, called upon the President of the United States, and shortly thereafter a statement was issued from that quarter indicating that the railroads of the country ought to have a fair show, and that perhaps there had been too much hue and cry against the so-called railroad trusts. That the railroads themselves are not now so unfavorably regarded by this administration has been demonstrated during the last few days, when the Interstate Commerce Commission, in its freight-rate ruling, has indicated that the railroads ought to be preferred even as against the Panama Canal. These things should not be forgotten when we are discussing trusts.

Mr. Speaker, gentlemen who raise the cry of "the Shipping Trust" against the men who oppose this bill desire to get from under. They seek to find a refuge from the wrath of the people whom they intend, in this instance, to rob to the extent of $30,000,000, direct taxation, for the purpose of buying foreign ships and putting American shipyards and American workingmen out of business. Some of the gentlemen who have spoken, and, in particular, the gentleman from North Carolina [Mr. WEBB], have called this bill a bill to build up the American merchant marine. That is a grave mistake. This is a bill to buy foreign ships built in foreign shipyards, not for the purpose of building up an American merchant marine, but for the purpose of transferring the business of building ships from American shipyards, where American wages are paid, to foreign shipyards, where cheap foreign labor prevails.

Gentlemen have intimated that there is a reason for the passage of this bill, because it is said that freight charges have become excessive on the high seas. When a man owns a vessel and there is a great demand for that vessel to carry freight, it is no more unnatural or illogical that he should ask a higher rate of freight for that service which is so greatly in demand than that the cotton planters of the South should combine not to sell their cotton until they obtain a certain price. But gentlemen have contended, and particularly the President of the United States and his very active Secretary of the Treasury have urged, that it is because of excessive freight rates in ocean carrying business; that there is a necessity for buying these foreign ships and taking this American money and transferring it to foreign shipyards, thus displacing American labor. In this regard they are in error. I have said in one or two previous addresses here that there is no abnormal congestion of freight on ordinary business at the various ports in this country. The congestion is due to speculation because of war conditions. I have read into the RECORD statements from men who know, not collectors of the ports nor men who have been solicited for their opinion by the Secretary of the Treasury and the Secretary of Commerce, nor men who are brokers for the purchase of ships, but men actually in the business of shipping and men who to-day will find all of the ships that are necessary to carry the normal business of the country. They say ships are still to be had and that legitimate business is being relieved. Who, then, is it that wants to purchase these foreign ships, and what is the purpose in making the purchase?

There is heavy pressure on the part of those who desire to send cotton out of the country. Cotton is going out in greater quantities than ever before. The Bureau of the Census proves that in its January report.

Mr. QUIN. Mr. Speaker, will the gentleman yield?

Mr. MOORE. I can not. There is heavy pressure on the part of those who want to send oil out of the country. Oil is going

out in tremendous quantities. There is heavy pressure on the part of those who want to send steel and war munitions out of the country. That means trouble for the country. But if you have any doubt about who wants this ship-purchase bill passed, about who wants the people to pay $30,000,000 for these foreign ships, I recur, for historical reasons, to that interesting conference at the White House in August last, just prior to the passage of the war-risk bill. The gentlemen on the other side of the House, it will be remembered, rushed the war-risk bill through in great haste about that time.

Some of you have said that the Republicans voted for that bill. I question whether a dozen on this side voted for it—Republicans and Progressives put together. It was a Democratic bill, and you are entitled to all the credit, if you consider it creditable to spend $5,000,000 of the people's money in that way. But since this shipping bill is up, I want you to recall the circumstances under which the war-risk bill was passed. Do you remember who it was representing the "big interests" who went to the White House to discuss this and other matters? Let me read to you the names of a few of the 62 who went there with the eminently respectable Seth Low, of New York, as chairman: Mr. Samuel Rea, president of the Pennsylvania Railroad Co., was one, an excellent Democrat and a great railroad engineer. Remember, the discussion was about freight rates and the necessity of taking $5,000,000 of the people's money and putting it into the business of insuring risks for those who wanted to send contraband to sea. There was too much risk in this, even for the marine insurance companies. They were willing the Government, which means the people, should take it. Mr. Alfred H. Smith, president of the New York Central Railroad Co., was another of these gentlemen; Mr. Jacob H. Schiff, of Kuhn, Loeb & Co., who deny they are interested in the purchase of foreign ships or have any direct connection with the Hamburg-American Line or any other line, was another one of them; Mr. J. Pierpont Morgan—it is not necessary for me to state who he is—was another of these gentlemen; and so was Mr. Frank H. Vanderlip, president of the National City Bank; and that other distinguished representative of "big interests," to whose great organization reference was made a few moments ago by the gentleman from Missouri [Mr. ALEXANDER], Mr. James H. Farrell, president of the United States Steel Corporation. There were 62 of them in all, and pretty heavy financial timber. Oh, but what a reversal of opinion there was either before or after that visit! Oh, how those who had been proclaiming "the rights of the downtrodden people" began to see a new light! Oh, how those who had been denouncing "the trusts" of the country changed their views after this memorable visit of the illustrious 62! And, by the way, the gentleman from Missouri [Mr. ALEXANDER] asked the gentleman from Massachusetts [Mr. GREENE] whether it was not the United States Steel Trust that had asked to register its ships under the American flag, and the answer was "Yes." Why was that question asked unless your war-risk bill was framed, not for the benefit of the poor people of this country, not for the benefit of the ordinary shippers, but for the benefit of the United States Steel Trust or the great corporations whom you have seen fit heretofore to denounce?

Mr. ALEXANDER. Will the gentleman yield?

Mr. MOORE. No; I can not——

Mr. ALEXANDER. I simply desired——

The SPEAKER. The gentleman declines to yield.

Mr. MOORE. I have but 12 minutes and the gentleman from Missouri has ample time. Oh, there is a congestion of freight, is there? That is the reason you want to pass this bill. Look over the report which Secretary McAdoo and Secretary Redfield sent to the Senate of the United States, and see how this thing was built up; see what splendid press agency work was done; see how the collectors of the ports were made use of; see how the Cabinet relied upon the men who knew how to buy ships at a high price and sell at a low price. When you have done this you will begin to get some light upon the subject. Congestion in business at the ports! No ships to carry freight! I want to submit that in the month of January, 1915, there were enough ships to carry more cotton and grain than was carried through half the year in 1914. In the single month of January, 1915, we exported on ships, which were obtainable, from all ports save that of New York—and the New York figures are not yet compiled by the Department of Commerce—we transported a total in value of foodstuffs from the United States into foreign countries, with a plentitude of ships to carry it, $41,579,756, as against $11,042,318 in January, 1914. Nearly four times as much was sent out on ships in January, 1915, as we sent out in January, 1914. In bushels for the month of January, 1915, from all ports except that of New York—and New York exports were also exceptional, as will be seen when the figures come in—we sent out in bushels of wheat, January, 1915, 18,906,545 or nearly 19,000,000 bushels, as against 4,985,148 bushels in 1914; about four times as much in January, 1915, as we sent out in the month of January, 1914. As to cotton and oil——

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. METZ].

Mr. METZ. Mr. Speaker and gentlemen, I want to be understood as being opposed on principle to governmental ownership and fads of that kind. I call them fads, but we are up against the proposition to-day, and while we hear about the doctrines of Jefferson and others, it is to be remembered that they are all dead and we are right here. I think changing our navigation laws would solve the problem, but we have not the nerve to do it. The Republicans for 20 years did not have the nerve to do it; so we must find some other remedy. I am a shipper, and I represent shippers. Cotton and wheat are not the only things in this world. Other products are handled, and to-day I am obliged, in bringing cargoes from Europe, to pay 75 shillings a ton as against 20 shillings before the war, and I am asked to sign a contract for a year at that rate and to bind myself not to ship a pound by any other line. That is no new condition; we have always had that, especially to New York. Now, who pays it? Some one made the remark that in normal times the shipper pays the freight, as in the case of the wheat grower the price is fixed in Liverpool. I will concede that to this extent, that the export price of wheat and cotton, for instance, is fixed in Liverpool. I will take wheat, and not cotton, as an illustration. That price includes the freight to Liverpool, which is added to the price of the wheat. Now, when the Shipping Trust, the trust you are all speaking about, or the shipping monopoly, has got hold of you, it fixes the freight rate, which, plus the cost of the wheat, makes the price in Liverpool; but suppose that some firm in Liverpool brings goods on from South America on other lines, or a competing line, at a much lower freight rate. The grower in South America gets a much higher price than the farmer in the United States, and to that extent the freight is paid by the shipper. In all other cases not analogous the ultimate consumer pays it.

Now, then, there is some talk about buying interned ships. I would buy every one of them except the big passenger ships, and take chances on the complications. I do not think we ought to buy any ship of over 10,000 tons. It is a freight traffic we want and not a passenger traffic. I hope sometime the law will be amended so that bought ships can go into the coastwise trade, so that a ship carrying cotton from Galveston to Europe ought to be permitted to bring a return cargo to New York, and there take on a coastwise cargo, instead of being compelled to go back to Galveston in ballast for more cargo.

I do not want this arrangement permanent, but I am opposed to a time limitation in the bill. If you put in this law now the clause to stop it in two years after the war, the steamship people will know in two years that we will be out of business, and lie back and keep up the rates, and buy your ships for junk at that time. If, however, after two years, competition has brought down rates so low that the ships do not pay, no Congress will go on very long appropriating funds and run at a deficit. On the present basis I do not care what you pay for a ship, it will pay for itself in a year's time, even if freight can only be had for one way, and the return is made in ballast. Figure it yourselves. I have had occasion to do so. You can afford to scrap all your ships in two or three years, and still save money for the people on to-day's rates, if they were maintained.

Mr. MANN. Why would a man sell it then?

Mr. METZ. All right; if he will not sell, then you will not get any. What are you kicking about if nobody will sell them? [Laughter.]

Mr. MANN. You may get them at a very high price.

Mr. METZ. If you are going to put crooks in office who will do that kind of thing, that is up to us. I do not propose to have that kind of men if I can help it, and I do not believe our President does. We want goods that are under embargo, such as rubber and wool. You may send them in English bottoms. You go to South America for a load of rubber, and what will they tell you? It is British property, and it must be transported in a British ship. I guarantee if it was down there and was your property you could bring it in American bottoms; but you can not do it to-day. You have not the bottoms to send. Those are the things that are going to count.

I claim the credit of sending the first ship abroad with an American flag when this war broke out. The marine insurance on some of the cargo she brought went to 17 per cent. Our boats are not built for trans-Atlantic traffic, but for coastwise traffic. The Holland-American Line ran 70 boats out of Rot-

terdam in October and November, all loaded with freight for American ports.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. Mr. Chairman, I yield two minutes more to the gentleman.

Mr. METZ. They chartered Danish, Norwegian, Swedish—any kind of a boat except American. They could not afford to take those. Among them was the steamer *Laura*—an old tub that took 44 days to cross the Atlantic with freight for this country. Now, when we send goods abroad, unless they go in American boats, they are held up by the English Government. You can not afford to charter a boat of any kind and have it held up in England three or four weeks on a time charter. American boats will not be held up long; and they will not be held up if we show backbone in this administration, and I am willing to say that we have it.

Mr. MADDEN. Would the gentleman be willing to take a chance on war?

Mr. METZ. If my rights are attacked, I would be willing to take a chance on any kind of war. When anybody tells me I can not do anything I have a right to do, I am going to fight for that right. When I am told I can not send foodstuffs here or there, I for one would fight for my right to do so. We do not have to be dictated to. If we do buy interned ships, we can use them—can release vessels now going to South America for other ports.

Mr. JOHNSON of Washington. Has any consideration been given in committee or Democratic caucus to this question of return cargoes—at length?

Mr. METZ. I can assure you it was discussed in Democratic caucus with all the knowledge at our command. You can not get return cargoes from all ports at the present time. Of course, it depends on where you go——

Mr. JOHNSON of Washington. Has not that something to do with it?

Mr. METZ. The trust ships have return cargoes. The ships that have not return cargoes are the ships we are sending with cotton to German ports. I can get cheaper ocean freight rates on my goods from Germany to New York by sending them by railroad to Bremen, and get as low a rate of insurance out of Bremen as any other port, as I can on the Holland-American Line from Rotterdam, with its cheaper water rate down the Rhine to Rotterdam. The shipowners have got us. That is all there is to it. If this is only a club with which to break in, I am willing to spend $30,000,000 to show that we can do it. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, you gentleman on the other side of the House have 145 majority, and, of course, you can pass any bill that you propose. Only part of the bill we are proposing to pass is before the House. Certain amendments were made last night by the Democratic caucus that are not yet in print, and yet the Representatives of the American people on the floor of this House are called upon to enact a law that is not before them.

Mr. PADGETT. Will the gentleman yield?

Mr. MADDEN. I decline to yield to anybody now. You are bound by caucus action. You have no right to think for yourselves. You are trying to jam something through this House that the American people do not want. Legislation is no longer enacted by the House as a deliberative body. It is brought in here after deliberation all night in a Democratic caucus. This bill was prepared on the outside. Nobody in here had anything to do with its preparation. You propose to spend $50,000,000 of the people's money to enter upon a doubtful enterprise at a time when everybody is taxed beyond his power to bear it, and when more than 4,000,000 American workmen are out of employment. And this will not give employment to any American workmen—not one. You are opening employment bureaus everywhere now. It would be much better for the American people if you would open the workshops and the factories and give them a chance to make a livelihood. [Applause on the Republican side.]

You keep on taxing the idle people of America on their necessities, adding to their daily burdens by your extravagance and wasteful expenditures of the public money. You continue to empty the Public Treasury at the expense of the necessities of the people. You authorize the organization of a ship company in this bill. You give that company $10,000,000 out of the Public Treasury. You authorize the issue of $30,000,000 of bonds, and perhaps $40,000,000, as the case may be. You add the opportunity for this corporation to increase by $10,000,000 more the capital that they may employ. You authorize the shipping board to repeal all the navigation laws and to make any kind of laws they please, but you give them no power whatever, when this bill ends, to restore the navigation laws under which America works.

You are engaging in competition with private enterprise. You are endangering the peace of America. You are going to carry contraband to the belligerent nations. You are going to violate the neutrality of America and involve the people of America in trouble with Europe. Can you afford to do it simply for the purpose of enacting a law, under whip and spur, because the Secretary of the Treasury and the President of the United States demand it? You have made it a party measure by dictation from the President of the United States. This ought not to be a party measure. This is a business proposition, in which every citizen of the United States is interested. You will buy ships at an extravagant price and you will sell them for a song when you get through with this thing, after it proves to be a failure.

You give away the power of Congress to legislate and place it in this shipping board when you authorize the shipping board to make navigation laws. You throw the people of the United States into a condition of uncertainty and fear. You destroy their activity by the uncertainty which you create, to say nothing about the burdens which you will lay upon them in the matter of increased taxation to meet the whims of those who want to enter upon the purchase of these ships in order that they may satisfy their ideas of Government ownership.

The country is opposed to this legislation. There have been protests from every section of the country against the enactment of this bill. The people of the country are impatiently waiting for the time to come when they can express their opinions in opposition to this character of legislation at the ballot box, and in November, 1916, the Democratic Party will no longer have an opportunity to foist upon the American people such iniquitous and nefarious legislation as is proposed in this bill. Pass it if you will, but remember that you will be held accountable by a long-suffering people for your action. [Applause on the Republican side.]

Mr. GREENE of Massachusetts. Mr. Speaker, how much time has the gentleman used?

The SPEAKER. The gentleman has used six minutes, and has yielded back four minutes.

Mr. GREENE of Massachusetts. I yield to the gentleman from Washington [Mr. HUMPHREY] 10 minutes.

The SPEAKER. The gentleman from Washington [Mr. HUMPHREY] is recognized for 10 minutes.

Mr. HUMPHREY of Washington. Mr. Speaker, we upon this side admire the performance of our Democratic friends to-day. We admire the facility and volubility with which they praise the President on the floor and curse him in the cloakrooms. [Laughter.] We hope that some day you will have the courage of your convictions, and I prophesy now that this is the last bill the President will ever force through Congress against the judgment and the conviction of the majority of his party. [Applause on the Republican side.] I think this is the beginning of the end of his dictatorship.

Now, our Democratic friends come to-day and they desert free ships, discriminating duties downward, a free Panama Canal, and every other remedy that they have ever advocated for the upbuilding of the American merchant marine. And yet the father of all these failures with simple faith comes before the country to-day and insists that this last misshapen and sickly child, born of socialism and cupidity, is the only thing that will give us a merchant marine, and in order to demonstrate that they are right, with true Democratic logic, they point with pride to the fact that heretofore they have always been wrong. [Applause on the Republican side.]

Now, what is the exact question before us to-day? The exact question is, Shall we purchase the interned German ships? That is the question. If you were to do away with that proposition, the enthusiasm for this bill would disappear in 24 hours. If that is not the purpose of this bill, then the whole proposition is childishly absurd. There are no other vessels to be purchased.

There is a distinct conviction throughout the country to-day that there is some understanding between those who control the Hamburg-American vessels and certain distinguished gentlemen who are insistently urging this legislation. Whether it is true or not there is an aroma surrounding this bill to-day that has already condemned it in public opinion.

What is the position of foreign countries in regard to the purchase of these interned ships? Let me read it to you:

The transfer of an enemy vessel to a neutral flag, effected after the outbreak of hostilities, is void unless it is proved that such transfer was not made in order to evade the consequences to which the enemy vessel as such is exposed.

That is the position of the allies. What is the position of Germany? Let me read that, as declared on the 4th day of last August:

Ships that after the outbreak of hostilities have been transferred from the enemy to a neutral flag are also to be considered as enemy ships.

Those declarations are plain. Anyone can understand them. It does not take a lawyer to construe them. And the very moment that we buy one of these vessels and start to run it upon the high seas, that moment it is subject to seizure, and that moment we must be prepared to defend ourselves against Germany or against Russia, Japan, France, and Great Britain.

Now, suppose that one of these vessels is seized. It is taken into a foreign port. We protest. And suppose that protest is refused. They will do the construing of the law in their court in their country. Then what? Then we are placed in the cowardly and pussilanimous position where we must either say that we are right but have not the courage to enforce that right or else we must go to war.

Now, are we prepared to take that position? That is the question to-day that, above all others, we are to consider in the passage of this bill. It is not our duty to see how nearly we can come to war and escape it. It is our duty to keep as far away from war as possible.

It is our duty to-day above all things else, not only for our own country but for the sake of humanity, to maintain neutrality, and to maintain that neutrality with honor. Now the question is, Shall we to-day, for the small benefit that might come, embark upon this new and untried socialistic path condemned by experience and by the common sense of mankind? Are we going to take chances of being involved in the greatest conflict that has ever devastated this planet for the little advantage that might come to us, even if we concede that this bill would do all its friends claim for it?

The greatest question in regard to the passage of this bill is this: Shall we, on account of an anxiety on the part of some for the dollar; shall we, because of a desire to purchase a few secondhand ships, and run them in the foreign trade, so long as we run them at a loss; shall we, for the sake of being able to get a few bales of cotton or a few bushels of wheat to Europe for a few cents less; shall we weigh these things in the balance against our country's peace and perhaps our country's existence?

May we be saved from the madness of such leadership, intoxicated with a little brief authority, and may we remain in the paths of peace and national honor. [Applause on the Republican side.]

I yield back the remainder of my time.

The SPEAKER. The gentleman yields back four minutes.

Mr. GREENE of Massachusetts. Will the gentleman from Missouri now occupy some time?

Mr. ALEXANDER. I yield seven minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, in view of the attitude of the Republican Party as illustrated in the remarks upon this bill to-day by members of that party in the House, a declaration made some time ago is peculiarly interesting and significant. I will read it:

Our present dependence upon foreign shipping for nine-tenths of our foreign carrying trade is a great loss to the industry of this country. It is also a serious danger to our trade, for its sudden withdrawal in the event of European war would seriously cripple our expanding foreign commerce. The national defense and naval efficiency of this country, moreover, supply a compelling reason for legislation which will enable us to recover our former place among the trade-carrying fleets of the world.

That is a quotation from the Republican national platform of 1900, in which the Republican Party, deploring the condition of our foreign trade and our merchant marine, prophesied the condition which we are experiencing to-day. They are certainly entitled to the distinction of being a true prophet of evil, because that which they prophesied has arrived, and in tragic form.

There can be no doubt of the fact that an emergency confronts us. We have to-day of American vessels registered for foreign shipping of all sizes only a little more than 1,000,000 tons, about 2 per cent of the world's gross tonnage. There is a dearth of foreign ships to be added to the insignificant number of American ships with which to carry our commerce. Evidence can be multiplied, so that the most skeptical must be convinced that at the ports of our country American farm products and manufactured products of various kinds, noncontraband products if you please, are demanding carriage across the sea in order to be delivered to those who are willing to purchase them and able to pay for them. What is the attitude of the Republican Party in view of its professions in 1900, which have been repeated in scarcely less emphatic language in every national platform since that time? Although in power in the executive and legislative branches for almost 20 years, that party has done absolutely nothing to revive the American merchant marine in our foreign trade.

It is true that in the Fifty-sixth Congress, and in several Congresses succeeding, the Republican Party endeavored to report and pass a subsidy bill. But that bill was so full of favoritism, and it was so plainly recognized to be the covert of selfish interests, that even the Republican Party in the House, in a large majority at that time, would not support it. The public sentiment of the country in both parties is opposed to subsidies.

What other remedy has been proposed? That of discriminating duties, which also had the approval of the national Republican Party in its platform. And yet it remained for a Democratic Congress, in framing the Underwood-Simmons tariff bill, to place in it a discriminating duty of 5 per cent. That was not sufficient. In my opinion, it ought to be larger. And yet that is the only legislation upon our statute books in 50 years by either political party of this country intended to enlarge our merchant marine in the foreign trade.

Others have suggested that our navigation laws be amended. Yet every Republican and Democrat who is entirely candid will admit that even if it were a practicable remedy and would give the needed relief promptly we could not pass through Congress any repeal of the navigation laws as applicable to our foreign shipping.

So, Mr. Speaker, this condition of our foreign trade has been brought about under Republican control of the Government, and the fact remains that the only legislative effort made for its amelioration has been by the Democratic Party.

Now, in this emergency, which I have briefly described, what is the attitude of the two parties here? What does the Republican Party propose? Absolutely nothing. It has not offered, in either branch of Congress, any constructive piece of legislation intended to give relief to this dearth of shipping, this paralysis of our foreign commerce, to the detriment of our industry and our prosperity. A Democratic President and a Democratic Congress have proposed the pending bill. Certainly in this emergency the Democratic Party confronts the country as the only constructive party, while the Republican Party, with all its boasts of past heritage and achievement, has absolutely nothing to propose in the dire conditions that confront us.

What are the arguments they bring against this measure? They allege that our neutrality will be violated and that we will be in danger of war. Gentlemen know that these professions are insincere, in the face of the attitude of this administration for peace. [Applause on the Democratic side.]

Mr. ALEXANDER. I yield 30 minutes to the gentleman from Georgia [Mr. ADAMSON]. [Applause.]

Mr. ADAMSON. Mr. Speaker, I am very much obliged to my friends for this ovation, and I shall requite it by yielding five minutes to the eloquent gentleman from Texas [Mr. EAGLE] and reserving the remainder of the 30 minutes.

Mr. ALEXANDER. Mr. Speaker, I also yield to the gentleman from Texas [Mr. EAGLE] five minutes.

Mr. EAGLE. Mr. Speaker, manifestly it is not possible within the brief time at my disposal to-day fully or satisfactorily to discuss the important measure under consideration; and yet I desire as fully as possible to present certain reasons which seem to me conclusive, from its economic aspect, why I should support this measure.

Logically a complete discussion of the subject and of the bill under consideration would involve (1) a statement of relevant facts, and a just conclusion to be drawn as to the necessity or the wisdom of embarking upon the proposed course; (2) the merits of the bill itself, as a whole and in detail; and (3) certain international legal questions which have been urged against the expediency of the policy proposed and of the bill itself.

As to the last-indicated question: Because of the limit of time imposed upon me, I must content myself in passing to say that, having carefully collated, briefed, and considered the prize-court law of each and all of the great powers of the world—the United States, Germany, Great Britain, Austria, Spain, Japan, Italy, Holland, Russia, and France—only France has ever declared any position in that matter denying the citizens of any neutral country the right to purchase, in good faith and for a valuable consideration, from the citizens of any belligerent country merchant ships even after a declaration of war, and even France has never resolutely adhered to that position, having abandoned it at least once upon the insistent representations of the United States and later in the Franco-Prussian war of 1870; and therefore that it would lead the United States into no embarrassing international complications if her citizens, or if the shipping board created by this act,

should purchase, during the present European war, ships interned in our ports and belonging to citizens of any of such European belligerents.

As to the details and merits of the bill under consideration: As no serious question has been raised in this debate upon its provisions, I must content myself to state that, in its scope and in its details, it is sensibly constructed to accomplish the purpose intended, namely, to enable the United States to acquire, either by purchase or construction, or both, and to operate, a merchant marine in the interest of the entire American people to accommodate their foreign commerce at a reasonable charge for a regular service under fair conditions.

And therefore my remarks will be limited to a consideration of the economic phase of the subject under discussion.

There is presented here to-day exactly the same party spectacle I have observed during the two years I have served in this body, upon every occasion involving an important issue—the Republican Party is hiding behind some specious pretext to protect special interests, while the Democratic Party is championing the just rights of the masses in their struggle for economic independence and industrial freedom. At the end of two years of extreme trial the Democratic Party, under the leadership of President Wilson, is still a forward-looking party, and continues to take its stand against special privilege in every form and in favor of the principle of the greatest good to the greatest number.

Sir Walter Raleigh said:

Whosoever commands the sea commands trade. Whosoever commands the trade of the world commands the riches of the world, and, consequently, the world itself.

But the United States, as the richest nation in the world, having more than $140,000,000,000 of wealth, occupies admittedly the most insignificant position, in the matter of its merchant marine, of any great nation on earth. For a half century the country has heard much concerning an American merchant marine; but the fact remains that during that period of time the American merchant marine has faded from the high seas, until it is now practically a negligible factor in the world's commerce.

Our country contains only one-fifteenth of the population of the earth, but it produces about 70 per cent of the world's corn, 65 per cent of its petroleum, 63 per cent of its copper, 60 per cent of its cotton, 42 per cent of its iron ore, 40 per cent of its coal, 35 per cent of its tobacco, 30 per cent of its live stock, lead, and silver, 25 per cent of its wheat, and 20 per cent of its timber.

With its 60,000,000 head of cattle, its annual production of 240,000,000 barrels of petroleum, 763,000,000 bushels of wheat, 2,500,000,000 bushels of corn, 60,000,000 tons of iron ore, 550,000,000 tons of coal, and 15,000,000 bales of cotton—its total annual farm products amounting to some $10,000,000,000 and its total manufactures amounting to some $21,000,000,000—after supplying our own people with food, clothing, and manufactures of every sort, out of these enormous resources, the people of this Nation are able annually to ship to foreign countries for sale a total of about $2,500,000,000 of American products, and to buy back from foreign lands for the use and convenience of our own people something like $2,000,000,000 of their products.

I mention these stupendous figures only to illustrate the imperative necessity that, either by private capital or by some form of public ownership, adequate shipping facilities be provided to accommodate this enormous commerce and traffic.

We have realized, since last August when the European war began, how entirely dependent our American commerce is and has been upon foreign bottoms, and how helpless the American people now are in the face of this awful calamity. They have known for many years, in a general way, that this Nation had no adequate merchant marine, and our manufacturers, merchants, and shippers have in many different ways brought to the attention of the Congress the fact that the greater part of American import and export trade was carried in foreign bottoms; and yet the people have deluded themselves with the thought that they had at least a respectable merchant marine. Indeed Lloyd's Register points out that the American merchant marine comprises some 3,100 vessels of more than 5,300,000 tons gross register. But those figures when analyzed are a delusion; for when the number of vessels which are used upon our canals, lakes, bays, and rivers are taken from such total of 3,100 vessels, it leaves only 361 American vessels of 1,375,000 gross tons capacity used or capable of use in our deep-sea shipping. It is the tragedy of this awful European war which has emphasized American marine helplessness.

It was not always true that America had no considerable merchant marine. As late as 1821, 90 per cent of our import and export shipping was done in American bottoms; but the proportion has constantly declined, so that it was 86 per cent in 1831, 83 per cent in 1841, 72 per cent in 1851, and 65 per cent in 1861. Then, during the period of our Civil War, because the Confederate cruisers were able to destroy the American merchantmen at sea, American owners sold their ships to foreigners rather than let them lie idle and go to pieces. For instance, during the period of 1860–1867, the American merchant marine was sold to foreigners in rapidly increasing volume, as is illustrated by the following table:

American ships sold to aliens, 1860–1867.

	Tons.
1860	17,518
1861	26,649
1862	117,756
1863	222,199
1864	300,865
1865	133,832
1866	22,117
1867	9,088

And in passing it may be remarked that the same nations which are now belligerents in Europe were those which thus bought the American merchant marine when the United States were engaged in war; and yet in this debate gentlemen insist that the citizens of the United States have no right to acquire any of the merchant marine of any of the European belligerents at the present time. It would be interesting to know by what process of reasoning gentlemen justify those countries now belligerent in Europe in purchasing the American merchant marine when we were at war and at the same time deny to the United States the right to purchase in good faith and for a fair price merchant vessels belonging to the citizens of those belligerent European nations now that they are at war.

But even at the end of the Civil War the decline did not cease in the amount of American deep-sea shipping carried in American bottoms, because only 32 per cent was carried in American bottoms in the year 1871, 16 per cent in 1881, 12 per cent in 1891, and only 8 per cent in 1901, while immediately before the outbreak of the European war in August, 1914, it is doubtful if 5 per cent of our foreign shipping was carried in American bottoms. In practical effect our merchant marine has disappeared from the high seas. An American traveler in foreign ports will almost look in vain for a mast carrying the Stars and Stripes. This is not only a humiliation to our national pride but it is an annual drain of some $250,000,000 on our American enterprise paid to foreign shipowners; and, in addition, the existing condition places our American farmers, merchants, bankers, manufacturers, and other shippers at the mercy of their foreign business rivals by having to charter their ships under such terms and conditions and at such times and places as their foreign rivals may dictate.

It is an alarming and lamentable condition to contemplate that, with our population of nearly 100,000,000 people—the most progressive, capable, industrious, and ambitious on the earth—producing annually some $10,000,000,000 in value of agricultural products and some $21,000,000,000 in value of manufactured products, with our population increasing rapidly and our lands being rapidly settled and developed, and, consequently, with our necessity constantly becoming more urgent speedily and economically to reach all the countries and population of the globe in the sale and exchange of our enormous surplus annual output, while they are now providing one-eighth of the total foreign commerce of the world, yet they carry only one-tenth of that one-eighth—that is, 1¼ per cent of the world's commerce—in American ships; and the amount of cash paid to foreign shipowners for carrying our foreign commerce exceeds $250,000,000 per year in normal times.

Evidently and certainly something, either in law or in economic conditions, is fundamentally and radically wrong, because this condition should not obtain. The major portion of the difference between American exports and American imports each year is paid by the American people to owners of foreign ships to carry on that import and export trade in normal times; and thus, instead of our people saving that $250,000,000 per year, they are paying it for the labor, capital, and ships of foreigners when the American people might better thus employ their own capital and labor, build up their own merchant marine, and save that enormous average annual drain of $250,000,000.

Solidly upon the Republican side of this House, and in considerable numbers upon the Democratic side, the contention is made with zeal and earnest insistence that American private capital can and will supply an adequate American merchant marine.

It is always a difficult matter to determine what activities the Federal Government should undertake. Personally I do not believe the Government should go into those quasi public enterprises in which private persons and capital can and will engage to a sufficient extent to provide adequate facilities. I

magnify the individual rather than the Government. That conviction is intensified by my observations and experiences in public life, where I have noted the vast political power and insistent demands of the multitudes of Government employees now in service in many different departments. Besides, in a Republic it is of first importance to recognize and to encourage individual initiative and enterprise. But it is surely a sound rule to observe, in the preservation and development of this mighty and growing Republic, that where the safety, health, development, prosperity, and happiness of the masses imperatively demand that any public or quasi public facility be provided, if private persons with private capital either can not or will not provide it on terms that are fair and just to the public and on a scale commensurate with the legitimate public needs, the Federal Government itself should provide such facilities. This same principle applies with American cities involving their water, their lighting, their power, and other systems as with the Nation which has sanely applied it to the extent of hundreds of millions of dollars spent upon its rivers and lakes for domestic commerce, its many harbors, the Panama Canal—which has cost the Government $400,000,000—and its many other fields of public endeavor.

I say with entire conviction that if private capital would and could build and operate an adequate American merchant marine there would be neither necessity nor desire that the United States embark upon that enterprise at all. But it is clearly evident that American capital either can not or will not provide a merchant marine adequate to the requirements of our foreign commerce. While some $600,000,000 is invested by American private capital in American ships, representing some 3,100 ships in all, still of the number only 361 ships, valued at $69,000,000, owned by American persons, firms, and corporations, are engaged in deep-sea shipping, and they carry only from 5 per cent to 8 per cent of our foreign commerce. That is proof conclusive that if the American people are to have an adequate merchant marine they can not depend upon private capital to supply it; certainly not under existing laws. And yet, both as auxiliaries for the American Navy as transports, supply and hospital ships, colliers, and scout cruisers in times of war, and as carriers for American commerce in times of peace, it is indispensable that an American merchant marine be provided if our naval defense is ever to be made secure, if American industry is ever again to be free from the toll of $250,000,000 annually to foreign shipowners in normal times and double or treble that sum in war times, as now obtain, and if ever again the American flag is to fly in foreign ports upon the mastheads of American merchantmen as a symbol of untrammeled American commerce.

Many different devices have been suggested, and many have been proposed from time to time in the Congress, to extend or revive our merchant marine. It is undisputed that it costs from 50 per cent to 60 per cent more to build merchant ships in the United States than in foreign shipyards. This is in part because of our duties under our tariff laws laid on the many different articles entering into ship construction, in part because of the high scale of American wages, in part because of the more elaborate finish of American boats, in part because no American shipyard has yet adopted, as has long since been done in British and other foreign shipyards, a uniformity of model or design, and probably in part because we have developed a less efficient working system because of less work and training in constant shipbuilding as in certain foreign countries, where the pursuits of the sea are a national necessity, habit, and passion. And it is undisputed that it costs from 25 per cent to 35 per cent more to operate an American-owned ship than it does a foreign-owned ship on account of our laws and our labor conditions.

But all of the discussions and all of the proposals have come to naught during the past 50 years. Effort has been made to remove the tariff duty on the different materials out of which merchant ships are built. Admission of foreign-built vessels to American registry has been advocated. The Congress has many times in the past considered changing in various ways our navigation laws, and as continuously failed to accomplish that end. Effort has been made to subsidize American shipping, and thus to put a burden on the American people of an amount sufficient to equalize the difference between the cost of manufacture and operation of American ships as against those made and sailed under foreign flags; but all such efforts have likewise failed. It is perfectly certain that the Democratic Party will remain true to its ancient principles to oppose subsidy in any form; and when the Republican Party was in power for 16 years, from 1896 to 1912, it was never able to change the national laws so as to grant either direct or indirect subsidy to American shipping and thus to attempt to equalize the difference between the cost of construction and operation of American and foreign ships.

It ought to be evident to all of us that at present, as in the past, the navigation laws can not be changed, because the labor unions of the country resist that change upon the ground that any such change would involve the lowering of the standard of American wages, and Congress will continue to heed, as in the past it has heeded, that insistent view.

This is not a time—this awful national and international crisis through which we are passing—for anything but plain words, spoken with candor although with fraternal kindness; and therefore I assert unequivocally that American private capital is not to be condemned in its initiative and in its courageous aspirations when it declines to go extensively into the business of constructing American ships which cost from 50 to 60 per cent more than similar ships constructed in foreign shipyards, nor for not extensively operating in the foreign trade American ships which cost from 25 to 35 per cent more to operate than it costs to operate similar ships on the same passage under a foreign flag. But, while thus exonerating American private capital from the blame for having failed to provide an adequate merchant marine, it is idle longer to continue to act upon the theory that private capital can or will under existing laws and under existing cost items provide that indispensable facility to American commerce.

I have stated that normal American commerce pays foreign bottoms $250,000,000 per annum for its service, but that is not the only disquieting factor involved in our situation. At the present time, and for the past six months when the great nations of Europe have been in war, in part because they have taken out of the avenue of foreign commerce vast numbers of merchantmen to use as transports for troops, in part to place exclusively in their own service to supply their own people in these times of stress, and in part because interned in American and other ports, vast numbers of foreign ships commonly employed in our carrying trade are denied to us, causing great congestion of shipping at our ports, with the result of poor prices for our products of the farms, mines, ranches, and manufactories. This illustrates the utter folly and weakness of our reliance upon foreign bottoms. And one of the evidences of human frailty—to take advantage of misfortune in others in order to reap profit—is shown in the fact that foreign and American shipowners alike have availed of American necessities to extort enormous additional tolls from American commerce. It has been conclusively demonstrated that we can not depend either upon foreign bottoms as a sure source of our supply, or upon either foreign or American bottoms to give at all times an adequate service for a fair compensation. The following facts, indicated by the report of the actuary of the Treasury Department, are highly illuminating: Taking July, 1914, when the world was at peace, and using the month of January, 1915, as a comparison, when the world was in the midst of international war conditions, it will be found that from the port of New York the cost of shipping grain to Liverpool has increased 300 per cent and to Rotterdam 900 per cent; flour, 300 to 500 per cent; meat products, from 50 to 150 per cent; and cotton, from 400 to 700 per cent. From Philadelphia and Baltimore the cost of transporting all of these products has risen in about the same proportion. From Galveston the cost of shipping grain to Liverpool has increased during January, 1915, over July, 1914, 174 per cent, while the cost of shipping cotton from the port of Galveston to Liverpool has increased 361 per cent; to Genoa, 420 per cent; and to Bremen, from $1.40 to $17.50 per bale of 500 pounds weight, or 1,150 per cent.

These rates are so enormous that for the year 1915, in addition to the ordinary $250,000,000 to be paid to foreign bottoms by American commerce, an additional amount of $311,000,000 will be extorted from the American people. If present conditions continue during the year, as to the volume of our exports and as to the rate of charges obtaining for their transportation, it will mean something like $560,000,000 of American money to be paid to transport American products—nearly all of it going to foreign shipowners. It is a condition that is appalling to any man who is a patriot and as such has the industrial freedom and the economic independence, as well as the political welfare, of the American people at heart. While no one would contend that all of that added burden of extortionate freight tolls will fall upon the American producer, still it is entirely certain that the American producer must of necessity receive very much less for his products than he otherwise would receive but for these excessive tolls.

Since, then, it is certain that American private capital has not gone into the business of constructing and operating an adequate American merchant marine, and since it is so inadequate

that it accommodates only 5 to 8 per cent of American deep-sea shipping, and since it is evident that it is not possible presently or in the early future either so to change our American registry or navigation or other shipping laws as to make possible the building by private capital and their operation of an adequate merchant marine, and since the exigencies of this European war have clearly demonstrated that even our American-owned ships are quite as greedy and extortionate and quite as anxious to take advantage of the helpless condition of our foreign commerce as even their foreign rivals, it appears to me to be a plain duty of the statesmanship of this hour to devise a means to free our people from foreign shipping domination and their industry from the great toll annually paid to foreign bottoms in normal times and the exactions of unbridled greed in these present times.

We have devised and now tender to the Congress the bill now under consideration which we are confident will accomplish that legitimate purpose. The $40,000,000 it provides for the establishment, either by construction or purchase or both, of an American merchant marine to be used as auxiliary of our Navy in time of war and as transport of our foreign merchandise in time of peace, while a large amount is yet insignificant measured by the results which it would achieve of benefit to the American people. Indeed, it would be returned to the American people seven or eight times over this present year 1915 in the item alone of the excess charges they will pay to the shipping monopoly over the amount they would have paid for the same service this present year but for the war emergency that has arisen.

Gentlemen here have urged that it is futile to pass this bill at the present session of Congress, because a large part of American agricultural products and manufactures have already moved abroad, and that possibly the European war may end before ships could be purchased or constructed under this bill to accommodate American commerce. But I call their attention to the fact that if the war in Europe should end this day it would take at least another year for international shipping conditions again to become normal, and that during that time our people will have raised another $10,000,000,000 crop, a large part of which must be exported, and will have manufactured probably $20,000,000,000 worth of products, a large portion of which must also be exported, and therefore that congestion in shipping, rather than a proper accommodation of shipping, even in the event the European war should soon end, will probably result. It is of equal or greater importance that the surplus wheat and corn of the Northwest, the cotton of the South, the cattle of the mighty farming regions of our country, the enormous bulk of other American products, and the vast volume of American manufactures to be produced during this year, and most of which will actually be ready for export within the next six to nine months, may be exported when produced and ready than the export of the balance of the existing crop of products and store of merchandise.

The financial chaos and the crash of our entire industrial system which would inevitably follow from the breakdown of even the existing system of employing foreign bottoms to carry American exports and imports, unless some adequate system be provided in its stead, are incalculable and incomprehensible. In practical effect it is no less than the demoralization, if not the destruction, of our proud national position and our civilization itself. In the face of such a recognized possible national calamity petty views of opinion, or even serious differences as to principles of government, should not have determining weight with us who are charged with authority and duty in this national and international crisis.

I am not one who believes that this shipping enterprise should be made a mere temporary or emergency measure; for, independently of the existence of the European war, which has emphasized our practically total dependence on foreign bottoms for the transport of American exports and imports, the fact would still obtain that there is no considerable American merchant marine, although private capital has been invited to occupy that avenue of investment and enterprise ever since this Government was established and notwithstanding the Government itself has never undertaken that work. But this war has emphasized the fact that in such a crisis our people are powerless in their dependence even upon foreign bottoms for a sure supply, although both foreign and American bottoms have extorted from threefold to eightfold the tolls they have charged American commerce in normal times. I am not willing, as a Representative, that the American people shall thus continue wholly dependent in this important matter of their foreign shipping, which involves their national prosperity to so great an extent, upon the merchant ships of their commercial rivals or upon the greed and caprice of either private-owned American or foreign ships. In effect their present condition robs our farmers of the fruits of their toil, hampers the legitimate growth of American agriculture, stock raising, mining, manufacturing and other industries, cripples the pride of all of our people, hinders the normal expansion of their commercial activities, extorts undue tolls from their industry, renders them dependent upon the grace of their foreign rivals, places them subject to the greed and caprice of the shipping monopoly, strips American labor, capital, and industry of an enormous proportion of their annual earnings, and fetters the free and daring spirit of American initiative, enterprise, and industrial ambition; and such condition will continue to exist until the people themselves, through their Government, establish their own merchant marine.

I am confident that the American people will never consent, once the Government shall establish a merchant marine, that it discontinue that function and thus again make them subject to the interests and the greed of the American and foreign shipping monopoly. Besides, if it is now enacted that this measure must be temporary, its life expiring with any stated interval or emergency, both American and foreign shipping will understand definitely the extent of this Government's rivalry and can shape their selfish conduct at the expense of our people accordingly. Furthermore, it is not certain whether the shipping board provided by this act may find it best to construct or to purchase merchant ships under the provisions of this bill. This measure should not be a temporary palliative, but a permanent and heavy bludgeon in the hands of the American people with which to strike monopoly on the head. It should also be recognized that sailors are not made in a day and shipbuilders are not made in a day. Both require time and experience in order to acquire skill and efficiency. American shipyards can not hope to maintain efficiency to compete with foreign shipyards merely by the construction of an occasional battleship, and therefore our Nation must remain without skilled shipbuilding artisans unless some permanent policy be pursued making an avenue for the training of American skilled artisans and sailors. This fact looms very large in view of the enormous Navy we have built, on which some $1,600,000,000 have been expended since the year 1901, but which is even now, in the face of national peril, wholly without an adequate accompanying supply of auxiliaries such as this bill would provide in time of war. To my mind it is conclusive that a permanent policy which this bill should inaugurate will produce shipyards and docks and piers and artisans and sailors requisite to our naval and merchant marine uses, whereas a temporary policy in the nature of an emergency measure can not accomplish these desired results.

But, above these conditions perhaps, arises in my mind the still higher conception of the duty of statesmanship to the American people—that of providing for them in their collective capacity an indispensably necessary permanent means of enabling them to exchange their surplus products with the nations and peoples of the whole world upon ocean-freight terms that are fair and are not, as at present, largely confiscatory.

I would see our people free and unfettered in the conduct of their vast foreign commerce, as I would see them free and unfettered in all other respects involving their freedom, prosperity, and happiness.

Mr. MANN. Mr. Speaker, I think it is time to wake up the sleeping Democrats, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-one Members present, not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 69.]

Ainey	Claypool	Flood, Va.	Hobson
Anthony	Copley	French	Hoxworth
Avis	Cullop	Gard	Hughes, W. Va.
Barnhart	Dale	Gardner	Jones
Booher	Danforth	George	Kahn
Broussard	Davenport	Godwin, N. C.	Keister
Brown, N. Y.	Dent	Goldfogle	Kelley, Mich.
Brown, W. Va.	Dooling	Gorman	Kennedy, Conn.
Bruckner	Driscoll	Graham, Ill.	Kettner
Burgess	Dunn	Graham, Pa.	Kitchin
Burke, Pa.	Edwards	Gudger	Knowland, J. R.
Burnett	Elder	Hamill	Kreider
Carew	Estopinal	Hamilton, N. Y.	Langham
Carr	Fairchild	Hart	Langley
Carter	Faison	Hayes	Lee, Ga.
Cary	Fitzgerald	Hensley	L'Engle

Lewis, Md.	O'Brien	Slayden	Walker
Lewis, Pa.	Oglesby	Smith, Md.	Wallin
Lindquist	O'Hair	Smith, N. Y.	Walsh
Lloyd	O'Shaunessy	Sparkman	Walters
Loft	Patten, N. Y.	Stevens, Minn.	Watkins
McClellan	Prouty	Taggart	Whaley
McGillicuddy	Rauch	Talbott, Md.	Whitacre
McGuire, Okla.	Reed	Taylor, Colo.	Wilson, Fla.
McKenzie	Riordan	Taylor, N. Y.	Wilson, N. Y.
Maher	Roberts, Nev.	Thacher	Winslow
Mondell	Rucker	Townsend	Woodruff
Morgan, La.	Rupley	Treadway	Young, N. Dak.
Neely, W. Va.	Sabath	Tuttle	
Nelson	Scully	Underhill	
Nolan, J. I.	Shreve	Vare	

The SPEAKER. On this call 302 Members—a quorum—answered to their names.

Mr. ALEXANDER. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Missouri moves that further proceedings under the call be dispensed with.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Mr. ALEXANDER. Mr. Speaker, I yield seven minutes to the gentleman from Tennessee [Mr. McKELLAR].

Mr. McKELLAR. Mr. Speaker, I am going to vote for this bill because I have studied it and believe it is a thoroughly constitutional and a thoroughly Democratic measure. I am going to support it because my district, almost unanimously, is for this bill. Every newspaper, daily and weekly, published in my district is for the bill, and every public organization in the city in which I live—the Cotton Exchange, the Merchants' Exchange, the Business Men's Club, the Lumber Exchange, and every other business organization, I believe—is committed to it. Two great staples from my part of the country are vitally interested in it—cotton and lumber. It is an emergency measure for those two products especially, and various other products, and we are suffering greatly because of a lack of shipping facilities and because of extortionate rates, and I believe we ought to pass this bill to remedy the trouble.

There is another reason why I am in favor of it—and I want to say to my Democratic colleagues and my Republican colleagues that I am not ashamed to say it, but am proud to say it—and it is because a great Democratic President, the leader of his party and the leader of his country, is in favor of this bill. [Applause on the Democratic side.]

Mr. Speaker, I intended to say something which I have already prepared about other features of this bill and of this debate, but my attention is going to be diverted for the short time I have to some of the remarks of the gentleman from Washington [Mr. HUMPHREY]. The gentleman from Washington has never been able to see anything good in President Wilson. He is the most prejudiced man on this subject I ever saw. Nine or ten months ago no man ever so bitterly attacked another as the gentleman from Washington attacked the President of the United States on the floor of this House because he would not go to war with Mexico. Daily, almost, he abused him along this line and exhausted the vocabulary in his harsh and unjust and prejudiced criticism, and yet to-day we hear the gentleman from Washington coming before us as a disciple of peace, afraid to give this power to the President, afraid to give this power to the administration, because, says the gentleman from Washington, he is afraid that the President will involve our country in war. Ah, Mr. Speaker, that is not what is the matter with the gentleman from Washington. Last spring, when he was decrying against the President about not warring on Mexico, we found the Oil Trust and the Fruit Trust and the Steel Trust and the Sugar Trust desiring this Government to intervene in Mexico, and we found the gentleman from Washington and those who believe with him lining up with those trusts and against the President of the United States. What do we find here to-day? We find the gentleman from Washington lined up again with one of the greatest trusts that this country has ever known—the Shipping Trust. [Applause on the Democratic side.] In abusing the President of the United States it is the same old argument for the trusts. He was for the trusts last spring; he is for them again this winter. Now, it never seems to occur to the gentleman that his position about the matter is inconsistent. Consistency is waved aside when the gentleman attacks the President. Why, the gentleman from Washington is so prejudiced against Woodrow Wilson that I do not believe he would vote to indorse the Lord's Prayer if the President of the United States had indorsed it first. [Applause on the Democratic side.]

Mr. ADAMSON. The gentleman from Washington has got a bad case of the shingles.

Mr. McKELLAR. The gentleman has got a bad case of the shingles, as my friend from Georgia here says. [Applause on the Democratic side.]

Now, Mr. Speaker, the gentleman from Washington says something else. He says that there are no Democrats over here who are heartily in favor of this bill. Why, the gentleman is wholly in error and, as usual, does not know what he is talking about. He says the Democrats praise President Wilson on the floor and curse him in the cloakrooms. I deny it, and say it is untrue. [Applause on the Democratic side.] We do not do anything of the kind. I do not know how the gentleman got into a Democratic cloakroom and found out what he claims to have found out.

Mr. HUMPHREY of Washington. I walked in.

Mr. McKELLAR. If the gentleman walked in, he did not hear what he claims to have heard. Now, I want to say this: Here is a bill——

Mr. ADAMSON. The gentleman walked into the wrong cloakroom.

Mr. McKELLAR. As my friend suggests, the gentleman perhaps walked into the wrong cloakroom, and if he heard somebody abuse the President, it was in the Republican cloakroom.

Now, I want to say this about this matter: It is claimed that this bill has not been considered by this House. This is not true. This measure has been reported out by a committee of this House and has been considered by a committee of this House. It is in line with what the great majority of Democrats believe, is a mandate of the Democratic platform at Baltimore. It has been the policy of the Democratic Party at all times to build up and foster a merchant marine. The President of the United States is not trying to jam anything down our throats. We are working with him. He is doing just exactly what we want in urging us to pass this bill and in helping us pass it. We want a ship bill, and we want to build up the American merchant marine which you gentlemen have allowed to be destroyed by your policies during the last 50 years. We want to build it up, and the President of the United States is simply standing solidly and earnestly and vigorously with the Democratic Party in endeavoring to carry out our platform on that subject, and we respect him and admire him for his position. He is not afraid. He is not to be deterred by the obstacles which you may try to throw in the way. He is standing squarely for the Democratic Party and for the urgent needs of the country, and this House will stand with him.

Mr. PLATT. Will the gentleman yield?

Mr. McKELLAR. Of course.

Mr. PLATT. The gentleman said this bill has been reported by a committee. It does not so show on its face. It says it was referred to a committee.

Mr. McKELLAR. Oh, the gentleman knows perfectly well, if he knows anything about what has happened in this House, that the Committee on Merchant Marine and Fisheries have reported out exactly this kind of a bill. Indeed, this very bill in substance.

Mr. PLATT. But not this bill.

Mr. McKELLAR. Yes; this bill. On September 8. Of course, this is an amendment to a bill; it is different only in a parliamentary sense or a technical sense, but the very bill, substantially word for word, almost letter for letter, has been considered by the Committee on Merchant Marine and Fisheries of this House and reported to this House some time ago. The Senate committee has also substantially reported it. [Applause.]

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The time of the gentleman has expired.

Mr. PLATT. This rule says the committee is discharged from the consideration of the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. KENT.]

Mr. KENT. Mr. Speaker, the gentleman from North Carolina [Mr. WEBB] has challenged those of us who disagree with the proposed measure to suggest amendments. I shall suggest two, which I believe to be fundamentally necessary if we are not to blunder into war.

These under the rule will, of course, die unconsidered, and so I shall be constrained to vote against the bill.

First. The purchase of belligerent ships should be precluded; and

Second. Federal merchant ships should not carry cargoes to belligerent nations, but should confine their services to neutral commerce and to our home and coastwise ports.

Under different conditions I should most heartily support this bill. I not only believe that it is proper and advisable for

the Federal Government to go into the shipping business, but I believe that it is especially necessary in view of the needs of the Navy. Even if we, the whole people, shall operate such ships at a loss, it is better to subsidize all of us than pay a few beneficiaries under a system of private subsidies.

We all know that we are short of auxiliary vessels for the Navy, and short of men of the right sort to man our Navy in time of war. But the world has been stricken with madness, and those who circulate in the neighborhood of the rabid can not be too careful lest they be inoculated.

When we consider the argument urged by every one of the nations at war, that each is struggling for national existence, and then total up the sum of the strife, we find that they are all valiantly struggling for national destruction and damnation—in which we desire no part.

As a Nation seeking peace, as a Nation sympathizing with the trials and struggles and the sufferings of all, it is our business to keep ourselves from even the appearance of evil.

I, for one, do not distrust the President or his Cabinet. I believe that they are acting from the highest motives and from the best light they have. But that can not in any way relieve us of the Congress from our personal responsibility. [Applause on the Republican side.] It rests with Congress to determine whether or not we shall be embroiled. It is no less incumbent upon us to prevent the first step than it is to prevent the last step into war. Each and every Member of this House has a personal duty to keep the country at peace, and each should voice that responsibility free from partisanship, conscientiously.

We are told that the bill before us is drawn along lines of international law. I have read with the greatest care the masterly utterances of authorities who differ entirely as to what constitutes international law in connection with shipping.

It is admitted that the international law as construed by different nations is at variance.

We know that international law is nothing but convention established from time to time between the nations or made to order by those most powerful on land or sea as suits their convenience. It is absurd that international law should, for instance, countenance the sale of munitions of war by the individuals of a neutral country and at the same time should consider it a violation of international law for a nation to sell such munitions of war from its own stores. The first proposition condones a crime against humanity, the latter is a feeble minimizing of an evil privilege. If only all munitions of war were manufactured by governments, international law would save all of us from the iniquity of promoting murder among friendly nations.

We are familiar with Lowell's poem, Jonathan to John, wherein John Bull is berated for selling arms to the Confederacy:

> You wonder why we're hot, John?
> Your mark wuz on the guns,
> The neutral guns, that shot, John,
> Our brothers an' our sons.
>
> * * * * *

I prefer to consider questions like the one before us from the standpoint of private judgment, unbiased by all these diametrically opposed and conflicting definitions. For as long as the dictionaries of international law can be published in constantly changing editions, by all nations, and when doctors of international law so violently disagree, each citizen must make his own determination, based on his judgment of what ought to be law—ought to be law, because law is supposed to be common sense.

In the bill before us we find that "no purchases shall be made in a way which shall disturb the conditions of neutrality."

If this proviso means anything, it simply means that we shall not purchase interned ships in a manner productive of discussion or trouble. This is a small meaning. If the sentence should read "no purchase shall be made or operations undertaken that shall disturb the conditions of neutrality," there would be real meaning in this proviso. To my mind, it would be far better to declare against the "purchase of any ship that is entitled to fly the flag of any nation now at war."

The ships now interned in the neutral waters of the United States would be subject to capture if they went out under their own flags. If they were to go out under our flag, there would be a close analogy to the case where a hound dog chased a rabbit into a hole and waited at the mouth of the hole, saying to himself with watering mouth, "There is my rabbit," and thereafter the rabbit emerged with an American flag wrapped around him. There might be trouble for the rabbit and the American flag might be torn. It is safer to leave belligerent ships entirely alone. [Applause on the Republican side.]

The next question is as to what the Federally owned ships shall do after they are built or purchased. The bill specifically provides that they shall engage in foreign commerce and shall not hamper or compete with the coastwise trade. Now, whatever international law may be, we, all of us in this House, have had some experience with practical politics, and we know the vast difference that would be held by our citizens to obtain between the seizure of a privately owned ship that might be guilty of carrying contraband—and contraband varies with every nation and from day to day—at its own risk, and a Federal ship that might be seized for the same reason.

There is a vast political difference between privately owned and public-owned ships. The private shipowner may take his chances without involving the country in war, but the public ship, under Federal ownership and control, if doing what the private ship might do with nothing but the penalty of capture, would, to my mind, be extremely apt to drag us into this contest wherein the warring nations are all too willing to involve all their neighbors.

The thin disguise that a private corporation shall manage these ships and that by such fiction the Government shall secure immunity seems puerile in this day and generation. There is a continual effort born of necessity to hold those who control the management of corporations to full personal responsibility. Else why should the Rockefellers be prosecuted and persecuted for the iniquities of the war in Colorado?

Our Federal vessels should be confined to traffic with neutral countries and should engage in our own coastwise trade. They would then release coastwise vessels for foreign trade. It is absurd to contend that vessels belonging to all the people should be hampered by coastwise laws, while those belonging to privileged corporations, a few of the people and perhaps none of them our own people, shall have open to them the full privileges of our home trade. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. GREENE of Massachusetts. How much time did the gentleman use?

The SPEAKER pro tempore. Seven minutes. The gentleman yields back 3 minutes.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I am of the opinion that there is very little difference between Member and Member as to whether we should have a merchant marine or not.

On the other hand, I think that everybody here is agreed that the Nation ought to have a merchant marine and that instead of allowing foreign countries to carry our merchandise we ought to provide the means by which we can carry a portion of it, at least, ourselves. This bill, however, professes to be one suggestion of the manner of building up the merchant marine that I do not believe will be a success, first, because it is admitted by its sponsors to be an emergency bill, and its very character as such is that two years after the war closes the Government is to discontinue the use of the ships as a carrying or merchant agency, when they are to be taken back to the Navy Department. The Navy is permitted to sublet or to lease to merchantmen. In this way the Government builds at its own cost the ship and leases it to other corporations. I do not believe that that is a wise method. In the first place, the Government, taking all the risk in an enterprise which thus far has not proved a success financially, not only in expenditure but also in the possible contingencies that might arise with other countries through our Government owning the vessels and operating them through some sublessees, you are thus inviting complications instead of avoiding the dangers that I see in this particular plan of Government ownership. Then, again, I am not ready to change our methods and abandon private ownership for governmental ownership. I do not believe that the time is here when I am justified in taking such a long step toward national socialism as that step would be. On the other hand, I am convinced that the Government ought to encourage private enterprise and not to discourage it. I do not think the Government ought to enter into competition with private enterprise, because private enterprise certainly can not successfully compete against the Government. And instead of driving out of existence private enterprise by the strong arm of the Government, the Government ought to stimulate it. Then, again, I am opposed to the manner in which this bill has come into the House.

Mr. MADDEN. Mr. Speaker, I make the point that there is no quorum present. I think the gentleman is entitled to an audience here.

The SPEAKER pro tempore. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-five gentlemen are present—not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

[Roll No. 70.]

Abercrombia	Fitzgerald	Lee, Ga.	Rupley
Ainey	Frear	L'Engle	Sabath
Anthony	Gard	Lever	Sells
Avis	Gardner	Levy	Shreve
Barnhart	George	Lewis, Pa.	Slayden
Bartholdt	Gerry	Lindquist	Smith, Md.
Blackmon	Godwin, N. C.	Loft	Smith, N. Y.
Bowdle	Goeke	McClellan	Sparkman
Broussard	Goldfogle	McGillicuddy	Stafford
Brown, N. Y.	Gorman	McGuire, Okla.	Steenerson
Brown, W. Va.	Graham, Pa.	McKenzie	Sumners
Browne, Wis.	Green, Iowa	Maher	Switzer
Burgess	Hamill	Martin	Talbott, Md.
Burke, Pa.	Hamilton, Mich.	Morgan, La.	Taylor, Ala.
Cantrill	Hamilton, N. Y.	Mulkey	Taylor, Colo.
Carew	Hamlin	Murdock	Taylor, N. Y.
Carr	Hart	Murray	Thacher
Carter	Haugen	Neeley, Kans.	Townsend
Cary	Hawley	Nelson	Treadway
Chandler, N. Y.	Hayden	Nolan, J. I.	Tribble
Clark, Fla.	Hayes	O'Brien	Tuttle
Claypool	Hensley	Oglesby	Underhill
Coady	Hobson	O'Hair	Vare
Copley	Hoxworth	O'Shaunessy	Vollmer
Cramton	Humphrey, Wash.	Palmer	Walker
Danforth	Humphreys, Miss.	Patten, N. Y.	Wallin
Dent	Jones	Peterson	Walsh
Dershem	Kahn	Platt	Walters
Dooling	Keister	Plumley	Whaley
Driscoll	Kelley, Mich.	Porter	White
Dunn	Kennedy, R. I.	Post	Williams
Dupré	Kettner	Price	Wilson, Fla.
Edwards	Kinkaid	Prouty	Wilson, N. Y.
Elder	Kitchin	Reed	Winslow
Estopinal	Knowland, J. R.	Riordan	Woodruff
Fairchild	Kreider	Roberts, Nev.	
Faison	Langham	Rucker	

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). On this call 276 Members have responded, a quorum.

Mr. ALEXANDER. Mr. Speaker, I move to suspend further proceedings under the call.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors. The gentleman from Ohio [Mr. FESS] is recognized for six minutes more.

Mr. FESS. Mr. Speaker, at 11 o'clock to-day we went into session. It is now 6 o'clock. We have spent 7 hours here. During that time we have had five roll calls on the question of no quorum and two roll calls on other phases of the parliamentary status and have 3 hours and 50 minutes left out of the 6 hours of general debate originally allotted. I mention that to indicate that the majority side is not interested in this legislation.

Mr. ADAMSON. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Ohio yield to the gentleman from Georgia?

Mr. FESS. I will.

Mr. ADAMSON. You would not have had the last roll call if the gentleman himself had not yielded the floor for that purpose.

Mr. FESS. I had to yield the floor under parliamentary law and the rules of the House.

Mr. ADAMSON. Was there any compulsion on the gentleman?

Mr. FESS. Yes. I was compelled on the point of order, and I had no recourse.

Mr. ADAMSON. I do not agree with the gentleman on that.

Mr. FESS. The point of no quorum takes me off the floor.

Mr. Speaker, I want to repeat that the Democratic side of this House is not interested in this legislation. There is not any question about it. You are not in favor of it, and you are here, when you are here, simply to ratify an order that has come in from the White House. Otherwise you would stay here and not kill time in this way.

Mr. RAINEY. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Ohio yield to the gentleman from Illinois?

Mr. FESS. I do.

Mr. RAINEY. Does it not indicate that the House is not interested in the gentleman's speech?

Mr. FESS. Oh, that is a cheap thing for you to say. I am not the only one who is speaking from this floor. The gentleman himself will be speaking later, perhaps, and if he should speak I will have the respect to stay and listen to him if he has anything to say. [Applause.] There have been as many speeches on the Democratic side of the House as from the Republican side. But the fact is you are taking your orders from the White House, and you know you are. [Applause on the Republican side.]

The Senate on the 15th day of last month began the discussion of this issue. It is still before that body. It is now by order brought over here. You listen to the order that comes from the White House and bring in a rule to close this debate here in six hours. Then you refuse to stay in the Chamber that the hours may be consumed in debate without your presence. Less than five-sixths of one minute is permitted to each Member of this House to debate this issue. Forty-nine seconds are all that you are allotting to the individual Member of the House, and yet you are discussing an issue that involves an entire change of the governmental policy of the Nation, which is neither Democratic nor Republican, so far as an issue goes; an issue that ought to take months for its discussion before you undertake to make the change. And more than that, you are undertaking to do a thing that may involve the Nation not only in national industrial disturbance but in international trouble. Every single time that a Government-owned vessel flying the American flag crosses the sea in time of war our Nation will be taking the risk of getting into trouble by violating the laws of neutrality. Suppose such a vessel were seized by a foreign country, what would be the consequence? And yet, with but five-sixths of one minute allotted to the individual Member to discuss this great issue, involving national and international complications, you refuse to remain here to make a quorum, because it is all done, anyway, by Executive order. There is not a Member in this House, Republican or Democrat, that does not know that the order is given, and it will be carried out just as it is given.

It seems to me that this House of Representatives, with 435 Members, is in a peculiar situation, if its membership will receive orders from the White House to ratify simply what the occupant of the White House says. That is precisely the situation here. You condemn it privately, but you do not dare to do it publicly. I do not blame you for not doing it publicly. But there is not a Member on this side of the House, as there is not on that side, but knows that we ought not to push a measure like this through this House in six hours with scarcely any discussion at all, and when men on the floor are asking to be heard in the debate, you do not even have interest to stay here to listen, and the excuse is given that the men who speak have not anything to say that is worth hearing. That may be your standard of legislation, but I want to say to you that it is rather the measure of Executive influence over this House. It is also the measure of the weakness of the American Congress.

Mr. THOMPSON of Oklahoma. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Ohio yield to the gentleman from Oklahoma?

Mr. FESS. Yes; I yield to the gentleman.

Mr. THOMPSON of Oklahoma. I want to say that I have not been directed by the White House or anybody else to support this bill. I am going to support this bill without any direction from anybody.

Mr. FESS. I am glad to hear it. The gentleman has shown his independence on other occasions.

Mr. THOMPSON of Oklahoma. I do not believe anybody on this side has had instructions from anybody to vote for this bill. I think the gentleman from Ohio makes a misstatement when he says that this side has been directed to vote for this bill.

Mr. FESS. Mr. Speaker, I yielded to the gentleman because I wanted to be courteous to him. But that does not change the situation after all. I said a moment ago that it was not the measure of the strength of the executive department, but it is the measure of the weakness of the legislative department; and I repeat that statement. [Applause on the Republican side.]

The time has come when the legislative body ought to speak on matters of legislation, and not have orders sent down to put a thing through and rush it without further debate than six hours. [Applause on the Republican side.]

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. ADAMSON. Mr. Speaker, if the gentleman from Massachusetts [Mr. GREENE] will permit, I would like to yield a little time which I have reserved. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. BARKLEY] is recognized for five minutes.

Mr. BARKLEY. Mr. Speaker, the discourse to which we have just listened from the gentleman from Ohio [Mr. FESS], which might be more appropriately termed a scolding than an address, is, of course, very interesting. We have heard here to-day, and we hear frequently on the part of Members of the opposition, the fact that men on this side have not sufficient

courage to vote their own convictions because they are dictated to from the White House. So far as I am individually concerned, I deny that charge, and on behalf of my Democratic friends I deny it for them. I say for myself that if this proposition were put up to the American Congress by a Republican administration, by a Republican President, believing in it as I do as a safe measure, I would have what the gentleman from Ohio [Mr. FESS] does not possess—patriotism *and courage enough* to vote for it, regardless of where it comes from. [Applause on the Democratic side.]

During the progress of this debate I have heard much from gentlemen who oppose the bill about embarking this Government in Government ownership and "State socialism." If this sophistry affords them a convenient argument against coming to the relief of the people in this great emergency, I shall be the last to rob them of the effect of its soothing qualities.

However, I desire to call attention to a serious condition which confronts the people of this Nation, and which may grow more serious as this great war progresses. I am not frightened, Mr. Speaker, by the specter of "Government ownership," which has been raised to becloud the issue in this contest. I do not propose on this occasion to be beguiled into a desertion of my plain duty by following or adopting old worn-out political aphorisms, which were perhaps applicable to another generation and to other conditions, but which have no place and no value in the solution of this and many other modern questions with which we have to deal.

Let us face conditions as they are now, and not rattle around among the dead bones of ancient heroes while our people suffer and are robbed. The greatest war in history is now in progress. The avenues of trade and the means of transportation upon the high seas have been interrupted. Freight rates upon the ocean have been increased from 300 to 1,100 per cent, and upon many commodities the rates are absolutely prohibitive, even if ships could be secured. We are at the mercy of a foreign Shipping Trust. There can be no question about that. Less than 8 per cent of our foreign commerce is carried by ships flying the American flag. The balance is carried by foreign ships. This foreign shipping monopoly has increased the freight rates upon American cotton from $1.25 per bale to $15 and $18 per bale. It has increased the rate for the shipment of lumber to such an extent that no man can afford to ship it at all, and many of our lumber mills have been compelled to close down and throw men out of employment because they can not secure ships to carry lumber; and if they could, the rates are so high as to make shipment at a profit out of the question.

This foreign shipping monopoly has increased the freight rate on Kentucky export tobacco from 30 cents per hundred pounds to $3.40 and $4 per hundred pounds, and ships are so scarce and rates so high that many foreign buyers have cabled their agents in this country to stop buying. These foreign shipowners have canceled contracts with American shippers running for a year without notice, and have compelled them to pay outrageous increases in freight or let their products rot upon the shores. They have arbitrarily refused to carry some commodities in order to have more room for others upon which they could charge higher rates.

Mr. Speaker, this condition of affairs has been especially hurtful to the farmers of Kentucky. Our great money crop, especially in the western part of the State, is dark tobacco, 85 per cent of which is exported to Europe. The prices which have been received by the farmers for that product in the last few years have ranged around $8 and $10 per hundred for the best grades, with smaller prices for lower grades. It was expected that the European war would to some extent affect the price of tobacco to the farmer, and this expectation has been fearfully fulfilled. But when it is contemplated that in addition to this unfavorable market condition a foreign shipping monopoly, flying other flags than ours, has arbitrarily raised the freight upon that tobacco from 30 cents per hundred to $3.40 per hundred, which increase must in the long run come largely from the farmer's pocket because of the decrease in the price which he may receive, some idea may be obtained of the unhappy conditions which must prevail if that condition is permitted to continue.

These same conditions prevail, with varying degrees, with respect to everything the American people have to ship. The American people have a surplus every year of both farm products and manufactured products. That surplus they have a right to sell in the markets of the world wherever it is needed to administer to the wants of humanity. In this great crisis a great emergency calls for action. The markets of the world yearn for our surplus products. Shall we sit with folded hands and complacent consciences and say this great Government has no remedy to offer to her people? [Applause.]

It is not surprising that the Republican Members of Congress are against this measure. They do not want prosperity to come to the people. They would rather see the whole country in want than for this Democratic administration or the Democratic Party to get any credit for relieving a distressing situation. They would rather see the whole country on its way to perdition in a hand basket than to see tranquillity, peace, and prosperity under a Democratic administration. For 50 years they had an opportunity to build up an American merchant marine under the Constitution. Did they do it? Did they attempt it? Only by proposing to take the money of the people collected in taxes and give it graciously to a shipping trust in the form of a subsidy. In the opinion of these Republicans it is a crime, if not treason itself, to take the people's money and buy some ships to be operated by the people's Government for their relief in a great emergency; but it is the quadrupled quintescence of Republican statesmanship to take that same money and give it to a shipping trust for its private benefit without return to the Government. [Applause.]

We have heard the great constitutional and international lawyer and world-renowned diplomat from Washington [Mr. HUMPHREY] discuss this question from the standpoint of constitutional and international law. [Laughter.]

We need not stop now to discuss the constitutional questions involved in this measure. Under the Constitution this Nation has spent its money to improve rivers and harbors in order that the commerce of America might move. Does that same instrument deny us the right also to spend some of our money to make those rivers aud harbors available and valuable in a great emergency such as that which confronts us now? Under the Constitution we have spent our money to reclaim the arid lands of the West in order to make more homes for farmers. Does that instrument deny us the right to purchase ships in a great emergency in order that this farmer may find a market for his produce? Under the Constitution we have spent our money to make the soil more fertile in every State and to make two blades of grass grow instead of one. Does that instrument deny us the right to afford to the farmers of the Nation in a great emergency reasonable facilities for transporting that surplus produce to the markets of the world? Under the Constitution we have sent consuls and American agents to all the civilized nations of the world to build up and foster American trade in those countries. Shall that instrument be now invoked against our effort to provide at least temporary facilities for the transportation of the commerce thus secured? Under the Constitution we have established the parcel post for the cheap transportation of products upon land; we have regulated the rates that may be charged by railroads and other common carriers upon the land; and under the Constitution we have done a vast number of things that the Government could do for the benefit of all the people that could or would not have been done by private enterprises.

Mr. Speaker, if the rates for hauling freight over the railroads of the United States had been in the last six months raised in the same proportion as they have upon the high seas, the American people would rise up without exception and demand that their Government come to their relief. It so happens that we can regulate and control, and have regulated and controlled, the rates at which our products may be hauled upon the land. But we have no such power to control the rates charged upon the high seas, because most of the ships are foreign and our jurisdiction only extends three miles from shore. Consequently, the only remedy that is left to us in this emergency, which will grow greater as this great war continues, is to pass this bill and let the Government purchase and operate these vessels for the benefit of all the people, farmers, manufacturers, and merchants alike, and after the war is over and the emergency is passed we shall have more time to discuss intelligently and dispassionately the permanent policy which we shall adopt in the future in order to build up a strong and permanent American merchant marine. [Applause on the Democratic side.]

For the present the town is on fire, and it does not behoove us as intelligent men to stand under a sycamore tree and discuss the question whether it would be wise at some time in the future to put in waterworks and a fire department, while all the time the town is burning. Let us grab the buckets, go to the nearest and most available source of water, and put out the fire. The settlement of future policies and programs can well await the day when the rebuilding shall begin. [Applause.]

Mr. ALEXANDER. Will the gentleman from Massachusetts [Mr. GREENE] use some of his time?

Mr. GREENE of Massachusetts. I yield 10 minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Speaker, several times this afternoon I have noticed the use of a phrase like the one used by the gentle-

man from Kentucky [Mr. BARKLEY] who just took his seat, referring to the preservation of the neutrality of the United States. In section 7 of this bill we find as the concluding paragraph these words:

Provided further, That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

It seems to me that neither the declarations made on the floor of the House that neutrality will not be disturbed nor the provision in this bill to the same effect touch the real point of international difficulty. It is conceivable, but not very likely, that in the purchase of ships owned by belligerents the transaction might in some way compromise the neutrality of the United States. For example, the question of neutrality might be raised concerning the shipment of money to pay for those vessels. Money is contraband, just as gunpowder is contraband; but, to my mind, this is not the point upon which an international dispute is most likely to arise. No declaration that the United States Government will preserve its neutrality touches the real danger of the bill. We could buy those ships, private persons could buy them, or perhaps even the Government itself could buy them, without raising any question of having committed an unneutral act. The real point is this: If the declaration of London is in force—and it is in force in English law—we buy ships that under British law, under French law, under German law, under Russian law, and under Italian law are subject to capture. It is not a question of the neutrality of the United States; it is a matter of buying property to which we can acquire only a clouded title.

The provision that forbids any purchase which would compromise the neutrality of the United States does not cover the case. We buy the property, but there is a doubt whether the owner could convey a clear title. The German owner of a ship lying idle in a harbor of the United States will remain the owner of it so long as it does not go outside of the 3-mile limit. When it sails the ocean as a German vessel any warship of an enemy of Germany has, under international law, the unquestioned right to capture it, merely because it is enemy property.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. TEMPLE. Yes.

Mr. GARRETT of Texas. I understand the gentleman states the proposition that a German-owned ship lying in American waters is the private property of that German, and that as long as it is in the waters of the United States, owned by him, he could sell that ship.

Mr. TEMPLE. I did not say that he had a right to sell it.

Mr. GARRETT of Texas. Does the gentleman say that the German citizen who owned a German ship lying in American waters could not sell that ship in good faith?

Mr. TEMPLE. If the gentleman will give me my time, I will make a speech on that subject. That is the topic that I am going to talk about. The question will not hold me any closer to the point than I would hold myself.

The whole question is whether the German owner of that ship can sell us property that will not be subject to capture. He can sell us all he owns, but if he sails it on the ocean it will be captured. If we buy it from him, we have to prove, in the language of the declaration of London, that it was not sold "in order to evade the consequences to which an enemy ship as such is exposed." If we can not prove this, the transfer of the vessel to the American flag is void.

Mr. WEBB. Will the gentleman allow me to interpose a question?

Mr. TEMPLE. Yes.

Mr. WEBB. I have seen it stated in some of the speeches in the Senate that the declaration of London has never been ratified by England, either by treaty or otherwise, and that the only law in force in England is a law that is 200 years old.

Mr. TEMPLE. I will answer the gentleman by saying that the declaration of London is in force in English courts. I exhibited here a week ago last Saturday an order in council and a royal proclamation, dated October 29, 1914, in which the King in council instructed all the judges of the prize courts to enforce the provisions of the declaration of London.

Mr. WEBB. Did not a commission report to——

Mr. TEMPLE. I can not yield longer nor go back further than the order in council. The point I make is that on October 29, 1914, an order in council was issued instructing the judges of the prize courts to put the London declaration into effect. The report to which you refer is of an earlier date than that, and no law earlier than that date can by any possibility supersede the later one.

Germany, Italy, France, and Russia have also put that law into effect. Now, when a case is tried, suppose a German ship is transferred to the American flag and captured by an English cruiser; it will be tried in an English court, not in an American court. If it is captured by a French cruiser, it will be tried in a French court.

A case arose in 1912 in which article 47 of the London declaration was involved, in a dispute between Italy and France during the late war between Italy and Turkey. Italy was enforcing the declaration of London, and France protested against it. They agreed to take the case to the court of arbitration at The Hague. The ruling of the court will be found in the report on the case of the *Manouba*, in the American Journal of International Law for July, 1913. The Hague Court of Arbitration gave its award in accordance with article 47 of the declaration of London, when neither Italy nor France had ratified that document. England has announced her intention to enforce it; we may protest. Italy had announced her intention to enforce it, and France had protested; and yet, when it went to the international court of arbitration at The Hague, that court sustained article 47 of the declaration of London. The powers that signed the declaration had agreed that the rules contained in it correspond, in substance, with the generally recognized principles of international law. I think we ought to avoid a controversy that is already practically decided against us. [Applause on the Republican side.] Mr. Speaker, I yield back the balance of my time.

Mr. FIELDS. Mr. Speaker, I desire to submit a request for unanimous consent. I ask unanimous consent that all gentlemen who may speak upon this bill may be permitted to extend their remarks in the RECORD.

Mr. MADDEN, Mr. GREENE of Massachusetts, and several others objected.

Mr. MADDEN. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The gentleman from Illinois makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and forty-nine Members present, not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 71.]

Alney	Finley	Langham	Riordan
Allen	Fitzgerald	Langley	Roberts, Mass.
Anthony	Flood, Va.	Lee, Ga.	Roberts, Nev.
Ashbrook	Fordney	L'Engle	Rothermel
Austin	Fowler	Lever	Rupley
Avis	Francis	Levy	Sabath
Barnhart	Frear	Lewis, Pa.	Saunders
Bartholdt	Gard	Lindquist	Seldomridge
Bartlett	George	Loft	Sells
Bathrick	Gerry	McClellan	Sherley
Borland	Gilmore	McGillicuddy	Shreve
Bowdle	Gittins	McGuire, Okla.	Slayden
Broussard	Godwin	McLaughlin	Smith, Idaho
Brown, W. Va.	Goldfogle	Maguire, Nebr.	Smith, Md.
Browne, Wis.	Gorman	Mahan	Smith, Saml. W.
Bulkley	Graham, Pa.	Maher	Smith, Tex.
Burgess	Green, Iowa	Manahan	Sparkman
Burke, Pa.	Gudger	Martin	Stafford
Callaway	Hamill	Mondell	Steenerson
Campbell	Hamilton, Mich.	Moore	Switzer
Cantrill	Hamilton, N. Y.	Morgan, La.	Talbott, Md.
Carew	Harrison	Morrison	Tavenner
Carr	Hart	Moss, Ind.	Taylor, Ala.
Carter	Haugen	Mott	Taylor, Colo.
Cary	Hawley	Neely, W. Va.	Taylor, N. Y.
Chandler, N. Y.	Hayes	Nelson	Thacher
Clark, Fla.	Helgesen	Nolan, J. I.	Thompson, Okla.
Claypool	Helvering	Norton	Towner
Cline	Henry	O'Brien	Townsend
Coady	Hensley	Oglesby	Treadway
Copley	Hobson	O'Shaunessy	Tuttle
Cramton	Hoxworth	Paige, Mass.	Underhill
Danforth	Humphrey, Wash.	Patten, N. Y.	Vare
Davenport	Humphreys, Miss.	Peters	Walker
Davis	Johnson, S. C.	Peterson	Wallin
Dent	Jones	Platt	Walsh
Dershem	Kahn	Plumley	Walters
Dooling	Keister	Pou	Wilson, Fla.
Drukker	Kelley, Mich.	Price	Wilson, N. Y.
Dunn	Kettner	Prouty	Winslow
Edwards	Kiess	Rainey	Woodruff
Elder	Kitchin	Rauch	Young, Tex.
Fairchild	Knowland, J. R.	Rayburn	
Faison	Korbly	Reed	
Ferris	Kreider	Reilly, Wis.	

The SPEAKER. On this roll call 245 Members have answered to their names, a quorum.

Mr. ALEXANDER. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The question is on the motion of the gentleman from Missouri that further proceedings under the call be dispensed with.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 75, noes 26.

So the motion was agreed to.

The doors were opened.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. Mr. Speaker, it is a trifle disconcerting to one who has a splendid speech to deliver to an expectant audience—or, at least, one that he hopes is expectant—to find while the roll is being called that the Members answer to their names and then immediately run as though they were trying to escape from the scene of their crimes. [Laughter.] I do not suppose, however, it is becoming in any of us to make complaint. By this time we ought to be used to any sort of treatment in the House. I think it is about all we deserve, and we may as well be satisfied, because I am sure it is all we are going to get. We have before us a bill that has never been considered by a committee of the House, that has never been passed upon by a committee of the House; one that is brought in here and one we are told to pass without the opportunity of considering it or of offering a single amendment to it. Not only that, but we have had added to it another measure, widely divergent in its subject matter and of transcendent importance to the American people. Both of these bills are of that importance, and yet we are, after a few hours of useless and almost absurd general debate, to vote upon them. You may pass this measure in this manner, if you like, but when you leave this Chamber, no matter what the hour may be, do not raise your heads in pride and say that you have this day labored in the greatest legislative body in the world. You have not labored in a legislative body at all. Do you know, my friends, that in every civilized nation in the world the legislative body of the people, the body that immediately represents the people, has been gaining in power at the expense of the other departments of the Government, save in our own?

The House of Commons has become the great ruling power of England; likewise the Chamber of Deputies in France, drawn from and immediately representing the people of France, is the great lawmaking, controlling body in that great country; likewise is this true in Italy, in Germany, aye, in Japan. But in the United States, where we claim free institutions were first given their real life, the people's body, the House of Representatives, has been rapidly declining in importance and in power until now its ancient glory is all but vanished. We have ceased to be an important factor in our scheme of government. The functions of this great branch, the lawmaking body designed to represent the will and protect the rights of the people, have been of late rapidly assumed by the Senate and the Executive. The House of Representatives as it stands to-day is an unnecessary and at times an inconvenient body—unnecessary because it has surrendered its power and performs no vital function, inconvenient because a slight obstacle that must be stepped on by the ever-growing Senate and Executive. This House is of about as much use to the Government of the United States to-day as the appendix is to the human frame, and no more. You are making history. You bring in a transcendently important matter of this kind and force its passage through this body, supposed directly to represent the people, without giving the people's representatives the slightest opportunity to shape it, frame it, or consider it. You make a farce, a complete farce, of this, the designed to be most important branch of the National Legislature.

You are making history. Yes; but history that you and your children and your children's children will be ashamed of during all the ages to come. You are reversing the processes fundamental in the evolution of free institutions and putting into action the forces that lead to absolutism.

But, Mr. Speaker, if I may have the attention of the brethren who are so terribly and deeply interested in this bill for just a moment, I would like to call the attention of the House to some of the things in the bill.

I wish I had time to call attention to many of the things, for it seems to me that the merits of the bill have not as yet attracted the attention of the Members of the House. Probably it is because we have not time to consider its merits or demerits, and for the further reason that it does not matter what the merits or defects are, anyway, for you are going to vote it through and make a wry face when you do the job. This bill is quite in harmony in its subject matter with the method of its presentation and passage. It is an inglorious surrender as a lawmaking body, representing the people of the United States, of some of the fundamental things intrusted to this body under our Government. This is the lawmaking part or at least a portion of the lawmaking part of our Government, and yet in two sections we propose to turn over to the Executive of the Nation the right to amend and repeal all the rules and regulations under the law that exist to-day for the control of our merchant marine, and to replace them with any other rules and regulations it may please his omnipotent power to import. No such power as that was ever given by a free people to a tyrant, except in the way you are giving this under the lash of the tyrant's whip.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I have only a moment.

Mr. ALEXANDER. I just want to puncture that error there.

Mr. MILLER. The gentleman can puncture later on in his own time, but he will find no error there.

Mr. ALEXANDER. If the gentleman were informed, he would not make such a statement.

Mr. MILLER. I have read the gentleman's bill, and I am giving it almost literally. The gentleman himself apparently does not know what is in the bill, and I do not wonder at it. I have not discovered anyone on that side of the House who pretends to understand what is in this bill.

The SPEAKER. The gentleman from Minnesota declines to yield.

Mr. MILLER. One thing further. I notice in section 7 there is an apt and fitting expression of the attitude of this sycophantic, this cringing, this beseeching body of the people's representatives. It reads:

That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels.

What a grand and glorious moment! The United States of America, whenever a grand and glorious President, clothed with his omnipotent power, graciously condescends to permit, these United States may purchase a ship! The United States can purchase a boat when the President of the United States says that it may. How does that comport with Democratic doctrine since the days of Thomas Jefferson?

Nay, more, Mr. Speaker; I observe some more things in this bill that attract the passing attention. We have not time to give any more than passing attention to the bill, but let us give that. I see that it provides that the corporation stock and the property of the corporation which it is proposed the corporation shall acquire shall be exempt from taxation. I suppose that is upon the theory that it is the property of the United States and ought not as such to be taxed. All well and good, so far as that goes, but the bill contemplates that private individuals will become subscribers to the capital stock of this $10,000,000 corporation up to 49 per cent, and if they do they will become the owners of almost half the property owned; and what right have you to absolve that property from paying its just share of taxes that are being paid to-day by all other property in America?

Then I notice one thing further. You say that while the United States, through its Executive and the board, is to control the corporation, because it is to have 51 per cent of the stock of the corporation, in the same breath you write into the bill a provision that a majority of the stockholders—not the stock, but a majority of the stockholders—can remove every officer of the corporation, and remove thereby the United States Government itself from the control of its own property. Then another thing. It is proposed to issue $40,000,000 worth of Panama Canal bonds to finance this project. What a gulp of American pride you swallow when you do this. In the days of our country's prosperity—Republican days; good, old Republican days—our country carried through the stupendous achievement of constructing this great aid to commerce and national defense, engineered it, and financed it almost entirely out of the current revenues of our prosperous country. Now that you have destroyed our country's prosperity, exhausted her Treasury, burdened her people with every conceivable form of taxation, you propose to reach back, lay violent hands upon the glory of the past, and rob former success to pay for this extravagant foolishness, to enter upon a career industrially vicious and fraught with grave danger to our national peace. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, how does the time stand between the two sides?

The SPEAKER. The gentleman from Missouri has an hour and thirty-four minutes, the gentleman from Massachusetts has 1 hour and 24 minutes and the gentleman from Georgia [Mr. ADAMSON] has 20 minutes.

Mr. GREENE of Massachusetts. I trust gentlemen on that side will use a little time.

Mr. ALEXANDER. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Speaker, a short time ago when the question of tolls through the Panama Canal were up for consideration some of the Members of this House were ready and eager to repeat the story of the young American eagle when it lined its nest in the lion's mane, and now it seems that they are so afraid of England or of the thought of possible controversy that they are scared into conniption fits at the very flare of the lion's tail much less his mane. [Applause on the Democratic side.] The position they take reminds me a little bit, when gentlemen proceed to talk about the prospects of war, of the little story my father used to tell about a Georgia captain, and he had the right to talk about a Georgia captain because he was a Louisiana captain. He said during the war that there was a Georgia captain who had his troops along a certain defense, and he said to his troops, "Boys, there are only a few of us and our ammunition is short. We are hungry and tired. The Yankees have four companies and they have plenty of ammunition; they are well fed, and they are coming here presently. My orders to you are to fire three or four rounds and then run. I am a little lame and I will start now." [Applause.] That is the position these gentlemen take when we take this useless Weeks bill and put into it something that will do business. They say that the London convention has prohibited us from buying vessels. The fact of the matter is that such a prohibition has never been incorporated in any international agreement or convention in the history of this world. Never before has it been claimed with any color of authority that the American Government did not have a right to buy interned ships of a belligerent in a neutral port if we desired to do so, and never before has our procedure on that line been questioned.

England has taken our ships away from us; she has taken our merchant marine from us when we were engaged in war and no question was raised; England has taken such ships repeatedly from other nations at war. They say that the London convention, composed of delegates of the various nations, prohibits us from buying these ships; but what are the facts? The facts of the matter are that the various nations gave their suggestions to the London convention called to compile the rules of international law and, in reference to this matter, said that under international law only the matter of good faith was involved in such transfers; that any neutral nation could buy interned ships of belligerents if good faith existed in the matter of the purchase. And then, after they got through with the London convention, the managers for England reported on what was done at that convention. Here is a report made to the British Government:

> The provisions respecting transfers made during a war are less complicated. The general rule is that such transfers are considered void unless it be proved that they were not made with a view to evade the consequences which the retention of enemy nationality during war would entail. This is only another way of stating the principle already explained that transfers effected after the outbreak of hostilities are good if made bona fide, but that it is for the owners of the vessels transferred to prove such bona fides.

In other words, they reported a rule restating exactly what has always been stated before, and at the outbreak of hostilities England issued an order, Germany issued a lot of orders, and the United States has issued an order; and they say that the English order is going to be enforced absolutely, because England has the courts, because England will take our ships into the jurisdiction of the English courts, and that of course the English courts will do as England makes them. The English law, if it is international law, does not get its power from the London convention, because it is admitted that it has not been adopted; but it gets its power and force from the order issued by the Admiralty, by the British Government. Well, now, our Secretary of State issued an order to the contrary. He said officially that the London convention is not binding. Germany issued an order the other day telling us that they had a right to create a war zone around the British Isles, and I suppose we have got to assume as true whatever the German Government says; if the German courts can get hold of a vessel in that area such will rule according to whatever the German Kaiser says. There is no truth in these contentions. The court will have to decide according to international law—not governmental orders—subject to arbitration if the Government is dissatisfied with the court's finding.

The SPEAKER. The time of the gentleman has expired.

Mr. BRYAN. Give me two minutes more.

Mr. ALEXANDER. Mr. Speaker, I yield two minutes additional to the gentleman.

Mr. BRYAN. There has been one other argument made here in reference to contraband. It is said that the Government entering into this shipping will get into trouble over contraband or that we can not carry contraband goods. Well, of course the Government of the United States will know what goes into a vessel of its own; the Government of the United States will be careful about what kind of goods it carries, and we can carry some legitimate commerce across the seas. It will no longer be the case that lumber and noncontraband articles can not be carried, because they can not afford to pay the tremendous freight rates that are charged on munitions of war and contraband articles. We will get across the ocean some legitimate commerce, some of the things that the people of this country want to continue their trade in, and some things that they ought to continue their trade in, and they will not bring protests from all sections of the country because contraband is being taken. The United States Government will know what is carried in all the ships, and that is one of the arguments in behalf of the Government going into legitimate, straightforward business, and business that amounts to something.

We have met three or four emergencies at this session of Congress, and it gives me the keenest kind of delight to see us go to Government ownership in things of this kind. It is known that I believe in Government ownership of all the means of interstate commerce in this country. I am glad enough to see you accept that remedy. It gratifies me to see you get to the real thing.

Mr. ALEXANDER. Mr. Speaker, I yield five minutes to the gentleman from New Hampshire [Mr. STEVENS].

Mr. STEVENS of New Hampshire. Mr. Speaker, I voted against the rule because I was opposed to such a drastic and unnecessary restriction upon debate and the right to offer amendments. But I shall vote for the bill, because I am heartily and entirely in favor of it. This bill, Mr. Speaker, not only will do something to meet the present emergency, but it will do something to start a real American merchant marine. I think every man here admits that the people of the United States ought to have their own merchant marine. Private capital has not gone into that business in the last 60 years. There are only three possible ways in which you can build up an American merchant marine. First, you might repeal all the navigation laws and all the ship-registry laws; but that will never be done, and I do not think it ought to be done, because a large part of those laws were passed for the purpose of protecting life at sea and protecting sailors at sea, and the sentiment in this country will not stand for a repeal of those humanitarian regulations. Then you have left only two other ways in which you can build up the merchant marine. One is to grant a subsidy to private corporations. That has been against Democratic policy, and I do not believe we will ever have that law in this country. The only other method that remains is for the Government to go into the business directly itself, which is the proper, democratic, and legitimate way. The Government will then have absolute control of rates and service and everything connected with the merchant marine. If we grant a subsidy to private corporations we still would have no opportunity to control transportation rates upon the seas. If we own the ships we can fix our own rates and our own service. For these reasons I am in favor of this bill.

Now, just a word about the international aspects. The strongest speech made here to-day in opposition to this bill was made by the gentleman from Wisconsin [Mr. LENROOT]. This statement of the law was clear and convincing, but his assumption of what the facts are going to be was entirely unfounded and unreasonable. To carry contraband would violate neutrality, but every man knows that these ships will not carry contraband. While I would be glad to see an amendment put in this bill stating specifically that these ships shall not carry contraband, that amendment would not make it any surer or any clearer than it is that these ships will never carry contraband goods. No administration having full control of these ships and of the cargoes that go into them would ever for a moment consider shipping contraband goods. So there is no danger from that source.

Mr. Speaker, I yield back the balance of my time.

Mr. LENROOT. Will the gentleman yield for a question?

Mr. STEVENS of New Hampshire. Yes.

Mr. LENROOT. Is it the gentleman's position then that if England had declared all foodstuffs destined for Germany contraband, these ships would not carry any foodstuffs to Germany?

Mr. STEVENS of New Hampshire. Yes, sir; it is.

The SPEAKER pro tempore. The gentleman from New Hampshire yields back one minute.

Mr. ADAMSON. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, this proposition is one in which I am very much interested. In the Democratic caucus I offered two amendments to this bill which I should have liked very much to have adopted. I voted against the previous question.

I wanted to offer those amendments here. I am unalterably opposed to the coastwise ship monopoly, and would be willing to make almost any sacrifice of any opinion I might have in reference to ships, in order that we might be able to break up such monopoly. [Applause.] Now, I should like——

Mr. MURDOCK. By the way, will the gentleman yield at that point?

Mr. SISSON. I will.

Mr. MURDOCK. The terms of this bill, as I read them, absolutely exclude these ships from participation in coastwise traffic.

Mr. SISSON. Unless they are American ships. In other words, the United States Government under this bill could have an American-built ship engage in the coastwise trade just as an American citizen could. But I thought this was a great opportunity to put in this bill a provision that the ships that might be purchased or built by the United States Government might be able to get a cargo made up from several ports in the United States for the foreign trade or hauling freight from one port to another. Therefore, I offered amendments in the caucus for the purpose of accomplishing that result. In order that I might be able to offer that amendment in the House, I voted against the previous question. There are some features of the bill I do not like.

If I had the writing of the bill, I would strike some of the features out of it. There are others that I would put in the bill. But on the final passage of the bill I am going to vote for it. [Applause on the Democratic side.] My principal reason for doing so is this: If the Government shall go into the shipping business during this emergency and shall continue in the shipping business until the people can realize that the Government is excluded from doing business in her own ports from port to port in a ship which the Government has built on the Clyde, I do not believe that the masses of the American people will stand much longer for this iniquitous coastwise monopoly. And if we can by any means get the American people aroused to the extent that they are willing to demand of Congress that you shall give the people of the United States the right to buy their ships where and when they please and put them in the coastwise trade, then we will have accomplished a great deal by this legislation.

An illustration of the wickedness of the rates of this monopoly which the American people are now paying is illustrated in coal for the Navy. The Secretary of the Navy, in a statement which he made some time ago, stated that he was giving the contracts to foreign ships to haul coal from the Atlantic seaboard to the Pacific coaling stations, and that in some cases when he would get a quotation of the rates from the coastwise monopoly it would be $8 a ton around the Horn, and the foreign shipowners carried the coal for him at $4 a ton.

Now, he is violating the law when he does that, but they dare not prosecute the Secretary of the Navy. They dare not institute against him proceedings that would bring before the American people this great iniquity. And if we could get the people to thoroughly understand the enormous prices which they are paying for the coastwise shipping, joined as it is with the railroads of the country, which own, perhaps, the majority of all the ships, they would realize the situation as it is. The Standard Oil Co., the Beef Trust, the Fruit Trust, and the Steel Trust all own coastwise shipping; and if I could break that up in any way I would make all sorts of sacrifices to do it. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. ALEXANDER. Mr. Speaker, will the gentleman from Massachusetts [Mr. GREENE] use some of his time?

Mr. GREENE of Massachusetts. The gentlemen on that side have lots of time.

Mr. ALEXANDER. I want to conclude in one speech.

Mr. MANN. Mr. Speaker, under the circumstances I will make the point of no quorum, so that Members may be notified of the opportunity to speak, and so be present.

Mr. ALEXANDER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MACDONALD].

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of no quorum. The Chair will count. [After counting.] One hundred and thirty-five gentlemen are present, not a quorum.

Mr. ALEXANDER. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] moves a call of the House. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72.]

Aiken	Fairchild	Kreider	Rupley
Ainey	Faison	Lafferty	Sabath
Anthony	Falconer	Langley	Scully
Austin	Fields	Lazaro	Seldomridge
Avis	Flood	Lee, Ga.	Sells
Barnhart	Fordney	L'Engle	Sherwood
Bartholdt	Fowler	Lewis, Pa.	Shreve
Blackmon	Frear	Loft	Smith, Minn.
Borland	Gard	McClellan	Sparkman
Bowdle	Gerry	McGillicuddy	Steenerson
Britten	Gillett	McGuire, Okla.	Stevens, Minn.
Broussard	Gittins	McLaughlin	Taggart
Brown, W. Va.	Glass	Maher	Talbott, Md.
Browne, Wis.	Godwin, N. C.	Manahan	Taylor, Ala.
Bulkley	Goldfogle	Miller	Taylor, Colo.
Burgess	Gorman	Morgan, La.	Taylor, N. Y.
Burke, Pa.	Graham, Pa.	Morin	Thacher
Calder	Griest	Mott	Towner
Callaway	Guernsey	Mulkey	Treadway
Carew	Hamill	Neeley, Kans.	Tuttle
Carr	Hamilton, N. Y.	Neely, W. Va.	Underhill
Carter	Hart	Nelson	Underwood
Cary	Hawley	Nolan, J. I.	Vare
Chandler	Hayes	O'Brien	Volstead
Church	Helgesen	Oglesby	Walker
Copley	Hinds	O'Shaunessy	Wallin
Danforth	Hobson	Paige, Mass.	Walters
Davis	Howell	Palmer	Watkins
Dent	Hoxworth	Parker, N. Y.	Weaver
Dooling	Humphrey, Wash.	Patten, N. Y.	Whaley
Doolittle	Johnson, S. C.	Plumley	Whitacre
Driscoll	Jones	Price	White
Drukker	Kahn	Prouty	Wilson, Fla.
Dunn	Keister	Reed	Wilson, N. Y.
Dupré	Kettner	Riordan	Winslow
Edwards	Kiess, Pa.	Roberts, Mass.	Woodruff
Elder	Knowland, J. R.	Roberts, Nev.	Woods

The SPEAKER. On this roll call 276 Members, a quorum, have answered to their names.

Mr. ALEXANDER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Mr. ALEXANDER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MACDONALD] 10 minutes. [Applause.]

Mr. MACDONALD. Mr. Speaker, in common with other members of the Progressive Party in the House I find myself upon this measure in exactly the same situation in which we have found ourselves on many other vital measures that this Congress has considered. We discover that we are committed in favor of the name that is attached to the legislation, and in many cases to a great deal of the substance in the legislation that is offered for passage. And as most of us generally have on the progressive measures that the Democratic administration have offered found ourselves able to vote for the measure, so I expect to vote for this measure. [Applause on the Democratic side.] I should have liked, as many Progressives on this floor would have liked, a chance to amend the bill and an opportunity as well to have debated the bill at some greater length than is permitted by this rule.

I would like the Democrats of the House to understand, if they can, something of the position in which the members of the Progressive Party have found themselves during this Congress. I would like the Democrats particularly to understand this, because they are the special beneficiaries of the existence of the Progressive Party. [Applause on the Republican side.] The Democrats have not shown any disposition to realize that, as far as I can see. [Laughter.] Instead of extending any helping hand to the Progressives in this Congress they have been content always to accept our help grudgingly and reluctantly, and upon the whole have played second fiddle to the stand-pat Republicans in exhibiting wholesale contempt for us as a party. [Laughter.] In the name of political consistency, I would like to know if the Democrats have not about realized by this time that their hope of continued political existence remains in the Progressive people of this country? They will not get anything by an appeal to the reactionary element in the country, because that is owned and controlled, and always will be, by the Republican Party. [Applause on the Democratic side.]

As I say, our position here has been made so uncomfortable, we have been so lonely that we have felt ourselves, as far as our position here is concerned, Ishmaelites indeed; and is it any wonder that some members of our party here, under the strain and stress of this condition in which they have been placed, have become somewhat crazed, and in their delirium have actually returned to the camp of the standpatters, in the idea that they are returning to friends! [Laughter.]

Mr. BRUMBAUGH. Will the gentleman yield?

Mr. MACDONALD. I yield for a question.

Mr. BRUMBAUGH. Does not the gentleman realize that the Democrats were friendly to him personally in his contest?

Mr. MACDONALD. I do; but I am not talking personally. I am talking of a party matter.

Mr. O'HAIR. You got only what you were entitled to.

Mr. MACDONALD. In regard to this present bill, I think that is a very important alignment, along progressive lines. We find the reactionary element in the Republican Party without exception opposed to this legislation. Many of them are opposed to it because they say that it involves Government ownership. Strange to say, some others are honestly opposed to it because they believe it does not mean Government ownership. But it does to some extent mean Government ownership.

The gentleman from New York [Mr. METZ] unknowingly disclosed a very peculiar frame of mind. He said, "I am opposed to Government ownership. 'Government ownershisp is a fad,' a temporary thing, something that is 'simply the whim of a moment'; but we are confronted by a condition that renders it necessary now to take this step, although it may seem to involve Government ownership."

That is just the point exactly. The Government, in view of the world condition with which we find ourselves confronted, is forced, for the sake of protecting itself and the people, to adopt these methods. If this were a measure presented here for the benefit of some large private interest we would have gentlemen on the Republican side, as I have heard them many times before, standing here urging us in the name of the good people to forget partisanship and hold up the hands of the President. [Applause on the Democratic side.] Now, there is no condition of which I can conceive, threatened war or anything else, that would involve a more grave situation in regard to the welfare of the American people than we are confronted with to-day. The world is at war. It is tearing loose from all its old moorings and ideas; and if we are to maintain our position in the world, if we are to give our people the things to which they are entitled, if we are to maintain the great place in the sun that the American people have made for themselves, it seems to me that now above all other times is the time to forget partisanship, the time to forget the chance that men may have for the return to the political fleshpots again, and to stand by the President in this legislation. [Applause on the Democratic side.] Because, while the President may be the captain of the team, while he may be the leader of one of the political parties of this country, I am satisfied that he and his Cabinet advisers know that there are conditions existing that require this measure to be passed for the benefit of the whole American people, and I do not believe there is a man within the sound of my voice who does not know that that is true. [Applause on the Democratic side.]

Now, in regard to this question of war. Under other conditions we have heard the President charged with being cowardly, supine, afraid to assert American rights, afraid to protect American citizens in Mexico through a cowardly fear of war. I do not believe the President or his advisers have changed their attitude in regard to peace since that time, and I think it is perfectly safe to leave that question to them. In any event, we as a Nation can not get off the earth. We can not sacrifice our rights and our duties as a Nation and as a people and supinely lie down in the face of world-wide conditions that we must meet. Without imputing wrong motives to gentlemen who differ with us upon this subject, it seems to me that those who advance this war scare are simply putting up a bugaboo of war for the purpose of justifying an opposition to the bill which is in reality based upon other reasons. I mean to say I do not question the motives of other gentlemen, but it seems to me that those who argue that this means a declaration of war are using that as an argument for lack of a better. They are carried away by their partisan zeal and their desire to defeat this legislation. They allow themselves to be led into a belief in an argument that is not a real argument at all. We are not likely to have war by reason of the Government being in charge of these ships. The Government is less likely to ship contraband articles than a private owner of ships would be. And I am sure that the ships that are purchased and used under this bill will be used for no other purpose than the necessary purpose of serving the commerce of the Nation that can be served without involving us in war. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. THOMSON].

Mr. THOMSON of Illinois. Mr. Speaker, I want to say that, as one of the Progressives in this House, I am against this bill. [Applause on the Republican side.] Because I do not consider it a progressive measure and because I do not consider it as presented to us in a progressive way. [Applause on the Republican side.]

I do not know whether my good friend from Michigan [Mr. MACDONALD] in stating, as he did, the position of the Progressives in the House, intended to speak for all of us, but he certainly did not set forth my position on this proposition that is before us to-night.

For my part I can not see how it can be considered a progressive or proper way of legislating to come into this House, after a month or six weeks of discussion in the Senate over a bill of such importance as this, and move to discharge a committee from the consideration of another bill—the Weeks bill—and tack this ship-purchase bill on to that other bill when the ship-purchase bill has not even been introduced in the House or considered by a committee or reported to the House, and then to bring it in here under a rule limiting debate to six hours and have this new legislation provide that this vehicle—the Weeks bill—shall not go into effect for a certain length of time and that the new proposition—the ship-purchase bill—shall go into effect immediately. That seems to me to be the most reactionary way of legislating I can possibly conceive of. [Applause on the Republican side.]

If you wanted to legislate decently and in order why did you Democrats not introduce the ship-purchase bill into the House, refer it to a committee, have that committee consider it and report it back to the House, and then give us a reasonable chance to debate it. A minority has a right to a reasonable opportunity to be heard on legislation, and I believe that progressive methods of legislating would give that right to the minority, and they are not given it by this rule. It seems to me that the only effect of this bill will be to use, what my friend from Kentucky described as a mere bagatelle, $40,000,000 of public funds to buy ships that can only have one destination, and that is confiscation in a prize court. [Applause on the Republican side.]

My colleague, Dr. TEMPLE, quoted decisions here on the floor which nobody has attempted to answer, which prove that if we purchase these ships now in belligerent ownership and attempt to operate them, they will be seized and sent into a prize court, and under these precedents there can be only one decision in those courts, and that is one adverse to our interests. Certainly you must have your eyes on the purchase of these ships. All the others are already engaged in carrying cargoes abroad. As Dr. TEMPLE pointed out, the owner of a German ship now tied up in one of our ports can only convey a title to that ship subject to the same restrictions that he himself would be subject to in operating the ship. He has shown that these restrictions involve the seizure of the ship, and the trial of the question as to whether or not it should be confiscated in a foreign prize court, and under the decisions that he cited we would suffer an adverse decision.

As I said in the beginning, the whole bill impresses me as not being progressive legislation, and the way in which it is presented to us as reactionary as we could possible imagine. Therefore I shall vote against the bill. [Applause on the Republican side.]

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. MANN) there were 71 ayes and 137 noes.

Mr. MANN. Mr. Speaker, I ask for tellers.

Mr. HAY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Virginia demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 78, nays 218, answered "present" 4, not voting 123, as follows:

[Roll No. 73.]

YEAS—78.

Anderson	Fordney	Knowland, J. R.	Scott
Anthony	French	Langham	Sinnott
Barchfeld	Good	Lenroot	Slemp
Barton	Green, Iowa	Lindquist	Sloan
Bell, Cal.	Greene, Mass.	McKenzie	Smith, Idaho
Browning	Greene, Vt.	McLaughlin	Smith, J. M. C.
Burke, S. Dak.	Hamilton, Mich.	Madden	Smith, Saml. W.
Butler	Hawley	Mapes	Stafford
Campbell	Hinds	Martin	Steenerson
Chandler, N. Y.	Hinebaugh	Mondell	Stephens, Cal.
Cooper	Howell	Moore	Sutherland
Cramton	Hughes, W. Va.	Morgan, Okla.	Switzer
Curry	Humphrey, Wash.	Norton	Temple
Dillon	Johnson, Utah	Paige, Mass.	Thomson, Ill.
Drukker	Johnson, Wash.	Parker, N. J.	Towner
Edmonds	Kelley, Mich.	Patton, Pa.	Walters
Esch	Kennedy, Iowa	Peters	Woods
Fairchild	Kennedy, R. I.	Platt	Young, N. Dak.
Farr	Kindel	Powers	
Fess	Kinkaid	Rogers	

NAYS—218.

Abercrombie	Deitrick	Hensley	Pou
Adair	Dershem	Hill	Price
Adamson	Dickinson	Holland	Quin
Aiken	Dies	Houston	Ragsdale
Alexander	Difenderfer	Howard	Rainey
Allen	Dixon	Hughes, Ga.	Raker
Ashbrook	Donohoe	Hull	Rayburn
Aswell	Donovan	Humphreys, Miss.	Reilly, Conn.
Bailey	Doolittle	Igoe	Reilly, Wis.
Baker	Doremus	Jacoway	Rothermel
Baltz	Doughton	Johnson, Ky.	Rouse
Barkley	Driscoll	Jones	Rubey
Bartlett	Dupré	Keating	Rucker
Bathrick	Eagan	Kelly, Pa.	Russell
Beakes	Eagle	Kennedy, Conn.	Saunders
Bell, Ga.	Estopinal	Key, Ohio	Seldomridge
Blackmon	Fergusson	Kirkpatrick	Shackleford
Booher	Ferris	Kitchin	Sherley
Borchers	Fields	Konop	Sherwood
Brockson	Finley	Korbly	Sims
Brodbeck	Fitzgerald	La Follette	Sisson
Brown, N. Y.	FitzHenry	Lee, Ga.	Slayden
Brumbaugh	Floyd, Ark.	Lee, Pa.	Small
Bryan	Foster	Lesher	Smith, N. Y.
Buchanan, Ill.	Fowler	Lever	Smith, Tex
Buchanan, Tex.	Francis	Levy	Stanley
Bulkley	Gallagher	Lewis, Md.	Stedman
Burke, Wis.	Gallivan	Lieb	Stephens, Miss.
Burnett	Garner	Lindbergh	Stephens, Nebr.
Byrnes, S. C.	Garrett, Tenn.	Linthicum	Stephens, Tex.
Byrns, Tenn.	Garrett, Tex.	Lloyd	Stevens, N. H.
Callaway	George	Lobeck	Stone
Candler, Miss.	Gill	Logue	Stout
Cantor	Gilmore	Lonergan	Stringer
Cantrill	Glass	McAndrews	Sumners
Caraway	Goeke	MacDonald	Taggart
Carlin	Goldfogle	Maguire, Nebr.	Talcott, N. Y.
Carter	Goodwin, Ark.	Mahan	Tavenner
Casey	Gordon	Metz	Taylor, Ark.
Church	Goulden	Mitchell	Ten Eyck
Clancy	Graham, Ill.	Montague	Thomas
Clark, Fla.	Gray	Moon	Tribble
Claypool	Gregg	Morrison	Vaughan
Cline	Griffin	Moss, Ind.	Vinson
Coady	Gudger	Murdock	Vollmer
Collier	Hamlin	Murray	Watkins
Connelly, Kans.	Hardy	Neeley, Kans.	Watson
Connolly, Iowa	Harris	Neely, W. Va.	Weaver
Conry	Harrison	O'Hair	Webb
Cox	Hay	Oldfield	Williams
Crisp	Hayden	Padgett	Wingo
Crosser	Heflin	Page, N. C.	Witherspoon
Cullop	Helm	Park	Young, Tex.
Davenport	Helvering	Peterson	
Decker	Henry	Phelan	

ANSWERED "PRESENT"—4.

Beall, Tex.	Hulings	Mann	Moss, W. Va.

NOT VOTING—123.

Ainey	Frear	Loft	Scully
Austin	Gard	McClellan	Sells
Avis	Gardner	McGillicuddy	Shreve
Barnhart	Gerry	McGuire, Okla.	Smith, Md.
Bartholdt	Gillett	McKellar	Smith, Minn.
Borland	Gittins	Maher	Sparkman
Bowdle	Godwin, N. C.	Manahan	Stevens, Minn.
Britten	Gorman	Miller	Talbott, Md.
Broussard	Graham, Pa.	Morgan, La.	Taylor, Ala.
Brown, W. Va.	Griest	Morin	Taylor, Colo.
Browne, Wis.	Guernsey	Mott	Taylor, N. Y.
Bruckner	Hamill	Mulkey	Thacher
Burgess	Hamilton, N. Y.	Nelson	Thompson, Okla.
Burke, Pa.	Hart	Nolan, J. I.	Townsend
Calder	Haugen	O'Brien	Treadway
Carew	Hayes	Oglesby	Tuttle
Carr	Helgesen	O'Shaunessy	Underhill
Cary	Hobson	Palmer	Underwood
Copley	Hoxworth	Parker, N. Y.	Vare
Dale	Johnson, S. C.	Patten, N. Y.	Volstead
Danforth	Kahn	Plumley	Walker
Davis	Keister	Porter	Wallin
Dent	Kent	Post	Walsh
Dooling	Kettner	Prouty	Whaley
Dunn	Kiess, Pa.	Rauch	Whitacre
Edwards	Kreider	Reed	White
Elder	Lafferty	Riordan	Wilson, Fla.
Evans	Langley	Roberts, Mass.	Wilson, N. Y.
Faison	Lazaro	Roberts, Nev.	Winslow
Falconer	L'Engle	Rupley	Woodruff
Flood, Va.	Lewis, Pa.	Sabath	

So the motion to adjourn was rejected.

The Clerk announced the following additional pair:

For the session:

Mr. UNDERWOOD with Mr. MANN.

Mr. MANN. Mr. Speaker, I voted "yea." I have a general pair with the gentleman from Alabama [Mr. UNDERWOOD], and I desire to withdraw my vote and be recorded "present."

The name of Mr. MANN was called, and he answered "Present."

Mr. GILLETT. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall, listening, when his name should have been called?

Mr. GILLETT. No; I was not. I supposed that this was on a no-quorum vote.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

Mr. ALEXANDER. Mr. Speaker, I will ask the gentleman from Massachusetts to proceed.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield two minutes to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Speaker, I shall not vote for 51 per cent Government ownership, with the burden on the Government to establish a profitable business for 49 per cent private proprietorship, while the Government bears the cost of operating until the business pays and then abandons it, as the President recommends in his message to Congress. Either the Government should go into the business or it should stay out of the business. It should do the business for all the people or it should not do it at all.

I would vote for absolute Government ownership of ships. I voted for Government ownership of the Alaskan railways, but would have much preferred to have voted for a bill to provide for Government ownership of the railways in the States, where it would serve the economic interests of the people.

I believe this is a bad time to attempt buying ships. There are none for sale, so far as we have been informed, unless it is the interned ships now lying in our ports, and which under present conditions are tied up and can perform no service until the end of the European war. If the Government is going to own ships, I believe in the Government owning ships absolutely, without a partnership or association with any other than the entire people of the United States. I am unable to find any provision in this bill for which I can vote, and for that reason I shall vote against it. [Applause.]

I yield back the remainder of my time.

The SPEAKER. The gentleman yields back one minute.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. STEPHENS].

Mr. STEPHENS of California. Mr. Speaker, this morning's newspapers quote the Speaker of the House as being against Government ownership, but for this bill. I take the opposite stand—I am for Government ownership of certain utilities, but against this bill unless amended. I am against it because I am for Government ownership of certain steamship lines, and think this bill as it is written jeopardizes that cause. I am against it because it proposes to sell stock to individuals, when the stock can not possibly pay money dividends for many years. I do not think the United States Government should engage in "blue-sky" promotions. The Government should own all the stock.

Mr. Speaker, I have introduced three different bills favoring Government-owned and Government-operated steamship lines. The last one was put in a short time ago, and is as follows:

A bill (H. R. 21440) providing for the construction of naval auxiliaries and for their operation as merchant vessels in time of peace.

Be it enacted, etc., That for the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to have built in the Atlantic and Pacific shipyards of the United States naval auxiliaries not exceeding 30 in number, said vessels to be suitable for use as merchant vessels in time of peace.

SEC. 2. That the President is hereby authorized to charter, assign, or transfer any or all of the vessels provided for by this act, and such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, to the Panama Railroad Co. or to any other corporation owned wholly by the United States, and organized for the purpose of acquiring and operating vessels in the intercoastal or foreign trade of the United States, on such terms and conditions as the President of the United States shall prescribe: *Provided*, That vessels so chartered, assigned, or transferred shall be used in intercoastal traffic between the principal Atlantic and Pacific ports of the United States and between the ports of the United States and the ports of Mexico, Central America, and South America, and such other foreign ports as the President may designate: *Provided further*, That all vessels so chartered, assigned, or transferred shall be retransferred to the Naval Establishment upon the written order of the President of the United States when in his judgment said vessels are needed for the paramount duties of the Navy.

SEC. 3. That for the purpose of constructing the vessels herein authorized, and for organizing, inaugurating, and carrying on of the traffic provided for in this act, the sum of $30,000,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated: *Provided*, That not more than $500,000 of the $30,000,000 herein appropriated shall be used in organizing, inaugurating, and carrying on said traffic.

SEC. 4. That for the purpose of reimbursing the Treasury of the United States the Secretary of the Treasury shall, with the approval of the President, issue and sell or use any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to an amount not exceeding the actual expenditure under this act.

Mr. Speaker, if the bill we are to vote on to-day is passed within the next few weeks, the shipping board will find no vessels it can purchase at anything like a fair price except vessels owned by subjects of nations now at war. All American-built ships and all neutral-built ships are engaged at high rates, and if for sale at all are priced at exorbitant figures. Because England has control of the seas many German vessels are now interned in American harbors, and because of recent war-zone proclamations by Germany many British merchant ships are

being laid up in American ports. The maintenance of these in extended idleness is tremendously expensive, and their owners, because afraid to send them out, are willing to sell at a sacrifice.

These war-owned vessels are the only ones, then, that are at all likely to be purchased, and certain it is that the transfer of each and every one of them carries with it either the probability of being tied up in the admiralty courts of one of the nations at war or else the possibility of war between the United States and some one of the belligerents.

Mr. Speaker, why should we purchase trouble? Why should we put ourselves in position to have our flag on a Government-owned vessel hauled into the courts of a foreign nation? Why should we deliberately send out our Government-owned merchant ships to be shot at? Mr. Speaker, would it not be better for every one of us to wait until the war is over to purchase foreign ships? Would not the American people profit more, and would we not be surer of continued peace in the Nation if we postponed our purchases of vessels owned by belligerent people until after the present war has ceased?

Mr. Speaker, what this Nation should do is to build ships, construct them in American shipyards, for the benefit of American labor, American merchants, and American capital, and when finished place them in the intercoastal carrying trade between the principal ports of the Atlantic, including Gulf, coast and the principal ports of the Pacific coast of the United States for the benefit of American shippers and American consumers; also place them in trade between the United States, Central America, and South America.

Mr. Speaker, I believe in Government-owned ships for regulatory and pioneer purposes, and I know the Pacific coast would profit greatly by an intercoastal Government-owned, through the canal, traffic line. The Atlantic and Gulf coasts would gain still more, and all would in time be benefited by Government lines to South America.

Mr. Speaker, the Panama Railroad Co. has four merchant ships; the Army and the Navy each have several that can be converted. In all there may be 20 vessels which the Government could put into these two avenues of trade. That number would reasonably supply demands, regulate rates, and pioneer trade for the first year. By that time we can have ready at least half of the vessels proposed in this bill. We can build quickly. Evidence given before the House Naval Committee in August, 1914, includes:

STATEMENT OF MR. FREDERICK W. WOOD, PRESIDENT OF THE MARYLAND STEEL CO., SPARROWS POINT, MD.

(See pages 196 and 197 of the House hearings on Senate bill 5259, known as the Weeks bill.)

Mr. TALBOTT. Mr. Wood, you had a conversation with me a few days ago, in which you suggested what you thought might be a good policy for the Government to pursue in the construction of vessels for use in the trade that we wish to develop. I wish you would give us your views about the matter, with a statement of your standpoint, your knowledge of shipbuilding, construction, cost, etc.

Mr. WOOD. It depends, Mr. Chairman, on what you desire to accomplish.

Mr. TALBOTT. Perhaps I can help you a little on that. Suppose we should want a number of colliers of from 10,000 to 12,000 tons displacement and 14 knots speed—taking that as the basis of displacement, speed, and carriage capacity, and then the fact that they are to be converted into auxiliary vessels for the Navy——

Mr. WOOD. Is your question when could they be constructed?

Mr. TALBOTT. How long would it take to construct them, and what would be the probable cost? Just give us your views about it.

Mr. WOOD. Ships of from 10,000 to 12,000 tons displacement would be of the type of the *Hector*, *Mars*, and *Vulcan*, three colliers now owned by the Government. In the present condition of the coast shipyards, 12 ships of that type, I think, could be constructed in from 9 to 11 months.

Mr. STEPHENS. Would the first delivery be made in nine months?

Mr. WOOD. I think so.

Mr. STEPHENS. And how often would deliveries be made afterwards?

Mr. WOOD. I think that you could get six of them in from 9 to 10 months and the other six from 10 to 11 months. They would be scattered over the different shipyards.

Mr. STEPHENS. If a contract were given you to-day for three such vessels, what would be the earliest moment when you could turn them over complete?

Mr. WOOD. If we pursued the ordinary course of working only day turns, it would require about 12 months, I should say, for any one of the shipyards to handle three of them. If the price or the amount of money involved would permit working double turns, or the entire 24 hours, the time might be cut down a month and a half, making the first delivery in 7½ months and the last in about 10 months.

Mr. Speaker, we can accomplish great good, and along peaceful lines, if we will. We can keep the money in this country or send it abroad. As for me, I am for American homes, American labor, and American capital. I am for Government ownership in the interest and for the welfare of the American people, and for those reasons only. I am against this bill because I believe it is so worded as to bring trouble, perhaps war, and because it does not authorize or permit intercoastal traffic.

If it could have been amended to avoid foreign courts and foreign complications and permit Government-owned vessels in traffic between the east and west coasts of the United States, I would vote for it. If it is so amended when it comes back from the Senate, I shall support it with all my might. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I know how humiliating it must be to the many Members on the Democratic side of the House who are voting for this bill contrary to their judgments. If it is not humiliating to you, gentlemen, then I mistake your character for manliness, because if there ever was forced upon a majority action that the majority of the majority believed to be unwise, this is the instance. If it were a mere question of domestic policy, then humiliation would be the only thing that might cause you regret.

Mr. GLASS. Mr. Speaker, may I interrupt the gentleman?

Mr. TOWNER. I have only 10 minutes; however, I yield for a question.

Mr. GLASS. I want to know who commissioned the gentleman to speak for the majority of the majority and to make a statement that is utterly unwarranted in fact?

Mr. TOWNER. And who commissioned the gentleman to speak for the majority? I have just as much right as he to voice my opinion of existing conditions.

Mr. GLASS. I speak because I am of the majority. [Applause on the Democratic side.]

Mr. TOWNER. I have just as much right to my opinion of the majority as has the gentleman from Virginia.

Mr. GLASS. But the gentleman does not assert an opinion. He asserts an alleged fact, which is not a fact at all. [Applause on the Democratic side.]

Mr. TOWNER. Mr. Speaker, I am expressing my opinion regarding the matter. That opinion may be of no value in the estimate of gentlemen, but I will venture to say this, that the vast majority of the people of the United States believe that you are humiliated, and they believe that it is contrary to your judgment and they believe that you are doing it——

Mr. GLASS. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. I decline to yield further. They believe that you are doing it, not because you want to, but because it is forced upon you. That is the opinion of the people of the country. I want to say this to you gentlemen—and I have no desire certainly to be unpleasant in my expression regarding it—that if it were a mere question of domestic policy that would be a question that might be left to settle itself, but this is not a mere question of domestic policy. It is a question that is much more serious than that.

The circumstances that surround this case make it almost certain that if you shall succeed in carrying this measure through and putting this plan into operation, that you will carry the Nation into war. The circumstances make it almost certain to lead to that result. This bill is for the purchase of ships. But it means more than that. It means the purchase of certain ships. It means more than that. It means the purchase of German interned ships. You have refused in this House, and it has been refused elsewhere by those high in authority, to limit the purchase of ships to those that are not interned, to take action to preserve this country from the dangers of war, but you refuse to do that. Logically in your view you are compelled to purchase these interned ships if you desire really to increase the shipping facilities. There are no ships available for purchase that will increase the shipping facilities of this country except the German interned ships. You can not build ships to meet this emergency because you have not the time to do so. There is nothing left for you to do except to purchase the German interned ships, and that this administration proposes to do.

The man who will be the governor of this board stated that was the purpose and intention. Time and time again persons who are connected with this movement have refused to say that such was not their purpose and intention. Now, gentlemen, what will that mean? It will not do, as has been said on the floor of this House by gentlemen who are here to-night, to say that it has long been the policy of the United States, that it has long been the policy of Great Britain, to allow the transfer of belligerent vessels to a neutral power after war had commenced. That will not do in this emergency, for the reason that those nations that are at war have declared that for this time and during this period, during this emergency, during this war, they will hold that such transfers can not be made. And so it makes no difference what has been our past policy, it makes no difference what has been the past policy of Great Britain, when Great Britain said, as she did say, shortly after the opening of the war along in last August, that she expected to be governed by the rule of the declaration

of London, except with regard to certain things that are not involved in this controversy, when she affirmatively said that she would adopt a rule that, in effect, says that no belligerent ship can be transferred to a neutral Government after war had been declared for the purpose of escaping the consequence of the war, you are led inevitably into this position—that if you purchase these German interned ships, knowing that the purchase will be *held void* by those who are now engaged in war, you know that those ships will be taken before their prize courts. You know that their prize courts will hold that the transfer was illegal. You know that the ships, and perhaps their cargoes, will be confiscated. Under these circumstances, what will the United States do? We should remember that in the face of this statement by those countries, knowing what their position would be, knowing what the result of their prize-court finding would be, we have deliberately engaged in this business.

Now, we must either say we insist on our rights to that transfer, and that leads inevitably to war, or else we will submit under circumstances that this Nation can never agree to, if I know anything regarding its spirit. Why should we be forced into such a position as this? Why do you gentlemen force the country into such a condition as this?

Mr. ALEXANDER. Will the gentleman yield?

Mr. TOWNER. Certainly I do.

Mr. ALEXANDER. The gentleman from Iowa introduced a bill providing for Government ownership and control of ships. I think it was referred to my committee. Does the gentleman think if that were enacted into law that these same results might follow an indiscreet administration of the law?

Mr. TOWNER. That measure was for the purchase of ships as auxiliaries of the Navy. That certainly would not lead us into war.

Mr. ALEXANDER. And were they not to be used for commercial purposes?

Mr. TOWNER. They were to be used for commercial purposes under certain circumstances; yes——

Mr. ALEXANDER. And that might not lead us into war, according to the gentleman's theory.

Mr. TOWNER. There would be nothing in such a purchase that would in any way embarrass us in our relations with any country now at war. It is perfectly proper for us to increase our Navy in this form and for this purpose, and certainly we can do so without incurring any violation of neutrality. But to do as is now proposed to do, to purchase these interned vessels and send them to belligerent ports, load them with that which will be regarded as contraband of war, and send them into prize courts, where they are almost certain to be subject to confiscation, is to lead us almost inevitably into war. These are the circumstances which surround us now, and I believe that there ought to be enough independence of character, there ought to be enough regard for the rights of our country, there ought to be enough regard for the opinion of this Nation that would keep us from such a dangerous course of procedure. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I will ask the other side to use some time.

Mr. ALEXANDER. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. GLASS]. [Applause.]

Mr. GLASS. Mr. Speaker, I did not ask that any time be yielded me; but, perhaps, I should express appreciation of the invitation of the gentleman from Missouri to me to indicate to the House my views on the pending question. Mr. Speaker, I experience not one particle of difficulty in giving my support to this measure.

I do not believe it is socialistic; I do not believe it is undemocratic; I do not believe it is un-American, but I believe it is an essential, though latent, function of Government, proper to be exercised whenever the time arrives for its expression. [Applause on the Democratic side.] It has been exercised, in greater or less degree, by the municipalities of this and other countries, by the States, and not infrequently by the United States Government. The town in which I live has for 90 years owned its own waterworks and has in recent years expended $1,000,000 upon the system. A town not far removed from mine, in the district of my colleague, Judge SAUNDERS, has for 10 or 15 years owned its own gas plant. The great city of New York, if I mistake not, has expended recently several hundred millions of dollars to acquire rights and to establish its own waterworks system. The States have exercised this function. My own State of Virginia has built railroads and canals; and the most valuable investment that it has to-day, contributing largely to the educational facilities of the Commonwealth, is its partnership in the Richmond, Fredericksburg & Potomac Railroad, operating between Washington and Richmond.

Mr. GORDON. Will the gentleman yield?

Mr. GLASS. I have but 10 minutes, which seem to have been thrust upon me, and I want to express my attitude in that time without controversy upon this or the other side.

The SPEAKER. The gentleman from Virginia declines to yield.

Mr. GLASS. And I think that the exercise now of this function of government to acquire ownership of or partnership in a corporation to operate vessels in the across-seas trade is a perfectly legitimate exercise of a governmental function. Nor am I so anxious to make it temporary as some gentlemen seem disposed to be. [Applause on the Democratic side.] I am not so sure that the emergency is as great as has been described; but, Mr. Speaker, I venture the assertion that the greatest good, if not the only good, that will come to America out of this war is the accentuation at this time of the failure of the Government of the United States to guard the Republic against just such a situation as that which confronts us to-day. [Applause on the Democratic side.] The Republican Party, having possession of the Government for 40 out of the last 55 years, has neglected to do that, although in its national conventions since 1884 it has solemnly and emphatically declared that an efficient merchant marine is one of the greatest necessities of the country. And while here, to-day, the Democratic Party is charged with neglect and omission, one of the very gentlemen who persist in making this a partisan question stood upon the floor of the House four years ago—I mean the gentleman from Washington [Mr. HUMPHREY]—and charged his own party with the responsibility and the "shameful neglect" of failing to provide this country with a merchant marine. [Applause on the Democratic side.] He was unmistakable in his denunciation of the Republican Party and in his ascription to that party, and that party alone, of responsibility for this failure. He stated in terms that the Republican Party up to the time of his speech, May 20, 1910, had never made an honest effort to provide a merchant marine for this country.

Mr. Speaker, there has been expended here a good deal of nonsense about "instructions from the White House." There have been no instructions from the White House. The spirit of independence on the Democratic side of the House certainly has always equaled, if it has not surpassed, the independence of action that has characterized the conduct of the Republican Party in the House during the 14 years that I have been a Member of this body. [Applause on the Democratic side.] Instructions from the White House! Have you gentlemen forgotten the time when your President sent down to this body a railroad bill drafted by his Attorney General, and not one of you would dare to offer to cross a "t" or dot an "i" in it? [Applause on the Democratic side.] Socialism! Have you gentlemen forgotten that, within the last 60 days, the greatest Republican President, perhaps, who has sat in the White House since the time of Lincoln, has stated over his own signature that, during the memorable industrial disturbance in the State of Pennsylvania, he was prepared to take over, and was on the eve of seizing, the property of the coal operators and conducting those mines for and in the name of the people of the United States? [Applause on the Democratic side.] We are not proposing that sort of confiscation here. We are not proposing in the emergency of war to seize the vessels owned by the Shipping Trust. But we are proposing to exercise a perfectly well-established governmental function in buying vessels and operating them in order to relieve a situation that is a conceded disgrace to the American Government, and for which the Republican Party is largely responsible by years of legislative impotency and neglect. [Applause on the Democratic side.]

The gentleman from Washington [Mr. HUMPHREY] is never happier than when he is heaping abuse upon Democratic public officials, and especially upon the President of the United States. He tells us that men on this side are "cursing the President in the cloakroom and praising him upon the floor." Well, Mr. Speaker, at least it must be conceded that Members on this side of the House are exercising better taste than the gentleman from the State of Washington. [Applause on the Democratic side.] It could well be wished that the coarse and vituperative abuse which that gentleman, on the floor of the House, has persistently heaped upon the President of the United States, regardless of the dignity of the office and the patriotism of the man who occupies it, might be confined to the cloakroom if the cloakroom would tolerate such intemperate beratings. [Applause on the Democratic side.] Indeed it seems to me that the sort of vituperation and disparagement of which the gentleman from Washington is constantly guilty is better suited to the stable than to the cloakroom. [Applause on the Democratic side.] And I am sure there is no Member of the House on this side who would challenge the gentleman's preeminence in that species of detraction. I even venture to believe that

there is not a Member of the House on that side who would care to emulate his example or seek to appropriate his laurels. [Loud applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. ALEXANDER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I have observed the course of this debate, and I find two objections urged against this proposition. It is first contended that this bill, if enacted into law, will interfere with private enterprise and, secondly, that it will endanger the peace of the country. No other argument has been advanced why this bill should not be enacted into law. These two objections I will in the course of my remarks answer, if not to the satisfaction of those who oppose this bill, at least to the satisfaction of myself and those who favor the bill.

Serious complaint is indulged by gentlemen that the "gag rule" has been applied; that we intend to jam this bill through without sufficient consideration. The gentleman from Massachusetts [Mr. GREENE] said that there were no hearings and that this bill was drafted without deliberation and without the information upon which to intelligently act. In this he is very much mistaken. I am not a member of the Committee on the Merchant Marine, and do not know what investigation was made by that committee, nor how fully informed the members were when the Alexander bill was reported to this House during the last session. The Weeks bill, which constitutes the first four sections of the present bill, is the product of years of careful study of this subject by the distinguished Senator from Massachusetts, and unanimously, I am informed, passed the Senate upon full consideration early in the month of last August. That bill was sent to this House and was referred to the Committee on Naval Affairs, and by that committee referred to a subcommittee, of which I had the honor to be a member. That subcommittee gave much time and thought to the Weeks bill, and had hearings covering a period of 10 days, with many material witnesses who gave valuable information to the committee.

The committee being advised, cooperated in drafting the Alexander bill, and particularly secured in the Alexander bill the incorporation of that provision authorizing that all ships purchased should be of a type, so far as practicable, suitable for auxiliary use in the Navy, and be transferred to the use of the Navy when no longer used for the purposes of commerce or when required for the paramount needs of the Navy, upon the order and direction of the President. The Alexander bill formed the basis of the Gore bill, which constitutes a part of the pending bill. So I say that it is not true and the gentlemen misstate the fact when they inform this House and the country that there has been no consideration of the present bill. The Gore bill is but an amendment of the Alexander bill, so that the bill now pending in this House is the Weeks bill and the Alexander bill as amended by the Gore bill.

Mr. MADDEN. Mr. Speaker, will my colleague yield to me for a question?

Mr. WILLIAMS. Yes.

Mr. MADDEN. If the Weeks bill was considered to be of such great value, why is it that in its present form it is not expected to go into effect until two years after its passage?

Mr. WILLIAMS. I have not said that the Weeks bill standing alone is of such great importance. I do see much merit in the Weeks bill. What I was speaking of was the consideration that has been given to these bills.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Washington?

Mr. WILLIAMS. Yes.

Mr. JOHNSON of Washington. I want to be informed. I find that in the print put out early this morning of House resolution 722, on page 9, section 9, no mention is made of Alaska, but in a later print of the same resolution, on line 10 of page 9, section 9, it says, "Vessels purchased or constructed by such shipping board and owned by such corporation," and so forth, "shall engage in trade with foreign countries or Alaska, the Philippines," and so forth. Now, what I want to know is, Will it be possible for one of these Government ships to load with an out cargo and then load abroad a foreign cargo, bring it through the Panama Canal and around to Alaska as against the coastwise trade of Alaska?

Mr. WILLIAMS. As I understand this bill, the amendment which the gentleman indicates precludes these vessels from engaging in the coastwise trade and limits their operation to trade with foreign countries, the Philippines, Porto Rico, and Alaska, the amendment including Alaska being added by the authority of the caucus last evening——

Mr. JOHNSON of Washington. Without debate on the part of anyone who knew anything about it.

Mr. WILLIAMS (continuing). After full discussion, and for the purpose of enabling these vessels to reach the coal fields of Alaska and to deliver that coal wherever it may be needed for purposes of commerce and trade.

Mr. BRYAN. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. BRYAN. This bill allows ships owned by this company to engage in the coastwise shipping trade, just as ships owned by private companies are allowed to engage in the coastwise shipping trade if they are American-built ships. If they are not American-built ships they can not.

Mr. JOHNSON of Washington. Is not Alaska by this bill included in the foreign shipping trade?

Mr. WILLIAMS. Yes; but I understand by the terms of this bill ships built in the United States may engage in the coastwise trade.

Much has been said in this argument about who is to blame for the fact that we have no merchant marine. I do not propose to go into that question here to-night. It is sufficient to say that the Democratic Party is not responsible for the disappearance of our merchant marine from the high seas. That has occurred within the 50 years since the Republican Party has been dominant in this country. But I do want to invite attention briefly to the conditions that surround us to-day. These conditions consist of absolute extortion in the way of freight rates for the transportation of American products which are needed in the foreign markets, and to meet this condition we propose to do what private capital has refused to do.

I want to communicate a fact to this House which has not been mentioned thus far in this debate. I can give you, gentlemen, some reason why the President is very much concerned about this proposition. Following the outbreak of hostilities in Europe, when our shipping was disturbed, when German ships were interned in our ports, the President of the United States sent for and held conferences with men engaged in trans-Atlantic transportation. He pointed out to them the conditions which prevailed; he pointed out to them the fact that these interned ships, idle in our harbors, could be purchased in good faith and put into commerce at a very reasonable price; in fact, that they were upon the bargain counter; and he asked these men as patriotic American citizens to invest their capital in these ships and give outlet to the products of the American farm and factory.

What answer do you suppose these patriotic gentlemen, the Shipping Trust, which has been defended for hours upon that side of the House, gave to the President in response to his plea that they invest their money in these enterprises? Their conditions, stated briefly, were these: "We will put our money in this project if you, the Government of the United States, will insure our ships and our cargoes free and guarantee us 4 per cent net upon our investment."

Before proceeding to reply to the contentions of gentlemen that this bill, if enacted into law, will interfere with private business and endanger the peace of America, I wish to invite the attention of the House to the conditions which confront the country now and which appear to render this bill necessary. One thing is true, and all men admit it: That we have no merchant marine; that more than 90 per cent of our foreign trade, both exports and imports, is carried in foreign bottoms at foreign rates fixed by shipping companies which have no interest in America or in American trade other than to profit by the extortionate charges imposed upon us. There has never been but one remedy proposed for this condition of things by the Republican Party, and that in keeping with their usual habit of diverting the American Treasury to the use and benefit of special interests—the proposed ship subsidy—by means of which it has been proposed by the Republican Party, sustained by declarations in their party platforms, to vote money out of the Treasury as a direct subsidy to the shipping interests in order to foster and encourage that industry. The solicitude of our Republican friends for the shipping interests, one of the greatest monopolies on earth, is clearly manifested not only by their former attempts to vote a direct ship subsidy, but by their anxiety here lest we, by creating competition and a means of conveying American products to foreign markets, may interfere with and reduce the profits of this great trust. Some one said this afternoon that the Republican Party can always be depended upon to come to the defense whenever a blow is struck at special interests, and that the Democratic Party can always be relied upon to defend the cause of our country against the en-

croachments of organized greed. Such has been the course of events during the present Congress, and this spirit has been manifested not only in the opposition to the tariff bill and the enactment of the Federal reserve act, but in the opposition which was urged so strenuously against the repeal of the Panama tolls act and the enactment of the amendments to the antitrust law.

What are the conditions which justify—or, if you please, render necessary—the enactment of this bill? I have already mentioned the fact that we have no merchant marine and that we are at the mercy of the foreign shipping industry, which has at all times practiced extortion upon us. But what of the present conditions? The fact must not be overlooked that the ships engaged in the carrying trade of one of the great commercial nations of the world are completely out of the business. German ships that have not been destroyed on the high seas have taken refuge in neutral ports, and are idle. This affects the shipping business generally and removes the principal competition in the world's commerce, which tended not only to maintain reasonable shipping facilities but to secure reasonable freight rates. In addition to this many of the English ships which formerly were engaged in the ocean carrying trade have been withdrawn and are used in connection with the army and navy, and that again has materially reduced the number of ships engaged in trans-Atlantic trade. So that by these means the number of ships engaged in transporting American products to the marts of the world have been materially reduced, and as a consequence the most extortionate rates exacted ever known in the commercial history of the world. A reference to the tables, which show the tremendous increase in freight rates of 100 to 300 per cent in the brief time since the European war opened, startles the imagination and arouses a sense of indignation that the necessities of man should be taken advantage of by the cupidity of the shipping interests to such an extent as to deprive the people of the world of those commodities which are necessary for the sustenance of life and the maintenance of national existence. These tables, furnished by the Department of Commerce, demonstrate to an absolute certainty that extortion, unjustified and unprecedented, is being practiced upon Americans, and that the profits that we would otherwise derive from the present high prices for food products and the output of our factories are being consumed by a merciless shipping trust, which our Republican friends fear will be interfered with by competition created by this proposed legislation.

When gentlemen assert that we will destroy or seriously impair private industry by Government ownership and regulation of ocean commerce, they mean that we will interfere with the profits that the Shipping Trusts are receiving as a result of extortionate freight charges practiced upon our people. This is the reason for the great concern manifested here and the solicitude expressed by gentlemen on that side of the House who oppose this bill.

The next proposition advanced is that this project will endanger the peace of America. It will be difficult to convince the American public that this administration, which has so nobly maintained the peace of the United States in Mexico and abroad when three-fourths of the civilized world is locked in a death struggle, will do an act or take a step which will endanger the peace of our country. The American people have absolute confidence and implicit faith in the judgment, the wisdom, and the patriotism of Woodrow Wilson, and can not be persuaded by partisan attacks and bitter denunciation that he will, by his recommendation and his solicitude for the welfare of his country and his splendid efforts to secure a market for American products, endanger the peace of our country and involve us in war. The arguments advanced why this bill may endanger our peace are that we have not the legal right under international law to acquire interned vessels, and that if the Government is engaged in the transportation of contraband goods it will become directly involved with nations now engaged in war. The hearings before the committee include the statements of Mr. Lansing, Counselor of the Department of State, who appeared before the committee and gave his views on this important question, and expressed his belief that the use by a private corporation of ships transferred to it by the United States would not involve the United States in serious foreign complications any more than ships otherwise owned and operated by a private corporation.

What does this bill propose? That the United States may become a stockholder in a corporation the object and purposes of which are to aid the commerce of the United States; that the Government shall finance the concern by purchasing and acquiring ships and transfer them to the corporation, in consideration of the bonds of the corporation secured by a lien upon all of its assets; that the United States shall own a controlling interest in the stock of the concern, and reserve the right to withdraw these vessels and use them as auxiliaries in the Navy in case they should be required for that purpose. Now, it is argued from the mere fact that the Government would own stock in a corporation engaged in transportation that the Government itself would be engaged in the business, and that a seizure or search of a vessel owned and operated by the corporation would directly involve the United States. I fail to see the force and logic of this contention. Certainly the corporation itself could not become involved in the use of ships acquired in good faith and for actual consideration in the transportation of food products and other commodities not contraband of war, and I think it may be safely said here that the Government of the United States, owning and controlling a majority of the stock in the concern, will not permit contraband goods to be transported in ships thus acquired and in which the Government has a reversionary interest. It is not the purpose of this bill to convey arms and ammunition and munitions of war to belligerents, but to convey products of the American farm and factory—food and provisions—to stricken people across the Atlantic, who need the necessities of life which we possess in such great abundance. Shall the American Government, for fear that it may interfere with private enterprise and depreciate the excessive profits of the Shipping Trust, refuse the demand for transportation facilities and an outlet to American products?

Let me ask you, gentlemen, if you honestly and in good faith believe that the President of the United States, who has so nobly maintained the peace of our country in Mexico and abroad during these troublous times, proposes to do one thing that will endanger the peace of our country or bring our honor or our integrity into dispute?

Shall the Government of the United States be so unmindful of the interests of its own people as to deny their just demands because somebody says, for political reasons, that we may endanger the peace of the country? Now is the opportune time. I do not advocate the high-handed tactics of some nations who would take advantage of world-wide conditions for territorial aggrandizement and the exaction of treaties and terms and conditions, long coveted, which can not be had in ordinary times or under ordinary conditions, but I do take the position that it is the duty of the Government of the United States to take advantage of conditions as they are and enforce its just demands against the world. I believe it the duty of the Government of the United States to hoist the American flag on every vessel sailing the seas which may become entitled to American registry, load these ships with the surplus products which we have in such great abundance, and say to the world, "There flies the American flag. This cargo bears the seal of the Government of the United States. Hands off!"

What nation now engaged in war would have either the means or the disposition to interfere? England and Germany and France and Russia and Austria have their hands full, each a check on the other, and dare not turn upon the United States and assail the integrity of the American flag on the high seas. As an American, I would give them to understand and proclaim to the world that the bounty of Providence, so liberally bestowed as a reward for American enterprise and American industry, shall be conveyed on the high seas under the American flag to God's creatures everywhere.

It has been said that the people of this country are not in sympathy with this proceeding. Let me say to you that I can speak for one section of this country. I believe I can speak with entire confidence as to the sentiment in the State of Illinois. I say to you that the people of that State, not only Democrats, but Republicans and Progressives as well, are with the President in his effort here to secure fair transportation rates, and they will uphold his hands. [Applause on the Democratic side.]

Mr. ADAMSON. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Speaker and gentlemen, I have been delightfully entertained here to-day, but I have not heard a man yet tell you that the trust that is behind this proposition is the real cause of this filibuster that you have had here all day long. [Applause on the Democratic side.] We are confronted with a very serious proposition. We have the greatest trust, a thieving, piratical trust that is oppressing the poor people, the producers of wealth, the farmers, and all other people of this Republic who actually make it a Nation worth living in. Who is it that says the Republican side knows nothing of a Shipping Trust? The distinguished Republican gentleman from Pennsyl-

vania [Mr. MOORE] volunteered that remarkable information to this great body about two hours ago. I would like to know if you could take a white-oak maul and a hickory glut and knock Republican eyes open wide enough to see as big a giant as the shipping monopoly is? [Laughter and applause on the Democratic side.]

Is it possible that these gentlemen are unaware of the existence of a trust that has been capable of raising the price of freights across the ocean $18,018,700 in the one month of December? These figures are authentic from the office of the Secretary of the Treasury. And if you put this off 12 months, according to that rate, on your export freight alone you will have a total of $216,000,000 in one year increase over the amount charged for hauling the same freight before the ships of some of the nations engaged in war were forced off of the high seas. Then put on to that your import trade, and you have an increase of $312,000,000 in one year for the same quantity of freight carried between the United States and European countries over the normal freight rates. That is eight times this $40,000,000 that this Government proposes to put into the business now. Who has the "gall" to vote against this ship-purchase bill when he knows it will save the American people nearly one-half of a billion dollars in one year on freight that crosses the Atlantic Ocean? Do you tell me there is not a shipping trust? [Applause on the Democratic side.] After the war broke out in Europe this Congress passed a bill authorizing the United States Government to insure the cargoes going to Europe. The insurance rate is one-eighth of 1 per cent, so you see it is plain with such a low rate of insurance that the Shipping Trust is robbing our people, when it has raised the freight on cotton from $1.25 a bale to $18 a bale. This Government can not regulate the rate on the seas. Shall we let the shipping combine rob our people, or shall we lower the freight rate on the seas by putting ships in commission to compete with this blood-sucking vampire. I tell you that the Republicans on this floor are marching under the banner of the Ship Trust that is oppressing the poor people of this country. [Applause on the Democratic side.] The Republican Party is aiding the greatest trust that ever oppressed the human race. The Republican Party, claiming not to know that there is such a trust, has filibustered in the other end of this Capitol for three long weeks to keep this law from being enacted.

The Republican Party is causing the fame of the United States Senate to be brought into disrepute, and not satisfied with that, the Republicans in this end of the Capitol have proceeded to filibuster here for the same purpose. I want to tell you, my friends, that the American people have not been asleep. They know that this bill will save the situation. They know that none of you are afraid of Government ownership. [Applause on the Democratic side.] They know that the people of this Republic will stand for this bill. They know it is going to build up the merchant marine and break up the Ship Trust, this band of commercial pirates that now has the wealth producers and business men of this country by the throat, and is daily reaching the filthy hands of greed into the pockets of our people. And for one I am not afraid of the Government staying in this business permanently, either. I am for it not only as a temporary measure but I am for it to continue to carry the products of this country to the markets of the world and bring back whatever goods our people need to keep from being plundered by manufacturing trusts in America. [Applause on the Democratic side.] No farmer can depend on borrowing a wagon to haul his produce to town. We ought to have our own ships to carry our produce across the high seas. [Applause on the Democratic side.] And there can never be a better time than right now, when the patriotic President of this country, backed up by Mr. Bryan and that grand old commoner, the Democratic Speaker, together with the Democratic majority in the Senate and in this House, with all of the Democratic hosts of this land, is asking this Congress to pass this measure in the interest of fairness to the people of this great Nation. [Applause on the Democratic side.]

This is a struggle between the people and special privilege. Shall the Ship Trust be permitted to hold up the people and rob them of the fruits of their toil?

You Republicans as a party have always stood for privilege and all of its freebooting activities in exploiting the people. In opposing this bill you mean to allow the Ship Trust a free hand in continuing to rob the people. [Applause on the Democratic side.]

Mr. ADAMSON. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. REILLY], who always speaks words of truth, and who will diversify these proceedings a little. [Applause.]

Mr. REILLY of Connecticut—

CAPT. WILSON ON THE BRIDGE.

There are ships that pass in the night,
And others that pass in the day;
There are some that don't pass at all—
They depend on the syndicate's say.

The Democrats want Uncle Sam
To now build ships that will sail
With cargoes of Yankee-made goods
And land them abroad without fail.

Republicans stand up and howl,
They bellow and threaten and prate;
They fear lest the profits will shrink—
They're friends of the ship syndicate.

They throw out their chests and look wise;
They accuse Democrats of intent
To ruin the trade of the seas;
They claim that we are hell bent.

They say that the syndicate ships,
Now building and those now afloat,
Can get all the business there is,
When they only get Uncle Sam's goat.

The syndicate's real busy now
Making bluffs about building ships,
But it's only because it now sees
The boats in the Government slips.

On the bridge of the great ship of state
Stands Wilson, our captain is he;
It's a pleasure to serve him on land,
It's high honor to sail o'er the sea

With him in the ships that we own,
The craft that will set shippers free
From the grasp of the ravenous crew
To which we have long bent the knee.

[Applause on the Democratic side.]

In his care the people feel safe,
They know that he knows their will,
And that's why we rally to-night
To put through the Wilson ship bill.

[Applause on the Democratic side.]

Mr. ADAMSON. How much time have I remaining?

The SPEAKER. Seven minutes.

Mr. ADAMSON. I yield that time back to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. I will ask gentlemen on the other side to use some of their time, as there will be only one other speech on this side. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FARR] four minutes.

Mr. FARR. Mr. Speaker, I am not afraid of the principle of Government ownership involved in this bill, and I am heartily in favor of an American merchant marine; but I do not want this great country, with its high ideals, to establish this principle in the blood, suffering, and sorrow of the great tragedy across the ocean. I am opposed to it because it will involve us in war. [Manifestations of derision on the Democratic side.]

The SPEAKER. The Chair will remind gentlemen that the more noise they make and the greater racket they keep up, the later they will get to bed. [Laughter.]

Mr. FARR. It may involve us in war, and not with Great Britain, either, because this, in effect, is a pro-British measure. [Cries of "Oh!" on the Democratic side.]

The SPEAKER. Gentlemen must remember that this is not a beer garden or a vaudeville show.

Mr. FARR. Mr. Speaker, England never has been opposed to this bill. It wants us to buy the German interned ships. Every advantage from more ships will accrue to the allies and be to the disadvantage of the Germans. Is there any opportunity for us to send one of our ships to a German port? The allies need our munitions of war and foodstuffs. We have ample bottoms to convey to them their legitimate needs.

The additional ships that we put upon the ocean will be sending powder and other munitions of war and foodstuffs to continue that awful war. I have heard men on the floor of this House say that if the Vollmer resolution, to prevent the exportation of munitions of war, came out of the committee, they would support it, and yet they are going to vote for this bill, which means thousands and thousands of tons of powder and

thousands and thousands of tons of other munitions of war to go there to help continue that dreadful warfare.

Let me read from an afternoon newspaper to show you just how thin ice we are skating on:

Germans resent attitude of the United States. Hostile feeling may cause crisis. Americans fleeing Berlin, following criticism in press. German papers stir people with charge that United States is siding with the allies.

We are about to enact into legislation a measure that means advantages to the allies and a danger and an affront to Germany. I want to repeat that in effect this is a pro-British measure and that by making it a law we risk war with Germany; and if we escape war with that great nation we invite its bitter attitude toward us for years and will disturb the good feeling of the German citizens of this country.

Let us preserve our neutrality and avoid war.

My first consideration shall be for peace and the prevention of bloodshed.

By my vote you shall not increase the number of widows, orphans, broken hearts, and wrecked homes in Europe for the advantage of the manufacturers of weapons of war.

Mr. ALEXANDER. Mr. Speaker, I want to say to the gentleman from Massachusetts that I was laboring under a misapprehension when I said that there would be only one speech on this side.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, no time is more inopportune to launch into Government ownership of shipping than the present. As I view the pending bill, it means that we are to purchase the only available ships, and those are the interned German ships. As I pointed out on a prior occasion, the purchase by a citizen of a neutral government of ships registered under a belligerent flag after the outbreak of hostilities does not relieve it of seizure by any belligerent power, and this confiscable character does not change when a government is the purchaser; but such a purchase would be more questionable as to the good faith of the transaction to avoid confiscation, in that it is no part of a government's business to engage in the purchase of merchant ships. Article 56 of the declaration of London expresses the principle of international law in forbidding any such transfer after hostilities have arisen.

Everyone who has been following the diplomatic discussion over the *Dacia* realizes that our Government would be buying a lawsuit to purchase these interned ships, which do not dare to be operated for fear of confiscation. But I bottom my main objection on the fact that under existing conditions, with England in control of the seas, they will not be used in an impartial, neutral way so that we can supply our wares and our goods to all the belligerent countries alike, but they will be used for the shipment of our merchandise to the powers that have control of the sea.

Nothing is more certain from statistics cited here than that the increase of foreign commerce resulting since the outbreak of the war has been largely of those articles in which the foreign governments now engaged in war are directly using to carry on the war, such as guns, ammunition, automobiles, wearing apparel, leather, foodstuffs, rubber, and everything that enables the warring powers to maintain the dreadful struggle that is going on to-day. If you think that the purchase of these ships will relieve us of embarrassment, I fear you are too sanguine as to the result. As I view it, they will only accentuate the difficulty that now confronts the administration.

Mr. METZ. Will the gentleman yield?

Mr. STAFFORD. No; I can not yield. I know what the gentleman's position is; he is a shipper. Nothing is more certain than that at the present time the American shipper is not paying the freight. The foreign Governments who are taking our foodstuffs, who are demanding our munitions of war, demanding our automobiles, are paying the price asked by the American manufacturers and the American producer, and the European consumer is paying the freight, whether it be a Government or a private establishment. They need our wares and they are paying our price. This bill in its large sense, when you come to analyze its effect, is for the especial benefit, whether so intended I will not say, of those belligerent powers which now have the advantage of getting our supplies—our foodstuffs and munitions of war—and it is certain that Germany and Austria are not in that favored position. It is stated that we are going to use some of these vessels in the South American trade. Why, if the gentleman is sincere in that position, why do you not put the Weeks bill into immediate operation instead of postponing its operation for two years. Everybody who stops to reflect a moment knows that the direct effect of this bill will be to supply the allies with our products, as we have little or no communication to speak of with Germany or Austria. Certainly this is so as far as munitions of war are concerned.

Great Britain since the outbreak of the war has changed its contraband list two or three times by adding articles that have been generally regarded as conditional contraband. Under the declaration of London foodstuffs are conditional contraband and could be shipped in neutral ships without seizure to neutral countries, and even to belligerent countries when not consigned for the benefit of the Government itself. And yet Great Britain in her imperious way has made foodstuffs contraband. These vessels, under section 5 of the bill, are not to be controlled by the shipping board. If you will examine the provisions of section 5, you will see that the shipping board has control of the rates, but that it has no control of the traffic, neither the course nor the character of the cargo, no control of the routes, and only control over the rates for a period not longer than 12 months.

Take the case of a person who desires to ship foodstuffs abroad—not a highly imaginary case by any means when we find the *Wilhelmina*, a neutral vessel, with a cargo of foodstuffs destined for Germany, being held up by Great Britain and its cargo threatened as a prize if its captain persists on continuing his journey. To what court is that taken Not to the United States court, as this bill provides. No; it is taken to the prize court of Great Britain to have the question of contraband determined by its Admiralty decrees. Are we keeping aloof from this entanglement by entering upon a venture that may lead to such embarrassment?

A large part of the American people, this great body of German-Americans in this country, believe that we are not acting impartially to-day in allowing munitions of war to be sent to the allies alone, with the allies in control of the sea. Do you mean to say that when they see foodstuffs on American vessels destined for Germany, which we regard as conditional contraband and not liable to seizure, captured by Great Britain, that these 5,000,000 of loyal Americans, true to the flag, will permit that insult without a vigorous protest? Oh, my fellow Representatives, these are acute times that confront the American people. We will be on the verge of embarrassing situations if we pass this measure. My only purpose is to have this Government remain absolutely neutral, but you can not operate this shipping bill unless it is going to involve us in difficulties.

There is no question but that the Weeks bill is only a ruse in order to hang this administration shipping bill on, which, as I view it, only accentuates the difficulties that may confront our Government. The mere fact that freight rates are increasing is no justification for our launching into this Government-ownership proposition. Every speech, save one, of the advocates of this proposition has been bottomed on the argument in favor of Government ownership. The distinguished gentleman from Virginia [Mr. GLASS] justified his position because municipalities and States had indulged in Government ownership of natural monopolies. But I say to him and I say to you, that where the seas are open to everyone who can build a ship, shipping can not be considered a natural monopoly. It is free, and to-day when American capital is seeking to invest its surplus capital that is lying idle in the financial centers, you are driving that capital away from investment, because American capital will never seek investment in competition with the Government. It can not compete, because in every line of activity where the Government has undertaken to invade private employment the rates charged for that service have not been based upon the actual cost of service, but have been rates where fixed charges, allowances for depreciation, and other elements of cost have been ignored completely. Just when the time is auspicious for American capital to invest in ships the Government plans to check this movement by this fatuous policy.

Mr. METZ. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. METZ. Does the gentleman suppose for one moment that if Germany and the Germans felt as the gentleman says he does, we could buy these German ships that are interned here?

Mr. STAFFORD. The German Government has no control over those ships.

Mr. METZ. It has, absolutely.

Mr. STAFFORD. The persons in the companies who own these ships are controlled by the same selfish instincts that the gentleman and I would be in a business matter.

Mr. METZ. Do you——

Mr. STAFFORD. I decline to yield until I can answer the other question, and then I will yield. Those German ships are controlled by private corporations which desire, unquestionably, the release of their capital for investment in lines of profitable employment.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. ALEXANDER. Mr. Speaker, I yield seven minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, gentlemen on the other side have not taken advantage of the time allotted to them to discuss this bill. They have been indulging in the same tactics here that the Republican Party has indulged in and is indulging in in the Senate, and while the Democratic Party is trying to bring relief to American shippers they are doing the bidding of the Shipping Trust. [Applause.] We can regulate interstate and intrastate freight rates. We can regulate the shipping rates in our country, but we can not regulate them on the high seas, and gentlemen here know that.

The only way at this time to break the hold that this foreign ship trust has upon the throat of the American people is to operate American ships as is here provided, and carry our produce to the markets of the world. This heartless and cruel monopoly has taken advantage of conditions created by war; and in defiance of every principle of justice and fairness, it is robbing the American people of millions of dollars by its outrageous and oppressive ocean freight rates.

From the time the war in Europe commenced in July to December, 1914, the ocean freight cost increased 141 per cent; and by the increased rate now charged on the shipments of American produce the ship trust collects in two months more money than it will cost our Government to buy and operate these ships. Think of that. The increase in ocean freight rates above that being charged in July, 1914, collected now in two months from American shippers is more than the amount necessary to buy ships to carry the produce of our farms and factories to the markets of Europe.

Mr. Speaker, this merciless monopoly has increased the shipping rate on cotton from $1.25 per bale to $18 and $20 per bale. It has increased the rate on grain 900 per cent; and it has increased in like fashion the rate on coal and lumber and everything that is produced upon the American farm. And yet the Republican Party in both branches of Congress is doing everything in its power to defeat this bill, which proposes to cut down this tremendous ocean freight rate and stop this holdup and robbery of the American people.

The markets of Europe are calling for the products of our farms and factories and our people are suffering because their produce is outlawed by the high shipping rate, and the produce itself is rotting at the docks. Millions of dollars worth of agricultural products are now waiting for ships to take them to the European markets; but you gentlemen will not vote to bring relief to our own people, but you are voting just as the Ship Trust now robbing our people want you to vote.

Mr. Speaker, these same Republicans who tried to drive the President into war with Mexico in order to protect in Mexico the property of certain interests in this country, and when they failed denounced him as a man who stood for peace at any price, are now expressing fear that he will involve us in war. Their disgusting, quick, and sudden change of front reminds me of the old fellow who went to Texas. He wrote back to his brother, and said: "Dear Bill, if you haven't started to Texas, don't, for this is the most hellacious climate in the world. [Laughter.] Yisterday, while driving a yoke of steers across the prairie, one of them had a sunstroke, and while I was a skinnin' him the other one froze to death." [Laughter and applause.]

Let me say to you, gentlemen, that we will meet you on this issue before the American people, and then you will have an opportunity to explain why you opposed a measure—an emergency measure—to grant them relief from the organized pirates of the sea. [Applause.]

We will call upon you to explain why you opposed a shipping bill that would greatly reduce the shipping rate on American produce and to tell the people why you were willing for a foreign shipping trust to rob our own people, already distressed on account of the war.

Mr. Speaker, here is an opportunity to build up our foreign trade, to get trade that we have never had, but the Republicans are not willing to lose an opportunity to fight a Democratic administration in its efforts to benefit the American people and serve the country. [Applause.]

Mr. Speaker, I have here a telegram from an American consul in Italy, which says:

> Italy needs 1,000,000 tons American coal, 300,000 tons steel, hundreds of thousands tons American goods. Beg Government furnish ships. America can get entire trade permanently.

[Applause on the Democratic side.]

This message comes to us from the people across the seas, and yet gentlemen stand here and oppose our great President in his efforts to provide speedy means for carrying American produce to the markets of the world. [Applause on the Democratic side.] I want to say to gentlemen on that side that the idea in the Weeks bill is not of Republican origin. It is of Democratic origin. Mr. GOODWIN of Arkansas more than a year before Mr. WEEKS introduced his bill embodied this idea in a bill that he introduced in this House and it is of Democratic origin. [Applause on the Democratic side.]

You Republicans do not want American produce to leave the docks and reach the markets. You do not want business to improve and prosperity to return. You know that this measure will improve business and restore prosperity in a large degree, and you do not want prosperity before the next election.

You had rather be returned to power than to see labor employed, business good, and the country blossom as the rose. [Applause.] But, gentlemen, we are going to provide for sending the products of our farms and factories to Europe. We will see to it that our produce goes abroad. More men here will be employed, money will come into our country, prosperity will come, and you will go. [Applause and laughter on the Democratic side.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Speaker, I am in favor of the Weeks bill as it is before this House now. The Democratic Party have permitted it to lie in committee for months, yet now give swift notice that they are in favor of that bill, but strangely enough they would enact only to postpone its action for two years. If it is a good thing, why not put it in operation? I have tried with all my heart to understand the arguments on both sides in this discussion, and when I listened to the admirable speech of the gentleman from North Carolina [Mr. WEBB] I was charmed and delighted, and I said to myself if what he says is true this bill ought to go through, but when I listened to the other side and found gentlemen whom I believe quite as honest and I believe somewhat more intelligent upon the subject [laughter], that threw me into doubt again.

If the Democrats of this House, Mr. Speaker, would only do as the great Progressive Party, as represented on this floor, has done [laughter], they would depend upon their own judgment. Men who weigh and consider, as the Progressives do, are divided upon this important proposition. [Laughter.] But we find the Democrats all of one mind. I have heard reasons given for this unanimity that are not complimentary to their personal independence, but let us not go into that. I am in favor of Government ownership [applause] for the purpose of maintaining regulatory rates on the high seas. I do not fear the socialistic idea. Any person who has studied our public-road system, our public-school system, our Postal System, and municipal ownership are no longer scared at this bugaboo of socialism. I believe that certain conditions may arise, such as have been referred to at length on the floor, when it becomes the duty of the organized powers of society to take hold and regulate such conditions in the interest of the public welfare, when private initiative is unequal to the task; and I would be in favor of this bill if it were Government ownership and a fair experiment of governmental operation and control; but this bill, as I study it, as I see it, means nothing of the sort. It is not proposed here seriously that the Government shall operate these lines. It is carefully arranged that these lines of ships may be leased. Who is going to lease and operate these ships? Is it not most likely it will be by men who are already in the shipping business? Will not the great Shipping Trust, if it exists, as I believe it does—will not they see to it that their agents get those leases, and will not they operate them in such a way, notwithstanding the power of the Government to fix regulatory rates, but still operate them in such a way as that it will not interfere much with their monopoly, by delays and lack of facilities driving the shippers away from patronizing the Government-owned ships? Of course this would cost the trust some money, but would not much disturb its control of rates. I do not fear, Mr. Speaker, this idea of war very much. I think the danger of foreign entanglements is overdrawn. I have got the notion that it would serve American interests better if we took a bolder stand upon American rights than we have been taking, for my idea is that Germany, Austria, France, and England have all the war they want and will not have appetite for any more of it in the near future. So, while I do not regard the Government ownership of merchant ships of great hazard, my opposition to this bill is because it will not give the Government control of rates nor the public relief from the extortions of the Shipping Trust.

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, these are degenerate and evil days we are drifting into in one of the greatest legislative bodies in the world. It is humiliating to acknowledge it. Within four days after we have dedicated a monument to the memory of the greatest American commoner, Abraham Lincoln, we have to confess that this Government has become for the time being a Government of the White House, by the White House, and for the White House.

Let us see ourselves as others see us and see if the photograph will not be recognized. Take the headlines in the daily press as to what is happening in this body and what, let us ask, has become of the legislative prerogatives of the great representative department in the legislation of the Government? The headlines in the Star of last Friday afternoon are these:

Wilson rejects Gore ship bill—Refuses to agree to amendment limiting activities of United States in shipping business.

The headlines in the Washington Post of the next—Saturday—morning:

Ship fight in House—Administration hopes to force passage by gag rule.

Read the headlines in the Times of last evening:

Crack party whip to jam ship bill through the House.

These are not the heated arguments of partisans in debate. They are the ordinary news indications of what is happening in the House of Representatives, and honest news gatherers could not describe the degeneracy into which this legislative body has descended with accuracy without using phraseology something like this.

By the same token, under orders from the Legislative Mansion—with proper acknowledgments to the gentleman from Wyoming [Mr. MONDELL]—you gentlemen could put through the House with the same vote you had in the caucus last night, which is supposed to be 154, and probably would proceed to do so as heartily, a repeal of the Ten Commandments, of the Apostles' Creed, or the Sermon on the Mount. And you could do it by the caucus methods you have adopted for Democratic legislation.

This is one of the biggest pieces of political junk and undigested, un-American socialism that was ever skidded through the House of Representatives. [Applause on the Republican side.] There is not 10 per cent of the membership of this body that believes in the principles of this bill or the provisions that you are supposed to enact into this legislation.

We have heard you talk in the lobbies of the hotels, about the tables in the dining rooms, and on the streets, as we have conversed together, and it is not betraying any friendly secrets to make the estimate that probably there is not 20 per cent of the membership on either side of this Chamber that believes heartily in this measure. And if any of you Democrats who are instructed to pass it should find this bill rising up and embarrassing you in the next campaign I am one of the friends you can call upon to prove an alibi. Your heart is not in this legislation. It is not your bill. As the Speaker is reported to have said to you in the secret caucus last night, the President wants it. If you do not pass it you will have an extra session, and he has prophesied what disaster that would mean to the Democratic Party. The schoolmaster has announced that you Democratic schoolboys will have no recess and will be kept in after school if you do not perform the stunt that is laid out for you, and you are performing under the smart of the ruler of the master and under the threat of the hickory switch. The wholé nomenclature of legislation in the Congress of the United States has had to undergo a change in order to adapt itself to present methods of legislation. It is a minority government that we are living under, from the White House, through the House of Representatives, and on through the Senate. If correctly reported, last night 154 Members of this body decided what shall be the destiny of this legislation in the House of 435 Members.

After the last census was taken, believing in a representative Government and in order to have a better representation of the real sentiment of all parts of this Republic, now numbering about 100,000,000 in population, we enlarged the representation of this body up to 435 Members. And yet if you are to legislate by instructions from the White House and then tie up and gag your own membership by a bare majority in a secret caucus, I suggest, in the interest of economy in this administration, which is confessedly confronted with an enormous financial deficit, there is no just reason why Congress should not take a vacation without pay, at least until the termination of the present administration. One good office boy with a couple of rubber stamps could perform the perfunctory duties that are expected to be discharged in these two Houses of Congress. [Applause on the Republican side.] It would be an enormous saving to the country.

We do not perform legislative functions upon administrative measures in this body any longer by a combat of intellectual powers and in honest debate. If the cloture rule can be established in the other end of the Capitol, which the evening papers announce the President in his confidential interviews with the members of the press this morning announced he was in favor of, there is no reason why, so far as administrative measures are concerned, you can not hereafter adopt them while you wait. Football legislation, legislation by main strength, legislation by the use of the hollow square, the flying "V," and the athletic wedge, and team work. You have a captain of the team. What will become of you if you still have some vestige of your own independence left and decline to play the game you will find set forth in the Indianapolis speech, which has become the new handbook of a declining Democracy. Here it is:

If any group of men should dare to break the solidarity of the Democratic team for any purpose or from any motive, theirs will be a most unenviable notoriety and a responsibility which will bring deep bitterness to them.

Whether you are to be actually beheaded or are only to suffer political execution does not clearly appear. You have a captain who expects to hold you to account.

We hear a good deal about pernicious lobbying. The most pernicious lobby is the official lobby. Cabinet officers cease to be active heads of great executive departments and become lecturers before commercial clubs and social teas—lobbying for administration measures.

Autocracy is not Democracy; it is government by dictation, instead of government by representatives of the people. One-man government is as bad now as in the middle of the Dark Ages. It can never be justified, except by the tenet of superstition and ignorance, "The King can do no wrong."

Now, as to the merits of this bill. It is claimed it is an emergency measure. No emergency exists that this bill will meet. The exportations from the United States in the month of January were the largest exportations to foreign countries in any single month in the history of the United States. It was an abnormal export, and it was an export demanded by the war, and consisted largely of munitions of war and of foodstuffs. We have exported them and there must have been ships to take them. They could not get across by aeroplanes. The ships were here to take them across. The greatest exportations were during the month of January, and they are continuing during the present month. We could not, with Government-owned ships, export those things now if we wanted to do so. Munitions of war are made contraband by Germany. No American bottom can take them out on the ocean without being liable to confiscation. A dispatch from London this afternoon, published in the evening papers, dated at 4.46 p. m., states that Great Britain will announce officially this evening or to-morrow morning that foodstuffs hereafter shipped to Germany will be considered contraband of war. That absolutely removes all possibilities for this bill. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman has expired.

Mr. CALDER. Mr. Speaker, I feel that I would be recreant to my trust as a representative of the great city of New York if I did not rise in my place in opposition to this measure. You have listened to-day to the remarks of my colleague, Mr. METZ, who favors its passage. He is one of the largest manufacturers of dyestuffs in the city of New York and knows much of the difficulties confronting the Nation in the matter of over-sea transportation. He is one of our best citizens and a man who deserves much from the people of his city and State. He is a large importer from Europe and, like many others in his line, has been seriously inconvenienced as a result of the European war.

Mr. METZ. Mr. Speaker, will the gentleman from New York yield to his colleague?

Mr. CALDER. Mr. Speaker, I will not yield now. I will yield later.

The SPEAKER. The gentleman declines to yield.

Mr. CALDER. I will yield to the gentleman in a moment.

Mr. Speaker, I have here resolutions adopted by the Chamber of Commerce of the State of New York at a meeting held recently. This organization is composed of the leading merchants, importers, exporters, manufacturers, and business men of our State, and they protest against the enactment of this legislation. The president of this organization, the Hon. Seth Low, is a former mayor of New York City. I also have resolutions adopted by the Manufacturers and Business Men's Association of New York opposing this bill.

What is it we propose to gain by the enactment of this measure? Shall we add to the visible tonnage by a single ship? And if so, where do we expect to obtain these vessels? It is not proposed in this measure that we shall enter into contracts to build merchant vessels, but are to purchase ships already

in existence. This will not relieve the situation, for the ships that we purchase are at present engaged in carrying freight. Is it intended that we shall purchase the German and Austrian ships now interned in our harbors? There are 66 of these vessels with a total of 518,706 tons gross, and most of them are of the passenger-carrying class. It has been maintained in some quarters that if this bill passes it is not the intention of the Government to buy these interned vessels, and I sincerely trust such is the case. It would be taking an unusual risk in view of the attitude of all of the belligerents on this question. It has been repeated over and over again to-day that the rules of the London convention, to which all of the belligerents subscribe, plainly indicate that they would consider a ship sold subsequent to the war subject to capture if overtaken on the high seas. If these German and Austrian vessels are to be considered, would it not be much better to permit their purchase by individuals? Private capital will be very glad to take them and operate them if they can be placed under our flag without the opposition of the warring powers. If purchased and operated by the Government, there is a possibility of our being involved in grave difficulties. If one of these ships owned by a private individual was to be captured or destroyed, the matter would be one for settlement by the rules of war, and our Government could not be directly involved; but if owned by this Government and captured or destroyed we would be immediately involved, and there is grave probability that it would end in serious complications that might be most disastrous to the peace of this country.

Mr. Speaker, much has been said to-day about the excessive freight rates charged in our over-sea trade. Everyone knows that the rates are higher than ever before and that they are really more than they should be. I am reliably informed that on vessels owned by citizens of Great Britain and France that the freight rates are little higher than under normal conditions prevailing before the war. This is a natural situation. A vessel sailing under the flag of any of the belligerents is subject to capture with all they contain, while ships sailing under a neutral flag are safe, but these unusual rates on neutral ships are to be expected. Many of the English and French merchantmen are being used in connection with their army and navy, and all are subject to capture if encountered by the enemy; so there is every good reason under these circumstances why rates attain their unusual high mark.

But, gentlemen, practically all the great maritime nations of the world except our own are at war. Conditions are extraordinary, and when one stops to consider all of the facts, have we much to complain of? I have heard on the floor to-day of the difficulties that the farmers of the West and South are faced with. We are told of the extraordinary prices charged the grower of wheat and corn for shipping his product. I am advised that these excessive rates are paid by the consumer and that the farmer is receiving an unusually high price. In my city and State an investigation is under way because of the shortage of wheat and the high price of flour. It is maintained that a combination of wheat growers and those interested in the great exchanges of the country are responsible for this condition of affairs. It seems to me that the European war is responsible. The other countries are unable to raise enough to supply their needs, and, naturally, they come to us, the great food-producing nation, to feed them. It has been suggested that it might be well to stop the exportation of foodstuffs, and thereby reduce the freight rates and, incidentally, the cost to the American consumer.

Now I will yield to my colleague, Mr. METZ, for a question. I promised him that I would.

Mr. METZ. Mr. Speaker, the gentleman asked me a question, and I am going to make an explanation.

Mr. CALDER. My time is very short. I can only yield to the gentleman for a question.

Mr. METZ. How many ships do you suppose the business I am engaged in needs for the transportation of its products to this country?

Mr. CALDER. I should say one ship a month.

Mr. METZ. Five thousand tons will do the whole thing and keep the woolen mills in operation.

Mr. CALDER. I have no desire to intimate that the gentleman is supporting this measure because of any personal interest he may have. I know him too well to believe that he is actuated in this or other matters by his personal interests. I sincerely trust that whatever business he has abroad will go on without serious inconvenience.

Mr. METZ. The gentleman need not worry about me.

Mr. CALDER. I know that my colleague is able to take care of himself.

Mr. Speaker, this is a most unusual proceeding. To-day we are discussing a great measure, establishing a new policy for the Government without reasonable consideration. This bill is to be debated for six hours. It ought to have at least two weeks. Hardly a man on this floor knows the contents of the measure we are asked to vote upon to-day. A careful reading would indicate to me that we will repeal all our navigation laws by passing this bill—measures enacted during all the years of the existence of this country safeguarding the lives and property of the people on the high seas. If for no other reason I would vote against this bill. Having assisted in preparing some of these important navigation laws, I am not willing to vote to repeal them without some knowledge as to what will be substituted in their place and without an opportunity for reasonable debate. There are many other provisions in this bill which should be discussed and open for amendment, and to which careful and deliberate consideration should be given. The bill is brought in here under a special rule as the result of caucus dictation and will be voted upon exactly as reported, without any opportunity for amendment. There is no demand for this legislation. The business men throughout the country realize that if this bill is enacted into law it will simply mean the expenditure of $40,000,000 of the people's money without appreciable relief to the world's commerce. Yesterday I inquired from the Commissioner of Navigation the amount of tonnage of all the maritime nations, and will print as part of my remarks the number of ships of each nation and their tonnage. This statement indicates that all the gross tonnage of the maritime nations of the earth in 1914 amounted to approximately 50,000,000 tons, and of that amount the tonnage of Austria and Germany amounted to 6,500,000 tons, about one-eighth of the total. The effect of the withdrawal of these two countries from trade has, of course, seriously inconvenienced business.

The operation of steamship lines by the Government is a new departure in this country. It is true that this was undertaken in a limited extent when we took over the Panama line of steamers at the time of the purchase of the rights of the French interests which had the canal under construction. We were compelled to use them for the purpose of carrying supplies necessary in the building of the canal. I venture the statement that a careful examination of the cost of operation will prove that it has been a losing venture as against privately owned and operated steamship lines. One of the important planks in the socialistic platform of 1912 provides for "the collective ownership of railroads, telegraphs, telephones, steamship lines, and all other means of social transportation and communication, and all land." Has the Democratic Party in this House committed itself finally to the doctrine of socialism? Is this one of the new ideas that President Wilson has criticized the Republican Party for not having? Is this to be the beginning of a movement whereby this Government shall operate the railroads, telegraphs, telephones, and other means of transportation?

Gentlemen speak of this measure as a temporary one, but they do not attempt to advise us where they are going to get the vessels to operate. It seems to me rather, Mr. Speaker, that we are entering upon a new field of activity. The experiences of the last 20 years have shown us that when we undertake things of this kind we are adding unnecessary expense to the conduct of the business of the Nation, which results in an excessive burden on the people.

I voted for the Alaskan railroad bill although I hesitated in so doing. My reason for voting for it was because it was a new country which contained Government land of great value, that we sorely needed the coal that it is claimed exists there, and we were advised private capital would not invest in an enterprise of this character. I am informed that the appropriation authorized in this year's sundry civil bill is to be used in the purchase of an existing railroad. I have sufficient confidence in the Secretary of the Interior to be sure that he will obtain a good bargain for the Government, but I am satisfied now that I erred when I voted for the measure. When the European war is over, if this bill is passed, the Government merchant ships will be brought in direct competition not only with American privately owned vessels but merchant ships of all the nations of the world. Does anyone believe that with the higher wages and better living conditions required on Government-owned American ships we can hope to compete at a profit? Either we will be compelled to conduct our shipping business at a loss or lay our vessels up. What method shall we pursue to build up our much-needed merchant marine?

It seems to me, Mr. Speaker, there is only one of two things to do. First, to give to foreign-built vessels the permanent right to

come in under the American flag, to operate in both the over-sea and coastwise trade under the same conditions as now afforded our own ships, or, second, to follow the policy of Great Britain in granting a subsidy to their mail and merchant lines. I am heartily in favor of the latter. I believe that if we should devote the interest on the $40,000,000 contemplated in this measure to give Government aid to privately owned lines of vessels we would encourage the building of a merchant marine that would in the end in a large degree take care of at least our South American commerce. Those of us on this side believe in protection to American industries, and in your own Underwood tariff bill, while it is a nonrevenue-producing measure as compared with the Republican system of a protective tariff, nevertheless, in many of its provisions you have sought to take care of special interests, to protect them against foreign competition. The same principle is involved in the building of the merchant marine. We can not hope to succeed until we follow the policy of Government aid.

I have been a Member of this House for 10 years. I had hoped that I might aid in doing something to establish a merchant marine. I can not vote for this measure. It is socialistic. It is apt to involve us in serious trouble with the Governments of Europe now engaged in war with each other and *will not* appreciably contribute to the relief of the present trying situation. It will be unprofitable from the standpoint of the Government, and will be, I am convinced, a failure.

My attention was called this morning to a speech delivered by President Wilson about three years ago. I believe it was in the spring before his nomination for the Presidency. It occurred at Indianapolis, where he delivered another speech recently, and the meeting was presided over by the then governor, now Vice President Marshall. In the former speech Gov. Wilson spoke with unusual vigor and with compelling force. First, he insisted that all legislation should be conducted under the public eye; that committees should transact their business with wide-open doors; that the public should be freely admitted at all times to hear and see what might transpire in the course of legislation. And yet our history furnishes no parallel to the secrecy that shrouded the preparation of this bill. Upon this measure no hearings have been held in the House. It was formulated behind closed doors and almost wholly in the dark and without one note of protest coming from the White House. Secondly, he inveighed most vigorously against the party caucus in this same speech at Indianapolis and took the position that all the representatives of the people, in both House and Senate, should have the full privilege of debate and amendment and that the individual conscience should never be bound by caucus domination. Imagine it, gentlemen! He was a candidate then. How things have changed since that day. It seems to me that never in any period of the history of the United States has any great party been so dominated by caucus rule. In the main every great measure which we have considered during the present Congress was formulated behind closed doors, out of view of the public and the minority of this House. The Democratic side has voted at all times its caucus determination, no matter whether or not our view was the correct one. As an evidence of this, take the Federal currency act, which came to the House as a result of caucus. It was amended in one or two small particulars, and went to the Senate with the assurance that it was a perfect measure, meeting the hearty approval of the President, but before it got through the Senate it was amended six hundred times. The President's third preelection statement was that each of the three coordinate branches of government should be absolutely independent of the other two; that the Executive should never encroach upon or invade the sphere of the others, and that neither should ever tolerate any interference whatever by either of the other two. And yet, neither Jackson, whom the President said in his recent speech he was following, nor Roosevelt, at whom three years ago he was striking, ever interfered more with legislation and its passage than the President has done in this legislation.

Mr. Speaker, I have discussed this measure with many gentlemen on the other side of the House. They are opposed to it in their hearts. They doubt its value. Many of them are confident that it is a step in the dark and one that in the end will be a failure, and still they vote for it because of the pressure from the White House.

The business men of the great city of New York, which I have the honor in part to represent, are almost to a man against this measure. They are much better informed on the subject than are we. They know the intricacies of trade and are unlike the President, who in his last Indianapolis speech stated that he had never been in business and therefore could not be prejudiced in the matter.

We are living in difficult times. We are at peace with the world. Let us do nothing that will mar this peace.

I am in receipt of a letter from the Commissioner of the Bureau of Navigation, dated February 15, advising me that on June 30, 1914, there was employed in the coasting trade of the United States 23,562 vessels, of 6,818,363 gross tons.

Mr. Speaker, I shall print here a statement of Lloyds, the great English authority on the merchant marine, indicating the number of vessels engaged in the world's commerce, with their gross and net tonnage.

Number and net and gross tonnage of steam and sailing vessels of over 100 tons, of the several countries of the world, as recorded in Lloyd's Register for 1914–15.

Flag.	Steam.			Sail.		Total.	
	Number.	*Net tons.*	*Gross tons.*	*Number.*	*Net tons.*	*Number.*	*Tonnage.*
British:							
United Kingdom	8,587	11,545,746	18,892,089	653	364,677	9,240	19,256,766
Colonies	1,536	949,386	1,631,617	552	156,666	2,088	1,788,283
Total	10,123	12,495,132	20,523,706	1,205	521,343	11,328	21,045,049
American (United States):							
Sea	1,113	1,315,976	2,026,908	1,377	943,376	2,490	2,970,284
Northern lakes	579	1,704,039	2,260,441	31	92,323	610	2,352,764
Philippine Islands	65	25,876	42,729	9	2,417	74	45,146
Total	1,757	3,045,891	4,330,078	1,417	1,038,116	3,174	5,368,194
Argentinian	244	112,165	188,892	69	32,789	313	221,681
Austro-Hungarian	433	653,873	1,052,346	12	3,373	445	1,055,719
Belgian	173	218,800	341,025	9	11,099	182	352,124
Brazilian	395	185,120	307,607	53	16,322	448	323,929
Chilean	91	60,865	96,473	32	29,444	123	125,917
Chinese	73	59,255	93,095	2	323	75	93,418
Cuban	53	36,334	58,450	4	641	57	59,091
Danish	576	454,262	770,430	246	49,751	822	820,181
Dutch	709	910,123	1,471,710	97	24,745	806	1,496,455
French	1,025	1,099,914	1,922,286	551	397,152	1,576	2,319,438
German	2,090	3,116,968	5,134,720	298	324,576	2,388	5,459,296
Greek	407	515,549	820,861	78	16,007	485	836,868
Italian	637	872,308	1,430,475	523	237,821	1,160	1,668,296
Japanese	1,103	1,088,333	1,708,386	.....	.....	1,103	1,708,386
Mexican	48	27,328	45,069	9	2,129	57	47,198
Norwegian	1,656	1,173,936	1,957,353	535	547,369	2,191	2,504,722
Peruvian	19	15,226	28,771	46	23,935	65	52,706
Portuguese	105	55,449	92,429	105	28,502	210	120,931
Roumanian	34	32,072	56,164	2	678	36	56,842
Russian	747	500,352	851,949	507	201,869	1,254	1,053,818
Siamese	11	7,741	12,360	.....	.....	11	12,360
Spanish	589	537,575	883,926	58	14,897	647	898,823
Swedish	1,088	591,382	1,015,364	378	102,722	1,466	1,118,086
Turkish	142	68,096	116,317	60	16,841	202	133,158
Uruguayan	42	23,472	38,837	16	14,320	58	53,157
Other countries: Albania, Bulgaria, Colombia, Costa Rica, Ecuador, Egypt, Haiti, Honduras, Liberia, Montenegro, Nicaragua, Oman, Panama, Persia, Salvador, Samos, Sarawak, Tunis, Venezuela, Zanzibar, etc	74	31,161	54,798	80	28,911	154	83,709
Total	24,444	27,987,782	45,403,877	6,392	3,685,675	30,836	49,089,552

Mr. GREENE of Massachusetts. Mr. Speaker, is the gentleman from Missouri going to occupy all of his time for one speech? If not, I yield 10 minutes to the gentleman from Iowa [Mr. GOOD].

The SPEAKER. The gentleman from Iowa [Mr. GOOD] is recognized for 10 minutes.

Mr. GOOD. Mr. Speaker, when I think of the record made by this Congress, a Congress pledged to the enactment of legislation to lighten the burdens of the people, I do not know whether to laugh or to cry. You enacted a tariff law that made the high cost of living higher to the consumer. You passed a currency law that increased interest rates to the borrower. Your proverbial economy in expenditures has become the most profligate extravagance in administration of the country ever witnessed. No wonder our people are staggering under the burdens of taxation. Business is stagnant. Industry is paralyzed. You seem to recognize that the patient is sick, but you do not seem to have sense enough to prescribe the remedy. You have the captain of the team, as the President calls himself, and you seem to think that legislating for 100,000,000 of your countrymen is mere boys' play.

We are told that we have no ships, and that this is the reason for this measure; yet during the month of December, 1913, we sent abroad of our corn, our wheat, our oats, and our barley only 5,000,000 bushels. In December, 1914, we sent abroad over 41,000,000 bushels of these cereals. Apparently we have no difficulty in securing an abundance of ships to carry our produce abroad.

But some one says that ocean rates are high. I would be very glad to vote for a bill to bring about a reduction in those rates. How about that side of the Chamber, whose party in convention in Baltimore adopted a platform promising cheaper railway rates? In the Interstate Commerce case where the eastern roads were asking for an increase of 5 per cent, the president of the New York Central lines testified that in 1913 that after setting aside all that was necessary for depreciation, and after setting aside $11,000,000 to the surplus fund, they still had enough to pay 11 per cent on the entire capitalization of the road. The president of the Pennsylvania Railroad testified that in 1913, after setting aside a sufficient fund to cover all of the depreciation charges they still had net earnings sufficient to pay more than 9.6 per cent on the total capitalization of the Pennsylvania Railroad. Yet, notwithstanding such magnificent earnings, the President of the United States, on September 11 wrote a letter which appears in the New York Times of that date under the following headlines:

President asks aid for railroads—Calls country's attention to the necessity of giving them every possible help—Finds their needs vital—In open letter to Frank Trumbull he insists their credits must be sustained—May seek rate increase—Reopening of interstate ruling of August 1 probably will be asked by eastern lines.

The President says to Mr. Trumbull:

Since you read it to me yesterday I have read again the statement you made on behalf of the committee of railroad presidents whom I had the pleasure of meeting and conferring with at my office. It is a lucid statement of plain truths.

You asked me to call the attention of the country to the imperative need that railway credits be sustained and the railroads helped in every possible way, whether by private cooperative effort or by the action, wherever feasible, of Government agencies, and I am glad to do so, because I think the need very real. * * *

I am confident that there will be active and earnest cooperation in this matter, perhaps the one common interest of our whole industrial life * * *.

Cordially and sincerely, yours, WOODROW WILSON.

Active cooperation! Active cooperation with whom? With whom could the President cooperate? Who had the power to grant the increase? The Interstate Commerce Commission, and the Interstate Commerce Commission alone. The President wanted freight rates increased for railroads that were earning 11 per cent in 1913 after they had paid all operating expenses, charged off all that was necessary for depreciation, and set aside $11,000,000 for the surplus fund. And yet you gentlemen on that side now claim that you are in favor of bearing down on the trusts and putting them out of business and of bringing lower freight rates to the country. [Applause on the Republican side.]

But gentlemen say, "Oh, we would put the Ship Trust out of business. How about the Ship Trust?" Are you anxious to put it out of business? If so, you have the power through the Attorney General. In a previous Congress I voted against a ship subsidy. I will vote against it again. But before I would vote for this bill I would willingly vote for a ship subsidy. With such a law we would know what it would cost the country. Then I would know that I was voting for the Shipping Trust and would admit it. But with this bill enacted into law, who can say what the cost to the Government will be? You gentlemen talk about a Ship Trust, when you know, if you have read the report of the Attorney General, that the only Ship Trust he can find that is engaged in commerce is the German-American Packet Co., and that is one of the companies that you intend to help by buying their interned ships. They can not use these ships; we should not; but you propose to help this trust out of a very tight place by buying their interned ships. [Applause on the Republican side.] In the light of the testimony of the Attorney General, may I ask who is in favor of or is helping the greatest Shipping Trust in the world? [Applause on the Republican side.] Yes; I should like to see some law enacted that would reduce the rates on ocean freights. I would vote for a bill to-day to build ships auxiliary to our Navy. I would vote for a bill to-day to put to work a few out of millions of my countrymen who are out of work. I would gladly vote to set them to building ships, instead of buying interned ships, as you propose to do. [Applause on the Republican side.]

But you say this is an emergency measure. We have a law, enacted by Congress a few years ago, that not a dollar can be paid out of the Treasury unless it is appropriated in specific terms.

If you will turn to section 7 of this bill, you will find that the $30,000,000 is not appropriated. Not a penny of that $30,000,000 is appropriated, but you have done a most unusual thing—a thing that Congress should never do. You have authorized the Secretary of the Treasury not only to sell Government bonds to buy or build ships but, by this provision, you authorize the Secretary of the Treasury to trade the bonds of your country and mine—Panama bonds of the value of $30,000,000—for old ships. He is to be the judge of the value of the old ships traded for and the price at which the bonds are to be accepted. Ordinarily you would offer these bonds to the public and sell them to the highest bidder; not so in this bill. You are proposing now that the Secretary of the Treasury may exchange these bonds for ships. You may have a very high and exalted opinion of the Secretary of the Treasury; but I submit that our American crown prince, the Secretary of the Treasury, should not be permitted to trade our Government bonds in this way for any merchandise.

No; let us refuse this un-American request; let us do what was finally determined by the Committee on Naval Affairs to do; let us build these ships. It was determined by that committee, after full hearing, that after the lapse of seven or eight months there could be one ship produced of from 8,000 to 10,000 tons capacity, and that thereafter two ships could be turned out every month by American labor. You say this is an emergency measure, and you also say the Secretary of the Treasury will trade the Panama Government bonds for old ships. Then you must admit that there will be no funds authorized with which he can purchase ships except the $10,000,000 appropriated in section 15 of this bill. If such an emergency exists, why wait until after the next Congress convenes in December before appropriating this $30,000,000? If an emergency exists satisfy it now by adequate appropriation; if an emergency does not exist, then let us drop the consideration of a measure that may involve us in international difficulties.

Mr. Speaker, $40,000,000 may not be a large amount of money. The way that side of the House has appropriated money, it does not so regard it; but, Mr. Speaker, $40,000,000 is too much money for us to pay for an international quarrel. [Applause on the Republican side.]

It is not the expenditure of money alone of which I complain, but it is the great risk that we take in buying these interned ships. Let us understand that if we are to become involved in war with any European powers it will be because we have rushed headlong into the shipping business at a time when prudence and common sense would dictate to us that we should attend to our own business. This is not the time to embark in this industry.

The Democratic mayor of New York has called the President's attention to the fact that the wheat supply of this country is becoming exhausted and that the price of bread in this country is becoming a problem, but even that does not seem to prevent gentlemen on that side from rushing blindly into this program to buy these ships from the only Shipping Trust that exists in all the world and give them Panama bonds in payment for them. I shall vote against the bill. [Applause on the Republican side.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield seven minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, I regret very much the limited time granted for debate. I have noticed before the six hours expired the remarkable effect of the debate. When this debate opened on this side there was a strenuous charge that the

bill was not a House of Representatives bill, but that it was a bill originating in the Executive Mansion. No sooner was the charge made than the denial came from the Democratic side. Within the last hour of the debate so much progress was made that in Addisonian prose the gentleman from Tennessee [Mr. MCKELLAR] arose and boastfully said that this bill is a President Wilson bill. And, as if to clinch the admission, our able poetic friend from Connecticut arose and in his piquant rhymes and near poetry boasted this bill to be the bill of President Wilson.

So that the debate has established that one fact. I have considerable faith in the knowledge of the man who produced that bill; and when I heard within the last few days mooted about the Capitol the charge that the Shipping Trust was the obstruction to the passage of this bill, I submitted a question to the Department of Justice, officered by the appointees of the President of the United States, asking that department what actions had been begun against the so-called Shipping Trust, how far the actions had proceeded, and how many convictions there had been, and this is the answer:

Referring to your letter of the 10th instant, three cases under the Federal antitrust law have been instituted in the southern district of New York against alleged combinations of ocean steamship lines, in none of which was the Government successful in the lower courts.

The Department of Justice saw fit to begin these cases. They were tried before the courts of the United States by the best talent this administration could present, and he makes the statement that he was unable to obtain convictions in any of the cases he had selected for prosecution. He goes on to add that he will take the cases to the Supreme Court.

The case against the Hamburg-American Line and others, decided October 13, 1914, is now pending on appeal in the Supreme Court; and the cases against the American-Asiatic Steamship Co. and others and the Prince Line (Ltd.) and others, both decided February 3, 1915, will be appealed to the Supreme Court.

The admission by the Department of Justice that the existing cases selected by it have thus far failed; and the charge that is made so promiscuously from the other side of the House has no foundation whatever, so far as the present is concerned. No man with confidence in the Department of Justice and the courts of this land will make the charge until they have succeeded in establishing a conviction.

Mr. ALEXANDER. Will the gentleman yield.

Mr. SLOAN. I can not yield. I want to say that I object to this bill because I believe it an indirect and objectionable declaration of war. The White House induced the Members of this House last spring to make a declaration of war, not against a great nation, but against an individual. Then was projected our fleet against an officer of another Government. It captured the greatest port of that nation, drove out the head of the only part of that nation where American life, limb, and property were safe and left anarchy throughout the Republic of Mexico, overrun by the outlaw followers of unstable Carranza, the bloodthirsty Zapata, and the villainous Villa.

We have been furnished from the same source heretofore a great many ships, but they are all hardships. [Laughter.] They have fallen upon our National Treasury, upon our laborers, and upon our industries. Plenty hardships have been furnished us, and we do not want any ships of commerce forced upon us from the same source.

In nearly every speech I have heard to-day on that side there were crocodile tears shed for the producers of the land and the farmers who desired to send their products abroad. The bill which the gentleman from Illinois [Mr. WILLIAMS] said was substantially the same bill as the one now being considered on page 2 says that the purpose of the bill is to stimulate shipping between the ports of the United States and South and Central America. What does that mean to the American farmer? It means that every ship that goes from the American ports to South America will carry back—what? Not manufactured articles; but they will carry back grain, corn, wheat, alfalfa, beef and other meat, as they have been during the last year, in great cargoes from Argentina. In the report I find here in support of the Alexander bill a statement that there were 16,000,000 bushels of corn came in last year.

It was said that was only a negligible quantity, and yet, according to the evidence submitted before the Committee on Agriculture in the grain-grading hearings, and uncontradicted, although 50 grain dealers were there, it reduced the price of our corn to our producers at least 10 cents a bushel. Every man who knows anything about grain knows that to be absolutely true, and the farmers of the United States are not interested in having first placed upon the free list the products of the farm, and then to put our hands into the Treasury of the United States, or rather strain the credit of the United States, to buy ships to haul grain from South America to the American ports and there compete directly with the products of our farms. We lost in revenue enough on those 16,000,000 bushels of corn to have kept our Treasury going for three days, and that would have been a fine breathing spell both for the Treasury and for you in these times. The party which has spurned the farmer and scorned the farmer in all its legislation will not gain much favor in prescribing this specious and dangerous measure. [Applause on the Republican side.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN.] [Applause on the Republican side.]

Mr. MANN. Mr. Speaker, I am opposed to the pending bill, because, first, it is not needed, and, second, it is dangerous. It is said that freight rates on the ocean are too high and that the Shipping Trust controls the vessels. If the Shipping Trust controls the vessels, from whom will we buy our vessels? From the Shipping Trust? If the Shipping Trust are making the enormous profits out of freight rates to-day, why should they sell their vessels to the Government of the United States or the shipping board? If, as was said by one gentleman here, a vessel is making its cost out of its rates in a year, at what price will they sell that vessel? I have waited in vain to-day for any answer to these questions. Who will sell the vessels to the United States? Is it proposed to expend $30,000,000 in buying vessels from the Shipping Trust and take those vessels which the Shipping Trust will give up? It certainly must be plain that if a trust controls the freight rates on the ocean and controls the vessels, there will be no vessels for us to buy, unless we are willing to pay exorbitant prices for old ships which are practically old hulks. [Applause on the Republican side.] How, then, will the passage of this bill reduce freight rates? Under the terms of this bill you can not build any vessels to meet the emergency which you say now exists, because that will take time, and before the ships can be constructed this emergency will have passed away. It is said that we can not send our produce abroad rapidly enough.

If all of the wheat in the United States to-day, or four-fifths of it, or one-half of it, could to-day be put on the Atlantic on its way to Europe, the price of wheat would have the bottom drop out of it. If we send our wheat abroad too rapidly, it will put the price of wheat down so that we will not get as much for all of the wheat as we would if one-half of it is sent more slowly. [Applause.] And if to-day we could send abroad all of the cotton that lies in the ports of the country, the price of cotton would break, and you would not get 5 cents a pound for it abroad. You maintain the price of these products abroad largely because there has been and is some delay in endeavoring to ship abroad at the present high prices. Otherwise, you would break the price.

Mr. Speaker, I am opposed to the bill because it is dangerous. You can not buy the vessels from the Shipping Trust unless you pay enormous prices, and is it proposed, then, to buy the interned vessels of belligerent nations? Everyone knows that the moment we buy one of the interned vessels and load upon that vessel foodstuffs which England has declared to be conditional contraband and which she will not permit to be sent to Germany, we are treading upon dangerous ground. I believe that the President of the United States is sincere in his desire to preserve the absolute neutrality of this country as between the warring nations. In that respect I stand with him and behind him. I want to keep this country out of war [applause] and out of provocation for war. Of course, if we reach the point where we must fight for our rights, we will all do it with enthusiasm, but we do not wish to reach that point.

In this fight between the allies and Germany and Austria we know that in the end these nations, in a desperate struggle for existence, will not be too careful in their treatment of the rights of neutrals. We should make every effort to keep out of trouble, to keep our nose out of the affairs of other people. [Applause.] We should set ourselves absolutely against any kind of alliances or entanglements which may bring us to the point where we may have to vote for or against war. This is the great opportunity of the United States, while these other great powers are warring, to reach preeminence through peace. We must preserve peace, and we ought not under any circumstances to take a step which, whether it actually leads to war or not, leads to difficulties. We can send our foodstuffs, we can send our cotton, abroad as rapidly as they will be taken up at good prices in other countries. We do not need this bill. If we pass it and it is put into operation, we shall run the risk of embroiling our country in foreign difficulties and perhaps in war. Let us remember to be patriots first, and to uphold the rights of our country peaceably, and keep out of trouble. [Applause.]

Mr. ALEXANDER. Mr. Speaker, it is not my purpose to detain the House at any length. If I were inclined to traverse the ground which gentlemen on the other side have endeavored

to cover and to correct the misstatements—the reckless misstatements—made by them, I would require far more time than is at my disposal. I can understand partisan feeling. I am sometimes inspired by it myself, but I have never stooped so low as to be absolutely indifferent to the truth when undertaking to criticize the adversary party. Take it for granted that this bill did originate at the White House. Could it have originated at a better source? [Applause on the Democratic side.] It is possible you gentlemen on the other side do not have that high regard for the gentleman who is now the Chief Magistrate of the United States which is entertained by the gentlemen on this side. But I want to tell you that in lofty patriotism, in scholarship, in statesmanship there is not another man in the United States to-day better or greater than Woodrow Wilson. [Applause on the Democratic side.] But it is not becoming, it is undignified, it is contemptible for you to try to slur him. It is beneath the dignity of any American citizen [applause on the Democratic side], much less the minority in this body, that in times past has represented a great political party in this country. Some of you say you are in favor of Government ownership, but this bill does not go far enough. Some of you are in favor of subsidy, some of you are not.

Gentlemen, is there anything in the situation in this country to-day growing out of the war in Europe to arrest the attention of the American people and demand a remedy? Is there anything in the situation that suggests to you the necessity of an American merchant marine? Have you given any thought to that subject, or have you been so diligent in your criticism of the President of the United States that you have overlooked what to my mind is one of the greatest problems before the American people to-day demanding solution? [Applause on the Democratic side.] I regard an American merchant marine as an essential part of the national defense. It has been my aspiration ever since I came to Congress to be an humble instrument of my party to do something to rehabilitate the American merchant marine. [Applause on the Democratic side.] While my party was in the minority and I was serving on the committee under the distinguished gentleman from Massachusetts [Mr. GREENE], I cooperated with him in every rational way to help solve this great problem, but I was unwilling to support such measures as the Humphrey bill, which contemplated the expenditure of about $5,000,000 a year to be paid to about 20 ships belonging to certain favorite ship lines. [Applause on the Democratic side.]

Mr. MURDOCK. And under a 10-year contract.

Mr. ALEXANDER. The gentleman from Illinois, the minority leader, quite in contrast with his associates on that side of the House, says that he believes the President of the United States is intent on maintaining or observing our duty as a neutral Nation; that he will not knowingly do anything that will compromise us as a Nation or involve us in war with one or the other of the belligerents. That is a sentiment worthy of the gentleman from Illinois [applause], but it is in contrast with and a reproach to every gentleman on that side who has spoken to-day in criticism of the President.

Mr. MANN. I represent the sentiment of every gentleman on this side; all of them.

Mr. ALEXANDER. If that is true, if the gentleman from Illinois reflects the true sentiment of the gentlemen on that side of the House, and believes in good faith what he says, what is this talk that we have had to-day about the risk of involving ourselves in war if this bill should become a law? The President of the United States is charged with the administration of this law. No ship can be purchased without his consent. The representatives of all the belligerent nations are here, and before any ship is purchased we can ascertain whether or not they will object to that purchase. But, gentlemen, we have heard much about the duties, our obligations as a neutral. Why, gentlemen, I can not understand why you emphasize our duties, and are seemingly indifferent to our rights.

In years past the Republican Party was wont to point to the splendid flag yonder as an emblem of the greatest and the freest Nation on earth and it was their boast that under its ample folds we should not only observe our obligations but dared assert our rights. [Applause on the Democratic side.] And yet timorous, cowardly you seem to be now, and voicing the sentiment of the Shipping Trust, you do not want us to buy any ships nor to assert any rights we may have, notwithstanding the war in Europe, for which we are not responsible, has paralyzed our commerce. It is possible that there are no ships to be purchased except the interned ships. It is possible if we should buy those ships we might not be permitted to use them in the trade with Europe. That we would be guilty of a violation of any of our duties as a neutral if we should use those vessels in the South American, the South African, or the Far Eastern trade I have never yet heard anyone assert. But assuming that to be true, and assuming that we could not buy them, and that under the provisions of this bill we could do no more than utilize the vessels of the Panama Railroad Co., the Army transports, and such naval auxiliaries as might be used for auxiliary purposes, so much the pity, because then the remedy would be that much adequately less. But it is worthy of an effort on our part to do all we can to relieve the situation, and this administration could not excuse itself to the American people unless it should do all in its power to relieve the American people from the extortionate freight rates of the ships now engaged in the foreign trade. [Applause on the Democratic side.]

I can not imagine how you gentlemen can be so indifferent, and if I understand your position, and I undertake to sum it up now, it is that notwithstanding freight rates on cotton, wheat, lumber, and other commodities for export have increased from 500 to 1,100 per cent, you regard the situation with absolute indifference and excuse yourselves upon the ground that the foreigner pays the freight. Gentlemen, I investigated the Shipping Trust by direction of this House. I was engaged in that task for more than two years. I found that there was not a single trade area in the world that was not controlled by the Shipping Trust. I found that within three years prior to 1913 ocean freight rates had increased from 50 to 200 per cent, whereas the costs of operation had not appreciably increased at all. I have here a statement of British lines for a number of years past showing their dividends during that time were from 10 to 100 per cent per annum, and each year they accumulated a large surplus.

And yet you say we should regard this situation with indifference; that it does not call for a remedy. I think it is of the utmost importance to us as a Nation if we would extend our foreign trade that we must have reasonable ocean freight rates in order to do so. We can not rest upon the assumption that the foreigner pays the freight. If that logic is true, the farmer might be indifferent as to the rate upon his goods from the farm to the market in the city. But, gentlemen, as I said, it is not my purpose to extend this discussion. The gentleman from Iowa——

Mr. MANN. Mr. Speaker, some time before the gentleman concludes will he yield to a question about one of the amendments?

Mr. ALEXANDER. Yes; but I would rather not do so just at this point.

Mr. MANN. Certainly.

Mr. ALEXANDER. The gentleman from Iowa [Mr. GOOD], who, after my friend from Washington [Mr. HUMPHREY], is one of the fiercest partisans in this House, had much to say in the way of harsh criticism about the provision of this bill that the Government should use $30,000,000 of Panama Canal bonds with which to buy ships.

Now, I have before me a copy of a bill introduced in the Senate of the United States by the senior Senator from Iowa. The bill I hold in my hand was introduced in this House by my good friend from Iowa [Mr. TOWNER]. This bill was referred to my committee, and it reads in part:

That the President is hereby authorized to acquire, by purchase or construction, at a cost not exceeding in the aggregate $30,000,000, vessels which shall be both suitable for naval auxiliaries and for use in foreign commerce. In order to provide a fund for the payment of vessels so to be purchased and the cost of the construction of vessels so to be built and equipped hereunder the President may issue and sell or use any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to an amount not exceeding $30,000,000.

The language in the Towner bill is almost identical with the language in the pending bill, and provides for the purchase of ships by issue of Panama Canal bonds.

Now I yield to the gentleman.

Mr. MANN. The second amendment proposes to strike out of the original bill the word "shall," in line 5, on page 2, and insert the word "to." I think that is an inadvertent mistake. The effect of that would be to pay civilian officers on these ships the pay and allowances of naval officers. I think the gentleman has plenty of time, and I will ask him if he will let me read it?

Mr. ALEXANDER. Yes.

Mr. MANN. The language of the bill without the amendment reads:

Such civilians, such officers of the naval auxiliary service, such officers and enlisted men of the Navy, including officers on the retired lists, as the Secretary of the Navy may deem necessary, shall be employed in the business of the said mail line or lines.

I stop there at present. Now, the amendment is to strike out "shall" and insert the word "to," and make it read this way:

Such civilians, such officers of the naval auxiliary service, and such officers and enlisted men of the Navy, including officers on the retired

list, as the Secretary of the Navy may deem necessary to be employed in the business of the said mail line or lines, and retired officers of the Navy so employed at sea or on shore shall, in all respects, be held and considered to be in an active duty status, and shall receive the pay and allowances of officers of the active list of the same rank and length of service.

The effect of the amendment would be to pay the civilian officers the pay and allowances of naval officers, whereas the gentleman only means the pay of officers on the retired list put on active duty with the rank and pay of officers on the active list.

Mr. ALEXANDER. The gentleman may be correct.

The gentleman has spoken about the division on this side of the House, and that the majority is being coerced from the White House. Gentlemen, in a few minutes we are going to give you an exhibition of solidarity. If it is the result of coercion from the White House, I hope it will always continue, because under this administration we have had more constructive legislation than at any other time in the last 25 years. [Cries of "Vote!" "Vote!"]

The SPEAKER. Has the gentleman from Missouri concluded?

Mr. ALEXANDER. While that is a mistake to which the gentleman from Illinois has called attention, it can be corrected later. I call for a vote now.

The SPEAKER. The question is on agreeing to the first amendment.

Mr. MANN. What is the amendment?

The SPEAKER. It was reported this morning, but the Clerk will report it again.

The Clerk read as follows:

Amend, on page 1, line 3, after the word "that," by inserting "with the approval of the President."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided, and there were—ayes 221, noes 98.

Mr. MANN. Mr. Speaker, I ask for tellers.

Mr. HAY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands tellers and the gentleman from Virginia [Mr. HAY] demands the yeas and nays. The question is on ordering the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 301, nays, 31, answered "present" 5, not voting 86, as follows:

[Roll No. 74.]

YEAS—301.

Abercrombie	Chandler, N. Y.	Frear	Hulings
Adair	Church	French	Hull
Adamson	Clancy	Gallagher	Humphrey, Wash.
Aiken	Clark, Fla.	Gallivan	Humphreys, Miss.
Alexander	Claypool	Gardner	Igoe
Allen	Cline	Garner	Jacoway
Anthony	Coady	Garrett, Tenn.	Johnson, Ky.
Ashbrook	Collier	Garrett, Tex.	Johnson, S. C.
Aswell	Connelly, Kans.	George	Johnson, Utah
Bailey	Connolly, Iowa	Gill	Johnson, Wash.
Baker	Conry	Gillett	Keating
Baltz	Cooper	Gilmore	Kelley, Mich.
Barchfeld	Cox	Gittins	Kelly, Pa.
Barkley	Cramton	Glass	Kennedy, Conn.
Barton	Crisp	Goeke	Kennedy, Iowa
Bathrick	Crosser	Goldfogle	Kent
Beakes	Cullop	Good	Kettner
Bell, Cal.	Dale	Goodwin, Ark.	Key, Ohio
Bell, Ga.	Decker	Gordon	Kiess, Pa.
Blackmon	Deitrick	Goulden	Kinkaid
Booher	Dershem	Graham, Ill.	Kirkpatrick
Borland	Dickinson	Gray	Knowland, J. R.
Bowdle	Difenderfer	Green, Iowa	Konop
Britten	Dillon	Greene, Mass.	Korbly
Brockson	Dixon	Greene, Vt.	Lafferty
Brodbeck	Donohoe	Gregg	La Follette
Brown, N. Y.	Donovan	Griffin	Lazaro
Brown, W. Va.	Doolittle	Gudger	Lee, Ga.
Browning	Doremus	Guernsey	Lee, Pa.
Bruckner	Doughton	Hamilton, Mich.	Lenroot
Brumbaugh	Driscoll	Hamlin	Lesher
Bryan	Dupré	Hardy	Lever
Buchanan, Ill.	Eagan	Harris	Levy
Buchanan, Tex.	Edmonds	Harrison	Lewis, Md.
Bulkley	Esch	Haugen	Lieb
Burke, S. Dak.	Estopinal	Hay	Lindbergh
Burke, Wis.	Farr	Hayden	Lindquist
Burnett	Fergusson	Heflin	Linthicum
Byrnes, S. C.	Ferris	Helm	Lloyd
Byrns, Tenn.	Fess	Helvering	Lobeck
Callaway	Fields	Henry	Logue
Campbell	Finley	Hill	Lonergan
Candler, Miss.	Fitzgerald	Hinds	McAndrews
Cantor	FitzHenry	Hinebaugh	McKellar
Cantrill	Flood, Va.	Holland	McKenzie
Caraway	Floyd, Ark.	Houston	MacDonald
Carlin	Foster	Howard	Maguire, Nebr.
Carter	Fowler	Howell	Mahan
Casey	Francis	Hughes, Ga.	Manahan
Mann	Peters	Seldomridge	Tavenner
Mapes	Peterson	Shackleford	Taylor, Ala.
Martin	Phelan	Sherley	Taylor, Ark.
Miller	Porter	Sherwood	Taylor, Colo.
Mitchell	Post	Sims	Temple
Montague	Pou	Sinnott	Ten Eyck
Moon	Powers	Sisson	Thomas
Morin	Price	Slayden	Thomson, Ill.
Morrison	Prouty	Sloan	Towner
Moss, Ind.	Quin	Small	Townsend
Mott	Ragsdale	Smith, Md.	Tribble
Mulkey	Rainey	Smith, Saml. W.	Vaughan
Murdock	Raker	Smith, Minn.	Vinson
Murray	Rauch	Smith, N. Y.	Vollmer
Neeley, Kans.	Rayburn	Smith, Tex.	Walsh
Neely, W. Va.	Reilly, Conn.	Stafford	Watkins
Nelson	Reilly, Wis.	Stedman	Watson
Norton	Riordan	Stephens, Cal.	Weaver
O'Hair	Roberts, Mass.	Stephens, Miss.	Webb
Oldfield	Rogers	Stephens, Nebr.	Whitacre
Padgett	Rothermel	Stephens, Tex.	White
Page, N. C.	Rouse	Stevens, N. H.	Williams
Paige, Mass.	Rubey	Stone	Wingo
Palmer	Rucker	Stringer	Young, Tex.
Park	Russell	Sumners	
Parker, N. J.	Scott	Taggart	
Patton, Pa.	Scully	Talcott, N. Y.	

NAYS—31.

Anderson	Griest	McLaughlin	Smith, J. M. C.
Borchers	Hamilton, N. Y.	Madden	Steenerson
Browne, Wis.	Hawley	Mondell	Sutherland
Butler	Hughes, W. Va.	Moore	Switzer
Calder	Kennedy, R. I.	Morgan, Okla.	Volstead
Curry	Kindel	Parker, N. Y.	Woods
Drukker	Langham	Slemp	Young, N. Dak.
Fordney	Langley	Smith, Idaho	

ANSWERED "PRESENT"—5.

Beall, Tex.	Davenport	Dies	Metz
Carew			

NOT VOTING—86.

Ainey	Faison	McClellan	Stevens, Minn.
Austin	Falconer	McGillicuddy	Stout
Avis	Gard	McGuire, Okla.	Talbott, Md.
Barnhart	Gerry	Maher	Taylor, N. Y.
Bartholdt	Godwin, N. C.	Morgan, La.	Thacher
Bartlett	Gorman	Moss, W. Va.	Thompson, Okla.
Broussard	Graham, Pa.	Nolan, J. I.	Treadway
Burgess	Hamill	O'Brien	Tuttle
Burke, Pa.	Hart	Oglesby	Underhill
Carr	Hayes	O'Shaunessy	Underwood
Cary	Helgesen	Patten, N. Y.	Vare
Copley	Hensley	Platt	Walker
Danforth	Hobson	Plumley	Wallin
Davis	Hoxworth	Reed	Walters
Dent	Jones	Roberts, Nev.	Whaley
Dooling	Kahn	Rupley	Wilson, Fla.
Dunn	Keister	Sabath	Wilson, N. Y.
Eagle	Kitchin	Saunders	Winslow
Edwards	Kreider	Sells	Witherspoon
Elder	L'Engle	Shreve	Woodruff
Evans	Lewis, Pa.	Sparkman	
Fairchild	Loft	Stanley	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. WHALEY (for) with Mr. DAVENPORT (against).

Until further notice:

Mr. O'SHAUNESSY with Mr. BARTHOLDT.

Mr. BARTLETT with Mr. ROBERTS of Nevada.

Mr. MAHER with Mr. HAYES.

Mr. DOOLING with Mr. AVIS.

Mr. ELDER with Mr. WINSLOW.

Mr. HENSLEY with Mr. FAIRCHILD.

Mr. WALKER with Mr. AINEY.

Mr. EDWARDS with Mr. DUNN.

Mr. HAMILL with Mr. TREADWAY.

Mr. HOBSON with Mr. DAVIS.

Mr. UNDERHILL with Mr. KAHN.

Mr. CARR with Mr. SELLS.

Mr. METZ with Mr. PLUMLEY.

Mr. RUPLEY with Mr. HELGESEN.

Mr. L'ENGLE with Mr. WALLIN.

Mr. BROUSSARD with Mr. AUSTIN.

Mr. EAGLE with Mr. CARY.

Mr. EVANS with Mr. FALCONER.

Mr. FAISON with Mr. KEISTER.

Mr. GORMAN with Mr. MOSS of West Virginia.

Mr. PATTEN of New York with Mr. PLATT.

Mr. SABATH with Mr. WALTERS.

Mr. SPARKMAN with Mr. STEVENS of Minnesota.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the second amendment.

Mr. WEBB. Mr. Speaker, that was to strike out the word "shall" and substitute the word "to," was it not?

Mr. MANN. Mr. Speaker, I demand the regular order. Debate is not in order.

Mr. WEBB. I was asking for information.

The SPEAKER. Yes; on line 5, page 3, strike out the word "shall" and substitute the word "to." The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 212, noes 85.

Mr. MANN. I ask for tellers, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks for tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Sixty-three gentlemen have arisen for tellers—a sufficient number—and the Chair appoints the gentleman from Missouri [Mr. ALEXANDER] and the gentleman from Illinois [Mr. MANN] to act as tellers.

The committee again divided; and the tellers reported—ayes 159, noes 60.

Mr. MANN. I ask for the yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on agreeing to the second amendment.

The question was taken; and there were—yeas 230, nays 100, answered "present" 3, not voting 90, as follows:

[Roll No. 75.]

YEAS—230.

Abercrombie	Donohoe	Hull	Raker
Adair	Donovan	Humphreys, Miss.	Rauch
Adamson	Doolittle	Igoe	Rayburn
Aiken	Doremus	Jacoway	Reilly, Conn.
Alexander	Doughton	Johnson, Ky.	Reilly, Wis.
Allen	Driscoll	Johnson, S. C.	Riordan
Ashbrook	Dupré	Keating	Rothermel
Aswell	Eagan	Kelly, Pa.	Rouse
Bailey	Eagle	Kennedy, Conn.	Rubey
Baker	Estopinal	Kettner	Rucker
Baltz	Evans	Key, Ohio	Russell
Barkley	Fergusson	Kirkpatrick	Saunders
Bathrick	Ferris	Kitchin	Scott
Beakes	Fields	Konop	Seldomridge
Bell, Ga.	Finley	Korbly	Shackleford
Blackmon	Fitzgerald	Lafferty	Sherley
Booher	FitzHenry	Lazaro	Sherwood
Borchers	Flood, Va.	Lee, Ga.	Sims
Borland	Floyd, Ark.	Lee, Pa.	Sisson
Bowdle	Foster	Lesher	Slayden
Brockson	Fowler	Lever	Smith, Md.
Brodbeck	Francis	Levy	Smith, N. Y.
Brown, N. Y.	Gallagher	Lewis, Md.	Smith, Tex.
Brown, W. Va.	Gallivan	Lieb	Stanley
Bruckner	Garner	Linthicum	Stedman
Brumbaugh	Garrett, Tenn.	Lloyd	Stephens, Miss.
Bryan	Garrett, Tex.	Lobeck	Stephens, Nebr.
Buchanan, Ill.	Gill	Logue	Stephens, Tex.
Buchanan, Tex.	Gilmore	Lonergan	Stevens, N. H.
Bulkley	Gittins	McAndrews	Stone
Burke, Wis.	Glass	McKellar	Stringer
Burnett	Goeke	MacDonald	Sumners
Byrnes, S. C.	Goldfogle	Maguire, Nebr.	Taggart
Byrns, Tenn.	Goodwin, Ark.	Mahan	Talcott, N. Y.
Candler, Miss.	Gordon	Mitchell	Tavenner
Cantor	Goulden	Montague	Taylor, Ala.
Caraway	Graham, Ill.	Moon	Taylor, Ark.
Carlin	Gray	Morrison	Taylor, Colo.
Carter	Gregg	Moss, Ind.	Ten Eyck
Casey	Griffin	Mulkey	Thomas
Church	Gudger	Murdock	Townsend
Clancy	Hamlin	Murray	Tribble
Claypool	Hardy	Neeley, Kans.	Vaughan
Cline	Harris	Neely, W. Va.	Vinson
Coady	Harrison	O'Hair	Vollmer
Collier	Haugen	Oldfield	Walsh
Connelly, Kans.	Hay	Padgett	Watkins
Conry	Hayden	Page, N. C.	Watson
Cox	Heflin	Palmer	Weaver
Crisp	Helm	Park	Webb
Cullop	Helvering	Peterson	Whitacre
Dale	Henry	Phelan	White
Decker	Hill	Porter	Williams
Deitrick	Holland	Post	Wingo
Dershem	Houston	Pou	Witherspoon
Dickinson	Howard	Price	Young, Tex.
Difenderfer	Hughes, Ga.	Quin	
Dixon	Hulings	Rainey	

NAYS—100.

Anderson	Dillon	Guernsey	Kinkaid
Anthony	Drukker	Hamilton, Mich.	Knowland, J. R.
Barchfeld	Edmonds	Hamilton, N. Y.	La Follette
Barton	Esch	Hawley	Langham
Bell, Cal.	Farr	Hinds	Langley
Britten	Fess	Hinebaugh	Lenroot
Browne, Wis.	Fordney	Howell	Lindbergh
Browning	Frear	Hughes, W. Va.	Lindquist
Burke, S. Dak.	French	Humphrey, Wash.	McKenzie
Butler	Gardner	Johnson, Utah	McLaughlin
Calder	Gillett	Johnson, Wash.	Madden
Callaway	Good	Kelley, Mich.	Manahan
Chandler, N. Y.	Green, Iowa	Kennedy, Iowa	Mann
Cooper	Greene, Mass.	Kennedy, R. I.	Mapes
Cramton	Greene, Vt.	Kiess, Pa.	Martin
Curry	Griest	Kindel	Miller
Mondell	Parker, N. J.	Sinnott	Stephens, Cal.
Moore	Parker, N. Y.	Slemp	Sutherland
Morgan, Okla.	Patton, Pa.	Sloan	Switzer
Morin	Peters	Smith, Idaho	Temple
Moss, W. Va.	Platt	Smith, J. M. C.	Thomson, Ill.
Mott	Powers	Smith, Minn.	Towner
Nelson	Prouty	Smith, Saml. W.	Volstead
Norton	Roberts, Mass.	Stafford	Woods
Paige, Mass.	Rogers	Steenerson	Young, N. Dak.

ANSWERED "PRESENT"—3.

Beall, Tex.	Carew	Metz

NOT VOTING—90.

Ainey	Dunn	Kreider	Small
Austin	Edwards	L'Engle	Sparkman
Avis	Elder	Lewis, Pa.	Stevens, Minn.
Barnhart	Fairchild	Loft	Stout
Bartholdt	Faison	McClellan	Talbott, Md.
Bartlett	Falconer	McGillicuddy	Taylor, N. Y.
Broussard	Gard	McGuire, Okla.	Thacher
Burgess	George	Maher	Thompson, Okla.
Burke, Pa.	Gerry	Morgan, La.	Treadway
Campbell	Godwin, N. C.	Nolan, J. I.	Tuttle
Cantrill	Gorman	O'Brien	Underhill
Carr	Graham, Pa.	Oglesby	Underwood
Cary	Hamill	O'Shaunessy	Vare
Clark, Fla.	Hart	Patten, N. Y.	Walker
Connolly, Iowa	Hayes	Plumley	Wallin
Copley	Helgesen	Ragsdale	Walters
Crosser	Hensley	Reed	Whaley
Danforth	Hobson	Roberts, Nev.	Wilson, Fla.
Davenport	Hoxworth	Rupley	Wilson, N. Y.
Davis	Jones	Sabath	Winslow
Dent	Kahn	Scully	Woodruff
Dies	Keister	Sells	
Dooling	Kent	Shreve	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CLARK of Florida with Mr. CAMPBELL.

Mr. PATTEN of New York with Mr. WOODRUFF.

Mr. SMALL with Mr. COPLEY.

Mr. CAMPBELL. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall of the House listening when his name should have been called?

Mr. CAMPBELL. I was attending an important committee meeting.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. MANN. Mr. Speaker, I should like to have the rule of the House observed which prohibits Members gathering around the desk during a roll call.

The SPEAKER. They were not interfering with the roll call.

Mr. MANN. The rule says they shall not be at the desk.

The SPEAKER. That is true. They were consulting with the Speaker.

Mr. MANN. I can not help that; it was during the roll call.

The SPEAKER. It is all over. It does not make a bit of difference. [Laughter and applause.]

The result of the vote was announced as above recorded.

Mr. MANN. Mr. Speaker, I move to reconsider—well, I will not.

Mr. SHERLEY. You can not.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

At the end of the bill add new sections, as follows:

"SEC. 5. That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States"——

Mr. ALEXANDER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ALEXANDER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALEXANDER. The amendment that is now being read was offered by the gentleman from Tennessee [Mr. PADGETT] and was read. Is it in order now to read the amendment again except by unanimous consent? It has been read once and considered, and is pending under the rule.

The SPEAKER. The Chair thinks the point made by the gentleman from Missouri is well taken.

Mr. ALEXANDER. Then I object to the further reading of it.

Mr. MANN. I ask for a division of the amendment.

The SPEAKER. In what regard?

Mr. MANN. There are 13 sections in the amendment, 13 separate propositions, besides a dozen or so other propositions which are divisible. I only ask for a division of the sections.

The SPEAKER. Undoubtedly the gentleman is right. The Clerk will report the first section, so that Members will know what they are voting on.

The SPEAKER. The Clerk will report the first subdivision.

The Clerk read as follows:

SEC. 5. That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation organized under the laws of a State, a majority of the stock being owned by citizens of the United States, firm, or individual citizen or citizens of the United States, to be used for such purposes, and shall have power to carry out said objects and purposes: *Provided,* That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share: *And provided further,* That said corporation shall make no charter or lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same.

The members of said shipping board, as incorporators, may for the purpose of carrying out the provisions of this act, form a corporation of the District of Columbia by making and filing a certificate of incorporation, as provided in subchapter 4 of chapter 18 of an act entitled "An act to establish a code of laws for the District of Columbia," approved March 3, 1901.

The corporation so formed, its officers and trustees and stockholders shall possess all the powers conferred and perform all the duties imposed by said subchapter 4, except as the same are by this act limited or qualified.

The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

Said corporation may sue and be sued in any district court of the United States, and may remove to said courts any cause brought against it in any other court.

Said corporation may require any officer or employee to give security for the faithful performance of his duties.

Persons subscribing to the stock of said company shall pay for the same in full at the time of subscription.

The stock owned by the United States shall be voted by the shipping board or its duly selected representative.

The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stock at any meeting thereof.

Said corporation and its capital stock shall, so long as the United States owns a majority of said stock, be free from all public taxes.

At no time shall less than 51 per cent of the stock of said corporation be held by the United States, unless the United States shall dispose of all of its stock.

Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. The question is on agreeing to the amendment, section 5.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 171, noes 77.

Mr. MANN. Mr. Speaker, I ask for tellers.

Mr. HAY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois asks for tellers and the gentleman from Virginia demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 223, nays 100, answered "present" 4, not voting 96.

[Roll No. 76.]

YEAS—223.

Abercrombie	Carlin	FitzHenry	Howard
Adair	Carter	Flood, Va.	Hughes, Ga.
Adamson	Casey	Floyd, Ark.	Hull
Aiken	Church	Foster	Humphreys, Miss.
Alexander	Clancy	Francis	Igoe
Allen	Clark, Fla.	Gallagher	Jacoway
Ashbrook	Claypool	Gallivan	Johnson, Ky.
Aswell	Cline	Garner	Johnson, S. C.
Bailey	Coady	Garrett, Tenn.	Keating
Baker	Collier	Garrett, Tex.	Kelly, Pa.
Baltz	Connelly, Kans.	Gill	Kennedy, Conn.
Barkley	Connolly, Iowa	Gilmore	Kent
Bathrick	Conry	Gittins	Kettner
Beakes	Cox	Glass	Key, Ohio
Bell, Ga.	Crisp	Goeke	Kirkpatrick
Blackmon	Cullop	Goldfogle	Konop
Booher	Dale	Goodwin, Ark.	Korbly
Borland	Decker	Gordon	Lafferty
Bowdle	Deitrick	Gorman	Lazaro
Brockson	Dershem	Goulden	Lee, Ga.
Brodbeck	Dickinson	Gray	Lee, Pa.
Brown, N. Y.	Dixon	Gregg	Lesher
Bruckner	Donohoe	Griffin	Lever
Brumbaugh	Donovan	Gudger	Levy
Bryan	Dooling	Hamlin	Lewis, Md.
Buchanan, Ill.	Doolittle	Hardy	Lieb
Buchanan, Tex.	Doremus	Harrison	Linthicum
Bulkley	Doughton	Hay	Lloyd
Burke, Wis.	Driscoll	Hayden	Lobeck
Burnett	Eagan	Heflin	Logue
Byrnes, S. C.	Eagle	Helm	Lonergan
Byrns, Tenn.	Evans	Helvering	McAndrews
Candler, Miss.	Fergusson	Henry	McKellar
Cantor	Ferris	Hill	MacDonald
Cantrill	Fields	Holland	Maguire, Nebr.
Caraway	Finley	Houston	Mahan
Mitchell	Post	Sherwood	Taylor, Ark.
Montague	Pou	Sims	Taylor, Colo.
Moon	Price	Sisson	Ten Eyck
Morgan, La.	Quin	Slayden	Thomas
Morrison	Rainey	Small	Townsend
Moss, Ind.	Raker	Smith, Md.	Tribble
Mulkey	Rauch	Smith, N. Y.	Vaughan
Murdock	Rayburn	Smith, Tex.	Vinson
Murray	Reilly, Conn.	Stedman	Vollmer
Neeley, Kans.	Reilly, Wis.	Stephens, Miss.	Walsh
Neely, W. Va.	Riordan	Stephens, Nebr.	Walters
O'Hair	Rothermel	Stephens, Tex.	Watkins
Oldfield	Rouse	Stone	Watson
Padgett	Rubey	Stout	Weaver
Page, N. C.	Rucker	Stringer	Webb
Park	Russell	Sumners	Whitacre
Patten, N. Y.	Scully	Taggart	Williams
Peterson	Seldomridge	Talcott, N. Y.	Wingo
Phelan	Shackleford	Tavenner	Young, Tex.
Porter	Sherley	Taylor, Ala.	

NAYS—100.

Anderson	Frear	Kinkaid	Parker, N. Y.
Anthony	French	Knowland, J. R.	Patton, Pa.
Barchfeld	Gardner	La Follette	Peters
Barton	Gillett	Langham	Platt
Bell, Cal.	Good	Langley	Powers
Borchers	Greene, Mass.	Lenroot	Roberts, Mass.
Britten	Greene, Vt.	Lindbergh	Rogers
Browne, Wis.	Griest	Lindquist	Scott
Browning	Hamilton, Mich.	McKenzie	Sinnott
Burke, S. Dak.	Hamilton, N. Y.	McLaughlin	Slemp
Butler	Haugen	Madden	Sloan
Calder	Hawley	Manahan	Smith, Idaho
Callaway	Hinds	Mann	Smith, J. M. C.
Campbell	Hinebaugh	Mapes	Smith, Minn.
Chandler, N. Y.	Hughes, W. Va.	Martin	Smith, Saml. W.
Cooper	Hulings	Miller	Stafford
Cramton	Humphrey, Wash.	Mondell	Steenerson
Curry	Johnson, Utah	Moore	Stephens, Cal.
Dies	Johnson, Wash.	Morgan, Okla.	Switzer
Dillon	Keister	Morin	Temple
Edmonds	Kelley, Mich.	Moss, W. Va.	Thomson, Ill.
Esch	Kennedy, Iowa	Nelson	Towner
Farr	Kennedy, R. I.	Norton	Volstead
Fess	Kiess, Pa.	Paige, Mass.	Woods
Fordney	Kindel	Parker, N. J.	Young, N. Dak.

ANSWERED "PRESENT"—4.

Bartlett	Beall, Tex.	Carew	Difenderfer

NOT VOTING—96.

Ainey	Faison	Kreider	Shreve
Austin	Falconer	L'Engle	Sparkman
Avis	Fitzgerald	Lewis, Pa.	Stanley
Barnhart	Fowler	Loft	Stevens, Minn.
Bartholdt	Gard	McClellan	Stevens, N. H.
Broussard	George	McGillicuddy	Sutherland
Brown, W. Va.	Gerry	McGuire, Okla.	Talbott, Md.
Burgess	Godwin, N. C.	Maher	Taylor, N. Y.
Burke, Pa.	Graham, Ill.	Metz	Thacher
Carr	Graham, Pa.	Mott	Thompson, Okla.
Cary	Green, Iowa	Nolan, J. I.	Treadway
Copley	Guernsey	O'Brien	Tuttle
Crosser	Hamill	Oglesby	Underhill
Danforth	Harris	O'Shaunessy	Underwood
Davenport	Hart	Palmer	Vare
Davis	Hayes	Plumley	Walker
Dent	Helgesen	Prouty	Wallin
Drukker	Hensley	Ragsdale	Whaley
Dunn	Hobson	Reed	White
Dupré	Howell	Roberts, Nev.	Wilson, Fla.
Edwards	Hoxworth	Rupley	Wilson, N. Y.
Elder	Jones	Sabath	Winslow
Estopinal	Kahn	Saunders	Witherspoon
Fairchild	Kitchin	Sells	Woodruff

So the amendment was agreed to.

The following additional pairs were announced:

Mr. WHITE with Mr. MOTT.

Mr. TUTTLE with Mr. SUTHERLAND.

Mr. GEORGE with Mr. HOWELL.

Mr. STEVENS of New Hampshire. I wish to vote, Mr. Speaker.

The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?

Mr. STEVENS of New Hampshire. I was in the balcony.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was then announced as above recorded.

Mr. MANN. Mr. Speaker, I withdraw my demand for a division of the amendment.

The SPEAKER. The gentleman from Illinois withdraws his demand for a division, and the question is on the remaining part of the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The question was taken, and the bill was ordered to be read a third time and was read the third time.

Mr. PADGETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PADGETT. The title to the bill should be amended.

The SPEAKER. That comes after the passage of the bill. The question is on the passage of the bill.

Mr. MANN. And on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 215, nays 121, answered "present" 7, not voting 80, as follows:

[Roll No. 77.]

YEAS—215.

Abercrombie	Dickinson	Hughes, Ga.	Rainey
Adair	Dixon	Hull	Raker
Adamson	Donovan	Humphreys, Miss.	Rauch
Aiken	Doolittle	Igoe	Rayburn
Alexander	Doremus	Jacoway	Reilly, Conn.
Allen	Doughton	Johnson, Ky.	Reilly, Wis.
Ashbrook	Driscoll	Johnson, S. C.	Riordan
Aswell	Dupré	Keating	Rothermel
Bailey	Eagan	Kelly, Pa.	Rouse
Baker	Eagle	Kennedy, Conn.	Rubey
Baltz	Estopinal	Kettner	Rucker
Barkley	Evans	Key, Ohio	Russell
Beakes	Fergusson	Kirkpatrick	Scully
Bell, Ga.	Ferris	Konop	Seldomridge
Blackmon	Fields	Korbly	Shackleford
Booher	Finley	Lafferty	Sherley
Borland	FitzHenry	Lazaro	Sherwood
Bowdle	Flood, Va.	Lee, Ga.	Sims
Brockson	Floyd, Ark.	Lee, Pa.	Sisson
Brodbeck	Foster	Lesher	Small
Brown, N. Y.	Fowler	Lever	Smith, Md.
Bruckner	Francis	Levy	Smith, N. Y.
Brumbaugh	Gallagher	Lewis, Md.	Smith, Tex.
Bryan	Gallivan	Lieb	Stanley
Buchanan, Ill.	Garner	Linthicum	Stedman
Buchanan, Tex.	Garrett, Tenn.	Lloyd	Stephens, Miss.
Bulkley	Garrett, Tex.	Lobeck	Stephens, Nebr.
Burke, Wis.	George	Logue	Stephens, Tex.
Burnett	Gill	Lonergan	Stevens, N. H.
Byrnes, S. C.	Gilmore	McAndrews	Stone
Byrns, Tenn.	Gittins	McClellan	Stout
Candler, Miss.	Glass	McKellar	Stringer
Cantor	Goeke	MacDonald	Sumners
Cantrill	Goldfogle	Maguire, Nebr.	Taggart
Caraway	Goodwin, Ark.	Mahan	Talcott, N. Y.
Carlin	Goulden	Mitchell	Tavenner
Carter	Graham, Ill.	Montague	Taylor, Ala.
Casey	Gray	Moon	Taylor, Ark.
Church	Gregg	Mulkey	Taylor, Colo.
Clancy	Griffin	Murdock	Ten Eyck
Claypool	Gudger	Murray	Thomas
Cline	Hamlin	Neeley, Kans.	Townsend
Coady	Hardy	Neely, W. Va.	Tribble
Collier	Harrison	O'Hair	Vaughan
Connelly, Kans.	Hay	Oldfield	Vinson
Connolly, Iowa	Hayden	Padgett	Walsh
Conry	Heflin	Palmer	Watkins
Cox	Helm	Park	Watson
Crisp	Helvering	Peterson	Weaver
Cullop	Henry	Phelan	Webb
Dale	Hill	Post	Williams
Decker	Holland	Price	Wingo
Deitrick	Houston	Quin	Young, Tex.
Dershem	Howard	Ragsdale	

NAYS—121.

Anderson	Gerry	La Follette	Prouty
Barchfeld	Gillett	Langham	Roberts, Mass.
Barton	Good	Langley	Rogers
Bathrick	Gordon	Lenroot	Saunders
Bell, Cal.	Greene, Mass.	Lindquist	Scott
Borchers	Greene, Vt.	McKenzie	Sinnott
Britten	Griest	McLaughlin	Slayden
Browne, Wis.	Guernsey	Madden	Slemp
Browning	Hamilton, Mich.	Manahan	Sloan
Burke, S. Dak.	Hamilton, N. Y.	Mapes	Smith, Idaho
Butler	Haugen	Martin	Smith, J. M. C.
Calder	Hawley	Miller	Smith, Minn.
Callaway	Hinds	Mondell	Smith, Saml. W.
Campbell	Hinebaugh	Moore	Stafford
Chandler, N. Y.	Howell	Morgan, Okla.	Steenerson
Cooper	Hughes, W. Va.	Morin	Stephens, Cal.
Cramton	Hulings	Morrison	Stevens, Minn.
Curry	Humphrey, Wash.	Moss, Ind.	Sutherland
Dies	Johnson, Utah	Moss, W. Va.	Switzer
Dillon	Johnson, Wash.	Mott	Temple
Donohoe	Jones	Nelson	Thomson, Ill.
Drukker	Keister	Norton	Towner
Edmonds	Kelley, Mich.	Page, N. C.	Volstead
Esch	Kennedy, Iowa	Paige, Mass.	Whitacre
Farr	Kennedy, R. I.	Parker, N. J.	White
Fess	Kent	Parker, N. Y.	Witherspoon
Fitzgerald	Kiess, Pa.	Patton, Pa.	Woods
Fordney	Kindel	Peters	Young, N. Dak.
Frear	Kinkaid	Platt	
French	Kitchin	Porter	
Gardner	Knowland, J. R.	Powers	

ANSWERED "PRESENT"—7.

Beall, Tex.	Davenport	Mann	Pou
Carew	Difenderfer	Metz	

NOT VOTING—80.

Ainey	Cary	Faison	Hensley
Anthony	Clark, Fla.	Falconer	Hobson
Austin	Copley	Gard	Hoxworth
Avis	Crosser	Godwin, N. C.	Kahn
Barnhart	Danforth	Gorman	Kreider
Bartholdt	Davis	Graham, Pa.	L'Engle
Bartlett	Dent	Green, Iowa	Lewis, Pa.
Broussard	Dooling	Hamill	Lindbergh
Brown, W. Va.	Dunn	Harris	Loft
Burgess	Edwards	Hart	McGillicuddy
Burke, Pa.	Elder	Hayes	McGuire, Okla.
Carr	Fairchild	Helgesen	Maher
Morgan, La.	Roberts, Nev.	Thacher	Walker
Nolan, J. I.	Rupley	Thompson, Okla.	Wallin
O'Brien	Sabath	Treadway	Walters
Oglesby	Sells	Tuttle	Whaley
O'Shaunessy	Shreve	Underhill	Wilson, Fla.
Patten, N. Y.	Sparkman	Underwood	Wilson, N. Y.
Plumley	Talbott, Md.	Vare	Winslow
Reed	Taylor, N. Y.	Vollmer	Woodruff

So the bill was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. UNDERWOOD with Mr. MANN.

On the vote:

Mr. BROWN of West Virginia (for bill) with Mr. AVIS (against).

Mr. POU (for bill) with Mr. ANTHONY (against).

Mr. VOLLMER (for bill) with Mr. GREEN of Iowa (against).

Mr. HENSLEY (for bill) with Mr. FAIRCHILD (against).

Mr. J. I. NOLAN (for bill) with Mr. COPLEY (against).

Mr. HAMILL (for bill) with Mr. TREADWAY (against).

Mr. EDWARDS (for bill) with Mr. DUNN (against).

Mr. WALKER (for bill) with Mr. AINEY (against).

Mr. HOBSON (for bill) with Mr. DAVIS (against).

Mr. UNDERHILL (for bill) with Mr. KAHN (against).

Mr. CARR (for bill) with Mr. SELLS (against).

Mr. METZ (for bill) with Mr. PLUMLEY (against).

Mr. RUPLEY (for bill) with Mr. HELGESEN (against).

Mr. WILSON of Florida (for bill) with Mr. WALLIN (against).

Mr. L'ENGLE (for bill) with Mr. AUSTIN (against).

Mr. WHALEY (for bill) with Mr. DAVENPORT (against).

Mr. ELDER (for bill) with Mr. WINSLOW (against).

Mr. CROSSER (for bill) with Mr. WALTERS (against).

Mr. SABATH (for bill) with Mr. KREIDER (against).

Until further notice:

Mr. CLARK of Florida with Mr. CARY.

Mr. DENT with Mr. MCGUIRE of Oklahoma.

Mr. SPARKMAN with Mr. FALCONER.

Mr. TALBOTT of Maryland with Mr. LEWIS of Pennsylvania.

Mr. BEALL of Texas with Mr. SHREVE.

Mr. MANN. Mr. Speaker, I voted "nay." I am paired with the gentleman from Alabama [Mr. UNDERWOOD], who is unavoidably detained from the House. If he were present he would have voted "yea." I desire to withdraw my vote and be recorded as answering "present."

The name of Mr. MANN was called, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that the title be amended so as to include the words "and for other purposes."

The SPEAKER pro tempore (Mr. HAY). Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CROSSER, indefinitely, on account of illness.

To Mr. KAHN, for three days, on account of sickness.

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 25 minutes a. m., Wednesday, February 17, 1915), the House adjourned until 12 o'clock noon this day.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUGHES of Georgia, from the Committee on Education, to which was referred the bill (H. R. 14895) to create a new division of the Bureau of Education, to be known as the Federal motion-picture commission, and defining its powers and duties, reported the same without amendment, accompanied by a report (No. 1411), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 21465) for the purchase of a site for a public building at Yuma, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. MORGAN of Oklahoma: A bill (H. R. 21474) to provide better credit facilities and lower interest for farmers; to the Committee on Banking and Currency.

By Mr. MORIN: A bill (H. R. 21475) to provide for the incorporation and regulation of a corporation for the purpose of promoting the commerce of the United States, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. THOMAS: Resolution (H. Res. 738) opposing the reorganization of the Rural Mail Service by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. GREGG: Resolution (H. Res. 737) referring certain claims to the Court of Claims for finding of facts and conclusions of law under section 151 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on War Claims.

By Mr. GOODWIN of Arkansas: A joint resolution (H. J. Res. 423) providing for the appointment of a national marketing commission; to the Committee on Agriculture.

By Mr. FALCONER: Memorial of the Legislature of the State of Washington, urging amendment of act of February 22, 1899, providing for formation of constitutions of several States, including Washington, so as to permit greater latitude of leasing public lands; to the Committee on the Public Lands.

By Mr. GARD: Memorial from the Legislature of the State of Iowa, indorsing S. 6857, to authorize the retirement from active service with increased rank of officers now on the active list who served in the Civil War, etc.; to the Committee on Military Affairs.

By Mr. NORTON: Memorial of the Legislative Assembly of the State of North Dakota, requesting and urging Congress to enact a grazing homestead law similar to H. R. 15799; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 21466) granting a pension to Ellen Curtin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21467) granting an increase of pension to Silenus A. Simons; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 21468) granting an increase of pension to Adam E. Haughn; to the Committee on Pensions.

By Mr. DOUGHTON. A bill (H. R. 21469) granting a pension to James M. Odell; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 21470) granting an increase of pension to Evans M. Hughes; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 21471) for the relief of the estate of Mary Davis Denny; to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 21472) granting a pension to William E. Galvin; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 21473) granting a pension to Frank D. Lukens; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 21476) granting a patent to a certain strip of land to Elisha A. Crandall; to the Committee on the Public Lands.

By Mr. LEVER: A bill (H. R. 21477) granting a pension to Lucy T. Read; to the Committee on Pensions.

By Mr. CLAYPOOL: A bill (H. R. 21478) granting an increase of pension to Mary C. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21479) granting an increase of pension to Joseph B. Hannawalt; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of Rincheval Post No. 572, Grand Army of the Republic, Rhineland, Mo., and other Grand Army of the Republic posts of Missouri, urging action on pensions for the Missouri Militia; to the Committee on Invalid Pensions.

Also (by request), memorial of Kingston (N. Y.) Branch of American Neutrality League, urging legislation on an embargo of munitions of war; to the Committee on Foreign Affairs.

By Mr. ALLEN: Petition of Alsace and Lorraine Mutual Relief Society, of Cincinnati, Ohio, disapproving protests against exporting food and war material; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Papers to accompany House bill 21456, for relief of John W. Warman; to the Committee on Pensions.

By Mr. BAKER: Petition of citizens of Egg Harbor City, N. J., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. BOOHER: Petition of Col. William Wilkinson Post, No. 65, Grand Army of the Republic, Mound City, Mo.; Tarkio Post, No. 67, Grand Army of the Republic, Tarkio, Mo.; and Christian Meyer Post, No. 45, Grand Army of the Republic, Oregon, Mo., favoring House bill 15, to pension all State militia, etc., who served in Union Army for 90 days or more; to the Committee on Invalid Pensions.

By Mr. BRYAN: Petition of citizens of Washington State, favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. BURKE of South Dakota: Petition of Aberdeen (S. Dak.) Commercial Club, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BURKE of Wisconsin: Petition of 64 citizens of Beaver Dam and Reeseville and vicinity, of Dodge County, Wis., favoring an embargo on war material except foodstuffs; to the Committee on Foreign Affairs.

By Mr. CLINE: Petition of Indiana citizens, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petitions of Indiana citizens, protesting against the passage of the immigration bill over the President's veto; to the Committee on Immigration and Naturalization.

Also, petition of Indiana citizens, favoring passage of the immigration bill over the President's veto; to the Committee on Immigration and Naturalization.

Also, petition of Indiana citizens, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of 5,000 Indianapolis (Ind.) citizens, appealing for a firm administration policy in protecting American commerce on the seas with neutral countries; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER: Petition of citizens of Indianapolis, Ind., favoring embargo on arms; to the Committee on Foreign Affairs.

Also, petition of Badger Council, No. 109, Royal League, Kenosha, Wis., favoring bill to retire aged employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. COPLEY: Petition of citizens of Aurora, Ill., relative to embargo on war material; to the Committee on Foreign Affairs.

By Mr. CURRY: Petition of citizens of Stockton, Cal., and Clements County, Cal., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. DICKINSON: Petitions of State Camp of the Missouri Enrolled Militia; also sundry citizens of the sixth Missouri district, members of Posts Nos. 327, 566, 172, and 238, Grand Army of the Republic, favoring House bill 15, to pension militiamen serving in Union Army in Civil War; to the Committee on Invalid Pensions.

By Mr. DILLON: Petition of citizens of Ward, S. Dak., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petitions of Thomas J. Anderson, Cleveland, Ohio; citizens of Catawba County, N. C.; Chicago and Oak Park, Ill.; Schenectady, N. Y.; and Charleston, S. C., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. GOOD: Petition of Lisbon, Iowa, W. M. S., protesting against polygamy in the United States; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of A. L. Ostman, protesting against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. HAMLIN: Petition of sundry citizens of the State of Missouri, favoring passage of House bill 15; to the Committee on Invalid Pensions.

By Mr. HENSLEY: Petition of C. C. E. Brandt and others, of Ironton, and W. J. Knorpp and others, of De Soto, Mo., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: Petition of citizens of Bellingham, Wash., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hoquiam and Olympia, Wash., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of Stanley Prenis, of Bristol, Conn., relative to the unemployed; to the Committee on Labor.

Also, petition of Anton Fafner, of New Britain, Conn., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Memorial of Kingston (N. Y.) Branch of American Neutrality League, favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of 54 citizens of Lincoln, Nebr., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. MAHER: Petition of associated dailies of New York State, against postage-rate increase; to the Committee on the Post Office and Post Roads.

Also, petition of Washington (D. C.) Central Labor Union, against legislation by Congress providing prohibition for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Fulton Street Board of Trade, Brooklyn, N. Y., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. MOORE: Petitions of German Sunday School Society, veterans of the German Army and their sons, and sundry citizens of Philadelphia, Wilhelm Rauft, Gustav Schaun, and other citizens of Philadelphia, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. PETERSON: Petitions of citizens of Hammond and Hessville, Ind., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petition of sundry physicians of Schenectady, N. Y., favoring the passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of sundry citizens of Fulton County, N. Y., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. WINGO: Petition of citizens of Alleene, Ark., protesting against House bills 20644 and 20780; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *February 17, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee helpless to meet the needs of our day and hour without Thy help. Show us how helpless we are. We seek that eternal and national freedom that can only find expression in the prayer, Thy will be done. Grant us such an enlarged vision of God's great purpose that in giving ourselves to the world we shall be giving the largest and the best service. Give us that spiritual quality that shall impart tone and uplift to all that we touch. May all our service be acceptable to God, because it is the gift of consecrated souls to their fellow men. We ask for Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Martine, N. J.	Smith, Md.
Bankhead	Goff	Nelson	Smith, Mich.
Brady	Gore	Norris	Smith, S. C.
Brandegee	Gronna	O'Gorman	Smoot
Bristow	Hardwick	Oliver	Stephenson
Bryan	Hitchcock	Overman	Sterling
Burleigh	Hollis	Owen	Stone
Burton	Hughes	Page	Sutherland
Camden	James	Penrose	Swanson
Catron	Johnson	Perkins	Thomas
Clapp	Jones	Pittman	Thompson
Clark, Wyo.	Kenyon	Pomerene	Tillman
Clarke, Ark.	Kern	Ransdell	Townsend
Colt	Lane	Robinson	Vardaman
Crawford	Lea, Tenn.	Root	Warren
Culberson	Lewis	Shafroth	Weeks
Cummins	Lippitt	Sheppard	White
Dillingham	Lodge	Sherman	Williams
du Pont	McCumber	Simmons	Works
Fall	McLean	Smith, Ariz.	
Fletcher	Martin, Va.	Smith, Ga.	

The VICE PRESIDENT. Eighty-two Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of the proceedings of the legislative day of February 15, 1915, was read and approved.

FRANKFORD ARSENAL, PHILADELPHIA, PA. (S. DOC. NO. 947).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, suggesting that certain items be included in the sundry civil appropriation bill relating to the Frankford Arsenal, Philadelphia, Pa., which was referred to the Committee on Appropriations and ordered to be printed.

FRENCH SPOLIATION CLAIMS (S. DOC. NO. 948).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the sloop *Ruby*, Ezra King, master, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe with amendments, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the municipal council of Babatngeg, Province of Leyte, P. I., praying for the passage of the so-called Jones bill, to confer self-government upon the Filipino people, which was referred to the Committee on the Philippines.

Mr. OLIVER. I have a telegram from William M. Randolph, of the Pittsburgh branch of the National Association for the Advancement of Colored People, which I ask may be printed in the RECORD, without reading, and referred to the Committee on Appropriations.

There being no objection, the telegram was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

PITTSBURGH, PA., *February 16, 1915.*

Hon. GEORGE T. OLIVER,
United States Senate, Washington, D. C.:

The Pittsburgh branch of the National Association for the Advancement of Colored People, expressing the sentiment of the colored people of Pennsylvania, most emphatically registers its protest against the striking out of Howard University money from appropriation bill now in Senate Appropriation Committee. Our association appeals to you as a member of said committe to use your influence and exert every possible effort to have said money restored to the appropriation bill.

WM. M. RANDOLPH,
President Pittsburgh Branch National Association for the Advancement of Colored People.

Mr. SIMMONS. I present a joint resolution of the Legislature of North Carolina, favoring the immediate passage of the administration ship-purchase bill. I ask that the joint resolution may be read.

There being no objection, the joint resolution was read, as follows:

[Resolution No. 20.]

Joint resolution memorializing the North Carolina Senators and Representatives in Congress in favor of the administration bill to secure ships for transportation.

Resolved by the senate (the house of representatives concurring), That the Senators and Representatives of North Carolina in the Congress of the United States are hereby memorialized and requested to do all within their power to secure the immediate passage of the administration bill to secure ships for the transportation of American products to the markets of the world.

We urge prompt action by our Senators and Representatives.

Resolved further, That copies of these resolutions be mailed immediately to each of our Senators and each of our Representatives in Congress at Washington.

In the general assembly read three times and ratified this the 16th day of February, 1915.

E. L. DAUGHTRIDGE,
President of the Senate.
E. R. WOOTEN,
Speaker of the House of Representatives.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
Raleigh, February 16, 1915.

I, J. Bryan Grimes, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (one sheet) to be a true copy from the records of this office.

In witness whereof I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh this 16th day of February, in the year of our Lord 1915.

[SEAL.] J. BRYAN GRIMES, *Secretary of State.*

Mr. CHILTON. On the same line I have received a communication from John F. McNamee, editor and manager of the Locomotive Firemen and Enginemen's Magazine, which I ask may be printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND
ENGINEMEN'S MAGAZINE,
Indianapolis, Ind., February 13, 1915.

Hon. WILLIAM E. CHILTON,
United States Senate, Washington, D. C.

DEAR SIR: I would respectfully remind you that about 3,000,000 men are out of employment in the United States and that a large pro-

portion of these men have families depending on them and that the wishes and the interests of the masses should be considered in connection with the Government ship-purchase bill as well as the views and selfish purposes of the plutocracy—of "big business."

I am inclosing to you herewith a page from the current issue of our official publication, the Brotherhood of Locomotive Firemen and Enginemen's Magazine. Am sending you this expression of our views on the subject in this manner so as to insure its coming directly to your attention.

If the idle ships are put to work right away carrying commerce at shipping rates that will justify our merchants and manufacturers exporting goods, it can not but bring great and immediate relief, and we trust that in the interests of millions of your fellow citizens who "do not know where the next meal is coming from" you will kindly support this measure.

Yours, respectfully, JOHN F. MCNAMEE.

Mr. PITTMAN. I present a joint resolution of the Legislature of Nevada, transmitted to me in the form of a telegram, which I ask may be read.

There being no objection, the telegram was read, as follows:

CARSON, NEV., *February 15, 1915.*

Hon. KEY PITTMAN,
Washington, D. C.:

Joint and concurrent resolution relating to appropriation by Congress for irrigation purposes.

Whereas the great agricultural resources of Nevada are dependent upon the conservation of the waters and irrigation; and

Whereas there has been formed under the laws of this State an irrigation district called irrigation district No. 1, Carson Valley unit, Truckee-Carson project, for the express purpose of cooperating with the United States Government in constructing a reservoir for conserving the waters of Carson River and thereby reclaiming and irrigating over 50,000 acres of land; and

Whereas the Reclamation Service of the United States has recommended that the Government cooperate with the district, and it being essential and of primary importance that Congress appropriate at least $100,000 immediately to initiate and begin this work of reclaiming thousands of acres of land and opening them for homes for our people: Therefore be it

Resolved by the senate (the assembly concurring), That we approve and favor the appropriation of $100,000 by Congress for the purpose of said reclamation project; and

Resolved further, That we hereby urge our Senators and Representatives in Congress to use all honorable means and efforts to secure such appropriation; and be it

Resolved further, That a copy of this resolution be telegraphed by the secretary of state to the Senators and Representatives in Congress from Nevada and that a copy be forwarded to the President of the United States.

H. R. MACK,
Chief Clerk of the Assembly.
A. L. HAIGHT,
Secretary of the Senate.
A. G. MCBRIDE,
Speaker of the Assembly.
MAURICE J. SULLIVAN,
President of the Senate.

Approved February 13, 1915.

EMMETT D. BOYLE, *Governor.*

Mr. WALSH. I present a memorial of the Legislature of Montana, which I ask may be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial No. 1.

[By Dwight N. Mason and C. M. Mansur.]

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas there is now pending in the House of Representatives in the United States an act appropriating the sum of $500,000 for the purpose of irrigating certain lands on the Flathead Reservation in Montana;

Whereas the irrigation project on said reservation can not be carried on successfully or to the advantage of the settlers and allottes with an appropriation of a smaller amount than $500,000;

Whereas the work now undertaken is of such nature and of such an extent that it will be impossible to continue same with an amount less than herein stated; and

Whereas many settlers are solely dependent upon the early completion of said project in order that they may get water upon their lands, and that unless they receive water within the coming year their families may become destitute and starving: Now, therefore, be it

Resolved (the senate concurring), That we, the Fourteenth Legislative Assembly of the State of Montana, do hereby petition the Congress of the United States for the passage of the now pending act appropriating for reclamation purposes upon the Flathead irrigation project the sum of $500,000 as herein set forth.

Further resolved, That a copy of this memorial be forwarded by the secretary of state to the President of the United States and to the Secretary of the Interior and to our Senators and Representatives in Congress, with the request that they use their every effort to bring about a speedy passage of the act herein referred to and for the purposes therein indicated.

GEORGE L. RAMSEY,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved February 3, 1915.

S. V. STEWART, *Governor.*

Filed February 3, 1915, at 3 o'clock p. m.

A. M. ALDERSON, *Secretary of State.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, A. M. Alderson, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 1, relative to the act now pending in the House of Representatives in the United States making an appropriation for the purpose of irrigating certain lands on the Flathead Reservation in Montana, enacted by the fourteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 3d day of February, 1915.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 8th day of February, A. D. 1915.

[SEAL.] A. M. ALDERSON, *Secretary of State.*

Mr. SMITH of Georgia. I present a telegram from the Chamber of Commerce of Athens, Ga., indorsing the administration ship-purchase bill. It is short, and I would like to have it read.

There being no objection, the telegram was read, as follows:

ATHENS, GA., *February 16, 1915.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

The Athens Chamber of Commerce unanimously passed strong resolution indorsing administration ship-purchase bill, believing its passage of vital importance to the farming, manufacturing, and laboring interests of the South at a critical moment. Our committee is instructed to inform you of this resolution and urge your most ardent support.

JOHN D. MOSS,
ANDREW C. ERWIN,
BLANTON FORTSON,
Committee.

Mr. BRISTOW presented petitions of sundry citizens of Clay Center and Topeka, in the State of Kansas, praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented memorials of sundry citizens of Uniontown and Aurora, in the State of Kansas, remonstrating against the curtailment of the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Wichita, Baker, Bala, and Clay Center, in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BRANDEGEE presented petitions of sundry citizens of Bridgeport, Conn., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a memorial of Local Lodge No. 330, Brotherhood of Railway Carmen of America, of Haverhill, N. H., remonstrating against any change in the present locomotive-boiler inspection law, which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. CATRON. I present a telegram from S. M. Matthews, president of the Albuquerque Branch Railway Mail Association, of Albuquerque, N. Mex., remonstrating against a change in the promotion of clerks in the Post Office Department, which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegram was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. MEX., *February 16, 1915.*

Hon. T. B. CATRON,
United States Senate, Washington, D. C.:

Railway postal clerks respectfully request that you use your influence against proposed legislation for biennial promotions in the Post Office Department.

S. M. MATTHEWS,
President Albuquerque Branch Railway Mail Association.

Mr. LEE of Maryland presented petitions of sundry citizens of Maryland, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Maryland, remonstrating against the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Michigan, remonstrating against the curtailment of the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. KERN presented a petition of sundry citizens of Evansville, Ind., praying for the passage of the pending ship-purchase bill, which was ordered to lie on the table.

Mr. SAULSBURY presented petitions of sundry employees of the Frankford Arsenal, Philadelphia, Pa., praying that an

appropriation be made looking to the improvement of working conditions at that arsenal, which were referred to the Committee on Appropriations.

He also presented petitions of sundry citizens of Wilmington, Del., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented petitions of the Schwaben Verein, of New Britain; of Admiral Schley Lodge, No. 32, O. D. H. S., of New Britain; and of sundry citizens of Wallingford, Meriden, Middletown, and Torrington, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

He also presented a petition of Typographical Union No. 329, of Waterbury, Conn., praying for the enactment of legislation to regulate interstate commerce in convict-made goods, which was ordered to lie on the table.

Mr. MYERS presented a petition of the Legislature of Montana, praying for an appropriation of $500,000 for the purpose of irrigating certain lands on the Flathead Reservation in Montana, which was referred to the Committee on Indian Affairs.

He also presented petitions of sundry citizens of Butte, Mont., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented memorials of sundry citizens of Michigan, remonstrating against the exclusion of certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. DU PONT presented petitions of sundry citizens of Wilmington, Felton, Edgemoor, and Richardson Park, all in the State of Delaware, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. ASHURST. I present a memorial from the Legislature of Arizona, which I ask may be printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

Senate memorial No. 3.

To the Congress of the United States of America:

Your memorialists, the Legislature of the State of Arizona, in session assembled, do hereby memorialize and petition your honorable body that—

Whereas it has been and is the policy and the practice of the Federal Government to aid and assist the several States of the Union in the propagation and cultivation of the food fishes wherever found practicable; and

Whereas such aid and benefits as have been already given to many of the older States by the Government have not yet been extended to the infant State of Arizona:

Now, therefore, your memorialists respectfully pray that the Congress of the United States will enact such legislation and make such appropriation as in its judgment may seem adequate to provide and maintain a Government fish hatchery at some suitable place within the State of Arizona, for the purpose of stocking and replenishing the various streams and other bodies of water with food fishes found adaptable to such waters.

The secretary of the senate is hereby directed to forward a copy of this memorial to the United States Senate and to the Speaker of the House of Representatives of the United States, and a copy to Hon. HENRY F. ASHURST and Hon. MARCUS A. SMITH, United States Senators from Arizona, and to Hon. CARL HAYDEN, Representative in Congress from Arizona.

And our Senators and Representative are earnestly requested to do all in their power to bring about the legislation herein prayed for.

W. P. SIMS,
President of the Senate.
OSCAR COLE,
Secretary of the Senate.

REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers, reported it with an amendment and submitted a report (No. 988) thereon.

Mr. SAULSBURY, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 222) concerning the connecting parkway between Rock Creek and Potomac Parks, reported it with amendment.

Mr. ROBINSON, from the Committee on Public Lands, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 4712. An act to authorize the sale of certain lots in the Hot Springs Reservation for church and hospital purposes (Rept. No. 991);

H. R. 18550. An act empowering and directing the Secretary of the Treasury to convey by quitclaim deed certain lands in the city of Akron, State of Ohio (Rept. No. 989); and

H. R. 4266. An act granting patent to certain lands to the legal heirs of W. F. Nichols (Rept. No. 990).

Mr. SHEPPARD, from the Committee on Irrigation and Reclamation of Arid Lands, to which was referred the joint resolution (S. J. Res. 183) for control and distribution of the flood waters of the Rio Grande, reported it without amendment and submitted a report (No. 992) thereon.

Mr. JOHNSON, from the Committee on Claims, to which was referred the bill (H. R. 900) for the relief of James Easson, reported it without amendment and submitted a report (No. 993) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 5681) to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands, reported it with amendments and submitted a report (No. 998) thereon.

He also, from the same committee, to which was referred the bill (S. 7078) to repeal an act entitled "An act granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes," approved June 7, 1912, and to revoke the grant made thereby, reported it without amendment and submitted a report (No. 997) thereon.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 21037) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 996) thereon.

Mr. WORKS, from the Committee on Public Lands, to which was referred the bill (S. 7140) creating an additional land district in the State of California, and for other purposes, reported it with amendments and submitted a report (No. 999) thereon.

LANDS IN ALASKA.

Mr. STERLING. I report back favorably without amendment from the Committee on Public Lands the bill (S. 7515) to reserve lands to the Territory of Alaska for educational uses, and for other purposes, and I submit a report (No. 994) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. I will ask the Senator from South Dakota if this is the emergency bill in relation to the public lands of Alaska which the Committee on Public Lands had under consideration this morning?

Mr. STERLING. Yes, sir; it is the bill.

Mr. SHAFROTH. I will ask the Senator from South Dakota how much land is proposed to be reserved in Alaska for these purposes?

Mr. STERLING. It is proposed to reserve sections 16 and 36 for common-school purposes, to reserve section 33 within a certain area in the Tanana Valley for the purposes of an agricultural college and a school of mines, and then to reserve four sections near the town of Fairbanks, Alaska, for an agricultural college and school of mines.

Mr. SHAFROTH. I have no objection to the consideration of the bill, Mr. President.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That when the public lands of the Territory of Alaska are surveyed, under direction of the Government of the United States, sections No, 16 and 36 in each township in said Territory shall be, and the same are hereby, reserved from sale or settlement for the support of common schools in the Territory of Alaska; and section 33 in each township in the Tanana Valley between parallels 64 and 65 north latitude and between the one hundred and forty-fifth and the one hundred and fifty-second degrees of west longitude (meridian of Greenwich) shall be, and the same is hereby, reserved from sale or settlement for the support of a Territorial agricultural college and school of mines when established by the Legislature of Alaska upon the tract granted in section 2 of this act: *Provided*, That where settlement with a view to homestead entry has been made upon any part of the sections reserved hereby before the survey thereof in the field, or where the same may have been sold or otherwise appropriated by or under the authority of any act of Congress, or are wanting or fractional in quantity, other lands may be designated and reserved in lieu thereof in the manner provided by the act of Congress of February 28, 1891 (26 Stat., p. 791): *Provided further*, That the Territory may, by general law, provide for leasing said land in area not to exceed one section to any one person, association, or corporation for not longer than 10 years at any one time: *And provided further*, That if any of said sections, or any part thereof, shall be of known mineral character at the date of acceptance of survey thereof, the reservation herein made shall not be effective or applicable, but the entire proceeds or income derived by the United States from such sections 16 and 36 and such section 33 in each township in the Tanana Valley area hereinbefore described, and the minerals therein, together with the entire proceeds or income derived from said reserved lands, are hereby appropriated and

set apart as separate and permanent funds in the Territorial treasury, to be invested and the income from which shall be expended only for the exclusive use and benefit of the public schools of Alaska or of the agricultural college and school of mines, respectively, in such manner as the Legislature of Alaska may by law direct.

SEC. 2. That section No. 6, in township No. 1 south of the Fairbanks base line and range No. 1 west of the Fairbanks meridian; section No. 31, in township No. 1 north of the Fairbanks base line and range No. 1 west of the Fairbanks meridian; section No. 1, in township No. 1 south of the Fairbanks base line and range No. 2 west of the Fairbanks meridian; and section No. 36, in township No. 1 north of the Fairbanks base line and range No. 2 west of the Fairbanks meridian, be, and the same are hereby, granted to the Territory of Alaska, but with the express condition that they shall be forever reserved and dedicated to use as a site for an agricultural college and school of mines: *Provided*, That nothing in this act shall be held to interfere with or destroy any legal claim of any person or corporation to any part of said lands under the homestead or other law for the disposal of the public lands acquired prior to the approval of this act: *Provided further*, That so much of the said land as is now used by the Government of the United States as an agricultural experiment station may continue to be used for such purpose until abandoned for that use by an order of the President of the United States or by act of Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT GARDEN CITY, KANS.

Mr. SWANSON. I am directed by the Committee on Public Buildings and Grounds, to which was referred the bill (S. 7188) to increase the limit of cost of the United States post-office building at Garden City, Kans., to report it with amendments, and I submit a report (No. 905) thereon. I call the attention of the Senator from Kansas [Mr. THOMPSON] to the bill.

Mr. THOMPSON. Mr. President, I ask unanimous consent for the immediate consideration of that bill. It is a local matter, relating to a building which is in process of construction in my home town, Garden City. The amount involved is only $6,000, and the money for the building is needed at this time.

Mr. SMOOT. I will ask the Senator if there is any emergency about this matter?

Mr. THOMPSON. There is an emergency in connection with it. The bill has not yet passed the House, and there is a pressing need that it be acted upon as soon as possible. If it does not reach the House soon it can not be passed this session.

Mr. SMOOT. I wish to ask the Senator from Kansas what is the emergency?

Mr. THOMPSON. The building is in process of construction, and it is proposed to change it from wood to fireproof construction, and for that reason the money is needed. The bill is recommended by the department and by the contractor.

Mr. SMOOT. If this bill should not be passed now, would the work be held up?

Mr. THOMPSON. There would be such delay that it would cost a great deal more to complete the building, and that is not desired by anyone. If there is no special session, the amount could not be provided for before December, and the time for the completion of the building under the contract will have expired before that time.

Mr. ROOT. Mr. President, may I ask the Senator how this differs from other situations throughout the country?

Mr. THOMPSON. I think there is a difference. The building is in process of construction, and we need $6,050 additional to complete it in the manner desired by the Government as well as the people of my home town.

Mr. ROOT. I know of a good many public buildings which have been authorized, the work upon which is delayed and which it would be very agreeable to me and to my colleagues and to our constituents to have expedited. Why is this particular situation to constitute an exception to the slowing down of expenditures upon public buildings, which ought to accompany a great deficit in the Treasury and the necessity of imposing additional taxes, such as a special war-revenue tax, in spite of which there is still a deficit? What is the difference between this and other similar situations?

Mr. SWANSON. Mr. President, if the Senator will permit me, Congress has authorized $60,000 for the construction of this building at Garden City, and contracts are being entered into. The building was to be entirely of wood construction, but by the expenditure of $6,050 it can be made fireproof, which is thought more desirable and necessary. Of course, if this bill is not passed, they will have to continue to construct the building entirely of wood. The amount involved is only $6,050 additional.

Mr. THOMPSON. I have tried to explain that the work is in progress now and the need urgent for the early passage of the bill. The amount is needed; the change is recommended by the department and the contractor, and I should like to have the bill passed now.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments, in line 8, after the word "as," to strike out "recommended" and insert "estimated"; and in the same line, after the word "contractor," to strike out "and the Supervising Architect," and insert "for additional fireproof construction and other betterments," so as to make the bill read:

Be it enacted, etc., That the limit of cost of the United States post-office building at Garden City, Kans., be, and the same is hereby, increased $6,050, or so much thereof as may be necessary to meet the additional cost of construction of said building in order to make the building more substantial and fireproof, as estimated by the contractor for additional fireproof construction and other betterments.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 7661) granting a pension to Elizabeth Straka; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 7662) granting an increase of pension to Albert Willard (with accompanying papers); and

A bill (S. 7663) granting a pension to Emma M. Bowman (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7664) granting an increase of pension to George F. Richardson (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7665) granting a pension to William C. A. Smoot (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7666) granting an increase of pension to Charles R. Potter (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7667) granting a pension to James S. Huntington; and

A bill (S. 7668) granting an increase of pension to Cassius M. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 7669) to authorize the purchase of a site for the United States post-office building in the city of Wildwood, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. SHIVELY:

A bill (S. 7670) granting an increase of pension to James H. Loughman; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A joint resolution (S. J. Res. 238) giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the Forty-ninth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in the months of September and October, 1915, and for other purposes incident to said encampment; to the Committee on Appropriations.

By Mr. BORAH:

A joint resolution (S. J. Res. 239) providing that the Congress of the United States shall participate in the celebration of the opening of The Dalles-Celilo Canal, May 5, 1915; to the Committee on Commerce.

By Mr. SMITH of South Carolina:

A joint resolution (S. J. Res. 240) adopting "The Star-Spangled Banner," words by Francis Scott Key and music of Samuel Arnold, as the national anthem (with accompanying papers); to the Committee on the Judiciary.

PURCHASE OF MONTICELLO.

Mr. MARTINE of New Jersey. I introduce a joint resolution and ask that it be appropriately referred.

The joint resolution (S. J. Res. 237) creating a commission and authorizing said commission to acquire, by purchase, the property known as Monticello, and embracing the former home of Thomas Jefferson and the park surrounding the same, consisting of 700 acres of land, all of said property being located in Albemarle County, Va., was read twice by its title.

Mr. SMOOT. Mr. President, I do not know whether this is similar to the joint resolution that is now on the calendar.

Mr. MARTINE of New Jersey. I am not aware that there is a similar resolution on the calendar.

Mr. SMOOT. I will say to the Senator that there is a joint resolution for the same purpose on the calendar.

Mr. MARTINE of New Jersey. I was not aware of the fact.

Mr. MARTINE of New Jersey subsequently said:

I find that the joint resolution referred to by the Senator from Utah, and which is now on the calendar, is different in purport. The anticipation is the same, but the method of acquiring the property is different. I ask that the joint resolution introduced by me be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. It will be so referred.

AMENDMENT TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. SMITH of Maryland submitted an amendment authorizing the Commissioners of the District of Columbia to accept one-half of 1 per cent of the annual gross revenue of the East Washington Heights Traction Railroad Co. as full compensation for all amounts due or hereafter to become due for the use of the Pennsylvania Avenue bridge by that company, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL (H. R. 21318).

Mr. JONES submitted an amendment proposing to appropriate $65,000 toward the maintenance of Howard University in the District of Columbia, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $75,000 to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the maintenance of vessels under the direction of the Commissioner of Fisheries, from $60,000 to $75,000, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for general service for protecting the seal fisheries in Alaska from $65,000 to $85,000, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the protection and improvement of Mount Rainier National Park, Wash., from $30,000 to $51,000, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the maintenance and operation of the Yakima project, in the State of Washington, from $1,250,000 to $1,283,000, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. LANE submitted an amendment proposing to appropriate $50,000 for continuing the construction of the post-office building at Portland, Oreg., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $20,000 for clearing up dead and down timber and underbrush now in the road to be constructed in the Crater Lake National Park, Oreg., etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. STONE. Under the direction of the Committee on Foreign Relations—and I desire the RECORD to show the statement—I send to the desk two amendments intended to be proposed to the legislative, executive, and judicial appropriation bill (H. R. 19909), which I ask may be printed and referred to the Committee on Appropriations.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. STONE subsequently said:

Mr. President, the Senator from North Carolina [Mr. OVERMAN] informs me that the legislative, executive, and judicial appropriation bill has been reported and is on the calendar. I was not aware of the fact. Instead, therefore, of having the amendments referred to the Committee on Appropriations I presume it will answer to let them be printed and lie on the table.

Mr. OVERMAN. I beg to inquire of the Senator what the amendments are. Perhaps they might go to some other committee.

Mr. SMOOT. Let them be read.

Mr. STONE. I have no objection to having them read.

The SECRETARY. On page 35, line 20, it is proposed to strike out the words "thirty thousand" and to insert the words "seventy-five thousand."

On page 36, lines 12 and 13, it is proposed to strike out the words "For rent of buildings in the District of Columbia, $11,200," and to insert the words:

For rent of buildings in the District of Columbia, $15,000; and the Secretary of State is hereby authorized, in his judgment, to enter into a lease for a period not exceeding five years for the occupancy of a suitable building within close proximity to the Department of State at an annual rental not to exceed the sum herein appropriated.

Mr. STONE. Mr. President, I will ask that the amendments be referred to the Committee on Appropriations.

Mr. LODGE. Mr. President, it is all right if the amendments are to be referred, but I merely desire to say to the Senate that the report just made by the Senator from Missouri makes each of the amendments in order.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. SWANSON. I submit a resolution and ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GALLINGER. Let the resolution be read.

The resolution (S. Res. 547) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be authorized during the Sixty-third Congress to subpœna witnesses, to send for books and papers, to administer oaths, and to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had or may have been had in connection with any subject which may be pending or may have been pending before the said committee; that the committee may sit during the sessions or recesses of the Senate, and the expense thereof shall be paid out of the contingent fund of the Senate.

LANDS AT NEVADAVILLE, COLO.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2518) granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply, which was on page 3, line 20, after the word "Nevadaville," to insert "and within two years after the passage of this act."

Mr. SHAFROTH. Mr. President, the amendment made by the House is simply a limitation that the grant shall be made within two years after the passage of the act. I move to concur in the amendment.

Mr. LODGE. Let the bill be read. I reserve the right to object.

Mr. SHAFROTH. I will state to the Senator that it is simply a right of way, which covers a very few acres, I think, about 18.

Mr. LODGE. I have no objection to the bill, but I want to have the amendment read.

The VICE PRESIDENT. The amendment of the House will be again stated.

The Secretary again read the amendment.

Mr. LODGE. Is that the only amendment?

Mr. SHAFROTH. It is the only amendment.

The VICE PRESIDENT. The question is on concurring in the amendment made by the House of Representatives.

The amendment was concurred in.

LAND ENTRIES IN COLORADO AND WYOMING.

The VICE PRESIDENT laid before the Senate the amendment of the House to the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908, which was on page 2, line 15, to strike out all after the word "act," down to and including the word "granted," in line 17.

Mr. SHAFROTH. I move concurrence in the House amendment.

Mr. SMOOT. Before that is done I should like to know just what the amendment is.

Mr. SHAFROTH. The amendment strikes out the words at the close of the bill, "but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted." Those words are stricken out, and as passed by the House the bill really has less in it than as passed by the Senate by reason of striking out those words.

Mr. CLARK of Wyoming. May I ask the Senator from Colorado, is this a private bill taking care of a single case or a general bill? What is the bill?

Mr. SHAFROTH. It is a bill covering a few cases where the persons made entry under a certain act of Congress. The provision was that having lived five years upon the land they would be entitled to transfer their residence to new lands. Some of it is in Wyoming and some in Colorado, but altogether it is a very small amount.

Mr. SMOOT. I will ask that the bill itself be read so that we can follow the amendment.

The VICE PRESIDENT. The Secretary will read the bill as proposed to be amended.

The Secretary read the bill as amended by the House, as follows:

Be it enacted, etc., That all entries made by beneficiaries under section 6 of the act of Congress approved May 29, 1908, entitled "An act authorizing a resurvey of certain townships in the State of Wyoming, and for other purposes" (35 Stats., p. 465), in connection with which such beneficiaries have submitted proof of their compliance with the homestead law in Wisconsin, and where such proof shows full five years' residence and improvements on the Wisconsin land, to which their title failed by reason of the decision of the Supreme Court in the case of the Wisconsin Central Railroad Co. *v.* Forsythe (159 U. S., p. 46), whether such entry is now being asserted by the original entryman or by his transferee, be, and the same are hereby, confirmed, and the Secretary of the Interior is directed to issue patents thereon: *Provided*, That this legislation is to be construed as only removing the objection with relation to transfer, heretofore raised by the Interior Department against said entries, and is not to be construed as confirming entries, if any, made for lands not subject to entry or entries made by persons not entitled thereto: *Provided further*, That if any of the said entries under the remedial act or amendments thereto have been canceled and the lands embraced therein reentered by intervening adverse claimants, such canceled entries are not to be reinstated and validated by this act.

The VICE PRESIDENT. The House propose to strike out the words "but the right to make new locations in lieu thereof for lands subject to homestead entry is hereby granted."

Mr. SMOOT. Mr. President, I will ask if that is the only amendment proposed to the bill?

The VICE PRESIDENT. It is the only amendment proposed.

Mr. SMOOT. I think the amendment is a proper one, and I certainly have no objection to it.

The VICE PRESIDENT. The question is on concurring in the amendment made by the House of Representatives.

The amendment was concurred in.

LANDS IN THE STATE OF WASHINGTON.

Mr. JONES. Mr. President, there is a House bill on the desk similar in its provisions to Senate bill 6671, being Order of Business No. 829. It validates some patents in fee issued for Indian allotments. I ask unanimous consent that the House bill may be laid before the Senate and substituted for the Senate bill now on the calendar.

The bill (H. R. 19376) confirming patents heretofore issued to certain Indians in the State of Washington was read twice by its title.

Mr. JONES. As I said, the House bill is exactly the same as Senate bill 6671—Order of Business No. 829—which has been reported from the Committee on Indian Affairs. I ask unanimous consent for the present consideration of the House bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 6671 on the same subject will be indefinitely postponed.

SALE OF SEALSKINS.

Mr. THOMAS. In behalf of the senior Senator from Louisiana [Mr. THORNTON], who is ill, I ask unanimous consent for the immediate consideration of House joint resolution 391, authorizing the Secretary of Commerce to postpone the sale of fur sealskins now in the possession of the Government until such time as in his discretion he may deem such sale advisable. As giving the reason for the necessity for immediate action I send to the desk a letter from the Secretary of Commerce which I ask to have read.

Mr. NORRIS. Mr. President, morning business is not yet closed, is it?

Mr. THOMAS. I understood that it was.

Mr. NORRIS. I think not.

Mr. THOMAS. The Senator from Washington [Mr. JONES] was recognized for a similar purpose.

The VICE PRESIDENT. No; morning business is not closed, but it is always in order to ask unanimous consent.

Mr. THOMAS. This is a request for unanimous consent, and the purpose of it will be explained, I hope, to the satisfaction of the Senator, by a short letter from the Secretary of Commerce which I send to the desk and ask to have read.

Mr. NORRIS. I would not have any objection, if it did not take up any time; but there are other things in the morning business that I would not like to have go over on account of it.

Mr. THOMAS. This is a request for unanimous consent. The letter is a very short one.

Mr. SMOOT. Mr. President, I will say that I objected to the consideration of this joint resolution the other day when it was reported; but I have read the letter of the Secretary of Commerce, showing the absolute necessity and urgency of the matter, and therefore I have no objection to its consideration at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the Secretary of Commerce be, and he hereby is, authorized to postpone the sale of all skins now in possession of the Government taken from seals killed on the Pribilof Islands for food purposes, under section 11 of the act of August 24, 1912, until such time as, in his discretion, he shall deem advisable, and the proceeds of such sale shall be covered into the Treasury of the United States.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. THOMAS. I ask to have the letter to which I referred printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, February 16, 1915.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: On December 19, 1914, Senator THORNTON introduced a joint resolution in the Senate (S. J. Res. 214) authorizing the Secretary of Commerce "To postpone the sale of fur-seal skins now in possession of the Government until such time as in his discretion he may deem such sale advisable." A similar resolution was introduced in the House of Representatives on December 18, 1914, at the request of the department by Judge ALEXANDER, House joint resolution 391, and referred to the House Committee on Merchant Marine and Fisheries.

On December 21, 1914, the Senate unanimously passed the resolution introduced by Senator THORNTON, and on December 22, 1914, such passage was reported to the House. The House thereupon referred such resolution to the Committee on Foreign Relations, instead of to the Committee on Merchant Marine and Fisheries, as had been done with the resolution introduced by Judge ALEXANDER. This latter resolution was reached for passage in the House on February 3, 1915. Judge ALEXANDER at that time sought to have the Senate resolution substituted for the House resolution, in order that its passage might complete the legislation, but this was objected to, and thereupon the House passed its own resolution. The passage of this resolution was reported to the Senate on the following day. On February 11 Senator THORNTON sought to have the House resolution passed by the Senate under unanimous consent, but this was objected to, and the resolution went to the Senate Calendar.

Under the law as it now is (sec. 11 of the act of Aug. 24, 1912, 37 Stat., 499) the Secretary of Commerce is required to sell annually the skins of all seals taken on the Pribilof Islands for food purposes. Previously to last year the skins of all seals taken from the Pribilof Islands have been disposed of annually in London, England. Instead of holding last year's sale in that city the department arranged for a public sale of the sealskins, taken during the year for food purposes, at St. Louis. Many buyers were present from the various European countries; there was a great deal of competition, and the prices received by the department were highly satisfactory.

The total number of skins taken for food purposes during this last year was 3,284, and therefore the department now has on hand for sale this year that number of skins. A large number of dealers in various parts of the United States have been consulted with as to the advisability of holding the sale during this present fiscal year, and while all of them advocate the continuance of the sales in the United States they are practically unanimous against holding one this year, and strongly urge a postponement until the conditions are more favorable. It is quite evident that foreign buyers, especially from those nations now engaged in war, would not attend a sale at this time, and consequently there would be less competition and the prices received would be very much lower. At the same time, the conditions in our country at present are not favorable to the sale of high-priced furs.

The department feels that the postponement of this sale is purely a business proposition and precisely what a prudent business man would do under existing conditions with property of his own. There is every reason to believe that the market will improve, but even if this should not be the case the increase of competition by waiting until foreign buyers can be present will certainly be of benefit to the Government in that better prices will be obtained. At the prices received at the sale on December 19, 1913, in St. Louis the skins now on hand would be worth approximately $95,000, and I feel that if we are forced to sell them at the present time many thousand dollars will be lost to the Government. For these reasons I am very desirous of having this resolution passed as expeditiously as possible, and earnestly request your cooperation to that end.

Very truly, yours,

WILLIAM C. REDFIELD, *Secretary.*

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. Mr. President, I ask unanimous consent to dispose of House bill 15038, being Order of Business No. 749, au-

thorizing the Federal Reserve Board under certain restrictions to enlarge acceptances.

Mr. GALLINGER. I shall object to any further unanimous consents until the morning business is closed, and I therefore object to the consideration of this bill.

Mr. OWEN. I move that the Senate proceed to the consideration of Order of Business 749 at this time.

Mr. PENROSE and others. Regular order!

Mr. OWEN. In view of the fact that the hour of 1 o'clock has not arrived, I withdraw the motion.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On February 17, 1915:

S. 1060. An act fixing the date of reenlistment of Gustav Hertfelder, first-class fireman, United States Navy;

S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy; and

S. 543. An act to correct the military record of John T. Haines.

THE MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe, which were as follows:

On page 1, line 3, after "That," insert "with the approval of the President."

On page 2, line 5, strike out "shall" and insert "to."

On page 4, after line 20, insert:

"SEC. 5. That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of a corporation of the District of Columbia. Said corporation shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, organized under the laws of a State, a majority of the stock being owned by citizens of the United States, firm or individual citizen or citizens of the United States, to be used for such purposes, and shall have power to carry out said objects and purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share: *And provided further*, That said corporation shall make no charter ar lease of any vessel to any corporation, firm, or individual for a longer period than 12 months, and said corporation shall specify in the charter or lease the rates, charges, and fares to be observed by such corporation, firm, or individual chartering or leasing any such vessel or vessels as a maximum to be charged during the life of such charter or lease, and there shall be contained in said charter or lease a provision terminating the same whenever the charterer or the lessee shall violate any of its provisions. It is hereby made the duty of such corporation to take such steps as may be necessary to terminate any such charter or lease whenever the corporation, firm, or individual, party to such charter or lease, shall violate the provisions of the same.

"The members of said shipping board, as incorporators, may for the purpose of carrying out the provisions of this act, form a corporation of the District of Columbia, by making and filing a certificate of incorporation, as provided in subchapter 4 of chapter 18 of an act entitled 'An act to establish a code of laws for the District of Columbia,' approved March 3, 1901.

"The corporation so formed, its officers and trustees and stockholders, shall possess all the powers conferred and perform all the duties imposed by said subchapter 4, except as the same are by this act limited or qualified.

"The powers of said corporation shall be limited to the purposes of this act and to such as are necessarily incident thereto.

"Said corporation may sue and be sued in any district court of the United States, and may remove to said courts any cause brought against it in any other court.

"Said corporation may require any officer or employee to give security for the faithful performance of his duties.

"Persons subscribing to the stock of said company shall pay for the same in full at the time of subscription.

"The stock owned by the United States shall be voted by the shipping board or its duly selected representative.

"The officers and trustees of said corporation shall be citizens of the United States, but need not be citizens of the District of Columbia. Such officers and trustees shall be subject to removal at any time by vote of a majority of the stock at any meeting thereof.

"Said corporation and its capital stock shall, so long as the United States owns a majority of said stock, be free from all public taxes.

"At no time shall less than 51 per cent of the stock of said corporation be held by the United States, unless the United States shall dispose of all of its stock.

"Congress reserves the right to alter, amend, or repeal this act.

"SEC. 6. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par, and the remainder thereof may be offered for public subscription at not less than par, and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but the shipping board may cause such corporation to begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but without authority of Congress the portion of such increase to be paid for by the United States shall not exceed $10,000,000, neither shall the proportion of stock held by the United States at any time be less than 51 per cent: *Provided*, That a sufficient number of the shares of stock of said corporation shall be set apart for holding by the persons for whom the stock of the United States may be voted as trustees, and such shares shall be issued or transferred to such persons to qualify them as trustees of such corporation, and such shares shall be transferred to the successor or successors of any such person or persons.

"SEC. 7. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable in the judgment of the shipping board for the purposes of such corporation with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000, for the purpose of purchasing or constructing such vessels: *Provided*, That any Panama Canal bonds issued and sold or used under the provisions of this section or other existing authority may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from the proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board: *And provided further*, That in making purchases of ships during the continuance of the present European war no purchases shall be made in a way which will disturb the conditions of neutrality.

"SEC. 8. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds, bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to be secured by a first-mortgage lien upon such vessels, severally, thus transferred: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and the same may be sold by the Secretary of the Treasury, in his discretion, and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels: *And provided further*, That said corporation shall not issue any bonds in excess of $40,000,000, or incur any liabilities other than stock issues in excess of $10,000,000. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner, in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to all laws, regulations, and liabilities governing merchant vessels in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

"All rules and regulations relating to or which affect shipping, navigation, or water-borne commerce of the United States heretofore made or published, by authority of law, shall only be and remain in force until midnight on the 31st day of December, 1915, and by proclamation of the President shall cease to have any force or validity at any prior date when new shipping rules and regulations shall, as provided hereby, take the place of those now in existence.

"The shipping board herein provided for shall propose such rules and regulations applicable to the shipping and water-borne commerce of the United States in lieu of those now in force and covering matters of like character as they may determine suited to the present needs of such shipping and commerce, which, when approved by the President and published, shall apply and become of full force and effect in lieu of such rules and regulations as are now applicable thereto. In the rules and regulations hereby authorized to be adopted and put into force different classes of shipping, navigation, and water-borne commerce may be appropriately and differently treated and provided for. Such rules and regulations when promulgated may be modified, changed, or amended by the shipping board.

"SEC. 9. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with Alaska, the Philippine Islands, the Hawaiian Islands, and the islands of Porto Rico, Guam, and Tutuila: *Provided*, That the above restrictions shall not apply to such of said vessels as are built in the United States. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

"SEC. 10. That the Secretary of the Treasury and the Secretary of Commerce and three additional members, two of whom shall be of practical experience in the management and operation of steamships in the foreign trade, are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States, said three additional members to be appointed by the President, by and with the advice and consent of the Senate. The salary of each of the three additional members of said board so appointed shall be $6,000 per annum.

"SEC. 11. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

"SEC. 12. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace, and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type,

as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

"SEC. 13. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily, for use as naval auxiliaries of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board, with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

"SEC. 14. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

"SEC. 15. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000, or, in lieu of such appropriation, the Secretary of the Treasury may sell Panama Canal bonds to the amount of $10,000,000 in addition to those provided for in section 7, and on the same terms, and set apart and use the proceeds thereof for such purposes.

"SEC. 16. That two years from and after the conclusion of the present European war, that fact to be determined by the President, the corporation and the shipping board shall turn over and transfer all vessels purchased or constructed under the provisions of this act to the Navy Department, and the Secretary of the Navy shall have the right, with the approval of the President, to lease or charter any of such vessels not needed for naval or military purposes to any firm, individual, or corporation for use as merchant vessels.

"That the Secretary of the Navy shall in such leases provide for their cancellation whenever such vessels may be required for naval or military purposes.

"That all leases made under this section of the act shall be subject to all of the provisions of section 5 of this act relating to maximum rates and charges and terms and conditions of forfeiture.

"That when the vessels, land, piers, leases for land or piers, and other property held by the corporation are disposed of as herein provided the corporation herein provided for shall be dissolved and said shipping board abolished.

"SEC 17. That sections 1, 2, 3, and 4 of this act shall not take effect until two years from and after the conclusion of the present European war, that fact to be determined by the President."

Amend the title to read as follows: "An act to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe, and for other purposes."

Mr. FLETCHER. Mr. President, I move that the Senate disagree to the amendments made by the House and ask for a conference, the Chair to appoint seven conferees as managers on the part of the Senate.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

Mr. LODGE. A question of order, Mr. President. The Senator from Florida has made, as is customary, in making that motion, three motions in one. It is usual to make it in that way where there is no objection. He has moved, first, that we disagree to the amendments united, all the amendments, and then that we appoint conferees. Mr. President, the motion to disagree must be disposed of first, because it is impossible to see whether we disagree or whether we concur.

Mr. FLETCHER. Mr. President——

Mr. LODGE. If anyone raises the question, it is a triple motion in one which the Senator from Florida has made, and the motion could only be entertained by unanimous consent. It is divisible into three parts; certainly it is divisible into two—the motion to disagree and the motion to ask for a conference. There may be nothing to ask for a conference on.

I make the point that the motion be divided.

Mr. HARDWICK. Mr. President, I rise to a question of order.

Mr. FLETCHER. I have submitted the motion in the usual form. I think it is one question; there is the one matter before the Senate.

Mr. LODGE. I know it is the usual form, which prevails here by unanimous consent and without objection; but in this case a division is asked for. There is objection, and a division is asked for.

Mr. HARDWICK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARDWICK. Would not a motion to concur in the amendments of the House with an amendment be under the rules of this body a preferential motion, entitled to first consideration?

Mr. LODGE. Beyond a doubt.

Mr. HARDWICK. I have here authority for it, and I ask recognition from the Chair to submit such a motion, which is preferential to the motion submitted by the Senator from Florida.

The VICE PRESIDENT. The Chair understood that the Senator from Massachusetts was rising to a point of order.

Mr. LODGE. My point of order is that this motion must be divided; that the first question is the separate dealing with the amendments, and we can not decide on what we shall do until we have considered the amendments. We can not decide on asking a conference until we know whether there is any conference to ask. We have to consider the motion to disagree first.

The VICE PRESIDENT. Does the Senator from Massachusetts know of any instance in which when the Senate has disagreed there was not a conference requested and the conferees appointed?

Mr. LODGE. Mr. President, the matter has been decided, and is the well-known practice of both Houses. Under section 1367 the motion to ask for a conference comes properly after a motion to disagree, insist, or adhere. There is no question that there are two motions. One motion is to disagree. It does not follow that they will ask for a conference. They may decide to adhere; they may decide to insist; they may decide to concur. One House can not be cut off from its right to deal with the amendments of the other House by uniting a motion to disagree and a motion to ask a conference. The question is clearly divisible.

Mr. FLETCHER. There can be no conference unless there is a disagreement.

Mr. LODGE. Ah, Mr. President——

Mr. FLETCHER. The motion to disagree involves the other question. There can not be——

Mr. LODGE. A conference can be asked without a motion to disagree.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Florida a question, if I may be permitted. I should like to ask the Senator from Florida what becomes of the preferential right to move to concur. If the motion which he has just made is adopted, for instance, I desire to move to concur with an amendment, and my right to do so is entirely cut off. Although it is a preferential motion and well recognized in the procedure of the Senate, my right to move to concur with an amendment is entirely cut off if the motion of the Senator from Florida prevails.

There can be no doubt whatever, as the Senator from Georgia [Mr. HARDWICK] said a moment ago, of the preferential right to move to concur. I desire to exercise also a preferential right to move to concur with an amendment. I do not want to be cut off by any practice prevailing here of permitting a conference to be appointed by unanimous consent.

Mr. FLETCHER. That question is not now before the Senate, as I understand it. It is a question for the Chair to decide.

Mr. HARDWICK. I should like to read——

Mr. NORRIS. Mr. President, I should like to ask the Senator from Massachusetts a question.

Mr. LODGE. Certainly; I, of course, retaining the floor.

Mr. NORRIS. I can not understand how the Senator can divide this into three propositions. It seems perfectly plain to me that there are only two propositions, a motion to disagree and a motion to ask for a conference. They are separate propositions, but a motion to ask for a conference would naturally and properly take with it the appointment of conferees.

Mr. LODGE. Yes; but the method of appointing those conferees is not settled by the rules. That, however, is a small point.

The VICE PRESIDENT. The Chair is of the opinion that the question is divisible into two parts, one, whether the Senate shall disagree to the amendments of the House, and, two, whether a conference shall be requested and conferees appointed.

Mr. LODGE. Now, Mr. President, the Chair having ruled on that point, the motion now being that of the Senator from Florida to disagree, I make the further point that there are three amendments—four, I believe, and more; but there are three amendments made by the House to this bill. The House took separate votes on each one of them and also amended the title. The ruling on that is clear. It was ruled by Speaker Crisp that the pending amendments of the Senate should severally be considered in their respective order. There are here three separate amendments of the House and an amendment to the title. I have not any question that section 17 is also a separate amendment, because it is not connected with the sections from 5 to 16, inclusive. It is not in order, I am aware, to refer to what is said in the other House, but it is in order to quote a ruling of the Speaker on a point of parliamentary law. Mr. MANN made the point of order that—

There are 13 sections in the amendment, 13 separate propositions, besides a dozen or so other propositions which are divisible. I only ask for a division of the sections.

The SPEAKER. Undoubtedly the gentleman is right. The Clerk will report the first section, so that Members will know what they are voting on.

The Clerk will report the first subdivision.

The Clerk read as follows:

"SEC. 5."—

They then voted on that. There can be no doubt that there are three, and I believe more amendments, besides the amendment to the title. Therefore, under the ruling of Speaker Crisp and under the universal practice of both bodies, we should proceed to consider those amendments in order, certainly separately, and under the ruling of Speaker CLARK on yesterday.

The VICE PRESIDENT. The Chair, as at present constituted, believes that it is not a divisible question as to whether the Senate will disagree to the amendments of the House.

Mr. LODGE. Mr. President, the Chair rules, then, I understand, that the amendments of the House are not divisible?

The VICE PRESIDENT. On the motion of the Senator from Florida the Chair holds that it is a single question.

Mr. LODGE. On all the amendments at once?

The VICE PRESIDENT. On all the amendments.

Mr. LODGE. Mr. President, I very respectfully appeal from that, and I should like to be heard briefly on the appeal.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair be sustained?

Mr. LODGE. I desire to be heard on the appeal.

Mr. FLETCHER. Mr. President——

Mr. LODGE. I merely wish to say that our rules provide——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. LODGE. I shall take a very few moments. Our rules provide that any one Senator can demand a division of a question. This is a question on agreeing to the House amendments. I ask for a division of that question, and I ask for a division of that question into the amendments which the House treated as separate questions, every one, taking a separate record vote on each one. There can not possibly be a case in which the different subjects are clearer than that. I am simply exercising the right secured to every Senator in this body to ask for a division of the question.

Mr. SWANSON. If the Senator will permit me, it was decided, I remember, by Vice President Sherman——

Mr. LODGE. Mr. President, I can not go into decisions by Vice President Sherman that the Senator has not here to read, and also——

Mr. SWANSON. I will read it to the Senator if he will wait a minute—the decision, as laid down when a pension bill was pending, on which the Senator from Georgia [Mr. SMITH] desired to have a vote on each one of the amendments. Vice President Sherman decided that it could not be divided on the main question, but that the only way you could have a division would be by amendment. The Senator from Georgia well remembers that decision, and I presume the Senator from Massachusetts remembers it.

Mr. LODGE. If a decision was made by Vice President Sherman that you could not take a vote on each amendment, I believe the decision was wrong; but I doubt very much if he made such a decision.

Mr. SMOOT. Will the Senator yield to me?

Mr. LODGE. I do not want to yield the floor.

Mr. SMOOT. No. I remember well the case the Senator from Virginia refers to, but the question decided was not that we could not vote on any amendments. The Senator from Georgia asked for a vote on every particular item, and that was the ruling that was made by Vice President Sherman.

Mr. SWANSON. The ruling made then, I understand, was that on the main question a Senator could not ask for a division; that the only way to reach that would be by offering amendments to the main question. There was a pension bill here with 100 items in it. The Senator from Georgia asked for a division on each question as a distinct proposition.

Mr. LODGE. Those were not House amendments to a Senate bill.

Mr. SWANSON. Then the Vice President ruled that the only way it could be reached——

Mr. LODGE. Mr. President, I do not yield further. The case, as the Senator states it, is not one that is parallel. The question before the Senate at this moment is, Will the Senate disagree to the amendments of the House? I asked for a division; that is, I asked for a division into separate amendments, which are every one separate questions, and were so treated in the House of Representatives. There can be no question whatever in anybody's mind that the proposal to change the word "shall" to the word "to" in the Weeks bill——

Mr. NORRIS. Will the Senator yield?

Mr. LODGE. Yes.

Mr. NORRIS. Does the Senator from Massachusetts contend that the motion is for that reason out of order?

Mr. LODGE. What motion?

Mr. NORRIS. The motion to disagree.

Mr. LODGE. Not for a moment. The motion is entirely in order.

Mr. NORRIS. Well, it seems to me that the Senator's contention narrows itself down to the proposition that when we come to vote we would be entitled to a separate vote on each one of the amendments, but that the motion would not be in order by including them all in one?

Mr. LODGE. My contention rests, Mr. President, I will say to the Senator from Nebraska, upon the following provision of Rule XVIII:

> If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert.

Mr. NORRIS. Mr. President——

Mr. LODGE. One moment. Any Senator may have the question divided. That is the right of any single Senator; but my contention is that it is impossible to maintain that those three amendments of the House, to go no further, are not divisible.

Mr. NORRIS. I did not understand that the Senator made that point when the Chair ruled.

Mr. LODGE. That is the point.

Mr. NORRIS. I understood the Senator was demanding a separate vote.

Mr. LODGE. That is the point I thought I was making.

Mr. NORRIS. I supposed the Senator was contending that the motion was out of order because it included several propositions.

Mr. LODGE. Not at all. I was simply contending that the question raised on the motion made by the Senator from Florida [Mr. FLETCHER] was divisible. That is the only point I am making, and I understood the Chair to hold that it was not divisible; that it did not contain three different subjects; that the question of whether we should agree to change the word "shall," in the original Weeks bill, to the word "to" is no different from the question involved in the sections from 5 to 18, inclusive, which put an entire new measure into the Weeks bill.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Connecticut will state it.

Mr. BRANDEGEE. I want to ask the Chair whether the ruling of the Chair is that, there being three House amendments, the Senate has got either to agree or to disagree to the whole of them?

The VICE PRESIDENT. Oh, no.

Mr. BRANDEGEE. And that we can not have a separate vote on each amendment?

The VICE PRESIDENT. No; the Chair has not so ruled.

Mr. LODGE. Then I misunderstood the Chair, and I beg pardon.

The VICE PRESIDENT. No; the Senator from Massachusetts did not misunderstand the Chair, either. The Chair does not know how any Senator is going to vote; he has had experience on that question. The Chair thinks this is different from the ordinary rule, which is a clear one, that when several propositions are embraced in a motion it is divisible, and that a Senator is entitled to have it divided and to vote upon each proposition; but the Chair assumes in this particular instance that every Senator who is in favor of the adoption of any one of the House amendments will vote against disagreement to the House amendments. Therefore the Chair thinks it is but one question; that is, Will the Senate agree to the House amendments?

Mr. LODGE. Then, Mr. President, I did not misunderstand the Chair. The Chair holds that the proposition to agree to all these amendments on one motion is not divisible; that it does not involve three questions or more, and that if a Senator wishes to concur in one amendment and wishes to disagree to another he will vote against disagreement. That deprives him of his right to agree; it deprives the Senate of the right to agree. The Senate may desire to agree to any one of these amendments—it is constantly done in both Houses; there are innumerable instances where it has been done—and, of course, that right is absolutely cut off if this question is not divisible.

The junior Senator from Georgia [Mr. HARDWICK] proposes to offer a motion to concur with an amendment. He can not offer that motion to concur with an amendment to all three of the House amendments at once; he must offer it to one of them. His motion has precedence and must first be dealt with. How are we to first deal with it if all three amendments are before us in a lump and we can not separate them?

Mr. SMITH of Georgia. Mr. President, if I may ask the Senator a question, why could not an amendment be made to the general motion to agree by moving to agree to one amendment? I ask the question really in order to hear the Senator's view.

Mr. LODGE. My idea is that any Senator may demand a division of the question. The question is whether we shall agree to the House amendments, and I ask a separate vote—that the questions be decided separately.

The VICE PRESIDENT. May the Chair ask the Senator from Massachusetts a question?

Mr. LODGE. Certainly. I yield for that purpose with great pleasure.

The VICE PRESIDENT. Suppose a question is put on disagreement to the first amendment, and suppose the Senate votes "no"; is that, then, an adoption of the amendment?

Mr. LODGE. That would be concurrence in the first amendment, and that would take it out of conference, of course.

The VICE PRESIDENT. Would the Senator say that that would be a concurrence without a vote of the Senate concurring therein? Would the Senator put himself on record in that way?

Mr. LODGE. The motion, of course, would be to concur, which would take precedence at once.

The VICE PRESIDENT. That is another question.

Mr. LODGE. How can the Senate refuse to disagree to amendment numbered 1 if all three amendments are tied together? It would then have no opportunity to deal with amendments, which is its undoubted right to do, and the Senate would thereby be deprived of the right to deal with these amendments separately.

Mr. JONES. Mr. President——

Mr. LODGE. I yield to the Senator from Washington.

Mr. JONES. I want to suggest, in the line of the suggestion of the Vice President a moment ago, that anyone who wanted to vote to disagree to one of these amendments would vote to disagree to all of them; that the first two amendments, as I understand, are amendments to the text of a bill which the Senate has already passed.

Mr. LODGE. Certainly they are.

Mr. JONES. I might be glad to vote to concur in those amendments.

Mr. LODGE. Certainly.

Mr. JONES. But the third amendment is an entirely new proposition.

Mr. WORKS. Mr. President——

Mr. LODGE. I yield to the Senator from California.

Mr. WORKS. I suggest to the Senator from Massachusetts whether we are not also depriving the House of Representatives of its right? If we should concur in one of these amendments, the House might choose to recede from the others in such an event, but under this action when it goes back to the House the House is compelled to treat the matter as a whole just as we are.

Mr. LODGE. Certainly. I confess that I am a little at a loss for an argument in favor of such a proposition, for I never heard the matter before disputed.

Mr. HARDWICK. Will the Senator from Massachusetts yield to me for a moment?

Mr. LODGE. I yield to the Senator from Georgia.

Mr. HARDWICK. At the same time the Senator from Florida [Mr. FLETCHER] addressed the Chair the junior Senator from Georgia also addressed the Chair with a preferential motion, which, under the rules of this body and of every other parliamentary body, is entitled to precedence; and it seems to me that some time before this question is determined upon the junior Senator from Georgia is entitled to a ruling on the proposition as to whether or not——

Mr. LODGE. I do not yield the floor.

Mr. HARDWICK (continuing). The motion to concur in the amendments of the House with an amendment does not take precedence of the motion made by the Senator from Florida.

The VICE PRESIDENT. Well, the Senator from Georgia must understand that when a question of order is pending that always takes precedence.

Mr. HARDWICK. Exactly; but the Chair must understand that the Senator from Georgia, too, raised a question of order.

The VICE PRESIDENT. But the Senator from Massachusetts raised a question of order first, as the Chair understood.

Mr. HARDWICK. No; I tried to raise it first, Mr. President, and I thought I did.

The VICE PRESIDENT. Trying to do and doing it are different.

Mr. HARDWICK. Well, I thought I did. I submit the proposition—of course if the Chair wants to decide it it is all right—that my motion takes precedence under the rules of the Senate.

The VICE PRESIDENT. Nobody is disputing that proposition.

Mr. HARDWICK. Then, Mr. President, if that be true, am I not entitled to recognition to make that motion?

Mr. LODGE. I did not mean to yield the floor, for I have not quite concluded.

Mr. CLARKE of Arkansas. A parliamentary inquiry, Mr. President.

Mr. HITCHCOCK. Will the Senator from Massachusetts yield to me to submit a point of order to the Chair?

Mr. LODGE. I do not want to yield the floor.

The VICE PRESIDENT. The Senator from Arkansas has requested to be heard.

Mr. LODGE. Of course I yield to the Senator from Arkansas if it will not take me off the floor.

Mr. CLARKE of Arkansas. I wish to ask the Chair, for my understanding of the matter, the Senator from Florida having made a motion to disagree en bloc to the three amendments, would an amendment to either of the three propositions involved be in order? The Senator from Florida having moved to disagree to all the amendments en bloc, would it be in order to offer an amendment before that general question is put?

The VICE PRESIDENT. The Chair has not any doubt about the right to amend. The Chair has not the slightest doubt about the right of the Senator from Georgia to move to concur with an amendment when we can get to it, but the Senator from Massachusetts has raised a point of order.

Mr. CLARKE of Arkansas. What I wanted to clear up was just exactly what the Chair has held, because that will have a bearing as to how I am going to vote.

The VICE PRESIDENT. The Chair has held that a motion to disagree is radically different from a motion to concur. If it were a motion to concur in the amendments, then it would be a divisible question, but the question of disagreeing is not divisible, for the reason that every Senator who wanted to agree to any single amendment would vote "no."

Mr. CLARKE of Arkansas. That is all right so far as it goes, but, pending a vote on the motion of the Senator from Florida, would it be in order to move to amend any one of the particular propositions involved in his motion? I can bring to the attention of the Chair a little more definitely the inquiry I submit by reading from Jefferson's Manual, page 127, under the heading:

> 1st. To agree. } Either of these concludes the other necessarily,
> 2d. To disagree. } for the positive of either is exactly the equivalent of the negative of the other, and no other alternative remains. On either motion amendments to the amendment may be proposed.

If the Chair holds that these three propositions are open to amendment before the final vote to disagree is submitted, I can see no ground for disagreement with the Chair.

The VICE PRESIDENT. The Chair has not the slightest doubt in the world that the Senator from Georgia can move to amend the motion of the Senator from Florida by moving to concur in whatever he wants to concur in, or do anything else that he pleases about it. There is not any doubt about that.

Mr. LODGE. Mr. President, if I may resume the floor——

Mr. HITCHCOCK. Mr. President, I desire to submit a point of order.

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. I think under Rule XXIX this whole proceeding is out of order. The third paragraph of that rule is as follows:

> 3. Every bill and joint resolution introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees, shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

Now, Mr. President, I make the point of order that until that is dispensed with by order of the Senate, this whole proceeding is out of order, and that the printing of the bill is the only thing that is in order.

The VICE PRESIDENT. What is the rule?

Mr. HITCHCOCK. Rule XXIX.

Mr. FLETCHER. It can be disposed of by taking action on it without printing.

Mr. HITCHCOCK. Mr. President, we have before us a bill very largely amended, and it is not possible for Senators to tell from the discussion what particular issue is before the Senate. It is a case preeminently in which we are entitled to have the bill printed, so as to be able to judge what is before the Senate.

Mr. FLETCHER. This is a Senate bill, which has been duly printed, passed, enrolled, and sent to the House. It has duly passed the House and has come back here. It is not an original bill that needs to be printed under this rule, nor is it a House bill.

Mr. LODGE. Mr. President, I should be glad——

The VICE PRESIDENT. Just a moment. We are getting too many points of order here.

Mr. LODGE. I was going to suggest that I should like to have my point of order disposed of first.

The VICE PRESIDENT. The Chair thinks that the point of order of the Senator from Massachusetts should be disposed of, and then the Chair will rule on the point of order of the Senator from Nebraska.

Mr. LODGE. Mr. President, I simply desire to conclude what I was saying.

I am unable to draw the distinction between the motion to concur and the motion to disagree which the Chair draws. Here we have a motion, which admittedly covers three or four distinct subjects, and I ask, acting under Rule XVIII, to have those subjects divided. I do not see how it is possible to deal with them otherwise. That is my request—that they be divided. The Chair holds that that request is out of order; that I have no right to have those subjects divided; and from that decision I respectfully appeal.

Mr. FLETCHER. I move to lay the appeal on the table.

Mr. BRANDEGEE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. OLIVER (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN], who is absent. I therefore withhold my vote.

Mr. RANSDELL (when Mr. THORNTON'S name was called). The senior Senator from Louisiana [Mr. THORNTON] is absent on account of sickness. He is paired for the day with the Senator from Illinois [Mr. SHERMAN].

The roll call was concluded.

Mr. WEEKS. I think I should announce on behalf of the Senator from Illinois [Mr. SHERMAN] that he is paired until 6 o'clock this afternoon with the Senator from Louisiana [Mr. THORNTON].

Mr. LEA of Tennessee (after having voted in the affirmative). I inquire if the senior Senator from South Dakota [Mr. CRAWFORD] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. LEA of Tennessee. I have a general pair with that Senator, and in his absence I withdraw my vote.

The result was announced—yeas 46, nays 43, as follows:

YEAS—46.

Ashurst	La Follette	Pomerene	Smith, Md.
Bryan	Lane	Ransdell	Smith, S. C.
Chilton	Lee, Md.	Reed	Stone
Culberson	Lewis	Robinson	Swanson
Fletcher	Martin, Va.	Saulsbury	Thomas
Gore	Martine, N. J.	Shafroth	Thompson
Hollis	Myers	Sheppard	Tillman
Hughes	Newlands	Shields	Walsh
James	Norris	Shively	White
Johnson	Overman	Simmons	Williams
Kenyon	Owen	Smith, Ariz.	
Kern	Pittman	Smith, Ga.	

NAYS—43.

Bankhead	Colt	Lippitt	Smith, Mich.
Brady	Cummins	Lodge	Smoot
Brandegee	Dillingham	McCumber	Stephenson
Bristow	du Pont	McLean	Sterling
Burleigh	Fall	Nelson	Sutherland
Burton	Gallinger	O'Gorman	Townsend
Camden	Goff	Page	Vardaman
Catron	Gronna	Penrose	Warren
Clapp	Hardwick	Perkins	Weeks
Clark, Wyo.	Hitchcock	Poindexter	Works
Clarke, Ark.	Jones	Root	

NOT VOTING—7.

Borah	Crawford	Oliver	Thornton
Chamberlain	Lea, Tenn.	Sherman	

So Mr. LODGE'S appeal from the decision of the Chair was laid on the table.

The VICE PRESIDENT. On the point of order made by the Senator from Nebraska, this is the rule:

> Every bill and joint resolution introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees, shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

The rule does not state how the printing is to be dispensed with. The Chair believes the fair construction of the rule is that there must be a seasonable objection to the consideration of a bill unprinted by the Senate. The Chair does not believe that the Senator from Nebraska has made a seasonable request for the printing of the bill, and the Chair overrules the point of order.

Mr. HITCHCOCK. Mr. President, the Chair will call to mind the fact that I made several attempts to get the floor for that purpose. Certainly any objection can be made whenever the fact arises that the Senate is in doubt as to what is before the Senate. It has become very obvious that this is a case preeminently requiring that the bill be printed for the information of Senators, so as to enable them to vote intelligently. Here is a bill that did not pass the House of Representatives until——

The VICE PRESIDENT. The Chair can only say that the Chair recognized the Senator from Nebraska as soon as it was possible to do so. The Senator from Massachusetts [Mr. LODGE] was holding the floor.

Mr. HITCHCOCK. Can the Chair advise the Senate why an objection at any time before the matter comes to a vote is not in order as a point of order?

The VICE PRESIDENT. The Chair has ruled, and an appeal may be taken from the ruling of the Chair. The Chair has ruled that it is the uniform custom here, when a bill comes over, to lay it down, and if there is not a request for printing it is taken up and considered. The proceeding here certainly did go forward for at least 15 or 20 minutes before the Senator from Nebraska rose. That is certainly true. It is only the opinion of the Chair, not binding on the Senate, as to whether or not the request was made seasonably. The Chair thinks it was not.

SEVERAL SENATORS. Regular order!

Mr. FLETCHER. Not only that, but under paragraph 6 of Rule VII the Chair could lay down this bill at any time, and it supersedes all other business.

Mr. HITCHCOCK. I do not doubt that it is properly before the Senate; but the point I am making is that, unless the consent of the Senate is given, the objection of any Senator is sufficient to keep this rule in force and call for the printing of the bill.

Mr. SHIVELY. Regular order!

Mr. HITCHCOCK. The very reason for printing the bill is for the information of the Senate.

The VICE PRESIDENT. The Chair has not any doubt about that.

Mr. REED. Regular order!

Mr. HARDWICK, Mr. LODGE, and Mr. FLETCHER addressed the Chair.

The VICE PRESIDENT. Is there any appeal from the ruling of the Chair? [A pause.] The Senator from Georgia.

Mr. HARDWICK. I offer the motion which I send to the desk.

Mr. LODGE. Mr. President, will the Senator yield to me for a moment, simply to make a request?

Mr. HARDWICK. Certainly.

Mr. LODGE. I ask that the bill may be printed, not to delay anything here, but that it may be printed while the debate goes on, unless the Senators on the other side are unwilling that we shall see it.

Mr. FLETCHER. I have no objection to that.

Mr. LODGE. We can get it, of course, in another form, but it is a very awkward form, and I ask that the bill may be printed.

Mr. FLETCHER. I ask that the bill may be printed in such form as to show the amendments of the House.

Mr. LODGE. Certainly.

The VICE PRESIDENT. Without objection, it is so ordered. The Senator from Georgia offers a motion, which will be stated by the Secretary.

The SECRETARY. The Senator from Georgia moves to concur in the amendments of the House with an amendment, as follows:

> Add to section 17 of the bill as amended by the House the following: "*Provided*, That none of the vessels purchased or constructed under the provisions of sections 5 to 15, inclusive, of the bill shall be operated or used in the manner or for the purposes prescribed in section 1 of the bill."

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move to lay the amendment on the table.

The VICE PRESIDENT. The Senator from Florida moves to lay the amendment on the table. [Putting the question.] By the sound the ayes appear to have it.

Mr. HARDWICK. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. RANSDELL (when Mr. THORNTON'S name was called). My colleague [Mr. THORNTON] is unavoidably absent on account of sickness. He is paired for the day with the senior Senator from Illinois [Mr. SHERMAN]. I ask that this announcement may stand for the day.

The roll call was concluded.

Mr. VARDAMAN. I wish to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

The result was announced—yeas 47, nays 43, as follows:

YEAS—47.

Ashurst	La Follette	Pittman	Smith, Ga.
Bryan	Lane	Pomerene	Smith, Md.
Chilton	Lea, Tenn.	Ransdell	Smith, S. C.
Culberson	Lee, Md.	Reed	Stone
Fletcher	Lewis	Robinson	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hollis	Martine, N. J.	Shafroth	Thompson
Hughes	Myers	Sheppard	Tillman
James	Newlands	Shields	Walsh
Johnson	Norris	Shively	White
Kenyon	Overman	Simmons	Williams
Kern	Owen	Smith, Ariz.	

NAYS—43.

Bankhead	Clarke, Ark.	Lippitt	Smith, Mich.
Borah	Colt	Lodge	Smoot
Brady	Dillingham	McCumber	Stephenson
Brandegee	du Pont	McLean	Sterling
Bristow	Fall	Nelson	Sutherland
Burleigh	Gallinger	O'Gorman	Townsend
Burton	Goff	Page	Vardaman
Camden	Gronna	Penrose	Warren
Catron	Hardwick	Perkins	Weeks
Clapp	Hitchcock	Poindexter	Works
Clark, Wyo.	Jones	Root	

NOT VOTING—6.

Chamberlain	Crawford	Sherman	Thornton
Cummins	Oliver		

So Mr. HARDWICK's amendment was laid on the table.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. We are proceeding on the theory that a great emergency confronts this country. That has been the reason for introducing this bill. It was the reason alleged for drafting it. It has been the reason alleged for enforcing it upon the attention of Congress. I desire to say a few words upon this so-called emergency.

The facts are that there was an emergency last August, and there was some emergency last September, but that emergency has passed away. In August there was, it is true, a balance of trade against the United States of $19,400,000. In the month of September that balance of trade had changed to $15,000,000 in favor of the United States. In October that balance in our favor increased to $57,000,000. In November it increased to $79,000,000 in favor of the United States. In December it was $131,000,000; in January it was still more; and for the month of February it will probably approximate $150,000,000. In the face of these enormous exports of our products, what pretense do the champions of this bill make that an emergency confronts the country?

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Florida?

Mr. HITCHCOCK. I do.

Mr. FLETCHER. I ask the Senator if he denies that there are products waiting at our ports seeking shipment which can not secure transportation because of the absence of ships? Does the Senator deny that, in the face of reports from every port on the Pacific coast, the Gulf coast, and the Atlantic coast?

Mr. HITCHCOCK. The Senator from Nebraska affirms that at the present time the enormous exports of the United States are almost unprecedented.

Mr. FLETCHER. Precisely; but what would they be if we had the ships to take them?

Mr. HITCHCOCK. And there are evidently enough ships to take them, as I shall show the Senator.

Take the exports of wheat at the present time. They aggregate almost 10,000,000 bushels a week. Within four weeks there will not be another bushel of surplus wheat in the United States to export.

Take the exports of corn. Week before last the exports of corn were 1,600,000 bushels. For the 31 weeks closing at that time they were over 12,000,000 bushels. What were they for the corresponding 31 weeks a year ago? They were less than 1,800,000 bushels.

Mr. FLETCHER. Will the Senator state the rates on that export?

Mr. HITCHCOCK. How can Senators claim, in the face of these enormous exports of the grains of the West and in the face also of the enormous exports of the cotton of the South, that any emergency confronts the country?

How fast is cotton going out of this country at the present time? It is going out of the country at the rate of about 400,000 bales a week, an unprecedented export of cotton for this season of the year. In January our cotton exports were 320,000 bales larger than for January of last year. The gain this month will be at least as great.

Mr. SMITH of Georgia. Mr. President, will the Senator from Nebraska permit me to ask him a question?

Mr. HITCHCOCK. Certainly.

Mr. SMITH of Georgia. Is not that due to the fact that the exports of cotton usually are made long before this season of the year? Is it not true that during September, October, November, and December it was practically impossible to accomplish any considerable export and is not the present large export, as compared to the corresponding season in other years, due to the fact that there was so very little cotton exported during the four months of usual export?

Mr. HITCHCOCK. Very probably; but if these exports are enormous now, if they are without a precedent now, how can Senators with a straight face say that an emergency now exists and that we have not enough vessels to carry our goods abroad? Here are the cotton exports by months:

	Bales.
September	125,778
October	479,132
November	760,929
December	1,202,115
January, 1915	1,372,175

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I do.

Mr. SHAFROTH. I should like to ask the Senator from Nebraska if he does not consider that when the shipping companies have increased their rates from 700 to 1,000 per cent an emergency does exist to relieve that situation?

Mr. HITCHCOCK. That is the only answer which can be made. That question is also suggested by the Senator from Florida, and I will answer it squarely by saying that those freight rates are not being paid by the people of the United States. They are being paid by the people of Europe who are consuming our goods. This is proven by the fact that the cost of living in Great Britain has increased nearly 20 per cent. It is proven by the fact that the cost of bread in Great Britain has doubled. The fact that Europe is paying and that we are not paying these freight rates is shown by the fact that our producers in the West at least have rarely if ever in the history of the country received such enormous prices as they are receiving at the present time. It is the consumer who pays the freight.

Mr. CLARKE of Arkansas. Let me also suggest to the Senator from Nebraska that it is not true also, and I call attention to this circumstance: The freight from Galveston on cotton to Liverpool is $1.25 a hundred as against about 85 cents in normal times. The excessive freight rates are charged from that port to the German ports where ships can not go.

Mr. HITCHCOCK. That is very true, and this is true: The United States is the great producer of the things that Europe must have in this emergency. We need not worry about their means of getting them. That is up to Europe. Europe has got to save the lives of her people. Europe has got to have the things that we produce, as ours is practically the only country in the world that she can look to at the present time.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is the amendment proposed by the Senator from Missouri [Mr. REED] to Rule XXII.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska has the floor.

Mr. FLETCHER. I move——

The VICE PRESIDENT. The Senator from Nebraska has the floor under the rule.

Mr. FLETCHER. Will the Senator allow me to move that the unfinished business be laid aside to take up the pending matter?

Mr. HITCHCOCK. I should like to continue my address, which is upon the pending bill.

Mr. GALLINGER. Will the Senator from Nebraska kindly yield to me for one moment to call attention to the fact that on the calendar as it is printed I gave notice some days ago that at the conclusion of the morning business to-day I would address the Senate on the matters before us? I simply do not want to be crowded off entirely.

The VICE PRESIDENT. The Chair understands the rule of the Senate to be that when a Senator has the floor at the hour of 2 o'clock and the unfinished business is laid before the Senate it does not take the Senator off the floor.

Mr. GALLINGER. No, Mr. President, I agree to that entirely. I merely wanted to call attention to the circumstance.

The VICE PRESIDENT. The Chair also understands that there has been a custom of giving notice, which has been always kept by the Senate, and it will be kept by the present presiding officer until the Senate otherwise rules.

Mr. HITCHCOCK. Mr. President, I wish in connection with what I have said about the existence of an emergency to have

inserted in my remarks, without reading, an extract from the New Republic showing the enormous amount of new shipping now being constructed and under contract and under negotiation in the shipyards of the United States. I desire to insert it for the purpose of showing that the merchant marine is being rapidly built up in the United States without the extraordinary proposal that is now before the Senate.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

The most remarkable change since the time of the Napoleonic wars has come suddenly in the American shipbuilding industry. The last day of December, 1914, closed one of the poorest years the American shipyards have had in a decade. To-day every shipbuilding concern, from Bath, in Maine, down to Newport News, in Virginia, is working to its fullest capacity. One of the largest companies has orders sufficient to keep 6,000 men employed full time for from two to three years. Contracts have been closed for 48 ocean vessels and negotiations are pending for 60 more. Prices have been advanced 15 per cent, although that fact is not significant. A British company has placed an order for the building of two ships in an American yard, a thing never heard of before, and is likely to order two more. Apparently the American merchant marine has entered upon another period of expansion. The ships ordered and those for which marine architects are now drawing plans embrace not only passenger vessels for the coastwise trade but freighters for the Pacific and South American service, big cargo carriers for the trans-Atlantic business, and oil tankers to go anywhere and everywhere.

There are six great shipyards on our Atlantic coast and three of lesser size. The six great ones are the Cramp yards, at Philadelphia; the Newport News shipbuilding plant, at Newport News, Va.; the Sparrow Point establishment of the Maryland Steel Co., at Sparrow Point, Md.; the Harlan & Hollingsworth yards, at Wilmington, Del.; the New York Shipbuilding Co.'s works, at Camden, N. J.; and those of the Fore River Co., at Quincy, Mass., owned by the Bethlehem Steel Co. The three minor ones are the Bath Iron Works, at Bath, Me.; the Staten Island Shipbuilding Co., at Port Richmond, Staten Island; and the Skinner Shipbuilding Co., at Baltimore.

Mr. ROOT. Mr. President, may I ask the Senator from Nebraska a question?

Mr. HITCHCOCK. Certainly.

Mr. ROOT. With reference to the alleged exigency arising from the increase of freight rates, is it not a fact that the increase of freight rates proceeds chiefly from two causes, neither of which can be cured by additional ships—one cause, that the deficiency in dock room, lighterage service, stevedores, and storage accommodations on the other side of the Atlantic require that the vessels carrying cargoes from America to Europe take long periods before they can be discharged, so that it requires at least on an average twice as long for a vessel to make a round trip now as it does under ordinary circumstances——

Mr. REED. Mr. President, a point of order.

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from New York——

Mr. ROOT. Not at present. I will not yield.

The PRESIDING OFFICER. The Senator from Missouri raises a point of order.

Mr. REED. I make the point of order that both the Senator from New York and the Senator from Nebraska can not hold the floor at the same time, and can not be permitted under the rule.

Mr. ROOT. Mr. President, I am asking a question of the Senator from Nebraska in accordance with the rules of the Senate.

Mr. REED. But, Mr. President——

Mr. ROOT. And I submit that if the Senator from Nebraska and the Senator from New York can not hold the floor at the same time, it is quite manifest that the Senator from Missouri can not hold the floor at the same time with them.

The PRESIDING OFFICER. The Chair feels——

Mr. REED. I make the point of order that the Senator from New York is not asking a question, and that if he is professing to ask a question he is manifestly abusing the privilege, and I insist upon my point of order.

Mr ROOT. The Senator from New York is not abusing a privilege. He would not abuse anything, even the Senator from Missouri.

Mr. REED. No, Mr. President; the Senator from New York would have his hands reasonably full if he undertook it.

Mr. WEEKS and others. Regular order!

The PRESIDING OFFICER. The Chair overrules the point of order. The Senator from New York will state his question.

Mr. ROOT. Mr. President, I will proceed with the statement of the question. Is it not the true cause of the increased freight rates that there is a very great and general deficiency of return cargoes from Europe to America, so that the eastbound cargoes have to pay a far greater proportion of the upkeep and operation of the vessel than under ordinary circumstances?

Mr. HITCHCOCK. Undoubtedly the causes stated by the Senator from New York and some other causes have entered into the increase of the freight rates which have resulted since the war.

Mr. President, it may be said, furthermore, that in normal times transoceanic freight rates are so low that it has become notorious that American vessels flying the American flag and operating under American law are scarcely able to pay their operating expenses, let alone the consideration of making any profits. Present conditions are unusual and can not last long. Rates are already coming down.

Mr. President, it was not my purpose when I rose to discuss at any length this particular feature of the bill.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I yield for a question.

Mr. WEEKS. I wanted to ask the Senator from Nebraska a question which was suggested by a comment made that in four weeks the grain which we have for export will have been exported. It occurs to me to suggest that I noticed in the Boston papers this morning that the elevators in Boston only contain five-sevenths of their capacity in grain for foreign shipments at this time, but, further—and this was suggested by the Senator from Georgia about cotton—that there were last week exported 398,000 bales of cotton against 142,000 last year in the corresponding week, and 113,000 bales the year before in the corresponding week, and that the visible supply of cotton at shipping ports is less than 800,000 bales——

Mr. REED. Mr. President, I make the point of order——

Mr. WEEKS. And therefore that the increase——

The PRESIDING OFFICER. The Senator from Missouri will state his point of order.

Mr. REED. The point of order is that the Senator from Massachusetts is not asking a question, but, under the guise of a form of a question, is proceeding to make a speech.

The PRESIDING OFFICER. The Chair rules that the point of order is not sustained; but the Chair takes this occasion to state that if, under the guise of a question addressed to a Senator who holds the floor, the Senator interrupting takes opportunity to make a speech rather than to address a question, the Chair will rule that the Senator who has the floor has lost it.

Mr. HITCHCOCK. Under those circumstances I shall request not to be interrupted. I have not much to say, but I do not want to imperil my chance to say what little I still have to say.

The PRESIDING OFFICER. The present occupant of the chair thinks it well to admonish Senators who have the floor that they will interrupt and recall the privilege whenever it appears that it is being used for the purpose of addressing the Senate rather than asking a question of the Senator who holds the floor.

Mr. WEEKS. I can finish my question in a word, and it would have been finished some time before if I had not been interrupted. The question is: If, with the visible supply of cotton in port, in shipping ports, the same statement made by the Senator from Nebraska as to grain would not apply to cotton, and in four weeks' time the cotton we have for export substantially would have been shipped?

Mr. HITCHCOCK. The statement is undoubtedly justified.

Mr. FLETCHER. May I inquire of the Senator from Nebraska if he does not think there are other articles—articles of manufacture and from the farms and the mines of the country—besides cotton?

Mr. HITCHCOCK. If the Senator will permit me, I do not propose to speak particularly of each one of those articles of export, but I desire to impress the Senate with the fact that no review of our exports can be made to show that we confront an emergency by present lack of shipping facilities. I do propose, however, to show that we do confront another emergency, and I propose to offer an amendment to the pending bill to meet that emergency. I would like to offer it now and have the opportunity to discuss it thereafter, but because of the fact that the Senator from Florida has adopted the policy of moving to table all amendments as soon as offered, without any discussion, I am compelled now to make my discussion first and offer my amendment afterwards.

My amendment to the shipping bill is in the form of a measure which I introduced known as a bill to prohibit the exportation from the United States of arms and artillery ammunition to any country at war with any country with which the United States is at peace.

Mr. President, a real emergency exists here; a real reason for immediate action of Congress exists. Various sapient editors have declared that my bill to prohibit the exportation of arms and ammunition is an attempt to change international law. It is not. International law would not be affected.

Under international law any citizen of a neutral country has the right to sell arms and ammunition to a belligerent country, but it is also true that any country has the right to prohibit its citizens at any time from doing that thing which they have the right to do under international law.

What is the international law concerning the exportation of arms and ammunition? It is simply this: That whereas any citizen who is engaged in legitimate, peaceful trade will be protected by the flag of his country and by the Government of his country, yet if he undertakes to sell arms and ammunition to one of the belligerents, he does so at his own risk; his country withdraws its protection from him; he must take the chance; and it is regarded as traffic which his Nation will not protect him in.

International law, however, is entirely out of harmony with the spirit of the age in permitting this traffic even on those conditions; it is archaic; it relates to a time and it has its roots in an age when war was the legitimate method of settling international disputes. It goes back a hundred years and more to a time when nations settled all their differences practically by a resort to arms.

Mr. President, since that time a great change has come over the world. The United States has led in the idea of peace. The United States has taken the lead of all the countries of the world in declaring that war is not the proper arbitrament of international disputes. The United States has concluded arbitration treaties with some 26 nations of the world, and even although those treaties do not cover certain excepted subjects the United States has gone further and entered into treaties with all the countries of the world, practically agreeing to submit every question of every sort to the consideration of a commission and allowing one year, at least, during which the Nation will take no action until that commission has had time to report.

The peace sentiment in the United States has grown to such an extent that war is regarded as a horrible, unjustifiable, and disgraceful breach of civilization. The peace sentiment in the United States has gone so far as to restrain the Government itself from participating in war. Yet while we have made that enormous step forward and taken that great advance in the direction of international peace, we have still permitted our citizens, practically speaking, to take part in a war in which we have absolutely no interest.

So I say that the archaic condition of international law justifies us in enacting a statute to prohibit our citizens from doing that thing which international law permits them to do at their peril.

But I am told that while this is all right in theory, and while it is all right in principle to prohibit our citizens from manufacturing and selling the deadly weapons of destruction to nations engaged in a war, yet we must not make this reform in time of war. It is said that we must not pass this statute while the war is in progress; we must wait until it is over before we enter upon the reform; we must wait until the building is burned down before we take the step against the fire.

Mr. President, able editors in America and abroad have declared that it would be an unneutral act for the Congress of the United States in the midst of this war to pass this act to restrain its citizens from taking part in it. Mr. President, I deny that proposition and I desire to meet it squarely.

What are the real facts in the United States to-day? While the President of the United States has issued a neutrality proclamation, while he has declared that the Government of the United States is neutral in this awful struggle now progressing in Europe, and while the Government, under the President's guidance, has remained neutral, great interests in the United States have gone to war. Perhaps 100 arms and ammunition factories are running night and day. They are manufacturers of shot and shell, of shrapnel and bullets, and of all the other methods of destroying life. They are spending vast sums of money in enlarging their institutions. They have even brought over here from other lands foreign officials and army officers to act as inspectors in the factories to see that these arms, artillery, and ammunition are manufactured with a sufficiently deadly efficiency.

Our great bankers have joined in financing this manufacture. Our great financiers are advancing hundreds of millions of dollars to the warring nations to buy these deadly weapons to carry on war. What becomes of our neutrality? It is a farce. I ask, Mr. President, what becomes of the President's proclamation that no man by act or deed shall do anything to violate the spirit of neutrality? Is it right for us to tolerate the condition which has resulted practically in these vast interests becoming the supply of warring nations? Is it right for our great industries to become the ordnance department of nations engaged in this conflict?

Those are the facts, Mr. President. Hundreds of millions of dollars of the war's most destructive weapons are being made in the United States, and tens of thousands of people are being maimed and killed by weapons made by manufacturers in our country, financed by our bankers, and defended by some of our great newspapers, I am sorry to say.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. HITCHCOCK. Just for a question.

Mr. KENYON. I should like to ask the Senator if he has any statistics showing the extent of the shipment of arms and ammunition out of this country since the war commenced.

Mr. HITCHCOCK. I will, with the consent of the Senate, insert those in the RECORD, Mr. President, if I can procure them, which is doubtful, as official records are lacking.

The PRESIDING OFFICER. Without objection, leave will be granted.

Mr. HITCHCOCK. Now, Mr. President, what do our friends, the former advocates of peace, say to the proposition that this great war, which may last years, may be used to build up in the United States a Kruppism, a system for the manufacture of arms and ammunition greater than any which exists in Europe? Is it going to be for the ultimate benefit of the United States to encourage the investment of millions of dollars in the enlargement of these institutions for the manufacture of armor, artillery, and munitions of war of all sorts? Is it not one of the very dangers that we are seeking to avoid? In our path of peace the policy of the United States is to avoid the development of a great war interest, and yet Senators and gentlemen come forward and say that we should not put any check upon the enlargement of these plants, we should not throw anything in the way, but permit them to sell their hundreds of millions of dollars of destructive weapons to the warring nations of Europe.

Mr. President, let me come to the issue. Is it an act of unneutrality in the midst of war for the United States to prohibit its citizens from selling arms and ammunition manufactured in this country to belligerent nations that are making war upon nations with which we are at peace? The argument that this is so is made upon this theory, that one of the great sides to this horrible war has succeeded in getting command of the sea; that it is solely able to draw upon our great resources and to purchase our arms and ammunition; and that to pass this act at this time would be to withdraw from it the benefit which it enjoys and the advantage which it has gained.

Mr. President, this is not very material, but it seems to me the mere statement of those facts but adds another reason why this reform should be made and why the bill I have brought forward should be passed. If it is true that the business and banking interests of the United States, with our great resources, are participating in this war on one side only, that furnishes another argument why the practice should be stopped. That of itself is an unneutral condition. That of itself is abandoning an impartial position. If both sides were able to buy from us freely, we might stand at least consistent in our bloody traffic before the eyes of the world and say we are taking no part with one side or the other.

But, Mr. President, even that is but a subordinate question. The argument which is advanced against the measure most effectively is that to pass the law now in the midst of war would be an unneutral act. Was it an unneutral act when Italy put a stop to the exportation of arms and ammunition after the war began? Was it an unneutral act when Holland put a stop to the exportation of arms and ammunition and other contraband after the war began? Was it an unneutral act for Denmark to do it, and Sweden to do it, and Norway to do it, and Switzerland to do it? All those nations have passed such acts or entered the proper decree since the war began. And has it come to this, that the United States is the only nation in the world which is prohibited from doing what every other neutral nation in the world may do?

It can not be said in answer that our position geographically is such as to make it improper for us to do what it is proper for them to do, because several of those nations are so situated that they would only be in a position to sell arms and ammunition to one of the belligerent countries. Yet no claim is made that their prohibition of exportation is unneutral.

Mr. President, the fact is that to prohibit the exportation of arms and ammunition by any country is, and always has been, considered to be a purely domestic matter. It is none of the affairs of other countries what laws we pass concerning our exports or our imports.

There is a very good illustration of this which exists in the case which has been cited in the controversy between Great Britain and Germany in 1870. The fact was that by the act of 1853 the British Parliament authorized the British Government

at any time to lay an embargo on the exportation of arms and ammunition. When the Franco-Prussian War came on in 1870, and the exportation of arms and ammunition began to go to France from Great Britain, Germany applied to Great Britain and asked to have that act of Parliament put into effect. The British Government replied:

It is true the Parliament has authorized us to put an embargo on the exportation of arms and ammunition, but no other country has any right to ask it or has any standing to expect it from us. It is a purely municipal and domestic matter. We put it on or we leave it off, in accordance with the interests of our own people.

That substantially was the answer of Lord Grenville when the German ambassador requested, as a friendly act of Great Britain, that they put a stop under the act of Parliament to the exportation of arms and ammunition to France.

Mr. President, the corollary of that is true. If it was a purely domestic matter for Great Britain to refuse to put the embargo on, it would be a purely domestic matter for the United States to put the embargo on; and just as no country could ask for it, so no country could object to it. If that is true of Great Britain, it is true of the United States.

But, Mr. President, I am afraid that we have become hardened to this war. When it first broke out a tremor of horror passed over the whole world. It was so awful in its dimensions, so terrible in its possibilities that humanity stood aghast; but as the weeks have gone by, we have become accustomed to the enormity of the proceeding. When it first broke out, when the first clash of arms occurred, it seemed to be a reality to us; our imaginations were keen and alive to the awful details of what was going on. We could see the brother bid farewell to his sister; we could see the son kissing his mother perhaps the last farewell; we could fairly hear the wailing of those who were left at home, as the fathers and brothers and sons went out by the hundred thousand to that awful conflict. Yes; and when the clash of battle occurred, there was a bloodcurdling horror which seized upon us. We could hear the groans of the dying; we could fairly see the writhing of the tens of thousands of maimed; and when the battle was over, we could see the field strewn with the tens of thousands of dead soldiers, their bodies lying there as mute and horrible evidences of the awfulness of war. We could see their glassy eyes gazing up into an unanswering heaven; and we then realized in those days when the war was young what an awful crime was being committed against humanity and against civilization. But now we have become hardened to it. We pick up our daily papers and read with seeming indifference the awful tragedy of civilization that is in progress—yes, the awful wreck of Christianity that is being wrought. We permit our factories to grind away their awful product to make widows and orphans and misery and wailing across the water.

I say, Mr. President, it is time this country again awakened to the fact that we have a responsibility to share in what is going on; and I may say, by way of interruption to myself at this time, that I believe the time is at hand when the United States should lead the neutral nations of the world and take aggressive steps to bring this war to a close.

The time has come to assert neutral rights and not to permit, under the archaic laws of neutrality, the belligerents to monopolize the whole world. In the name of humanity, in the name of civilization, in the name of Christianity, the neutral nations of the world have a right and, I believe, have a duty to do something aggressive and radical toward putting a stop to this horror of the ages. But we can not do it, Mr. President, so long as a large number of our own citizens and hundreds of millions of our own wealth are practically involved in the war, are participating in it, are gaining from it. We are not in a neutral position; we are not in a strong position; we are not in a consistent position.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. For a question only.

Mr. JONES. Does the Senator from Nebraska think that we would strengthen our position by having ships owned by the Government carrying some of these munitions of war across to some belligerent country?

Mr. HITCHCOCK. I think that would probably be the climax if that should be undertaken.

Mr. President, I said that this proposition to stop this horrid traffic is purely a domestic question. It is purely a question which interests the United States, and we ought to consider this bill to prohibit the exportation of arms and ammunition from the standpoint of the interests of the American people and under the guidance of the American conscience. Even if it be conceded that some neutral countries can properly permit their citizens to engage in the horrible traffic of supplying the belligerents with arms and ammunition, the United States is not in that position.

The United States is a composite country. Into the make-up of the United States come the citizens of all countries in the world. It is not possible for war of any extent to break out without arousing the prejudices and the sympathies of a large share of our own population. We have in the United States more than 13,000,000 people who were born across the ocean; we have probably 30,000,000 out of our ninety-odd million population who are either of European birth or whose parents were of European birth. It is not, therefore, possible for a great war like this to rage in Europe without involving the sympathies and the prejudices of those people.

Now, here is the domestic question. Possibly a country like Spain, inhabited by a homogeneous people, might supply one belligerent or either belligerent without arousing any local disturbances or creating any local hate; but when the United States permits its citizens, its great manufacturers, its powerful trusts, its great banks, its great bond sellers, to participate in a war, it arouses to a dangerous degree the hates and the racial discords that will rage here for years to come.

Every German newspaper printed in the United States day after day contains column after column of the names of German soldiers who have been wounded or killed. Those papers are bought by the hundred thousand and scanned eagerly by our American fellow citizens to learn whether any of their cousins or brothers or uncles or fathers have been killed in the war. Do you think those millions of people who are anxiously scanning that news are going to view with equanimity a policy which permits our great manufacturers of arms and ammunition to sell them to the belligerents of Europe to do the killing?

Why, we have already seen in this country, Mr. President, what it means. It means that, by permitting this traffic, we are arraying citizen against citizen, race against race; and while a few months ago there was a friendly feeling between all of the various stocks which have come from Europe, where German and Bohemian and Pole and Russian and Swede and Englishman and Frenchman all lived together in comparative peace and harmony, there is developing in this country at the present time a tendency which threatens to disintegrate our population into the different races; which threatens to array race against race in the United States.

I say the fact that we are in such a position, the fact that we have such a heterogeneous population, the fact that we have the sons of so many European countries in our own midst, is a reason why we, at least, above all the nations in the world, should keep out of any entanglements in time of war. We should carry the policy of abstention to the limit; we should not permit any of our citizens to manufacture the weapons that will certainly bring woe and misery to so many of our own citizens. We can not justify ourselves by adhering to the ancient, archaic international law, which permitted a citizen at his own peril to supply a belligerent country with the weapons of death.

Mr. President, instead of it being an improper time to pass the law which I propose and which I intend to offer as an amendment to the pending bill, I think that, so far from being an improper time to pass such a law, it is preeminently the right time. An emergency exists, Senators. I have said there was no emergency which justified haste in the pending shipping bill, but there is an emergency on this issue. This matter is getting worse every week that passes.

I am not a partisan in the war. My ancestors on the one side came from England and on the other side from France. I was born in this country, and to some slight extent educated in Germany, but I have no friendships and no sympathies on either side. I simply stand for the United States; I stand for our national integrity and the American flag. I believe the United States should put a stop to this horrible traffic, not because of the effect it may have upon the European war, but because of the effect that it is having among our own people, the effect that it is having and has had for months in stirring up hate, in arousing prejudices, in destroying neutrality, and in dissipating the American spirit, which before the war was welding us into a common people.

So, Mr. President, when the proper time comes I shall offer my bill to stop the exportation of arms as an amendment to the pending measure.

Mr. GALLINGER, Mr. NORRIS, and Mr. FLETCHER addressed the Chair.

Mr. NORRIS. Mr. President, will the Senator from Nebraska yield before he closes——

The PRESIDING OFFICER. The Senator from Florida [Mr. FLETCHER]. If the Senator from Florida will pardon the

Chair, the courtesy of the Senate is due to the Senator from New Hampshire [Mr. GALLINGER], but the Chair understands the Senator from Florida desires to move to lay aside the unfinished business and take up the measure which came over from the House of Representatives, and it occurred to the Chair that that would be more appropriate for the address which the Senator from New Hampshire desires to make.

Mr. GALLINGER. No; I desire to address myself to the unfinished business.

Mr. NORRIS. Mr. President, a parliamentary inquiry. I desire to address an inquiry to the Senator from Nebraska [Mr. HITCHCOCK], who had the floor. I am not seeking the floor myself. The other Senators are seeking the floor.

The PRESIDING OFFICER. The Senator from Florida has been recognized.

Mr. NORRIS. How can the Chair recognize the Senator from Florida before the Senator from Nebraska has yielded?

Mr. FLETCHER. The Senator from Nebraska had yielded the floor.

Mr. NORRIS. I do not think so. At least I addressed him before he had taken his seat.

The PRESIDING OFFICER. The Chair assumes that the Senator from Florida will yield to the Senator from Nebraska to ask a question.

Mr. FLETCHER. I yield to the Senator from Nebraska.

Mr. NORRIS. No; I can ask the question of my colleague, the Senator from Nebraska, privately. If I am not entitled to it as a right, I do not ask it; but I do not understand how one Senator can take the floor from another without his consent.

The PRESIDING OFFICER. The Chair desires to say that he had recognized the Senator from Florida [Mr. FLETCHER] before any intimation came from the junior Senator from Nebraska [Mr. NORRIS] that he had any desire to take the floor. He can have the floor now by permission of the Senator from Florida, and the Senator from Florida signifies that he is quite willing to yield that courtesy to the Senator from Nebraska.

Mr. NORRIS. That is not the point I was making.

The PRESIDING OFFICER. Very well; the Senator from Florida has the floor.

Mr. FLETCHER. Mr. President, I move to lay aside the unfinished business, and that the Senate proceed to the consideration of the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe.

Mr. GALLINGER. That being a debatable question, I will proceed.

Mr. FLETCHER. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. The yeas and nays are asked for. Is the demand seconded?

The yeas and nays were ordered.

Mr. GALLINGER. Mr. President——

Mr. FLETCHER. The question is on proceeding to the consideration of Senate bill 5259.

Mr. GALLINGER. Mr. President, in accordance with the notice that I gave some days ago that I would address myself to-day to the shipping question, I desire to do so at this time.

Mr. SMOOT. Mr. President, I ask for order in the Chamber——

The PRESIDING OFFICER. The Senate will preserve order.

Mr. SMOOT. And also in the galleries.

The PRESIDING OFFICER. The Chair thinks it is due to the Senator from New Hampshire that order should be preserved.

Mr. GALLINGER. Mr. President, I have heretofore called attention to the fact that the shipping bill has had a kaleidoscopic experience, changing from day to day, so that it has been almost impossible to keep track of what is happening. The subject under discussion now relates to the attempt on the part of the promoters of the bill to change the rules of the Senate in an irregular way so as to bring about a termination of debate by arbitrary methods. Efforts to enforce cloture in the Senate have been tried several times in the history of the Government, to which I desire to call attention before taking up the real questions relating to the purchase and construction of ships, as provided for in the bill which has to-day come from the other House.

The most remarkable speech made in opposition to cloture was by Senator Cockrell, of Missouri, in 1891, to which speech I am indebted for many facts which I will present. I call attention, Mr. President, to the fact that that speech of the then Senator from Missouri, who fortunately is still with us, is found on page 1686 of the CONGRESSIONAL RECORD of January 22, 1891.

The PRESIDING OFFICER. The Senator from New Hampshire will desist until order is restored in the Chamber.

Mr. GALLINGER. Mr. President, I will say, parenthetically, that I do not expect much of an audience to-day, because Senators are not paying much attention to this subject when it is being debated, but I think that conversation ought to be held in the cloakrooms or in the corridors rather than in the Senate Chamber.

The PRESIDING OFFICER. It is due to the Senator as well as to the Senate that the suggestion should be followed.

Mr. GALLINGER. It will be recalled, Mr. President, that from 1798 to 1806 the previous question was a part of the rules of the Senate, during which time it was used only on three occasions. In 1806 it was dropped out of the rules, and the several motions enumerated in Rule XXII of our present code were the only motions that could be made during the pendency of a question, to wit:

1. To adjourn.
2. To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
3. To take a recess.
4. To proceed to a consideration of executive business.
5. To lay on the table.
6. To postpone indefinitely.
7. To postpone to a day certain.
8. To commit.
9. To amend.

Which several motions shall have precedence as they stand arranged.

This absolutely settles the controversy as to whether or not the previous question can be resorted to in the Senate. It is absolutely and unqualifiedly forbidden by our rules. The Senator from Kentucky [Mr. JAMES] insists that it can be used because general parliamentary law sanctions it, and on yesterday he went to the extent of saying that it was included in Jefferson's Manual, which was a part of the rules of the Senate. It is proper to observe that Jefferson's Manual has never been made a part of the rules of the Senate. The House of Representatives has adopted Jefferson's Manual, but the Senate has never done so. There are so many rules in Jefferson's Manual in conflict with the rules of the Senate that it is absurd to claim that it is a part of our rules. As an illustration, Jefferson's Manual, on page 92, says, "In the Senate of the United States the President's decision is without appeal," which we all know is not a correct statement, and there are multitudes of other so-called rules in Jefferson's Manual that are in open conflict with the code of rules which the Senate has adopted for its guidance.

From 1806 to 1841 no effort was made to effect a cloture by the use of the previous question or any other similar parliamentary device. In that year Senator Clay, of Kentucky, attempted it. Senator Hoar, of Massachusetts, in his Instructions to the Youth of the Country, says:

An attempt was made by Mr. Clay during the Presidency of John Tyler to introduce the "hour rule" and the previous question into the Senate. The Democratic minority threatened forcible resistance. Some of Mr. Clay's principal friends flinched from his support and the plan was given up.

During that controversy Senator Clay had a spirited debate with Senator Silas Wright, of New York, who strongly opposed the proposition.

In this connection it may be interesting to quote what two distinguished Senators from Missouri said on the subject. Mr. Benton used, in substance, the following words:

I will take this opportunity to say a word on this menace, so often thrown out, of a design to stifle debate and stop amendments to bills in this Chamber. I consider such an attempt as much a violation of the Constitution and of the privileges of the Chamber as it would be for a military usurper to enter upon us at the head of his soldiery and expel us from our seats.

Senator Benton continued:

The previous question and the old sedition law are measures of the same character and children of the same parents and intended for the same purposes. They are to hide light, to enable those in power to work in darkness, to enable them to proceed unmolested, and to permit them to establish ruinous measures without stint and without detection. The introduction of this previous question into this body I shall resist as I would resist its conversion into a bed of justice of the old French monarchy for the registration of royal edicts. In these beds of justice, the Parliament formed into a bed of justice, the kings before the revolution caused their edicts to be registered without debate and without amendment. The King ordered it, and it was done; his word became law. On one occasion, when the Parliament was refractory, Louis XIV entered the chamber, booted and spurred, a whip in his hand, and stood on his feet until the edict was registered. This is what has been done in the way of passing bills without debate or amendment in France.

Senator Benton's colleague, Senator Linn, opposed the measure in the following vigorous language:

Mr. Linn said it was an old Scottish proverb that "threatened people live longest." He hoped the liberties of the Senate would yet outlive the threats of the Senator from Kentucky.

Equally, I hope, Mr. President, that the Senate will outlive the threats of the Senator from Missouri [Mr. REED] and the Senator from Kentucky [Mr. JAMES], uttered a few days ago.

The Senator from Missouri was decidedly sanguinary on that occasion, speaking as follows:

Mr. President, the best that can be said in defense of the filibustering tactics pursued by Senators on the other side is that they are within their technical rights under the letter of the rules. I do not concede that; but I might concede it and take the position, which I do, that the course they are pursuing is so grossly violative of the spirit and intent of the rules that the Senate itself, acting in defense of its own integrity, should observe and enforce the spirit of the rules and stop this outrageous abuse of its power, its rights, and its dignity. In face of the situation as we have it to-day, the presiding officer ought to be—and I hope is—brave and strong enough, despite any outburst of yells and whoops, to direct the Secretary to call the ayes and noes when they have been ordered and thus force the issue to a decision. If he should do that, he would receive the plaudits of the American people, even though the filibusterers might be able to muster a majority to block him.

Continuing, the Senator from Missouri said:

In an emergency like this I believe Democrats, every man of us, should be on the firing line and fight it out at the point of the bayonet. For one, I want the test made, that we may see how many grenadiers of the guard are left.

Mr. President, when a few days ago I called the attention of the Senator from Missouri to that most extraordinary language he said that he had not said that, and I replied that I presumed it was a figure of speech and not intended as it was uttered. But, Mr. President, there have been occasions during the history of the Senate and of our Government when violence has been threatened on the floor of the Senate, when attempts such as are now being made to abridge the freedom of debate have been advocated, and those threats were made by Democrats.

Senator Linn continued:

But if the lash was to be applied, he would rather it was applied at once than to be always threatened with it. There is great complaint of delay; but who was causing the delay now growing out of this threat? Had it not been made, there would be no necessity for repelling it. He knew of no disposition on the part of his friends to consume the time that ought to be given to the public business. He had never known his friends, while in the majority, to complain of discussion. He knew very well and could make allowances that the Senator from Kentucky was placed in a very trying situation. If he brought forward measures that were questionable, he had to encounter resistance. But he was in the predicament that he had pledged himself to carry those measures, and if he did not it would be his political ruin. He had everything on the issue; hence his impatience to pronounce judgment against the right of the minority to discuss his measures.

In 1850 Senator Stephen A. Douglas introduced a resolution providing for the previous question, which, after debate, was laid on the table on motion of Mr. Atchison, and that ended the matter, so far as the effort of Mr. Douglas was concerned.

The next time was on April 4, 1862, when Senator John P. Hale, of New Hampshire, attempted to secure a cloture rule to be operative during the period of the Civil War.

Mr. President, those were trying days in the history of our Government. There were men in the Senate Chamber who opposed legislation relating to the war and did all in their power to prevent the passage of appropriations for the conduct of the war on the Union side. Senator Hale, an original free-soil advocate, impatient at delay, thought the Senate ought to be permitted to vote without much discussion on those great questions, and he offered what is now called a cloture rule. It was in these words:

Resolved, That the Senate may at any time during the present rebellion, by a vote of the majority of the Members present, fix a time when debate on any matter pending before the Senate shall cease and terminate; and the Senate shall, when the time fixed for terminating the debate arrives, proceed to vote without debate on the measure and all amendments pending that may be offered.

Mr. President, opposition developed to that resolution. Senator Davis, of Kentucky, a Democrat, and Senator Collamer, of Vermont, a Republican, vigorously opposed the proposition, and it was abandoned before it was put to a vote.

On March 10, 1870, Senator Hamlin, of Maine, submitted a resolution to close debate, which was couched in a milder form, and on the 25th day of the same month Senator Wilson, of Massachusetts, offered the following order:

That the Select Committee on Rules be instructed to consider the inexpediency of adopting a rule for the remainder of the session, providing that whenever any bill has been considered for two days the question of ordering it to a third reading may be ordered by a two-thirds vote of the Senators present and voting.

That attempt, like other previous ones, failed.

In 1873 Mr. Wright, of Iowa, made a similar attempt, but that also ended in failure. Senators Thurman, of Ohio, and Bayard, of Delaware, opposed the proposition most vigorously, and it was not agreed to. In debating that question Senator Thurman, of Ohio, one of the ablest men who ever occupied a seat in this body, a Democrat of Democrats, used these words:

Sir, begin this in the Senate, curtail debate here in some impatient haste of a majority that can not bear to hear even discussion of questions, in that spirit of despotism that would stop all debate whatsoever, in that spirit that says that deliberative bodies in which public measures are discussed are a nuisance, and that it is best to have no discussion at all—let this first step be taken, and from that very day the decline of the influence of the Senate in this country will begin.

Senator Carpenter, of Wisconsin, one of the ablest lawyers that ever graced this body, opposed the resolution in these words:

I entirely concur with the Senator from Delaware—

That was the great Democratic Senator Bayard, who had previously spoken against the resolution—

I entirely concur with the Senator from Delaware, who has just taken his seat. There ought to be one place in this Government where there can be not only free debate but full debate. There is another body of very honorable men, to which I can not refer, but of which I have heard more or less, of whose doings I have seen some things, where a previous question obtains, and I certainly shall never vote nor give the slightest encouragement by any vote of mine to establish a previous question here.

In 1890 Senator Hoar, of Massachusetts, and Senator Aldrich, of Rhode Island, made an effort to secure a cloture rule in some form, but it met with strong Democratic opposition and, like its predecessors, failed.

Against this proposition Senator Gorman, of Maryland, a leading Democrat, made a vigorous protest, using the following language:

We are taking a step which, in my judgment, overturns the whole history of this body. The measure itself comes before the body under most peculiar circumstances. It has been brought here by the decision of the Chair and the vote of the majority of this body in direct opposition to every rule of parliamentary law, both specific, as provided by the rules of the body, and general parliamentary law, and no instance in the history of legislation can be cited where such action has been taken as was taken during this day's session; that is, during the calendar day of yesterday, but of to-day's session, as we only had a recess from 6 o'clock last evening until 11 o'clock this morning.

At that time they were going through pretty much the same procedure that characterized the Senate a few days ago.

Senator Gorman continued:

Mr. President, I do not at this moment propose to characterize the action which has been taken, but it will be, I trust, fully and completely stated, and stated often, for I regard it as one of the most unfortunate pages that will be found in the records of this body, and I believe that the time will come when by an almost unanimous vote we shall follow the action of Congress upon another memorable occasion, when Gen. Jackson by a resolution was condemned, and this body passed an order drawing around that resolution a deep, black line. So I believe the time will come when by common consent of men of all parties we will draw a deep, black line around the Journal of the proceedings of this day.

Good government and orderly conduct of the business of 62,000,000 of people, in my judgment, are involved in this proposition. Freedom of speech and all that follows in its wake are to be determined by the resolution now pending. In my judgment, Mr. President—and I speak alone for myself—I think it is the most revolutionary proposition which has ever been presented. I think if it is enacted and we should be bound by it its consequences can not be measured by any man, not to the South but to the North and to the West and to the entire country. It jeopardizes all business interests, in my judgment, and the good conduct of our local governments in all the States of the Union.

Senator Gray, of Delaware, whom we all remember with affection as a Member of this body, who has lately retired from the service of the Government in a judicial capacity, and who graced both this body and the bench, in opposing the proposition used this vigorous language:

Mr. President, it is a matter of sincere regret to me that the debate which ensued upon the resumption of the consideration of the elections bill, and which was proceeding regularly and, I think, for the edification of the Senate—at all events, for the edification of the country—should not have been allowed to proceed uninterruptedly without the interposition of this drastic, rude, violent proposition made by the Senator from Rhode Island in the resolution which is now before the Senate for consideration.

There was no necessity for it. It was a violation of all the precedents that have obtained in this body for a hundred years. Nothing had occurred in this body in the course of the debate upon the elections bill that was any warrant for turning back the current of history, violating American traditions, trespassing upon that liberty of all liberties, the liberty of debate, the freedom of speech, the freedom of speech in this body, as dear and as sacred and as important to the maintenance of our institutions as the freedom of the press, its correlative.

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It had been debated the year before, as the Senator from Nevada says, and yet you tell us that you must pass this bill in the remaining weeks and in the closing hours of the Fifty-first Congress, even if you have to destroy the liberty of debate in this body and the freedom of speech, which has never been questioned in a hundred years of its glorious history.

How natural that sounds, Mr. President. This bill, like the other, must be passed in the closing hours of Congress. No time is to be given for debate, but we must have a cloture rule to secure the desired result.

Mr. POMERENE. Mr. President——

Mr. GALLINGER. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator surely does not mean to have it inferred from his statement that there has been no time for debate on this bill?

Mr. GALLINGER. Oh, no, Mr. President; the Senator from Ohio has debated it, as well as some of the rest of us.

Senator Gray continued:

Mr. President, I was aware of the fact that this party who propose this violence to free speech were driven to the revolutionary method of

suspending and driving out of the House the opposition Members, and I tell the Senator from Rhode Island that he never can hope to succeed in the American Senate with his proposition until he has power to suspend and drive out of it the minority that sits on this side.

* * * * * * *

Why, I know that there never was a proposition made to subjugate a free people, to establish a despotism anywhere, certainly in what are called modern times, that it was not done with high-sounding phrases. This proposition is that when a "reasonable time" has elapsed, and not before—it might have said "and not before," and we would not be better off—shall debate be closed?

When King George wanted to work his will upon his dependent colonists he did not upbraid them and denounce them. He "wanted to subserve the happiness and welfare of his beloved subjects in the Colony of Massachusetts Bay," was the same resounding phrase or preamble of some kind that preceded every act and every manifesto of the tyranny of that king toward this country. It is always so. Wherever absolute power is deposited it is impatient of contradiction, impatient of obstruction. We have been slow in learning that lesson. Human nature is the same to-day that it was a thousand years ago, and we owe our liberties not so much to the increase in intelligence, great as it has been, and the diffusion of knowledge and education, as to the sturdy resistance of those upon whom absolutism was sought to be worked.

It was the resistance of the barons that wrested the charter from King John. It was the resistance of the common people that overthrew the Stuarts. It was the resistance of "embattled farmers" who fired the shot, whose echo "sounded round the world," that overthrew the tyranny of King George. And it will be the resistance of the plain people of America this day and generation that will thwart and destroy and make null all the attempts of any set of men, whether they be a majority or a minority, to control their liberties and destroy their freedom.

Institutions, Mr. President, that have been erected and grown up during all these struggles are what protect freedom and liberty to-day throughout the world wherever they obtain. Benevolence will not do it. Tyrants are benevolent; kings are benevolent; monarchs are amiable. They do not desire the suffering or the unhappiness of their subjects. But will that make you more content, Mr. President, to live under a monarch or a despotism, that the personal character and the disposition and the temper of the monarch are such that in all private contact he is lovely and amiable and attractive? No, Mr. President; we do not hold our liberties upon the reasonableness of the majority.

We do not hold our liberties upon the reasonableness of the majority any more than we hold them upon the good will or benevolence of an individual tyrant. We have surer muniments of freedom than that, and unless we maintain them—and God willing we will maintain them—then we shall lose all they were intended to guard.

Among other things Senator Gray said that the proposition was a violent assault against home rule in the United States, adding:

The measure is obnoxious to every sentiment of American freedom. It must go hand in hand with the alien and sedition laws and with a censorship of the press.

Again, in 1893, the Senator from Connecticut, Mr. Platt, introduced an amendment to Rule IX, which in effect established a cloture rule. It was opposed in a remarkable speech by the late Democratic Senator from Indiana, Mr. Turpie, who, among other things, spoke as follows:

It is very often said, sir, that the majority in this country rules—I have heard it repeated once or twice in the discussion upon the question of cloture—and, therefore, that the majority in this body should rule. That statement is much too broad, whether it be applied to the whole country or to the Senate of the United States. It is much better made in this way, and can be only truly made in this way: The will of the majority expressed under the form of law, or in the form of law, or by the form of law, or in accordance with the form of law, governs in this country and governs in this body, as will be seen in the sequel.

The first form of law to which the majority is subject is the Constitution of the United States, and with respect to this body the second form of law is its own rules. The majority in this body controls its action when action is taken. It passes a bill or defeats a bill. But the majority in this body has never decided either when action shall be taken or whether action shall be taken at all. That has always depended upon the unit, the smallest possible minority. It is the smallest conceivable minority of this body which determines the question when action or whether action shall be taken.

I heard this body characterized the other day as a voting body. I disclaim that epithet very distinctly. I have heard it described elsewhere as a debating body. I disclaim that with equal disfavor. This body is best determined by its principal characteristic. The universal law and genius of language have given a name to this body derived from its principal attribute. It is a deliberative body—the greatest deliberative body in the world.

Now, voting is an incident to deliberation, and debate is an incident to deliberation, but when a body is chiefly characterized as deliberative there is much deliberation apart from discussion and debate, and wholly apart from what is called the business of voting.

The essence and the spirit of a body like ours, now over a century old, may be best gathered from its rules of action, the body of law governing it, always very small, now very brief. Of the 21 rules properly affecting parliamentary procedure in this body 11 relate to the subject of deliberation. More than one-half relate exclusively to that subject, and have nothing to do with debate or voting. I suppose that the form of law under which the will of the majority must control embraces at least the rules which govern us. Here is Rule XXII, one which touches us every day. I think it is the most frequently operative of any in the Senate.

Senator Turpie then quoted the rule, giving a list of the motions that can be made when a question is under discussion, of which the previous question is not one.

It will be observed, Mr. President, that in all these discussions on the question of introducing the previous question into the Senate of the United States, the ablest speeches that were made against the proposition and the most earnest and convincing speeches that were made against it were made by members of the Democratic Party. I know it has been said, and I admit it freely, that when I first came into the Senate I was impressed with the idea that we might well adopt the previous question in this body, as the House of Representatives has adopted it; but it did not take me very long to learn, from listening to the debate of other Senators older in the service than myself, and from examining the proceedings of the Senate covering more than half a century, that my position on that question was not a sound one; and I then came to the conclusion, which I entertain to-day, that the business of the Senate will be better conducted, and that we will have better legislation, if we continue under the rules which exist at the present time.

Mr. CLARKE of Arkansas. Mr. President——

Mr. GALLINGER. I yield to the Senator from Arkansas.

Mr. CLARKE of Arkansas. Will the Senator from New Hampshire yield to me for a question?

Mr. GALLINGER. With pleasure.

Mr. CLARKE of Arkansas. Shortly after I came to the Senate I was riding to the Capitol one day with Senator Hoar, of Massachusetts. The question of adopting a cloture rule in the Senate came up in connection with a protracted debate which was then ensuing here, and he said to me, "There was a time in my legislative career when I believed that the absence of a cloture rule in the Senate was criminal neglect, and that we should adopt a system of rules by which business could be conducted; but the logic of my long service and observation has now convinced me that I was wrong in that contention. There is a virtue in unlimited debate, the philosophy of which can not be detected upon a surface consideration." He said, "I have looked along down the history of legislation in this country and the history of filibustering in connection with it, and I have yet to find a single measure that the American people desired to see enacted which was not enacted, and I have never seen one defeated that upon full consideration, and when taken in connection with the unfolding events of history, has not been condemned"; and he announced a complete reversal of the position he took during the discussion of what was known as the force bill.

Mr. GALLINGER. Mr. President——

Mr. REED. Mr. President——

Mr. GALLINGER. I want it understood——

Mr. REED. I claim the floor.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. REED. The Senator from New Hampshire had yielded the floor to the Senator from Arkansas.

Mr. GALLINGER. No, Mr. President; I did not yield. I yielded for a question, as we all know.

The PRESIDING OFFICER. The Senator from New Hampshire had fair warning from the Chair that interruptions other than questions would not be tolerated. The Senator from Arkansas did not ask the Senator from New Hampshire any question. The Senator from Missouri has the floor.

Mr. REED. Mr. President, I desire——

Mr. CLARKE of Arkansas. Mr. President——

The PRESIDING OFFICER. The Chair will suggest to the Senator from Missouri that it would be courteous to the Senator from New Hampshire if he did not claim the floor at this time; but the Chair will certainly recognize the Senator from Missouri.

Mr. REED. Mr. President, I shall insist upon my right to the floor. The time for courtesy in this Chamber has passed when we have had a filibuster for eight or nine weeks.

Mr. CLARKE of Arkansas. Mr. President——

Mr. REED. I do not yield.

Mr. CLARKE of Arkansas. Will the Senator yield for a word of personal explanation?

Mr. REED. No; because it would cause me to yield the floor. That is the only reason.

Mr. CLARKE of Arkansas. Oh, it would not, of course.

Mr. REED. Under the rule that now obtains, it would.

Mr. CLARKE of Arkansas. I understood——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. REED. No; I do not yield. I can not yield.

The PRESIDING OFFICER. The Senator from Missouri does not yield.

Mr. GALLINGER. Mr. President, do I understand that I am taken from the floor? The record will show that I yielded for a question.

The PRESIDING OFFICER. The Senator is. That is the ruling of the Chair.

Mr. REED. I am holding the floor.

Mr. GALLINGER. That is the ruling of the Chair?

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. GALLINGER. Mr. President, I think it is most extraordinary, but I will have another opportunity to complete what I had intended to say.

The PRESIDING OFFICER. The Chair regrets the circumstance, but——

Mr. GALLINGER. The Chair must know that I yielded merely for a question. I stated it in that form.

The PRESIDING OFFICER. The present occupant of the chair, when he took it, said that yielding would be a peril to a Senator if he allowed the Senator interrupting to proceed to make a speech. It is perfectly obvious that the Senator from Arkansas did not address an inquiry to the Senator from New Hampshire.

Mr. REED. Now, Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

Mr. REED. I have done this more to enforce a situation than otherwise. For this time I shall yield the floor, and the Presiding Officer of the Senate can recognize the Senator from New Hampshire if he desires; but hereafter I shall insist upon that rule.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. CLARKE of Arkansas. Mr. President, let me at this time make a word of personal explanation.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor

Mr. GALLINGER. Mr. President, as I understand, the Senator from Arkansas rises to a question of personal privilege. If so, I must yield.

The PRESIDING OFFICER. If the Senator rises to a question of personal privilege——

Mr. CLARKE of Arkansas. I was induced to address the statement I did to the Senator from New Hampshire on the basis of a statement made by the Vice President——

Mr. GALLINGER. It is understood that the Senator from Arkansas rises to a question of personal privilege?

The PRESIDING OFFICER. The Senator rises to a question of personal privilege.

Mr. REED. Mr. President, a Senator can not rise to a question of personal privilege while another Senator has the floor. It is as much a violation of the rule as the one we have just had.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. GALLINGER. Then, Mr. President, I will proceed. I was not much annoyed by what the Senator from Missouri did. We have become accustomed to listen to lectures from the Senator from Missouri, and to some very disagreeable observations relating to other Senators. I was aware of the fact that I had two opportunities to discuss this question to-day, and I thought that if I was denied the courtesy of continuing under the circumstances, I would have either later in the day or to-morrow an opportunity to continue the discussion. Now I will proceed.

Mr. President, I have sketched, as far as time allowed me to investigate the matter, the several attempts that have been made to enforce so-called cloture by means of the previous question in this body, all of which attempts have proved failures. It now remains for the Senate to determine whether it is prepared at the present time to overthrow the traditions and rules of the Senate and establish a cloture rule. Speaking for myself, I trust that the passions of the hour will not lead the Senate to commit an act that in the future will be a matter of profound regret to its membership. It should be remembered that there are other days and years to follow the present; and I venture to express the belief that if the proposition so earnestly advocated is agreed to it will come back to plague its inventors.

During the nearly quarter of a century that I have been in this body I can recall but one instance where dilatory tactics prevented the passage of a bill that was sustained by the majority judgment of the American people, and I apprehend that if this question passes without a change of our rules it will be a long time again before a bill supported by the majority sentiment of the country will meet defeat at the hands of this body. Let us be patient, in the hope and belief that even if this bill shall be defeated the Government at Washington will still live and no harm will come to any class of our people.

Now, Mr. President, I turn more directly to the discussion of the question at issue, which is whether or not we shall approve the bill which has been before the Senate for so long a time, and which, in the nature of a substitute, has come from the House of Representatives to-day. I know that there are a great many people in the country who believe in the passage of that bill, but I furthermore am satisfied that there is a tremendous majority of the people of the United States who are opposed to its passage, and who, if they had an opportunity, would resist it as earnestly as I have done heretofore and as I now intend to do.

As I said on a former occasion, I am absolutely opposed to the principle of Government ownership in the conduct of any business that can be carried on by private persons or private corporations. I oppose the bill for that reason. I oppose it, furthermore, Mr. President, for the reason that I believe if it is attempted it will of necessity prove a failure and become a tax upon the American people for the losses that will necessarily result.

I noticed this morning in one of the newspapers of Washington an utterance of a former Member of this body which attracted my attention. It was from former Senator Obadiah Gardner, of Maine, who now holds a high position under the present administration. He said:

"If the executive branch of the Government is going to take charge of and supervise every bill that comes up in Congress, then we might as well abolish Congress," said former Senator Obadiah Gardner, of Maine, a member of the International Boundary Commission, at the Willard. Senator Gardner was one of the most loyal supporters of Gov. Wilson for the Democratic nomination and among his most active lieutenants.

Ex-Senator Gardner continued:

The people of my part of the country are opposed to the ship-purchase bill. Years ago I was closely identified with the shipbuilding industry at Thomaston, Me., and at that time the shipbuilders, who employed some 1,500 men, insisted that if we were to build up a great American merchant marine the Government must give them free raw materials. This did not happen, and the shipbuilding industry of Maine was abandoned and the shipyards to-day are grown over with grass. This bill, as I view it, is socialistic in its tendencies; it is a step toward Government ownership, to which I am and always have been opposed.

I was in the Senate when the Panama Canal bill containing the provision for exempting our coastwise vessels from tolls was enacted, and during the argument on the bill I listened with open mind to the speeches of those for and against the exemption clause. I was convinced then that if we exempted our own coastwise vessels from tolls it could in no manner be construed as in conflict with existing treaties, and I voted for the exemption. I have heard no sound argument since then to convince me that I was wrong in my vote, and had I been a Member of the Senate when the repeals bill was up I certainly should have voted against it.

No one has ever questioned my loyalty to the President or the Democratic Party, but men should have the right to differ honestly on great questions without being charged with disloyalty to their party.

The words of Mr. Gardner may well be pondered by his political associates.

The New York Journal of Commerce, one of the ablest papers in the country devoted to financial and trade matters, in its issue of February 11, 1915, only a few days ago in an article the caption of which is, "A colossal blunder," refers to the bill now under consideration as follows:

[From the New York Journal of Commerce, February 11, 1915.]

A COLOSSAL BLUNDER.

There can be no question in the minds of intelligent voters that President Wilson is entirely responsible for the disgraceful struggle that is going on in the United States Senate for "jamming through" the ship-purchase bill to the peril of all other legislation, including that providing for the expenses of the Government for the next fiscal year, and at the risk of forcing an extra session of the new Congress. Apart from more legitimate objections affecting the interests of the Nation, this is a colossal blunder from the political point of view. That the business of the country suffers in various ways from the war that is raging in Europe there is no doubt. It is the inevitable result of the conflict that our foreign trade is seriously hindered for lack of adequate shipping and from consequent high charges for transportation on the main routes of commerce on the ocean. It is easy enough to collect evidence of that fact and complaints of shippers and of producers of commodities for export, the prompt carrying of which is prevented. It is natural that many of these should cry out for relief by the Government; but it does not follow that relief should come from that quarter by having an official board buy and operate merchant vessels at public expense. It does not remove any of the objections to that method of seeking relief, which would surely result in far more harm than good.

There is no evidence of a popular demand for this kind of a policy, which would necessarily be blind to consequences if it existed; no sign of any decided public opinion in its favor, while it is almost unanimously opposed by commercial bodies made up of men who have the best means of judging of the effect. The shipping bill originated with the President and certain members of his Cabinet as an emergency measure when it seemed to many that it was the only way of escape from a virtual embargo upon our foreign commerce. Since then the situation has been improving, and consideration has been given to the subject which convinces most people that there are other and better ways of relief, so far as relief is practicable, and it was never to be expected that relief could be rendered all at once or that it would be complete so long as the war lasted. It is useless to keep reiterating the objections to this scheme from the point of view of business and of national policy. No heed is paid to argument or protest. The support is almost wholly partisan and official; and, so far as it is partisan, it is due to official influence and the driving leadership of the President over the Democratic forces in Congress. It is well known that some representatives of his party in that body who feel bound to vote for the measure to avoid what they fear would be a disastrous split are opposed to it by conviction and there is reason to believe that a majority of them will vote for it reluctantly.

The President is putting the party fidelity of Democratic Senators and Representatives to a severe test by his insistence upon making this an administration measure and trying to force it through by Executive coercion, however much he may believe in its wisdom himself. Apart

from the violence done to the convictions and the conscience of those who may submit to the ruthless pressure and sacrifice their independence of opinion and of action, it is an indefensible invasion of the functions of the legislative branch of the Government, and those Senators who are resisting it with all their might are justified on that ground alone. The seven Democrats who insist upon the right to think for themselves, to express their honest opinions freely, and to act upon their convictions and their responsibility to the States which they represent, are doing themselves honor, which will stand upon the record to their credit when the conduct of the President is condemned. It is for him to recommend measures to Congress, with any statement of reasons that may seem to him best, and he has the power to veto any that may be passed by the two Houses which he does not approve, and compel a reconsideration and their abandonment unless they then receive the support of two-thirds of the Members of both Houses. Beyond this he has no right to go, and to use the kind of pressure he is now exerting in favor of a measure of his own and try to force it to enactment is an encroachment upon the legislative power as represensible as would be the use of Executive influence to swerve the judicial branch of the Government in its decisions.

When we speak of this as a blunder, we do not mean simply that we believe that it will prove a mistake for the purpose for which it is designed or that it will turn out to be an error in Government policy. We do believe that and greatly regret the course pursued by the President on that account and hope the consequences will be averted by the defeat of the bill. But we also believe as a matter of forcing party action it is a blunder, and if carried out to its consequences will be fatal to the continuance in power of the party which the President is driving rather than leading. We believe that the shipping scheme would either be a fiasco or would entail results which would prove injurious. We believe there would be a strong reaction against the policy embodied in this plan of Government ownership and operation of shipping in time of war. We do not believe the people of the country are prepared to accept the doctrine that the President and his Cabinet have the right under the Constitution to dictate the action of Congress, to devise measures which they desire to have enacted and use all their official power and influence to drive them through. This savors too much of autocracy or oligarchy. It is inconsistent with a republican form of government and the antithesis of democracy.

A statement was submitted to the Chamber of Commerce of New York a few days ago by Mr. Irving T. Bush, a well-known man, concerning this bill, which contains so much of truth in a few sentences that I will quote it. Mr. Bush said:

GOVERNMENT OWNERSHIP AND OPERATION OF SHIPS.

The members of the committee would have gone a long way along radical lines if we felt the passage of the Alexander bill and its adoption would really bring about the results desired. Every available steamship in the world to-day capable of carrying freight is in operation. The only vessels which can be brought to our assistance are those interned in neutral ports belonging to belligerent nations. Private capital will be very glad to take them and finance and operate them if they can be placed under neutral flags without the opposition of the warring powers. We do not wish to place the United States Government in the position of being their purchaser and to impose such responsibility upon it. It is apparent that only by buying new ships will any relief be brought to the present emergency, and it will take at least a year, and probably 18 months, before any substantial tonnage can be produced in that way.

It is necessary to determine, first, the number of ships to be built, to prepare the plans and go through the process of advertising for bids, and then constructing them and placing them in service; and if we do this, what can we accomplish with $30,000,000? The cost of a fair-sized freight-carrying vessel to-day, of only moderate speed, built in American yards, would vary from $500,000 to $1,000,000. I am not speaking of vessels capable of being operated on mail and passenger routes, but I am speaking of freight-carrying vessels; but if the Government should go into this business it is probable that some of the money would be spent upon vessels capable of carrying mails. Therefore we could purchase on the expenditure of $30,000,000 somewhere between 30 and 60 ships, and attempt to restore the American merchant marine in this way.

England alone has 4,235 ships engaged in foreign trade. Does it seem worth while for a nation of the standing of ours, worthy of the constructive genius that has given us our currency reform and our banking measures to attempt to reestablish the American merchant marine with a fleet of from 30 to 60 ships? It is not big enough to do any substantial good, but it is just large enough to discourage private capital and private courage from coming to the assistance of the merchant marine of this country.

The only other reason which would apparently justify the Government in going into the steamship business is that it could be shown to be profitable; but the advocates of the measure themselves state that the only reason why the Government may go into the business of building and operating ships is because private capital can not make any money by doing so. If, therefore, we can not bring any substantial measure of relief to the present situation, and if the Government can make no money by going into the business, is it worth while for so little, to do so small a thing, to commit the Government to the policy of reversal of economic standards which would embark it in a very dangerous and uncertain field?

It seems to me, gentlemen, the suggestion is not worthy this great country or worthy the administration at Washington, which has done in the past some big things in a big way.

In a recent issue of the New York Sun I find the following:

President Wilson was compelled yesterday to modify somewhat the severity of the attitude in which he has been insisting on the passage of his abominable, un-American ship-purchase bill. The compelling circumstances are notorious. They are found in the conditions confronting the President in the ranks of his own party in the Senate.

We do not yet know how far the declaration of an intention to buy no ships that would involve controversies with European belligerents will occasion joy in the contiguous section of Mr. Wilson's official and personal family. If we did know this, we should also know how far the Secretary of the Treasury is responsible for the unfortunate project.

The fact of importance is that this particular modification or concession, enforced by an indignant or alarmed public opinion by speeches like ELIHU ROOT'S and finally by the independent action of the seven Democratic Senators, leaves untouched in potency the principal objection to the measure.

The main reason for defeating the administration's bill was not that it promised to involve the country in complications with one or more of the belligerents, but that it directly involved the Government in mercantile trade in competition with private enterprises, which the Government has no business in common sense and no warrant in sound precedent for undertaking with any ships, however acquired.

This reason remains in all its strength, and the ship-purchase bill should be defeated.

In what crucible of folly or calculated interest and by what alchemy of mischief was brought into existence this un-Democratic, un-Republican, un-American, purely socialistic conception of a Government merchant marine?

The Scientific American, which can not be charged with being a partisan publication, but which is devoted largely to scientific matters, in a recent issue discussed the question in these words:

Although the question of the upbuilding of our merchant marine and the scope and character of the governmental assistance which should be given to assist in its resuscitation is full of complexities, there is one fundamental fact in the situation which is clearly understood by the shipping men, by the private citizen, and even by Congress itself.

We refer to the fact that, because of the better food, better accommodations, higher pay, and other advantages conferred upon the American seamen by the navigation laws of the United States, the cost of running an American ocean-going steamship is so much greater than the cost of running a ship under a foreign flag that successful competition in the deep-sea trade is an absolute impossibility.

Time was, moreover, when it cost very much more to build a ship in American yards than it did in foreign yards; but the margin of that difference has been gradually reduced until now it is comparatively negligible in comparison with the vast difference in the cost of the operation of ships.

Everybody knows that we have failed to build up a modern merchant marine, and everybody knows just why we have failed. To-day the Government, with the strong backing of the President, recognizing the failure of private enterprise, wishes to go into the shipping business itself and fly its flag over a fleet of Government-owned ships, hoping thereby to build up an American merchant marine, and promising, when the new venture is fully established, to withdraw in favor of private operation and ownership.

We wish to put ourselves on record as stating, first, that the whole scheme bristles with fallacies; secondly, that the latest trade returns show that a Government-owned fleet is unnecessary; thirdly, that it will work injustice to the private owners of ocean-going ships; and, last and most important of all, that this shipping bill may well prove to be a snare which will sooner or later entangle us in the great European war.

In the first place, the Government is violating one of the fundamental, if unwritten, principles upon which government is based if it enters into a business enterprise in competition with the private interests of its citizens.

Such action would be wrong in any case, and it is particularly vicious when the interests against which the Government will compete are already having the greatest difficulty in keeping their heads above water. It should be the policy of the Government to encourage our struggling merchant marine, not to drive it from the seven seas.

Furthermore, the plea of the President that the war has so disorganized the carrying trade that there are not enough ships to handle our imports and exports has been completely demolished by the recent trade returns, which show an increase of exports for December, 1914, over those of December, 1913, of over $13,000,000.

As we said at the outset, facts are what we should keep our eyes upon, not theories. And if ever cold, hard facts demolished a plausible theory these trade returns for December have swept away the one plausible plea that has been made for this ill-conceived Government-ownership scheme.

Be it remembered, also, that in the very nature of things an enterprise which private capital and the best brains of the country have failed to make profitable can never be run at a profit if handled by the Government.

Our humanitarian navigation laws render it certain that Government-owned fleets will be run at a loss. That loss must be made good from the Treasury, and to this extent the proposed Government-owned fleet will become a tax upon the people—a manifest injustice.

The last and surely the most important objection of all against this fatuous bill is the grave and ever-present danger which it will introduce in the international situation. The right of search on the high seas exists and is recognized; contraband of war is liable to find its way into the bottom of ships, whatever flag they fly; and a situation is conceivable in which the right of search might be exercised on a ship that was sailing under the Government flag.

Is the presidential hand which wrote the so-called "declaration of neutrality" prepared to sign a measure which might easily upset in a single day the neutral attitude which the President's proclamation has thus far so successfully assured?

I called attention a few days ago, Mr. President, to a great meeting that was held in Faneuil Hall, in Boston, addressed by both Republicans and Democrats, and presided over by a Democrat, the mayor of Boston, a gentleman who recently by resignation left the House of Representatives, and that at that great meeting a resolution was unanimously passed denouncing the present ship-purchase bill. I will read the resolution:

Resolved, That a meeting of citizens of Massachusetts, assembled in Faneuil Hall this 4th day of February, A. D. 1915, does hereby record its emphatic protest against the passage by the Congress of the United States of the so-called ship-purchase bill.

When I first called attention to this great meeting, Mr. President, my amiable friend the Senator from New Jersey [Mr. MARTINE] declared that Mayor Curley, who presided, did not give the opponents of the resolution an opportunity to be heard.

Mr. President, the fact is that one gentleman who was not on the list of speakers, a man whom I know to be a meddler and a busybody always, demanded a right to be heard, and he was hissed by the great audience. Yet he sends a telegram here say-

ing that Mayor Curley exercised despotic power and did not give the opposition an opportunity to be heard.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from New Jersey?

Mr. GALLINGER. I am reminded of what occurred a little while ago. I yield for a question, and that alone.

The PRESIDING OFFICER. The Senator from New Hampshire yields for a question.

Mr. MARTINE of New Jersey. I should like to ask the Senator a question, whether he does not know that the so-called busybodies stir up the dear interests of the people occasionally and endeavor to demand the people's rights? This was the case in the instance the Senator cited——

Mr. GALLINGER. The question has been asked, Mr. President. Possibly the Senator was not here a little while ago when I was taken off the floor.

The PRESIDING OFFICER. The Senator from New Hampshire declines to yield further. The Senator from New Hampshire will proceed.

Mr. GALLINGER. I will get through sooner to-day, Mr. President, if speeches are not injected into the belly of my remarks by other Senators.

Mr. MARTINE of New Jersey. I do not want, Mr. President——

Mr. GALLINGER. I propose now only to yield for a question. I am not discussing the question of busybodies to-day, although that might be made a prolific subject of discussion.

Mr. President, the Marine Journal, of New York, a paper devoted to the marine interests of the country, and which has a very wide circulation, under date of January 30, 1915, discusses this question under the caption "Government ownership a subsidy in fact"—a matter that I have over and over again suggested in this debate, but it has been resisted by Senators holding a different opinion from that which I hold. The Marine Journal says:

It is only pride of opinion or prejudice that prevents the administration leaders in Washington from making their Government-ownership bill over into an outright subsidy bill. They have denounced subsidy so much and fought the Republicans so stubbornly that they hate to make a frank surrender and acknowledge that that is the only way out of the present emergency. Yet the purchase, ownership, and operation of foreign-built or home-built vessels in over-seas commerce at national expense is practically a subsidy policy and nothing else. The increased cost of running the vessels under the American flag, due to the higher wages, higher standards of living, and in part to the requirements of the navigation laws, and the additional handicap of foreign subsidies to some foreign lines, are exactly what Republican subsidy legislation sought to cover and to compensate for. The Government-ownership bill would compensate for this also, but in another way, without providing a specific payment for a given service or a given line. Under the Democratic plan the ships would be owned temporarily by the Government, it is true, but only temporarily, the purpose being, as the President himself has said, to turn these ships over to private hands as soon as the lines are profitable. Meanwhile 49 per cent of the stock of the Government shipping corporation operating these craft can be held by private investors.

The Republican plan was to offer a certain subvention for a regular steamship service to a given foreign port, the contract to be awarded to the lowest responsible bidder. This would result in the payment by the Government of no more than the additional cost of maintaining an American as against a foreign steamship service; that is, with competition in bidding, the work would be undertaken at the lowest possible cost. But the Democratic plan is to have the Government buy the ships and start the line. It will inevitably cost the Government at least as much more money to operate an American line as it would cost experienced private shipowners. In fact, it would unquestionably cost the Government a great deal more, because it would not have the knowledge of the business or the spur to economy that comes of the requirement of earning dividends. Then, at the year's end, whatever deficit occurs as the result of the operation of an American steamship line is to be made up out of the Public Treasury.

Government ownership—the Democratic way—is subsidy and nothing else in the last and true analysis. It is a clumsy, extravagant form of subsidy. The Republican plan is an infinitely better plan, more economical, more efficient, in thorough accord with the practice of the maritime world. If the Democratic leaders are wise and broad and statesmanlike, they will adopt it. This is no time for narrow partisanship; the people can not be fooled.

I find so much good material, Mr. President, in the New York Sun recently that I will discriminate in the articles I shall quote from that great paper, a paper of mighty influence in the country, a paper that I think has always treated the present administration fairly, but I will take the liberty of reading a very brief editorial published not long ago under the caption "For whose benefit?"

The resolutions adopted yesterday by the Merchants Association concerning the ship-purchase bill present squarely and state clearly the three great dangers inherent in that measure:

1. The danger of such legislation as a precedent in paternalism.

2. The danger to the future of an American mercantile marine which must in any case depend ultimately on private enterprise and management, and could not operate successfully either as the partner or as the competitor of the Government.

3. The danger of grave complications with the belligerent powers, leading probably if not certainly to a clash with one or all of them.

It is to the last of these three perils that public attention is now most generally directed. The extent of the consequences involved is becoming apparent to the people as the administration persists in demanding the passage of its ship-purchase bill.

There is something else not quite so apparent.

Why is the administration willing "to purchase a quarrel," as Senator ROOT puts it, "with every ship"?

What is behind this sinister proposal? For whose benefit or profit is the Nation asked to incur the risk of war?

It is not a question of national honor and national courage, but of national common sense. Is there not war enough in the world to-day?

Mr. President, when I read this morning's newspapers I was profoundly impressed with the feeling that possibly our Nation is to-day nearer war than most of us imagine. For that reason I join with those who have heretofore protested, and who will later on protest, that we ought not to engage in any policy that could by any possibility involve the United States in the terrible, destructive, and inhuman war that is now engaging the attention of some of the leading nations of the world. We can not afford to do it; we ought not to take any risk, however slight it may be, if that danger can otherwise be avoided.

The Boston Herald of recent date, under the caption of "The common sense of the present situation," has an editorial which is so full of common sense that I will read it into my remarks. It is as follows:

The administration and Congress are pushing the shipping bill. Is it a wise measure? A purchase of ships from any one of the belligerent nations, which are then to be put under our flag, is against the laws of nations. As has been said in Washington, it may involve us in a war with any nation, or at least an injurious wrangle or a humiliation from being obliged to sell the vessels again.

Why should the Government organize a corporation to buy ships? The rate of freights is high. Very good. The consumer pays the freight, and not the shipper from our side of the water. No farmer complains of the high prices of wheat, corn, oats, meat, horses; no manufacturer complains of the high prices of shoes or clothing, and why should we complain of the high price of freight on ships? If it comes to an American shipowner, it is good for the Nation; if it goes to a foreign shipowner, we have nothing to say—it is the consumer who pays the freight.

Mr. President, I was struck this afternoon by the answer the distinguished Senator from Nebraska [Mr. HITCHCOCK] gave to the Senator from Florida [Mr. FLETCHER], who interrupted him to inquire if he did not think the ocean rates were altogether too high, and if he did not think this Government-ownership scheme might possibly reduce them, when the Senator from Nebraska said, and said truly, that, while the freight rates are high, it is the foreigner who pays the freight; that it does not concern our own people. As the Boston Herald points out, if the advanced rates go to the owners of American ships, then we are that much to the good. This article continues:

The number of ships for the Pacific trade is too large, and some of them are available. A part of our coastwise shipping is available, and on the Great Lakes are many available vessels which will come out in a month or two, and indeed could be got out to-day by cutting the ice on the Welland Canal. Some of that lake shipping which is now lying idle would be available for coastwise trade, and some for transoceanic trade. With a little patience the demand for ships will bring them to our shores, for it will not happen in this busy world that conveyances, whether cars or ships, will long be wanted in vain.

A company organized by the Government will pay a high price for ships to-day, and when the war is over the same shipping will be in the market at half price, for England is building ships faster than ever. Has the Government noticed that the price paid for building ships has risen very much, and that that price governs the cost of shipping to-day?

My attention was attracted a little time ago, Mr. President, by the observation of an Englishman, that if this Government discovered English ships that could be purchased, they would be secondhand ships which would be sold to the Government of the United States at high prices. He said "We are building new ships now as rapidly as our shipyards will turn them out. When the war is over, we shall put our new ships on the ocean routes of commerce and drive out of business the secondhand ships that we are going to sell to our neighbor across the ocean." It seems to me that that was a sensible observation. This editorial continues, repeating the observation of my English friend:

To sum up: The high rates paid by European consumers to our shipowners puts money into the pockets of our people—and these high rates are paid on the other side of the water. The bill is not sound, as tending to a dispute with European nations and to a complete unsettling of confidence. It is not sound economically

We have had enough disturbances, which unsettle our people, who are clamoring for work and food. If we had a war or a threatened war, it would discourage many enterprises which are beginning to hold up their heads and which would give the workmen a living. Why run the risk of that? If our country could have a rest, know that nothing new was impending, and be able to reckon on fair times, we could move on. At present people are waiting and guessing. They do not know how to do the sum, and the Government can help them or not as it chooses. Men ought not to have to guess, for that breeds speculation—the very thing which our Government deprecates.

It is beyond the understanding of business men how the President and Secretary Bryan, who are the strong friends of peace and are constantly urging neutrality, can push any disturbing measure like this shipping bill. It is the duty of every citizen, whether Democrat or Republican, to object, and to resist it to the utmost. Let us have peace and a rest, and then the sun will come out.

I wish to say, Mr. President, that that article was written by Col. Henry L. Higginson, who is well known throughout the country, a man of high learning and culture, and a man who thinks very profoundly on public questions. He calls attention to the fact that our industrial situation is not so good as it might be. I want to emphasize that fact by saying that investigations that I have attempted to make lead me to the conclusion that, aside from the increased business that has come to certain classes of manufacturers in this country in consequence of orders from abroad consequent upon the war, we are 40 per cent below the normal, so far as general business is concerned.

A few days ago the Senator from New Jersey [Mr. MARTINE] called attention to the fact that the Locomotive Firemen and Engineers' organization had indorsed the shipping bill. That is true. They have a right to their own opinion, of course; but in that very memorial, or petition, or statement, or whatever we may call it, that great organization started out with the assertion that there were at least 3,000,000 people out of employment at the present time in the United States. I might take up that question, Mr. President, but I shall not do so at the present time. Later on, between now and the 4th day of March, I will take occasion, if the business of the Senate and my own personal convenience will enable me to do so, to discuss the industrial situation as it is upon us at the present time and as it doubtless will be upon us at a later time, due, as I believe, to the economic fallacies in the present tariff law that is upon our statute books.

The Pacific Marine Review, which is published on the Pacific coast, has a long article on this subject, but I am only going to quote one paragraph. It says:

The economic conditions which obtain in the United States have strangled the American shipping industry. No attempt is to be made to remove those conditions, but a new shipping industry is to be created. We are loath to say anything rude, but really this seems more like a madman's dream than the considered plan of a statesman. If American shipping could not be made to pay yesterday it can not be made to pay to-morrow, unless the conditions which militated against it are done away with. It may be made to show a profit on paper, but the loss will be there all the same. No man ever got rich by taking money out of one of his pockets and putting it into another. But, after all, it is not patriotic of us to criticize the movement in this disagreeable fashion. The passing of the bill would mean that the United States would come into the market as a heavy purchaser of secondhand tonnage at fancy prices. This would mean money in the pocket of the British shipowner, who would then proceed to spend some of it on new tonnage to compete with the old material which he had disposed of. Presently, when America had made another unearthly mess of the business, she would be wanting to get rid of her purchases again for next to nothing, and there would be some cheap bargains to be had. Therefore we ought rather to back up President Wilson right heartily, regarding him as a benefactor in disguise.

A very brief editorial from the Philadelphia Inquirer headed "Private shippers to be crushed" reads:

Speaking at New Orleans before the Association of Commerce, which had entered a formal protest against the passage of the Fletcher ship-purchase bill, Secretary Redfield announced that "if private shipping interests of the United States continue to act unjustly toward the shipper—and they have that power now—we will crush them."

That statement is quite in line with the spirit and the procedures of the present administration. It will be remembered that, even before he had been inaugurated, Mr. Wilson announced that anyone who tried to start a panic while he was President would be hanged higher than Haman, and scarcely had Mr. Redfield taken office as Secretary of Commerce than he issued a proclamation whereby manufacturers were warned that if they reduced the wages of their employees or restricted their operations their doing so would be regarded as an attempt to discredit the policies of the Democratic Party, and their books would be examined by Government experts with the idea of showing them up. It is true that this threat was not executed, but that it should have been uttered sufficiently indicates the temper by which the present administration is animated and controlled.

Now it is the private shipping interest of the United States which are to be disciplined by being crushed through the power to be conferred upon the Government by the enactment of the very dangerous and radically unsound measure which President Wilson is forcing upon a reluctant Senate and a disgusted country. And yet Mr. Wilson continues to insist that the prevailing depression is merely psychological, that there is not nearly so much unemployment as has been reported, and that "we are on the verge of a new era of enterprise and of prosperity." That is what he told the American Electric Railway Association the other day, and he actually had the assurance to claim that he and his party had emancipated the business world and had led it out of the wilderness in which for 20 years it had been wandering.

The Chicago Tribune—and, even at the risk of advertising that great newspaper, which does not need advertising, I will venture to say that it is one of the most potential and influential and widely circulated newspapers in all the world—a few days ago had an editorial under the caption "More shipping encouragement," which is brief, and which reads as follows:

Fearful and wonderful indeed are the notions of the would-be ship purchasers behind the administration bill regarding the ways and means of aiding and promoting a merchant marine.

Their first happy thought was to provide Government competition for the private ships. The Government, as we know, has a perfect contempt of cost. It scorns and defies modern accounting and bookkeeping. The power to tax is the power to pay deficits and make them appear like neat surpluses. How private capital would rejoice and glory in such competition!

Now, the friends of the bill have bettered their instructions. Further to stimulate and encourage the private merchant marine, further to tempt fresh capital into deep water, they are proposing amendments which give the shipping board to be created by them, if the bill passes, practically unlimited power to impose rules and regulations on all shipping and water-borne commerce of the United States. These rules may be changed at will and revised upward or downward at any moment.

Thus the Government is not only to compete on its own terms with private enterprise, but to regulate and control its competitors and to see to it that they do not establish a monopoly or make undue charges or excessive profits.

How capital will rush into the ocean carrying business under such delectable prospects, under such "certainty" as to the future! Business, as every sane man knows, needs certainty above all things. The ship bill as improved by partisan caucus and partisan thinking gives the merchant marine the one certainty that everything will be perpetually uncertain. We can see with the mind's eye a splendid merchant marine growing up by leaps and bounds under the stimuli of the bill; but, alas, that merchant marine will not be American. What queer business and what queer statesmanship the "perfected" bill embodies!

I have here, Mr. President, an editorial from the New York Times, another great newspaper which has not been hostile to the policies of the present administration, but, on the other hand, as a rule, has been extremely friendly. The editorial is headed "The administration's appeal to business judgment," and is as follows:

In his remarks before the American Electric Railway Association the President said: "Therefore, we have got to trade not only on our efficiency, not only on the service that we render, but on the confidence that we cultivate." What confidence is the administration cultivating among the men of business to whom his remarks were addressed, although not within sound of his voice? The Treasury now has a deficit of $88,000,000, and the Secretary of the Treasury tells the country that it is a matter of no present consequence; old or new taxes will take care of the debt on current account. The reliance is especially upon the income tax, a tax which particularly reflects such depression as is admitted by the Post Office Department. No precise statement of the Post Office's deficit is procurable, but it is said to be "millions." To that should be added the millions which ought to be paid for services which the Post Office requisitions from the railroads on a contract which the Congress makes without negotiations with those who do the work. If the Post Office and Treasury are in this condition, what confidence can the country feel in the President's assurance that times are not so bad as business men think? The Post Office's official statement specifically says that its troubles are due to the troubles of business.

With sentiment in this dubious state the President presses his shipping bill upon the country contrary to authoritative expressions of the large business interests of the country, and it is supported in Congress by arguments affronting to commercial intelligence. In an official report favoring the project two Secretaries present an exhibit that "almost the whole sum, $532,110,000, would be paid to foreign steamship owners, and would have an important bearing upon our foreign trade balances; it might, in fact, turn those balances against us." The extent to which the Government shipping line would lessen that calamity can be figured, but it is not worth while to take the trouble. Even before this official misrepresentation was made it was pointed out that the farmers sell their wheat on their farms, oftentimes, and usually on some neighboring exchange. The chief grain markets are near the center of the continent, where freight is not calculated, still less paid. The decorous Journal of Commerce loses its temper over the incident and says that the joint report of the two Secretaries is "too idiotic for serious comment."

That is opinion only. The repeated statements that other than belligerents' vessels are available are not in accordance with the facts on any scale worth the Government's action. As a matter of international law French and British ships are just as undesirable purchases as German or Austrian. German cruisers like the *Karlsruhe* would capture French or British ships masquerading under the American flag as quickly as the British warships would if they had the opportunity. But England has declared that the sale of British ships in war time is forbidden, and France has none to spare. No doubt there are vessels in the world to be bought by the Government, but it could get them only by overbidding private buyers, and could use them only by underbidding in the freight market. If the Government could provide cheap freights in that manner, it would be a costly bargain, whether or not it was within the Government's "rights." A right is something which can be waived at discretion, not something which must be exercised contrary to common sense.

That these things are so in the opinion of business men appears from the formal condemnation of the proposal by such reputable bodies as the Merchants' Association and the chamber of commerce of this city. They disapprove on argument and theory. The Boston Maritime Agency dissents on the statement of fact, explicitly contradicting the assertions in support of the bill. Those who support it are more few than fit, and their chief reliance is that the bill ought to be passed because the "interests" oppose it. It may be that there are interests supporting it, but the argument from unproved motives is both unworthy and unnecessary. Secretary Bryan said yesterday in a formal statement that it was to be assumed "that the authority conferred upon the President and those who will be associated with him in the matter will be exercised properly and with a due regard to the Nation's welfare." How can such a thing be assumed of gentlemen capable of putting forward such a measure? If it be conceded that their intentions are all that they ought to be, and doubtless are, how can it be thought right to intrust them with a discretion wider than the Czar's, all laws on the subject being repealed specifically for that express purpose? Congress washed its hands of the railway-rate question by turning it over to a commission, and after nearly 30 years it is seen that it is necessary to control the commission. Can it be wished that the ocean freights shall be thrown into similar confusion, without the slightest suggestion of the standards and principles by which the Government board should be guided? The President may as well take friendly warning that it makes no difference what the political effect of the bill may be, nor whether it is defeated or passed. He puts in jeopardy the confidence of the very class to which he is appealing. Prosperity is impossible without the confidence of business men, and confidence is seriously shaken both by the bill itself and the stubbornness with which it is pressed without nonpolitical support worthy the name.

The New York Evening Post, which has been a thick-and-thin supporter of the administration until the advent of the shipping bill, is now outspoken in opposition. Under the caption, "A Reputation in Peril," this great newspaper recently said:

If the shipping bill itself was a mistake some of the methods chosen by the President to urge it on the way to enactment have been still greater mistakes. To make of this measure, hatched in secrecy and never alluded to in a party platform, a test of party allegiance is most unwise. To affirm that those who are opposing it are "defying the Nation" is rash in the extreme. By such a course the President is both imperiling his reputation for sound judgment and needlessly hazarding his deservedly great prestige.

Mr. President, I have a great many other extracts from journals of the highest standing in the country in opposition to this bill, but I will not present them. I now want to turn my attention to certain matters that have been under discussion by Senators on both sides of the Chamber which I think are deserving of consideration before the vote is taken upon the bill.

In a speech the other day, the Senator from Missouri [Mr. REED] spoke of "the Shipping Trust" as "very busy in and about the opposition to this bill." Indeed, the Senator from Missouri has several times called our attention to the fact that that old friend, the Shipping Trust, was in Washington opposing the passage of this measure.

The Senator's denunciation of the Shipping Trust as opposing this bill is delicious. What is the Hamburg-American Line, the head and front of the trust, but a foreign concern and the ostensible beneficiary of the proposed legislation? The Senator from Missouri was indulging in real, though perhaps unconscious, humor when he made the remark about the Shipping Trust and omitted to tell us that it is a foreign trust.

Mr. President, I understand that the Senator from New Mexico [Mr. FALL] desires to give a notice, and with the understanding that it will not take me off the floor——

The VICE PRESIDENT. The Senator from New Mexico can give notice without taking the Senator off the floor.

Mr. GALLINGER. Then I yield for that purpose.

Mr. FALL. Mr. President, I desire now to give notice that to-morrow morning, immediately after the routine morning business, in the event of an adjournment, or upon the convening of the Senate if there is a recess, I shall address the Senate upon the shipping bill and the pending business before the Senate, which, I believe, is the caucus rule amendment.

Mr. GALLINGER. Mr. President, there has been some talk in this present debate about a "coastwise steamship trust," which, of course, if it existed, would be American. The Senator from Florida [Mr. FLETCHER], who has charge of this bill, declared in his speech of January 28 (CONGRESSIONAL RECORD, page 2459) that—

Investigation of the coastwise shipping interests develops a situation equally interesting. Nine-tenths of the Atlantic-coast shipping is owned by the railroads and two corporations. The report of the House Committee on the Merchant Marine and Fisheries says:

"The steamers of the railroad-controlled lines, combined with those of the Eastern Steamship Corporation and the Atlantic, Gulf & West Indies Steamship Lines, number 199, or 84.7 per cent of the above-mentioned total for the 28 lines, and represent 516,055 gross tons, or 93.9 per cent of the total gross tonnage. Not only do the railroads and the two shipping consolidations dominate over nine-tenths of the tonnage, but it is significant that very few of the principal routes on our entire Atlantic and Gulf coasts are served by more than one regular steamship line."

Inadvertently the Senator from Florida, quoting from the House committee report, fell into an error which has entrapped other Senators, an error to which I called attention during a debate some months ago. This report of the House committee, as the context clearly shows, and as the able chairman of the committee, Judge ALEXANDER, of Missouri, has frankly emphasized—this report of the committee was dealing only with the "regular line services," which control altogether only a small fraction of the tonnage of our great coastwise marine.

On page 406 of the Alexander report it is stated that on the Atlantic coast, the Gulf coast, the Pacific coast, and the Great Lakes together, "all told the 30 lines referred to in the preceding chapters as controlled by railroads or shipping consolidations operate 330 steamers of 868,741 gross tons, or nearly 70 per cent of the total number of steamers, and 74 per cent of the tonnage." But the report again and again makes it plain that what is referred to here is not 74 per cent of the total tonnage of our coastwise marine, but 74 per cent of the tonnage of that relatively small part of the coastwise marine engaged in "regular line services."

According to the report of the Commissioner of Navigation the total tonnage of the American merchant marine in coastwise commerce on June 30, 1914, was 6,852,536, including 24,538 vessels, of which 14,607 were steamers. But the total number of steamers controlled by railroads or shipping consolidations in regular line services, as the Alexander report states above, is 330 of 868,741 gross tons. So that, Mr. President, while in the coastwise trade we have 24,538 vessels, of which 14,607 are steamers, the vessels engaged in the regular line service, where they very likely have some kind of an agreement, number only 330; and, while there is a tonnage in the coastwise service of 6,852,536 tons, the tonnage of the vessels engaged in regular line service is only 868,741 tons. In other words, instead of being 90 per cent, as some Senators have stated, or 74 per cent, as others have stated, the American coastwise steamships controlled by railroads or shipping consolidations represent a tonnage of only 868,741 out of a total tonnage in the American coastwise marine of 6,852,536. Instead of 90 per cent or 74 per cent this railroad-controlled or consolidation-controlled tonnage is only about 13 per cent of American coastwise shipping.

Let us hope that it will not again be necessary to make this particular correction in this Chamber, and that the official facts and figures quoted will lay forever the ghost of a "coastwise shipping trust" under American colors. The more than 24,000 vessels in the American coastwise fleet, including the river and lake fleet, represent unquestionably several hundred thousand separate owners and stockholders and several thousand separate managements. A trust in the great American coastwise shipping trade is no more real or possible than a trust of the corn farmers or apple growers of Missouri. One is just as reasonable and actual as the other.

But that a real, active, and powerful Shipping Trust exists in the over-seas trade of the United States will not be denied—it can not be disputed.

I might add that by a recent decision of a Federal court of the State of New York it was found that no trust actually existed at the present time, because the war had worked its dissolution; but that a foreign Shipping Trust has long existed, and has been not only powerful but absolutely dominating, so far as the over-seas trade is concerned, is something that will not be disputed by anybody who has looked into the subject. And let us remember that more than nine-tenths of the over-seas commerce of the United States is monopolized by foreign ships, foreign officered, foreign manned, flying the flags of Europe or Japan. That same report of the Merchant Marine Committee, presented by Judge ALEXANDER, states, page 415, that—

The facts contained in the foregoing report show that it is the almost universal practice for steamship lines engaging in the American foreign trade to operate, both on the inbound and outbound voyages, under the terms of written agreements, conference arrangements, or gentlemen's understandings, which have for their principal purpose the regulation of competition through either (1) the fixing or regulation of rates; (2) the apportionment of traffic by allotting the ports of sailing, restricting the number of sailings, or limiting the volume of freight which certain lines may carry; (3) the pooling of earnings from all or a portion of the traffic; or (4) meeting the competition of nonconference lines. Eighty such agreements or understandings, involving practically all the regular steamship lines operating on nearly every American foreign trade route, are described in the foregoing report.

At the head of this combination, practically all or almost all foreign, for at the outbreak of the war there were only six American steamers out of the hundreds of steamers engaged in our trans-Atlantic trade, stand two great German concerns, the Hamburg-American Co. and the North German Lloyd Co. Of these the Hamburg-American has been regarded as the largest and most powerful steamship organization in the world. If it is a crime, as some Senators maintain, for a steamship company to be a party to conferences, pooling agreements, gentlemen's agreements, and so forth, then it is the Hamburg-American Co., of Hamburg, Germany, which is the principal offender. A list of the agreements and conferences with which the Hamburg-American is or was affiliated requires almost an entire page of the subject index of the Alexander report, page 440. I have heard it said that the Emperor of Germany was one of the principal stockholders of the Hamburg-American Co., and that this concern enjoyed to an extraordinary degree the favor and support of the Imperial Government. But be that as it may, the Hamburg-American is undeniably the head and front of the world-girdling chain of steamship conferences, agreements, and combinations, or was before the great war which is raging in Europe. In our own waters, as the Alexander report shows in detail, it is a principal factor in the European combination, in the Baltic pool agreement, the South American combination, in the trade to India and the East Indian Archipelagoes. That other great German steamship company, the North German Lloyd, is second only to the Hamburg-American in the number and scope of steamship combinations.

It is asserted by the Senator from Missouri that the Shipping Trust "has been very busy in and about the opposition to this bill." I would like to ask the Senator if he has heard of any definite opposition to this measure from the Hamburg-American Co., of Hamburg, Germany, or the North German Lloyd Co., of Bremen? These two concerns, as the Alexander report shows, are the central factors in the steamship combinations of the

world. Can the Senator from Missouri quote a single sentence or a line which the managers of these great German shipping combinations have written or said against the measure under discussion in the Senate?

I venture the opinion that he can not quote a single word. But there have been measures in years past under discussion in this Senate when the opposition of the great German steamship companies was very active and powerful indeed. I refer to the great shipping bill introduced some years ago by the late Senator Frye, of Maine. Hardly had this bill been offered in the Senate than Herr Ballin, of Hamburg, who was then and is now the head of the Hamburg-American Steamship Co., came hastily to this country and gave out a long and bitter statement in the American newspapers attacking Senator Frye and the proposed legislation, and forcibly objecting to any and every expedient, either by mail subsidy, by preferential duty, or any other method, to encourage and strengthen American shipping in the over-seas trade, a monopoly of over 90 per cent of which was held then and is held now by Herr Ballin and other foreign steamship managers.

Again and again other officials of these German steamship combinations attacked the Republican efforts made by Senator Frye and by other Senators to restore the ocean shipping of the United States. Their statements and arguments were frequently utilized by the opponents of this legislation in this and the other House of Congress. Everybody knew where the German steamship combinations stood with regard to the ocean mail bill which I had the honor of introducing and advocating. They did not want that legislation; they argued against it; they used their utmost influence to prevent its enactment. And I have no doubt that when, by a very narrow majority, the desired legislation failed, rejoicing was loud and unconcealed in Bremen and Hamburg. These foreign steamship combinations dreaded above everything else the reappearance of the American flag on the high seas. They feared that the bill of Senator Frye and the bill which I myself offered here would eventually have on American shipbuilding and navigation the same effect which the protective tariff has had on American manufacturing, and that we would soon become, under a fair policy of national encouragement, the foremost shipping Nation, as we long since became the foremost manufacturing Nation, in the world. They were frank in their opposition. I can not blame them. I do not speak in censure of them. They were naturally devoted first to German interests, as we are or should be devoted first to American interests.

But can the Senator from Missouri tell me of a single word or syllable that has been heard from these real European Steamship Trusts and combinations against the proposal now pending? Has the Hamburg-American Co. or the North German Lloyd Co. objected to anybody, anywhere, to this proposal to appropriate $30,000,000 from the Treasury of the United States for the purchase, as many of us have understood—and as the whole country is coming to understand—for the purchase of interned steamships of the Hamburg-American fleet and the North German Lloyd fleet? It has been stated in the newspapers that the loss to these great German shipping combinations on their vessels lying idle in our ports was $500,000 every day. This is one of the terrible costs of the great war, which I regret and all Americans regret.

Is it just to the American people that this loss of $500,000 a day should be taken from the shoulders of the two great German steamship companies by the transfer of these vessels to the Government of the United States? Is the Senator from Missouri prepared to go so far in that direction? I am not.

So far as a Shipping Trust exists, so far as it is a factor in our business or our politics, let us all know and remember that it is a foreign trust—foreign almost wholly in its ownership, foreign in its management. When the war began, ships flying the American flag were conveying only 8 per cent of our ocean commerce. There is no very great material for a domineering trust or combination in that feeble 8 per cent. It is in the 92 per cent foreign that the Senator from Missouri will find wealth and power, backed by the treasuries of foreign Governments. And the most active and aggressive factors in the world's shipping combinations have been historically these two great German steamship companies which I have mentioned—the very concerns which, according to common report and common understanding, would be the direct, actual beneficiaries of the proposed legislation. No greater boon could possibly be bestowed upon these German steamship companies than to take their idle, costly vessels off their hands. To pay $30,000,000 of American money or any substantial part of it to these German steamship companies for their interned steamers, many of which are small and many obsolete or semiobsolete, would be to strengthen the resources of those two concerns in a way more welcome and more effective than could be done by any mere annual subsidies. Such a payment would enable the German steamship combinations, when the war is over, to take this American money and build new, improved, efficient, economical ships, and with these vessels to drive the older German craft, under expensive American Government ownership, off the trade routes of commerce, off the oceans of the world.

Again I will ask the Senator from Missouri if he has heard a word or a syllable of objection to this pending measure from the Hamburg-American Co. or the North German Lloyd Co., which, according to the able and authoritative Alexander report, are the head and front of all ocean steamship combinations?

As before remarked, the Shipping Trust is a foreign concern. It has fought every bill that has been offered in Congress to rehabilitate the American merchant marine.

The American correspondent of the London Times in March, 1902, warned European shipowners and merchants that the Roosevelt administration was heartily in favor of the American shipping bill, but held out to them the hope that "the whole free trade or antiprotection opinion of the country is against it, which includes the Democratic Party, the strong minority of the Senate and House of Representatives, and the very powerful, able, tireless press." Those words I quote accurately, Mr. President.

This British correspondent added:

> The failure of Mr. Frye's previous bill was thought to be due in no small measure to the active and very intelligent opposition of English and foreign steamship companies. Their managers thought their interests jeopardized by that bill. They are understood to hold the same opinion with reference to the present bill, and to be not less vigilant than they were last year in looking after their imperiled interests. The lobby system of Washington is such as to make an opposition of that kind efficient, quite irrespective of nationality. It must be added that the ship-subsidy bill does not stand alone. No measure stands alone. There is none for which votes may not be had or withheld with reference to the obtaining or refusing of votes for other bills whose fate is also uncertain.

At the annual meeting of the Association of Chambers of Commerce of the United Kingdom in London on March 4, 1902, the president of the chamber, Lord Avebury, spoke of American subsidy legislation as a menace to British maritime supremacy, but endeavored to reassure his hearers by the assertion that "he did not anticipate that the nonmaritime States would remain passive and see nine millions in bounty go to the maritime States without protest."

Herr Albert Ballin, director general of the Hamburg-American Co., in the New York Herald, Tuesday, November 17, 1903, said, "I see that already high officials at Washington have begun to presage the passage of a subsidy bill," and he declared his opposition to the proposed legislation.

Emil L. Boas, general manager of the Hamburg-American Line, in the New York Herald of Saturday, January 2, 1904, pages 8 and 9, financial and commercial review, said:

> Whether the American merchant marine shall be aided by liberal payments from the Public Treasury or whether other means shall be adopted to induce Americans to enter more freely into foreign shipping ventures is a question which has again come to the front. The subsidy system has many earnest advocates in this country, who never fail to point in a general way to results obtained in foreign countries through the fostering care of their Governments, it being stated that wherever there has been an extensive development of the merchant marine it was due to the systematic appropriation of large sums from the State treasury for the special object of encouraging shipping. These assertions have been made so frequently by newspapers, on the platform, and in Congress that a great many people consider them a matter of record and do not question them. An examination, however, will show that they have no foundation in fact.

Mr. Boas went on to argue at length against the adoption of any subsidy system by America. At the end of his article he quoted certain statements made by Consul General Frank H. Mason at Berlin, cited by Senator Frye a while before in his reply to Herr Ballin, director general of the Hamburg-American Line. "These statements," Mr. Boas said, "I wish to controvert."

Mr. Boas, in the New York Herald of Monday, January 2, 1905, financial and commercial review, further declared:

> The question of stimulating the American merchant marine and adopting means to induce Americans more freely to venture upon ocean shipping ventures has again come to the front. A commission appointed by Congress has carefully inquired into this question, having had many meetings in different parts of the country, and obtained the testimony of a large number of people interested in the subject. The report of the committee will be presented to Congress early in January. It has been confidently stated that the committee will recommend a more extended system of subsidies, the imposition of discriminating duties, and (or) the levy of higher tonnage taxes on all vessels with rebates to American ships.

Then Mr. Boas proceeded to attack in detail not only subsidies but discriminating duties and tonnage taxes, and commended to Congress the editorial advice of a New York commercial newspaper—the Journal of Commerce, of November 28,

1904—in which the Hamburg-American and other foreign concerns were conspicuous and constant advertisers.

This editorial attacked Rear Admiral Stephen B. Luce, who had contended before the Merchant Marine Commission that the huge sums paid by the American people to foreign shipowners for carrying their imports and exports went to enrich countries with which the United States might some day be at war, thereby fostering the navies of those countries and the navies of the world at the expense of the United States.

The editorial closed with an exhortation to let foreigners have the profit of shipping and devote ourselves to something else.

These foreign gentlemen were very generous to the people of the United States in their feeling that if we would only keep off the ocean and let them attend to the over-seas commerce of the world, we would be permitted to look after our interests on land.

Prof. J. Russell Smith, Ph. D., in the Ocean Carrier, published by G. P. Putnam's Sons, New York, 1908, chapter 5, page 321:

> The great German steamship companies are probably more nearly a part of the Government than are any other important lines in the world. They receive direct or indirect Government aid and are benefited by the great desire of Germany to be a sea power. A part of the subsidy is in the form of special railroad rates on export goods on the German railroads.

In 1904, when the authorizing of the Merchant Marine Commission was being considered in Congress, the European element in the New York Maritime Exchange took issue with the American shipping element for favoring this, and nominated a British shipping agent, Woolley by name—an Englishman living in the United States but a British subject—for president of the exchange, in an effort to defeat for reelection Capt. C. B. Parsons, an American shipowner and a Union officer in the Civil War. This British steamship agent Woolley stated his position as follows:

> We are opposed to the present president being reelected because he favors the control by American tonnage of the transport trade. He favors measures in Congress, you know, arranging things so merchandise can be shipped to the Philippines only in American bottoms. Now 90 per cent of the business is controlled by English tonnage, and, of course, we don't want to have that changed.

Of course, being a British subject, he did not want to have it changed.

Before the Merchant Marine Commission Mr. P. D. Todd, resident agent in Philadelphia of the Allan Steamship Line, of Scotland, said:

> I am a Scotchman by birth and a foreigner at the present time. I have applied for papers.

He said he was opposed to subsidies to American ships, adding:

> Objection has been taken to the term "A rose by any other name would smell as sweet," and whether we call it compensation or subsidy or bounty the principle remains unchanged.

Mr. Todd also opposed encouraging American ships through discriminating duties. He said:

> The question of discriminating duties is one which will not, in my opinion, appeal to the sense of justice of anyone engaged in the import and export trade of this country. The adoption of such a principle would act as a restraint to commerce, would savor of class legislation—where the few would be favored at the expense of the many—and would assuredly lead to retaliation on the part of those countries whose fleets were thus discriminated against. (Hearings before the Merchant Marine Commission at Philadelphia, May 26, 1904, pp. 380–386 of the report of the Merchant Marine Commission.)

J. Ernest Laidlaw, vice consul of Great Britain at Portland, Oreg., and a British ship brokerage firm of J. Laidlaw & Co. opposed a system of subsidies in the ordinary carrying trade and advocated free ships. (Hearings before the Merchant Marine Commission at Portland, Oreg., Aug. 1, 1904, pp. 1122–1134 of the report of the Merchant Marine Commission.)

H. Mosle, agent of the Norwegian and other foreign ships at Galveston, Tex., said he preferred foreign officers and sailors and was opposed both to subsidy and to discriminating duty of any kind. (Hearings before the Merchant Marine Commission at Galveston, Tex., Nov. 12, 1904, pp. 1489–1494 of the report of the Merchant Marine Commission.)

W. P. Ross, representing foreign steamship lines at New Orleans, declared that he was opposed to any subsidies to American vessels, except to mail ships, and was opposed to discriminating duties:

> Such a device as this would be quite inoperative, as there is nothing which is better understood among the foreign shipowners than ways and means of putting ships under whichever flags are required, and generally securing a subsidy in addition. (Hearings before the Merchant Marine Commission at New Orleans, La., Nov. 14, 1904, pp. 1542–1546 of the report of the Merchant Marine Commission.)

That is, a foreign subsidy.

W. G. Sickel, western freight agent of the International Mercantile Marine and of the Hamburg-American Steamship Co., Chicago, was opposed to subsidies, and contended that there was no need of more tonnage to carry our trade. (Hearings before the Merchant Marine Commission at Chicago, Ill., June 24, 1904, pp. 723–728 of the report of the Merchant Marine Commission.)

Fred W. Taylor, agent for chartered British steamships between Philadelphia and London, was opposed to subsidies and believed in free ships, free officers, free sailors, and the repeal of the American food scale, but if subsidies were given he would have them given to foreign-built ships. (Hearings before the Merchant Marine Commission at Philadelphia, May 26, 1904, pp. 334–344 of the report of the Merchant Marine Commission.)

On December 13, 1909, Herr R. Huldermann, general secretary of the Hamburg-American Line, published in the New York Herald a long argument against subsidies to shipping in America, where, he declared, "bill after bill is being brought into Congress to grant shipping subsidies."

Herr Huldermann published a misleading table of subsidies given by the principal nations of the world, and added:

> Apparently a very sound judgment of subsidies is to be found on both sides of the Atlantic. What the German shipping circles expect from the German Government is a constant watching of the subsidies movement abroad—

That is, in this country—

> and especially a careful study of its new appearances by the German diplomatic representatives. Besides that, in dealing with new commercial treaties in future special stress should be laid on the stipulation that the German flag shall not be exposed to unfavorable treatment abroad.
>
> Last but not least, it is well worth careful consideration whether the great shipping nations should not be able to combine in preventing an unjust treatment of their flags by foreign Governments. Many important shipping questions have been dealt with in international negotiations—for instance, between England and Germany—with such favorable results that even an understanding as mentioned seems to be obtainable.

The correspondent of the Herald who sent Herr Huldermann's argument added:

> In any event, this one-sided argument—but one of many that agitate industrial circles on this side of the Atlantic in these days—proves the cause of the European interest that has its ears open as to the possibility of congressional action in this problem.

It will be noted that whenever we have attempted legislation in this country to rehabilitate the American merchant marine these agents of foreign steamship combines and consolidations have been on hand to protest against it and to secure space in the newspapers of the country in opposition to our proposed legislation. It has been an insolent and bad-mannered opposition, which ought to be rebuked.

On December 16, 1909, E. H. Outerbridge, a brother of A. E. Outerbridge, head of the Quebec Steamship Co., a British concern operating in the West India trade, opposed the proposition to build up an American merchant marine before the New York Chamber of Commerce, Secretary Root having advocated the ocean mail bill at the annual banquet of that organization.

On November 26 and 27, 1909, several American newspapers published a statement alleged to come from "important shipping interests who do not favor subsidy legislation." It was further stated that this had been prepared for distribution to all the Members of Congress. This statement dealt with the transportation of Navy coal and the transportation of cement and other materials to Panama. It estimated that a subsidy policy would cost $227,000,000 a year, and urged that a number of American companies owning foreign-built ships would naturalize them if a free-ship law were enacted.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Michigan?

Mr. GALLINGER. I yield to the Senator for a question merely.

Mr. SMITH of Michigan. I should like to ask the Senator this question: As I recall, he was a member of the Merchant Marine Commission, which a few years ago investigated the question of the most practical method of rehabilitating the American merchant marine. Am I not right about that?

Mr. GALLINGER. The Senator is correct.

Mr. SMITH of Michigan. I should like to ask the Senator from New Hampshire when that Merchant Marine Commission was created and what was its membership? The reason I ask this question is because I have an amendment which I propose to offer, which is now pending——

Mr. GALLINGER. The Senator must not make a speech.

Mr. SMITH of Michigan (continuing). Bearing upon that very question.

Mr. GALLINGER. A bill which passed both Houses of Congress January 4, 1905, created this commission.

Mr. SMITH of Michigan. And who were the members?

Mr. GALLINGER. The members of the commission on the part of the Senate were the senior Senator from New Hampshire [Mr. GALLINGER], the senior Senator from Massachusetts [Mr. LODGE], the senior Senator from Pennsylvania [Mr. PENROSE], the senior Senator from Virginia [Mr. MARTIN], and the then Senator from Florida, Mr. Mallory. The members on the part of the House of Representatives were Representative Grosvenor, of Ohio; Representative Minor, of Wisconsin; Representative HUMPHREY, of Washington; Representative Spight, of Mississippi; and the late Representative McDermott, of New Jersey.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator where this commission had its hearings and what was the purport of the testimony which the commission took?

Mr. GALLINGER. The report of the commission gives a statement of all the hearings that were held, and I find on looking at the report that the hearings are there summarized. On the north Atlantic, hearings were held in New York May 23 to 25, in Philadelphia May 26 to 27, in Baltimore May 28, and in Boston June 1 and 2. On the Great Lakes, hearings were held in Chicago on June 24, in Detroit on June 27, in Cleveland on June 28 and 29, and in Milwaukee on July 21. On the Pacific, hearings were held in Seattle on July 26 and 27, in Tacoma on July 28 and 29, in Portland on August 1, and in San Francisco on August 4 and 5. On the southern coast and Gulf of Mexico, hearings were held in Galveston on November 12, in New Orleans on November 14, in Pensacola on November 15, in Brunswick, Ga., on November 17, and in Newport News, Va., on November 19. Did the Senator ask me what was developed in those hearings?

Mr. SMITH of Michigan. I asked what was the purport of the testimony given to the commission.

Mr. GALLINGER. The commission summoned witnesses without any reference to their preconceived notions or their political views. It took testimony from a good many men representing foreign shipping interests. We called business men, we called newspaper men, we called bankers, and other classes of our people, including representatives of labor organizations. The hearings before that commission will be found in the three volumes of the report, which are very voluminous and covering every possible phase of the question that had been committed to this joint commission for investigation.

Mr. SMITH of Michigan. Mr. President, if I am not disturbing the Senator——

Mr. GALLINGER. The Senator is not disturbing me at all. I shall be glad to answer any question I can.

Mr. SMITH of Michigan. I wish to ask one or two more questions. Did the witnesses, as a rule, advocate the granting of a subsidy by the Government to American ships or did they propose to accomplish the result in some other way?

Mr. GALLINGER. The witnesses, so far as citizens of the United States were concerned, were quite unanimous in the view, which they stated frankly, that if we were to enter into competition with foreign governments in the over-seas trade the Government must in some way provide for the difference in the cost of construction and operation of American ships as compared with foreign ships. The entire question of the cost of building and the cost of operating ships was gone into and can be found in this testimony. Of course, the representatives of foreign steamship companies saw great objection to this scheme. They contended that we had ships enough, and very likely they were correct in that; but they were foreign ships, and they did not see any sense in the Government of the United States, which was doing a very profitable business on land, engaging in the business on the seas when other governments furnished adequate transportation. That is substantially the testimony.

Mr. SMITH of Michigan. I should like to ask the Senator if the commission, of which he was the chairman, made a report to Congress; and if so, what it recommended?

Mr. GALLINGER. The commission did make a report, which I hold in my hand, and recommended a bill which was presented to both Houses of Congress. It is proper I should say that there was a minority report made. That minority report did not take issue with the general findings of the commission, because we had a most delightful commission, gentlemen who were always courteous and kind, so far as the opinions of the individual members were concerned. The minority report was signed, as I remember, by three members of the commission, recommending a discriminating-duties plan, which the commission had shown pretty clearly could not be made operative because of the unfortunate commercial agreements we had with some 30 nations of the world, and because of the fact that the products of the very countries to which we wanted to extend our trade were largely on the free list, so that a discriminating-duty policy would not operate favorably, as it did in the early days of the Republic, when almost everything we imported had a small import duty placed upon it.

Mr. SUTHERLAND. I should like to ask the Senator from New Hampshire whether anybody appeared before the commission to advocate the Government ownership and operation of ships?

Mr. GALLINGER. Not one single witness appeared there making any suggestion of that kind.

Mr. SUTHERLAND. Did any member of that commission, after a full hearing and investigation of the subject, favor the Government ownership or operation?

Mr. GALLINGER. It never was discussed or suggested.

Mr. SUTHERLAND. I should like to ask the Senator in this connection, as I understand that he has gone into this subject at great length, to state what hearings have been held upon the present bill?

Mr. GALLINGER. Mr. President, that is a very pertinent and, I fear our Democratic friends will think, an impertinent question. The present bill was, if I may be permitted to refer to another body, heard there a part of two days, and the witnesses summoned to the hearing were two members of the body which held the hearing and the Secretary of the Treasury. There was not a single business man, there was not a single shipping man, there was not a single maritime lawyer, there was not a single farmer, there was not a single laboring man called to that hearing, in contradistinction to the hundreds and hundreds of men of all classes that the Merchant Marine Commission called to testify. As I understand the matter, to go a step farther, no hearing whatever was given by the Committee on Commerce of this body.

Mr. SMITH of Michigan. Mr. President, if I may interrupt the Senator without distracting his attention from the subject he is discussing, I desire to say that, so far as I know—and I am a member of the committee—I do not recall any hearing before the Committee on Commerce upon this bill, and the hearings before the House committee were most inadequate, and included only, so far as I know, the Secretary of the Treasury.

Mr. GALLINGER. I will say to the Senator that there were two Representatives of the House, both of whom, as I recall it, had bills of some kind on the subject pending before that body, who were also given an opportunity to make speeches. That was the extent of the hearing.

Mr. SMITH of Michigan. Before the House committee?

Mr. GALLINGER. Before the House committee.

Mr. SMITH of Michigan. Not before the Senate committee?

Mr. GALLINGER. Not before the Senate committee.

Mr. SUTHERLAND. I should like to ask the Senator from New Hampshire another question in this connection. In view of the fact that there is very great opposition to this bill throughout the country, the leading newspapers of the country being filled with statements of the grounds of the opposition, and in view of the fact that it was understood at the time the bill was pending before the Senate committee that there was very serious objection to the bill, can the Senator enlighten the Senate and the country as to the reason why the Senate committee refused to grant a hearing to the people of the country who were so much opposed to the bill?

Mr. GALLINGER. Mr. President, I can only give my own opinion, which is worth just what it is worth. Had I been a member of the Committee on Commerce, as I was a few years ago, I should have very strenuously insisted upon hearings because of my strong personal interest in this question. I received several letters from constituents calling attention to the importance of hearings on this proposition that the President had made, but before they were received the bill had been reported, and hence I could not even make an application to the committee for a hearing.

I do not know any reason except, Mr. President, that the Chief Executive wanted this bill, and he and his confidential advisers, I suppose, prepared it and it was thought desirable to put it through under whip and spur, and hence the usual courtesy of hearings was denied to the American people. That is the only reason I can give.

Mr. SMITH of Michigan. Mr. President——

Mr. GALLINGER. If the Senator will permit me, I have turned to the minority report of the Merchant Marine Commission, and I find that it was signed by Senator Mallory, of Florida; Representative Spight, of Mississippi; and Representative McDermott, of New Jersey. I will repeat that so far as I can recall the issue that divided the majority and the minority of the commission was largely between the Government giving help directly to the shipping interests of the country and the

proposition of the minority to return to the differential or discriminating duties of the fathers of the Republic.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator whether the principal objection to the proposition advanced by the minority, including Senator Mallory, of Florida, of discriminating tariff duties, was because of our treaty engagements and the fear that they could not be modified easily or satisfactorily at that time.

Mr. GALLINGER. I will state, Mr. President, that the Merchant Marine Commission filed a memorandum on that subject, which will be found in one of the three volumes, showing that unless those treaties were denounced, which they could only be by one year's notice from our Government, they stood in the way of returning to the differential-duties plan as obstacles that could not be overcome.

It will be recalled that in the present tariff law there is a section providing that 5 per cent differential shall be granted to goods imported in American bottoms. But it has been held up by the Department of Justice on the ground that it can not be put into effect while those treaties continue, and if I remember correctly the matter has now gone to the Supreme Court of the United States. However, the Merchant Marine Commission looked that matter over with great care, and, as I said a moment ago, in addition to the difficulties they found in these commercial agreements, which I think never ought to have been entered into, there was the other fact that in South America and Central America and the Orient, where we wanted to extend our trade, their products were largely either on the free list or at so low a rate of duty that the differential would not amount to very much.

Mr. SMITH of Michigan. I should like to ask another question if I may be permitted. I do not know but that I could rise to a question of personal privilege upon the statement of the Senator from New Hampshire that if he had been a member of the Committee on Commerce he would have demanded an investigation.

Mr. GALLINGER (to Mr. SMITH of Michigan). Ask a question.

Mr. SMITH of Michigan. I want to say, if I may be permitted without interfering with the Senator——

Mr. GALLINGER. The danger is that the Senator may interfere with the Chair.

Mr. SMITH of Michigan. I shall trust to the Chair.

Mr. GALLINGER. I want the Senator to understand that I was called off the floor once to-day because I yielded to a statement on the part of another Senator, something which never before happened in the Senate of the United States from its organization until the present time. I was the first victim, and I do not want to be a victim the second time in the same day.

Mr. SMITH of Michigan. I will not interfere at this time, but I did protest and demanded an investigation—the Senator from Minnesota [Mr. NELSON] and the Senator from California [Mr. PERKINS] as well as myself——

Mr. GALLINGER. Mr. President, I must suggest——

Mr. SMITH of Michigan. But we did not succeed.

Mr. GALLINGER. I yielded for a question, and I am going to be very careful, because I want to finish what I have to say to-day, and then on some other day I will make my second speech, if I get an opportunity.

I think I might, Mr. President, at this point, and it is a diversion, commend to the Members of this body that report of the Merchant Marine Commission. It was not a partisan matter. There were, it is true, a couple more Republicans than there were Democrats upon it, but we took the matter up in a broad and, I think, a patriotic way and had our meetings cover the entire country.

While it is a little out of the way, I want to suggest, Mr. President, that we were not an extravagant commission. It was not a junketing commission, but a working commission. We returned to the Treasury about half the appropriation that had been made, and the commission had only one person employed to assist in the work.

I think I might well say at this point that the testimony in those volumes is startling, if Senators will take the trouble to read it; and I think I can furnish them to any Senator who has interest enough to examine them for the purpose of enlightenment. Two gentlemen in the city of Cleveland gave testimony to the effect that they had traveled twice around the world. One of them said he went twice as far as the direct route around the world would have carried him, and during that entire time he never saw the American flag on a merchant ship. He did see the flag on a few yachts owned by American millionaires and, I think, in a few instances on vessels of war. The matter was so startling, so convincing, that some of us at least felt that Congress ought to be willing to make some sacrifice, even though it took a little money out of the Treasury of the United States, to remedy that condition.

The Merchant Marine Commission introduced a bill which passed this body by a large majority, as I remember it, but in the other body it failed of passage, and that bill fell by the wayside, as several other bills have that I have offered since that time. As I remarked the other day, one bill passed this body—not a comprehensive subsidy bill but a bill enlarging the subvention under the mail act of 1891—which would have put lines upon several very important routes on the sea. It passed this body without a recorded vote, by consent. It went to the other body. An inconsequential amendment was attached to it. It came back here, and I moved to concur in the amendment, and it was defeated by Democratic methods such as we on this side of the Chamber are now charged with using in the discussion of this bill. That was the nearest we have come during my membership in this body to securing legislation on this question.

Now, Mr. President, I have shown—and I think I have conclusively shown—that there is no such thing as a shipping trust in the coastwise trade of the United States, and that, in the nature of things, it is impossible for a trust of that kind to exist. You might just as well try to organize a trust among the owners of automobiles, because those thousands and thousands of ships are owned by different parties and by thousands and thousands of stockholders, and there is no chance of organizing a trust.

Mr. HUGHES. Mr. President——

Mr. GALLINGER. I yield to the Senator from New Jersey for a question.

Mr. HUGHES. The Senator made a statement a little while ago, for which he gave figures, showing the percentage of vessels in the coastwise traffic owned and controlled by shipping combinations and railroads. He arrived at that percentage by contrasting the number of ships owned by such combinations with the total tonnage of the coastwise shipping, I suppose.

Mr. GALLINGER. Yes.

Mr. HUGHES. Has the Senator any figures to show the relative proportion of steam coastwise traffic owned and controlled by shipping combinations and railroads and that which is not so owned and controlled?

Mr. GALLINGER. Yes. There are 330 ships owned by railroads and combinations, and over 14,000 steamships, in addition to that, in the coastwise trade.

Mr. HUGHES. Is the Senator sure of his figures? Those figures do not include sailing vessels?

Mr. GALLINGER. No; there are over 24,000 vessels, all told.

Mr. HUGHES. I should like the Senator to tell us where he gets that information.

Mr. GALLINGER. I got it from the report——

Mr. HUGHES. Does that appear in his report?

Mr. GALLINGER. I think probably it does not. I take it, as I recall it, from a report of the Commissioner of Navigation.

Mr. HUGHES. There are 24,000 steamships in the coastwise trade?

Mr. GALLINGER. No. There are 14,000 in addition to the 330 that are controlled by combinations and railroads.

As I have heretofore observed, the apparent determination to place foreign vessels in the coastwise trade is most unfortunate, and I regret, Mr. President, that in this bill, if it shall become a law, there will be some of our coastwise ports open to foreign steamships. There is no earthly need for it; there is no excuse for it; because the coastwise shipping of the United States, the greatest in the world, is fully supplied with vessels for all the purposes of transportation.

Mr. HUGHES. Mr. President, if the Senator will permit a question, I should like to ask him to point out to the Senate what possible harm would come to the coastwise traffic if these ships in the foreign trade, which the Senator is so anxious to encourage, were permitted to touch at more than one American port on a trip? Does the Senator think that it is necessary for the well-being of the coastwise traffic, even, that a ship flying the American flag, engaged in foreign commerce, should not be permitted by our laws to touch at two American ports in succession?

Mr. GALLINGER. Well, Mr. President, there is more excuse for that than there was during the last session for the attempt to open the entire coastwise trade to the ships of the world. I do not know that I would enter into a controversy with the Senator on that subject beyond saying, as I said a few days ago, that it was the camel's nose getting into the tent, and after a while we would have the camel in there, because I know very well the feeling there is on the part of some Senators on the

other side of the Chamber to open the coastwise trade of the United States to ships of all the nations of the earth.

Mr. HUGHES. That is not my understanding of the proposition that was up in the Senate some time ago. But take the case of the present shipping bill; if it should become a law, the United States Government then, according to the argument of the Senator, would be owning and operating a line of ships. Does the Senator think it would be just and proper to permit laws to remain on the statute books which would prevent a ship owned and operated by the United States Government and flying its flag in the foreign trade from going from one American port to another? Do I understand the Senator to say that in his desire to encourage the coastwise merchant marine he does not think it necessary to continue that legislation which prevents American ships in the foreign trade from going from one American port to another?

Mr. GALLINGER. Mr. President, I did not say that. I said there was more argument to be made on that hypothesis than there was when the attempt was made to open the coastwise shipping to all the ships of the world; but I have one other objection to that, and that is, that I do not believe we ought to open any industry of the United States to the competition of the Government of the United States. The Government of the United States has the Treasury back of it to sustain these ships. The Government of the United States can run them at a loss or at a profit, as the case may be—they will be run at a loss—but I do not think it very wise to put the coastwise ships of the United States in competition with a Government-owned fleet when there is not any need of doing so; when we have adequate ships in the coastwise trade; when, in fact, we are transferring some of them to the over-seas trade now. Therefore I would use that as a suggestion, if not an argument, against doing what is proposed in the bill in that regard; but it is not as serious as some of the propositions which have been made. I will say to the Senator from New Jersey that I will look into it more carefully. I confess I have not looked into it with the care that I ought to have done in a matter involving any phase of this important question.

Now, Mr. President, as I said, I think it unfortunate that the attempt should be made to invade the coastwise trade with foreign ships. The ships of the coastwise trade have rendered a most important service during the existing war by transferring many of their vessels to the foreign service because of a depressed volume of domestic business. I will ask to append a partial list of American steamers and sail vessels recently chartered for foreign voyages, most of them having been transferred from the coastwise to the foreign trade.

I will not stop to read the names of all these ships. There are 48 of them in number. They range from ships of nearly 4,000 tons to ships of less than 1,000 tons. Some of them are sail and some of them are steam. The first ship, the *Antilla*, is a steamship of 2,174 tons, a general-cargo ship. It runs between New York and Copenhagen. There is another one, the *Gulf Light*, a steamer of 3,202 tons, which runs from Galveston to Bremen. I am very glad, Mr. President, that at last we have got a steamship going out of the port of Galveston. That is a great port, upon which the Government of the United States has expended about $12,000,000 in deepening the harbor and removing obstructions; and until this vessel engaged in the over-seas trade from Galveston the entire commerce of that great city, which is enormous, was carried in foreign steamships, except one lone American schooner, which had the American flag at the masthead. I repeat, I am glad at last that we have transferred one ship from the coastwise trade to that trade, so that Galveston does not send all its products to foreign countries under the flags of foreign nations.

A large number of these steamships go to Bremen, some of them go to Copenhagen, some of them go to Rio de Janeiro and Buenos Aires and the River Plate, in South America, and one steamer of 3,272 tons, the *Newton*, goes from Galveston to Rotterdam—another steamer, in fact, that goes out of Galveston carrying the American flag.

The *Steana Romana*, of 3,059 tons, goes from Savannah to Bremen and carries cotton; the *Annie M. Reid*, a bark, goes from New York to Australia; and so on. So the coastwise trade has made a very large and important contribution to our over-seas trade. I am very glad it has done that; but it has done it simply because, in consequence of the industrial depression in the country which exists to-day, they happened to have some ships that were not employed in the domestic trade.

I ask leave to insert in my remarks this list in full without reading.

The VICE PRESIDENT. Without objection, permission to do so will be granted.

The list referred to follows:

Vessels.	Tons.	Voyage.	Cargo.
Antilla (steamer)	2,174	New York to Copenhagen	General cargo.
John S. Emery (bark)	803	Boston to River Plate	Lumber.
Gulf Light (steamer)	3,202	Galveston to Bremen	Cotton.
Brynhilda (ship)	1,409	New York to Bremen	Do.
Carib (steamer)	2,280	do	Do.
J. L. Luckenbach (steamer)	3,192	Boston to Bremen	Wool and cotton.
Santiago (steamer)		New York to Copenhagen	General cargo.
Pleiades (steamer)	2,932	Gulf to Bremen	Cotton.
Annie F. Conlon (schooner)	515	Gulf to Spain	Lumber.
Anthony D. Nichols (schooner)	564	Gulf to River Plate	Do.
Onaway (bark)	886	Gulf to Rosario	Do.
Herman Frasch (steamer)	2,381	South Atlantic to Bremen	Cotton.
Florence M. Penley (schooner)	927	Norfolk to Rio de Janeiro	Coal.
Cottonfield (schooner)	381	Gulf to Buenos Aires	Lumber.
Windrush (bark)		New York to Rio de Janeiro	Case oil.
Northland (schooner)	1,568	Gulf to River Plate	Lumber.
Newton (steamer)	3,272	Galveston to Rotterdam	Cotton.
Springfield (schooner)	538	Gulf to Genoa	Lumber.
Rosefield (schooner)	607	Gulf to Cadiz	Do.
Carl F. Cressy (schooner)		New York to Brazil	Case oil.
Addison E. Bullard (schooner)	1,223	United States to South America.	
Van Allens Boughton (schooner)	1,909	do	
Fannie Palmer (schooner)	1,726	do	
Ada F. Brown (schooner)	1,294	Norfolk to Rio de Janeiro	Coal.
Steana Romana (steamer)	3,059	Savannah to Bremen	Cotton.
Edward E. Briry (schooner)	1,408	Norfolk to Pernambuco	Coal.
Wilhelmina (steamer)	1,099	New York to Bremen	Grain.
Navajo (steamer)	1,711	Galveston to Bremen	Cotton.
Annie M. Reid (bark)		New York to Australia	Case oil.
Thomas F. Pollard (schooner)	617	Gulf to Genoa	Lumber.
Henry J. Smith (schooner)	998	Gulf to United Kingdom	Do.
Pass of Balmaha (ship)	1,498	New York to Bremen	Cotton.
Rhine (ship)	1,556	Boston to Buenos Aires	Lumber.
Frederic A. Duggan (schooner)	981	Sapelo to United Kingdom.	Do.
Normandy (bark)	1,097	Gulf to Liverpool	Do.
Southerner (steamer)	2,767	Savannah to Bremen	Cotton.
Edward H. Cole (schooner)	1,395	Norfolk to Rio de Janeiro	Coal.
Pacific (steamer)	3,394	Transatlantic trade	
George E. Warren (steamer)	1,616	do	
Vincent (ship)	1,776	South Atlantic to Bremen	Cotton.
Fairfield (schooner)	478	New York to Rio de Janeiro.	Cement.
Jacob M. Haskell (schooner)	1,362	Norfolk to Pernambuco	Coal.
Augustus H. Babcock (schooner)	1,299	do	Do.
Isabelle B. Wiley (schooner)	611	Philadelphia to Paramaribo.	Do.
Suriname (steamer)	2,103	New York to Buenos Aires	General cargo.
Saramacca (steamer)	2,101	do	Do.
Alice May Davenport (schooner)	952	Norfolk to Para	Coal.
Louise N. Richard (schooner)	379	Gulf to Buenos Aires	Lumber.

Mr. GALLINGER. Mr. President, there are one or two other matters to which I wish to call attention, but I shall hurry through as rapidly as possible. I want first to take up the matter of the Panama Canal Steamship Co., which has been discussed here two or three times.

It has been argued with great earnestness that there has been a net revenue from the Panama Railroad Steamship Co. of $314,219.36 during the fiscal year ending June 30, 1914. I have several times called attention to the fact that the figures were fictitious and would not bear careful analysis. For the purpose of ascertaining the real facts in the case the following letter was addressed to Mr. E. A. Drake, vice president and manager of the Panama Railroad Steamship Co.:

UNITED STATES SENATE,
Washington, D. C., January 30, 1915.

Mr. E. A. DRAKE,
Vice President and Manager Panama Railroad Co.,
24 State Street, New York City.

DEAR SIR: It is stated in a report of Secretaries McAdoo and Redfield on the ship-purchase bill that in the fiscal year ending June 30, 1914, there was a net revenue from the Panama Railroad Steamship Co. of $314,296.36; that "these net revenues are truly net; that is to say they are net after maintenance and depreciation, including extraordinary repairs, are charged against the property. This depreciation on the ships owned by the company is 6 per cent per annum, which is the practice of the best private lines and is in excess of the depreciation charged by many privately owned lines."

Will you kindly inform me at the earliest possible date—

1. Whether this net revenue of $314,296.36 represents the net earnings of the two steamships owned by your company alone or represents this and in addition the net earnings of the three or four larger steamers put at your disposal by the Isthmian Canal Commission and the War Department?

2. Is this depreciation of 6 per cent allowed only on the two steamships owned by your company, or is it allowed also on the larger ships of the Isthmian Canal Commission and the War Department which you are employing?

3. Will you kindly inform me also what payment you have made for insurance, if any, on the ships employed by the company, and what

allowance you have made, if any, for interest on the capital invested or the value of the property?

These facts are of importance in view of the discussion of the ship-purchase bill in the Senate. I would appreciate a full and immediate reply.

Sincerely, yours, J. H. GALLINGER.

Mr. Drake's reply was as follows:

PANAMA RAILROAD CO.,
21 State Street, New York, February 1, 1915.

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: I own receipt of yours of the 30th ultimo, and take pleasure in submitting the following replies to the three specific inquiries that you make concerning the operation of the Panama Railroad Steamship Co.:

1. Revenue of $314,296.36 represents the net earnings of all the steamers operated by the Panama Railroad Steamship Line. These steamers can properly be grouped as follows: Owned by the Panama Railroad Co., steamers *Advance* and *Allianca;* under charter from the Panama Canal, steamers *Colon* and *Panama;* owned by the United States Government and placed in our service for the specific purpose of carrying cement for the Panama Canal, steamers *Ancon* and *Cristobal.* We are required to make all ordinary and extraordinary repairs to the steamers owned by the Panama Canal and the Government, and to keep same in a high state of efficiency, in order that we may return the vessels in as good condition as received, ordinary wear and tear excepted.

2. A depreciation charge of 6 per cent is made on the original value of this company's steamers *Advance* and *Allianca* of $762,713.62, and the fund for its amortization now amounts to $337,113.59; no allowance is made for interest on capital invested.

For steamers *Colon* and *Panama* charter hire is paid on their ledger value of $1,312,000, on the basis of 8 per cent—that is, 4 per cent interest on capital cost and 4 per cent for depreciation—and, in addition, a like 8 per cent on structural improvement and betterments, amounting to $416,476.74, representing a total annual charge of $123,243.96 plus the cost of their maintenance, as above stated. Since October 31, 1910, that charter hire has been applied to the reduction of this company's rate to the Isthmian Canal Commission (the Panama Canal) for transporting cement to the Isthmus by steamers *Ancon* and *Cristobal* and in payment of other services rendered by them in connection with canal construction work.

3. No marine insurance has been carried on any of the company's steamers or vessels employed in its line since March 4, 1910, when congressional enactment directed its discontinuance.

For further particulars I beg to refer you to marked pages 40 and 43 of this company's annual report for the fiscal year ending June 30, 1914, and to page 71 of the supplemental report, giving similar information for the four ensuing months to November 1, 1914.

Trusting this gives the information desired,

Respectfully,

E. A. DRAKE,
Vice President.

Mr. President, these facts appear from the letter of Mr. Drake: First, that a depreciation charge of 6 per cent has been regularly made on the two small, old steamers of the Panama Railroad service, the *Advance* and *Allianca;* that on the larger steamers *Colon* and *Panama,* chartered from the Panama Canal Commission, both charter money and depreciation used to be paid, but that since October 31, 1910, it has not been paid, but has been applied to the reduction of the cement freight rates—presumably to bring this as low as the figure of competing private vessels. It also appears that on the large steamers, the *Ancon* and *Cristobal,* chartered from the War Department, no charge for depreciation has been made, though the ships are supposed to be kept in repair.

Another important fact is that no marine insurance has been carried on any of the six steamers since March 4, 1910.

Regular charges for depreciation and insurance must be provided for by all private steamship companies. If insurance had been paid at 3 per cent on the six steamers of the Panama service in the year 1914, the cost would have been as follows:

Ships.	Valuation.	Insurance at 3 per cent.
Ancon and Cristobal	$1,500,000	$45,000
Colon and Panama	1,312,000	39,360
Advance and Allianca	400,000	12,000
Total	3,212,000	96,360

In this statement the valuation of the *Advance* and *Allianca* is set, not at the original value ($762,713.62) of the ships, which are now quite old, but at the conservative sum of $400,000, which perhaps more nearly represents their real present value.

Figuring depreciation at 4 per cent per annum, this would be on the four larger ships of the Panama Line as follows:

Ships.	Valuation.	Depreciation at 4 per cent.
Ancon and Cristobal	$1,500,000	$60,000
Colon and Panama	1,312,000	52,480
Total	2,812,000	112,480

That is to say, the factors of insurance and depreciation, figured as private steamship companies have to figure them, would have cost the Panama Railroad Steamship Co. in the fiscal year ending June 30, 1914, the sum of $96,360 and $112,480, or $208,840. The net earnings of the entire fleet of the Panama Railroad Steamship Co. in the fiscal year are stated by Mr. Drake to have been $314,296.36. If the insurance and depreciation charges, which were not allowed for by this Government-owned company but would have to be allowed for by any private company, were subtracted from the net earnings, the result would be $105,456.36, or a little more than 3 per cent on the valuation of the six steamers, $3,212,000.

Mr. Drake, testifying in 1913 in the case of the United States versus the Hamburg-American Line and others, is quoted as follows:

Question. Mr. Drake, in your opinion how much more does a steamship line have to make to earn the equivalent of 6 per cent on a railroad investment?

Answer. A steamship line has to earn from 12 to 20 per cent to make it equivalent to 6 per cent earned by a railroad.

In other words, if proper and necessary charges for insurance and depreciation were made in the fiscal year 1914, two-thirds of the ostensible net profit of $314,296.36 would disappear, and the business would prove a very unsatisfactory investment. But the Panama Railroad Steamship Co. has not always returned an apparent net profit. There are years when its business has been conducted at a heavy loss. Taking the three years 1912, 1913, and 1914 the result would be as follows:

Years.	Profit.	Loss.
1912		$201,761.13
1913	$221,489.92	
1914	314,296.36	
Total	535,786.28	201,761.13

Subtracting the loss in 1912 of $201,761.13 from the profit in 1913 and 1914 of $535,786.28, there remains an apparent net revenue for the three years in question of $334,025.15. But if the proper and necessary charges for depreciation and insurance on the six steamers of the company's fleet had been made in each of these three years at the rate of $208,840 a year, these charges would have amounted for the three years to $626,520, which would have absorbed the entire apparent net profit for those three years of $334,025.15, and would have left a deficit for the three years of $292,494.85, as follows:

Insurance and depreciation, three years, 1912, 1913, and 1914	$626,520.00
Apparent net profit, 1912, 1913, and 1914	334,025.15
Actual deficit, 1912, 1913, and 1914	292,494.85

Only insurance and depreciation have thus far been considered. If to these charges there should be added an allowance of, say, 5 per cent on the capital invested or the valuation of the six ships—$3,212,000—the deficit would, of course be considerably increased; indeed it would be increased $160,000, making a total deficit of $453,094.85 instead of a surplus of $314,296.36, as has been erroneously claimed. But even as it is, without making any allowance for interest, the result is a demonstration that the business of the Panama Railroad Steamship Co., though it has been highly favored in the carrying of Government supplies and official passengers and employees, has been conducted for the three years at a serious loss to the Government.

In saying this no imputation is made against the managers of this Government steamship company. The president of the company is Col. George W. Goethals, the distinguished chief builder of the canal, and there can be no doubt that Mr. Drake and his associates are faithful and honorable public servants. The ill success of the company is due not to any lack on their part but to the inherent defects and difficulties of Government ownership and operation of a commercial business.

Mr. President, whenever the statement is made that foreign Governments are subsidizing their ships not only by the direct payment of money but in various other ways, the suggestion is made that the subsidy paid is really nowhere near as great as stated. To show the tremendous advantage that foreign ships have over American ships in this regard, I desire to call attention to the exact facts regarding the Cunard subsidy, which I take from the report of the Commissioner of Navigation for the year 1903, page 48.

I have heretofore, on one or two occasions, Mr. President, called attention to this enormous subsidy that was given to the Cunard Line, but the reply has sometimes been that they had to pay it back. Let us see.

On the part of the British Government the Cunard contract is made jointly by the Admiralty, representing the navy department; by the board of trade, corresponding to our Department of Commerce; and by the postmaster general. The public purposes of the contract recited in the preambles are the maintenance and improvement of British steamship lines to the United States; the control by the Admiralty, when desired, of the Cunard Fleet; and the transportation of the British mails.

The basic articles of the new Cunard contract are the following:

3. (1) The company shall forthwith cause to be built for it in the United Kingdom, with all due dispatch, two steamships of large size, capable of maintaining a minimum average ocean speed of from 24 to 25 knots an hour in moderate weather, suitable in all respects to maintain and develop the company's line between Liverpool and New York, or other ports in Great Britain and the United States of America.

10. His Majesty's Government shall advance to the company a sum equal to the cost to the company of the two steamships referred to in clause 3 hereof, but not exceeding in any event £2,600,000.

Which is, in round numbers, about $13,000,000.

The estimate of the first cost of these steamers, £1,300,000 each, was based on the investigations of a special commission of the Admiralty. That commission reported the first cost, indicated horsepower, and annual subsidy required to maintain commercially fast British ocean steamers, as follows:

Average speed (knots).	First cost.	Engine power (I. H. P.).	Annual subsidy.
20	£350,000	19,000	£9,000
21	400,000	22,000	19,500
22	470,000	25,500	40,500
23	575,000	30,000	67,500
24	850,000	40,000	110,500
25	1,000,000	52,000	149,000
26	1,250,000	68,000	204,000

The speed basis is not for a measured mile or a short distance but for the voyage of 3,000 miles across the Atlantic. The annual subsidy to make good commercial losses is based on a 10-year contract.

By the article just quoted the British Government agrees to advance the first cost, £1,300,000, of each of the two fastest steamers which can be built. This amount is to be repaid by the company in 20 annual installments of £65,000 each, beginning with the end of the first year after the second of the two steamers has made her first voyage. Beginning with the first voyage of each steamer the British Government is to pay the company an annual admiralty subvention of £75,000 for each of the two steamers, or £150,000 a year when both are in full operation. This £150,000, however, includes the present admiralty subvention for the *Campania*, the *Lucania*, and other existing steamers of the fleet, under the agreement of October, 1902, amounting to about £20,000. The new admiralty subvention for the two new steamers is thus virtually £130,000, or £65,000 apiece—a sum just sufficient to equal the annual installment of the company's repayment of the Government's advance.

By paragraph 9 (e) of the contract interest shall be at the rate of 2¾ per cent per annum. At this rate the average annual interest on the principal of £1,300,000, payable in 20 years, will be £17,875. Besides the admiralty subvention of £150,000 already mentioned the Cunard Co. is also to receive £68,000 for carrying the mails once a week from Queenstown to New York. This service will require four steamers, and the postal subsidy is accordingly at the rate of £17,000 a steamer. As the two new steamers will presumably carry more than the average amount of mail, in effect the mail subsidy is calculated to pay interest on first cost, as the admiralty subvention was calculated to repay the principal of first cost advanced by the Government.

By this agreement in effect the British Government agrees to build and give to the Cunard Co. the two best steamships Great Britain can produce, and the company agrees to operate them at its own cost. The Government supplies the capital; the company meets operating expenses. The company's chance for profits depends on passenger receipts exceeding operating expenses, excluding first cost of the steamers. The Government's return for its investment is:

1. British transportation of British mails.
2. The employment of naval reserves on the Cunard steamers.
3. The possession of a fleet of auxiliary cruisers and transports, without the cost of maintenance, including insurance, wages, repairs, etc.
4. The reassertion of British preeminence on the North Atlantic, threatened by the rapid development of the two great German lines.

By the third schedule of the contract the British Government has the right to purchase outright any Cunarder for a sum equal to the value of the vessel at the time of her purchase, plus 10 per cent as a bonus to the company. The present value of each steamer of the fleet, it will be noted, has been fixed in the contract, the *Lucania* and *Campania*, built in 1893, for example, each being valued in September, 1902, at £356,839. Depreciation is to be allowed at the rate of 6 per cent annually, but the value of a steamer may be appreciated by the installation of new boilers and engines. Although the British Government, as shown, pays the first cost of the new steamers, it can purchase them from the company only by a payment of 10 per cent bonus above their value, as an insurance to the company against loss consequent upon interrupted traffic.

The total annual subsidy to the Cunard Line specifically provided for in the contract consists of £150,000 ($729,000) for admiralty services and £68,000 ($330,480) for the mails; in all, $1,059,480. Paragraph 20 of the second part of the contract contains, however, the following provisions looking toward the maintenance of a complete Cunard semiweekly trans-Atlantic service:

If in consequence of additions to its fleet the company shall at any time establish a new fast weekly midweek service between Great Britain and the United States of America—that is to say, a service performed by vessels of a speed of 18 knots and upward per hour—and the postmaster general shall, under the powers conferred by this clause, send by means of such new service a regular mail to the United States of America which shall be equal in weight, on an average of 12 months, to not less than 10 per cent of the average weight of the mail sent each week by a mail ship under this agreement, then the postmaster general shall make such additional payment to the company for the advantage thus obtained as—regard being had to the other payments to the company under this agreement—may be agreed upon, or, failing agreement, settled by arbitration under clause 35 hereof.

The amount of the subsidy or "mail pay" under this paragraph is not fixed, but the paragraph is a pointed illustration of British policy to dispatch British mails entirely by British steamers, even if British steamers are slower than competing American and German mail steamers. With the semiweekly mail line in operation, the Cunard Co. will doubtless receive about $1,100,000 from the British Government annually. The United States pays substantially the same sum for our eastbound trans-Atlantic mails, the Cunard Co. receiving of late years over $200,000 annually from the American Post Office.

The only American trans-Atlantic mail contract now in force was made with the American Line for 10 years under the act of 1891. Under that contract the maximum annual subsidy is $757,000 for four steamers, or on the average $189,000 a steamer. As already shown, the Cunard contract is so arranged that the company is assured that the Government will meet the entire first cost, including interest, of the two new steamers. Two new steamers were built in the United States under the American contract in 1893–1895 at a cost each of $2,500,000, in round numbers. During the 10 years of the American contract each of these steamers, if in full operation, might thus draw $1,890,000. If the company undertook, as does the Cunard Co., to repay the first cost in 20 annual installments, during the 10 years of the contract $1,250,000 must be set aside for the purpose. The British Government requires only 2¾ per cent interest from the Cunard Co.; the American Co. pays 5 per cent interest on its mortgage bonds. At this rate—assuming it were proposed to retire the bonds in 20 years—the interest charges for the 10 years of the contract will amount to $937,500. This sum added to $1,250,000 set apart for amortization amounts to $2,187,500 paid out, compared with $1,890,000 subsidy received.

At the end of the 10-year American contract the company's payments for first cost and interest are thus nearly $300,000 more than the maximum subsidy receivable, while the company has still to meet half of the first cost and interest thereon of a steamer adapted virtually to one line of trade. The disparity between the 20-year Cunard contract and the 10-year American contract is lessened by the fact that Congress admitted two British-built steamers to American registry in order to give life at all to an American trans-Atlantic mail system. It is increased, on the other hand, by the higher wages paid on the American than on the British lines.

It will be seen, Mr. President, from this recital that the British Government put up substantially $13,000,000 to build two steamships for a private company. The provision was that it should be paid back in annual installments with interest at the rate of 2¾ per cent; but pending that the British Government gave mail contracts to those ships of an amount equal to the annual payment that was to be made, so that as a matter of fact the company pays back nothing, but has the two ships practically as a free gift. If any such proposition as that should be made to the United States Senate, I know what would be said about it.

Let me now briefly call attention to the experience of the Government in buying ships during the Spanish-American War.

On January 9, 1900, the Senate passed a resolution of inquiry calling upon the Secretary of War for information as to the names of the persons and corporations from whom ships were bought or chartered for service incident to the War with Spain, together with the true value of those ships as shown by Lloyd's Register. The first part of the resolution of inquiry was responded to in detail, but as to the true value of the ships the report sidesteps the proposition by stating that Lloyd's Register did not show the true value of ships, so that no one to this day knows what difference existed between the true value of the ship and the price which the Government paid for it.

I cite the fact that I am about to state for the purpose of showing that our former experience in purchasing ships has not been a remarkable success.

From Senate Document No. 250, Fifty-sixth Congress, first session, it will be seen that the War Department expended the sum of $8,074,455.20 in the purchase of vessels for the Army transport service incident to the War with Spain. Of this amount $4,200,000, more than one-half, was turned over to Bernard N. Baker for eight ships furnished by him. After the vessels were purchased from Mr. Baker it required an expenditure of $2,427,996.55 to repair and fit them for the service. In the case of one vessel costing $660,000, the sum of $526,964.68, nearly 80 per cent of the purchase price, was spent on "refitting and repairs." In the case of another vessel costing $200,000, refitting and repairs amounted to $230,612.95, about 115 per cent of the purchase price.

The experience that the Government had in the purchase of ships for transport service during the Spanish-American War, as above detailed, is certainly not very reassuring so far as the proposition that the Government shall again engage in that business is concerned. We ought not to purchase ships that can not easily be converfed into naval auxiliaries, and it follows that probably no cargo ships that are now for sale are so constructed and that the cost of refitting them will probably be a repetition of our experience in 1898.

Some of those ships remain in the service of the Government as transport ships. Others of them were sold for less than 50 per cent of their original cost, and I do not think we want to buy many more ships after that experience.

If those who are promoting this bill entertain the notion that foreign ships purchased by the Government are to be operated at a less cost because the officers are foreigners, they are doomed to disappointment. It will be recalled that the emergency act of August 18, 1914, authorized the President to suspend the law which requires that the officers of American vessels shall be American citizens. The President did suspend that requirement so that most of the foreign-built vessels admitted to American registry have retained their British, German, or Norwegian officers, as the case may be. With a view to ascertaining whether those officers were employed at the same wages that they were employed when the ships were under foreign flags or whether they demanded American wages, I addressed a letter to the managers of steamship lines in which those foreign vessels were employed making inquiry concerning the matter, and have received replies from three of them which I herewith append. It will be seen that immediately upon coming under the American flag the officers demanded American wages, so that the ships will be navigated by the Government at a higher cost than foreign ships engaged in the same trade.

In a letter from the foreign shipping department of the Standard Oil Co. it is shown that the total wage bill of one of their steamers under the German flag was $936.10 per month, while under the American flag, the men having demanded American wages, it was $1,765, or almost twice the amount that was paid when they were under a foreign flag.

The Munson Steamship Line make a similar return. They say:

> There is a very decided increase in the wages of officers and crews on foreign-built ships which are admitted to American registry and in cases where the crews of such ships have been signed on abroad for a period of 12 months; immediately the registry is changed the crews either demand the American scale of wages or their discharge and transportation to their home port.

W. R. Grace & Co. make a similar statement, showing that the American wages are 50 per cent above the British wages, but that immediately upon the British ships taking out American registry a demand was made for increased wages to conform to the American standard.

Without reading, I will insert the letters to which I have called attention.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters referred to are as follows:

STANDARD OIL CO.,
New York, February 16, 1915.

The Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

SIR: In reply to your letter of February 10, we would answer your inquiries as follows:

1. The foreign ships we have transferred to the American flag have been confined to vessels formerly operated under the German flag. In these transfers we have followed the practice of substituting Americans for the German officers, engineers, and crews. This has made it necessary to pay the American scale of wages on these vessels. Below we give you a comparison of the wages paid on the same steamer under each flag:

Steamship Washington (German), now steamship Brindilla (American).

Total wage bill under German flag, per month	$936.10
Total wage bill under American flag, per month	1,765.00
Increase under American flag	828.90

So that the wages under the American flag show an increase of 88.55 per cent.

2. It is difficult to make a categorical answer to this question. Our reply will have to be more or less general. The standard of living on steamers under the American flag is quite different from foreign flags, resulting in increased expense. It is also difficult to obtain and retain experienced men for American ships, and this is another item that contributes to increased cost by frequent replacement of men at out-of-the-way ports. We have also found that in the case of petty officers, sailors, and firemen the same men sailing under the American flag demand and receive much higher wages than they are willing to accept under foreign flags. Another increased item under the American flag is brought about by the fact that the American measurement laws result in a larger measurement for the steamer than under foreign registry. This particular item is in suspense at the moment, but when again put into force will result in the steamer paying higher port charges, a good portion of which will be paid to foreigners, as they will be subject to tonnage dues in foreign ports based on the American registry.

Respectfully,
D. T. WARDEN.

NEW YORK, *February 11, 1915.*

Mr. J. H. GALLINGER, Chairman Conference of the Minority,
United States Senate, Washington, D. C.

SIR: We have the honor of replying to your esteemed favor of the 10th instant.

1. There is a very decided increase in the wages of officers and crews on foreign-built ships which are admitted to American registry, and in cases where the crews of such ships have been signed on abroad for a period of 12 months, immediately the registry is changed the crews either demand the American scale of wages or their discharge and transportation to their home port.

2. Beyond the increase of wages the operations of loading and discharging, port charges, etc., are practically the same on a foreign as on an American ship.

Very respectfully, yours,
MUNSON STEAMSHIP LINE,
A. H. BROMELL,
Vice President.

NEW YORK, *February 13, 1915.*

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

SIR: We have your letter of February 10 in reference to foreign steamers transferred to American flag.

We have been operating American and British steamers side by side for some years, and we estimate difference in cost of operation to be as follows:

	American, per month.	British, per month.
Wages	$1,970	$1,342
Victualing	803	649
(American steamers have larger net tonnage measurement than British, and, as tonnage and light dues are paid on net register, that is against the American boat.)		
As dues vary in the different ports of the world, the difference in money is difficult to state, but may be estimated at	35	.....
(This tonnage item will not go into effect on foreign steamers transferred to American flag until Aug. 18, 1916, by reason of President's proclamation.)		
American steamers require annual inspection, while British steamers are inspected each four years; estimated extra cost by reason of annual inspection	25	.....
	2,833	1,991

The cost per month extra for an American boat thus being $842.

The extra cost of victualing is not by statute, but by reason of less economy on American steamers.

On British steamers which we recently transferred to American flag the foreign crews struck for American wages the day of transfer, and received them. As soon as foreign crews are replaced by Americans we will have the increased cost of victualing.

We trust this gives you the information which you desire.

Yours, very truly,
W. R. GRACE & CO.,
N. BOWIE, *Vice President.*

Mr. GALLINGER. In this connection it is interesting to note the difference in wages on trans-Atlantic mail steamers as taken from the report of the Commissioner of Navigation, the comparison being made between the American steamship *St. Louis*, the British steamship *Oceanic*, and the German steamship *Kaiser Wilhelm der Grosse*. The British and German ships have

both been lost during the present war, the *Oceanic* off the north coast of Scotland and the *Kaiser Wilhelm der Grosse* in battle off the coast of Africa, but doubtless the comparison holds good as between the American and other foreign steamships of the same class.

Rating.	American—St. Louis.		British—Oceanic.		German—Kaiser Wilhelm der Grosse.	
	Number.	Total wages.	Number.	Total wages.	Number.	Total wages.
Deck officers	6	$430.00	7	$359.64	6	$221.34
Deck force	45	1,129.58	44	967.14	53	656.99
Engineers	29	1,595.00	25	1,455.57	34	1,069.53
Firemen	136	4,860.75	153	3,676.59	179	2,879.80
Purser, etc	4	242.50	5	230.85	5	138.04
Culinary	27	680.09	21	493.29	25	486.95
Stewards	125	2,179.04	162	2,530.36	191	2,156.27
Miscellaneous	8	189.13	10	177.88	7	106.63
Total	380	11,306.09	427	9,891.32	500	7,715.55

This shows that the Americans had a total number of persons employed of 380, the British of 427, the Germans of 500. The American wage was $11,306.09, the British $9,891.32, and the German $7,715.55.

It will be noted that the smaller and slower American steamship, with a smaller crew, thus pays a much larger amount for wages than the competing foreign vessels. The comparison would be more exact if the vessels were precisely alike, with the same crews. The crew of 427 men on the British *Oceanic* was paid at the rate of $9,900 per month in round numbers. A crew of the same number, performing the same duties, if paid at the corresponding rates of wages on the American steamship *St. Louis*, would receive as nearly as may be $12,500 a month. A crew of the same number, performing the same duties, if paid at the corresponding rates of wages on the German *Kaiser Wilhelm der Grosse*, would receive as nearly as may be $6,800 per month. The United States consul notes that indirectly the pay on the North German Lloyd Line is increased by the insurance fund and by clothing to some of the crew. The annual contribution to the North German Lloyd insurance fund, $26,200, when apportioned among 10,000 employees of the company, amounts to about 20 cents each a month and does not affect the facts already mentioned. The gift of a new uniform once in six months to each of the petty officers and deck force, about 60 men on the *Kaiser Wilhelm der Grosse*, can not involve a large sum. The two items might add about $200 a month to the pay roll if converted into wages, but they are to be regarded rather as disciplinary measures to retain men in the company's service. Of the *Oceanic's* crew of 427 men, 68 are members of the British naval reserve, under retainers from the British Government.

Mr. President, a new bill has just come over from the other House. While many of the Democratic Members declared that they were opposed to that bill, it will be observed that almost all of them were whipped into line, and it is equally significant that the Republican vote in opposition to the bill was unanimous. So far as I can discover, the measure passed by the House is equally as obnoxious as the bill that we have been discussing in this body, and I will venture to express the hope that it will fail of passage when it is brought before the Senate for consideration.

As the Senator from Rhode Island [Mr. LIPPITT] on yesterday very wisely said, it would seem to be our duty to drop the shipping bill and proceed to the consideration of the appropriation and other important bills that are now waiting for our consideration, the passage of which is of much more consequence to the interests of the country than the shipping bill. What boots it that the President of the United States and members of his Cabinet are urging the passage of the shipping bill in the face of the fact that a tremendous majority of the people of the country are opposed to it and that there is every reason to believe that if enacted into law it will result in harm rather than good. Our relation to the terrible war now raging in Europe is sufficiently acute at the present time, and we should exercise the greatest possible care not to do anything that could by any possibility lead us into serious trouble with the belligerent nations, which may possibly result if the purposes of the proponents of the bill are carried out.

Mr. President, I have concluded for the present, and I move that the Senate adjourn.

Mr. GRONNA. Mr. President, if the Senator will withhold that motion for just a moment, I desire to give notice that following the morning routine business to-morrow or, if we have no morning hour, some time during the day on to-morrow, I shall address the Senate on the ship-purchase bill.

DISTRICT EXCISE BOARD.

The VICE PRESIDENT. Pending the motion of the Senator from New Hampshire that the Senate adjourn, the Chair announces the appointment of the junior Senator from Kansas [Mr. THOMPSON] on the excise board investigation in the place of the junior Senator from Delaware [Mr. SAULSBURY], who has resigned.

The Senator from New Hampshire moves that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 18, 1915, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 17, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Jehovah, King of Kings and Lord of Lords, our Father, "who will have all men to be saved and to come unto the knowledge of the truth," open now the portals of our souls to the things which make men wise and strong, pure and brave, good and great, that we may inherit the kingdom prepared for the faithful, now and always after the manner of the Christ, the world's great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE REPRESENTATIVE FORREST GOODWIN, OF MAINE.

Mr. PETERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, February 21, 1915, be set apart for services upon the life, character, and public services of Hon. FORREST GOODWIN, late a Member of this House from Maine.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

EXTENSION OF REMARKS.

Mr. KENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the caption of a letter referring to petitions of a hundred thousand names signed on behalf of food supplies depots in the United States. I wish to state, Mr. Speaker, I have no idea in the world of publishing those names.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

MERCHANT MARINE.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from Missouri [Mr. ALEXANDER] is not well this morning and can not be present. He has asked me to ask unanimous consent for the printing of the bill S. 5259, with House amendments, as the bill passed the House last night.

The SPEAKER. The gentleman from Alabama, at the instance of the gentleman from Missouri [Mr. ALEXANDER], asks unanimous consent for the printing of the bill S. 5259, with House amendments. Is there objection?

Mr. MANN. Reserving the right to object, and I will not object, of course as soon as this bill goes to the Senate it is printed with House amendments. I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter addressed to me on the subject of peace on behalf of the Chester Preparative Meeting of Friends.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing a letter in reference to peace. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

Hon. THOMAS S. BUTLER.

ESTEEMED FRIEND: When the cry of war and rumors of war are filling our land, we feel it to be a fitting season to urge upon the Nation the vital necessity of the universal adoption of peace principles. The advocacy of peace has always been one of the foundation stones of the Society of Friends. We fully believe that in the dissemination of

these principles individuals, as well as nations, can best promote the interests of the country and also maintain a closer adherence to the injunction of the Divine Master to live in brotherhood with all mankind. We therefore ask that thou, as our Representative, will use thy influence against increased armament and for maintaining the neutrality of the Nation in the present crisis.

Thus by the prevalence of Christian love and good will to man our Nation may demonstrate that the government we seek shall be a government whose subjects are free, indeed, redeemed from the captivating lusts whence come war and fighting.

BESSIE C. MARTIN.
DORA A. GILBERT.

(Signed on behalf of Chester Preparative Meeting of Friends.)

CORRECTING CERTAIN ERRORS IN PRINTING, COMMITTEE ON WAR CLAIMS.

Mr. GREGG. Mr. Speaker, there were two resolutions which passed the House referring claims to the Court of Claims, and there was a mistake in each of them. I have introduced two resolutions to correct the mistake, and I ask unanimous consent that the Committee on War Claims be discharged from the further consideration of those resolutions and they be taken up for immediate consideration. The first is No. 733.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 733.

Whereas by error in printing the report of the House Committee on War Claims upon House resolution 591, Sixty-third Congress, second session, which passed the House February 10, 1915, that resolution purports to refer the claims listed therein to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," and the said claims should have been referred to the said court under section 151 of the said act: Therefore be it

Resolved, That House resolution 591, Sixty-third Congress, second session, be corrected and amended so as to refer the claims therein specified, with all the accompanying papers, to the Court of Claims for a finding of facts and conclusions of law under section 151 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that House resolution 591 has heretofore been passed by the House?

Mr. GREGG. Yes; it referred claims to the Court of Claims under the wrong section of the Judiciary Code, and this is simply to correct that error.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

The SPEAKER. The Clerk will report the next resolution.

The Clerk read as follows:

House resolution 734.

Whereas by error in printing the report of the House Committee on War Claims upon House resolution 532, Sixty-third Congress, second session, which passed the House July 17, 1914, that resolution purports to refer the claims listed therein to the Court of Claims for a finding of facts and conclusions of law under section 111 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," and the said claims should have been referred to the said court under section 151 of the said act: Therefore be it

Resolved, That House resolution 532, Sixty-third Congress, second session, be corrected and amended so as to refer the claims therein specified, with all the accompanying papers, to the Court of Claims for a finding of facts and conclusions of law under section 151 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

EXTENSION OF REMARKS.

Mr. SAMUEL W. SMITH. Mr. Speaker, on the 8th of January President Wilson delivered a speech at Indianapolis, and on the 15th Hon. James E. Watson, formerly an honored Member of this House, replied in the same city to that speech. I ask unanimous consent to insert Mr. Watson's speech in the RECORD.

The SPEAKER. The gentleman from Michigan [Mr. SAMUEL W. SMITH] asks unanimous consent to extend his remarks in the RECORD by printing a speech made by Hon. James E. Watson, of Indiana, a former Member of the House, at Indianapolis on January 15, in answer to a speech by the President of the United States made at Indianapolis on the 8th of January.

Mr. FITZGERALD. Mr. Speaker, I object.

Mr. MANN. Mr. Speaker, I hope the gentleman will withhold his objection. We did not object to printing the President's speech.

Mr. FITZGERALD. I do not think that men who enter into general debate with the President should have their speeches printed in the RECORD. I object. I do not think it is fair. Some one who is now a Member of the House ought to reply.

The SPEAKER. The gentleman from New York objects.

PENSION BILLS.

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the conference reports on the bills H. R. 19545 and H. R. 20562 and agree to the same.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

Conference report on the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1407).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, 25, 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, and agree to the same.

ISAAC R. SHERWOOD,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: The Senate proposes to increase the amount paid to David Jewell from $22.50 to $24. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 2: The Senate proposes to increase the amount to be paid Samuel S. Van Wye from $22.50 to $24 per month. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 3: The Senate proposes to increase the amount to be paid to Ludlow Walker from $24 to $30 per month. The House concurs because of additional evidence furnished the Senate committee.

On amendment No. 4: The Senate proposes to increase the amount to be paid Nathaniel T. Hoover from $40 to $50. The House concurs because of additional evidence filed with the Senate committee.

On amendment No. 5: The Senate proposes to increase the amount to be paid to Rufus G. Blanchard from $40 to $50 per month. The House concurs because of additional evidence furnished the Senate committee.

Amendment No. 6: The House concurs. Claimant is dead.

On amendment No. 7: The Senate proposes to increase the amount to be paid to John F. Messick from $22.50 to $24 per month. The House concurs because of additional evidence furnished the Senate committee.

Amendments Nos. 8 and 9 are changes in phraseology.

Amendment No. 10 is to correct a typographical error.

Amendment No. 11 is to correct an error in printing.

On amendment No. 12: The Senate recedes. The claimant was shown to be totally disabled and helpless.

On amendment No. 13: The Senate recedes. Claimant was the wife of the soldier during his military service.

On amendment No. 14: The House concurs. This was an error in the rate.

On amendment No. 15: The House agrees. Claimant is pensioned by special act and is not helpless.

On amendment No. 16: The House concurs in the recommendation to increase the amount from $22.50 to $24, additional evidence having been filed with the committee.

On amendment No. 17: The House concurs, the claimant having a short service.

Amendment No. 18 is a change in phraseology.

Amendment No. 19: Claimant is dead.

Amendment No. 20: House agrees to reduce the amount proposed to be paid to Emma L. Ackley from $24 to $20. This is to conform to the rules of both Houses.

Amendment No. 21: The House agrees. Claimant was the soldier's wife for only a short period.

Amendment No. 22 is to correct an error in printing.

Amendment No. 23: The House concurs in the reduction of the amount from $24 to $20 to conform to the rules of both Houses.

Amendment No. 24 is a change in phraseology.

Amendment No. 25: The Senate recedes. While claimant had short service, he is shown to be totally disabled.

Amendment No. 26: House agrees. Claimant's physical condition does not warrant a higher rate than $30.

Amendment No. 27: House agrees. Claimant is dead.

Amendment No. 28: House agrees. This is a change in phraseology.

Amendment No. 29: House agrees. Claimant is dead.

Amendments Nos. 30, 31 and 32 are needless changes in phraseology.

Amendment No. 33: Senate recedes. It was shown that the claimant married the soldier in good faith and lived with him as his wife for 23 years, until his death.

The SPEAKER. Is there objection to the present consideration of the conference report? [After a pause.] The Chair hears none.

The question was taken, and the conference report was agreed to.

The SPEAKER. The Clerk will report the next one.

The Clerk read as follows:

Conference report on the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1408).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and agree to the same.

ISAAC R. SHERWOOD,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
Managers on the part of the Senate.

STATEMENT.

Amendment No. 1: The House agrees. Soldier served less than two months, and claimant remarried in 1866.

Amendments Nos. 2 and 3 are changes in phraseology.

Amendment No. 4: House agrees. Claimant is dead.

Amendment No. 5: Senate recedes. Although claimant had short service, he is shown to be totally helpless.

Amendment No. 6: House agrees. Claimant had short service.

Amendment No. 7: House agrees. Claimant is dead.

Amendments Nos. 8, 9, and 10 are changes in phraseology.

Amendment No. 11: House agrees. Claimant is dead.

Amendment No. 12: House agrees. Claimant had short service.

Amendment No. 13: House agrees. Claimant is now in receipt of pension of $12 per month, and facts do not justify an increase.

Amendment No. 14: House agrees. This is a clerical error.

Amendments Nos. 15, 16, 17, and 18 are changes in phraseology.

Amendment No. 19: House agrees. Claimant is dead.

Amendment No. 20: House agrees to reduction to conform to the rules of both committees.

Amendment No. 21: House agrees. Soldier rendered less than two months' service.

Amendments Nos. 22, 23, 24, 25, 26, 27, and 28 are changes in phraseology.

Amendment No. 29: House agrees. Claimant is dead.

Amendment No. 30 is a clerical omission.

Amendment No. 31: House agrees. Claimant is dead.

Amendment No. 32: House agrees to increase because of additional evidence filed with Senate committee.

Amendment No. 33 is a change in phraseology.

Amendment No. 34: House agrees. Child's name is now on roll.

Amendment No. 34 is a change in phraseology.

Amendment No. 36: House agrees. Child's name is now on pension roll.

The SPEAKER. Is there objection to the present consideration of the conference report? [After a pause.] The Chair hears none.

The question was taken, and the conference report was agreed to.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4146. An act granting certain lands to school district No. 44, Chelan County, Wash.; and

S. 5449. An act to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the bill and joint resolution of the following titles:

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington; and

H. J. Res. 391. Joint resolution authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 2518. An act granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply; and

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908.

CHANGE OF REFERENCE.

On request of Mr. HAYDEN, by unanimous consent, the Committee on Irrigation of Arid Lands was discharged from the further consideration of the bill (H. R. 21377) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, and the same was referred to the Committee on Public Lands.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

When the Committee on the Merchant Marine and Fisheries was called.

Mr. BURKE of Wisconsin. Mr. Speaker, I remember——

Mr. FITZGERALD. Mr. Speaker, as the pension appropriation bill was under consideration and it is desirable to pass the appropriation bills as speedily as possible, I ask that the business in order under the rule to-day be dispensed with so that the House may proceed with the pension appropriation bill.

Mr. SAMUEL W. SMITH. Mr. Speaker, I object.

Mr. FITZGERALD. I thought those gentlemen would object to appropriating money for pensions to the old soldiers of the Civil War.

Mr. MANN. We put it over one day for you, and I guess we will put it over another day.

REGISTER OF FOREIGN-BUILT VESSELS.

Mr. HARDY. Mr. Speaker, has the Committee on the Merchant Marine and Fisheries been called?

The SPEAKER. Yes; it has been called.

Mr. HARDY. Then I call up the bill S. 2335, as follows:

An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 4136 of the Revised Statutes of the United States be reenacted and revised to read as follows:

"SEC. 4136. The Secretary of Commerce may issue a register or enrollment for any vessel wrecked on the coasts of the United States or her possessions or adjacent waters, when purchased by a citizen or citizens of the United States and thereupon repaired in a shipyard in the United States or her possessions, if it shall be proved to the satisfaction of the Secretary of Commerce, if he deems it necessary, through a board of three appraisers appointed by him, that the said repairs put upon such vessels are equal to three times the appraised salved value of the vessel: *Provided*, That the expense of the appraisal herein provided for shall be borne by the owner of the vessel: *Provided further*, That if any of the material matters of fact sworn to or represented by the owner, or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States of the vessel in respect to which the oath shall have been made, together with tackle, apparel, and furniture thereof."

The SPEAKER. The gentleman from Texas [Mr. HARDY] is recognized for an hour.

Mr. HARDY. Mr. Speaker, this is a bill passed by the Senate and reported by the House Committee on the Merchant Marine and Fisheries, authorizing the American registry of vessels that have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved and purchased by American citizens, and repaired in the shipyards of the United States when the repairs amount to three-fourths of the value of the ship as completed or repaired. That was the law of the United States up to 1906, with this difference, namely, that this bill provides quite a number of safeguards against fraudulent applications for registry that were not in the old law. The old law was repealed in 1906 on the suggestion of the department or Bureau of Navigation, as I take it and as I remember it from the hearings, largely because the department called on to administer the law seemed to object to the difficulty and to the labor of investigating applications made to them under the law. And upon the repeal of that law that labor was transferred to the House of Representatives and the Senate and their various committees, it being thereafter the custom for those who had vessels repaired in the United States to make their applications for registry to Congress, as they were compelled to do. It shouldered off on the committees, particularly the Committee on the Merchant Marine and Fisheries, the labor of making a great many investigations, and it resulted in the fact that sometimes vessels, if there was enough pull and push before committees of Congress and before Congress, would get registered when they had been repaired, and others, despairing under the tiresome effort and tedious delay, proceeded to have partial repairs made in this country and take the vessels abroad and finish the repairs there.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. HUMPHREY of Washington. I want to ask a question about the bill. Does the gentleman prefer that I wait or that I ask it now?

Mr. HARDY. Ask it now.

Mr. HUMPHREY of Washington. I wanted to know whether there was anything in the bill that would prevent the abuse, of which my distinguished friend is well aware, that occurred under the old law. For instance, where a vessel was tied up at the wharf, under a ruling of the former Attorney General they counted the care as repairs, so that the gentleman will probably remember that under that decision they would take any vessel, repair it, and tie it to the wharf long enough until keepers' services and cost of looking after the vessel would bring it within the rule to be registered.

Mr. HARDY. I think if any such practice was permitted or authorized by the rulings of the administrative officers it was outside of the provisions of the old law, but this law provides that the repairs put upon the vessel must be equal to three times the appraised salved value of the vessel. And if there is any possible misconception or misunderstanding about terms, I can not see it. The bill says, further:

Provided, That the expense of the appraisal herein provided for shall be borne by the owner of the vessel.

Provided further, That if any of the material matters of fact sworn to or represented by the owner—

And this is new, I think, in the law—

or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States of the vessel in respect to which the oath shall have been made, together with tackle, apparel, and furniture thereof.

Mr. HUMPHREY of Washington. I know. Where does that differ from the wording of the old law? I do not know whether my friend from Texas ever saw that ruling or not, but I have seen it. It is a ruling of the Attorney General that the cost of looking after the vessel—watchmen's fees, and so forth—are considered a part of the repairs. We all agreed when that matter was before the committee that that was an evil that ought to be remedied, and I had hoped in this bill there would be some provision that would prevent a recurrence of it.

Mr. HARDY. Is that the question you wish to have answered?

Mr. HUMPHREY of Washington. Yes.

Mr. HARDY. Mr. Speaker, if there was any such ruling made by the department under the old law, it seems to me it was utterly without warrant of law, for the old law said that if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired, and so forth.

Mr. HUMPHREY of Washington. There was such a ruling made.

Mr. HARDY. I understand the gentleman is of that recollection. But we add to this law this further statement:

That if any of the material matters of fact sworn to or represented by the owner, or at his instance, to obtain the register of any vessel are not true, there shall be a forfeiture to the United States.

I do not know how to make the language more plain than that. But I want to call the attention of the Members of the House to the fact that the result of the repeal of that law has simply been to transfer to the committees of Congress the labor of investigating, and I expect that there is more opportunity to get vessels in through the violation of law by that haphazard kind of investigation than there is through a fixed law.

In other words, I believe that the law ought to be fixed, and that if a vessel is repaired in the United States and three-fourths of its entire value has been put upon that vessel in the repairs in the shipyards of the United States that vessel ought to be admitted to registry in the United States as a matter of right and by a steady or a uniform law and not by the whims and opportunities of the action of Congress.

In addition to that, I would say that I am informed that at least a number of vessels that have been wrecked on our coast can now be repaired and admitted to our register in a few weeks, and thereby aid in supplying the deficiency in transportation that we have to-day. And, further, I wish to say that I believe it is in the interest of the shipyards themselves that a vessel wrecked on our coast, if repaired in our yards at a cost of three-fourths of its value, should be admitted to registry in the United States, because if that is not done those ships, if possible, will be taken to foreign shipyards, to be repaired there, and the labor of repairing would thereby be lost to our shipyards.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore (Mr. FOSTER). Does the gentleman yield?

Mr. HARDY. Yes.

Mr. TOWNER. I will say to the gentleman that I notice the language used in this bill, "That section 4136 of the Revised Statutes of the United States be reenacted and revised to read as follows," and so forth. Is it intended that this section shall be an entire substitute for the old one?

Mr. HARDY. Yes, sir.

Mr. TOWNER. Then, Mr. Speaker, it seems to me that this is a very slovenly and a very unwise method of doing it. In other words, if we intend to repeal the old statute, we ought to expressly state so.

Mr. HARDY. The old statute is already repealed.

Mr. TOWNER. Then why should we say we reenact it?

Mr. HARDY. Because that is what we want to do.

Mr. TOWNER. The condition is this: That only means this, that if there should be only part of the old statute that is not expressly reenacted in this new one it is not repealed. If it is intended to repeal the existing statute, we ought to say so and reenact a substitute.

This is what I have in mind: It has been many times decided by the Supreme Court of the United States—indeed, they hold the rule perhaps more strongly than any of the States—that you can not repeal a statute by implication. It must be done expressly. It must be either expressly declared that the old statute is repealed or there must be such a necessary repugnance that it will by reason of such repugnance effect a repeal of the repugnant clause of the old statute. But if there should be any clauses of the old statute that are not expressly repealed and are not expressly repugnant to the terms of the new statute, then those clauses of the old statute are in existence still.

I am objecting to this because of the slovenly method by which those statutes that are not intended to be expressly repealed are not so stated, because the gentleman will admit that it will lead us into many embarrassments.

Mr. HARDY. I want to say to the gentleman, Mr. Speaker, that, from a purely literary standpoint, the criticism may be a good one. The wording may be slovenly; but I will say to the gentleman that this bill comes to us from the Senate, and unless

there should be some very valid reason for changing it, and thereby throwing it into conference and causing double delay on the part of both Houses again, I would not like to change it.

And then I want to call the gentleman's attention to another fact. This is not existing law. It is a law that has been repealed heretofore. I am aware that if you say nothing of the repeal of an existing statute and do not directly repeal it, the enactment of another law in partial conflict with it would only repeal that former statute in so far as the conflict existed. The gentleman is correct in the general principles he states, but I do not think there is any question about that. But this being a law once in effect and subsequently directly repealed, and now no longer in existence, the Senate bill provides that it be "reenacted and revised to read as follows."

Now, there can be nothing in the law reenacted except what is reenacted and embraced in the words following the words "as follows," because the old repealed section is so reenacted and so revised as to read "as follows." Now, in effect that seems to me to have a very definite meaning.

Mr. TOWNER. I will say to the gentleman that I do not quite agree with him. If this statute numbered 4136 is not now in existence, if there is not any such statute now on the statute books, then we should not say that we reenact it. We should only go to work and say what we propose to pass now.

Mr. HARDY. I think, as an original proposition, the gentleman is correct. That method would be the better practice.

Mr. TOWNER. Yes; but I want to call my friend's attention to this point: It is not a mere literary objection. It is a substantive objection, because when we say that we reenact a statute and the terms of the reenactment do not agree with the terms of the original statute, then only in so far as the reenacted statute shall be expressly repugnant to the original statute will it necessarily repeal it, and if there are clauses in the old statute that are not in this, and there is no express repealing clause, we are in danger of having a confusion of law, and that is not a mere literary matter.

Mr. HARDY. Mr. Speaker, to obviate that I have the old statute here before me.

Mr. TOWNER. I do not know what the terms of the old statute are.

Mr. HARDY. I will read it to the gentleman, so that he can see that there is no possibility of misunderstanding. The old statute reads "the Secretary of the Treasury." This revision reads "the Secretary of Commerce." Now, the old statute says, "may issue a register or enrollment of any vessel built in a foreign country."

Mr. TOWNER. Yes, if wrecked off the coasts.

Mr. HARDY. Yes; "wrecked on the coasts of the United States." It leaves out the words "built in a foreign country." Then it says, "or her possessions or adjacent waters." "Whenever such vessel shall be wrecked in the United States," and this law adds, "or adjacent waters." Then it goes on, "And shall be purchased or repaired by a citizen of the United States, if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel equals three-fourths of the cost of the vessel so repaired," and so forth.

Mr. TOWNER. Let me call my friend's attention to the fact that this is a notable example of the very thing that I am calling attention to.

Mr. HARDY. What section of the old law does the gentleman think is left in force?

Mr. TOWNER. I do not know; but this is evidently not a reenactment of the old law.

Mr. HARDY. It is a reenactment and a revision.

Mr. TOWNER. It is a revision, exactly; but if it is intended as a substitute, why do you say, "The old statute is reenacted"? And if there is anything in the old statute you do not want retained in the new, it will be placed there by this statement that you reenact the old statute. If there is not anything now in existence that is the law, then we should not say that we reenact a repealed or an obsolete or inoperative statute. And if we mean that there is a statute now in existence, and we want to change it and put a new one in place of it, then we should say frankly that we repeal the old statute, and that this is enacted in lieu of it.

Mr. HARDY. Mr. Chairman, I still recognize the literary merit of the gentleman's criticism. But a statute that has been repealed can not be amended until it is reenacted, and the Senate very properly proposed to reenact an old statute then repealed; that is, they reenacted it as revised, so that when reenacted, as revised, it shall read as follows; then follows the law enacted. Now, the more the gentleman discusses it, the more it appears to me that, even as a literary production, the Senate bill is not very wrong. There is a statute that has been repealed. It is to be reenacted, and in reenacting it, it is revised so as to read as follows. What could be clearer? I am sure that no court under the sun would fail to find the meaning of this statute, and to find it perfectly valid..

Mr. MOORE. Will the gentleman give an interpretation of the words used in line 5, page 2—

Appraised salved value of the vessel.

The repairs are to be equal to three times the appraised salved value of the vessel. What does that mean? Does it mean that if a vessel that has been wrecked carelessly or by design is purchase by some one for $100 the purchase can by the expenditure of $300 get an American registry?

Mr. HARDY. There is a provision here in line 3—

Through a board of three appraisers appointed by him, that the said repairs put upon such vessels are equal to three times the appraised salved value of the vessel.

Mr. MOORE. I think that differs——

Mr. HARDY. I do not think the old law required that, but simply said three times the value. This is intended to enable the department to have its own board of appraisers pass on it, so that the value of the vessel is to be determined by the board of appraisers of the department, and in that respect it is a great improvement on the old law.

Mr. MOORE. The report of the Commissioner of Navigation for 1905, which is quoted in the minority report of the committee——

Mr. HARDY. You will find the old law in the Senate report.

Mr. MOORE. The report of the Commissioner of Navigation for 1905 contains this statement, that the registry is to issue to such vessel—

If it shall be proved to the satisfaction of the commissioner—

That is, the Commissioner of Navigation—

that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired.

That language is essentially different from the language you use in this bill, and I wanted to know what the distinction was.

Mr. HARDY. The old law was, if it was proved to the satisfaction of the Secretary of the Treasury——

Mr. MOORE. The old law of 1905 required that the Commissioner of Navigation should find that the repairs put upon the vessel were equal to three times its value, but in this bill you say that the repairs put upon such vessel are to be equal to three times the appraised salved value of the vessel. I take that to mean that it gives the department greater latitude than it has heretofore had in the matter of discretion with regard to the issue of the registry.

Mr. HARDY. The only difference is that the former law gave the department authority to issue the registry if the repairs amounted to three-fourths of the value, without any appraisal. This requires it to be three times the appraised value, and provides the officers to make the appraisal.

Mr. MOORE. The appraisal proposition is new.

Mr. HARDY. It is an additional restriction.

Mr. MOORE. That brings us back to the term "appraised salved value of the vessel." I should like to get the meaning of that from the gentleman in charge of the bill.

Mr. HARDY. I can not give it any further than that it says that the Board of Appraisers shall appraise the value.

Mr. MOORE. Is that the law or the bill?

Mr. HARDY. That is the bill. That is an additional safeguard.

Mr. MOORE. Exactly, and because of that I wanted to get the meaning of the words "appraised salved value." Because, if the gentleman will permit me for a moment, a vessel may be run ashore by a captain who designs to wreck the vessel. A foreign vessel having been so run ashore it might incidentally raise the question of insurance upon the cargo. But when it comes to the salving of the vessel, and you state in the bill that the appraised salved value of the vessel shall prevail, the question naturally arises, what is the appraised salved value, because the vessel itself, in the sand or on the rocks, may not be worth a hundred dollars to anybody; but if, by waiting for a tide to carry it off and float it again, the vessel is salved, would the appraised value be determined then?

Mr. HARDY. If the gentleman will permit me, I want to reserve some of my time. I will simply say that I can not understand that language any further than its clear import would seem to me to indicate—that is, when the vessel is wrecked and salved these appraisers are appointed, and they assess the value before any repairs are put upon it. Now, if the ship had three times that salved value put upon it in repairs, it would be entitled to registry under the bill.

Mr. MOORE. I want to be fair to the gentleman and say that the cost of wreckage also enters into the question. If a $100,000 vessel is purchased by somebody, wrecker or otherwise,

for $100, and $300 is spent upon it in repairs, it would probably meet the requirements of this bill, and it is a question whether the bill ought to pass. I call this to the attention of the gentleman because it will be discussed during the debate.

Mr. HARDY. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used 25 minutes.

Mr. HARDY. I will take five minutes more. It seems to me the intense self-interest of the shipbuilders of the country in the repeal of the old law has overreached itself. They are actually so afraid that some timber or piece of material in the hull of a vessel wrecked on our coast may become a part of the vessel under register that they sought the repeal of the law and secured it, and Congress has been bothered from that day to this with applications. Now, here is a plan proposed, where a vessel wrecked on our coast is ready to be repaired in our shipyards, which would furnish work for American labor, they would be unable to take it to a foreign yard to be repaired, but it is repaired here in an American yard, and they do not want it entitled to register, although it is three-quarters built in the United States. It seems to me that the self-interest of these people has pushed itself on the people of the country, to the detriment of the commerce of the country, and that their greed is insatiable.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. HARDY. I can not yield now; I want to reserve the balance of my time.

Mr. GREENE of Massachusetts. Mr. Speaker, I presented minority views on this bill, and I wish to call the attention of the Members of the House to the fact that when this statute was created, on December 23, 1852, it was created for the purpose of securing the admission of foreign-built wrecks to the coastwise trade. The statute was repealed February 22, 1906, and authority was given to the Congress of the United States to act upon all requests made for demands for register. I can see no reason for reenacting this statute. It takes from Congress the power of publicity that is allowed by the law now in existence; the law now provides for inquiring into every case where the vessel applies for a register on account of repairs that have been made. To carry this matter back to the Department of Commerce, as it would be by the reenactment of the statute, would have the effect that American registers could be issued without any public hearing, when at present there is a public hearing and all parties interested have an opportunity to appear and present the facts, which subsequently would be reported to the Congress for conclusive action thereon.

I know that a great many people believe that this repeal of existing law would mean the upbuilding of the American merchant marine. My experience has convinced me that the various wrecking companies in this country will be the chief beneficiaries of this contemplated legislation, and the proposed legislation would be detrimental rather than beneficial to the American merchant marine. These wrecked vessels are sure to be repaired in an American shipyard. It would not pay to take the vessels across the water, and if it did not pay nothing is to be gained, as is suggested by those who favor the reenactment of the repealed statute. Nothing is to be gained by the enactment of Senate bill 2335, because there is no other place except in America where with economy and safety these wrecked vessels would be taken and repaired. Consequently they would be compelled to have these vessels rebuilt in American shipyards.

Every nation protects its coastwise trade. Our forefathers with their great foresight and wisdom established the coastwise trade of the United States in 1787, and wisely decreed that it should be reserved for American-built and American-owned vessels, and with far greater wisdom provided that their officers and crews should be American.

This great bulwark and protection to our coast has justified during the space of 127 years the sacrifices made by the early pioneers and the succeeding generations to maintain this great civilian arm for our defense against the approach of all foreign invaders and against the peace and prosperity of the Nation.

The coastwise trade affords a school of experience for those who desire to follow the sea. We can not hesitate as patriots, as we ought to be, to throw around the coastwise trade in our own country the protecting arm of the Congress in order that we may preserve to coming generations this bulwark of safety created more than a century and a quarter ago.

I should be derelict to my duty if I did not call the attention of Members of the House to the importance of the most careful consideration of the effect which the removal of the power which the Congress now possesses to protect the vessel owner, who has constructed his vessel under the regulations provided under our existing maritime laws, of American materials in American shipyards by American labor and American wages against the foreign-built vessel.

Mr. LEVY. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. LEVY. Under the present law they have no right, even if two-thirds destroyed, to be admitted to the American register?

Mr. GREENE of Massachusetts. Yes; they have a right to be admitted to American registry but not to the coastwise trade. Any old hulk can get admission to the American registry now, but vessels thus admitted are not permitted to enter the coastwise trade, and there is not a single reason why they should be. I assert that the proposed transfer of power is against the best interest of our country and contrary to the spirit of our institutions.

The report of the majority is very limited. It makes no explanation of the effect of this bill, and I wish to call the attention of the House to the fact that on December 14, 1905, when the recommendation was made by the department that this statute should be repealed, it was stated that at the time the statute was enacted, in 1852, there was relatively very little difference in the cost of building wooden sailing vessels in general use here and abroad, and it did not then especially injure but aided American shipbuilding; but that in the time of steel steamers it brings about a very different condition, and only in a very few instances where the damages are relatively inconsiderable could such wrecks be partially repaired in the United States and then sent abroad for completion of repairs. They recommended that this change be made at that time. I also desire to call the attention of the Congress to the fact that the chairman of the Committee on Commerce in the other body wrote a letter to the Department of Commerce asking for the views of that department upon this bill, but the views expressed by the department were not included in the report of the majority and I desire to read them for the information of the House. I call especial attention to the following copy of a letter written to the Hon. JAMES P. CLARKE, chairman of the Committee on Commerce of the United States Senate, dated May 15, 1914, written by Hon. E. F. Sweet, Acting Secretary, who was formerly a Member of this House. That letter is as follows:

DEPARTMENT OF COMMERCE,
Washington, D. C., May 15, 1914.

SIR: I have received your letter of January 15, inclosing S. 2335, to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizenship and repaired in American shipyards.

Complying with your request for such suggestions as I may deem proper touching the merits of the bill and the propriety of its passage, I have to say:

Section 4136, Revised Statutes, which this bill proposes to reenact and revise, embodied the provisions of the act of December 23, 1852, which was repealed on February 22, 1906. The report of this department recommending its repeal may be found in Senate Report No. 114, Fifty-ninth Congress, first session.

Foreign vessels wrecked on the coasts of the United States or adjacent waters are usually taken to American shipyards for repair, and the bill, accordingly, will not appreciably increase the opportunities for employment in American shipyards. American registry is usually sought in such cases to secure for the repaired wreck the privilege of engaging in the coasting trade, now limited to vessels built in the United States.

While the department favors measures to upbuild the American merchant marine, it doubts the propriety of trying to attain this end by adding repaired foreign wrecks to our coasting fleet in preference to new vessels built in the United States.

Respectfully,

E. F. SWEET,
Acting Secretary.

Hon. JAMES P. CLARKE,
Chairman Committee on Commerce,
United States Senate, Washington, D. C.

Mr. BURKE of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. BURKE of Wisconsin. Does not the gentleman think that the letter that he has read from the Assistant Secretary plainly indicates the reason why they do not want this change made? Does it not indicate to the gentleman that the Acting Secretary does not want this additional work imposed upon his department, and is not that the reason for his opposition?

Mr. GREENE of Massachusetts. Mr. Speaker, I will be glad to reply to that. I do not see any indication of that in a single line or word or thought expressed in the letter. I call attention to the letter of Hon. Victor H. Metcalf, the former Secretary of Commerce and Labor and a former Member of this House, to show that this letter of the Department of Labor under the present administration is in accord with the views expressed by Mr. Metcalf, who was a member of President Roosevelt's Cabinet. The views of the two representatives of the Cabinet

are in accord, and I have expressed that in the report that I have made, as follows:

The views of the Department of Commerce under the present administration seem to be fully in accord with the views of the administration of former President Roosevelt in 1906, and these concurrent views, if carefully taken into consideration, ought to aid the Congress in determining to defeat the proposed legislation.

I can not see any reason at all for this bill excepting that it takes away from the publicity that is provided, as the law now is, of having the matter fully considered by a committee of this House and carefully gone into, and it also provides a chance for proper consideration in the Senate. I can not see any reason for giving the authority back to the Department of Commerce, which does not want it and ought not to have it, and which, under its provisions, could quietly admit these vessels to American registry; and I believe that what is really behind the bill is a desire on the part of some individuals to quietly carry out something that ought to be done openly, which should have full consideration given to it. I do not think this House, after all of the talk of a desire for publicity, should suppress the chance to go fully into the entire question of the construction of a vessel and the means that are used for her repair and rehabilitation.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes; for a question, but not for a speech.

Mr. GORDON. This bill simply authorizes the admission to registry of vessels owned by Americans which have been repaired to three-fourths of their total value in American shipyards.

Mr. GREENE of Massachusetts. It refers to foreign-built vessels which an American may see fit to buy and repair. They might have an American owner when they want to get registry.

Mr. GORDON. Who is being hurt by such a course as that except this coastwise shipping monopoly?

Mr. GREENE of Massachusetts. Suppose it is the coastwise shipping trade. I say that the United States should take care of its coastwise shipping trade as every other nation does of its coastwise shipping trade. I am not one of those who wants to haul down the American flag. I believe in keeping it up and in defending the institutions and rights and privileges of this country against any foreigner, I do not care who he is.

I reserve the remainder of my time.

Mr. HUMPHREY of Washington. Mr. Speaker, I would like to be recognized in my own right.

The SPEAKER. Whenever the gentleman from Massachusetts takes his seat.

Mr. GREENE of Massachusetts. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman from Washington is recognized for an hour.

Mr. HARDY. Mr. Speaker, I would like to inquire if we can not agree on some length of time for debate. I supposed that an hour on a side would be enough, and that the gentleman from Massachusetts [Mr. GREENE] could control that hour and divide it as he saw fit. I would like to reach some agreement.

Mr. HUMPHREY of Washington. Mr. Speaker, I think we will have no trouble so far as I am concerned if we can reach an agreement on another matter, and I am inclined to think the gentleman will agree to that if he will listen to me now for a moment.

Mr. MOORE rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To endeavor to enter into this agreement that is being made between the two gentlemen. Since the gentleman suggests that there be an arrangement as to time, I want to state that I would like to have some time.

Mr. HUMPHREY of Washington. Mr. Speaker, I do not want to enter into any negotiations just now, but I probably shall as soon as the gentleman will answer me a question or two. In the report of the majority it says practically that this bill reinstates the old law as it stood up to 1906, which ought never to have been repealed. The language of the old law was:

The Commissioner of Navigation may issue a register or enrollment for any vessel built in a foreign country whenever such vessel shall be wrecked in the United States and shall be purchased and repaired by a citizen of the United States, if it shall be proved to the satisfaction of the commissioner that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired.

Now, that portion, "that the said repairs put upon such vessel equal to three times the appraised value," is the same. Now, I was a member of the committee at the time that repeal took place, and I remember very distinctly the reason why, and that was this: Under the old law—and I think my distinguished friend from New York was probably on the committee at the time—the principal reason was that a system of fraud had grown up under the construction the Attorney General applied as to what were repairs. I remember very distinctly that the Attorney General gave an opinion whereby watchmen's fees were counted in as repairs, so that all they had to do was to take one of these old vessels and tie it up at a wharf until the watchmen's fees amounted to sufficient to get a registry. That is one case; and the Attorney General decided under the law that they had a right to do that. Now, in the report, reading from the report made by the then Department of Commerce and Labor, it says:

Since 1856 the Attorneys General of the United States have construed nearly every phase in the ambiguous act just quoted, and in consequence the little words above are far from conveying the precise meaning of the act. Furthermore, it was passed at a time when nearly all the world's shipping was of wood, and the difference in the cost of building in this country and abroad was practically inconsiderable.

Now, that same language has been construed, and they will go right back, and we will have that over again. They not only counted the watchmen's fees, but they would take one of those old wrecks and refurnish it, and that refurniture that went into that vessel was counted as repairs, and thereby they evaded the law. Those are strong reasons why it was repealed, but I am not at all certain, if this law is so amended so as to avoid that particular feature, that it would be better than the special acts we have. I recognize much of the force in what my distinguished friend from Massachusetts said. We get publicity, but at the same time we escape a great deal of annoyance. I would ask the gentleman from Texas whether he would not accept an amendment of some kind that will prevent this very thing that caused the trouble before.

Mr. HARDY. Mr. Speaker, I very seriously object to any amendment, for the reason that would mean the killing of the bill.

Mr. HUMPHREY of Washington. Well, then, Mr. Speaker, if we are going to have that insisted upon, I will make the point of no quorum present. If we are to go back to this old system, that led to fraud and trouble before, we will have to have more Members here to consider it. I reserve the balance of my time.

The SPEAKER. The gentleman from Washington makes the point of no quorum present and reserves the balance of his time. There is no use in trying to count, as evidently there is no quorum here.

Mr. BORLAND. Mr. Speaker, I move a call of the House.

Mr. HARDY. Mr. Speaker, I suggest a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79.]

Aiken	Elder	Langham	Rothermel
Alexander	Estopinal	Langley	Rucker
Anthony	Faison	Lee, Pa.	Rupley
Avis	Farr	L'Engle	Sabath
Barnhart	Ferris	Lever	Saunders
Bartholdt	Francis	Lewis, Pa.	Sells
Bell, Ga.	Gard	Lindquist	Sherley
Bowdle	George	Loft	Sinnott
Brodbeck	Gillett	Logue	Small
Broussard	Gittins	McClellan	Smith, Md.
Brown, W. Va.	Godwin, N. C.	McGillicuddy	Smith, Saml. W.
Brumbaugh	Goeke	McGuire, Okla.	Sparkman
Bulkley	Goldfogle	Madden	Stanley
Burgess	Good	Maher	Sutherland
Burke, Pa.	Gorman	Martin	Taggart
Burnett	Graham, Ill.	Metz	Talbott, Md.
Cantor	Graham, Pa.	Miller	Taylor, Ala.
Cantrill	Gray	Morgan, La.	Taylor, N. Y.
Carr	Green, Iowa	Morin	Thacher
Carter	Gregg	Moss, Ind.	Thompson, Okla.
Cary	Hamill	Mott	Treadway
Chandler, N. Y.	Hamilton, N. Y.	Mulkey	Tuttle
Church	Hamlin	Neely, W. Va.	Underhill
Clancy	Hart	Nolan, J. I.	Vare
Clark, Fla.	Hayden	O'Brien	Vollmer
Connolly, Iowa	Helgesen	Oglesby	Walker
Copley	Hensley	O'Shaunessy	Wallin
Cramton	Hobson	Padgett	Webb
Crosser	Hoxworth	Patten, N. Y.	Whaley
Dale	Hughes, W. Va.	Peterson	Whitacre
Danforth	Hulings	Porter	White
Davis	Johnson, S. C.	Post	Wilson, Fla.
Decker	Jones	Price	Wilson, N. Y.
Deitrick	Kahn	Prouty	Wingo
Dershem	Keister	Rauch	Winslow
Donovan	Kelly, Pa.	Reed	Witherspoon
Dooling	Kennedy, Conn.	Reilly, Conn.	Woodruff
Dunn	Kitchin	Riordan	Woods
Eagle	Korbly	Roberts, Mass.	
Edmonds	Kreider	Roberts, Nev.	

The SPEAKER. On this call 265 Members—a quorum—responded to their names.

Mr. HARDY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Mr. BURKE of Wisconsin. Mr. Speaker——

Mr. HUMPHREY of Washington. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. HUMPHREY of Washington. I desire to continue my remarks. I had the floor when I made the point of no quorum and I ask for recognition.

The SPEAKER. The gentleman reserved the rest of his time. Does he wish to use it now?

Mr. HUMPHREY of Washington. Yes; I wish to use a part of it now.

Mr. HARDY. Mr. Speaker, the gentleman, as I understand it, lost the floor when he reserved the remainder of his time.

The SPEAKER. The gentleman did not lose it. He had the right to the rest of his hour.

Mr. HARDY. Mr. Speaker, I believe I have a right to the rest of my hour.

The SPEAKER. Of course, the gentleman has.

Mr. HARDY. Then I ask for recognition for the rest of my time.

The SPEAKER. The Chair knows; but the gentleman from Washington asked for recognition before the gentleman from Texas did. The Chair recognizes the gentleman from Washington.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. My understanding was that when the gentleman rose he had an hour.

The SPEAKER. He did.

Mr. HARDY. If he sat down, reserving the balance of his time, he then for that time lost the floor?

The SPEAKER. He lost it as long as he was sitting down. The gentleman from Washington stands precisely on the footing of the other gentleman, who got an hour and reserved his time.

Mr. HARDY. Now, then, the question I wanted to ask was, having reserved his time, if somebody else rises and is recognized by the Chair, can he take it?

The SPEAKER. The Chair recognized the gentleman from Washington [Mr. HUMPHREY].

Mr. HARDY. Before the gentleman from Wisconsin? I thought the Chair had recognized the gentleman from Wisconsin [Mr. BURKE].

The SPEAKER. The Chair thinks the gentleman is mistaken about it. Of course, we are all sort of woolgathering this morning and can not remember very well [laughter], but the recollection of the Chair is that he recognized the gentleman from Washington.

Mr. HARDY. I do not want to raise any question about it, but I think the notes will show that the gentleman from Wisconsin [Mr. BURKE] was recognized first.

The SPEAKER. The Chair will recognize the gentleman from Wisconsin as soon as the gentleman from Washington concludes his remarks.

ATTENDANCE OF MEMBERS.

The SPEAKER. The Chair wishes to make one statement to the House. The session is rushing to a close and business is crowding, and when the bell rings for a call of the House Members ought to come over here. Now, day after day this overflow of Members down in front of the Speaker's desk after the regular calling of the roll practically amounts to a third roll call. Therefore the Chair hopes that the gentlemen will get over here promptly.

REGISTER OF FOREIGN-BUILT VESSELS.

Mr. HUMPHREY of Washington. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, a few moments ago a point of no quorum was made in the House. There were not many Members on the floor. The roll call was ordered and a quorum appeared. Yesterday there was distributed throughout the House on the Democratic side a card which I think ought to go in the RECORD in connection with the lack of a quorum this morning. It reads as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 16, 1915.

DEAR CONGRESSMAN: Speaker CLARK requests me to say to you that he expects every Democrat to be in constant attendance upon the floor of the House every day until the end of the present session of Congress. This is very important in order to maintain a quorum at all times, and the individual responsibility rests upon each Member. If the Members do not want an extra session, their duty is plain.

THOS. M. BELL, *Democratic Whip.*

Attest:

JOHN N. GARNER,
J. A. M. ADAIR,
Assistant Whips.

I do not know why they put in "Attest."

Mr. GORDON. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GORDON. Was it because of that notice that the gentleman from Illinois [Mr. MANN] was not present when a point of no quorum was made?

Mr. MANN. No; it was not because of that. That note was not addressed to me. It was probably because of not receiving the notice the gentleman from Ohio [Mr. GORDON] was absent.

Mr. GORDON. I was here.

Mr. MANN. You happened to be here once. But I was not addressing my remarks to the gentleman from Ohio. There are not 70 Members on the Democratic side right now, although there are 290, or near that, of Democratic Members of the House. A pathetic appeal from our beloved Speaker to the Democrats yesterday is forgotten to-day. I want to put the appeal in the RECORD, so that you can read it every morning.

Mr. MURRAY Mr. Speaker——

Mr. MANN. Why, is the gentleman from Oklahoma [Mr. MURRAY] in the Hall? I congratulate him on being present at this time.

Mr. MURRAY. I wanted to suggest that what was the matter with the Members this morning was that they all came in a little bit seasick, and when they arrived here they found the gentleman from Texas [Mr. HARDY] talking about a shipwreck bill.

Mr. MANN. I do not wonder it makes the Democrats sick to talk about any kind of a ship bill.

Mr. MURRAY. Does not the gentleman think he ought to make some allowance for this side of the House in view of the fact that the Members have been up two nights and his side has been up only one?

Mr. MANN. I have been up five nights as late as the gentleman has. I hope you will keep a quorum in the House and pay attention to the request of the Speaker.

Mr. GORDON. Will you not help us?

Mr. MANN. I am always here.

Mr. GORDON. Well, keep your colleagues here.

The SPEAKER. The time of the gentleman from Illinois [Mr. MANN] has expired. The gentleman from Washington [Mr. HUMPHREY] is recognized.

Mr. HUMPHREY of Washington. Mr. Speaker, I was very much in hopes that we might agree upon an amendment to this bill, because if we could and remove the chance for fraud that was practiced under the old law we would not have any trouble. And while I am not saying this as representing that any agreement was made, I do believe that if the chairman of the committee, Judge ALEXANDER, were here we could reach an agreement in two minutes. Now, the proposition to which I was addressing myself awhile ago was this, that under the old law admitting these ships to American registry, when they were repaired to the amount of three-fourths of their value, a great many frauds were practiced. And the law was largely repealed because of the fact of these frauds rather than the principle involved in this bill; and it was my understanding, in talking with the distinguished chairman of the Committee on the Merchant Marine and Fisheries, that there would be no objection to amending the bill—that he was anxious to do it, so as to avoid this trouble. Under the old law, and the new law reads exactly the same on that point, I remember one instance, as I cited awhile ago, where watchmen's fees were made a part of the repairs, and where a vessel was refurnished they called the furniture repairs. Now, I do not believe that my friend from Texas wants that kind of a law again written on the statute books. And this law, as it is stated here by the Secretary of Commerce, has been frequently construed. They will go right back again to these old constructions and we will have this same difficulty that we have had before.

Now, I do not think that is a very strong argument that was made by my friend who is in charge of the bill that such amendment will prevent the passage of this bill. I do not think it would. You could reach some agreement with the Senate about it in a few minutes; and I am sure, so far as I am personally concerned, that if you will agree on some amendment of that kind, there will be no attempt made to prevent its passage not only now but when it comes back from the Senate. I am perfectly willing that my friend [Mr. HARDY] shall draw the

amendment. I do not care in what particular shape he puts it so long as it will cover this loophole that gave us so much trouble before.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield again?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from New York?

Mr. HUMPHREY of Washington. I do.

Mr. GOULDEN. The gentleman knows, of course, that he and I served on the Committee on the Merchant Marine for a number of years together—I suppose for the benefit of the country——

Mr. HUMPHREY of Washington. No doubt——

Mr. GOULDEN. And we voted for the repeal of the bill, section 4136; and its repeal was made possible because the Secretary of the Treasury and the Commissioner of Navigation were anxious to get rid of responsibilities. But does not the gentleman know that the inspection service that we have to-day is much more rigid and efficient than it was in the old days, when we hardly knew what inspection service meant in the various ports of the country?

Mr. HUMPHREY of Washington. I think that is true; and I think they would not get through as easily perhaps as they did before. But I ask my friend from New York if he does not remember the time this was considered—if he does not remember that decision of the Attorney General, to the effect that the watchman's fees were to be included as a part of the repair cost?

Mr. GOULDEN. I know; but the watchman's fees do not amount to very much. Twenty-five dollars a month is what a watchman receives on board a ship in addition to his board. It would not be a factor in estimating the cost of repairing the ship. As to the furniture, I think the gentleman will admit that that would be a part of what was destroyed when the ship was wrecked. The furniture is a part of the vessel. The gentleman knows that the furniture does not amount to much, and that this furniture, which was replaced on account of its having been destroyed when the vessel was wrecked, might be considered a proper charge.

Mr. HUMPHREY of Washington. If it is anything in relation to the machinery, anything that is necessary to run the vessel, I think that is proper; but even if they wanted to put in the furniture, we ought to make some statement in this bill, some provision, so that it can be understood what repairs may be considered. I recognize, as an attorney, the danger of attempting to be specific, knowing that when you specify certain things you exclude everything else, and that is to be avoided generally. But I do not believe there is any difficulty in this particular case in covering that point, and while watchman's fees amount to very little, as the gentleman has stated, yet the care of the vessel itself amounts to a great deal. You take a vessel and tie it up, and the general cost in taking care of that vessel is enough to enable them soon to come under the terms of this law.

Now this is a proposition to admit these vessels into the coastwise trade. If it were in the foreign trade, I would have no objection to it; none whatever. But if you admit one of these vessels into the coastwise trade, it takes the place of a new vessel that otherwise must be constructed in this country. Every time you put one of these old wrecks into the coastwise trade you not only put it in competition with American vessels that have been constructed in American yards by high-priced American labor, but at the same time it takes the place of a vessel that would necessarily be constructed in one of our yards.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. GORDON. What is the gentleman's objection to having a little competition in this coastwise trade?

Mr. HUMPHREY of Washington. I have no objection to competition in the coastwise trade.

Mr. GORDON. Then why does the gentleman object to allowing this?

Mr. HUMPHREY of Washington. I do object always, both in the coastwise trade or anywhere else, to the products of foreign cheap labor competing with American labor. [Applause on the Republican side.] I object always to any product produced in another country coming here and competing with the product that is produced by American labor. And that is what I object to here, because if you take one of these vessels that is constructed in one of these foreign shipyards with foreign cheap labor, you not only put it in competition—although that is not the main idea, because if that were all the competition with this vessel is not any greater than with a new one that would be built in our yards—but the proposition is also to prevent a new vessel from being constructed. That is what I object to. If you amend this law by providing that you can not get registry by fraud, I shall not have the objection to the bill I now have, although I think it is bad legislation in principle.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Missouri?

Mr. HUMPHREY of Washington. Yes.

Mr. BORLAND. Away back in 1879 James G. Blaine, a distinguished Republican, made a speech to the chamber of commerce in New York——

Mr. HUMPHREY of Washington. Is my friend going to repeat the speech that he made? [Laughter.]

Mr. BORLAND. No; I am going to ask the gentleman's views about it. He said that only 23 per cent of American commerce was carried in American bottoms, whereas to-day, after the Republican Party, to which Blaine belonged and to which the gentleman from Washington belongs, has been in power most of the time, I may state that only 8 per cent of American commerce is now carried in American bottoms. And yet the gentleman speaks of new ships being built. When, may I ask, was a new ship built under the policy of the gentleman's party? No new ships have been built, but on the contrary the American merchant marine has gone down steadily under the policy of the gentleman's party, and the gentleman had better own up to it.

Mr. HUMPHREY of Washington. Well, the gentleman from Washington never denied it, to start with. And that is where he differs sometimes from his friend from Missouri.

Mr. BORLAND. You ought not to deny it.

Mr. HUMPHREY of Washington. I will tell the gentleman, if he wants to know about the shipping bill that has been referred to many times by Republicans. I have stated on the floor of the House many times that my party was not doing what it should do in regard to our merchant marine, but I will tell you what we did do. We did pass a merchant marine bill; we passed it through this House in 1907, and when it went over to the Senate it was filibustered to death by Democratic Senators.

Mr. HARDY. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from Washington yield to the gentleman from Texas?

Mr. HUMPHREY of Washington. Yes.

Mr. HARDY. That bill was passed through the House after it had been defeated by a narrow margin, and then, when a lot of Members went home, it was called up on a motion to reconsider and passed the House.

Mr. HUMPHREY of Washington. Oh, well, the gentleman from Texas ought not to complain of that after the performance that took place yesterday. He ought not to complain about rushing things through the House.

Mr. HARDY. That was done right at the end of the Congress.

Mr. HUMPHREY of Washington. The gentleman does not fully state the facts. The fact was that when the bill went to the Senate a majority was waiting there ready and anxious to pass it, and two Democratic Senators, the late lamented Mr. Carmack, of Tennessee, taking the lead, filibustered against it to the end of the session and caused its defeat.

Mr. HARDY. Now, if the gentleman will yield for just another suggestion. I happened to be here—not yet a Member, but a Member elect—when that measure was brought up in the House in the closing days of the session. It was defeated, and a number of Members, thinking the bill was ended, went home. It was then called up on reconsideration and passed the House by a very narrow margin.

Mr. HUMPHREY of Washington. Anyway it passed the House without the assistance of the Democrats.

Mr. HARDY. Under the circumstances which I have stated.

Mr. MANN. I think the impression given by the gentleman from Texas is entirely erroneous. I was one of the Republicans who voted against that bill both times. There was no advantage taken of the fact that Members were absent and had gone home. That was not the question at all. I think there were just as many or more who voted on the last roll call as on the first.

Mr. HARDY. I do not know whether there was any intention to take that kind of an advantage or not.

Mr. MANN. There certainly was not. I was opposed to the bill.

Mr. HARDY. But the gentleman who preceded me in Congress from my district was one of those who thinking that the struggle was ended, got his baggage and went home. Then after that the vote was taken.

Mr. MANN. I think there were more on the second roll call than on the first. Of course he ought to have remained here, but there was no advantage taken at all.

Mr. HARDY. I have no doubt the friends of the subsidy brought all the Members that they could get here.

Mr. MANN. The other side brought all they could get on their side.

Mr. HARDY. And yet some of them went home.

Mr. MANN. You can not keep the Democrats here all the time. They will go home after they have got their money. [Laughter.]

Mr. HARDY. You can not keep the Republicans here all the time.

Mr. CLARK of Missouri. Will the gentleman yield to me about two minutes to state the facts about that?

Mr. HUMPHREY of Washington. Certainly; I will yield to the Speaker, even if he is going to roast me.

Mr. CLARK of Missouri. No; I am not going to roast anybody.

Mr. HUMPHREY of Washington. I am glad to yield.

Mr. CLARK of Missouri. I want to state correctly the facts about that transaction, because I took part in it. The gentleman from Texas [Mr. HARDY] is substantially correct. We beat that ship-subsidy bill that time by 1 majority.

Mr. CLINE. Two majority.

Mr. CLARK of Missouri. By 2 majority when the roll was called. It was on the 2d day of March, rather late in the afternoon; and four Democrats, thinking the thing was ended, and being in a great hurry to get home, left the Hall. Then some gentleman moved to reconsider that vote, which he had a perfect right to do, and we did everything that we could to find those four Democrats. We had the boys chasing around here after them, we telegraphed down to the depot, and we called them upon the telephone, but we never could get them back here. One of them was at the depot when they found him, and he said he had bought his ticket and his train was about to start and he was going home.

I immediately sat down and wrote a note to Senator Carmack, telling him that we had lost out by 1 vote on that bill over here, that his term would expire at noon on the 4th of March, and that if he would kill that ship-subsidy bill by talking it to death he would win more fame in the last two days of his service than he had made in the other six years. And not cooperating, but just in a sympathetic state of mind, I suppose, Mr. JOHN SHARP WILLIAMS, now a Senator, went over and saw Senator Carmack and told him his time had come, and he acted on the suggestion that both of us made. I am not certain but that he would have thought of it himself, but he proceeded to talk the bill to death. That is the history of it. Nobody was to blame. I do not criticize the man who made the motion to reconsider. The four Democrats who went home perhaps did not know about the rules, and supposed the matter was settled.

Mr. MANN. Will the gentleman yield for a question?

Mr. CLARK of Missouri. Yes.

Mr. MANN. I take it that the gentleman believes Senator Carmack did a good thing when he talked that bill to death.

Mr. CLARK of Missouri. I undoubtedly do think so.

Mr. MANN. The gentleman approves of the policy of talking things to death in the Senate at times?

Mr. CLARK of Missouri. Of course I approve it if they have a good cause. And while I am at it I will volunteer the opinion that they are not going to have any cloture rule over there soon.

Mr. HUMPHREY of Washington. Does the gentleman desire any more time?

Mr. CLARK of Missouri. No; I am obliged to my friend for this.

Mr. GOULDEN. I should like to make the statement that in addition to Senator Carmack, Senator NEWLANDS, of Nevada, was his first lieutenant and perhaps did an equal share of the good work. It was my pleasure at that time to have charge of the minority side of the bill, in the absence of Mr. Spight, of Mississippi, who was ill. Those were interesting times.

Mr. CLARK of Missouri. Senator Carmack started on this scheme of filibustering: He took Webster's Unabridged Dictionary and started in with the first word in it, to talk philology. A man could keep that up, I suppose, for seventeen hundred years.

Mr. GOULDEN. Will my friend from Washington yield me just a moment or two?

Mr. HUMPHREY of Washington. Yes.

Mr. GOULDEN. The gentleman knows how the bill was brought out of the committee. I am not going to give away any committee secrets, old that they are, but the gentleman knows it was brought out of the committee in a manner that he himself scarcely approved. A new Member was brought in from the State of New York, and he was sharper and perhaps understood political diplomacy better, and was perhaps less careful about what he did than the older members of the committee, including my friend from Massachusetts [Mr. GREENE] and my friend from Washington [Mr. HUMPHREY], who are the only members of that committee at that time whom I notice on the floor. But, at least, this gentleman from New York had the ship-subsidy bill voted out. A Republican member of the committee unfavorable to subsidy was induced to vote in favor of reporting the bill, although he gave notice that he would speak and vote against it on the floor of the House, which he did, and helped to defeat the measure in the end.

Mr. HUMPHREY of Washington. I hope gentlemen on that side will be as liberal with me when I want to ask them questions as I have been with them. I am very glad to have yielded to the Speaker, to get this confession and explanation from him, and to have his stamp of approval upon filibustering when it is done for a good purpose. Of course, it is always in the judgment of the man who is doing the filibustering whether or not it is for a good purpose. And I might add that while the distinguished Senator from Tennessee, Mr. Carmack, may have won some fame, I think there are some Senators who are winning fame just now by their filibustering. [Applause on the Republican side.] They are fighting to keep this country from entering not only upon the path of socialism, not only to save us millions of dollars, but to keep this country in the way of peace and to keep us from entering the shadow of war for the sake of making a few dollars.

Mr. BRYAN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. BRYAN. Does not the gentleman think the country would save money if they used the phonograph method instead of having these all-night speeches made by high-priced Senators?

Mr. HUMPHREY of Washington. They might. They might save money by using a rubber stamp and save the trouble of debating at all. We knew as soon as the order was received what the result would be; and I notice with profound regret that my distinguished colleague from Washington got over on the Democratic side and sat around there yesterday, and I wondered whether he was one of the lame ducks that might be seeking some assistance. [Laughter.]

Mr. BRYAN. I will suggest, further, that the gentleman might notice that my vote on the ship proposition was in contrast to that of my distinguished colleague, which, of course, is a matter of great satisfaction to me, and I hope it will be to the people of my district. [Laughter.]

Mr. FALCONER. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FALCONER. We have had a very entertaining time between my two colleagues from Seattle. The first part of the session there was a continual quarrel between them, but it so happened about a week ago they were found in the same bed. I recall that a week ago to-night, when the two gentlemen were here and there were some bills on the calendar of interest to them, that first my colleague, Mr. HUMPHREY, said he wished the RECORD to show that he and his colleague, Mr. BRYAN, were here at a late hour looking after the business of the people of the State of Washington; and then, to return the compliment, the gentleman from Washington, Mr. BRYAN, said he hoped that the Record would show that he and the gentleman from Washington, Mr. HUMPHREY, were here looking after the business of the people of Washington—each paying a compliment to the other; and my friend Mr. JOHNSON of Washington and myself were being advertised somewhat.

Mr. HUMPHREY of Washington. Advertised as not being here.

Mr. FALCONER. If they had arisen an hour or two before, there would have been other Members from the State of Washington present when bills in which they were interested were up. It is an encouraging thing to see these men get together once in a while.

Mr. HUMPHREY of Washington. I am sorry that my other distinguished colleague seems to be somewhat envious of the fact that we took occasion to advertise each other. If he had been here, I would have been glad to put his name in, too, but he was not here; and, by the way, I notice by the roll call that he was not here last night.

Mr. FALCONER. If the gentleman will allow me, it became evident that it would be morning before a vote could be taken, and I did not stay here. But I was as effective as the gentleman who stayed here until 1.25 in the morning. The fact that I did not vote for or against the bill—and I would have voted for it had I been here—was not of much importance, because the result of the vote was known yesterday morning. It was certain of passage and everyone knew it.

Mr. HUMPHREY of Washington. After extending this courtesy to the gentleman to square himself with his constituency, notwithstanding our difference in politics, I hope that he will hereafter give me his assistance and support. [Laughter.]

Mr. BRYAN. Will the gentleman kindly let us know what he is going to run for next time, and we will know whether we

can give him our support or not. Of course the gentleman did not ask me.

Mr. HUMPHREY of Washington. Unfortunately, I have not been in the habit of consulting my colleagues as to what I will run for.

Mr. MADDEN. It seems to me that the State of Washington is getting too conspicuous on the floor of the House.

Mr. JOHNSON of Washington. That is what I wanted to ask the gentleman, if he did not think that in this Congress the membership from the State of Washington had taken more than its share of the time in airing its troubles.

Mr. HUMPHREY of Washington. If that is the gentleman's view of it he ought not to have added to the hilarity of the occasion. [Laughter.]

Mr. TAGGART. Will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. TAGGART. Is not there something wrong with the Directory of Congress as to the State of Washington? I had an impression until recently that you gentlemen all belonged to one party.

Mr. HUMPHREY of Washington. That is an impression that nobody in the State of Washington ever had. [Laughter.] Mr. Speaker, I will now get back to talk about the bill, if my colleagues have occupied as much time as they wish. This bill is another step in regard to the upbuilding of the merchant marine along the line advocated by my Democratic friends. It is a proposition, of course, to admit foreign-built ships to the coastwise trade.

Mr. HARDY. Will the gentleman yield for an outside matter not connected with the bill?

Mr. HUMPHREY of Washington. I will.

LEAVE OF ABSENCE.

Mr. HARDY. Mr. Speaker, I want to ask that Judge ALEXANDER be excused for the day on account of sickness. He is sick, and has asked me to prefer that request.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Missouri, Mr. ALEXANDER, be excused for the day on account of sickness. Is there objection?

There was no objection.

REGISTER OF FOREIGN-BUILT SHIPS.

Mr. HUMPHREY of Washington. Mr. Speaker, my good friend from Ohio, Mr. GORDON, refers back to the matter of which we heard so much yesterday, namely, the Shipping Trust. Of course, there was a great deal of talk yesterday on each side of the aisle in regard to a shipping trust. As a matter of fact, most of it was talk merely for the gallery. The Shipping Trust, so far as one has ever existed, has been formed of foreign ships, and it seems to me that you gentlemen on that side of the aisle are estopped from accusing anyone of being a friend of the Shipping Trust in view of the action recently taken by your party. One gentleman after another yesterday accused me of representing the Shipping Trust. I do not care how much they accuse me of that, as it does not make any difference to me. As a matter of fact, as all of the older Members of this House know, I stood upon the floor of this House time after time denouncing the Shipping Trust and trying to get it investigated long before any gentleman on that side ever had a word to say about it. I was the one who first introduced the resolution; I was the one who urged this investigation. But the other day you passed a law permitting foreign-built ships to American registry, and the United Fruit Co. and the United States Steel Co. and the Standard Oil Co. were the ones that took advantage of it, and it is known of all men that at the request of those great combinations and trusts the President of the United States issued an order that they might keep foreign officers upon them. While you were doing that and while your President was issuing that order I was sending in protests that are now on file in the White House protesting against that procedure. If I am a friend of the Shipping Trust, in what attitude is the President of the United States? No one ever heard me utter a word in defense of the foreign shipping combine. I introduced a bill and it passed this House, but died in the Senate, not by the action of a Democrat, but by the action of a Republican Senator, let it be said in order that the truth may be known, that would have successfully reached these trusts. It provided that any vessel that was found to be in one of these combinations could be excluded from our ports, the only effective remedy, so far as I know, that has ever been proposed in Congress, and the one that caused more disturbance and uneasiness among these foreign trusts than anything else.

Mr. Speaker, I had hoped that my friend from Texas [Mr. HARDY] might agree to some amendment, but as he will not, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present. Evidently there is not.

Mr. HARDY. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 80.]

Alexander	French	L'Engle	Roberts, Mass.
Anthony	Gard	Lesher	Roberts, Nev.
Avis	George	Lever	Rucker
Barkley	Gerry	Lewis, Md.	Sabath
Barnhart	Gillett	Lewis, Pa.	Saunders
Bartlett	Gittins	Lindquist	Sells
Bowdle	Goeke	Lobeck	Sherley
Brodbeck	Goldfogle	Loft	Slayden
Brown, W. Va.	Gorman	Logue	Slemp
Brumbaugh	Graham, Ill.	McClellan	Smith, Md.
Burgess	Graham, Pa.	McGillicuddy	Smith, Saml. W.
Burke, Pa.	Greene, Vt.	McGuire, Okla.	Smith, Minn.
Burnett	Hamill	Maher	Smith, Tex.
Cantor	Hamilton, N. Y.	Martin	Sparkman
Cantrill	Hamlin	Metz	Stanley
Carr	Harris	Miller	Stevens, Minn.
Carter	Hart	Morgan, La.	Stevens, N. H.
Cary	Hayden	Morin	Talbott, Md.
Chandler, N. Y.	Hayes	Mott	Taylor, Ala.
Church	Hensley	Mulkey	Taylor, N. Y.
Clancy	Hinebaugh	Murdock	Thacher
Clark, Fla.	Hobson	Neeley, Kans.	Treadway
Connolly, Iowa	Holland	Neely, W. Va.	Tribble
Copley	Howard	Nolan, J. I.	Tuttle
Crisp	Hoxworth	O'Brien	Underhill
Crosser	Hughes, W. Va.	Oglesby	Vare
Dale	Kahn	O'Shaunessy	Vollmer
Danforth	Keating	Padgett	Walker
Deitrick	Kennedy, Conn.	Palmer	Wallin
Dershem	Kent	Patten, N. Y.	Whaley
Dooling	Key, Ohio	Peterson	Whitacre
Dunn	Kiess, Pa.	Platt	Wilson, Fla.
Edmonds	Kitchin	Porter	Wilson, N. Y.
Elder	Knowland, J. R.	Price	Winslow
Estopinal	Korbly	Ragsdale	Woodruff
Faison	Kreider	Rauch	
Ferris	Langham	Reed	
Floyd, Ark.	Lee, Ga.	Riordan	

The SPEAKER. On this call 275 Members have answered to their names—a quorum.

Mr. BURKE of Wisconsin. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. BURKE of Wisconsin. Mr. Speaker, I desire to address the House briefly in reference to the pending bill.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Wisconsin. I yield.

Mr. GOULDEN. Mr. Speaker, it was my privilege to serve on the Committee on the Merchant Marine and Fisheries, beginning with the Fifty-eighth Congress, for eight years. Among my earlier efforts in this House I introduced a bill to give American charters to two different steamers, the *Marie* and the *Success*, of New York, and after three years of untiring work I succeeded in having the act passed. The estimated salving value of the vessels was about $20,000 each, and yet there was expended on them $96,000 in one case in an American shipyard and $82,000 on the other; in other words, nearly five times as much as the salving value of the vessels. Those two vessels had a tonnage, in round figures, of 12,000 tons. In 63 years, according to the report of the Commissioner of Navigation, we have succeeded in having steamers that have been wrecked admitted to the extent of only 52,836 tons, out of which must be deducted 12,000 tons, representing the steamers that I have just referred to. In 1906 I voted to repeal this enactment. It was a mistake. With my years of experience since then I would not do it again. Therefore I am in favor of the passage of the bill now before us. At that time the Inspection Service was loose, and the Commissioner of Navigation and the Secretary of Commerce and Labor were anxious to unload the burden and get rid of its responsibilities, and hence under the pressure from these two departments as well as the desire to help them out we voted to repeal the bill. I want to admit publicly now that it was one of the mistakes that I made in my 10 years of service here, and therefore I hope that this bill will be enacted into law and will receive the approval of this House. It is in the interest of good administration and will tend to add to the merchant marine so badly needed in this Nation of ours.

Mr. BURKE of Wisconsin. Mr. Speaker, I thank the gentleman, and I hope the membership will take advantage of the experience of the gentleman from New York [Mr. GOULDEN].

I desire to say to the Democratic membership here that, in view of the partisan and Shipping Trust opposition which this

bill has met, I desire them to stay until the conclusion of my remarks, which will be very brief, and we will endeavor to do business. When a similar bill to this passed the Senate in the Sixty-second Congress, and it came to this House, it was referred to the Committee on the Merchant Marine and Fisheries. At that time it was given extensive hearings. Representatives of those engaged in the wrecking business, labor representatives, and some other representatives in the building and construction of vessels appeared before our committee. We heard the evidence in full and investigated it carefully at that time and made a report to this House recommending its passage. It failed of passage, however, in that Congress, due to the fact that it was not reached in its turn upon the calendar. Now, this bill comes from the Senate under similar circumstances. The committee that had it under consideration in the Senate made a very full and complete report, and that is one of the reasons why the House report on this bill is so brief. I hold in my hand a copy of the Senate committee report, which had the same under consideration, and it contains some information which I think may be of interest and profit to the membership here in voting upon this question. It appears that the law we propose to place upon the statute books by this bill has heretofore been upon the statute books of the United States for over 54 years. It was first adopted December 23, 1852, and in this language, which is practically the same as contained in the pending bill:

SEC. 4136. The Secretary of the Treasury may issue a register or enrollment for any vessel built in a foreign country, whenever such vessel shall be wrecked in the United States and shall be purchased and repaired by a citizen of the United States, if it shall be proved to the satisfaction of the Secretary that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel so repaired.

This is the identical language contained in the present bill, and the present bill, in addition, contains some provision for guarding against the securing of registration by fraudulent means. This remained the law until 1906, when Congress passed an act repealing the same. At that time, in 1906, when the repeal bill was before Congress, Mr. Metcalf, at the request of some one, sent to the committee a letter which Mr. GREENE read to us a short time ago. The Senate report says in connection with the letter—the letter is set forth in full in the Senate report:

The burden of the objection to section 4136—

That is the old law—

made by the Commissioner of Navigation, above referred to, was that his bureau had a limited clerical force incapable of giving the proper investigation to the important subject involved, and that the committees of Congress could examine more thoroughly into each case as it presented itself. There can be no doubt that the Congress at the time of the repeal of the above section (Apr. 11, 1906) did not intend a departure from the thoroughly established policy of the Government and our people to admit ships which are three-fourths American to registry and enrollment (and which had worked well for 54 years, as shown by the record of the tonnage admitted) but only to change the tribunal from Commissioner of Navigation to the Congress itself. This is clearly shown by the debates in the Fifty-ninth Congress, first session (see CONGRESSIONAL RECORD, pp. 2610–2615, inclusive), some portions of which are hereto appended.

And I want to call attention to the fact that the report met considerable opposition here as shown by the debate, a few sentences of which I will take the privilege of reading at this time.

Mr. UNDERWOOD. Do I understand that if we pass this bill, for a wrecked ship to get American registry it has to come to Congress? I do not understand that it does now. I understand that the Department of Commerce and Labor, if three-fourths of the ship is new and built in America, can give it American registry.

Mr. GROSVENOR. And it simply proposes on their own recommendation that that power be taken from them, but all the other rights and privileges are retained in the law.

Mr. UNDERWOOD. But there will be no rights and privileges left?

Mr. GROSVENOR. They are all left except that one privilege.

Mr. UNDERWOOD. That is the privilege of American registry?

Mr. GROSVENOR. No; I have stated that there are four ways that a ship can get American registry, and this takes away only one of them and leaves all the others exactly as they are now.

It appears there was a very lengthy debate on it, which is shown quite at length in the Senate committee report. Now, they state further:

The bill S. 2335 proposes to reenact the old section 4136 as it existed for some 54 years with certain additions which will more completely safeguard its provisions.

Under its provisions to entitle a foreignbuilt vessel to United States register or enrollment, such vessel must be: First, wrecked on the coasts of the United States or her possessions or adjacent waters; second, she must be purchased by a citizen or citizens of the United States; third, she must be repaired in a shipyard in the United States or her possessions; fourth, the repairs put upon such a vessel must be equal to three times the appraisal salved value of the vessel; fifth, the expense of the appraisal shall be borne by the owner of the vessel; sixth, if any of the representations made to obtain the register are not true, the vessel, her tackle, apparel, and furniture shall be forfeited to the United States.

Right in that connection I desire to say I, for one, can not understand when this law was upon the statute books previously how there could be included as part of the repairs the expense of paying a watchman for taking care of the vessel. If so, certainly during the previous existence of this law there was something rotten in Denmark. I do not think you will find any such construction placed upon this law by any Democratic administration.

Under its provisions to entitle a foreign-built vessel to United States registry except by a special act of Congress. It is manifestly absurd to require that in case a foreign vessel is wrecked on our coasts and is salved by American tugs, refusing to pay the salvage, is libelled and sold by decree of court, and is purchased by the salvors to protect themselves, it can not be given American registry and put to use until the salvors shall have a bill introduced in Congress, appear in Washington and make proof of all their allegations, have the bill favorably reported by committees, passed by both Houses of Congress, and approved by the President. The well-known delays, expense, and trouble of such a performance make it practically prohibitory and works a hardship on the people who have saved the wreck, often the people who have repaired the wreck, and benefits no one.

It is for this reason we desire to have the old law restored as proposed by this bill.

Now, then, gentlemen, I think that under the circumstances we all have a pretty fair knowledge of the meaning and purposes of this bill. As we have spent already two hours and a half upon it, I take the privilege at this time, Mr. Speaker, of moving the previous question upon the bill.

The SPEAKER. The gentleman from Wisconsin moves the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read a third time.

Mr. GREENE of Massachusetts. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The question is on the final passage of the bill, and the gentleman from Massachusetts [Mr. GREENE] raises the point of no quorum. Evidently there is none.

Mr. HARDY. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Texas [Mr. HARDY] moves a call of the House.

Mr. HARDY. And I demand the yeas and nays on the passage of the bill.

Mr. GREENE of Massachusetts. That is not in order, Mr. Speaker.

Mr. ANDERSON. This is an automatic roll call.

The SPEAKER. It is not an automatic roll call. There was no division going on at the time. The gentleman from Texas [Mr. HARDY] moves a call of the House.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. On that call of the House is there a vote on the passage of the bill?

The SPEAKER. The Chair thinks not.

Mr. HARDY. As a novice in parliamentary practice, the bill being on its passage, and the vote being ready when the point of no quorum is made, I wish to know if automatically the vote under the point of no quorum does not come up on the passage of the bill?

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. BRYAN. The Speaker has stated that the ayes had the motion.

The SPEAKER. That was on the third reading of the bill. The vote is simply to see whether there is a quorum present.

Mr. NORTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. NORTON. To make a parliamentary inquiry, Mr. Speaker. The Speaker had just declared that the question of the third reading of the bill had carried when the point of no quorum was raised.

The SPEAKER. That is the situation. That is exactly what the Chair said.

Mr. HARDY. Has the Speaker yet decided whether a quorum is present or not?

The SPEAKER. No; that is the very thing we are trying to do.

Mr. MANN. The Chair said that evidently there is no quorum present.

The SPEAKER. The Chair said that there was no quorum present. At the time the point was raised there were not over 40 men on the floor.

Mr. GARNER. The House has already ordered a call of the House.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

[Roll No. 81.]

Alexander	Ferris	Kreider	Roberts, Nev.
Avis	Flood, Va.	Langley	Rothermel
Baker	Francis	Lazaro	Rucker
Barkley	French	L'Engle	Sabath
Barnhart	Gard	Lesher	Sells
Bowdle	George	Lever	Sherwood
Brodbeck	Gill	Lewis, Md.	Shreve
Brown, W. Va.	Gillett	Lewis, Pa.	Slayden
Burgess	Gilmore	Lindquist	Slemp
Burke, Pa.	Gittins	Linthicum	Smith, Md.
Calder	Goeke	Loft	Smith, Tex.
Candler, Miss.	Goldfogle	Logue	Sparkman
Cantor	Gorman	McClellan	Stanley
Caraway	Graham, Ill.	McGillicuddy	Stephens, Miss.
Carr	Graham, Pa.	McGuire, Okla.	Stevens, N. H.
Carter	Hamill	McKellar	Stout
Cary	Hamilton, N. Y.	McKenzie	Talbott, Md.
Chandler, N. Y.	Hamlin	MacDonald	Talcott, N. Y.
Church	Harris	Maher	Taylor, Ala.
Clancy	Hart	Martin	Taylor, N. Y.
Clark, Fla.	Hay	Miller	Temple
Claypool	Hayden	Morgan, La.	Thompson, Okla.
Cooper	Helgesen	Morin	Treadway
Copley	Hensley	Mott	Tuttle
Crosser	Hinebaugh	Mulkey	Vare
Cullop	Howell	Neely, W. Va.	Vollmer
Dale	Hoxworth	Nolan, J. I.	Walker
Danforth	Hulings	O'Brien	Wallin
Davenport	Humphrey, Wash.	Oglesby	Walters
Donohoe	Jacoway	O'Shaunessy	Whaley
Dooling	Johnson, S. C.	Patten, N. Y.	Whitacre
Drukker	Johnson, Utah	Peterson	White
Dunn	Jones	Porter	Wilson, Fla.
Edmonds	Kahn	Post	Wilson, N. Y.
Elder	Kelley, Mich.	Price	Winslow
Estopinal	Kennedy, Conn.	Prouty	Woodruff
Evans	Key, Ohio	Reed	Woods
Fairchild	Kitchin	Riordan	
Faison	Korbly	Roberts, Mass.	

The SPEAKER pro tempore. Two hundred and seventy Members being present, there is a quorum.

Mr. HARDY. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER pro tempore. The gentleman from Texas [Mr. HARDY] moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, is it in order now to offer an amendment to the bill?

The SPEAKER pro tempore. No.

Mr. HARDY. I understand the question now is on the passage of the bill; the vote is upon that, and on that I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Texas moves the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HARDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOORE. Did not the gentleman from Texas [Mr. HARDY], in making his request, ask for the yeas and nays on this question?

The SPEAKER pro tempore. No, sir; the Chair understands he did not.

Mr. HARDY. That question was not entertained by the Speaker, and not insisted upon by me.

Mr. MOORE. I understood the gentleman from Massachusetts [Mr. GREENE] intended to make it, and I understood the gentleman from Texas did make it. I am not in charge of the bill, but I understood the demand was to be made.

Mr. HARDY. That might have been; but the question was taken without objection, and the declaration of the result was had without objection.

The SPEAKER pro tempore. The Chair will state that if such a determination on the part of the gentleman from Texas [Mr. HARDY] was expressed it was before the present Presiding Officer was in the chair.

A MEMBER. Oh, no!

Mr. MOORE. Some of those who desired to oppose this bill had no opportunity to be heard, and I am one of them.

Mr. RAGSDALE. Regular order!

Mr. MOORE. Mr. Speaker, I make the demand for the yeas and nays.

Mr. RAGSDALE. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAGSDALE. It has already been considered and laid on the table. The point of order is that it comes too late now.

Mr. UNDERWOOD. The yeas and nays were not ordered. The gentleman knows that they must be ordered before they can be had.

Mr. MOORE. I understood the gentleman from Texas called for the yeas and nays.

Mr. UNDERWOOD. They had to be ordered.

The SPEAKER. The yeas and nays were never ordered.

PARKWAY THROUGH FISH STATION, JEFFERSON COUNTY, KY.

Mr. HARDY. Mr. Speaker, the gentleman from Pennsylvania makes a demand after the motion to lay on the table had been made and agreed to. Now, I wish to call up from the Committee on the Merchant Marine and Fisheries the bill H. R. 14950.

EXTENSION OF REMARKS.

Mr. MOORE rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE. To request unanimous consent to extend my remarks on the bill just passed—the shipping bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks on the question of the Federal liability laws.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the Federal liability laws. Is there objection?

There was no objection.

Mr. RAGSDALE rose.

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. RAGSDALE. I rise to ask unanimous consent to revise and extend my remarks on the child-labor bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks on the child-labor bill. Is there objection?

There was no objection.

PARKWAY THROUGH FISH STATION, JEFFERSON COUNTY, KY.

The SPEAKER. The Clerk will report the bill. What is the number?

Mr. HARDY. No. 14950.

The SPEAKER. Senate or House?

Mr. HARDY. It is a House bill to authorize the city of Louisville, Ky., to open a parkway through the United States fish station and hatchery in Jefferson County, Ky.

Mr. MANN. Numbered 203 on the Union Calendar.

Mr. HARDY. This is a bill, Mr. Speaker, about which I do not think there will be any difference, and I would like to ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. We have not arrived at that point yet. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14950) to authorize the city of Louisville, Ky., to open a parkway through the United States fish station and hatchery in Jefferson County, Ky.

The SPEAKER. The gentleman from Texas [Mr. HARDY] asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from Alabama [Mr. UNDERWOOD] in the chair.

Mr. HARDY. Mr. Speaker, pending the going into the Committee of the Whole, I would like to know if we can agree upon a limit of time for debate.

Mr. SHERLEY. Mr. Speaker, I desire to call attention to the fact that upon an appropriation bill a provision substantially like that embodied in this bill was carried and is now a law.

Mr. HARDY. That being the case, Mr. Speaker, I wish to withdraw the proposition presented in this bill. I have been trying to find Mr. SHERLEY.

The SPEAKER. The gentleman from Texas [Mr. HARDY] withdraws the bill. Has the Committee on the Merchant Marine and Fisheries any other bill?

SURVEY OF OYSTER BEDS, COAST OF TEXAS.

Mr. HARDY. Yes; Senate bill 3362, on the Union Calendar.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 3362) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas,

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union——

Mr. HARDY. Mr. Speaker, I would like to ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Texas [Mr. HARDY] asks unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. MANN. I object.

Mr. HARDY. Can not we agree on a limit of time for the discussion of the bill before going into Committee of the Whole?

Mr. MANN. Reserving the right to object, what other bill does the gentleman from Texas expect to call up to-day?

Mr. HARDY. There is an omnibus fish-hatchery bill, but we have concluded not to press that bill or insist upon it.

Mr. MANN. If the gentleman will permit, I felt constrained yesterday to object to the extension of remarks in the RECORD on the shipping bill. I thought that possibly we would go into Committee of the Whole House on the state of the Union to-day, and if gentlemen now want to discuss that bill or ask leave to extend remarks in the RECORD upon it under the proceedings of to-day, I would have no objection. I think we can probably use the day on this bill and before we adjourn very likely pass it. So I do not think it is desirable to limit debate now.

Mr. FOSTER. Is it the idea of the gentleman from Illinois that he would be willing for those who desire to extend remarks on the shipping bill generally to have that opportunity?

Mr. MANN. I would have no objection under the provisions in this bill, not to go into the proceedings of yesterday.

Mr. FOSTER. Suppose a Member wants to extend his remarks on the shipping bill?

Mr. MANN. We will see if they can not all be accommodated in Committee of the Whole to-day.

Mr. FOSTER. What is the objection to doing it now?

Mr. MANN. I shall have to object if it is asked right now.

Mr. FOSTER. That will only give a few who may be here the opportunity.

Mr. MANN. We will see if we can not accommodate everybody who wants to get in.

The House resolved itself into Committee of the Whole House on the state of the Union, with Mr. UNDERWOOD in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

S. 3362, an act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas.

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized and directed, upon the request of the governor of the State of Texas, to assign such officers, experts, and employees of the Coast and Geodetic Survey and of the Bureau of Fisheries as may be necessary to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, including the compilation of the results of said survey for publication, and for this purpose he is authorized to employ in the District of Columbia and elsewhere such technically qualified persons as may be necessary to carry out the purposes of this act.

SEC. 2. That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding $10,000 in carrying out the purposes of this act, which amount is to be available until used.

SEC. 3. That this act shall take effect from the date of its passage.

Mr. HARDY. Mr. Chairman, before I begin to explain the bill or refer to it I want to ask a parliamentary question. As I understand, I will be recognized for an hour, and I can yield a portion of my time without losing the floor?

The CHAIRMAN. The bill is being considered under general debate. The gentleman is recognized for one hour, and he can yield such time as he sees fit.

Mr. HARDY. Then, Mr. Chairman, I yield to the gentleman from Minnesota [Mr. SMITH] five minutes.

Mr. SMITH of Minnesota. Mr. Chairman, the spectacle which we witnessed in this Chamber yesterday would in no way tend to convince the people of this country that the House of Representatives is a necessary branch of our legislative body, and this is especially true since the scene enacted is only a repetition in an aggravated form of what has been happening ever since April, 1913. King Caucus and gag rule have become the principal methods of legislation. There is no doubt but that party conferences are necessary now and then for the sake of the party, but when it is carried to the extent that it has been in this Congress and those conferences reach a point where a small minority of a legislative body force legislation upon the majority, it becomes exceedingly dangerous. This House was told that it must pass a measure of great importance on a certain day, on a certain hour, without the right to amend it or to discuss it for more than six hours.

Is it surprising that the ranking member of the Committee on Merchant Marine had to spend most of his time manipulating the lists of those who opposed the bill so as to take care of a few of his special friends? Of course, the distinguished gentleman criticized most severely the members of the majority for bringing in this gag rule, but he had no sooner taken his seat than he himself commenced to discriminate among the members of the minority. However, the gentleman has been breathing this unnatural legislative atmosphere so long that he should be pardoned for imitating the methods of the Democratic Party, but even this does not alleviate the unfairness of the tactics employed. There is nothing about this legislation which called upon the Democratic Party to substitute force for reason, but much that demands our best thought and sound judgment, hence full discussion and debate. The American people, irrespective of parties, recognize the necessity of building up a merchant marine and are demanding legislation that will bring that about. But this bill is not only a makeshift, but also exceedingly dangerous.

However, it is claimed that it is an emergency measure. If that is its purpose it must get into the shipping business at once, and the only way that that can be done is to purchase German interned ships, since they are the only ships for sale. No one is so dense as not to recognize the danger at this time of purchasing ships from the citizens of any belligerent nation, and to avoid this contention the sponsors for the bill claim that they may build ships. They are not very emphatic in making this claim, because they know that if they were no one would put any faith in their statement that this is an emergency measure. However, they are perfectly willing to let it be understood that if we will only trust to the wisdom of the shipping board that they will see to it, no matter what course they pursue, that we do not become involved with any foreign country by reason of any acts of theirs, and are also perfectly willing to have it understood that they may go into the shipbuilding business. If the purpose of this legislation is to authorize the Government to build its own ships, why resort to such subterfuge as having a shipping board flanked by a corporation? Why could not the Secretary of Commerce and the Secretary of the Navy be instructed to proceed at once to provide for the erection of ships both by private shipyards and at the navy yards? Such a course would be the straightforward way of doing business and would not excite any suspicion. Any attempt to complicate a law by loading it down with a great many provisions and conditions which are shrouded in a great deal of mystery gives just ground for suspicion, and it is putting it mildly to say that this Congress has every reason to be suspicious, not of the motives of the parties who brought this legislation before us, but of the effects of the legislation.

The provisions of the bill themselves furnish almost positive proof that the intent of the legislation is to create a condition which will deceive foreign countries as to the real ownership and responsibility of Government ships. Furthermore, this is a plain attempt to substitute a shipping board for Congress. The bill proposes to set aside all existing shipping rules and regulations and to permit the board to substitute others in their place. [Applause.]

Mr. HARDY. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. PAGE].

[Mr. PAGE of North Carolina addressed the committee. See Appendix.]

Mr. GREENE of Massachusetts. Mr. Chairman, I desire to be recognized, for I want to yield some time on this side of the House.

Mr. HARDY. I understand that anybody who is recognized has an hour, but there are some Members on this side who want to speak first. I yield to the gentleman from Tennessee [Mr. MCKELLAR].

Mr. MCKELLAR. Mr. Chairman, I ask unanimous consent to extend my remarks on the shipping bill.

Mr. MANN. Reserving the right to object, I have no objection to the gentleman extending his remarks on the shipping bill or anything else, so that it comes under the consideration of this bill.

Mr. MCKELLAR. What does the gentleman mean by that?

Mr. MANN. I mean that it is to be inserted in the proceedings of to-day and not in yesterday's proceedings.

Mr. HARDY. Oh, no; it will be under the proceedings of to-day.

Mr. MANN. Then I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. HARDY. Mr. Chairman, on the bill under consideration I wish to make a very brief statement and express the hope that, so far as this bill is concerned, when we shall have consumed as much time as we can conveniently to-day there will be no opposition to the bill. I am informed that on the coast adjacent to Texas there are quite extensive oyster beds and quite a necessity for a geodetic survey, and that these oyster beds have been to a large extent exhausted and that a food proposition is involved largely in the question of the Government taking charge for the purpose of establishing or locating an oyster bed or fish hatchery, or something along that line. This is a preliminary matter designed to give the Government information in connection with it and to better qualify the authorities to take the proper steps. It only provides for a preliminary survey in the barren bottoms, oyster beds, bars, and rocks along the coast of and within the State of Texas, and provides for the expenditure by the Coast and Geodetic Survey and the Bureau of Fisheries, under the direction of the Secretary of Commerce, of the sum of money hereinafter to be appropriated, not to exceed $10,000, and, of course, until that sum is appropriated nothing can be done under the bill. It is practically only to clothe the proper authorities with the right to make the survey.

Mr. MANN. Will the gentleman yield for a question?

Mr. HARDY. Certainly.

Mr. MANN. My recollection is—the gentleman will know whether I am correct or not—that a similar authority was given to the Secretary of Commerce with reference to the oyster beds of Maryland some years ago.

Mr. HARDY. I think so.

Mr. MANN. And the survey has been made or is being made, I do not know which. This is to make a survey of beds which can be used for the propagation of oysters in the Gulf along the Texas coast.

Mr. HARDY. Yes.

Mr. MANN. I take it that the intention is to authorize an appropriation of $10,000,000 or some lessor sum for this purpose, but as I read section 2 that would not be accomplished. Perhaps I am wrong. Section 2 provides—

> That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding $10,000 in carrying out the purposes of this act, which amount is to be available until used.

This apparently provides for a sum of money to be hereafter authorized to be appropriated. Of course that would not give authority for the appropriation without further authorization.

Mr. HARDY. Does the gentleman suggest an amendment?

Mr. MANN. I was going to suggest striking out section 2 entirely and inserting in section 1, in line 1, on page 2, after the word "publication," the language "at a total limit of cost of $10,000."

That would be an authorization.

Mr. HARDY. Would it not be still better to say "at a cost not exceeding $10,000"?

Mr. MANN. That is the same thing—a limit of cost. That does not mean that we have to make the appropriation. Wherever we authorize anything of this sort we usually put in a limit of cost. We authorize the thing to be done and fix a limit of cost. Now, the appropriation might be only $2,000, or whatever they need.

Mr. HARDY. I recognize that the language suggested by the gentleman from Illinois would be better than the language in the bill, but we are so near the close of this session that there may be difficulty in getting the amendment concurred in by the Senate.

Mr. MANN. I do not think there will be any trouble about the Senate agreeing to these House amendments to Senate bills. There has been no difficulty about that.

Mr. HARDY. Then I will accept the suggestion of the gentleman to strike out section 2.

Mr. MANN. When we get to reading the bill under the five-minute rule. I do not think this is an authorization as it now reads, and I doubt whether the passage of the bill would have any effect if a point of order should be made on an appropriation; and I think if we are going to do it, there is no use in making two bites of a cherry.

Mr. HARDY. I will at the proper time accept the amendment suggested by the gentleman.

Mr. Chairman, I yield 30 minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, this Congress will soon expire by limitation of law. It may be that as a young man serving my first term I am more deeply impressed with the work we have done than are those of longer service, but be that as it may, I venture the assertion that this Congress has enacted more constructive legislation than any Congress that has convened in half a century. It is a source of gratification to me that the Congress in which I am serving my first term has such a splendid record of achievement, and yet, Mr. Chairman, in spite of the pride I feel for the things we have done, I deeply regret that we have not legislated upon another subject that to my mind is of equal, if not greater, importance than either the tariff, currency, trust regulation, or Trade Commission, and that is the pressing need for a rural or farm credit system. [Applause.]

Mr. Chairman, I shall not undertake at this time to discuss in detail the question of farm credits, but I shall confine myself to a brief consideration of what is meant by the term "rural credits," a statement of some of the necessities for such legislation, and meet some of the objections that are made by those who oppose it.

The term "rural credits" is generally used to designate any system of financial machinery whereby funds are furnished to meet the peculiar and special needs of the farmers upon such terms and at such a rate of interest as not to prove burdensome. Farm credit is divided into two classes, long-term or land credit, which is briefly defined as "credit to meet the capital requirements of the farmer," and short-term or personal credit, which is briefly defined as "credit to meet the current or annually recurring needs of the farmer." The establishment of some system of long-term or land credit for the farmer is the object of most of the bills pending on this subject, and I shall confine what I have to say to that branch of the subject, and by using the term "farm credits," or "rural credits," I shall mean simply land credits for farmers, whereby they procure long-time loans, secured by mortgages on their land, drawing a low rate of interest, the loan to be repaid by the payment of not only the interest each year but a small part of the principal, an amount so small that it will not be a serious burden to him and yet so large that in a given term of years the entire debt is paid and his mortgage canceled. This plan of loans, which is known as the amortization plan, has been tested in nearly every civilized country in the world, and proved a success. By such a plan the farmer avoids the anxiety caused by the fear that when his debt comes due he will not be able to either pay it or renew it, but will be forced to lose his home by foreclosure. Under the amortization plan of loans, which has proved a success in other countries, the farmer pays no more each year than the average American farmer now pays in interest.

For illustration, let us take one of the German land-credit plans to which attention has been called by Senator FLETCHER, who was a member of the Rural Credit Commission that visited Europe a few years ago. The rates of interest generally in Germany are higher than they are in this country, yet under a farm-credit system in Germany on a loan to a German farmer made at 4 per cent interest there is added three-fourths of 1 per cent for amortization, one-fourth of 1 per cent to cover operating expenses of the system, or a total of 5 per cent annually; and by paying this amount each year for a given number of years the entire debt was paid and his mortgage canceled. The American farmer pays 8 or 10 per cent interest per annum on the mortgage on his farm. The loan of the German farmer is in fact an investment. He can afford to borrow money to buy a farm or improve a farm at that rate. The American farmer is in debt; the German farmer is using his credit. Each year while paying 5 per cent on the money received the German farmer is getting out of debt, while the American farmer is paying 10 per cent and not reducing his debt a penny.

But it is urged by those who oppose farm-credit legislation in this country that conditions are different here to those in Europe, and that a system of land credits applicable to European conditions under European forms of government is not applicable to conditions in the United States and can not be provided under our form of government. Of course both conditions and forms of government are different here to those in Europe, and I do not propose that we adopt for this country any system now used in Europe, but I deny that under this great democratic Government, republican in form, founded primarily, as declared in the preamble to our Constitution, "to promote the general welfare," we are without power to provide the American farmer with such financial facilities as are necessary to meet the special needs of his economic conditions. [Applause.]

The contention that under our Constitution this Government is powerless to meet this grave problem and solve it is a sad commentary upon our form of government. The solution of this problem has not been beyond the powers of the Republic of France, the Kingdoms of Great Britain and Italy, the Empires

of Austria and Germany, and the Autocracy of Russia, and yet those who oppose farm-credit legislation say that it is beyond the constitutional power of this a democratic Government. I repeat, if this contention be true, then what a sad commentary upon our boasted republican form of government. Those who make this contention find themselves in the ludicrous position of saying that we have constitutional power to give direct aid to the farmer by furnishing him free seeds, but not the power to directly aid him in procuring the land in which to plant them; the power to supply funds for agents to teach him how to till the soil, but no power to aid him by furnishing him with financial facilities by which he will be assisted in buying the soil; the power to grant millions of acres of the public domain to the railroads of this country; the power to spend hundreds of millions to aid the commerce of the world by building the Panama Canal; the power to pour unnumbered millions into the development of Alaska for the building of railroads; the power to spend millions for the building of Government ships, as we propose in the ship-purchase bill; but no power to provide the farmers of this country with a separate financial system adapted to their economic needs. Oh, if this be true, then what a peculiar instrument is this our Constitution! [Applause.]

Those who hold this view do not question the constitutional authority to loan to the banks of this country millions out of the Treasury at 2 per cent, yet rush to the defense of the Constitution when it is proposed to furnish to the farm builders such credit facilities as the great economic need of the Nation demands. The only constitutional objection that some gentlemen have ever offered to loaning money to the banks has not been to the loan of the money, but to the requirement that the banks should pay interest on these loans. Oh, but they indignantly cry out that the Government does not "loan" its money to the banks, but just "deposits" it. Well, why not provide the American farmer with proper agencies adapted to furnishing him needed credit facilities and "deposit" with these agencies some of this money? [Applause.]

To say it is possible under European forms of government for them to provide, as they have, separate systems of financing the special needs of their farmers, and that it is impossible under our form of government to safely provide a separate system of financing the needs of the American farmer applicable to his conditions, is a severe indictment of our system of government. Those who thus indict and condemn our form of government are either ignorant of the spirit and character of our system of government or else they are ignorant of and indifferent to the needs of agriculture in this country and have no conception of the fact that the prosperity and security of this country depend upon the prosperity of the producing classes.

The first great economic duty of a nation is to feed and clothe itself, and any form of government is inherently weak and defective if under its limitations its legislative department can not by providing proper credit facilities procure capital funds on reasonable terms for its producers and thereby enable and assist them by their labor and by their own initiative perform this great duty.

I deny that our form of government makes it impossible to discharge this great duty. I believe the American Congress has ample authority to provide an American system of rural credits, American in form, American in spirit, and so framed as to meet American economic conditions and afford proper credit facilities in an American way to meet the needs of the American farmer. I shall not at this time discuss any particular plan. Some two years ago I outlined a plan, which I think safe, sound, and practical and in keeping not only with the customs and practices of this country but certain to provide ample funds for the American farmer at a reasonable rate of interest and upon long terms without disturbing the system of commercial credits and commercial banking now existing. But, Mr. Speaker, I repeat that I shall not undertake to discuss any particular plan, because my prime purpose upon this occasion is not to impress upon you the merits of any pet plan of my own, but to urge the necessity for some plan and meet the objections that have been offered to every plan. I have no particular pride of opinion, and will not refuse to take any plan because I can not get my own, but if this Congress recognizes the necessity for and the wisdom of enacting rural-credit legislation, I feel sure that we shall be able to agree upon a plan by making mutual concessions as to details, so I shall not stop at this time or be diverted from a discussion of the main question by engaging in a dispute as to the relative merits of the different plans proposed, but shall resume consideration of the objections that are offered to this class of legislation.

The principal opposition to rural-credit legislation is placed upon the ground that there is no necessity for any such legislation. We are told by those who oppose this legislation that the American farmer is sturdy, independent, self-reliant, and prosperous, and through present banking facilities his needs are being fully met, and, in fact, some contend that he is more prosperous than other classes. I heard one of these distinguished gentlemen, in discussing his opposition to farm-credits legislation, state that he did not see why there was any demand for this legislation, as the farmers in his part of the country could get all the money they wanted for 5 and 6 per cent, and that, as a matter of fact, most of the farmers in his territory own the banks and have money loaned out at interest. Another gentleman has called attention to the fact that last summer he addressed a large gathering of farmers in his district, and that hundreds of automobiles were parked around the meeting place, which automobiles were owned by the prosperous farmers, and in which they rode to and from the meeting. It may be true that in some parts of the country the farmers as a class are exceedingly prosperous, that they are wealthy, that they follow the plows during the week days and ride in expensive automobiles on Sunday. It may be they have a great deal of surplus money saved up, that they own the banks of their communities, and that out of their surplus funds make individual loans to relieve the distress of the merchants, the lawyers, the doctors, and the manufacturers in their sections. I say, Mr. Speaker, this may be true, because reputable men have stated that these conditions are true in their communities, but I deny that such is the condition of the farming classes of the country as a whole. Let us for a moment consider the facts as to agriculture in this country. In 1880, according to the Federal census, over 70 per cent of the population of the United States was classified as agricultural. In 1910 the Federal census shows only 53 per cent of the population so classified. A close analysis of these statistics will show that these figures are misleading, for the facts are in many parts of the country farm lands have been abandoned, until now only 28 per cent live on the farm, and each year sees a greater number of young men of the agricultural classes leaving the farms and going to the towns and cities, and, in addition, the number of farm home owners of this country is becoming fewer and fewer, and the number of the tenant class is very rapidly on the increase. So heavy has become the burden upon the farming classes, staggering under the heavy load they have to bear, forced to finance their operations by an expensive commercial financial system, that the tendency is away from home owning and toward absentee landlordism. I recently heard a great agricultural expert of this House, who has given a great deal of thought and investigation to the changing conditions of farm life, in analyzing the statistics presented by the last Federal census, state that if the present drift were not checked and conditions were not relieved, in less than 50 years' time 20 per cent of the people of this country would be called upon to feed and clothe the remaining 80 per cent.

This is the only civilized nation upon the face of the earth that has not recognized and acted upon the necessity of a separate system of financing for its agricultural classes. By providing a separate system of financing for the farmers of this country we will not accord to them a special privilege, which is charged by some of those who are vehement in their opposition to this legislation. We have provided a system of financing for the commercial interests of this country, the prime object of that financial system being, as stated over and over by its proponents, to furnish credit facilities that would meet the "expanding and contracting needs of commerce." If that be true, that our present financial system is shaped entirely to meet the short-term credit demands of commerce, then if we provide facilities which will supply the long-term credit demands of the American farmer, we will not be granting to him a special privilege, but we shall only be doing him equal justice and according to him equal facilities.

Mr. Chairman, the man who says that the present commercial banking system of this country can carry the load of American agriculture and safely furnish the capital requirements of the American farmer upon terms that will not be a burden is either ignorant of the very law that underlies a commercial bank and necessarily controls its operation, or else he is ignorant of the economic needs of the agricultural classes. The very law of the being of a commercial bank is to furnish short-term credits to facilitate and furnish a medium of exchange for the daily transactions of the commercial world. The law of necessity requires the commercial bank to keep its assets liquid, so that it can at all times be ready to meet the demand obligations of its depositors and furnish the bulk of its capital. It would be unwise and it would be unsafe for a commercial bank to fly in the face of this necessity and jeopardize the safety of its institution by loaning out its deposits upon long-term credits. Assuming that the commercial bankers are doing the best they

can for agriculture, yet the law of their being and the necessities of the commercial world make it impossible for them to meet to the fullest extent the necessary demands of agriculture. Fortunately, a great many of the bankers of the agricultural States recognize this fact and are strong advocates of rural-credit legislation. One of these country bankers, in discussing this proposed legislation, stated that while it would primarily be of greatest benefit to the farmers, it would also benefit the country banks, for the reason that by a proper rural-credit system *low-rate* investment funds from the North and East would be brought into the agricultural communities of the South and West by these long-term loans to farmers, and these funds thus brought in would swell the current funds of the community, increase the amount of circulation per capita in these communities, and enable the country bankers in the agricultural towns to more readily meet the needs of commercial operations in these communities, and make it easier for the country banker to meet the short-term annual demands of the farmer upon easier terms. There is no question but that this country banker has the right view. There is no question but that all classes in the parts of the country where agricultural lands are being developed and farm homes are being built would profit greatly by this influx of low-rate long-term investment money. This country banker stated that the proper function of a commercial bank is to gather up the scattered cash in its community and convert this cash into banking credit, selling the same to its borrowers, while the capital demands of the farmers are just the reverse, in that they need to gather up the scattered credits made up of the loans of the farmers and convert these scattered credits into cash.

Those who say there is no necessity for this class of legislation and that the present Federal reserve act furnishes ample credit facilities for the farmer are few in number. President Wilson recognizes the necessity and the inadequacy of the present system, which he clearly set forth in a statement which appeared in the newspapers on August 13, 1913. In this statement he said that the proposal to include in the then pending Federal reserve act provisions for the facilitation of such credits as the farmers in the country most stand in need of—that is, agricultural credits as distinguished from ordinary commercial and industrial credits—were not adopted because such credits could only be imperfectly provided for in such measure. In addition, he further stated in the same newspaper statement that—

> The scope and character of the bill, its immediate and chief purpose, could not be made to reach as far as the special interests of the farmer require. Special machinery and a distinct system of banking must be provided for if rural credits are to be successfully and adequately supplied.

President Wilson in this same statement, in discussing the necessities for rural-credit legislation and pointing out the serious disadvantages under which the American farmer is laboring, said:

> One of the chief and most serious of these disadvantages has been that he has not been able to secure the extended bank accommodations he every year stands in need of without paying the most burdensome rates of interest and saddling himself with mortgages and obligations of every kind, which he fairly staggered under, if he could carry them at all. In other countries systems of rural credit have been put into operation which have not only relieved the farmer, but have put his enterprises upon a footing of easy accomplishment. Countries in which agriculture was fatally languishing, because wholly unprofitable, have seen their farming lands blossom again and their people turn once more hopefully to the soil for a living. Our farmers must have similar means afforded them of handling their financial needs, easily and inexpensively. They should be furnished these facilities before their enterprises languish, not afterwards. And they will be. This is our next great task and duty.

Another objection that is urged against rural-credit legislation is that it will furnish the farmers with cheap money, and those who offer this argument in opposition to rural-credit legislation say that the American farmer is improvident and has no business sense, and that he will borrow too much and ruin himself if the rate of interest is lower. The farmers of my State are just as intelligent and capable as the farmers of Illinois and Indiana, where they can get money at 4½ and 5 per cent. Has cheap money ruined the farmers of Illinois and Indiana? Again, some of those who are opposed to rural-credit legislation, with a great deal of solicitude for the farmer, warn him against the dangers to him involved in this legislation and try to make him believe that it is a scheme to involve him in debt and ruin him. While it is true that some farmers are improvident and will go too deeply in debt if given too much credit, the same is true of many merchants, lawyers, doctors, and other classes. The fact is that the great majority of farmers are compelled to go in debt each year and are left with no choice. The young farmer starting out in life and the tenant who owns no land can not procure a home without going in debt. The right kind of rural-credit legislation will not only not ruin the farmer by taking his home away from him, as some would make him believe, but would, so far as land credits are concerned, protect those who already own homes, but which are mortgaged for a short time at a high rate of interest, against loss by foreclosure on account of crop failure or other misfortune. He would be protected under a proper rural-credit system by having his debt turned into an amortized loan so that by payments that are not burdensome he could ultimately discharge his obligations.

Some object to legislation of this kind, insisting that it is a matter that should be left strictly to private capital, and that no Government aid should be given, basing their objections upon their statement that the American farmer is not a serf, as the agriculturists of Europe are classed by them. One of these gentlemen says that to call an American farmer a peasant would be to insult him. Those who offer this objection to any Government aid simply offer the same argument and the same objections that those who are opposed to any rural-credit legislation offer, and therefore this objection demands consideration.

Both of the objectors who make this argument show thereby that they are ignorant of the great economic necessity upon which the intelligent, thoughtful, sincere advocate of rural credit bases his demand for and justifies such legislation. It is true that the American farmer is neither a serf nor a peasant in the sense that these terms are applied to certain classes in Europe. The term "serf" or "peasant," as commonly used in Europe, means a person who is bound to work on a certain estate, and is thus attached to the land and sold with it into the service of whoever purchases the land. True, the American farmer does not belong to this class, but if the economic burden that rests upon his shoulders is permitted to continue and no proper financial facilities are afforded him with which to meet his necessities, little by little, as the census reports show, he will be forced from the home-owning, prosperous class into the tenant and poverty-stricken class, and in the course of the years, if such drift is not checked, many will become economic serfs. What produced the peasant of Europe? What drove the agricultural classes of Europe into serfdom? Did the condition of serfdom follow the law enacted or decrees promulgated governing this class, or did these laws and decrees simply follow the economic and industrial conditions that so ground down the husbandman that the passing of the laws and the promulgation of the decrees were naught but formal assertion of restraints that economic distress had already imposed? The civilized countries of Europe, by their efforts for the past 50 years to remedy the industrial conditions surrounding their agricultural classes by the establishment of rural-credit agencies, have but been applying a remedy for an evil that existed, which evil should have been prevented. Europe by this class of legislation is lifting from the mire of intolerable conditions her agricultural classes, while upon the other hand those who seek this legislation in this country seek it not because the American farmer is a peasant or a serf, but because they do not want the the American farmer to ever become either a peasant or a serf. [Applause.] We propose to so provide for agriculture in this country that the American farmer will continue intelligent, upright, self-reliant, and productive, and not permit the burden of intolerable economic conditions to force him to the last extremity before we recognize his necessities and make the same provision for him that we have long since made for our commercial classes.

Mr. Chairman, I have as best I could in the brief time permitted discussed some of the necessities for this legislation and answered some of the objections that are offered by those who oppose it. For some time I have recognized and called attention to the necessity for farm-credit legislation, and when I entered this Congress, beginning my first term, and the Committee on Banking and Currency, of which I am a member, took up the question of reforming the banking and currency laws I insisted that it was just as important to provide financial machinery adapted to the needs and requirements of agriculture as it was to reform our banking and currency laws, so as to more fully meet the needs and requirements of commerce, and that rural-credit legislation should go hand in hand with the proposed Federal reserve act. I and those of us who were interested in this question pressed our contentions vigorously, both in the committee and on the floor of the Democratic caucus; and while President Wilson and a majority of the Democrats admitted the necessity for this character of legislation, they insisted that they were not ready to act wisely, and that it would be better to frame a rural-credit law separate and apart from the Federal reserve act. At that time President Wilson, in a statement which appeared in the newspapers in discussing the proposal for a rural-credit system, said:

> It should have accompanied and gone hand in hand with the reform of our banking and currency system if we had been ready to act wisely with full knowledge of what we were about.

Finding that a majority of the Democratic caucus agreed with the President that the scope and character of the Federal reserve act were limited to the needs of commerce, and that its immediate and chief purpose could not be made to reach as far as the special interests of the farmer require, and that they seemed to be in perfect accord with the President's statement that special machinery and a distinct system should be provided for the farmers, and as he stated that he regarded such legislation as our next great task and duty, as I have above quoted him, I offered a motion in the Democratic caucus directing the Committee on Banking and Currency to prepare a rural-credit bill and report the same to the next session of Congress, which was to convene the following December. The caucus gave such instructions, and I at that time did not for a moment doubt that these directions would be obeyed by the committee. I thought that with the President of the United States urging the necessity for legislation of this kind, and with him stating that he regarded it as our next great task and duty, and knowing that the Democrats of Congress were willing to carry out his suggestions with reference to matters of legislation, I felt confident that this Congress would perform that great task and discharge the great duty which he said was our next one. Pursuant to the instructions of the Democratic caucus, the Committee on Banking and Currency appointed a subcommittee on rural credits, headed by the gentleman from Ohio [Mr. BULKLEY], which subcommittee took up the question, and after considerable hearings, and working with a like subcommittee of the Senate Committee on Banking and Currency, they jointly framed what has become known as the Bulkley-Hollis bill. I immediately insisted that the full committee should take up this question and consider it, and if we did not favor the plan proposed by the subcommittee the full committee should frame some other plan and present the same to the House for its consideration and action.

I regret, Mr. Speaker, that I have been unsuccessful in my efforts to get this question considered by the full committee. At every meeting I have insisted that we take up the rural-credit question and report a bill to the House, and I feel sure that if the full committee will but take up the question we can agree upon a bill and report it to this House within two or three days' time, and then it would be proper to provide for its consideration by a special rule, which expedient has been resorted to in order to pass a great many other bills through this House. By doing this we can yet have time to pass a rural-credit bill at this session of Congress, and if we do not consider and enact such legislation at this session of Congress, and we have an extra session, which now seems probable, I shall renew my efforts in behalf of this legislation and shall not be content until by the enactment of a bona fide, real, practical rural-credit system we shall have given to the American farmer the financial facilities to which he is justly entitled and which are necessary in order that he may be placed upon an equal footing with the privileges enjoyed by the commercial interests of the country under our present banking and currency laws.

Mr. Chairman, why should we longer delay this legislation? Why should we longer deny to the American farmer a rural-credit system which would not only be a blessing to him, give renewed strength to his arm, kindle anew the fires of hope in his heart, but by the increased productiveness and the increased prosperity that would come from his renewed energies bring increased prosperity and plenty to every class?

During the last few weeks we have been engaged in the consideration of the appropriation bills for the annual support of our Army and Navy. These bills together carry about a quarter of a billion dollars, and during their consideration a determined effort was made by some who come from the manufacturing and commercial centers to increase the expenditures and thereby add to the burden of the American taxpayers under the specious plea of national defense.

Mr. Chairman, I am for national defense, but I do not think that the requirements for national defense are limited to an adequate Navy. I am not afraid of the foe from without, with whose threatened and imaginary invasions gentlemen try to excite us into spending increased millions for our military establishment; but I do, as one who loves his country and gives some thought to its continued prosperity and safety, have fears of the canker and deterioration that always flow from economic distress and industrial injustice. No one honors more than I do the men who have fought our battles upon the land, upon the sea; no one has a greater pride in the valorous achievements of the American soldier and sailor, to whom we affectionately refer as "the man behind the gun"; but there are others of whom I think and for whose welfare I plead and in whose welfare and prosperity are wrapped the safety and security of this Republic, and they are not "the men behind the guns," but are "the men behind the plows" and "the men in the overalls." [Applause.]

Mr. Chairman, during the past 20 years we have spent upon the American Army and Navy something less than $5,000,000,000, and as compared to this sum, all of which has been wrung from the overburdened taxpayers of this land, the few millions that have been spent in aid of the American farmer seem insignificant and small. While these expensive battleships, each costing many millions, and our standing Army are maintained in idleness and their officers live a life of luxury and ease the American farmer, stooped beneath the burden of his load, by his taxes supports them, and at the same time feeds and clothes the Nation, and with his surplus furnishes us with a balance of trade in our dealings with the nations of the earth.

Is it not time we did something to lighten the burden of the American farmer and equip him with such credit facilities as will enable him to more easily develop the agricultural resources of the country? Is it not true that should war come, the battleships and the standing armies alone will not constitute our defense, but our real defense will be the farmer and his fellow toilers, who in every age and in every land and in every period of the history of this Republic have fought the Nation's battles and borne the brunt of war? [Applause.]

I say, it is the farmer who not only in time of peace brings the balance of trade to our shores, but it is the farmer who in time of war bares his breast in defense of the country he loves. It is the farmer's wife and the farmer's mother who kisses her stalwart husband or her bright-faced boy good-by, and facing the heartache and the toil, the loneliness and sorrow, the danger of the isolated country life, tells him to go down to the red, red field of battle and, if need be, give his life for the common weal. The hand that guides the plow in time of peace is the hand that grips the musket in time of war. [Applause.]

John Trotwood Moore has eloquently described this hand. He says it is a hard hand, it is true, but it is faithful and honest; and in its rough grip more gentleness dwells, more truth and honor lie, than in many another of softer grip and finer strain. It may be rough like the roots of the oak, twisted and hardened, gnarled and knotted in the primal fight for life with the elements of nature, but unbeautiful as it is, it has borne its full burden in the fight of civilization and the battle of the world. It may be misshapen, and its joints large from strain and toil, and the veins may run through it like the channels of a stream deep cut, and it may be curved in like the turn of a plow handle, and shaped like the grip of an ax helve, toil worn and scarred. It is this hand that not only each year feeds and clothes our vast population, but it is this hand that lights the fires in every forge, turns the countless wheels of industry everywhere, girds the continent with glittering threads of steel and hurrying steeds of fire, makes white the seas of earth with sails of commerce, and pours upon all lands and all peoples in every human pursuit the blessings and prosperity which its toil has wrought from the earth. [Applause.]

Mr. Chairman, it is for the purpose of making the tasks and the burdens of this hand lighter that I plead for rural-credit legislation. Not only does justice to the farmer demand that you grant him this relief, but the prosperity and future of this Nation require that you no longer permit him to be handicapped by the financial shackles that now bind him. Will you by the enactment of this legislation break those bonds and set him free? [Applause.]

Mr. HARDY. Mr. Chairman, I reserve the remainder of my time.

Mr. MANN. I yield 15 minutes to the gentleman from Michigan [Mr. J. M. C. SMITH].

Mr. J. M. C. SMITH. Mr. Chairman and gentlemen, I expected to have an opportunity to address the House yesterday, and what I have to say is more germane to the subject which was then under consideration. I wish now, in the brief time allotted to me, to call attention to the question under consideration yesterday—the purchase of ships for a merchant marine. These ships are only to be used in foreign trade and with our insular possessions. The bill has no semblance to one for a merchant marine, and the ships purchased are to revert to the Navy two years after the termination of the European war.

I have no quarrel with any man whose business is that of importing and exporting. If a man is engaged in foreign trade, he is directly interested in it and certainly would be in favor of more ships. Neither have I any quarrel with those who are in favor of more ships for the exportation of American products. But I think I can safely say that no prudent business man in his own business would at the present time engage in the foreign shipping trade. Least of all would he purchase ships for that purpose under present conditions. In the first place, our relations are such that no man would want to engage in

that business on his own account, because it is especially hazardous. It was said by one of the speakers here yesterday that we want more ships in order to reduce ocean freight rates. Every man who has followed current events knows that the rates of ocean freights have not been increased because of the lack of ships, but because of the hazardous character of the business. We have no dearth of ships. At the present time we are exporting almost double the amount of our former previous exports, and no one is complaining that there are not enough ships.

Mr. McKELLAR. Will the gentleman yield?

Mr. J. M. C. SMITH. For a question.

Mr. McKELLAR. Does the gentleman understand that the German lines—the North German Lloyd and the Hamburg-American Line—have taken off about 200 ships, the most of which were used in American shipping?

Mr. J. M. C. SMITH. That may be. A gentleman stated here yesterday that some ships are making 100 per cent a year. When he said that I thought of the *Titanic*, which, having cost millions of dollars, went to the bottom on her first trip. I thought of the shipping upon our own Great Lakes, which for two years has been almost at a standstill, and the least lucrative employment in which you could engage capital. I *say that* under present conditions no prudent man would embark upon the business of ocean transportation: First, because of the fierce competition of foreign countries which have thousands of ships operated at less cost than we can operate them; second, because no man would sell bonds given on his property for money to buy ships to run on a venture; third, because engaging in shipping at the present time would be considered an unfriendly act by at least one of the belligerent nations. We have heard complaints from the very nations that purchase our products and materials. And I have heard the partisans of the belligerents complaining about shipping the very products that we are now shipping, while by this bill we are being invited to engage in what I consider a hazardous and precarious undertaking. And still those people that have taken sides in the great struggle that now engages the nations of the Old World are anxious to purchase ships, and for what? In order to aggravate and to increase the very danger that now threatens us. I say that these people who are filing resolutions and sending us petitions asking Congress to prohibit the shipment of munitions of war ought to be a little careful how they favor shipping bills, when they are complaining about our neutrality and our absolute right as a neutral Nation to ship our products of field and factory. I say that we must be careful, and the last thing under present circumstances that we ought to undertake as a Nation is to engage in foreign shipping under any circumstances. England has always been our best customer. She has taken of our products to the value of $600,000,000 annually. Germany has taken of our products to an average balance of $200,000,000; but is there any man who would say that we should engage in shipping when they are declaring even food products, raiment, and I do not know but drugs, contraband of war?

It seems to me that if we wish to be neutral and absolutely stand upon our neutrality—and I certainly want to be as friendly to Germany as I am to any of the other countries, although I may have my preference—we should sell our goods in our own markets and let them take them, if they wish, from our own doorsteps and from our own factories and from our own warehouses. In that way we can preserve our neutrality, but we see our friends here who are filing resolutions, and we know that some of those friends who are sending us petitions would have us buy ships and engage in a most hazardous business, incurring, if you please, not only the unfriendliness of these countries but absolutely inviting war, and I am for peace. [Applause.] Munitions of war means anything that can be used for the prosecution of war or to support war—foodstuff and clothing. When I say I am not for entirely shutting up our factories, and when I say I stand upon the law of nations which allows a neutral country to ship our products of farm and factory to neutral nations, then some gentleman arises here and asks me about the humane side of it, and wants to know if I am in favor of selling them and shipping over there bullets and powder. You have all had the same question asked you, and I look at that man. Of course nobody is in favor of slaughter. I wish the war would stop to-day; this very hour; and I wish that we might not send over there bullets or powder; but I would ask those same gentlemen who are so strong for our neutrality and who do not want us to do any business, who wish us to shut up our shops, if they are in favor of the greatest gun factory in the world shutting up? If they will stop making powder and bullets in England and if they will stop making powder and bullets in Germany, then let us by all means also stop.

Mr. BURKE of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. J. M. C. SMITH. Yes.

Mr. BURKE of Wisconsin. Does the gentleman contend that our manufacturers of war ammunition and material have any vested rights in the continuance of foreign wars?

Mr. J. M. C. SMITH. No; I do not claim that they have.

Mr. BURKE of Wisconsin. Let me ask the gentleman another question. If the exportation of American manufactured war material and ammunition were prevented, does the gentleman think that the American manufacturers of such material have any right to insist that the foreign war shall be continued for their benefit?

Mr. J. M. C. SMITH. No.

Mr. BURKE of Wisconsin. Are they in any worse position than if the war had not occurred and peace had continued?

Mr. J. M. C. SMITH. I do not think it puts them in any worse condition, but under every law of nations we have a right to do just what Germany did in sending guns and bullets and powder over to Mexico, when we sent our whole Army and Navy down there to stop them, and just as England and Germany did in the Russo-Japanese War, running their factories night and day, on three shifts, to furnish powder and bullets. I am not standing here saying that I am in favor of furnishing bullets and powder to any other nation. Please do not interpret me as saying that. I am just as friendly to one side as to the other. If there is a man who stands neutral, if there is a man who wants to be fair and do justice to each side, if there is a man who has the love of country at heart, if there is a man who wants to keep his country out of trouble and keep out of war, then I am that man. [Applause.] But as a Nation we have a right to exist. No one has ever contended that because two nations went to war we must shut up our factories, and that we must not export food or clothing or drugs, or that we may not send our products to even neutral nations.

Mr. BARTON. Will the gentleman yield?

Mr. J. M. C. SMITH. Just for a question.

Mr. BARTON. I would like to ask the gentleman if he does not discriminate and find a difference between sending bread and bullets?

Mr. J. M. C. SMITH. Oh, yes; but please remember that as a nation we are not making these and as a nation we are not sending them over. In order to be perfectly neutral the gentleman will please understand what my position is, that as a nation we ought not to buy boats to ship products to these nations that are already complaining because individuals and private companies are shipping foodstuffs even to neutral nations. How are we as a nation to escape censure when an individual can not? What do we want of these boats at the present time? Let us avoid even the appearance of evil and not buy ships.

Mr. Chairman, born in one night in a Democratic caucus ending at 2.30 o'clock in the morning, bound by a caucus rule attended only by Democrats, and by them brought into the House next day for immediate consideration, is this bill providing for the appropriation of $40,000,000 of the American people's money out of the Public Treasury of the United States for the purpose of embarking in a scheme of purchasing ships.

There have been no public hearings or opportunity given or afforded to determine the necessity of this expenditure for purchasing ships. The bill was not reported by any committee favoring this expenditure. It was brought before the House by a special rule allowing but three hours on a side for general debate, which, if equally divided between the 424 Members of the House, would not allow one minute to each Member. Bound hand and foot by this caucus rule, the Members are expected to vote blindly for this measure about which they know little or nothing.

It is proposed by this bill that the United States shall form a corporation in the District of Columbia consisting of the Secretary of the Treasury, Secretary of Commerce, and three other members to be appointed by the President, with the consent of the Senate, at a salary of $6,000 each per annum, having for its purpose the right to expend this $40,000,000 in the purchase or construction of vessels or boats to carry mail, passengers, and freight between the United States and its insular possessions and foreign countries. The rates are to be fixed and determined by the shipping board.

This is a very large sum of money. The Treasury at this time is greatly depleted. To supply means to pay the running expenses of our Government it was recently found necessary to levy what is termed an emergency revenue tax to raise $100,000,000 annually. Appropriation bills have been cut to the lowest possible amount. Internal improvements have been held up or denied. The receipts of our Government have been falling off, and the sale of bonds and other ways and means are

contemplated to procure money to bolster up our depleted Treasury.

In order to raise this $40,000,000 for the purpose of embarking in this shipping business, it is proposed by this bill to use $10,000,000 of the people's money now in the United States Treasury and by selling Panama bonds therefor. I call attention to the fact that these Panama bonds were issued for the special purpose of constructing the Panama Canal and not for the purpose of buying ships. To use them now in the latter way would be diverting them and defrauding the American people, who favored their issue because of the great, renowned, national project of constructing our great canal. I am not one of those who favor mortgaging and bonding the present or future where it can possibly be avoided. In times of peril, great stress, or public need, it may become necessary, but in the face of present conditions that necessity does not exist.

With these ships it is proposed to bring in products of foreign countries as well as export our own. There is now interchange of commerce, subject to the rules of war, with every nation on earth. They have ships by the thousands. This bill does not even have the merit of requiring these Government ships to be built at home or to be purchased from American owners. That is left discretionary with the board. It does not have the merit of providing that they shall be manned with American seamen and American labor. Nor does it have the merit of saying that they shall engage in our American coastwise trade. The bill provides solely for insular and foreign traffic.

To me, as a business proposition, this scheme for the purchase of ships is one wherein a business man conducting his own private business might be led to purchase foreign ships because they can be built in foreign countries for nearly one-half of what they can be built for in this country; or a business man conducting his own business might equip these ships with foreign seamen because they can be hired for one-half the wages we pay our American seamen. A business man would also look squarely in the face this fact before engaging in the shipping business on his own account, and that is that every foreign country gives great subsidies, amounting in some cases to millions of dollars, as national aid to companies and ships engaged in foreign commerce.

By this bill, if we purchase ships, we take the people's money out of the Treasury to buy them with. After that we must keep up the ships at a great expense. They are subject to great depreciation. And the cost of upkeep and operating them will be more in the hands of the Government than in the hands of private parties.

I recall distinctly to mind when first coming as a Member to this House with what great earnestness we were urged to pass certain measures. At that time this country was enjoying great prosperity. The election had been won because of the high prices of foodstuffs and the necessaries of life. The country was everywhere highly prosperous. Labor was employed. And, although the people took stock in what the Democratic Party stated in making its campaign, those statements, promises, and pledges have not worked well, and the people now will be slow in taking stock in further declarations, promises, theories, and proposals of the Democratic Party.

We were first told the wonders of a competitive tariff enacted along competitive lines. This act has proven a complete failure. It brings neither prosperity nor revenue. Then we were told it lacked the working tools to put it into successful operation and that it would succeed better after the enactment of an income tax and a banking and currency law. Then we were told of the new freedom and that the wheels of prosperity and the hands of industry were fettered by greedy trusts; that we needed a Federal industrial or trade commission. They said give us these tools and "business will bloom and blossom as the rose," to use the expression of our illustrious Speaker. But now, lo, with all these, and with the impetus of a great war, our industries have slackened, business stagnated, and labor remains unemployed. And here comes the slogan, "Give us ships."

Now, of all times, is not the time to make experiments. There are plenty of affairs of state needing our consideration which would make for our betterment and better conserve our national welfare. To go into this scheme is especially hazardous. The people are not demanding this legislation. But they are demanding that we as their representatives shall so regulate and govern our national affairs as to leave us aloof from entangling alliances and win back that high standard of national prosperity which makes for our advancement and happiness, such as we had prior to the present administration and under a protective tariff.

I do not want to be classed as opposed to an American merchant marine. As a national policy I favor it. But from my personal viewpoint the way to reach it is to enter into competition with foreign countries by doing, as a Nation, what foreign countries do—compete as a Nation with other nations. Do not as a Nation go into the boat-building and boat-running business with private owners. Let our ship companies and private owners compete with the ship companies and private owners of other countries, and we, as a Nation, lend them the support given or better support than that given, by foreign nations to theirs. Then American enterprise, industry, efficiency, skill, and intelligence will reap the same reward in its merchant marine that it does in competing with other countries in other endeavors. [Applause.]

Mr. MANN. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SAMUEL W. SMITH].

Mr. SAMUEL W. SMITH. Mr. Chairman, I make the same request, to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. BARTON].

Mr. BARTON. Mr. Chairman, it is to be regretted that on account of the drastic rule brought in yesterday we could not have the right and privilege that was given us under the Constitution, and which the people of this country expect us to have, in passing on one of the greatest problems confronting us to-day—the creation of a merchant marine.

Democrats have railed for the past decade against gag rule, but when they get into harness they bring in and adopt rules that are more drastic than the procedure under Cannon or Reed. A bill is brought in that has never received the consideration of a committee—ordered in by a caucus and forced through this body without even the privilege of amendment. The bill was not even the work of a secret caucus; it was not the work of the membership of this House; it was the work of the executive department, who brought it to you, and, like young robins, you closed your eyes and opened your mouths and swallowed, regardless of what was brought. By this rule you propose to discharge a committee that has never considered the bill. Your Committee on Rules attaches an amendment that has never been introduced in this House, and your drastic action forbids amendment and limits debate to six hours. Unless the people of this country have decided that a monarchical form of government is preferable to a republican form, they will never set their seal of approval upon such action.

This is a period of our Nation's history when we should, as representatives of the American people, talk, act, and breathe neutrality. We should not stand by watching the great struggle, proclaiming to the world we are neutral, wink the other eye, and ship guns, powder, shot, and shrapnel to the belligerents on either side of the contest.

John Bassett Moore says in his Digest of International Law, volume 7, page 748:

> Much misapprehension as to the quality of the act of supplying contraband articles, such as arms and munitions of war, to the parties to an armed conflict has arisen from the statements so often made that the trade in contraband is lawful and not prohibited.
>
> This statement, when made with reference to the preventive duties of neutral Governments, is quite correct, but if applied to the duties of individuals it is quite incorrect. The acts which individuals are forbidden to commit and the acts which neutral Governments are obliged to prevent are by no means the same; precisely as the acts which the neutral Government is obliged to prevent and the acts which it is forbidden to commit are by no means the same. The supply of materials of war, such as arms and ammunition, to either party to an armed conflict, although neutral Governments are not obliged to prevent it, constitutes on the part of the individuals who engage in it a participation in hostilities, and as such is confessedly an unneutral act. Should the Government of the individual itself supply such article, it would clearly depart from its position of neutrality.
>
> GREAT BRITAIN RECOGNIZES THAT SUCH ACTS ON THE PART OF INDIVIDUALS ARE UNNEUTRAL.

April 23, 1898, Great Britain warned British subjects by proclamation against doing any act in derogation of their duty as subjects of a neutral power, or any violation or contravention of the law of nations, among which was enumerated the carrying of arms, ammunition, military stores or materials.

From the foregoing it appears that under general international law, as recognized by Great Britain itself, the act of our citizens in exporting arms and ammunition is an unneutral act. If our Government decides to forbid the commission of such unneutral act by its own citizens, can such action on the part of our Government be declared to be unneutral, since its object is to establish neutrality? It seems to me that with this falls the last argument of the opponents of the various measures pending before Congress designed to stop the export of arms and ammunition.

In this connection I desire to call attention to the further fact that there is now on the statute books of Great Britain an act

very similar in its wording to House joint resolution 377, conferring discretionary power on the King of England to forbid the export of arms and ammunition; also that nearly all the neutral countries of Europe have since this war began enacted such legislation; also that the German Government during the Spanish-American War stopped the export of such materials on a protest from our minister, Andrew D. White.

We are a Nation that profess peace, yet our present attitude is to place the dollar above the man. For commerce we would sacrifice all. Just to make profits for the manufacturer of instruments of war we refrain from placing an embargo on such munitions. We do not see the difference between bullets and bombs, bread and bacon; we do not see the difference between cannon and cotton. I can not understand this blindness, especially when Holland, Switzerland, Norway, and Sweden have placed humanity above commercialism and have declared an embargo on arms. Why, then, should not we who claim to be the leaders of peace follow their glorious example?

Why, then, should not we enact the resolution against shipping arms to the belligerents; postpone this shipping bill until the war is over and be neutral in the true sense of the word. This shipping bill in my judgment is but another method of injecting ourselves into the strained condition now existing. Who will argue that conditions are so imperative that we can not wait to build our ships until this great war ceases? What is behind this great pressure that is being used daily? The President vetoed the immigration bill on the theory that the people had not passed on it. Have the people passed on the Government buying and sending their ships into the troubled waters of foreign countries? Is not the demand from seaboard speculators and men who will have control of the shipping board instead of the people? What ships can we buy but interned ships? If these ships could be bought without a breach of neutrality, who would they carry freight to? You know, and I know, that only one of the parties to this great contest could be benefitted. Is this the reason for the great pressure? Is it in truth to reduce freight rates? Do you think that shipping risk now is no greater risk than before the war? If you are really so concerned about the freight rates, why so insistent that the railroad rates be increased? Why did not the administration insist on placing a railroad across this continent to prove railroad rates were higher, and help the farmer?

The main argument that is used throughout the discussion is, we want ships to reduce ocean freight rates. In the words of Representative GOOD, of Iowa:

"I would be very glad to vote for a bill to bring about a reduction in those rates. How about that side of the Chamber, whose party in convention in Baltimore adopted a platform promising cheaper railway rates? In the Interstate Commerce case where the eastern roads were asking for an increase of 5 per cent the president of the New York Central lines testified that in 1913 that after setting aside all that was necessary for depreciation, and after setting aside $11,000,000 to the surplus fund, they still had enough to pay 11 per cent on the entire capitalization of the road. The president of the Pennsylvania Railroad testified that in 1913, after setting aside a sufficient fund to cover all of the depreciation charges, they still had net earnings sufficient to pay more than 9.6 per cent on the total capitalization of the Pennsylvania Railroad. Yet, notwithstanding such magnificent earnings, the President of the United States on September 11 wrote a letter which appears in the New York Times of that date under the following headlines:

"President asks aid for railroads—Calls country's attention to the necessity of giving them every possible help—Finds their needs vital—In open leter to Frank Trumbull he insists their credits must be sustained—May seek rate increase—Reopening of interstate ruling of August 1 probably will be asked by eastern lines.

"The President says to Mr. Trumbull:

"Since you read it to me yesterday I have read again the statement you made on behalf of the committee of railroad presidents whom I had the pleasure of meeting and conferring with at my office. It is a lucid statement of plain truths.

"You asked me to call the attention of the country to the imperative need that railway credits be sustained and the railroads helped in every possible way, whether by private cooperative effort or by the action, wherever feasible, of Government agencies, and I am glad to do so, because I think the need very real. * * *

"I am confident that there will be active and earnest cooperation in this matter, perhaps the one common interest of our whole industrial life. * * *

"Cordially and sincerely, yours, WOODROW WILSON.

"Active cooperation! Active cooperation with whom? With whom could the President cooperate? Who had the power to grant the increase? The Interstate Commerce Commission, and the Interstate Commerce Commission alone. The President wanted freight rates increased for railroads that were earning 11 per cent in 1913 after they had paid all operating expenses, charged off all that was necessary for depreciation, and set aside $11,000,000 for the surplus fund. And yet you gentlemen on that side now claim that you are in favor of bearing down on the trusts and putting them out of business and of bringing lower freight rates to the country.' [Applause on the Republican side.]

It is said that we can not get ships to take our produce, yet during the month of December, 1913, we sent abroad 5,000,000 bushels of corn, wheat, oats, and barley, and in December of 1914, 41,000,000 bushels.

This is neither a Government ownership nor a private business. It permits private business to use Government money and credit for their exploitation, while the Government controls a majority of the stock, yet we know that fine, fat berths will be created for men whose main incentive and business will be to hold the job. Then after it is developed, if it should be, the bill proposes to lease the line to private interests—neither Government ownership nor private ownership—the Government a partner for its credit and money and the private interests for what they can make out of the senior partner.

I stand for a merchant marine; but the kind I stand for is ships built in American dockyards by American men, manned by American seamen, and floating an American flag.

The conditions are not so imperative that we can not wait until we build these ships, thus avoiding the danger of purchasing interned ships and sending them into troubled waters. In the interests of peace and neutrality let us pass the resolution against the shipment of arms and ammunition. Let us wait until the war is over before buying and building ships and embarking into new and untried waters, and if there are a few shippers and exporters who want to use the Government money to send their material abroad let them wait until this war concludes, and when we build our merchant marine let us build it without petty partners. In the spirit of peace and neutrality I shall vote against the measure.

Mr. MANN. Mr. Chairman, I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, even a Democratic House is occasionally, unintentionally and unconsciously, logical. Yesterday the Democratic membership of the House went through the farce of assuming to launch on the high seas a merchant marine. To-day we passed a bill providing for them when they shall be shipwrecked. [Laughter on the Republican side.] Yesterday we were engaged in the barren enterprise of acting as a recording machine for the Presidential will. To-day we are proposing to search out the barren bottoms of the coasts of Texas. Yesterday witnessed a humiliating surrender by the House of Representatives of its dignity, its independence, its judgment, and its will to the imperious mandate of the President to a degree and an extent hitherto unknown, even in the unparalleled subserviency of this Democratic Congress. The Democratic majority of this House has heretofore yielded to the dictation of the President as to essential and important details of legislation, but not until yesterday did the majority completely surrender the views and opinions of its membership as to the entire plan, scope, and purpose of a fundamentally important proposition.

But this complete and humiliating surrender of judgment and opinion by the majority in a matter of paramount importance does not of itself embrace the full measure of the degredation of the popular branch of the National Congress. Added to that surrender of judgment and opinion was the voluntary abdication by the majority of the functions of this body as a branch of the legislative machinery of the Government. That procedure was for the sole purpose of making a record in support of the dogmatic demands of the President, without hope or expectation that it would result in the enactment by this Congress of the legislation passed upon.

It is bad enough, heaven knows, when the majority of a legislative body, under the whip and spur of executive demand, agrees to make a record which does not express the views and opinions of even a majority of the majority; but it is still worse when this surrender is made, and this record falsifying the judgment of the House is agreed to mainly and essentially for the purpose of saving the face and attempting to sustain in public opinion the dogmatic judgment of the Chief Executive.

Mr. HARDY. Will the gentleman yield for a question?

Mr. MONDELL. I will.

Mr. HARDY. Would it not save a heap of time and vocal effort if quite a number of gentlemen who are accustomed to repeat the same thing about the orders from the White House and the caucus would get together and formulate a complete statement and print it on a card and hold it up and say, "I want to say these same things that have been said before."

Mr. MONDELL. Well, I do not know but what it would be a good thing to print not only on cards but on the walls of this Chamber, inside and out, certainly to print on the walls of our

hearts, a warning of the effect on free government of the everlasting domination of one man. [Applause on the Republican side.]

Mr. HARDY. Will the gentleman yield for one further question?

Mr. MONDELL. I do.

Mr. HARDY. Does the gentleman think that after dozens of his colleagues have made this statement and nobody has paid any attention to it that he must repeat it in order to get the impression conveyed?

Mr. MONDELL. Oh, I do not think my colleagues have made this statement in just the way I have made it. Possibly none of them has made it quite as forcefully as I am trying to make it [applause] when I shall have said what I am about to say.

Mr. HARDY. The gentleman is of the opinion that he had to make it plain.

Mr. MONDELL. And the gentleman is of the hope that it may finally find lodgment in the heart of his friend, the gentleman from Texas.

Mr. HARDY. Will the gentleman permit just one further question?

Mr. MONDELL. I will.

Mr. HARDY. I regret it, but I am fair to say that the gentleman can not speak the English language any plainer than all the Members on his side who have spoken the same thing heretofore.

Mr. MONDELL. Well, I am glad that some of these statements of the dangers to this House and to this Government which flow from this usurpation of the Executive and domination over the legislative branch have at last come to the attention of the gentleman from Texas, if they have not as a matter of fact had any influence upon him.

Mr. HARDY. Will the gentleman pardon just one further observation?

Mr. MONDELL. Just a moment. My time flies. I have a few observations I would like to make.

Mr. HARDY. We are sailing along easily. I just wanted to say that it seems to me that I, like everybody else, could repeat it as readily as the Lord's Prayer.

Mr. MONDELL. I want to say another thing while the gentleman is saying that, that so far as I am personally concerned I am not criticizing a Democratic President any more sharply than I would a President of my own political faith——

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. Because I believe, as profoundly as I believe anything on earth, that if we shall continue in this Government, increasingly as we have for a few years past, the control and domination of the executive over the legislative branch the day will come when we can not be as proud of our country as we have been in the past.

Mr. WALSH. Did the President ever dictate anything to the gentleman from Wyoming?

Mr. MONDELL. The President?

Mr. WALSH. Yes.

Mr. MONDELL. Well. the present President has not honored me by expressing his will or desire to me in any way at any time.

Mr. WALSH. Does the gentleman from Wyoming know of any Member of the House that the present President has ever dictated anything to?

Mr. MONDELL. Oh, if the gentleman will please drop that.

Mr. WALSH. I ask the gentleman the question. Do not evade it.

Mr. MONDELL. It is bad enough to have everybody know. The bootblacks and the newsboys——

Mr. WALSH. You did not answer the question.

Mr. MONDELL (continuing). The charwomen and all other sundry and divers classes of persons know of the domination of the President over Congress. That is bad enough, but for a gentleman who knows all about it to pretend that it is not notorious is a shrieking farce, of which the gentleman ought to be thoroughly ashamed. [Applause on the Republican side.] If you must be bound, if you think that your duty to your party compels you to do it, be manly enough to admit it.

Mr. WALSH. I was just going to say that I hope to live to see the day when Members of this House will think first of their country as Americans rather than for the welfare of their party as politicians.

Mr. MONDELL. Well, I think I have been here longer than the gentleman has, and I think the Members of this House do in the main think first of their country and of their duty, but unfortunately we are none of us perfect; unfortunately we are all subject to temptation; and unfortunately the Executive is in a position to tempt and to coerce. I do not know, and I shall not judge, who is most to blame—the tempter or the tempted.

Mr. WALSH. Does the gentleman think a patriot would make the speech that the gentleman from Wyoming has just made and the statements he has made in the last few minutes?

Mr. MONDELL. I will leave that to the judgment of the people who sent me here.

Mr. WALSH. My judgment is that he would not.

Mr. MANN. He would not want to leave it to the judgment of the people who sent the gentleman from New Jersey here.

Mr. MONDELL. The judgment of the people who left him at home.

Mr. FESS. The gentleman from Texas asks if the printing of certain utterances would not save time. I would like to know if it would not save time to close the doors of this House and put on them, "Closed until further orders"?

Mr. MONDELL. If we did not save time, we would save the pollution of the atmosphere of the corridors from the sulphurous expressions of the gentlemen who voted one way and believed and talked another. [Laughter.]

Mr. HARDY. Will the gentleman yield for just one suggestion?

Mr. MONDELL. I am afraid the gentleman from Illinois [Mr. MANN] has no more time to yield me, and I have a few words I would like to say. But I yield to the gentleman if he wants to ask me a question.

Mr. HARDY. I just wanted to know if it would not have been quicker if the gentleman from Ohio [Mr. FESS] and the gentleman from Wyoming [Mr. MONDELL] as to these observations had not held up the card that I was talking about.

Mr. MONDELL. It might have pleased the gentleman from Texas, who seems to be restive and irritated in the face of the reiteration of these truths, but our object and intent is to make him as uncomfortable as we can in the hope it may remind him of his duty.

Mr. HARDY. Will the gentleman pardon me just a moment? I never was in a better humor nor more pleased than I have been at the continued repetitions of the gentleman from Ohio and the gentleman from Wyoming.

Mr. MONDELL. I am delighted. I still have hope for the gentleman from Texas. [Laughter.]

Mr. FERRIS. Mr. Speaker, I was fearful that I did not grasp the force of the suggestion of the gentleman from Ohio. He made some remark about closing the doors. He can go on and on outside of the Hall as well as in, for I heard him a moment ago outside of the Hall make a speech. So the closing of the doors of the House would not make any difference.

Mr. MANN. Why does not the gentleman from Oklahoma follow his example and make a good speech?

Mr. MONDELL. Whatever may be said about the remarks of the gentleman from Ohio [Mr. FESS], what shall we say of the howling silence of the gentleman from Oklahoma on the shipping bill yesterday? [Laughter.]

Mr. FERRIS. Will the gentleman pause for a reply?

Mr. MONDELL. Well, if the gentleman insists.

Mr. FERRIS. I believe that some mathematician more competent than myself made the computation that there was about 1.7 minutes apiece, and as the Republican side brought about 15 or 17 roll calls, and each one talked as long as time would permit, there was not a chance for any of us to speak.

Mr. MONDELL. The roll calls did not reduce the time any. There was plenty of opportunity, but there was mighty little inclination on that side. I tried to get in, but could not. I am making a few observations now.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I have about a 10-minute speech I would like to make.

Mr. MANN. If you make the speech, all right.

Mr. MONDELL. Will you yield me 10 minutes?

Mr. MANN. I will yield to the gentleman 10 minutes, if he will use the time.

Mr. MONDELL. No one expected the bill that was before us yesterday to become a law. A majority of those who voted for it hope and pray it never will, and their hopes and their prayers will probably be answered and realized, thanks to the patriotism and the staying qualities of the minority in another body. But the bill had failed in another body and in spite of the most persistent touting, advertising, and promoting by the administration, backed and supported by selfish and sinister influences, it has failed utterly to command the support of any considerable proportion of the American people. In this state of affairs, desperate from the standpoint of the administration, an obsequious majority in the House of Representatives was called

upon, coerced and cajoled into not only surrendering its views and opinions but into surrendering the dignity, the prerogatives, and the functions of the House that they might be used and utilized for the purpose of recording a decision supporting the presidential mandate—a decision which did not reflect the judgment of the House and which is not expected to be crystallized into law.

Mr. Chairman, I do not make these statements lightly or without reason, for it is notorious that a majority of the majority were not in their hearts favorable to this legislation, and, to their everlasting credit, none of the Republican minority were for it. It is known of all men this legislation has received no indorsement from any important political organization; that it was not sought, as it is not supported by any considerable number of people anywhere. It is understood by all who take the trouble to inform themselves that but for the powerful, persistent efforts of the administration it never would have been seriously considered in either branch of Congress.

Those who reluctantly and shamefacedly supported it excused themselves on the plea that there is an emergency which suggests if it does not justify it. There is, it is true, an unusual and abnormal condition caused by a great war, affecting our ocean-borne commerce on the Atlantic, a condition whose most striking characteristic just now is an unprecedented export of foodstuffs, attended by a tremendous rise in food prices, which just at this time renders the majority of people infinitely more interested in the checking than in increasing exports.

But assuming there were, which there is not, a condition with regard to our export trade harmful to a considerable number of our people, would that constitute a condition that would suggest or warrant the inauguration of doubtful measures of relief at the expense of all our people? If, with a depleted Treasury and a bond issue imminent to meet the ordinary and necessary demands upon the Treasury, we seek to relieve the needs of the American people, the great and pressing emergency for aid and assistance is to be found among the unemployed millions stranded through Democratic mismanagement; these sufferers from Democratic policies need our help rather than those who would further deplete our already sadly depleted reserves of foodstuffs and those who in their greed demand more and swifter ships to carry the implements and instruments of carnage to the blood-stained battle fields of Europe.

If there were in fact a great shortage in ships, checking the reasonable export of our products, and by reason of high rates unduly depressing their price, which conditions do not exist, relief can not be hoped for or expected in the slightest degree through any such measure or proposal as this, or at least not in a degree at all corresponding or commensurate in benefits with the burdens that all the people would be called upon to bear.

Over-sea rates are high, it is true, but not the slightest evidence has been produced tending to show that they are unreasonably high, considering the inevitable delays, due to the congestion of foreign ports and the increased costs and risks, which must be borne by the steamships proposed by this bill as they must by other and private lines. It follows, therefore, that unless it is proposed that the Federal Government shall bear a large portion of the cost of transportation the lines proposed could not make lower rates than the lines now operating. If that is the intent—that the Government shall bear the losses incident to lowering rates below cost of carriage—then the proposition of inviting private capital to participate with the Government in this undertaking is as much of a farce and a fraud as the procedure of passing the bill through this House.

But assuming, for the sake of argument, that we could, without a violation of neutrality involving the probability of war, secure ships not now in use to add to the ocean carrying tonnage of the world, and assuming that eliminating all expectations of contemplated or suggested private participation in this enterprise we should, at vast expense to all the people, reduce the cost of ocean freights and ocean carriage to certain shippers, who would benefit thereby?

The sponsors for this legislation have sought to create the impression that American producers would benefit in advanced prices for their produce to the extent to which ocean freights might be reduced. The fact is that under present war conditions, with freights from all parts of the world to the theater and vicinity of the European war equally advanced, present high ocean rates have but little to do with the price which the exporter on this side of the water receives; still less to do with the price which the producer received, is receiving, or will receive. As an illustration, it is claimed that in six months the trans-Atlantic rate on wheat has advanced from 5 to nearly 20 cents per bushel; in the same period of time the cash price for wheat in this country has advanced between 70 and 75 cents per bushel.

Assuming again, for the sake of argument, that through the medium of this legislation, and at vast cost to the National Treasury to be paid by all the people, the trans-Atlantic rate on wheat might be restored to the rate of six months ago, or reduced 15 cents per bushel. Admitting the claim of the proponents of this measure that such a reduction would be reflected in the price of wheat in this country, we would then have spent millions of the money of all the people for the purpose of benefiting and enriching the wheat dealers and speculators to the tune of 15 cents per bushel on all their holdings in order that they might, in turn, lay an added burden on all the people of the country of a penny or two a loaf upon all their bread.

But, Mr. Chairman, there are no ships obtainable not now actively engaged in commerce except the interned ships of the North German Lloyd, and around these and their suggested purchase and utilization, out of the money provided for by this bill, hangs the dark suspicion of ulterior and sinister motive that clouds and lends nauseating aroma to the atmosphere that surrounds the genesis of this legislation. The purchase of those ships would inevitably embroil us with the allied powers of Europe, and their use would be likely to plunge us in war. Other than these, there are no ships not now actively engaged in commerce, and therefore no others that we could secure for the purpose or with the effect of adding to the available tonnage of the world.

Mr. Chairman, to sum up my opinion of the acts and attitude of the House to-day, I would say that it was a disgraceful surrender by the majority of their will and opinion to the mandate of the President; that it is a lamentable and almost unbelievable abdication by the majority of the legitimate lawmaking functions of this body to the purpose of recording a vote with a view of saving the face and patching up the prestige of the Chief Executive.

As to the measure itself, if it were actually put in operation in the only way that can increase the world's ocean-borne tonnage, it would constitute a gross violation of neutrality and be likely to plunge us into war. Assuming we were to adopt so untenable an attitude and invite such frightful risks, no benefits could flow to anyone except at a cost to all the people out of all proportion to the benefits.

The benefits, if secured, would in the main inure to favored shippers, largely of war material and of agricultural produce, the propriety of the continuation of the export of which is being questioned by many people. Finally, if the benefits to the producer, claimed by the proponents of the measure, were secured through violation of neutrality, at risk of war, and at great cost, the entire Nation, and particularly the poor, would be compelled to bear the burden of the increase in the advanced cost of living. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MANN. Mr. Chairman, I ask that the bill be read.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized and directed, upon the request of the governor of the State of Texas, to assign such officers, experts, and employees of the Coast and Geodetic Survey and of the Bureau of Fisheries as may be necessary to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, including the compilation of the results of said survey for publication, and for this purpose he is authorized to employ in the District of Columbia and elsewhere such technically qualified persons as may be necessary to carry out the purposes of this act.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 1, after the word "publication," insert the words "at a total limit of cost of $10,000."

Mr. HARDY. Mr. Chairman, I think that amendment is wise and should be accepted, and I am willing, in behalf of the committee, to accept it.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I rise for the purpose of securing information. Is it contemplated or is it regarded as feasible to inaugurate a survey for the determination of rocks and barren bottoms along the seashore with the idea of propagating any kind of animal life?

Mr. HARDY. Yes; with the idea of propagating oysters.

Mr. STAFFORD. Are oysters generally lodged on bottoms of that kind or any such kind of foundations?

Mr. HARDY. We passed a similar bill with reference to the coast of Maryland, with a view to making a survey and familiarizing the authorities with the proper steps to be taken in order to renew the oyster beds, which had been largely diminished and depleted, and it is a food proposition in this case for those people down there.

Mr. STAFFORD. Has that investigation resulted in extending that work so that it is regarded as feasible to have this oyster industry founded on rocky and barren bottoms?

Mr. MANN. Oysters are planted, you know, and this is to see if the planting is feasible on those bottoms.

Mr. STAFFORD. I did not know that they could be planted on rocky or barren bottoms.

Mr. MANN. "Barren bottoms" in that connection means simply that they have no oysters on them now.

Mr. STEPHENS of Texas. Mr. Chairman, if my colleague will allow me, I wish to say that oyster farming is one of the well-established industries that we have in our State of Texas.

Mr. STAFFORD. The gentleman does not furnish any information that I did not have before. I wanted to ascertain if it were practicable to raise oysters on bars and rocks, and particularly on barren rocks?

Mr. HARDY. They do on the Chesapeake.

Mr. STAFFORD. That is not an answer to my question either. I am aware of the fact that they raise oysters on the Chesapeake as well as on the Gulf, but my question is whether it is practicable to plant oyster beds on rocks.

Mr. MANN. Those are the places where they do plant them.

Mr. PAGE of North Carolina. Yes. It is in such places that they plant them.

Mr. STAFFORD. I thought they were best grown on a soft bottom rather than on a rocky surface.

Mr. MANN. No. They cling to something.

Mr. HARDY. The gentleman from Wisconsin is like myself in that I am a highland man.

Mr. STAFFORD. Well, I have received information from a gentleman who knows something.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the Coast and Geodetic Survey and the Bureau of Fisheries be, and they are hereby, authorized and directed to expend, under the direction of the Secretary of Commerce, a sum of money hereafter authorized to be appropriated not exceeding $10,000 in carrying out the purposes of this act, which amount is to be available until used.

Mr. HARDY. Mr. Chairman, the amendment adopted to section 1 would render section 2 unnecessary and superfluous, and I therefore ask that the bill be amended by striking out section 2.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] moves to strike out section 2. The question is on agreeing to that motion.

Mr. McLAUGHLIN. Mr. Chairman, I would like to be recognized for a moment or two for the purpose of asking the gentleman from Texas [Mr. HARDY] a question. Is this to be a permanent law, on which an appropriation can be hung from year to year?

Mr. MANN. It is limited to $10,000 as a total.

Mr. McLAUGHLIN. I asked that because in the framing of the annual appropriation bill for the Department of Agriculture money has been asked for by one or more bureaus for the purpose of engaging in some investigations of that kind.

Mr. HARDY. The amendment made a moment ago at the instance of the gentleman from Illinois, which was plainly put in section 2, was to limit the total expense that might be incurred under this bill to $10,000.

Mr. MANN. And that is to be appropriated hereafter.

Mr. HARDY. Yes.

Mr. McLAUGHLIN. If this bill is passed, then, and the sum of $10,000 is used, this bill will have served its purpose and die?

Mr. HARDY. It will be at the end; yes.

Mr. McLAUGHLIN. It can not be used as the basis for an annual appropriation hereafter?

Mr. HARDY. Not at all.

The CHAIRMAN. The gentleman from Texas moves to strike out section 2. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That this act shall take effect from the date of its passage.

Mr. MANN. Mr. Chairman, I move to strike out section 3. That is not necessary.

Mr. HARDY. It would go into effect at once anyway?

Mr. MANN. Yes. The department that prepared this did not know.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out section 3. The question is on agreeing to that motion.

The motion was agreed to.

Mr. HARDY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. UNDERWOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration Senate bill 3362, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any one of the amendments? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HARDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. HARDY. Mr. Speaker, I wish to state that the Committee on the Merchant Marine and Fisheries does not desire to call up any other business to-day.

LEAVE OF ABSENCE.

Mr. HENSLEY, by unanimous consent, was granted leave of absence, indefinitely, on account of sickness in his family.

EXTENSION OF REMARKS.

Mr. HULINGS. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech made by the Hon. JULIUS KAHN at Arlington on the occasion of the anniversary of the sinking of the *Maine*.

The SPEAKER. The gentleman from Pennsylvania [Mr. HULINGS] asks unanimous consent to print in the RECORD a speech made by the gentleman from California [Mr. KAHN] on the 15th. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CURRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

CERTAIN CLAIMS OF NORTH CAROLINA—CHANGE OF REFERENCE.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that H. R. 21452, which has been referred to the Committee on Claims, be recalled from that committee and referred to the Committee on Appropriations.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for a reference of H. R. 21452. Is there objection?

Mr. MANN. Reserving the right to object, what is the bill?

Mr. PAGE of North Carolina. It is a bill to authorize the Secretary of the Treasury to audit and adjust certain claims of the State of North Carolina.

Mr. MANN. The Committee on Appropriations would not have any jurisdiction over it.

Mr. PAGE of North Carolina. It carries with it an appropriation of whatever sum is necessary for the payment of the claims.

Mr. MANN. How will it do the gentleman any good to have the bill referred to the Committee on Appropriations? It will not make it in order on an appropriation bill unless it was in order before, and the committee will not report it.

Mr. PAGE of North Carolina. I do not know that I would gain anything by it. I want to say to the gentleman frankly that I have no particular thing that I expect to gain by it.

Mr. MANN. I am not going to object.

Mr. PAGE of North Carolina. To be frank with the gentleman from Illinois, I do not know that the gentleman who introduced the bill will get any report on it from any committee.

Mr. MANN. I think if the gentleman wants it acted upon at any time, it is probably safer in the Committee on Claims than in the Committee on Appropriations. Although it could be brought in on an appropriation bill, it would be subject to a point of order.

Mr. PAGE of North Carolina. If the gentleman objects, I will not press the request.

Mr. MANN. I will not object.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until Thursday, February 18, 1915, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 19432) creating an additional judge in the district of New Jersey, reported the same without amendment, accompanied by a report (No. 1412), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RIORDAN: A bill (H. R. 21480) to amend section 3342 of the Revised Statutes of the United States; to the Committee on Ways and Means.

By Mr. HENRY: A bill (H. R. 21481) to encourage agriculture and ownership of farm homes, to reduce the rate of interest and extend the term of farm mortgages, and to provide a fund for the construction and maintenance of good roads; to the Committee on Banking and Currency.

By the SPEAKER (by request): Memorial of the Legislature of the State of California urging Congress to authorize and empower its Committees on Rivers and Harbors to visit the State of California to inspect its harbors and navigable rivers; to the Committee on Rules.

By Mr. DOOLITTLE: Memorial of the State of Kansas asking Congress to take the necessary steps to deal with the Cimarron River situation as affecting the lands of Kansas and Oklahoma; to the Committee on Irrigation of Arid Lands.

By Mr. CAMPBELL: Memorial of the Legislature of the State of Kansas, requesting and urging Congress to take immediate steps for the construction of one or more demonstration plants on the west line of Kansas, to prove the economy of certain forms of irrigation; to the Committee on Irrigation of Arid Lands.

By Mr. FESS: Memorial of the Legislature of the State of Ohio, requesting Congress to protect passenger and shipping interests on the high seas and Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. STOUT: Memorial of the Legislature of the State of Montana, requesting the passage of the now pending act appropriating for reclamation purposes upon the Flathead irrigation project; to the Committee on Appropriations.

By Mr. POU: Memorial of the General Assembly of North Carolina, urging passage of the administration bill to secure ships for the transportation of American products to the markets of the world; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 21482) for the relief of James Harvey Smith; to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 21483) granting an increase of pension to Taylor B. Friend; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 21484) granting a pension to John B. Gilliam; to the Committee on Pensions.

By Mr. TRIBBLE: A bill (H. R. 21485) for the relief of Annie E. Walton; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of D. E. Herron and other citizens of Tuscarawas County, Ohio, urging a world federation of peace; to the Committee on Foreign Affairs.

Also, petition of Youngstown (Ohio) Sheet & Tube Co., favoring the passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of Seaman Bros. and 20 other merchants of Shelby, Ohio, favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Petition of B. J. Greiner, of Johnstown, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, memorial of Good Will Council, No. 42, Junior Order United American Mechanics, of Tyrone, Pa., opposing amendment opposed to free press; to the Committee on the Post Office and Post Roads.

Also, petition of members of the G. R. C., Knights of St. George, Patton, Pa., relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petitions of sundry citizens of New York, favoring the suppression of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. BUTLER: Petitions of citizens of Tinicum Township, Delaware County, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also (by request), petition of sundry citizens of Lansdowne, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. CALDER: Memorial of Trinity Lutheran Church, Brooklyn, N. Y., favoring an embargo on war material; to the Committee on Foreign Affairs.

Also, petition of citizens of Brooklyn, N. Y., urging passage of law that when a citizen of one State is acquitted of a crime in another State that he be allowed to return to his own State; to the Committee on the Judiciary.

Also, petition of sundry citizens of New York, favoring passage of bills to prohibit the export of war material; to the Committee on Foreign Affairs.

By Mr. CLAYPOOL: Petition of Sarah Barnett, for special act pension; to the Committee on Invalid Pensions.

By Mr. DALE: Memorial of the National Industrial Traffic League, relative to criticism of regulation of common carriers; to the Committee on Interstate and Foreign Commerce.

Also, petition of the J. L. Mott Iron Works, New York City, protesting against the Alexander shipping bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the United Master Butchers of America, favoring law to prevent slaughter of any calf weighing less than 150 pounds live weight; to the Committee on Agriculture.

By Mr. DAVENPORT: Petition of Holy Ghost Catholic Church, of Vinita, Okla., favoring House bill 20644, relative to certain publications being sent through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Tulsa (Okla.) Commercial Club, favoring House bill 20417, providing for an appropriation to construct a bridge across the Canadian River in Oklahoma; to the Committee on Appropriations.

By Mr. DONOHOE: Petition of citizens of Philadelphia, Pa., favoring embargo an arms; to the Committee on Foreign Affairs.

By Mr. EAGAN: Memorial of Holy Family Roman Catholic Benevolent Society, of Union Hill, and Henry Corets, of Hoboken, N. J., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. ESCH: Memorial of the National Industrial Traffic League, relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: Memorial of citizens of Xenia, Ohio, favoring passage of a bill prohibiting polygamy; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of W. B. Gould, M. W. Gould, F. C. Gould, L. W. Gould, J. E. Gould, H. E. Gould, and E. Gould, of East Dedham, Mass., relative to race segregation laws in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GREENE of Vermont: Memorial of F. J. M. Appleman and 79 others, relative to the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: Memorial of San Jose (Cal.) Council 879, Knights of Columbus, relative to suppression of the Menace; to the Committee on the Post Office and Post Roads.

Also, petition of faculty and students of the State Normal School and citizens of San Jose, Cal., for world court for arbitration of disputes and securing of international peace; to the Committee on Foreign Affairs.

Also, petition of Catholic Federations of Santa Clara County, Cal., protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of Chamber of Commerce of Los Angeles, Cal., for investigation of 100,000 acres of land in San Bernardino County, Cal., with view of reclamation of same; to the Committee on the Public Lands.

Also, petition of Local Union No. 507, B. of P. D. and P. of A., San Jose, Cal., favoring passage of H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. JOHNSON of Washington: Memorial of citizens of Pysht, Wash., favoring an embargo on arms; to the Committee on Foreign Affairs.

By Mr. KENT: Petition of the National Socialist Party, addressed to the President and to the Congress of the United States, containing more than 100,000 names, requesting that the Federal Government "establish in the strategic, industrial, and agricultural centers of the Nation food supply depots and such other facilities as are necessary to maintain a just market for the producers, and for the purchase of food products and for the sale of the necessities of life direct to the people"; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition of citizens of Riverside, Cal., favoring passage of a law for cooperative farm finance; to the Committee on Banking and Currency.

By Mr. LANGHAM: Petition of sundry citizens of Pennsylvania, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of sundry citizens of Pleasant Dale, Nebr., relative to embargo on war material; to the Committee on Foreign Affairs.

By Mr. MAHER: Petition of the United Master Butchers of America, recommending that Congress subsidize land for farming and for the purpose of raising live stock; to the Committee on Appropriations.

By Mr. MORIN (by request): Petition of joint legislative committee of Catholic organizations of Pennsylvania, favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also (by request), petition of A. L. Ortman, of Pennsylvania, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also (by request), petition of Women's Missionary Society, Second United Presbyterian Church, Pittsburgh, Pa., favoring constitutional amendment prohibiting polygamy in the United States; to the Committee on the Judiciary.

By Mr. SCULLY: Petition of Onarbett Club Arion, Sayerville, N. J.; German Roman Catholic State League of New Jersey; German Roman Catholic Central Verein, New Brunswick, N. J., favoring embargo on war material; to the Committee on Foreign Affairs.

Also, petition of United Master Butchers of America, relative to law to prevent slaughter of any calf weighing less than 150 pounds; to the Committee on Agriculture.

Also, petition of the National Industrial Traffic League, relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: Petition of citizens of Florida, favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. SUMNERS: Petition of sundry citizens of Dallas, Tex., favoring placing an embargo on wheat; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Dallas, Tex., favoring an embargo on all war material except foodstuffs; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of the State of Texas, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: Petition of 170 citizens of Lamoni, Iowa, against Fitzgerald amendment to Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of 54 citizens of Yorktown, Iowa, asking for the passage of a law giving the President power to levy an embargo on material useful in war, excepting foodstuffs, etc.; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *February 18, 1915.*

Rev. Robert L. Fultz, of the city of Washington, offered the following prayer:

O God, we devoutly acknowledge Thee to be our sovereign Lord and Master. We rejoice that Thou hast taught us to call Thee Father. As subjects in Thy kingdom, may our wills be wholly dominated by Thy will. As Thy sons, may we imbibe Thy spirit until our obedience shall be the product of an unearthly affection, and our service joyous and fruitful, inspired by the love of God in our hearts. In the name of Thy Son, our Savior. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Norris	Smith, Md.
Bankhead	Hollis	O'Gorman	Smith, Mich.
Brandegee	Hughes	Oliver	Smith, S. C.
Bryan	James	Overman	Smoot
Burleigh	Johnson	Owen	Stephenson
Burton	Jones	Page	Sterling
Camden	Kenyon	Penrose	Stone
Catron	Kern	Perkins	Sutherland
Chilton	La Follette	Pittman	Swanson
Clark, Wyo.	Lane	Pomerene	Thomas
Clarke, Ark.	Lea, Tenn.	Ransdell	Tillman
Culberson	Lippitt	Reed	Townsend
Cummins	Lodge	Robinson	Vardaman
Dillingham	McCumber	Root	Warren
Fall	McLean	Shafroth	Weeks
Fletcher	Martin, Va.	Sheppard	White
Gallinger	Martine, N. J.	Sherman	Williams
Goff	Myers	Simmons	Works
Gronna	Nelson	Smith, Ariz.	
Hardwick	Newlands	Smith, Ga.	

Mr. POMERENE. I was requested to announce that the junior Senator from Delaware [Mr. SAULSBURY] is unavoidably absent, and that he is paired with the junior Senator from Rhode Island [Mr. COLT], without the right of either party to transfer the pair.

Mr. VARDAMAN. I desire to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

The VICE PRESIDENT. Seventy-eight Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of yesterday's proceedings was read.

Mr. BRANDEGEE. Mr. President, there was so much audible conversation in the Chamber I was not sure that I understood the Secretary correctly. I understood him to read from the Journal, in referring to the motion of the Senator from Florida [Mr. FLETCHER], that the Senate disagreed to the House amendments. I simply wish to find out what the Journal does state about it. It is the first reference in the Journal to the motion of the Senator from Florida.

The VICE PRESIDENT. The Secretary will read the part of the Journal referred to.

The Secretary read as follows:

On motion by Mr. FLETCHER, that the Senate disagree to the amendments of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon, and that seven conferees on the part of the Senate be appointed by the Vice President,

Mr. LODGE asked for a division of the question.

Mr. BRANDEGEE. That is enough, Mr. President.

The VICE PRESIDENT. If there be no objection or correction, the Journal will stand approved as read.

REGENT OF SMITHSONIAN INSTITUTION.

The VICE PRESIDENT announced the appointment of Mr. STONE a member of the Board of Regents of the Smithsonian Institution for the term beginning March 4, 1915.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Navy, transmitting a list of papers, documents, and so forth, on the files of the Navy Department which are not needed in the transaction of public business and which have no permanent value or historic interest. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints as the committee on the part of the Senate the Senator from Vermont [Mr. PAGE] and the Senator from Oregon [Mr. LANE]. The Secretary will notify the House of Representatives of the appointment thereof.

FINDINGS OF THE COURT OF CLAIMS (S. DOC. NO. 951).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of Sargeant Prentiss Knut, administrator of Haller Nutt *v.* The United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House recedes from its disagreement to the amendment of the Senate No. 36 to the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and agrees to the same.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House had passed the bill (S. 3362) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards.

The message also transmitted to the Senate resolutions of the House on the life and public services of Hon. Lewis J. Martin, late a Representative from the State of New Jersey.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 4146. An act granting certain lands to school district No. 44, Chelan County, Wash.;

S. 5449. An act to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement;

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington;

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

S. J. Res. 187. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the Legislature of the State of Arizona, which was referred to the Committee on Fisheries and ordered to be printed in the RECORD, as follows:

Senate memorial No. 3.

To the Congress of the United States of America:

Your memorialists, the Legislature of the State of Arizona, in session assembled, do hereby memorialize and petition your honorable body: That—

Whereas it has been and is the policy and the practice of the Federal Government to aid and assist the several States of the Union in the propagation and cultivation of the food fishes, wherever found practicable; and

Whereas such aid and benefits as have been already given to many of the older States by the Government have not yet been extended to the infant State of Arizona: Now therefore

Your memorialists respectfully pray that the Congress of the United States will enact such legislation and make such appropriation as in its judgment may seem adequate to provide and maintain a Government fish hatchery at some suitable place within the State of Arizona for the purpose of stocking and replenishing the various streams and other bodies of water with food fishes found adaptable to such waters.

The secretary of the senate is hereby directed to forward a copy of this memorial to the United States Senate and to the Speaker of the House of Representatives of the United States, and a copy to Hon. HENRY F. ASHURST and Hon. MARCUS A. SMITH, United States Senators from Arizona, and to Hon. CARL HAYDEN, Representative in Congress from Arizona.

And our Senators and Representatives are earnestly requested to do all in their power to bring about the legislation herein prayed for.

W. P. SIMS,
President of the Senate.

OSCAR COLE,
Secretary of the Senate.

The VICE PRESIDENT presented a telegram transmitting resolutions of the Legislature of the State of California, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

ASSEMBLY CHAMBER,
Sacramento, Cal., February 17, 1915.

Hon. THOMAS R. MARSHALL,
President of United States Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit to you and through you to the House of Representatives the following resolution by Mr. Sharkey:

"Whereas the State of California is most splendidly endowed with rivers and harbors, the improvement of which would have a marked effect upon not only the development of this Commonwealth but of the entire United States; and

"Whereas it is highly desirable, if not essential to wise national legislation and appropriation on rivers and harbors, that the congressional Committees on Rivers and Harbors acquire intimate and personal knowledge of conditions and possibilities with respect to California's rivers and harbors: Therefore be it

"*Resolved*, That the Assembly of the State of California respectfully requests and urges the Congress of the United States to empower and authorize its Rivers and Harbors Committees to visit the State of California with the express purpose of personally inspecting all of its harbors and its navigable rivers; and be it further

"*Resolved*, That the Rivers and Harbors Committees of Congress be invited, and the invitation is hereby issued, to visit the State of California for such purpose; and be it further

"*Resolved*, That the speaker of the assembly be authorized to appoint a legislative reception and entertainment committee, to be composed of not less than one member from each congressional district of the State of California to be visited by the Rivers and Harbors Committees of Congress; and be it further

"*Resolved*, That the president of the senate and the speaker of the assembly, the State engineer, and the chairman of the State board of control be ex officio members of said committee; and be it further

"*Resolved*, That said legislative reception and entertainment committee be authorized to make all arrangements with respect to the itinerary of the visiting committees of Congress; and be it further

"*Resolved*, That copies of this resolution be immediately forwarded to the presiding officers of both Houses of the National Congress."

Resolution read and, on motion, unanimously adopted. The speaker thereupon named the committee.

I have the honor to remain, respectfully, yours,

L. B. MALLORY,
Chief Clerk Assembly State of California.

The VICE PRESIDENT presented a petition of the Legislature of the State of Arizona, praying for the enactment of legislation providing for the restoration and preservation of the Mission of San Jose de Tumacacori, in Santa Cruz County, in that State, which was referred to the Committee on Public Lands.

He also presented a memorial of the Chamber of Commerce of the United States of America, remonstrating against the enactment of legislation to prohibit the use of stop watches or time-measuring devices, which was ordered to lie on the table.

He also presented a petition of the ministers of the Methodist Episcopal Church of five conferences of that church contiguous to New York City, praying for Federal supervision and censorship of motion-picture films, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Atoka, Okla., praying for the enactment of legislation granting a per capita payment to the Choctaw Tribe of Indians, which was referred to the Committee on Indian Affairs.

He also presented a petition of the Public Forum (Inc.), of New York City, N. Y., praying for the authorization of internal improvements to provide work for the unemployed, which was referred to the Committee on Education and Labor.

Mr. LANE. I present a memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House joint memorial No. 6.

Whereas a large section of the State of Oregon is now infested by wild predatory animals, principally coyotes, which are affected with rabies and are roaming about the country spreading disease and death among live stock of all kinds, also menacing the life of all persons who venture forth upon the highways and the prairies to such an extent that numerous families feel compelled to keep their children away from school; and

Whereas, in order to stimulate the destruction of such animals, the State of Oregon and the several counties of Oregon are expending large amounts of money as bounties in order to put a stop to such great loss of stock and the danger of human life: Be it

Resolved by the Twenty-eighth Legislative Assembly of the State of Oregon, That the National Department of Agriculture be, and it is hereby, memorialized to institute a scientific investigation in the State of Oregon for the purpose of devising ways and means best calculated to eradicate the evil complained of in connection with the officials of this State and those of the counties affected.

Resolved, That the secretary of state be, and he is hereby, instructed to transmit a copy of this memorial to the honorable Secretary of Agriculture, Washington, D. C., and to each Member of the Oregon delegation in both Houses of the National Congress.

Adopted by the house February 1, 1915.

BEN SELLING, *Speaker of the House.*

Adopted by the senate February 3, 1915.

W. LAIR THOMPSON, *President of the Senate.*

(Indorsed): House joint memorial No. 6, W. F. Drager, chief clerk. Filed February 12, 1915, at 9.10 o'clock a. m., Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. ASHURST. I present a memorial of the Legislature of the State of Arizona relating to the Mission of San Jose de Tumacacori, in Santa Cruz County, which I ask may be printed in the RECORD.

The memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

To the Senate and House of Reresentatives of the United States of America in Congress assembled:

Your memorialist, the Second Legislature of the State of Arizona, respectfully represents:

That there stands on the bank of the Santa Cruz River, in Santa Cruz County, Ariz., the ruins of an ancient Spanish mission which at once affords a quaint and striking illustration of the architecture of a day that is gone and a monument to the surpassing zeal of the vanguards of Southwestern civilization.

That this mission, known as the Mission San Jose de Tumacacori, was founded by the Jesuit priest, missionary, and explorer, Father Eusebio Francisco Kino, between the years 1687 and 1690, and is therefore one of the most ancient ruins of its kind within the boundaries of the United States.

That although the ground, 10 acres in extent, upon which this ruin stands, has been set aside by the Federal Government as a national monument, no provision has been made for restoring the partially decayed walls of the mission or preserving the evidences of architectural and artistic skill which they bear, and meanwhile the structure is subject to the ravages of time, the elements, and the carelessness of passers-by.

That it would be an occasion of the greatest regret to the people of Arizona, and for that matter to all people who revere the memory of those religious pioneers who toiled and suffered and died that civilization and Christianity might live and advance, should this visible sign of their devoted labors be permitted to pass away.

Now, therefore, it is highly desirable that this milestone of civilization be effectually preserved, thus to hold its sacred history the fresher, to paint the beloved memories which cluster about it the brighter, and to offer, through the far from vanished beauty of its venerable walls, telling their eloquent story of love, courage, and patience, instruction and inspiration to the visitor: Therefore be it

Resolved by the Senate and House of Representatives of the Second Legislature of the State of Arizona, That the Congress of the United States be, and it is hereby, urged to enact such legislation as may be necessary to effect the aforesaid object, and to appropriate the sum of $10,000, or so much thereof as may be necessary, to restore and preserve the historical mission of San Jose de Tumacacori; and be it further

Resolved, That a copy of this memorial and these resolutions be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the honorable Secretary of the Interior, and to the Representatives of Arizona in Congress; and that our Representatives in Congress be, and they are hereby, requested to do all in their power to accomplish the enactment of such legislation.

Passed the house February 8, 1915, by a vote of 31 ayes, 4 excused.

WM. E. BROOKS, *Speaker of the House.*

Passed the senate February 11, 1915, by a vote of 18 ayes, 1 no.

W. P. SIMS, *President.*
OSCAR COLE, *Secretary.*
By C. P. CRONIN, *Assistant Secretary.*

Mr. ASHURST presented a petition of sundry citizens of Jerome, Ariz., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. JONES. I present a large number of letters and petitions from the citizens of the State of Washington in favor of the passage of the bill prohibiting the export of arms and munitions of war to belligerent nations, which I move be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. SHEPPARD presented petitions of sundry citizens of Bellville and New Braunfels, in the State of Texas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of sundry citizens of Sault Ste. Marie, Mich., praying for the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Stephenson, Mich., remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. KENYON. I present a concurrent resolution of the Legislature of Iowa in favor of the passage of the officers' retired list bill, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

The concurrent resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

House concurrent resolution.

Be it resolved by the house (the senate concurring), That the General Assembly of Iowa respectfully petition the Members in Congress of the United States from the State of Iowa that they give their influence and support to the passage of Senate bill 6857 in the Senate of the United States, being an act authorizing the retirement from active service, with increased rank, of officers now on the active list in the Army and who served in the Civil War, and who were honorably discharged therefrom, and who have since served not less than 40 years as a commissioned officer of the Regular Army: Be it further

Resolved, That upon the adoption of this concurrent resolution by the General Assembly of Iowa a copy of same be forwarded to each Member of Congress from this State.

W. I. ATKINSON,
Speaker of the House.

W. L. HARDING,
President of the Senate.

I hereby certify that this concurrent resolution originated in the house.

W. C. RAMSAY,
Chief Clerk of the House.

Introduced February 3, 1915. Adopted February 4, 1915. Messaged to senate February 5, 1915. Adopted by senate February 6, 1915.

Mr. KENYON presented a petition of sundry citizens of Bellevue, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of sundry citizens of Boston, Mass., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

He also presented memorials of the United Association of Post Office Clerks, of Lawrence and Westfield, in the State of Massachusetts, remonstrating against a change in the present system of promotion of postal clerks, which were referred to the Committee on Post Offices and Post Roads.

Mr. SHERMAN. I present memorials of post-office employees of the city of Chicago and other towns in Illinois relative to the increased pay of clerks in post offices and remonstrating against the contract plan for rural carriers. I ask to have read the two letters marked "A" and "B" and that all the memorials be referred to the Committee on Post Offices and Post Roads.

The memorials were referred to the Committee on Post Offices and Post Roads, and there being no objection the letters referred to were read, as follows:

A.

ILLINOIS RURAL LETTER CARRIERS' ASSOCIATION,
Aurora, Ill., February 15, 1915.

Hon. LAWRENCE Y. SHERMAN,
Senator from Illinois.

MY DEAR MR. SHERMAN: From reading our official paper, which is published at Washington, D. C., and note what it has to say on the subject of the post-office bill, which has been under consideration by the Senate committee, and am very sorry to state that this committee has cut out the increase for the rural-letter carriers, which leaves them the same as before the bill was given any consideration.

The House increased the salary for the carriers, and I hope when this matter comes up for consideration the friends of the carriers in the Senate will do all they can for us, as I feel that we are surely deserving of the increase that was voted us last March and of which only a few got the increase, when it was the intent of you all that every carrier should have 9 per cent increase all along the line.

I hope you will do all you can for the carriers both for the increase and to prevent the contract plan of our Postmaster General from going through, which would be a menace to our service.

Thanking you for the many kind favors in the past and hope you will favor us at this time, with many kind wishes, I am,

Yours, very truly,

FRED. S. PUTNAM,
Illinois State President.

B.

CHICAGO POST OFFICE CLERKS' ASSOCIATION,
Chicago, February 15, 1915.

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: The post-office clerks of Chicago protest against the enactment of the proposed Senate committee amendment, on page 14, lines 10 to 20, of the Post Office appropriation bill.

Under existing law it takes approximately six or seven years for a clerk to reach the maximum grade of $1,200 because of the necessary period of substitution, whereas under the proposed amendment it would take twice the number of years to reach the maximum, which at best is but a living wage for a man who is expected to live and rear his family decently and give his children only the advantage of a fair education.

It is our firm belief that the enactment of this amendment would bring about a most discouraging condition and that many of the best men in the service would be tempted to resign and that the right kind of men would hesitate about entering the service and dedicating their lives to the service and the constant study required on a wage of an unskilled laborer.

We call upon you, sir, as Senator of the great State of Illinois, to do all in your power to prevent the enactment of this amendment, which not only affects so many of the employees, but the efficiency of the service itself.

Assuring you of our deep appreciation of anything you may do, I am,

Sincerely, yours, LOUIS PHILIPP, Jr., *President.*

Mr. GRONNA. I present a telegram, in the nature of a memorial, from J. A. McElroy, secretary of the Local Branch Association of Post Office Clerks and Carriers, of Grand Forks, N. Dak., remonstrating against the substitution of biennial instead of annual promotions in the service. I ask that the telegram may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK., *February 17, 1915.*

A. J. GRONNA,
United States Senate, Washington, D. C.:

Local Branch Association of Post Office Clerks and Carriers ask you to kindly oppose amendment to appropriation bill providing biennial instead of annual promotions. This injures the lowest-paid men in the service.

J. A. MCELROY, *Secretary.*

Mr. GRONNA. I present a telegram from J. E. Cary, of McVille, N. Dak., relative to the grain inspection bill. I ask that it may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MCVILLE, N. DAK., *February 17, 1915.*

Senator A. J. GRONNA,
Washington, D. C.:

We approve of the Moss bill for Federal supervision of grain grades, believing the bill will minimize the business risk assumed by the merchandise of grain owing to the uncertainty of grading, as it is now done in different terminal markets. This bill would enable them to handle the grain on smaller margins, which should mean better returns to the producer. With uniform grading in all markets, the producer would know what his grain would grade alike wherever it was shipped, enabling him to sell in the best market, freight figured. We think the Moss bill is more practical and can be operated with less uncertainty than a regular Government inspection bill.

J. E. CARY.

Mr. CATRON. I present two telegrams, in the nature of memorials, from post-office clerks and letter carriers of Albuquerque, N. Mex., which I ask may be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. MEX., *February 17, 1915.*

Senator T. B. CATRON,
Washington, D. C.:

Post-office clerks opposed to amendment on page 14 of Post Office appropriation bill which provides for biennial instead of annual promotions.

J. A. GLESNER,
Secretary Post Office Clerks.

—

ALBUQUERQUE, N. MEX., *February 17, 1915.*

Hon. T. B. CATRON,
United States Senate, Washington, D. C.:

Please use your influence to defeat that portion of Post Office appropriation bill which provides that carriers in first and second class offices receive promotion biennially instead of annually. This means much to us, as we are now the poorest paid of public employees. Thanks for past favors.

ARTHUR HARNITEAUX,
Secretary Branch 504, National Association Letter Carriers.

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of New York, remonstrating against the exclusion of certain publications from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of New York, remonstrating against the passage of the so-called ship-purchase bill, which were ordered to lie on the table.

Mr. DU PONT presented petitions of sundry citizens of Wilmington, Houston, Farmington, Milford, Lincoln City, Greenwood, Camden, and Felton, all in the State of Delaware, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions from sundry citizens of Minnesota, praying for the enactment of legislation to exclude certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRANDEGEE presented a petition of the Anna Warner Bailey Chapter, Daughters of the American Revolution, of Groton, Conn., praying that an appropriation of $3,000 be made for the purpose of copying the pension records of the Revolutionary soldiers from Connecticut, on file in the Pension Office Building at Washington, D. C., and placing such copy in the Connecticut State Library, which was referred to the Committee on Appropriations.

Mr. WORKS presented petitions of sundry citizens of Gustine and Oakdale, in the State of California, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of San Dimas and Pomona, in the State of California, remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented petitions of the Deutscher Radfahrer Club Eichenlaub, of New Britain; of Lodge No. 462, D. O. H., of Torrington; of Beethoven Lodge, No. 22, O. D. H. S., of Torrington; of the St. Paul's Evangelical Lutheran Church, of Torrington; of the German-American Alliance of Torrington; and of sundry citizens of Torrington, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. MARTIN of Virginia. I am directed by the Committee on Appropriations, to which was referred the bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, to report it with amendments, and I submit a report (No. 1000) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (S. 5619) to transfer Capt. Frank E. Evans from the retired to the active list of the Marine Corps, reported it without amendment and submitted a report (No. 1001) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 6623) in relation to the location, entry, and patenting of lands within the former Uncompahgre Indian Reservation, in the State of Utah, containing gilsonite or other like substances, and for other purposes, reported it with an amendment and submitted a report (No. 1002) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 18686) to provide for provisional certificates of registry of vessels abroad, and for other purposes, reported it without amendment and submitted a report (No. 1005) thereon.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (H. R. 20107) to amend sections 4421, 4422, 4423, 4424, and 4498 of the Revised Statutes of the United States and section 12 of the act of May 28, 1908, relating to certificates of inspection of steam vessels, reported it without amendment and submitted a report (No. 1006) thereon.

Mr. JAMES, from the Committee on Claims, to which was referred the bill (H. R. 14197) for the relief of the legal representatives of Mrs. H. G. Lamar, reported it without amendment and submitted a report (No. 1008) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 21200) quieting title to a certain tract of land located in the city of Guthrie, Okla., reported it without amendment and submitted a report (No. 1003) thereon.

JOSEPH ELIOT AUSTIN.

Mr. TILLMAN. From the Committee on Naval Affairs I report back favorably with an amendment the bill (H. R. 2642) to authorize the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy, and I submit a report (No. 1010) thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LODGE. Mr. President, I should like to hear the bill read. Meanwhile I reserve the right to object.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to reinstate former Midshipman Joseph Eliot Austin in the United States Navy with the rank of ensign, and, after one year's service as ensign, he shall be promoted to the grade of lieutenant, junior grade, to take rank with and next after Aquilla Gibbs Dibrill, lieutenant, junior grade: *Provided*, That the said Joseph Eliot Austin, after one year's service as ensign, shall establish to the satisfaction of the Secretary of the Navy, by examination pursuant to law, his physical, mental, moral, and professional fitness to perform the duties of lieutenant, junior grade, in the Navy.

Mr. LODGE. This is not one of the "plucking board" cases, is it?

Mr. TILLMAN. No. This is the case of a man who was turned out of the Navy because he got married; that is all.

Mr. LODGE. Then I think the bill ought to be passed.

Mr. GALLINGER. I am in favor of the passage of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment on page 1, line 4, after the word "Senate," to strike out the remainder of the bill and insert:

To appoint Joseph Eliot Austin an ensign in the United States Navy to take rank at the foot of the list: *Provided*, That he shall establish to the satisfaction of the Secretary of the Navy, by examination pursuant to law, his physical, mental, moral, and professional fitness to perform the duties of ensign.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

STEAMBOAT-INSPECTION SERVICE.

Mr. CRAWFORD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 20281) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, and I submit a report (No. 1007) thereon.

Mr. President, inasmuch as there is on the calendar Senate bill 6782, being Order of Business No. 735, which is identical with the House bill, I ask that the House bill just reported by me be substituted on the calendar for the Senate bill.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. CRAWFORD. I move that Senate bill 6782, with like title, be postponed indefinitely.

The motion was agreed to.

Mr. FLETCHER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 20282) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, and I submit a report (No. 1009) thereon. I ask that the House bill be substituted for the Senate bill on the calendar.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. FLETCHER. I move that Senate bill 6781, with like title, be indefinitely postponed.

The motion was agreed to.

MISSISSIPPI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 17907) granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River, and I submit a report (No. 1004) thereon. I call the attention of the Senator from Iowa [Mr. KENYON] to the report.

Mr. KENYON. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEA of Tennessee:

A bill (S. 7671) granting an increase of pension to William J. Mester; to the Committee on Pensions.

A bill (S. 7672) for the relief of heirs or estate of Jacob Joyner, deceased (with accompanying papers); to the Committee on Claims.

By Mr. SHAFROTH:

A bill (S. 7673) granting an increase of pension to Enoch M. Martin;

A bill (S. 7674) granting an increase of pension to George Osten;

A bill (S. 7675) granting a pension to Almira Graham;

A bill (S. 7676) granting an increase of pension to John Kremmer; and

A bill (S. 7677) granting a pension to Lucy J. Lindsey; to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 7678) granting a pension to Chester B. Goodenough (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 7679) granting an increase of pension to Andrew Houlihan;

A bill (S. 7680) granting an increase of pension to Samuel S. Householder; and

A bill (S. 7681) granting an increase of pension to James B. H. McDaniel (with accompanying papers); to the Committee on Pensions.

PROPOSED BUDGET SYSTEM.

Mr. KENYON. I introduce a joint resolution and ask that it be read and referred to the Committee on Expenditures in the War Department.

The joint resolution (S. J. Res. 241) creating a commission to prepare a budget system for the Government of the United States, with reference to its appropriations, estimates, and revenues, was read the first time by its title and the second time at length, as follows:

Joint resolution creating a commission to prepare a budget system for the Government of the United States with reference to its appropriations, estimates, and revenues.

Whereas in the report of the Secretary of the Treasury for the fiscal year ended June 30, 1911, is found the following recommendation:

"The impulse toward the development of so much of a responsible budget system as our form of government will permit was very much in evidence a couple of years ago. It, however, has not been sustained and has almost disappeared. I have referred to the matter in my previous annual reports, and feel as strongly as ever that something should be done to organize the divided consideration now given the expenditures of the Government and the interrelation of its income and outgo. The responsibilities relative to estimates, appropriations, and revenues are extremely scattered and disintegrated. The vast sums that pass through the Treasury coming and going are without any centralized study or recommendation such as other countries find it necessary to give to their Government finances." And

Whereas no action has been taken by Congress with reference to such recommendation; and

Whereas the expenditures of the Government are gradually increasing, so that they now reach an enormous sum per annum; and

Whereas various and numerous committees in Congress pass on appropriation bills, and there is no correlation between the various committees nor any system of review of appropriations asked for by the various departments of the Government; and

Whereas there should be substantial cooperation between the executive and legislative departments of the Government with reference to the interrelation of revenues and expenditures; and

Whereas other nations have adopted and put into operation budget systems resulting in great saving to the Government; and

Whereas some new system should be adopted in this Nation covering the question of estimates, appropriations, and revenues of the Government; and

Whereas to map out such a new system will require great study and labor: Therefore be it

Resolved, etc., That a joint commission to undertake the preparation of some budget system for the Government of the United States with reference to its appropriations, estimates, and revenues is hereby established; its membership to consist of the Secretary of the Treasury, three Members of the Senate appointed by the Vice President, three Members of the House appointed by the Speaker of the House, and two economists to be appointed by the President of the United States.

No compensation is to be paid to any member of this commission except to the two appointees of the President, they to receive such compensation as the balance of the commission may determine.

It shall be the duty of said commission to prepare a plan for a budget system for the Government of the United States, and with its recommendations relating thereto to present said plan to Congress on or before the 1st of July, 1916, the said commission to terminate at that time.

To carry out the provisions of the resolution there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $20,000.

Mr. MARTIN of Virginia. Mr. President, I desire to know what disposition of that joint resolution is proposed.

The VICE PRESIDENT. The Senator from Iowa requests that it be referred to the Committee on Expenditures in the War Department.

Mr. MARTIN of Virginia. I can not conceive why that committee should have jurisdiction of a matter of this sort.

Mr. KENYON. I thought that committee would have as much jurisdiction as any other and would not be so busy that it could not take up the matter.

Mr. MARTIN of Virginia. It seems to me that the joint resolution ought to go to the Committee on Appropriations.

Mr. KENYON. I am not certain whether it should go to that committee or to the Committee on Finance or to any of the other committees having jurisdiction of appropriations. I should like to have it go to some committee where there would be some action taken.

Mr. MARTIN of Virginia. Certainly the Committee on Expenditures in the War Department has no peculiar relation to the matter.

Mr. KENYON. It has no peculiar relation to the subject, but that committee is not so busy as some other committees.

Mr. MARTIN of Virginia. I presume that the Senator understands that legislation on this subject is impossible at the present session of Congress.

Mr. KENYON. Yes; I understand that, of course.

Mr. MARTIN of Virginia. So that it is not a very vital matter; but, for the regularity of the proceedings, I simply want to suggest that the joint resolution ought not to go to the Committee on Expenditures in the War Department.

Mr. KENYON. Where does the Senator think it should properly go?

Mr. MARTIN of Virginia. I think it should properly go to the Committee on Appropriations. It deals with appropriations, and it seems to me that committee naturally would have jurisdiction of the subject.

Mr. KENYON. Very well; I will accept the suggestion. I hope the joint resolution may receive some consideration at the hands of the committee.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Appropriations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BANKHEAD submitted an amendment authorizing the President to appoint George W. Littlehales professor in the grade of mathematics of the Navy, etc., intended to be proposed by him to the Naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. LODGE submitted an amendment providing that classified civil service per diem employees of the clerical, drafting, inspection, chemical, messenger, and watch forces at navy yards, naval stations, and other outside offices of the Navy Department be granted 30 days' annual leave with pay, etc., intended to be proposed by him to the Naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

THE MERCHANT MARINE.

Mr. GALLINGER. I submit an amendment in the nature of a substitute for section 10 of the bill S. 5259, the ship-purchase bill, which I ask may lie on the table and be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SMITH of Michigan submitted an amendment to the amendments of the House to the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe, which was ordered to lie on the table and be printed.

STOCK-RAISING HOMESTEADS.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. The Senator from Arizona.

Mr. ASHURST. I ask unanimous consent that the Senate proceed to the consideration——

Mr. LODGE. Mr. President, I ask for the regular order, so that we may finish the morning business.

Mr. ASHURST. I hope the Senator from Massachusetts will wait until I state my request for unanimous consent.

Mr. LODGE. I beg pardon. I thought the Senator was going to move to take up a bill.

Mr. ASHURST. I was going to ask unanimous consent. I was about to say when my friend the Senator from Massachusetts took charge of the affairs of the Senate that I wished to ask unanimous consent for the present consideration of Calendar No. 829, being House bill 15799, to provide for stock-raising homesteads, and for other purposes, which bill, I believe, passed the House of Representatives unanimously. It was unanimously reported favorably by the Senate Committee on Public Lands; and I ask at this time to submit and have placed in the RECORD a copy of the House report on the bill. I ask unanimous consent that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I object, Mr. President.

The VICE PRESIDENT. Is there any objection to the House report being printed in the RECORD?

Mr. SMOOT. No; I have no objection to that.

The VICE PRESIDENT. That is ordered, then.

The House report is as follows:

[House Report No. 626, Sixty-third Congress, second session.]

TO PROVIDE FOR STOCK-RAISING HOMESTEADS.

Mr. FERGUSSON, from the Committee on the Public Lands, submitted the following report to accompany H. R. 15799:

The Committee on the Public Lands, to whom was referred the bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes, having had the same under consideration, beg leave to submit the following report:

The committee unanimously recommend that said bill do pass.

H. R. 9582 and H. R. 10539, on the same general subject, had previously been referred to your committee. H. R. 9582 reads as follows:

"A bill to provide for the disposition of grazing lands under the homestead laws, and for other purposes.

"*Be it enacted, etc.*, That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a grazing-homestead entry for not exceeding 640 acres of unappropriated public lands, in reasonably compact form: *Provided, however*, That the lands so entered shall either be such lands as theretofore have been designated by the Secretary of the Interior as "grazing-homestead lands" or such lands as shall theretofore have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known source of water supply, as provided in section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909.

"SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate lands the surface of which is, in his opinion, chiefly valuable for grazing, which do not contain merchantable timber, and which are not susceptible of irrigation at reasonable expense from any known source of water supply as grazing land subject to entry under this act.

"SEC. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: *Provided*, That in lieu of cultivation, as required by the homestead laws, the entryman shall be required to make permanent improvements upon the lands entered, tending to increase the value of the same for agricultural and stock-raising purposes, of the value of not less than $1.25 per acre. And the inclosing by a substantial fence of the land so entered and the discovery of water in a well or wells within the boundaries of such entry shall be held to be permanent improvements under the terms of this act.

"SEC. 4. That any homestead entryman of lands of the character herein described, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, other lands contiguous to, or within 10 miles of his said homestead entry, which shall not, with the lands so already entered, owned, and occupied by him, exceed the aggregate of 640 acres; and residence continued and improvements made upon the original homestead subsequent to the making of the additional entry, shall be accepted as equivalent to actual residence and improvements made upon the additional land so entered; but the improvements must equal $1.25 for each acre within the original and additional entries: *Provided*, That persons who have acquired title to lands of the character herein described under the homestead laws and who own and reside upon the lands so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to public lands, designated for entry under the provisions of this act, contiguous to or within 10 miles of their said original entry, which, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres, on proof of expenditures on account of permanent improvements upon the original or additional entry of the required amount reckoned on the area of both entries.

"SEC. 5. That any person who has made entry under the homestead laws, but from any cause has lost, forfeited, or abandoned the same, shall be entitled to the benefits of this act as though such former entry had not been made, and any person applying for a homestead under this act shall furnish the description and date of his former entry: *Provided*, That the provisions of this section shall not apply to any person whose former entry was canceled for fraud.

"SEC. 6. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the minerals and coal in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The mineral and coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the mineral and coal land laws in force at the time of such disposal. Any person qualified to locate and enter mineral or coal deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for minerals or coal therein, upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the mineral or coal deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the mineral or coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking to be approved by the court in an action instituted in any competent court to ascertain and fix said damages.

"SEC. 7. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect."

H. R. 9582 was by this committee referred to the Department of the Interior for examination and report. The report of said department is in the following words:

"DEPARTMENT OF THE INTERIOR,
"Washington, January 30, 1914.

"Hon. SCOTT FERRIS,
"Chairman Committee on the Public Lands,
"House of Representatives.

"SIR: Referring to H. R. 6637 and H. R. 9582, bills designed to modify the homestead laws as to public-land areas to which present laws are deemed not well adapted, I have to advise as follows:

"The existing homestead laws of the United States show an evolution or adaptation to conditions which developed, or were found to exist, as public-land settlement and entry progressed. The general homestead laws carried into sections 2280–2291 of the Revised Statutes, and under which the public lands in the Mississippi Valley and in other portions of the United States where soil, rainfall, and climate justified it were entered, limited the maximum area which might be entered and acquired to 160 acres. In irrigation projects constructed by the United States under the provisions of the act of June 17, 1902 (32 Stat., 388), the area which might be entered was fixed by the Secretary of the Interior through the establishment of farm units, each supposed to be sufficient for the support of a family, and in no case exceeding 160 acres. In other sections of the country, particularly high plateaus of the intermountain States, there are areas which will not produce remunerative crops under the ordinary methods of farming, but which will, through the soil-fallowing and moisture-conservation methods of dry farming, produce profitable crops of wheat and other grains. For this class of lands Congress enacted what are known as the enlarged-homestead laws of February 19, 1909 (35 Stat., 639), and June 17, 1910 (36 Stat., 531), under which not exceeding 320 acres may be entered, upon condition of the cultivation to agricultural crops of a prescribed acreage annually.

"In the sand-hill country of western Nebraska, an area to which none of the laws heretofore described were found adapted, Congress by the act of April 28, 1904 (33 Stat., 547), permitted the entry of not exceeding 640 acres of land, upon condition that entrymen comply with the homestead laws as to residence, improvement, and cultivation, and also place upon the land entered permanent improvements of the value of not less than $1.25 per acre. The settlement, home-making, and agricultural development which followed the enactment of these laws is well known and need not be here described. There remain, however, as indicated, vast areas of the public lands to which none of the foregoing laws seem well adapted, and I am of opinion that the time has arrived when a new form of homestead law should be enacted peculiarly adapted thereto. The lands I have in mind, because of their arid or semiarid character, or because of their location on mountain tops or sides, will not produce agricultural crops for sale or exportation in sufficient quantities to justify acquirement thereof and residence thereon under the existing laws. They do, however, possess some value for grazing purposes and often include tracts of greater or less extent upon which might be grown forage crops, such as kaffir corn, milo maize, fodder, or other rough feed, of little value for sale and transportation, but valuable for winter feed or for the fattening of range stock. I believe that with this class of lands a homestead of 640 acres of land would enable bona fide home seekers to establish and maintain homes for the purpose of stock raising and for such farming operations as will enable them to raise their own supply of rough feed for the stock pastured upon the remaining lands entered or acquired.

"Therefore, instead of enacting H. R. 6637 and H. R. 9582, I recommend the enactment of a general measure applicable to lands of this character wherever found in the public domain, and I inclose for your consideration and for introduction, if you deem advisable, draft of bill designed to accomplish this result.

"For the protection of the entrymen, as well as to prevent the entry of lands susceptible of irrigation, containing valuable merchantable timber, or principally valuable for purposes other than those expressed in this act, it is provided that lands shall, before being subject to entry, be designated by the Secretary of the Interior. All minerals within the land are reserved to the United States, together with the right of qualified persons to prospect upon, locate, and enter such deposits under such restrictions as will prevent the destruction or injury of permanent improvements of the entrymen or patentees or of crops upon their lands. This provision, like the requirement that the lands shall first be designated for entry, will operate to protect entrymen from protests and contests, either by individuals or the United States, because of character of the land and which would otherwise result in cancellation of entries made. Another reason for the reservation of the minerals is that this law will induce the entry of lands in those mountainous regions of the United States where deposits of minerals are known to exist or are likely to be found. To issue unconditional patents for these comparatively large entries under the homestead laws might withdraw immense areas from prospecting and mineral development and without such reservation the disposition of these lands in the mineral country under agricultural laws would be of doubtful advisability.

"The farmer stockman is not seeking and does not desire the minerals, his experience and efforts being in the line of stock raising and farming, which operations can be carried on without being materially interfered with by the reservation of minerals and the prospecting for a removal of same from the land.

"Because of the fact that the lands designated will be principally valuable for grazing and that the farming operations will be limited to the growing of forage, no specific requirement is made as to cultivation of the land, but instead the entryman is required to place permanent improvements upon the land entered, tending to increase its value for stock-raising purposes, of not less than $1.25 per acre, one-half thereof to be placed on the land within three years after entry. Those who have already entered lands of this character under existing laws in amounts of less than 640 acres, or who have acquired such limited areas by purchase from others, should, in my opinion, be placed on an equal footing with those who make entry after the passage of this law, and provision has therefore been made for the making of additional entries for contiguous lands by such entrymen or landowners, upon condition that the entryman or landowner is the head of a family or has arrived at the age of 21 years and is a citizen of the United States and resides upon and occupies the land entered or owned by him. In some cases it may not be possible for such entrymen and landowners to exercise the right of additional entry because of the fact that no vacant lands adjoin. In such cases the bill provides for the surrender of the lands so held and owned to the United States, after which the party so relinquishing or reconveying may make original entry under this act of not exceeding 640 acres of land, upon which he must comply with all the requirements of this act and of the homestead laws.

"This provision will cause an adjustment of holdings in such areas, and the lands so surrendered to the United States may in turn be entered by the entrymen or owners of the adjoining tracts. In this connection, provision is made for the exercise of a preference right of entry within 90 days after the passage of the act by the entryman or owner of adjoining land, and provision made that where vacant lands contiguous to the tracts owned and held by two or more persons entitled to additional entry are not sufficient in amount to enable each to secure the maximum amount to which entitled for an equitable division of the lands applied for among the several entrymen or owners. The purpose of the law being to secure the establishment of permanent homes upon the land entered, the bill provides that the commutation provisions of the homestead laws shall not apply to such entries. A bill introduced in the House of Representatives (H. R. 6637) proposes to provide for a grazing homestead of not less than 640 acres and not exceeding 1,280 acres in area. The bill herewith transmitted is not designed to apply to or provide for the entry of lands suitable only for grazing. The maximum area permitted to be entered thereunder, and even the maximum area prescribed in H. R. 6637, would be wholly insufficient for the support of a homesteader and his family upon lands of that character. As already explained, the measure I have prepared is believed to be adapted to lands which possess a grazing value, which also, in part at least, may be utilized by the homesteader for the raising of forage crops. It would be an exceedingly difficult and expensive task to attempt at this time to classify and designate areas or blocks of land suitable only for grazing and set them apart for disposition in areas sufficient for the support of a family. Existing appropriations and the present force of the department are wholly inadequate for this purpose. It is believed that for the present this classification should be accomplished through the method already described, whereby the lands will be open to disposition under the existing laws and under the bill herein proposed, after which, with the information then before it, Congress may enact such other and additional laws as may be determined to be best adapted to the development and disposition of the remaining areas suitable only for grazing.

"As intimated at the beginning of this letter, I believe that this particular bill will meet a situation not covered by any of the existing land laws and will result in the early development of a very large area of our public lands, which will otherwise remain in an uninhabited and unproductive condition.

"Respectfully,

A. A. JONES,
"First Assistant Secretary."

"A bill to provide for stock-raising homesteads.

"Be it enacted, etc., That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated public land in reasonably compact form: *Provided, however,* That the land so entered shall theretofore have been designated by the Secretary of the Interior as 'stock-raising lands.'

"SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate as subject to entry under this act lands, the surface of which is, in his opinion, chiefly valuable for grazing or raising forage crops, and which, in his opinion, do not contain merchantable timber and are not susceptible of irrigation from any known source of water supply.

"SEC. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, and in compact form, so far as may be subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: *Provided,* That instead of cultivation as required by the homestead laws, the entryman shall be required to make permanent improvements upon the land entered tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of entry thereof.

"SEC. 4. That any homestead entryman of lands of the character herein described who has not submitted final proof upon his existing entry shall have the right to enter, subject to the provisions of this act, such an amount of contiguous public lands designated under this act as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon and improvements made on the original entry shall be credited on both entries, but the improvements must equal $1.25 per each acre within the original and additional entries.

"SEC. 5. That persons who have submitted final proof or acquired title to lands of the character herein described under the homestead laws, and who own and reside upon the land so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous public lands designated for entry under the provisions of this act, which, together with the area theretofore acquired under the homestead law, shall not exceed 640 acres, on proof of expenditure on account of permanent improvements upon the original or additional entry of the required amount reckoned on the area of both entries.

"SEC. 6. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has acquired title to lands of the character herein described, by purchase or under agricultural public-land laws other than the homestead law, and who owns and resides upon the lands so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous public lands designated for entry under the provisions of this act, which, together with the area theretofore acquired and held, shall not exceed 640 acres, and obtain patent therefor upon proof of the expenditure on account of permanent improvements upon the land so owned, or the additional entry, of the required amount reckoned on the area of all lands so acquired and held, and upon proof that he has maintained residence upon either the privately owned land or the land embraced within the additional entry for not less than three years from and after the date of the additional entry.

"SEC. 7. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has entered or acquired, under the homestead laws or otherwise,

prior to the passage of this act, less than 640 acres of land, and who is unable to exercise the right of additional entry herein conferred because no vacant lands adjoin the tract so entered or acquired, may, upon submitting proof that he resides upon and has not sold or incumbered the land entered or acquired, reconvey to the United States the land so occupied and entered or acquired, and in lieu thereof enter and acquire title to not exceeding 640 acres of land designated under this act, but must show compliance with all the provisions of the homestead law and of this act respecting the new entry.

"SEC. 8. That the commutation provisions of the homestead laws shall not apply to any entries made under this act.

"SEC. 9. That any person who has made entry under the homestead laws, but from any cause has lost, forfeited, or abandoned the same, shall be entitled to the benefits of this act as though such former entry had not been made, and any person applying for a homestead under this act shall furnish a description of his former entry: *Provided*, That the provisions of this section shall not apply to any person whose former entry was canceled for fraud.

"SEC. 10. That any homestead entrymen or landowners who shall be entitled to additional entry under this act shall have for 90 days after the designation under this act of lands contiguous to those entered or owned and occupied by him the preferential right to make additional entry as provided in this act: *Provided*, That where vacant lands contiguous to the lands of two or more entrymen or landowners entitled to additional entries under this section are not sufficient in amount and area to enable such entrymen to secure by additional entry the maximum amounts to which they are entitled, the Secretary of the Interior is authorized to make an equitable division of the lands applied for hereunder among the several entrymen or landowners, applying to exercise preferential rights, such division to be in tracts of not less than 40 acres, and so made as to equalize as nearly as possible the area which such entrymen and landowners will acquire by adding the tracts embraced in additional entries to the lands originally held or owned by them: *Provided further*, That where but one 40-acre tract of vacant land may adjoin the lands of two or more entrymen or landowners entitled to exercise preferential right hereunder, the tract in question may be entered by the person who first submits to the local land office his application to exercise said preferential right.

"SEC. 11. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, (1) upon securing the written consent or waiver of the homestead entryman or patentee; (2) upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or (3) in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction against the principal and sureties thereon, such bond to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

"SEC. 12. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect."

The committee thereupon substituted the draft of the bill prepared and recommended by the department and made a part of its said report, by striking out all after the enacting clause of H. R. 9582 and inserting the said draft recommended by the department in lieu thereof.

Thereupon hearings were held jointly upon said bills, to wit, H. R. 9582, amended as aforesaid, and H. R. 10539, and the advocates of each bill fully heard. Reference is here made to said hearings, which have been duly printed.

After such hearings and after exhaustive consideration by the committee of said bill H. R. 9582, amended as aforesaid, and the adoption of many amendments, the committee directed the reintroduction of H. R. 9582 as so amended, and the same was reintroduced accordingly and has been printed as H. R. 15799, which reads as follows:

"A bill to provide for stock-raising homesteads, and for other purposes.

"*Be it enacted, etc.*, That from and after the passage of this act it shall be lawful for any person qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding 640 acres of unappropriated unreserved public land in reasonably compact form: *Provided, however*, That the land so entered shall theretofore have been designated by the Secretary of the Interior as 'stock-raising lands.'

"SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate as stock-raising lands subject to entry under this act lands the surface of which is, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, and not susceptible of irrigation from any known source of water supply, and are of such character that 640 acres are reasonably required for the support of a family: *Provided*, That the Secretary of the Interior shall not designate for entry under this act lands of such character that, in his opinion, 640 acres will not support a family.

"SEC. 3. That any qualified homestead entryman may make entry under the homestead laws of lands so designated by the Secretary of the Interior, according to legal subdivisions, in areas not exceeding 640 acres, and in compact form so far as may be subject to the provisions of this act, and secure title thereto by compliance with the terms of the homestead laws: *Provided*, That instead of cultivation as required by the homestead laws the entryman shall be required to make permanent improvements upon the land entered before final proof is submitted tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of entry thereof.

"SEC. 4. That any homestead entryman of lands of the character herein described, who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, such amount of contiguous lands designated for entry under the provisions of this act as shall not, together with the amount embraced in his original entry, exceed 640 acres, and residence upon the original entry shall be credited on both entries, but improvements must be made on the additional entry equal to $1.25 for each acre thereof.

"SEC. 5. That persons who have submitted final proof upon, or received patent for, lands of the character herein described under the homestead laws, and who own and reside upon the land so acquired, may, subject to the provisions of this act, make additional entry for and obtain patent to contiguous lands designated for entry under the provisions of this act, which, together with the area theretofore acquired under the homestead law, shall not exceed 640 acres, on proof of the expenditure required by this act on account of permanent improvements upon the additional entry.

"SEC. 6. That in the event there are not contiguous lands in area sufficient to complete an entry of 640 acres, as provided for in this act, the entryman or patentee shall have the right to enter within a radius of 10 miles from his first entry, subject to the same requirements as specified for contiguous additional entries, lands in reasonably compact form which have been designated for entry under the provisions of this act, that shall, together with the first entry, not exceed 640 acres: *Provided*, That the entryman shall be required to enter all contiguous areas open to entry prior to the entry of any noncontiguous land.

"SEC. 7. That any person who is the head of a family, or who has arrived at the age of 21 years and is a citizen of the United States, who has entered or acquired under the homestead laws, prior to the passage hereof, lands of the character described in this act, the area of which is less than 640 acres, and who is unable to exercise the right of additional entry herein conferred because no lands subject to entry under this act adjoin the tract so entered or acquired or lie within the 10-mile limit provided for in this act, may, upon submitting proof that he resides upon and has not sold or encumbered the land so entered or acquired, relinquish or reconvey to the United States the land so occupied, entered, or acquired, and in lieu thereof, within the same land-office district, may enter and acquire title to 640 acres of the land subject to entry under this act, but must show compliance with all the provisions of the homestead law and of this act respecting the new entry: *Provided*, That the lands so relinquished or reconveyed as herein provided shall thereafter be subject to disposition only on such terms and under such rules and regulations as the Secretary of the Interior may prescribe.

"SEC. 8. That the commutation provisions of the homestead laws shall not apply to any entries made under this act.

"SEC. 9. That any homestead entrymen or patentees who shall be entitled to additional entry under this act shall have, for 30 days after the designation of lands subject to entry under the provisions of this act and contiguous to those entered or owned and occupied by them, the preferential right to make additional entry as provided in this act: *Provided*, That where such lands contiguous to the lands of two or more entrymen or patentees entitled to additional entries under this section are not sufficient in area to enable such entrymen to secure by additional entry the maximum amounts to which they are entitled, the Secretary of the Interior is authorized to make an equitable division of the lands among the several entrymen or patentees, applying to exercise preferential rights, such division to be in tracts of not less than 40 acres, and so made as to equalize as nearly as possible the area which such entrymen and patentees will acquire by adding the tracts embraced in additional entries to the lands originally held or owned by them: *Provided further*, That where but one 40-acre tract of vacant land may adjoin the lands of two or more entrymen or patentees entitled to exercise preferential right hereunder, the tract in question may be entered by the person who first submits to the local land office his application to exercise said preferential right.

"SEC. 10. That any person who has heretofore acquired title to land under any of the homestead laws of the United States and who is the owner and occupant of the land so acquired may purchase from the United States not exceeding 320 acres of stock-raising lands, as designated by this act, or unappropriated and unreserved lands valuable only for grazing contiguous to his said homestead, upon paying to the United States the sum of $1.25 per acre for such lands, under such rules and regulations as may be prescribed by the Secretary of the Interior, which said land, together with the area theretofore acquired under the homestead laws, shall not exceed 640 acres.

"SEC. 11. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands entered and so patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral lands laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the

payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

"SEC. 12. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this act for the purpose of carrying the same into effect."

H. R. 15799 has been rereferred by the committee to the Department of the Interior, and there is here inserted the second favorable report, with suggested amendments, of said department upon the general principles embodied in said bill, H. R. 15799:

"DEPARTMENT OF THE INTERIOR,
"OFFICE OF FIRST ASSISTANT SECRETARY,
"Washington, April 24, 1914.

"Hon. SCOTT FERRIS,
"Chairman Committee on the Public Lands,
"House of Representatives.

"MY DEAR MR. FERRIS: I am in receipt of request for report on H. R. 15799, a bill to provide for stock-raising homesteads, and for other purposes.

"As stated in my letter to you of January 30, 1914, I am heartily in favor of legislation which will permit and encourage the settlement and development of public lands to which the present homestead laws are not adapted, but which, under a somewhat more liberal measure, would be settled upon, improved, and developed for the purpose of stock raising. I understand that your committee has fully considered all questions of policy as presented in the above-mentioned bill, and that the same is now referred to this department for report with reference only to the administrative features of the bill. With this assumption I beg to submit for your consideration the following:

"1. As a part of section 2 it is provided 'that the Secretary of the Interior shall not designate for entry under this act lands of such character that in his opinion 640 acres will not support a family.' The two negatives used in this proviso would be construed to imply that the Secretary of the Interior shall only designate land of such character that in his opinion 640 acres will support a family. This language practically imposes upon the Government the responsibility of assuring an intending settler that he can support his family upon a designated 640 acres of land. I suggest, therefore, for your consideration in connection with this proviso the following:

"(a) If the proviso were entirely eliminated, the administration of the act would be comparatively simple and inexpensive, and upon the settler alone would be placed the responsibility of ascertaining whether or not 640 acres of land classified under the act would be sufficient for his purposes.

"(b) The classification contemplated by this proviso would involve undue labor and expense.

"If, however, your committee believes some limitation to be essential, I respectfully suggest for your consideration a substitute proviso, as follows:

"'*Provided*, That the Secretary of the Interior shall not designate for entry under this act land of which, owing to its general character or general conditions, in his opinion, 640 acres clearly will not support a family.'

"2. Line 24, page 4, section 7, requires the entryman described in section 7 to show compliance "with all the provisions of the homestead law and of this act respecting the new entry." Section 3 of the bill requires all entrymen who secure lands under this act to show compliance with the terms of the homestead law, but this is modified by a proviso which permits the making of improvements of a certain character and value in lieu of cultivation. The clause described in line 24 of section 7 would, in my opinion, require an entryman under this act who falls within the purview of section 7 to not only comply with the provisions of this act, but also to cultivate his land to the extent and in the manner prescribed by the general homestead laws. Evidently this is not the intent, and I therefore suggest that the words "of the homestead law and" be stricken from line 24, so that same as amended will read "with all the provisions of this act." As so amended this will make operative and applicable the general homestead laws as modified by the terms of the proviso to section 3.

"Very truly, yours,
A. A. JONES,
"First Assistant Secretary."

The object of H. R. 9582, as well as of the substitute prepared by the Department of the Interior for H. R. 9582, and of H. R. 15799 is to restore and improve the grazing capacity, and therefore the stock-raising and meat-producing capacity, of the semiarid lands of the West, and at the same time to furnish homes thereon to the people.

It appears in the hearings, in the statements of officials of both the Department of the Interior and the Department of Agriculture, that there remain of unappropriated public lands in the semiarid States, exclusive of Indian, forest, military, park, and other reservations, the enormous total, in round numbers, of 330,000,000 acres. It also appears that the area of public lands in said States now included in forest reservations alone amounts, in round numbers, to 165,000,000 acres.

The problem confronting the statesmanship of this day is just as great as that met by the statesmen of that early day when originated the homestead system, ever since adhered to, of making the prime object, in disposing of the public domain, the furnishing of homes for the people.

Two plans for legislating as to the future use or disposal of this semiarid domain were before your committee, the one embodied in H. R. 9582 and the other in H. R. 10539. These bills were heard together and the advocates of each plan fully heard.

The testimony of the advocates of said bills generally agreed upon this proposition, to wit, that free grazing upon the public lands in the semiarid States has depleted the range and reduced the carrying capacity of such lands from one-third to one-half; and both sets of advocates agreed also that further legislation is necessary and needed now to stop further destructive use of such lands and secure for the future their highest use to our civilization.

Looking to this end, H. R. 10539 proposes a system of leasing the remaining public domain of the semiarid States, amounting to about 330,000,000 acres, while H. R. 9582, now H. R. 15799, proposes to accomplish the same end by a system of stock-raising homesteads, giving to each settler a home on such lands with sufficient acreage to support his family by combining forage farming with stock raising.

The hearings establish the fact that on the lands under consideration homesteads of 160 or of 320 acres each are not sufficient to support a family, and that at least 640 acres are necessary to each stock-raising homesteader.

The committee does not hesitate, as far as may be practicable, to adhere to the time-honored plan of using the public domain to furnish homes to the citizens of our country. The fact that the State of Iowa, where 160 acres proved sufficient to support, even to enrich, an industrious citizen, is in the front rank as a producer of agricultural products, and, at the same time, is near the front in the production of beef and mutton and dairy products, shows that farming and stock raising may be successfully combined on the same homestead, and the printed hearings on H. R. 9582 are replete with statements by many citizens of large experience on these semiarid lands that by combining the farming of dry-land forage crops and the raising of cattle or sheep 640 acres will support a family. Mr. I. S. Bartlett, of Cheyenne, Wyo., in his statement beginning at page 316 of the hearings, uses these words:

"A grazing-homestead bill giving 640 acres, or even 2 sections, to each settler would soon add 200 per cent to the live-stock production of the public-land States and solve the beef problem for the next half century. Not only that, it would break down the high prices of beef, pork, and mutton, as well as dairy products.

"Better than all, it would settle up the vast area of waste lands in the Nation with a hardy, intelligent, and progressive American citizenship.

"Think for a moment what our desert or grass ranges will produce, situated, as they are, in an environment of mountains and plains and flooded with sunshine.

"Here are some purely range products: Cattle, sheep, horses, hogs, goats, hides, wool, butter, cheese, milk and dairy products, poultry, and eggs. All these can be produced in our native grass regions without any plowing or land cultivation.

"The irrigated and dry farms in the same section will supplement all the needed fattening and forage crops, and both the farming and stock-raising interests will be mutually and correspondingly benefited.

"The range homestead proposition can be easily worked out. Instead of the requirements of plowing up the land and crop cultivation, the law should require expenditure for sinking wells, the building of sheds and corrals, the possession of a certain number of animals, etc. The residence requirements should be the same as in other homestead acts.

"In nearly every section of the grass ranges water can be found at depths varying from 20 to 500 feet. In many cases artesian water and flowing wells are obtained, giving a sufficient supply of water for irrigating many acres and raising fine crops. With the passage of a grazing homestead bill the so-called desert lands would be penetrated with wells and the whole landscape dotted with windmills and improvements in the form of houses, barns, corrals, and fences.

"In a very few years a wonderful transformation scene would be enacted in the vast cattle ranges of the West, now practically uninhabited by settlers. That this is no dream has already been demonstrated by the results of the Kinkead 640-acre homestead act, which applied to the desert wastes of western Nebraska. That entire section is now settled up with a high class of prosperous and successful farmers. Five million acres of arid lands have been reclaimed there, and the wave of incoming settlers has overflowed into Wyoming in the search for dry-farming lands.

"Even under the late repressive land administration the Commissioner of the General Land Office advocated the 640-acre homestead for the semiarid West, and in so doing stated that 'the largest part of the unappropriated public domain would never pass to private ownership under smaller allotments.'

"Local bills are good enough so far as they go, but the whole subject should be treated from a national point of view and a bill passed applicable to all the States having public lands."

Representative KINKAID, referred to by Mr. BARTLETT, appeared before this committee, and his statement appears in the hearings, beginning at page 334.

This plan of providing homes is best for the Nation, as a whole, because it tends to increase the supply and at the same time to lower the price of meat, a universal necessity, especially to the laboring classes; and because it affords an outlet to the congested civic and labor centers of our population without driving home seekers to take advantage of the liberal land laws of Canada. Moreover, the Nation as a unit needs more States like, for instance, Kansas and Iowa, where each citizen is the sovereign of a portion of the soil, the owner of his home and not tenant of some, perhaps distant, landlord, a builder of schools and churches, a voluntary payer of taxes for the support of his local government.

Of course, the homestead plan is best for the individual States of the semiarid West. It takes homes to insure permanent settlers and taxpayers; it takes homes to bring schools and churches; it takes homes to build cities and towns that attract and support laborers and mechanics; population invites railroads, which in turn bring more immigration and capital to develop the barely touched resources of this great semiarid West.

This subject has been under consideration in previous Congresses. In the Fifty-eighth Congress, third session, a bill creating a 640-acre homestead for a portion of the State of South Dakota was reported favorably (Rept. No. 4013), and from said report we quote from the President's message to Congress at the beginning of the second session of the Fifty-seventh Congress, as follows:

"Moreover, the approaching exhaustion of the public ranges has of late led to much discussion as to the best manner of using these public lands in the West which are suitable chiefly or only for grazing. The sound and steady development of the West depends upon the building up of homes therein. Much of our prosperity as a nation has been due to the operation of the homestead law. On the other hand, we should recognize the fact that in the grazing region the man who corresponds to the homesteader may be unable to settle permanently if only allowed to use the same amount of pasture land that his brother, the homesteader, is allowed to use of arable land. One hundred and sixty acres of fairly rich and well-watered soil, or a much smaller amount of irrigated land, may keep a family in plenty, whereas no one could get a living from 160 acres of dry pasture land capable of supporting at the outside only 1 head of cattle to every 10 acres."

We quote further from the same report, as follows:

"Hon. Charles D. Walcott, present Director of the United States Geological Survey, in a communication to the Secretary of the Interior

concerning the Kinkaid bill, which became a law at the last session of this Congress, said in part as follows:

"'The central idea of this bill is that of enlarging the area of homestead entry to suit the conditions of the semiarid West. There is general recognition of the fact that the present land laws, designed for the humid region, are not applicable to the arid region. Attention has been called to this matter many times by various individuals, and in particular by the writings of Maj. J. W. Powell, the former Director of this Survey, who devoted much of his life to the exploration and study of the West. In his report prepared in 1878, entitled "Lands of the Arid Region," Maj. Powell suggests that the farm unit where water is *scanty should be* not less than 4 square miles, the divisions of such farms being controlled by topographic features.

* * * * * * *

"'The arbitrary limit stated by the present land laws of 160 acres for a homestead does not suit existing conditions in the arid regions. If the water supply is ample, 160 acres is usually far too much, and would support two, three, or four families. On the other hand, throughout 90 to 95 per cent of the vast extent of remaining public land 160 acres is so small as to be useless for a homestead.

"'No general rule as to what shall constitute a homestead can be laid down. In order to determine this matter local knowledge must be had and exercised in the same manner as it is under the reclamation projects. The question is one largely of altitude, climate, and water supply rather than extent of land.

* * * * * * *

"'After cutting out the irrigable lands there are left great areas where it is known that water can not be had in any considerable amount and where the homestead area must be very large to furnish support for a family. In short, it is practicable after eliminating the irrigable land for the Geological Survey, through its organic act and through the Reclamation Service, to classify the remaining public land and obtain information upon which to base the disposal of these lands to actual settlers in tracts sufficient for the support of a family.

"'Under the operation of the present laws the securing of a tract of land large enough to support a family in the arid region is a cumbersome and expensive process. The nucleus of the home farm may be a 160-acre tract, which the law allows as a homestead.

"'All persons admit that this nucleus is only the first step, and that the man who actually desires to make a home there by stock farming must proceed to resort to various expediencies to secure control of additional land in order to support himself. To do this requires either capital to purchase the lands of other homesteaders or the stock farmer must secure some form of title through the desert-land law, timber and stone act, etc. In the majority of cases the practices absolutely necessary to secure an adequate area are open to the charge of fraud or collusion. It should not be necessary for a man desiring a homestead upon vacant public land to resort to indirect or possibly fraudulent means. On the contrary, he should be allowed and encouraged to take up as much land as he actually needs and be given every facility for so doing.

"'The development of the arid West has reached a point where it is now possible to see the ultimate character of settlement and utilization of the land. Where, as above stated, water can be had, the irrigable lands may be cultivated in the most intensive fashion. With favorable climatic conditions several crops a year will be raised, and a 40-acre farm will more than furnish support for a family. The average size of an irrigated farm in Utah is, for example, less than 30 acres.

"'Assuming that there are 600,000,000 acres in the arid and semiarid West, not to exceed 10 per cent of this, or 60,000,000 acres, will be utilized for irrigation. Most of the remainder is useful for stock-raising purposes, a portion being devoted to forest reserves, within which grazing may be largely permitted. In round numbers, 500,000,000 acres of land will have its highest use in the raising of cattle and sheep. Most of this is still in public ownership, and it is for the interest of the Nation to have the land subdivided into the smallest tracts which will support a family and have these pass gradually into private ownership, so that the land may in time bear its share of taxation.'"

A BRIEF REVIEW OF THE BILL BY SECTIONS.

The reasons for sections 1 and 2 of the bill hereby reported are obvious from the reading of them.

Section 3 contains a change in the proviso thereof in existing homestead laws, in that under this bill, H. R. 15799, in lieu of cultivation of a portion of his entry the entryman is required to make permanent improvements upon the land entered tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, one-half of such improvements to be made within three years after the date of entry.

The object of the law-making power in requiring a certain amount of cultivation of the land by the entryman in homestead laws when farming was the prime object was, first, to insure good faith on the part of the entryman; and, second, to require the entryman to show that good faith by doing something, at his own expense, of value to the land, tending to improve it for farming purposes. Moreover, the statements in the hearings show that the efforts of entrymen under the 320-acre homestead law to comply with the requirements as to plowing a certain number of acres each year simply destroyed so much valuable sod by turning it up to the sun and killing the roots of the native grasses. So under section 3 the entryman may show his good faith by improving his land by sinking wells, building fences, silos, and such things as will improve his entry for stock-raising purposes.

Section 4: This section is for the relief and equitable treatment of entrymen who entered homesteads under the 160 and 320 acre homestead acts upon lands chiefly valuable for grazing, and who afterwards found, by costly experience, that farming was impossible on small tracts of such lands. The hearings show that many of them have held on and eked out their existence by grazing a few head of stock on the unentered public lands near enough for grazing purposes to their respective small homesteads. But upon the enactment of a 640-acre homestead law such near-by public lands will soon be taken up by other entrymen of 640-acre tracts. Thus the already empoverished pioneer would be condemned to final extinction, as he could not live by farming, and would be deprived of the use of public lands for grazing. Section 4 therefore provides that entrymen of tracts of 320 acres or less on lands subsequently made subject to the 640-acre homestead, who have not submitted final proof upon their said prior entries, shall have the right to enter upon other such lands of like character contiguous to their said prior entries as shall not exceed, together with their said prior entries, 640 acres in each case; but residence upon the original entry shall be credited upon both entries, and the expenditure of $1.25 per acre must be made on the additional entry in each case.

Section 5: While section 4, just explained, relates to entrymen who have not submitted final proof on such prior entry, section 5 extends the same right of contiguous entry, up to a total of 640 acres, to such entrymen as have submitted final proof or received patent on such original entries, but the expenditure for permanent improvements must be made upon the additional entries.

Section 6: While sections 4 and 5, just described, relate only to lands contiguous to the original entry, section 6 is for the relief of such entrymen on lands of the character herein described, in tracts of 320 acres or less, as have entries entirely surrounded by other entries, and contiguous to whose respective entries, therefore, no public lands are to be found subject to entry. For the relief of such entrymen, therefore, any entryman of lands of the character herein described is given the right in section 6 to make an additional entry of sufficient land to make, with the amount of his original entry or patent, 640 acres, within 10 miles of his said original entry. This is subject, however, to the same requirements as other additional entries, and the entryman must exhaust all contiguous land subject to additional entry before availing himself of noncontiguous land.

Section 7: This section is proposed for the relief of such entrymen of the lands of the character herein described, in amounts of 320 acres or less, as are unable to exercise the right of additional entry herein conferred, because no lands subject to entry under this bill are contiguous to his said original entry or lie within the 10-mile limit of his original entry. If such entryman is the head of a family or 21 years of age and a citizen of the United States, and first submits proof that he resides upon and has not sold or encumbered the land as occupied, entered, or acquired, he may relinquish or reconvey to the United States the land so entered, occupied, or acquired, and in lieu thereof, within the same land-office district, he may enter and acquire 640 acres of land subject to entry under this bill; and he must also show compliance with all the provisions of the homestead laws and of this bill, as if an original entryman under this act, provided that the lands so relinquished or reconveyed, as herein provided, shall thereafter be subject to disposition by the United States only on such terms and under such rules and regulations as the Secretary of the Interior may prescribe. This proviso is intended to serve a double purpose—to prevent speculation in relinquishments and to empower the Secretary of the Interior to see that justice is done the prior owner in the matter of any improvements on the relinquished land that the prior owner may have left on his said original entry.

Section 8: This section forbids the application of the commutation provision of the homestead laws to entries under this act.

Section 9: This section gives a preference right of 30 days to a prior entryman to enter lands contiguous to his said original entry, with a provision for an equitable apportionment of contiguous lands between two or more prior entrymen who may each desire to enter the same lands as contiguous to their respective prior entries.

Section 10: This section extends the right of an entryman under any existing homestead law to acquire, by direct purchase from the Government, at the rate of $1.25 per acre, public land of the character herein described, contiguous to his original entry, in amount sufficient to make, with his original entry, not more than 640 acres. It appeared to your committee that many homesteaders have entered small tracts of land, even as small tracts as 40 acres each, in the canyons in mountainous districts, surrounding small springs of water sufficient to water a few head of stock and perhaps irrigate gardens in the bed of the canyon, and have used the public lands and mountain slopes adjoining for grazing purposes. Your committee would allow such small stockman to supplement his original entry by purchase, as set out in section 10, but only of contiguous lands of the character herein described, and under such rules and regulations as may be prescribed by the Secretary of the Interior.

Section 11: It appeared to your committee that many hundreds of thousands of acres of the lands of the character designated under this bill contain coal and other minerals, the surface of which is valuable for stock-raising purposes. The purpose of section 11 is to limit the operation of this bill strictly to the surface of the lands described and to reserve to the United States the ownership and right to dispose of all minerals underlying the surface thereof. This section also provides a method for joint use of the surface of the land by the entryman of the surface thereof and the person who shall acquire from the United States the right to prospect, enter, extract, and remove all minerals that may underlie such lands, this method to be under the direction of the Secretary of the Interior under such rules and regulations as he may prescribe.

A. J. G. KANE.

Mr. O'GORMAN. In the second session of the Sixty-second Congress I introduced a bill, being Senate bill 5497, for the relief of A. J. G. Kane, and which was referred to the Committee on Military Affairs. I find that the relief sought can be procured in another way, and I ask for the adoption of the following order:

The order was read and agreed to, as follows:

Ordered, That the papers in the case of A. J. G. Kane, Senate 5497, Sixty-second Congress, second session, be withdrawn from the Senate files, no adverse report having been made thereon.

NOTE FROM THE BRITISH GOVERNMENT.

Mr. LODGE. I submit a resolution, for which I ask present consideration. I will state, by way of explanation, that the document I am asking for was partially printed in the press this morning. It has been given in full to the press, and I think we ought to have a copy of it here.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 548) was read, as follows:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to send to the Senate the note received from the British Government dated February 10, 1915.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. STONE. What is the resolution, Mr. President?

The VICE PRESIDENT. It has just been read.

Mr. LODGE. It is a request to have sent to the Senate a copy of the note from the British Government which was pub-

lished in the papers this morning. It was given in full at the State Department in print to the newspaper press, which has partially printed it. I think we would all like to have a full copy of it.

Mr. STONE. I should like to have the resolution read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary again read the resolution.

Mr. LODGE. That is the note printed in part in the Post this morning.

Mr. STONE. Yes; I saw that.

Mr. LODGE. And it was given in full in print to the newspapers—in type. They have offered to furnish Senators with that copy, and I do not see why the Senate should not have it.

Mr. STONE. Although one or two Senators have suggested that the resolution should be referred to the Committee on Foreign Relations, I am very frank to say, so far as I am concerned, that personally I do not see any objection to agreeing to it. I make no objection, so far as I am concerned.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

WAGES ON AMERICAN VESSELS.

Mr. GALLINGER. Mr. President, perhaps I ought to have submitted the matter I am about to submit under another order, but on yesterday I presented some replies from steamship companies as to the rate of wages paid on the ships that came under the new registry. I desire to submit a letter from Barber & Co., steamship agents, of New York, and ask that the first part of it be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

NEW YORK, *February 17, 1915.*

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: We acknowledge receipt of yours of February 10 inquiring as to whether foreign-built ships which have been admitted to American register cost more to operate than under the British flag, and in reply would advise you that as far as we know the only increase at the present time in operating expenses under the American flag is on account of the increase in wages.

The following is a list of wages that was paid to a lascar crew, with British officers in command, also showing the wages which we pay to the officers and men under the American register:

Crew.	American, per month.	British, per month.
Master	$200.00	$160.00
Chief officer	100.00	78.00
Second officer	70.00	54.00
Third officer	60.00	44.00
Carpenter	40.00	20.00
Boatswain	40.00	17.00
Sailors	28.00	8.00
Chief engineer	150.00	112.00
First refrigerating engineer	110.00	.....
First assistant engineer	100.00	73.00
Second assistant engineer	90.00	49.00
Second refrigerating engineer	85.00	.....
Third assistant engineer	80.00	39.00
Oilers	35.00	.....
Donkeymen	35.00	11.50
Firemen	32.00	9.25
Coal passers	28.00	.....
Chief steward	50.00	22.68
Second steward	30.00	9.63
Assistant steward	22.00	.....
Chief cook	50.00	[1]17.00
Second cook	30.00	8.50
Mess boy	25.00	.....

[1] And bonus $10

Yours, truly, BARBER & CO. (INC.).

THE MERCHANT MARINE.

Mr. FLETCHER. Mr. President, I have here a clipping from the Philadelphia Public Ledger of February 18 which reads in this way:

SHORTAGE OF SHIPS SENDS WATER RATES TO NEW HIGH MARK—AMERICAN BUSINESS OPPORTUNITIES AFFECTED BY LACK OF VESSELS AND EXORBITANT TARIFFS.

Business opportunities are being lost to America because of the scarcity of vessels, said several steamship men yesterday. According to these men there is the greatest shortage of tonnage ever known, and the only reason that there is not a congestion at this port is because shippers in the interior are not forwarding their goods for shipment until they have obtained cargo space. Most of the regular lines, it was said yesterday, have all of their vessels booked up until the last of March, and many of them into the middle of April.

Although many of them admitted that they were turning down business because of the lack of vessels, some were opposed to the ship-purchase bill. Walter F. Hagar, one of the best-informed shipping men in this city, said that there was such a lack of vessels that it was impossible to get steamships.

According to Mr Hagar, shippers are compelled to charter schooners at exorbitant rates because of the lack of steamships. Some schooners, he asserted, had been chartered to carry ore at high rates, a thing almost unheard of in recent years. "Usually boats are offering for freights, but now the case is reversed and it is impossible to get carriers," he continued. Mr. Hagar declared that 15s. had recently been paid for a grain cargo to Denmark, which is the highest rate ever paid for freight of that class.

Shipping men realize the gravity of the situation, he said, and that one vessel had recently been chartered as far ahead as March 1, 1916, for a period of 18 months at 8s., which is about twice as high as the rate that was being paid six months ago. He also said that the steamship *Thelma* had recently been chartered to carry sugar at 32 cents. Six months ago this vessel was carrying sugar at 8½ cents, or about one-fourth of the present rate.

ADDRESS BY SECRETARY M'ADOO (S. DOC. NO. 950).

Mr. FLETCHER. Mr. President, I ask to have printed as a public document the address of Secretary McAdoo before the Chamber of Commerce of the United States, heretofore printed in the RECORD of February 16, in which form it is not available for public distribution.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY SENATOR BURTON (S. DOC. NO. 949).

Mr. GALLINGER. Mr. President, we have been very liberal in publishing the utterances of Secretary McAdoo. They have gone into the RECORD, and we now propose to print one of his addresses as a public document. I ask unanimous consent that the address of the Senator from Ohio [Mr. BURTON] delivered before the Chamber of Commerce of the United States be likewise printed in the RECORD and also as a public document.

Mr. FLETCHER. I have no objection to that.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is agreed to.

The address is as follows:

THE OPPOSITION AND THE SHIPPING BILL.

[Address by Hon. THEODORE E. BURTON, United States Senator from Ohio.]

"I congratulate you on your organization and its aims. Ten years ago I addressed a somewhat similar gathering, intended to be national in its scope, and foretold for them a field of usefulness far and away beyond that of any local organization. This body represents the United States. No pent-up Utica restrains your activities, but a whole boundless continent is yours, and in the ramifications of your work you seek to put Paris and Berlin and London and Hongkong on the map alongside of New York and Chicago. I trust that you may succeed in enlarging the trade of the United States and that your aims in every line, commercially and industrially, may also join with civic activities in which you will give a wholesome stimulus to our political life; for in this age no man can be a business man alone; he must keep in touch with the great movements of humanity which are so powerful in this day.

"First of all, is this policy to be permanent or is it to be temporary? If it is to be temporary, one set of reasons would apply. If it is to be permanent, an entirely different set of questions are raised. I want to read very briefly some of the varying statements on that subject.

"In the report filed by the chairman of the House committee, Mr. ALEXANDER, is this language:

"While we need merchant ships to meet the present emergency, let us pursue a policy that will secure them to us after the present conflict in Europe is past.

"In an address at Boston on the 5th of January he said:

"The Government ownership bill is spoken of as an emergency measure. It should not be so called. European Governments have in the past laid the foundation for their merchant marine by Government protection.

THE FLETCHER BILL.

"I might read divers other expressions to the same effect. Now let us listen to a different note. Senator FLETCHER in bringing forward this bill in the United States Senate on the 4th of January, one day before the speech from which I have read an extract, said:

"Without going further into the details of this bill, I assure the Senate in the first place, and the country, that it is not a permanent business undertaking on the part of the Government that is intended here.

"And the language of the President, as used in his message in December, would seem to point in the same direction:

"It is not a question of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable, and then when the carriage has become sufficiently profitable to attract and engage private capital and engage it in abundance, the Government ought to withdraw.

"Now, there you have those two sides. Which are we to take as authoritative? There has not only been a change from De-

cember to January, but apparently a change from Monday to Wednesday, or rather from Tuesday to Wednesday; for upon the Hill on Tuesday a coterie of those favoring the measure were seeking to conciliate seven of their colleagues by promising them the minimum of Government ownership, agreeing to limit the operation of the bill to a year or two and to provide for leasing the ships to private operators; while on Wednesday morning, after failing in their first endeavor, they were promising another group to embark the Government on a permanent policy of Government ownership. Apparently the proponents of this measure have utterly lost the bearings of their traditional statecraft and are ready to plead an emergency or fly to socialist doctrine, whichever will win the votes.

OPERATING AT PROFIT OR LOSS.

"Again, is this to be an enterprise for profit or not for profit? Is it supposed that by running at a loss for a period, in some mysterious way the business would become profitable, as implied in the President's message, and the Government then be able and willing to turn it over to private hands? Of course, such a supposition is without any foundation in reason. The sure result of the Government operating merchant ships at a loss would be the complete demoralization of the shipping trade, the destruction of such merchant marine as we now have, and a long postponement of the day of its revival.

"Again, there has been another change, this time in the purpose to be accomplished. When this measure was brought forward in August, and when it was advocated in December, it seemed that what was under consideration was trade development with South and Central America. New avenues of trade—"empty markets," to use the expression of the President—"were the objects in view." Nothing was said about the settled countries of Europe. Now there is an entire change and the advocacy of the bill is based upon the necessity of sending freight to Europe. The idea that we need more shipping for South America at this time, although it was the first reason for the passage of this bill, although for months that was exploited as a reason why the Government should engage in the business, is a chimera.

THE SOUTH AMERICAN TRADE.

"Ten boats leave every month on the average from New York for Rio de Janeiro and the east coast of South America. What are the facts? Before and since the war they have been running with a surplus of cargo space, sometimes being only half filled. A few weeks ago a passenger boat fit to engage in the trans-Atlantic trade came in from Rio with 6 first-class passengers and 17 third-class passengers, and that was the whole passenger list. On the west coast of South America, notwithstanding the stimulus afforded by the opening of the Panama Canal, the Peruvian and the Chilian navigation companies, which jointly ran boats weekly, have withdrawn the weekly service and made it fortnightly. I trust that the old conditions are soon to be restored.

"Here I want to call attention to one phase of this whole freight situation. While there may be sporadic instances of high rates to those portions of the world that are at peace, there has not been a rise in the charges so great as that which has frequently happened in the times of profound peace. Generally speaking, the rates to South America, to South Africa, to India, and to Hongkong have been raised about 25 per cent. In sporadic instances rates in the war zone have been raised eight or nine times. Thus the disparity in the increases is the substance of the whole matter, and shows conclusively that the increases are in direct proportion to the dangers of war.

AN INTERNATIONAL WAR CRISIS.

"I am sorry to say that there are a great many people in the United States who do not seem to realize that we are in the midst of the most titanic conflict between nations that the world has ever seen. We should have a deep realization of what it means. Happily we here in America are at peace. The sun shines over peaceful fields and witnesses people joyous because they are not engaged in war. Heaven be thanked for the blessing that belongs to us, and woe to the man who would stir up strife or interfere with that neutrality, that strict impartiality, which the American people should maintain at this time.

"I may have sympathies. I may think one nation or the other is more to blame, but I do not tell anybody; and I do not think anyone who has in the remotest degree any official responsibility should do so. We should not at this time allow fondness for the enlargement of trade—a disposition with which I sympathize—to erase from our minds a realization of what this war means and of the duty of the American people. The brightest page in it all is the work of this whole Nation for the suffering of Europe, the activities of the Red Cross Society, the great foundation in New York, and the universal response of the American people in sending food and supplies to the suffering and dying of Europe. When the contest is over this will be our chief distinction, rather than sending war material or capturing trade.

"I want you to realize this fact: There is war, and this war has deranged the routes of trade. It has destroyed many of the agencies of transportation. It has diminished shipping facilities. It has introduced demoralization, partial destruction in almost every branch of commercial and industrial activity. Do not ignore that fact, and do not treat this question as if it were one to be settled as if we were now at peace.

A NONPARTISAN QUESTION.

"I agree with the honorable Secretary of the Treasury that this matter should be considered as a nonpartisan one. I took that stand in the first remarks made in the Senate some days ago which undoubtedly were much longer than any remarks I shall make to you to-day. Last Monday, when I saw seven Democrats, in the face of objurgation and censure, stand up and vote to recommit this shipping bill to the committee—which meant its defeat—I thought it was beginning to assume a nonpartisan phase in the Congress.

"Will the conditions of European trade be relieved by increased shipping? Do not let us deal with generalities. Let us get down to the facts. What is it that has caused this decrease in the supply of shipping and an increase in freight rates? In the first place, German and Austrian shipping is withdrawn from the seas. Those boats probably carried about 14 per cent of the foreign trade. But let us consider that for a moment. If German and Austrian shipping is withdrawn from the seas, so also are Germany and Austria shut off from the trade of the world. The Baltic Sea is practically closed to trade; so also is the Black Sea. And, roughly approximating an estimate, we may say that the trade of the world has decreased because of the war in just about a like proportion with the loss of shipping. The situation would naturally call for an increase of our exports—more food and more supplies. More food and more supplies are destroyed when war is in progress. This tendency is emphasized by the desire of the nations, as Italy and Sweden and Norway, near to the theater of war, but not engaged in the conflict, to prepare themselves for all exigencies. That has increased the measure of their purchases. All factors considered, the withdrawal of this German shipping is no doubt a factor in the increase of freight rates.

WAR-RISK INSURANCE.

"Another factor of great importance is the liability of boats to search and seizure. Still more important is the cost of war-risk insurance. Even if it be only 2 or 3 per cent for a voyage, just think what that means. Suppose there are half a dozen voyages in the year; 12 or 18 per cent must be paid for war-risk insurance. That would be far and away beyond the ordinary income on investments of capital. Another reason is the dangerous channels through which shipping may go. If there is any one thing that the mariner fears more than others it is a hidden obstruction. He fears that his boat may run upon the rocks. But infinitely more dangerous is the mine which, when it explodes, not only stops the vessel and blows up the hull, but perhaps carries captain and crew and all into kingdom come. Then there is another reason. The requisition, especially by Great Britain, of a good share of its shipping to be used for military purposes.

"But when I name all these I have not named that which is at present the most decisive in the situation—that is, the delay in foreign ports.

FOREIGN PORTS CONGESTED.

"As a man said a few days ago—and I am not sure but that he was pretty nearly right—more ships would add to the congestion, for they would be in each other's way in foreign ports. Let me give you a few illustrations. Not very long ago an American boat was chartered to carry horses to a port in France. It had additional cargo capacity of 8,000 tons dead weight, but the owners learned that in the port to which they were going there had been a delay of 60 days in loading and unloading. What did they do? They went from this country to France without filling a foot of the space rather than to take the risk of delay and detention. Delay and detention are not limited to the ports of countries at war. It is just as bad at Genoa as anywhere, where a few days ago 30 ships were waiting in vain to be unloaded. It is a marked factor at Liverpool and at London—perhaps not so large in the German ports, if you can reach them, but generally in all European ports—and the cause of it is perfectly obvious. Government ships and other ships gather in the harbor. The Government claims for its military purpose the first use of quays and docks. The men who would be engaged in loading and unloading have

gone to the war. The men who would be making necessary repairs have gone to the war, and thus it is necessary to wait 20 or 30 or 40 or 60 days before a boat can be unloaded.

"On this subject I want to read very briefly from a report by Norman Hill, made on the 12th of January last. I think there is no one who is a higher authority in England in regard to shipping. He says:

"There is nothing in any of the above figures to account for the congestion of the ports in which fewer vessels have been available, and there has probably been as great a fall in the volume of the trade carried. The tonnage remaining available has been sufficient to carry the cargoes offering, for cargoes have not had to be shut out; although in the trade of the United Kingdom the amount carried in each of our ships has not substantially increased, the time employed in the discharge has increased most seriously. In London and Liverpool vessels have to wait for days for discharging berths, and when they can obtain berths the discharge is hampered and delayed by the block on the quays and on the railways. It is clear, therefore, that the causes of the congestion must be other than the one of ships or the one of quay space. The main cause is beyond question the shortage of labor.

"And that applies in an even greater degree in the countries more affected by the war than Great Britain, where, in a degree, industrial and commercial activities have gone on as heretofore.

"Where are you going to get your ships? My good friend Mr. Baker, who has been quoted by the distinguished Secretary of the Treasury, says that there are not more than 10 ships available under neutral flags that would be suitable for the purpose, and he advises the building of ships. Well, it is a "present emergency" that is on us. We all fervently hope that this war will close in a less time than ships could be built. Strangely, most of our shipyards are busy already, and it would be 10 to 16 months before a boat of any considerable size, suitable for the trans-Atlantic trade, could be built in one of our shipyards. In the meantime you have those 10 ships. What are you going to do with them? How much will they help you? What better would the Government do with those 10 ships than the private owners are doing? Is the Government, which we must concede is sometimes very unwieldy, going to manage the shipping business better than the private owners?

GOVERNMENT OWNERSHIP.

"There are three phases of Government ownership presented in this proposal. I am not one of those for whom Government ownership has the terror that it has for many. Under proper restrictions it does not frighten me. But what is the proper field for Government ownership? It is in some branch of public service monopolistic in its nature, like waterworks in a city, electric light or gas plants—possibly telephone service and street railways, or those activities that are in close association with the moral and social conditions of a country, such as bathhouses or lodging houses. Here you are proposing partial Government ownership, though there is nothing more disastrous than to have part Government and part private ownership. This is not a fair test of Government ownership and operation. The ships that could be purchased with forty millions would be a mere bagatelle in the shipping of the world. You would be at best, even if it were half, in about the same condition that you are in when there are two telephone lines in the city. Oh, I have been through that! I have heard the statement made, 'You have one telephone line here. If you put in another you will have the benefit of competition.' What was the result? Each telephone line has to wire every building, put separate conduits in every street, and each office must have two phones. There is inconvenience all along the line, and finally either there will be insufficient service or the public will have to pay interest on both equipments.

"I remember some 30 years ago that there was a new railroad projected paralleling the Lake Shore Railroad between Buffalo and Cleveland. You could flip a copper between the different tracks much of the way. The right-of-way man went out and said, 'Now, farmer, we are going to have a competing line here. You can go to town more cheaply; you can ship your produce more cheaply; you will have all the blessings of competition; and a new avenue to happiness will be opened to you.' In about three years they were both under the same management. It proved impossible to run the two side by side under the laws of competition.

"What are you going to do if you have only one-fourteenth or one-twentieth of the shipping of the world? In the first place, the question has been asked, Have you any special route on which you will put these boats? And the answer is made, No; we will cross that bridge when we come to it. I think that question ought to be answered. I do not think Congress should be asked to appropriate forty or fifty millions of dollars without knowing something about what is to be done with the money.

PORTS OF CALL.

"Will special ports be selected? Then what happens? If you choose Galveston, will not Mobile and New Orleans have occasion to complain? Will you choose a special product, such as wheat or cotton? Then, will not every other class of producers have a right to complain that you are giving a special advantage to this line of business to the disadvantage of every other? Suppose the Government carries at lower freight rates than private owners; what would be the result? Why, perhaps one-twentieth of the traffic of this country—a fraction certainly not greater than one-tenth—would be carried at a lower rate. What is the result? Does the great body of the American people get the benefit of it? No; it is the few who are benefited by those rates. It is exactly like the days of railroad wars, when the railroads in times of sharp competition put down their rates to a low figure. Those who were on the ground floor and took advantage of it were able to get their stuff carried at low figures, and they put the benefits in their pockets. The consumer got no benefit from it. You can not go into this business partially and make a success of it. If you are going into Government ownership, it is necessary that you shall control the whole business. There is no middle ground.

"I recognize a disposition on the part of many of the American people to disparage expert knowledge. It is thought that inexperienced men may gather around a table and smoke cigars and make plans and advise organizations for trade or industry just as well as those who have given their lives to it. A distinguished public man went out to Trenton not long ago to address a high school, and he said that the youth who has written a bright epigram gains more éclat than the student who has studied for two years. I want to say a few words for the student that studies for two years and who masters the subject. It appears sometimes to be imagined that great inventions and discoveries are the result of a chance inspiration; that a man, peering out into the outer void, puts his hand out and brings in a telephone or an electric light. But, ladies and gentlemen, that is not the case. The rewards in business and in science come to those who labor and who acquire qualifications.

SHIPPING TRADE NECESSITIES.

"Thus the shipping trade has been developing for centuries. It has adopted new routes of trade; it has adopted new methods; it has preceded rather than followed demands. There are certain necessities in regard to it. There must be terminals for the loading and discharge of freight. It is not sufficient to have ships. There must be wharves and quays. Is the Government going to secure those also? There must be affiliations with shippers. Is the Government going to secure such in a month or in two months? There must be a familiarity with the routes of commerce; a most careful calculation must be made so that the ship will have not only an outgoing but a return cargo; that she shall have something to do the year around. And then again oftentimes the owner of the ship is a merchant. He has a cargo one way supplied by some shipper. He buys something to bring back. That is in a considerable degree true of the trade on the west coast of South America, where nitrates constitute the return cargo. Is the Government going into that business and going to buy merchandise to carry at this time? I must say that in whatever phase we consider this bill we meet with difficulties. Not only is partial Government ownership defective in any field, but this is a line of business which it would be particularly dangerous for a newcomer to enter under the most favorable circumstances.

"The Revenue-Cutter Service, referred to by the distinguished Secretary, I commend very much, but it discharges a purely governmental function in the first place, and to that has been added the most commendable object of saving life. But that was not a creation overnight. That was not adopted under a bill never declared for in a party platform. It is the growth of a hundred years. I read a report by one of the Cabinet officers a few days ago about the frightfully dilapidated condition of the boats in one branch of the Government service, and I thought, 'Is it possible that alongside such a condition as this under Government management we are going to be asked that the Government go into the shipping business on a large scale?' If the Government can not manage boats that are used for its own agencies, how is it going to manage them when they are used for the general purposes of trade?

PURCHASE OF BELLIGERENT SHIPS.

"There is one question I must consider before I close: Are you going to buy ships of any of the belligerent nations? It would take too long for me to go into this question in detail, but I wish to state the situation briefly: Formerly England maintained the idea that a neutral could buy the ship of a belligerent in time of war if it was done in good faith. The doctrine on the Continent of Europe was always the contrary; that a purchase by a neutral of a belligerent ship in time of

war was void, and that if she sailed with the neutral flag she could be seized, taken into the prize court, and condemned. In the declaration of London, formulated by a convention in London in 1909, all the commercial nations practically agreed with the continental doctrine; that is, a transfer before the beginning of war was valid if made in good faith, but if made after war had commenced it was void unless it was shown that it *was not done* to evade the consequences of war. Suppose there is a merchant ship of Germany or England in the harbor of Charleston or Galveston. What are the 'consequences' to which such a boat is exposed? Why, if it sailed out under the German or English flag it would be seized by the other of the belligerents. If transferred to the American flag, it would be to evade the consequences of war, and the boat would still be subject to seizure. This war is not going to last always. We must take into account the feeling of these foreign nations toward us when the war has finished. I am afraid we have been a little too commercial in many of our ideals.

"Germany has issued a statement confirming the declaration of London. It is true she has intimated that she might waive her objections to the sale of certain boats detained in our harbors if the boats sail exclusively to German ports, and saying that such boats must have a passport issued by the German consul and that it must be taken to the State Department for approval, and then it is good for only one trip. England and France have also proclaimed the declaration of London, with some modification, as their policy during the war.

OUR NATIONAL RIGHTS.

"With these belligerents all united in the idea that ships can not be transferred under these circumstances, I want to say that we can not afford to take the chance. I am not one of those who say with bluff old Commodore Hull, 'My country: May she be always in the right; but, right or wrong, my country.' I can not agree with the last clause. No nation has insisted upon the rights of belligerents more earnestly than we did in the Civil War. We took it upon ourselves to determine the ultimate destination of cargoes; that is, if a boat sailed for Nassau and her cargo was suspiciously large, we reserved the right to investigate the question as to whether the goods were not intended to run the blockade. If a boat went to Matamoras, even though Mexico was at war, and the owners said, 'This may be intended for Mexico,' our prize court said, 'No; the chances are that it is intended for our enemies, and we will confiscate your boat and its cargo.'

"We can not afford to take the chance of trouble in buying belligerent ships. Thus we are driven back on the 10 ships that are available.

TERMS OF PROPOSED BILL.

"I am compelled to differ with some things that have been stated to-day in regard to this being in reality a private enterprise. Instead of buying the boats directly the Government is to organize a corporation, 51 per cent of the stock of which is to be paid directly from the Government Treasury; and if the remaining 49 per cent is not taken by private subscription, then the Government takes that also. The Secretary of the Treasury and the Secretary of Commerce exercise certain supervision over this corporation, with three others, who constitute a shipping board. The very statement of my honored friend, the Secretary of the Treasury, in which he said the President is to have control of all this, and made an appeal to you, in which I most cordially join, of confidence in the President of the United States, disproves its private character; for, whatever difference I may have with him, I honor him as a man, and he is our President. But you are asked to favor this bill because the President is going to control it all. How is that consistent with private business of a private corporation? The fact of the matter is that this corporation is a mere mask. Every dollar of the stock, no doubt, would be subscribed by the Federal Government. It is a Federal enterprise. The corporate form is a mere cloak to cover the real nature of the transaction; not intentionally so, but in effect. I may weary you perhaps by dealing in the distinction between the rights and obligations of a government and of a citizen in relation to belligerents. A citizen can ship munitions of war to a belligerent, and the Government is not compelled to intervene. The citizen must take his chance. If the boat is caught, he loses that which is contraband; but the moment the Government of the United States does a thing of that kind it is an act of hostility, leading to the most serious complications. You can not get out of that situation by passing a bill of this kind and going through this fiction of organizing a corporation of the District of Columbia.

DANGER OF SEIZURE.

"I should tremble with apprehension, if this corporation should be organized, and a boat owned by it, under the direction of the Government, or as Secretary McAdoo has said, under the general direction of the President of the United States, should go out to sea and be seized by England or Germany on the ground that the cargo was contraband or that the ship had been transferred to our flag by a belligerent in time of war. I do not want such a bone of contention, such a source of friction and quarrel brought into our international relations at this time when everything is so tense and we must maintain neutrality and equal friendship for all. But suppose it were possible to obtain boats from neutrals, no doubt at a very high price, what advantageous use could we make of them? I dwell upon that subject again at the risk of repetition.

GOVERNMENT BOARD QUESTIONS.

"Do you believe that a Government board entering into this business without affiliation with shippers, without wharves and docks, can utilize those boats and carry any more freight on them than the private citizen who has made it a business all his life? You say private owners are charging extortionate prices. I think they are high, and I will join in any reasonable measure that will submit charges to supervision and control. You can not go as far as you can in the control of the railroad rate, because the business is vitally different, but you can at least supervise conference agreements. Why, it is said that there is a Shipping Trust. If ever there was an old and decayed derelict ready to be blown up, it is the Shipping Trust.

IF THE GOVERNMENT GOES INTO BUSINESS.

"Just at this time I must most vigorously dissent, if the Secretary will excuse me, from something that he said at Chicago—he did not quite say it here. I read from his Chicago speech:

"The objection that the shipping bill puts the Government in the shipping business, is not tenable. Those who urge it seem to forget that it is the duty of the Government to engage in any activities, even of a business nature, which are demanded in the interest of all the country when it is possible to engage private capital in such operations.

"Where will you stop upon that kind of a platform? Whenever there is a political agitation against some line of business, whether it is buying ships or marketing wheat, the Government has got to go into the business. The crowning glory of American life has been the initiative, the energy, the opportunity of the individual. I join with old Thomas Jefferson when he said 'that government is best which governs least.' I do not want to see the Government taking over business enterprises, and selecting men who are to manage them more or less according to political favor. There is too great a multitude that has come here already seeking office; going first to high-grade hotels, then to cheap boarding houses, and then going home despondent. If the Government goes into business, I am afraid they will take the first train and come back again and say, 'While we may not have succeeded very well in the business in which we have been engaged at home, it is only because we did not have opportunity to carry on operations on a large enough scale. Just put us in the Government service, and we will make a success in any position in which you place us, and in that way you will reward us for the services conferred in the campaign.'

"This is a situation true in a large degree with Democrats, and in some degree with the Republicans. I am not criticizing any political party, but I want to say to this audience that we will never have efficient Government management, certainly Government ownership, until the wide shield of the civil service and appointment in regard to merit rests over all our governmental activities.

OBJECT OF BILL.

"This bill, should it facilitate export, would certainly raise prices. I have heard in a political campaign that it was a requisite of usefulness that men should go their round with different speeches in their pockets—one for use when they went among the farmers telling them, 'You are going to have higher prices and everything is going to go better if you put us into office;' and then they would go into cities and say, 'You are paying too much for bread, and the prices are going to be lower.'

"Now, what is the object of this bill? Is it to raise prices? Why, wheat is quoted at a figure higher than it has been, save in some sudden rushes in the market, since the year 1866. Persons are coming here to Washington asking that an embargo be placed on the export of wheat and wheat products. There was a headline in one of the papers night before last that said the cost to the Capital City alone would be $600,000 because of the added price of wheat. It has got to be either a smaller loaf or a higher price. The Government ought at least to be neutral under those circumstances. Is it going to use its strong hand? Is it going to tax the people, consumer and producer alike, to facilitate the export of wheat and hence raise the price of our primary food product?

"Now, let us look into the cotton situation for a minute. We have an unprecedented crop this year—16,000,000 bales. Very early in this war the Liverpool cotton exchange passed a resolution that they would not buy any cotton at present; the sources of demand were shut off; the cotton textile industry is demoralized by the war. There is consequently a very much diminished demand. Is it not perfectly inevitable that the price should be lowered under those circumstances, namely, the large crop and the diminished demand abroad? In this terrible war the consumer pays the freight as he never did before. If wheat were available from Odessa, if it were available from Siberia, if it were available from India, there would be competition, but, as it is now, the main source of supply is the New World. You can fix the price in Chicago or in Buenos Aires and add on the freight, and the consumer abroad has got to pay the freight. In Bremen the cost of cotton is 19 cents. Why is it so? Because of the high rate of freight between Galveston or Savannah or New Orleans, and the danger of capture, the danger of detention, and the danger of being blown into eternity by mines when you are on the way.

CONSIDERATION FOR THE CONSUMER.

"Why, it was rather understood when this new régime commenced that we were to have lower prices. That was one of the promises that were made. Now, is it to be the sole aim of governmental activity to raise prices? Is not the consumer entitled to the considerate attention of the administration? Will you tax the consumer and the producer alike to help the producer alone? Is that the new governmental idea that you are going to bring into effect?

"Now, there is one point in this connection that I would like to mention while speaking in regard to cotton. The total production, as I said, is about 16,000,000 bales. A little more than a third of that is retained at home. The other two-thirds or less goes abroad. That would mean the export of about 10,400,000 bales in the year, 200,000 bales in a month. Let us look at the recent shipments of cotton. I say this to hold out a word of hope to those who are interested in that line of production. Since January 2 there has not been a single week when the average export has not been above 200,000 bales. It is true that there would naturally be large shipments at this season of the year, but when you take into account the war, we are doing well, and conditions approximate the normal when you send an average of 200,000 bales per week. For the week ending January 2 there was sent abroad 191,000 bales; January 9, 315,000 bales; January 16, 218,000 bales; January 23, 255,000 bales; and January 30, 398,166 bales. Keep up that rate for 26 weeks of the year, and the whole we have for export will be carried abroad to a variety of ports.

"There is another thing that some of you may have noticed in a newspaper paragraph this morning, which is exceedingly significant. In the port of Galveston the quoted rate on cotton has fallen from $3.50 per hundred to $2.50 to Bremen; to Rotterdam, from $2.50 to $2 and $2.10; to Barcelona, from $1.35 to 85 cents. It would seem from this that while we have been talking on the shipping bill prices have been going down, and that raises the very important question as to whether it is not best to deliberate and to talk once in a while.

DANGEROUS POSSIBILITIES.

"I have been interested in many measures in the Senate and House of Representatives, but, my fellow citizens, I know of none that seems to me is fraught with more dangerous possibilities. You must always take into account in every piece of legislation not only what it is in itself but the precedent that it establishes. What will be done next? Why, it seems to me that in every word that Secretary McAdoo uttered against the lending of $250,000,000 to the cotton growers he was condemning the spending of money out of the Treasury which would inure to the benefit of some particular locality in this country. He referred to $28,000,000 loaned to the States. Does anybody deny that that is a fair debt? But the Treasurer of the United States was directed by Congress never to collect a nickel of it until further ordered, and you and I will have passed into another sphere before that further order is issued. So it is in regard to this shipping bill. If the shipping corporation is once organized and some one can get lower rates than the normal—can get advantages over his competitor—the agitation to continue it will remain long after its usefulness has been disproved and the boats ought to be sold.

"There are some things that it does not do to trifle with, my friends. If above anything else in my life I have wanted to take a stand, it is for the people and all the people of the United States against any section and any party. I deplore the fact that an organized minority or interest, small in number, is often more influential here at Washington than the great body of the people who, hampered by inertia and lack of interest, do not give sufficient attention to the general good. A public man oftentimes promotes his political chances more by a single bill that helps a single person than by any statute for the general good that he may be instrumental in enacting.

"I repeat—while we have been deliberating the reason for this bill has gone by or is going by. The arguments on behalf of it made at the beginning were abandoned. Now that relations with South America do not require increased shipping, some other reason is proposed.

OPPOSITION TO SHIP SUBSIDY.

"I have always opposed ship subsidy. I have stood with the minority of my party against this measure for these many years. I do not believe you will succeed in building up a merchant marine in that way. The more subsidy you pay the more you will be asked. There is a misapprehension about it. It is said that Germany and England have subsidized their ships. It is true that they do subsidize naval auxiliaries and boats like those belonging to the Cunard Line, but the tramp boat, which does most of the freight business, takes its chances on the waters of the sea. What is the reason our merchant marine has been decadent? It is closely associated with conditions which explain the marvelous progress of the American people.

SHIPPING-TRADE PROFITS.

"There is no trade which involves so little profit and so much hardship as the shipping trade. In Great Britain boats are built and then bonds to 65 per cent of their value at 4 per cent can be issued on them. They are built much more cheaply because they build many of the same type. Then when boats are sent out to sea our spirit of humanity toward the seaman is stronger than in Europe. We give him better food, we give him better wages, and we give him less hours. After all, you come up against this great proposition that in this land of ours there is a panoply of opportunities for investment on the land. We have here a great continent only partially developed, in some portions only scratched, and the genius of our people, their desire for investment, runs in that direction.

"Then, over on the other side of the water they have a class of sailors who for generation after generation, father, son, grandson, and on down indefinitely, follow the sea, while in our country when a man gets to be a mate he sends his son to the high school; he gets an education there, and in the abundant growth of American life that young fellow becomes a lawyer or a doctor and forsakes his father's calling.

THE PANAMA CANAL.

"Something has been said about the Panama Canal. The Government of the United States bought the rights of the new Panama Canal Co., and in buying them they got the railroad and ships and had them on their hands. In the building of the canal, that colossal enterprise, it was necessary to ship a great quantity of freight, such as cement, machinery, and supplies, and incidentally it has transacted a certain amount of general freight business. It is not in any way analogous to the present proposal.

"With reference to the currency bill, I want to say here that I was one of the men who had to do with the framing of the Aldrich-Vreeland bill, in the face of stubborn opposition from the other side, but the time came when the stone that the builders rejected became the head of the corner. With regard to the Federal reserve act, I did not vote in favor of it, but I did say, however, it would better the conditions as they previously existed. There was a commission which worked on the currency and banking problem, of which commission I had the honor to be a member for something like four years, and the accusation of plagiarism can be made with absolute certainty against the framers of the Federal reserve act when they look to that report, because its essential recommendations were all embodied and it furnished the basis for the present measure. I do not myself believe in this idea of the Government owning notes—I do not know that I would express myself so strongly as Senator ROOT, whom the secretary has quoted, and I do not believe that the experiment of issuing or guaranteeing currency which has been abandoned by every Government in the world, after it was tried by them and they had burned their fingers, should, even in this indirect way, be tried by our Government. Let the banks that issue this currency and get the benefit of it take care of the gold redemption and not call on Uncle Sam to help them out if they get into trouble. It may be a good thing, but I do not believe in the principle of it."

ORGANIZATION OF CITY GOVERNMENT.

Mr. FLETCHER. I present an article entitled "An outline for a preliminary municipal survey and a description of the organization of city government," by Mr. Le Roy Hodges, of Petersburg, Va. I desire that it may be printed as a public

document, and ask that it be referred to the Committee on Printing for action.

The VICE PRESIDENT. The article will be referred to the Committee on Printing.

REPORT OF CHIEF OF STAFF, UNITED STATES ARMY.

Mr. BRANDEGEE. Mr. President, the report of the Chief of Staff, United States Army, Maj. Gen. W. W. Wotherspoon, to the Secretary of War, dated November 15, 1914, is out of print. There is a great demand for the report, and I should like to have it printed as a public document. It is a short report, comprising only 15 pages.

Mr. SMOOT. I will ask the Senator from Connecticut if that is the report from the War Department?

Mr. BRANDEGEE. Yes; it is the report of the Chief of Staff of the Army. I ask that it may be referred to the Committee on Printing.

The VICE PRESIDENT. The report will be referred to the Committee on Printing.

GOVERNMENT-OWNED SHIPS.

Mr. McLEAN. I ask to have printed in the RECORD about 25 lines from the London Spectator, which relate to some experiences of Australia and Brazil with government-owned ships.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The matter referred to is as follows:

[From the Spectator, Jan. 30, 1915.]

THE AMERICAN GOVERNMENT AS A SHIPOWNER.

To the EDITOR OF THE SPECTATOR.

SIR: Your correspondent "A Jeffersonian Democrat" asks in his letter under the above title in the Spectator of January 16 whether there is any modern precedent for State ownership of a merchant marine. One is to be found in Australia, where the labor factions have had a good run of late. According to the Shipbuilding and Shipping Record of August 6 last, the Fisher government some two and a half years ago bought a steamer—the *Stuart*—from a private company for £10,400, and another £5,900 was expended in refitting her. She earned in two years £2,381, and was sold last summer for £6,200, the estimated loss of £10,000 falling on the shoulders of the electorate. Another State-owned steamer is the *Western Australia*, purchased in 1912 by the labor-governed State bearing the same name. She was bought for £39,500, and altogether cost about £73,000. The Government was then trying to sell the ship for £45,000. There are, of course, other instances, particularly where a shipping company has been so backed up, subsidized, and financed by a State as to make the concern to all intents and purposes a State-owned company. One of this class is the Lloyd Braziliero fleet, which the Brazilian Government put up for sale last year, without, however, finding a purchaser.

I am, sir, etc.,

SHIPOWNER.

[Our correspondent forgets an earlier precedent, the London County Council's attempt to run a fleet of passenger steamers on the Thames. The result is never mentioned in progressive circles in the metropolis.—EDITOR SPECTATOR.]

LIMITATION OF DEBATE.

Mr. NORRIS. Mr. President, have we passed the point in morning business when Senate resolutions are in order?

The VICE PRESIDENT. We were on the order of concurrent and other resolutions. That would include Senate resolutions.

Mr. NORRIS. Then, Mr. President, I submit the resolution of which I gave notice several days ago, which is now on the desk, proposing to amend the standing rules of the Senate, and I ask that it be read.

Mr. FLETCHER. Mr. President, I understand it is not a question of the consideration of resolutions at this time; it is a question of submitting resolutions. The order of business is the presentation of resolutions, as I understand.

Mr. NORRIS. This is a resolution which I am offering, and I have asked that it be read.

The VICE PRESIDENT. The Senator gave notice of the resolution, and he now offers it. The Secretary will read it.

The resolution (S. Res. 549) was read, as follows:

Resolved, That the standing rules of the Senate be amended by adding a new rule, as follows:

"Rule XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion when made shall lie over one day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution or any amendment thereon; but when any Senator's right to vote upon such motion is challenged such Senator shall be allowed to determine for himself whether he is disqualified from voting on said motion. When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall, in addition to said 15 minutes, be allowed additional time; but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending."

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. Every proposition in this proposed rule has been discussed both ways, up and down, for several days, and I ask unanimous consent for the present consideration of the resolution.

Mr. OVERMAN. I object, Mr. President.

Mr. NORRIS. Do I understand that objection is made?

The VICE PRESIDENT. Objection is made.

Mr. NORRIS. Then, as I understand, the resolution goes over for a day under the rule?

The VICE PRESIDENT. Yes.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On February 17, 1915:

S. 145. An act for the relief of Charles Richter;

S. 1044. An act for the relief of Byron W. Canfield;

S. 1377. An act for the relief of Alfred S. Lewis;

S. 1703. An act for the relief of George P. Chandler;

S. 2304. An act for the relief of Chris Kuppler;

S. 2882. An act for the relief of Charles M. Clark;

S. 5695. An act for the relief of the Southern Transportation Co.; and

S. 5970. An act for the relief of Isaac Bethurum.

On February 18, 1915:

S. 1304. An act authorizing the Department of State to deliver to Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

Mr. CUMMINS. I ask unanimous consent to take from the calendar Senate resolution 514, being Order of Business No. 800, and, in accordance with the motion of the Senator from Missouri [Mr. STONE], to have it referred to the Committee on Foreign Relations. I wanted it disposed of in the Senate, but it is very evident that I can not secure disposition of it; and I ask that it be disposed of as desired by the chairman of the committee.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and that course will be taken.

DETAIL OF MAJORS IN ORDNANCE DEPARTMENT.

Mr. HITCHCOCK. On behalf of the senior Senator from Oregon [Mr. CHAMBERLAIN], chairman of the Committee on Military Affairs, who is not able to be present, I desire to ask unanimous consent for the present consideration of House bill 17765, to regulate details of majors in the Ordnance Department.

The VICE PRESIDENT. Is there any objection?

Mr. FLETCHER. What is the bill?

Mr. HITCHCOCK. It is a bill to regulate details of majors in the Ordnance Department.

Mr. SMOOT. Mr. President, I will say to the Senator from Nebraska that I have received a number of letters in relation to the bill, and I think I referred one letter to the senior Senator from Oregon [Mr. CHAMBERLAIN] yesterday or the day before, asking him to consider the objections to the bill that are raised in the letter. I hope the Senator will not ask unanimous consent this morning for the consideration of the bill.

Mr. HITCHCOCK. It was desired by the War Department to secure, if possible, the passage of the bill, which proposes to correct what was probably an error in an appropriation bill passed a year ago. The bill really reenacts the law which was in effect for five or six years preceding the passage of the last appropriation bill; but, of course, if there is any objection, I suppose it can not be considered. It is requested by the Secretary of War, and was passed unanimously by the House of Representatives.

Mr. SMOOT. Mr. President, if it is necessary, of course, in an emergency matter I will not object. I really wanted, however, to have the Senator who reported the bill consider the letters I have received in reference to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that majors may be detailed in the Ordnance Department, under section 26 of the act approved February 2, 1901, and acts amendatory

thereof, without a compulsory period of service out of that department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROMOTION OF AMERICAN COMMERCE.

The VICE PRESIDENT. Morning business is closed.

Mr. LODGE and Mr. SMITH of Michigan addressed the Chair.

Mr. LODGE. Mr. President, is there not a resolution coming over from yesterday?

The VICE PRESIDENT. That is not morning business.

Mr. LODGE. Then a resolution which goes over under the rule one day loses all privilege and is not taken up automatically? It always has been done. If a resolution is introduced, and objection is made, it goes over under the rule one day and comes up the next day automatically.

The VICE PRESIDENT. Where is the rule for it?

Mr. LODGE. If there be no rule for it, then the objection that carries it over one day kills it. I have never seen it questioned. That is the reason why I made the inquiry.

Mr. FLETCHER. It comes up on motion.

Mr. LODGE. I only want to know the new rules as they are made; that is all.

The VICE PRESIDENT. There has been no new rule made.

Mr. LODGE. Certainly it is new practice.

The VICE PRESIDENT. That is probably true. It is new practice, but not a new rule.

Mr. GALLINGER. Mr. President, I will venture to inquire if the fact that, under the rule, a resolution goes over one day does not carry with it the assumption that it comes up the next day?

The VICE PRESIDENT. The presumption has always been that it came up on the next day, and the Chair has been in the habit of automatically laying such resolutions before the Senate; but upon attention being called to the rule, the Chair does not find any rule which authorizes the Chair automatically to lay it before the Senate.

Mr. FLETCHER. I submit, Mr. President, that it comes up on application under the rules.

Mr. ROOT. Mr. President, may I make a suggestion?

The VICE PRESIDENT. Certainly. The Chair has no——

Mr. ROOT. The rule that a resolution or other matter which is brought before the Senate shall lie over one day for consideration by necessary implication brings it before the Senate at the expiration of that period. Otherwise it would lie over indefinitely; but when the time is stated for which the matter shall lie over, then, upon the expiration of that time, the matter is in the same position that it was when it was originally presented to the Senate, just as when there is a recess or an adjournment to a certain day and hour, upon the expiration of that period the session begins.

Mr. LODGE. Mr. President, if I may be pardoned, since the Chair has stated that there is no rule on the subject, the rule is:

All resolutions shall lie over one day for consideration.

Of course by unanimous consent they can be disposed of at once, as they have been this morning; but if the request that they lie over one day ends them the rule is, of course, pointless. The rule is that a resolution shall lie over one day for consideration.

Mr. STONE. Is it not also true, if the Senator will permit me, that when it is brought up or laid before the Senate by the Chair on the day following, and is taken up and considered, if its consideration is not completed by 2 o'clock it goes to the calendar?

Mr. LODGE. Undoubtedly, but it is entitled to its day in court.

Mr. STONE. I think so. That has been the practice.

Mr. LODGE. That has been the unbroken practice.

Mr. SMITH of Georgia. Mr. President, will the Senator from Massachusetts let me call his attention to Rule XXVI?

Mr. LODGE. Certainly.

Mr. SMITH of Georgia. That rule provides that all reports of committees shall lie over one day for consideration. If the language that the Senator quotes requires a resolution to be disposed of on the next day and gives it precedence, then the similar language applied to the report of a committee would require every committee report to be considered the next day.

I am not objecting to the old practice. I do not want to be misunderstood about that; but just as a matter of curiosity I have myself sought to find a rule which sustained that practice, and I have not been able to find it.

Mr. LODGE. The rule is very simple, that a resolution shall lie over one day for consideration. Of course otherwise the request to lay it over one day kills it at once. It sends it to the calendar at once.

Mr. SMITH of Georgia. Then what becomes of the report of a committee?

Mr. LODGE. But this is not the report of a committee.

Mr. SMITH of Georgia. I understand; but the same language is used in another rule in connection with the report of a committee.

Mr. LODGE. I understand that, but——

Mr. SMITH of Georgia. If it means necessarily that the resolution is to be considered the next day, would not the same language applying to the report of a committee mean equally that the report of a committee is to be considered the next day?

Mr. LODGE. But, Mr. President, the distinction is very obvious. The report of a committee or a bill goes to the calendar under the rule. A Senate resolution that is introduced does not go to the calendar unless it has been considered and the hour of 2 o'clock has arrived.

Mr. SMITH of Georgia. But there is nothing in the rules which says it is to be considered the next day.

Mr. LODGE. It has never been to a committee, and it does not go to the calendar until it has had its hour in court, or its day in court. That is the universal practice.

Mr. FLETCHER. Like any other matter, it has to be taken up on motion.

Mr. SMITH of Georgia. I am not questioning the practice.

Mr. FLETCHER. It does not come up of itself.

Mr. SMITH of Georgia. I am not objecting to the old practice. I was trying to find something in the rule which required the old practice.

Mr. ROOT. May I make a suggestion there as to a distinction that occurs to my mind upon the observation of the Senator from Georgia? The way in which the report of a committee gets consideration is by being put on the calendar, when it comes up in its regular order. The way in which a resolution which has never been to a committee gets consideration is by being brought up during the morning hour after the routine business. A resolution which has never been to a committee can not get on the calendar except by having consideration during the morning hour after the routine business, and it being ascertained that the period of the morning hour is not sufficient for its consideration, so that the hour expiring while the consideration is still in course, it then goes to the calendar. So the same view which sends the report of a committee to the calendar brings a resolution which has not been to a committee before the Senate in the morning hour of the day after it has been presented.

Mr. SMITH of Georgia. If the Senator will allow me, I find nothing in the rule that provides that it is to go to the calendar, and I find nothing in the rule with reference to the report of a committee going to the calendar. It all seems to be based upon practice.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. If the Senate will permit the Chair to make a statement about this matter, the view of the Chair will be made plain to the Senate.

It has always been the custom since the Chair has been here that after the order of concurrent and other resolutions the Chair has laid before the Senate resolutions coming over from a preceding day; but upon investigation of the rules it appears that there is nothing in the rules which requires the Chair to do any such thing. Resolutions are provided for in clause 5 of Rule XIV:

All resolutions shall lie over one day for consideration, unless, by unanimous consent, the Senate shall otherwise direct.

While the Chair believes that it would be to the interest of the orderly transaction of business for the Chair to lay down resolutions as they come over from a preceding day, the Chair thinks it is the duty of a Senator who has introduced a resolution which has gone over one day for consideration, at the time when concurrent and other resolutions are called for to call up his resolution. He has a right to call it up and to have it either considered or referred to a committee, but it is not, under the rules of the Senate, the unqualified duty of the Chair to lay it down.

Mr. SMITH of Michigan. Let me ask a parliamentary question, Mr. President. I desire to ask the Chair whether Senate resolution 545, which I introduced three days ago, is upon the desk of the Vice President.

The VICE PRESIDENT. It undoubtedly is.

Mr. SMITH of Michigan. I should like to inquire whether it has not been the custom for resolutions of that character,

calling for information, to be laid before the Senate the day following their introduction.

The VICE PRESIDENT. There is not any question about that; it has been the custom of the Senate.

Mr. SMITH of Michigan. That being true, the author of that resolution having no notice of any departure from the usual custom which has prevailed in the Senate, as announced by the Vice President, I ask that the resolution be laid before the Senate.

The VICE PRESIDENT. The Chair thinks that is only just, and, unless there is to be an appeal from the ruling, the Chair, on the suggestion of the Senator from Michigan, lays his resolution before the Senate.

Mr. FLETCHER. Mr. President, may I be heard just a minute on the question of order?

Mr. SMITH of Michigan. I do not intend to discuss the resolution at length.

Mr. FLETCHER. I wish to say this much——

Mr. SMITH of Michigan. I do not want to yield the floor.

Mr. FLETCHER. I am not asking the Senator to yield the floor. In this connection I wish to state my opinion in regard to the rules, and I think it is absolutely correct. As I construe the rules, the last order of business stated in the rules before the close of the morning business is the presentation of concurrent and other resolutions. When that order is passed the order of morning business is closed. It is still the morning hour, and it is in order to consider such a resolution during the morning hour, provided it is taken up, but the resolutions are not necessarily laid down. Anyone can move to take up such a resolution, as anyone can move to take up other matters. If not taken up during the morning hour, then it goes to the calendar.

Mr. SMITH of Michigan. Mr. President, a resolution asking for information ought not to take very much time, and it is not my purpose to do so. It is a very simple matter. I had supposed it would be laid before the Senate in the ordinary course of procedure, and it is before the Senate.

I desire, Mr. President, simply to say this about it: This is a resolution calling upon the Secretary of the Department of Commerce for certain information which he has said is in his possession, regarding correspondence between himself and a European monarch and a prime minister of a foreign country, wherein he says that he has dispatched an attaché to a foreign port—an attaché who, thank God, to use his own language, speaks the language of that court—and that certain arrangements are under way affecting the foreign policy of this Government.

I regret that the Secretary of the Department of Commerce has felt called upon to discuss a matter of so much importance in such a mysterious way. I think it is outside of the scope of his authority under the law. At a time like this it is most serious if any official of the Government of the United States may undertake to conduct correspondence with a European power without having it pass through the ordinary channels of diplomacy.

I have no feeling about the matter at all. I am sorry that he used the language attributed to him. I have only pointed out the language which I think is very inappropriate in the speech. His entire address meets with my unqualified disapproval. There are insinuations and suggestions throughout that address which do no credit to its author. But the language that is quoted in my resolution, it seems to me, does call for some answer at the hands of the Secretary of the Department of Commerce, and I should like, as the language has not been read, to quote the exact language used by Secretary Redfield.

Mr. GALLINGER. Mr. President, I would first ask that the resolution be read.

Mr. SMITH of Michigan. I should like to have the resolution read.

The VICE PRESIDENT. The Secretary will read it.

The Secretary read Senate resolution 545, submitted by Mr. SMITH of Michigan on the 15th instant, as follows:

Whereas the Secretary of the Department of Commerce, Hon. William C. Redfield, delivered an address before the United States Chamber of Commerce, at its session held in the city of Washington, February 4, 1915, in which the following statement was made:

"I have had a dispatch from the prime minister of a great country abroad, so frank as hardly to be publishable in its original form, almost begging—let us say strongly urging—that America take the place in his country that Europe has laid aside. I have another from a monarch himself of a European power saying frankly that he wanted America to come into his land and take the place which others had hitherto filled.

"To-day an able attaché is there at the court of that monarch, speaking the monarch's language, thank God, and entering his country to do what he can do to unite that nation to ours. The King has said that he will put into America a branch of the bank of his country if we will undertake to establish banks in his country, and that whatever he can do officially to forward American commerce in his land shall be willingly and continuously done"; and

Whereas under the present delicate and critical state of international relations arising from the assertion of neutral and belligerent rights and obligations during the present war, it is desirable that Congress shall know how many and what different departments of our Government are engaged in carrying on negotiations with foreign powers, and whether such negotiations are of a character to disturb the balance of conditions created by war between other powers and to involve the United States in violation of neutrality: Therefore be it

Resolved, That the Secretary of Commerce be, and he is hereby, directed to send to the Senate copies of the communications referred to in the remarks above quoted and of the instructions to and the reports from the attaché therein mentioned.

Mr. SMITH of Michigan. Mr. President——

Mr. SMITH of Georgia. Mr. President, I rise to a parliamentary inquiry. I understand the Chair to hold that such resolutions are before the Senate subject to a motion to take any particular one up, but that they do not come up automatically for consideration and there is no rule which puts them before the Senate. I shall not object to a motion by the Senator from Michigan to take up this resolution. I have not any objection at all——

The VICE PRESIDENT. No; that was not the ruling of the Chair. The ruling of the Chair was that there is no particular order of business which requires the Chair to lay such resolutions before the Senate, but as there is a clause calling for "concurrent and other resolutions," a Senator who on yesterday introduced a resolution which was laid over under the rule has a right during the morning hour to call it up for consideration by the Senate.

Mr. SMITH of Georgia. Without a motion?

The VICE PRESIDENT. A motion is not necessary. He has a right to call it up.

Mr. SMITH of Michigan. Mr. President, I will make very short work of what I have to say about the resolution. This is not a pleasant duty. My attention has been called to what I regard as a somewhat serious error upon the part of the Secretary of the Department of Commerce in the address which he delivered to the United States Chamber of Commerce. My attention has been called to it by citizens of my own State who felt that if the Secretary was in correspondence with European monarchs and prime ministers they ought to know with whom he was in correspondence and what that correspondence was about. Whether Teuton or Slav or Hottentot, or whoever it was, they felt that they were entitled to know what this officer of the Government, whose duties do not take him into the field of diplomacy, has been writing to foreign monarchs about.

I have formed no hasty conclusion. I did not accept a newspaper report of the language used and most severely criticized, but I sent to the secretary of the chamber of commerce and asked for an official copy of the address of Secretary Redfield. I have that revised address before me now. I think this language is unfortunate. I think it is due to the Senate that he explain it. I have not the slightest wish to humiliate him. If what he has done is in the interest of the Government which he serves, and serves faithfully, I shall be very glad, but a mysterious statement of that kind affecting our diplomatic status with European powers is altogether too important to be overlooked.

It is not the first time that we have called upon the departments of the Government for an explanation of utterances. If the party to which I belong was in control of the Government of the United States at this time, so critical, I should be the first to say that language of that kind was inappropriate. I hope that the Secretary can make some explanation which will at least take away the sting of inappropriateness which now seems to surround it.

Mr. STONE. Mr. President——

Mr. SMITH of Michigan. Does the Senator rise to ask a question of me, or is he addressing the Chair in his own right?

Mr. STONE. I thought the Senator had concluded.

Mr. SMITH of Michigan. I am through. I do not want to say any more.

The VICE PRESIDENT. The Senator from Missouri.

Mr. STONE. Mr. President, in the resolution offered by the Senator from Michigan he quoted some excerpts from what he says is a stenographic report of a speech delivered by the Secretary of Commerce before the Chamber of Commerce of the United States on the 4th day of the present month. From these quotations it is apparent that the communications referred to by the Secretary, and to which the Senator referred in his speech, were personal rather than official communications made to him. They were not, as I understand, drawn out by any request emanating from the Secretary, but were communications voluntarily made by certain officials of certain foreign Governments.

Mr. SMITH of Michigan. Mr. President——

Mr. STONE. I would think, Mr. President, that the Secretary would be entitled to use a correspondence of that character

in such way as he saw proper. As to the wisdom of using it as he did, that was a question addressing itself alone to his judgment and discretion. I can not see upon what theory or by what authority the Senate can call the Secretary to account and demand that he lay before the Senate a correspondence of that kind.

Nevertheless I am prepared to say that the Secretary of Commerce is entirely willing to give to the Senate all the information asked for by the resolution of the Senator from Michigan.

I have just received a communication from Secretary Redfield relating to this resolution, which I will read, and I think it constitutes a sufficient answer to the Senator's criticism, but if he thinks otherwise I have no objection to the passage of the resolution. The letter to which I refer is as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, February 17, 1915.

DEAR SENATOR STONE: My attention has been directed to Senate resolution No. 545, introduced by Senator SMITH of Michigan on February 15, and I have procured a copy thereof. I am aware that at this writing the resolution has not been adopted, but the whole matter is so simple and clear that it is a pleasure, in advance of its adoption, to furnish anew the information. I say "anew" because the matter was widely published throughout the country months ago, and I confess to a little surprise that the author of the resolution seems not to have observed this fact.

Having before me no copy of the address from which an alleged extract is made, I do not now raise the question of the accuracy of the supposed quotation. The statement is substantially correct, whether the language be accurately quoted or not.

The implication in the paragraph at the top of page 2, to the general effect that negotiations may be pending abroad between the different departments of the Government which may disturb matters, is a wholly gratuitous one. There are no facts either in my statement or in the actual occurrence to justify it. Only one, I venture to think, desiring to imply improprieties would have suggested it in the face of the widely published facts. These are as follows:

On October 2, 1914, I received from the Secretary of State a paraphrased copy of a dispatch from Ambassador Willard under date of August 30, giving somewhat in detail the subject matter of an audience with the King of Spain concerning the development of trade between Spain and the United States. I also received a letter from the President stating that he had asked the Secretary of State to send me the copy of the dispatch and asking me if I could devise means to bring this matter in some effective way to the attention of our commercial public. This was done, and on October 9, 1914, the matter was given to the press and published in the Consular and Trade Reports for that day. A copy is attached. A copy of the paraphrased dispatch is at the service of the Committee on Foreign Relations of the Senate if they desire it, though I presume the more usual way would be to obtain the same from the Department of State.

In like manner the Argentine ambassador to the United States brought to me on November 5, 1914, a cable message from the minister of foreign relations of the Argentine Republic to their ambassador, dated October 31, 1914. Upon my suggesting to the ambassador that the matter was one, as indeed it was intended to be, of interest to American commerce, he very courteously obtained the consent of his Government to the publication of a transcription of the dispatch. It appeared on the first page of the Daily Consular and Trade Reports for November 11, 1914, and was widely circulated throughout the press. A copy of the statement to the press follows:

"At an interview between the Argentine ambassador and the Secretary of Commerce on the evening of the 5th instant an important cable message from the Argentine Government bearing upon the commercial relations between the two countries was presented. Through the courtesy of the Argentine ambassador, and with the consent of his Government, the publicity of this dispatch is permitted. Its importance is obvious.

"It is a cablegram from the minister of foreign relations of Argentina to the ambassador of that country, dated October 31, 1914, and is as follows:

"'There is at present no congestion of merchandise in our ports. Wheat and flour are not exported at present because of the embargo established by the executive power on those products. Corn, meat, and wool are exported without great difficulty, but we fear the scarcity of the means of transportation for our production in the near future. A very effective outlet would be the arrival of steamers from the United States with usual cargoes—that is to say, impure naphtha, wood, iron, agricultural machines and implements, petroleum, furniture, lubricating oils, etc. Those boats would return with our products—that is to say, meat, wool, hides, quebracho, live stock, etc. American manufacturers can occupy the place left vacant by European industry in all the branches that have been served by it. The present moment offers to American manufacturers very appreciable advantages for occupying positions, profiting by the present European inability. In order to get these advantages they must take the initiative themselves, sending, at least, small cargoes and also agents, and especially adapting themselves to the custom of not demanding cash payment, as has been practiced by others with very well known success.'

Mr. LIPPITT rose.

Mr. STONE. Wait just a minute.

"The Department of Commerce hopes and expects that American manufacturers will take full advantage of the opportunity thus extended them through the courtesy of the Argentine Government."

Mr. LIPPITT. Mr. President——

Mr. STONE. Will the Senator let me conclude this?

Mr. LIPPITT. Yes. I merely wanted to ask the Senator one question, but I will wait.

Mr. STONE. I shall yield as soon as I finish reading. This letter of the Secretary proceeds:

It is a pleasure to say that, pursuant to the above, our commercial attaché, Dr. C. W. A. Veditz, is now in Madrid, endeavoring to promote the cordial relations with that country for which so much hope was expressed in the dispatch from our ambassador there, communicated through the Department of State, and that our commercial attaché, Dr. Albert Hale, is now in Buenos Aires, endeavoring to further the kindly desire of the Argentine Government for closer commercial relations with that sister Republic.

I need hardly point out that in neither of these cases were any negotiations conducted with foreign powers. The facts speak for themselves.

I shall be glad to have you give the fullest publicity to this letter.

Yours, very truly,

WILLIAM C. REDFIELD, *Secretary.*

Hon. WILLIAM J. STONE,
Chairman Committee on Foreign Relations,
United States Senate, Washington, D. C.

Mr. LIPPITT. I only wanted to ask the Senator from Missouri if I correctly understand the circumstances as they are related there? I understand that that dispatch, to which the distinguished Secretary of Commerce refers, is a dispatch from the Government of Argentina to their ambassador in Washington, and that from their ambassador the Secretary of Commerce received a copy of that dispatch, or from some proper source he received a copy of that dispatch. That is the circumstance, I understand, which is related. I see here in the language which the Secretary of Commerce uses in his speech he says:

I have had a dispatch.

What he says in his speech is that he is in communication personally, directly, with the prime minister of a great country abroad. What he should have said, I presume, is that he had had a copy of a communication which the prime minister abroad had sent to his ambassador in this country. The two things are quite different.

Mr. STONE. Mr. President, that is splitting hairs in order to make a criticism. I have read the statement of the Secretary, and it speaks for itself.

Mr. SMITH of Michigan. Now, let me ask the Senator from Missouri a question. Having read that statement——

Mr. STONE. I have not completed the statement.

Mr. SMITH of Michigan. No; I understand; and I am not going to interfere; but I should like to ask the Senator whether he thinks, in view of the quotation from the Secretary's letter which he has just read, the Secretary was justified in saying—

I have had a dispatch from the prime minister of a great country abroad, so frank as hardly to be publishable in its original form, almost begging—let us say strongly urging—that America take the place in his country that Europe has laid aside.

As to the statement made by the Senator as coming from the Secretary of the department, I take no exception to the manner in which he has stated it, and his intentions in that regard I take no exception to; but when he says he has a communication from the monarch of a foreign country personally, and that he has information from him which he can not publish, it looks as though there were too many departments of the American Government conducting the diplomatic correspondence of this country with foreign powers. I do not think the Senator from Missouri would like that any better than I myself like it, and an explanation will be very satisfactory. I do not seek to put the Secretary in a wrong light, but I have quoted his language. He says he did not have it before him when he wrote that letter to the Senator.

Mr. STONE. Mr. President, I have no patience to engage in hair-splitting business. The fact is, as shown by the letter, that the Secretary was absolutely correct when he said he had dispatches or was in possession of dispatches from the prime minister or minister of foreign affairs of two foreign countries. What difference does it make whether a dispatch was sent directly to Secretary Redfield or sent to an ambassador in Washington and by him turned over to Secretary Redfield, with liberty to use it in any way he pleased? When it is undertaken to draw fine distinctions of that kind it is manifest on its face that Senators are determined to indulge in criticisms of an unfriendly character, whether or no.

Now, Mr. President, I want to complete the statement I was making. The Secretary refers to the fact that the information conveyed in the extract from his speech quoted in the resolution had been given to the public long before the speech was made, both through the press and through consular reports. I have in my hand the Daily Consular and Trade Report of October 9, 1914, sent to me as an inclosure by the Secretary. The item to which the Secretary refers me in that report is very brief, and I will read it:

[Telegram from the American embassy, Madrid.]

SPAIN DESIRES AMERICAN CONNECTIONS.

The Spanish minister of foreign affairs states that the Bank of Spain will try to establish a branch in the United States similar to the branches which it now has in Paris and London. He added that he hoped an American financial institution might be located in Madrid.

The minister of foreign affairs also urged the advantages which would accrue from a direct American steamship line to Mediterranean ports whose ships would touch regularly at Cadiz or Vigo, promising regular and improved through railroad facilities from these points and also proper railroad communication to Madrid.

The present attitude of the Spanish Government offers a great commercial opportunity to the United States at this time and it is urged that advantage be taken of it.

That was printed in the Daily Consular and Trade Report of October 9 last and was commented upon throughout the country by the press.

Mr. SMITH of Michigan. Mr. President, that merely indicates that that is not the dispatch which "is so frank as hardly to be publishable." That is the language the Secretary used; and if it was published in October, apart from his speech on the 4th day of February of this year, it indicates that that publication has not had very large circulation.

Mr. STONE. Mr. President, I have no time to waste in replying to criticisms of that flimsy character.

I hold in my hand also a Daily Consular and Trade Report, dated November 11, 1914, containing an article headed "Opportunity for United States trade in Argentina." The part the Secretary refers me to is too long to read; it covers three pages of this report; but it is a very interesting document relating to the increase and exploitation of our trade in the Argentine and touching also upon the matter of shipping facilities, and all that. All this matter is, in my judgment, a very excellent and forceful argument in favor of the shipping bill we are trying to enact. Now, Mr. President, I ask leave, without reading, to print these three pages of the Daily Consular and Trade Report of November 11 last in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

OPPORTUNITY FOR UNITED STATES TRADE IN ARGENTINA.

The present opportunity for American exporters to secure extensive trade advantages in Argentina is set forth succinctly in a cablegram from the Argentine minister of foreign relations to the Argentine ambassador to the United States, Mr. Naón. This cablegram has been transmitted to the Department of Commerce as the official summary of present conditions by the Argentine Government, and is as follows:

"There is at present no congestion of merchandise in our ports. Wheat and flour are not exported at present because of the embargo established by the executive power on those products. Corn, meat, and wool are exported without great difficulty, but we fear the scarcity of the means of transportation for our production in the near future. A very effective outlet would be the arrival of steamers from the United States with usual cargoes—that is to say, impure naphtha, wood, iron, agricultural machines and implements, petroleum, furniture, lubricating oils, etc. Those boats would return with our products—that is to say, meat, wool, hides, quebracho, live stock, etc. American manufacturers can occupy the place left vacant by European industry in all the branches that have been served by it. The present moment offers to American manufacturers very appreciable advantages for occupying positions, profiting by the present European inability. In order to get these advantages they must take the initiative themselves, sending, at least, small cargoes and also agents, and especially adapting themselves to the custom of not demanding cash payment, as has been practiced by others with very well-known success."

FUNDAMENTAL COMMERCIAL CONDITIONS IN ARGENTINA.

The opportunity for United States exporters is all the better because of the spirit of impartiality and fairness toward all foreign goods which governs fundamental commercial conditions in Argentina. This point is elaborated in a recent communication from the Argentine minister of finance, Señor Enrique Carbo, to a financial institution in the United States, which also sets forth the importance of helping the industries necessary to the development of Argentine commerce in order to reap an ultimate trade benefit. The article follows:

"I believe that commercial relations based upon the constant interchange of the products that are required by the two countries for consumption or for the development of their economic activities will necessarily strengthen the international ties between them and stimulate other relationship to the profit of this Republic and of its worthy North American sister. I do not believe that it is possible for commercial intercourse between two free nations to result in loss to the one and profit to the other. In the development of commercial relations with our country the United States need only follow the example of European countries that have most rapidly succeeded in occupying the first place in the Argentine market. They gave the initial impulse to industries that were most necessary to the development of our commerce. They consulted our merchants regarding the tendencies and the tastes of our consumers and granted them credit facilities by founding in this country great banking institutions. Also they have established excellent lines of navigation and maintained continental traffic by means of moderate freight rates. In order to keep the transportation service going they arranged to take the greater part of our products to supply their markets and their big manufacturing concerns.

"Such a system of encouraging commerce has proved profitable to the countries that put it into practice, as is shown by the world's commercial statistics of the last 30 years. In these the United States figures as one of our best customers, precisely because of the adoption of the methods referred to.

"Neither the United States nor any other country has ever found, nor will any ever find, any obstacle in the way of the exercise of its full commercial activities in this Republic. Argentine legislation is liberal to business. Our customhouse regulations have not been modified for some 10 years. They influence imports so little that prices ruling on the markets have shown scarcely any effect on account of them. The taxes levied on goods for international consumption are the smallest possible. The same thing may be said of the Republic's fiscal burden upon our national industries, our transportation lines, and our business with the neighboring Republics that are supplied from our markets or through our ports.

TARIFF POLICY—INFORMATION AS TO POSSIBLE IMPORTS FROM UNITED STATES.

"Our tariff policy is based upon absolute international impartiality. One clause in article 74 of our customs law makes reciprocity treaties unnecessary because it authorized the Executive to reduce by one-half the duties on goods imported from countries that allow special privileges to Argentine products, and to increase by as much as half the tariff on the imports from countries that take measures which benefit the entry of merchandise of other nations to the detriment of our exports. Legislation is now pending that will create a permanent organ of the Government, whose mission will be to propose gradual modifications of duties as the necessities of our internal economy and those of our foreign commerce require. In my opinion the United States could not have a better opportunity than exists at the present moment to develop its commerce in the countries reached by the River Plate, either by increasing the quantity sold here of North American products which competed before with those of European countries now at war, or by promoting new industries that may supply such articles as are not now exported from your country.

"The department under my direction is able to supply representatives of business in the United States with lists of the principal imports which your Nation may undertake to market in Argentina, with assurance of success and of probable increase in the future.

INVESTMENT OPPORTUNITIES—OCEAN TRANSPORTATION.

"There is an increasing development of profitable opportunities for investments of foreign capital in this country. The people of North America can with advantage apply their own experience in studying this phase of opportunity in Argentina. The capital which has run the greatest risk has been that which was attracted by high interest rates. The rapid increase in land values has brought extraordinarily large returns within the shortest possible time. But capital invested with the productive capacity of the soil, the development of agriculture and the cattle industries, and the manufacture of our natural products taken into account can rely upon profits that come somewhat more slowly, but are undoubtedly more certain. The expansion to their present proportions of many of the largest concerns in the Republic is due to this conservative method of operation.

"Finally, I must advise you that we possess only the beginning of a mercantile marine, and this is needed for exclusive coast service between the cities and along the navigable rivers. Fortunately, the countries that have commercial relations with us have understood that the best way to develop those relations was through the establishment of great navigation lines, and the organization of companies destined exclusively for transportation in the Southern Hemisphere.

"I hope that this which I have said may be of service and that it will contribute to the impulse that will increase business relations between the Argentine Republic and the United States."

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In this connection the following articles appearing recently in the Daily Consular and Trade Reports, which give statistical and other information bearing on the trade relations between Argentina and the United States, will be of interest:

"Commerce of northern Argentina," issue of June 19, No. 143.
"Argentina's foreign trade," July 21, No. 169.
"Argentine export changes," July 30, No. 177.
"Commercial review of Argentina," August 13, No. 189.
"Argentine grain crops and exports," September 4, No. 208.
"Growth of banking in Argentina," September 5, No. 209.
"Supplies of merchandise in Argentina," September 26, No. 226.
"Cotton goods in Argentina," October 28, No. 263.

Mr. SMITH of Michigan. Mr. President, has the Senator finished?

Mr. STONE. I yield to the Senator.

Mr. SMITH of Michigan. Evidently, Mr. President, there is a disposition upon the part of the Secretary to set the Committee upon Foreign Relations right at least upon the criticism which has been directed against his speech of February 4. I do not desire to embarrass him in the slightest; I give him credit for being a patriotic and an upright man.

Mr. STONE. I venture to say to the Senator that this resolution and these remarks do not in the least, and can not in the least, embarrass the Secretary of Commerce.

Mr. SMITH of Michigan. I do not want to do so. I was going to suggest, inasmuch as he has already written the Foreign Relations Committee, that we refer the resolution to that committee, and if the committee, or any member of the committee, desires to interrogate the Secretary, it may be done. That will be quite satisfactory to me.

Mr. STONE. I have no objection to that disposition being made of the resolution.

Mr. SMITH of Michigan. The explanation made, as far as it goes, is undoubtedly satisfactory to the Senator. I take no exception to it; but the Secretary did not have his speech before him when he wrote the Senator from Missouri.

Mr. STONE. Concluding, Mr. President, I desire to say that the effort of the Secretary of Commerce to give to our business men, manufacturers, and others the benefit of this information, showing the great desire of the Governments of Spain and Argentina to establish closer commercial and business relations with this country, is commendable in every way. I apprehend that if this information had been in the hands of some others I know of it would not have been given to the public just at this time, because there are others in this land, I regret to say, who, in my opinion, are not anxious at this moment to increase or multiply the volume of our business at home or abroad. The Secretary, nevertheless, performed a commendable public service when he gave publicity to this information.

I am content, sir, that the resolution may be referred, in accordance with the suggestion of the Senator from Michigan, to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so ordered.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BURTON. Mr. President——

The VICE PRESIDENT. The Senator from Ohio.

Mr. BURTON. Resolution No. 541, merely asking for information, is, I take it, in the same position with the one just adopted. I ask to have it presented to the Senate.

The VICE PRESIDENT. At the suggestion of the Senator from Ohio, the Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The Secretary read the resolution (S. Res. 541), introduced by Mr. BURTON on the 13th instant, as follows:

Resolved, That the Secretary of War be requested and directed to transmit to the Senate a statement of the balances to the credit of the respective river and harbor projects of the country now under improvement, remaining unexpended and available on January 1, 1915, or February 1, 1915, as may be most convenient.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

STEAMBOAT-INSPECTION SERVICE.

Mr. FLETCHER. Mr. President, does that complete the morning business?

The VICE PRESIDENT. Unless there is some other resolution coming over from a previous day and there is a request to take it up, morning business is closed.

Mr. FLETCHER. I ask, in the first place, that H. R. 20282, a House bill which has been reported to the Senate and is identical with a Senate bill on the calendar, Order of Business No. 734, may be substituted for Order of Business No. 734, and the latter indefinitely postponed.

Mr. OVERMAN. What is it about?

The VICE PRESIDENT. The Chair understands that has been done once before.

Mr. FLETCHER. This is another bill, I think. It is in the same situation as a bill with reference to which the Senator from North Dakota made a similar motion.

Mr. SMOOT. May the Secretary state the request again?

The SECRETARY. The Senator from Florida requests that House bill 20282, received from the House, shall take the place on the calendar of Order of Business No. 734, Senate bill 6781, with exactly the same title.

Mr. PENROSE. What is the title?

The VICE PRESIDENT. Is there any objection?

Mr. PENROSE. Let us have the title stated.

The SECRETARY. The title of the bill is—

A bill to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered, and without objection Senate bill 6781 is indefinitely postponed.

THE MERCHANT MARINE.

Mr. FLETCHER. I move that the Senate proceed to the consideration of the House amendments to Senate bill 5259.

Mr. GRONNA. Mr. President——

Mr. FLETCHER. The motion is not debatable, Mr. President.

Mr. GRONNA. I simply wanted to proceed to discuss the bill when it was taken up.

The SECRETARY. Senate bill 5259 is entitled—

A bill to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe.

The VICE PRESIDENT. The Senator from Florida moves to proceed to the consideration of the House amendments to the bill the title of which has just been stated by the Secretary. [Putting the question.] By the sound the ayes seem to have it.

Mr. LODGE. I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Myers	Smith, Md.
Bankhead	Goff	Nelson	Smith, Mich.
Borah	Gronna	Norris	Smith, S. C.
Brady	Hitchcock	O'Gorman	Smoot
Brandegee	Hollis	Overman	Stephenson
Bryan	Hughes	Page	Sterling
Burleigh	James	Penrose	Stone
Burton	Johnson	Perkins	Swanson
Catron	Jones	Pittman	Thomas
Chilton	Kern	Pomerene	Thompson
Clark, Wyo.	La Follette	Ransdell	Tillman
Clarke, Ark.	Lane	Reed	Townsend
Crawford	Lea, Tenn.	Sheppard	Vardaman
Culberson	Lee, Md.	Sherman	Walsh
Cummins	Lewis	Shields	Weeks
Dillingham	Lippitt	Shively	Williams
du Pont	McLean	Simmons	Works
Fall	Martin, Va.	Smith, Ariz.	
Fletcher	Martine, N. J.	Smith, Ga.	

Mr. RANSDELL. I wish to announce that the senior Senator from Louisiana [Mr. THORNTON] is absent on account of ill health.

The VICE PRESIDENT. Seventy-four Senators have answered to the roll call. There is a quorum present. The Senator from Florida moves that the Senate proceed to the consideration of the House amendments to Senate bill 5259.

The motion was agreed to.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. The Senator from North Dakota.

Mr. GRONNA. The pending bill, in its latest form, provides for the creation of a corporation which shall have the power to construct, purchase, and operate ships in the foreign trade of the United States, and the power to charter and lease vessels for the same purpose. The Government is, through a shipping board provided for in the bill, to subscribe to at least 51 per cent of the capital stock of the corporation. Although the language is by no means clear, I assume that the provision in section 1 regarding the capital stock refers to this corporation and not to the lessee corporation. If this assumption is correct, the initial capital stock of the corporation is to be $10,000,000, of which the United States is to hold at least 51 per cent; the Government may also subscribe to the remainder of the stock if it is not taken by the public. It is also provided that the capital stock may be increased, and of such increase the Government may, without first obtaining the consent of Congress, subscribe to not more than $10,000,000. Consequently, the amount which this bill will authorize the shipping board to invest in the capital stock of the corporation will aggregate $20,000,000 if the Government should be compelled to subscribe to all of the initial capital stock of the corporation, and $15,100,000 if the public takes the 49 per cent of the initial stock offered to it; and the total capital stock that the corporation might issue would, under these circumstances, be $20,000,000 if the Government were compelled to purchase all of the shares of stock, or almost $30,000,000 if the public took 49 per cent of the stock. That, of course, is only the beginning, and I do not doubt that if this bill should become a law we should soon be asked to increase the investment of the Government in the capital stock. In addition to this, authority is given to sell $30,000,000 of Panama Canal bonds, the proceeds to be used in the purchase and construction of ships for the foreign trade.

As to whether the public will subscribe for the stock thus offered, that will, I imagine, depend to some extent on what understanding the public has of the intent and liability of the Government in the matter. If the public is given to understand that dividends are to be guaranteed, and that any losses which may result from the operation of these ships are to be made good from the Public Treasury, I do not apprehend that any difficulty will be found in selling this stock. If, however, the impression prevails that profits are not in any way to be guaranteed, the distrust of the public as to the ability of the Government to conduct anything economically may render somewhat difficult the selling of this stock.

While the Government will be called upon to furnish most of the money needed in this venture, or perhaps all of it, there appears to be some doubt as to how far the control of the Government will go. The Government is to hold not less than 51 per cent of the capital stock, to be voted by the shipping board, or its representative; but there is a provision on page 2 of the bill which, it appears to me, surrenders control, in a very large measure, if not entirely, to the other stockholders. This provision reads as follows:

Such officers and trustees shall be subject to removal at any time by a vote of a majority of the stockholders at any meeting thereof.

This would give a few stockholders, perhaps holding only a few hundred dollars of the capital stock, the power at any time to remove the officers of the corporation. Is there any doubt as to who would actually control the corporation, the United States holding a majority of the stock, or the stockholders having the power to remove the officers whenever they pleased? There may be reasons for placing this provision in the bill, but I have not heard them explained. It appears that this provision nullifies the control of the corporation, which the ownership of the majority of the stock at first glance appeared to give to the Government.

While the corporation is to be authorized to construct, as well as to purchase, ships, the general expectation is that attempts would first be made to purchase them before entering into contracts for the construction of ships. It is self-evident that this would be so if this measure is to bring any relief from the conditions which its supporters say make its passage necessary at this time. Almost from the opening of the war it has been suggested in various quarters—and some of those suggestions have come from what would ordinarily be considered authoritative

sources—that the ships to be purchased were the German ships interned in our ports, or, to speak more exactly, imprisoned by the fear of capture by the enemy if they should venture outside of the port. Since attention has been called to the fact that the belligerents might refuse to recognize the transfer of these vessels there has been some attempt to evade this question by stating that these are not the only vessels that can be purchased and that the passage of this bill would not necessarily mean the purchase of these ships. There has been no direct statement, however, that the purchase of these vessels is not contemplated, nor have those in charge of this bill been willing to accept any amendment which would guard against such purchases and the international complications which might result therefrom. The question of the validity of such transfers is therefore a pertinent one.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. The motion by the Senator from Missouri [Mr. REED] to amend Rule XXII of the standing rules of the Senate.

The PRESIDING OFFICER. The Senator from North Dakota will proceed.

Mr. GRONNA. I believe it can safely be said that the courts in this country have uniformly recognized the validity of the sale of merchant vessels by belligerents to neutrals after the outbreak of hostilities where such sale was shown to be a bona fide commercial transaction, and I understand that the trend of English decisions has been in the same direction. I am not satisfied, however, that the broad statement that any such transfer after the outbreak of hostilities would be held valid, provided the purchase was made in good faith, is justified by these decisions. It appears to me that a distinction might be drawn between the case of a vessel the capture of which was certain in case it ventured from port and the case of one of whose capture there was no immediate danger, and that while the transfer of the latter might be considered a commercial transaction in the case of the former, it might be held that the transfer was made in order to evade the consequences resulting from its belligerent nationality. Without attempting to go into this phase of the question, I may say that it does not appear to me that the case of the *Baltica*, on which the junior Senator from Montana [Mr. WALSH] laid some stress is a case in point, since it appears that in that case the transfer was made before the outbreak of hostilities, although in anticipation of war.

In the case of the *Benito Estenger* the Supreme Court makes the statement that "transfers of vessels flagrante bello were originally held to be invalid," but that the rule has been modified, and the court approved the statement from Hall's International Law that in the United States and in England the right to purchase vessels is admitted, but that as the opportunities for fraud are great the circumstances attending a sale will be closely scrutinized. France appears to have adhered to the old rule and to have maintained that the transfer of enemy vessels to a neutral who has knowledge of the outbreak of hostilities is void without regard to the good faith of the transaction. At least some of the other continental powers appear to have followed France in this respect rather than the United States and England. The Russian Prize Regulations of March 27, 1895, contain the following provision, as given in Moore's International Law, section 1188:

> Merchant vessels acquired from a hostile power or its subjects by persons of neutral nationality are acknowledged to be hostile vessels unless it is proven that the acquisition must be considered, according to the laws of the nation to whom the purchasers belong, as having actually taken place before the purchasers received news of the declaration of war, or that the vessels acquired in the manner mentioned, although after the receipt of such news, were acquired quite conscientiously and not for the purpose of covering hostile property.

The decisions and regulations referred to, however, were all made and formulated before the adoption of the London declaration. Article 56 of this declaration deals with the transfer of belligerent vessels to neutrals after the outbreak of hostilities. Extracts from the proceedings of the London conference, submitted by the senior Senator from New York and by the junior Senator from Montana, show that the delegates from the United States and others favored a declaration recognizing the validity of such transfers if bona fide, while delegates from other countries, especially from France, Germany, and Russia, believed that all transfers made after the outbreak of hostilities should be declared void. The article finally adopted as a compromise between these two views is as follows:

> ART. 56. The transfer of an enemy vessel to a neutral flag effected after the outbreak of hostilities is void unless it is proved that such transfer was not made in order to evade the consequences to which an enemy vessel as such is exposed.
>
> There, however, is an absolute presumption that a transfer is void—
> (1) If the transfer has been made during a voyage or in a blockaded port.
> (2) If a right to repurchase or recover the vessel is reserved to the vendor.
> (3) If the requirements of the municipal law governing the right to fly the flag under which the vessel is sailing have not been fulfilled.

The transfer after the outbreak of hostilities is void unless it is proved that it was not made to evade the consequences to which the enemy vessel as such is exposed. To what consequences is an enemy vessel as such exposed? On the high seas it is exposed to capture by the opposing belligerent. It is also exposed to being interned in a neutral port. If the transfer is made during a voyage or in a blockaded port, the presumption is absolute that such transfer is void, and yet the sale might be as absolute and might be made in as good faith on both sides in such a case as in any other; yet an absolute presumption is raised against its validity. The report made on this article to the London conference by its drafting committee is as follows:

> The rule respecting transfers made after the outbreak of hostilities is more simple. Such a transfer is only valid if it is proved that the object was not to evade the consequences to which an enemy vessel as such is exposed. The rule accepted in respect to transfers made before the outbreak of hostilities is inverted. In that case there is a presumption that the transfer is valid; in the present that it is void, provided always that proof to the contrary may be given. For instance, it might be proved that the transfer had taken place by inheritance.
>
> Article 56 recites cases in which the presumption that the transfer is void is absolute, for reasons which can be readily understood. In the first case the connection between the transfer and the war risk run by the vessel is evident. In the second the transferee is a mere man of straw, who is treated as owner during a dangerous period, after which the vender will recover possession of his vessel. Lastly, the third case might strictly be regarded as already provided for, since a vessel which lays claim to neutral nationality must naturally prove that she has a right to it.
>
> At one time provision was made in this article for the case of a vessel which was retained, after the transfer, in the trade in which she had previously been engaged. Such a circumstance is in the highest degree suspicious; the transfer has a fictitious appearance, inasmuch as nothing has changed in regard to the vessel's trade. This would apply, for instance, if a vessel were running on the same line before and after the transfer. It was, however, objected that to set up an absolute presumption would sometimes be too severe, and that certain kinds of vessels as, for example, tank ships could, on account of their build, engage only in a certain definite trade. To meet this objection the word "route" was then added, so that it would have been necessary that the vessel should be engaged in the same trade and on the same route; it was thought that in this way the above contention would have been satisfactorily met. However, the suppression of this case from the list being insisted on, it was agreed to eliminate it. Consequently a transfer of this character now falls within the general rule; it is certainly presumed to be void, but the presumption may be rebutted.

To me this statement appears to indicate what the drafting committee had in mind at the time of formulating this article. It has been urged that this article was merely intended to make void sales not made in good faith, and to place the burden of proving the good faith on the owner of the vessel. It appears to me, however, that transfers not made in good faith—where there was not an actual sale and purchase, but only a pretended one—would fall in one of the three classes of cases where the presumption against the validity of the sale is absolute.

The committee also state that at one time the article contained a provision that there was to be such absolute presumption in cases where the vessel was retained after the transfer in the same trade as that in which she had previously been engaged. If fictitious sales were the only ones which it was intended to make void, what reason would there be for suggesting that an absolute presumption be made in such cases? It appears to me that what the committee must have had in mind in considering that provision was that if an enemy ship were sold to a neutral and continued in the same trade there would be a practical certainty that the ship was sold for the reason that if she continued in the trade under the belligerent flag she would be liable to capture; in other words, that the transfer was made "in order to evade the consequences to which an enemy vessel, as such, is exposed."

The reason why a belligerent would object to the transfer of the merchant vessels of the enemy to a neutral flag is readily apparent. War on the seas is carried on not only against the actual combatants but also against the commerce of the enemy. The aim is not merely to capture the merchant vessels of the enemy but also to destroy so far as possible the trade of the enemy. At one time enemy goods were liable to capture regardless of the nationality of the ship on which they were found, but at length the doctrine of "free ships, free goods" prevailed, and enemy goods not contraband are now exempt from capture if carried by a neutral ship. All enemy goods carried by an enemy ship, however, are liable to capture. Consequently if a belligerent is permitted to sell its ships to neutrals its commerce in other goods than contraband might be carried on without danger of capture; and so far as its trade is concerned, it might

actually be to the benefit of a belligerent to be compelled to sell its ships. The war which one belligerent carried on against the commerce of another might to a very large extent be nullified by such transfers of vessels. In addition to this the belligerent would also lose, of course, the chance to capture the ship, and the enemy would have the additional benefit of having the capital which was tied up in the ship returned to its former owner, and thus increase the financial resources of the enemy.

To attempt to destroy the commerce of the enemy of course interferes with the trade of the neutral nations with which that commerce is carried on, and while it may not seem just to us that neutral nations should suffer because of a war for which they are not in any way responsible and with which they have no concern we have to accept the law as it is. A belligerent is likely to be more impressed with his rights as such than those of a neutral, and it must not be forgotten that these cases are decided by the courts of the belligerent making the capture. If we were to purchase the interned German ships, the two nations likely to capture them after the transfer would be England and France. The latter country would have refused to recognize the validity of the transfer, even without the London declaration. I believe there is a possibility that England might formerly have recognized such a transfer as valid, but the English Government has declared its adherence to the London declaration, and its prize courts will observe it in adjudicating these cases. The English and French Governments have not left us in doubt as to how they construe the law. As early as last August, if my memory serves me right, the English and French ambassadors conveyed to our Government their views that the purchase of these German ships would not be valid transfers under the London declaration.

I shall not dwell upon the possible consequences of the seizure and condemnation of a ship belonging to our Government by one of the belligerent powers. While we usually look upon searches and seizures of ships belonging to private individuals as matters of course, leaving it to the prize courts to decide whether the seizure was justified, the state of the public mind would be far different if the people of this country were to see ship after ship purchased by the Government and paid for out of the Public Treasury, seized by English and French warships as soon as they were outside of New York Harbor.

The Senator in charge of this bill has moved to amend the motion to recommit the bill to the committee so as to instruct the committee to report the bill again to the Senate with amendments, one of which reads as follows:

Provided, That in making purchases of ships during the continuance of the present European war no purchase shall be made in a way which will disturb the present conditions of neutrality.

This amendment is presumably to satisfy those who are opposed to the bill in its present form, because they fear that it is intended to purchase the German ships and believe that the validity of such transfers will not be upheld by the prize courts. To me it does not appear that this amendment accomplishes anything. With or without such a provision in this measure, I do not presume that the shipping board would make any purchase which, in their opinion, would "disturb the present conditions of neutrality." Supporters of this bill contend that the purchase of the interned German ships would not be in contravention of international law, and that even if the belligerents should consider it so, they would not at this time dare to seize the ships from fear of incurring our hostility, and that even if they did seize the vessels, there would be no danger of international complications, and that the present conditions of neutrality would therefore not be disturbed in any event. The proposed amendment certainly offers no assurance to anyone who believes it would be an ill-advised and dangerous proceeding to buy these ships at this time. It leaves to the shipping board the question of what would disturb the present conditions of neutrality. The opinion of the Secretary of the Treasury, who would be a member of the shipping board, is well known; he does not believe there is any question as to our right to purchase these ships. A person holding this view would certainly see no reason for declining to purchase the ships, even if the proposed amendment is adopted.

I do not know what the views of the other members of the board would be likely to be, but if it is possible for one of them to have these views there is a possibility that at least a majority of the board might have them, and in such an event there is absolutely nothing in this proposed amendment which would prevent them from buying the ships, no matter what others might think as to the danger of international complications resulting from such action. If a majority of this Senate believes that it would be a dangerous experiment to purchase these ships, I believe a provision should be written into it which would prohibit such action, or which would permit it only if the belligerent powers indicated that they would not consider it in contravention of international law. If there is danger that purchases might be made in such a way as to result in international complications, that danger will exist with this amendment in the bill exactly as though there were no such provision.

The reasons for passing this ship-purchase bill presented by President Wilson in his message last December were that countries which the countries now at war had formerly supplied with certain commodities would now be forced to depend on us for these supplies, and that ships were needed to carry this trade which was expected to develop. The President said:

It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce, of which they are in constant need and without which their economic development halts and stands still, can now get only a small part of what they formerly imported and eagerly look to us to supply their all but empty markets. This is particularly true of our own neighbors—the States, great and small, of Central and South America. * * * Here are markets which we must supply, and we must find the means of action.

* * * * * * *

How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop without them?

* * * * * * *

Hence the pending shipping bill, discussed at the last session, but as yet passed by neither House. In my judgment such legislation is imperatively needed and can not wisely be postponed. The Government must open these gates of trade, and open them wide; open them before it is altogether profitable to open them or altogether reasonable to ask private capital to open them at a venture. It is not a question of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable, and then when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw.

The reason urged by the President is that we should take advantage of the opportunity offered us to increase our trade with South America now that the European countries are no longer in a position to supply them with goods. So far as the President is concerned, it is merely a means to increase our South American trade, thereby stimulating our industries to greater activity, and he proceeds on the assumption that there are now no ships which can carry our products to these markets. The senior Senator from Ohio [Mr. BURTON] has shown, however, that ships now sail regularly for South America, and that very often they are compelled to sail with only half a cargo. If the ships at present engaged in the South American trade do not always get a full cargo, how is it going to encourage the trade to put on a few more ships, even though the additional ships are owned by the Government? And, so far as the upbuilding of our merchant marine is concerned, it is not clear to me how the placing in commission of several ships owned by the Government is to have any such result.

The President speaks of "the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country" and "the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas," but he does not explain what those mistakes were or what is necessary in order to retrace those steps. It is evident that he refers to past legislation, but in that event it would seem necessary to repeal or amend the obnoxious laws which he holds responsible for the destruction of our merchant marine. If those laws still continue in force, it is to be expected that they will have the same effect in the future as in the past, and if the President is correct in holding them responsible for the decline in our shipping, it is not clear to me how the operation of Government-owned ships will nullify the effect of the law so far as privately owned ships are concerned.

The President did not state what laws he had in mind which had all but destroyed our merchant marine. The Secretary of the Treasury, Mr. McAdoo, appears to take a little different view of the matter. He says in his speech delivered in Chicago the 9th of January:

Much has been said about changing our navigation laws in such manner as to make the field for private capital more attractive. It is said that our navigation laws are so unfavorable and put American shipowners at such a disadvantage that unless they are changed in numerous particulars it will be impossible ever to build up an American merchant marine. * * * It is not, however, practicable to change our navigation laws to the extent which private capital demands, because the principal change relates to the wages of the American sailor.

It is stated that the wage standard for American labor makes the cost of operating American ships so much greater than the cost of operating the ships of other nations that it is impossible for the American shipowner to compete with his foreign rivals. This may be overstatement, but whether it is or not, I think it can be said with certainty that public opinion in this country will never permit the passage of any legislation that will reduce the American sailor to the standard of the Asiatic and European sailor.

If the President is right in his statement that our laws have all but destroyed our merchant marine, and if the Secretary of the Treasury is correct in stating that the principal change demanded in order that private capital may build up our merchant marine relates to the wages of the American sailor, I do not see any ground for the expectation of the President that the passage of this bill would result in attracting private capital into the shipping business. It can be stated with certainty that Congress will pass no legislation to lower the wages of American seamen, and I do not believe that it is the expectation of the supporters of this measure that the establishment of a Government-owned line of ships will result in lowering the wages. If, as shipowners maintain, the cost of operating vessels under the American flag is so much greater than under a foreign flag that it can not be done with profit, how is the fact that the Government owns a few merchant ships going to change this fact? And, on the other hand, if the shipowners are not correct in their contention, if it is possible to operate vessels under the American flag with profit and there are other reasons for our failure to build up a merchant marine, what change would the purchase or construction of a few ships by the Government make in this regard? I can see how a person might support this measure if he believes that there is a scarcity of ships to carry our products abroad which can be remedied only by purchase of ships by the Government, and I can also see how a person might support this measure believing that the only merchant marine which we can have until conditions radically change is one owned by the Government, but I do not see how it can be supported on the ground advanced by the President.

It is of interest at this point to note what the Secretary of the Treasury, S. P. Chase, said in regard to the decline in our shipping in a special report made to the Senate in 1864. He first describes the rise of American shipping:

The United States began an extraordinarily extended and unusually successful commercial career very soon after the establishment of the Government. The condition of Europe for a long period was such that American shipping became of necessity the preferred channel for conducting far the larger share of the commerce of the world. We were not limited to the carriage of merchandise of American production abroad and the return of foreign articles required in our own consumption, but for a series of years entered at and again exported from our ports a larger aggregate of values on account of foreign nations than for the entire use of the United States.

It could not, of course, be expected that with the most rapid and successful development of the United States this ascendency in general commerce would be maintained, but the facilities obtained by a preoccupation of extensive and profitable lines of trade between countries possessing no commercial marine directly, and also between these and the commercial and manufacturing States which are their permanent natural markets, should have secured to the shipping of the United States an equal division of all trade between noncommercial States and a share of the carrying trade wherever exclusion by positive legislation does not exist. Still more decidedly should the control of all carrying trade to our own markets have been retained, and the increased consumption of the products of tropical countries necessarily attending on the growth and increasing wealth of the United States might reasonably be supposed to give employment almost exclusively to American shipping. * * *

The large values of foreign merchandise exported from the United States, which are given in detail in another place, necessarily imply the employment of a great amount of American tonnage, since very little of the carrying trade between neutral nations could be in the hands of any belligerent power, and nearly all Europe was long involved in war. Even after the peace of 1815 there were intervals of disturbance, and frequent occasions in which the carrying trade was largely resumed by our shipping.

He then goes on to discuss the gradual passing of the carrying trade into the hands of other nations during the period from 1821 to 1863.

During this period of 42 years there was no marked event in the history of the United States to affect the progressive advance in general trade. It is evident, however, that not only was the foreign carrying trade steadily passing from our shipping to other hands, but also the direct commerce of the United States with all other countries was steadily encroached upon, each year adding a greater number of foreign than of American vessels to the general commercial marine.

Dealing with the causes of this condition, he says:

It may be stated that the loss of the great carrying trade conducted by American shipping during the European wars has more than once received earnest public attention. Two or three European States, and particularly France, almost immediately on the establishment of peace built up a severe system of discriminations against all other shipping than their own. These discriminations were carried to a most injurious length and were the subject of earnest remonstrance. The effect of the action of France is still seen in the remarkably limited amount of our present direct trade with that country, and for other States the results are quite as striking. In a forcible memorial addressed to Congress by the Chamber of Commerce of New York in 1821, the first decisively adverse effects of the new policy of European States is thus stated:

"It is a lamentable fact that more than half the number of vessels lately arrived at this from foreign ports are dismantled, from the absolute absence of any advantageous object of commercial pursuit; and this state of commerce seems the natural and necessary result of the new order of things which has prevailed since the pacification of Europe. Every restraint that lately shackled the navigation of the principal maritime nations of Europe has been removed, whilst the general trade and navigation of those States are, at the same time, regulated with a studious regard to the interests of their own subjects, so that the United States have not only ceased to be the carriers for Europe but are deprived of the means of entering into a fair competition in the transportation to foreign countries of the principal products of their own soil."

This is a just statement of the adverse action of France, more particularly, by which the United States shipping was first seriously curtailed of its due share of foreign trade. The discriminations then made by France were not in the form of tonnage dues and port charges so much as in specific charges imposed upon American produce imported in American ships.

Regarding the action of the British Government, he says:

The action of the British Government in the same direction was even more frequent and persistent, and though interrupted or in other ways rendered nugatory previous to the peace of 1815, the purpose was frequently and distinctly declared. In January, 1791, the British Board of Trade, in a formal report on commercial relations with the United States, announced the policy of giving signal privileges in British home ports to American ships, but refusing all such equality in the ports of the colonies.

"If Congress should propose that this principle of equality should be extended to the ports of our colonies and islands, and that ships of the United States should be there treated as British ships, it should be answered that this demand can not be admitted even as a subject of negotiation.

"Many vesels now go from the ports of Great Britain carrying British manufactures to the United States; there load with lumber and provisions for the British Islands, and return with the produce of those islands to Great Britain. This whole branch of the trade may be regarded as a new acquisition, and was attained by your Majesty's orders in council before mentioned."

Various countervailing acts of the United States aided to neutralize this policy, as has been said, until after the general peace of Europe in 1815. In a commercial convention with England, concluded July 3, 1815, the United States conceded the chief point in controversy, trusting to the great development of our trade with the British colonies, and the energy with which it had been conducted, to maintain it under any circumstances. The United States agreed to the equalization of all the conditions of their commerce with the British European ports, but left the regulations controlling trade with the British West Indies and American colonies without stipulation. The consequences were soon felt. The British authorities reestablished their old colonial policy, and shut American shipping from the West Indian ports.

The Secretary also calls attention to the greater subsidies paid the British steamships, to which some importance is attached. He ascribed the decline not to any of our laws, but to the restrictions which other nations imposed on our shipping in order to encourage their own. During the years to which he refers there was not an actual decline in the tonnage of our merchant marine engaged in foreign trade—there was usually an increase every year—but each year saw a larger percentage of our commerce carried in foreign bottoms than the preceding year. The Civil War appears to have caused a loss of approximately a million tons, the tonnage engaged in foreign trade in 1861 being given by the Commissioner of Navigation as 2,496,894 and in 1864 as 1,486,749. For a number of years thereafter it appears to have been almost stationary. In the seventies there was a gradual increase, the highest figure being reached in 1878, when 2,855 vessels, with a total tonnage of 1,589,348, were registered. From that year there was a gradual decrease until 1898, when 1,084 vessels, with a tonnage of 726,213, were registered. From 1898 there has been a slow increase until in 1914 we had 2,360 vessels, with a tonnage of 1,066,288. These figures deal only with vessels engaged in the foreign trade and do not include those in the coasting trade. In 1821, 88.7 per cent of our foreign trade was carried in American bottoms; in 1861 this had declined to 65.2 per cent; it fell to 27.5 per cent in 1864; it rose to a little over 35 per cent in 1868 and again in 1870; then it declined steadily until it reached 8.2 per cent in 1901; it gradually rose again to 12.1 per cent in 1905; and since that year has again declined until in 1914 the percentage of our foreign trade carried in American vessels was 8.6. The total value of our commerce carried in American vessels in 1821 was, in round numbers, $113,000,000; this gradually increased to somewhat more than $507,000,000 in 1860; in 1865 it had decreased to $167,000,000; the value increased again to $353,000,000 in 1870 and again in 1871; it fluctuated between $300,000,000 and $350,000,000 until 1879, when it fell to $272,000,000; it gradually declined to $160,000,000 in 1899, and then slowly increased until in 1914 it was somewhat more than $368,000,000.

Just on what the President bases his hope that if this bill is passed and Government ships are put in commission, private capital will then be induced to build up our merchant marine, is not apparent to me. It is true that during the period of the decline of our merchant marine private capital in this country has been abundantly and profitably employed in opening up a large section of our country, in building our great railway systems, and in building up our other industries. This may have had some effect in retarding efforts to rehabilitate our merchant marine. That this is not the only reason, however, is evidenced by the fact that considerable American capital is invested in ships flying foreign flags. If, as has often been stated, the main reason is that cost of operation under the American flag is so much greater than under other flags that

our shipowners can not for that reason compete with foreign shipowners, then the only way in which we shall ever get a foreign merchant marine will be by paying for it, in the form of subsidies or by operating Government-owned vessels at a loss or by paying higher rates on goods shipped in American vessels. The Underwood Tariff Act undertook to do this by discriminatory duties on goods shipped in foreign bottoms, but because of our treaties with other countries this provision can not be enforced. It is hardly necessary to point out that that was only an indirect subsidy. We have hitherto been content to leave the matter as it is, reflecting that if foreign Governments by the payment of subsidies make it impossible for our shipowners to compete successfully in the ocean carrying trade, we are to some extent compensated by the cheaper ocean rates.

While the President urged the passage of this bill in order to encourage trade with South America and attract private capital into the shipping trade—and I suppose this is the real reason why such a desperate attempt is made to pass it, as such attempt would not be made unless the President insisted on it—the arguments now urged are mostly that there is an absolute lack of ships to transport our goods to other countries, and that the shipowners have taken advantage of the present conditions to increase the rates. So far as the latter contention is concerned, I believe it to be a fact that the rates are at this time higher than they have been formerly. Ocean rates, however, are subject to violent fluctuations, and I understand that they are uniformly higher in the winter than in summer. While the higher rates have been severely condemned on this floor, I do not know that any attempt has been made to find out to what extent they are justified. It must be remembered that the dangers to which navigation is exposed at this time, the higher insurance rates, the reported congestion of freight at the docks in Europe, resulting in long delays in unloading, would naturally result in increasing the ocean rates. I do not mean to say that there have not been unwarranted increases in ocean rates—I do not have any data at hand which would warrant me in making a statement either way—but the mere fact that rates have increased is not in itself necessarily proof of their unreasonableness.

The war has resulted in diminishing the merchant marine of the world by practically all of the German shipping. That does not necessarily mean, however, that we are now short of carrying facilities for our commerce to the extent in which our goods were formerly carried in German ships. It must be remembered that with the industries of the great commercial countries of Europe paralyzed the commerce of the world can be carried in fewer ships than formerly. During August, the first month of the war, our exports fell off greatly, being but $110,000,000 in round numbers, as against $154,000,000 in July. They increased to $156,000,000 in September, to $194,000,000 in October, and to $205,000,000 in November; the exports in November, 1913, were of the value of $245,000,000. For December a statement given to the papers last week shows that the exports regained the figures of December a year ago, which were in round numbers of the value of $233,000,000. I wish to insert at this point a clipping from the Washington Star containing the statement referred to:

SHOWING OF EXPORTS IN DECEMBER REPORT—DECREASE IN FINISHED PRODUCTS OFFSET BY GAINS IN MANUFACTURED FOODSTUFFS.

December, 1914, exports of manufactures regained the level shown by December of the preceding year, a decrease of 10 per cent in finished manufactures being more than offset by the gains in manufactured foodstuffs.

In certain lines of manufactures, however, the exports during the month of December, 1914, show phenomenal gains over those of December a year earlier, as, for example, in the case of commercial automobiles, the value of which advanced from $101,000 to more than $3,000,000; cotton knit goods, from $295,000 to more than $2,000,000; woolen clothing, from $183,000 to one and one-third million dollars; other woolen goods, including blankets, from $103,000 to more than $2,000,000, and rubber boots and shoes, from $84,000 to $864,000.

DEALINGS IN MANUFACTURES.

Europe is taking an unusually large proportion of the manufactures now being exported from the United States. Of the four and one-third million dollars' worth of automobiles, including both passenger and commercial vehicles, exported during the month of December, 1914, two and one-half million dollars' worth went to France and $1,000,000 worth to the United Kingdom. Those two countries also took practically all of the metal-working machinery, and England a preponderating proportion of the sole leather exported. Denmark was the chief market for the cottonseed oil cake and meal exported, and England and the Netherlands were the chief markets for the cottonseed oil which left the country during the month of December. Practically all of the 74,000,000 pounds of sugar exported during December went to France, and England and France were the chief destinations of woolen clothing, blankets, and other manufactures exported during the month to the value of more than $4,000,000.

It appears probable to me that the decrease in our exports was due to the disorganization of the industrial and commercial systems of the great countries of Europe on the sudden outbreak of the war rather than to a lack of ships to carry our trade. I think the case of Canada will illustrate this point. In September, 1913, our exports to Canada were almost $31,000,000; in September, 1914, not quite $26,000,000, or a falling off of $5,000,000. This certainly can not be attributed to a lack of ships. In October, 1913, their value was $33,000,000; in October, 1914, $23,500,000, or a falling off of nine and a half million dollars. In November, 1913, they had a value of $30,500,000; in November, 1914, $23,500,000, or a decline of more than $7,000,000. We certainly can not attribute this to a lack of ships. Our exports to Canada for the three months named were in 1913, in round numbers, $94,000,000; for the same months in 1914 they had a value of $73,000,000, or a falling off of $21,000,000. The decline of our actual trade with Canada was perhaps greater than these figures indicate, as there were great increases in such items as horses and wheat, which it is reasonable to presume were really destined for Europe. At any rate, the falling off in our trade with Canada can not be ascribed to a lack of ships, but must be due to the decrease of her industrial activities caused by the war. And as there can be no comparison between what Canada has suffered in this respect and what the European countries must have suffered, we must expect that the demand of Europe for our goods, other than foodstuffs and such material as is of use in war, will be less than it has been in former years.

While there was a decrease in our exports generally during the first part of the present fiscal year, a great increase is shown in the export of certain commodities. During the months of September, October, and November, 1914, we exported 47,308 horses as against 4,696 for the same months in 1913. During the months, September, October, November, and December, 1914, we exported 10,285,732 bushels of barley as against 1,805,862 bushels during the same months in 1913.

During the same months in 1914 we exported 9,137,702 bushels of corn, as against 2,291,716 bushels for the same months in 1913. We exported 32,402,048 bushels of oats during the same months in 1914, as against 410,859 bushels in 1913. Of wheat, we exported during the same months in 1914, 83,505,446 bushels, as against 28,983,592 bushels in 1913; almost three times as much, and yet there are plenty of ships to carry this tremendous amount of merchandise and foodstuffs. In the export of flour there does not appear to have been much change, 4,081,533 barrels during September, October, and November, 1914, and 3,774,110 during the same months the preceding year. I do not happen to have the figures for flour for December at hand. During the same three months in 1914 we also exported 4,148,392 bushels of rye and 22,980,331 pounds of rice, as against 219,105 bushels and 4,238,036 pounds, respectively, for the same months in 1913. If there is any congestion of traffic, which has been alleged but which has also been denied, at our ports, it appears to me that it might be due to the unprecedented demand for our foodstuffs. If this bill were to become a law and it should result in an addition to the shipping available for carrying our goods abroad, it is possible that when our available surplus of food products has been exported it would be found that our ships could get no cargo. For it must be expected that during the continuance of this war the demand of Europe for our goods, except foodstuffs and material useful in carrying on the war, will continue to be less than in former years. I wish to insert here a clipping from the Washington Star, showing the unusually large exports from New York at the present time:

NEW YORK TOTAL EXPORTS PAST WEEK, $23,526,602—BUSINESS TO DATE, 1915, EXCEEDS THAT OF SAME PERIOD LAST YEAR, IS REPORT.

NEW YORK, *February 10.*

Exports at this port in the week ending February 6 are officially placed at $23,526,602, compared with $26,272,091 in the week before, according to a customhouse statement made public to-day. This year's exports to date total $148,146,690, against $119,413,507 in the same period last year.

Germany's orders were larger than at any period since the European war began, shipments to that country totaling $1,670,202.

England's shipments for the week were valued at $4,486,815, and those of France aggregate $3,191,362; Italy's purchases, largely grain, totaled $2,238,834.

How completely the Mexican situation has disrupted New York's trade with Mexico is revealed in the statement that exports for the week were next to the lowest of any country reported, being only $1,380.

We needed no ships to transact business between the United States and Mexico. That decline was not due to a lack of ships.

As this statement shows, the exports from New York during January and the first week of February this year were almost $29,000,000 in excess of the exports for the same period in 1914, the totals being $148,146,690 and $119,413,507, respectively.

The industry which has suffered especially because of the war is, of course, the cotton-growing industry. According to the report of the Census Bureau, the exports of cotton during August, September, October, and November, 1914, were, in round numbers, 1,400,000 bales as against 4,200,000 bales during the

same months in 1913. This was, of course, a tremendous decline—a decline of almost 300 per cent. In December, however, we exported 1,202,115 bales, and in the same month in 1913, 1,230,830 bales, only about 28,000 bales less than a year ago. I wish to insert at this point a table taken from the report of the Census Bureau showing the exports of cotton for December, 1914 and 1913, and also for the five months ending December 31, both years.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Exports of domestic cotton and linters (running bales).

Country to which exported.	December.		5 months ending Dec. 31—	
	1914	1913	1914	1913
Total	1,202,115	1,230,830	2,607,164	5,437,480
United Kingdom	572,396	473,028	1,195,511	1,971,402
Germany	47,076	326,938	48,128	1,673,049
France	75,030	146,074	139,627	793,920
Italy	200,028	80,621	383,797	261,755
Other countries	307,585	204,169	840,101	737,354

Mr. GRONNA. Mr. President, I read from a newspaper clipping, under date of February 6, the following:

BIGGEST UNITED STATES TRADE BALANCE—FOREIGN BUSINESS SHOWS RECORD WEEK IN FAVOR OF AMERICA.

Foreign trade for the week ended February 6, as reported to the Department of Commerce yesterday by the 13 principal customs ports, showed a balance of $37,134,226 in favor of the United States, the largest weekly balance on record.

Exports for the week totaled $59,581,106 and imports, $22,446,880.

Exports for the past 10 weeks totaled $519,350,295 and imports $244,006,550, making a balance of $275,343,745 in favor of the United States for that period.

Cotton exported during the week amounted to 365,733 bales, making the total for the last nine weeks 2,616,432.

It appears to me that in view of the present large exports, if there is any shortage of ships to carry our goods abroad, it is in all probability only a temporary condition, since our exports will probably decrease when we have sold our surplus foodstuffs.

Our direct trade with Germany, Austria, and Belgium, however, has practically ceased, and our direct trade with Russia has decreased very greatly. Our exports to some of their neighboring countries have greatly increased, however, and it is possible that some of these reach the countries with which we have at present almost no direct communication. For instance, comparing our exports in the months of September, October, and November, 1914, with the exports for the same months in the preceding year, to some of these countries I get the following results: To Denmark, 1913, $4,368,166; 1914, $24,459,314, an increase of $20,000,000 to that small country. To Greece, 1913, $268,340; 1914, $4,977,985. To Italy, 1913, $21,376,699; 1914, $32,473,259. To Norway, 1913, $2,533,824; 1914, $10,846,440. To Sweden, 1913, $4,445,577; 1914, $14,995,543, an increase of more than $10,000,000 to Sweden alone. In the case of Holland our trade shows a decrease, our exports being $23,999,032 for the three months of 1913 and $19,043,606 for the same months of 1914. While it is possible that some of our goods are reaching Germany indirectly, it would seem probable that we might sell her more goods if we had a line of American ships reaching her ports directly. The same might also be true of Russia. It might be a question, however, as to whether the fact that we have at present practically no ships plying between our ports and those of Germany and Russia may not be due less to an absolute lack of ships for this trade than to other causes. The reported danger of mines in the North Sea and adjacent waters, the proclaiming by England of the North Sea and that part of the North Atlantic Ocean lying east of a line drawn from the northern point of Scotland to Iceland as a military area or war zone, the danger of the capture and detention, if not confiscation, of the goods carried, and England's avowed intention to prevent even food products from reaching Germany, would all result in deterring shipowners from engaging in this trade.

The passage of this bill is at times urged as an emergency measure, as necessary in order to secure the ships necessary to carry our goods abroad. It may be doubted, however, whether it would result in increasing the number of ships available for the foreign trade. If the German and Austrian ships at present in our ports were purchased, it would, of course, have this result; but there might follow a decrease even more sudden than the increase, since, as we have seen, these ships would be in danger of capture by the English and French. If we leave these ships out of consideration, there remain only ships which either are now engaged in the ocean-carrying trade or which, it may be presumed, would engage in the foreign trade if the anticipated profits were such as to make the venture attractive. Our coasting fleet contains vessels large enough to engage in the foreign trade, and if the profits in such trade are now as large as some would have us believe, such vessels might be expected to enter this trade even while in private ownership. Moreover, if exorbitant profits are now being enjoyed by the shipowners, they would undoubtedly ask higher prices for their vessels than the Government would be warranted in paying. Such vessels as now sail under foreign flags and are owned by Americans can now register as American ships under the act passed last summer. Merely changing the ownership of ships from private to public will neither increase the number of ships nor their capacity. And as I think it safe to say that it requires at least one year to build a ship of this kind, there could be no immediate increase of our merchant marine if the ships were to be built. And I might further add that if it were to take the President as long to name the members of the shipping board as it took him to name the members of the Federal Reserve Board, or as long as it apparently is going to take to name the members of the Federal Trade Commission, this measure could not by any stretch of imagination be called an emergency measure.

It has also been urged that the ownership of these ships by the Government will give us a number of auxiliary cruisers. If the ships to be purchased or constructed were of the type of the fast passenger steamships, this might be true, but if they are to be of the type best suited for the economical carriage of freight—which I understand to be ships with a speed of 12 to 14 knots—they would be worthless as auxiliary cruisers. I may be mistaken in this. If I am mistaken, I should like to have the Senator from California [Mr. PERKINS] correct me or correct the RECORD.

I have here a letter from Dr. J. E. Boyle, professor of economics and political science in the University of North Dakota, in regard to this measure, which is of interest. Those of you who were here when the reciprocity treaty was pending before the Senate of the United States under the administration of President Taft will remember that Prof. Boyle was here as a witness, advocating reciprocity. I do not want to do Prof. Boyle an injustice, but my information is that he is a free-trade Democrat. I know that he is a great admirer, as we all are admirers, of President Wilson. I want to read the letter from Prof. Boyle. This letter is addressed to me under date of January 28, 1915:

UNIVERSITY OF NORTH DAKOTA,
Grand Forks, January 28, 1915.

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

DEAR MR. GRONNA: In regard to the ship-purchase bill, I have made a great many inquiries about the State as I have addressed farmers' clubs, and I have also talked to men on the street here and to a few advanced students who are recognized for their independent thinking. I may say that I find four classes of opinions on the subject, as follows:

First. A large class say that they are not informed at all on the subject and prefer to wait a few months or a year. They say there is no hurry; no use to do anything yet.

The second class, also a fairly good-sized class, say there is no pressing demand for ships, for there are ships enough now afloat to carry the world's trade, and if our Government should purchase ships it would merely be a "white elephant" on our hands. To purchase and operate such a fleet would be to tax all the people for the benefit of a few people.

The third class of people, who are interested especially in trade with Mexico and South America, say that other agencies must be created first before we secure ships. We must have our agents, with shops and warehouses, exhibition rooms, etc., in the various Latin-American countries, and build up an acquaintance with our goods and a demand for our goods. These critics also say the Government must extend protection to such persons and such property, and not do as the President did in the Mexican affair when trouble arose—tell them to get up and leave the country; that they would not be protected. The arguments of this class of critics, I think, are absolutely sound and impregnable.

The fourth class, who base their objections to the shipping bill on the grounds of the diplomatic complications involved. For instance, there are 8 German ships interned at Boston, 14 in Brooklyn, and others interned at other ports. This subject is now fully covered by international law. Should the United States purchase these ships, put them under the American flag, and send them out on the high seas, they would, of course, be subject to capture—and legally, too—by the British. This would undoubtedly lead to trouble, more or less, with England. I am inclined to attach considerable weight to this argument, especially in connection with the arguments mentioned above.

This rough classification, perhaps, does not include all classes of our citizens. I notice the papers, as the Herald, look at the problem largely on business grounds. If it has not paid private corporations to operate these ships, how can the Government do it successfully? It looks like a good opportunity for the Government to squander a lot of money in a field where business men keep out. It has not yet been demonstrated, so far as I know, that ships are lacking to carry all the goods that are bought and sold. The market is lacking, which must be developed through the long preparatory course mentioned above. We still lack banking and credit arrangements with these prospective customers.

And for the proposition, I may say that I fail to find anyone with convictions at the present time. Not one person that I have met has come out for the shipping bill.

Very ardent Wilson supporters have declined to take any live interest in the bill; as mentioned in case No. 1 above, they are not informed, and think they had better wait a while and not rush into something new and untried. It has points not only of economic but of political disaster as well.

This states the case very briefly but, I think, fairly accurately, as I sense it in this section of the country. I may say I have taken very keen interest in it myself, and have secured all the information I could get. Indeed, the shipping question has been one of special study with me since I first wrote a discussion of it at length in the year 1901.

Sincerely, yours,

JAMES E. BOYLE.

It seems to me, Mr. President, that the words of Prof. Boyle are worthy of serious consideration.

Mr. President, the statement has been made on this floor by a member of the majority that not more than one-half of the Democratic Senators are really in favor of this measure. The statement has also been made on this floor that in the Democratic caucus on this bill it received only 35 votes. That is about one-third of the membership of the Senate. And yet the bill is to be forced through. Why? Because the President wants it. Tuesday's papers contain an account of how a very distinguished gentleman secured the adoption of the bill by the caucus of another body. Why? Because the President wants it.

Mr. President, it appears to me that we shall soon reach a condition of affairs where one Senator with President Wilson will constitute a majority of the Senate, and where one Member of the House with the President will constitute a majority of the House. I have in former years expressed my views on the President's arrogating to himself powers rightfully belonging to Congress, and my views have not changed with the changing of administrations. Some four years ago President Taft secured the passage of the Canadian reciprocity act. In the course of the debate on that measure I said:

The Members of both Houses of Congress, as well as the people at large, have been in the habit of considering that the lawmaking power is lodged in Congress, and that the President has merely the veto power. We have assumed that when the Constitution stated this in plain words it meant just that. Now that this important measure is before us, however, a majority of the Members of the two Houses of Congress cheerfully acquiesce in the assumption of the President that he is the real lawmaking as well as the treaty-making body, and that the Congress has merely the veto power, and that even this veto power should not be exercised free from pressure by the administration. * * * The President has apparently come to the conclusion that he represents the people of this country both as Executive and Legislature, and that the two Houses of Congress are merely two bodies of men provided for by the Constitution, which he can unfortunately not get rid of, but which are to be ignored and coerced whenever he deems it necessary or expedient.

This was a criticism which I made when Mr. Taft was President of the United States.

Mr. President, these words would be mild censure if applied to the present occupant of the presidential chair. When I last read the Constitution, which the President, as well as the Members of the Senate, has taken a solemn oath to uphold and defend, it contained this provision, and the importance which the framers of the Constitution attached to it may be judged from the fact that it is section 1 of Article I:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

It does not say that the legislative powers shall be vested in the President, who may allow Congress to ratify his acts. It does not mention the Democratic caucus, whose mandate no Democrat can disregard without being accused of party treason and disloyalty to the President. We have within the last two weeks been treated to severe denunciations of Senators who, having convictions of their own, had the courage thereof; and only last month the President, in a public speech, threatened with condign punishment any Democrats who should attempt in any way to interfere with the work of the Democratic "team," of which he considered himself captain. If it had not been the intention when the Constitution was framed to give the Senate and the House the power to frame the laws, if it had not been the intention to impose this responsibility on them, there would have been no need of these bodies. If the Congress is to do merely the clerical work in connection with legislation, if the real directing force is to be some power outside of the two Houses, if the legislative department of this Government is to do merely as the executive department directs, there is no need of a legislative department. A drafting bureau, or, at most, a small council selected by the President and liable to removal by him, would do the work as well, in less time, and with less friction. The Constitution imposes the duty of legislation on Congress, vests Congress with the power, and with the power must of necessity be the responsibility. For the way in which each Member of either House performs his duties he is answerable to the people whom he is here to represent. He is not responsible to any caucus for his words and his acts; neither is he responsible to the President or the Postmaster General for the way in which he performs his duties. A Senator may vote in accordance with the dictates of the President or with the instructions of a secret caucus; but when he comes before the bar of public opinion he will find that he individually will be held responsible for his votes and that, although he may voluntarily have surrendered the powers of legislation intrusted to him, he can not divest himself of the responsibility accompanying those powers.

Mr. President, to show that I am not the only one who maintains that legislative power is vested in the Congress I wish to read a letter from one of the foremost citizens of this country, one who only a year or so ago was a Member of this body. The letter is dated February 2, 1915, and is addressed to Hon. MILES POINDEXTER, United States Senate, Washington, D. C.:

FEBRUARY 2, 1915.

Hon. MILES POINDEXTER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Permit me to congratulate you as one of our consistent advocates of truly popular and representative government in your cooperation with other Republican Senators and a few independent Democrats in rebuking the President's unjustifiable efforts to dictate to Congress what legislation shall be enacted.

From a fundamental standpoint of government yesterday's vote on recommitment of the shipping bill is the most important action taken by the present Congress, for it is a declaration to the country at large of the legislative independence of Congress, the only branch of our Government directly elected by and directly accountable to the people of this country.

Before entering upon the duties of his office the President of the United States took an oath pledging himself to "preserve, protect, and defend" the Constitution of the United States. Section 1, Article I, of that Constitution declares:

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

It is frequently stated that certain legislation will be enacted because it is the wish of the President, and that other legislation will not be enacted because the President is opposed to it.

The entire spirit and letter of the Constitution shows clear intention that Congress shall be free from intimidation; that it was the purpose that Congress should make the laws and that the President should execute them. Indeed section 6 of Article I declares that for any speech or debate in Congress Members shall not be questioned in any other place. While it is not permitted that Members be punished by fine or imprisonment for speech or debate in Congress, yet it has been charged that Presidents have rewarded or punished Members of Congress through the distribution of patronage.

If the legislative power vested in a Senate and House of Representatives is to be exercised honestly and intelligently, the Members of the two Houses must be free to vote in accordance with their own best judgment, being held accountable only to the people of their own State. Any interference with the free expression of the opinion of Members of Congress by their votes upon measures is a direct attack upon that section of the Constitution which declares that—

"All legislative powers herein granted shall be vested in a Congress which shall consist of a Senate and House of Representatives."

This quotation is a part of that Constitution which every President of the United States has taken an oath to "preserve, protect, and defend." No President can interfere with the exercise of legislative power by Congress without violating his oath of office, a violation as direct and as complete as any other unlawful act by any other officer of the Government. No individual that has ever lived or that ever will live is qualified to be despotic ruler of 100,000,000 people.

I read with much interest Mr. Samuel G. Blythe's interview with President Wilson, appearing in the Saturday Evening Post of January 9, 1915, and was particularly impressed with the following declaration made by President Wilson:

"I may be lonely because of the necessities of my place; but my vision is clearer than it would be were I surrounded by a group—any group—of well-meaning and zealous friends with interests of their own."

An analysis of this statement reveals three of Mr. Wilson's great weaknesses:

First. Accentuated egotism in the assumption that he knows it all and can learn nothing from anyone.

Second. Acknowledged timidity and lack of confidence in his own judgment and ability because he is afraid he would be influenced by others should he talk with them.

Third. A clearly expressed suspicion that his friends are less patriotic than he and more likely to be guided by self-interest.

No man with such ideas is qualified to be dictator over 100,000,000 or any other number of people.

Cordially, yours, JONATHAN BOURNE, Jr.

Mr. President, there are times when it may seem that established bureaucracy and Executive interference marks the beginning of the destruction of our democracy and the usefulness of Congress as a legislative body. But let us not forget that these positions are only temporarily held by men selected by the people as servants to carry out their will; but if that is not done, the people have a complete remedy and they will use it at the proper time. I believe, sir, that the people of this Government will not permit any individual, no matter how high a position he may hold, to override the Constitution of our country.

Mr. FLETCHER and Mr. SMOOT addressed the Chair.

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move that the Senate proceed to the consideration——

Mr. SMOOT. Will the Senator yield for just a moment? There are a number of Senators who are absent and who did

not expect to be in the Chamber until half an hour or so from this time. I merely wish to suggest the absence of a quorum, not for delay, but that they may be here.

Mr. FLETCHER. I understand, but let me state my motion first. I move that the Senate proceed to the consideration of Senate bill 5259 and the amendments of the House thereto. Now the Senator can call for a quorum.

Mr. SMOOT. Now I suggest the absence of a quorum.

The VICE PRESIDENT. Is there any objection to laying the *bill before the* Senate?

Mr. SMOOT. No.

The VICE PRESIDENT. Then the bill is before the Senate, and the Secretary will call the roll for a quorum.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Martine, N. J.	Smith, Ga.
Bankhead	Gronna	Nelson	Smith, Md.
Borah	Hardwick	Norris	Smith, Mich.
Brady	Hollis	O'Gorman	Smoot
Brandegee	Hughes	Oliver	Sterling
Burleigh	James	Overman	Sutherland
Burton	Johnson	Owen	Thomas
Camden	Jones	Page	Thompson
Catron	Kern	Penrose	Tillman
Chilton	La Follette	Perkins	Townsend
Clark, Wyo.	Lane	Pittman	Vardaman
Culberson	Lea, Tenn.	Ransdell	Warren
Cummins	Lee, Md.	Reed	Weeks
Dillingham	Lewis	Robinson	White
du Pont	Lippitt	Root	Williams
Fall	Lodge	Sheppard	Works
Fletcher	McCumber	Sherman	
Gallinger	McLean	Shields	
Goff	Martin, Va.	Simmons	

Mr. VARDAMAN. I desire to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

Mr. WHITE. I wish to announce that the junior Senator from South Carolina [Mr. SMITH] is absent and is paired with the Senator from Kansas [Mr. BRISTOW].

The VICE PRESIDENT. Seventy-three Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of Georgia. Mr. President, I had expected at this time to address the Senate at some length in support of the House amendments to the Senate bill and the bill as it comes from the House, but in view of the fact that it seems entirely probable that the measure can now be referred without further discussion to conferees I shall not take up the time of the Senate to carry out my original purpose.

I wish, however, to put into the RECORD a letter from the Secretary of the Treasury pointing out the vessels that he considers within reach of the company to be organized under the bill, and also giving the status of the War Insurance Bureau.

I wish also to add a statement of the policies issued by the War Risk Insurance Bureau, the insurance carried by it, the premiums received, and the earned premiums up to the present time, and to add in addition a statement showing the cotton exportations from August to February 17, beginning in 1913 and 1914.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

TREASURY DEPARTMENT,
Washington, February 9, 1915.

MY DEAR SENATOR: In reply to your verbal inquiry:

1. I am advised that cargo ships can be built in English shipyards at $50 per ton dead-weight capacity, and that the same ships can be built in American shipyards at $65 per ton dead-weight capacity. Eighty ships of 5,000 tons dead-weight capacity each could be built in English shipyards for $20,000,000; 61 ships, at $65 per ton dead-weight capacity, could be built in American shipyards for a little less than $20,000,000, or a total of 141 ships of 5,000 tons dead-weight capacity could be built within $40,000,000. I am advised also that probably 100,000 tons dead-weight capacity could be turned out in American shipyards within 12 months, and that probably 200,000 tons dead-weight capacity could be turned out in British shipyards within 6 months, and that probably 100,000 tons dead-weight capacity could be turned out in British shipyards within 90 days after receipt of orders. We are offered ships of various registry—English, French, Italian, Norwegian, Swedish, and Danish—the price depending largely upon their age. They are being sold, I am told, at from $30 to $50 per ton dead-weight capacity. Many ships could undoubtedly be bought, so that it would not be necessary to depend wholly upon American and foreign shipyards for vessels if the shipping bill should pass.

2. As to war-risk insurance, I send you a statement, dated February 9th, from Mr. J. Brooks B. Parker, assistant director (marked Exhibit 1), containing information which I think you will find of interest and showing that the $5,000,000 of working capital granted to the Bureau of War-Risk Insurance by Congress is a very small part of the capital invested in private corporations engaged in marine and war risk insurance business. Notwithstanding this fact, the rates made by the Government War-Risk Insurance Bureau have had a potential, if not dominating, influence upon the rates made by all companies on war-risk insurance. The Government War-Risk Insurance Bureau is the only one that will insure any ship to Germany. This has enabled us to send cotton cargoes to German ports. The Assistant Director of the War-Risk Insurance Bureau says that before the Government engaged in this business the rates charged by private corporations were almost prohibitive, running as high as from 25 to 30 per cent for risks through the North Sea, 10 per cent to South American points, and from 15 to 20 per cent to India or the Far East.

I also inclose a memorandum showing the number of policies, total amount insured, the premiums collected, and the premiums earned to February 15, Bureau of War-Risk Insurance. From this you will see that there have been issued 872 policies; that the total amount insured was $54,100,031; total amount of premiums collected, $1,437,425.09; premiums actually earned to date (on expired risks), $584,747.34. The total cost of conducting the bureau since its creation has been approximately $7,000. No losses have yet been incurred.

TREASURY WAR-INSURANCE BUREAU—MEMORANDUM OF BUSINESS DONE.

Policies issued, Sept. 2, 1914–Feb. 15, 1915	872
Total amount insured	$54,100,031.00
Premiums on same	1,437,425.09
Of the above amount the earned premiums (on $23,285.16) are	584,747.34

Cotton exportations.

Months.	1914	1913
August	21,210	257,172
September	125,778	930,328
October	497,180	1,517,838
November	760,929	1,501,259
December	1,202,115	1,230,830
January	1,372,175	1,052,272
February 17	651,282	[1] 375,000
Total	[2] 4,697,611	6,864,752

[1] Approximately. [2] 68,000 linters are included in these figures.

Mr. SMITH of Georgia. The shipping bill which has passed the House is a substantial improvement upon any of the bills heretofore considered by the Senate. It permits the shipping corporation to handle the ships as an emergency measure during the European war and for two years thereafter. Then the ships are to be turned over to the Secretary of the Navy. Those immediately required by the Navy will be used as a part of the Navy. The Secretary of the Navy, with the approval of the President, can establish one or more mail lines to South America and to Europe. It is perfectly clear that the mail lines which are to be operated by the Navy Department should not use, under the plan of the bill, any large number of the vessels which are to be purchased. The balance of the vessels the Secretary of the Navy, with the approval of the President, can lease out to individuals, firms, and corporations for use as merchant vessels.

This shipping bill deserves support for three reasons:

First. It will meet the great emergency brought about by the war which has made it difficult to obtain ships for our foreign commerce and has increased so much the cost of shipping. The importance of this commerce will be realized when we remember that for the year ending July 1, 1914, it amounted to $3,750,000,000.

Second. This bill will furnish a splendid addition to our Navy, for the vessels, even when leased for merchant shipping, are to be subject to requisition for naval and military purposes.

Third. It will stimulate the development of our merchant marine, both through the mail routes established and through the vessels leased for freight transportation. I shall defer a discussion of the subject until a later date.

Mr. BANKHEAD. Mr. President, I believe the pending question is the motion of the Senator from Florida to refer the pending shipping bill to conferees.

The VICE PRESIDENT. The pending question is on disagreeing to the House amendments.

Mr. FLETCHER. I understand that the motion to take up the bill has been declared carried.

The VICE PRESIDENT. The bill is before the Senate.

Mr. FLETCHER. The bill being before the Senate, I desire to make a motion——

Mr. BANKHEAD. I have the floor. I desire to offer an amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the amendment of the House as follows:

Amend section 9 of the amendment of the House as follows:

Strike out all of said section after the word "except," in line 6, and substitute in lieu thereof the following:

"All vessels purchased or constructed under the provisions of this act shall be entitled to engage in the coastwise trade of the United States."

Mr. FLETCHER. Mr. President, I move to lay the amendment on the table.

Mr. BANKHEAD. On that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES (when his name was called). During the temporary absence of the Senator from Virginia [Mr. SWANSON] I am paired with him and therefore withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. I transfer that pair to the Senator from Louisiana [Mr. THORNTON] and vote "yea."

Mr. WHITE (when the name of Mr. SMITH of South Carolina was called). I am requested to announce the absence of the Senator from South Carolina [Mr. SMITH] and to state that he is paired with the Senator from Kansas [Mr. BRISTOW].

The roll call was concluded.

Mr. LIPPITT. I have a general pair with the Senator from Montana [Mr. WALSH]. I presume, if present, he would vote "yea" on this question. I should also vote "yea"; but as I am not sure of that position, I will withhold my vote.

Mr. OLIVER (after having voted in the negative). I voted, not knowing that my pair was absent from the Chamber. I have a general pair with the Senator from Oregon [Mr. CHAMBERLAIN], and therefore withdraw my vote.

Mr. CUMMINS. I desire to announce the necessary absence of the junior Senator from Minnesota [Mr. CLAPP]. As has been stated, he is paired with the Senator from North Carolina [Mr. SIMMONS].

The result was announced—yeas 38, nays 40, as follows:

YEAS—38.

Burleigh	Kern	Pittman	Smith, Md.
Burton	Lea, Tenn.	Pomerene	Smoot
Chilton	Lee, Md.	Ransdell	Stephenson
Cummins	Lewis	Root	Stone
Fletcher	Lodge	Shafroth	Tillman
Gallinger	Martin, Va.	Sheppard	Weeks
Hollis	Martine, N. J.	Shields	White
Hughes	Myers	Shively	Williams
James	Page	Simmons	
Johnson	Penrose	Smith, Ariz.	

NAYS—40.

Ashurst	Crawford	La Follette	Sherman
Bankhead	Culberson	Lane	Smith, Ga.
Borah	Dillingham	McCumber	Smith, Mich.
Brady	du Pont	McLean	Sterling
Brandegee	Fall	Nelson	Sutherland
Bryan	Goff	Norris	Thomas
Camden	Gronna	O'Gorman	Townsend
Catron	Hardwick	Overman	Vardaman
Clark, Wyo.	Hitchcock	Perkins	Warren
Clarke, Ark.	Kenyon	Robinson	Works

NOT VOTING—18.

Bristow	Jones	Poindexter	Thompson
Chamberlain	Lippitt	Reed	Thornton
Clapp	Newlands	Saulsbury	Walsh
Colt	Oliver	Smith, S. C.	
Gore	Owen	Swanson	

So the motion to lay Mr. BANKHEAD's amendment on the table was rejected.

Mr. STONE and Mr. LEA of Tennessee addressed the Chair.

The VICE PRESIDENT. The Senator from Missouri.

Mr. STONE. Mr. President, the question now before the Senate is the amendment to admit vessels purchased under the pending bill, if passed, to the coastwise trade, is it not?

The VICE PRESIDENT. That is the amendment proposed by the Senator from Alabama [Mr. BANKHEAD].

Mr. STONE. Mr. President, I do not rise primarily to discuss the amendment, but to take advantage of the opportunity it affords me to obtain the floor that I may read an interesting item which I find in the Washington Post of this morning. It is as follows:

COL. LILLARD A SUICIDE—BOLTED DEMOCRATIC PARTY TO HELP ELECT SENATOR W. O. BRADLEY.

DANVILLE, KY., *February 17.*

Col. E. W. Lillard, who gained Nation-wide notoriety six years ago when he deserted the ranks of the Democrats and supported the late Senator W. O. Bradley, Republican, in his race for the United States Senate, committed suicide in the attic of his residence here this afternoon.

DESERTED BY OLD FRIENDS.

At the time of the famous Bradley-Beckham race for the Senate, Col. Lillard bolted with three other Democrats from Beckham to Bradley, and this action resulted in the election of Bradley to the Senate. Shortly after Col. Lillard was appointed private secretary to the late Senator. When Senator Bradley died Col. Lillard returned to his old home. Old acquaintances turned from him on account of his bolting his party. He was almost friendless.

For several weeks he had been despondent. He was 55 years old.

Two thousand years ago, in the garden of Gethsemane, Judas betrayed Christ with a kiss. Six years ago Col. Lillard, who had long been a respected citizen of Boyle County, Ky., was elected by the Democrats to the legislature. There he forgot or ignored the pledges and obligations he was under, forsook his party and aided in defeating it at an important juncture. We all know what became of Judas, and we now know what became of Lillard.

Mr. President, I call attention to this incident for the purpose of showing that there is a Nemesis that always pursues or walks by the side of men like Judas and Lillard. My chief purpose in calling attention to it is that it may serve as an impressive lesson for moralists and teachers in instructing the young who come under their tutelage and guidance as to the value and virtue of fidelity.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. I yield.

Mr. GALLINGER. Does the Senator from Missouri think that the Republicans who voted to elect at least two Democratic Senators to this body, and perhaps more, ought also to commit suicide?

Mr. STONE. To whom does the Senator from New Hampshire refer?

Mr. GALLINGER. I said at least two Democratic Senators to this body.

Mr. STONE. I do not know to whom the Senator refers.

Mr. JAMES. But, Mr. President, if the Senator from Missouri will pardon me, there is this difference between those men who were individual voters, to whom the Senator from New Hampshire [Mr. GALLINGER] refers, and Mr. Lillard. I did not care to say anything about this, and had no thought that the Senator from Missouri would do so. Mr. Lillard, when he ran for the legislature, was pledged to support Gov. Beckham. I spoke in his home town. He was present. I advocated his election as a Democratic nominee, and stated that he had authorized me to say that if he should be elected he would support Gov. Beckham as the Democratic nominee, who had been nominated in a State-wide primary for the United States Senate. Mr. Lillard himself rose in the audience and said that was true; that he would support Gov. Beckham as the nominee of the party.

Now, there is quite a difference between a Republican or a Democrat casting his own vote for whomsoever his choice may be and one who accepts a trust upon the condition that he would carry it out in good faith; and that was the situation with Mr. Lillard. He was the trustee of an express trust, which was to support Gov. Beckham.

Mr. GALLINGER. Mr. President, if the Senator from Missouri will permit me——

Mr. STONE. Mr. President, I must decline to enter upon a political discussion. My purpose, as I have stated, is to use this significant, tragic, and impressive incident with the hope that it might be taken up and employed by the teachers of the young—

To point a moral or adorn a tale.

I did not want the incident to be lost by a passing notice in a great newspaper. So tragic a thing as this can be utilized to good advantage in impressing a very important lesson on the minds of the rising generation.

Mr. President, speaking now to the immediate matter before the Senate, I desire to say, what I have frequently said on the floor of this body, that, if I could, I would admit American ships, American registered vessels, whether made in the United States or elsewhere, if they are owned in the United States and rightly fly our flag, to the coastwise trade. The monopoly of the coastwise business is one I should like to break up; but, Mr. President, every Senator here knows that this amendment was introduced, as other like amendments can be introduced, for at least two purposes—one with the hope of embarrassing Senators on this side who think about the coastwise shipping business as I do, but, primarily and chiefly, with the hope of loading down the bill with amendments that would still further obstruct its passage.

I do not know—and therefore do not assert—whether the distinguished Senator who offered the amendment would vote for this amendment if it were separately presented to the Senate; in other words, whether seriously he favors it. I do not know as to that. I do know, as all of us do, that it is an old parliamentary trick to offer amendments with a view to embarrassing a pending measure which the Senators offering them do not seriously favor. We have seen that done time and again. I do not say that that is true in this case, for I do not know.

Mr. JAMES. Well, Mr. President, does the Senator from Missouri believe that the Senator who introduced the amendment, the Senator from Alabama [Mr. BANKHEAD], would support the pending House bill to its final passage with this amendment added to it?

Mr. STONE. I can only say as an expression of belief that the Senator from Alabama would not support the bill even with this amendment or any other amendment added to it that did not absolutely destroy its meaning and effect.

Mr. JAMES. I was going to suggest to the Senator that, in my judgment and my belief, the Senator from Alabama [Mr. BANKHEAD] would not support this bill with this amendment added to it, and the Senator——

Mr. GALLINGER. The Senator is not asking a question, Mr. President, and I rise to a point of order.

Mr. JAMES. The Senator from Alabama [Mr. BANKHEAD] is in the Chamber and he can speak for himself. If he would support this bill with this amendment added to it, I should like to have him say so.

Mr. GALLINGER. Mr. President, I will remind the Chair that I was taken off the floor yesterday because of what was ruled to be an infraction of the rules.

The VICE PRESIDENT. Yes; the recent rigid rulings of the Senate have been that an interruption can only be for a question; otherwise, the Senator yields the floor.

Mr. STONE. Very well, Mr. President, I will observe the rule; I wish it enforced, and I yield the floor.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming.

Mr. WARREN. Mr. President, referring to the historical parts of the comments of the Senator from Missouri [Mr. STONE] and their application, as I understood them as he went along, and as I presume others understood them, and as he doubtless intended everyone to understand them, I want to add, in a historical way, that in January, 1891, there was a matter pending before the Senate which had been pending for nearly two months—the force bill, so called—and there was in the Senate what was designated as a "filibuster." The Republicans at that time were in the majority, and, consequently, the Democrats in the minority. After a long discussion of the question six Republican Senators voted with the Democrats to displace the measure then before the body, the force bill, and take up the reapportionment bill. In looking over the history of that contest we are reminded that of the six Democrats all of them were reelected once and some twice or more times, with the single exception of one from Minnesota, who served six years afterwards; and while five of those Senators were reelected, I and also others who stood with those of the Republican Senators who undertook to force upon an unwilling public an obnoxious measure went out of the Senate; we failed to be reelected. I simply desired to make that addition to the Senator's historical statement.

Mr. REED. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. Before the vote is taken on the pending question I desire to make a statement, which will probably not exceed two or three minutes.

It is well known that on several occasions I have endeavored to open the coastwise trade to vessels wherever built. I will welcome any opportunity to accomplish that end. In addition to what my colleague has just said, and adopting what he said with reference to this particular amendment, I want to add that the proposition to admit vessels to the coastwise trade is made by the Senator from Alabama, who has been one of the seven Democrats who have consistently and persistently refused to cooperate with the Democratic Party in passing this bill. With the help of those seven men, earnestly given, this bill could have been long since passed.

I now desire to say that if the seven Democrats who have acted with the Republicans will agree to support this bill with the pending amendment added, I shall vote for the amendment, and I think I can say that it will get unanimous Democratic support, or nearly so; and I desire to ask now if the seven, or any one of them, will rise in the Chamber and state that, with this amendment added, he will support the bill? I pause for a reply.

Mr. President, I make the further proposition, the one I just made not being accepted, that if three of the seven will rise and say they will support the bill with this amendment added, I shall vote for the amendment. I pause for a reply.

I desire to make the further proposition that if two of them will rise and say they will support the bill with this amendment added, I shall vote for the amendment. I pause for a reply.

I desire now to make this proposition, that if the Senator who offered the amendment [Mr. BANKHEAD] will rise in his seat and say that with this amendment added he will join with the rest of the Democrats to try and make this bill a law, I shall vote for his amendment.

I pause now to ascertain whether any of these distinguished Senators will give us their pledge.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. REED. In a moment. I am not making these propositions to place anyone in an unpleasant situation, but the time has arrived when we ought to know where we are standing. If this amendment is offered merely to place an additional obstacle in the way of the bill by an enemy of the bill who wants to thus defeat the bill, of course we ought to vote against it; but if it is offered in good faith to strengthen the bill and to bring it votes, if its author will stand on the floor of the Senate and say he will support the bill with that amendment added, I shall vote for it, and I think we will get enough votes for it on this side to pass it.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. REED. In a moment I will. If there are five Senators on the other side of the Chamber who will agree to support this bill and join with us in passing it, I shall vote for this amendment; if there are four on the other side who will rise and say they will support this bill and stand for it and fight for it, I will agree to vote for the amendment; if there are three who will agree to stay with us and fight for this bill and stay here night and day to pass it, I will vote for this amendment. I pause for a reply.

I now yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I rise, Mr. President, to inquire of the Senator whether he knows of any Senator who has been supporting this bill who will vote against it, provided this amendment is adopted?

Mr. REED. I do not know. In the present situation I do not feel that it is safe to vote for the amendment, coming from the source it does. I respect the source personally, but I do not respect the source so far as his intentions toward this bill are concerned.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I do.

Mr. THOMAS. I interrupt for the purpose of calling attention to the manner in which the vote upon the motion to lay upon the table was taken, as it is entirely appropriate to the subject matter of the remarks of the Senator from Missouri.

Mr. REED. Mr. President, I yield the floor.

Mr. THOMAS. During the roll call a great many votes upon the Republican side were recorded against laying this motion upon the table, until it was perfectly obvious that the motion would be defeated. It was then quite significant to see so many stalwart, stand-pat Republicans rise on the floor, obtain recognition, and announce that they had voted to table the bill, not to table the amendment, under a misapprehension, and therefore they desired to change their votes, it being evident that the motion was lost.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. GALLINGER. I was one of those who changed my vote, and I will say to the Senator from Colorado that I changed it in good faith. I did vote under a misapprehension. There were a couple of other Senators who made the same statement, and I presume they were equally as honest as I was.

Now, Mr. President, just a word. I think it unfortunate that the Senator from Missouri brought into the Senate this tragic incident that occurred on yesterday. It is not a very pleasant message to send to the family of that poor man. A great many other men have committed suicide, and their action had not any relation whatever to political matters; and I apprehend that if the facts in this case were known what that man did on a certain occasion very likely had nothing to do with the act he committed. I simply rose to say that much on that point.

As to the proposed amendment, there is no concealment on my part on the question of invading the coastwise shipping of the United States. It is prosperous, and it has recently given about 40 ships, steam and sail, to the over-seas service of the country and has rendered a great service. The business of domestic shipping is at the present time very much depressed because of the industrial situation; and under the circumstances it seems to me it would be a very unwise thing to adopt the amendment that has been offered by the Senator from Alabama. For that reason I shall vote against it, and I trust the majority of the Senate will vote against the amendment.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. I want to say that while I am not in the habit of negotiating with the other side, and never have in 20 years, I believe, negotiated with them, and while I am not in the habit of negotiating with those on this side who think they are wiser than the school of politics to which they belong, I cordially indorse the proposition made by the junior Senator from Missouri [Mr. REED], and will add my vote to his if the proposition made by him is accepted.

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. BRYAN. The remarks of the senior Senator from Missouri [Mr. STONE] imply that Democrats who voted against the motion of the Senator from Alabama [Mr. BANKHEAD] were acting in bad faith toward the Democratic Party or toward the Democratic caucus. No such motives moved me. I had the privilege in the Democratic caucus of moving to change the language of the shipping bill so that ships owned by the Government of the United States should have an equal right in the harbors and along the coasts with ships owned by individual citizens of the United States. This is not the bill that was in the Democratic caucus, and I felt at perfect liberty to vote upon this motion of the Senator from Alabama as I chose to vote.

It is a humiliating thing, and it will be more humiliating to the Democratic Party if this bill becomes a law, for the citizens of the United States to contemplate the proposition that a vessel of the United States can not carry merchandise between the ports of the United States built up, improved, and maintained by the United States. If this bill becomes a law, the line of vessels running from Habana to New York City, while permitted to touch at the ports along the coast, at Key West, Jacksonville, Savannah, Charleston, and Norfolk, could not take on goods destined for the port of New York. It would suit me very much better if permission to do so could have been written into this bill.

The senior Senator from Missouri is mistaken in thinking that those of us who did not vote with him upon the motion of the Senator from Alabama can be compared to a traitor. Sir, usually the two Senators from Missouri are in accord; but immediately upon the conclusion of the speech of the senior Senator from Missouri the junior Senator from Missouri rose and stated that he would vote for this amendment if enough votes could be obtained to agree to the conference report on the final vote. I ask if the senior Senator from Missouri would like to characterize his colleague in the manner he undertook to characterize other Senators?

Mr. REED. Mr. President, will the Senator yield to me for a moment?

Mr. BRYAN. Not just now. When the junior Senator from Missouri took his seat, the senior Senator from Mississippi [Mr. WILLIAMS] rose, and said that he, too, felt at liberty to vote to sustain this proposition, notwithstanding any caucus that had taken place. Now, Mr. President, it is well known that the senior Senator from Mississippi and the junior Senator from Missouri have been among the most ardent advocates of the pending bill, and the remarks of the senior Senator from Missouri would apply to them equally as they would to those of us who wanted to make it possible for a vessel of the United States to have rights at least equal to the rights of a vessel of a citizen of the United States. But, sir, it seems to me that the junior Senator from Missouri, in the invitations he extended for the voluntary statement of the votes of Senators, demonstrated that it is not the purpose to put this bill in shape where it could be passed, but that it might be the purpose of those who would vote to adopt this amendment to embarrass the bill so that it could not get enough votes to pass.

I am sorry, sir, if that be so. For one, it was a matter of chagrin to me that the conference report on the emergency act of August last was defeated in the Senate, because the laws relating to the coastwise shipping were liberalized.

Mr. REED. Mr. President, will the Senator yield to me for a remark?

Mr. BRYAN. In just a minute I will. I think the junior Senator from Missouri has tested the matter out sufficiently to show that the purpose is not to accomplish anything; and therefore I rose to say that on the vote upon the amendment of the Senator from Alabama, unless somebody will get up and say they will give us enough votes to pass the bill in that shape, it is my purpose to vote against his amendment.

Mr. REED. I simply started to say, in the absence of my colleague [Mr. STONE], that I thought the Senator had put an entirely wrong construction on his remarks, but I see that my colleague is here now.

Mr. BRYAN. I put no construction upon the remarks of the senior Senator from Missouri. There is no room for construction.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I voted against laying upon the table the amendment of the Senator from Alabama [Mr. BANKHEAD]. I should be exceedingly gratified to see the House bill passed with that amendment; but, as has just been stated by the Senator from Florida [Mr. BRYAN], it can hardly be hoped that the purpose or effect of that amendment would give any strength or bring an additional vote to the House bill. I am exceedingly anxious to see the House bill passed, and I shall not cooperate with those who are opposed to it, nor will I follow their suggestions with reference to amendments, even if I would like to see the amendments become part of the bill. I fear to load the bill down with amendments which may contribute to its defeat.

We all remember the lines from Virgil. They are applicable here:

Timeo Danaos et dona ferentes.

Mr. LANE. Mr. President, I voted against the motion to lay the amendment offered by the Senator from Alabama on the table for the reason that I believed in the principle which I supposed is presented. The people of the Pacific coast are suffering from high freight rates at this time. There was a shipper from the Pacific coast here two days ago who informed me that he paid higher freight rates than he would pay if he shipped around the Horn; if he ships through the Panama Canal, much higher than when he used the Panama Railway; and that of late all shipments have been refused. Through some understanding between the railroad companies and the steamship companies, he is compelled to ship by rail at a greatly increased cost.

I will vote for any amendment to this bill which will put that shipping in the hands of the Government, and I am going to say that I believe it would be more important to the people of this country and a greater benefit if the bill were confined to that single purpose, for we would be within our own waters; we would have no international complications, and we would not be purchasing ships to go through mine fields at the risk of being blown up by mines or submarines, nor would we run the risk of coming into conflict with either Germany or England in their contention. This country would be better off if this body would pass a bill forbidding the shipment of all munitions of war and food supplies to Europe until the war is ended. There are ships flying the American flag under our registry which six months ago were flying foreign flags, for the reason that it paid them to do so, and they are now scuttling across the seas ostensibly loaded with just freight and foodstuffs, while they are actually smuggling, concealed in their cargoes, or openly carrying contraband articles of war; and we are treading gingerly now in an effort to keep ourselves out of international complications.

I am in favor of the bill with or without this amendment, but more so with it, for the reason that I should like to see the Government undertake to control that very profitable industry through which the people of this country now are being mulcted in unholy and extortionate charges.

That is why I voted as I did on the motion to lay upon the table.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. The Senator from North Carolina.

Mr. OVERMAN. I voted this evening as I voted in the Democratic caucus. I was overruled in the caucus on that bill. I always stand by the Democratic caucus. I have never failed to do so. When this discussion came up there was a discussion in the cloakroom between some of my Democratic colleagues as to whether that would apply to this particular bill. They all said they did not think so; but it seems to be considered by some of my colleagues here that under the caucuses held as to the other bill we are bound as to this House bill that came over to us. Therefore, although I am in favor of the amendment, when I see that it is going to embarrass the bill, in order to stand with my Democratic colleagues, as I always have done, I propose to vote against the amendment.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. The Senator from Nevada.

Mr. PITTMAN. I voted to table the motion of the Senator from Alabama, not because I am not in favor of that principle, for I voted for that principle in the conference, and I regret that it did not carry; but I became satisfied that this amendment was one of the many amendments that have been offered in this body for the sole purpose of delaying and hampering legislation. I do not believe that there is any sincerity in the agreement at this time to refer the bill to a conference committee, as far as getting any action on it before Congress adjourns is concerned.

It is apparent to anyone who has watched the course of this body during the session that it has been the intention of the minority here to prevent legislation on any important matter. They have made of this body, for which they profess so much respect, a farce. For years this body has not been held in the highest opinion by the people of this country; no, not nearly so highly as some of the distinguished Senators themselves hold it. I do not believe the action of this body during

the past session will change that opinion, unless it changes it for the worse.

This is not a legislative body. There is no right of determination of action in this body. It is simply a body in which we talk. It must be apparent that there can not be a legislative body wherein the right to vote is absolutely denied.

The distinguished Senator from New York [Mr. ROOT], in his technical way, with which he is so familiar, has attempted to show that there is a rule that absolutely prohibits this body from forcing a vote. He has done it with all of the skill that he is capable of using, but it does not make any difference whether that be the strict rule of this body or not. If the rule violates the constitutional right of the Members of this body to reach a vote, it must be void. If the inherent right of the representatives of the people of this country to vote on pending measures is denied to them, then this ceases to be a legislative body.

I know that the distinguished Senators on the other side claim that the only function of this body is to talk. That is realized by this whole country. I want to say to them that they could not pass a statute, a rule, or establish a precedent forbidding the right to vote, and yet they attempt to accomplish indirectly that which they could not accomplish by direct action.

When this Congress adjourns on March 4 every bill pending in this body that is not acted upon will die, and the right of every Senator here to vote on those bills that die will be denied, no matter whether it be denied by direct rule or by the subterfuges used by the Senators who are filibustering in this body.

There is a time coming when that question will be settled. I call the attention of the Senators to other matters that were considered beyond the will of the people of this country. I believe, just as firmly as I believe that I stand here, that the Republicans on that side and the Democrats on this side who are denying the legislation that the people of this country want will have to answer to those people at the coming elections. They will not stand the excuses and the subterfuges that are offered to this body. They will look to the facts of the matter, and these Senators will have to answer with regard to those facts.

Why, they say, "If you are not satisfied with these rules, do not violate them—amend the rules," and yet, in the same breath, they claim that they can deny the right to vote on an amendment to the rules by talking until that motion is dead. The absurdity of the thing must appear to anyone. They contend that it is impossible to change the rules, and yet under the rules it is impossible to transact business in this body. They also say that no good measures have ever been killed by a filibuster. Who is to determine that question—the minority? The minority takes the power of determining that question. Let the majority pass the bill, and if it is a bad bill the people of this country will so determine and refuse to return to power the people who voted for such bills. But there are other things besides this shipping bill before the Senate. There are other matters besides these appropriation bills before the Senate. There are to-day on the calendar over 200 bills presented by Senators from all over this country, and they have been lying on that calendar unacted upon for three long months by reason of the filibuster that has been conducted in the Senate, by reason of the ancient privilege of denying a Senator the right to vote by talking to such an extent that a vote can not be had. We have waiting for us here the rural-credits bill, which can not be acted upon. We have before this Congress the seaman's bill, which can not be acted upon. We have the great claims bill before this body, affecting hundreds of people throughout this country, and it can not be acted upon. We have the Philippine bill before this body, and it can not be acted upon. We have reclamation acts throughout this great country of ours, and they can not be acted upon. We have bills here to protect the safety of miners—the miners working in the coal mines and working out there in the hard-rock mines of our State—and they can not be acted upon. We have hundreds of bills pending here to-day that can not be acted upon; and everyone in this country knows, or should know, the reason why they can not be acted upon. They should know that the Senators here who are pretending to defend this ancient prerogative of unlimited debate are not only killing this shipping bill but they are killing all of the legislation demanded by every section of this country. I want to say to them that that can not last and that will not stand before the people of this country.

Mr. SUTHERLAND. Mr. President, will the Senator from Nevada permit me to ask him a question?

Mr. PITTMAN. Yes.

Mr. SUTHERLAND. Let me ask the Senator from Nevada why it is that the Senate did not act on some of these bills that he has enumerated at the first session of this Congress or at the special session, when we were recessing from Monday to Thursday and from Thursday to Monday for three months, doing nothing?

Mr. PITTMAN. I want to say that nearly all of the filibustering during that time was also done by that side. I want to state that the Senator from Iowa [Mr. KENYON] and the Senator from Ohio [Mr. BURTON] stood on this floor for days and days discussing the river and harbor bill, when the bill that the Senator from Ohio himself presented to this body only differed from the committee bill in a few million dollars out of the many, many millions of dollars. Was that a point of principle with him? Was it one of those great human rights that this prerogative is supposed to protect—a mere matter of whether it should be $35,000,000 or $55,000,000?

That was one of the great filibusters of the last session, and that thing has continued on throughout the whole of this session. You have tried to disguise it in one way and in another way. You have talked about the caucus at one time and you have offered amendments and subterfuges at another time; but the fact remains, and you can not deny it, that you have conspired for the purpose of preventing the passage not only of the shipping bill, but of the seaman's bill, the reclamation bills, the great conservation bill in the West, the claims bill, and all of these valuable measures that affect the people of this country.

Mr. FALL. Mr. President——

Mr. PITTMAN. Yes; and you have had in mind at the same time the bill to protect the people of this country against the materials made by convict labor. Oh, no; it is not so much the shipping bill that is getting under your ribs as it is the other bills here that are hanging behind the shipping bill. That question will be known to the people of this country, and the people of this country will call to account at the next election every man that runs that has taken a part in it.

Mr. FALL. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from New Mexico?

Mr. FALL. Will the Senator yield for a question?

Mr. PITTMAN. I yield.

Mr. FALL. The Senator has referred several times now to the filibuster by the minority, and I have heard that from several other Senators——

Mr. PITTMAN. I beg your pardon; I mean the majority on that side.

Mr. FALL. Well, the majority on that side—is it the idea of the Senator that the proponents of this bill have ever, at any time, had a majority in this Senate for the thing that has been brought before this body, or that they have now a majority?

Mr. PITTMAN. I want to say to the Senator that if the Senators on that side had not known that we did have a majority, the filibuster would have stopped long ago.

Mr. FALL. Have you a majority now, do you think?

Mr. PITTMAN. I am satisfied to take a vote, whether we have a majority or not. That is all we have ever asked of you—to take a vote on this bill, whether we have a majority or not.

Mr. LIPPITT. Mr. President, was the Senator satisfied to have a vote in the long week when that side was filibustering against the bill, when the distinguished Senator from Colorado [Mr. THOMAS] stood up in his place and admitted that he was filibustering?

Mr. PITTMAN. I want to say to the Senator that there has never been one moment since I have been here that I have not been willing to go to a vote on this bill. I do care whether the vote goes for or against us, but it would be better that this bill should be killed instantly by a vote outright than that all the important business of this country should cease. That is the question.

Mr. FALL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Nevada further yield to the Senator from New Mexico?

Mr. PITTMAN. Certainly.

Mr. FALL. I will premise my question with the statement that I have given notice that I should make a speech to-day. I have decided not to make a speech because of the pending question, which relates to this bill. Will the Senator agree to take a vote upon the pending question?

Mr. WILLIAMS. What is the pending question?

Mr. PITTMAN. To satisfy the Senator in this matter and waive all technicalities, I ask unanimous consent at the present time that we proceed to vote upon the Senate bill that is before this body, with the House amendments and all amendments thereto.

Mr. GALLINGER. It is not before the body.

Mr. FALL. In my own time I will express my views upon that subject.

Mr. PITTMAN. Then I ask unanimous consent that we proceed to vote without further debate upon the Senate bill, with House amendments and all amendments to it.

Mr. BANKHEAD. Mr. President——

The VICE PRESIDENT. Is that a request by the Senator from Nevada?

Mr. PITTMAN. I make that request.

The VICE PRESIDENT. As unanimous consent is requested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Nelson	Smith, Md.
Bankhead	Hardwick	Newlands	Smith, Mich.
Borah	Hitchcock	Norris	Smith, S. C.
Brandegee	Hollis	O'Gorman	Smoot
Bryan	Hughes	Oliver	Stephenson
Burleigh	James	Overman	Sterling
Burton	Johnson	Owen	Stone
Camden	Jones	Page	Sutherland
Catron	Kenyon	Penrose	Swanson
Chilton	Kern	Perkins	Thomas
Clark, Wyo.	La Follette	Pittman	Thompson
Clarke, Ark.	Lane	Pomerene	Tillman
Crawford	Lea, Tenn.	Ransdell	Townsend
Culberson	Lee, Md.	Reed	Vardaman
Cummins	Lewis	Robinson	Walsh
Dillingham	Lippitt	Root	Warren
du Pont	Lodge	Shafroth	Weeks
Fall	McCumber	Sheppard	White
Fletcher	McLean	Sherman	Williams
Gallinger	Martin, Va.	Shields	Works
Goff	Martine, N. J.	Simmons	
Gore	Myers	Smith, Ariz.	

The VICE PRESIDENT. Eighty-seven Senators have answered to the roll call.

Mr. GALLINGER. Mr. President, let the unanimous-consent request be stated.

The VICE PRESIDENT. The Chair understands that the Senator from Nevada has asked unanimous consent to proceed at once to vote upon the bill as it came from the House and all amendments thereto. Is that the request?

Mr. PITTMAN. That is the request.

Mr. GALLINGER. That is, on the bill as it came from the House yesterday?

The VICE PRESIDENT. Yes; the bill now before the Senate.

Mr. GALLINGER. I object.

Mr. SMOOT. I object.

The VICE PRESIDENT. Objection is made.

Mr. ROBINSON. Mr. President, the statement has been made by a number of Senators, who avow themselves as being in favor of the principle of this amendment, that it is offered for the purpose of embarrassing the bill. The Senator from Missouri [Mr. REED] paused in his remarks to ask if there was any Senator on either side of the Chamber who had heretofore opposed the bill who will vote for it with this amendment. I now desire to inquire whether there is any Senator on either side of the Chamber who has been supporting the bill who will vote against it if this amendment is adopted. I pause for a reply. No Senator answers. It therefore appears, Mr. President, that so far as this amendment is concerned it may not affect the vote on this bill.

I shall therefore vote for this amendment. While I am heartily in favor of the shipping bill, I believe that this amendment will materially improve it. I can not vote to buy or build ships at the expense of the people and deny such ships the right to engage in our own commerce.

Mr. President, the proceedings in this body during the last six weeks have caused the people of this country to doubt the capacity of the United States Senate to transact business. It is not my purpose at this time to enter into a prolonged discussion on the subject of filibustering. If the character renowned in fiction, known as Rip Van Winkle, were to appear to-day he would find his counterpart in the membership of the United States Senate. We have under our rules failed to keep pace with the progress of the times, and Rip Van Winkle would be a wide-awake, live, and up-to-date citizen compared with the membership of the United States Senate, judged by the proceedings as demonstrated during the last six weeks of the present session.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Colorado?

Mr. ROBINSON. I yield for a question.

Mr. THOMAS. Does not the Senator think that if Rip Van Winkle could be restored to life he would make a very worthy Member of this body?

Mr. ROBINSON. Rip Van Winkle slept for many years. The Senate has been asleep for a long time, and it has not yet awoke to the fact that it has lost, or is failing to retain, the confidence of the people of the United States by not keeping abreast of the times with its procedure.

As I said a moment ago, I shall vote for the Bankhead amendment without regard to the purpose which inspired its introduction here, because it has been demonstrated that this bill will lose no votes by it. Every Senator who has spoken on this amendment has declared himself in favor of it, and no Senator has risen on this floor and said that he is opposed to it. Then why not adopt the amendment and let it go to the conference?

While the proceedings on this floor have not disclosed the fact, it is well known to all of us here that an agreement has been reached by which this bill is to speedily go to conference. Let the amendment go to conference along with the amendments of the House to the Senate bill.

Mr. BANKHEAD. Mr. President, I offered this amendment in perfect good faith. I offered it believing that if it were adopted it would improve the bill. Before I offered the amendment I agreed with the distinguished Senator from Virginia and the Senator from Florida that I would not open my mouth in defense or in advocacy of the amendment. I was perfectly willing that it should be submitted to the Senate and let the Senate vote upon it. Immediately, sir, the Senator from Florida moved to table the amendment. The Senate refused to table the amendment. Now, then, the question is on the adoption of the amendment that I offered. That is the question the Senate must vote upon, and why not vote now? Why all this discussion and delay? If a majority of the Senate choose to vote the amendment down, all right, I will not complain. If the amendment goes to conference and comes back, it will not make a particle of difference to me as to how I shall vote. I have said to my colleagues here from the beginning of this controversy that I was willing and anxious to vote for this shipping bill if they would make it a temporary proposition; that if they would confine its life to two years after the conclusion of peace in Europe I would vote for it; and that was all the demand, and it was all the insistence that I have made.

Mr. SMITH of Arizona. Will the Senator allow me to ask him a question? Will the Senator vote for the bill with this amendment on it?

Mr. BANKHEAD. Yes; if this bill comes back from conference and it contains nothing except that which authorizes this board to buy or build ships and operate them for two years, as under the provisions of the bill, and then go out of the business, I will vote for it. Will you?

Mr. SMITH of Arizona. Yes; I will vote for anything that the Democratic Party decides is good for the country. [Laughter on the floor and in the galleries.]

The VICE PRESIDENT. The Senate can not expect the Chair to rebuke the occupants of the galleries while Senators indulge in the same practice.

Mr. SMITH of Arizona. I was asking the Senator from Alabama in good faith if he would vote for the bill with his amendment upon it. Yes or no?

Mr. BANKHEAD. I have answered that question directly. I have said that with this amendment or without it, if the bill came back from the conference with a provision that it is to be a temporary measure, that the Government should go out of the shipping business at the end of two years after the conclusion of peace, and the ships then be disposed of and the Government go out of their operation, I would vote for it, and I say so now.

That is all I have to say now and I am willing to vote. I do not propose to answer any more questions. You can vote or you can keep up this controversy to-day, and to-morrow, and the next day on the proposition whether you will vote yea or nay on the amendment.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. WILLIAMS. No; I am not asking the Senator to yield. I thought he had concluded.

Mr. BANKHEAD. I have concluded.

Mr. WILLIAMS. The Senator from Alabama has just said that if this bill were presented to him with the provision upon it that upon the restoration of normal conditions, or two years after the expiration of war in Europe, the operation of the bill should expire, he would vote for it.

Mr. BANKHEAD. I did not say that.

Mr. WILLIAMS. Then I misunderstood the Senator.

Mr. BANKHEAD. The proposition here is to bring the bill back with the Weeks provision on it, which puts the Government

permanently into the business. Of course I would not vote for it under those circumstances.

Mr. WILLIAMS. I still think I understood the Senator from Alabama correctly and that the record will bear me out. I understood the Senator to say that with or without the amendment which he has just offered, if the bill came back with the provision upon it that two years after the expiration of the war in Europe, or the restoration of peace, for they are synonymous terms, he would vote for it.

As I understand, the House amendments to the Senate bill, rather the Weeks bill, provide that within two years after the expiration of the European war these ships shall be handed over to the Navy of the United States and that the Navy shall use such of them as are suitable for naval purposes and sell, charter, or lease the balance of them. That seems to me to comply tolerably well with the requirement laid down by the Senator from Alabama. But in order to test now the sincerity of the Senator from Utah and the sincerity of other Senators upon this floor, who have been talking very recently, and only very recently asking for a vote, I now ask the unanimous consent of the Senate of the United States to immediately proceed to vote upon the Senate bill and the House amendments, and all other amendments, including this one pending thereto.

Mr. GALLINGER. That is the same request I objected to.

The VICE PRESIDENT. That was objected to about a minute ago.

Mr. WILLIAMS. I understood the Senator from Nevada to ask unanimous consent that the House bill be voted upon. This is a Senate bill, with House amendments. I therefore renew the request in proper form in order that the record may carry out the facts of the refusal upon the other side of the Chamber to consent to a vote.

Mr. GALLINGER and others. Question!

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

Mr. CLARKE of Arkansas. Mr. President, I wish to make a parliamentary inquiry. What is the pending question?

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama [Mr. BANKHEAD].

Mr. CLARKE of Arkansas. What was done with the request for unanimous consent made by the Senator from Mississippi [Mr. WILLIAMS]?

The VICE PRESIDENT. There was objection made to it.

Mr. CLARKE of Arkansas. Mr. President, I ask the Senate to indulge me at this point for a few minutes. A great many things have been uttered during the course of this discussion that under ordinary circumstances elsewhere would provoke reply, but I established for myself when I came upon this floor certain ideals that I intend to maintain, and I have accordingly appeared to overlook many things that probably were intended for my notice. There are better places and other times when such things can be dealt with, if anyone feels disposed to there enlarge upon some of the suggestions that have been made. So much for that.

If it was the purpose of my associates on this side of the Chamber to find out how the seven Senators who felt unable to support the bill in its present form or in any of the various forms in which it has, from time to time, appeared here stood with reference to any provision contained in it, there was an easy way readily open to them. Some of them have seen proper to postpone to this hour the making of inquiry about this provision concerning the entrance of the Government-owned ships to the coastwise trade. For myself I never assumed that I had more wisdom than all of them, nor that my sense of patriotism was better developed than theirs. I differed from them profoundly about certain matters of policy and principle concerning the operation of Government-owned ships. I determined that, in the present state of the situation to be dealt with, my views were not such that they could be taken from me by caucus action by others as the result of any implied obligation I assumed when I became a Member of the Senate through the agency of the Democratic Party.

I may be permitted to say, in passing, that I am probably one of the few men on this floor who never sought nor received a Republican vote in his life for anything, anywhere, or any time, and I have enjoyed as many honors at the hands of the Democratic Party as any citizen of his State, and many times more than I deserved. I hold certain views of public policy and principle which are just as essentially a part of my nature as any part of my physical body, and I have cultivated the habit of insisting upon these respectfully and within the limits of my rights, candidly and completely recognizing the equal rights of every other person.

I do not take offense at the excessive earnestness and emphasis of Senators who deal in a more spectacular manner with political and public questions than I do. My range of observation in the world has been a wide one. I have been called upon to touch humanity at many points and to judge it from many angles. As the result of all this, I am forced to say that I find there is much of real honesty and sincerity among all classes, and much sound philosophy at the bottom of nearly all the political contentions that are made by organized groups in this good country of ours. I have therefore grown exceedingly tolerant of differences of political opinion, not only with my own party associates but with those with whom I do not affiliate in the matter of party alignment. But I did not intend to drift off on that subject. I want to address myself just for a few minutes to this particular amendment to the shipping bill.

It seems to me most monstrous at this time, of all times, when the current expenses of the Government are being paid out of an emergency tax—a war tax—levied upon the people, that $50,000,000 of their money should be taken to buy ships to meet an alleged emergency, when those very ships, by the terms of this bill, are not to be permitted to take up a pound of freight at one port in the United States and deliver it at another.

The chief contention made in proof of this alleged emergency is as to the movement of cotton. About 2,520,000 bales of cotton grown in the South go for spinning to New England ports; but this bill, intended to meet an emergency, to transport promptly and more directly than can be otherwise done by private shipowners, cotton can not be carried on these ships from the Gulf ports to the consuming ports in New England; that is to say, a shipload of cotton may not be taken from New Orleans, Galveston, Savannah, or Charleston and delivered at Fall River or any port along the New England coast under this proposed law. It seems to me that there must be some excuse, that there must be some explanation for that. The only one that I have heard preferred was by a Senator here, who said that by including a provision admitting ships purchased by the Government to the coastwise trade in the proposed law, they would encounter opposition that they did not care to reckon with, nor hope to cope with successfully. I presume he referred to the coastwise shipping monopoly, one of the most insolent and completely law-protected monopolies on this continent, and one that has oppressed the people of this country more than any other twice its magnitude, as everybody who knows anything about current affairs knows to be true. Why that particular trust should have been spared, why a contest with that particular trust should have been declined and foreclosed behind the closed doors of a Democratic caucus, is a burden of candor that rests on somebody and that must be discharged at some time. It seems that we have at least found one trust that the Democratic Party is afraid to grapple with at close quarters.

Now, a word about my refusing to vote for this bill. In August last, when the appalling consequences of this European war had not so clearly defined themselves as at the present time, I thought that it was simply a question of transportation to get the cotton that was produced in the South, and the wheat and the corn and the meat of the West, to the consuming markets of Europe, and I fell in promptly with the idea that if, for any reason, the shipping offered by private owners was not adequate to meet that demand, it would be nothing more than the Government's duty to supply it temporarily.

The matter has now been delayed until that emergency has come and gone, as I see it. Of course, I have only a surface knowledge about the facts and details of the shipping business, but this has been obtained from reliable public and private sources. But it seems to me that when wheat brings a dollar and sixty cents a bushel it is about time to keep it at home, for every time an additional million bushels is exported 10 cents a bushel goes on the price of the more than 600,000,000 bushels consumed at home.

So far as cotton is concerned, the exports during the months of December and January were in excess of those of any year since the cotton industry was first inaugurated. There has been more cotton shipped during those two months than in any two months in the history of the world. There was adequate shipping found for that even under all the difficulties of the existing situation. There may be an explanation for that, but the foundation and undisputed fact is that the shipping was found without Government participation.

It is said that the prices of shipping are excessive. That is a technical matter that has been explained by others, and I shall not detain the Senate at this time to go into it; but I want to say that it is like the answer that Mark Twain gave to the reporters who inquired as to whether or not the rumor that he was dead was true, when he said that the report was very much exaggerated. The rate from Galveston to Liverpool on cotton shipments in normal times is 85 cents a hundred; now it is a dollar and a quarter. The rate to German ports is a

little more than that in normal times, while now it is $3 a hundred, or about $15 a bale. But they can not get it there at that. The rate is merely a theoretical one; it is never actually paid, because no direct shipments are ever made. If it was $150 a bale it could not be gotten there. In the case of transporting cotton to Germany it is not a question of ships, but it is a question of a free and safe sea to run them on. That is the real difficulty about shipments to Germany; it is not the want of ships, but it is the want of access. At this time the section from which I come can not receive the slightest possible benefit from the passage of this bill. I feel that I am justified in saying that the emergency has passed, not because we do not have on hand vast quantities of cotton and lumber seeking a market; and I know that the obstruction now to be reckoned with is not of a character to be removed by the purchase and operation of ships by the Government, but is one of the conditions imposed on mankind by this gigantic and ferocious war which has shocked the world from one end to the other.

As I have said, if our associates on this side had desired to ascertain our views about a form of bill that we would support, and that was the real purpose of those who differed from us, I venture to say that we would not have denied them a conference, with an inclination to surrender to a reasonable extent any differences of opinion as to mere matters of method.

If this bill had provided that the shipping board should consist of those technically informed about the shipping business in its commercial and operating branches, leaving out of it all official members—because, in my opinion, they have now duties and responsibilities enough of their own—if it had provided distinctly that no ship belonging to a belligerent should be bought, not in a shambling, double-meaning sort of way, that might ultimately, as a matter of construction, get us into trouble, but distinctly expressed in terms that everybody could understand in the same way; if then this matter of permitting these purchased ships to engage in the coastwise trade had been included, and another provision limiting it to the duration emergency which brought the plan into existence, although it is not now a matter of any great consequence to my section of the country, still I would have waived that, and voted for the bill, as it is my duty, and as it is always my pleasure, to do what I can to advance the general prosperity and interest of the whole country. I could have on that basis yielded my opinion in opposition. But I did not project myself into the discussion at all. I sat here for about four weeks, leaving my associates to conduct the matter to their own satisfaction, but so far as the roll calls disclosed, so far as the surface of things indicated, I was just as heartily in favor of this bill as anyone on this side of the Chamber. I have never participated to the extent of a single minute in any filibuster against it, and I do not intend to do so.

I do not know but that it is too late now to expect everybody to surrender his opinion and bring it into conformity with mine, but if it shall assume an aspect of that kind, I can only repeat—because I have not any desire to announce any new position—what I have stated several times, that I am willing to confer about that.

I do not believe that the occasion, according to my present information, justifies the passage of this bill. The maps of the world may be remade; new systems will be introduced, and new rulers inaugurated to execute them; a new and larger conception of human rights will follow this war. Then it will be time enough to learn to what extent the reorganized Governments will permit Government-owned ships to enter their ports to direct and control their commerce.

Commerce, in so far as navigation is a branch of it, involves the cooperation of other and distant countries. Their rights and selfish interests safeguarded and respected and their laws must be complied with. It is an inopportune time, in my judgment, to deal with this question; but I am not justified in entering upon any discussion of that question this afternoon, because I have said more than I intended to say in the entire discussion, and besides I am not prepared, as I should be, to do so to my own satisfaction.

I think that this amendment ought to be adopted now by those who believe in it. I do not believe that any improper influence was exerted upon a single Democrat in the caucus. I take no stock in this ward-heeler system of accusing gentlemen who are Members of the Senate by saying that they have allied themselves with this, that, or the other trust. I believe it was some question of policy, some question of the misconception of the strength of that institution and the friends that it could muster; some unfounded fear of its capacity to arouse into activity influences with which they feared to combat. Obviously it ought to be dealt with, and the people of this country are entitled to have it dealt with in the right way by the Democratic Party. Forming as it does one of our great industries, it is not to be ridden down roughshod, but it has enjoyed its exclusive and unfair privileges about long enough, and one of the new privileges that it ought not to enjoy is the privilege of keeping out of the ports of this country by law the ships that belong to the United States, and which the money of the taxpayers have supplied.

I am not particularly frightened about the proposition of the Government owning ships; but, according to my idea of things, ships are the very last utilities that the United States Government ought to take under control. It is the very essence of public control that it shall primarily contribute to internal development. There are ample opportunities for us now in connection with the telegraph, the telephone, and the remainder of the express business that will test out all of the strength that we can muster to bring those utilities under an orderly and efficient control. The shipping proposition involves the rights, interests, and cooperation of other countries. The profits of it are shared between those who load the ship at one end and those who purchase the load at the other. It is in the catalogue of utilities, I venture the opinion this afternoon, the very last that should call for Government control. I know that under existing conditions Government ownership and operation of ships will result in political management in the sense of a management directed by political influences, and these, when exerted in connection with matters of business, are always wasteful and frequently corrupt.

Our tariff laws have been so adjusted that it has been practically impossible for a ship leaving our ports to go out with a load and come back with another; but that, also, is a topic that would require to be enlarged upon, and I am not prepared to do it to my satisfaction this afternoon.

I sincerely trust that the Senate will put this particular amendment on this bill, and if the conference committee will safeguard properly the matter of neutrality and put in a provision preventing the ships belonging to the United States from transporting to the belligerents in Europe to-day arms and munitions of war to slaughter by thousands the best people on this earth, and fix the membership of the board as I have indicated, and definitely limit its duration as a temporary relief for a real or supposed emergency, I am here to tell you that I will make arrangements to vote for it without any violation of my conscience, and under the definite belief that I have done something for my day and generation.

Mr. GALLINGER. Question!

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama [Mr. BANKHEAD].

Mr. CLARKE of Arkansas. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. I transfer that pair to the Senator from Louisiana [Mr. THORNTON] and vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a pair to-day with the Senator from Kansas [Mr. BRISTOW]. I do not know how that Senator would vote if present, and in his absence I withhold my vote, but were I at liberty to vote I should vote "yea."

The roll call was concluded.

Mr. OLIVER. On account of my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] I withhold my vote.

The result was announced—yeas 33, nays 54, as follows:

YEAS—33.

Ashurst	Fall	Norris	Thompson
Bankhead	Gronna	O'Gorman	Tillman
Borah	Hardwick	Owen	Townsend
Brady	Hitchcock	Poindexter	Vardaman
Camden	Jones	Robinson	Williams
Catron	Kenyon	Smith, Mich.	Works
Clarke, Ark.	La Follette	Sterling	
Crawford	Lane	Sutherland	
Culberson	Nelson	Thomas	

NAYS—54.

Brandegee	James	Overman	Simmons
Bryan	Johnson	Page	Smith, Ariz.
Burleigh	Kern	Penrose	Smith, Ga.
Burton	Lea, Tenn.	Perkins	Smith, Md.
Chilton	Lee, Md.	Pittman	Smoot
Clark, Wyo.	Lewis	Pomerene	Stephenson
Cummins	Lippitt	Ransdell	Stone
Dillingham	Lodge	Reed	Swanson
du Pont	McCumber	Root	Walsh
Fletcher	McLean	Shafroth	Warren
Gallinger	Martin, Va.	Sheppard	Weeks
Goff	Martine, N. J.	Sherman	White
Hollis	Myers	Shields	
Hughes	Newlands	Shively	

NOT VOTING—9.

Bristow	Colt	Oliver	Smith, S. C.
Chamberlain	Gore	Saulsbury	Thornton
Clapp			

So Mr. BANKHEAD's amendment was rejected.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The Senator from Nebraska proposes to amend House amendment No. 3 by adding, at the end of section 16, the following:

That it shall be unlawful and treated as a breach of the neutrality laws of the United States for any person, partnership, or corporation to sell or contract to sell, or deliver or contract to deliver, during the existence of war between nations with which the United States is at peace, any arms, ammunition, artillery, and explosives of any kind whatsoever to be used against a country or nation with which the United States is at peace; and during the existence of war it shall be unlawful to sell for exportation or to export arms, ammunition, artillery, and explosives, except upon filing with the Secretary of Commerce satisfactory sworn proof that said arms, ammunition, artillery, and explosives are not intended to be used in violation of this provision.

Any person violating this provision shall be fined not more than $100,000 and imprisoned not more than three years, and any arms, *ammunition, artillery,* and explosives the exportation of which is attempted in violation of this provision shall be forfeited, one-half to the use of the informer and one-half to the use of the United States.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move to lay the amendment on the table.

The VICE PRESIDENT. The question is on laying the amendment on the table.

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. OLIVER (when his name was called). I again announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] and withhold my vote. I will allow this announcement to stand for the day.

Mr. SIMMONS (when his name was called). Making the same transfer as heretofore announced, I vote "yea."

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair with the senior Senator from Kansas [Mr. BRISTOW], I withhold my vote. Were I at liberty to vote, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 51, nays 36, as follows:

YEAS—51.

Brandegee	James	Pittman	Stephenson
Bryan	Johnson	Pomerene	Sterling
Burleigh	Kern	Ransdell	Stone
Catron	Lea, Tenn.	Reed	Sutherland
Chilton	Lee, Md.	Robinson	Swanson
Culberson	Lippitt	Root	Thomas
Dillingham	Lodge	Shafroth	Tillman
Fall	McLean	Shields	Walsh
Fletcher	Martin, Va.	Shively	Warren
Goff	Martine, N. J.	Simmons	Weeks
Gore	Newlands	Smith, Ariz.	White
Hollis	Overman	Smith, Ga.	Williams
Hughes	Page	Smith, Md.	

NAYS—36.

Ashurst	Cummins	Lewis	Poindexter
Bankhead	Gallinger	McCumber	Sheppard
Borah	Gronna	Myers	Sherman
Brady	Hardwick	Nelson	Smith, Mich.
Burton	Hitchcock	Norris	Smoot
Camden	Jones	O'Gorman	Thompson
Clark, Wyo.	Kenyon	Owen	Townsend
Clarke, Ark.	La Follette	Penrose	Vardaman
Crawford	Lane	Perkins	Works

NOT VOTING—9.

Bristow	Colt	Oliver	Smith, S. C.
Chamberlain	du Pont	Saulsbury	Thornton
Clapp			

So Mr. HITCHCOCK's amendment was laid on the table.

Mr. MARTINE of New Jersey. Mr. President, notwithstanding the fact that the result of the vote has been announced, I wish to state that I voted under an entire misapprehension. I wanted to vote for the amendment, but I was called out of the Chamber at the time, and I was not aware that a motion had been made to lay the amendment on the table. I am emphatically in favor of the amendment, so I wish to change my vote on the motion to lay on the table from "yea" to "nay."

Mr. WILLIAMS. A point of order, Mr. President. Under the rules of the Senate, nobody can change his vote after the result has been announced.

Mr. O'GORMAN. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. O'GORMAN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The Senator from New York moves to amend the amendment of the House as follows:

Strike out all of section 7 of the amended bill after the word "further," in line 19, page 9, down to and including the word "neutrality," in line 21, page 9, and substitute in lieu thereof the following:

Without waiving any rights claimed by the United States under international law or any rights or principles hitherto asserted by the United States, no vessels shall be purchased under this act which are the property, in whole or in part, of any of the nations now at war, nor shall any vessels be purchased under this act which are the property of any of the subjects or citizens of said belligerent nations unless such purchases be made with the acquiescence or consent of all belligerent nations.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move to lay the amendment on the table.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on laying on the table the amendment offered by the Senator from New York. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair, I will say that if I were at liberty to vote I would vote "yea."

The roll call was concluded.

Mr. SIMMONS (after having voted in the affirmative). Making the same announcement and transfer as heretofore, I will allow my vote to stand.

The result was announced—yeas 45, nays 43, as follows:

YEAS—45.

Ashurst	La Follette	Pittman	Smith, Md.
Bryan	Lane	Pomerene	Stone
Chilton	Lea, Tenn.	Ransdell	Swanson
Culberson	Lee, Md.	Reed	Thomas
Fletcher	Lewis	Robinson	Thompson
Gore	Martin, Va.	Shafroth	Tillman
Hollis	Martine, N. J.	Sheppard	Walsh
Hughes	Myers	Shields	White
James	Newlands	Shively	Williams
Johnson	Norris	Simmons	
Kenyon	Overman	Smith, Ariz.	
Kern	Owen	Smith, Ga.	

NAYS—43.

Bankhead	Cummins	Lodge	Smith, Mich.
Borah	Dillingham	McCumber	Smoot
Brady	du Pont	McLean	Stephenson
Brandegee	Fall	Nelson	Sterling
Burleigh	Gallinger	O'Gorman	Sutherland
Burton	Goff	Page	Townsend
Camden	Gronna	Penrose	Vardaman
Catron	Hardwick	Perkins	Warren
Clark, Wyo.	Hitchcock	Poindexter	Weeks
Clarke, Ark.	Jones	Root	Works
Crawford	Lippitt	Sherman	

NOT VOTING—8.

Bristow	Clapp	Oliver	Smith, S. C.
Chamberlain	Colt	Saulsbury	Thornton

So Mr. O'GORMAN's amendment was laid on the table.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. The Senator from Michigan.

Mr. SMITH of Michigan. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In lieu of amendment numbered 3 of the House, the Senator from Michigan proposes to insert the following:

That a commission be, and the same is hereby, created for the purpose of fully considering the entire subject of over-sea shipping and the rehabilitation of the American merchant marine, to be composed as follows: Five Senators, who shall be appointed by the Vice President; seven Representatives, who shall be appointed by the Speaker of the House of Representatives; and five practical, experienced business men and shipowners, who shall be appointed by the President of the United States; said appointments to be bipartisan in character, and the five members last provided for, if not already in the employ of the Government, to receive compensation at a rate not to exceed the salary of a Member of Congress. The said commission is hereby authorized and empowered to conduct an inquiry into the best means of reestablishing the American merchant marine upon broad principles of international comity and practical utility, and shall consider, among other things—

(a) The question of a subsidized merchant marine, through direct appropriations of the Government;

(b) The question of discriminating tariff duties in favor of American bottoms under such regulations and with such treaty modification as may be necessary to that end; and

(c) That the purchase or construction by the Government of the United States of merchant ships which may be used in over-sea commerce and in emergencies shall constitute an auxiliary merchant fleet for the Navy.

That said commission is authorized and empowered to sit during the session or during the recess of Congress, at any place or places which

in its judgment shall be necessary; that the expense of said commission shall be paid out of any unexpended balance in the Treasury of the United States upon warrants to be issued therefor by the chairman or vice chairman of said commission; that said commission is authorized to take testimony, to administer oaths, and employ such necessary assistance as may be desirable in the conduct of its investigation, which shall be concluded within six months from the date this act shall become effective.

That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the purpose of defraying the necessary expenses incident hereto.

Mr. FLETCHER. Mr. President, I move to lay the amendment on the table.

The VICE PRESIDENT. The question is on the motion by the Senator from Florida to lay the amendment on the table.

Mr. SMITH of Michigan. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SIMMONS (when his name was called). Making the same announcement of the transfer of my pair as before, I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I make the same announcement of my pair that I previously made. If I were at liberty to vote, I would vote "yea."

The roll call having been concluded, the result was announced—yeas 52, nays 31, as follows:

YEAS—52.

Ashurst	Johnson	O'Gorman	Smith, Ariz.
Bankhead	Kenyon	Overman	Smith, Ga.
Bryan	Kern	Owen	Smith, Md.
Camden	La Follette	Pittman	Stone
Chilton	Lane	Pomerene	Swanson
Clarke, Ark.	Lea, Tenn.	Ransdell	Thomas
Culberson	Lee, Md.	Reed	Thompson
Fletcher	Lewis	Robinson	Tillman
Gore	Martin, Va.	Shafroth	Vardaman
Hardwick	Martine, N. J.	Sheppard	Walsh
Hollis	Myers	Shields	White
Hughes	Newlands	Shively	Williams
James	Norris	Simmons	Works

NAYS—31.

Brady	Gallinger	Nelson	Smoot
Brandegee	Goff	Page	Stephenson
Burleigh	Gronna	Penrose	Sterling
Burton	Jones	Perkins	Sutherland
Catron	Lippitt	Poindexter	Townsend
Clark, Wyo.	Lodge	Root	Warren
Dillingham	McCumber	Sherman	Weeks
du Pont	McLean	Smith, Mich.	

NOT VOTING—13.

Borah	Colt	Hitchcock	Thornton
Bristow	Crawford	Oliver	
Chamberlain	Cummins	Saulsbury	
Clapp	Fall	Smith, S. C.	

So the amendment of Mr. SMITH of Michigan was laid on the table.

Mr. FLETCHER. I now move that the Senate disagree to the amendments made by the House and ask for a conference, the Chair to appoint seven conferees as managers on the part of the Senate.

Mr. POINDEXTER. Mr. President, as a motion which has preference over the one just made by the Senator from Florida, I offer the following amendment to the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. Add as a new section the following:

SEC. —. That no ship shall be purchased under the authority of this act from a belligerent nation, nor the citizens thereof, and no ship shall be operated by the United States, nor the shipping board, nor the corporation provided for herein, nor any lessee thereof, under the authority conferred by this act, to or from any port of a belligerent nation, nor to or from any European port during the continuance of the present war in Europe.

Mr. FLETCHER and Mr. POINDEXTER addressed the Chair.

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move to lay the amendment on the table.

Mr. POINDEXTER. I have the floor I think.

The VICE PRESIDENT. No; the Senator has not the floor. The Senator from Florida has the floor, and he moves to lay the amendment on the table. The question is on agreeing to the motion to lay on the table.

Mr. POINDEXTER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SIMMONS (when his name was called). Making the same announcement of the transfer of my pair as before, I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I make the same announcement of my pair that I previously made. If I were at liberty to vote I would vote "yea."

The roll call having been concluded, the result was announced—yeas 48, nays 37, as follows:

YEAS—48.

Ashurst	Johnson	Overman	Smith, Ariz.
Bankhead	Kern	Owen	Smith, Ga.
Bryan	La Follette	Pittman	Smith, Md.
Camden	Lane	Pomerene	Stone
Chilton	Lea, Tenn.	Ransdell	Swanson
Culberson	Lee, Md.	Reed	Thomas
Fletcher	Lewis	Robinson	Thompson
Gore	Martin, Va.	Shafroth	Tillman
Harwick	Myers	Sheppard	Vardaman
Hollis	Newlands	Shields	Walsh
Hughes	Norris	Shively	White
James	O'Gorman	Simmons	Williams

NAYS—37.

Borah	du Pont	Martine, N. J.	Stephenson
Brady	Fall	Nelson	Sterling
Brandegee	Gallinger	Page	Sutherland
Burleigh	Goff	Penrose	Townsend
Burton	Gronna	Perkins	Warren
Catron	Jones	Poindexter	Weeks
Clark, Wyo.	Lippitt	Root	Works
Crawford	Lodge	Sherman	
Cummins	McCumber	Smith, Mich.	
Dillingham	McLean	Smoot	

NOT VOTING—11.

Bristow	Clarke, Ark.	Kenyon	Smith, S. C.
Chamberlain	Colt	Oliver	Thornton
Clapp	Hitchcock	Saulsbury	

So Mr. POINDEXTER's amendment was laid on the table.

Mr. POINDEXTER. Mr. President, I desire to offer a further amendment, but I see the Senator from Florida is on his feet, I suppose for the purpose of making a motion to lay it on the table. So I will make some remarks upon it before offering it. I was under the impression that when a Senator obtained the floor for the purpose of offering an amendment he was entitled to keep the floor until he gave it up. However that may be, I have no intention to make an objection to the parliamentary method of proceeding.

In view of the tabling of the amendment which I offered a moment ago, it is perfectly evident that it is the intention of the supporters of this bill to do the things which that amendment which has been tabled would have prohibited, namely, to buy belligerent ships and to operate ships so bought in the ports of belligerent countries and in the ports of neutral countries in Europe which are immediately in the war zone and are involved in all the delicate international questions which have arisen within the last few days between the Government of the United States and the great European belligerents. In view of that attitude and that evident intention of the administration, Mr. President, I will not be able to vote for the motion of the Senator from Florida nor to cast any vote which is favorable to this bill.

The Senator from Montana [Mr. WALSH] not long ago delivered quite an exhaustive address in the Senate upon this question of the right of a neutral to purchase the ships of a belligerent. I have read it with a great deal of interest. The Senator from Montana is undoubtedly entitled to commendation and to the appreciation of the Senate for the information which his address contains and for the research which evidently he devoted to preparing it. It was a fine shot, and I agree with the Senator from Montana that it comes near the mark. The trouble about it, Mr. President, is that he was shooting at the wrong mark, and I want to demonstrate that.

It reminds me of an occasion not long ago when some observers were down on the Potomac River for the purpose of witnessing the results of shell fire. They were stationed in a small ship about a quarter of a mile away from the target. There was one of these expert gunners of the United States Navy on the old battleship *Tallahassee*, about 10 miles away, shooting at a target with a 12-inch gun. The shot weighed about 500 pounds; and almost every shot either struck the target or missed it by a very small margin, all except one, and that shot was just as good a shot, it was a demonstration of just as good marksmanship as any other; but the trouble was he shot at us instead of the target. He came about as near hitting us in that shot as he came near hitting the target in most of the others. It was a good shot, but the wrong target. I think that can be truthfully said about the very able address of the Senator from Montana. He was discussing something which is not involved in this bill. His speech was entirely irrelevant. The Senator from Montana collected a large number of authorities upon the proposition that a private person, a citizen of a neutral, if he is acting in good faith and the transaction is complete, can buy the ships of a belligerent.

Mr. President, that question is not involved in this bill. The entire proposition on the part of a large portion of this side of

the aisle is based upon the distinction between the purchase by a private citizen and the purchase by the Government. Neither the Senator from Montana, nor anyone else who has discussed the proposition on that side, has offered us any light or any authority as to the right of a neutral Government, supposed to be friendly to both the belligerents itself, in its governmental capacity to buy a belligerent ship.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Montana?

Mr. POINDEXTER. In just a moment I will yield to the Senator from Montana. I desire to complete my proposition.

Mr. WALSH. I simply desire to ask a question.

Mr. POINDEXTER. I will yield for a question in a moment, but not just now.

Mr. WALSH. I desire to ask the Senator, in view of the fact that he has stated that the objection upon the other side was founded upon the fact that the purchase was to be made by the Government, instead of by a private individual, to inform this side of the Senate by whom on that side the idea was ever advanced that there was any difference in result when the purchase was made by the Government instead of by a private individual.

Mr. POINDEXTER. I am advancing it now; and I have heard it suggested by a number of Senators on this side. I think the distinction is perfectly obvious——

Mr. WALSH. Will the Senator kindly——

Mr. POINDEXTER. I decline to yield further at this moment. I will yield later on; but I should like to complete the sentence.

It ought to be perfectly obvious to all the proponents of this bill that the objection to the bill is that it involves the Government in the proposed action. It involves governmental ownership, governmental implication in the war, governmental trading in belligerent ports. It is upon the incident of Government activity that almost every Senator who has spoken in opposition to this bill has based his opposition. I might name a number of Senators who have taken that ground. I happen to notice in his seat the Senator from North Dakota [Mr. MCCUMBER], who very pointedly made this distinction, and, as the Senator from Connecticut [Mr. BRANDEGEE] suggests, the Senator from Rhode Island [Mr. COLT] also made it, and the Senator from North Dakota [Mr. GRONNA] to-day at an earlier hour made the same point. But, Mr. President, the point is obvious to everyone, and it is the point in one form or another about which the long controversy over this bill has been raging.

I do not want to detain the Senate as it is hastening on, with its nice regard for time, to a final disposition of this bill, except to make clear the basis of the objection which I attempted to explain in the amendment which was tabled. A private citizen of a neutral country may do a great many things in transactions with belligerents which the neutral Government can not do. A short time ago we were advised that the President of the United States, in his apparent almost universal care and watchfulness over the acts not only of the Senate but of the private business of the country—and I say this with all respect and kindness toward the President, because I feel that way toward him—objected to some private citizen making a loan of money to one of the belligerents. That attracted some attention because it was a new doctrine in international law that a private citizen of a neutral country should not be allowed to make a loan of money to a belligerent. That he has a right to do so, and that it is not a violation of international law for him to do so, I venture to say is laid down by every authoritative writer upon that branch of jurisprudence, and it is also laid down by them all that, while the private citizen may do so, it would be a breach of neutrality for a neutral Government to make a loan of money to one of the belligerents.

A private citizen of a neutral may sell contraband goods to a belligerent, if he chooses to take the risk of capture by a belligerent war vessel; and international law recognizes no offense in his shipping arms and munitions of war to one of the belligerents. It is a privilege universally exercised by merchants of all countries when the circumstances call for it, but it is also laid down by every writer upon international law that, on account of the distinction between the action of a private citizen and the action of the Government, a neutral Government is not allowed to sell contraband goods, such as ammunition and guns, to a belligerent power; and it is perfectly obvious why there should be such a distinction.

In a great digest of international law based upon the declarations of the officers of the United States Government during the entire period of its existence, a most interesting and useful compilation by Mr. John Bassett Moore, formerly counselor of the State Department, there are cited a number of authoritative rulings upon this subject. After discussing the proposition, which seems to be recognized everywhere, that private citizens of a neutral may trade in contraband with a belligerent, he says:

> In 1872 a question was raised in the United States Senate as to certain sales of "ordnance stores" which had been made by the Government of the United States during the fiscal year ending June 30, 1870, to persons who were said to be agents of the French Government. A committee was appointed to investigate the subject.

Then he goes on and discusses that question. I will not encumber the RECORD by reading the entire discussion, but he cites Hall, and says:

> Hall, referring to the above transaction, says: "The vender of munitions of war in large quantities during the existence of hostilities knows perfectly well that the purchaser must intend them for the use of one of the belligerents, and a neutral Government is too strictly bound to hold aloof from the quarrel to be allowed to seek safety in the quibble that the precise destination of the articles bought has not been disclosed."
>
> Perels, after stating the facts, remarks that they do not require comment.
>
> Snow expressed the hope that Mr. Carpenter's report "does not express the settled law of the United States upon this subject. It confounds the rights and duties of a neutral State with those of the private citizens of a neutral State, which is a very different matter."

Now, Mr. President, I propose to offer as an amendment to this bill by way of a substitute—I am not now offering it; I will withhold it for the present, but will offer it later—the following:

> That the President is authorized and directed to expend a sum not exceeding $50,000,000 for the construction of ships in American shipyards, preference being given to navy yards, and to operate said ships on such lines of trade, coastwise or foreign, as he may select, under such terms and regulations as he may determine: *Provided*, That such ships shall be constructed, as far as practicable, so as to be adapted for service both as naval auxiliaries and as merchant ships.
>
> SEC. 2. That the President may sell the bonds of the United States authorized for the construction of the Panama Canal, not to exceed the amount of $50,000,000, for the purposes of this act.

I see no difficulty, Mr. President, in finding ample constitutional authority for the Government to own and operate ships if we should decide upon that policy. I will not discuss now the question of Government ownership. In my opinion, it is the last resort in the administration and regulation of public utilities; but the time may come when we may have to adopt the last resort. If regulation shall have failed, I shall not shrink from Government ownership. The Government has constitutional authority to own and operate ships to carry the mail; it has constitutional authority to own and operate ships as auxiliaries to its Navy; it has constitutional authority to own and operate ships in the regulation of foreign commerce. It is not engaging in a private business. It proposes to operate them as a common carrier.

But what is proposed here? Mr. President, when it is presented to those who desire for one reason or another, for the building up of our Navy, for supplying this greatest defect, the want of transports and auxiliary vessels, that there should come under the flag of the Government a great fleet of vessels adapted in time of peace to use as merchant vessels, we find that the proposition is so framed that there will not be an American vessel created; that whatever fleet may be acquired will be disposed of in a very short time. The proposition of the President—and we must assume that this matter will be directed by the President—is that we should go into this enterprise for a short time, and when it becomes profitable dispose of it. The President's proposition is not that we should operate a line of ships to meet this great emergency in Europe, of which so much has been said on the other side. Reading from the President's message, he says:

> Therefore I propose another way of providing the means of transportation which must precede, not tardily follow, the development of our trade with our neighbor States of America.

That is the proposition of the President, that temporarily, in order to develop trade in America—in South America—we should put on a line of ships with that portion of the Americas; and that when it becomes profitable, when trade has been developed so as to encourage private enterprise, the Government shall go out of the business entirely and abandon its ships.

What is the bill which has been passed by the House and which is now pending before the Senate? It provides in express terms, in consonance with the policy of the President:

> SEC. 16. That two years from and after the conclusion of the present European war, that fact to be determined by the President, the corporation and the shipping board shall turn over and transfer all vessels purchased or constructed under the provisions of this act to the Navy Department, and the Secretary of the Navy shall have the right, with the approval of the President, to lease or charter any of such vessels not needed for naval or military purposes to any firm, individual, or corporation for use as merchant vessels.

What is the result of that plan as applied to the existing conditions of the merchant marine of the world to-day? A few days ago one of the Senators from Missouri, in a moment of intense feeling, rather intimated that everyone who opposed

this bill was influenced by the Shipping Trust. Later on, in his cooler moments, he said—which of course was the fact—that he did not intend any such thing as that. But what must be the effect of this bill and this plan if carried out according to the intentions of the President and according to the express terms of the bill as it is now framed? It must be that the Government, if it produces any ships that are not now engaged in trade, would spend the money which is appropriated by this bill—thirty million or forty million dollars, or whatever the amount may be—for the ships of the Shipping Trust. If there is a Shipping Trust that controls all of the lines of commerce upon the Atlantic Ocean, where are you going to buy ships unless you buy them from the Shipping Trust? I want to show in a few moments, in a very brief way, that there is no idle ship for sale; that there is no ship that is not now fulfilling to its utmost capacity the needs of trans-Atlantic commerce between this country and Europe, except the interned vessels of the Hamburg-American and the North German Lloyd Lines, which are the holders and the owners of the vessels which belong to this combination which the Senator to whom I referred a moment ago dominates as the Shipping Trust.

If you are going to put a new ship into the commerce with Europe, one which is not now engaged in it, you would be compelled under this bill to take the interned, rusting, or rotting vessels of the Shipping Trust, and pay them the thirty or forty million dollars to be raised by the sale of United States bonds.

Then, what is the proposition? That when the so-called emergency has passed, when we settle down to normal conditions, we shall sell the ships back again to the Shipping Trust; and if this transaction is characterized by the ordinary lack of financial acumen that characterizes Government business transactions, we will sell them for a great deal less than we paid for them. That is the proposal.

I notice in a description of these interned vessels that they are vessels which have been used in the business of bringing to American shores the great hordes of the illiterate and laboring classes of certain parts of Europe; that is the chief business of these great steamship lines. Under the fortunes of war their ships are interned; their ships are rusting; their profits from carrying the steerage passengers who have crowded their vessels heretofore are cut off. The same interests which opposed the literacy test in the immigration bill are the interests which own the interned vessels and which are now desirous of selling them to the United States if this bill should pass. It is quite a coincidence—purely a coincidence, of course—that the Senators who are loudest in talking about the Shipping Trust are now advocating a bill which can have no other effect than to benefit the Shipping Trust by relieving it of its interned ships. The same Senators who employed every parliamentary expedient that it was possible for them to employ in order to defeat the effort of putting into the law a literacy test, which the Shipping Trust thought, according to the documents which have been published and circulated in this city, would interfere with their lucrative business of bringing over hordes of immigrants from Europe to compete with the laborers of the United States and to lower the standard of living in this country. I say it is quite an interesting coincidence.

A good many different reasons are given for urging this so-called emergency measure. One of them is, as I said a moment ago, that the rates on grain are so high that the poor farmers of this country are suffering by reason of it. Why, Mr. President, for a good many years the farmers of the West have been raising and selling wheat for less than it cost them. During the last season, on account of the war in Europe and other circumstances, for the first time in many years they received a good price for their wheat; and those of them who have any wheat to sell are receiving a good price for it now, and there is every prospect that they will receive a good price for it next year.

There used to be a man in New York—I think his name was Jones—who advertised that he paid the freight. He had the nerve to publish a picture of his face in almost every newspaper in the country, blowing a horn, and accompanying the picture were the words: "Jones—he pays the freight." I have no doubt that was true, that he did pay the freight upon the commodities which he had for sale; but he did not mention the additional fact that he collected it back again from his customers.

Of course we are interested in reasonable freight rates to Europe. We know that in the necessities which are arising out of war, the need of food for their people, the need of arms and munitions of war for their armies, they are willing to pay the freight, and are paying it in the greater part. When I read the report of the Secretary of the Treasury, I notice the plaintive appeal which he makes for the passage of this bill in behalf of the farmers of this country who raise grain, cotton, and other commodities; and to show what the burden imposed upon the farmers by these high ocean freight rates means, he says that the greatest increases in rates and the heaviest taxes are imposed upon the products in which the American farmer is most concerned, namely, grain and cotton.

Why, Mr. President, in view of the wealth which has lately been brought to the grain growers of the West as a due reward for the labors of many years in which they received no profits, it seems strange that the Secretary of the Treasury, the chief advocate of this bill, should ask its passage as an emergency measure, as a new departure in the policies of this Government, declining to accept any amendment which would prohibit the purchase of the ships of belligerents in order to relieve the farmers and the grain growers of the country of the situation in which they are placed. I think I can speak for the grain growers, in part at least, in some sections, and I say for them that they are not in need at this particular time of assistance or sympathy on account of the prices which they are receiving for their grain, and I say further that if they did, if they were in need, they would receive no relief from this bill.

Mr. GRONNA. Mr. President, would it disturb the Senator if I asked him a question?

Mr. POINDEXTER. No; I yield to the Senator from North Dakota.

Mr. GRONNA. Is it not a fact that on the 6th day of February, 1915, wheat sold in the market at Chicago for $1.67 a bushel, and that on that very same day it sold in London for 60 shillings a quarter, or, in other words, $1.73 a bushel, making a difference of only 6 cents a bushel?

Mr. POINDEXTER. If the Senator states that as a fact, I accept it as such.

Mr. GRONNA. I state that. That is a fact.

Mr. POINDEXTER. Mr. President, as I said a moment ago, there are various reasons given for this condition of ocean freights. One of them stated is that there is a trust or combine, and another one, rather inconsistent with it, is that there is not enough ship tonnage to supply the demand. Of course if it is due to a combine, the price would be put up regardless of the amount of tonnage, and if there is a shortage of ships the rates would go up whether there is a monopoly or not. Another one, entirely inconsistent with either of the foregoing, is that it is due to the uncertainties and to the dangers of war—to high war insurance. Now let us see what is the showing which was made by the Secretary of the Treasury and the Secretary of Commerce themselves as to these conditions, as to what is the cause for these high rates.

I hear it said that we need Government ships to carry cotton to Belgium and to Germany and to carry tobacco to Italy; that there are not enough ships to carry it, and therefore that the Government must furnish them. In the supplementary report of the Secretary of the Treasury of January 27 I find certain statements, which I wish to read. I assume that the information it contains, being furnished by them, is reliable. You always construe the testimony of a party which he himself furnishes as binding upon the party who furnishes it.

I find here a letter from Mr. Justus Ruperti, of New York, of G. Amsinck & Co., addressed to the agent of the United States Government, Mr. Charles Ferguson; and what is the information which it contains and which he transmits to the Senate of the United States, as to the need of ships for carrying the supplies of the United States to these various countries? It is so astonishing, in view of the great insistence upon this measure through all sorts of conditions and times and hours of the day and night, that I want to read a portion of it. He says:

> A line to Italy does not seem necessary, as the Italian Government has sufficient steamers, if only the United States Government will stand together with the Italian to protect these steamers from constant and in many cases unnecessary interference and delay.

Now, as to the need of a line to Denmark, Norway, and Holland, he says:

> There is at present also not sufficient freight open, but there should be enough steamers of those countries—which have fleets of their own—to insure a sufficient traffic, if the United States will assist those countries also in maintaining a service which is not unnecessarily hampered and interfered with by the warring nations, as is done at present, where a great many commercial transactions for supplying those neutral countries with their requirements, and which are in no way affected by any articles of contraband of war or supplies for the fighting nations, are hampered and stopped.

That is the showing which is made by the Secretary of the Treasury, and from it it appears that there is no need of ships in the trade with Holland, Scandinavia, and Italy, but that the high rates are due to interference with the operation of these ships by the war vessels of the belligerent nations.

Mr. President, where are we going to get ships? I will submit the amendment which I desire to offer after calling atten-

tion to this. This is also evidence which is furnished by the Secretary of the Treasury and the Secretary of Commerce in the report to which I have just referred. On page 38 of that report there is printed an article—evidently which they approve—in which the fact is clearly and emphatically stated that every available vessel than can be operated in this trade is engaged in it at present, and that every shipyard which is capable of constructing ships is busy constructing ships.

In every direction it will be seen that huge profits are to be made in the shipping industry. Nor are shipowners the only ones to feel the boom. The prosperity has created a demand for more ships. The price of steamers is rising daily, and shipbuilders are booking so many orders that their yards will be full for some years to come. Many shipowners also are selling off their old tonnage at prices which they never dreamed of before the outbreak of war.

Investigation goes to show that the present boom has been of a much greater nature than during other wars. After the Franco-Prussian War, for instance, the boom did not set in until some 12 months after the declaration of peace. By this time the nations had time to turn around, and finance was readjusted. And then the rise in freights was more gradual. It was not until 1882 that the top of the rise appeared.

It is interesting to note that the only rate approximating to present figures was paid to the *Ben Nevis*, a steamer with a carrying capacity of 7,500 quarters, or about 1,500 tons, which obtained 8s. 3d. per quarter from New Orleans to Rouen.

* * * * * * *

The shipment of wheat commences from the end of December, however, and already many vessels have been chartered, the rates of freight for steamers which will be ready to load in January and early February rising within the last month or two from 20s. per ton to 37s. 6d.

* * * * * * *

The beginning of the season has not seen a large number of steamers chartered to Italy, but it is now stated that, in addition to the enormous quantities which are being imported from North America, the Italian Government has purchased some 400,000 tons of wheat and oats from the Argentine Republic for shipment from the River Plata.

I read that for the purpose of demonstrating, by the testimony of the proponents of this bill themselves, that every available ship is engaged in this trade, and that even if the Government can purchase them, they can not carry any more freight than they are carrying now; and as for the relief which could be experienced in freight rates by the operation of the small number of ships which the Government would acquire under this bill, even if it operates them in the European trade, it would be impossible for them to take care of more than a small portion of the enormous shipments which these reports indicate are now being made to Europe, and would have but a negligible effect upon rates.

The only remedy aside from building ships, Mr. President, is the purchase of these interned vessels. The result of that would be that vessels which have suffered the penalty of the superior navy of their adversaries and have been practically interned, which are forbidden from the sea, would be released; money would be spent in a foreign country for replacing them with other vessels, and the United States for its investment of thirty or forty million dollars would have a number of vessels rapidly growing obsolete, which it would be impossible for it to operate profitably in competition with more modern vessels equipped with new kinds of engines, Diesel engines, submerged flame combustion—internal combustion, as it is called—and all the improvements in the way of marine engines which are now being placed in vessels being constructed at the present time.

Mr. President, if we spend the amount of money provided in this bill it ought to be spent in this country. There never was a time in the history of the country when something that would afford occupation to the idle workmen of this country would be more opportune. Instead of undertaking to release the bound-up ships of a belligerent nation a bill should be passed, if we decide to embark upon this policy, which would restore the hum of industry to American shipyards and give some occupation to the navy yards of the United States, now being maintained at a great expense without any corresponding results.

However desirous we might be that the Government of the United States should build up an auxiliary fleet or should engage in the shipping business, I submit that it would be folly to undertake, as is proposed here, and insistently proposed, when we acquire the ships, to operate them in the midst of a flagrant war, when everybody knows that the destruction of one of them, even though covered by the thin subterfuge of a private corporation which is owned by the Government, would create a feeling in this country that would bring us perilously near the declaration of hostilities, either by our own or by some foreign Government.

I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add, in amendment No. 3, the following:

That the President is authorized and directed to expend a sum not exceeding $50,000,000 for the construction of ships in American shipyards, preference being given to navy yards, and to operate said ships on such lines of trade, coastwise or foreign, as he may select, under such terms and regulations as he may determine: *Provided*, That such ships shall be constructed, as far as practicable, so as to be adapted for service both as naval auxiliaries and as merchant ships.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. FLETCHER. I move to lay the amendment on the table.

Mr. POINDEXTER. Upon that I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is upon laying on the table the amendment offered by the Senator from Washington.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The question now is on the motion of the Senator from Florida [Mr. FLETCHER] to disagree to the amendments of the House and ask for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and Mr. FLETCHER, Mr. RANSDELL, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. NELSON, Mr. BURTON, and Mr. CRAWFORD were appointed as the conferees on the part of the Senate.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. MARTIN of Virginia. Mr. President, I simply desire to give notice that in the morning, immediately after the completion of the morning business, I shall ask the Senate to proceed to the consideration of the legislative, executive, and judicial appropriation bill.

Mr. KERN. I move that the Senate adjourn until 11 o'clock to-morrow.

The motion was agreed to; and (at 7 o'clock p. m.) the Senate adjourned until to-morrow, Friday, February 19, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 18, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, our heavenly Father, for the enthusiasm which fills the breast of the man of convictions and impels to action because he feels down deep in his heart that he is in consonance with the eternal laws which Thou hast ordained. To him we owe a debt of gratitude which can not be expunged. Science, literature, art, government, religion are his contributions to the world. Give to us, we pray Thee, convictions, that we may be lifted out of self by enthusiasm into the higher realms of thought and action, exemplified in the life, character, and precepts of the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION OF A PENSION BILL.

Mr. ADAIR. Mr. Speaker, on yesterday morning the House agreed to a conference report on pension bill H. R. 20562. The Clerk overlooked amendment 36, and it was not included in the conference report. I ask unanimous consent that the House recede from its disagreement to amendment No. 36 and agree to the same.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the House recede from its disagreement to amendment 36 to the bill H. R. 20562 and agree to the same. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. WEBB was recognized.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry. I desire to make a motion to go into Committee of the Whole House on the state of the Union to consider the pension appropriation bill, which it is necessary to pass. I ask the Chair to recognize me for that purpose.

Mr. WEBB. Mr. Speaker, I make the point that the Chair had recognized me before the parliamentary inquiry by the gentleman from Georgia.

Mr. BARTLETT. But I was on my feet and looking at the Speaker——

The SPEAKER. Well, a good many people look at the Speaker.

Mr. BARTLETT. Trying to catch the Speaker's eye.

The SPEAKER. The Chair had already recognized the gentleman from North Carolina.

Mr. WEBB. Mr. Speaker, I ask the Chair to lay before the House the bill H. R. 17869, now on the Speaker's table.

The SPEAKER. If this is going to take any considerable length of time, the Chair will ask the gentleman to withhold it for the present.

Mr. BARTLETT. I understand that it will take some time.

Mr. MANN. It will take considerable time.

Mr. CRISP. Mr. Speaker, under Rule XXIV is it not in order and have we not the right to have the Chair lay before the House bills on the Speaker's table?

The SPEAKER. There is no doubt about that, but the Chair has a supervisory power over the proceedings of the House.

Mr. UNDERWOOD. Mr. Speaker, to save time I will raise the question of consideration on the bill called up by the gentleman from North Carolina.

The SPEAKER. The gentleman from North Carolina can call his bill up to-morrow morning.

Mr. WEBB. Can I not call it up this afternoon immediately after the passage of the pension bill?

The SPEAKER. The gentleman can call it up as soon as we get through with the pension bill.

Mr. WEBB. Then I withdraw my request.

EXTENSION OF REMARKS.

Mr. LAZARO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 187. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

PENSION APPROPRIATION BILL.

Mr. BARTLETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the pension appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CLINE in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the pension appropriation bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes.

Mr. BARTLETT. Mr. Chairman, may I inquire as to the consumption of time in general debate, how much has been used on both sides?

The CHAIRMAN. The gentleman from Georgia has had 1 hour and 15 minutes and the gentleman from Illinois has occupied 35 minutes.

Mr. HINEBAUGH. Mr. Chairman, I yield 12 minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, the bill under consideration carries appropriations to meet our obligations growing out of the administration of the pension laws which have been enacted on account of services rendered in the Army and the Navy in the defense of our country, and I know of no appropriation made by Congress to which the people give a more cheerful assent.

I recall with pride that my first effort on the floor of this Chamber was in support of the passage of the Sherwood pension bill which as amended and finally enacted by Congress carried an increase of pensions to more than 400,000 Civil War veterans. I was among the first of those to advocate eliminating from the original Sherwood bill those provisions which excluded from its benefits veteran inmates of soldiers' homes and those veterans who were recipients of an annual income of a thousand dollars or more. The increases carried by this bill were in no instance unreasonable, and in the amount they no more than equaled the increase in cost of living since the passage of the dependent bill of 1890 and the subsequent old-age pension bill.

Since the Sherwood law has been passed more than 100,000 Civil War veterans have died. The grim reaper is fast depleting their ranks, and of the 35,000 who die annually thousands of them leave widows who under the existing laws are entitled to draw a $12 monthly stipend. Many other thousands have been found to be so necessitous and with claims so meritorious that they have been granted pensions by special acts of Congress. But there are other thousands who are just as necessitous, whose claims are as meritorious, who are heartlessly refused any relief by this great Government.

On the 7th day of last December I introduced into this House a bill to remove from existing law that limitation which excludes widows whose marriages to the old soldiers date subsequent to June 27, 1890. Since I introduced that bill I have learned that on the 23d of May last the Senate Committee on Pensions recommended for passage and reported out the Spanish-American War widows' bill, which was passed by this House more than a year ago, with an amendment eliminating the limitation to which I have just referred, and to bring the bar down to a date which will correspond to the time of the passage of the proposed amendatory legislation. Anyone who has made a casual investigation of our pension laws will readily concede the justice of the amendment proposed by the Senate Committee on Pensions. I have been informed that if it is allowed to be brought to a vote at this session of Congress it will pass the Senate by an overwhelming majority; but will it be allowed to come to a vote? The Department of the Interior has estimated that the passage of the proposed legislation to which I have just referred will necessitate an annual increase of appropriations for the next few years of $7,500,000, two million and a half of which will be needed on account of the deceased Spanish-American War veterans and $5,000,000 on account of the deceased Civil War veterans. Twenty-four years after the close of the Civil War, at a time when we numbered only about 63,000,000 people, when our estimated wealth was only about $62,000,000,000, Congress, recognizing the great hardships imposed upon widows to be compelled to prove that the death of the old soldier was caused by some disease or injury contracted or incurred in the service and desiring to treat them more liberally, inserted in the dependent act of 1890 a provision giving a pension of $8 a month regardless of the cause of death. The amount has since been increased to $12 per month.

In order to remove the incentive to marry an old soldier, sick and decrepit, whose time on earth in all probability would be short, for the purpose of securing a widow's pension, the Congress included among its beneficiaries only those widows who married the soldier prior to June 27, 1890. Twenty-four more years have now rolled around, and it seems to me to be unjust, and it certainly is unjust, that the widow who married the old soldier a few days or a few months or a few years prior to June 27, 1890, should now be entitled to a pension, while the widow who married the old soldier a few days subsequent to that time has no pensionable status under the law. One was as much the wife of the soldier as the other; one is as much the widow of the soldier as the other and just as much entitled to a pension as the other. It seems to me that 24 years is too long a time to allow such a gross inequality to remain in any pension law, especially a pension law for a great Nation like this, comprised of 100,000,000 people, whose wealth to-day is estimated at twice what it was at the time of the passage of the dependent act in 1890.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. SWITZER. Yes.

Mr. BARTLETT. The gentleman will find, if he was here the other day, when we passed——

Mr. SWITZER. I can not yield for a speech.

Mr. BARTLETT. I will give the gentleman the additional time. If the gentleman was here the other day, he will remember that the Pension Committee reported out at least a half dozen bills where the widow had married the soldier some time after that time and a pension was granted. I call attention to that fact because one of the very few cases I have was one of those, and I had not been able to get it considered.

Mr. SWITZER. Mr. Chairman, I think I have just stated that Congress found many cases of old widows who were not

entitled to a pension under the general law whose cases were so necessitous and meritorious that they have been given pensions by special act of Congress; but there are other thousands that are unprovided for, and it will be an utter impossibility to grant special acts for all of them.

There are thousands of widows who are to-day drawing pensions who lived with old soldiers as their wives a much shorter time than thousands of those who married the soldier since 1890. Can anybody give any valid reason why this outrageous discrimination should continue against the widow who lived as the wife of the old soldier for 5, 10, 15, or 20 years since 1890? I know that many will say that this is an inopportune time to press legislation which will necessitate an increase of appropriations to some extent for the next few years; but, with a deficit confronting us in our national revenues, this Congress has enacted a war tax to help build railroads in Alaska, and only yesterday this House voted to issue and sell millions of dollars of bonds to enable the Government to go into the shipping business—to go, you might say, buccaneering upon the high seas in quest of foreign trade—to make conquest of the marts of the world.

If we must contribute to a war-tax fund, I submit that the widows and the dependents of those who have defended the country in time of war ought to be allowed to share in the benefits of that fund, and I think that seven and a half millions of dollars is a reasonable demand for such purpose out of $100,000,000 of war-tax revenue. Of course, we have been told that this matter ought to go over until next winter, but we are informed through the newspapers that this administration proposes to follow "the watchful-waiting policy" in looking after and caring for the deficit which now confronts us, and with an $80,000,000 deficit on top of a war tax next December, and with $48,000,000 of sugar revenue disappearing May 1 following on account of the automatic workings of the iniquitous Underwood tariff law, the same argument that is advanced to-day for postponing this legislation will again be advanced, and it will be accentuated one-hundredfold on account of the conditions to which I have just alluded.

Mr. Chairman, are we to go to the country at the close of this Congress with the proposition that there is no hope during this administration for any legislative relief for the unfortunate widows to whom I have just alluded? It will not do to say that there is no sentiment in this country for this legislation. The Civil War veterans throughout the whole Nation demand it. The Spanish-American War veterans demand it, and the Senate in the closing hours of the last Congress passed a bill, practically the same bill that the Senate committee reported out on the 23d day of May last. The President prevailed upon this House a day or two ago to pass a shipping bill for the moral effect it might have on the legislative body at the other end of the Capitol. It seems to me that it would be wisdom for the Committee on Invalid Pensions to consider my bill and report it out, or some similar measure, and secure its passage through this House in order to wake up the slumbering bill which the Senate committee reported out last spring.

Mr. GOULDEN. Will the gentleman yield?

Mr. SWITZER. I will.

Mr. GOULDEN. I desire to ask the gentleman if he is familiar with what changes or amendments were made in the Senate with regard to the bill they have just reported out with reference to Spanish-American War widows?

Mr. SWITZER. I do not know that I can accurately answer the gentleman; but I think they reported out practically the same bill that was passed by the House. The only difference is that they have recommended an amendment to that bill which takes care of the trouble of which I have just been complaining by giving pensions to widows of Civil War veterans who married soldiers since June 27, 1890, and bringing the bar down to date of the passage of this proposed legislation.

Mr. GOULDEN. I think I agree with the gentleman in the main, but I question whether we would want to bring it down quite as far as that. Perhaps, in common justice, if we should bring it down 10 years it would be about right; say 1900, as many needy and deserving widows of veterans of the Civil War who married the soldier after 1890 are entitled to this recognition.

Mr. SWITZER. There is an honest difference of opinion upon that proposition, but I think at least it ought to be brought down to 1910. I feel confident that the Committee on Invalid Pensions of the House favors some relief of this kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I will yield the gentleman five minutes, having occupied a portion of his time.

Mr. SWITZER. I will take just a moment more. Of course there is great pressure brought upon the members of the Invalid Pensions Committee by the leaders of the majority to practice rigid economy at this time. They hesitate to act, but we know and the people of this country know that appropriations are being made every day which the revenues of the next fiscal year will be unable to meet, and they know we propose some time in the future to either correct the blunders and mistakes made in the recent revision of the tariff laws or increase some of the existing rates of taxation or develop and enact some new tax machinery to take care of these appropriations and these deficits that we are making at this time. It seems to me it would be the part of patriotism, that it is our duty, to include that small increase of appropriation of seven and a half million dollars, although to some extent enlarging the deficits we know will be on hand at the convening of the next session of Congress. [Applause.]

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. HINEBAUGH. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. J. R. KNOWLAND].

Mr. J. R. KNOWLAND. Mr. Chairman, I was very glad of the opportunity on Monday of this week to cast my vote during the numerous roll calls in favor of the bill (H. R. 12292) to prevent interstate commerce in the products of child labor. Owing to the lateness of the hour when the bill was taken up, and due to the filibuster attempted by certain southern Democrats bitterly opposed to the legislation, practically all discussion upon this important bill was cut off in the House.

I avail myself of the present opportunity, therefore, to briefly discuss this important measure, which is now pending in the Senate, where I sincerely hope it may not be lost sight of because of present chaotic conditions in that body.

Briefly, the bill provides in section 1 that it shall be unlawful to ship in interstate commerce the products of a mine or quarry which have been produced by the labor of children under 16 years of age, or the products of any mill, cannery, factory, or like establishment produced by children under 14 years of age. Products are also prohibited shipment from establishments where children work more than eight hours a day or more than six days a week, or after 7 p. m. or before 7 a. m.

Section 2 designates the Attorney General, the Secretary of Labor, and the Secretary of Commerce as a board to enforce and carry out this law.

Section 3 empowers the Secretary of Labor or any person designated by him to enter and investigate any establishment that produces or manufactures goods for interstate commerce.

Section 4 makes it the duty of any district attorney upon proper reference of violation of the act to prosecute in the Federal courts the violator.

Section 5 provides the penalty for violation of the act. The maximum fine is $1,000, the minimum $100, with an additional provision of from one year to one month's imprisonment or both fine and imprisonment, at the discretion of the court.

This section also contains a provision absolving a dealer from prosecution if the dealer can establish a guaranty from the producer or manufacturer that the provisions of this act in regard to age and hours of employees was not violated. This guaranty shall be void unless containing the name and address of the person giving the same. In the event of violation of the guaranty the person giving it is subject to prosecution and penalties.

Section 6 provides that each shipment or delivery for shipment shall constitute a separate offense.

Section 7 provides that the act shall become operative one year from its passage.

Within continental United States in 1900, according to the census of that year, 1,750,178 children between the ages of 10 and 15 years were engaged in gainful occupations. Of this number 142,105 were only 10 years of age, 158,778 were 11, 221,313 were 12, 268,427 were 13, 406,701 were 14, and 552,854 had reached the age of 15 years. This was over 18.2 per cent of all the children in the United States between the ages of 10 and 15 years.

The census of 1910 shows a slight increase in the number of children employed at the ages mentioned—a total of 1,990,225. This is 18.4 per cent of the children of corresponding age, as against 18.2 per cent for 1900, 10 years previously. It is an encouraging sign, and no doubt an evidence of the activities of those engaged in the work of eradicating this evil, that the 1910 census figures show a marked decrease—18.8 per cent—in the number of children of both sexes between the ages of 10 and 15 years employed in nonagricultural pursuits—occupations most harmful to those of tender age.

It is to be regretted, however, that thousands of children are yet employed in coal mines, in poorly ventilated cotton, silk, and other textile mills. Many toil in the sweatshops of the

great cities, in glass factories at night, and in cigar and cigarette factories. The injurious effect of this labor upon the health of children, particularly during the adolescent period, is recognized by those who have made a scientific study of the subject.

While it is recognized that many States have passed child-labor laws, many of them effective, the enactment of a national statute upon the subject is certain to bring about a greater uniformity. It is also recognized that in certain States where the evil is most pronounced no action has been taken.

Opposition is frequently encountered to State legislation from manufacturers who contend that if they are compelled to discontinue the employment of children while their competitors in neighboring States continue to enjoy the benefits of this cheaper labor, the result will prove financially disastrous. This but strengthens the argument for a national attack upon the evil.

In Mississippi over 63 per cent of boys between the ages of 10 and 15 years are employed in gainful occupations according to census bulletins, and over 43 per cent of the girls. In Alabama, North and South Carolina the percentage is about as high.

For many years Congress has been discussing this important subject. It strikes me that the time has come to act. We have passed legislation in this body within recent years to conserve our national forests, to protect the coal of Alaska, to preserve animal life, and to safeguard the scenic wonder spots of the Nation. Shall we longer permit commercial greed to prevent the conservation of our children—the boys and girls who must face and solve the great problems of to-morrow?

Mr. HINEBAUGH. Mr. Chairman, I yield the gentleman from Pennsylvania [Mr. KELLY] 10 minutes.

Mr. KELLY of Pennsylvania. Mr. Chairman, the gentleman from California has just given an illustration of unfair competition in business—the use of child labor by some manufacturers when other manufacturers, more scrupulous, will not resort to such methods. Unfair competition is the greatest curse to American business to-day. It means the law of the jungle, under which the strong and cunning and unscrupulous always overpower the weak. Because of that fact, unfair competition carried to its logical end advances concentration of wealth, control by the few, and monopoly.

One of the most dangerous methods of unfair competition is the price cutting of standard, trade-marked goods, which have in them the reputation of the maker and his purpose to make them products which will secure and retain the confidence of the buying public.

I am in favor of the doctrine that a manufacturer who has distinctly identified his product and fixed its value in the public mind should have the right to protect the sale of his merchandise, the good will of his trade, and the good name of his product by fixing the retail selling price of that product. I contend that the maintenance of the retail price is a necessary and legitimate business principle, that it means benefit to all and works injury to none.

This right of price maintenance for specialties and branded articles was recognized as a legal one until a few years ago. Recently, however, successive decisions of the United States Supreme Court have taken that right from the manufacturer, and an entirely new situation confronts business as a result of these judicial decisions.

For many years the decisions of the Supreme Court held to the general principle that a manufacturer could sell or refuse to sell his goods, as he saw fit. Then the tenor changed, and now the court has practically reversed its decisions and takes the opposite view.

The first case that ended in a decision questioning the right of the manufacturer to fix the resale price was that of the Bobbs-Merrill Publishing Co. against the R. H. Macy Co. of New York.

The Bobbs-Merrill Co. published a copyrighted book which was marked to sell at $1. The Macy company cut the price, and the publishing company brought suit for an infringement of copyright, on the ground that it had the right to fix the selling price.

The Supreme Court held that as Macy & Co. had made no express contract to sell the book for $1, it was not bound to maintain the price. The case was decided upon the facts, and thus did not touch on the question of previous agreement or the rights of manufacturers of patented articles. It was important, however, in that it showed the trend of mind of the court, which was followed out in later decisions.

The next case was that of the Miles Medical Co., which sought to maintain the retail prices of its proprietary medicines. The court decided that when a manufacturer sold his goods he parted with all his property rights and could not control the resale price. It was further held that such fixation of price was in violation of the Sherman antitrust law.

Still this case did not touch the question of patented articles, but the rights of the patentee was the question at issue in the next case, that of Henry versus the A. D. Dick Co.

The court upheld the agreement in this case, but Justice White dissented in a minority opinion—and this minority opinion became the majority opinion in the next case decided. This was the case familiarly known as the Sanatogen case, and the decision in it held the opposite view from that in the Dick case. The change of a single vote in the Supreme Court made the doctrine of price maintenance and contracts for price maintenance illegal and in violation of the Sherman antitrust law.

The Waltham Watch Co. case followed, and the court repeated its decision that the patentee, while he might create selling agencies to control the price, could not fix the price after outright sale to the dealer.

This was the last case decided and finished the series of decisions in which the Supreme Court has completely changed its former attitude, and now holds that contracts for the maintenance of the price of copyrighted or patented articles are illegal, contrary to public policy, and void under the antitrust law.

The court makes three exceptions in its decisions, and declares that manufacturers can maintain prices, first, by establishing selling agencies dealing directly with the ultimate consumer; second, by reserving a substantial royalty from the retail price; third, by selling direct from the plant through personal application or mail orders.

That is the situation as it stands at present. Because of this judge-made law, made in some instances by one man only, manufacturers face entirely new and wholly unjust conditions in the transaction of business. Uncle Sam makes it a crime for anyone to sell a postage stamp at less than its face value. Price cutting on his brands is prohibited, but price-cutting dealers are permitted and encouraged to depreciate the value of the goods of independent manufacturers without let or hindrance.

To remedy the injustices involved in this situation, an act of Congress is necessary, and such a measure, known as the Stevens bill, is pending in this Congress. It provides that maintenance of price shall be legal, provided that the producer does not have a monopoly of a general class of merchandise and is not a party to a combination for the purpose of securing such a monopoly. It provides that the price must be printed on a notice affixed to each article and that the producer must file with the Bureau of Corporations a statement giving the brand, trade-mark, and so forth, and the uniform price to wholesalers, retailers, and consumers. Articles may be sold for less than the uniform price when a dealer retires from business or becomes bankrupt, or if the goods are damaged or soiled. In such cases, however, the dealer must offer the manufacturer or vendor the opportunity of purchasing the articles at the price paid for them.

I submit that this measure should be passed. I believe that the right to fix the retail prices of standard brands of merchandise of fixed quality is a benefit to the manufacturer, dealer, and consumer.

It will protect the manufacturer from unfair competition, and will prevent trade pirates from ruining his business.

The manufacturer produces a standard article and gives it a trade-mark or trade name. He spends his money to make that name mean quality to the public mind. He has a right to be protected after he has made that individual trade name valuable, for it is his property, and his alone. Under the law to-day he may collect damages from those who steal it from him and use it for themselves.

But the value of his trade-mark is not alone in the name or in its form or color or shape. It is more than a certain kind of box or label. It is a symbol to the public of a certain quality of goods and the character of the concern that makes them. Any practice, therefore, that injures the article in the public mind and damages the reputation of the firm is as unfair as the theft of a trade-mark itself. It should be equal ground for a suit for damages.

Mr. WEBB. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I will.

Mr. WEBB. Does the bill to which you refer apply only to trade-mark goods?

Mr. KELLY of Pennsylvania. It refers to all standard identified goods which are not monopolized, and its purposes are clearly expressed in the bill itself.

Mr. WEBB. That is, all goods that have been well advertised?

Mr. KELLY of Pennsylvania. All goods that have been identified by the manufacturer until they have a certain value in the public mind.

Mr. WEBB. Who is to decide that question?

Mr. KELLY of Pennsylvania. The decision must be made, under this bill, by the manufacturer when he gives his trade-mark to the Bureau of Corporations, together with his uniform price to the wholesaler, retailer, and consumer.

The manufacturer of such an article must put real value into his goods and he must make the public want his article. He individualizes it and gives it a name to be known by. He must establish a general market and advertise constantly the merits of his goods. He advertises the price, for he must convince the public that it is worth the price asked and persuade the people to go to a store and pay that price.

This is the manufacturer's most valuable asset, and upon it depends his business. But after he has made his article mean a certain value and quality and has created a demand from the public the price cutter begins his attack. In fact, it is because of this value and this demand for a particular article that leads the price cutter to select it. The public knows the value of the article and may be fooled through a low price on it into buying articles of which they do not know the value. The manufacturer is penalized for having made a uniform, individualized, known value, and known quality product.

The price cutter takes this widely known article and reduces its price below cost. He does this, not for the purpose of selling more of them, for the fewer he sells the better he is satisfied and the less he loses. He wishes to attract customers on the strength of this bargain price so that he may sell other goods at a greater profit than that on the standard goods. He seeks to create the impression that all his goods are sold at prices proportionately as low as that on the article whose value is well known to the public.

Now, it is obvious that other dealers must meet this cut price if they are to continue on an equal plane with this competitor. They cut the price to an equal or lower figure, but at the same time they lose all desire to sell the article on which they are forced to lose money. That strikes a fatal blow at the manufacturer, for his market is destroyed and he is helpless to prevent it. Cheaper substitutes are sold instead of his article and dealers in time refuse to carry his goods at all. His advertising and his efforts in every way to make his trade-mark mean a certain price and a certain value are rendered useless through the practices of price-cutting trade pirates.

I consider that such unfair competition is as bad as outright theft of trade-marks and brands and should be as severely frowned upon by the law. It is a case of stealing a man's good name, which, as Shakespeare said, is worse than stealing his purse. The manufacturer's name must mean value or he can not build a permanently paying business. That value is an asset as valuable as his plant and merchandise. I contend that he has a right to ask and to receive protection from those who would rob him of this value. That protection can only come through the right to maintain a uniform selling price to the buyers of his product.

I believe in the referendum, in submitting matters of public welfare to the people and abiding by their decision. When a manufacturer refers his case directly to the people and gets a favorable vote from the people in their demand for his product, I believe he should have the benefit. If he does not get a favorable decision he goes out of business, and I am opposed to putting him out of business because he does get a favorable decision. And that is exactly what price cutting means to the manufacturer who has made a standard article and created a public demand for it.

But I go further than the manufacturer and contend that uniform selling prices of standard branded goods will benefit the retailer also.

Mr. NORTON. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I have only 10 minutes, but I will yield.

Mr. NORTON. Has the gentleman received very many demands from his constituents, outside of retailers, for this bill?

Mr. KELLY of Pennsylvania. I have had demands from manufacturers, retailers, and consumers.

Mr. NORTON. Very many of them?

Mr. KELLY of Pennsylvania. I have received demands from a number of consumers, and I will take that phase up in a moment. I believe it is as fair to the consumer as to the retailer and manufacturer. If it were against the consumer's interests I would not be for the proposition.

Mr. WEBB. Does the gentleman indorse the principles enunciated in the Dick against Henry case? Do you believe that the patentee ought to go as far as that decision said he had a right to go?

Mr. KELLY of Pennsylvania. I believe the patent question can be decided on another line entirely. If a manufacturer has a monopoly, this bill provides that the strong arm of the Government shall break the monopoly, for private monopoly and liberty can not live together. The argument that the gentleman refers to, and that is in his mind, is that this bill is favorable to monopoly. It is not a help to monopoly. It is a means of breaking monopoly, because price cutting, not price maintenance, leads to concentration of power, and power in the hands of a few, and monopoly.

Mr. CAMPBELL. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I will.

Mr. CAMPBELL. Does the bill define a monopoly?

Mr. KELLY of Pennsylvania. The bill goes to the Sherman antitrust law for the definition of monopoly, as I understand it.

Mr. CAMPBELL. How is it to be ascertained as to how the goods shall go on the market under the monopoly clause of the bill?

Mr. KELLY of Pennsylvania. Whenever a manufacturer or a combination of manufacturers has a substantial monopoly of a certain general class of merchandise, then of course that does not come within the scope of this bill, and the antitrust laws operate. But let me return to the retailer. Cutthroat competition never did and never will help the business of the average dealer.

I will admit that this may not hold good as regards mail-order houses, department stores, and so forth, because their interests seem to lie in the direction of putting the little merchant out of business and taking his trade. I am not anxious to help them do that and I am willing to let them take care of themselves, and without doubt they are perfectly able to do it. I take my stand on the side of the little corner store against the great combinations that threaten to wipe it out of existence. I stand with Littlefellow & Co. against the Soak-em-good mail-order houses. I consider the neighborhood store a necessity and I want it to have a fair chance, no more and no less, to grow greater and finer.

The large semimonopolistic retail establishments want the right to enforce cutthroat competition because they know that in such a jungle warfare the strong and cunning always triumph. Mr. Straus, of Macy & Co., when testifying before a congressional committee last year, was asked what would happen to the retailer of small financial ability if the consumers are led by cut prices to patronize large department stores and mail-order houses. He replied that the little retailer would either "wake up or go to sleep." He was right in the last phrase, for the little retailer would go to sleep permanently. He would be a victim of the knock-out drops of unfair competition. If he is not rich enough and powerful enough to compete on such an unfair basis with these gigantic combinations he must go out of business, and Mr. Straus and the others are in favor of putting him out and seeing that he never comes back.

Under fair conditions, however, the little retailer can compete with and outdistance the big mail-order houses. He can not do it on cut prices on standard goods, for the big establishments can lose money on a few articles and make it up on others in their large and varied stocks. They make it up, rest assured of that, for it costs them far more to do business than the little dealer, and the large dividends paid by the great mail-order houses show how profitable their dealings are in the aggregate.

It has been proven by sworn testimony that the big mail-order houses and department stores do business at a much greater cost than the small retailer. They have higher expenses and must make greater margins on goods sold. It follows that they can not afford to cut the cost of any article, and if they do they are compelled to make more than a fair profit on other goods sold. They use certain standard articles as "pullers-in" in order to tempt the people to buy unfamiliar and unnamed goods at unjust prices.

Prof. Neystrom, professor of economics in the University of Wisconsin, before the Judiciary Committee of the House on March 19, 1914, showed that the average cost of doing business to the small retailer is between 15 and 18 per cent; to the large mail-order houses it is from 27 to 30 per cent; and to large department stores 30 per cent and more.

These immense establishments must make a greater average profit than the small retailer, but they are able to destroy the market for the small dealer on every standard, trade-marked article on which they cut prices.

The history of the United Cigar Stores shows the effect of price cutting. In 1912, 1,252 cigar manufacturers went out of business, and in 1913, 716 cigar manufacturers went to the wall. All over the country, in every town and city invaded by these stores the retail tobacco dealer was ruined. In New York City 90 per cent of the retail dealers have been forced out of business by this combination. The small dealer must handle standard brands in order to satisfy his customers, but he can not afford to cut them below cost as do the United Cigar Stores. He can not carry the large stock of unknown brands on which to recoup his losses.

The same situation obtains in the drug business, the grocery business, and other lines. Half of the business of the smaller stores in these lines is in standard, trade-marked goods. If the market is destroyed by reckless price cutting, the little merchant must go out of business. He is between the devil and the deep sea. He can not meet the figures of the price cutter, and if he does not, he loses his customers.

Systematic price cutting was an invention of the Oil and Tobacco Trusts, which sold their products below cost in certain localities in order to crush competition. It is now being used by great mail-order houses and department stores to crush the small dealer. Public policy and the common good demand that this power be taken from them. It can only be done through the right of price maintenance, which will prevent the use of their unfair methods of competition.

Price maintenance does not mean less competition between retailers, it means less unfair competition. There is a competition in the quality of goods and in service just as much as in price. Retailers who sell the same goods from the same factories should not compete in prices. The competition should be between goods of the same class made in other factories.

That puts the competition on a fair basis, on price, quality, and service instead of solely on ability to stand losses until a competitor is driven out of business. It gives the retailer the reward of enterprise, efficiency, and honesty, instead of forcing him to descend to the level of trickery of trade pirates or go out of business.

The Stevens measure permits the retailer in case of clearance sales, retirement from business, bankruptcy, and so forth, to sell below the uniform price, provided he offers the goods to the manufacturer at the price paid for them. This permits the sale of damaged, soiled, or shopworn goods and protects both the manufacturer and the retailer at the same time.

But there is a still more important phase of this question. The maintenance of prices means benefit to the consumer. If it benefited the manufacturer and the dealer at the expense of the buyer, I should be opposed to it. The greatest good of the greatest number should be the sole purpose of legislation, and every American citizen is a consumer, while but a comparatively few are manufacturers and merchants.

But price cutting of standard articles, while ruinous to the maker and seller, never has been and never will be of permanent advantage to the buyer. In the end it adds to the cost of living and injures the entire body politic. It is a bad thing for America to have its labor or any part of its labor paid less than a fair wage. It is just as bad for America to have its business or any part of its business conducted at less than a fair profit.

When a purchaser goes into a store for goods, he desires to get the most value for his money with the expenditure of the least time and effort. The cut-price system is based on the old doctrine, "Let the buyer beware." It is a return to the old days when the purchaser was forced to make the rounds of the stores, compare the goods and the prices, and then, after finding the articles desired, haggle with the merchant until a price was agreed upon between them. That meant that the chances were all in favor of the consumer being cheated. He was dealing with a man who knew more than he did. The buyer could not possibly have the knowledge necessary to compare all kinds of unmarked merchandise and fix their value, and, as a result, swindling him was easy. Price tags meant nothing, and the entire matter of shopping was a lottery, pure and simple.

The introduction of standard, trade-marked articles, advertised and proven, changed the system of "Let the buyer beware" into one of "Protect the buyer."

When A. T. Stewart, three generations ago, revolutionized retail business by his one-price-in-plain-figures system, he took the first great step in that direction. With one stroke he abolished the system of haggling in his own store. He cut down the time required for shopping in his store and reduced the number of salesmen required, for the customers could see the prices for themselves. In this way he cheapened the cost of selling, reduced the price of goods, and made a tremendous success of his business.

But that only applied in one store. The system of standard, trade-marked goods sold in all stores at one price was a still greater step toward fairer and better merchandising. Under it the customer can go into any store at any time and be sure of securing exactly what he wants and at the same price always.

All fair-minded observers must admit that the practice of selling unnamed goods from bulk packages gives unnumbered opportunities for cheating customers. A committee investigating conditions in New York City found cheating rampant among stores selling goods to the poorer class of customers. They found that the same coffee from the same sack was sold at 25 and 37 cents a pound, and that the same tea from the same chest sold at from 35 to 70 cents a pound. This system may be carried on by dishonest dealers without fear of detection, for there is no way for the buyer to distinguish the goods from one day of purchase to the other.

Miss Laura A. Cauble, a social worker in New York, testifying before the Judiciary Committee of the House as to her work in connection with the distribution of a fund donated by a wealthy New York woman for the relief of some 8,000 families of New York poor, said:

> The committee having the distribution of this fund found that it was spending an abnormal amount of money for the amount of nourishment the food we purchased contained, and an investigation was begun to determine how we could increase the purchasing efficiency of the money at our disposal.
>
> I obtained samples of staple supplies at both small corner grocery stores and "chain stores" with a view to having them analyzed and obtaining bids on this basis from dealers.
>
> We found three grades of tea—one at 40 cents, one at 60 cents, and one at 90 cents. Analysis demonstrated that all this tea came from the same chest, and the bid we received on this grade of tea was 22 cents a pound. Coffee, we found, was sold in the same way, and in the "chain stores" we found an average of 10.8 per cent short weight.
>
> The larger stores, too, were cutting prices on standard goods, but their other supplies showed a general inferiority.
>
> On the same blocks with these larger stores the small stores were being forced to cut on standard goods.
>
> I investigated 526 small shops in one year, and during that time price cutting in the larger establishments either forced the sale or the failure of 116 of these smaller stores.

The consumer is protected by the system of standard, trade-marked, one-price, one-value goods. He tries the article and finds it to be satisfactory at the price asked. That gives him a standard with which to judge other articles in the same class, and he can be less easily cheated in the future.

He finds that he can go into any store and purchase the article without loss of time and be sure that he is getting exactly what he desires for his money. He finds that he can even telephone or send a child to the store and be sure that he will not be overcharged or get something different from what he desires.

If we were to go back to the old system of unidentified, unmarked goods, where every purchase is a gamble with the shopkeeper, the consumer would be hurt worst of all by such return.

Price cutting on standard articles means exactly that return in the last analysis. It means making a nation of deceitful bargainers, putting a premium on cheating practices, and placing a handicap on the honest dealer, while injuring the buyer from every angle. It forces the lowering of quality in all articles and the substitution of articles of a poorer grade for the standard articles driven from the market. The retailer must make a profit to stay in business; if he can not make it on some articles, he must increase his profits on others. The consumer must pay more for other articles when he purchases certain goods below cost. The Supreme Court of Washington stated that clearly, in a decision upholding price maintenance, when it said:

> It is a fallacy to assume that the price cutter pockets this loss. The public makes it up on other purchases.

Mr. Chairman, I want to take up the thought of the gentleman from North Carolina [Mr. WEBB], who seems to infer, judging by his questions, that this bill would give a monopoly privilege. Now, if that were true, we could not defend a bill like this; but it is not true.

Mr. WEBB. Mr. Chairman, will the gentleman yield there, just to make the question plain?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from North Carolina?

Mr. KELLY of Pennsylvania. Yes.

Mr. WEBB. I cite the Dick case, where a man had a patent on an inking machine. It was contended that he could not use other ink, not patented, on that machine. I do not think the American people will stand for that sort of thing, because there you not only give a man a monopoly that his patent gives him,

but require something that amounts to a monopoly that his patent does not give him.

Mr. KELLY of Pennsylvania. That is what I had in mind. The fact that a manufacturer may have a patent monopoly is entirely aside from this proposition, because if there is a monopoly the law against restraint of trade applies and is clearly intended by this measure.

If price maintenance meant monopoly I should oppose it with every power I possess, for nothing harms the public like private monopoly, and the sooner its power to control markets and exploit the people through unbridled power is curbed the better it will be for the Nation.

But it is price cutting that means concentration of power and restraint of trade. It is more than that—it is a destroyer of trade. It gives the big combinations the power to drive small competitors out of business, and when they are destroyed the big establishments have the public at their mercy. Price cutting is the weapon of the seekers of monopoly in the retail trade of the country just as it was the weapon of the Oil and Tobacco Trusts in their efforts to crush out all competition.

Price maintenance will prevent unreasonable prices instead of making them more probable. Fair and honest competition between manufacturers of similar goods prevents any one of them from fixing and securing an unreasonable price. If he does fix an unreasonable price his competitor steps in and takes the business. Give us fair competition and we can safely allow the independent manufacturer to fix what price he will. There is all the difference in the world between controlling the market on all safety razors, for instance, and controlling the market on a single razor. If all the makers of razors should combine for the purpose of monopolizing the entire market they then should be dealt with by the strong arm of the Government, for no private monopoly can be tolerated safely in a free country.

But price maintenance has for its very purpose the prevention of restraints of trade and the practices which suppress competition and make monopoly possible. It is directly in line with the spirit of the Sherman antitrust law.

The trusts which do fix prices do not injure the public because they can fix prices, but because they have the power of monopoly to fix the price at an unjust figure. I am eternally opposed to the combinations of capital which are able to monopolize the market and fix the price they choose for their products; but I contend that the fixing of the retail price by independent manufacturers will prevent monopolies and chains of stores controlling ever wider fields of action.

The monopolist is not interested in a measure for price maintenance. The public needs his product and must come to him, and the merchant can go nowhere else. The manufacturer of unlimited capital is not interested in this measure, for he can establish a chain of stores across the country to handle his own goods and have the approval of the Government.

It is the independent manufacturer without a monopoly, without unlimited capital, but who has originality and enterprise and ability, who asks a square deal in business, and I believe he has a right not only to ask for it but to receive it.

The fight on this measure is clear-cut and distinct. The contending forces are price cutting and substitution on one side and on the other standard merchandise and the one-price system.

It is the same fight as was witnessed years ago over railroad rates. In the days of unfair and unrestricted competition in the railroad business there was a riot of dishonesty and carnival of corruption. Rebates, free passes, cut rates, and special privileges were the weapons used, and they built up a few monopolies on one hand while they crushed countless honest dealers and manufacturers on the other. Then the American Government stepped in and said that the rates should be the same to all, and fixed on a fair basis. No one to-day would wish to see a return to those piratical, jungle days of cutthroat competition, although there was bitter opposition at the time from the railroads, who were being ruined by the conditions.

I am for the one-price, square-deal-to-everybody system in merchandising. Not many decades ago a man could not sell his good will in business and agree to retire for a certain period. A famous English judge once declared that a certain man who sold his good will and agreed to stay out of business for six months was guilty of a restraint of trade and would be fined if brought into court.

To-day it is recognized that a man can sell his good will and that it is a recognized asset in his business. We will soon recognize, too, that there is such a thing as character in goods, expressed through an individual mark or brand, which means a certain value in the public mind. Justice demands that makers of these goods be given protection from unscrupulous trade pirates.

Fair play means fair trade. The fixed, uniform, and fair price to all is for the best interests of the buying public, the independent dealer, and the independent manufacturer. Congress should make every effort to end this unfair competition and assure a square deal to every party concerned in a merchandising transaction.

Mr. BARTLETT. Mr. Chairman, I can use some time on my side.

Mr. HINEBAUGH. I can use some here. I yield 30 minutes, Mr. Chairman, to the gentleman from Minnesota [Mr. STEENERSON].

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] is recognized for 30 minutes.

Mr. STEENERSON. Mr. Chairman, during the consideration of the Post Office appropriation bill on December 31 I took occasion to discuss national finances and the growing deficit in the Treasury and to admonish the Democrats to cease from attributing the deficit to the European war. At that time I had before me the October summary of foreign commerce issued by the Department of Commerce, which gave the figures for the first 10 months of the calendar year 1914. I used unofficial figures for November and estimates for December in computing the imports and customs revenues for the year. I then pointed out that the falling off in customs revenue was in the main due to lower tariff and not to decrease of imports.

That was the statement made by the gentleman from Alabama in the closing debate on the conference report on the bill. That statement was based on the Treasury figures and the statement which he printed in the RECORD. So it was no guess. The Underwood law was intended to produce $249,000,000 a year, or from $70,000,000 to $80,000,000 less than the old tariff act which it superseded. It is also pointed out that it came within about $6,000,000 of doing so. In my former remarks I said that, estimating the imports for December at the same as they were in November, the total imports for 1914 would exceed by a few dollars the imports for the previous year. But the official figures now show that the falling off for December was more than was estimated, and that the total imports for 1914 were $3,320,479 less than for the previous year.

In 1913 there were nine months of time under the Payne law and three months under the Underwood rates, so that we did not get the full benefit of the rates of the Payne law for the whole year, but we collected in 1913 $310,551,961 in customs revenues, while in 1914, under the Underwood rates, we collected $241,384,619, a falling off of $69,167.342.

Now, I want you to note this particularly. In my former remarks I said that the actual receipts would fall but five or six million dollars below the $249,000,000 estimated by Mr. UNDERWOOD for the fiscal year 1915. They actually fell off $7,000,000, so that I was not far out of the way, because, as I have shown here, they were $241,384,619. But the whole falling off in customs receipts between the two years was more than $69,000,000, whereas the falling off in the total imports was only $3,000,000. It is plain that you could not lose $69,000,000 in customs receipts from a falling off in total imports of $3,000,000. So that it stands absolutely established by the official figures that it is the lower rate of duty under the Underwood law and not the smaller imports that is the cause of the smaller income.

I have now received and have before me the monthly summary for December, giving the official figures for the whole calendar year 1914.

I read from this summary, which shows that in December the average ad valorem rate of duty based on total imports was 11.06 per cent. During 1912, the last year in which the Payne rates were in full force, we collected on the average on total imports 18.14 per cent. During 1914, the calendar year that is just passed, we collected, according to this official statement, 13.62 per cent. Now, how can anyone contend that we could collect as much money when we collected 13 per cent as when we collected 18 per cent? The making of such a claim passes comprehension. It must be plain to any fair-minded person who wants to think that they have attributed the falling off in customs revenues to the wrong cause.

The President, in his address to Congress asking for the war tax, as he called it, referred to August, 1913, and said that the falling off in revenue was ten and one-half million dollars. He made a mistake of about a million dollars, but, as it was against his own side of the contention, I presume it was purely accidental, but it shows carelessness. Now, the total imports for August, 1913, were $137,651,553, and for August, 1914, they were $129,767,890; mark you, only a decrease of $7,883,663.

Upon that falling off in the total amount of imports—that is, the decrease of imports of $7,000,000—the President asked us to believe that we lost $11,500,000 of revenue. On that theory he must have proposed to put a duty on the goods that we

did not get of about 150 per cent. Of course no Democrat would propose such duties as that. In other words, the amount of imports for August, 1914, were $7,883,660 short of August, 1913, but assuming there had been no decrease, that the imports for the two months had been the same, we would have collected 13.62 per cent on the $7,883,660, or $1,073,754. Give the war credit for the whole decrease in imports that month and you account for $1,073,754 falling off in customs receipts due to war, and the other $10,429,835 of the August shortage must be due to the lower rate. In other words, the decrease of imports (war) explains the loss of one million customs revenue in August last, and the low rate of the Underwood law explains the loss of ten millions. The war was a minor factor, and the low rate and large free list was the main factor.

During the seven months immediately preceding the war the total imports were $1,140,593,373, an increase of $121,944,698 over the corresponding months of 1913, and yet the receipts from customs fell from $180,000,698 for the former period to $156,640,150 for the latter. A decrease of $23,360,548.

This disposes of the contention that the war was either the sole or the main cause of the reduced customs revenue. I do not think that now, after the campaign excitement is over, that even the President, strong partisan though he may be, would repeat the assertion in his address, to wit:

I need not tell you to what this falling off is due. It is due in chief part, not to the reductions recently made in the customs duties, but to the great decrease in importations; and that is due to the extraordinary extent of the industrial area affected by the present war in Europe.

Mr. FOWLER. Will the gentleman yield for a question?

Mr. STEENERSON. For a question only.

Mr. FOWLER. Will the gentleman please give us the total income for the fiscal year 1913–14?

Mr. STEENERSON. The total income?

Mr. FOWLER. The total revenue.

Mr. STEENERSON. I am not talking about total income. I am talking about customs revenues, which is what the President referred to in his address. That would be another speech. I have got one, but I am not delivering that speech now.

Mr. FOWLER. Will the gentleman yield?

Mr. STEENERSON. No; I will not yield further. These figures are quite complicated, and I desire to finish the argument. I said that it would not be fair to the Democrats to say that the war did not have some effect upon customs receipts, but what are they? How much has the reduced importations reduced the revenues? I have figured out the difference between the imports for each month, August, September, October, November, and December, 1914, according to the official figures, and I find that during those five months since the beginning of the European war the value of the total imports decreased $134,936,427. But supposing that those imports had come in and that we had collected on them the same rate that we collected on what actually came in? Then you gentlemen who supported the Underwood tariff law ought to be satisfied. If there was no falling off in imports, then the war could not be the reason, for you say the war stops imports. Now, if there had been no falling off, and we had actually collected 13.62 per cent, the duty that we actually collected on what came in, then whatever falling off there was in customs receipts was due to the lower tariff rates. That was the test the President made, the difference between the total imports for August, 1914, as compared with 1913. If we apply the same test to the five months since the war up to the beginning of this year and give the war credit for the whole decrease we find this result. The total decrease for those five months in the value of imports was $134,936,427. But if those goods had come in, the duty at 13.62 per cent would have amounted to $17,892,570. That is every cent that you can honestly claim to have been the deficit caused by the European war in the falling off of imports last year as compared with 1913. But what does $17,000,000 amount to in this deficit? Why, I have here the Treasury statement for February 15. It shows that where you started out with nearly $150,000,000 balance in the general fund, there was on February 15 a net balance of $45,433,746.06. And over on this page I find net excess of all disbursements this day over receipts, $1,231,376; and for the first 15 days of this month of February, 1915, the excess of expenditures over receipts was $11,586,843. In the corresponding month of 1914 the excess was $6,686,571. For the fiscal year 1915 to this date the excess of expenditures over receipts, $100,757,386.75. You have in six and a half months spent more than $100,000,000 in excess of the receipts of the Government. That is only for the first seven and a half months of this fiscal year. For the fiscal year 1914 you spent $45,793,482 more than the receipts. At this rate you will exhaust the forty-five million in the general fund inside of four months.

Now, assuming in fairness, as I say, that you lost $17,000,000 in customs revenue the last five months of 1914 by reason of the decrease of imports, it would not help you out very much on a deficit of $100,000,000. But, as I have shown already, take it for the whole calendar year, the decrease of imports is only $3,000,000, and if it was not for the lower rates and your larger free list you would hardly have lost anything in the customs revenue as compared with the year before.

Now we come to another cause. I do not know how true it is, but the gentleman from Alabama [Mr. UNDERWOOD] the other day, in the debate on the naval bill, said that in addition to the deficit in ordinary expenditures there will be a deficit in the Post Office Department, due to the falling off of postal receipts, of at least $14,000,000 unless conditions change very much. That condition, he said, had been brought about to a large extent by reason of the war in Europe.

Here is the same scapegoat, that you have been working for lo! these many months, coming into the postal affairs. You have all read the Scripture of how they used to put the sins of the people on the poor goat and send him out into the wilderness. You have been using the European war as that kind of a goat, and this is the last attempt.

The gentleman from Alabama said:

In addition to that—the deficit in ordinary expenditures—there will be a deficit in the Post Office Department, due to a falling off of postal receipts, of at least $14,000,000, unless conditions change very much. Of course, that condition has been brought about to a large extent by reason of the war in Europe. Our foreign mail service is not paying the revenues to the Government that it has paid in the past, which is natural, and the cost of the service is practically the same. So that as this condition faces the country and the House, unless you are willing to retrench in expenditures, or unless, when the next Congress meets, you are willing to increase the taxation, you are going to face a deficit in the Treasury of something like $35,000,000.

Now, here is the majority leader by main strength bringing in an imaginary postal deficit and attributing that to the war. He was not satisfied with the former record in laying the general deficit to the European war, but he says there is a great profit in the foreign mail and the foreign mail is decreasing.

What are the facts? I have here before me the report of the Second Assistant Postmaster General, and this story about a great profit in the foreign mail is an old one, so old that its whiskers reach clear to the floor. [Laughter.] It used to be put forward in Republican administrations as an argument for a subsidy to steamship companies, because they said that we made so much money on the foreign mails that we could afford to spend a few million dollars for subsidies. I am sorry now that we did not do so, for it might have avoided the present demand to tax the people for $40,000,000 to aid a merchant marine.

Mr. MADDEN. There has been a balance against it for several years, has there not?

Mr. STEENERSON. That depends on how you figure the matter. The Postmaster General in his report says that the net cost of the Foreign Mail Service was $3,565,323.89; and then, on another page, he says the amount collected as postage prepaid by the sender and as deficit postage collected of the addressees in this country amounted to $11,872,074.98. But he says the amount of mail to Canada and Mexico is estimated at so much, and of course that did not go by foreign steamship. That leaves $8,222,000. Of course that would leave a profit of about four and a half million dollars. But remember that under this calculation there is no account taken whatever of the shore expenses.

Under the International Postal Union rule every country collects all the postage upon articles mailed within its boundary and keeps it, and if there is any short postage on incoming mail they collect that and keep it. Each country pays the transportation for the outgoing mail—not only the inland cost, but the ocean cost—and they do not charge anything for the transportation of the incoming mail. The report shows that there were 25,000,000 pounds of foreign mail. Now, if we estimate the incoming mail at 20,000,000 pounds—and that is conservative—we would have 45,000,000 pounds of mail, 20,000,000 pounds transported from the ocean inland and distributed to the addressees, and we would have collected all mail going to foreign countries, hauling that, too, without any charge for it. If you charge at the rate of 8 cents a pound, which Postmaster General Hitchcock estimated it would cost to handle second-class matter, we would have $3,600,000 to be charged to foreign mail, which, deducted from the alleged profit, leaves just about $1,000,000 actual profit. If the volume of foreign mail has decreased one-fifth, the loss would only be $200,000. But it is not correct to say that if there was a falling off it would be all loss, because the expenses would be less if it fell off.

Mr. LLOYD. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. LLOYD. Is it not a fact that the postal receipts have fallen off largely since the 1st of August, and that there is a deficit from the 1st of August up to the present time?

Mr. STEENERSON. No, sir; I think the gentleman is entirely mistaken. I telephoned to the Post Office Department yesterday, to the office of the Assistant Postmaster General, Mr. Dockery, and they said that the report for the quarter ending September had not been received, and that there were no official figures whatever to be obtained.

Mr. LLOYD. You may not be able to obtain official figures, but there can be no question of the fact that there has been a positive reduction in receipts since the 1st of August.

Mr. STEENERSON. That may be, but it is not due to falling off in the foreign mail. It is due to the depression of business which is general throughout the country, due to a Democratic administration. [Applause on the Republican side.] There is no better index to the business of the country than the volume of the first-class mail. You can find that in the administrations all the way down from Lincoln to the present time. During the time of protection there has been prosperity and a large volume of mail, and it is the best index. Whenever the shadow of free trade has come upon the country under Democratic administrations the postal receipts have fallen off. [Applause on the Republican side.] I expect they will fall off, but this story of the gentleman from Alabama [Mr. UNDERWOOD] that it is due to the falling off of the foreign mail is 99 per cent moonshine. I telephoned to the steamship office, the American Line——

Mr. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. In a minute—and they said their load had greatly increased in the trans-Atlantic mail. I have a letter here from the officials to show that the decrease in the foreign mail is but a bagatelle. I will print it. But suppose it was all wiped out, it would not account for a $14,000,000 deficit or a $4,000,000 deficit or a $2,000,000 deficit or a $1,000,000 deficit in the postal receipts.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I will ask the gentleman from Illinois to grant me more time.

Mr. HINEBAUGH. Mr. Chairman, I yield 10 minutes more to the gentleman from Minnesota.

Mr. LLOYD. Mr. Chairman, will the gentleman yield there?

Mr. STEENERSON. For a question.

Mr. LLOYD. Is it not true that during the last fiscal year the postal receipts largely increased?

Mr. STEENERSON. I believe they did increase some, but not very much.

Mr. LLOYD. Is it not true that it resulted in a surplus?

Mr. STEENERSON. Oh, that surplus is another fictitious thing. That surplus is not a genuine surplus. The volume of postal business increased because you increased the weight of the mail by lifting the amount to be carried by parcels post up to 50 pounds. Of course, if you are going to do business at a loss, you can increase the receipts, but you increase the expenditures twice as fast as you do the receipts. [Applause on Republican side.] That is not the way we do in the Republican administrations. When we have prosperity and lots of first-class mail, upon which we make a large profit, we show large postal receipts as compared with previous years.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. LLOYD. Is it not true——

Mr. STEENERSON. Oh, the gentleman is taking up my time, and I decline to yield. Well, I will take that back. I will yield that he may ask me a question.

Mr. LLOYD. Is it not true that the parcels post results in a profit to the Government?

Mr. STEENERSON. There may be a small profit on some of it, but on the most of it there is a loss. You know very well that is what is the matter with the Post Office Department today. The Postmaster General knows that his orders increasing the weight of mail has so overburdened the transportation companies that if he pays the present rate there will be a deficit. That is what is the matter with him.

Mr. LLOYD. Oh, I beg the gentleman's pardon——

Mr. STEENERSON. The gentleman knows very well. He was on the commission that investigated it, and he knows very well that the fear of this administration is that they can not continue to pay the transportation rates under the old weights of four years ago; that very soon there will be new weighings after the volume has been increased by large packages in the parcel post, and that as a result of that the gentleman's commission and the department have proposed to pay by space instead of by weight. That is the secret of that proposition. I voted for it because I wanted to help the Government as much as I could, even though it might be severe on the transportation companies.

Mr. LLOYD. The gentleman certainly wishes to be fair to the Post Office Department?

Mr. STEENERSON. I do.

Mr. LLOYD. And the Post Office Department unquestionably gives out the information that the parcel post has resulted in a profit to the Government.

Mr. STEENERSON. How can they give such information out when they have not got it? [Applause and laughter on the Republican side.] They tell me that they have not got it. I telephoned them yesterday and they said that Gov. Dockery was absent, but they said also that they could not give any such information because the reports had not been received.

Of course, if they give Democrats their confidence and give them information that other members of the Committee on the Post Office and Post Roads can not obtain, I can not help it. I have to go according to the light that I have, and not according to any such information as the gentleman may have

Mr. LLOYD. Mr. Chairman, it is unfair to Gov. Dockery, the Third Assistant Postmaster General, to charge him now with failing to give out information.

Mr. STEENERSON. I do not charge that, because they tell me that they do not have it.

Mr. LLOYD. Because he at this date is home on account of the death of one of his friends.

Mr. STEENERSON. Oh, I think the world of Gov. Dockery. He is a friend of mine, and I admire and I love him, but he can not give information that he does not possess.

Mr. LLOYD. He has the information that the parcel post is a success.

Mr. STEENERSON. The Post Office Department proposes to reduce the rural carrier service, and they propose to refuse all new star routes and rural routes, and they propose to economize at the expense of efficiency. They propose to get out of the odium by saying that it is all due to the war, which we can not help; but we will show that it is due to blundering Democratic legislation, which we can help and which we will help in the near future. [Applause on the Republican side.]

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. McKENZIE. Mr. Chairman, I would like to ask the gentleman, in connection with the parcel-post proposition, whether or not since the Postmaster General has increased the size of the parcels any steps have been taken to pay the railroad companies of the country for the increased expense of carrying that increased weight?

Mr. STEENERSON. Oh, I believe Congress, on the estimate of the department, made an appropriation of 5 per cent.

Mr. McKENZIE. I mean since the order has been made increasing the size of the parcel.

Mr. STEENERSON. I could not state just now, but I believe that there is great complaint on the part of the railroad companies. How justifiable it is I do not know.

Mr. McKENZIE. Is it not a fact that no steps have been taken to pay the railroad companies, or they have not been paid for the carrying of this matter?

Mr. STEENERSON. I think there is a provision in the pending appropriation bill to pay them by an extra appropriation, and that should be taken out of the fund that the gentleman from Missouri [Mr. LLOYD] claims is a surplus, because they have not paid for the services rendered in the last year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HINEBAUGH. I yield the gentleman 10 minutes additional.

Mr. McKENZIE. Will the gentleman yield for another question?

Mr. STEENERSON. I will.

Mr. McKENZIE. If the Postmaster General made arbitrary ruling in increasing the size of the parcels and compelling the railroad companies to carry those parcels, it would naturally result in an increase of business?

Mr. STEENERSON. Certainly.

Mr. McKENZIE. From which the department is going to profit. Now, if they are not paying the railroads for the service in carrying all this, is it not an unfair proposition to credit the department with an increase while they are compelling the railroads to render service for nothing?

Mr. STEENERSON. That is exactly true. That was the reason why I stated, in answer to the gentleman from Missouri [Mr. LLOYD], that the alleged surplus of last year is largely fictitious, because they had not paid their debts. [Applause on the Republican side.]

Mr. LLOYD. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. LLOYD. There have been two weighings since the parcel-post law went into effect, and under the law now one-half of the country is receiving its full compensation for every pound of parcel-post matter that is carried.

Mr. STEENERSON. Well, I do not see how that can possibly be correct, because it is not four years since the order increased the weight of the parcel post.

Mr. LLOYD. The gentleman is aware of the fact the country is divided into four sections——

Mr. STEENERSON. Yes.

Mr. LLOYD. One of the four to be weighed each year, so that at the present time the law carries full compensation for two sections.

Mr. STEENERSON. How long ago was it since the last increase of weight?

Mr. LLOYD. Let me finish this. It is also true in the last appropriation bill last year we provided for an increase of 5 per cent on account of the parcel-post matter that——

Mr. STEENERSON. But how long ago was it since the last increase in the size of the package was made?

Mr. LLOYD. That was made nearly a year ago.

Mr. STEENERSON. Nearly a year ago. How, then, can there have been two weighings since that time, when you say they are quadrennial weighings, with one weighing in each section each year, and therefore it will take two years before you could get two sections weighed?

Mr. LLOYD. There has been one weighing since the increase to 20 pounds; there have been two weighings since the increase to 11 pounds.

Mr. LEWIS of Maryland. Will the gentleman yield?

Mr. STEENERSON. Let me finish this. It is a bigger jump from 11 pounds to 50 than from 4 to 11, and consequently the weight of the mail has enormously increased by the latter change, which is not accounted for by the weighing; and I do not believe any living man—not even the experts—can tell anything approximately as to the increased volume of the weight of mail, which necessarily involves an increased pay to the railroads, because they are paid by the pound per mile.

Mr. LEWIS of Maryland. Will the gentleman yield at that point?

Mr. STEENERSON. I want to finish my sentence, if the gentleman will permit. They receive as much pay for carrying a pound of goods, whether it is flour or cheap merchandise, as letters. I was told the other day by an official of the Government that the Commissioner of Indian Affairs, to save appropriations made for his bureau, had shipped flour in 48-pound sacks to the Indian reservations in different parts of the country by parcel post.

Mr. LLOYD. Will the gentleman yield? The gentleman does not want to be understood as saying they receive the same compensation to-day for carrying a parcel as they do for carrying a letter. The gentleman has evidently made a mistake.

Mr. STEENERSON. I certainly mean to say that the railway-mail pay is based on the per ton per mile or the per pound per mile, and it does not make any difference whether that pound is made up of letters or flour.

Mr. LLOYD. That is the railroad companies.

Mr. STEENERSON. The railroad companies—that is what I am talking about. The gentleman is mistaken.

Mr. LLOYD. I beg the gentleman's pardon.

Mr. STEENERSON. The gentleman has gone astray. [Laughter on the Republican side.] Now, when you increase that kind of matter upon which the revenue, the postage, is very small, you do not increase the income of the Government but very little, but you increase enormously the expenditure of the Government, because you have got to pay the old rate, the same per pound per mile rate you always have paid. Now, you have hitherto been unable to change the railway-mail pay; of course, I am not going to enter into that discussion, but if you are going to make the Post Office Department show anything near a self-sustaining basis, you will have to change it or discontinue that heavy traffic——

Mr. LEWIS of Maryland. Now, will the gentleman yield?

Mr. STEENERSON (continuing). Because they can not continue to lay the blame on the European war. Yes; I will now yield to the gentleman—for a question.

Mr. LEWIS of Maryland. Well, I am asking a question. Does not the gentleman know that we are paying for the movement of parcels at the rate of 10 cents per ton per mile to the railroads when the express companies are paying at the rate of 5 cents per ton per mile or less on the average? That wherever we pay we have to pay twice as much as the express companies.

Mr. STEENERSON. There is no doubt. I will take the gentleman's word for it, and that shows why we are doing an unprofitable business when we are shipping flour and brick around the country by mail.

Mr. LEWIS of Maryland. Another question.

Mr. STEENERSON. The gentleman will please excuse me. That shows why there is such anxiety on the part of this administration to change the basis of railway mail pay, because they know they are getting into a hole, and they come up here through the leader of the majority and threaten us with a $14,000,000 deficit because of the foreign mail, when, as a matter of fact, the foreign mail has fallen off but very slightly.

Mr. LEWIS of Maryland. Will the gentleman yield further?

Mr. STEENERSON. For a question.

Mr. LEWIS of Maryland. Is it not a fact that the parcel-post rates are made upon bases which include full payment for railways and all the expenses of the service, besides a margin of over 10 per cent for profit? Is not that a fact?

Mr. STEENERSON. I do not know anything about it. The gentleman is supposed to be the legal adviser in parcel-post matters, and there has been some blunderer at work or we would not be in the boat we are. So I am willing to give him credit for it. [Applause on the Republican side.]

I have no doubt some theorists have been at work, and in order to get out of the trouble they will again bring up that awful goat with the long beard and lay all their sins upon it. But I want the American people to understand that you can not play that game twice in the same evening. [Applause on the Republican side.]

I insert the letter of the Second Assistant Postmaster General as to the falling off in volume of transatlantic mail. Also an editorial from this morning's Washington Post, and an editorial sent to me commenting on my former speech from the Portland Oregonian, one of the ablest papers in the country.

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, February 18, 1915.

Hon. HALVOR STEENERSON,
House of Representatives, Washington, D. C.

MY DEAR SIR: In compliance with your request of yesterday by telephone, I have the honor to inform you that it is estimated that the weight of all mail matter included in the regular mails from the United States for trans-Atlantic destinations dispatched during the months of July to December, 1913, inclusive, was 6,663,624 pounds, and for the same months of 1914, 5,186,480 pounds.

Yours, very truly,

JOSEPH STEWART,
Second Assistant Postmaster General.

Editorial in the Portland Oregonian of January 24, 1915, commenting upon the speech of Representative STEENERSON, of Minnesota, in the House of Representatives on December 31, 1914:

DEFICIT DUE TO BLUNDERS.

In a plain recital of facts Representative STEENERSON disposed of the fiction that the war is responsible for the decrease in revenue and in the Treasury balance. He showed that the cause has been Democratic blunders in overestimating income and in underestimating expenses.

In his final speech on the tariff bill on September 30, 1913, Representative UNDERWOOD estimated customs revenue for the fiscal year 1915 at $249,000,000, revenue from the income and corporation tax at $122,000,000, and total revenue at $1,026,000,000, while he estimated expenditures for that year at $1,008,000,000, leaving a surplus of $18,000,000.

President Wilson has attributed the deficit in revenue to a falling off in imports and, consequently, in customs revenue due to the war, but Mr. STEENERSON showed that the actual revenue from that source for 11 months of 1914, with an estimate for December added, fell short of Mr. UNDERWOOD'S estimate by only between $5,000,000 and $6,000,000. Had Mr. UNDERWOOD'S other estimates proved correct, there would still have been a surplus of more than $12,000,000, and no deficit taxes would have been necessary. But revenue from income and corporation taxes fell short of the Underwood estimate $51,000,000, while appropriations for the fiscal year 1915 reached a total of $1,094,168,102 instead of $1,008,000,000.

Thus total revenue fell short of the estimate by more than $57,000,000, and total expenditures exceeded the estimate by more than $86,000,000. This explains the decrease in the Treasury balance from $144,000,000 to a little more than $66,000,000. Had the much maligned Payne tariff remained in operation, it would have produced more than enough additional revenue to offset the deficiency from income and corporation tax, for it produced in excess of $311,000,000 in the fiscal year 1912, or $68,000,000 more than the Underwood tariff produced in the calendar year 1914.

Indisputable figures prove that the Democrats fall short $57,000,000 of making the tariff produce enough revenue to meet the expenses of the Government under what they term Republican extravagance. They fall short $125,000,000 of meeting expenses under Democratic extravagance. They always promise a tariff for revenue only, but their tariffs never produce enough revenue. They always promise economy, but they always practice extravagance.

—

SOUNDING THE CALL.

Almost coincident with the official announcement that the administration does not recognize any harm done by the tariff to business, and that there will be no tariff relief so long as the present administration remains in power, there comes a call for action from New York and Pennsylvania.

The Pennsylvania House of Representatives has just passed a resolution calling upon Congress to repeal the present Democratic tariff act, and attributing to this legislation the business and industrial hardships which have thrown hundreds of thousands of men and women out of employment. It is proposed that the legislatures of other industrial States shall take similar action.

In New York the Republican Club, which is one of the largest political organizations, has adopted the following resolution:

"We are uncompromisingly in favor of the American system of protection, and we protest against its destruction by the existing tariff law. This law serves the interests of foreign nations; we support the interests of the United States of America. We accept the issue thus made and we confidently appeal to the people for their judgment. The protective system must be restored and maintained. Its abandonment has always been followed by general disaster to all interests. We denounce the existing law as destructive to general business, to labor, and to the farming interests of the country. We heartily indorse the patriotic efforts of Republican United States Senators and Representatives in *Congress looking* toward a repeal of the existing low tariff law and the enactment of a protective tariff that shall restore to American labor and industry their full rights in the American market."

By standing pat on the existing tariff law the Democrats have made the tariff issue inevitable in the next campaign. While it is true that the stoppage of some of the imports, due to the European war, has been equivalent to a protective tariff, except in the raising of revenue, the greater danger of the present low tariff will be encountered after the present war is over.

If industries have been harmed by the tariff under present conditions, what may be expected when the war ends and millions of workers now on the field of battle return to the mills and factories to work at wages that will be lower than ever before in the history of Europe? They will be willing to work for anything. The United States, under the present tariff, would have no protection against cheap labor competition.

No wonder the call to arms is being sounded by the Republicans. The tariff battle is beginning early, but this is because the tariff has become an issue which even the man in the street understands.

Monthly summary of foreign commerce of the United States, December, 1914.

SUMMARY OF IMPORTS AND EXPORTS.

[Figures in all statements for December, 1914, and for 12 months ending December, 1914, subject to revision.]

Groups.	December—				12 months ending December—					
	1913		1914		1912		1913		1914	
IMPORTS.										
Total free of duty	$117,547,218	Per ct. 100.00	$69,444,579	Per ct. 100.00	$992,343,921	Per ct. 100.00	$991,850,747	Per ct. 100.00	$1,097,937,712	Per ct. 100.00
Total dutiable	66,478,353	100.00	45,211,966	100.00	825,729,134	100.00	800,745,733	100.00	691,338,289	100.00
Free and dutiable:										
Crude materials for use in manufacturing	62,463,050	33.95	34,189,042	29.82	633,833,671	34.86	604,962,567	33.75	597,920,626	33.42
Foodstuffs in crude condition, and food animals	29,916,427	16.25	17,954,204	15.65	237,127,581	13.04	220,784,999	12.32	234,725,244	13.12
Foodstuffs partly or wholly manufactured	16,769,368	9.11	16,394,017	14.30	206,134,481	11.34	198,352,663	11.06	256,483,300	14.33
Manufactures for further use in manufacturing	28,268,135	15.36	15,746,405	13.74	320,283,741	17.62	340,250,218	18.98	275,585,099	15.40
Manufactures ready for consumption	44,616,400	24.25	28,422,282	24.79	404,051,842	22.22	413,439,318	23.06	407,047,570	22.75
Miscellaneous	1,992,191	1.08	1,950,595	1.70	16,641,739	.92	14,806,715	.83	17,514,162	.98
Total imports of merchandise	184,025,571	100.00	114,656,545	100.00	1,818,073,055	100.00	1,792,596,480	100.00	1,789,276,001	100.00
Per cent of free		63.88		60.57		54.58		55.34		61.36
Duties collected from customs	21,510,140		14,890,982		326,339,620		310,551,961		241,384,619	
Average ad valorem rate of duty, based on total imports for consumption		11.06		13.18		18.14		17.49		13.62
Remaining in warehouse at the end of the month	75,370,421		80,666,132							

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LINTHICUM having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 7515. An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes; and

S. 7188. An act to increase the limit of cost of the United States post-office building at Garden City, Kans.

PENSION APPROPRIATION BILL.

The committee resumed its session.

By unanimous consent, Mr. KELLY of Pennsylvania, Mr. STEENERSON, Mr. SWITZER, and Mr. BRYAN were granted leave to extend their remarks in the RECORD.

Mr. BARTLETT. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. TAVENNER].

Mr. TAVENNER. Mr. Chairman, in some remarks I placed in the RECORD on February 15 I called attention to the fact that four firms, which constitute the War Trust in this country, have drawn down $175,000,000 worth of contracts from the Government for munitions of war, and that Army and Navy officers have permitted these four concerns to outrageously overcharge the Government for these supplies. I called attention to the fact that Gen. Crozier, the present Chief of Ordnance, who does the buying of these supplies for the Ordnance Department of the Army, was formerly in partnership with the Bethlehem Steel Co.; that he was in partnership with them on the day that he was made Chief of Ordnance; and that ever since he has been Chief of Ordnance he has been awarding that concern contracts running into the millions of dollars annually and has been paying that concern from 20 to 60 per cent more than those millions of dollars worth of supplies could have been manufactured for in the Government arsenals.

My attention has been directed to an answer by Gen. Crozier to the charges which I have made, and in fairness to Gen. Crozier and in order that his views may be in the RECORD, as mine have been placed in the RECORD, and since he states that he is contemplating asking for an investigation, I send the following clipping from the Chicago Tribune to the Clerk and ask that it be read in my time. My only purpose in rising was to put his answer in the RECORD so that it may be compared with the specific statements that I put in the RECORD.

The CHAIRMAN. The Clerk will read the article.

The Clerk read as follows:

[From the Chicago Tribune, Wednesday, Feb. 17, 1915.]

GRAFT CHARGES STIR UP CROZIER—ORDNANCE CHIEF ASKS INVESTIGATION OF ACCUSATION MADE BY TAVENNER.

WASHINGTON, D. C., *February 16.*

[Special.]—Gen. William Crozier, Chief of Ordnance, contemplates demanding an investigation, either by the Secretary of War or by Congress, of the charges involving his reputation which were made in the House yesterday by Representative TAVENNER of Illinois.

Mr. TAVENNER charged that a ring of war-munitions manufacturers is raking off $7,000,000 in exorbitant and illegitimate profits, and that Gen. Crozier, Gen. Humphreys, and other Army and Navy officers are closely connected with these concerns.

Friends of Gen. Crozier in the House are preparing to present his defense, either in a reply to TAVENNER or in a demand for a congressional investigation.

ROORBACK, REPLY TO TAVENNER.

It will be alleged that TAVENNER is disgruntled because of the action of Gen. Crozier in introducing some of the Taylor-system methods into the Rock Island (Ill.) Arsenal, which is situated in the TAVENNER district.

On behalf of Gen. Crozier it is asserted that he never has allowed his former relations with the Bethlehem Iron (now steel) Co. to influence him in passing on questions affecting war-munitions contracts awarded to this or any allied concern. He had a half interest in the patent on the Crozier disappearing gun carriage, which was sold to the Bethlehem company for $10,000 and royalties on foreign orders. He relinquished his interest after he was appointed Chief of Ordnance and never realized from the patent more than $5,000, inasmuch as no foreign orders were received.

Mr. MOORE. Mr. Chairman——

Mr. TAVENNER. Mr. Chairman, I have the floor. I do not yield to the gentleman now.

Mr. MOORE. I ask whether the gentleman will yield or whether he insists on this alleged statement of Gen. Crozier being read at this time in full. It is not a statement of Gen. Crozier——

The CHAIRMAN. The gentleman from Illinois has the floor, and he declines to yield. The Clerk will read.

The Clerk read as follows:

FORCES CUT IN MUNITIONS.

That there was any impropriety in selling the carriage to foreign Governments is denied on the ground that any engineer could duplicate it from the existing photographs. Gen. Crozier also had a patent on a wire gun, which he relinquished to the United States Government voluntarily without compensation.

Gen. Crozier admits that the manufacturers of war munitions have extorted unreasonable prices from the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman——

Mr. BARTLETT. Mr. Chairman, I yield time enough to the gentleman from Illinois [Mr. TAVENNER], in order that the Clerk may read the balance of the article.

Mr. MOORE. Mr. Chairman——
Mr. COOPER. Regular order, Mr. Chairman.
The CHAIRMAN. How much time does the gentleman yield?
Mr. BARTLETT. Time enough for the Clerk to read the balance of the article.
The CHAIRMAN. The Chair does not know how much time that is.
Mr. MOORE. A parliamentary inquiry, Mr. Chairman.
The CHAIRMAN. The gentleman will state it.
Mr. MOORE. What is the motion before the House?
The CHAIRMAN. The Chair does not understand the gentleman.
Mr. MOORE. What is the motion before the House?
The CHAIRMAN. There is no motion before the House.
Mr. MOORE. Under what rule are we proceeding?
The CHAIRMAN. We are proceeding under the agreement for general debate.
Mr. MOORE. I ask if there will be an opportunity for anyone to make a statement with regard to this publication?
The CHAIRMAN. Not unless you get time from gentlemen who have control of the time.
Mr. BARTLETT. I insist that the gentleman can not stop debate.
Mr. MOORE. A parliamentary inquiry, Mr. Chairman.
Mr. COOPER. Regular order, Mr. Chairman.
Mr. MOORE. A parliamentary inquiry, Mr. Chairman.
Mr. BARTLETT. Mr. Chairman, I make the point of order that the gentleman from Pennsylvania can not make a parliamentary inquiry while the gentleman from Illinois has the floor without his consent.
The CHAIRMAN. The Chair has just announced that the time of the gentleman has expired.
Mr. BARTLETT. I have control of the time, and I have yielded to the gentleman from Illinois.
Mr. MOORE. I beg the gentleman's pardon. The Chair has announced that the time of the gentleman has expired. I make the point that the gentleman from Illinois has no time——
The CHAIRMAN. The gentleman from Georgia has yielded to the gentleman from Illinois sufficient time in which to finish the reading of the article. The Clerk will continue the reading of the article.
The Clerk read as follows:

He contends, however, that he has introduced Government manufacture of many classes of arms into the arsenals and by that competition forced the private manufacturers to reduce their prices.

Mr. MOORE. Now, Mr. Chairman——
Mr. BARTLETT. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. BORLAND], a member of the committee.
The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] is recognized for 15 minutes.
Mr. MOORE. Mr. Chairman——
Mr. COOPER. Regular order, Mr. Chairman——
Mr. MOORE. Would it be in order at the present time to ask unanimous consent?
Mr. FOSTER. The gentleman has no right to interrupt the regular order.
Mr. MOORE. I have made a parliamentary inquiry.
Mr. FOSTER. The gentleman is not in order in doing it.
Mr. MOORE. The gentleman from Illinois [Mr. TAVENNER] is setting up a man of straw. He is attacking a man who is not here.
Mr. TAVENNER. Gen. Crozier is represented here and so is the Steel Trust.
Mr. MOORE. The gentleman is representing what is not true. The gentleman is setting up a bugaboo.
Mr. BARTLETT. Mr. Chairman, I call the gentleman from Pennsylvania to order.
Mr. MOORE. Mr. Chairman, a parliamentary inquiry.
Mr. FOSTER. Mr. Chairman, the gentleman has no right to make that parliamentary inquiry.
Mr. MOORE. I ask if I was called to order; if I was violating the rules of the House?
Mr. GORDON. Of course you were. You have no brief from Crozier, have you?
The CHAIRMAN. The committee will be in order.
Mr. BORLAND. I am entitled to the floor, I believe, Mr. Chairman.
Mr. BARTLETT. Mr. Chairman, I call the gentleman from Pennsylvania to order.
Mr. MOORE. I am very glad to be called to order, because I am acting in the cause of justice and fair play. But go ahead and gag. That is the way to do it.
Mr. FOSTER. If the genteman wants to defend the Steel Trust, let him take his time.
Mr. MOORE. You have the power. You put things in the RECORD. Go ahead and encourage the gag. Do it brutally. Go ahead; I defy you.
Mr. BARTLETT. Mr. Chairman, I call the gentleman to order.
Mr. MOORE. I am willing to be called to order.
Mr. BARTLETT. The gentleman is violating all orderly rules of parliamentary conduct.
The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] will proceed.
Mr. GORDON. Are you Crozier's attorney? Why are you acting in this way?
The CHAIRMAN. The committee will be in order.
Mr. GORDON. I think that is outrageous on the part of a man who has been a Member of this House as long as the gentleman. It is an insult to the House.
Mr. MOORE. That is an insult to an individual.
The CHAIRMAN. The committee will be in order. The gentleman from Pennsylvania will be seated.
Mr. MOORE. Very well; I respect the Chair and will take my seat.
Mr. BORLAND. Mr. Chairman, when I rose I was about to remark that I would yield to the gentleman from Pennsylvania [Mr. MOORE] to make a request for unanimous consent to extend his remarks in the RECORD——
Mr. MOORE. I do not care to do that. The time to do that is right now.
Mr. BORLAND. But I soon saw that the gentleman did not want to do that, but wanted to inject into the RECORD something that the rules of the House would not permit him to put into the RECORD, and at that point I withdrew or abandoned my intention to yield to the gentleman. When the proper time comes, he can defend the Steel Trust or anybody else.
Mr. MOORE. Mr. Chairman, will the gentleman yield?
The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Pennsylvania?
Mr. BORLAND. No. The gentleman can reply in his own time.
Mr. MOORE. I do not care to.
Mr. BORLAND. Now I want to discuss two phases of this pension appropriation bill, which is supposed to be under debate in this House. It is always a matter of surprise to the American people to learn the amount that is paid out by this Government for pensions 50 years after the close of the Civil War. But there are more surprises than that in the pension law. I find that there is scarcely an American citizen anywhere who understands that the Government is to-day paying more than a million dollars to nonresident foreigners under the operation of the present pension laws.
Away back in 1893 an attempt was made to correct this evil, and a report at that time shows that about 3,000 foreigners were drawing pensions under the Federal pension laws, and that the amount paid them was between $350,000 and $400,000. To-day more than 5,000 persons who are nonresident foreigners are drawing pensions, and the amount paid them is over a million dollars.
Now, the only justification that ever was given for this payment of foreign pensions was that a few men might have come to this country from foreign countries and lost their lives here and left dependent widows or children or mothers in the old country. But if any men lost their lives 50 years ago under the American flag and left dependent widows or mothers in the old country, the number of such dependents would decrease rapidly in the generation following the Civil War. The explanation of the fact that the amount has increased rapidly and steadily is that men who are drawing pensions have expatriated themselves and have become citizens or subjects of other countries.
Now, in fact, that is the case. We are sending abroad to-day a million dollars of American money, and we are doing what no other nation ever did, and, I undertake to say, what no other nation ever will do, namely, continuing the payment of pensions to men who are no longer citizens of the country they served. Twenty-six hundred of these men live in Canada; about 500 of them live in Germany; some 900 of them live in the British Isles. This country could not become involved in a war with any country on earth without seeing its own money and sometimes the men who draw its own money opposing it in that contest. No nation ever did that.
I purpose and reserve the right to offer to this pension appropriation bill when it reaches the amendment stage an amendment forbidding the payment of pensions to nonresident foreigners, except for disabilities contracted in the service. Gentlemen will recognize that we have a dual system of pensions in this country, which differs from the pension systems of

other countries. All countries pay pensions. All countries pay pensions on the basis of disabilities contracted in the service, and that is the true basis for pensions. Any man who entered the service of his country and suffered a permanent disability thereby has a claim upon the gratitude of his fellow citizens as long as he or those dependent upon him live. But we entered upon a much wider field than that. We entered upon what no nation has ever done—an old-age pension, limited to those who appeared upon certain muster rolls, and under that old-age pension system the number of foreigners drawing pensions has almost doubled.

Now, if we are going to pay old-age pensions, I do not see any legitimate reason why we should not pay them to the man who served his country by pushing the plow and to the man who served his country by laying brick and to the man who in an engine cab served his country by driving an engine and who has done it efficiently and honestly for 40 or 50 years. I do not see why an old-age pension is not coming to the man who builds up his country in time of peace, if it is purely a question of old-age pensions. But we have limited these old-age pensions to a certain class of our citizens, and, under that system, the most liberal proposition that any nation ever advanced, we still continue to extend an old-age pension to men who are not citizens of the United States.

It was objected when this matter was up in the Sixty-second Congress that the old soldier must have some advocates on this floor; in other words, politics—partisan politics—demanded that no possible reduction or correction be made, even of the most flagrant evils in the pension laws, for fear that the sensibilities of the old soldiers might be hurt.

Now, let us consider what the old soldiers themselves think about this thing. You will not find an old soldier in your district who will justify the payment of pensions to men who have renounced and abandoned the flag under which they fought. The man who is to-day the Commissioner of Pensions of this Government is an old soldier, and a good one, and he recommends that the payment of pensions to nonresident foreigners cease. Here is what he says about it:

Mr. DAVIS. I would like to ask a formal question, and I do not ask the commissioner to answer it if he does not desire to do so: In your judgment, Mr. Commissioner, is it proper for a man who rendered service in the Civil War or any other military service for the United States Government, and who because of that service was placed upon the pension roll, to be deprived of that pension because of the fact that subsequently he declared his allegiance to some other country than the United States? In your opinion, Mr. Commissioner, should or should not that fact bar him from receiving the pension that he obtained as a service pension because of his service to the United States? You need not answer that question if you prefer not to do so.

Mr. SALTZGABER. I have an opinion on the subject, and it is this: I am so thoroughly American that I believe that a man who abjures his allegiance to this country ought not to receive any reward from it.

Mr. DONOHOE. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DONOHOE. The gentleman of course knows that it does not follow that because a man has decided to reside abroad he has renounced his allegiance to the United States.

Mr. BARTLETT. This does not affect him, then?

Mr. BORLAND. The gentleman will see very readily that this would not affect Americans temporarily abroad for business, or official positions, or anything else. It is confined to men who are not Americans and possibly never were.

Mr. GOULDEN. Will the gentleman yield for a question?

Mr. BORLAND. Yes.

Mr. GOULDEN. Has the gentleman any information as to how many of these 5,000 men have renounced their allegiance to this Government? To that extent I agree with him. No pensioner who has expatriated himself and is not crippled or in bad health from service origin should be carried on the rolls.

Mr. BORLAND. The greater part of the 5,000 have renounced their allegiance. The commissioner said in answer to a question in a former hearing that those who were abroad for business or pleasure or as foreign representatives of American houses, or as American consular representatives were a very trifling number.

Mr. BARTLETT. About 30.

Mr. GOULDEN. How many are living in Canada? Of course the gentleman knows that a large number of our citizens have gone to Canada, and I want to know if they have renounced their citizenship.

Mr. BORLAND. The greater part of them have become Canadian citizens.

Mr. BARTLETT. May I suggest that most of those who came to this country from Canada at the time of the war and fought in the Federal Army have gone back to Canada and taken up lands there.

Mr. BORLAND. Under the homestead laws of Canada they had to renounce their allegiance to this Government.

Mr. SHERWOOD. I propose to support the gentleman's amendment. I think it is on the right line. Heretofore that amendment has not included men who were disabled in the service. The gentleman's amendment does. So there can be no possible injustice to any pensioner—any soldier who served during the war. Now, I understand that a great majority of the Canadian soldiers who were with us in 1861–1865 have sworn allegiance to the British Government. Those men are drawing pensions. In case of a war with Great Britain we would have men fighting against us who were pensioners under the United States.

Mr. BORLAND. I am very glad to have this statement from Gen. SHERWOOD, the man who occupies the honored position in this House of being the only general officer on the Union side in that great struggle who is now a Member of Congress and who represents as thoroughly as any man can the feelings and sentiments and patriotic views of the American soldier. He says that this amendment so limited is an absolute justice to the American pensioner.

Mr. DONOHOE. How would the gentleman feel toward a man who rendered military service here, became a citizen, resided here for 8 or 10 years after the close of the war, went back to Germany, and has never renounced his American citizenship?

Mr. BORLAND. He would not be affected by this.

Now, there is another matter I want to speak of in the brief time I intend to hold the attention of the House, which has always seemed to me to be a gross evil in the pension laws, but which has never seemed to other gentlemen to be as clear an injustice as it has seemed to me. I purpose to offer another amendment providing that no part of the pension appropriation shall be paid to any person who is drawing salary or emoluments of any kind from the Federal Government in excess of $1,000. [Applause.] I place the amount at $1,000 because I believe a man who is drawing $1,000 or over from the Federal Government is doing it on the theory that he is performing a man's full work and that his disabilities, if any, contracted in the service have not decreased his earning power. If a man who was in that great struggle is to-day alive and able to hold a full-salaried position, he is fortunate beyond the average run of mankind.

But the worst evil is simply this: The men who are the beneficiaries of this system do not want any investigation made as to how many men are drawing emoluments from this Government. I know a case—I will not call the name because I do not care to be invidious in a public speech—where a man is drawing a pension as an officer of the Federal Army and is drawing $6,000 a year from the Federal Government as a retired United States judge and $7,500 as a Member of the great legislative body of the Nation. He is drawing three separate salaries or emoluments from the Federal Government. I know of another case where a man is drawing $6,000 a year as a retired Federal judge, $50 a month as a pension, and is engaged in the practice of law, representing large railroad and corporate interests. Those are the men who will resist with all the force of which they are capable, even the proposition to investigate into this thing. I believe that there are approximately 3,000 to 5,000 men, at least 3,000, upon the pay rolls of the Federal Government under one guise or another, many of them as retired Federal judges and other officials of that kind, who are drawing pensions. These men have enjoyed, to a large extent, the rewards and profits of their military service and their military renown, and they are drawing pensions which are needed in many cases by many men who have been less fortunate.

Mr. ANDERSON. Does the gentleman make any distinction between a soldier who is drawing a pension for a disability incurred in the service and one who is drawing a pension merely on account of age and service?

Mr. BORLAND. The distinction could be made easily. The surprising thing about the American people is this: We are spending to-day nearly twice as much for the pension roll as we are for the maintenance of a standing army in a nation of 100,000,000 people. That is 50 years after the close of the war. The people are going to demand that we spend a little more for national protection and a little less for partisan politics. Gentlemen will not dodge that issue when the people begin to wonder where their money has gone that has been spent under the guise of military armament when they find that we have not the national protection for the money expended.

To-day, 50 years after the war, nearly twice as much is spent for pensions as is spent for military purposes. If the pensions we are paying would guarantee the safety of the Nation, we would be the best-protected Nation under the sun; but nobody believe that it does. It has dwindled down into an old-age pension, possibly deserved in most cases; but I would like

to have it expended in all cases for those who deserve it, and to cut out men who are getting $6,000 as retired Federal judges, and cut off the men that have renounced and abandoned the country that pays them the pension. [Applause.]

Mr. BARTLETT. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, we are now considering the annual appropriation bill, making appropriations to pay the pension roll to the extent of $165,000,000. That does not cover all of the actual pensions that the Federal Government pays; it does not cover $43,500 that is spent down in the Arkansas national forests in the way of pensions under the pretense of salaries for men engaged in conservation.

In that connection I want to call attention to a letter published in the Danville Democrat, Danville, Ark., an excellent newspaper, which was received by me this morning. The editor of the paper refers to the writer of the letter as follows:

The writer of the above article is a college man, a young man, and with his wife and babies lives on a homestead in Yell County, and knows the conditions of which he writes.

In other words, this is a letter from a college-bred man, of a man who has gone into that country, entered a homestead on the identical lands which certain gentlemen claim are not fit for agricultural purposes, has made him a good home, and who knows something about the conditions that exist there, and certainly has the knowledge and ability to discuss the things considered in that letter. I shall not take time to read the letter at length, but I will ask unanimous consent to print the newspaper clipping in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks by printing the matter indicated in the RECORD. Is there objection?

There was no objection.

The matter referred to above is as follows:

FOREST RESERVE SHOULD BE ABOLISHED—A HOMESTEADER 30 MILES FROM THE RAILROAD IN YELL COUNTY SAYS ALL OF THE GOVERNMENT LAND COULD BE MADE A GOOD HOME FOR SETTLERS—READ HIS LETTER.

BLUFFTON, ARK., *January 29, 1915.*

Mr. T. L. POUND,
Danville, Ark.

MY DEAR SIR: Facts and figures proven by carefully kept books on my homestead for the past three years show that even the roughest land is worth taking, and a very little capital is necessary to keep a farmer going here till his land properly handled will.

Let us compare the tenant farmer and homesteader. The tenant gives one-third to one-fourth of his profitable time to his landlord. He is busy producing, harvesting, and marketing his crop but about three-fourths of his time, and he is fortunate, indeed, if he makes expenses during the rest of the time. Therefore the tenant farmer gives away or loses at least 5½ months or 143 working days each year and wonders why he does not get anything ahead. But if a man in any other business lost 143 days annually from office or shop, how soon would he be bankrupt? Is it any wonder "landlordism and the tenant farmer" ruined Ireland, caused the Mexican revolution, and is the greatest problem before the United States to-day?

Now for the homesteader on a hilly, rocky tract of land "away back in the sticks." His cash investment is practically nothing, and in this is the only likeness to the tenant farmer, for the average 40 acres here has 200,000 feet in pine alone, enough for house, barn, and fence. The same 40 acres produces enough grass for a team of horses and several cows, enough mast-bearing trees to produce 1,000 pounds of pork three years out of five, enough berries and wild fruit for an ordinary family, and has enough table-land with a clay subsoil so that two or more 5 to 10 acre fields can be tilled. Now, let the homesteader give 143 days each year to clearing land, building, hauling rock, filling low places with brush and rock, hauling leaves and wash to the hilltops where the soil is light, and in a few years he has a valuable farm, and has produced a good living also if he has planted the crops to supply his table and feed his stock and the big cotton raiser in the bottom lands.

This is no idle dream, but a fact proven by my books and the experience of other farmers here.

But our homestead land is practically all taken. Yes! but our national forest is made up of exactly the same kind of land my neighbors and I have been fortunate enough to get. Room for thousands of farms; for good, industrious, homeless families who, wasting 143 days each annually instead of using this time to improve their part of our great State and Nation, is being held in idleness, and why? Not because a Government of the people, for the people, and by the people wish to conserve our resources instead of developing them, but because the organization controlling our national forest is such that political jobs are in the balance and the question is not conserve or develop, but of keep or lose the job, and the forester is human like you and I, and like you and I, has a family to support; and, like you and I, if he does not look out for his business nobody will. As an example, take the following incident to which I can and will if necessary make oath. My friend Mr. X, wishing to homestead a very good agricultural tract in the national forest, made application for same. His case was referred to the local forest ranger, Mr. Y, also my personal friend. Mr. Y spent perhaps two hours in his investigation in which he never saw the land Mr. X wanted, and reported that he had failed to find level land enough for a building site. Consequently, Mr. X and his large family lost no less than 400 valuable days last year, will lose as much or more this year, and the land which should now be a good farm producing a good living for X and his family is being carefully conserved as a national reserve by the forest organization, because Mr. Y knew if Mr. X made a success in a part of the forest Mr. Z would in another part, and so on, till soon Mr. Y would have no forest to supply him a job, and do you blame Mr. Y? I do not, but Mr. Y should not be the man to decide whether Mr. X could make a living on a certain piece of land or not, only Mr. X can do that, and he should have the chance.

Our national forest with all its land and timber is now producing nothing.

Only a few men are benefited by it, and they are paid from other sources, while similar country in France and Germany is producing more than our richest communities. The home is the real basis of a country's wealth, and not the hoarded millions of a few.

Each tenant farmer is losing 143 days annually, which if properly used would in a few years put the territory now held as national forest in Arkansas in a class with the hill country of Virginia, Pennsylvania, or New York State, so far as productiveness goes, and the tenant be glad to use the time he is now wasting to develop the resources of our forest if he was permitted to homestead it. If he is not permitted to homestead this land, what will be done with it? If the Government sells it to individuals or corporations, no matter what amount of cash the Government might get it would lose in the end. Our tenant problem would be increased instead of diminished, because the lumberman would become a landlord and more tenant farmers and farming would be the result.

Then why delay? As a State and Nation we are not producing too much—not producing enough. When we consider that almost half the producers of our land are losing 143 days annually, the move to lessen this terrible waste of time, to lessen the tenant problem, to produce more homes, to raise men's efficiency as producers and citizens, is the move that will produce more and lasting profits for a Government of, for, and by the people than any other, no matter what the cash in the transaction might be. And opening the forest to the homesteader is this one great move.

H. C. SHORT.

Mr. BARTLETT. Mr. Chairman, I yield to the gentleman from Iowa [Mr. KIRKPATRICK].

Mr. KIRKPATRICK. Mr. Chairman, as one of the survivors of the Civil War between the States I simply ask leave to extend my remarks on the subject of the payment of pensions.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Chairman, I now yield to the gentleman from Georgia [Mr. TRIBBLE].

Mr. TRIBBLE. Mr. Speaker, I desire to renew my earnest protest against the proposed national child-labor legislation. The bill proposes to prevent the employment of children under 14 and 16 years of age in mines, quarries, mills, canneries, manufactories, workshops, factories, and mills of all kinds of enterprises. It further proposes to limit the hours of labor per day. Heretofore no one has seriously contended that this question should be taken by the Federal Government from State jurisdiction. I rise for the purpose of requesting the membership of this House to send for the so-called child-labor bill and some time at their leisure read it and study it carefully. This bill was taken up and considered under suspension of rules, which prevented the usual discussion. Only 40 minutes were given to the consideration under a rule, and therefore the membership of the House had no opportunity to give this bill proper consideration. I never heard of this bill until it was up for action. Those opposing the bill had no opportunity to present views in opposition to it on account of the limit of time, and we resorted to the only method we had, and that was to filibuster against the passage of the bill. I have no apologies to make for the part I took in trying to prevent the passage of the bill by filibuster tactics. I consider the bill the most flagrant violation of constitutional rights of any bill that has passed this House since I have been here. It absolutely absorbs all State rights guaranteed by the Constitution and turns over to Federal authorities complete jurisdiction to direct the internal affairs of the States.

Those of you who have been to sawmills and to rock quarries and have heard the familiar call, "water boy," if this bill becomes a law, will hear that call no more. It will be for "water man." Under the provisions of the bill a boy under 16 years of age can not give water to a mule or ox used at a rock quarry or mine. No boy or girl can be employed in any capacity, in any kind of work where peaches, tomatoes, beans, or any agricultural product is being prepared for interstate shipment, because if children are so employed the man who ships the goods produced where the boy who gave water to mule or worked in the cannery will be indicted by the Federal Government. In my State agriculture is being promoted very rapidly through the Agricultural Department, and one of the greatest means of promotion is the canning club.

The school-teachers are organizing associations in every county, and you can read in the agricultural bulletins where little girls 12 and 13 years of age have had tomato patches and have canned their tomatoes in association with others and have shipped them to the State of New York and other places and have received enormous profits, and this method has encouraged others to raise tomatoes. I do not think there is any question but that this bill will prevent little girls or boys under the age of 14 years from associating themselves together with a teacher or any other person for the purpose of raising tomatoes and canning them and shipping them out of the State, because one of the provisions of the bill is about canneries. The defini-

tion in the bill says that a dealer is an individual. A little girl is an individual within the meaning of the bill if she is raising tomatoes. It also uses the phrase "unincorporated association," and these people who are associated together for the purpose of raising and canning tomatoes, peaches, beans, or anything else are an "unincorporated association" of people brought together for the purpose of promoting this industry.

The bill reads as follows:

It shall be unlawful for any producer, manufacturer, or dealer to ship or deliver for shipment in interstate commerce the products of any mine or quarry which have been produced, in whole or in part, by the labor of children under the age of 16 years, or the products of any mill, cannery, workshop, factory, or manufacturing establishment which have been produced, in whole or in part, by the labor of children under the age of 14 years, or by the labor of children between the age of 14 years and 16 years, who work more than eight hours in one day.

* * * * * * *

The word "dealer" as used in this act shall be construed to include any individual or corporation or the members of any partnership or other unincorporated association.

This bill not only proposes to regulate cotton mills, knitting mills, and all kinds of factories by Federal statute, but it reaches out and takes in farming and mining institutions. The conditions in the New England States are entirely different from conditions in the South. The work done by children of reasonable age in mills, saw mills, cotton gins, canneries, and the various other enterprises of the South should not be prohibited by Federal laws inspired by philanthropists knowing nothing about healthful and honorable employment in the South. It is a very embarrassing situation in which the Democratic Party finds itself advocating this kind of legislation. It has always contended for State rights, and now pretends to believe in State rights. Now the Republican Party can say, "Oh you Democratic Party, what have you done with your States rights Jeffersonian doctrine?"

If this bill becomes a law, the next move will be to prevent the interstate shipping of cotton when children under 16 years of age participate in making or picking the cotton. Those good philanthropists will be here in a few years demanding that the farmer be prevented from employing on his farm boys under 16, and they will tell this Congress about the illiteracy of children that should be in school. Then this so-called humanitarian legislation will be enacted by the Federal Government compelling education of all races and restricting child labor on the farm to 16 years of age. The negro matures rapidly and makes a good farm laborer at 12 years of age. At 15 they are strong men. The whites mature early in the South, and many boys perform a man's labor on the farm before they are 16 years of age, working on the farm and attending school during the school periods.

Mr. Speaker, this bill also launches the eight-hour day law, to be applied by the Federal Government to agricultural enterprises. I knew that agriculture would some day be confronted with the Federal Government fixing the hours of labor and making it a criminal offense to labor over eight hours each day even on the farm, but I did not expect the question to come up so soon. There are seasons when the farmer must work or gather his crops or he will almost lose it. I hope I will never see Congress enact laws prohibiting the shipping of cotton from my State unless the farmer complies with eight or seven hour day regulation of labor, and yet that principle is in this bill. Should a cannery, quarry, mill, factory, saw mill, cotton gin, or any kind of mill enterprise violate the child-labor restrictions or work them over eight hours any day the products of such an enterprise can not be sold out of the State. A severe Federal penalty is provided for both the seller and the purchaser.

Some gentlemen were disposed to criticize me for filibustering against this bill. Permit me to assure you that as long as the people of Georgia keep me here to represent my State and district I shall speak, filibuster, and use all legitimate means to prevent legislation giving the National Government the power of exercising the prerogative of the States in the restriction of labor.

Furthermore, Mr. Speaker, do you propose to exclude the orphan on the humanitarian appeal from honest work and doing honest labor in the industrial pursuits of the farming districts, that they may live honestly and independently?

I thoroughly agree with gentlemen that there should be restriction of child labor in factories. The restriction should be reasonable and humane. What is reasonable and humane is a question for the respective States to solve. There are no doubt abuses; but, Mr. Speaker, we should not trample upon the Constitution to reach abuses the States should correct. Besides, there are some provisions in this bill I can not espouse, even by State enactment.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. I yield further time to the gentleman.

Mr. TRIBBLE. Mr. Chairman, I think that the States only have a right to legislate on this question. It is a question for each State to settle; it is not a Federal question. The States can better solve these industrial questions. I am willing to abide the action of the State of Georgia on these and all other questions delegated to the State by the Constitution, and I think other Members should be willing to abide the action of their States. Several times I have defended the laws of my State on this floor, and no man can assail the laws of my State on this floor unchallenged; and like Ruth said to Naomi, I stand here to-day and say in regard to Georgia, "Whither thou goest I will go; where thou lodgest I will lodge; thy people shall be my people and thy God my God." [Applause.]

Mr. PALMER. Mr. Chairman, I will ask the gentleman from Georgia to yield me five minutes.

Mr. BARTLETT. I have not the time, I am sorry to say to the gentleman.

Mr. PALMER. The gentleman from Georgia [Mr. TRIBBLE] has just been yielded time in which to make an attack on a bill which was passed in this House two or three days ago.

Mr. TRIBBLE. But the gentleman did not give me any chance to oppose it when it was passed.

Mr. PALMER. The gentleman did not use all of the time he had.

Mr. BARTLETT. I have not the time.

Mr. HINEBAUGH. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania.

Mr. PALMER. Mr. Chairman, I did not expect, of course, to discuss the child-labor question to-day. I did not expect that anybody who was opposed to the bill and who failed to use all of the time which was allotted to those in opposition to the bill when it came up a couple of days ago would find it necessary——

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. PALMER. Not now—would find it necessary after the bill had passed by a vote of about 6 to 1 discuss the bill and complain of the action of the House. It is true that it was not discussed at any great length in the House, but I doubt if any bill which has been before the House during this session has received more attention from the country, and I doubt if Members have received more communications and information about any bill which has been before the House this session than they have about this child-labor bill. When it came into the House the Members all knew what the bill was. They knew that extensive hearings had been held before the Committee on Labor, that there had been a unanimous report of that committee in favor of the bill, and that the standard fixed by the bill was the same in many respects as had already been adopted in nearly 40 of the States in the Union with which Members here were all very familiar. It is a significant and interesting fact that the only objection to the bill, voiced upon the floor in speech and by vote upon the roll call, came from three or four States in the South which are notoriously lax in child-labor laws, States which have been exploiting the little children for years in order to swell the profits of the manufacturers and employers of labor there. In the other States of the Union, where attention has been given to the matter, Members were familiar with the standard employed, and, in sympathy with the feeling of the people in those States, were unanimously for the bill. I did not consider it necessary that there should be any fuller discussion about a measure on which the feeling of the House is so overwhelmingly in its favor as this child-labor legislation.

Now, the gentleman says it is not fair to a State like Georgia to enforce this kind of a law, and the arguments which he presents are, in fact, a just ground for Federal legislation. It is absolutely necessary in the interest of fairness, because the friends of child-labor legislation have discovered that in every State where they plead for laws which will protect the little children they are met with this answer from the employer of labor, that it is not fair to put us in competition with a producer of other States where a less rigid standard is enforced. There is force in that argument, and it shows that interstate commerce is at the very root of this question of child labor. I grant that 30, 40, or 50 years ago, when transportation facilities were not so adequate, when business between the States was not so common, it might have offended my own sense of the rights of the several States to have urged this kind of legislation. But times have changed and we must change with them. The days of railways, of rapid express freight trains from one end of the country to the other, have come and commerce between the States is as common as commerce within the States, and in fairness to those who produce in one State and send their products into the commerce of the other States, the same standard of labor ought to be employed everywhere.

Now, the gentleman's objection that this would prevent a boy or a girl from canning tomatoes in company with a half dozen other children is all bosh, as the gentleman must know——

Mr. TRIBBLE. Read your bill.

Mr. PALMER. I have read the bill; I know all about the bill.

Mr. TRIBBLE. So do I, since I have studied it.

Mr. PALMER. It provides against labor of that kind in workshops, canneries, manufacturing establishments, and factories, and the gentleman will not say that the circumstances to which he refers could make a factory or a workshop or a cannery. It will not interfere with work upon the farm, it will not interfere with work in the household, it will not interfere except in places where labor is employed somewhat en masse—in factories, canneries, and workshops, and places of that character—and there I submit that the law ought to lay its hand in order to prevent employers of labor in every State from grinding down the little children against the interest of future generations of American men and women. [Applause.]

Mr. TRIBBLE. Mr. Chairman, I ask the privilege of extending my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HINEBAUGH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, about a half an hour ago the eloquent gentleman from Missouri [Mr. BORLAND], speaking to this bill, made the statement that there was no possibility of our Government going into war. I hope that that statement is true. There is no one in the United States who desires such a fatality as war. I want to speak just briefly of what seems to me a very dangerous parallel with the days preceding the War of 1812. I seize upon this time to do it because to-day is the day that the German order, announced February 4, blockading the island of Great Britain takes effect. I should like to recall to the House some of the diplomatic orders prior to the second war of independence. It was early in 1806 that Great Britain blockaded portions of the French border and declared the mouths of four rivers in a state of blockade against all neutral territory. Those rivers were the Ems, the Elbe, the Weiser, and the Trave. That decree of Great Britain was followed by Napoleon on the 11th of November of the same year by the famous Berlin decree which blockaded the island of Great Britain against all neutral vessels. That was in November, as I have said. Then, in January, 1807—to be specific, January 6—there was a retaliation on the part of Great Britain in her famous orders in council, and this was to blockade all of France by forbidding neutral vessels from trading between ports of France or her allies. Then, in November following Great Britain issued a second order in council more sweeping, which included the obligation to blockade all the possessions of France and all her allies. It forbade trade with the ports of France or her allies, or even with any port of Europe from which the British flag was excluded without a clearance obtained from a British port. This was followed by the most sweeping order of blockade in our history. It was the second order of Napoleon in the famous blockade of Milan. The decree in November, 1807, went thus far: It declared that all vessels submitting to English search or consenting to a voyage to England or to the payment of any English tax, as well as every vessel that should sail to or from a port of Great Britain or her possessions, or in any country occupied by British troops, would be deemed a lawful prize.

These four decrees, or rather five, if the first partial order is included, on the part of Great Britain and France literally swept the commerce of neutral countries from the sea. Our own country suffered most. While the measures were aimed at others, they hit us hardest. It was at this time that President Jefferson finally resorted to the famous embargo act which was nicknamed "O-grab-me act." He believed that if the embargo act could have been made effective by receiving support from this country it would have prevented the war of 1812; but it was so unpopular, especially in certain sections of the country in which commerce was almost totally destroyed, that a revulsion of public opinion was worked against the administration, and in 1808, when Madison was a candidate for election to succeed Jefferson, an issue was made before the country against the embargo act. However, Madison won upon a promise that relief would be granted. This was attempted when he modified the act by the famous nonintercourse act of 1809, two years after the embargo act. The nonintercourse act had the effect to limit the shipping of goods from this country to the belligerent countries, or to those at war, instead of to all the countries then involved in the former decree, the embargo. Finally war came. It came in obedience to a declaration on the 18th of June, 1812. Jefferson feared it and did what he could to prevent it. He but deferred it. Madison had opposed war to the point where the people said, "Madison can not be kicked into a war." This statement was employed as a slogan by those unfriendly to the administration. Finally public opinion became so strong that he literally was forced into the struggle. It did not require any overt act to induce it—no sinking of a vessel—but only an employment of such maritime rights as England claimed as hers. This produced war in 1812. McKinley in 1898 tried to prevent war and was successful up to a certain point, but at the cost of the most abusive language, and he ultimately went into war as a response to the demands of the people of the country which he could no longer restrain. In obedience to what was done then and in the light of 1812 and 1898, I wish that the membership of the House, especially that portion of it which believes sincerely that there will not be war, hoping at least that the President can prevent war—for nobody would think for a moment that the President would do anything knowingly that would precipitate it; everybody agrees to that—I wish that the membership of the House would notice the events that have taken place since the 1st of August last, with special reference to the possibilities confronting us as a Nation at this hour.

On November 4 Great Britain pronounced the North Sea in a blockade, to take effect on November 5, the day after. On February 4 Germany pronounced the blockade about the British Isles, including not only the water surrounding the isles but also reaching out to all vessels that would sail the sea destined to England. While it does not so specify, it really means that. That order was to take effect not the day after, but on the 18th, which is to-day. I do not believe that anyone would question England's right to make such an order, however hurtful it must be to neutral commerce. I do not believe that many will seriously question Germany's right, so far as international law will go, to do what she proposes to take effect to-day, however hazardous it may be for neutrals.

On the 26th of last December our President sent a note to England through the State Department which, to say the least, was simply to the effect of "Come, let us reason about this matter." It was not in a spirit of jingoism, but it, in a friendly spirit, called attention of England to the disturbance that her exercise of power on the sea over neutrals was placing our commerce. Over this England seemed, in a sense, to be surprised. But while everyone will admit that Great Britain has the right to stop our vessels for the time and to search for contraband of war, we have rights which must be respected, which can not be violated on mere suspicion. Notice the question of conditional contraband and the hauling into port of our vessels upon mere suspicion. This has seriously harmed our rights upon the seas. Conditional contraband can be so expanded by mere suspicion to cover all foodstuffs. When food goes to Germany in a vessel like the *Wilhelmina*, it will be held up in order to see whether it has conditional contraband. Although it is not to be used by combatants, it is held as though it were so destined. Germany declares that all food that goes to Germany must be held in her possession. In other words, the German Government will take possession, but has assured our Government it will be turned over to noncombatants. Great Britain feels her right to forbid the food to go to Germany because of that order, for the conditional contraband in this case, according to her interpretation, would become absolute contraband. Note the situation as it increases in complication. These decrees, passing as they are, and with Great Britain running up our flag over an English sailing vessel, are indicative to me and to you that events are traveling fearfully, rapidly toward what I fear may be a brink where the unexpected may take place.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. FESS] has expired.

Mr. HINEBAUGH. Mr. Chairman, I yield two minutes more to the gentleman.

I simply want to call the attention of the House to this dangerous parallel. Compare the decrees of France and England prior to 1812 with the following decrees:

WAR ZONES COMPARED.

A comparison of the British and German war-zone orders disclosed these striking facts:

First. The British Government on November 4 notified the United States Government that its war zone would be effective from November 5—one day's notice.

Second. The German Government issued its war-zone proclamation on February 4 and communicated it to Ambassador Gerard on the same day, announcing that the German war zone around the British Isles would be effective after February 18—15 days' notice.

Third. The British war zone covers the whole of the North Sea.

Fourth. The German war zone covers the entire English Channel and all the territorial and high sea waters around the British Isles.

Fifth. The British war-zone order sought to close the north of Scotland route around the British Isles to Norway, the Baltic, Denmark, and Holland.

Sixth. The German war zone seeks to close the southern or English Channel route around the British Isles to Holland, Norway, Sweden, Denmark, and the Baltic.

Seventh. The British war-zone decree drew an arbitrary line from the Hebrides Islands, along the Scottish coast, to Iceland, and warned neutral shipping that it would cross this line at its risk, but that ships of neutral nations might go to Holland and other neutral nations along the eastern littoral of the North Sea by taking the English Channel and Strait of Dover route.

Eighth. The German war zone declares that neutral vessels will be exposed to danger in the English Channel, but routes of navigation around the north of Scotland islands in the eastern part of the North Sea and in a strip 30 miles wide along the Dutch coast are not open to the danger zone.

Ninth. The Germans make the southern channel route dangerous and declare the north of Scotland route safe, while the British declare the north of Scotland route dangerous and the English Channel route safe, the effect of this being that neither the northern nor the southern routes around England will be safe for neutral vessels.

Tenth. The British war-zone order was based on the discovery of mines in the North Sea, while the German decree is based on England's attitude toward contraband, the *Wilhelmina* case, and England's establishment of a war zone.

While we all hope that there will be power enough to maintain a peaceful basis against what may take place in a few days to prevent this Nation going into trouble, yet no Member of this House can close his eyes to what took place prior to 1812, and to what might take place here in our own country. Suppose one of our vessels flying the American flag goes into the neutral waters which they are forbidden to enter by this decree, and suppose that vessel should be sunk, what will be our attitude? Suppose some of our citizens are on such a vessel, what will be our attitude?

Mr. BUTLER. May I ask the gentleman a question?

Mr. FESS. Yes.

Mr. BUTLER. Why not let the vessel for the time being stay out of this war zone?

Mr. FESS. That would be my advice. However, the Nation has not agreed to lay an embargo; it is loudly demanded by some citizens. And I want to clinch what I am saying by this statement. I opposed the ship-purchase bill generally on the ground of the danger that we are courting. The following is a statement from the London Times, to which I wish to call your attention. I simply want to warn our people.

The possibilities of international trouble which it contains are at least as clear. Questions of contraband, and of search for contraband, are difficult and delicate enough between belligerents and neutrals, when the neutral ships are in private ownership. It is manifest that they would be very gravely complicated were the neutral ships themselves the property of a neutral State. The acquisition of a number of interned belligerent vessels for the purpose of employing them in the service of a neutral State would certainly afford ground for controversies which it must be the wish and the interest of real neutrals to avoid.

When you say the President can prevent war, you are putting a good deal of obligation upon him if something might happen in this country. [Applause.]

It will not do to pride ourselves upon professions of peace and talk and vote for war-making measures. It is the crassest ignorance to depend on the head of the Nation for peace. The Executive is not the war-making body of this Nation. Let some overt act of war take place and note what will happen in this country. Wilson could no more hold this people at bay than could Madison in 1812 or McKinley in 1898. The Democrats here would be among the first to demand action.

This is no time to multiply opportunities for international disputes, for when our honor is at stake not all the powers of President or Congress could stay the sword of the Nation. Hence the importance of our keeping our balance at this juncture.

Before we abdicate our rights as Members of this body to carry out the capricious wish of a Cabinet member, or even the head of the Nation, we should weigh the consequences of our acts and measure the forces now at play upon the sea, which can not be overlooked from the standpoint of our national welfare. Our international situation is strained by our Mexican situation, largely due to a lack of policy.

The open-door policy in China is seriously threatened by Japan's aggression, and, as it appears, with the permission of her ally. The situation with Europe, in view of the counter-decrees of the belligerents, ought surely to open our eyes to the necessity of the most careful guarding of the rights of this House.

Mr. HINEBAUGH. Mr. Chairman, I yield six minutes to the gentleman from Michigan [Mr. SAMUEL W. SMITH].

Mr. SAMUEL W. SMITH. Mr. Chairman, in the time allotted to me I should like to have the Clerk read an article written by Capt. Wilson I. Davenny, of Pontiac, Mich., entitled "Glory-Crowned Gettysburg."

The CHAIRMAN. The Clerk will read.

The Clerk reads as follows:

GLORY-CROWNED GETTYSBURG.

(By Capt. Wilson I. Davenny.)

"Gettysburg is a thrice-hallowed name. On the historic days in July half a century ago the Federal forces under Meade and the gallant and faithful followers of Lee mingled their sacrificial blood in the baptism of that most memorable field. And here, on a November day that was made forever notable by speech, Abraham Lincoln delivered his immortal address dedicating a portion of that field as a final resting place for the men who had yielded their lives that the Nation should survive. And within a lifetime more than 50,000 of the men who had been grim, determined actors in a death-inviting drama are met again upon the same consecrated soil and under the scorching rays of a July sun, but not in hostile ranks; not as foes, but as friends. The days of conflict and carnage are done, and the eyes that then were sighted along a glistening rifle barrel now dimmed by mists of years seek and meet the responsive and full forgiving glances of an erstwhile foe. The chasm of half a century is bridged. The asperities of years agone are submerged in an unbidden flood of mutual tears. The full and throbbing hearts of the veterans now beat in unison. There is no North, there is no South.

"The actual participants in the war of the sixties have themselves sealed the record of their privations and sacrificial suffering. Let no man open the book but to learn the splendid lessons of devotion to duty, as each man saw it, whichever section of our now united and common country may have claimed his service.

"It is worthy of serious reflection on this semicentennial anniversary of the third day's battle at Gettysburg that it is as true as when the 'great commoner' paid his tribute to the fallen sons of the North that while honoring the dead we should cherish a reawakened interest in 'that cause for which they gave the last full measure of devotion,' and that we 'highly resolve * * * that the Government of the people, by the people, and for the people shall not perish from the earth.' And in making this high resolve let us clearly understand that it is no idle pledge, but a dedication to civic endeavor, social uplift, and the advancement of practical patriotism. With the conspicuous inequalities in our social fabric, incident to the accretions in recent years of great wealth in the hands of a few and the daily exposures of venality and dishonest methods under our political system, the question, 'Whether or not a nation dedicated to the proposition that all men are created equal' is still biding its solution. There is still need for a sturdy, uncompromising, high-minded, patriotic citizenship, and there must be enough of it to give healthful direction to the all-encompassing commercial spirit of the times, if the American democracy is to endure as a permanent institution.

"God grant that the lessons of glory-crowned Gettysburg, thrice consecrated to duty, patriotism, and peace, shall strengthen and sustain the pillars of the Republic." [Applause.]

Mr. SAMUEL W. SMITH. Mr. Chairman, I yield back any time that I may have left.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. BARTLETT. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman, I wish to continue the remarks which some days ago I delivered on the subject of rural credits, and I wish to put into the RECORD some statements touching this subject.

There are 12,000,000 farmers in these United States. Their aggregate wealth, including all property, is $41,000,000,000. They owe $6,000,000,000. Their farms are mortgaged for $3,000,000,000 of this sum. Annually they pay interest amounting to $510,000,000, an average interest rate of 8½ per cent. Statistics show they can pay only 5½ per cent and prosper. They should pay, therefore, if they are to prosper, instead of $510,000,000 annually for interest, only $330,000,000 on their borrowed money. In other words, there is wrung from the farmers an annual interest charge of $180,000,000 in excess of what they can afford to pay. Industrial 5 per cent bonds now sell at par. Panama 3 per cent bonds are quoted at 99. The farmer, notwithstanding he produces all the wealth, and in the last analysis possesses it, pays 8½ per cent interest. This he can not afford to do, and under just economic laws would not be required to do. For that reason they demand of us, their Representatives in the American Congress, and have the right to demand of us, the enactment of a law to right this wrong. I myself am glad to acknowledge this obligation, and here and now pledge myself to that service. When we shall

have dealt justly with the farmers of this country they will have had their interest rate for agricultural enterprises reduced from 8½ per cent, the present rate, to not to exceed 3½ per cent, and thereby retain for themselves and their families $300,000,000 annually, which they now unjustly are compelled to pay as excess interest on this borrowed money. This is the sum they now pay to a system which is not adapted to their needs and which the enactment of a just rural credit law would avoid.

Rural credits, as the name implies, is a system of credits devised to meet the needs of agriculture. No other subject is of such importance, not only to the people directly affected, but to all the American people, the producers and consumers of farm products that now pay tribute to commercial banking. On the 23d day of January I made a short speech in this Chamber briefly calling attention to a bill I had introduced on the 12th day of January of this year, proposing a rural credits system for this country. In the short time then available a full explanation of its provisions was impossible, although the bill itself is extremely brief and simple. Since that time, I am pleased to say, the legislative committee of the National Farmers' Union met in the city of Washington and indorsed this bill and made it the concrete demand of the farmers' union of the United States for rural credits. Inasmuch as the system is designed primarily for farmers, they should be consulted with reference to the provisions of any proposed legislation. Since the success or failure of the system would more directly affect farmers than any other class of people no legislation touching this subject should be enacted that does not meet with their entire approval. To deny them the right to have enacted a law the provisions of which they approve is to arrogate to ourselves a superior intelligence or to deny to the farmers the intelligence to understand and comprehend their own needs. None of us, I am sure, is willing to assume that attitude, and therefore let me hope all who are sincerely desirous of the enactment of a just and adequate rural credits bill will join in the advocacy of this measure. I have in it no pride of authorship. Embodied in this plan are the ideas and ideals of the National Farmers' Union, the organization that has done as much or more than any other for the advancement of farmers. In its provisions are crystallized the labors of the best years and most devoted efforts of such men as the Hon. Charles S. Barrett, the president of the national association, and men of his cabinet, as well as others, and I am happy in being authorized by them to say its provisions meet with their approval and the approval of those for whom they speak, and that its enactment would free the farmers from bondage to a system from which they have long suffered. To show in what complete accord its provisions are with the demands of farmers as expressed through their organizations upon this subject, I will have inserted in the RECORD the remarks delivered before a committee of Congress some months ago by H. S. Mobley, State president of the Farmers' Union of Arkansas, and in passing I want to pay to him a deserved tribute. No man more accurately and sympathetically reflects the hopes and aspirations of the people for whom he speaks or expresses those views in more clear and forceful language.

This bill seeks to accomplish four things, or rather to accomplish one thing directly, and indirectly three others. The first object sought, of course, is to procure for farmers long-time loans at a rate of interest so low that agriculture can afford to pay that rate and prosper. The second object, and not less important, is to make it unprofitable, and therefore improbable, that large landed estates should be acquired, certainly a most desirable result, for no country has ever prospered as it should where the lands are held by a few and the great mass of the people are tenants, not that tenants are not good men, but the very condition under which they labor prevents them from developing the best there is within them, and withholds from their families the fruits of their toil.

A third object sought is to enable the farmers to receive the benefits of this act without at the same time disturbing local interest rates and thereby destroying local banking and commercial business, the importance of which is so obvious that no comment is needed.

The fourth is by permitting a loan of 25 per cent of the value of the improvements on the land to encourage those residing upon the land to erect adequate buildings and other improvements thereon.

Section 2 of this act provides that there shall be created in the Department of the Treasury a commission to be known as a rural credits commission to be comprised of five men. Three of them are to be farmers who have no other occupations, and two to be men of large affairs. The entire system, its development and operation, is intrusted to their wisdom and discretion. Plenary powers are given them to make such rules and regulations as will best conserve the objects sought to be attained. Three farmers are named on this board, because it is necessary, in my judgment, to have men whose sympathies are solely with the farmer, and whose experiences have made them fully acquainted with all of his conditions, and by that means keep ever in view the object for which this act is proposed; that is, the betterment of the farmers of this country. The other two members are to be men of large affairs, because expert training and knowledge that goes with the handling of large business interests will enable them at all times to promote the sale of these securities, and to direct the investments of the amortization fund so that the best results from this fund may be obtained.

Section 3 fixes their tenure of office at five years, the object being to make it impossible that this commission shall be swept out of power at each change of administration. It is hoped that this commission shall always be preserved from partisan politics, and that fitness for the duties to be performed shall be the sole reason for making these appointments. The salary is $6,000 each per year, and is to be paid out of the Treasury of the United States.

Section 5 gives the commission the power to select its agents and to employ all necessary assistants. No reference is made in the section to civil service, because it would doubtless happen that men most qualified to deal with problems confronting the farmer would be less able to pass a technical examination. We all know that it frequently happens that the ability to spell correctly and to recite dry facts of history are indicative not of executive capacity, but are merely the acquirements of one who has no inclination to labor and no ability to rise.

Section 6 makes postmasters the agents of the Government for performing whatever services may be required of them touching this measure without additional compensation. The reason for selecting these men is that they are already in the employ of the Government; they are men of ability and honor; they are selected from the people, and are familiar with the conditions in the locality where they serve. No additional compensation is granted them, because the duties are light and involve more of honor than labor, and for the further reason that the expense attendant upon a loan should be made as light and as little burdensome as possible to the borrower. All of us owe a duty to the public and should be willing to render some services without direct compensation, and I know this great body of patriotic men will be willing to perform whatever duties may be required of them by this commission without additional recompense.

Section 7 defines a "farmer" as one who actually resides upon a farm and is engaged in the business of producing agricultural products. The benefits of this act are extended to everyone of that class and denied to all others. It also fixes periods for which loans may be made at 5, 10, 15, 20, 25, and 30 years, and provides, further, that a farmer may pay his loan at any time after the expiration of five years, or may pay $100 or any multiple thereof after that period at any interest-paying period, and upon any sum so paid the interest thereon shall cease. Section 7 further provides that any farmer who is entitled to a loan at all under the provisions of this bill, shall, if he desires, receive a loan of not less than 50 per cent of the value of his lands and not less than 25 per cent of the value of the improvements thereon. This provision is arbitrary as to the amount the farmer shall be entitled to receive, if entitled to receive anything, only so far as it fixes the minimum that he may be permitted to borrow. If he is entitled to more, the commission may extend it. It leaves within the power of the borrower to determine the number of years which his loan should run. However, it is not to be less than 5 years nor more than 30 years, but at any time within that period he may terminate it at his pleasure. The object in fixing a loan value upon his improvements is obvious. While 40 acres of land, or any other number, will produce as much corn or as many bushels of wheat or pounds of cotton with a shed in which a family may exist and without any shelter for live stock, yet it does not meet the requirements nor the deserts of the producers of America's wealth. Therefore, not only to encourage the erection of comfortable homes and adequate outbuildings, but to make possible these improvements a loan value for that purpose is provided in this measure.

Section 8 provides that deeds of trust or mortgages shall name the chairman of the commission as trustee for the use and benefit of the United States of America. This instrument shall name the amount sought to be borrowed, the number of years the loan is to run, but leaves the interest rate blank. This provision is for the purpose of permitting these evidences of indebtedness to be sold at par to the one who is willing to pay par therefor and accept the lowest rate of interest procurable. This

section further provides the manner in which the borrower shall furnish evidences of his title. An abstract of some recognized agency shall be furnished, but examined by officers appointed by the commission, and without expense to the borrower. This provision, in my judgment, is necessary in order to make it possible for small borrowers to acquire a loan without having the expense incident thereto made prohibitive. The section further provides that in those States where the Torrens system of registration of land titles shall have been adopted, the certificate of the State shall be evidence of title. This would rid the farmer of the necessity of procuring an abstract, and the costs incident thereto would be eliminated. Of course, this will arouse the antagonism of those who are commercially engaged in preparing abstracts of title or of attorneys who pass upon titles, but it will hasten the day when that system of registering land titles shall be adopted in every State of this Union.

Section 9 provides the method by which the applicant for a loan puts into motion the machinery to accomplish that purpose. He shall first apply to his local postmaster and procure the necessary blanks. He shall execute these blanks under oath, setting forth the amount of the loan he seeks, the security he has to offer, and the purposes for which he seeks the loan, the number of years he desires it to run, and all additional information that the commission may desire and direct. Upon receipt of this application the postmaster shall appoint two committees, of three men each, and the first named of each shall act as chairman of his committee. The first committee shall consist of three farmers, who reside in the immediate vicinity of the land upon which the loan is sought and who are familiar with it as a farming proposition. They shall make a secret appraisement of both the lands and the improvements, but separate. This appraisement shall be made under oath and filed with the postmaster. The second committee shall consist of men of affairs who are familiar not only with the value of the lands but are acquainted with the farmer applying for the loan, and who will know the general conditions in the community at large, whether land values are advancing or depreciating, and other things necessary to be known by the commission to determine the hazard of the loan. This appraisement shall be made in secret and under oath and filed with the postmaster. Upon receipt of the two appraisements the postmaster, together with the chairmen of the two committees, shall open the two appraisements and shall revise and make out a just and fair appraisement of the lands, and also the improvements, which shall be forwarded to the commission at Washington, together with all additional information the commission may desire. The commission at Washington, upon receipt of this appraisement, shall determine the amount, if any, of the loan to which the applicant is entitled and return to the postmaster the necessary deeds of trust to be executed by the applicant. This shall name the time for which the loan is to run and the amount, but leave blank the interest rate, because the interest is to be determined by the sale of the security. This deed of trust shall designate the chairman of the commission as trustee for the use and benefit of the United States of America. Upon receipt of this deed of trust, duly executed, the commission shall sell at private or public sale this evidence of indebtedness at par within the city of Washington or elsewhere, as in its judgment the most advantageous terms for the borrower may be procured, and at the lowest rate of interest procurable. The borrower shall pay the rate of interest for which his security is sold and at the times specified therein, and, in addition thereto, shall pay whatever per cent as an amortization fund the commission in its judgment may fix.

Section 10 provides that this amortization fund shall be a common fund; that is, it is the fund from which the interest due upon any loan, when due, shall be paid, and also from which shall be paid the principal of any maturing obligation. The object of making it a common fund is obvious. It will enable the commission at any time to pay any interest payments when due, or any loan upon its maturity, and therefore will make the security more desirable, and the interest rate the same in every State in this Union, because the lender can have no interest in the location of the lands or to whom the money he loans shall be paid. He merely files his voucher with any postmaster of the first, second, or third class, or any national bank, and the same will be cashed, and in the same manner his loan at its maturity will be paid. Thus no one will hesitate to loan money to one who applies through this system, and the failure of crops, the death of the borrower, or any other misfortune or disaster can not delay the payment of the interest or the cancellation of the loan itself at its maturity.

Section 11 provides the manner of foreclosing a mortgage when the borrower shall have failed to meet his interest payments or the payment of his obligation upon its maturity. The land shall be seized through a foreclosure procedure had in the district court for the district wherein the lands are situated. All officers of said court are made the agents of this commission, and to serve without additional pay. Any time during the pending of the suit the borrower may pay his arrears, and the suit will be dismissed, or if he fails to do so, and his lands are sold, he has one year from date of sale in which to redeem the same. The sale, under the provisions of this bill, is not a sale in the sense that the obligation shall be paid in its entirety, but only its arrears, so that the tenure of the loan upon the land for a period of years shall not be disturbed. The purchaser at said sale shall merely pay the sum in arrears, together with what costs, if any, may be accrued to this amortization fund and assume the obligations of the original borrower. Whatever in addition to this that he may bid for the land shall be paid to the holder of the equity therein.

Section 12, in my judgment, is the most important section in the bill, and one against which the most bitter opposition will be waged. In this section the Government guarantees the payment of these loans, interest and principal. In this section of the bill the Government does for rural credits what it did for commercial banking in the Federal reserve act; that is, guarantees the observance of all its contracts and the redemption of all its obligations. This will make a farmer's loan as much to be desired by the investing public as a bond of these United States, and in many respects more to be desired, because in addition to the credit of these United States he has the real estate of the borrower, which is the best security that can be offered, and in this country, where prices are constantly increasing, this security will be more valuable as the years go by. If section 12 is permitted to remain in the bill—and without it the bill should not pass—there is no reason to believe that the rate of interest which a farmer will be compelled to pay will ever be in excess of 3½ per cent. Industrial securities, such as the bonds of the Pennsylvania Railway system, are now selling at par at that rate, and the obligations of this Government have sold at par, with an interest rate below that, and, therefore, in my judgment, the maximum interest rate would not exceed this, and might be considerably lower. When farmers shall enjoy the benefits of this provision and procure capital with which to operate on long-time loans at not exceeding that rate, not only will the farmers of this country prosper, but all the people who consume the products of the farm will, to an equal extent, reap the benefits of this act.

Section 13 limits the amount of a loan to any one person to $5,000. The object sought by this limitation is to make it impossible for one to build up or maintain large landed estates under the favorable conditions provided for borrowers under the provisions of this act. Were there no limitations it would be not only possible but profitable for men taking advantage of the low rate of interest procurable under the provisions of this bill to acquire large landed estates and thereby defeat the very object of the bill, which is to enable the men who till the soil to become the owners thereof. It provides that where lands upon which a loan has been procured shall pass into the hands of some one not a bona fide farmer, under the provisions of this bill said loan shall become due and payable. If this were not true, it would be possible by use of dummies for one to acquire loans under the provisions of this act, while in fact he was not entitled thereto. It further provides that where anyone shall acquire lands on which mortgages in excess of $5,000 procured under this act rest the excess of $5,000 shall become due and payable. This is also a provision to prevent accumulation in the hands of one man large estates purchased with money secured under the advantages of the low rate of interest made possible by this bill.

The entire intention of the bill is that it shall assist farmers to become the owners of their own homes; that those who till the soil shall own it. It is as necessary to shield farmers from the greed of land speculators as from the exactions of an unjust economic system. The country rests, and must rest, for its security and preservation upon the farmers of this country, and conditions must be made possible whereby every man who farms shall own the lands he tills. When this bill shall have become a law that condition will have been created and that result will follow. Therefore this bill should receive the unqualified support of all who have at heart the interests and the desire to protect from unjust conditions that class that founded and must preserve this Government and the free institutions we enjoy.

A bill (H. R. 20841) to provide for a low rate of interest and long-time loans in aid of agriculture, and for other purposes.

Whereas experience has demonstrated that a banking system suitable and adequate for the transaction of commercial banking is unsuited and inadequate for agriculture; and

Whereas the rate of interest that prevails in commercial transactions is in excess of that agriculture can pay; and

Whereas it is desired to establish a system whereby those bona fide engaged in agriculture may obtain a loan at a low rate of interest and long-time payment; and
Whereas it is not desired to disturb local banking conditions; and
Whereas it is in the interest of agriculture and good citizenship that large landed estates be not acquired; and
Whereas those who actually reside upon the land and till the soil should be the owners thereof: Therefore

Be it enacted, etc., That the short title of this act shall be "A rural credits act."

SEC. 2. That there is hereby created in the Department of the Treasury at Washington, D. C., a commission to be known as a rural credits commission, said commission to be composed of five members appointed by the President, by and with the advice and consent of the Senate. These commissioners shall be selected from the various sections of the United States, and three of whom shall be actual bona fide farmers, who reside upon their farms and have no other occupations. Two shall be men of business affairs and recognized financial ability. The said rural credits commission shall herein be referred to as the commission. They shall elect one of their members chairman.

SEC. 3. That at first said commissioners shall be appointed for one, two, three, four, and five years, respectively, and after that their terms of office shall be for five years each unless removed by the President for cause. The salary shall be $6,000 each, payable quarterly.

SEC. 4. That the Secretary of the Treasury shall assign them rooms for the conduct of their business, and they shall have power to appoint clerks and employ assistants that may be necessary for the transaction of the business of the department.

SEC. 5. That said commission shall have power to prescribe all rules and regulations necessary for carrying into effect the provisions of this act and for the conduct of the business of the department.

SEC. 6. That all postmasters throughout the United States and Territories thereof and the District of Columbia, for the purpose of carrying this act into effect and for the proper conduct of its business, shall be the agents of the commission and perform whatever services may be required of them without pay.

SEC. 7. That the purpose of this act shall be to enable farmers to procure long-time loans at low rate of interest to purchase farms or to develop and extend their agricultural productiveness. The word "farmer" as herein used shall mean one who actually resides upon his farm and is engaged in the business of farming, and the benefits of this bill shall be applicable to farmers residing in any State or Territory of the United States of America or the District of Columbia. The loans herein contemplated shall run in series of 5, 10, 15, 20, 25, and 30 years, at the option of the borrower, interest to be payable annually. The terms of such loan shall provide that at any interest-paying date beyond five years the borrower shall have the option to pay the principal, or to make payment of $100, or any multiple thereof, and upon such payment being made the interest on the amount so paid shall cease. Payment may be made at any post office or national bank. No person shall be entitled to a loan unless he actually resides upon his farm, or shall use the loan in payment of lands upon which he shall immediately fix his home. The amount of the loan shall be determined by the commission herein created, except anyone applying who is entitled to the loan shall, if he desires, receive as a loan as much as 50 per cent of the actual value of his lands and 25 per cent of the actual value of the improvements thereon, and as much more as may in the judgment of the commission be safe and prudent to extend him.

SEC. 8. That all securities or deeds of trust executed by anyone to secure a loan hereunder shall be made payable to the chairman of the commission as the trustee for the United States of America. Said instrument shall recite the amount of the loan and date of maturity, but shall not name the rate of interest to be paid thereon. Said instrument must be executed by the borrower according to forms of the State or Territory in which the lands are situated and in conformity with the rules and regulations prescribed by the commission. In addition to executing the said instrument herein referred to the borrower shall execute notes with coupons attached for interest periods named in said deed of trust and in the form that may be prescribed by the commission. These coupons are redeemable or payable at any national bank or any post office of the first, second, or third class. These notes, securities, coupons, and obligations and funds shall not be subject to taxation, municipal, State, or national. The title to said lands shall be shown by a suitable abstract, which shall be forwarded with the application for the loan, except in those States where the Torrens system may prevail, and in those States the certificate of the State shall be sufficient evidence of title. There shall be proper officers appointed for the examination of titles, for which services no fee shall be charged.

SEC. 9. That a farmer desiring to avail himself of the provisions of this act shall file with the local postmaster a written application under oath, setting forth the security he has to offer, the amount of the loan he desires, and the purposes for which he desires it, and such other facts as may be required by the commission. Whereupon the postmaster shall appoint two committees, consisting of three members each; the first named of each shall act as chairman of his committee. The first committee shall consist of three farmers residing in the immediate vicinity of the farm upon which the loan is desired, and who shall be familiar with its value, and they shall make an appraisement of the value of the lands and the improvements thereon separately. Said appraisements shall be under oath and secret, and shall be filed with the postmaster appointing said committee. The second committee shall consist of three men of affairs who are familiar with the land and improvements upon which the loan is sought and with the general conditions in that vicinity, as to whether values of real estate are advancing or declining, and whether the applicant is a progressive farmer or otherwise. They shall likewise appraise the farm and improvements and give whatever other information may be necessary to determine the hazard of the loan. These appraisements shall likewise be secret and made under oath and filed with the postmaster appointing said committees. When these appraisements are received by the postmaster, the postmaster and the chairmen of the two committees shall proceed to open the appraisements and to make therefrom a just and accurate appraisement of the property, both lands and improvements, and transmit the same to the chairman of the said commission at Washington, together with whatever other information may be necessary with reference to the applicant in the loan sought, to enable the commission to determine the amount to be loaned, if any. When the application is received and approved by the said commission, it shall cause to be forwarded to the postmaster from whom it was received the necessary notes and instruments to be executed by the borrower, who shall execute them in the manner prescribed by the commission and return to said commission. Thereupon said notes and instruments for the loan shall be sold in the open market for par at the lowest rate of interest procurable. The proceeds of said sale shall be transmitted to the borrower. The borrower shall not only pay the rate of interest agreed upon in said sale, but shall pay whatever per cent may be necessary for the amortization of said loan at maturity thereof. The per cent for amortization shall be fixed by the commission.

SEC. 10. That the moneys paid in under amortization herein provided for shall be a trust fund available for the payment of any interest or principal that may be due and unpaid on any loan made under the provisions of this act, and shall be deposited in the Treasury of the United States or put out at interest, as may be determined by said commission.

SEC. 11. That if any borrower shall make default in the payment of principal or interest under the provisions of his loan, then, under such rules and regulations as the commission may prescribe, his lands shall be seized and sold subject to the terms of the loan, and for the purpose of said seizure and sale suit may be brought in the name of the commission, and all district attorneys are hereby authorized and commanded to prosecute said suits without fee. Said suits shall be in the United States district court for the district in which the lands are situated. From the proceeds of said sale all costs shall be first paid, and accrued interest and principal, if due, and the residue, if any, shall be paid to the borrower. Real estate sold under the provisions of this act may be redeemed from said sale by anyone holding the equity therein within one year from the date of sale.

SEC. 12. That the United States of America shall guarantee the payment of all interest and principal of loans procured under the provisions of this act.

SEC. 13. That no loan shall be in excess of $5,000. If the premises mortgaged under the provisions of this act shall pass into the ownership of anyone who is not a bona fide farmer, the indebtedness shall at once become due and payable. If anyone shall acquire lands upon which there is a loan under the provisions of this act in excess of $5,000, the excess of $5,000 shall at once become due and payable.

SEC. 14. That this act shall be in force from and after its passage.

The remarks of H. S. Mobley are as follows:

In my argument before your committee at various times I have outlined the idea which we farmers have of the reasons why a rural-credit system separate from the commercial banking system is necessary. I do not suppose it is necessary for me to go into that at this time. The plan which we propose for rural credits is different from anything which has been presented to the committee; that is, that I have knowledge of.

One objection to all the plans which have been presented to you is that they propose, in some measure at least, that the source of the credit to be extended to the farmer is to be derived from money which is payable on demand. Not one of them, so far as I am aware, proposes to bring, in an available way, in reach of the borrowing farmer real investment money. Another general objection to these plans is that, almost without exception, they would bind the farmer to the necessity of paying for his investment loans the rate of commercial interest prevailing in the State where the borrower resides. And, gentlemen, these two things are fundamentally wrong, and we are prepared to say that a rural-credit plan providing for long-time loans, whose source is demand capital and charging commercial interest, instead of being a help to the farmer, would be a detriment; and if this is the only kind of rural credits which your committee or the Congress and Senate of the United States will enact on behalf of the farmer, we believe it would be better to drop the whole matter and leave things as they are.

Our plan, in the concrete, is about as follows:

Any actual farmer to be permitted to approach some officer of the Federal Government in his immediate locality—possibly the postmaster—and on prepared blanks make application for a loan on his land for either part payment on his farm or to discharge a previous lien, the Federal officer to have authority to appoint two sets of appraisers, of three men each, each set to operate independently of the other and to be appointed by the Federal officer at separate times, so that one set of appraisers will not be officially in existence at the time the other set makes its appraisement; no member of the two sets of appraisers to be related to the proposed borrower nor connected with him by business relations or otherwise; the first set to be three actual farmers who have had a personal knowledge of the land offered as security and the one asking it for a period of five years, they to make their appraisement of the value of the property and to reveal nothing to anyone concerning the result of their finding, but to make a sworn report in writing and file it, sealed, with the local Federal officer; after their report, this officer to appoint another set of appraisers, who are to be men of affairs in the business relations of the community, they to make an appraisement according to their judgment and report to the Federal officer in like manner; the Federal officer then to call in the chairmen of the two appraising committees, and they three to open the sealed reports of the two committees and make a final appraisement and recommendation for the loan on the property.

There to be established in the Treasury at Washington a commission of 12 men, to be known as the rural-credit commission, 7 of these men to be actual farmers who have had five years continuous experience in deriving their living from the soil immediately previous to their appointment, the other 5 men to be men of affairs in the financial life of the Nation. Their salaries and expenses to be paid by the United States Government.

The local Federal officer will report to this commission the recommendation of his appraising committees, and this Federal commission, if it be satisfied that the recommendation is for a reasonable and secure loan on the property, to cause to be filled out a form of mortgage, which shall be returned to the local officer for acceptance and signature by the borrowing farmer. This mortgage to be then returned to the Federal commission. When the commission shall have accumulated a sufficient number of these mortgages, they to offer them for sale, with the guaranty of the Government behind them, at par or face value, and at the least rate of interest for which they will be accepted by the investing public.

When such mortgages are sold the sums derived from their sale to be forwarded to the local Federal officer or officers and paid over on receipt to the borrowing farmer or farmers, and the date upon which the borrower receipts for the money shall be the date from which the mortgage is to begin, and the rate of interest at which the Federal commission has sold the mortgage shall be the rate of interest on the mortgage. The commission to collect, in addition, at each interest period, a percentage for amortization; and in addition to this, the commission to collect annually from each borrower a sum of not to exceed one-tenth of 1 per cent, which is to be held in the United States Treasury as a guaranty against loss on the part of the Government for its guaranty of these mortgages.

I am aware that here the objection will be raised that the Government should not guarantee these mortgages; that it is unprecedented, etc.; but if you will consider that these loans would be made at not to exceed 50 per cent of the value of the property, that each year a certain per cent of the face value of the mortgage will be paid by the borrower, and that in addition there will be collected from all the borrowers in the United States a sum of money each year which at the end of a 35-year period, at one-tenth of 1 per cent, will amount to a 3½ per cent guaranty deposit in the Treasury, it will be seen that *there can be no* possible risk to the Government in guaranteeing these mortgages. I believe I will ask you to consider this a little more fully. The Government will have as a guaranty two dollars for one in property value; it will also have the appreciated value of the property from year to year (and no one can doubt that most farm lands will constantly appreciate from year to year); it will also have the amortization paid by the borrower reducing the face value of the mortgage, and, in addition, this 3½ per cent at the end of a 35-year period.

If this system of appraisement and security does not constitute an absolutely safe business deal, it is impossible for us to conceive of one.

Now, gentlemen, we have presented the outline of our plan, and desire to make some further explanations and arguments in behalf of it. The kernel of the whole matter of rural credits for investment is that the loans must be for a long time and the source of these loans be investment and not demand capital. All investment loans for agriculture should carry the amortization feature, and the most necessary feature of the whole is that they should bear a rate of interest considerably below the commercial rate.

Now, as I have said, I have not found among any of the plans any that proposed rural credits in line with this idea. Gentlemen, agriculture can not pay commercial rates of interest nor prosper under short-time loans, nor long-time loans derived from demand capital. As evidence of this last, banks do not, as a rule, seek to lend the permitted 20 per cent of their capital on long-time loans. The plan which we here propose meets all the demands above set forth.

This plan does not bring the necessarily low interest of agricultural loans into competition locally through neighborhood cooperations with the commercial interest charged by the local banks. This should be gravely considered by you.

Strong emphasis is laid in most of the plans proposed before you on some form of local cooperation among farmers of a financial nature before they can secure any form of rural credits. If local cooperative banks are to be our only source of farm loans, they must compete with local commercial banks, not only as regards the rate of interest but also with regard to the use of local capital. Therefore these cooperative banks of a local nature, being more or less in competition with local commercial banks for local capital, would have a tendency not to lower but to actually raise the local rate of interest. And this further result would follow that the higher rate of commercial rate of interest would attract the local money supply, and would not only serve to raise interest locally on all classes of loans but also would attract local capital more to commercial loans by reason of an increased interest which could be paid by money used for commercial purposes in that locality.

And, again, local cooperation by farmers in order to obtain investment loans is not wanted by the American farmers any more than by American merchants. There is no more reason for the American farmer being compelled to cooperate with his fellow farmers in order to obtain a loan of investment nature on land of known value than there is for cooperation among merchants to obtain loans of a commercial nature on their property of known value or on their credit.

This cooperative feature would tend to destroy the incentive for the individual to build up his own credit according to the laws of credit, individual wealth, trade ability and integrity, and have a tendency to communize him. I am speaking now, of course, of land loans and not personal credit for purely agricultural productive purposes.

It may seem strange that a nation-wide organization purporting to teach and practice cooperation should object to a cooperative system of rural credits. But this is only apparent. Those among us who have studied cooperation realize that, broadly speaking and as applied to agricultural efforts, according to American ideals, it is to be divided into two kinds—one may be called productive cooperation and the other distributive. Now, productive cooperation may not necessarily be communism, but it is at least communistic and tends toward communism. The organization which I have the honor to represent before you has in no way any inclination to enter into productive cooperation, but confines its efforts solely to the advancement of the idea of a distributive cooperation among its fellows. It presumes that the individuals composing its membership will be able to provide their own homes, tools, land, or, that is to say, their own investments, according to the capacity of the individual, and that the individual will use his own judgment as regards his investments and his production. After he has produced a commodity of a kind, the farmers' union undertakes to teach him to cooperate to find a market; but even in that cooperation the individualistic idea is steadfastly maintained so that the individual among us producing the less number or amount of commodities or inferior commodities can not derive any benefit through his cooperation with his fellow cooperators, who have been able to produce a greater amount of marketable commodities of a better grade. In other words, we are purely an American farmers' cooperative organization and scarcely at all tinged with the idea of productive or communistic cooperation, which can not but tend to bring about a leveling of individualistic character among its membership; but, as I have intimated, we strive constantly through our cooperative ideas of a distributive nature to bring out and develop the very best in each individual among us by a competitive system of cooperation. Therefore, we are opposed to cooperative land banks or cooperation of any nature that tends even to transplant to American soil the peasantizing and communistic farm cooperation ideas and practices of the European countries.

Our plan for rural credits places the individual on his own resources for a loan on his own property without involving either the limited or unlimited liability of his neighbors. But there is in this plan a cooperation which is American in its nature; it is not local, but is Nation wide. Each borrower pays a small assessment to the Federal commission as a guaranty for every other borrower, and after all our plan is cooperative, but does not affect the individual nor his personal ability to obtain a loan perceptibly. And, involving as it does all the borrowers in a national liability, constitutes in our plan a far better security for a loan than could possibly be had under any system of local cooperation where only a few men relatively stand liable or as security for loans in a locality. The whole guaranty fund distributed among all the borrowers in the Nation assembled at one point as guaranty for all loans would certainly be better security than any local cooperative plan could offer. This plan certainly would act to stabilize all the loans, whereas under local cooperation some loans would be amply secured and some possibly would not, which would tend to depreciate the value of all farm loans and thereby tend to increase the rate of interest at which they could be secured.

We advocate a limit to the amount that can be borrowed by any farmer in this way. If the amount is not limited, this condition could arise: The large landholders, by reason of better business ability, could borrow more easily than the man who is perhaps not so well informed and who is occupying all of his time in a struggle to support a family and pay for a home, and the result would be that while the rural-credit law would be ostensibly for the help of such home-owning farmers it would become, in effect, a real help toward extending landlordism and syndicatism in farms throughout the country, and the genuine purpose of the rural-credit law would be defeated. Also, in this connection, a rural-credit law which does not actually provide for a rate of interest below the commercial rate would aid to this end, since the more competent men of larger means and greater ability in handling money could necessarily make greater profits and could, therefore, pay a higher rate of interest.

As I have intimated, our plan preserves:

First. The individuality of the borrowing farmer and does not tend in any way to communize him.

Second. Is cooperative at last, but not directly in a communistic or joint-liable sense.

Third. Its guaranty is distributed over so wide a field as to be not burdensome on any borrower.

Fourth. Its security or guaranty is better, as I have intimated, than any local guaranty of a cooperative nature could possibly be.

Fifth. The system of appraisement can not but arrive at a secure valuation and eliminate all reasonable doubts as to the value of the property as security for the loan.

Sixth. The Federal commission, composed as it is of actual farmers and business men, can act as a safeguard to farmers in other matters of a national nature pertaining to agriculture, somewhat after the plan of the German Landwitshaft-rat.

Seventh. This plan insures a low rate of interest on agricultural loans by using the Government to bring the owner of investment money and the small borrowing farmer together without the intermediary of any profit-taking form of business whatever. The big point in this is that the small borrower could reach the investor of long-time money with perfect ease, whereas no plan which I have heretofore heard proposed offers to do this nor to provide a real method for lowering interest on agricultural loans.

Eighth. This plan of obtaining money at low interest would not affect the local commercial rate of interest in any way.

Ninth. Does not admit of the possibility of loss to the Government that all other plans I have heard proposed seemed to.

Tenth. Does not use any demand money for long-time loans.

Eleventh. Would relieve local banks of their present necessity of striving to carry the long-time loans of their communities on demand money.

Twelfth. But would permit local banks to use all their capital for commercial or personal credit or for productive loans, thus going a long way toward providing a means for personal credits in the community where much money was borrowed by the farmers for investment.

Thirteenth. The money loaned as we have outlined on farms in any community would largely find its way into local banks of that community, and thus increase their resources for commercial and personal credit uses.

Fourteenth. A large factor in this plan is that it gives efficient aid, as I have said, to the small borrower to reach the investor of long-time money and borrow for a low interest.

In conclusion I wish to say that the theory of all law, as I understand it, is that every man is equal before the law, both as to its opportunities and to its restrictions; that an opportunity offered by a legal enactment may seem to be fair and open to all, but this fact is true, that wherever the law offers men opportunities those men of best business ability and resources are the ones who profit most and necessarily the great masses of less resourceful men profit less.

American farmers have as much ability as any other class of our people, but our ability is not usually what is termed business ability. Our occupation consumes our interests and ability in other directions than those of a strictly commercial business nature. Therefore, when we are left to compete with commercial business of better business resources and ability than ourselves, we always stand to fail to get our share of the opportunities, which, in theory, we should share equally with others, because the other classes are better trained and skilled in business than are we and can secure to themselves the benefits more readily.

Therefore we farmers here and now ask this Government to cure in this matter of rural credits this disadvantage in finances under which we labor. In substance, we ask the Government to act as our middle man and create for us this opportunity of securing credit based on investment money and to bring us in touch with the investors under such statutory legalization as will secure to us that which we are unable to secure for ourselves in competition with these more resourceful and better trained men. This, gentlemen, in substance, is our plea, and we feel that the more serious consideration you give to this subject the more benefit you will confer upon American farmers.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HINEBAUGH. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized for 10 minutes.

Mr. SLOAN. Mr. Chairman, I desire to direct my attention, first, to the statement that there are pensioners now living outside the United States numbering 5,163, and to the amendment which has been offered to continue the pensions to those only who are now and continue to be citizens of the United States.

I do not understand that our liberal pension laws were enacted as a matter of inducement or reward for anything that was to occur in the future, but they were intended as a fair

remembrance and evidence of gratitude on the part of this Government for services which had already been rendered by those who took part in the preservation of this great Government of ours. So that it matters not, it seems to me, where they live, or what their occupation may be, or what their present allegiance may be, that if they or those whom they represent upon the pension rolls did perform the service for this Government, then their obligation and contract with this Government is complete, and no penalty should be inflicted upon them because for any reason they see fit to live under another flag or in another land. [Applause.]

I call attention to the fact that of the 5,163 members on the pension roll residing outside of the United States 2,692 reside in our neighbor country Canada, 504 live in the fatherland of Germany, 415 live in the little green isle that furnished a greater percentage of fighting blood for the northern army based upon its area and its citizenship than any other part of the world outside of the United States itself. [Applause.] These three divisions contain 70 per cent of all our pensioners abroad.

There are many reasons, perhaps, why the old mother in Ireland or the old father in Germany or the dependents in Canada should be permitted to live where they are while we continue to simply carry out the contract which this Government made with them or their representatives. Nay, more, Mr. Chairman; there is a most important reason why this House should under no circumstances penalize anyone who has seen fit either to go to a foreign country or to remain in a foreign country and enjoy this pension. Since I have been a Member of Congress, which is now nearly four years, there has been a definite policy followed by this House which was expressed most tersely in the Underwood tariff bill report, where it was said:

> The future growth of our great industries lies beyond the seas.

And if that is true, it is the strongest kind of an invitation to the people of this country, if they want to better their condition, to go beyond the seas, because there the future growth of our great industries is to be.

I want to call attention to Canada. Of course, that is not beyond the salted seas, although it is beyond the unsalted ones, where they have had for years the most liberal homestead laws, and where under our present tariff laws the embargo has been taken down so that they can accept the invitation of the majority of this House and go into great agricultural Canada, live there, and produce agricultural products on cheap soil, and, with the American tariff either removed or very substantially reduced, send their products back to America for sale or consumption here. And the party in power, having so placed itself on record, pointing out the advantages of removal to foreign lands, should not inflict a penalty upon any of our patriotic sons and daughters or their grandsons and granddaughters for simply following out the invitation so legislatively made. [Applause on the Republican side.]

Now, then, I want to say further that when we were accepting these men who died and left dependents, or those men who survived to draw pensions, we did not ask in what land they were born, or what they expected to do after the war closed. Every man who offered his services to this country in its time of need was accepted for the work that he proposed to do during the war, and after that all that we have a right to exact of them, or of those who represent them is absolute equality, and that is due from us to them.

I want to say further that we should not long hereafter refrain from recognizing the widows and the orphans of our recent Spanish-American War. I want to compliment the House—and in doing that I give due credit to the majority—for its liberal action in doing what it could at this term to recognize the just claims of the widows of the Spanish-American War. I hope that before this session closes the shackles, or obstructions, or whatever you may see fit to call them, will be removed from the other Chamber, so that legitimate legislation may be enacted; and that as a part of that legitimate, much-desired, and just legislation there will be passed by that legislative body the Spanish-American widows' pension bill, already passed by this House. This should have the favorable action of that other body and the ratification of the Executive of this Government.

Beneficiaries of the Spanish-American widows' bill will be in part the wives of the young men who left their homes for Cuba or the Philippines in a great humanitarian war. These men risked their lives to disease in foreign swamp and fen as well as before foreign guns. The toll of death was not overlight, and many a young wife was left to mourn. Many more have been bereft of protection by death among those who were honorably discharged in health.

It is more than 15 years since many of these young men, returning with new and proper sentiments of responsibility, joined their lives and fortunes with sweethearts whose letters had cheered them in the long nights and on the weary marches in the far-off islands of the seas. Many of these young men have been called hence and left widows to battle with an unsympathetic world. This Government owes these women a duty. I hope it will be performed by this Congress. It will be an act of justice. It will be a proper recognition of the service of that superb army of laborers, clerks, students, farmers—classes all—which added such a rich contribution to our country's glory.

I desire further to say that I hope that within a few years—and the time is here now, though it seems progress has not been made in recognizing the widows of the Civil War soldiers where matrimony was contracted between them and the soldiers since 1890—legislation to take effect at a period following that date such as will be fair and liberal to the large body of persons so interested should be enacted. I would not favor classifying the recipients of that bounty so that fraud might be perpetrated upon this Government. But a bill could be passed and should be passed which would give the widows who contracted matrimony with soldiers between 1890 and 1900, and even later, the benefit of the widows' pension law, which is denied them at the present time. [Applause.]

Mr. Chairman, the amendment to which I have mainly addressed myself has come up for consideration at various sessions of Congress. It will come up for a vote now, and I trust that the same firm, patriotic stand will be taken by the membership of this House that has been taken heretofore, and that we shall not, because of the residence of the recipients of pensions, lose sight of the patriotism which they have displayed. [Applause.]

The CHAIRMAN (Mr. FOWLER). The time of the gentleman has expired.

Mr. HINEBAUGH. I yield 10 minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, a bill has been introduced into the Legislature of North Dakota providing that the prescriptions of all physicians shall be written in English. I presume there was a time when such a law might have been necessary. There was a time when the standards of ethics in the medical profession were not as high as they are now. Even the younger men here can remember when the doctor handed out a prescription in a mysterious way, containing the words "hydrocarbonate" and "aqua pura," meaning sugar and water. Or perhaps the prescription included the words "magnesium sulphate," which is high brow for epsom salts.

At that time we had a great many more quacks in the medical profession than we have now. I have a profound respect and admiration for the medical profession, and would not want to be understood as criticizing them. No one, however, despises a quack more than does an honest practitioner. A quack has been defined in the Century Dictionary as follows:

> One who make vain and loud protestations; one who pretends to skill or knowledge of any kind which he does not possess; an impudent and fraudulent pretender to medical skill.
>
> To tamper with dishonestly; to use fraudulently.

Well, Mr. Chairman, there are quacks outside of the medical profession. Perhaps the best illustration is found in the people who do the grading of grain, who are responsible for the grading system of the State of Minnesota.

Ten years ago I was serving in the Legislature of North Dakota. Shortly previous to that the wheat crop across the line, in Canada, was supposed to have been very seriously damaged. A snowstorm came during the early part of September, 1903, and was supposed to have done very great damage to the quality of the wheat that was raised there, to such an extent that while the wheat was being marketed those who sold it were docked 10 cents per bushel. It was called "shock frozen." Afterwards chemists examined this grain; that is to say, after the grain had gotten out of the country, the results of the experiments became known, and it was found that this frozen wheat which they had graded as No. 3 northern made more bread, and of just as good quality, as No. 1 hard. That bulletin was sent to me by a constituent, Mr. Wylie Nielson, while the legislature was in session, and as a result I introduced a bill providing that at the agricultural college there should be chemical tests made of wheat and baking tests of flour to determine the real intrinsic value of the wheats which were grown in our State.

After much opposition the bill was finally passed. The bill, which I shall not stop to read, but insert in the RECORD, if there

is no objection, made it the duty of the agricultural college, at Fargo, to make chemical tests of wheat and baking tests of flour, and to publish in bulletins the result of the tests. A copy of the bill follows:

CHAPTER 113—LAWS OF NORTH DAKOTA—1903.

(S. B. 163—George M. Young.)

An act to provide for the making of tests of wheat and flour to determine the comparative milling values of the different grades of wheat.

Be it enacted by the Legislative Assembly of the State of North Dakota: It shall be the duty of the North Dakota Government Agricultural Experiment Station to conduct experiments and determine the comparative milling values of the different grades of wheat and baking tests of the flour made therefrom. A record shall be kept and published of the different grades of wheat received and by whom graded, the name of the person from whom received, with address, the nature of the soil, previous cropping, and number of years which the land has been cropped, unless it appears that the wheat tested has been received from a dealer and consists of blended or mixed wheat, in which case the record shall so state. The result of the chemical analysis of each sample shall be kept, which shall show the total weight of the sample, total weight of flour, total weight of feed, total weight recovered and per cent of flour, also data as to the moisture and proteids in the different grades of wheat, and analysis of the flour made from the different grades of wheat, and the yield and quality of bread made from the different grades of wheat. In addition to such information it shall be the duty of the said North Dakota Government Agricultural Experiment Station to obtain, tabulate, and publish such other and further information in relation to the comparative values of the different grades of wheat and flour made therefrom as shall be of value to the wheat growers of this State.

The experiments made under this law were conducted by Dr. E. F. Ladd, one of the greatest chemists in the United States; one who has been called to Washington frequently in consultation; and in Bulletin No. 14, issued in January, 1915, the results of certain investigations made last year are set forth. It will not be possible to read this report fully, or even to give all the figures contained in the tables, but I think it is well worth while to anyone who is interested either in selling wheat or in buying bread, wherever he lives in the United States, to examine these tables. Their significance can not be appreciated from a mere reading, but a study of them will show that as a matter of fact there is not any very great difference in the milling value of wheats that are graded No. 1 northern, No. 2 northern, No. 3 northern, No. 4 northern, and rejected, although, as everybody knows, these numbers make a tremendous difference when a man has any wheat to sell. And it is of interest to every man who buys bread, or buys flour, because the middleman's profit is made excessively large by reason of this supposed difference in the actual value of the grades, as shown by the Minnesota grading system, but which does not exist, as shown by these experiments with the actual wheat itself.

I will say that at the agricultural college at Fargo they have a complete flour milling plant, from which the flour is made, and a laboratory that is very complete, in which these experiments are made.

Does the producer receive a fair price for all grades of wheat, asks Dr. Ladd.

Mr. PLATT. Will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Certainly.

Mr. PLATT. Do these experiments with regard to the bread-making value of these different wheats show the value per bushel of the different grades of wheat, or per pound, or on what are they based?

Mr. YOUNG of North Dakota. The tables are given first on the basis of bushels and then afterwards in other figures to make it easier to carry in the mind on the basis of 100 pounds.

Mr. PLATT. Does the gentleman mean to say that there is very little difference between No. 1 hard and No. 4 wheat per pound as to their value for bread making?

Mr. YOUNG of North Dakota. That is precisely what I claim, and that is precisely what is demonstrated in this bulletin.

Mr. PLATT. Do not the poorer grades of wheat contain more weeds or something else that makes them grade low? Or what is the basis?

Mr. YOUNG of North Dakota. Yes; that is an element that should be considered, and it is considered in this bulletin. Dr. Ladd, in determining the value of the wheat, attempts to show how much flour it will make and shows exactly what the by-products are and what their value is in the market and what the entire value of the wheat is on account of its content of flour, bran, shorts, and even the value of the screenings.

Mr. MURDOCK. The gentleman is quoting Prof. Ladd?

Mr. YOUNG of North Dakota. Yes; I am quoting Dr. E. F. Ladd. To show the basis of the calculation of Dr. Ladd, permit me to read a few lines from the report:

Results from five different grades of wheat have been studied, namely, Nos. 1, 2, 3, and 4 northern and rejected grades. Ten samples of each of these have been received from the crop of 1914, except No. 1 northern, of which only four samples were received, and our conclusions are based on the average of each of these 10 samples, which confirm the findings of previous years.

In other words, this bulletin confirms experiments made in former years by Dr. Ladd.

The CHAIRMAN (Mr. CLINE). The time of the gentleman has expired.

Mr. HINEBAUGH. I yield to the gentleman 10 minutes more.

Mr. YOUNG of North Dakota. Dr. Ladd continues:

A comparative study of the data presented for the several grades show that there is practically no difference in the money value for the higher as compared with the lower grades. The wheat buyer, however, will raise several objections. He will immediately call attention to the weight per bushel and the small per cent flour produced by the light-weight wheat. He might also mention the color score for the baked product. The grounds for this objection appear to be sound, and the majority of wheat buyers would make the same objections—their reasons being based upon previous experience and the requirements of grade which have been established under conditions not now existing. For this reason the rule has been generally accepted until it has become firmly established and has given us our present system for the grading of wheats.

Now, coming to his first table in which he gives certain results of the grades 1, 2, 3, and 4 northern, and rejected, which is a separate grade, I want to read a few of those results. As to the milling tests the percentage of flour in No. 1 northern is 67; No. 2, 67; No. 3, 68; No. 4, 63; and rejected, 63 per cent.

Mr. MURDOCK. That is of flour content?

Mr. YOUNG of North Dakota. Yes. Now, then, as to bran. In No. 1 northern, it is 16 per cent; No. 2 northern, 16½ per cent; No. 3 northern, 17½ per cent; No. 4 northern, 18 per cent. The figures are quoted in round numbers. Rejected, 18.64. In other words, the rejected produces more bran than No. 1 northern, and the same is also true of No. 4 northern and No. 3 northern.

Now, as to the contents of shorts. No. 1 northern, 15.32; No. 2 northern, 14.69; No. 3 northern, 14; No. 4 northern, 18.83; rejected, 17.34.

Now, as to water absorption. The bakers who buy flour always want a flour that will be capable of large absorption; that is one of the points that a buyer of flour to be made into bread and sold commercially always takes into account.

Absorption of No. 1 northern is 58.87; No. 2 northern, 56.31; No. 3 northern, 59.91; No. 4 northern, 59.22; rejected, 58.98.

You will see from these figures that the water absorption of No. 4 northern and rejected is greater than in the higher grades.

Now, as to the volume of the loaf. It will be seen by figures that I am going to read that the lower grades are superior in that respect: No. 1 northern, 2451; No. 2 northern, 2425; No. 3 northern, 2514; No. 4 northern, 2600; rejected, 2885.

It will be seen in the size of the loaf the so-called lower grades of wheat—and I put the accent on the word "so-called"—produce a larger loaf than the so-called higher grades.

Mr. MURDOCK. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. MURDOCK. In these baking tests which the gentleman is giving, does not the matter of nutriment enter into it largely; is not that an essential part of the test outside of the volume of the loaf?

Mr. YOUNG of North Dakota. That is gotten by taking into account the gluten and the proteids, and so forth. Those matters are all given consideration by Dr. Ladd.

Mr. MURDOCK. Does he find that the amount of nutriment in the low grades of wheat is perceptibly less than in the higher grades of wheat?

Mr. YOUNG of North Dakota. No; he says not. In this bulletin the results of his experiments are not given in detail, but in a former bulletin he goes into that question very thoroughly.

Mr. MURDOCK. I want to say that there is no greater mystery in the world than this mystery of bread. The Minneapolis mills take Canadian and Minnesota wheat and mix it with Kansas wheat and claim that it makes a better baking test than wheat of one variety.

Mr. YOUNG of North Dakota. Dr. Ladd would agree with them in that. This bulletin shows that by the admixture of a hard wheat with a soft wheat a better bread is produced.

Following this table further as to the color, No. 1 northern is quoted at 100; No. 2 northern, 96.04. This is as to color.

Mr. NORTON. The color of the wheat or the flour?

Mr. YOUNG of North Dakota. The color of the bread. They do not make flour from bran, and that is the only thing that a man can see with the naked eye when he looks at wheat. No. 3 northern, 94.02; No. 4 northern, 95; rejected, 94.5. There is a slight difference in these percentages, but very little, as between No. 1 northern and rejected.

But it must be borne in mind that with the bakers the lower limit of the standard as to color is 88, and all of these grades, even the rejected grades, produce flour that is considerably above 88. The rejected shows up in this test at 94.5. The bulletin gives valuable information as to the value of the mill products, giving the market quotations for bran, standard middlings, flour middlings, and screenings. Then the calculation is carried further to show the value of the wheat and mill products for the several grades. It gives the value of the flour and the bran and the shorts and the screenings, and the results of this second table, which I will put in the RECORD, show that the value per 100 pounds of No. 1 northern was $2.28; No. 2 northern, $2.27; No. 3 northern, $2.34; No. 4 northern, $2.31; rejected, $2.31½.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. PLATT. It seems to me that the gentleman has proved, if he has proved anything, that it is not worth while to grade wheat at all. Does the gentleman maintain that?

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. HINEBAUGH. Mr. Chairman, I yield the gentleman five minutes more.

Mr. YOUNG of North Dakota. Mr. Chairman, I think it would be much fairer to the farmer and very much fairer to the average flour mill that buys wheat if there was no grading of the wheat at all. That is the chief cause, it seems to me, of all this manipulation by which the middleman is getting an excessive profit.

Mr. PLATT. And the gentleman actually contends that No. 1 northern is not any better wheat than rejected wheat?

Mr. YOUNG of North Dakota. I commend the gentleman to a careful study of this bulletin prepared by Dr. Ladd, who is not only a great chemist but a man of integrity and honesty.

Mr. PLATT. If that is true, then there is no reason for giving any attention to improving the quality of wheat at all.

Mr. YOUNG of North Dakota. Certainly there is.

Mr. PLATT. That can hardly be true. I think the gentleman is proving too much.

Mr. YOUNG of North Dakota. I think it is important to always raise the best quality of wheat.

Mr. PLATT. But the gentleman says there is no difference in the quality.

Mr. YOUNG of North Dakota. If the Government grades wheat this year and next year and from year to year, the standard of value of the wheat, based upon its value for making flour and the value of its by-products, would have to be determined by the Government, and if the quality of wheat were gradually on the increase from year to year, the Government would naturally take that into account. The purpose of grading it seems to me would be to simply state what the different grades of wheat are, where there is any real difference, and it would not be to create a lot of grades to represent a lot of imaginary differences such as are now in operation in Minnesota, but just have enough grades to represent what the real differences are, so that when the flour mill buys it, or when anyone buys it, to make into flour, he will know what he is getting, and the farmer who raises it will know what he is selling.

Mr. PLATT. Is it not a fact that No. 1 hard and No. 1 northern will make more flour at a less cost than any other grade?

Mr. YOUNG of North Dakota. That is not the fact. I commend again the gentleman to a careful study of this bulletin, which clearly demonstrates that it is not a fact.

This analysis also attempts to show what it has cost the farmers in our State for the crop of 1914, because of this manipulation, and it runs into the millions. Of course, Dr. Ladd does not attempt to show what it costs as applied to the entire wheat crop of the United States. I think this is a subject to which Congress ought to give its attention, because I think it concerns every man who has a bushel of wheat to sell and every man who buys a loaf of bread. It is not a sectional question. It is not a question that is of interest only to the people of the Northwest.

Mr. KINDEL. Have you no terminals in your State which would give you a way of controlling the wheat?

Mr. YOUNG of North Dakota. We have no terminals in North Dakota. That is one of the difficulties with us. We can not reach the situation by legislation in North Dakota, because our wheat is naturally graded at the place where it is emptied into the boats or where it reaches the big mills where it is ground into flour.

Mr. Chairman, the reading of this bulletin stirs the blood. It makes one feel like arming himself with a gun when he heads toward the elevator with a load of wheat. That is not the thing to do. There is no use and no justice in shooting the local wheat buyer. He is not responsible for grades fixed by the Minnesota authorities. It is the Minnesota grading system which we must fight, and that can not be done by State laws. The North Dakota Legislature can not change such grading laws, nor can the legislatures of South Dakota, Ohio, nor New York. The State legislatures are helpless to cope with this phase of the marketing problem. So it is the plain duty of Congress to enact a national grain-grading law.

Who gets the enormous toll disclosed by the figures of Dr. Ladd's bulletin? The time allotted to me will not permit me to go into that feature of this subject. The big fact which stands out is that somewhere in the middle a large slice is appropriated and that the farmers and consumers both suffer. The farmer wants what his wheat is really worth. The flour millers, taken as a whole, without stopping to consider exceptions, want the wheat as near as may be as it leaves the farm without mixing or juggling of grades. The cost of the wheat to him is passed on to the consumer. He wants honest wheat and prefers to buy it under a grade which will mean something. In a great trade, such as this is, which might be carried on honorably and profitably by the two classes mentioned, it has been a matter of great surprise that the people of and general business interests of the great terminal centers have sided with the grain quacks as against the farmers, and that too, in spite of the fact that their very existence depends upon their general trade with the same farmers and their success is measured by the success of the farmers.

John McCutcheon told a good story a couple of years ago which at least reminds one of the Minnesota grain-grading quacks. It was about a band of highwaymen who had operated so long and so successfully that they became very bold. They plundered the people right and left and when the poor victims cried out in helpless despair the robbers uttered peal after peal of mocking laughter. (Pronounced lofter.) So powerful did the band become that they controlled by secret and sinister means the very Government itself, and thus enjoyed great prosperity. Some of the prosperity was distributed to quiet the people, but of course the robbers kept most of it themselves. When they pounced upon a hapless wayfarer the poor man would meekly yield because of his helplessness before such powerful enemies. He would raise his eyes in despair and sigh, "Let me have the sacks back." The sentiment of the people became very bitter, but what could they do? They could not express themselves except in helpless fury. But one fine day in June a determined farmer of stout heart walked down the highway toward the place where the robbers assembled, and when the latter perceived him they nearly split their sides laughing. They leaped upon him with loud shouts of merriment. They robbed him in broad daylight, so bold had they become. But to their surprise the victim, instead of submissively yielding as all the others had done, at once began to put up a mighty fight. He fought so vigorously that the robbers were quite taken aback. "What is this?" they gasped. "Who is this brash person who dares fight back?"

In the meantime the noise of the fight had attracted a great crowd of people who came rushing up and were muttering angry threats against them. "What do you think of this?" exclaimed the robbers, appealing to the crowd. "Here we were robbing and beating this person and he is setting up an awful roar. He's a poor loser. He's a poor sport. Why doesn't he take his medicine like a man instead of squealing? When a man gets robbed he ought to be a graceful loser and acknowledge that he has lost."

In other words, it is not good form to make an outcry when your substance is being taken.

There is a lesson, and perhaps a prophecy in this. The farmers have become aroused. They are alive to their interests, and they have stout, resolute hearts. They know that they are being victimized, and they know we can help them by national legislation. They are organizing. They mean business. But best of all the consumers of wheat products are waking up to the fact that they have been and are being held up. In the past the demand for a national grain-grading law, for that is our only relief, has been considered a sectional question, one of interest to a few grain-raising areas. That is far from true. It is of interest to every man, woman, and child in our great Nation. It concerns vitally every man who raises a bushel of wheat and every man who buys a loaf of bread. The poor factory worker who has difficulty in making his pay check cover the actual needs of his family, and the farmer, whose work is never done and whose problems are real and burdensome, excepting to the writer of poetry, have a like interest and should make common cause against State grain-inspection systems. They should work unitedly for a national grading law.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HINEBAUGH. I yield the gentleman one minute.

Mr. YOUNG of North Dakota. This question concerns too many people to be lightly brushed aside. It must be settled, and it must be settled mighty soon. The farmers want it settled. The consumers want it settled. It is to the real interest of the flour millers that it should be settled. Commercial organizations in terminal cities, if they have breadth of view, should look to the welfare of the farming constituency, from whom their merchants and bankers draw custom, and take a stand for them rather than for the swollen profits of a comparative few. The time is coming when the farmers and the country merchants will deal only with those cities which will practice the golden rule. The time is coming, and I hope it will arrive quickly, when the flour manufacturers will cry loudly for relief from the monopolists who thrive under State grain-inspection systems. Perhaps it is too much to hope that these commercial bodies and the flour millers will see their permanent advantage, as well as duty, of standing by the wheat producers and flour consumers. If they do not, then let the struggle go on, anyway. Let the mighty army of farmers on one side and the city consumers on the other fight for this legislation and give no quarter to those who stand between, such as commercial organizations, that ought to know better. That kind of fight should win. That kind of fight will win. [Applause.]

Mr. Chairman, I ask for permission to print Dr. Ladd's bulletin in full.

The CHAIRMAN. Is there objection? The Chair hears none.

The bulletin is as follows:

[North Dakota Agricultural Experiment Station, Agricultural College, N. Dak. Special bulletin, food department. Volume III. January, 1915. No. 14. E. F. Ladd, commissioner.]

IS THE PRESENT SYSTEM OF GRADING WHEAT EQUITABLE?

[By E. F. Ladd.]

NOTE.—This article contains data gathered as the "Joint cooperative work of the experiment station and the Office of Grain Standardization of the United States Department of Agriculture."

Does the producer receive a fair price for all grades of wheat? This question has been repeatedly asked, and in comparing the different types and grades of wheat coming under observation one has been forced to take note of this question in previous years, but never before has the question been so forcibly presented as with the 1914 crop.

From the data before us it seems safe to answer the question that the present system of grading wheat is unfair and that the purchaser does not get an adequate price for the so-called lower grades of wheat. If this be true, what is the reason for such a condition? Our present system of grading wheat is one of gradual evolution; one change after another has been added; and perhaps when a change was made in the classification for grading there existed sufficient reason for making such changes. When some of these changes were made the prices for mill products, feeds, etc., were relatively low as compared with what they are to-day. Other products were scarcely utilized, but to-day conditions are changed and each product has its market value, and should be considered in the adjustment of grades.

This is not wholly a new question. Other investigators have previously considered the same point. Saunders (Canadian Exp. Farm Bulletin No. 50) and Shutt state that "millers could pay relatively higher prices for the intermediate grades of wheat"; that is, the grades between No. 1 northern and the wheat that is so badly damaged as to render it fit only for feeding purposes.

Wilson (S. D. Exp. Station Bulletin No. 90) and Skinner show results with feeding experiments on hogs with wheat that weighed 44 pounds per bushel and 57 pounds per bushel. Their conclusion is that there are but 6 cents per bushel difference in feeding value between the two; that is, in favor of the heavyweight wheat.

Harcourt[1] gives as his opinion that there is very little difference in the real value of the different grades of wheat, and similar conclusions are arrived at in his studies of the comparative values of the different grades of wheat for 1903 and 1904.

If we study the data presented by other investigators who have laid no stress on this matter, we find their figures confirm the same conclusion.

Results from five different grades of wheat have been studied, namely, Nos. 1, 2, 3, and 4 northern and rejected grades. Ten samples of each of these have been received from the crop of 1914, except No. 1 northern, of which only 4 samples were received, and our conclusions are based on the average of each of these 10 samples, which confirm the findings of previous years. A comparative study of the data presented for the several grades shows that there is practically no difference in the money value for the higher as compared with the lower grades. The wheat buyer, however, will raise several objections. He will immediately call attention to the weight per bushel and the small per cent flour produced by the light-weight wheat. He might also mention the color score for the baked product. The grounds for his objection appear to be sound, and the majority of wheat buyers would make the same objections—their reasons being based upon previous experience and the requirements of grade which have been established under conditions not now existing. For this reason the rule has been generally accepted until it has become firmly established, and has given us our present system for the grading of wheats.

The rules generally followed are those issued by the Minnesota grain inspection department, and being governed by these rules our classification has been made on the same basis, and if there is any criticism it is that possibly we have given the highest possible grade to each wheat. The weight per bushel as given before cleaning is the weight as shown by a standard chronometer as the wheat was received, and the weight after cleaning was taken when the wheat had been cleaned over separators and scoured twice before tempering. This latter weight would show at least 1 pound, on the average, more than if cleaned by the methods usually employed by inspection departments. If we consider only the question of the low per cent of flour obtained, the objection appears quite reasonable, but this is an unfair comparison, and the value of all the mill products should be taken into consideration, as has been done in the preparation of this report.

The third objection of the wheat buyer, with regard to the color score, is not as great as would seem to be on first consideration. The color score as used here is fully up to the standard for the Minneapolis patent flour as tested in the commercial laboratories. The results from all these straight flours are well within the class of the Minneapolis standard patents in color, and when we consider all the other factors shown by the baking test, the texture, volume, etc., the bread from Nos. 3, 4, and rejected wheats are found to be superior to the bread produced from the flours of the Nos. 1 and 2 northern wheats. These facts are substantiated in the data which is presented.

With the foregoing conclusions accepted, as based on actual tests, the problem then resolves itself into one of simple mathematics. The true value of the different grades, computed according to the value of the different milling products obtained from each, will furnish the desired information.

Now let us see what the findings are for the milling and baking tests for the several grades of wheat, as shown by the average for all the samples tested, 10 in each grade, except for No. 1 northern, where only 4 samples have been received this year.

Grade of wheat.	Weight per bushel.		Milling tests.					Baking tests.			
	Before cleaning.	After cleaning.	Per cent loss in cleaning.	Per cent flour.	Per cent bran.	Per cent shorts.	Per cent loss in milling.	Water absorbed, per cent.	Volume of loaf, c. c.	Color, per cent.	Texture, per cent.
No. 1 N	57.75	61.12	2.51	67.33	16.30	15.32	1.05	58.87	2,451	100	93.25
No. 2 N	55.8	59.10	3.72	67.02	16.68	14.69	1.61	56.31	2,425	96.4	93.4
No. 3 N	51.85	55.95	6.14	68.15	17.62	14.10	.13	59.91	2,514	94.2	90.45
No. 4 N	45.65	52.55	12.21	63.22	17.98	18.83	.03	59.22	2,600	95	94.7
Rejected	41.95	50.85	13.96	63.68	18.64	17.34	.34	58.98	2,685	94.5	94.7

From the data in table No. 1 it will be observed that in the baking tests the texture for Nos. 1 and 2 averages below that for the other three grades, considerably below the rejected even. In color Nos. 1 and 2 northern show somewhat better than the other three, but even here the rejected comes well above the lower limits for second patents, which is placed at 88 in the commercial laboratories. In volume of loaf the three lower grades are much superior to bread produced from Nos. 1 and 2 northern, the flour from the rejected making the largest volume.

The market prices for the various mill products are taken from the Northwestern Miller of Minneapolis, under date of December 9, 1914, where we find the following quotations:

Second patent (straight) per barrel	$5.45 to $5.85
Bran, per ton	20.25 to 21.00
Standard middlings	20.50 to 21.00
Flour middlings	26.00 to 28.00
Red Dog	30.00 to 30.50
Mill screenings	12.00 to 14.00

The average for straight flour is, therefore, $5.65 per barrel of 196 pounds, or 2.88 cents per pound.

Mill products, in our case, have not been divided into just the same classes as quoted above; but for convenience, and that our figures may be low rather than high, we take the following:

Flour, per barrel, $5.65; per pound, 2.88 cents.
Bran, per ton, $20; per pound, 1 cent.
Shorts, per ton, $25; per pound, 1.25 cents.
Mill screenings, per ton, $12; per pound, 0.60 cent.

Or, to state these figures in another way, the market price for 100 pounds would be as follows:

Straight flour	$2.88
Bran	1.00
Shorts	1.25
Screenings	.60

The foregoing will, therefore, serve as a basis for our conclusions.

In the same publication will be found the market quotation for eight days, the average being as follows:

	Per bushel.	Per 100 pounds.
No. 1 northern	$1.17	$1.95
No. 2 northern	1.143	1.905
No. 3 northern	1.115	1.858
No. 4 northern	1.073	1.789
Rejected	1.048	1.746

We may bring our data into a table for easier comparison, showing the value of the wheat and mill products for the several grades, as follows:

	Grades of wheat—average.				
	1 N.	2 N.	3 N.	4 N.	Rejected.
Average cost per bushel	$1.170	$1.143	$1.115	$1.073	$1.048
Cost per 100 pounds wheat	$1.950	$1.905	$1.858	$1.789	$1.746
Pounds of product per 100 pounds wheat:					
Flour	67.33	67.02	68.15	63.22	63.68
Bran	16.30	16.68	17.62	17.98	18.64
Shorts	15.32	14.69	14.10	18.83	17.34
Total recovered	98.95	98.39	99.87	100.03	99.66
Milling loss (pounds)	1.05	1.61	0.13	+0.25	0.34

[1] Annual Report Ontario A. C. and Exp. Farm No. 30, 1904, and No. 31, 1905.

	Grades of wheat—average.				
	1 N.	2 N.	3 N.	4 N.	Rejected.
Amount net from 100 pounds wheat:					
Flour	$1.9391	$1.9301	$1.9627	$1.9207	$1.8339
Bran	$0.1630	$0.1668	$0.1762	$0.1798	$0.1804
Shorts	$0.1915	$0.1836	$0.1762	$0.2353	$0.2167
Screenings	$0.01506	$0.0223	$0.0368	$0.0732	$0.0837
Total value	$2.3087	$2.3028	$2.3519	$2.3090	$2.3147
Loss or gain in milling	$0.02475	$0.0306	$0.0024	+$0.0004	$0.0059
Net returns	$2.28391	$2.2722	$2.3495	$2.3094	$2.3148

The above gives the figures for the several grades in easy form for comparison, but they may be summarized to show the amount of increase in value for each 100 pounds of wheat and the mill products therefrom, as follows:

	No. 1 northern.	No. 2 northern.	No. 3 northern.	No. 4 northern.	Rejected.
Cost per 100 pounds	$1.950	$1.905	$1.858	$1.789	$1.746
Receipts	2.28391	2.2722	2.3495	2.3094	2.3148
Increase per 100 pounds	.33391	.3672	.4915	.5204	.5688

It will be observed from the above that for each 100 pounds of wheat the returns above the original cost are as follows:

	Net receipts.
No. 1 northern	$0.33391
No. 2 northern	.3672
No. 3 northern	.4915
No. 4 northern	.5204
Rejected	.5688

The returns, therefore, for the rejected, or for Nos. 3, 4, and rejected, are considerably better than the returns for grades Nos. 1 and 2 of hard spring wheats.

We assume that the average profit on the grades for hard spring wheat, Nos. 1 and 2 northern, is enough to cover the charges of manufacture and the profit for the manufacturer, because grade No. 2 northern is generally accepted on contract.

On the same page of the same journal is to be found the quotations of receipts by car lots at Minneapolis for the several grades of wheat for the week ending Saturday. The receipts by cars were as follows:

Grade.	Cars received.				Per cent of different grades received for week ending—			
	Dec. 5.	Nov. 28.	Dec. 6, 1913.	Dec. 7, 1912.	Dec. 5.	Nov. 28.	Dec. 6, 1913.	Dec. 7, 1912.
No. 1 northern	506	381	801	1,424	24.57	20.78	65.90	46.75
No. 2 northern	480	448	292	1,251	23.30	24.40	24.05	41.07
No. 3 northern	587	564	105	279	28.49	30.70	8.65	9.16
No. 4 northern	417	360	.....	.....	20.25	19.60	.....	.....
Rejected	70	83	17	92	3.39	4.52	1.40	3.02
Total cars	2,060	1,836	1,215	3,046	100	100	100	100

If we assume that each car contained on an average 1,000 bushels, then the following table shows the number of bushels of wheat, price per bushel, and the amount that will be paid for the several grades for the week ending December 5, 1914.

	Number of bushels.	Price per bushel.	Amount paid.
No. 1 northern	506,000	$1.17	$592,020.00
No. 2 northern	480,000	1.143	548,640.00
No. 3 northern	587,000	1.115	654,505.00
No. 4 northern	417,000	1.073	447,441.00
Rejected	70,000	1.048	73,360.00
Total	2,060,000	.....	2,315,966.00

The following table shows the amount that would have been received for the products manufactured from each of these grades of wheat, excluding the screenings, together with the profit thereon:

	Amount per bushel.	Amount received.	Per cent profit.
No. 1 northern	$1.3613	$688,817.80	16.27
No. 2 northern	1.3499	647,952.00	18.01
No. 3 northern	1.3876	814,521.20	24.44
No. 4 northern	1.3417	559,488.90	25.04
Rejected	1.3386	93,702.00	27.73
Total	.....	2,804,481.90	.....

As showing what would be received for the same wheat, and the profit thereon, including the screenings which now have a market value, we present the following summary for the same samples:

	Amount per bushel.	Amount received.	Per cent profit.
No. 1 northern	$1.3703	$693,371.80	17.12
No. 2 northern	1.3633	654,284.00	19.27
No. 3 northern	1.4097	827,493.90	26.43
No. 4 northern	1.3856	577,795.20	29.13
Rejected	1.3789	96,523.00	31.47
Total	.....	2,849,567.90	.....

The average profit therefore for grades Nos. 1 and 2 northern, excluding the screenings, would be 17.14 per cent. If we include the screenings, then the profit on Nos. 1 and 2 northern would be 18.19 per cent, whereas the profit on the other grades ranges from 26.43 per cent to 31.47 per cent. The loss therefore to the farmer on this basis would be, without the screenings, $91,459.33, or, including the screenings, $136,645.33—this on the report for a single week in one market. The range for other quotations for the several weeks is even far greater than indicated above.

In the same manner we might take the figures for each of the weeks and show the loss to the producer by the present method of grading wheat. If we assume that the crop, in round figures, would amount to 81,500,000, and that the entire crop would grade as shown from the calculated results of the data herewith given, we should have as follows:

	Per cent.
No. 1 northern	24.57
No. 2 northern	23.30
No. 3 northern	28.49
No. 4 northern	20.25
Rejected	3.39

Calculating in the same manner as in the preceding tables, and we have as the value for the 1914 crop, assuming the same per cents, as follows:

	Number of bushels.	Price paid.	Amount paid.
No. 1 northern	20,024,550	$1.17	$23,428,723.50
No. 2 northern	18,989,500	1.143	21,704,998.50
No. 3 northern	23,219,350	1.115	25,998,575.25
No. 4 northern	16,503,750	1.073	17,708,523.75
Rejected	2,762,850	1.048	2,894,466.80
Total	81,500,000	.....	91,735,287.80

In the same manner the amount received for the wheat without screenings and with screenings is shown as follows:

	Without screenings.	Including screenings.
No. 1 northern	$27,253,412.55	$27,439,640.86
No. 2 northern	25,633,926.05	25,880,385.35
No. 3 northern	32,219,170.06	32,732,317.69
No. 4 northern	22,143,081.37	22,867,326.00
Rejected	3,697,751.01	3,837,732.36
Total	110,947,341.04	112,765,262.27

The amount of profit in milling grades Nos. 1 and 2 northern was 17.18 per cent. On the basis as above given, therefore, Nos. 3, 4, and rejected wheat should have netted the producer, excluding the screenings, an additional $3,453,477; or, including the screenings, the additional value for these lower grades above that which was received for the same would be $5,271,398.23. If our figures are correct—and they are based on actual experiments and bear out the claims made by the other investigators already referred to—then the present system of grading wheat would appear to be antiquated; perhaps adequate for a time when mill products sold at from $8 to $10 per ton and the weight per bushel as now graded was first established. The advance in price of mill feed since that time has made no difference in the weight per bushel regarding grade of wheat. Consequently at the present time the method employed in grading and buying wheat does not seem to be as equitable as it was before there were any grades and wheat was just wheat, without any classification.

A large amount of additional data bearing on these questions will be found in part 3 of the twenty-third annual report of the food commissioner for 1912, page 391, tables 43 and 44, where there is shown the average grades for a period of four years.

In the milling of light-weight wheat, of course, there would, in the mills that are short on bolting surface, be reduced somewhat the capacity and a slight allowance might there be required. For the average mill, however, the difference would be very little, and, on the whole, would not amount to 1 per cent of the total cost of raw material. Even admitting that this would amount to as much as 1 per cent, we would still have a balance of $3,000,000 in favor of the light-weight wheat, and, if we consider the screenings, of over $5,000,000. The producer of wheat might well look to a saving of some of this enormous sum not only in the lower grades of wheat but for the screenings, and then to this would be added, were we to carefully consider the question, the cost of transportation from the farm to the terminal market; also, if the feed is to be used upon the farm, the item of freight charges back from the terminal market to the farm.

In this report our purpose has been to present the summarized data with regard to the relative value for the several grades of wheat as found in our experimental work, and to point out apparent discrepancies

in the present system of wheat grading. It should also be borne in mind that the commercial mill is able to so blend different types and grades of wheat as to get more favorable end results than could be had in the milling of individual samples of wheat—that is, a rather starchy, soft spring wheat, grading No. 1 northern, would be improved by blending No. 4 and rejected grades of high gluten and large loaf volume, and the quality of all made better thereby.

There are many other problems in connection with wheat studies that need investigation, but lack of funds has prevented our enlarging the scope of work undertaken.

Again, it would be desirable to cooperate with the small mills of North Dakota in a way that might furnish them information with regard to the better utilization of the different grades of wheat produced in the State, thus encouraging the development of the milling industry within the State.

I am indebted to Mr. Sanderson, the miller, for the data gathered and presented in the foregoing article.

VELVET CHAFF AND DURUM WHEATS.

On several occasions we have pointed out the merits of Velvet Chaff and durum wheats as grown in North Dakota. In the past there has been considerable discrimination against these wheats, at times as much as 27 cents per bushel, some of which was due to a lack of knowledge as to how to handle durum in order to secure the best results in milling the same. The fact also that durum has come to be in demand for the manufacture of macaroni and semolina products has insured a better market for the better grades of durum wheats.

It is interesting to note that under date of December 25 the Sharon Reporter quotes the local price for the several wheats on the Sharon market as follows:

No. 1 northern	$1.12
No. 2 northern	1.09
No. 3 northern	1.06
Velvet Chaff	1.12
No. 1 macaroni (durum)	1.28

It is interesting to note that Velvet Chaff, in this quotation, stands the same as No. 1 northern and that Macaroni tops the prices.

At about the same date Minneapolis quoted the price of durum wheat for exportation at $1.45 per bushel.

We are just beginning to realize the real value of the durum wheat, and more and more as we understand its properties or come to manufacture in this country the various high-grade macaroni products we shall find the demand for this class of wheat growing, and North Dakota should be able, from the character of its soil and climate, to produce a superior product.

Even though the local quotation is the same for Velvet Chaff as for No. 1 northern, nevertheless Velvet Chaff wheat is at times still being discriminated against at the terminals. The time will come, however, in the near future, in my judgment, when we shall realize the full value of Velvet Chaff wheat as a crop for the farmer and for flour production.

MESSAGE FROM THE SENATE.

The committee informally arose; and Mr. Carr, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River; and

H. R. 17765. An act to regulate details of majors in the Ordnance Department.

The message also announced that the Vice President had appointed Mr. PAGE and Mr. LANE members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Navy Department.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. HINEBAUGH. Mr. Chairman, I yield half a minute to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on a bill that I have pending on the woman suffrage question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NORTON. Mr. Chairman, it seems to me that there is such a large number of Democrats on the other side, nine in all, that I shall have to raise the point of no quorum. Of course, I realize that a great many of them are going out on the 4th of March in any event——

The CHAIRMAN. Does the gentleman from North Dakota make the point of no quorum?

Mr. NORTON. No; I will not make the point at this time.

Mr. BARTLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, before I begin I want to ask unanimous consent to make extensions of my remarks in the RECORD?

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HOBSON. Mr. Chairman, I desire to use the brief time available to discuss our foreign relations, and particularly our relations with the Far East. At this juncture our foreign relations are perhaps in a more critical condition than they have been for many decades, possibly for more than a century. The importance of those relations is not confined to Europe, the chief theater of war. The most important and critical situation of all is the one in the Far East, as it has developed in the course of this war.

Space is annihilated. The nations of the world must find a way to live together as neighbors. The immediate result of the annihilation of space in the era of militarism has been a rush to arms in five countries. Out of the great war the nations will adjust themselves and find a way by which they can live peaceably as close neighbors.

What applies to nations of the same race, as found close together in Europe, will apply to the great races of the world, and especially to the great yellow race and the great white race. These two great races must find a way by which they can live together peaceably, in harmony with each other and with the world.

China embodies the bulk of the yellow race. In fact, in the Chinese Republic now live approximately one-third of the whole human race. China is the Republic of the yellow race. America is the Republic of the white race. Those two nations have already established between themselves a condition of peculiar friendship and amity. America has interested itself in the welfare of China for various reasons. I will not go over in detail the various disinterested steps that our country has taken which have drawn close the ties that bind us to the great Chinese people. The relations of China to America and to the world are threatened by a violent change of status following the capture by Japan of the German possession or leasehold of Kiaochau and its port of Tsingtau.

Mr. MURDOCK. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. MURDOCK. The gentleman speaks of the annihilation of space with relation to the races. Why does not Japan as the ally of England take part with their land forces in the present European war if space has been annihilated?

Mr. HOBSON. Well, I do not think it is a question of space which keeps her from taking part, because there are troops taking part in the European war that have come from longer distances than would be required for the Japanese troops.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. HOBSON. I yield.

Mr. GOODWIN of Arkansas. As I understand, the alliance between England and Japan is that Japan is not supposed to take any stock in the war only as an adversary of Great Britain might affect Japan in the Far East. In other words, Japanese belligerency is confined to the Occident, and Japan is under no obligation to take stock in the war in Europe.

Mr. HOBSON. Well, my understanding is that the articles of alliance which were made public prescribe military cooperation in the regions of the Far East, but I understand Japan has announced her readiness to send troops to Europe under the obligations of the treaty. Now, this change of status in China by the substitution of Japan for Germany has suddenly opened up the whole far eastern question in a form to affect the very life of the Republic of China, and involves the relations of America to China, and ultimately the relations of the white race and the yellow race.

In 1899 and in 1900 the United States entered into negotiations and exchanged notes with the various nations of the world with a view to coming to a common ground in their attitude toward China. The object was clearly stated by Secretary Hay in a communication to the Chinese Government dated July 3, 1900, as follows:

The policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all ports of the Chinese Empire.

Our Government's efforts were crowned with peculiar success. Definite written agreements were entered into with all the great nations to maintain the open-door policy in China and to respect the integrity and sovereignty of that Empire, it being then an Empire. I will not recite the correspondence here, but for purposes of reference I will put it in my remarks as an extension. The first Government to confirm those articles was Great Britain, then France, Russia was next, and then came Japan, followed by Italy, then Germany. All agreed with our Secretary of State in his attitude and his recommendations. In the case of Japan it is a peculiarly happy note of confirmation, and substantially to this effect:

Viscount Aoki to Mr. Buck: I have the happy duty of assuring your excellency that the Imperial Government will have no hesitation to give their assent to so just and fair a proposal of the United States, provided that all the other powers concerned shall accept the same.

When all the great nations had pledged their acceptance there was established the most unanimous part of international law thus far adopted by the civilized nations of the world, the just and humane principle or doctrine known as the open-door policy in China, which in principle has the same foundation as the other great American policy, the Monroe doctrine, based on respect for the rights of weak peoples and the establishment of equal opportunity for trade.

Mr. GOODWIN of Arkansas. From what is the gentleman reading?

Mr. HOBSON. I am quoting from treaties, conventions, international acts, protocols, and so forth, between United States and other powers, volume 1, Malloy. I will put these in my remarks as an extension.

Now, in 1908 our Government exchanged an identical note with the Government of Japan making more binding the open-door policy. This note had five provisos. It was exchanged between the two on November 30, 1908.

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.
2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.
3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.
4. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.
5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

There could be no agreement more specific, more solemn, more binding or sacred to the good faith of the two Governments.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOBSON. Could I have an extension? A good deal of time has been taken by asking me questions.

Mr. BARTLETT. I have no more time to yield.

Mr. HINEBAUGH. I yield to the gentleman five minutes. [Applause.]

Mr. HOBSON. In 1858 the treaty of amity and commerce was negotiated with China, and the first article of the treaty reads as follows:

There shall be, as there have always been, peace and friendship between the United States of America and the Ta Tsing Empire, and between their people, respectively. They shall not insult or oppress each other for any trifling cause, so as to produce an estrangement between them, and if any other nation should act unjustly or oppressively the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

The relationship of our Government to the Chinese Government as established by this article is peculiar and intimate—that of an elder brother holding himself always ready to help in time of trouble. The reliance that the Chinese Government places in us is shown in the following:

CHINESE RELIANCE ON UNITED STATES—CHINESE GOVERNMENT TO UNITED STATES MINISTER AFTER BOXER TROUBLES.

Now China, driven by the irresistible course of events, has unfortunately incurred well-nigh universal indignation. For settling the present difficulty China places special reliance in the United States. We address this message to your excellency in all sincerity and candidness, with the hope that your excellency will devise measures and take the initiative in bringing about a concert of the powers for the restoration of order and peace.

It was perfectly natural for our Government, acting under this obligation and under the obligation of section 5 of the joint note with Japan cited above, to ask for a statement of intentions when the Japanese proceeded to the siege of Kiaochow. Our Government was informed, so the papers stated, that the purpose of the Japanese Government was simply to remove Germany as an element of discord from the Far East, and that the intention was to restore Kiaochow and Tsingtau to the Chinese Government.

I will not here review in detail what has happened since the fall of Tsingtau, though I will put in my remarks as an extension various newspaper chronicles. Step by step a grave crisis has been created. The Chinese Government requested the Japanese Government, when the Germans had been removed, to withdraw her troops, abolishing the war zone, since no war further existed. The Japanese Government responded by making certain demands upon the Chinese Government—21 in number. Secrecy as to their nature was insisted upon by the Japanese Government, but it soon became known that Japan had very serious designs upon the sovereignty of China. The Chinese Government was not permitted to give out officially what these demands were, but the Japanese Government proceeded to give out official information that was incomplete, that omitted the very demands that struck at the integrity and sovereignty of China as a whole, such as the demand that the Chinese Government employ Japanese advisers for conducting administrative, financial, and military affairs, and the demand that the Chinese Government employ Japanese for policing China. The Japanese information likewise omitted demands striking at the principle of the open door, such as the demand for exclusive concessions in the Yangtze Valley and the heart of China.

Now, Mr. Chairman, in order to get the truth in this matter, I introduced a resolution on the 10th day of February, in line with the treaty obligation our country owes China, as pointed out here, and carrying out the spirit of section 5 of our specific agreement with Japan to discuss such questions together. The resolution called on the State Department to supply Congress with the correspondence and the facts and the information relating to these demands that are reported to have been made on the Chinese Government.

Mr. MURDOCK. Was that resolution privileged?

Mr. HOBSON. The resolution is privileged. I requested the Foreign Affairs Committee of the House to give me a hearing and to act upon this within the seven-day limit prescribed by the rules of the House. My impression was that the chairman of that committee at first was very amiably inclined to grant my reasonable request for a hearing and to take the action within the appointed time. I am informed that afterwards he conferred with the State Department and at its instance decided to ignore the regular procedure and to deny my request for a hearing and to cover up the whole question as far as practicable.

Now, Mr. Chairman, I have undertaken at various times on the floor of this House to speak about conditions in the Far East. Mr. Chairman, the hiding of the truth can serve no good purpose, particularly in a republic. The people are entitled to know the truth about this question. If the demands in question are just and do not conflict with the principle of the open-door policy and do not seriously affect the status quo, then there can be no objection to this information being made public. If my demand is unjust and would invade the rights of American citizens in violating the principle of the open door and threatening the sovereignty of China, then not only our Government but our people are entitled as a right to the truth and the whole truth. The future course of China, the future course of the world, may depend upon America's doing her full duty in this crisis. A definite expression of our position would tend to relieve the situation and might avert action by them that could only lead ultimately to war. I have therefore to-day introduced a second resolution, citing our peculiar responsibility for the existence of the open-door policy in the Far East, and stating that we would view with disfavor the overthrow by any nation of the status quo during the period of the war that is distracting so many of the nations we prevailed upon to establish the open door, and stating in simple terms our adherence to the principle of the open-door policy in the Far East and that we would view with grave concern, as an unfriendly act, any offensive movement striking at the integrity and sovereignty of China.

Further on, under the five-minute rule, I will add to my remarks.

[Mr. HOBSON'S address under the five-minute rule is as follows:]

Mr. HOBSON. Mr. Chairman, I move to strike out the last word, in order to pursue further the question of foreign relations and the crisis in the Far East.

I lived in China for about a year and a half. On an average more than 1,000 Chinese worked for me during that period. We were rebuilding Spanish gunboats sunk at Manila and brought over to China to be reconstructed. This residence in China and close contact with its people led me to gain an intimate knowledge of Chinese character. I was very deeply impressed and returned with a profound and even affectionate regard for China and things Chinese. All my observations and investigations have lead me to conclude with Secretary John Hay "that the key to the world's politics for the next five centuries is China." My colleagues can imagine the solicitude I felt in reading the following extract from an article by Count Okuma, prime minister of Japan, which forecasts the ruling of China by Japan:

We must be careful to keep this point in mind and prepare ourselves with power to meet the struggle for existence.

The people who can not meet this struggle will be crushed. Some one may say that even though a country fall, the people of the country may survive. But a race whose country has fallen, being unable to stand in the struggle for existence, is bound to be oppressed by other races and their increase stopped. If one can not earn a competence, he can not marry, and human increase will cease. In that way an unseen human slaughter is perpetuated.

Thus those who are superior will govern those who are inferior. I believe within two or three centuries the world will have a few great governing countries, and others will be governed by them, will pay homage to the mighty. In other words, about four or five great countries, each having a population of 500,000,000 and an enormous territory, will be developed, and the other countries will be attached to these great ones. For instance. England, Russia, Germany, and France may be such countries. There may be one or two other independent countries.

In that event, woe to the nations which are governed. We should from now on prepare ourselves to become a governing nation, not a nation governed.

The estimated average wage throughout the Chinese Empire is about 10 cents for a hard working man, perhaps a little less. I do not hesitate to say that if the Chinese were working in the open markets of the world, according to the world's scale, that this would increase fivefold and even tenfold. The foreign commerce of China now averages less than a dollar per capita. This would increase fivefold and tenfold, with a correspondingly tremendous increase in the purchasing capacity of that people.

Now, about one-third of the human race live in China—they have about them, where they live, the richest natural resources yet undeveloped in all the world. There is no such combination elsewhere on the face of the earth. Most of the undeveloped lands of the earth elsewhere have no industrial population ready to supply the labor for development. China has. I can not help foreseeing that the great commerce of the world, the great course of the world's civilization, is going to swing around the Pacific Ocean. As important as are the events in Europe now occurring, the great futures for our children and our children's children and the human race are to be determined around the great Pacific Ocean.

It so happens that in the fullness of time America was placed in the Far East without ever having done violence to any far-eastern country. We fell heir to the responsibilities of the Philippine Islands, and yet never committed violence against them. We have never imposed opium on China; we never seized the territory of China nor of any weak people either on the Eastern or the Western Hemisphere. We stand to-day with clean hands and pure hearts on the threshhold of this vast myriad of human beings, with all their stupendous possibilities of industrial development and capacity to enrich the world's commerce beyond the dreams of men to-day. I believe in destiny, because I believe in God. America stands innately for the principle of justice to the weak and equal opportunities between all—upon these foundations must be built the future peace of the world and the cause of civilization. In the march of world events America has become responsible for these principles in Atlantic and Pacific alike, under the Monroe doctrine in America and the open door in China.

Now, affairs in the Far East have reached a crisis. If a small military nation is to change the peaceful evolution of the great Chinese Republic, without question it will affect the generations unborn of all nations. In taking the stand I do, Mr. Chairman, I know that I am promoting the real cause of enduring peace. It is fundamental to say that when a people are just, as ours are, when they are disinterested and seek no selfish advantage anywhere, they ought not to be afraid of the truth, and where treaty rights give them a standing and duty calls, they ought not to be afraid to enunciate their adherence to the principles of right and justice, of humanity and sympathy, because some military power might not like it. It would be the greatest larceny, the greatest tragedy in the life history of the human species, for any military monarchy, through the power of the sword, against the rights of all other nations, and trampling upon the rights of the weak, to usurp the sovereignty of the Chinese Republic. [Applause.]

The American Nation is in honor bound, as well as bound by the dictates of self-interest, to prevent any such world tragedy. [Applause.]

[From the Washington Post, Wednesday, Feb. 10, 1915.]

JAPAN SCHEMES TO SEIZE ALL CHINA—REPUBLIC IS TO BE TAKEN, REGARDLESS OF UNITED STATES, HOBSON SAYS—TELLS HOUSE OF INTRIGUES—WANTS CONGRESS TO GET DEMANDS ALREADY MADE OF MIKADO—SEES TIME NOW FOR ACTION—ALABAMA REPRESENTATIVE DECLARES GRADUAL SUPPRESSION OF COUNTRY, FOR WHOSE INTEGRITY THIS NATION HAS GIVEN ITS PLEDGE, IS GOING ON BEHIND SCREEN OF EUROPEAN WAR—INTRODUCES RESOLUTION CALLING ON STATE DEPARTMENT TO FURNISH SERIES OF 21 DEMANDS MADE SINCE BOMBARDMENT OF TSINGTAU—CONTENDS JAPAN IS CAPITALIZING THE REWARD FOR HER ASSISTANCE TO ALLIES—JAPAN KNOWS OF HELPLESSNESS OF NATIONS TO PREVENT SEIZURE.

The positive assertion that Japan has laid plans to take over China by force, and that this is to be done with the silent acquiescence if not the open sanction of Great Britain and with an utter disregard for the open-door policy with respect to China prevailing among the powers, was made last night by Representative RICHMOND PEARSON HOBSON, of Alabama, who recited a series of significant international events in support of his statements.

TAKING ADVANTAGE OF WAR.

Mr. HOBSON declared it was his opinion that Japan, in starting upon this enterprise now, is taking advantage of the general calamity in Europe, and that, because of the war conditions, America stands as the only obstacle in the way of the accomplishment of the plan. Japan, according to Mr. HOBSON'S well-known views, is not greatly concerned about American opposition, being in the position rather of inviting war with this country than of avoiding it.

FORESEES DRASTIC SOVEREIGNTY.

The sovereignty which Japan would exercise over China, the Alabama student of international affairs said, will be more drastic in character than that exercised over India by Great Britain. It would not only police the country, but it would control its development and direct its educational and social advancement, if there could be such a thing under an arrangement of this character.

Mr. HOBSON talked earnestly and deliberately, making his statements with a deep conviction that he was in possession of knowledge and deductions of which the American people should be apprised for their own good and protection. Prepared or not prepared for war, it was his opinion that the United States, as the one great Nation whose hands are untied by the struggle in Europe, should not sit with hands folded and without protest while a single nation takes it upon itself to wipe out treaty obligations which are solemn pledges to keep inviolate the integrity of China.

HE INTRODUCES RESOLUTION.

During the day Mr. HOBSON introduced in the House a resolution calling upon the State Department to furnish Congress with whatever information the department has in its possession, officially or unofficially, with respect to a series of demands recently made upon the Chinese Government by Japan. There are 21 of these demands, and Mr. HOBSON is certain that if they are made public they will reveal the purposes of Japan.

The resolution follows:

"Whereas recent press dispatches have announced that 21 demands have been made upon the Chinese Government by a foreign Government: Therefore be it

"Resolved by the House of Representatives, That the Secretary of State is requested, if not incompatible with the public interests, to transmit to the House of Representatives any information in the possession of the State Department from official or unofficial sources relating to any recent demands, unusual between free Governments, that may have been made upon the Chinese Government by any other Government, and any similar information as to whether any recent demands that may have been made upon the Chinese Government by another Government, if enforced, would imperil the 'open-door' policy or the integrity and sovereignty of China."

REFERRED TO COMMITTEE.

The resolution was referred to the Committee on Foreign Affairs, before which Mr. HOBSON will appear as soon as possible in an effort to get a favorable report.

Reports to the State Department from Tokyo and Peking so far have been so meager that officials say they have been unable to determine the exact nature of Japan's demands.

Mr. Hobson last night declared that these demands constitute the most serious event of the entire war, so far as the United States is concerned, and that they are, in fact, of more significance than all the other happenings in Europe combined.

"I have noticed with great concern," said Mr. Hobson, "a series of press dispatches from Tokio foreshadowing a very serious change in the relations of China to America and all other countries. The first dispatch stated in effect that when the fighting around Kiauchau was all over and the Chinese Government pronounced that the war zone about Kiauchau had been abolished, the Japanese Government notified the Chinese Government that its proclamation was regarded by Japan as an unfriendly act.

APPEARED VERY SINGULAR.

"Since the fighting was over and no more war operations were being executed, it appeared on the face of it very singular that the cessation of the war zone reservation by China could possibly have given any just cause of complaint by Japan or any other country.

"The next dispatch announced briefly that the Japanese Government had entered into negotiations with the Chinese Government, with a view to determining the future relations between the two Governments, and also 'with a view to regulating the future development of China.' The latter part of this dispatch in its very vagueness was ominous, to say the least, as it is difficult to see how one Government can undertake to regulate the internal affairs of another free Government.

ACQUIESCENCE OF GREAT BRITAIN.

"The next dispatch announced that Japan had the support, or at least the acquiescence, of Great Britain, and that, by inference, no other nation of Europe would take exception.

"This clearly indicated that Japan is taking advantage of the occupation of the European nations, and is capitalizing the reward for her assistance to the allies, which later was a practical free hand in China, as far as the nations of Europe are concerned.

"The next dispatch announced that Japan had made 21 distinct, specific demands on China, the substance of which were being kept a secret. The next dispatch stated in effect that the Chinese Government, in spite of the menacing attitude of Japan, was opposing and resisting all attempts to encroach upon her sovereignty. The last dispatch announced that Japan has threatened to use armed forces unless China complies with her demands, these armed forces being already on the mainland of China ready for action.

CAN BE NO MISTAKE, HE SAYS.

"There can be no mistaking what this means. Japan is proceeding substantially to annex China and suppress that country's independence and sovereignty, and Japan is doing this at the point of the bayonet.

"This is in sinister contrast with the first announcement of Japan in undertaking the siege of Kiauchau to respect the integrity of China and restore Kiauchau to the Chinese Government.

"As I recall, our American Government made prompt inquiries of Japan as to her intentions in this matter and received the reply just referred to. The recent developments, which I have just cited, of course must command the most serious consideration not only from our own Government but from every patriotic citizen and every man who loves humanity and respects the rights of the weak against the encroachments of the unjust strong.

QUESTION "TANGIBLE AND OBVIOUS."

"The question is not academic. It is concrete, tangible, and obvious. America, with the other great nations, including Japan, has

entered into solemn agreement under the leadership of the late John Hay, then Secretary of State, to respect the integrity of China and to uphold the principle of the open-door policy in China, under which all would engage in commerce on an equal footing.

"In addition to this, America has a solemn treaty compact with China, assuring to us the privileges of 'the most-favored nation.' What would become of our rights and other interests if Japanese sovereignty were extended over the entire Chinese Nation can be readily seen from what became of our rights in southern Manchuria when Japan took over that territory in China.

SEES TREATY RIGHTS IN DANGER.

"The question is best put to America and Americans alone as to whether our treaty rights with China are to be practically destroyed by an outside power. It is a question of whether the open-door policy is to be destroyed forever, a question of whether America and the other nations are to have a fair and equal chance in the competition for commerce on the Pacific, or whether a military monarchy through the use of might and brute force shall be allowed to take advantage of the general calamity in Europe to overthrow the rights of all other nations, to destroy the latest and most wonderful Republic in the world, and change the lives and destinies of one-third, and that one-third the most peaceful third of the human race.

"The least that America can do at this juncture is without delay to find out what these specific 21 demands are and therefrom what are the real purposes of Japan.

"Not only is our Government entitled to this information, but Congress and the American people are entitled to it."

[From the Washington Post, Thursday, Feb. 11, 1915.]

JAPAN'S DEMANDS ON CHINA DRASTIC—BREAK ALLIANCE WITH ENGLAND, SAY BRITISH PAPERS—RELATIONS ARE STRAINED—SPECIAL RIGHTS CLAIMED BY TOKYO FROM ORIENTAL REPUBLIC—CURB FOREIGN CONCESSIONS—CHINA MUST EMPLOY JAPANESE IN HIGH OFFICIAL POSITIONS IN ARMY, POLICE, AND FINANCIAL DEPARTMENTS, ACCORDING TO ONE VERSION OF THE DEMANDS—CAN CALL ONLY UPON TOKYO TO PRESERVE HER INTEGRITY—BRITISH "SPHERE OF INFLUENCE" MENACED—VIOLENT ATTACKS MADE ON GREAT BRITAIN BY NIPPON PRESS—ENGLISH AID IN CAMPAIGN AGAINST TSINGTAU BITTERLY RESENTED.

PEKING, *February 11.*

It has been learned from high Chinese authorities that the following, although it lacks important details—for instance, the number of Japanese officials to be employed—is substantially the body of the Japanese Government's demands on China:

JAPANESE DEMANDS.

No section of China's coast or any island off the coast hereafter shall be ceded or leased to another power.

China must employ Japanese in high official positions in the army, police, and financial departments.

China may call upon Japan alone for the preservation of her integrity.

No foreigners except Japanese may be employed in the arsenals.

At least half of the arms and ammunition for China hereafter must be purchased from Japan.

Japan will establish an arsenal in China.

China must grant to Japan the same privileges as other nations for the establishment of schools, churches, hospitals, and missions, and for the purchase of the lands for them.

ENTERS BRITISH SPHERE.

In the Yangtse Valley, which the British have formerly considered their sphere of influence, Japan requires joint control with the Chinese of the Hanyang iron works, the Tayeh mines, and the Ping-Hsian collieries.

China may grant no competing concessions to other foreigners.

Railway concessions are demanded from Nanchang to Chauchaufu, from Nanchang to Kukiang, from Nanchang to Wuchang, and from Nanchang to Hangchow.

In Fukien Province, to which the Japanese lay special claim because of its proximity to the Japanese island of Formosa, the Japanese require the exclusion of other foreigners from future railway, mining, and dock building concessions, unless by Japanese consent.

DEMAND SPECIAL RIGHT.

In the Province of Shantung, besides the transfer of all the German rights, the Japanese demand special concessions, including a railway from the present line to the coast.

In inner Mongolia the exclusion of other foreigners from future mining or railway rights, except with Japan's consent, is demanded.

In Manchuria the extension of the present railway and territorial leases to 99 years is requested.

In both Mongolia and Manchuria the demand is made for the privilege of immigration and farming, as well as trading with the population, and the rights of settlement and land ownership.

All the railways demanded must be under Japanese and not Chinese control.

SEE MENACE TO ENGLAND.

The British newspapers published in the Far East suggest that Japan by her demands is breaking the alliance with Great Britain, while Japanese newspapers criticize Great Britain, in some cases violently, accusing her of having profited by the alliance and of being selfish in Japan's natural sphere.

It is stated that the relations of the allies became strained when the Japanese entered the war and the British sent 1,500 men to participate in the siege of the German fortress of Tsingtau, which some of the Japanese publications are reported to have considered not assistance, but interference.

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[From the Washington Post, Sunday, Feb. 14, 1915.]

CHINA ANSWERS JAPAN—CONTENTS OF REPLY TO TOKYO'S DEMANDS KEPT SECRET—GRAVE DANGER SEEN BY UNITED STATES—REPORTED THAT GOVERNMENT OFFICIALS BELIEVE NIPPON IS ESTABLISHING ITS RULE IN NEW TERRITORY OF YUAN SHI KAI—SENATOR HITCHCOCK DECLARES UNITED STATES SHOULD PROTEST.

PEKING, CHINA, *February 13.*

The Chinese Government yesterday delivered to the Japanese legation at Peking a written reply to the demands recently made by Japan on China.

The contents of the Chinese answer have not been divulged. It is the general belief in Peking, however, that the reply reiterates China's willingness to discuss only 12 of the 21 demands contained in the Japanese notes.

UNITED STATES OFFICIALS ANXIOUS.

NEW YORK, *February 13.*

A Washington dispatch to the American says:

"Officials at the State Department are more concerned than their official obligations will allow them to admit over the persistence of reports, even from official sources, that Japan is establishing herself dangerously and perhaps permanently in new territory in China.

"M. Reinsch, United States minister at Peking, has made several reports within the last week, dealing with the accounts of the specific demands by Japan on China.

HITCHCOCK URGES PROTEST.

"Members of the Foreign Relations Committee of the Senate feel that the pending questions between this country and the Governments of Great Britain and Germany are not more serious for the United States than the intentions of Japan toward China.

"Senator HITCHCOCK, of Nebraska, Democratic member of the committee, said to-day:

"'It looks as if Japan has seen her opportunity and intends to take advantage of it.

"'I think the United States ought to protest against any steps by Japan looking toward the acquisition of control of China, but I don't think it will accomplish anything. I would do it simply to keep the record clean.

"'Secretary Bryan has said there never will be war while he is in office, which means that no matter how great the wrong he will not do anything to right it; so, under the circumstances, our protest would have little weight.

AFTER CLOSE OF THE WAR.

"'What will happen at the close of the war? England, France, and Germany will be impoverished, while Russia will be in splendid condition owing to her vast resources, and Japan will be as well off as ever. Japan already practically controls the Pacific Ocean, certainly the Asiatic coast, and at the end of the war she will be firmly established on the mainland. Russia will be extended very greatly in the direction of Constantinople.'

"Another prominent member of the committee, a Republican, who is regarded as one of the best statesmen in the country, admitted the gravity of the situation.

"One member of the committee said he had been told by a high Japanese official that the two possible sources of friction between the United States and Japan were the latter's aspirations in Manchuria and the treatment of Japanese in California. This was an admission that Japan has her mind on acquiring a foothold on the mainland of China."

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[From the Washington Post, Monday, Feb. 15, 1915.]

JAPAN PRESSES CHINA—INSISTS ON ACCEPTANCE OF TOTAL DEMANDS MADE RECENTLY—PEKING REFUSES TO YIELD—YUAN'S MINISTER AT TOKYO TOLD THAT FULL COMPLIANCE WILL BE REQUIRED—JAPANESE CONSTRUCTING BARRACKS ALONG RAILWAY LEADING FROM TSINGTAU TO CAPITAL OF SHANTUNG.

PEKING, *February 14.*

The Chinese minister at Tokyo to-day reported to his Government that the Japanese foreign minister, Baron Takaki Kato, had declared that Japan must insist on the acceptance of the total demands recently made in the Japanese note to China. At the Chinese foreign office, however, it was said to be the intention of the Peking Government to continue in its refusal to acquiesce in the Japanese demands.

JAPAN BUILDING BARRACKS.

WEIHSIEN, SHANTUNG, CHINA, *February 14.*

Wooden barracks are being constructed by the Japanese at every railway station, except the smallest, along the line between Weihsien and Tsinan. Many of the buildings are nearing completion.

ON RAILWAY TO TSINGTAU.

Tsinan is the capital of the Chinese Province of Shantung, and is connected by rail through Weihsien with Tsingtau, the port of the Kiauchau concession recently surrendered by the Germans to the Japanese troops. The distance by rail between Tsingtau and Tsinan is approximately 225 miles.

The treaty records are as follows:

1899.

OPEN-DOOR POLICY IN CHINA.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING A REPORT FROM THE SECRETARY OF STATE, WITH COPIES OF CORRESPONDENCE WITH VARIOUS FOREIGN GOVERNMENTS CONCERNING AMERICAN COMMERCIAL RIGHTS IN CHINA.

To the House of Representatives:

In response to the resolution of the House of Representatives of March 24, 1900, reading as follows:

"Whereas the commercial community of the United States is deeply interested in ascertaining the conditions which are to govern trade in such parts of the Chinese Empire as are claimed by various foreign powers to be within their 'areas of interest'; and

"Whereas bills are now pending before both Houses of Congress for the dispatch of a mission to China to study its economic conditions: Therefore be it

"*Resolved*, That the President of the United States be requested to transmit to the House of Representatives, if not incompatible with the public service, such correspondence as may have passed between the Department of State and various foreign Governments concerning the maintenance of the 'open-door' policy in China,"

I transmit herewith a report from the Secretary of State, with accompanying papers.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, March 27, 1900.

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THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to transmit herewith, as called for by the resolution of the House of Representatives of March 24, 1900, copies of correspondence which has passed between the Department of State and the Governments of France, Germany, Great Britain, Italy, Japan, and Russia concerning American commercial rights in China.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, March 26, 1900.

CORRESPONDENCE CONCERNING AMERICAN COMMERCIAL RIGHTS IN CHINA.

FRANCE.

(Mr. Hay to Mr. Vignaud.)

DEPARTMENT OF STATE,
Washington, September 6, 1899.

SIR: I have to inclose, for your confidential information, copies of instructions I have sent under this date to the United States ambassadors at London, Berlin, and St. Petersburg in reference to the desire of this Government that the Governments of Great Britain, Germany, *and Russia make* formal declaration of an "open-door" policy in the territories held by them in China.

I am, etc., JOHN HAY.

(Inclosures:) To London, No. 205, September 6, 1899; to Berlin, No. 927, September 6, 1899; to St. Petersburg, No. 82, September 6, 1899.

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(Mr. Hay to Mr. Porter.)

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 21, 1899.

PORTER, *Ambassador, Paris:*

Informally submit to French Government form of declaration outlined in inclosures with instruction No. 664, September 6, and ask whether France will join.

HAY.

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(Mr. Delcassé to Mr. Porter.)

Particulier.] AFFAIRES ETRANGÈRES.

[Received at United States embassy at Paris December 16, 1899.]

MON CHER AMBASSADEUR: Je trouve votre mot en rentrant. Des déclarations que j'ai apportées à la tribune de la Chambre le 24 Novembre dernier et que j'ai eu depuis l'occasion de vous rappeler, se dégage clairement le sentiment du Gouvernement de la République; il désire dans toute la Chine, et, sous la réserve toute naturelle que toutes les puissances intéressées affirmeront leur volonté d'agir de même, il est prêt à appliquer dans les territoires qui sont cédés à bail, un traitement égal pour les citoyens et sujets de toutes les nations, notamment en ce qui concerne les taxes douanières et de navigation ainsi que les tarifs de transport par chemins de fer.

Je vous prie, mon cher Ambassadeur, d'agréer avec la nouvelle expression de mes sentiments dévoués l'assurance de ma plus haute considération.

DELCASSÉ.

[Translation.]

FOREIGN AFFAIRS.

MY DEAR AMBASSADOR: I find your note awaiting me on my return. The declarations which I made in the Chamber on the 24th of November last, and which I have had occasion to recall to you since then, show clearly the sentiments of the Government of the Republic. It desires throughout the whole of China and, with the quite natural reservation that all the powers interested give an assurance of their willingness to act likewise, is ready to apply in the territories which are leased to it, equal treatment to the citizens and subjects of all nations, especially in the matters of customs duties and navigation dues, as well as transportation tariffs on railways.

I beg you, my dear ambassador, to accept, etc.,

DELCASSÉ.

—

GERMANY.

(Mr. Hay to Mr. White.)

DEPARTMENT OF STATE,
Washington, September 6, 1899.

SIR: At the time when the Government of the United States was informed by that of Germany that it had leased from His Majesty the Emperor of China the port of Kiao-chao and the adjacent territory in the Province of Shantung assurances were given to the ambassador of the United States at Berlin by the Imperial German minister for foreign affairs that the rights and privileges insured by treaties with China to citizens of the United States would not thereby suffer or be in anywise impaired within the area over which Germany had thus obtained control.

More recently, however, the British Government recognized by a formal agreement with Germany the exclusive right of the latter country to enjoy in said leased area and the contiguous "sphere of influence or interest" certain privileges, more especially those relating to railroads and mining enterprises; but, as the exact nature and extent of the rights thus recognized have not been clearly defined, it is possible that serious conflicts of interest may at any time arise, not only between British and German subjects within said area, but that the interests of our citizens may also be jeopardized thereby.

Earnestly desirous to remove any cause of irritation and to insure at the same time to the commerce of all nations in China the undoubted benefits which should accrue from a formal recognition by the various powers claiming "spheres of interest" that they shall enjoy perfect equality of treatment for their commerce and navigation within such "spheres," the Government of the United States would be pleased to see His German Majesty's Government give formal assurances and lend its cooperation in securing like assurances from the other interested powers that each within its respective sphere of whatever influence—

First. Will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory it may have in China.

Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to al such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.

The liberal policy pursued by his Imperial German Majesty in declaring Kiao-chao a free port and in aiding the Chinese Government in the establishment there of a customhouse are so clearly in line with the proposition which this Government is anxious to see recognized that it entertains the strongest hope that Germany will give its acceptance and hearty support.

The recent ukase of His Majesty the Emperor of Russia declaring the port of Ta-lien-wan open during the whole of the lease under which it is held from China to the merchant ships of all nations, coupled with the categorical assurances made to this Government by His Imperial Majesty's representative at this capital at the time, and since repeated to me by the present Russian ambassador, seem to insure the support of the Emperor to the proposed measure. Our ambassador at the Court of St. Petersburg has, in consequence, been instructed to submit it to the Russian Government and to request their early consideration of it. A copy of my instruction on the subject to Mr. Tower is herewith inclosed for your confidential information.

The commercial interests of Great Britain and Japan will be so clearly served by the desired declaration of intentions, and the views of the Governments of these countries as to the desirability of the adoption of measures insuring the benefits of equality of treatment of all foreign trade throughout China are so similar to those entertained by the United States, that their acceptance of the propositions herein outlined and their cooperation in advocating their adoption by the other powers can be confidently expected. I inclose herewith copy of the instruction which I have sent to Mr. Choate on the subject.

In view of the present favorable conditions, you are instructed to submit the above considerations to His Imperial German Majesty's minister for foreign affairs, and to request his early consideration of the subject.

Copy of this instruction is sent to our ambassadors at London and at St. Petersburg for their information.

I have, etc., JOHN HAY.

(Inclosures:) To London, September 6, 1899, No. 205; to St. Petersburg, September 6, 1899, No. 82.

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(Mr. Jackson to Mr. Hay.)

[Telegram.]

EMBASSY OF THE UNITED STATES,
Berlin, December 4, 1899.

I have just had a conversation with secretary of state for foreign affairs, who stated that the politics of Germany in the extreme Orient are de facto the politics of the open door, and Germany proposes to maintain this principle in the future. Germany does not wish the question to become the subject of controversy between the different powers engaged in China. She thinks it would be advantageous for the United States Government to confer with other European Governments having interests in China. If the other cabinets adhere to the proposal of the United States Government Germany will raise no objection, and Germany is willing to have the Government of the United States inform these other cabinets that no difficulty will come from her if the other cabinets agree.

JACKSON, *Chargé.*

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(Count von Bülow to Mr. White.)

AUSWÄRTIGES AMT,
Berlin, den 19 Februar, 1900.

HERR BOTSCHAFTER: Eure Excellenz hatten mir mittelst eines am 24. v. M. hier übergebenen Memorandums mitgetheilt, dass die Regierung der Vereinigten Staaten von Amerika von allen Mächten, an welche eine gleiche Anfrage wie in Eurer Excellenz Schreiben vom 26. September v. J., betreffend die Politik der offenen Thür in China, ergangen war, zufriedenstellende schriftliche Antworten erhalten habe. Eure Excellenz hatten unter Hinweis hierauf den Wunsch ausgedrückt, dass nunmhr auch die Kaiserliche Regierung ihre Antwort in schriftlicher Form ertheilen möge.

Indem ich diesen Wunsche gern entspreche, beehre ich mich in Wiederholung bereits mündlich ertheilter Aufschlüsse Folgendes zu Eurer Excellenz Kenntniss zu bringen: Wie die Regierung der Vereinigten Staaten von Amerika nach Eurer Excellenz erwähntem Schreiben vom 26. September v. J. anerkannt, hat die Kaiserliche Regierung in ihrem chinesischen Besitz den Grundsatz völliger Gleichbehandlung aller Nationen in Bezug auf Handel, Schiff fahrt und Verkehr von Anfang an nicht allein aufgestellt, sondern auch praktisch im weitesten Umfange durchgeführt. Die Kaiserliche Regierung hegt nicht die Absicht von diesem Grundsatz, welche jede wirthschaftliche Benachtheiligung oder Zurücksetzung von Angehörigen der Vereinigten Staaten von Amerika von vornherein ausschliesst, in Zukunft abzugehen, so lange sie nicht durch abweichendes Verhalten anderer Regierungen aus Reciprocitätsrücksichten hierzu genöthigt werden sollte. Wenn daher die übrigen, an der wirthschaftlichen Erschliessung des chinesischen Reichs interessirten Mächte sich zur Durchführung gleicher Grundsätze bekennen wollen, so kann dies der Kaiserlichen Regierung nur erwünscht sein und sie wird in diesem Falle auf Wunsch ihrerseits gern bereit sein, sich mit den Vereinigten Staaten von Amerika und den übrigen Mächten an einer in diesem Sinne zu treffenden Vereinbarung zu betheiligen, durch welche wechselseitig die gleichen Rechte gewährt werden.

Ich benutze die Gelegenheit um Eurer Excellenz die Versicherung meiner ausgezeichnetsten Hochachtung zu erneuern.

BÜLOW.

[Translation.]

FOREIGN OFFICE,
Berlin, February 19, 1900.

Mr. AMBASSADOR: Your excellency informed me, in a memorandum presented on the 24th of last month, that the Government of the United States of America had received satisfactory written replies from all the powers to which an inquiry had been addressed similar to that contained in your excellency's note of September 26 last, in regard to the policy of the open door in China. While referring to this your excellency thereupon expressed the wish that the Imperial Government would now also give its answer in writing.

Gladly complying with this wish, I have the honor to inform your excellency, repeating the statements already made verbally, as follows: As recognized by the Government of the United States of America, according to your excellency's note referred to above, the Imperial Government has from the beginning not only asserted but also practically carried out to the fullest extent in its Chinese possessions absolute equality of treatment of all nations with regard to trade, navigation, and commerce. The Imperial Government entertains no thought of departing in the future from this principle, which at once excludes any prejudicial or disadvantageous commercial treatment of the citizens of the United States of America, so long as it is not forced to do so,

on account of considerations of reciprocity, by a divergence from it by other Governments. If, therefore, the other powers interested in the industrial development of the Chinese Empire are willing to recognize the same principles, this can only be desired by the Imperial Government, which in this case, upon being requested, will gladly be ready to participate with the United States of America and the other powers in an agreement made upon these lines, by which the same rights are reciprocally secured.

I avail myself, etc.,

BÜLOW.

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GREAT BRITAIN.

(Mr. Choate to Lord Salisbury.)

EMBASSY OF THE UNITED STATES,
London, September 22, 1899.

MY LORD: I am instructed by the Secretary of State to present to your lordship a matter which the President regards as of great and equal importance to Great Britain and the United States—in the maintenance of trade and commerce in the East, in which the interest of the two nations differs, not in character, but in degree only—and to ask for action on the part of Her Majesty's Government which the President conceives to be in exact accord with its uniformly declared policy and traditions, and which will greatly promote the welfare of commerce.

He understands it to be the settled policy and purpose of Great Britain not to use any privileges which may be granted to it in China as a means of excluding any commercial rivals, and that freedom of trade for it in that Empire means freedom of trade for all the world alike. Her Majesty's Government, while conceding by formal agreements with Germany and Russia the possession of "spheres of influence or interest" in China in which they are to enjoy especial rights and privileges, particularly in respect to railroads and mining enterprises, has at the same time sought to maintain what is commonly called the "open-door" policy, to secure to the commerce and navigation of all nations equality of treatment within such "spheres." The maintenance of this policy is alike urgently demanded by the commercial communities of our two nations, as it is justly held by them to be the only one which will improve existing conditions, enable them to maintain their positions in the markets of China, and extend their future operations.

While the Government of the United States will in no way commit itself to any recognition of the exclusive rights of any power within or control over any portion of the Chinese Empire, under such agreements as have been recently made, it can not conceal its apprehensions that there is danger of complications arising between the treaty powers which may imperil the rights insured to the United States by its treaties with China.

It is the sincere desire of my Government that the interests of its citizens may not be prejudiced through exclusive treatment by any of the controlling powers within their respective "spheres of interests" in China, and it hopes to retain there an open market for all the world's commerce, remove dangerous sources of international irritation, and thereby hasten united action of the powers at Pekin to promote administrative reforms so greatly needed for strengthening the Imperial Government and maintaining the integrity of China, in which it believes the whole Western World is alike concerned. It believes that such a result may be greatly aided and advanced by declarations by the various powers claiming "spheres of interest" in China as to their intentions in regard to the treatment of foreign trade and commerce therein, and that the present is a very favorable moment for informing Her Majesty's Government of the desire of the United States to have it make on its own part and to lend its powerful support in the effort to obtain from each of the various powers claiming "spheres of interest" in China a declaration substantially to the following effect:

(1) That it will in no wise interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory it may have in China.

(2) That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within such "spheres of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

(3) That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.

The President has strong reason to believe that the Governments of both Russia and Germany will cooperate in such an understanding as is here proposed. The recent ukase of His Majesty the Emperor of Russia declaring the port of Ta-lien-wan open to the merchant ships of all nations during the whole term of the lease under which it is to be held by Russia removes all uncertainty as to the liberal and conciliatory policy of that power and justifies the expectation that His Majesty would accede to the similar requests of the United States now being presented to him and make the desired declaration.

The recent action of Germany in declaring the port of Kiao-chao a "free port," and the aid which its Government has given China in establishing there a Chinese customhouse, coupled with oral assurances given the United States by Germany that the interests of the United States and its citizens within its "sphere" would in no wise be affected by its occupation of this portion of the Province of Shantung, encourage the belief that little opposition is to be anticipated to the President's request for a similar declaration from that power.

It is needless also to add that Japan, the power next most largely interested in the trade of China, must be in entire sympathy with the views here expressed, and that its interests will be largely served by the proposed arrangement; and the declarations of its statesmen within the last year are so entirely in line with it that the cooperation of that power is confidently relied upon.

It is therefore with the greatest pleasure that I present this matter to your lordship's attention and urge its prompt consideration by Her Majesty's Government, believing that the action is in entire harmony with its consistent theory and purpose, and that it will greatly redound to the benefit and advantage of all commercial nations alike. The prompt and sympathetic cooperation of Her Majesty's Government with the United States in this important matter will be very potent in promoting its adoption by all the powers concerned.

I have, etc.

JOSEPH H. CHOATE.

(Lord Salisbury to Mr. Choate.)

FOREIGN OFFICE,
London, September 29, 1899.

YOUR EXCELLENCY: I have read with great interest the communication which you handed to me on the 23d instant, in which you inform me of the desire of the United States Government to obtain from the various powers claiming spheres of interest in China declarations as to their intentions in regard to the treatment of foreign trade and commerce therein.

I have the honor to inform your excellency that I will lose no time in consulting my colleagues in regard to a declaration by Her Majesty's Government and on the proposal that they should cooperate with the Government of the United States in obtaining similar declarations by the other powers concerned.

In the meantime I may assure your excellency that the policy consistently advocated by this country is one of securing equal opportunity for the subjects and citizens of all nations in regard to commercial enterprise in China, and from this policy Her Majesty's Government have no intention or desire to depart.

I have, etc.,

SALISBURY.

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(Lord Salisbury to Mr. Choate.)

FOREIGN OFFICE,
London, November 30, 1899.

YOUR EXCELLENCY: With reference to my note of September 29 last I have the honor to state that I have carefully considered, in communication with my colleagues, the proposal contained in your excellency's note of September 22 that a declaration should be made by foreign powers claiming "spheres of interest" in China as to their intentions in regard to the treatment of foreign trade and interest therein.

I have much pleasure in informing your excellency that Her Majesty's Government will be prepared to make a declaration in the sense desired by your Government in regard to the leased territory of Wei-hai Wei and all territory in China which may hereafter be acquired by Great Britain by lease or otherwise, and all spheres of interest now held or that may hereafter be held by her in China, provided that a similar declaration is made by other powers concerned.

I have, etc.,

SALISBURY.

—

(Mr. Choate to Lord Salisbury.)

EMBASSY OF THE UNITED STATES,
London, December 6, 1899.

MY LORD: I have the honor to acknowledge the receipt of your lordship's note of November 30, in which you inform me that, after having carefully considered in connection with your colleagues, the proposals contained in my note of September 22 last Her Majesty's Government is prepared to make a declaration in the sense desired by my Government in regard to the leased territory of Wei-hai Wei and all territory in China which may hereafter be acquired by Great Britain by lease or otherwise and all "spheres of interest" now held or which may hereafter be held by her in China, provided that a similar declaration is made by other powers.

In acknowledging your lordship's note I have also, under instructions from the Secretary of State, to express to your lordship the gratification he feels at the cordial acceptance by Her Britannic Majesty's Government of the proposals of the United States.

I have, etc.,

JOSEPH H. CHOATE.

—

ITALY.

(Mr. Hay to Mr. Draper.)

DEPARTMENT OF STATE,
Washington, November 17, 1899.

SIR: This Government, animated with a sincere desire to insure to the commerce and industry of the United States and of all other nations perfect equality of treatment within the limits of the Chinese Empire for their trade and navigation, especially within the so-called "spheres of influence or interest" claimed by certain European powers in China, has deemed the present an opportune moment to make representations in this direction to Germany, Great Britain, Japan, and Russia.

To attain the object it has in view and to remove possible causes of international irritation and reestablish confidence so essential to commerce, it has seemed to this Government highly desirable that the various powers claiming "spheres of interest or influence" in China should give formal assurances that—

First. They will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory they may have in China.

Second. The Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. They will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of their own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to their own nationals transported over equal distances.

The policy pursued by His Imperial German Majesty in declaring Tsing-tao (Kiao-chao) a free port and in aiding the Chinese Government in establishing there a customhouse, and the ukase of His Imperial Russian Majesty of August 11 last, erecting a free port at Dalny (Ta-lien-wan) are thought to be proof that these powers are not disposed to view unfavorably the proposition to recognize that they contemplate nothing which will interfere in any way with the enjoyment by the commerce of all nations of the rights and privileges guaranteed to them by existing treaties with China.

Repeated assurances from the British Government of its fixed policy to maintain throughout China freedom of trade for the whole world insure, it is believed, the ready assent of that power to our proposals. The commercial interests of Japan will also be greatly served by the above-mentioned declaration, which harmonizes with the assurances

conveyed to this Government at various times by His Imperial Japanese Majesty's diplomatic representative at this capital.

In view of the important and growing commercial interests of Italy in eastern Asia it would seem desirable that His Majesty's Government should also be informed of the steps taken by the United States to insure freedom of trade in China, in which it would find equal advantages to those which the other nations of Europe expect.

You are therefore instructed to submit to His Majesty's minister for foreign affairs the above considerations and to invite his early attention to them, expressing, in the name of your Government, the hope that they will prove acceptable and that His Majesty's Government will lend its aid and valuable assistance in securing their acceptance by the other interested powers.

I inclose, for your personal and confidential information, copies of the instructions sent to our ambassadors at Berlin, London, St. Petersburg, and to our minister at Tokio.

I am, etc.,

JOHN HAY.

(Inclosures:) To Great Britain, to Russia, to Germany, September 6, 1899; to Japan, November 13, 1899.

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(The Marquis Visconti Venosta to Mr. Draper.)

ROMA, 7 *Gennaio, 1900.*

SIGNOR AMBASCIATORE: A complemento di citò che mi aveva fatto l'onore di comunicarmi colla sua nota del 9 Decembre, 1899, Vostra Eccelenza mi ha participato ieri la notizia datale per telegrafo dal suo Governo, che tutte le Potenze interpellate dal Gabinetto di Washington in ordine alle opportunità di adottare una linea di condotta politica la quale assicuri al commercio di tutto il mondo parità di trattamento in Cina, hanno dato risposta favorevole.

Riferendomi alle sue comunicazioni e a quanto ebbi già a dischiararle colla mia nota del 23 di detto mese di Decembre, mi è grato di dichiararle che anche el Governo del Re aderisce di buon grado ai concetti di massima svolta nella menzionata nota del 9 Decembre.

Prego Vostra Eccelenza di volere portare questa nostra adesione alla conoscenza del Gabinetto di Washington, e profitto del l'occasione per rinnovarle, Signor Ambasciatore, gli atti della mia più alta considerazione.

VISCONTI VENOSTA.

[Translation.]

ROME, *January 7, 1900.*

MR. AMBASSADOR: Supplementary to what you had already done me the honor of communicating to me in your note of December 9, 1899, your excellency informed me yesterday of the telegraphic note received from your Government that all the powers consulted by the Cabinet of Washington concerning the suitability of adopting a line of policy which would insure to the trade of the whole world equality of treatment in China have given a favorable reply.

Referring to your communications and to the statements in my note of December 23 last, I take pleasure in saying that the Government of the King adheres willingly to the proposals set forth in said note of December 9.

I beg your excellency to kindly convey the notice of our adhesion to the Cabinet of Washington, and I avail myself of the occasion to renew to you, etc.,

VISCONTI VENOSTA.

—

JAPAN.

(Mr. Hay to Mr. Buck.)

DEPARTMENT OF STATE,
Washington, November 13, 1899.

SIR: This Government, animated with a sincere desire to insure to the commerce and industry of the United States and of all other nations perfect equality of treatment within the limits of the Chinese Empire for their trade and navigation, especially within the so-called "spheres of influence or interest" claimed by certain European powers in China, has deemed the present an opportune moment to make representations in this direction to Germany, Great Britain, and Russia.

To obtain the object it has in view and to remove possible causes of international irritation and reestablish confidence so essential to commerce, it has seemed to this Government highly desirable that the various powers claiming "spheres of interest or influence" in China should give formal assurances that—

First. They will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory they may have in China.

Second. The Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. They will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of their own nationality, and no higher railroad charges over lines built, controlled, or operated within such "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to their own nationals transported over equal distances.

The policy pursued by His Imperial German Majesty in declaring Tsingtao (Kiaochao) a free port and in aiding the Chinese Government in establishing there a customhouse, and the ukase of His Imperial Russian Majesty of August 11 last in erecting a free port at Dalny (Ta-lien-wan) are thought to be proof that these powers are not disposed to view unfavorably the proposition to recognize that they contemplate nothing which will interfere in any way with the enjoyment by the commerce of all nations of the rights and privileges guaranteed to them by existing treaties with China.

Repeated assurances from the British Government of its fixed policy to maintain throughout China freedom of trade for the whole world insure, it is believed, the ready assent of that power to our proposals. It is no less confidently believed that the commercial interests of Japan would be greatly served by the above-mentioned declaration, which harmonizes with the assurances conveyed to this Government at various times by His Imperial Japanese Majesty's diplomatic representative at this Capital.

You are therefore instructed to submit to His Imperial Japanese Majesty's Government the above considerations, and to invite their early attention to them, and express the earnest hope of your Government that they will accept them and aid in securing their acceptance by the other interested powers.

I am, etc.,

JOHN HAY.

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(Viscount Aoki to Mr. Buck.)

[Translation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Tokio, the 26th day, the 12th month of the 32d year of Meiji.
(December 26, 1899.)

MR. MINISTER: I have the honor to acknowledge the receipt of the note No. 176 of the 20th instant, in which, pursuing the instructions of the United States Government, your excellency was so good as to communicate to the Imperial Government the representations of the United States as presented in notes to Russia, Germany, and Great Britain on the subject of commercial interests of the United States in China.

I have the happy duty of assuring your excellency that the Imperial Government will have no hesitation to give their assent to so just and fair a proposal of the United States, provided that all the other powers concerned shall accept the same.

I avail myself, etc.,

VISCOUNT AOKI SIUZO,
Minister for Foreign Affairs.

—

RUSSIA.

(Mr. Hay to Mr. Towner.)

DEPARTMENT OF STATE,
Washington, September 6, 1899.

SIR: In 1898, when His Imperial Majesty, through his diplomatic representative at this capital, notified this Government that Russia had leased from His Imperial Chinese Majesty the ports of Port Arthur, Ta-lien-wan, and the adjacent territory in the Liaotung Peninsula in northeastern China for a period of 25 years, your predecessor received categorical assurances from the imperial minister for foreign affairs that American interests in that part of the Chinese Empire would in no way be affected thereby, neither was it the desire of Russia to interfere with the trade of other nations, and that our citizens would continue to enjoy within said leased territory all the rights and privileges guaranteed them under existing treaties with China. Assurances of a similar purport were conveyed to me by the Emperor's ambassador at this capital; while fresh proof of this is afforded by the imperial ukase of July 30–August 11 last, creating the free port of Dalny, near Ta-lien-wan, and establishing free trade for the adjacent territory.

However gratifying and reassuring such assurances may be in regard to the territory actually occupied and administered, it can not but be admitted that a further, clearer, and more formal definition of the conditions which are henceforth to hold within the so-called Russian "sphere of interest" in China as regards the commercial rights therein of our citizens is much desired by the business world of the United States, inasmuch as such a declaration would relieve it from the apprehensions which has exercised a disturbing influence during the last four years on its operations in China.

The present moment seems particularly opportune for ascertaining whether His Imperial Russian Majesty would not be disposed to give permanent form to the assurances heretofore given to this Government on this subject.

The ukase of the Emperor of August 11 of this year, declaring the port of Ta-lien-wan open to the merchant ships of all nations during the remainder of the lease under which it is held by Russia, removes the slightest uncertainty as to the liberal and conciliatory commercial policy His Majesty proposes carrying out in northeastern China, and would seem to insure us the sympathetic and, it is hoped, favorable consideration of the propositions hereinafter specified.

The principles which this Government is particularly desirous of seeing formally declared by His Imperial Majesty and by all the great powers interested in China, and which will be eminently beneficial to the commercial interests of the whole world, are:

First. The recognition that no power will in any way interfere with any treaty port or any vested interest within any leased territory or within any so-called "sphere of interest" it may have in China.

Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.

The declaration of such principles by His Imperial Majesty would not only be of great benefit to foreign commerce in China, but would powerfully tend to remove dangerous sources of irritation and possible conflict between the various powers; it would reestablish confidence and security, and would give great additional weight to the concerted representations which the treaty powers may hereafter make to His Imperial Chinese Majesty in the interest of reform in Chinese administration so essential to the consolidation and integrity of that Empire, and which, it is believed, is a fundamental principle of the policy of His Majesty in Asia.

Germany has declared the port of Kiao-chao, which she holds in Shangtung under a lease from China, a free port and has aided in the establishment there of a branch of the Imperial Chinese maritime customs. The Imperial German minister for foreign affairs has also given assurances that American trade would not in any way be discriminated against or interfered with, as there is no intention to close the leased territory to foreign commerce within the area which Germany claims. These facts lead this Government to believe that the Imperial German Government will lend its cooperation and give its acceptance to the proposition above outlined, and which our ambassador at Berlin is now instructed to submit to it.

That such a declaration will be favorably considered by Great Britain and Japan, the two other powers most interested in the subject, there can be no doubt. The formal and oft-repeated declarations of the British and Japanese Governments in favor of the maintenance throughout China of freedom of trade for the whole world insure us, it is believed, the ready assent of these powers to the declaration desired.

The acceptance by His Imperial Majesty of these principles must therefore inevitably lead to their recognition by all the other powers

interested, and you are instructed to submit them to the Emperor's minister for foreign affairs and urge their immediate consideration.

A copy of this construction is sent to our ambassadors at London and Berlin for their confidential information, and copies of the instructions sent to them on this subject are inclosed herewith.

I have, etc.,

JOHN HAY.

(Inclosures:) To London, September 6, 1899, No. 205; to Berlin, September 6, 1899, No. 927.

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(Count Mouravieff to Mr. Tower.)

MINISTÈRE DES AFFAIRES ETRANGÈRES,
PREMIER DÉPARTEMENT,
Le 18 Décembre, 1899.

MONSIEUR L'AMBASSADEUR: J'ai eu l'honneur de recevoir la note de Votre Excellence en date du 8-20 Septembre a. c. relative aux principes que le Gouvernement des Etats-Unis désirerait voir adoptés en matière économique par les Puissances ayant des intérêts en Chine.

Pour ce qui est du territoire cédé à bail par la Chine à la Russie le Gouvernement Impérial a déjà manifesté sa ferme intention de pratiquer la politique de "la porte ouverte" en érigeant Dalny (Ta-lien-wan), en port franc; et si à l'avenir ce dernier port, tout en continuant à rester franc était séparé par une ligne de douanes du reste du territoire dont il s'agit, les taxes louanières seraient prélevées dans la zone soumise au tarif, sur toutes les marchandises étrangères sans distinction de nationalité.

Quant aux ports déjà ouverts, ou qui le seraient à l'avenir, par le Gouvernement Chinois, au commerce étranger et qui se trouvent en dehors du territoire cédé à bail à la Russie, le règlement des questions relatives aux taxes douanières appartient à la Chine elle-même, et le Gouvernement Impérial n'a nullement l'intention de réclamer pour ses nationaux à cet égard des privilèges quelconques à l'exclusion des autres étrangers. Il va de soi que cette assurance du Gouvernement Impérial a pour condition qu'une déclaration semblable serait faite par les autres Puissances ayant des intérêts en Chine.

Convaincu que cette réponse est de nature à satisfaire à la demande exprimée dans la note susmentionnée, le Gouvernement Impérial se félicite d'autant plus d'avoir été au devant des vœux du Gouvernement Américain, qu'il attache le plus grand prix à tout ce qui peut entretenir et consolider les relations amicales traditionnelles existant entre les deux pays.

Veuillez agréer, Monsieur l'Ambassadeur, l'assurance de ma haute considération.

COMTE MOURAVIEFF.

[Translation.]

MINISTRY OF FOREIGN AFFAIRS,
December 18-30, 1899.

Mr. AMBASSADOR: I had the honor to receive Your Excellency's note dated the 8th-20th of September last, relating to the principles which the Government of the United States would like to see adopted in commercial matters by the powers which have interests in China.

In so far as the territory leased by China to Russia is concerned, the Imperial Government has already demonstrated its firm intention to follow the policy of "the open door" by creating Dalny (Ta-lien-wan) a free port; and if at some future time that port, although remaining free itself, should be separated by a customs limit from other portions of the territory in question, the customs duties would be levied, in the zone subject to the tariff, upon all foreign merchandise without distinction as to nationality.

As to the ports now opened or hereafter to be opened to foreign commerce by the Chinese Government, and which lie beyond the territory leased to Russia, the settlement of the question of customs duties belongs to China herself, and the Imperial Government has no intention whatever of claiming any privileges for its own subjects to the exclusion of other foreigners. It is to be understood, however, that this assurance of the Imperial Government is given upon condition that a similar declaration shall be made by other powers having interests in China.

With the conviction that this reply is such as to satisfy the inquiry made in the aforementioned note, the Imperial Government is happy to have complied with the wishes of the American Government, especially as it attaches the highest value to anything that may strengthen and consolidate the traditional relations of friendship existing between the two countries.

I beg you to accept, etc.

COUNT MOURAVIEFF.

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INSTRUCTIONS SENT MUTATIS MUTANDIS TO THE UNITED STATES AMBASSADORS AT LONDON, PARIS, BERLIN, ST. PETERSBURG, AND ROME, AND TO THE UNITED STATES MINISTER AT TOKYO.

DEPARTMENT OF STATE,
Washington, March 20, 1900.

SIR: The ——— Government having accepted the declaration suggested by the United States concerning foreign trade in China, the terms of which I transmitted to you in my instruction No. ——— of ———, and like action having been taken by all the various powers having leased territory or so-called "spheres of interest" in the Chinese Empire, as shown by the notes which I herewith transmit to you, you will please inform the Government to which you are accredited that the condition originally attached to its acceptance—that all other powers concerned should likewise accept the proposals of the United States—having been complied with, this Government will therefore consider the assent given to it by ——— as final and definitive.

You will also transmit to the minister for foreign affairs copies of the present inclosures, and by the same occasion convey to him the expression of the sincere gratification which the President feels at the successful termination of these negotiations, in which he sees proof of the friendly spirit which animates the various powers interested in the untrammeled development of commerce and industry in the Chinese Empire and a source of vast benefit to the whole commercial world.

I am, etc.,

JOHN HAY.

(Inclosures:) Mr. Delcassé to Mr. Porter (received December 16, 1899), with translation; Mr. Jackson to Mr. Hay, telegram, December 4, 1899; Count von Bülow to Mr. White, February 19, 1900, with translation; Lord Salisbury to Mr. Choate, November 30, 1899; Marquis Visconti Venosta to Mr. Draper, January 7, 1900, with translation; Viscount Aoki to Mr. Buck, December 26, 1899, translation; Count Mouravieff to Mr. Tower, December 18, 1899, with translation.

NOTES EXCHANGED BETWEEN THE UNITED STATES AND JAPAN NOVEMBER 30, 1908, DECLARING THEIR POLICY IN THE FAR EAST.

IMPERIAL JAPANESE EMBASSY,
Washington, November 30, 1908.

SIR: The exchange of views between us which has taken place at the several interviews which I have recently had the honor of holding with you has shown that Japan and the United States holding important outlying insular possessions in the region of the Pacific Ocean, the Governments of the two countries are animated by a common aim, policy, and intention in that region.

Believing that a frank avowal of that aim, policy, and intention would not only tend to strengthen the relations of friendship and good neighborhood which have immemorially existed between Japan and the United States, but would materially contribute to the preservation of the general peace, the Imperial Government have authorized me to present to you an outline of their understanding of that common aim, policy, and intention:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.

3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

4. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

If the foregoing outline accords with the view of the Government of the United States, I shall be gratified to receive your confirmation.

I take this opportunity to renew to your excellency the assurance of my highest consideration.

K. TAKAHIRA.

Hon. ELIHU ROOT,
Secretary of State.

—

DEPARTMENT OF STATE,
Washington, November 30, 1908.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of to-day setting forth the result of the exchange of views between us in our recent interviews defining the understanding of the two Governments in regard to their policy in the region of the Pacific Ocean.

It is a pleasure to inform you that this expression of mutual understanding is welcome to the Government of the United States as appropriate to the happy relations of the two countries and as the occasion for a concise mutual affirmation of that accordant policy respecting the Far East which the two Governments have so frequently declared in the past.

I am happy to be able to confirm to your excellency, on behalf of the United States, the declaration of the two Governments embodied in the following words:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.

3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

4. They are also determined to preserve the common interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

Accept, Excellency, the renewed assurance of my highest consideration.

ELIHU ROOT.

His Excellency BARON KOGORO TAKAHIRA,
Japanese Ambassador.

The resolutions are as follows:

House resolution 728.

Whereas recent press dispatches have announced that 21 demands have been made upon the Chinese Government by a foreign Government: Therefore be it

Resolved, That the Secretary of State is requested, if not incompatible with the public interests, to transmit to the House of Representatives any information in the possession of the State Department from official or unofficial sources relating to any recent demands, unusual between free Governments, that may have been made upon the Chinese Government by any other Government, and any similar information as to whether any recent demands that may have been made upon the Chinese Government by any other Government, if enforced, would imperil the "open-door" policy or the integrity and sovereignty of China.

—

Joint resolution (H. J. Res. 425) declaring the attitude of the United States toward the open-door policy in China.

Whereas pledges to respect the integrity and sovereignty of China and to maintain in that country the principle of the "open door" were mutually pledged by the United States Government with the following Governments, to wit: With the Government of Great Britain, November 30, 1899; with the Government of France, December 16, 1899; with the Government of Russia, December 18, 1899; with the Government of Japan, December 26, 1899; with the Government of Italy, January 7, 1900; with the Government of Germany, February 19, 1900; and

Whereas the Government of the United States and the Government of Japan on November 30, 1908, renewed their mutual pledges by the exchange of identical notes pledging themselves anew to maintain the status quo, to respect the integrity and sovereignty of China, and to uphold the principle of the "open door," in specific terms, as follows:

First. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

Second. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.

Third. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

Fourth. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

Fifth. Should any event occur threatening the status quo, as above described, or the principle of equal opportunity, as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

And—

Whereas the mutual pledges aforesaid are based upon the clear principles of justice and right, and their faithful observance by the high contracting parties affects vitally the material interests of American citizens and the maintenance of peace, the development of prosperity, and the progress of civilization in the vast regions of the Pacific: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of the United States would look with disfavor upon any effort to change the status quo in China while so many of the high contracting parties pledged to maintain that status quo are distracted by war, and that the people of the United States would view with grave concern as an unfriendly act any aggressive move on the part of a foreign Government against the integrity and sovereignty of China.

Mr. HINEBAUGH. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I appreciate the gravity of the situation and the relations between the United States and Japan and China as well as our relations at this time with the European nations at war there. It seems to me that at this time and under the existing circumstances it is absolutely necessary for this House and the people of this country to place their reliance in the President of the United States. [Applause.] He represents our country in our relations with foreign nations, and it would be a serious thing for this House or this Congress without all the information which the President possesses to endeavor to interfere. Woodrow Wilson is President of the United States, elected by the people of the United States, and he occupies a position where we must trust him in these matters, and where we must not endeavor to hamper or annoy him or interfere with him. [Applause.] I believe that he wants to preserve peace and uphold our rights and the dignity of our country. I hope that we will be able both to uphold our rights and dignity and preserve peace; but the only thing that we can do under the circumstances is to have faith in the administration. [Applause.]

Mr. BARTLETT. Mr. Chairman, I yield two minutes to the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD of Virginia. Mr. Chairman, I concur in everything that the gentleman from Illinois [Mr. MANN] has said in reference to the matter brought out by the speech of the gentleman from Alabama [Mr. HOBSON]. Our international situation is a delicate one, and it should be dealt with only by those who are intimately acquainted with every detail of these affairs. The inquiry proposed in the resolution of the gentleman from Alabama was a broad one, and, in my opinion, was one that ought not to have been entered into at this time. If the gentleman's resolution was privileged, as he says it was, and the Committee on Foreign Affairs had not given him that consideration he thought he deserved, he could have brought it up at the end of seven days in this House. I do not think it is privileged. It is not drawn in such a manner as to entitle it to the privilege he claims for it. I said to the gentleman I did not think it was wise at this juncture of our international affairs, at this particularly delicate period of our history, for the Foreign Affairs Committee to take up the inquiries called for in his resolution, and therefore I declined to call the committee together in special session for the purpose of considering it. [Applause.]

I believe it is the duty of every American, those in private life as well as those in public life, to give as little cause for friction with other nations as possible. I believe the paramount duty of the hour is to preserve our friendly relations with all nations as far as that can be done with due regard to the interest of our country and our people and the maintenance of our honor as a Nation.

The administration has splendidly labored to this end. The Committee on Foreign Affairs has aided at every stage of this splendid work, and in doing so we have had to suppress a number of inopportune bills and resolutions. [Applause.]

I believe I acted wisely and in the interests of peace and harmony between this country and our far eastern friends in reference to the gentleman's resolution. I further said to him, not that the State Department had requested me not to have a hearing upon this resolution, but that the State Department thought it was unwise to enter into the inquiries suggested in his resolution; and for that reason, and because my judgment fully accords with the opinion of the State Department, I took the responsibility of not assembling the committee.

Mr. HOBSON. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. Mr. Chairman, I yield another minute to the gentleman.

The CHAIRMAN. The gentleman from Virginia is recognized for one minute more.

Mr. HOBSON. Mr. Chairman, I simply wish to ask the gentleman if he believes that this Congress ought to know the terms—the real terms—of the 21 demands that have been made upon the Chinese Government by a foreign Government?

Mr. FLOOD of Virginia. I do not believe that this is a time for Congress to inquire into the trouble between Japan and China, if there is trouble. I think the gentleman has an exaggerated idea of the situation existing between those countries. I have no idea that Japan desires to crush the great Republic of the East; and if she did, I have no idea that China, with her 400,000,000 of people, would sit supinely by and permit her rights to be invaded and her liberties destroyed; and I am satisfied, and I believe the people of this country are satisfied, that the American Government will never allow her rights, present or prospective, in the Orient to be invaded or interfered with by any country. The gentleman can depend upon those intrusted with our foreign affairs not only to keep us out of war, as far as that result can be accomplished with honor, but to uphold and defend our rights whenever they are endangered. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. HINEBAUGH. Mr. Chairman, how much time have we left on this side?

The CHAIRMAN. Three minutes.

Mr. HINEBAUGH. Only three minutes? I thought I had eight minutes, according to my figures here. Is that correct, Mr. Chairman, that I have only three minutes left?

The CHAIRMAN. That is all the time the gentleman from Illinois has—three minutes.

Mr. MURDOCK. The gentleman is a bad counter. [Laughter.]

Mr. MOORE. Mr. Chairman, will the gentleman yield to me?

Mr. HINEBAUGH. Yes; Mr. Chairman, I yield the time to the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for three minutes.

Mr. MOORE. Mr. Chairman, about two hours ago there was an exciting scene on the floor of the House. I undertook to make a reply to certain attacks made upon me as well as attacks made upon Gen. Crozier, an officer of the Army, who was not present, and who, therefore, could not speak for himself. I believe the attack upon Gen. Crozier was unfair. I believe it to have been made at a time and in a place where it should not have been made. Certain gentlemen upon the other side insisted that by reason of the fact that I was undertaking to ask for fair play in behalf of a man who is serving under a Democratic administration, that therefore I was the representative of the Steel Trust or of some other trust. I asked particularly that I be given eight minutes in which to make a statement. I have been denied those few minutes. Therefore the gag rule which applied on the other side a few moments ago applies equally to this side.

While I accept the courtesy of the gentleman [Mr. HINEBAUGH] who has just yielded to me three minutes, I yield back to him the balance of my time and thank him for what I have had. [Applause.]

Mr. HINEBAUGH. Mr. Chairman, how much time have we left?

The CHAIRMAN. The gentleman yields back two minutes.

Mr. HINEBAUGH. I yield two minutes to the gentleman from California [Mr. KENT].

The CHAIRMAN. The gentleman from California [Mr. KENT] is recognized for two minutes.

Mr. KENT. Mr. Chairman, I realize, as everyone else realizes, the delicacy of the present situation. I know, as the gentleman from Illinois [Mr. MANN] knows, and has so well stated, that we must trust much to the discretion of our President and to our Diplomatic Service. I do not like the resolution of the gentleman from Alabama [Mr. HOBSON], because it looks now as if at this critical time it adds to our burdens and adds to our liability to get into trouble.

We on the Pacific coast are always face to face with the oriental question as it affects our own country, and we are willing to face it, and are going to continue to face it. But how shall we do it? We shall not face our own problems aright if at this critical period we recklessly butt into the relations of Asia. There is not the least excuse for our trying to maintain a Monroe doctrine there. The Lord knows we have enough trouble in maintaining a Monroe doctrine on this continent, and what Japan may or may not do to China or China to Japan is a matter between Japan and China. If we are injured, the time for us to assert the injury is after we are hurt. It is not the time now to assert that we have anything to do with the joint relations between Japan and China. Such an assertion is out of place and dangerous, especially so at this time.

I yield back the balance of my time, Mr. Chairman. [Applause.]

The CHAIRMAN. The gentleman from California yields back one minute.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that I be permitted to proceed for eight minutes.

A MEMBER. You can not do it.

Mr. MOORE. Well, I submit the request.

Mr. MURDOCK. You can run an elephant through this committee. [Laughter.]

Mr. MOORE. My request is, Mr. Chairman, that I be permitted to proceed for eight minutes.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to proceed for eight minutes. Is there objection?

Mr. MANN. Mr. Chairman, I hope the gentleman will withdraw that request until we read the bill under the five-minute rule. Then there will be an opportunity for him.

Mr. MOORE. I get no more assistance on one side than on the other. If I can not get time to answer a personal attack, I will ask that a quorum be present.

Mr. MANN. Well, if the gentleman wants to be nasty about that, all right.

Mr. MOORE. The gentleman does not want to be "nasty." The gentleman from Illinois does not appreciate the seriousness of the attack that was made on me. I think he was not present at the time. Several gentlemen attacked me on the ground that I was a representative of the trusts, in connection with charges against an Army officer that I believe to be vicious and long since exploded.

Mr. MANN. But the gentleman from Pennsylvania understands that under the practice, where the House fixes the time for general debate, the committee has no authority to extend general debate.

Mr. MOORE. I understand that; and that is the reason why I made my personal request for unanimous consent.

Mr. MANN. You can do it when we read the bill under the five-minute rule.

Mr. MOORE. I have made the request. Since my party leader desires me to withdraw it, I withdraw it.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] is recognized.

Mr. BARTLETT. Have we 40 minutes left on this side, Mr. Chairman?

The CHAIRMAN. The gentleman has 37 minutes left.

Mr. BARTLETT. Mr. Chairman, as I said the other day at the opening of this debate, this bill carries $165,000,000 for pensions. That amount will be reduced by an amendment, to be offered when the bill is considered under the five-minute rule, by making it $164,000,000, at the request of the Secretary of the Interior.

We had hoped that this pension-roll expense would be diminished, but it has not been so diminished. The act of 1912, known as the Sherwood Act, has, besides compelling us to pay $15,000,000 the first year to increase the pension amount, added over $62,000,000 during the past two years. According to a statement made by the Commissioner of Pensions in the hearing before the Committee on Appropriations, the amount by which the act of 1912 would increase it would be something over $62,000,000.

That is the reason why we have not been able to reduce the amount. We know, Mr. Chairman, that that act is a pension-service act, not for disabilities or for wounds or diseases incurred in the service. Any man who served in the Army of the United States during the Civil War for the period of 90 days is entitled, when he arrives at a certain age, to go upon the pension roll at so much per month, and there is a large number of them on the roll for that reason now.

I undertook to investigate what the Civil War has cost us in the way of pensions. Since that war we have paid out in pensions $4,500,000,000. In addition to that, the Government of the United States, in 1866 and at other times, has appropriated $140,481,178.86 for bounties paid to men who enlisted in that service. Various States of the Union, for the purpose of securing the enlistment of men who enlisted or were drafted, paid the sum of $285,941,036. This amount was paid to men who enlisted in the Army, in the way of bounties.

The men who received these bounties from the States, in most instances amounting to $1,500 each, are the men whom the legislation of this Congress has placed upon the pension roll for mere service. I have no protest to make against this Government pensioning soldiers in the United States Army who suffered wounds or disease from their service. I have great honor and respect for the real soldier upon the Union side, as I have great honor and respect and love and affection for those who served in the Confederate Army, but I have not enough respect and regard for the man who enlisted for only 90 days, who, when he enlisted, received from $500 to $1,500 bounty from the State where he enlisted or was drafted before he would enlist, and who now comes to Congress and secures congressional action which entails this burden of $62,000,000 additional upon the people in less than two years.

I desire to call attention to this list containing the amounts paid by each State for these bounties.

Table exhibiting, by States, the aggregate colored and drafted troops furnished to the Union Army, 1861–1865, with bounties paid by States.

States and Territories.	Colored troops furnished, 1861–1865.	Number drafted.	Bounties paid by States.
Connecticut	1,764	12,031	$6,887,554
Maine	104	27,324	7,837,644
Massachusetts	3,966	41,582	22,965,550
New Hampshire	125	10,806	9,636,313
Rhode Island	1,837	4,321	820,769
Vermont	120	7,743	4,528,775
New England States	7,916	103,807	52,676,605
New Jersey	1,185	32,325	23,868,967
New York	4,125	151,488	86,629,228
Pennsylvania	8,612	178,873	43,154,987
Middle States	13,922	362,686	153,653,182
Colorado Territory	95	.....	.....
Dakota Territory	.....	.....	.....
Illinois	1,811	32,085	17,296,205
Indiana	1,537	41,158	9,182,354
Iowa	440	7,548	1,615,171
Kansas	2,080	1,420	57,407
Michigan	1,387	22,122	9,664,855
Minnesota	104	10,796	2,000,464
Nebraska Territory	.....	.....	.....
New Mexico Territory	.....	.....	.....
Ohio	5,092	50,400	23,557,373
Wisconsin	165	38,395	5,855,356
Western States and Territories	12,711	203,924	69,229,185
California	.....	.....	.....
Nevada	.....	.....	.....
Oregon	.....	.....	.....
Washington Territory	.....	.....	.....
Pacific States	.....	.....	.....
Delaware	954	8,635	1,136,599
District of Columbia	3,269	14,338	134,010
Kentucky	23,703	29,421	692,577
Maryland	8,718	29,319	6,271,992
Missouri	8,344	21,519	1,282,149
West Virginia	196	3,180	864,737
Border States	45,184	106,412	10,383,064
Alabama	4,969	.....	.....
Arkansas	5,526	.....	.....
Florida	1,044	.....	.....
Georgia	.....	.....	.....
Louisiana	3,486	.....	.....
Mississippi	17,869	.....	.....
North Carolina	5,035	.....	.....
South Carolina	5,462	.....	.....
Tennessee	20,133	.....	.....
Texas	47	.....	.....
Virginia	.....	.....	.....
Southern States	63,571	.....	.....
Indian Nation	.....	.....	.....
Colored troops [1]	.....	.....	.....
Grand total	173,079	776,829	285,941,036
At large	733	.....	.....
Not accounted for	5,083	.....	.....
Officers	7,122	.....	.....
Total	186,017	.....	.....

[1] This gives colored troops enlisted in the States in rebellion; besides this there were 92,576 colored troops included (with the white soldiers) in quotas of the several States; the third column gives the aggregate of colored, but many enlisted South were credited to Northern States.

	Gross expenditure.	Expenditure growing out of the war.
Bounty to Volunteers and Regulars on enlistment	$38,522,046.20	$38,522,046.20
Bounty to Volunteers and their widows and legal heirs	31,760,345.95	31,760,345.95
Additional bounty, act of July 28, 1866	69,998,786.71	69,998,786.71
Collection and payment of bounty, etc., to colored soldiers, etc	268,158.11	268,158.11

In addition to that Congress in 1866 paid back bounties and bounties amounting to $66,000,000, which, added to the others, makes a total of $140,481,178.86. So that the States, in order to secure these men to enlist, men who had to be drafted, paid this enormous sum of $285,941,000; and after being drafted or after enlisting, even if they served but 90 days, they are now to receive these pensions under this law.

I do not propose to criticize that law. I endeavored to do so when it was passed. I make these statements for the purpose of calling the attention of the country to the enormous amount that the people have burdened themselves for in the past and propose to burden themselves for in the future, not to men who fought from motives of patriotism, not to men who were wounded or who contracted disease, but men who became soldiers for pay, and who have never forgotten the proposition that they had to be paid to enlist, and who are now still paid by remaining on the pension rolls.

I ask unanimous consent to insert this statement in the RECORD, and also the report of the committee.

The CHAIRMAN. The gentleman asks uuanimous consent to extend his remarks in the RECORD by incorporating the matter referred to. Is there objection?

There was no objection.

The report on the pension appropriation bill is as follows:

[House Report No. 1320.]

The Committee on Appropriations, in presenting the bill making appropriations for the payment of invalid and other pensions for the fiscal year 1916, submit the following in explanation thereof:

The estimates on which the bill is based will be found on page 473 of the Book of Estimates for 1916, and amount to $166,100,000.

The accompanying bill appropriates $165,100,000.

The following statement gives, by appropriate title of expenditure, the amounts appropriated for 1915, the estimates for 1916, and the amounts recommended in the accompanying bill for 1916:

Title of expenditure.	Appropriations for 1915.	Estimates for 1916.	Recommended for 1916.
Payment of pensions	$169,000,000	$166,000,000	$165,000,000
Fees of examining surgeons	150,000	100,000	100,000
Total	169,150,000	166,100,000	165,100,000

The reduction from $169,000,000 for 1915 to $165,000,000 for 1916 in the appropriation for payment of pensions is in accordance with the annual estimates submitted to Congress and is approved by the Commissioner of Pensions in statements made by him to the committee.

The reduction in the amount for payment of fees of examining surgeons in pension cases is also in accordance with the estimates and the recommendation of the Commissioner of Pensions from $150,000 for 1915 to $100,000 for 1916. This service is largely diminished for the reason that many who are put on the pension roll now because of age and service are not required to submit to medical examination.

ECONOMIES FROM ABOLISHING PENSION AGENCIES.

The pension appropriation act for the fiscal year 1913 abolished the 18 separate agents for the payment of pensions, at $4,000 each, and created in their place a single disbursing officer at $4,000, through whom all payments should be made. This change in the manner of paying pensions has been in operation for two years and has resulted not only in greater facility in the handling of pension disbursements but has resulted in the gratifying reduction of $145,000 annually in the cost of paying pensions.

ESTIMATED INCREASE IN COST OF PENSIONS DUE TO ACT OF MAY 11, 1912.

[Pension Hearings, 1916, p. 12.]

The number of pensioners on the roll under the act of May 11, 1912, the amounts paid out to such pensioners, and the average annual value per pensioner by fiscal years, as shown in the annual reports for 1912, 1913, and 1914, are as follows:

Date.	Number of pensioners.	Amount paid.	Average annual value.
June 30, 1912	13,246	$23,929.94	$260.09
June 30, 1913	379,064	53,306,021.82	250.62
June 30, 1914	369,624	97,506,549.73	256.67

The exact additional cost to the Government for pensions, due to said act of May 11, 1912, is not obtainable, as the great body of the pensioners enrolled thereunder were gained from pensioners already on the roll under other laws, and in such cases no account of payments by differences in old and new rates is maintained, all pensions paid upon the new grant being charged to the law under which it is made, and the old rate being merged in the new from the date to which payment was last made at the old rate.

The grants under the act of May 11, 1912, have been very largely to pensioners who were on the roll under the act of February 6, 1907, as will appear by the following table, which shows the number on the roll under said latter act on the dates in the above table and gives also the amounts disbursed and the average annual values:

Date.	Number of pensioners.	Amount paid.	Average annual value.
June 30, 1912	233,579	$61,346,240.53	$176.41
June 30, 1913	16,241	36,376,470.43	170.08
June 30, 1914	7,158	2,000,203.23	174.76

The total of original allowances under the act of May 11, 1912, to claimants not on the roll under other laws for the three years noted was 1,456, and the balance was made up of transfers from the general law and the act of June 27, 1890, classes of Civil War survivors. The average annual value of these two latter classes combined for the three years was $194.27. The average annual value of the act of February 6, 1907, class for the same period was $173.75, and the average annual value of the three classes combined for said period was $184.01, as against an average annual value of $255.79 in the act of May 11, 1912, class showing an increase in annual value per pensioner in the latter class of $71.78. In a hearing before a subcommittee of the House Committee on Appropriations on January 30, 1913, it was stated by Mr. Thompson, of this bureau, that the act of May 11, 1912, would add about $72 per annum for each pensioner.

In view of the changes going on during the period in question in the classes named, which embrace all of the Civil War survivors on the roll, a comparison of the amounts paid out would not afford trustworthy information as to the increase in cost of pensions chargeable to the act of May 11, 1912.

The amounts paid out on account of pensions for the fiscal years 1909 to 1912, inclusive, are shown as follows:

1909	$161,973,703.77
1910	159,974,056.08
1911	157,325,160.35
1912	152,986,433.72

The reduction in pension expenditures by years was—

1910	$1,999,647.69
1911	2,648,895.73
1912	4,338,726.63

In the absence of legislative provision as made by the act of May 11, 1912, and in view of the progressive decrease in expenditure above shown, a decrease of $6,000,000 and over for the ensuing year 1913, and of $8,000,000 and over for the year 1914, or, say, $15,000,000 for the two years, would appear to be a conservative estimate.

As above shown, the amount expended in 1912 was $152,986,433.72. With decreases for the ensuing years 1913 and 1914 by $6,500,000 and $8,500,000, respectively, the expenditures for said years would have been:

1913	$146,486,433.72
1914	137,986,433.72
Total	284,472,867.44

The actual expenditures in said years were:

1913	$174,171,660.80
1914	172,417,546.26
Total	346,589,207.06

The difference of $62,116,339.62 might thus be taken to represent the additional cost to the Government for pensions chargeable to the act of May 11, 1912, for the period from date of its approval to the close of the last fiscal year, June 30, 1914.

TOTAL EXPENDITURES FOR PENSIONS.

The following table, furnished by the Commissioner of Pensions, shows the amounts paid by the Government in pensions to soldiers, sailors, and marines, their widows, minor children, and dependent relatives, on account of military and naval service since the foundation of the Republic:

War of the Revolution (estimated)	$70,000,000.00
War of 1812 (service pension)	45,950,546.86
Indian wars (service pension)	12,801,521.01
War with Mexico (service pension)	48,693,102.08
Civil War	4,457,974,496.00
War with Spain and Philippine insurrection	46,092,740.37
Regular Establishment	31,936,517.21
Unclassified	16,508,447.41
Total	4,729,957,370.94

The following table, also compiled from the annual reports of the Commissioner of Pensions, shows the number of pensioners on the roll, the annual value of pensions, the disbursements on account of pensions, the number of original applications filed, and the number of original claims allowed each fiscal year from 1879 to 1914, inclusive:

Fiscal year.	Number of pensioners on the roll.	Annual value of pensions.	Disbursements on account of pensions.	Total number of applications filed, original.	Total number of claims allowed, original.
1879	242,755	$25,493,742.15	$33,664,428.92	57,118	31,346
1880	250,802	25,917,906.60	56,689,229.08	141,466	19,545
1881	268,830	28,769,967.46	50,583,405.35	31,116	27,394
1882	285,697	29,341,101.62	54,313,172.05	40,939	27,664
1883	303,658	32,245,192.43	60,427,573.81	48,776	38,162
1884	322,756	34,456,600.35	57,912,387.47	41,785	34,192
1885	345,125	38,990,985.28	65,171,937.12	40,918	35,767
1886	365,783	44,708,027.44	64,091,142.90	49,895	40,857
1887	406,007	52,824,641.22	73,752,997.08	72,465	55,194
1888	452,557	56,707,220.92	78,950,501.67	75,726	60,252
1889	489,725	64,246,552.36	88,842,720.58	81,220	51,921
1890	537,944	72,052,143.49	106,094,250.39	105,044	66,637
1891	676,160	89,247,200.20	117,312,690.50	696,941	156,486
1892	876,068	116,879,867.24	139,394,147.11	246,638	224,047
1893	966,012	130,510,179.34	156,906,637.94	119,361	121,630
1894	969,544	130,120,863.00	139,986,726.17	57,141	39,085
1895	970,524	130,048,365.00	139,807,788.78	45,361	39,185
1896	970,678	129,485,587.00	138,215,174.98	42,244	40,374
1897	976,014	129,795,428.00	139,949,717.35	50,585	50,101
1898	993,714	130,968,465.00	144,651,879.80	48,732	52,648
1899	991,519	131,617,961.00	138,355,052.95	53,881	37,077
1900	993,529	131,534,544.00	138,462,130.65	51,964	40,645
1901	997,735	131,568,216.00	138,531,483.84	58,373	44,868
1902	999,446	132,152,800.00	137,504,267.99	47,965	40,173
1903	996,545	133,029,060.00	137,759,653.71	52,325	40,136
1904	994,762	134,130,203.00	141,093,571.00	55,794	44,296
1905	998,441	136,745,295.00	141,142,861.33	52,841	50,027
1906	985,971	136,237,749.00	139,000,288.25	37,212	34,974
1907	967,371	140,850,880.60	138,155,412.46	43,619	29,945
1908	951,687	159,495,701.00	153,093,086.27	46,619	37,691
1909	946,194	160,682,870.32	161,973,703.50	35,789	45,086
1910	921,083	158,332,391.82	159,974,056.08	31,777	28,027
1911	892,098	154,834,237.80	157,325,160.35	30,601	25,519
1912	860,294	151,558,141.40	152,986,105.22	27,692	22,777
1913	[1] 820,200	171,490,784.82	174,171,660.80	27,856	19,346
1914	785,239	166,449,333.26	172,417,546.26	33,869	19,287

[1] Does not include 72 pensioners, class, "Brothers, sisters, sons, and daughters" under "general law," formerly carried on the New York agency roll.

FIRST PAYMENTS.

The first payments made on new certificates each year for the past five years, with the averages, and the averages of first payments, by classes, during the past year are shown in the commissioner's report, as follows:

First payments during the last five years.

Fiscal year.	Number.	Amount.	Average.
1914	97,052	$4,856,614.31	$50.04
1913	433,995	18,250,225.00	42.05
1912	78,781	4,096,502.00	53.00
1911	93,632	4,842,925.00	51.72
1910	91,448	4,858,504.00	52.13
1909	124,634	6,489,416.00	52.07

Average first payments in each class.

Average value of first payments:	
In original cases	$67.94
In original Regular Establishment cases	120.49
In original act May 11, 1912, cases	148.97
In original act Feb. 6, 1907, cases	225.67
In original general law, Civil War cases	90.97
In original act June 27, 1890, cases	188.29
In original act Apr. 19, 1908, cases	48.68
In original War with Spain cases	264.18
In increase and reissue cases	45.25
In original War with Mexico cases	149.30
In original Indian wars cases	143.91
In all cases	50.04

NAVY PENSION FUND.

Navy pension fund: Section 4755 of the Revised Statutes provides that Navy pensions shall be paid out of the "Navy pension fund," upon an appropriation by Congress, so far as the same may be sufficient.

The naval pension fund at present amounts to $14,000,000, bearing interest at the rate of 3 per cent per annum, and is created under the provisions of sections 4751 and 4752 of the Revised Statutes.

The payments on account of Navy pensions during the fiscal year 1914 aggregated $6,047,904.48.

Pensioners and amounts paid, arranged by States, insular possessions, Canal Zone, and foreign countries, during the fiscal year ended June 30, 1914.

[Report of Commissioner of Pensions, 1914, p. 34.]

	Number.	Amount.
STATE OR TERRITORY.		
Alabama	3,094	$679,689.92
Alaska	77	16,915.36
Arizona	857	188,265.76
Arkansas	8,436	1,853,220.48
California	27,742	6,094,362.56
Colorado	7,709	1,693,513.12
Connecticut	9,581	2,104,754.08
Delaware	2,491	547,222.88
District of Columbia	8,607	1,890,785.76
Florida	4,870	1,069,841.60
Georgia	2,869	630,261.92
Idaho	2,150	472,312.00
Illinois	54,078	11,880,748.64
Indiana	47,858	10,514,339.04
Iowa	26,647	5,853,812.96
Kansas	31,017	6,814,409.76
Kentucky	20,449	4,492,236.32
Louisiana	5,146	1,130,473.28
Maine	13,659	3,000,609.12
Maryland	11,914	2,617,267.52
Massachusetts	32,675	7,178,401.08
Michigan	32,842	7,215,087.65
Minnesota	12,167	2,672,846.56
Mississippi	3,840	843,571.20
Missouri	37,804	8,305,676.32
Montana	2,264	497,355.52
Nebraska	13,758	3,022,357.44
Nevada	382	83,917.76
New Hampshire	6,283	1,380,249.44
New Jersey	19,739	4,336,858.72
New Mexico	1,816	398,938.88
New York	65,369	14,361,155.52
North Carolina	3,478	764,047.04
North Dakota	2,807	616,641.76
Ohio	74,250	16,312,133.60
Oklahoma	10,916	2,398,026.88
Oregon	7,469	1,640,789.92
Pennsylvania	72,407	15,907,263.36
Rhode Island	4,293	943,086.24
South Carolina	1,623	356,540.64
South Dakota	5,164	1,134,427.52
Tennessee	16,239	3,567,383.52
Texas	8,047	1,767,764.96
Utah	983	215,945.44
Vermont	6,264	1,376,075.52
Virginia	8,341	1,832,350.88
Washington	9,522	2,091,792.96
West Virginia	10,170	2,234,145.60
Wisconsin	18,941	4,160,958.88
Wyoming	804	176,622.72
Total	779,908	171,337,455.61
Canal Zone, total	1	240.00
INSULAR POSSESSIONS.		
Guam	2	504.00
Hawaii	72	15,816.96
Philippines	58	12,741.44
Porto Rico	35	7,688.40
Total	167	36,750.80
FOREIGN COUNTRIES.		
Algeria	1	144.00
Argentina	12	2,598.00
Australia	98	20,802.00
Austria-Hungary	35	6,156.00
Azores	5	1,104.00
Bahamas	3	720.00
Barbados	2	288.00
Belgium	21	5,104.32
Bermuda	7	1,008.00
Bolivia	1	180.00
Brazil	6	1,404.00
British West Indies	8	1,998.00
Bulgaria	2	360.00
Canada	2,692	529,620.00
Cape Verde Islands	1	96.00
Chile	11	3,030.00
China	18	4,067.16
Colombia	1	144.00
Comoro Islands	1	120.00
Costa Rica	3	702.00
Cuba	42	9,054.00
Danish West Indies	1	144.00

Pensioners and amounts paid, arranged by States, etc.—Continued.

	Number.	Amount.
FOREIGN COUNTRIES—continued.		
Denmark	48	$9,510.00
Dominican Republic	1	144.00
Dutch West Indies	4	744.00
England	464	97,998.00
Egypt	1	144.00
Finland	7	1,500.00
France	88	20,918.00
Germany	504	96,204.00
Greece	9	1,320.00
Guatemala	4	732.00
Honduras	6	1,512.00
Hongkong	4	797.88
India	12	1,926.00
Ireland	415	85,814.10
Isle of Man	1	240.00
Isle of Pines	8	1,764.00
Italy	59	15,967.44
Japan	34	6,732.00
Liberia	7	1,380.00
Luxemburg	3	432.00
Malta	2	288.00
Mexico	75	13,662.00
Morocco	1	144.00
Netherlands	14	2,784.00
Newfoundland	5	858.00
New Zealand	20	4,086.00
Nicaragua	2	324.00
Norway	69	12,659.94
Panama	3	444.00
Peru	10	1,800.00
Portugal	5	1,296.00
Russia	10	2,040.00
Samoa	1	96.00
San Salvador	1	216.00
Scotland	75	14,750.16
Seychelles Islands	1	144.00
Siam	1	180.00
Society Islands	1	288.00
South Africa	12	2,832.00
Spain	6	1,128.00
St. Helena	1	144.00
Sweden	75	14,618.88
Switzerland	69	14,202.00
Tasmania	1	276.00
Tonga Islands	1	216.00
Trinidad	2	372.00
Turkey in Asia	15	2,886.00
Turkey in Europe	2	330.00
Uruguay	3	648.00
Venezuela	1	144.00
Wales	29	5,592.00
Total	5,163	1,034,071.88

SUMMARY.

	Pensioners.	Payments.
Pensioners residing in States and Territories and payments to them	779,908	$171,337,455.61
Pensioners residing in insular possessions and Canal Zone and payments to them	168	36,990.80
Pensioners residing in foreign countries and payments to them	5,163	1,034,071.88
Total	785,239	172,408,518.29
Payments by Treasury Department (Treasury settlements)	.....	9,027.97
Total payments on account of Army and Navy pensions, 1914	.....	172,417,546.26

CIVIL WAR SURVIVORS.

[From Report of Commissioner of Pensions, 1914, p. 5.]

The following shows the loss and percentage of loss to the pension roll by death of Civil War soldier pensioners from the year 1909 to 1914, inclusive. This is the first time that the percentages have been shown. It will be seen that the percentage of loss is increasing with the advancing age of the veterans.

Losses to pension roll, 1909 to 1914.

Year.	On roll at beginning o. year.	Loss by death during year.	Percentage of loss.
1909	620,985	32,831	5.2
1910	593,961	35,312	5.9
1911	562,615	35,243	6.2
1912	529,884	33,981	6.3
1913	497,263	36,064	7.2
1914	462,379	33,639	7.3

Disbursements for pensions and for maintenance of pension system, 1866 to 1914.

Fiscal year.	Paid as pensions.	Cost, maintenance, and expenses.	Total.	Number of pensioners.
1866	$15,450,549.88	$407,165.00	$15,857,714.88	126,722
1867	20,784,789.69	490,977.35	21,275,767.04	155,474
1868	23,101,509.36	553,020.34	23,654,529.70	169,643
1869	28,513,247.27	564,526.81	29,077,774.08	187,963
1870	29,351,488.78	600,997.86	29,952,486.64	198,686
1871	28,518,792.62	863,079.00	29,381,871.62	207,495
1872	29,752,746.81	951,253.00	30,703,999.81	232,229
1873	26,982,063.89	1,003,200.64	27,985,264.53	238,411
1874	30,206,778.99	966,794.13	31,173,573.12	236,241
1875	29,270,404.76	982,695.35	30,253,100.11	234,821
1876	27,936,209.53	1,015,078.81	28,951,288.34	232,137
1877	28,182,821.72	1,034,459.33	29,217,281.05	232,104
1878	26,786,009.44	1,032,500.09	27,818,509.53	223,998
1879	33,664,428.92	837,734.14	34,502,163.06	242,755
1880	56,689,229.08	935,027.28	57,624,256.36	250,802
1881	50,583,405.35	1,072,059.64	51,655,464.99	268,830
1882	54,313,172.05	1,466,236.01	55,779,408.06	285,697
1883	60,427,573.81	2,591,648.29	63,019,222.10	303,658
1884	57,912,387.47	2,835,181.00	60,747,568.47	322,756
1885	65,171,937.12	3,392,576.34	68,564,513.46	345,125
1886	64,091,142.90	3,245,016.61	67,336,159.51	365,783
1887	73,752,997.08	3,753,400.91	77,506,397.99	406,007
1888	78,950,501.67	3,515,057.27	82,465,558.94	452,557
1889	88,842,720.58	3,466,968.40	92,309,688.98	489,725
1890	106,093,850.39	3,526,382.13	109,620,232.52	537,944
1891	117,312,690.50	4,700,636.44	122,013,326.94	676,160
1892	139,394,147.11	4,898,665.80	144,292,812.91	876,068
1893	156,906,637.94	4,867,734.42	161,774,372.36	966,012
1894	139,986,726.17	3,963,976.31	143,950,702.48	969,544
1895	139,812,294.30	4,338,020.21	144,150,314.51	970,524
1896	138,220,704.46	3,991,375.61	142,212,080.07	970,678
1897	139,949,717.35	3,987,783.07	143,937,500.42	976,014
1898	144,651,879.80	4,114,091.46	148,765,971.26	993,714
1899	138,355,052.95	4,147,517.73	142,502,570.68	991,519
1900	138,462,130.65	3,841,706.74	142,303,887.39	993,592
1901	138,531,483.84	3,868,795.44	142,400,279.28	997,735
1902	137,504,267.99	3,831,378.96	141,335,646.95	999,446
1903	137,759,653.71	3,993,216.79	141,752,870.50	996,545
1904	141,093,571.49	3,849,366.25	144,942,937.74	994,762
1905	141,142,861.33	3,721,832.82	144,864,694.15	998,441
1906	139,000,288.25	3,523,269.51	142,523,557.76	985,971
1907	138,155,412.46	3,309,110.44	141,464,522.90	967,371
1908	153,093,086.27	2,800,963.36	155,894,049.63	951,687
1909	161,973,703.77	2,852,583.73	164,826,287.50	946,194
1910	159,974,056.08	2,657,673.86	162,631,729.94	921,083
1911	157,325,160.35	2,517,127.06	159,842,287.41	892,098
1912	152,986,433.72	2,448,857.31	155,435,291.03	860,294
1913	174,171,660.80	2,543,246.59	176,714,907.39	820,200
1914	172,417,546.26	2,066,507.15	174,484,053.41	785,239
Total	4,633,511,926.71	127,938,472.79	4,761,450,399.50	.....

SPECIAL ACTS.

[Report of Commissioner of Pensions, p. 43.]

Since 1861 there have been allowed by special acts of Congress 43,231 pensions and increases of pensions, of which 19,680 are now on the roll, with an annual face value of $5,944,484. Only a part of this is properly chargeable to special acts, as most of the beneficiaries had been previously pensioned under general laws at lower rates.

From June 30, 1913, and thereafter during the Sixty-third Congress, 894 persons were included in the special acts passed at the rates specified in the summary following:

Pensions granted by special act during the Sixty-third Congress subsequent to June 30, 1913.

RATES SPECIFIED.	Number.
$50	59
$40	74
$36	47
$35	2
$30	213
$25	5
$24	105
$21	1
$20	192
$17	2
$16	5
$14	1
$12	145
$10	3
Inoperatives:	
$50	5
$40	3
$36	2
$30	20
$24	6
$20	4
Total	894

Of the above, 153 were granted to persons not in receipt of a pension and 741 to persons then receiving smaller pensions.

The annual value of said special-act pensions is $269,592, and the annual increase due to the same is $115,872.

The following statement shows the number of pensions and increases of pensions granted by special acts during each Congress since March 4, 1861:

Number of pensions granted by special acts each Congress since Mar. 4, 1861.

Thirty-seventh (1861–1863)	12
Thirty-eighth (1863–1865)	27
Thirty-ninth (1865–1867)	138
Fortieth (1867–1869)	275
Forty-first (1869–1871)	85
Forty-second (1871–1873)	167
Forty-third (1873–1875)	182
Forty-fourth (1875–1877)	98
Forty-fifth (1877–1879)	230
Forty-sixth (1879–1881)	96
Forty-seventh (1881–1883)	216
Forty-eighth (1883–1885)	598
Forty-ninth (1885–1887)	856
Fiftieth (1887–1889)	1,015
Fifty-first (1889–1891)	1,388
Fifty-second (1891–1893)	217
Fifty-third (1893–1895)	119
Fifty-fourth (1895–1897)	378
Fifty-fifth (1897–1899)	694
Fifty-sixth (1899–1901)	1,391
Fifty-seventh (1901–1903)	2,171
Fifty-eighth (1903–1905)	3,355
Fifty-ninth (1905–1907)	6,030
Sixtieth (1907–1909)	6,600
Sixty-first (1909–1911)	9,649
Sixty-second (1911–1913)	6,350
Sixty-third (1913 to June 30, 1914)	894
Total	43,231

Mr. BARTLETT. The information which I have given as to these bounties is taken from a work called "American Politics," by Mr. Cooper, a Republican, of Pennsylvania, who for a number of years was a member of the Pennsylvania Legislature and chairman of the Republican State committee in 1881–82. It is to be found on page 74 of that volume.

I get this statement with reference to the $142,000,000 that the United States Government appropriated for bounties from a document of the Senate issued in 1879, containing a statement of the expenses of the war, and which contains the amounts of bounties paid by the United States during and immediately after the war. That document puts the total expenses of the war at $6,189,929,908.58.

This bill carries $164,000,000 for the next year, and we appropriated $169,000,000 last year. There is a surplus of between seven and seven and one-half million dollars on last year's appropriation. I had hoped that we could have reduced the bill by that amount, but the Commissioner of Pensions and the subcommittee and the committee did not think proper to do so.

It seems that whenever the pension roll decreases in number and amount—and it necessarily decreases in numbers as the years go by, for 35,000 to 36,000 die and drop out every year—that new schemes are to be inaugurated and devised for continuing this enormous pension roll, larger before the present war commenced than was appropriated by the European countries for any one year. For myself I protest against this kind of legislation.

I know the bill for 1912 was passed by a Democratic House, but that does not make it one that I can favor. I repeat that the soldier who is wounded and diseased by fighting his country's battles ought to have a pension, and I would be glad to vote for it. But these bills that propose simply to give these men payment, not for wounds, not for disease, not for long service, but merely because they were on the pay roll for 90 days, does not meet with my favor. The most of them that enjoy that benefit are men who went into the Army not from patriotic motives, not to defend the flag, but because there was paid to them by the States bounties sometimes as high as $1,500 in one case.

Mr. AUSTIN. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. AUSTIN. Why did not the committee give the Commissioner of Pensions all he asked for?

Mr. BARTLETT. We have given him all that he asked for and more.

Mr. AUSTIN. As I read the report, it is a million dollars less.

Mr. BARTLETT. Because the commissioner reduced his estimate and then further asked us to reduce it to $164,000,000. I have his letter here.

Mr. AUSTIN. The gentleman from Georgia complains of pensioning the soldier that had no disability. Is it not a fact that the Southern States pension soldiers who are indigent?

Mr. BARTLETT. Yes; who have no property.

Mr. AUSTIN. Then why should not the Federal Government do it?

Mr. BARTLETT. Because the Federal Government does not limit it in that way.

Now, Mr. Chairman, there are some other things that I desire to say, not relating to pensions. First, the gentleman from Pennsylvania [Mr. PALMER] this morning, in reply to my colleague [Mr. TRIBBLE], said that I did not oppose a certain bill which, as far as I can learn, no House or Senate heretofore has thought proper to report and put upon the calendar, a bill to authorize the exercise of the interstate-commerce power of regulating the hours of labor of children of various States in this Union. I did not by my vote seek to oppose such a bill. I knew it was useless. I knew the forces behind that clamor paid no more attention to the restrictions of the power of this Government in that Constitution than they did on other occasions. I knew they were endeavoring to do that which Jefferson warned the people before he died, in one of his letters written after his retirement, that the interstate-commerce clause of the Constitution would be used as an elastic shield under which the Federalists would endeavor to draw all the powers of the States to the Federal Government and throttle and destroy the powers of the States.

I have lived to see in the Congresses of which I have been a Member, time and time again, when the police powers of the State were swept from it under the guise of doing some great moral thing which was solely within the power of the State to do.

Mr. Chairman, I can not better illustrate what I mean than by reading just here an editorial from a great American author, who has lived long and devoted his life to the business of editing a great newspaper—Henry Watterson, of Louisville, Ky.

When the former President of the United States, Mr. Roosevelt—who had, I hope, a good purpose, I will not say for the gratification of ambition to promulgate his doctrine of new nationalism, and had gone down to defeat in 1912—had taken himself to the jungles of South America to recuperate and come back again from Elba, Mr. Watterson wrote this:

> The end of the Republic is not yet. Impiety we behold on every hand; ingratitude and folly; women quarreling with nature for not making them men; men quarreling with freedom for not leveling conditions; the visionary seeking to abolish disease and sin by act of Congress, the demagogue flattering these delusions; but the hand of God is not yet ready to descend to blight the land and blast the people.
>
> Not yet; not yet. Maybe it will be His will to lead them through kindly light from the darkness of the hour to higher and better things. Who shall say? Anyhow, He has lifted all present menace of the Deluge. Once more He has saved the people in spite of themselves. The return of the native may have ornithological, even geographical significance, but not political importance. The man on horseback can only prance in the circus ring. Caesar never again; just plain Teddy of the tiger heart and forked tongue, wanting an office and wanting it bad, like the rest of those who have been here to-day and gone to-morrow, as presently he shall be.

Mr. MURDOCK. Mr. Chairman, I would like to ask the gentleman from Georgia if he has the editorial that Mr. Watterson wrote about Bryan and the Democrats in 1896?

Mr. BARTLETT. No, I have not; I read it.

Mr. MURDOCK. That is equally good authority.

Mr. BARTLETT. And a very good editorial, too. Mr. Chairman, I hope he is right. Mr. Chairman, 20 years ago, when I entered the Halls of this House as a representative of my State, where I have served continuously since that time with almost the unanimous indorsement of my people, both at the primaries and at the election, no such bill as that could have been championed, even by a so-called Democrat from Pennsylvania. [Laughter and applause.] I have no apologies to make to him or to anybody else for our position on this sort of a bill. When the gentleman says that this bill was aimed at a few Southern States who coined the labor of children into dollars, he made a statement that was far from correct; indeed, it was reckless. [Applause.] The gentleman said that it was in order to protect us. Mr. Chairman, on one or two occasions I have had the privilege of putting into the RECORD the laws of the State of Georgia in regard to child labor. The senior Senator from Georgia, then governor of Georgia, and the junior Senator, then a Member of the House, and myself aided in passing through the Legislature of the State of Georgia a law which protected children in the factory from being improperly worked, children under 14 years of age. We need no enlightenment; we need no assertion from the gentleman from Pennsylvania [Mr. PALMER] to know that we have done such a thing as that.

If the gentleman is so interested in taking care of the lives and bodies of the children who are working under the lawful age, then he might have devoted himself in years gone by and at the present time to cleaning up his own house in Pennsylvania. If I recall correctly, an investigation had by the direction of President Roosevelt, over which George Gray, then a circuit judge of the United States, presided, developed conditions so shocking and horrible in the mines of Pennsylvania, with reference not only to the employment of children, but of men and women, that the whole country was shocked. The gentleman

would better pull the beam out of his own eye before he undertakes to criticize or interfere with the mote in his neighbor's eye.

Mr. Chairman, that is all I desire to say in respect to that. We invite the slanderers down to the State of Georgia, where I live, so that they may see for themselves the happy condition, the safe condition, the contented condition of the many people employed in the mills, the children employed in the mills under the laws of Georgia, and if that does not show up well in comparison with the State of Pennsylvania, then I shall be ashamed. The gentleman from Pennsylvania [Mr. PALMER] would better, I repeat, sweep out the dirt and filth on this subject from the State of Pennsylvania and the mines and workshops there before he undertakes to come in here and in his unconstitutional way undertake to protect the children of Georgia. The gentleman spoke of those who opposed by their voices and by their votes this measure. I voted against it. There is not a man in this House on either side who did not know when the bill was called up and my name was called that I would vote against it.

It is not because I have not as much at heart the interest and protection of the children of the country as has the gentleman from Pennsylvania; not because I would not advocate and have not advocated in my own State legislature the enactment of laws to protect them from avarice of the mill owners, but because I know, when the fathers builded this Government and wrote into the Constitution the words that are written there limiting the power of the Government and reserving certain rights to the States, that they intended that no one like the gentleman from Pennsylvania [Mr. PALMER] should undertake to lay his hand on the sacred ark of the covenant and invade the liberties of the people of the States by enacting a law of that kind. I believe, as do many others, that this is a Government with limited powers, and that certain rights are reserved to the States; and if that be treason to the Democratic Party and to the country, then the gentleman may make the most of it. I have lived in that sort of belief and I have advocated in this House for 20 years that belief, and I shall go out of it maintaining that belief and my own self-respect. I shall go back to my people knowing that I have kept the faith, whether they approve or do not approve, or whether the gentleman from Pennsylvania approves or does not approve. I would rather retire to private life, as I shall do, with these convictions, and go down to my grave believing in them and believing that I stand for them, than have all of the cheap claptrap notoriety that people get from endeavoring to change the laws of the State by these unauthorized and unjustifiable methods.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. MURDOCK. I realize the gentleman's sincerity, but does the gentleman expect the Supreme Court of the United States to hold the child-labor law unconstitutional?

Mr. BARTLETT. I expect the Supreme Court of the United States to administer the law as it has heretofore declared it, and to say that you can not exercise the interstate-commerce clause of the Constitution to regulate the police laws of the States.

Mr. MURDOCK. But if the Supreme Court holds that it is constitutional, what then?

Mr. BARTLETT. Then the people will have to submit to it.

Mr. MURDOCK. And in that event we would have had hold of the right horn of the dilemma and the gentleman of the wrong horn.

Mr. BARTLETT. That does not make it right. I decide these questions of constitutionality by my own convictions and not by what the Supreme Court or somebody else may say. I am the judge, and not the Supreme Court.

I did not intend to say anything on this, Mr. Chairman. I have done so because the gentleman from Pennsylvania [Mr. PALMER] threw out such a broad challenge to those of us who spoke against it and those of us who voted against it in stating that we were endeavoring to fasten upon the country wrongs perpetrated by avaricious mill owners against the children of the country.

Another thing. Mr. Chairman, I am opposed as a Democrat to any proposition looking to the Government ownership of the public utilities of this country. No Democratic platform, no Republican platform that I have ever read, and no platform of any of the great parties that have battled for the supremacy of this great Government in the last 100 years has ever advocated it. On every stump in Georgia, from the mountain to the seaboard, from Savannah to the Chattahoochee River, every Democratic candidate and speaker have rung out the protest of the Democratic fathers against so-called Government ownership or any species of Government control. That was a policy which originated as far back as 1872 with the Socialist Labor Party. I did not believe in it then and I do not believe in it now. Men may come and men may go, parties may change and men in parties may change, but that faith I shall hold to as an abiding truth. I have kept it and I propose to keep it on all occasions, however much I may regret that the occasion arises when I shall have to assume that position and give expression to my opinion in opposition to my party. I see no difference between Government ownership of railroads and Government ownership of ships that ply the seas. In truth, I would rather under the operation of government vote for Government ownership of railroads than I would for Government ownership of ships, because the United States Government has the right to exercise the power of eminent domain through the States, also to condemn a right of way for its highways to carry the mails or military supplies, or build railroads under the commerce clause of the Constitution, as the Supreme Court has said, but whoever, until this month or this year, ever proclaimed the doctrine that the United States Government had the right to condemn a highway across God's highway, upon the seas of the world, which is God's highway, 3 miles from shore.

No man is prohibited from going upon it or sailing upon it, and you can not exercise a power or sovereignty or force and say you condemn it and use it. So I found myself disagreeing with the policy of my party, the policy advocated by my friends in this House. I declined to accept it. I have the greatest admiration, affection, and respect for the man in the White House. I think he is one of the greatest Presidents whom we have had in many decades in this country—a sincere, true patriot. I do not propose and have not proposed to indulge in any sycophantic praise of him. I took my political life in my hands in the primaries in 1912 in my district in advocating his nomination, and some who are now shouting his praises were fiercely attacking him.

I stood up for him and carried my particular section for him in the primary. I thought in 1912, as I think now, that he was the best man of all the candidates we could nominate for the Presidency and the only man we could elect. He is a manly man; he has opinions of his own, and when occasion arose which called upon him to do so he asserted those principles and voted them or remained quiet and did not support the candidates who represented the principles he could not accept. I claim the same right to vote and voice those principles that I have believed in all my life, whether in the Democratic caucus or in the House. I exercised this right in the Democratic caucus. The Democratic caucus has formulated a rule by which a man who could not support a measure that contravenes his view of the Constitution of the United States or which violates the pledge which he had made to his people could be excused from supporting a caucus measure.

But these small men who undertake to enlarge their proportions by standing in the glaring light that beats around the White House go around and glibly talk about "bolters." They want front seats and front places in the White House light; they who hold up their hands and shout, like Demetrius of old, "Great, great is Diana of the Ephesians." So they shout, "Great, great is Woodrow Wilson in the White House." [Applause.]

As Demetrius said when St. Paul undertook to tell him about the Christian religion and the wonders which Christ and His disciples had worked, when he undertook to preach the doctrine of Christianity, Demetrius urged the people to stone him because it interfered with Demetrius's business. And so these shouters for Wilson would have it done to us. I do not care if they stone me like Demetrius would have stoned St. Paul because we interfered with their business of patronage. [Laughter and applause.] Why, I am ready to be stoned; I am ready to be pilloried in the white light of public opinion of my State and of my constituency; and if I can not show them that I stood for the faith of the fathers, that I exercised a right that a Democratic caucus gave me when we organized the Democratic caucus, then I must accept the consequences; but I would rather wrap the robes of private station around me and retire to my home and serve the balance of my life as a private citizen than to be forced by any sort of demand to lose my respect.

I can lose office and be satisfied. I can lose the good opinion or approval of those men who have one opinion to-day and another to-morrow, but I can not go to my home and my people with my self-respect gone, and tell them that I did it by the dictation of anybody, and I will not do it. [Applause.]

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. Mr. Chairman, I ask leave to extend my remarks, by putting in extracts from the National Magazine, which gives a statement of the various instances where States

have undertaken government ownership of railroads and have failed. I ask to put that in.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The article referred to is as follows:

GOVERNMENT OWNERSHIP OF UTILITIES.
(By William Clayton.)

"Government ownership and operation is not an entirely new proposition in this country, for minor ventures were made as far back as colonial days, most of which were financial failures. Prior to 1860 appropriations exceeding $12,000,000 had been made by Congress for the construction of Government-owned transportation projects, but the most searching investigations which students of political economy have made have brought to light nothing remarkable except the fact that no financial success followed these undertakings.

"The older States have had the most disappointing experience with practically every project they have launched, and a very interesting volume could be compiled from the records of government owned and operated canals in some of the Eastern States. The figures would be appalling, and they would indicate a waste of money far beyond all reason. Outside of New York State the great majority of canal projects have either been abandoned or turned over to private ownership; and even in New York State no one would venture to assert that the canals have been other than a gigantic failure except so far as they have assisted in the development of the territory through which they were built. As enterprises standing alone, the financial losses have been colossal.

"History shows that several American States have owned and operated steam railroads, only to abandon them as unprofitable and therefore unsuccessful. The only Government railroads in this country to-day are the Panama Railroad, operated by the Federal Government, and a short road in Texas known as the Penitentiary line. (The apparent success of Government operation of the Panama Railroad is due to excessively high rates and monopolization of the traffic. For instance, the Panama Railroad's average freight rate in the fiscal year 1913 was a trifle short of 3½ cents per ton per mile, which was more than four times greater than the average of the privately owned railroads of the United States—three-quarters of a cent per ton per mile.) Georgia and North Carolina own certain railroads, which were built several years ago, but they are now leased and operated by private companies. Before going out of the railroad business these States encountered disastrous experiences in the operation of the system. Probably no better account of an unsuccessful experience may be found than the story told by Hon. T. B. Wamock, formerly judge of the Supreme Court of North Carolina, who wrote, in 1906: 'This road (from Goldsboro to Morehead City) has been operated by the State of North Carolina for nearly half a century, in war and peace, by Democrats, by Republicans, and by fusionists, with various degrees of failure.

"'The private stockholders for years have pleaded for a lease or anything to avoid a continuance of political mismanagement. During these many years no dividend has been earned, though one or two presidents declared dividends of 1 or 2 per cent per annum for political effect, when such moneys should have been used in betterments. Finally, during the administration of Gov. Aycock, it became known that the administration had determined to heed the cries of the private stockholders and the sound business judgment of the people of the State and to lease this last of the State's railroads. A great sigh of relief went up from mountain to sea. The effect of the lease was immediate. The first year of private management improved the roadbed and equipment to a point never before approached. The road is being extended and new connections made and is run upon business as opposed to political methods. The service, both passenger and freight, has been nearly doubled, and favoritism has been abolished.'

"The experience of Cincinnati, which owns the Cincinnati & Southern Railroad, has been nothing but unsatisfactory from a financial standpoint.

"Missouri has had a most unfortunate experience in railroad construction and operation, and it is stated that its losses in this line of endeavor amount to approximately $25,000,000.

"The State of Pennsylvania is said to have lost about $20,000,000 in its railway projects. This loss resulted from its experience with the old Philadelphia & Columbia Railroad.

"Indiana started out in the late thirties to demonstrate its faith in public ownership, but, after a year's experience as an owner and operator of the Madison & Lafayette road, frankly admitted its failure and stopped the losses after a million and a half had been sunk in the enterprises.

"These illustrations are not the only unsuccessful experiences that American States have encountered with public ownership and operation. Unfortunately, a complete story of these failures has never been written, and as many of them occurred before our present generation the precedents have not been sufficiently considered. When these failures are better understood they will aid in forming correct conclusions regarding the wisdom of municipalizing everything in sight.

"The commissioner of accounts of the city of New York recently reported to the mayor that the net loss from operating the Staten Island ferry for seven years was $4,450,699. The city's loss on the Staten Island ferry proper, coupled with the loss on what is known as the Thirty-ninth Street division, a Brooklyn ferry, has been $6,625,000, an average of $2,934 a day. Gazing at these figures, and then contemplating the fact that these ferries paid when they were privately operated, can not but dampen the ardor of any municipal ownership enthusiast.

* * * * * * *

"Every government of municipal enterprise is exposed to political outbidding of one politician by another. Government employees become electoral factors in proportion to the increase of Government and municipal activities. They become the actual masters of those to whom in theory they are subservient.

"In the Municipal Trading Report, Sir Thomas Hughes, twice mayor of Liverpool, states: 'The day on which a man becomes the employee of a municipal corporation he ought to have no further voice in the choice of his superiors.'

"The New York World recently states:

"'Nominally the civil-service employees of New York are public servants. In reality they are public masters.

"'The original civil-service laws were enacted to protect faithful public servants from political bosses and to safeguard the public business from the demoralization of public welfare. We have protected all these employees from the boss, but we have got to devise means to protect the public from its employees. No corporation would dare take the aggressive stand against public regulation that these civil-service employees take.

"'New York has a written charter, but it is only a matter of form. The real charter of New York is to be found in the decrees of 60,000 and more civil-service employees, all organized against their employers, the people of New York. They are all despots of our democracy.'

"One difficulty common to most forms of government ownership arises from the necessity of dealing with a large number of employees. The tasks of a government, whether it be a nation or a municipality, are sufficiently varied and comprehensive to take up all the ability and time of the administrators, without adding unnecessarily to their duties. In public ownership there is a multiplication of the activities of government which brings about vexatious interference with liberty and a restriction upon legitimate enterprises. In other words, instead of the liberties of the people being protected they are curtailed."

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I make a similar request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LANGLEY. Mr. Chairman, I make a similar request.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1916, and for other purposes, namely.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORE] may proceed for 10 minutes as though it were in general debate.

Mr. BARTLETT. Mr. Chairman, I hope that will be done, and I join with the gentleman from Illinois in that request.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. MOORE] may proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Mr. Chairman, I am obliged to the gentleman from Illinois, also the gentleman from Georgia, for this courtesy at this time. It is rather belated, since what I have to say could have been more appropriately said at the time the discussion was on. I rise now to say a word or two with respect

to a practice that has grown up here of criticizing men who are not present. I do not mean to reflect upon the gentleman from Georgia, for instance, who has just made a very severe attack upon my distinguished colleague, the gentleman from Pennsylvania [Mr. PALMER], inviting a reply that I presume, in due course, will be made in defense of the child-labor bill, but I do think some Member in this House should rise when a statement is being made about an individual who is not here, which statement involves a charge of corruption concerning individuals who are not present to defend themselves.

Now, I have no desire to question the motives of the gentleman from Illinois [Mr. TAVENNER]. He has started out on a line of investigation which is special to his particular district and he endeavors to broaden it so that it will attract general attention. But when he comes into the House and asks leave to have read a statement, which statement he represents to be a response to a very lengthy attack made by him in the RECORD, and which does not upon its face appear to be a statement of the person to whom it is attributed, it is entirely regular, fair and just that some one—it happened to be me in this instance—should rise and question the authenticity of the statement.

In the CONGRESSIONAL RECORD of February 15 our very industrious colleague from Illinois [Mr. TAVENNER] inserted a speech of more than 22 pages in length, which is a direct attack upon the War and the Navy Departments, and which throughout breathes the spirit of corruption and of graft, and which in some instances directly asserts that officers of the Government serving under our distinguished Democratic President, Woodrow Wilson, are in league with certain trusts and combinations for the purpose of making money and making it corruptly.

Mr. TAVENNER. Will the gentleman yield?

Mr. MOORE. I can not yield just now. The gentleman from Illinois [Mr. TAVENNER], having gone thus far in the RECORD, proceeds this morning, under time granted to him by the gentleman from Georgia [Mr. BARTLETT], to have read an article from a newspaper, which, according to his statement, is in answer to his lengthy speech of February 15. The gentleman from Illinois stated in his address of this morning—a stenographic copy of this address being before me—that he, the gentleman from Illinois, having called attention to the fact that—

> Four firms, which constitute the War Trust of this country, have drawn down $175,000,000 worth of contracts from the Government for munitions of war, and that Army and Navy officers have permitted these four concerns to outrageously overcharge the Government for every dollar's worth of those supplies—

therefore he calls attention to the fact that Gen. Crozier—and that comes very close to an implication that Gen. Crozier is one of the officers who is permitting the Government to be "outrageously charged"—

> That Gen. Crozier, the present Chief of Ordnance, who does the buying of these supplies for the Army, was formerly in partnership with the Bethlehem Steel Co.; that he was in partnership with them on the day he was made Chief of Ordnance—

And so forth. Having made this fling, the gentleman from Illinois says:

> My attention has been directed to an answer by Gen. Crozier to the charges which I have made, and I think, in fairness to Gen. Crozier and in order that his views may be in the RECORD, as mine have been placed in the RECORD—

And so forth. That this alleged statement by the general should be read from the Clerk's desk, and so forth.

Now, it was patent to every Member who listened to the newspaper article which the gentleman sent up to the Clerk's desk to be read that it did not emanate from Gen. Crozier; that it was just as I said when breaking into the reading of the article, observing that it was unfair, that the article iself represents a man of straw set up to be knocked down. That is to say, the gentleman from Illinois, having made his charges, 22 pages in length, which charges have not been responded to, discovers a newspaper dispatch saying that Gen. Crozier contemplated doing so and so, and that Gen. Crozier might reply. That is the only basis for the statement of the gentleman from Illinois that Gen. Crozier proposed to do anything.

I said that this was not a fair method of procedure, and I was interrupted by certain calls from the floor, indicating that I was very much out of order and that I ought not to proceed. Now, in the speech of the gentleman from Illinois of February 15, after he has roasted Gen. Crozier, he says very much as he says in offering this newspaper statement about this man of straw, this bugaboo that he intends to knock down:

> I do not desire to do Gen. Crozier the slightest injustice, and, on the other hand, I am equally anxious that no injustice be done the taxpayers of this country.

He compliments the general, but he proceeds to lambast him just about as severely as a first-class, energetic newspaper writer is capable of doing, and the gentleman from Illinois [Mr. TAVENNER] is all that.

Now, in the course of my effort to reply briefly to the newspaper statement that was read, in order to explain that it was not a statement from Gen. Crozier, in order to have it appear in the RECORD that something was being used that was not, apparently, furnished by Gen. Crozier, there came certain objections, cries of "Sit down," cries of "the gentleman is out of order," suggestions, and catcalls from Members who did not address the Chair that I "should take my seat"; suggestions that I was the representative of the Steel Trust. Although some of them were undoubtedly jocular, these suggestions about the trusts came from the gentleman from Missouri [Mr. BORLAND], from the gentleman from Illinois [Mr. TAVENNER], from the distinguished and always deliberate gentleman from Illinois [Mr. FOSTER], and they also came with some explosive violence from the distinguished Democratic interrupter of the House, the gentleman from Ohio [Mr. GORDON].

These gentlemen said that because I was endeavoring to play fair and have the House do the decent thing toward a Federal officer under a Democratic administration, who was not here, that I was speaking in the interest of trusts and combinations. Of course, to me that insinuation is the veriest joke. To my constituents it would be laughable. Those who know me and have watched me here know that I have been as outspoken on this floor against illegal trusts and combinations as any Democrat ever dared to be. I have not even fallen in with the more recent Democratic notions that the Shipping Trust must be taken care of by the purchase of foreign ships; that the Railroad Trust must be taken care of, even from the White House, by increasing the freight rates in order that the railroads may have larger profits; that the Oil Trust and the Cotton Trust may have more protection by the purchase of ships to enable them to make more money; that the great shippers and exporters of the country must have an insurance company, paid for by the money of the people, in order that exporters may loot the people a little. All these things I have not fallen in with under this Democratic administration. I have protested against the modern Democratic forgetfulness of the common people of the land and their falling into hands of the trusts. I have wondered why they did it, whether it was for the purpose of securing campaign funds or not I do not know. It may have been to get on the right side of the "big interests" with the hope of continuing the last Democratic administration for another term.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE. I will not yield. I have not been able to agree with the gentlemen who represent the trusts of this country upon the Democratic side of this House——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes.

Mr. BARTLETT. I hope it will be granted.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a brief question?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from New Jersey?

Mr. MOORE. Well, as the gentleman is the special representative of the President of the United States, who recently received 62 representatives of the "big interests" in order that a better understanding might be had as to how the business of the country could be restored and normal conditions be resumed, I will yield to the gentleman.

Mr. WALSH. Does the gentleman infer that the President of the United States coerced the Interstate Commerce Commission?

Mr. MOORE. Oh, I make no such intimation. It is a fact, however, and the gentleman may ponder over it, that after the railroad presidents of the United States visited the White House and told the President their troubles, the President of the United States did issue a statement, saying that the railroads ought to have consideration, and that the freight rates ought to be increased. It has happened that the Interstate Commerce Commission has taken the same view of the situation that the President did, and has granted an increase of rates. Under a Democratic administration that formerly stood for the downtrodden people of the land and was forever against private monopolies, and particularly against railroad domination, that is pretty good.

Mr. WALSH. Let the gentleman be fair to the President, and say——

Mr. MOORE. That is as far as I can yield to the gentleman.

Mr. WALSH. The gentleman ought to know that he did not coerce the Interstate Commerce Commission.

Mr. MOORE. I did not say so. If the gentleman is going to be the President's sole defender on this floor——

Mr. WALSH. I do not pretend to be the President's sole defender on this floor——

Mr. MOORE. Why, then the gentleman will be the only Democrat who has responded to the Washington Post's Macedonian cry for help from Democratic Members to stand up and defend the President against the so-called vicious attacks that the Republicans are poking into the present administration. [Applause and laughter on the Republican side.]

Mr. WALSH. The gentleman should be fair.

Mr. MOORE. I am as fair as I can be under the circumstances. People who were prosperous in the gentleman's own district under the last Republican administration are now out of work. The people employed in the potteries up there are now seeking employment. They lost it because they voted for the gentleman's friend, now the President of the United States. They had the false notion that they could have continued prosperity under a low-tariff system. The gentleman knows that very well, because the slogan of the gentleman's campaign was "Walsh works with Wilson"; the result was that Walsh was left at home. I think the people of Trenton will verify that.

Mr. WALSH. Sometimes merit is not recognized at first, and there is still hope. [Laughter and applause.]

Mr. MOORE. The outlook is not very cheerful.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Gladly, if the gentleman will give me more time.

Mr. BARTLETT. I want to ask the gentleman a question.

Mr. MOORE. Yes.

Mr. BARTLETT. Does the gentleman think that a real Democrat at any time takes suggestions from the Washington Post as to what a Democrat ought to do?

Mr. MOORE. Well, sometimes the Post speaks out only in the interest of the Democratic Party. Its editor and proprietor is an excellent Democrat; he gives the party good advice from time to time. [Laughter.]

It seems to me that it ought to be stated now, in view of the protests that arose from the Democratic side a moment ago against a Republican Member daring to take his feet to even ask for fair play for a Democratic officeholder, that we ought to find out the origin of the case. I do not know whether Gen. Crozier is a Republican or a Democrat, and I do not care. I have not taken the trouble to call up Gen. Crozier or any of his friends to find out what his attitude is on these charges that the gentleman from Illinois [Mr. TAVENNER] has brought against him. I do not know whether he knows that his name was used in this body to-day or not. I speak only in the interest of fair play, and just now I am endeavoring to trace the origin of the man whom the Democrats did not want defended on this floor a little while ago, but whom they apparently desired to denounce, and whom they would connect with the great trusts of this country.

Let us see where he came from. I understand he was a captain in the Bureau of Ordnance some years ago, and that he was the inventor of what is called the disappearing gun carriage. I am not going into details, because they are technical, and I have not the finesse in that regard of my distinguished friend from Alabama, Capt. HOBSON. But in a departmental report signed by the Hon. Daniel S. Lamont, Secretary of War, and a very clever Democrat he was, I find this—the report was for the year 1894:

> The establishment of type disappearing gun carriages for 8-inch and 10-inch guns, invented by officers of the Ordnance Corps and believed to be unequaled for rapidity and simplicity of action by any carriage elsewhere in use, is a notable achievement of the year. This problem solved, the armament of our harbors may now be prosecuted as rapidly as means are available.
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> At the date of the last annual report of the department a selection of a type carriage for 8 and 10 inch guns was expected within a few months. Since then the 8-inch Buffington-Crozier disappearing carriage has been tried with results, as stated by the Board of Ordnance, exceeding for rapidity and smoothness of operation the most sanguine expectations of this board. The carriage is the combined invention of Col. Buffington and Capt. Crozier, of the Ordnance Department, and reflects credit on the inventive skill of American officers.
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> It is a satisfactory solution of one of the most difficult problems which has confronted military science.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOBSON. Mr. Chairman, I move to strike out the last word.

Mr. MOORE. Mr. Chairman, Daniel S. Lamont signed this report. He was a Democrat. It was indorsed by Grover Cleveland, a great Democratic President; and the origin of the scandal against Col. Buffington and Capt. Crozier started with the Democratic administration in 1894. [Applause on the Republican side.]

In extending these remarks, Mr. Chairman, I wish to say that the charges of the gentleman from Illinois seem to have been exploded long ago. The Committee on Military Affairs and the Committee on Appropriations and the House itself have grown tired of thrashing over this matter. If there was anything wrong with Gen. Crozier, why did Grover Cleveland in his annual message to Congress, December 7, 1896, referring to the invention of Capt. Crozier, say this:

> During the same year, immediately preceding the message referred to, the first modern gun carriage has been completed and 11 more were in process of construction. All but one were of the nondisappearing type. These, however, were not such as to secure necessary cover for artillery gunners against the intense fire of modern machine rapid-fire and high-power guns.
>
> The inventive genius of ordnance and civilian experts has been taxed in designing carriages that would obviate this fault, resulting, it is believed, in the solution of this difficult problem.

Apparently Gen. Crozier has had the confidence of every administration from the days of Grover Cleveland down to the present time. He appears to have the confidence of the administration of Woodrow Wilson, and I am at a loss to understand why, if he began with Cleveland and continues under Wilson, there should be any good reason for refusing him a decent hearing in a Democratic House of Representatives. It is not my case; it is yours.

Mr. HEFLIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. HOBSON. Which gentleman from Alabama?

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN].

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Chairman, a good many things have been said about the President coercing the Democrats into supporting the shipping bill. I think I know the sentiment on this side. Two-thirds of the Democrats over here were for the bill.

Mr. MADDEN. Two-thirds?

Mr. HEFLIN. Yes; and only 16 excused themselves, and of those, only 14 finally voted against the bill. The Progressives on that side voted with us, and I am not sure but that one or two Republicans did.

A MEMBER. Oh, no.

Mr. HEFLIN. Well, the Republicans may have voted solidly against the bill.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. HEFLIN. Yes.

Mr. TEMPLE. I know the gentleman wants to be accurate. Five Progressives voted for the bill and seven voted against it.

Mr. HEFLIN. Well, then, Mr. Chairman, that is one time that the minority of the Progressives were in the right, and the majority was in the wrong. [Applause.]

I knew the bulk of the Republican Party stood that way. The President of the United States does not need any defense at the hands of anybody here. His great work speaks for itself. The Republican Party is taking advantage of a distressing condition that exists in this country on account of war. One half the world is at war and business is disturbed along various lines. You are playing politics at a time when you ought to be supporting, with all your heart and head, this great chief in the White House. You are undertaking at this time to play politics; but, gentlemen, it is going to turn on you, and we are going to turn it on you in the campaign of 1916. The people will have learned long before then that conditions which are distressing business were brought about by the war in Europe. You are going to tell them and you have been telling them that it is caused by the tariff. Canada has a high tariff, and yet business is in an awful fix in Canada, and it is war that has caused it. War has injured conditions there just as war has injured conditions here.

Mr. FOWLER. Has not Germany the highest protective tariff of any country in the Eastern Hemisphere?

Mr. HEFLIN. And yet gentlemen will say that the war had nothing to do with disturbed business conditions in Germany. They would say that it is the Democratic Party in the United States that has done it, and that is what they would

have the people believe. But you can not fool the people with these things.

The President of the United States is fighting the greatest trust on the earth, the Shipping Trust. It is owned by people who live in foreign countries, and you gentlemen have shown your great friendship and sympathy for the people here by supporting the foreign Shipping Trust. You will also have that to meet in the next campaign. And the obstacles which you are trying now to place before this great man of peace in the White House will rise up to haunt you in the next campaign. Let me appeal to your patriotism once. Cease this effort at a political play and put the good of your country and the good of the American people one time above your insatiate desire to return to power. [Applause on the Democratic side.]

Mr. BARTLETT. Mr. Chairman, I did not know that general debate was going to be continued on this subject. I have no objection.

In what I had to say a few minutes ago I stated my position upon a certain proposition, and the gentleman from Alabama [Mr. HEFLIN] has repeated the language of the street, which we hear so often from those who do genuflections and swing censers before the President of the United States, that those who opposed the shipping bill were actuated by friendship for and interest in the Shipping Trust. That does not refer to me; but since the suggestion has been made I will ask, Where is the Shipping Trust in the country? It is the coastwise trade, and everybody knows it. Who are the people who have stood in the way? I do not mean Members of Congress. I never reflect upon the views or motives of Members of the House. Men who have honor and character enough to receive the votes of their constituencies and to be entitled to seats in this Congress are above suspicion of their motives and ought not to have their motives or their votes questioned, unless some proof can be brought against them. I despise that sort of argument and criticism against Congress, and I take it for granted that every Member of this House is as honest in his motives as I am, and I would resent the suggestion that I am in any way influenced in my vote.

Mr. HEFLIN. Mr. Chairman——

Mr. BARTLETT. I can not yield. I will yield in a moment. But the country knows and everybody knows that those of us who could not give our support to the shipping bill in the caucus agreed to support it if gentlemen would agree to make it temporary and would strike a blow at the great Shipping Trust—the coastwise trade—and the gentleman from Alabama [Mr. HEFLIN] and the people who thought as he did, headed by him, voted it down. We got 58 votes for it, but it was voted down. Now, "let the galled jade wince. My withers are unwrung."

Mr. HEFLIN. I should like to interrupt the gentleman.

Mr. BARTLETT. Yes.

Mr. HEFLIN. Does not the gentleman from Georgia know—I want to state to him that I did not have him in mind.

Mr. BARTLETT. I know you did not. You ought not to have had anybody in mind.

Mr. HEFLIN. I did not have the gentleman in mind. I was replying to the eloquent speech of the gentleman from Pennsylvania [Mr. MOORE], and had no reference to the gentleman from Georgia at all.

Mr. Chairman, I want to say this in reply to the gentleman from Georgia——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I want just an opportunity to speak for two minutes. I did not intend to cast any reflection on the gentleman from Georgia. I ask unanimous consent that I may have two minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. HEFLIN. The gentleman refers to what occurred in the caucus, about making a limitation on this purchase of ships. I want to say to the gentleman that that is exactly what the trust wanted. Whenever he asks this Congress to set a time to sell these ships, the trust rejoices, because it knows that nobody but the trust will bid and buy, and we did not want the Government to be helpless in the hands of the trust when it got ready to dispose of these vessels. We did what we thought was right. We followed the suggestion of the Senate Democrats, of the President in the White House, and the majority of the Democrats on this side. It has become the policy of the Democratic Party, and I choose to stand beneath the unfurled flag of my party, and I will stand and fight in the open, with Woodrow Wilson and four-fifths of the Democratic Senators and nine-tenths of the Democrats in this House. That is where I stand on this proposition. [Applause.]

Mr. BARTLETT. Mr. Chairman, I choose to stand with my party. I always did. I stood for it, I apprehend, when the gentleman from Alabama [Mr. HEFLIN] was in his swaddling clothes. I do not propose to permit him or anyone else to say where I shall stand, nor do I propose to permit him or men who entertain views not Democratic, and not drawn from Democratic sources, to drive me out of the Democratic Party. They may go, but I shall stay. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired, and the Clerk will read.

The Clerk read as follows:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $165,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

Mr. BARTLETT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amend, page 2, line 1, by striking out the figures $165,000,000 and inserting in lieu thereof $164,000,000.

Mr. BARTLETT. Mr. Chairman, according to the report of the Commissioner of Pensions there remained at the end of the last fiscal year $7,658,572.87 surplus of the $169,000,000 appropriated under the bill of that year. When the commissioner was before the committee that was preparing this bill he stated positively at that time that he was satisfied that $165,000,000 would be sufficient. Since that time he has further information, and on February 5, 1915, the chairman of the Committee on Appropriations received this letter:

DEAR MR. FITZGERALD: I understand that your committee has made a reduction of $166,000,000 to $165,000,000 in the appropriation for pensions during the fiscal year 1916. It will be entirely safe to make a further reduction of $1,000,000 from this amount, making the appropriation $164,000,000.

Cordially, yours,

———————.

That information was obtained after the committee had made its report to this House, and, therefore, following the suggestion of the Commissioner of Pensions and the Secretary of the Interior, I have offered this amendment.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. STAFFORD. Can the gentleman inform the committee what is the annual reduction in the pension fund occasioned by the deaths of the old soldiers?

Mr. BARTLETT. Yes; it is in the report.

Mr. STAFFORD. I notice here that in 1912 the reduction was $4,319,000. I presume it is much higher this year.

Mr. BARTLETT. The number of deaths during the year 1914 was 33,639.

Mr. STAFFORD. What were the total reductions occasioned by those deaths?

Mr. BARTLETT. It left a balance, as I stated to the gentleman, of $7,658,000.

Mr. STAFFORD. If I understood the gentleman, he stated $169,000,000 were appropriated, and there was a surplus of $7,000,000.

Mr. BARTLETT. Yes; that was the surplus. They did not pay it out.

Mr. STAFFORD. That would leave a balance of $161,000,000.

Mr. BARTLETT. Yes.

Mr. STAFFORD. And yet, notwithstanding the surplus, you are appropriating $164,000,000 instead of $161,000,000, and not taking into account the savings that will result by the increasing deaths of the old soldiers as the years go by. Does not the gentleman think there will be still a surplus of many million dollars if we appropriate $164,000,000?

Mr. BARTLETT. Yes; I do; and if the gentleman will offer an amendment to make it $161,000,000 I will vote for it.

Mr. STAFFORD. The gentleman is in charge of the bill.

Mr. BARTLETT. I am in charge of a bill that has been agreed to by a committee.

Mr. STAFFORD. From the figures presented by the gentleman for last year we appropriated $169,000,000, and there was a surplus of $7,000,000. That means that only $162,000,000 are necessary, and certainly with the continued deaths the figure that would be sufficient would be below $160,000,000. It does not require any argument to show that, because in 1912 the reductions in pensions occasioned by deaths at that time amounted to $4,338,000, and certainly as the age increases the reduction increases also.

Mr. BARTLETT. That is true. I endeavored to do that. I read from the hearings at page 8:

Mr. BARTLETT. Is it likely that you would have as much unexpended balance at the end of the next fiscal year as you had at the end of the last fiscal year

Mr. SALTZGABER. No, sir; I hardly anticipate that much, because the appropriation has been reduced all the time.

Mr. BARTLETT. You will have as much ratably or comparatively?

Mr. SALTZGABER. That is pretty hard to answer. I do not know just the meaning of the word "ratably" in that connection.

Mr. BARTLETT. In other words, if on an appropriation of $169,000,000 you saved $7,658,000, on an appropriation of $166,000,000 you would save as much, would you not?

Mr. SALTZGABER. No, sir; not necessarily. The amount required is diminishing, but the estimate was made $3,000,000 less to start with on that account. Now, as I have said to you, probably less than that will be required, though just how much less is a matter of speculation.

Mr. BARTLETT. If we give you $165,000,000, that will meet all the requirements?

Mr. SALTZGABER. I think that will be all right.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

Mr. BORLAND. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk reads as follows:

Page 2, line 6, after the word "separately," insert:

"From and after July 1, 1916, no pension shall be paid to any person who resides in a foreign country, and who is not a citizen of the United States, except for actual disabilities incurred in the service."

Mr. BORLAND. Mr. Chairman, I feel reasonably sure, from the discussion and comments which this amendment has received, that it represents the real sentiment of the American soldiers themselves. I am certain that it represents the sentiment of the rest of the taxpayers of this country.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. BARKLEY. Why does the gentleman put this off to July 1, 1916? Why does he not make it effective July 1, 1915?

Mr. BORLAND. Mr. Chairman, I will say to the gentleman from Kentucky that this amendment was considered in the Sixty-second Congress and was very vigorously opposed by some of the gentlemen on the opposite side of the House. One of the questions they raised was whether the department could get ready to put it into force during the current year. In my own judgment it can be put into force, and I have drawn and will offer, if this amendment is defeated, a limitation upon the existing appropriation. I am not sure but that both ought to go in, but I am perfectly certain that no possible injustice can result if we give them the fiscal year in which to ascertain and prepare for this change.

Mr. BARKLEY. They have now nearly five months before this appropriation becomes available.

Mr. BORLAND. That is true; but this amendment will get more votes than the amendment the gentleman has in mind. I know that from experience.

Mr. GOULDEN. What is the opinion of the Commissioner of Pensions upon this subject?

Mr. BORLAND. The opinion of the Commissioner of Pensions is very decidedly in favor of this amendment. I quoted that in my speech this afternoon, and I have it here in the hearings on page 21. The present Commissioner of Pensions is an old soldier and has the confidence and respect of the entire body of old soldiers of this country. I read from the hearings:

Mr. DAVIS. I would like to ask a formal question, and I do not ask the commissioner to answer it if he does not desire to do so: In your judgment, Mr. Commissioner, is it proper for a man who rendered service in the Civil War or any other military service for the United States Government, and who because of that service was placed upon the pension roll, to be deprived of that pension because of the fact that subsequently he declared his allegiance to some other country than the United States? In your opinion, Mr. Commissioner, should or should not that fact bar him from receiving the pension that he obtained as a service pension because of his service to the United States? You need not answer that question if you prefer not to do so.

Mr. SALTZGABER. I have an opinion on the subject, and it is this: I am so thoroughly American that I believe that a man who abjures his allegiance to this country ought not to receive any reward from it.

So that the present Commissioner of Pensions has a clear-cut opinion which he does not hesitate to express. I am very glad to find that my colleague from New York, Mr. GOULDEN, an old soldier in the Union cause, and my colleague from Ohio, Gen. SHERWOOD, agree very heartily in the absolute justice of this provision and the relative justice of it to the old soldiers who remain under the American flag and who contribute to the expenses of the American Government.

They have no sentiment, such as gentlemen who have opposed this in the past seem to think, that this is some kind of an injustice to the American soldier. In fact they take the opposite view, that this is an act of justice to the American soldier, who, in the last analysis, through himself, his sons, and family pay the taxes out of which these pensions must be paid.

Mr. FOWLER. Will the gentleman yield for a question?

Mr. BORLAND. Yes.

Mr. FOWLER. Would not the gentleman's amendment deprive a widow of a pension whose husband fought for the preservation of our Union, who now lives say in Ireland or Canada? Would it not deprive them of pensions?

Mr. BORLAND. Mr. Chairman, that objection has been raised also and made much of; and I want to say to my friend from Illinois, whom I know is perfectly sincere in asking the question, that as long ago as 1893, when this matter first came up, the question was raised then whether some of the widows or dependent mothers of soldiers who were foreigners and never became citizens of the Nation would not be affected by this provision. At that time, in 1893, there were less than 3,000 of these foreigners drawing pensions, whereas to-day there are over 5,000 of them. Now, the gentleman will see that if there are any widows in Ireland, or dependent mothers, their number ought to decrease very rapidly after the war and not increase at this rate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. BORLAND. My own judgment is this: That while there may be some widows remaining—I doubt whether there are any dependent mothers—if there may be some widows remaining in foreign countries whose husbands came here and fought and died under the American flag, we could very easily take care of those cases by special bills; in fact, when that question was put to the commissioner as to how we could deal with exceptional cases of foreigners who ought to have some reward from the Federal Treasury he said the way to deal with it was by a special bill in Congress. And these special bills would not amount to anything near the million dollars we are now dispensing. Another point that the commissioner made is this: We provided in the last bill—Sixty-second Congress—that pensions should be paid by checks instead of by vouchers. Well, that saved a good deal of time and some expense to the pensioner in getting his money and the trouble of going down and signing the voucher. It was an awful fight to get that through. I happened to be one of the conferees on the part of the House, and it took us three or four months, against a most bitter fight of these men who are capitalizing this pension business all over the country, to get that kind of an amendment into the law. Yet the commissioner says to-day that there is a saving made of $145,000 in the annual expense of running his office every year; and not only that, but it saves from one to eight days' time of pensioner in getting his money and he saves the expense and trouble of executing his voucher.

In addition to that, he says that that safeguard can not be extended to foreign pensioners; that he must continue to pay by voucher to foreign countries because there is no way of applying our fraud laws to a foreign country. If somebody over there continues to get a pension check after the pensioner died and continues to cash it, we can never reach him until some casual information comes through some American consul or otherwise that that pension ought to be stopped. That there is no way of our controlling that in foreign countries——

Mr. SHERWOOD. Will the gentleman yield for a question?

Mr. BORLAND. Yes.

Mr. SHERWOOD. In answer to the objection of the gentleman from Illinois, I will state it in this way: I heard the argument made by the gentleman from Tennessee a year ago on this question. Now, if there are any of these Irish widows, or widows of other countries, who are deserving of a pension, I will agree to get a private pension for every one of them.

Mr. BORLAND. They could very easily obtain them. But the main point is this: We might as well solve this question now as at any other time. We could not get into a war with any country on the globe without finding part of our own money, and perhaps men who are drawing pensions from this Government, under arms opposing us. It would perhaps be voluntary and perhaps by draft, but at least we would be fought by our own men and our own money. No nation in the world has ever done that or ever ought to do it, and we ought not to continue to do it.

Mr. BARTLETT. May I interrupt the gentleman just a moment?

Mr. BORLAND. Yes.

Mr. BARTLETT. The Commissioner of Pensions, at the suggestion of the committee, has prepared a letter, which can be

read, that would reach the situation by asking certain questions.

Mr. BORLAND. I will say, Mr. Chairman, that I have seen this letter prepared by the commissioner, and I will ask to have it inserted in the RECORD, so that it may be before the House. It consists of four questions. The commissioner says it would be very easy in sending out the next pensions to foreign countries to insert the letter, and have it returned with the answers, and that the expense would be but trifling.

Mr. COOPER. Would the gentleman read those questions?

Mr. BORLAND. Yes; I will. I may overrun my time.

Mr. BARTLETT. I will give you more time.

Mr. BORLAND. It says:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, ———, ———.

———— ————:

Please answer the following questions for the information of the Congress of the United States and return this circular in the same envelope with your next voucher for pension.

———— ————,
Commissioner of Pensions.

1. Where were you born?
2. Name the countries in which you have resided since your birth, and the years of your residence in each country.
3. Of what country are you now a citizen?
4. Were you ever a citizen of any other country; and if so, name the country and State, how you became a citizen thereof, and how your citizenship was terminated?

Signature: ———— ————.

Post-office address: ———— ————, ———— ————.

Now, there are four simple questions. It discloses exactly what Congress wants to know, whether this pensioner was ever a citizen of the United States, and whether——

Mr. COOPER. Will the gentleman yield? I want to ask the gentleman a question, which, with his answer, will, I think, embody the whole argument. Does the gentleman believe that it would have been wrong for the Government of the United States to pension Von Steuben, the German, or Lafayette and Rochambeau, the Frenchmen, or Kosciusko and Pulaski, the Poles, who helped to win our freedom, and then went back to Europe?

Mr. BORLAND. Congress, I think, did vote special ones to each of those gentlemen.

Mr. COOPER. Yes; it did. And why should it not have pensioned them as long as they lived? [Applause.]

Mr. GORDON. They are all dead.

Mr. BORLAND. That is not the question involved.

Mr. COOPER. Some of these other men came from Europe and helped 50 years ago to save the flag of the United States, and ought to be pensioned as long as they live, and wherever they live, for the same reason exactly. [Applause.]

Mr. BORLAND. That very question was asked Mr. Saltzgaber, the Commissioner of Pensions, and my recollection is that it appears in the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent for five minutes' extension.

Mr. MANN. How long is this going to run?

Mr. BORLAND. No longer than five minutes, so far as I know, unless some other gentleman wishes to speak.

Mr. FOWLER. I want some time.

Mr. BORLAND. Does the gentleman want to agree to time?

Mr. MANN. Oh, no. I just simply wanted an explanation.

Mr. BARTLETT. I did not want to make an explanation while the gentleman was on the floor.

Mr. BORLAND. I want to have the attention of the gentleman from Wisconsin [Mr. COOPER], because I do not want him to base upon exceptional cases a general rule. I do not want him to come here and say that there might be some distinguished gentleman that ought to be recognized, and that that is a good reason why a lot of men who expatriate themselves and take up homesteads in Canada ought to continue to draw pensions. Listen to what the commissioner said about that:

Mr. SALZGABER. I think that if there is any foreigner who came to this country and rendered service to it in the time of its peril, if that service was of conspicuous merit it would be a matter for Congress to deal with.

Mr. COOPER. Mr. Chairman——

Mr. SHERWOOD. That is what they did with Lafayette when he came over here. The Congress gave him $110,000 in gold.

Mr. BORLAND. There is no question but that Congress should deal with those cases. But we should not ask the American taxpayer to pay a lot of pensions to men who have abandoned this country.

Mr. MANN. Mr. Chairman, it was only a few years since that Congress put a man—a prominent Democrat, I think—Gen. Osterhaus, on the retired list as major general. He does not draw a pension. He draws the pay of a retired major general. I believe he lives in Germany. I would not take it away from him. Would you?

Mr. COOPER. No.

Mr. MANN. It was only recently that you on that side of the House voted to put him in that class. The proposition came from the Democrats of his drawing the pay of a retired major general, but your proposition is that if some poor German came over and fought for the preservation of this Union and went back home, and is drawing $12 a month, you will take it away from him. But you leave the general to draw $7,500 a year.

Mr. BORLAND. Would it not be better for the gentleman to leave politics out of this?

Mr. MANN. The gentleman had 15 minutes. Let me have a few minutes. I did not interrupt the gentleman.

Mr. BORLAND. I do not want to interrupt the gentleman without his consent.

Mr. MANN. Let me proceed for a moment. This proposition has been before this House on several occasions. Everybody knows it will not become a part of the law when this bill is passed. I do not believe that it will pass this House. It certainly will not pass the Senate at this session.

We are trying to avoid on this side of the House a special session, but gentlemen on that side keep injecting propositions that may cause one. What are the facts in the case? There are 5,163 of these pensioners living in foreign lands, and their pensions amount to a little over $1,000,000. That is $200 a person on the average. More than half of them live in Canada. Those in Canada consist of two classes: First, the men or their widows who came over the border during the war and volunteered, with no obligation except the moral desire to help preserve the Union. [Applause on the Republican side.] Do we owe them nothing? They came from a foreign country to fight for us. Do we owe them nothing? The other class consists of American citizens who have since the war gone to Canada, in the Northwest, in the hope that they may better their condition by taking homesteads there. They fought for the Union. Are we, in their older age, when they have gone out to help make the prairies bloom with crops, to take away from them our little pittance that we give to them?

Mr. GORDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. MANN. No; not yet. Wait a moment. Nearly one-tenth of these pensioners live in Ireland. The Irish blood is always for liberty. [Applause.] They are always ready to fight for liberty. [Renewed applause.] They came over here as young men and fought in behalf of the country. Probably most of these pensioners are their widows who have gone back to the Green Island to spend their last days, being meanwhile dependent on the little pension of $12 per month which we pay them. Do you propose to take that away from them? That is what this amendment does.

And nearly one-tenth of these pensioners are in Germany. Do we propose now, in this condition, to take away from those pensioners in that land the little pension that we pay to them, when they were willing to help us in our hour of need and war? And will we repay them, when they need this little pittance, when they are at war, by taking it away from them? That would be base ingratitude, unworthy of any civilized being. [Applause on the Republican side, and cries of "Vote!"]

Mr. BARTLETT. Mr. Chairman, this amendment was offered to the bill in 1913, when the bill was in committee. It was adopted, and it was made a part of the bill as reported from the Committee on Appropriations. When the bill came before the House it was stricken out in Committee of the Whole, and when it got before the House itself on a roll call the House agreed to the amendment.

I do not know whether it was incorporated in the bill at the next session or not as it came from the committee. Anyhow, the amendment was offered on the floor. This bill does not carry the amendment. Neither the subcommittee nor the full Committee on Appropriations placed it there, although an effort was made by the gentleman from Missouri [Mr. BORLAND] to do so, and he reserved the right to do as he has done and as he should do, holding the convictions that he does.

Now, as far as I am concerned, I agree with him about the amendment. I voted for it in the committee. I voted for it heretofore on the floor of the House on two occasions. I do not believe that anyone who was a citizen of the United States and who has adjured that allegiance and sworn allegiance to some foreign country ought to be permitted to tax the people of this country to continue the payment of the pension that he might be entitled to if he still remained a citizen of this country.

I at one time put into the RECORD, when this question was first up, a list of the leading countries of the world, which provided that within a certain time after a pensioner left the realm that he was a subject of and went to a foreign country he would be stricken from the roll, unless it should appear by his affidavit that he still retained his allegiance to the country which pensioned him.

Now, this amendment will in no way affect those who are temporarily residing abroad. It can affect only those who never did owe allegiance to the United States or to those who, having owed it, abandoned it and took up allegiance to some other country.

Now, it may be true, and I have no doubt it is true, that numbers of people came here from foreign countries and enlisted during the war from 1861 to 1865. It is a historic fact that many thousands of them were paid bounties and enlisted because they were paid bounties; and I to-day incorporated in the RECORD a list showing the amounts of bounties thus paid, aggregating something like $285,941,036, which the States paid to those people when they enlisted and $160,000,000 by the United States. And when they have received bounties and have received pensions up to this time, it seems to me that when men want to continue to draw pensions for which the people of this country are so highly taxed they should at least, when they go abroad, retain their allegiance to the flag of the United States and not forswear their allegiance to it.

Mr. SHERWOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio [Mr. SHERWOOD] moves to strike out the last word.

Mr. SHERWOOD. Mr. Chairman, I understand that the Commissioner of Pensions is in accord with the veteran organization known as the Grand Army of the Republic. He is a member of that organization, and a prominent member, and in close touch with the organization. I understand that the feeling in the Grand Army is that whatever pensions are paid out should be paid to soldiers who have not renounced their allegiance to the United States. They want to save this $1,034,000 that is paid out to foreigners.

Now, this country is good enough for me to live in. I think if a man who served in the Army thinks some other country is more desirable, and he renounces his allegiance to the United States, the Government of the United States does not owe him anything.

Now, in answer to what the gentleman from Illinois [Mr. MANN] says about the Canadians coming over here and fighting, it is true. But this amendment takes care of every soldier who was wounded or disabled in the service, so that it can do no injustice to any worthy soldier of the war, and I am in favor of the amendment. [Applause.]

Mr. FIELDS. Mr. Chairman, I am opposed to the amendment of the gentleman from Missouri [Mr. BORLAND], and I hope that it will not be adopted. These gentlemen who enlisted in the military service of our country had no contract with the Government that they should remain citizens of the United States after their services terminated.

Mr. GORDON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Ohio?

Mr. FIELDS. Not now. I feel, Mr. Chairman, that these men who enlisted under our flag and helped to maintain our Union should now be remembered by us who enjoy the glories of the flag, and that we should not forget them, wherever they may be. I realize that the adoption of this amendment would make some saving in our appropriation, but I am one of those who believe that a time comes to all men when they should hold their patriotism above their pocketbooks. Therefore, Mr. Chairman, I hope that the amendment will be defeated.

The gentleman from Ohio [Mr. SHERWOOD], the chairman of the committee, referred to the fact that these pensioners have left the United States as a matter of choice. Some may have done so. Others may not. Some may have crossed the Canadian line to follow their children. Should this great Government now deprive them of the pensions they earned in supporting the Government because out of love for their own children they have followed them into a foreign country? I say it is unfair, it is unjust, it is un-American, it is unpatriotic, and I hope the amendment will be defeated. [Applause.]

Mr. BARTHOLDT. Mr. Chairman, I move to strike out the last word. This proposition has been before the House three or four times in the past, and if my memory serves me right, after due deliberation it has always been voted down, I suppose on the theory that it would be an act of injustice to those who gave their bodies and their health when they were in the prime of life to be devoted to the service of this country.

Mr. SHERWOOD. This takes care of those who are disabled. This is another proposition.

Mr. BARTHOLDT. I know that. I have personal knowledge of a number of cases of persons who live in Germany. They get $12 a month. If they were required, under this amendment, to return to the United States, they could not live on $12 a month, and most of them would become objects of public charity, while in the old country, surrounded perhaps by their kinsfolk and descendants, they can make both ends meet, even on $12 a month. And I want to assure the gentlemen of this House that every one of those men is as much of a patriot now as he was at the time he fought under the flag. [Applause.] There are laws in the European countries which require a man, after he has resided there for a certain length of time—I believe it is two or three years—to make his decision either to return to the United States or to become a citizen of the other country. Now, most of those men at the expiration of that time, with the aid of friends, return to this country for a trip, for the purpose of renewing their passports, and then they go back again. But there are others who are financially unable to make that trip. They are as good Americans as we are.

Mr. BORLAND. I want to ask the gentleman one question.

Mr. BARTHOLDT. All right. I yield to my colleague.

Mr. BORLAND. The gentleman, I suppose, is familiar with the laws of Germany on this as on other subjects. Does he understand that the German Government pays pensions to men who are not German citizens?

Mr. BARTHOLDT. I do not know.

Mr. LOBECK. I can answer that. A constituent of mine, Mr. August Carstens, in my home city of Omaha, wrote me a letter a few days ago, in which he said that he served in the Franco-Prussian War and in the Schleswig-Holstein War, and that he is now drawing a pension from the German Government, and he told me the amount. The letter is written in German. I do not happen to have it with me.

Mr. BORLAND. Is he an American citizen?

Mr. LOBECK. He is an American citizen, and has been ever since 1873.

Mr. BORLAND. They do not know it.

Mr. GORDON. They probably do not know it over there.

Mr. LOBECK. Germany does know it. That is one case in which Germany pays a pension to an American citizen.

Mr. BARTHOLDT. I want to refer to a statement made by my colleague from Missouri [Mr. BORLAND]. He said these men might die and we would not know anything about it, and that the pensions would continue to be paid to dead men. The fact is, Mr. Chairman, that every one of these men has to register with the American consul and the voucher has to be executed before the consul, and a man has to present himself in person, and consequently there could be no such thing as a fraud on the Government. If there is, the American consul would have to be in collusion with the pensioner, and that is almost out of the question. Mr. Chairman, I sincerely trust that this amendment, regarding it as most unjust, as I do, will not prevail.

Mr. FOWLER. Mr. Chairman, no man on the floor of the House during my service in Congress has been more careful and more considerate of the public Treasury than myself. But when it comes to the question of appropriating money for the necessary administration of the Government I have always cheerfully subscribed to a liberal sum. The question on the amendment now pending, it appears to me, in addition to the arguments presented by other gentlemen, is that if passed at this time it might be construed by some of the countries now engaged in war as an unfriendly act on the part of the United States.

While I do not go as far as to say that that would be done, yet I do say that to pass this amendment at this time, after having kept the law on the statute books for all these long years in the past, it might be construed by some at least as an unfriendly act on the part of this country.

To the men who gave their lives that my country might be free and that liberty might be preserved throughout the length and breadth of the land, I have a consideration which amounts to a devotion, and so long as I live I shall never be guilty of an act which will desecrate the great services of the soldiers who have made it possible for this country to be the greatest among all other nations. [Applause.] And as much as I am anxious, Mr. Chairman, for retrenchment at this time, I will not begin by starving the soldiers, their widows, orphans, and dependent mothers in order that we may have some little retrenchment. [Applause.] I would rather increase the pension of every soldier who fought to save the Union than to decrease a single one of them. [Applause.]

Mr. BORLAND. Will the gentleman yield?

Mr. FOWLER. Yes.

Mr. BORLAND. How is it that the gentleman so radically disagrees with the members of the Grand Army in these vociferous remarks, in which he expresses himself as in favor of the soldier?

Mr. FOWLER. I understand from the soldiers in my district that I am in accord with their wishes, but as far as the Grand Army is concerned, I have a resolution in my pocket now to offer at the first opportunity to appropriate $20,000 out of the Treasury to help defray the expenses of their encampment in Washington during the coming summer.

Mr. Chairman, I would not, I will not vote against a measure that will bring to these soldiers, their widows or orphans, these soldiers now on the tottering side of time—I say I could not and I will not vote for a measure which may be construed as an assault upon the pensions of the soldiers of my country. [Applause.]

You pass this amendment, and it is only a question of time when other amendments will be offered, and there will be one assault after another until the pensions of the soldiers in this country will be seriously imperiled.

Mr. GORDON. Mr. Chairman, old Dr. Johnson said, "Patriotism is the last refuge of a scoundrel," and he never uttered a truer word. We have to hear and read these buncombe speeches made by men who want to show their love for the old soldier by dipping deep into the public Treasury.

What is the question before the House? The question is as to cutting off a million dollars in pensions now paid to those who have renounced their allegiance to the United States and became citizens of foreign countries. The amendment excepts in every case those who sustained actual injury, clearly meeting the case mentioned by the gentleman from Missouri [Mr. BARTHOLDT] where they lost limbs or health. They are expressly excepted under the amendment. It simply cuts off those who are drawing pensions for other reasons than disabilities incurred in the service and who have renounced their allegiance to the United States. That is the proposition, and it seems to me, as a matter of common sense, it ought to be adopted. I do not think there is a nation on the face of the earth outside of our own that pays pensions to aliens.

The gentleman speaks of fraud. Any lawyer on the floor of this House knows that fraud committed in a foreign country may be committed with impunity in behalf of these alien pensioners and our courts have no jurisdiction to prosecute them. They are beyond the seas, beyond our jurisdiction, and beyond the reach of our process; and this law, which permits pensions to be paid to aliens in foreign countries, is simply placing a premium upon fraud, and when fraud is committed there is absolutely no remedy. I hope the amendment will be adopted.

Mr. AUSTIN. Mr. Chairman, in answer to the statement of the gentleman from Ohio [Mr. GORDON], respecting the chances of fraud in the payment of foreign pensions, I want to say I had an experience as American consul at Glasgow, Scotland, and under the regulations every pensioner was required to come to the consulate every three months, where he or she qualified to the necessary vouchers and were identified before the American consul. After that performance was completed the vouchers were transmitted by me to the Secretary of the Interior, and the pension checks were returned by mail. So there is absolutely no chance in the world of committing fraud against the Treasury of the United States in the payment of pensions to those living abroad.

In addition to the exemption stated by the gentleman, that these pensions should continue to soldiers who were diseased or injured, it does not cover the cases of widows of soldiers who live abroad, and I know of one or two instances in the city of Glasgow where we are paying pensions to the widows of Union soldiers. I hope the Members of this House will let these old defenders of the Union and their widows die in peace. [Applause.] They have only a few months or years to live. They are 70 and 75 years of age, beyond the seas in foreign lands, and we now propose to strike them down, to bring hardship and unhappiness to the hearts of every one of them who were willing to risk their lives to preserve the Union. The American Congress is now called upon to forget justice, to forget humanity, and to forget the services of these men in the time of the country's peril. No man in this House should vote for this unjust amendment.

Mr. GOOD rose.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield for a moment?

Mr. GOOD. Yes.

Mr. BARTLETT. Mr. Chairman, I would like to fix on some time when debate shall close on this paragraph and amendments thereto.

Mr. GOOD. I want only five minutes.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. BORLAND. Mr. Chairman, reserving the right to object, my understanding is that the gentleman from Pennsylvania [Mr. HULINGS] has a substitute which he desires to offer to the amendment.

Mr. HULINGS. Mr. Chairman, I do not like this amendment very much, and I prepared an amendment to offer as a substitute in its place, but I do not believe I like that very much. The gentleman from Tennessee [Mr. AUSTIN] has changed his mind. I do not believe that this is a good time to cut these people off.

Mr. PALMER. Mr. Chairman, reserving the right to object, I would like to have the opportunity of offering at least a pro forma amendment in order to make reply to some remarks which were made by the gentleman from Georgia [Mr. BARTLETT] in charge of the bill in general debate when I was not present.

Mr. MANN. There is another paragraph.

Mr. PALMER. Very well.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

Mr. GOOD. Mr. Chairman, this same proposition has been before the House every year during the past four years when we considered the pension appropriation bill. A few years ago I put into the RECORD the letter of Mr. Lochren, who was Commissioner of Pensions during the second administration of President Cleveland. Judge Lochren wrote in his annual report the following:

A clause of chapter 187 of the public acts of the second session of the Fifty-second Congress provides:

"That from and after July 1, 1893, no pension shall be paid to a nonresident, who is not a citizen of the United States, except for actual disabilities incurred in the service."

I respectfully ask your attention to this clause, in the hope that you may recommend its repeal. It causes great trouble and annoyance to the excepted classes, who constitute the great bulk of nonresident pensioners, in compelling them to make proof that they belong to these excepted classes. And the final result is that payments under it are withheld from but few, save widows and dependent mothers, who have little else for their maintenance. The saving is too little to offset the suffering inflicted in individual cases. If all nonresidents were refused payment of pension some plausible argument might be made in support of such policy; but none can be urged in favor of this law, which, while giving annoyance to all, strikes only the most helpless.

I should not feel warranted in asking attention to this law but for the fact that it entails much work on this bureau, in answering communications, and seems to yield little practical results except annoyance and apparent cruelty. I recognize to the fullest extent that my sole duty is to execute and administer the laws as they are enacted—fairly and honestly interpreted.

Very respectfully,

WM. LOCHREN,
Commissioner.

THE SECRETARY OF THE INTERIOR.

Mr. GORDON. Mr. Chairman, will the gentleman yield there?

Mr. GOOD. No; I can not yield. That was the opinion of Judge Lochren, the Democratic Commissioner of Pensions under President Cleveland. What he says expresses my views, and I believe it expresses the views of the people of the United States.

The report on this shows that of those nonresidents who receive pension, 504 reside in Germany, and almost 500 of them in Ireland, and more than 400 in England. Does anyone suppose that any considerable number of those ever were citizens of the United States and have renounced their citizenships? Certainly not. According to the report of Judge Lochren a large majority of them must be the widows of soldiers who gave their services to the United States, and those widows are now receiving a small pension of $12 a month. By this amendment you propose to take it away from them. When their husbands enlisted in the cause of the Union we did not object to them because they came from Germany, or Ireland, or England, or Canada. We accepted their services, and when we enacted a pension law we called it a service pension. We gave a pension in accordance with the service which was rendered by the soldier, and now we are going to say, no matter how distinguished the service, if a person who rendered that service, or if his widow, lives in a foreign land, he or she shall not receive a penny of this service pension. I am opposed to the amendment. It has been defeated every time it has been offered; it ought to be defeated now. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BORLAND].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1916, $100,000.

Mr. PALMER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, when the distinguished gentleman from Georgia [Mr. BARTLETT] closed the general debate upon the bill I was not upon the floor, coming in just as he was uttering perhaps the last sentence. I was told afterwards that he had indulged in some remarks about the child-labor bill which passed this House day before yesterday and about myself, and cast some animadversions upon the great State which I in part represent upon this floor. Since then I have examined the reporters' notes of the gentleman's speech, and I find that the gentleman took it upon himself to defend the Constitution against the violent assault which was being made upon it by this child-labor bill and to defend the imperial Commonwealth of Georgia against the aspersions of a mere Pennsylvanian. I have the highest regard and respect for my colleague, the gentleman from Georgia. I have always considered him an able lawyer, a wise man, and a sincere man. I can not help but believe that he is too wise a man and has been too keen an observer of current events to hold me in any wise responsible for conditions in Pennsylvania. I grant that conditions with respect to labor in Pennsylvania are not what they ought to be, especially with respect to the conditions under which women and children are permitted to labor in that great industrial State. These conditions are caused by the fact, admitted now by all men, that that State is controlled in its governmental operations under a partnership agreement which has long been in force between the great protected interests of my State and the Republican machine; and I am quite sure that my friend, the gentleman from Georgia, will not suspect that I have any sympathy with either end of that partnership.

Mr. BARTLETT. I do not.

Mr. MOORE. Mr. Chairman——

Mr. PALMER. Mr. Chairman, I can not yield.

Mr. BARTLETT. I did not mean to interrupt the gentleman without his permission, but I interrupted the gentleman to say I did not think he had anything to do with it.

Mr. PALMER. Well, the gentleman's declaration was it was my duty to remove the beam in the Pennsylvania eye before I undertook to extract the mote in the eye of the State of Georgia.

Mr. BARTLETT. That was a mere figure of speech.

Mr. PALMER. I have made some effort to remove the beam, and the gentleman must know that I have myself expended some effort and energy——

Mr. MANN. And money.

Mr. PALMER (continuing). At the cost of a seat in this House in order to better conditions in that great State. But I am against the exploitation of child labor——

Mr. BARTLETT. So am I.

Mr. PALMER. I am against the labor of women and children under improper conditions in my State and in my district just as much as I am against it in the State of Georgia. [Applause.] I have fought in Pennsylvania ever since I have been in public and political life to better the conditions under which men as well as women and children shall work, and my own district is one of the districts where conditions have not been what I would like to have them, and where I have made some fight to better them, as some of the gentlemen here present know. I regret that better progress is not being made in Pennsylvania; I regret that in regard to child labor it is one of the dark spots in the country, just as I regret Georgia is a dark spot; and I regret to say that despite the beautiful promises made in our State by the party candidates who were successful in the late campaign, word comes to-day from Harrisburg that the new governor of the Commonwealth has issued a declaration stating that though he is just as much for a proper child-labor law now as he was before election, still he thinks that business conditions in the State are such as to make it necessary to postpone consideration of that legislation until the session of the legislature two years hence.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PALMER. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. MOORE. Reserving the right to object, since the gentleman is making an attack upon his own State, I desire to respond. I agree to the gentleman continuing as long as he pleases, if we may have an equal amount of time on this side.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Pennsylvania [Mr. PALMER] will proceed.

Mr. MOORE. Mr. Chairman, I expect to have some time.

Mr. PALMER. I shall certainly not object.

I am making no attack, Mr. Chairman, upon Pennsylvania. I have heard that kind of talk until I am tired of it. I am a Pennsylvanian, like my friend, the gentleman who represents a great Philadelphia district. I love my State. My people came there when William Penn nosed the good ship *Welcome* up the Delaware in 1682, and with his Quaker colonists founded his great experiment in the woods, and they have lived there ever since. And I hope I shall be buried beneath her beautiful hills. I love my State, but I would not believe that I could love her if I should stand silent when I see her despoiled by the machine that dominates that Commonwealth. [Applause on the Democratic side.]

Pennsylvania is one of the States where we have not protected the little children, and, with all due respect to the gentleman from Georgia, so is Georgia. He says he was the author——

Mr. BARTLETT. I did not say that I was the author——

Mr. PALMER. Well, that he had actively worked, perhaps, for child-labor legislation in Georgia; and yet I find that of 40 States in the Union which prohibit child labor under 14 years in mills and factories, Georgia is not one.

Mr. BARTLETT. May I say to the gentleman that is not correct? We have an act which prohibits it now, with children under 14 years.

Mr. PALMER. When was it passed?

Mr. BARTLETT. In 1908.

Mr. PALMER. I will say to the gentleman that what I am reading from——

Mr. BARTLETT. I have seen that publication, and I have taken occasion to put in the RECORD on two different times the statute of the State of Georgia, which shows what the law is.

Mr. MANN. Will the gentleman yield on that subject?

Mr. PALMER. Yes.

Mr. MANN. If the gentleman will look at the debate two years ago on this matter he will find that the statement is correct.

Mr. PALMER. I was about to say that while I have not examined this myself, this compilation was made by the agents of the child labor committee, who have gone over the matter with great care and in whose accuracy I have great confidence. Of 16 States which forbid child labor in mines and quarries, Georgia is not one. Of 16 States which forbid children working more than eight hours a day in mills and factories, Georgia is not one. Amongst 33 States which forbid any work by children under 16 years of age in mills and factories, Georgia is not one. And it does seem to me, therefore, that I was perfectly justified in the statement that the employing interests of Georgia are opposed to this bill, just exactly as they are opposed to the bill in Pennsylvania, where a strong and bitter fight has been made by the textile mill owners, as has been made by the cotton mills in Georgia, against any law which would forbid night work of children under 16 or work for more than 8 hours a day or more than 48 hours in the week.

Now, the gentleman from Georgia [Mr. BARTLETT] went on to impeach my Democracy, I assume because of the position I have taken in support of this bill, which to his mind is violently against the Constitution and against every principle of the party to which we both adhere. Well, Mr. Chairman, I do not profess to be a great constitutional lawyer like my friend from Georgia. Before I came to Congress I was engaged for 15 or 16 years in the active practice of the law, being almost constantly busy in the trial of cases, many of them involving constitutional questions; and I have always been too busy trying cases and practicing law to indulge in the practice, which I find to be so common in Washington, of publicly expressing my views about the Constitution when the Constitution is not in issue [applause] and, because I approve of my own remarks, considering myself a great constitutional lawyer. [Applause.] The trouble with the gentleman from Georgia is that he comes from a school of lawyers who interpret the Constitution according to their own preconceived notion of what the Constitution ought to mean instead of according to what the Supreme Court says it does mean. They find the Constitution bounded by four corners which they set up in their own mind, and refuse to allow to the supreme judicial authority in the land the privilege of erecting the corners which shall mark the boundaries of that instrument. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PALMER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. PALMER. I have no manner of doubt that this proposed Federal child-labor bill is entirely constitutional. I get it not from some idea that I may have of what I think the Constitution ought to mean but what the Supreme Court has said time and again the Constitution does mean. Under the power to regulate interstate commerce I have no doubt that the Supreme Court will hold, when this law gets to it, as it will some day, I presume, that the Congress has full power to prohibit from interstate commerce any articles which are produced under conditions which inside of a State call for the exercise of the police power of a State.

The Supreme Court held that we may prohibit the transportation of so innocent a thing as a piece of pasteboard, representing a lottery ticket, because the use to which that lottery ticket may be put in the future is against the public morals. It has been held that we may prohibit from interstate commerce articles which endanger the agents and carriers in transportation, such as explosives and loose hay.

My mind is clear that if we can enact a law which the Supreme Court upholds, prohibiting the transportation in interstate commerce of articles which, though innocent in themselves, yet, because of the use to which they will be put, may be prohibited as being against the morals of the Nation, so we may by law prohibit the transportation in interstate commerce of articles which have been produced in such a way as to operate against the morals of the Nation. If we may prohibit the transmission of articles in interstate commerce because of the final use to which those articles or products are put, we may follow them back to the system under which they were produced.

I shall not argue the constitutional question, but I do not believe that real constitutional lawyers who will discuss it and argue it in the light of the opinions of the Supreme Court, without being prejudiced by their own individual opinions upon its political and economic phases, will ever fail to hold that this law is entirely constitutional. [Applause.]

Mr. BARTLETT. Mr. Chairman, I do not propose to undertake at this late hour to say anything much in reply to what the gentleman from Pennsylvania [Mr. PALMER] has said. I want to say, however, that I did not know at the time that the gentleman was not in the House. I was informed that he was. I would have said what I did say had he been present, and he knows that, I am sure.

I do not arrogate to myself any great knowledge of constitutional law, Mr. Chairman, nor believe or consider myself or pretend to be any great constitutional lawyer, but I do believe, and, so far as I can judge from what the Supreme Court has decided in other cases, I am confident they will hold the bill he refers to to be unconstitutional, if it ever becomes a law. And believing that, in construing the Constitution of the United States, it is my duty when I come to vote upon a question that I believe is contrary to that instrument to vote against it.

Now, the Supreme Court of the United States in the lottery case did not decide that Congress had the right to prohibit the transmission of any legitimate article of commerce through the channels of interstate commerce. They distinctly decided in that case that they would not decide that such was the law. Great lawyers, among them one who has been Attorney General of the United States from the State of Pennsylvania, have in another body rendered reports from the Committee on the Judiciary in which they have questioned the constitutionality of laws like this.

I have no apologies, Mr. Chairman, to make for the assertion that I believe in the Constitution of the United States. I believe we should preserve it, Mr. Chairman, because only by preserving it can we maintain and perpetuate this Government. And I can not do better than to call attention to what was said by the great orator, Edmund Burke, upon an occasion when he was urged to agree to a certain bill for reform in the British Parliament, when he refused to advocate certain measures which, in his opinion, violated the constitution of Great Britain, though unwritten. He said on that occasion, "We should bear in mind that we have a Government to preserve as well as a Government to reform." And I am unwilling to give my adherence to the proposition that the Congress of the United States can do what the gentleman from Pennsylvania [Mr. PALMER] says it can do, namely, exercise the power given under the commerce clause for the purpose of regulating or executing the police laws of the States.

Mr. PALMER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Pennsylvania?

Mr. BARTLETT. Yes.

Mr. PALMER. Do not do me the injustice to say that I said anything of that sort.

Mr. BARTLETT. I so understood you.

Mr. PALMER. No. What I say is that the Congress has the right to prohibit from interstate commerce any product which was manufactured and produced under conditions which call for the exercise of the police power in the State where it was produced.

Mr. BARTLETT. That is virtually the same.

Mr. PALMER. Oh, no.

Mr. BARTLETT. Yes; it is. I beg the gentleman's pardon; that is the same—that if the State, in the exercise of its police power, has imposed upon it the duty of correcting certain evils that exist in it and fails to exercise that power, then it becomes the duty of the United States Congress to exercise the power of the interstate-commerce clause of the United States Constitution to regulate those things. Now, I do not profess to be a great lawyer, but I do not suppose that anybody who professes to be a great lawyer or to be a lawyer at all would make any such claim as that.

Mr. Chairman, in all seriousness, I did not mean any reflection upon the gentleman from Pennsylvania. I do not doubt that he has used every effort, as he has stated, in his State to correct these evils. I would not have said anything about the gentleman or his bill if he had not challenged the votes of those who had voted against the bill in his speech in reply to my colleague [Mr. TRIBBLE]. I would have contented myself with simply voting my conviction. But I repeat, Mr. Chairman, that I do not believe Congress has the right to exercise the power of the commerce clause of the Constitution to prohibit the transmission through the channels of commerce perfectly legitimate articles of commerce.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. Mr. Chairman, I want just five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Chairman, I believe that we should preserve the Constitution of the United States. I believe it is the great charter of our liberties, and that if we attempt, because the States do not exercise their reserve rights, to assume on the part of the United States Congress the power to pass police laws, then there is nothing left to it.

Mr. Chairman, the English people have a great constitution, which they call the Magna Charta, the chart of English liberty. I will conclude by quoting Stimson on the Constitution:

> It is a sad contrast between the way that so many of our people or our newspapers feel to-day, 120 years after the adoption of our Magna Charta, and the way the people felt in England, exactly the same time, 120 years, after the adoption of their own. For in 1253, 138 years after John's charter, in the thirty-seventh year of the reign of Henry III, a popular King, a great jurist, and a radical maker of new laws: "On the 3d day of May [I read from the statutes of the realm in Latin], in the great hall of the King of Westminster, in the presence of the King and his brother and the marshal of England and the other estates of the realm, we, Boniface, Archbishop of Canterbury, and the bishops of London, and Ely and Rochester, and Worcester, and Lincoln, and Norwich and Carlyle, and St. David's, all appareled in pontificals, with tapers burning, against the breakers of the liberties or customs of the realm of England, and, namely, those which are contained in the charter of the common liberties of England, excommunicate, accurse, and from the benefits of our holy mother the church sequester all those who by any craft or willness do violate, break, diminish, or change the statutes and free customs of the realm of England, to the perpetual memory of which excommunication we, the aforesaid prelates, have put our seals."
>
> So in 1253 they felt in England when they called attention to the great charter of English liberties, and so in 1910, to-day, when we love that great charter of English liberties and swear to observe the greater charter of American liberties, to-day we feel that the curses of those who love liberty should be visited upon those who violate it.

Mr. Chairman, these great lovers of English liberty and of the Magna Charta, for more than 120 years after it had been adopted, were accustomed to gather for the purpose of perpetuating that great charter and pronouncing condemnations against those who would violate it. Now, nearly 130 years after our great instrument was adopted, when we have lived under it and perpetuated our Government under it, I have no love for those who would destroy it by the means that the gentleman from Pennsylvania [Mr. PALMER] undertakes to destroy it. I have no apologies to make to him or to any one else of these reform-

ers who would destroy our Government in order to reform it. [Applause.]

Mr. MOORE. Mr. Chairman, I move to strike out the last word. I am glad this discussion between my friends from Georgia and Pennsylvania [Mr. BARTLETT and Mr. PALMER] was confined, in large part, to constitutional lines, because I want to avoid that sort of a discussion. My regret is that the gentleman from Pennsylvania [Mr. PALMER], who was sent for to come to the defense of his State in consequence of the attack of the gentleman from Georgia [Mr. BARTLETT], has seen fit to attack Pennsylvania rather than to defend it. My friend [Mr. PALMER] is a colleague for whom I have great respect. I especially respected him in the last campaign when he had the courage to accept a nomination for Senator from Pennsylvania in order to test out those views he entertained with regard to the spoliation of the State by the party in power. Everything he has said to-day about the State being despoiled he said with tenfold vehemence from every stump in every town he could reach with his own resources and those that were contributed to his campaign by wealthy patrons of the Democratic Party. But the people of the State did not accept the arguments and charges of the gentleman from Pennsylvania [Mr. PALMER] at the valuation he has given them in his argument to-day.

The people of Pennsylvania heard all of this talk about the State being despoiled. There are 8,000,000 of them over there, and they are pretty sensible. About 1,000,000 of them voted. But when the gentleman from Pennsylvania [Mr. PALMER], who has not defended his State as I hoped he would to-day, came amongst the people of the State to tell them of the wrongs that had been inflicted upon them, he failed to tell them anything about the low tariff he had helped to inflict upon them.

The people of Pennsylvania knew the industrial record of the State for more than 100 years. They understood, for they had enjoyed the progress and prosperity that had resulted from a protective-tariff system; they knew it to be a mill-building rather than a mill-destroying system; a labor-employing, rather than a labor-despoiling system, and they were not especially enamored of the things my colleague undertook to say to them. They knew that in the matter of educating our children we spend more money in Pennsylvania for the public-school system, perhaps, than is spent in any other State of this Union, with the possible exception of one. They knew that 1,000,000 children were going to school in Pennsylvania, and that we had even a compulsory education law, of which my colleague [Mr. FARR] was the author when he was in the Pennsylvania Legislature. They knew we had a law regulating the employment of child labor. We have a law which prevents them from laboring under 14 years of age, and, with certain conditions, under 16 years of age. The people said, "We do not agree with you, Mr. PALMER, that this State, which has been builded up under a protective-tariff system until it is the most prosperous industrial community in the world, and until it has acquired the largest individual farming community in the country—we do not agree with you, Mr. PALMER, of Pennsylvania, when you say that this State, which under the old system has grown rich, which under the old system has kept all its people employed, which under this system has put itself absolutely out of debt—we do not agree with you, Mr. PALMER, that this great Commonwealth of Pennsylvania has been despoiled." [Applause.]

But the gentleman from Pennsylvania [Mr. PALMER] persisted. He continued to tell his story from one end of the State to the other, and people who were ambitious for power, or who were fond of getting their pictures in the newspapers as belonging to the uplift, contributed largely to his campaign. The newspapers published his terrible tales of spoliation and reveled in the destruction of his opponent, but the people, the voters of the Commonwealth, knew what the gentleman stood for, and on election day they marched up to the polls and by a majority of more than 250,000 they buried Mr. PALMER and told him his charges were not true.

Mr. PALMER rose.

Mr. MOORE. Does the gentleman want to ask me a question?

Mr. PALMER. I want to try to get a little time after the gentleman has concluded.

Mr. MOORE. The gentleman says he can not remain silent while his State is being despoiled. The gentleman has told the people of his Commonwealth all this, but he has not been supported by those to whom he made his appeal. He should not find fault with them now.

Mr. DONOHOE. Will my colleague yield?

Mr. MOORE. Yes; I yield to my colleague from an important industrial district of Philadelphia, and I suggest that before he asks me a question he answer one from me, as to whether there is not a great lack of employment in his district just now?

Mr. DONOHOE. I had rather answer it by propounding my own question first.

Mr. MOORE. Well, I would like to ask the gentleman an Irish question——

Mr. DONOHOE. On that I am at home.

Mr. MOORE (continuing). Whether it is true that in his district there is a tremendous number of the unemployed just now, due to a Democratic tariff law, of which the gentleman from Pennsylvania [Mr. PALMER] was partly the author?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. I ask for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DONOHOE. I will answer the gentleman by saying that there is a tremendous demand for a better child-labor law in our State.

Mr. MOORE. That may be. There is also a desire for it because a number of the ladies who do not have any children and who do not understand that the widowed mothers whose children must have some support are anxious to keep this uplift publicity game going. I have seen the children of the poor, who were supporting widowed mothers in wretched apartments, turned out of their employment and made to walk the streets because of the restrictions imposed by some of these laws.

But what I wanted to know of the gentleman from Pennsylvania [Mr. PALMER], who speaks of the despoiling of his State, whether there has been anything under heaven that has so tended to despoil our State, that was more prosperous than any other in the country, than the Underwood tariff bill, the steel schedule of which was written by the gentleman from Pennsylvania [Mr. PALMER], who now prates about the spoliation of his State?

Go into the mill districts represented in part by the gentleman who has just interrogated me [Mr. DONOHOE] and look at the long lines of unemployed to-day, who were actively and busily employed before the gentleman who speaks of the spoliation of his State got in his deadly free-trade work.

Go into my own district where the people got good wages two and a half years ago, happy men, women, and children, and where there was no great necessity for passing restrictive laws and see them to-day wending their toilsome, weary way to the soup houses to obtain the sustenance of life.

Mr. BORLAND. Will the gentleman yield?

Mr. MOORE. The gentleman from Missouri arises. He knows that there is a large number of unemployed in Kansas City. A newspaper clipping handed to me day before yesterday states that in Kansas City there are 5,000 men seeking an opportunity for employment. These are days of Democratic spoliation.

Mr. BORLAND. Whoever said that did not know what he was talking about, for it is not the fact.

Mr. MOORE. When we had the protective system, as the gentleman from Pennsylvania knows——

Mr. BORLAND. What was the condition in the gentleman's district in 1907?

Mr. MOORE. In 1907 we were doing as well as could be expected. [Cries of "Oh!" "Oh!" and laughter on the Democratic side.] The gentleman knows that in 1907 there was no tariff panic. The gentleman from Missouri [Mr. BORLAND], just as all Democrats do, seeks to evade, when the tariff question is reached, by pointing to the financial panic of 1907 as an excuse for the wickedness of the existing tariff law, which actually took labor away from the people of the United States. [Applause.]

Mr. FOWLER. Will the gentleman yield?

Mr. MOORE. I can not yield, much as I like my friend from Illinois. He made a beautiful soldier speech to-day, but I have got to finish this. Only the other day the gentleman from Pennsylvania who speaks about the spoliation of his State voted to still further decrease the opportunities for labor in his State. He voted to take away from the shipyards of the Delaware River, where we build more ships and give more employment in this calling than elsewhere—he voted to take away the wages of men who are laboring there in order that the Government might take their money to build ships in foreign shipyards. The gentleman voted for the passage of that ship bill, which would take the bread and butter from the mouths of the workmen in his own district, where at the Bethlehem Steel Works they are now employed. When he voted to transfer American work and wages to foreign shipyards he contributed still further

to that work of spoliation in Pennsylvania so unhappily begun when he assisted in putting the Democratic free-trade tariff law into effect. Spoliation of the State is not the brick the gentleman ought to throw.

Mr. PALMER rose.

Mr. MANN. Mr. Chairman, I wish the gentleman would yield to me just a moment or two. I want to say to the Republican side of the House that I have asked the chairman of the Republican conference to call a conference of Republicans to-morrow afternoon to be held in the Hall of the House immediately after the adjournment of the House, in reference to a matter which the gentleman from North Carolina [Mr. KITCHIN] communicated to me to-day; and I want to say that if there are any Members elect in the next House who are here, we want them to attend the conference as well.

Mr. PALMER. Mr. Chairman, the remarks of my friend and colleague, the gentleman from Philadelphia [Mr. MOORE], are only another illustration of what I said awhile ago was the cause of the evils from which we suffer in Pennsylvania, and that is the fact that the government there is controlled by a combination between the most corrupt political organization in America and the most avaricious and greedy set of manufacturers on earth. [Applause on the Democratic side.] It is perfectly natural, in view of the fact that the attack which we made upon this hog combine in Pennsylvania in 1914, and which resulted in a majority by 28,000 of the people of Pennsylvania repudiating its foremost friend and exponent, that when we go after the hog combine, it should squeal; and I have always observed that the smaller the pig the louder the squeal. [Laughter and applause on the Democratic side.] The gentleman says that what we argued for in Pennsylvania in 1914 was repudiated. Not at all. Nearly 30,000 more men voted against what the gentleman stands for in Pennsylvania this year than voted for it, and only because of the unfortunate circumstance that the enemies of this corrupt combine could not be joined upon single candidates is the gentleman permitted to boast that Pennsylvania to-day can have in the United States Senate a member of his own political party.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. PALMER. Yes; I yield to my friend.

Mr. BUTLER. I am obliged to the gentleman, but I did not quite understand him. Was there not a unity upon the candidate for governor?

Mr. PALMER. The gentleman is a gentleman of keen understanding, and he knows perfectly well what I meant when I said that the chief of the Republican organization in Pennsylvania was repudiated in 1914 by a big majority of the voters of Pennsylvania. He knows. When the gentleman says that it was the Underwood tariff law, for which I am partly responsible, that brought about that result in Pennsylvania, he knows that he is not speaking according to the facts. I make no apology for the Underwood tariff law, and in my district, the greatest industrial district in Pennsylvania and one of the greatest in the Nation, I have defended it upon every stump, and the voters have supported it by a big majority; and that great district, with one of the biggest steel and iron mills in America, will be represented in the next Congress, as in this, by a Jeffersonian Democrat who believes in the Underwood tariff law. [Applause on the Democratic side.] I will tell the gentleman—no, not him, because he knows—but I will tell other gentlemen what caused the result in Pennsylvania. It was not the tariff that beat the Democratic Party, it was rum—r-u-m—for the organized liquor traffic of Pennsylvania, operating alongside of the vicious interests which the gentleman from Pennsylvania always supports, threw into that campaign the largest campaign fund ever known in a State campaign in the history of our country, and it took, as the gentleman knows, more than a million dollars to seat a Republican Senator in the United States Senate. [Applause on the Democratic side.] Why, the gentleman's party organization in Philadelphia and in the State has filed accounts in which they admit—admit—having spent $750,000 for that purpose, and my experience with the Republican machine is that what they do not admit is at least twice what they do confess. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PALMER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. PALMER. For a question.

Mr. MOORE. Will the gentleman state how much was expended by the Democratic campaign committee in Pennsylvania in the last senatorial fight?

Mr. PALMER. Certainly. There was expended in the senatorial fight, and the fight for the State ticket included, approximately $75,000. Why, the gentleman knows that the Republican State committee in Pennsylvania when it filed its account admitted unpaid obligations exceeding in amount all that the Democratic Party expended in the State.

Mr. MOORE. That is evidence of honesty in expenditure—that we owed $90,000.

Mr. PALMER. I am waiting to see whether you pay it.

Mr. MOORE. I would like to ask the gentleman, since he has been personal, whether he would indicate how much money was spent in all by the gentleman who ran for governor of Pennsylvania on the Democratic ticket——

Mr. PALMER. Oh, well——

Mr. MOORE. He was a rich man.

Mr. PALMER. I do not remember, but I believe he accounted for $33,000, or something of that kind. I can not yield further.

Mr. MOORE. But the gentleman——

Mr. PALMER. It is so infinitestimally small in comparison with what the Republicans have spent it is hardly worth the time to consider it.

Mr. MOORE. Why does not the gentleman be fair and tell us what was spent on his side?

Mr. PALMER. I have said.

Mr. MOORE. What the gentleman and his colleague, who ran for governor——

Mr. PALMER. I have answered the gentleman's question.

Mr. MOORE. The gentleman has not; the matter has been concealed.

Mr. PALMER. Now, Mr. Chairman, the gentleman from Pennsylvania defends the action of the Republican legislature in our State in refusing to pass laws to protect little children upon the same old plea, the same old ground, that without those laws Pennsylvania has prospered and become rich and great. He says that our great textile industries, all of our industries have grown wealthy, and that is true. I know men who have woolen mills in our State who say they can consign them to the scrap heap and still show a great profit under Republican tariff laws. I do not deny that wealth has been produced, I do not deny that men have grown rich, but I do declare, as a Pennsylvanian, that the greed of these men, ever seeking additional wealth, ought not to be strong enough to grind down into the mire the little boys and girls, the mothers and fathers of to-morrow's generation. [Applause on the Democratic side.] And the gentleman from Pennsylvania, who knows as well as any man in our State the true Quaker spirit of that great old Commonwealth, when pushed into a corner, now defends the interests that he and his colleagues represent upon this floor, still when the question was presented day before yesterday, out of fear of the righteous wrath of the mothers of Philadelphia, he ran away and would not vote against this child-labor bill. [Applause on the Democratic side.] I have no patience with the gyrations of a gentleman who tries to play both sides against the middle in that fashion.

Mr. MOORE. Does the gentleman want me to tell him——

Mr. PALMER. He runs away from the wrath of the mothers and fathers of Pennsylvania, and at the same time defends the protected interests of our State. [Applause on the Democratic side.]

Mr. Chairman, one word in reference to the Georgia statute, which I have sent for and received. The gentleman from Georgia says it was a liberal statute protecting children, and I notice it provides that no child under 10 years of age shall be employed. [Laughter on the Democratic side.]

Mr. BARTLETT. But the gentleman has not read it all.

Mr. PALMER (reading)—

No child under 10 years of age shall be employed or allowed to labor in or about a factory or manufacturing establishment within this State under any circumstances.

Under certain conditions a child under 12 years of age shall not be employed, and in reference to children under 14 years of age it says:

On and after January 1, 1908, no child, except as heretofore provided, shall be employed or allowed to labor in or about any factory or manufacturing establishment within this State between the hours of 7 p. m. and 6 a. m.

I admit, though I do not pretend to be the lawyer my distinguished colleague from Georgia is, that under that law children under the age of 14 can work between 6 a. m. and 7 p. m., and I congratulate the gentleman in having a State in the same class with our own beloved Pennsylvania. [Laughter.]

Mr. BARTLETT. Will the gentleman read the next section?

Mr. PALMER. I read it.

Mr. BARTLETT. The gentleman has not read the next section.

Mr. MOORE. Mr. Chairman——

Mr. UNDERWOOD. Mr. Chairman, I do not like to interfere with the discussion of the gentlemen that is not pertinent to this bill, but the hour is growing late, and it is desired, if possible, to start on another appropriation bill to-night.

Mr. MANN. Ask unanimous consent that all debate on this bill close in five minutes.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that all further debate on this paragraph close in five minutes, with the understanding that we will go on and pass the pension bill then.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this bill close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FARR. Mr. Chairman, it surprises me that the gentleman from Pennsylvania [Mr. PALMER] is willing to compare the child-labor laws of Pennsylvania with those of Georgia. In Pennsylvania a child under 14 years of age shall not work——

Mr. TRIBBLE. Will the gentleman yield?

Mr. FARR. I have only five minutes. If you could accord me a little more time——

Mr. TRIBBLE. I wanted to ask one question.

Mr. FARR. Unless that child can read and write he shall not work until he is 16. I want to say that no State of the Union has better factory laws, better child-labor laws than the State of Pennsylvania, and I defy the gentleman from Pennsylvania [Mr. PALMER] to disprove that statement. But my point is this——

Mr. PALMER. Mr. Chairman——

Mr. FARR. I have only five minutes.

Mr. PALMER. The gentleman defies me.

Mr. FARR. If you will see that I get five minutes more I will yield. But the manifest unfairness of such a comparison does not any more astonish me than the gentleman's hypocrisy on the floor of this House——

Mr. TRIBBLE. Will the gentleman yield?

Mr. FARR (continuing). Any more than his demagoguery on the floor of this House. The protected State of Pennsylvania, the men and women who are deprived of work, defeated the gentleman. So far as association with the corporations and the manufacturers of Pennsylvania is concerned, no man stands closer than the gentleman from Pennsylvania [Mr. PALMER]. He admitted on the floor of this House at the time that he was preaching this demagogism that he was the paid employee of the Delaware, Lackawanna & Western, of Scranton, and I say that he was a paid legal lobbyist in Harrisburg, fighting splendid measures in the interest of human welfare.

Mr. PALMER. Mr. Chairman, will the gentleman yield?

Mr. FARR. Yes; if I can get more time to finish my statement.

Mr. PALMER. I shall not take much time.

Mr. FARR. Now, what I attack is the hypocrisy——

Mr. PALMER. Will the gentleman yield?

Mr. FARR. I do not like to be discourteous. I have made certain statements, and I shall yield to the gentleman. I think the House will be fair to me and accord to me any reasonable time I want.

Mr. PALMER. I simply ask the gentleman to yield for the purpose of permitting me to say that when the gentleman declares I, anywhere or at any time, made the statement that I was a paid lobbyist of any railroad corporation——

Mr. FARR. I did not say any such thing.

Mr. PALMER. That is exactly what the gentleman said. If the gentleman makes the statement——

Mr. FARR. I object.

Mr. PALMER. If he says that, it is absolutely false—and he knows it.

Mr. FARR. I say to the gentleman that I charge him now, as I charged him before, with being a lawyer in the employ of the Delaware, Lackawanna & Western Railroad, and also as a paid legal lobbyist in Harrisburg, fighting measures in the interest of the children and the women and for the highest human welfare of our people.

Mr. PALMER. And I say it is absolutely false.

Mr. FARR. It is true. No other State in the Union—and I challenge the gentleman from Pennsylvania, who is befouling his own nest, to point to another State—compares in real, substantial progress in the interest of the people with Pennsylvania. It was the first to take up this great question of tuberculosis. It spent more money than all the other States combined in the investigation of the causes that led to that dread disease.

Mr. GALLIVAN. I would like to ask the gentleman to yield for a minute. I just want to correct the statement he has made. Massachusetts was the first State in the Union to take up the question of fighting tuberculosis. The old Bay State led the way in waging war against the dread white plague, and I am particularly proud to have had a prominent part in that kind of a campaign.

Mr. FARR. Massachusetts does not compare with Pennsylvania in that respect.

Mr. GALLIVAN. Not in rotten politics, thank God!

Mr. FARR. Now, the reason the gentleman from Pennsylvania [Mr. PALMER] advances for his defeat in Pennsylvania is rum. The gentleman went all over the State of Pennsylvania talking against rum, and he came down here and voted for rum. The gentleman went all over the State with Mr. McCormick, his colleague on the ticket for governor, the former mayor of Harrisburg, talking about the toiling men and women and those who have suffered terribly as the result of the oppressiveness of corporations and manufacturers. Mr. McCormick when mayor of Harrisburg vetoed an ordinance presented to him, asking him to advance the price of labor from $1.35 to $1.50 a day when that city was spending vast sums for beautification.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FARR. Mr. Chairman, I ask for two minutes more.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more, because the other gentleman from Pennsylvania [Mr. PALMER] has taken that much of his time.

Mr. HULINGS. Oh, we have already had too much of this "bunk."

Mr. BARTLETT. Mr. Chairman, I ask that the gentleman from Pennsylvania [Mr. FARR] may have five minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the gentleman from Pennsylvania [Mr. FARR] may proceed for five minutes. Is there objection?

Mr. HULINGS. I object.

Mr. PALMER. Mr. Chairman, I rise to a question of personal privilege.

Mr. MANN. You can not do that in committee.

The CHAIRMAN. The gentleman is unable to do that in Committee of the Whole.

Mr. PALMER. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. GREENE of Massachusetts. I object.

Mr. PALMER (continuing). To answer the charges made against me by the gentleman from Pennsylvania [Mr. FARR].

Mr. MANN. Oh, the gentleman has made more charges than all the other Members of the House combined, and he does not want anybody to reply to them.

The CHAIRMAN. Objection is heard.

Mr. BARTLETT. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] moves that the committee do now rise and report the bill to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes, had directed him to report the same back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. PALMER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. Let us get through with this bill first. The gentleman has the right to rise to a question of personal privilege.

Mr. MANN. If that is the case, before we pass this bill I will raise the point that there is no quorum present.

Mr. PALMER. Mr. Speaker, I think the gentleman should allow me five minutes in view of the kind of talk that has been had on the floor.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] desires to state a question of personal privilege.

Mr. MANN. Very well. I make the point that there is no quorum present.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point that there is no quorum present. The Chair will count.

Mr. PALMER. Mr. Speaker, I withdraw my request for the present.

The SPEAKER. The gentleman from Pennsylvania withdraws his request.

Mr. MANN. I will withdraw my point of no quorum, Mr. Speaker.

Mr. GARRETT of Texas. Mr. Speaker, I renew the point of no quorum.

The SPEAKER. The gentleman from Texas [Mr. GARRETT] makes the point that there is no quorum present. There were only 115 Members present when the Chair counted, and 2 more make 117. That is not a quorum. There is no quorum present.

Mr. BARTLETT. Mr. Speaker, I move a call of the House.

Mr. GARRETT of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. For no purpose at all. [Laughter.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from Georgia, that a call of the House be ordered.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BARTLETT. Mr. Speaker, I call for a division.

The SPEAKER. The gentleman from Georgia calls for a division.

The House divided; and there were—ayes 67, noes 43.

So a call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 82.]

Aiken	Gittins	Linthicum	Sabath
Alexander	Glass	Loft	Scott
Anthony	Goldfogle	Logue	Seldomridge
Avis	Gorman	McClellan	Sells
Baker	Graham, Pa.	McGuire, Okla.	Sherley
Barchfeld	Green, Iowa	McKenzie	Sims
Barnhart	Greene, Vt.	MacDonald	Sisson
Beall, Tex.	Gregg	Mahan	Slayden
Bell, Cal.	Griest	Maher	Slemp
Bowdle	Guernsey	Manahan	Small
Britten	Hamill	Metz	Smith, Idaho
Broussard	Hamilton, N. Y.	Miller	Smith, Md.
Brown, N. Y.	Hamlin	Mondell	Smith, Minn.
Brown, W. Va.	Haugen	Montague	Smith, Saml. W.
Browne, Wis.	Hay	Moon	Sparkman
Bruckner	Helgesen	Morgan, La.	Stanley
Burgess	Helm	Morin	Stedman
Burke, Pa.	Henry	Morrison	Steenerson
Calder	Hensley	Moss, Ind.	Stephens, Tex.
Cantor	Hinds	Moss, W. Va.	Stevens, Minn.
Cantrill	Hinebaugh	Mott	Stevens, N. H.
Carr	Hobson	Mulkey	Stout
Cary	Howard	Murdock	Stringer
Chandler, N. Y.	Howell	Nelson	Talbott, Md.
Church	Hoxworth	Nolan, J. I.	Taylor, Ala.
Clark, Fla.	Hughes, W. Va.	O'Brien	Taylor, Colo.
Claypool	Hull	Oglesby	Taylor, N. Y.
Coady	Humphrey, Wash.	O'Hair	Ten Eyck
Copley	Igoe	O'Shaunessy	Thomson, Ill.
Cox	Johnson, Ky.	Padgett	Towner
Cramton	Johnson, S. C.	Page, N. C.	Townsend
Crosser	Johnson, Utah	Paige, Mass.	Treadway
Dale	Johnson, Wash.	Parker, N. Y.	Tuttle
Danforth	Jones	Patten, N. Y.	Underhill
Davis	Kahn	Patton, Pa.	Vare
Decker	Kelley, Mich.	Peters	Vollmer
Deitrick	Kent	Peterson	Volstead
Dooling	Key, Ohio	Plumley	Walker
Driscoll	Kiess, Pa.	Porter	Wallin
Dunn	Korbly	Post	Weaver
Edmonds	Kreider	Pou	Webb
Elder	Lafferty	Powers	Whaley
Estopinal	Langham	Price	Whitacre
Evans	Langley	Prouty	White
Fairchild	Lazaro	Raker	Wilson, Fla.
Faison	Lee, Ga.	Rauch	Wilson, N. Y.
Fergusson	L'Engle	Rayburn	Wingo
Finley	Lenroot	Reed	Winslow
FitzHenry	Lever	Riordan	Witherspoon
Fowler	Levy	Roberts, Mass.	Woodruff
Gardner	Lewis, Md.	Roberts, Nev.	Woods
George	Lewis, Pa.	Rothermel	Young, N. Dak.
Gerry	Lindquist	Rucker	

During the calling of the roll Mr. DIFENDERFER occupied the chair as Speaker pro tempore.

The SPEAKER. Two hundred and thirteen Members, a quorum, have answered to their names.

Mr. BARTLETT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors. When the point of no quorum was made the gentleman from Georgia [Mr. BARTLETT] had moved the previous question on the bill to its passage. That is the pending question.

The previous question was ordered.

The SPEAKER. The question is on the amendment to the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

The SPEAKER. The ayes appear to have it; the ayes have it, and the bill is passed.

Mr. BARTLETT. Mr. Speaker, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

Mr. CALLAWAY. Mr. Speaker, I demand the yeas and nays on the passage of the bill.

The SPEAKER. The gentleman is a little late.

Mr. BARTLETT. I have moved to reconsider.

The SPEAKER. The gentleman is a little late, but the Chair wants to be on the safe side. The gentleman from Texas demands the yeas and nays on the passage of the bill.

The yeas and nays were refused, three Members, not a sufficient number, rising in support of the demand.

Mr. CALLAWAY. Mr. Speaker, I make a point of order that there is no quorum present.

Mr. SMITH of New York. I make the point of order that that motion is dilatory.

The SPEAKER. The Chair thinks it is. It is only a minute since the roll call disclosed a quorum.

Mr. PALMER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

Mr. MANN. But the gentleman from Texas has made the point of no quorum on the passage of the bill.

The SPEAKER. The Chair understands that, but the Chair thinks there is a quorum here, because the roll call has just disclosed one.

Mr. MANN. Well, the rules require the Chair to count, especially on the passage of a bill.

The SPEAKER. The Chair wants to be on the safe side, and will count.

Mr. FITZGERALD. Will the gentleman withhold his point a moment, to enable me to report an appropriation bill?

Mr. MANN. The gentleman can not withhold it.

Mr. FITZGERALD. He can withdraw it.

The SPEAKER. He can withdraw it at any time before the count is made.

Mr. MANN. He can withdraw it, but he can not withhold it when the pending question is on the passage of the bill.

Mr. CALLAWAY. Mr. Speaker, I will withdraw the point.

The SPEAKER. The gentleman from Texas withdraws the point of no quorum. The bill is passed.

On motion of Mr. BARTLETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2518. An act granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply; and

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 7188. An act to increase the limit of cost of the United States post-office building at Garden City, Kans.; to the Committee on Public Buildings and Grounds.

S. 7515. An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes; to the Committee on the Public Lands.

FORTIFICATIONS APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Kentucky [Mr. SHERLEY] was directed by the Committee on Appropriations to report the fortifications appropriation bill. He was called away unexpectedly, and I present the bill in his behalf.

The bill (H. R. 21491) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1416), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WHALEY, indefinitely, on account of illness.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

PERSONAL STATEMENT.

Mr. PALMER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. PALMER. Mr. Speaker, I deeply regret the necessity which compels me to submit a few remarks upon the subject about which I am about to speak. Two weeks from to-day I retire from the House, and I had hoped that I might retire in peace, with the good will of all of my colleagues here, including all of the gentlemen from Pennsylvania. I do not believe in fighting. I am a Quaker, though I ask no particular consideration at anybody's hands on that account. I hesitate and I dislike to engage in altercation or controversy about personal matters; but for the second time my colleague, the gentleman from Pennsylvania [Mr. FARR], has seen fit to cast aspersions upon my honor and integrity as a man, as a lawyer, and as a Member of this House. I made no reference to him and his attack upon me was wholly unwarranted and uncalled for. He has declared, and in fact he calls it a charge, that I am the paid attorney of the Delaware, Lackawanna & Western Railway Co., and that I have been the paid lobbyist before the Legislature of Pennsylvania representing that corporation. As to the insinuation and innuendo contained in that statement, I pronounce it to be absolutely false. As to my employment by the Delaware, Lackawanna & Western Railroad Co., the facts are simple and are these, as I stated once before upon this floor, and as all of my people in my district know, and as everybody who is interested in Pennsylvania knows: For many years the office with which I am associated has been the local counsel of the Delaware, Lackawanna & Western Railroad Co. I inherited that client along with others from a very distinguished partner, who had been for many years a Member of this House and who was a judge upon the bench in our State. I represented it in the courts of my county in the usual way, trying damage, personal-injury, and other like cases, and in the Supreme Court of Pennsylvania, and nowhere else.

I have not tried a case for the company since I have been in Congress. I have performed no legal service for the company since I have been in Congress. Before I came here I felt it to be perfectly proper for a lawyer to accept a railroad corporation as a client in proper cases. I still think that; and when two weeks from to-day I return to the practice of law I hope that I may have opportunities in proper cases to represent such and all other clients. I make no bones about that; and no honest lawyer has ever held any other position. [Applause.]

The gentleman declares me also to have been the paid lobbyist of that corporation.

Mr. FARR. Mr. Speaker, will the gentleman permit me to interrupt him?

Mr. PALMER. Oh, I know what the gentleman said.

Mr. FARR. I yielded to the gentleman.

The SPEAKER. Does the gentleman yield?

Mr. PALMER. I decline to yield. The facts about that are these, that in the legislature of 1907, before I was elected to Congress, when every railroad corporation in Pennsylvania had been suffering from what is known as "strike legislation"—bills introduced by charlatans and crooks for the purpose of holding up railroad companies—they requested certain attorneys representing them to make legal arguments against these propositions before the committees of the house and senate. I was one of those lawyers. I never asked a member of the legislature to vote for or against any bill. I never interviewed any of them in the senate or the house personally about any bill.

I went before the committees of the legislature and made purely legal arguments upon proposed legislation in an open and public fashion. It was a part of my retainer that I should be permitted to oppose such measures as I believed to be vicious and to support such measures as I believed to be right, and I got in very bad odor with the representatives of railroad companies engaged in that work, because as to the two great pieces of legislation much controverted before that legislature I took a position which every other railroad attorney opposed. The two leading bills were the bill to make a 2-cent fare law in Pennsylvania and an employer's liability law. I stated to the committee that not only would I not oppose the 2-cent law, but that I believed it ought to be enacted into law; and as to the liability law, it was introduced into that legislature by a gentleman who is now a Member of this House, Mr. CASEY, of Pennsylvania, and is known to-day on the statute books as the Casey employers' liability law, and out of all the numerous liability laws that were pending in that legislature I pronounced it to be the best and fairest, and gave it my support before the committee of the legislature. [Applause.] That was the extent of my activities at Harrisburg when retained by the Delaware, Lackawanna & Western Railroad Co.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. PALMER. Yes.

Mr. MANN. The gentleman has stated that he went to Harrisburg primarily on a retainer for the railroad company to appear against certain bills.

Mr. PALMER. Such as I might deem bad.

Mr. MANN. The gentleman has spoken of two bills which he favored. I judge those were not the bills he was paid a retainer to oppose. Will he not tell us about the bills that he appeared and lobbied against or argued against?

Mr. PALMER. Oh, well, there were a number of them——

Mr. FARR. You bet there were.

Mr. MANN. I would say that was in performance of the retainer. I do not think the other was.

Mr. PALMER. I do not mind saying. For instance, somebody introduced a bill requiring the railroads of Pennsylvania to abolish every grade crossing within the State upon the enactment of the law. I opposed that measure. It would have ruined every railroad company in Pennsylvania as drawn. Another bill, a very common one——

Mr. BLACKMON. Will the gentleman yield?

Mr. PALMER. Yes.

Mr. BLACKMON. I want to ask the gentleman a question, and that is if he believes that it is a reflection on a Member of Congress or a member of any other body to represent a railroad?

Mr. PALMER. Well, I think a lawyer has a perfect right——

Mr. BLACKMON. And I want to ask one further question.

Mr. PALMER (continuing). To be retained by a railroad company.

Mr. BLACKMON. I want to ask one further question, and that is if the gentleman ever heard of a man in his life who was always making a fight against a lawyer holding public office and representing a railroad who was not a man with a hickory-nut head?

Mr. PALMER. Well, as far as my observation goes, I think the description is accurate. There were other bills of the same character. Mr. Speaker, as I have said, all of my district has always known that my office has represented that company. It has never sought to influence my political or congressional action in any way, shape, or manner, and it knows me well enough to understand that it dare not do so. [Applause.]

The intimation of the gentleman, the innuendo of the gentleman, is a scandalous abuse of the proprieties of this House. [Applause.] That railroad company runs through my district only about 35 miles; perhaps 40. It has in my district in its employ, I expect, not more than 100 men. Politically it knows that it must keep its hand off PALMER's fights in that district, and the only political connection I ever had with the railroad company or any of its officers—the only time I ever saw any officers go into a political canvass—was when its superintendent became a candidate for office in Lacakawanna County—in the

county adjoining mine—upon the same ticket and at the same time the gentleman from Pennsylvania [Mr. FARR] was running for Congress, and I went into the district and did everything I could do to lick them both, and I am sorry I did not do it. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. PALMER. Mr. Speaker, I would ask for five minutes more.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

Mr. FARR. Mr. Speaker, reserving the right to object——

Mr. PALMER. That is how much the railroad controlled my political action.

Mr. FARR. Mr. Speaker, reserving the right to object, I want the gentleman from Pennsylvania to have all the time he wants——

Mr. PALMER. I will not take much.

Mr. FARR. But I would like to have a few minutes to reply.

The SPEAKER. Well, is the gentleman objecting or not?

Mr. FARR. No; I do not want to object.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PALMER. Mr. Speaker, this little business will not take long. So much for the political phase of that question. I have found it necessary, as other men have, to go to the Legislature of Pennsylvania to prevent things being done which were wrong. I have done it openly. The Legislature of Pennsylvania has been for many years of such a character that it is necessary for reputable men of the State to go down there and prevent them from abusing their power. Why, the same legislature three or four years ago which killed an up-to-date child-labor law passed a law protecting the tadpoles of Pennsylvania, and the Republican Party has ever since had a keen regard for that class of tadpole statesmen. [Applause on the Democratic side.] And when I went to the Pennsylvania Legislature in open and public hearings to argue the cause of my client or my people I was representing them openly and frankly. I never went there to represent them or any like interest while I was drawing a salary out of the treasury of my State.

And when the Republican machine of Pennsylvania, finding its list of tadpole statesmen getting low, upon one occasion back in 1899, had to have somebody to preside over sessions of the house, it very properly picked my colleague from Pennsylvania [Mr. FARR] as its speaker. Mr. Speaker, that legislature and the succeeding ones were of such a character that the State rose in revolution and, a few years afterwards, despite the enormous Republican majority in the State, turned that party out of power and elected a Democrat to the State treasury, in order that he might put the Republican malefactors, who had been stealing the money of our State, in the penitentiary, where they belonged. My service has been open, public, and honest, Mr. Speaker, in behalf of my people. And I am sorry that I can not say as much for all who have been active in and before the Pennsylvania Legislature.

Now, Mr. Speaker, that kind of an attack on the part of the gentleman has been entirely uncalled for. This matter has been discussed in my district and in my State before, because he has made the charge before. And my people know that I am perfectly willing to let them judge that in my service here, as in my service in Pennsylvania, no corporation anywhere has controlled a single act of mine. But my service has been in behalf of those who are struggling for better conditions in a State where the great interests have denied those conditions. [Applause.]

Mr. FARR. Mr. Speaker, I ask unanimous consent to proceed for 8 or 10 minutes.

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FARR. I think, Mr. Speaker, after hearing the defense of the gentleman from Pennsylvania [Mr. PALMER] that it is an admission of every charge that I made. He was in Harrisburg as the paid legal lobbyist of the corporations of Pennsylvania. That is what I said. As regards the Delaware, Lackawanna & Western, the gentleman ought to know how that came on the floor of the House. He was responsible for it. I have not attacked his honor or his integrity or the fact that he had no right to represent a corporation. I have attacked him because of his hypocrisy, his wicked demagoguery, in pretending to be one thing here, when he knows he is another in his own State. Why, Mr. Speaker, when that gentleman assailed the mine officials of the Delaware, Lackawanna & Western in Luzerne County, he was attacking the officials of the Delaware, Lackawanna & Western who in his own county were helping to elect him, as I then said.

Mr. PALMER. There are no mine officials in my county.

Mr. FARR. I said the Delaware, Lackawanna & Western officials.

Mr. PALMER. There are no Delaware, Lackawanna & Western officials in the district.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] must not interrupt the other gentleman from Pennsylvania [Mr. FARR] without his consent.

Mr. FARR. Mr. Speaker, I am amazed at the gall of the gentleman from Pennsylvania [Mr. PALMER]. Why, Mr. Speaker, he robbed you of two delegates in Luzerne because of his pretenses, his demagoguery, his hypocrisy. They were your delegates. The Democrats of that district were for you. The people of Pennsylvania wanted you. They wanted you in my district, and that gentleman, under the pretense of reform, went all over the great State of Pennsylvania, and in every way possible, honorably and dishonorably——

Mr. GARRETT of Tennessee. Mr. Speaker, I call the gentleman from Pennsylvania [Mr. FARR] to order, and the demand that the words be taken down.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] calls the gentleman from Pennsylvania to order and requests that the words be taken down.

Mr. PALMER. Mr. Speaker, I have no objection to this kind of talk.

Mr. GARRETT of Tennessee. Mr. Speaker, it is not a matter to be determined by the gentleman from Pennsylvania [Mr. PALMER] as to what he desires in this matter.

The SPEAKER. The gentleman will suspend a moment. The gentleman from Pennsylvania [Mr. FARR] will take his seat until we get through with this business. Now the gentleman from Tennessee will proceed.

Mr. GARRETT of Tennessee. I call the gentleman from Pennsylvania [Mr. FARR] to order and demand that the words be taken down.

The SPEAKER. The Clerk will take them down and report them. What words are they that are excepted to by the gentleman from Tennessee?

Mr. GARRETT of Tennessee. The last two used by the gentleman.

The SPEAKER. The shorthand reporter will report them. The rule is:

If a Member is called to order for words spoken in debate, the Member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer nor be subject to the censure of the House therefor, if further debate or other business has intervened.

The Official Reporter will read the words.

The Official Reporter read as follows:

Mr. FARR. Mr. Speaker, I am amazed at the gall of the gentleman from Pennsylvania [Mr. PALMER]. Why, Mr. Speaker, he robbed you of two delegates in Luzerne because of his pretenses, his demagoguery, his hypocrisy. They were your delegates. The people of Pennsylvania wanted you. They wanted you in my district, and that gentleman, under the pretense of reform, went all over the great State of Pennsylvania, and he in every way possible, honorably and dishonorably——

Mr. GARRETT of Tennessee. Mr. Speaker, I move to strike those words from the RECORD.

Mr. HAMILTON of Michigan. Which ones?

The SPEAKER. The ones just read.

Mr. MANN. Mr. Speaker, I would like to be heard for a moment.

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Speaker, both gentlemen, I think, have been out of order. The gentleman from Pennsylvania [Mr. PALMER] has certainly been out of order a dozen times this afternoon and this evening in the language which he used.

They are very quick on that side of the House to make charges against somebody else; very quick to call everybody else names, and then very quick to kick if somebody replies in kind.

The gentleman from Pennsylvania [Mr. FARR] ought not to have used the last word that was used. That is the only word that would be out of order. All the rest were strictly in order—all except the last word. But the gentleman from Pennsylvania [Mr. PALMER] but a moment ago referred to the gentleman from Pennsylvania [Mr. FARR] as "a tadpole statesman." That was strictly out of order. He has referred a dozen times to-day to other people out of order, and gentlemen on the other side have applauded those sentiments; and then they jump at once into the arena if somebody else has used a word out of order.

All debate ought to have been stopped when it began out of order. There has been no time when any of it was in order under the rules of the House, and there have been many words used in the debate which were wholly out of order. I think the gentlemen ought to have had their accession of virtue sometime ago on that side of the House, while the debate was proceeding.

Mr. GARRETT of Tennessee. Mr. Speaker, it is entirely immaterial to me as to what the gentleman from Illinois [Mr. MANN] may think as to the proper time for the making of a proper motion. If the gentleman from Illinois regarded the remarks of the gentleman from Pennsylvania [Mr. PALMER] as out of order, he of course had his rights under the rules to make the point of order. I agree with the gentleman from Illinois in one thought, and that is that this bitter debate should be ended. I move, Mr. Speaker, to strike from the RECORD the word used by the gentleman from Pennsylvania [Mr. FARR].

Mr. FARR. Which word?

Mr. GARRETT of Tennessee. The word "dishonorably."

Mr. HAMILTON of Michigan. Mr. Speaker, I move to amend by striking out the words "or dishonorably."

Mr. BUTLER. There was only one word used to which you could take exception.

Mr. HAMILTON of Michigan. Mr. Speaker, I move to amend by striking out the words "or dishonorably."

Mr. GARRETT of Tennessee. I do not yield to the gentleman for the purpose of offering an amendment. I move to strike out those words read by the Official Reporter from the desk.

The SPEAKER. When the gentleman from Tennessee gets through the Chair will recognize the gentleman from Michigan [Mr. HAMILTON] to offer an amendment.

Mr. GARRETT of Tennessee. And upon that, Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Tennessee moves to strike from the RECORD the words read by the Official Reporter, and on that he moves the previous question.

Mr. HAMILTON of Michigan. Mr. Speaker——

Mr. MOORE. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] makes the point of order that there is no quorum present. The Chair will count.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I think probably the House will be in a better humor to decide this question in the morning, and it will not be as difficult to get a quorum. As I understand, the question will still be pending when the House meets in the morning if it adjourns now.

The SPEAKER. Yes. The gentleman from Alabama moves that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 25 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Friday, February 19, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims in relation to the vessel sloop *Ruby* (S. Doc. No. 948); to the Committee on Claims and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting items of legislation to be incorporated in the general deficiency appropriation bill now pending in the Committee on Appropriations (H. Doc. No. 1610); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Secretary of the Treasury, transmitting copy of communication from the Assistant Secretary of Commerce, reporting claim of the Central Railroad of New Jersey for damage to coal dock of said company at Port Liberty, N. J., on account of damages occasioned by collision for which a tender of the Lighthouse Service has been found responsible, which has been considered, adjusted, and determined (H. Doc. No. 1611); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Navy, transmitting lists of papers, documents on the files of Navy Department not needed in the transaction of public business and have no permanent value or historical interest (H. Doc. No. 1612); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

5. A letter from the Secretary of the Treasury, submitting an item of legislation for consideration and inclusion in the general deficiency bill now pending before the Committee on Appropriations (H. Doc. No. 1613); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LOGUE, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 20243) to acquire a site and erect a building thereon for the use of the United States post office at Wildwood, N. J., reported the same with amendment, accompanied by a report (No. 1413), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ASHBROOK, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11299) to enlarge, extend, and make additions to, fireproof, and further improve the post-office building at Shenandoah, Iowa, reported the same with amendment, accompanied by a report (No. 1414), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GUDGER, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 18505) to acquire by purchase, condemnation, or otherwise additional land for the Federal building at Manchester, N. H., and to construct an addition thereon, reported the same with amendment, accompanied by a report (No. 1415), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 18402) to provide for the erection of a public building at Long Beach, Cal., reported the same with amendment, accompanied by a report (No. 1417), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN, from the Committee on the Public Lands, to which was referred the bill (H. R. 21377) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, reported the same with amendment, accompanied by a report (No. 1418), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEDMAN: A bill (H. R. 21486) to establish a national military park at the battle field of Guilford Court House; to the Committee on Military Affairs.

By Mr. CARTER: A bill (H. R. 21487) providing for the continuance of the Joint Commission to Investigate Indian Affairs; to the Committee on Indian Affairs.

By Mr. STOUT: A bill (H. R. 21488) for the purchase of a site and the erection thereon of a public building at Havre, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. FIELDS: A bill (H. R. 21489) authorizing the refunding to certain corporations and individuals part of amounts heretofore collected by the United States as a compromise of their delinquency; to the Committee on Ways and Means.

By Mr. RAKER: A bill (H. R. 21490) to encourage the reclamation of certain arid lands in the State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. SHERLEY: A bill (H. R. 21491) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CARAWAY: A bill (H. R. 21492) to amend an act entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of act supplementary thereto, and the United States Department of Agriculture"; to the Committee on Agriculture.

By Mr. McKELLAR: A bill (H. R. 21493) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 424) providing for the payment of the expenses of an expert and assistant in the fur-seal investigation in Alaska; to the Committee on Claims.

By Mr. HOBSON: Joint resolution (H. J. Res. 425) declaring the attitude of the United States toward the open-door policy in China; to the Committee on Foreign Affairs.

By Mr. SINNOTT: Joint resolution (H. J. Res. 426) providing that the Congress of the United States shall participate in the celebration of the opening of The Dalles-Celilo Canal; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Nevada, urging the passage of Senate bill 5042, entitled "A bill legalizing certain conveyances heretofore made by the Central Pacific Railroad Co. and others within the State of Nevada"; to the Committee on the Public Lands.

Also (by request), memorial of the second Legislature of the State of Arizona, for Congress to provide for the restoration and preservation of the ancient historic Spanish mission San Jose de Comacacori on the bank of the Santa Cruz River, in Santa Cruz County, Ariz.; to the Committee on the Library.

Also (by request), memorial of the Legislature of the State of Arizona, asking that Congress provide for and maintain a Government fish hatchery in the State of Arizona to stock the streams with food fishes; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAYES: Memorial of the Legislature of the State of California, urging the passage of the Keating bill, relative to placing veterans of the United States Army who fought in Indian wars from 1865 to 1891 on the pension roll; to the Committee on Pensions.

By Mr. BOOHER: Memorial of the State Legislature of Nevada, favoring the passage of Senate bill 5042; to the Committee on the Public Lands.

By Mr. HAWLEY: Memorial of the Legislature of Oregon, urging Congress to authorize the Department of Agriculture to devise ways and means of destroying wild predatory animals in the State of Oregon; to the Committee on Agriculture.

By Mr. KETTNER: Memorial of the Legislature of the State of California, urging the passage of the Keating bill relative to placing veterans of the United States Army who fought in Indian wars from 1865 to 1891 on the pension roll; to the Committee on Pensions.

By Mr. SINNOTT: Memorial of the Oregon Legislature, favoring rural credits; to the Committee on Banking and Currency.

Also, memorial of Oregon Legislature, favoring an appropriation of $300,000 for suppression of predatory wild animals; to the Committee on Appropriations.

Also, memorial of the Oregon Legislature, favoring pensions for veterans of Modoc Indian wars of 1872 and 1873 and Indian wars of 1878; to the Committee on Pensions.

Also, memorial of Oregon Legislature, concerning national navigation laws; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Oregon Legislature, concerning reorganization of national militia; to the Committee on Military Affairs.

Also, memorial of Oregon Legislature, concerning the building of roads; to the Committee on Agriculture.

Also, memorial of Oregon Legislature, concerning patenting of Carey Act segregations; to the Committee on the Public Lands.

Also, memorial of Oregon Legislature, relative to rabies-infected coyotes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 21494) granting a pension to Martha Adams; to the Committee on Invalid Pensions.

By Mr. CARR: A bill (H. R. 21495) granting a pension to Catharine Cocain; to the Committee on Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 21496) for the relief of Dr. E. V. Hallman; to the Committee on Claims.

By Mr. HAY: A bill (H. R. 21497) for the relief of the heirs of James Cloud, deceased; to the Committee on War Claims.

By Mr. KENNEDY of Connecticut: A bill (H. R. 21498) granting an increase of pension to Levi Jackson Richardson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21499) granting a pension to James Chaffin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21500) granting an increase of pension to George Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21501) granting an increase of pension to James F. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21502) granting an increase of pension to Elizabeth Combs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21503) granting an increase of pension to Joseph Dyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21504) for the relief of Henry C. Adams and others; to the Committee on War Claims.

By Mr. SLEMP: A bill (H. R. 21505) granting an increase of pension to Isaac Sloan; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 21506) for the relief of George Gillette; to the Committee on Military Affairs.

By Mr. VOLLMER: A bill (H. R. 21507) granting an increase of pension to Alfred R. Long; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of citizens of Valley Park, Mo., and American Neutrality League, favoring embargo on war materials; to the Committee on Foreign Affairs.

Also (by request), memorial of Chamber of Commerce of the United States, urging reconsideration of the Deitrick amendment to the Army appropriation bill; to the Committee on Military Affairs.

Also (by request), petition of various citizens of Warrenton, Mo., protesting against bill to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Evidence to accompany House bill 21467, for the relief of Silenus A. Simons; to the Committee on Pensions.

Also, evidence to accompany House bill 21466, for the relief of Ellen Curtin; to the Committee on Invalid Pensions.

Also, memorial of German Beneficial Union, of Columbus, Ohio, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of Gustav Betterman, of Johnstown, Pa., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. BRODBECK: Petition of bakers of the twentieth congressional district of Pennsylvania, favoring an embargo on wheat; to the Committee on Foreign Affairs.

Also, petition of 31 bakers and grocers of York and Hanover, Pa., to prevent exportation of grain and foodstuffs, and request investigation as to cause of advance in price of grain; to the Committee on Foreign Affairs.

By Mr. BRYAN: Petition of citizens of Tacoma, Wash., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. BURKE of Wisconsin: Petition of Charles W. Stauss and 42 other citizens of Glenbeulah, Sheboygan County, Wis., asking for the passage at this session of H. J. Res. 377, to levy an embargo on all contraband of war; to the Committee on Foreign Affairs.

Also, resolutions adopted by the American Neutrality League of Wisconsin at a mass meeting held at Milwaukee on February 11, 1915, asking for the passage of a law authorizing the President of the United States to levy an embargo on the exportation of arms and munitions to any of the belligerent nations; to the Committee on Foreign Affairs.

By Mr. COOPER: Petition of William Lindner and other residents of Kenosha, Wis., asking that legislation be enacted to place an embargo on the shipment of arms, etc., to the belligerent nations of Europe; to the Committee on Foreign Affairs.

Also, petition of E. K. Dupont and other citizens of Stockton, Cal., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. CURRY: Petitions of citizens of Benicia, Martinez, Stockton, Lodi, Elk Grove, and Galt, all in the State of California, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of 92 citizens of Stockton, Cal., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. DALE: Memorial of the board of directors of the Associated Employers of Indianapolis, in support of the militia pay bill; to the Committee on Military Affairs.

Also, petition of New York Stereotypers' Union, No. 1, protesting against President vetoing the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. DAVENPORT. Petitions of the Catholic Church at Pawhuska, Okla., and Knights of Columbus, Council No. 952, of

Muskogee, Okla., favoring House bill 20644, to prohibit certain publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Memorial of the Associated Employers of Indianapolis, in support of the militia pay bill; to the Committee on Military Affairs.

Also, memorial of Sauk County (Wis.) Country Life Association, favoring present method of rural free delivery; to the Committee on the Post Office and Post Roads.

By Mr. GARDNER: Petition of Carpenters' Union No. 82, of Haverhill, Mass., relative to unemployment in the United States; to the Committee on Labor.

By Mr. GALLIVAN: Petition of St. James Council, No. 298, Knights of Columbus, relative to persecution of Catholics in Mexico; to the Committee on Foreign Affairs.

By Mr. HAY: Petition of citizens of Virginia, protesting against passage of H. R. 20644; to the Committee on the Post Office and Post Roads.

By Mr. HINEBAUGH: Petition of William E. Cadmus, of Chicago, Ill., protesting against tone of recent notes from the State Department to English and German foreign offices; to the Committee on Foreign Affairs.

By Mr. JACOWAY: Protest of citizens of Perryville, Ark., against Fitzgerald amendment to Post Office appropriation bill relative to freedom of press; to the Committee on the Post Office and Post Roads.

By Mr. KELLY of Pennsylvania: Petition of citizens of Coraopolis, Pa., protesting against bill to amend the postal law; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Connecticut: Petition from the members of the Lutheran St. Paul's Church, Beethoven Lodge, German-American Alliance, Torrington Lodge No. 462, D. O. H., all of Torrington, Conn., to prohibit the sale and export of arms; to the Committee on Foreign Affairs.

Also, petition of John H. Rosenbeck and 60 others, of Torrington, Conn., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. LEWIS of Maryland: Petition of Rev. L. D. Zimmerman and others, of Accident, Md., favoring an embargo on war material; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petitions of St. Joseph German Society, Bristol, and Deutscher Radfaher Club Eichenlaub, of New Britain, Conn., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Nebraska, favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. MURDOCK: Petition of Socialist Party of Wichita, Kans., favoring legislation to meet the problem of the unemployed; to the Committee on Labor.

By Mr. RAKER: Memorial of board of directors, Associated Employers of Indianapolis, in support of militia pay bill; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: Petition of Mrs. M. J. Scroeder, 717 York Street, St. Paul, Minn., favoring exclusion of certain periodicals from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Harmonia Lodge, O. D. H. S., of Meriden, Conn., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. SCULLY: Petition of New Jersey Turn Bezirk, of Hoboken, N. J., relative to the neutrality of the United States; to the Committee on Foreign Affairs.

Also, petition of A. L. Ortman and Monmouth County Federation of Patriotic and Religious Fraternities, against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Petitions of Chris Harrigfield and others, citizens of Squirrel; E. M. Frank and others, of American Falls; Theodore Goers and others, all of Idaho, protesting against export of war material; to the Committee on Foreign Affairs.

Also, petitions of Rev. W. M. Care and 17 citizens of Caldwell, and Rev. J. S. Colvin and 44 citizens of Hampa, all in the State of Idaho, protesting against employment of child labor; to the Committee on Labor.

By Mr. THOMPSON of Oklahoma: Petition of members of St. Joseph's Catholic Church, Norman, Okla., and of St. Joseph's Cathedral, Oklahoma City, Okla., relative to circulation of certain publications through the mails; to the Committee on the Post Office and Post Roads.

By Mr. VOLLMER: Petition of mass meeting of Bellevue, Iowa, against polygamy in the United States; to the Committee on the Judiciary.

SENATE.

FRIDAY, *February 19, 1915.*

The Senate met at 11 o'clock a. m.

Rev. George H. Williams, of Virginia, offered the following prayer:

Almighty God, our heavenly Father, we thank Thee that under such auspicious circumstances we are again permitted to meet in this place. We pray Thy presence and blessing upon us and upon the deliberations of this august body. We pray that Thy holy Spirit may lead us in the way of Thy commandments, and that Thou wilt help us to do Thy will and to serve Thee in our day and generation. Forgive us all our sins, guide us by Thy holy Spirit through the remainder of our life, and after this life receive us into the eternal life. We ask it for the sake of our Lord and Savior Jesus Christ. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Myers	Smith, Ga.
Bryan	Hitchcock	Nelson	Smoot
Burleigh	Hollis	Oliver	Sterling
Camden	Hughes	Overman	Stone
Catron	Johnson	Owen	Swanson
Chamberlain	Jones	Page	Thomas
Clapp	Kenyon	Perkins	Townsend
Clark, Wyo.	Kern	Pittman	Warren
Crawford	La Follette	Poindexter	Weeks
Culberson	Lane	Robinson	White
Dillingham	Lea, Tenn.	Root	Works
Fall	Lodge	Sheppard	
Fletcher	Martin, Va.	Simmons	
Gallinger	Martine, N. J.	Smith, Ariz.	

Mr. KERN. I desire to announce the unavoidable absence of the Senator from Louisiana [Mr. THORNTON] on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OLIVER, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

The VICE PRESIDENT. If it can be disposed of without trouble now, the Chair would like to call attention to the fact that the Journal of January 29 has never been approved.

Mr. SMOOT. I will state that I have that matter now on my desk, and I think it will be but a day or two before it can be finally decided. I realize the importance of disposing of it.

The VICE PRESIDENT. The Chair does not want just now to start anything.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 21161. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and, on motion of Mr. SHIVELY, referred to the Committee on Pensions.

CREDENTIALS.

The VICE PRESIDENT presented the credentials of ELLISON D. SMITH, chosen by the electors of the State of South Carolina a Senator from that State for the term beginning March 4, 1915, which were referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution of the Legislature of South Dakota, urging Congress to use all honorable and lawful means to compel the Chicago, Milwaukee & St. Paul Railway Co. to construct a new bridge across the Missouri River at Chamberlain, S. Dak., which was referred to the Committee on Commerce.

He also presented a petition of the Associated Employers of Indianapolis, Ind., praying for the passage of the so-called

militia-pay bill, which was referred to the Committee on Military Affairs.

Mr. MYERS. I present a memorial of the Legislature of Montana, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

[House joint memorial No. 2—Introduced by Cavitt.]

Petition to Congress to enact legislation validating all desert-land claims made prior to March 23, 1914.

Resolved, That the Legislative Assembly of the State of Montana favors the enactment of a law by the Congress of the United States, giving title to all desert-land entrymen to claims filed prior to March 23, 1914. Entrymen having filed claims prior to this date mentioned, taking their water supply from dry coulees and other insufficient water sources shall not be denied title to said claims, provided that said entrymen have complied with the desert-land law in making the required improvements upon said claims: Therefore be it

Resolved, That an engrossed copy of this resolution be sent to the Members of the United States Senate and House of Representatives from the State of Montana.

GEORGE L. RAMSEY,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved February 5, 1915.

S. V. STEWART, *Governor.*

Filed February 5, 1915, at 2.05 o'clock p. m.

A. M. ALDERSON,
Secretary of State.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, A. M. Alderson, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of House joint memorial No. 2, petitioning Congress to enact legislation validating all desert claims made prior to March 23, 1914, enacted by the fourteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 3d day of February, 1915.

In witness whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 8th day of February, A. D. 1915.

[SEAL.]

A. M. ALDERSON,
Secretary of State.

Mr. MYERS. I present a memorial of the Legislature of Montana, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the memorial was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

[House joint resolution No. 1—Introduced by Guinn.]

A resolution memorializing Congress for the building of one steel bridge jointly with the county of Big Horn across the Big Horn River on the Crow Indian Reservation.

To the honorable Senate and House of Representatives in the Congress of the United States assembled:

Whereas the lands lying within the Crow Indian Reservation lie along the east bank of the Big Horn River, in Montana, and there dwell the major portion of the population of whites and Indians in the said reservation;

Whereas the county seat of Big Horn County is situated on the west side of the said Big Horn River, being by name the town of Hardin, the chief marketing and commercial center of the district aforementioned;

Whereas there are no means of communication from the Government lands of the Crow Indian Reservation and the said town of Hardin, except by a long devious route, which, in certain months of the year, is practically impassable;

Whereas by proclamation of the President there was thrown open for homesteading on the 25th day of October, 1914, the ceded portion of the Crow Indian Reservation, comprising about 200,000 acres; and

Whereas there are no means of ingress and egress to the said ceded strip from the said town of Hardin, the closest city or town of importance to the said ceded portion, except by fording the waters of the Big Horn River, which during the greater part of the year is a dangerous and unsafe proceeding: Now, therefore, be it

Resolved by the House of Representatives of the Fourteenth Legislative Assembly of the State of Montana (the Senate concurring herein), That we petition the Congress of the United States for the necessary funds, to be taken out of Crow Indian moneys, enabling and directing the joint construction with the county of Big Horn, Mont., under the supervision of the Board of County Commissioners of Big Horn County, Mont., of one steel highway bridge across the Big Horn River, at a suitable and convenient place in the said county of Big Horn, one half of the expenses of the construction of said bridge to be paid out of the funds set aside and designated Crow Indian moneys and the other half of said expense to be paid out of the public treasury of the said county of Big Horn, under an agreement to be entered into between the proper federal officers and the county commissioners of Big Horn County, Mont.

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States, and that a copy of this memorial be forwarded by the secretary of the State of Montana to the House of Representatives of the United States; and be it further

Resolved, That a copy hereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring about a speedy action for the accomplishments of the ends and purposes herein indicated.

GEORGE L. RAMSEY,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved February 5, 1915.

S. V. STEWART, *Governor.*

Filed February 5, 1915, at 2.05 o'clock p. m.

A. M. ALDERSON,
Secretary of State.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, A. M. Alderson, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of a resolution memoralizing Congress for the building of one steel bridge jointly with the county of Big Horn across the Big Horn River on the Crow Indian Reservation, enacted by the fourteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 5th day of February, 1915.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 8th day of February, A. D. 1915.

[SEAL.]

A. M. ALDERSON,
Secretary of State.

Mr. MYERS. I present a memorial of the Legislature of Montana, which I ask may be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

[Senate joint memorial No. 2—Introduced by Burla.]

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas the Crow Indian Reservation, situated in the southeastern portion of the State of Montana, comprising an area of approximately 2,875,000 acres, the major portion of which is of great agricultural value and capable of producing cereals and other farm products in great abundance, is now reserved for the use of the Crow Indian Tribe; and

Whereas the total membership of said Indian tribe is less than 1,600 persons, including men, women, and children; and

Whereas there has been allotted in severalty to each member of said tribe valuable lands, sufficient under a proper administration of their affairs to sustain said Indians in comfort and assure them the means of an independent livelihood; and

Whereas but a very small portion of said Indian reservation is ever used by any of said Indian tribe for any purpose whatsoever, the same being leased to large cattle owners and flock masters at a rental insignificant by comparison with the agricultural possibilities thereof; and

Whereas practically all of the available homestead lands of eastern Montana have been claimed and occupied under the homestead laws of the United States; and

Whereas it is physically impossible for this number of Indians to occupy and use this vast area of valuable farm land, even though said Indians were possessed of the average ability of our white citizens in the management of agricultural pursuits; and

Whereas it would result in the great betterment of the industrial, financial, and moral conditions of the Indians themselves if they were compelled to occupy, use, and manage under proper supervision the lands already allotted to them, large areas of which have been irrigated by the Government at great expense and are now almost wholly unused: Therefore be it

Resolved (the House of Representatives concurring), That we, the Fourteenth Legislative Assembly of the State of Montana, do hereby petition the Congress of the United States for the passage of necessary legislation to open for settlement at as early a date as practicable the land embraced within the Crow Indian Reservation, situated in the southeastern portion of the State of Montana.

Resolved further, That a copy of this memorial be forwarded by the secretary of state to the honorable Secretary of the Interior and to our Senators and Representatives in Congress, with the request that they use every effort within their power to bring about the early opening to homestead settlement or otherwise of said Crow Indian Reservation.

W. W. MCDOWELL,
President of the Senate.
GEORGE L. RAMSEY,
Speaker of the House.

Approved February 9, 1915.

S. V. STEWART, *Governor.*

Filed February 9, 1915, at 3.50 o'clock p. m.

A. M. ALDERSON,
Secretary of State.
By COPELAND C. BURG,
Deputy.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, A. M. Alderson, secretary of state of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 2, memoralizing Congress of the United States to pass the necessary legislation for the opening of the Crow Indian Reservation to settlement, enacted by the fourteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 9th day of February, 1915.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 10th day of February, A. D. 1915.

[SEAL.]

A. M. ALDERSON,
Secretary of State.

Mr. MYERS. I present a memorial of the Legislature of Montana, which I ask may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the memorial was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

[House joint memorial No. 4—Introduced by Healy.]

To the honorable Senators and Representatives of the United States in Congress assembled:

Whereas Cook City, Mont., has a population of 75 people, and Sluice Creek, Mont., a population of 4 people, and Clarks Fork, Wyo., a population of 25 people, all of whom have been deprived of any and all postal services by reason of the discontinuance of mails to the said Cook City, Mont., where all of said persons have heretofore received their mail;

Whereas the nearest post office to said Cook City and villages is Gardiner, Mont., which is a distance of 65 miles over mountain roads through the Yellowstone National Park; and

Whereas by reason of the great increase in the amount of mail to be carried to the above-mentioned points, caused by the introduction of the parcel post, the bid of the carrier was considered too high by the Post Office Department at Washington, D. C., and for that reason alone was rejected, and no further steps have been taken by the Government to restore such service; and

Whereas the discontinuance of the mail service to these points will mean the abandonment of one of the richest and most promising mining districts in the State of Montana and the consequent commercial loss to the Commonwealth and great injustice to the inhabitants of said towns and villages, compelling the abandonment of their homes and destruction of their means of support and the retardation of the growth and development of all the mining region around: Now therefore be it

Resolved (the senate concurring), That we, the Fourteenth Legislative Assembly of the State of Montana, do hereby petition Congress of the United States to take such immediate steps as are practicable to reestablish the postal service heretofore mentioned and bring the relief that the citizens of these communities demand and hereby correct the evil hereinabove referred to.

Resolved further, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the honorable Senate and House of Representatives of the United States; and be it further

Resolved, That a copy hereof be transmitted by the secretary of state to each of our Senators and Representatives in the Congress of the United States at Washington, D. C., with the request that they use every effort within their power to bring about speedy action for the accomplishment of the ends and purposes herein indicated.

GEORGE L. RAMSEY,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

Approved February 9, 1915.

S. V. STEWART, *Governor.*

Filed February 9, 1915, at 3.50 o'clock p. m.

A. M. ALDERSON,
Secretary of State.
By COPELAND C. BURG,
Deputy.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, A. M. Alderson, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 4, petitioning Congress to take such action or pass such laws as may be necessary to give the inhabitants of Cook City and vicinity relief by reestablishing a United States mail service to said place, enacted by the fourteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, on the 9th day of February, 1915.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of February, A. D. 1915.

[SEAL.]

A. M. ALDERSON,
Secretary of State.

Mr. MYERS presented a petition of sundry citizens of Anaconda, Mont., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. OLIVER. I send to the desk a short telegram from the Chamber of Commerce of Pittsburgh, Pa., which I ask to have read.

There being no objection, the telegram was accordingly read, as follows:

PITTSBURGH, PA., *February 18, 1915.*

HON. GEORGE T. OLIVER,
United States Senate, Washington, D. C.:

The business men of Pittsburgh at a largely attended special meeting of the chamber of commerce this afternoon, with few dissenting votes, adopted resolutions strongly opposing passage by Congress of proposed ship-purchase legislation. Your support and vote for defeat of legislation earnestly urged.

CHAMBER OF COMMERCE OF PITTSBURGH,
LOGAN MCKEE, *Secretary.*

Mr. OLIVER presented a petition of the City Council of Lebanon, Pa., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. WORKS. I send to the desk a telegram from the California Branch of the United National Association of Post Office Clerks, protesting against the proposed amendment to the Post Office appropriation bill providing for biennial promotions for post-office clerks. I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CAL., *February 18, 1915.*

HON. J. D. WORKS,
Senator from California, Washington, D. C.:

California Branch, United National Association of Post Office Clerks, earnestly oppose amendment of Senate Post Office Committee, which substitutes biennial for annual promotions for post-office clerks. Amendment is on page 14, lines 10 to 20, of Post Office bill. Amendment hits the lowest-priced clerks and carriers in the service.

Respectfully, yours,

JOSEPH RUDEE, *President.*

Mr. STERLING. I present a joint resolution of the Legislature of the State of South Dakota relating to the construction of a permanent bridge by the Chicago, Milwaukee & St. Paul Railway across the Missouri River at Chamberlain, S. Dak. I ask that the joint resolution may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the joint resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, Frank M. Rood, secretary of state, do hereby certify that the within resolution, to wit, house joint resolution No. 6, was duly passed by the 1915 session of the Legislature of the State of South Dakota, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, this 15th day of February, 1915.

[SEAL.]

FRANK M. ROOD,
Secretary of State.

A joint resolution memorializing Congress and our Senators and Representatives in Congress to use all honorable means to compel the Chicago, Milwaukee & St. Paul Railway Co. to construct a permanent railway bridge across the Missouri River at the city of Chamberlain.

Be it resolved by the Senate and House of Representatives of the State of South Dakota:

Whereas, about the year 1905, the Chicago, Milwaukee & St. Paul Railway Co., as the parent corporation of the White River Valley Railway Co., entered upon the construction of a line of railway commencing at the east bank of the Missouri River at the city of Chamberlain and extending westward through Lyman, Stanley, and Pennington Counties to the city of Rapid City, and as a part of said line of railway constructed a pontoon bridge across the Missouri River at Chamberlain; and

Whereas the said Chicago, Milwaukee & St. Paul Railway Co. has taken over the property of the White River Valley Railway Co., including the pontoon or pile bridge at Chamberlain, but has never constructed a permanent railroad bridge; and

Whereas the said pontoon or pile bridge goes out at least from one to four times each year when there is any unusual condition of the Missouri River at Chamberlain; and

Whereas said pontoon or pile bridge is unsafe and dangerous to the traveling public, and by reason of the maintenance of said bridge in its unsafe condition a railway train, either passenger or freight, is liable at any time to be precipitated in the Missouri River, especially during the early spring of the year, when the ice is going out, and during the June rise and in the fall of the year and when the ice is formed or floating in said river it is impossible to operate the draw in said bridge, and the maintenance of said bridge by the said railway company is inimical and dangerous to the public health and safety of the traveling public generally as well as to shippers; and

Whereas by reason of the fact that all traffic to points west of the Missouri River, when said bridge is out or the draw open, must be sent via the lines of the Chicago & North Western Railway Co. via Wolsey and Rapid City to consignees between Chamberlain and Rapid City, and passengers, mail, express, and freight are thereby greatly delayed and the development of said country deterred and the business interests of the people located between Chamberlain and Rapid City jeopardized: Therefore be it

Resolved by the Legislature of the State of South Dakota, That the Congress of the United States and our Senators and Representatives in Congress be, and hereby are, urged to use all honorable and lawful means at their command to compel the Chicago, Milwaukee & St. Paul Railway Co. to erect at the earliest possible date a good, safe, permanent railway bridge across the Missouri River at Chamberlain; and be it further

Resolved, That a copy of this resolution be sent to the Congress of the United States and to our Senators and Representatives in Congress and to the Secretary of War.

Mr. STERLING presented telegrams in the nature of memorials from H. H. McLain, of Loomis; of the Post Office Clerks' Association of Sioux Falls; of the Railway Mail Association of Aberdeen, all in the State of South Dakota, and of the Tenth Division of the Railway Mail Association of Watertown, Wis., remonstrating against a change in the annual promotion of postal clerks, which were referred to the Committee on Post Offices and Post Roads.

Mr. WALSH presented a petition of sundry citizens of Butte, Mont., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. JONES presented petitions of sundry citizens of the District of Columbia, praying for prohibition in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. MCLEAN presented petitions of the Deutsch-Ungerischen Militair Verein, of New Britain; of Harmonia Lodge, O. D. H. S.,

of Meriden; of the German Schaal Society, of New Britain; and of sundry citizens of New Britain, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Danbury, Conn., remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of house joint memorial No. 5 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 8th day of February, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 8th day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER, *Deputy.*

House joint memorial No. 5.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represents that—

Whereas there is pending in the Congress of the United States a bill entitled "A bill to increase the efficiency of the Organized Militia, and for other purposes" (S. 6217); and

Whereas the purpose of the law proposed by said bill is to provide for the payment of the Organized Militia of the United States; and

Whereas the state of the national defense requires that a more dependable military reserve be created than exists at the present time: Therefore be it

Resolved, That your memorialists do favor enactment of a Federal law providing for payment and reorganizing national reserve. That we do hereby declare that, in our opinion, the above-mentioned bill is designed to create such a dependable military reserve as is desired and to greatly increase the efficiency of the Organized Militia, and that it is necessary to the national welfare that the Congress of the United States shall at the earliest possible date pass the said act, and the Senators and Representatives in the Congress of the United States from the State of Oregon are hereby requested to aid and assist in the passage of said bill, and for the passage of such a law your memorialists will ever pray.

Adopted by the House January 28, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the Senate February 3, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) House joint memorial No. 5, W. F. Drager, chief clerk. Filed February 8, 1915, at 2.45 o'clock p. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of Oregon, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the joint memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 4 with the original thereof filed in the office of the secretary of state of the State of Oregon on the 8th day of February, 1915, and that the same is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 8th day of February, A. D. 1915.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.
By S. A. KOZER, *Deputy.*

House joint memorial No. 4.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully request that—

Whereas the Hon. David F. Houston, Secretary of Agriculture, in his report for the fiscal year ending June 30, 1914, recommends as follows:

"In regions where timber is the chief income-producing resource absence of demand for it often works a serious hardship upon those who have entered the region as the advance guard of civilization and are seeking, in the face of many difficulties, to establish homes. There are counties in which a sparse local population of pioneer settlers find themselves surrounded by a wilderness largely consisting of national-forest land, which is almost idle, so far as any form of present use is concerned. In other words, a great if not the greatest of the potential sources of wealth in such counties, held in trust by the Government for the benefit of the public, not merely contributes nothing now to the upbuilding of the communities which will give value to the forests, but actually adds to the burden which these communities must assume. Were the national forests private property, they would pay their fair proportion of the cost of road development, public schools, and other public activities through taxation. The Government, unlike the private owner of timberland in such regions, is holding the timber, not in order to make a profit later by its advance in value, but in order to make it promote the public welfare. That it should be made to serve the local as well as the national public welfare has been definitely recognized in the provisions of law for the use of 35 per cent of all gross receipts from the forests for local public purposes.

"To carry more fully into effect this already established principle a further step should be taken. It should not be necessary to wait until the period of hardest struggle is past before these public resources begin to assist local development. Before the national forests begin to yield large incomes, as well as after, they should be made to participate in the work of building up the country and giving value to all its resources.

"The first need of the public in undeveloped regions is for more and better roads. Without them the struggle of individuals to gain a foothold is much more difficult, while isolation from neighbors and the outside world means meager educational opportunity, a lack of comforts, and conditions unfavorable to community life. A road system, however, constitutes a capital investment which a handful of settlers must make a little at a time. When their roads must be built largely through national-forest lands, which pay no taxes, their case is much more difficult. In such regions the Secretary of Agriculture should be authorized to make a study of the local conditions and to gather all the data necessary to formulate a plant for public-road development based on local needs. These plans should be carried into sufficient detail to provide a reasonably accurate estimate of the cost of the road construction which it is proposed that the Government undertake. They should be accompanied by careful and conservative appraisals of the value of the national-forest timber in each locality and a forecast of the future income which the forests will bring in from all sources. On the basis of the showings of fact regarding the value of the Government's property, its potential income-yielding capacity, and the needs of the public, Congress should be asked to appropriate for the construction of specific projects recommended by the Secretary of Agriculture. The cost of such road construction by the Government should constitute an advance of the amounts which the forests would later make available for local use. In effect, therefore, the roads would become an obligation upon the forests, to be extinguished as their resources come into commercial demand."

Therefore be it

Resolved by the house of representatives (the senate concurring), That our Representatives and Senators in Congress be, and are hereby, memorialized and requested to use their best endeavors to see that the honorable the Secretary of Agriculture is authorized to make a study of local conditions necessary to formulate plans for public-road development and to report his findings to Congress from time to time in accordance with his recommendations. Be it further

Resolved, That the secretary of state is hereby instructed to transmit by mail a copy of this resolution to each of the Oregon delegates in Congress.

Adopted by the house January 28, 1915.

BEN SELLING,
Speaker of the House.

Adopted by the senate February 3, 1915.

W. LAIR THOMPSON,
President of the Senate.

(Indorsed:) House joint memorial No. 4. W. F. Drager, chief clerk. Filed February 8, 1915, at 2.45 o'clock p. m. Ben W. Olcott, secretary of state, by S. A. Kozer, deputy.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Newport and Gresham, in the State of Oregon, remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Oregon, remonstrating against the curtailment of the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to protect the national flag, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

THE MERCHANT MARINE.

Mr. FLETCHER. I ask to have printed in the RECORD a statement to the press by Secretary McAdoo on the shipping bill; a telegram from W. W. Marsh to the Secretary of the Treasury; a telegram from the Chamber of Commerce of Athens, Ga.; a letter from W. B. Merritt, vice president and general manager of the West Bay Naval Stores & Lumber Co., of St. Andrew, Fla.; and a copy of a letter from the Syracuse Smelting Works addressed to the Secretary of Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

STATEMENT TO THE PRESS BY SECRETARY M'ADOO.

WASHINGTON, D. C., *February 18, 1915.*

Secretary McAdoo said:

"On Sunday, February 14, 1915, the New York Herald, which has been one of the champions of the opposition to the shipping bill, published a grossly libelous article, in which it sought to convey the impression that the Secretary of the Treasury was interested, with bankers in New York, in an effort to sell to the Government the interned German vessels if the shipping bill should be passed. In this article the Herald attributed certain statements to Senator BRISTOW. The attached correspondence with Senator BRISTOW shows that the Herald deliberately falsified in order to accomplish its purpose.

"I make this statement in order that the public may get an idea of the methods which have been employed by the opponents of the shipping bill to prevent its passage."

—

FEBRUARY 15, 1915.

Hon. JOSEPH L. BRISTOW,
United States Senate.

SIR: The New York Herald of Sunday, February 14, 1915, alleged that you made the following statement to a Herald reporter:

"It is a matter of common knowledge that Mr. McAdoo is very close to the New York banking firm of Kuhn, Loeb & Co., of which Paul M. Warburg was formerly a director, and is working to have the United States purchase these German ships."

Permit me to ask if you made this statement?

Respectfully,

W. G. MCADOO.

—

FEBRUARY 15, 1915.

Hon. WILLIAM G. MCADOO,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: I have your note of February 15. In reply I beg to say that I have never said that you were "working to have the United States purchase these German ships."

With kindest regards, I am,

Very truly, yours,

JOSEPH L. BRISTOW.

—

FEBRUARY 17, 1915.

Hon. JOSEPH L. BRISTOW,
United States Senate.

SIR: Your note dated February 15, in reply to my note of that date, was received at the Treasury Department at 10.14 a. m. to-day.

You say: "I beg to say that I have never said that you (I) were 'working to have the United States purchase these German ships.'"

You do not, however, answer my question as to whether or not you made the following statement, which the Herald, in its publication of February 14, attributes to you: "It is a matter of common knowledge that Mr. McAdoo is very close to the New York banking firm of Kuhn, Loeb & Co., of which Paul M. Warburg was formerly a director."

Permit me to ask you again if you made this statement.

This letter will be delivered to you by messenger.

Respectfully,

W. G. MCADOO.

—

FEBRUARY 17, 1915.

Hon. WILLIAM G. MCADOO,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: Your note of February 17 is received. I did not make the statement contained therein.

Very truly, yours,

JOSEPH L. BRISTOW.

—

WATERLOO, IOWA, *February 18, 1915.*

Hon. WILLIAM G. MCADOO,
Secretary of the Treasury, Washington, D. C.:

I am mailing to-day to Senator KENYON correspondence and statement showing our shipments to London were tied up for 10 weeks; that we have had orders unfilled and no shipping accommodations obtainable; that our men need work, and if we could have shipping facilities they would be at work; that our capital is tied up in consequence; and that he give the shipping bill his support.

W. W. MARSH.

—

ATHENS, GA., *February 16, 1915.*

Senator D. U. FLETCHER, *Washington, D. C.:*

The Athens Chamber of Commerce unanimously passed strong resolution indorsing administration ship-purchase bill, believing its passage of vital importance to the farming, manufacturing, and laboring interests of the South at a critical moment. Our committee is instructed to inform you of this resolution and urge your most ardent support.

JOHN D. MOSS,
ANDREW C. ERWIN,
BLANTON FORTSON,
Committee.

—

WEST BAY NAVAL STORES & LUMBER CO.,
St. Andrew, Fla., February 6, 1915.

Hon. DUNCAN U. FLETCHER,
United States Senate Chamber, Washington, D. C.

DEAR SIR: Your constituents appreciate the stand you are taking in the ship-purchase bill. We are suffering for shipping facilities and on account of exorbitant marine freight rates.

Yours, very truly,

W. B. MERRITT.

—

NEW YORK, *February 15, 1915.*

Hon. W. C. REDFIELD,
Secretary of Commerce,
Department of Commerce, Washington, D. C.

DEAR SIR: Your name was given to us by Mr. E. C. Porter, of the Bureau of Foreign and Domestic Commerce, and we take the liberty of addressing you in reference to the ship-purchase bill. As shippers of our manufactured products all over the world, we feel that this country certainly requires a bill of that kind, as, in the first place, the shipping is in the hands of such a lot of financiers, who handle these matters just as they please; in fact, at the present time shipments that have to be made to the Continent—when you inquire from any of the steamship companies they simply name you a high figure and request you to engage space promptly. Otherwise they simply tell you that the rate will be higher; and sure enough, when you find in a few days that you can make the shipments and you inquire from them for space, up goes the price. So the more times you inquire the higher rates you have to pay.

This is now getting to be unbearable, and believe that if the ship-purchase bill was passed that in due time the manufacturers and shippers of this country would at least be relieved from being held up to such an extent, and trust that you will make a special effort to see that this bill is passed.

Yours, truly,

SYRACUSE SMELTING WORKS,
Per L. SAPERY.

INSPECTION OF GRAIN.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 17971) for securing the uniform grading of grain, preventing deception in transactions in grain, and regulating traffic therein, and for other purposes, reported it with amendments and submitted a report (No. 1014) thereon.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. WILLIAMS. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 547, submitted by the junior Senator from Virginia [Mr. SWANSON], to report it favorably with an amendment, and I ask for its immediate consideration.

The Senate by unanimous consent proceeded to consider the resolution, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be authorized during the Sixty-third Congress to subpœna witnesses, to send for books and papers, to administer oaths, and to employ a stenographer, at a price not to exceed $1 per printed page, to report such hearings as may be had or may have been had in connection with any subject which may be pending or may have been pending before the said committee; that the committee may sit during the sessions or recesses of the Senate, and the expense thereof shall be paid out of the contingent fund of the Senate.

The amendment was, in line 9, after the word "sessions," to strike out the words "or recesses."

The amendment was agreed to.

The resolution as amended was agreed to.

JOHN BURROWS.

Mr. WHITE. From the Committee on Claims I report back favorably without amendment the bill (H. R. 17122) for the relief of John Burrows, and I submit a report (No. 1011) thereon. This is an emergency bill; it applies to a man who was an employee of the Government in the Canal Zone. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to John Burrows, of New Orleans, La., $1,433.33, to compensate him for injuries received while in the employ of the Government on the Panama Canal.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PORT OF NYANDO, N. Y.

Mr. NELSON. I report back favorably without amendment from the Committee on Commerce the bill (H. R. 17982) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement, and I submit a report (No. 1012) thereon. I call the attention of the senior Senator from New York [Mr. ROOT] to the report.

Mr. ROOT. Mr. President, I ask unanimous consent for the immediate consideration of the bill. In explanation I will say that it is identical with the bill reported on the 12th of December last from the Committee on Commerce by the Senator from Texas [Mr. SHEPPARD], which is now on the calendar, being Senate bill 6528.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. STONE. Mr. President, what is the bill?

Mr. ROOT. It is a bill making Nyando, on the St. Lawrence River, a port of entry.

Mr. STONE. Very well.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Shall Senate bill 6528 of the same title and for the same purpose be indefinitely postponed? The Chair hears no objection, and it is so ordered.

CAPT. THOMAS MOORE.

Mr. FLETCHER. From the Committee on Commerce I report back favorably without amendment the joint resolution (S. J. Res. 205) to convey the thanks of Congress to Capt. Thomas Moore, master of the Alaska Steamship Co. steamer *Cordova*, and to the officers and crew, for the prompt and heroic service rendered by them in rescuing 58 survivors of the United

States revenue cutter *Tahoma*, and I submit a report (No. 1013) thereon. I call the attention of the Senator from Washington [Mr. JONES] to the report.

Mr. JONES. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution which was read, as follows:

Resolved, etc., That the thanks of Congress be, and the same are hereby, extended to Capt. Thomas Moore and the officers and crew of the steamer *Cordova*, belonging to the Alaska Steamship Co., for their heroic rescue of 58 survivors of the United States revenue cutter *Tahoma*, shipwrecked near the coast of Alaska; and that duly certified copies of this resolution be sent to Capt. Thomas Moore and to the officers and members of his crew participating in this rescue.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT JUDGE FOR NEW JERSEY.

Mr. HUGHES. I ask unanimous consent for the present consideration of the bill (S. 7091) to create an additional judge in the district of New Jersey.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ROOT. Mr. President, is there a report with the bill?

Mr. HUGHES. I will say to the Senator from New York that he was a member of the subcommittee which reported the bill favorably to the full committee. There is a favorable report on the bill from the Judiciary Committee. I have the manuscript of the report here, which I can read if it is thought necessary.

Mr. ROOT. Very well; I have no objection to the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the district of New Jersey, who shall reside in the district, and whose term of office, compensation, duties, and powers shall be the same as now provided by law for the judge of the district.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE BUILDING AT SEYMOUR, IND.

Mr. KERN. Mr. President, I should like to call up Calendar No. 868, being the bill (H. R. 18172) to increase the limit of cost of the United States post-office building at Seymour, Ind. I ask unanimous consent for the immediate consideration of the bill. There is an emergency existing calling for immediate action.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to increase the limit of cost of the United States post-office building at Seymour, Ind., $15,000, to meet the additional cost of construction of the building by the substitution of stone instead of brick with stone trimmings, as specified in the existing specification.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 7682) to repeal sections 35 to 49, inclusive, of the act of June 13, 1898, concerning mixed flour, as amended by act of April 12, 1902; to the Committee on Finance.

By Mr. LEA of Tennessee:

A bill (S. 7683) for the relief of E. D. Judkins; to the Committee on Military Affairs.

By Mr. WALSH:

A bill (S. 7684) authorizing the Secretary of the Interior to appoint a commission to negotiate with the Crow Indians for the cession of their lands lying west of the Big Horn River on the Crow Reservation; to the Committee on Indian Affairs.

By Mr. SHAFROTH:

A bill (S. 7685) granting an increase of pension to Mary C. Estes; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 7687) authorizing the Secretary of War to make donation of condemned cannon and cannon balls to the Odessa (Wash.) public schools; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 7688) for the relief of Augustus G. Reynolds; to the Committee on Claims.

By Mr. JONES:

A bill (S. 7689) granting an increase of pension to Emiles Pomeroy (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7690) granting an increase of pension to Leroy F. Morse; to the Committee on Pensions.

INTERSTATE TRANSPORTATION OF PISTOLS.

Mr. SHIELDS. I introduce the bill which I send to the desk, and ask that it be read and referred to the Committee on Interstate Commerce.

The bill (S. 7686) to regulate interstate commerce in pistols, revolvers, and other firearms of like form, size, and description, was read the first time by title and the second time at length, and referred to the Committee on Interstate Commerce, as follows:

A bill (S. 7686) to regulate interstate commerce in pistols, revolvers, and other firearms of like form, size, and description.

Be it enacted, etc., That it shall be unlawful for any person or corporation to deliver, or cause to be delivered, to any common carrier, or to deposit in the mails of the United States, to be carried from any State or Territory of the United States or the District of Columbia to another State or Territory of the United States or from any State or Territory to the District of Columbia for the purpose of sale, or in the performance of a contract of sale, a pistol, revolver, or other firearm of like form, size, or description, except those which for the time being have been adopted and are commonly used in the Army and Navy of the United States, under the rules and regulations of the constituted authorities of the Departments of War and Navy.

SEC. 2. That it shall be unlawful for any person or corporation engaged in the business of a common carrier in interstate commerce to receive for transportation or to transport from any State or the District of Columbia to another State or from a State to the District of Columbia a pistol, revolver, or other firearm of like form and size described in the first section of this act.

SEC. 3. That any person or corporation or their agents or employees violating any of the provisions of this act shall be deemed guilty of a misdemeanor and the offending party fined not less than $100 nor more than $500, and, if a person, imprisoned not less than 30 days nor more than 6 months, in the discretion of the court.

Mr. SHIELDS. Mr. President, I wish to say a word concerning the object of the bill and to offer some statistics respecting it.

Hon. Andrew White, in an interview given to Mr. Karl K. Kitchin, appearing in the World, of New York, commenting upon the frequency of criminal homicides in the United States, said:

I repeat that this annual wholesale murder is the most disgraceful evil in America to-day, and conditions are rapidly becoming worse. Ten years ago there were only 117 murders to the million. To-day there are 126. Ten years ago 1 in every 74 cases punished; to-day only 1 in 86 meets the penalty prescribed by law.

That this condition is due largely to the lax manner in which our criminal laws are enforced there is no doubt. Across an imaginary line in Canada there are only seven murders to the million annually. There British law deals with criminals quickly and effectively. It is a pity we do not do likewise.

As long as this condition holds true our Declaration of Independence is a joke. In that great document it is stated that all great men are endowed by the Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. Yet without life the pursuit of liberty and happiness are, of course, impossible. The United States to-day has the highest percentage of murders of any country in the world. Even southern Italy, with its Camorrists and Mafias, does not have as many murders in proportion to the population as our country.

The object of this bill is to aid in the prevention and suppression of this crime. The statistics show that something like three-fifths of all felonious homicides are committed with pistols and revolvers, smaller than the size used in the Army and Navy of the United States, carried concealed about the person.

A majority of the States have laws prohibiting the sale and carrying of these small firearms, but they find it difficult to enforce them, chiefly because of the facility with which pistols can be purchased and received through the mails and interstate carriers, which will be prohibited if this bill becomes a law.

This legislation is along the lines of acts of Congress regulating the transportation by common carriers engaged in interstate commerce of dynamite and other explosives and dangerous articles, and excluding from the mails obscene, lascivious, and filthy pictures and publications, lottery tickets, advertisements, poisons, explosives, intoxicating liquors, and other similar legislation.

I believe if the transportation of pistols and revolvers of the character described in this bill is prohibited in interstate commerce and the mails of the United States, it will greatly con-

tribute to the suppression of felonious assaults and homicides. It is well known that many such crimes would not be committed if boys and men were not so armed. There is no reason why the manufacture and sale of these arms should not be discouraged and, as far as possible, suppressed. They are not manufactured or sold for any useful purpose. They are chiefly used in committing violent assaults and murderous assassinations. No man carries concealed weapons about his person for any other purpose. If he desires to go armed for a just and lawful purpose, he can carry the larger firearms and will do so. The right of the citizen to have arms in the home and to carry them for self-defense is not interfered with in the slightest by this bill.

Such a law as this has more merit than those prohibiting the transportation of explosives, liquors, and poisonous drugs, because they may be used for a lawful purpose, while pistols are expressly intended for unlawful and felonious purposes.

Whatever can be done for the suppression of violent assaults and felonious homicides in the United States ought to be done. The punishment of these offenses is peculiarly within the province of the States, but the General Government ought not to allow agencies under its control to be used in furnishing the means commonly used in the commission of these crimes. It ought to, in so far as it can, aid the States in the prevention and suppression of what is sometimes called the "national crime."

I present some statistics and data concerning the frequency of homicides in the United States, which I ask to have printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SHIELDS. Judge S. C. Brown, one of the circuit judges of Tennessee, in discussing the evil of concealed weapons, recently said:

All agree that pistol carrying is one of the greatest banes to civilization and makes life entirely too cheap. As a rule, most of the pistol cases in our courts are without excuse. The young fellow begins to carry a pistol and he does not know why he carries it. He wonders why he does so, and finally concludes that he is carrying it for self-defense, and it is not long then until he has a case of self-defense, or is found dead in front of another man's pistol, who likewise has a case of self-defense.

As it is there is but little uniformity in enforcing the statute against carrying pistols. The discretion given the courts as to jail sentence destroys the efficacy of the law. The law will be ineffective so long as it now stands and is administered. It will continue to be violated while the great loss of life and the happiness of homes will be sacrificed as a result. There should be a positive uniformity and certainty in its enforcement in every county in the State.

When we put pistol carrying on the same plane as the bowie knife and Arkansas toothpick, then, and not until then, will the pistol be relegated from use as these two outlawed weapons have been.

It was by virtue of chapter 137, acts 1838, page 200, that the bowie knife and Arkansas toothpick were completely outlawed in Tennessee. It was the purpose of the act, as indicated in the caption, "to suppress the sale and use of bowie knives and Arkansas toothpicks in this State." That act did suppress the use of pistols forever in Tennessee.

By reading the original act it is seen that it was the sole purpose of the act to do what it did:

Section 1: For selling or offering to sell these weapons fixes the fine from $100 to $500 and jail sentence from one to six months.

Section 2: For wearing these weapons concealed about the person fixes the fine from $200 to $500 and jail sentence from three to six months.

Section 3: For maliciously drawing or attempting to draw these weapons from under the clothes or place of concealment about the person for the purpose of sticking, cutting, or awing another person makes the offense a felony from three to five years in the penitentiary.

Section 4: For cutting or stabbing another with these weapons in a sudden encounter, whether death ensues or not, makes the offense a felony from 3 to 15 years in the penitentiary.

Of course these sections are found in the code of 1858 and in Shannon's Compilation, but a more comprehensive view as to the purpose of the act is obtained by studying the original act, which purpose is distinctly stated in the caption as above quoted.

Our supreme court in Day *v.* State (5 Sneed, 496) held in a vigorous opinion delivered by Judge Caruthers that a person indicted under this act for drawing a bowie knife from a place of concealment about his person to cut or intimidate another can not have resort to the plea of self-defense; that the law makes no exception and the courts must enforce it as it is. Judge Caruthers says that the legislature intended to abolish these weapons entirely from use. It was contended in that case that if drawn in self-defense, not maliciously, that self-defense could be relied upon, but the supreme court said in that case that the right of self-defense is not denied by the act, but this particular instrument is prohibited in the exercise of that right if it be drawn from any place of concealment about the person and be thus drawn with malice for the purpose of "awing or intimidating any person," and if this be shown the offense is complete. The court again says that "if the statute invades the right of self-defense the fault is not ours"; that it is no fault of the courts; that the statute must be enforced as it reads.

When the legislature puts the pistol in the same class with the bowie knife and the Arkansas toothpick pistol carrying will be over in Tennessee the same as these two relegated instruments of death. Not only the carrying but the use of the pistol must be suppressed.

Of course it is likely that an act for this purpose should allow the Army and Navy pistol to be carried openly and in the hand and likewise except from its provisions sheriffs and other officers of the law while executing process and in arresting criminals as now excepted by the pistol statute.

I am firmly of the conviction that if these suggestions be written into the statutes of Tennessee that great results will follow in reclaiming the criminal youth of the State and in forever banishing from its borders the murderous use of the pistol.

The Nashville Banner, a paper published in the capital city of my State, commented upon this interview of Judge Brown, as follows:

Judge S. C. Brown, of the fourth judicial circuit, in an article on another page, makes some suggestions which his experience on the bench has led him to believe is much needed legislation.

One of these suggestions is that the law against carrying a pistol be given the same penalty as that provided for carrying a "bowie knife or Arkansas toothpick." The last-named weapon has been virtually extirpated by the severity of the punishment the law prescribes for having it concealed about the person, and Judge Brown considers that pistol carrying should be made a like offense.

The Banner wishes to indorse the suggestion. There is no reason why anyone should carry a pistol, and the practice has been prolific of homicides that might have been otherwise avoided.

The pistol is purely and simply an implement for shooting men. It is not put to any other use. It is meant, too, for private quarrels, and has little or no place in war. Except as it may be needed by the police and constabulary, nothing of the kind should be tolerated by modern civilization.

The sale of pistols is forbidden by law in Tennessee, but like other wholesome laws in this State it is little enforced and has slack observance. Pistols are frequently publicly exposed for sale in low-grade pawn shops, where they are bought by tough characters, and they can be had by those who desire to make the purchase from places of greater pretentions to respectability.

The law against the sale of pistols should be strictly enforced, and it would be well if some statute in accord with Judge Brown's suggestion were enacted that made more weighty the penalty for carrying a pistol concealed about the person.

The Banner quite recently reproduced some statistics given by the New York World showing the great preponderance of homicides in America over European countries, and making the startling disclosure that Memphis, in proportion to population, leads the cities of the civilized world in that unenviable respect, while Nashville is third in the list.

That is an alarming evil that should assuredly be overcome, and the remedy lies largely in abolishing the pistol.

Men who carry pistols as an imagined necessity for defense are more often drawn into difficulties than they are saved from attack by the habit.

A perfect enforcement and universal observance of the law would make self-defense unnecessary, and a condition of affairs where men must be their own defenders always abounds in feuds and violent personal encounters.

Judge Brown's suggestion in this respect is full of good sense and should be given thoughtful consideration by the legislature.

The Literary Digest of October 19, 1912, concerning an article appearing in the Spectator prepared by Mr. L. F. Hoffman, said:

Why is the ratio of murders to population in the United States increasing? Why is it so much higher than in England and Wales? Why is the rate highest in our southern cities? These are some of the questions puzzling our editors since the publication in a New York insurance journal called the Spectator of Mr. L. F. Hoffman's comparative table of homicide statistics in 30 American cities. Mr. Hoffman shows that in the decade from 1881 to 1891 the number of homicides among our urban population averaged 5 to every 100,000 persons, that for the next 10 years the rate dropped to 4.9, and that during the decade ending with 1910 it rose again to 7.2. This rate, declares Mr. Hoffman, indicates "a startling disregard of human life in the United States." For England and Wales, he says, the average rate of homicides is only 0.9 per 100,000 inhabitants. The condition revealed by these figures, he maintains, "is not compatible with the common assumption that actual progress is being made in the United States in all that is summed up under the term 'civilization and national welfare.'" We print herewith Mr. Hoffman's figures for the 30 selected cities during the period 1901–10 and for the single year 1911, giving the actual number of homicides, the rate per 100,000 population, and the ratio of increase. It will be seen that Memphis, Tenn., has the highest homicide rate (47.1 per 100,000 for the decade and 63.4 for 1911), and that six other southern cities follow it on the list. Why are the people of the South more given to manslaughter than those of the North? On this point the Charleston News and Courier comments as follows:

"The homicide record of the South and of southern cities is bad enough when accompanied by the fullest explanation of the conditions existing in this part of the country; but when, as in the current number of the Spectator, the bald figures are published the effect is appalling. It is scarcely just to print, as does this New York insurance magazine, articles such as that of Mr. F. L. Hoffman giving the homicide record of American cities unaccompanied by explanatory notes. Reading Mr. Hoffman's article one uninformed as to the facts can gather no other impression than that in Memphis, Charleston, Savannah, New Orleans, Atlanta, Louisville, and Nashville, in the order named, human life is cheaper than anywhere else in America, a land in no part of which is human life held very sacred. We are not prepared to attack Mr. Hoffman's figures. Indeed, we take it that they are essentially correct; but we do think that it would have been only fair for him to have explained, as he could have done in a line, that the homicide record of these southern cities is high because their negro population is larger proportionately than that of any other cities considered by him in his article. Of course, it is deplorable that 24 homicides should have occurred in Charleston in 1911; but surely it makes a difference to insurance companies as well as to the public in general that of these 24 homicides 20 of the victims were colored, and only 2 of the known assailants, all told, were white. Whatever other criticisms may legitimately be directed against the white people of this community, they are not given to crimes of violence in larger degree than are their neighbors of the North, the East, or the West.

"But while this defense is Charleston's due, it remains lamentably true that in the South, as in every other part of America, there is lacking that regard for the sacredness of life which should characterize a people claiming to be civilized. The figures make painful reading, because they indicate conditions to be growing worse instead of better."

Viewing the situation broadly, the New York Times thinks that the increase in homicides, while disheartening, "is probably explainable on

other grounds than the degeneracy of the Nation." As the Times sees it:

"The percentage of homicides per 100,000 of the population of our larger cities increased between 1882 and 1911 from 5.5 to 8.3. The increase of immigration from southern Europe in these years was enormous. The concentration of the population in the large cities had grown greatly in that period. In Memphis, Tenn., the city which has the worst record for homicides, the negro population is very large. We are not to infer that the white citizens of American birth and training have taken to killing each other more frequently in the last 30 years.

"But there have been causes for the increase of murder. Labor strikes have been more common than formerly, and have often been accompanied by bloodshed. It is claimed, however, that the tables printed in the Spectator by Mr. F. L. Hoffman and reproduced in the Times yesterday ought to make us more lenient judges of Mexico and Central America when we get news of manslaughter in those troubled countries. Throughout the United States the ease with which slayers of men escape punishment has become a grave scandal."

"We can check the increase of murder just as soon as we make would-be murderers know that punishment will be sure and swift, and we can check it in no other way," declares the New York World. The American Prison Association's committee on criminal procedure reports that not 1 out of 4 murderers in the United States is brought to trial, and that out of 25 brought to trial only 1 receives a death sentence. According to the same authority, 10,000 homicides are committed in this country every year, more than the aggregate number for any 10 civilized nations, exclusive of Russia.

The Spectator, in a recent number, had an article containing statistics upon the subject of homicides, which I ask to be inserted in the RECORD.

The article referred to is as follows:

HOMICIDE RECORD OF AMERICAN CITIES—STATISTICS SHOW HOMICIDE RATE HAS REMAINED FAIRLY SATISFACTORY SINCE 1907—HOWEVER, SECOND MAXIMUM POINT REACHED IN 1913.

[By Frederick L. Hoffman.]

It has properly been observed that for the United States there are no general statistics as to crime "which are not more misleading than they are informing." There are no judicial statistics for the country, as a whole, which afford an insight into one of the most important phases of modern life. The study of abnormal man is of equal importance with the study of the normal type, for the one can not be fully understood without a thorough understanding of the other. There are inherent difficulties in all efforts to bring about strictly comparable international statistics of crime. What constitutes a wrongful act in one country may not be subject to punishment in another The legal definition of homicide varies considerably, not only in different countries, but also in the several States of the United States. It would seem that homicide would constitute the least difficult branch of criminal statistics. A homicide, in the most extensive sense of the word, is the killing of any human creature, irrespective of intent. In the trial of persons accused of homicide the required distinction is made as to whether the homicide is excusable or whether it is justifiable or whether it is felonious. From an insurance point of view this distinction, which seriously affects the statistical consideration of homicide as a social problem, is of relatively small importance. Claims have to be paid whether the homicide was justified or felonious. Judicial statistics have to do with the person committing the homicide, whereas in mortality statistics it is a question of the person murdered, irrespective of the degree of moral or legal responsibility for the act. For this reason judicial statistics are of less value than accurate and conclusive mortality statistics, by means of which it is possible to establish the true loss of life by violence.

The fundamental basis of all mortality statistics is the death certificate filed by the attending physician. Where there is reason to suspect death by wrongful means a coroner's inquest is, as a rule, called for; but, unfortunately, the verdict rendered by a coroner's jury is frequently based upon superficially considered evidence. Under a system of qualified medical examiners, such as prevails in certain New England States, a material improvement is brought about, both in the administration of justice and the accurate and complete registration of violent deaths. At the present time the statistics of deaths due to homicide in the United States are wanting in accuracy and completeness. There are abundant reasons for believing that some violent deaths are returned as accidents because of the reluctance on the part of the jurors to establish a felonious crime. The available statistical information, therefore, in all probability understates the true facts of a most serious social and economic problem.

The most useful data are the returns of the Division of Vital Statistics of the Census for the registration area of the United States. Combining the returns for the decade ending with 1912, the average homicide mortality rate was 5.5 per 100,000 of population. For males the rate was 8.4 and for females 2.4. For the urban territory of the registration States (including Connecticut, District of Columbia, Indiana, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Rhode Island, and Vermont) the rate was 5, and for the rural 3.5. These rates are based upon an area which excludes the entire urban and rural South. The rate, therefore, when applied to the continental United States, as a whole, underestimates the number of homicidal deaths in the country at large.

The vital statistics of the census have been published since 1900. There has been a gradual and persistent increase in the homicide mortality rates during that period. In part this increase is the result of improved methods of death registration and death certification. This explanation, however, does not seriously impair the important conclusion that murder is on the increase in the United States, and that actually, as well as relatively, homicides were never so frequent in this country as they are at the present time.

Combining the returns for 30 representative American cities for the year 1913, the homicide mortality rate for this group was 8.7 per 100,000 of population. This rate is the highest on record since 1884, with the exception of the year 1907, when the rate was 8.8. For the year 1912 the homicide death rate, as returned by the census for the United States registration area was 6.5 per 100,000 of population. When this rate is applied to the total population of the continental United States the approximate number of deaths due to murder for that year was 6,250. Since, however, the rate during 1913 was 0.4 per 100,000 of population in excess of the urban rate for 1912, the number of deaths from homicide in the continental United States during the year 1913 must have been considerably higher. The table following shows the homicide record of 30 American cities for which the information is obtainable with more or less completeness for the 30 years ending with 1913:

Year.	Number of cities.	Aggregate population.	Homicides.	Rate per 100,000.
1884	18	6,117,495	372	6.1
1885	18	6,471,447	345	5.3
1886	21	7,100,317	357	5.0
1887	20	7,269,735	373	5.1
1888	22	7,808,836	363	4.6
1889	21	8,008,103	372	4.6
1890	24	8,561,164	434	5.1
1891	21	8,600,435	365	4.2
1892	24	9,477,236	440	4.6
1893	25	9,795,223	478	4.9
1894	23	9,905,442	444	4.5
1895	23	9,911,241	482	4.9
1896	27	11,017,031	520	4.7
1897	24	10,636,379	451	4.2
1898	25	11,207,621	594	5.3
1899	26	11,580,321	587	5.1
1900	26	11,704,655	642	5.5
1901	28	12,450,541	591	4.7
1902	28	12,824,531	627	4.9
1903	30	13,289,572	705	5.3
1904	29	13,248,161	728	5.5
1905	29	13,872,240	923	6.7
1906	29	13,957,944	1,107	7.9
1907	30	14,728,792	1,294	8.8
1908	30	15,112,384	1,229	8.1
1909	30	15,495,977	1,156	7.5
1910	30	15,879,566	1,312	8.3
1911	30	16,263,155	1,371	8.4
1912	30	16,645,668	1,384	8.3
1913	30	17,029,158	1,477	8.7
1884–1893	.....	79,209,991	3,899	4.9
1894–1903	.....	114,527,334	5,643	4.9
1904–1913	.....	152,233,045	11,981	7.9

The table brings out the interesting fact that the homicide rate of 30 American cities has gradually increased from a minimum of 4.2 per 100,000 of population in 1891 to a maximum of 8.8 in 1907. Since that year the rate has remained fairly stationary, but a second maximum point was reached in 1913, when the rate attained to 8.7. Considered by decennial periods, it is shown that the average rate remained the same during the first 20 years, but that the rate increased from 4.9 to 7.9 during the last decade. The increase is, no doubt, in part the result of improved methods of registration, tabulation, and death certification. It also requires to be taken into account that for the earlier years of the comparison the returns are not for all of the 30 cities for which they have been complete since 1907. In a general way the table justifies the conclusion that a fairly stationary condition has been reached in the homicide rate, and that the increase during recent years can not be considered seriously alarming, unless compared or contrasted with the returns for the earlier period. Accepting, however, the present returns as accurate, it may safely be maintained that the position of the United States in the matter of violent deaths is decidedly deplorable. Every international comparison proves that the homicide rate of the United States is probably the highest for any civilized country in the world.

The following table exhibits the comparative homicide rates for 30 American cities, first, for the decade ending with 1912 and, second, for the year 1913, for individual cities, with the increase or decrease in the rate during the year compared with the average for the previous decade:

TABLE II.—*Comparative homicide rates, 30 American cities, 1903–1913.*

Cities.	1903-1912.		1913.		
	Homicides.	Rate per 100,000 of population.	Homicides.	Rate per 100,000 of population.	Increase or decrease in the rate.
Memphis, Tenn	723	58.3	95	68.0	+ 9.7
Charleston, S. C	178	30.6	18	30.1	− .5
Savannah, Ga	169	27.1	33	48.3	+21.2
New Orleans, La	800	24.5	88	24.8	+ .3
Atlanta, Ga	320	23.1	58	33.3	+10.2
Nashville, Tenn	210	20.4	47	39.4	+19.0
Louisville, Ky	360	16.4	35	15.2	− 1.2
St. Louis, Mo	851	12.9	92	12.8	− .1
San Francisco, Cal	366	11.4	59	13.4	+ 2.0
Cincinnati, Ohio	380	10.7	44	11.7	+ 1.0
Chicago, Ill	1,881	9.1	216	9.3	+ .2
Seattle, Wash	161	8.1	18	6.3	− 1.8
Washington, D. C	240	7.5	23	6.6	− .9
Spokane, Wash	63	7.2	14	11.2	+ 4.0
Cleveland, Ohio	305	5.9	40	6.5	+ .6
Manhattan and Bronx, N. Y	1,473	5.7	211	7.1	+ 1.4
Providence, R. I	109	5.2	9	3.8	− 1.4
Pittsburgh, Pa	264	5.1	37	6.6	+ 1.5
Dayton, Ohio	53	4.9	11	8.7	+ 3.8
Boston, Mass	292	4.6	36	5.0	+ .4
Brooklyn, N. Y	661	4.4	86	4.8	+ .4
Baltimore, Md	226	4.1	40	7.0	+ 2.9
Philadelphia, Pa	598	4.0	86	5.3	+ 1.3
Reading, Pa	34	3.7	1	1.0	− 2.7
Buffalo, N. Y	150	3.7	22	4.9	+ 1.2
Hartford, Conn	31	3.6	2	1.9	− 1.7
Minneapolis, Minn	93	3.3	16	4.9	+ 1.6
Rochester, N. Y	60	3.0	9	3.7	+ .7
Newark, N. J	84	2.6	17	4.4	+ 1.8
Milwaukee, Wis	74	2.2	14	3.4	+ 1.2
Average	11,209	7.5	1,477	8.7	+ 1.2

This table is of exceptional interest and practical value. The comparison brings out a startling contrast between the homicide rates of the southern cities and those of the North and West. The city of Memphis ranks highest in the homicide rate of American cities, and this unenviable position is not only maintained for year 1913, but, in fact, the rate shows an increase of 9.7 per 100,000 of population. The 7 cities with homicide death rates in excess of 15 per 100,000 of population are all southern cities with a large negro population. Of these 7 cities, 5 showed a more or less considerable increase in the rate for 1913 in comparison with the average rate for the previous decade. Of the 30 cities under review, all but 8 show an increase in the rate for 1913. It would no doubt be of interest to know the true homicide rate according to race for southern cities; but such an analysis, however, would not be necessary at this time, since the problem of homicide is fundamentally one of law and order and not of race. It would be much more interesting to know the true homicide rate of southern rural territory. Unfortunately, however, there are no trustworthy southern vital statistics otherwise than for large cities; but a beginning has been made in Kentucky, Tennessee, Virginia, North Carolina, and Mississippi, and within a few years trustworthy and conclusive information should be available.

The limited development of hospital facilities outside of the large cities of the South tends to concentrate the victims of homicide in the large centers of population, and this in part explains the excessive rates for Memphis, New Orleans, etc. These cities draw a considerable portion of their hospital patients from the surrounding territory, but the fact remains that the rates are conclusive evidence of a local disregard for human life which imperatively demands the attention of the authorities and of the public at large.

Comparing the average homicide mortality rate of our large cities for the decade ending with 1912 with the rate for the year 1913, there was an increase in the rate of 1.2 per 100,000 of population; compared with the previous year, there was an increase in the rate of 0.4. The evidence is therefore quite conclusive that the present tendency of the homicide rate is distinctly in the wrong direction.

The table following exhibits the comparative rates of eastern, southern, central, and western cities:

TABLE III.—*Comparative mortality from homicide, by geographical distribution, 1903–1913.*

Cities.	1903–1912.			1913.			
	Number of cities.	Homicides.	Rate per 100,000.	Number of cities.	Homicides.	Rate per 100,000.	Increase in the rate.
Eastern	11	3,756	4.7	11	516	5.6	+0.9
Central	7	3,637	8.4	7	433	8.8	+.4
Southern	9	3,226	17.0	9	437	21.2	+4.2
Western	3	590	9.7	3	91	10.7	+1.0
All cities	30	11,209	7.5	30	1,477	8.7	+1.2

According to this comparison, the homicide rate during the year 1913 was highest in the southern cities, or 21.2 per 100,000 of population, followed by western cities, with a rate of 10.7; by central cities, with a rate of 8.8; and by eastern cities, with a rate of 5.6. The relative increase in the rate of 1913, compared with the previous decade, was highest in southern cities, or 4.2 per 100,000 of population, and lowest in the cities of the Central West, or 0.4.

Homicide occurs chiefly at ages 15 to 44. The table below will show the mortality rate by sex and age for the United States registration area for the decade ending with 1912:

Mortality from homicide, by age and sex, United States registration area, 1903–1912.

Ages.	Males.		Females.	
	Number.	Rate per 100,000 population.	Number.	Rate per 100,000 population.
Under 5	668	2.8	602	2.6
5–14	367	.9	220	.5
15–44	14,963	12.6	3,812	3.4
45 and over	3,463	7.3	692	1.5

The rates at ages under 5 represent chiefly cases of infanticide. The rates at this period of life are practically the same for both sexes. At the age period of most importance, from a life-insurance point of view—that is, 15 to 44—the male rate is 12.6 against a female rate of 3.4 per 100,000 of population.

The age distribution of mortality from homicide in more detail is given in the table below. Of the deaths at ages under 5, about 80 per cent occurred during the first year of life.

Mortality from homicide, by age and sex, United States registration area, 1908–1912.

Ages.	Males.		Females.	
	Number.	Per cent.	Number.	Per cent.
Under 5[1]	486	3.7	429	12.0
5–19	952	7.2	523	14.7
20–29	4,453	33.8	1,165	32.6
30–39	3,704	28.1	759	21.3
40–49	2,095	15.9	400	11.2
50–59	957	7.3	179	5.0
60–69	388	2.9	60	1.7
70–79	125	.9	44	1.2
80 and over	31	.2	11	.3
Total known ages	13,191	100.0	3,570	100.0
Unknown ages	128	.....	19	.....

[1] Of the males under 5 years of age, 389, or 80 per cent, occurred during the first year of life, and of the females, 335, or 78.1 per cent.

The table is self-explanatory and requires no discussion.

It is only for the last three years that the homicide returns of the Census Office have been published according to the method employed. The details of the analysis for the three years ending with 1912 are given in the table below:

Mortality from homicide by method employed, 1910–1912, according to sex.

Method employed.	Males.		Females.	
	Number.	Per cent.	Number.	Per cent.
By firearms	5,446	62.1	1,202	52.8
By cutting or piercing instruments	1,400	15.9	282	12.4
By other means	1,929	22.0	792	34.8
Total	8,775	100.0	2,276	100.0

As shown by this analysis of deaths from homicide, of males, 62.1 per cent were caused by firearms. The corresponding proportion for females was 52.8 per cent. It is a matter of regret that the information should not be available to show the proportion of deaths from homicide caused by poisoning. The problem of murder in its final analysis is to a considerable extent a question of the effective regulation of the sale and possession of dangerous weapons and dangerous drugs. The analysis of the American statistics for the three years ending with 1912 suggests the direction in which it may be quite possible to achieve far-reaching reforms.

There is urgency for an international classification of crimes in conformity to the principles of standardizing statistical methods which underlie the international classification of causes of death. There is, furthermore, an urgent need for a Government inquiry into the occurrence of homicide on the basis of our judicial records in much the same manner as was done in the Government inquiry into the frequency of divorce. Whether it would be possible for the United States to develop a complete system of criminal statistics in conformity to the admirable judicial statistics for England and Wales and the German criminal statistics is an open question. It, however, would not seem difficult for the Government to obtain the required information regarding indictments, trials, and convictions for homicide, within a reasonably broad interpretation of the term.

Homicide statistics.

GREATER NEW YORK.

Year.	Population.	Homicides.	Rate per 100,000 population.
1907	4,367,976	285	6.5
1908	4,500,945	231	5.1
1909	4,633,914	182	3.9
1910	4,766,883	286	6.0
1911	4,899,852	281	5.7
1907–1911	23,169,570	1,265	5.5

LONDON.

1907	4,538,223	39	0.9
1908	4,536,892	52	1.1
1909	4,535,561	33	.7
1910	4,534,230	44	1.0
1911	4,532,899	44	1.0
1907–1911	22,677,805	212	.9

BERLIN.

1907	2,076,437	41	2.0
1908	2,057,274	47	2.3
1909	2,057,610	46	2.2
1910	2,071,907	39	1.9
1911	2,074,369	36	1.7
1907–1911	10,337,597	209	2.0

PARIS.

1910	2,822,135	103	3.6
1911	2,847,229	98	3.4
1910–11	5,669,364	201	3.5

The international aspects of the homicide problem are of interest and importance. Nothing emphasizes better the deplorable condition in this country than the fact that, for illustration, the homicide mortality rate of Greater New York should be six times the rate for London. The tables immediately above for Greater New York, London, Berlin, and Paris are included to facilitate the study of the problem. Of course, all international statistics of this kind are open to the criticism that the facts may not be strictly comparable. There is, however, a lesser liability to error in mortality statistics than in judicial statistics, which, as previously pointed out, are not available for the United States as a whole.

Homicide, in the experience of life insurance companies, is of considerably less importance than suicide or accidents. In the aggregate there are over 16,000 suicides per annum in the United States and over 80,000 accidents. Deaths due to homicide were not separately returned in the statistical tables of the medico-actuarial investigation, largely, no doubt, because murder cases are relatively rare in life insurance experience. The subject, however, is one of unusual interest, and as a broad public question is one of considerable practical importance, well deserving of more extended and qualified consideration.

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, December 15, 1914.

Hon. JOHN K. SHIELDS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am inclosing herewith a table showing the number of homicides in the registration area during each year of the period 1900 to 1913. The total number of deaths charged to homicide is shown for each State of the area and for each city which had a population of 100,000 or over in 1910.

In this connection I desire to call your attention to the fact that the increase during the later years is probably more apparent than *real. Unfortunately*, the original returns of violent deaths are defective in many instances, so that classification is difficult with respect to the number of deaths from homicide, suicide, and accident. Beginning with the year 1905, this bureau began to make a very determined effort to secure explicit statements of violent deaths. It should be remembered that a death is never compiled under the heading of homicide unless an explicit statement of that fact is given in the return. In the earlier years of this period such returns as "pistol-shot wound," "knife wound," "fracture of the skull," etc., were compiled as accidental if returned without qualification. Since 1905, however, such reports have been returned to the sources from which they came, with the request for information as to whether death was due to accident, suicide, or homicide. More explicit descriptions secured in this way account very largely for the increase indicated in the later years of this period.

The whole subject of reporting and classifying deaths from violence was once in a very unsatisfactory state, but through the earnest efforts of registration officials, the medical profession, and the coroners in cooperating with the Bureau of the Census, positive assurance can be given that returns of homicide, together with other definite and specific classes, are not at the present time vitiated by the inclusion of uncertain causes to any appreciable extent.

Very truly, yours,

W. L. AUSTIN, *Director.*

Area.	Number of homicides in the registration area in the year—													
	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900
The registration area[1]	4,567	3,954	3,907	3,190	2,854	3,003	2,709	2,101	1,540	935	834	734	709	658
Registration States[2,3]	3,607	3,011	3,039	2,185	1,857	1,858	1,701	1,310	463	283	236	255	233	230
California	317	350	253	261	230	253	225	159	(4)	(4)	(4)	(4)	(4)	(4)
Colorado	101	82	106	94	87	126	102	88	(4)	(4)	(4)	(4)	(4)	(4)
Connecticut	47	41	43	27	39	39	24	19	15	2	7	3	2	.....
Indiana	155	133	124	120	114	124	121	99	85	34	31	24	24	37
Kentucky	322	248	315	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Maine	22	16	18	13	8	9	13	3	16	3	9	2	11	10
Maryland	84	51	52	41	47	49	61	43	(4)	(4)	(4)	(4)	(4)	(4)
Massachusetts	108	106	101	90	81	79	69	46	38	36	33	33	33	23
Michigan	120	82	70	71	60	78	59	30	16	25	33	32	36	17
Minnesota	66	60	82	68	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Missouri	331	259	305	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Montana	44	59	51	37	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
New Hampshire	14	6	7	4	6	3	5	9	3	2	.....	.....	1	1
New Jersey	118	113	98	111	100	97	89	61	35	24	10	23	11	19
New York	494	480	500	452	369	419	453	337	211	131	86	113	102	102
North Carolina[5]	86	73	61	24	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Ohio	296	279	265	212	227	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Pennsylvania	432	352	347	362	331	365	406	365	(4)	(4)	(4)	(4)	(4)	(4)
Rhode Island	19	15	20	22	15	21	24	18	9	14	10	14	9	11
Utah	34	29	27	21	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Vermont	9	4	19	7	13	9	6	3	7	2	1	1	1	.....
Virginia	231	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Washington	79	86	88	81	62	86	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Wisconsin	54	64	56	39	41	48	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
District of Columbia	24	23	31	28	14	32	31	20	28	10	16	10	3	10
Registration cities in nonregistration States	960	943	868	1,005	997	1,145	1,008	791	1,077	652	598	479	476	428
Cities of 100,000 population or over in 1910:														
Birmingham, Ala	135	83	93	104	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Los Angeles, Cal	54	45	34	47	20	23	27	21	10	7	6	13	9	10
Oakland, Cal	12	12	10	11	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
San Francisco, Cal	66	59	48	50	51	44	63	42	37	41	43	27	43	16
Denver, Colo	13	17	24	23	20	36	15	19	17	18	17	9	11	1
Bridgeport, Conn	5	2	5	4	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
New Haven, Conn	11	8	6	5	2	8	3	3	2	.....	.....	1	1	.....
Atlanta, Ga	58	67	48	42	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Chicago, Ill	223	219	203	201	227	207	205	165	186	129	137	109	96	114
Indianapolis, Ind	37	19	20	29	22	16	18	13	10	5	5	7	.....	.....
Louisville, Ky	41	34	47	35	32	41	50	45	40	29	31	9	14	12
New Orleans, La	88	100	85	77	80	114	87	94	73	42	47	39	30	6
Baltimore, Md	42	24	28	18	18	18	42	27	21	9	10	10	13	16
Boston, Mass	37	33	33	41	28	26	41	27	18	23	15	25	20	11
Cambridge, Mass	4	.....	2	.....	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Fall River, Mass	.....	2	3	1	2	2	.....	.....	.....	.....	.....	.....	.....	.....
Lowell, Mass	.....	1	2	5	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Worcester, Mass	7	6	4	3	2	3	3	4	2	3	1	1	.....	1
Detroit, Mich	48	30	17	23	11	21	14	7	3	4	5	7	4	1
Grand Rapids, Mich	7	5	2	3	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Minneapolis, Minn	16	14	11	12	11	5	13	15	13	2	3	1	2	3
St. Paul, Minn	8	6	7	9	7	6	5	1	6	6	5	2	9	.....
Kansas City, Mo	74	58	62	59	40	54	42	15	28	31	19	7	2	5
St. Louis, Mo	94	97	109	77	71	73	97	71	84	108	68	75	68	98
Omaha, Nebr	12	10	14	6	15	11	10	5	4	3	2	1	.....	.....
Jersey City, N. J	11	2	9	14	9	14	12	6	4	8	1	3	2	3
Newark, N. J	18	21	12	15	18	8	12	9	4	4	2	7	7	6
Paterson, N. J	10	6	5	10	5	1	3	6	1	.....	.....	1	.....	4
Albany, N. Y	1	11	7	3	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Buffalo, N. Y	20	18	25	17	22	22	31	22	8	.....	1	5	1	1
New York, N. Y	340	312	306	299	204	259	292	245	175	109	71	93	83	91
Rochester, N. Y	8	8	15	8	5	5	14	3	.....	2	1	4	.....	2
Syracuse, N. Y	5	2	3	5	3	3	1	2	.....	.....	.....	.....	.....	.....
Cincinnati, Ohio	44	42	57	30	42	46	38	43	27	26	31	21	24	15
Cleveland, Ohio	44	37	50	36	37	47	29	18	24	13	17	9	7	11
Columbus, Ohio	15	27	13	25	11	20	21	4	4	8	3	1	3	.....
Dayton, Ohio	11	6	8	4	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Toledo, Ohio	26	11	12	13	3	9	6	4	7	3	2	4	2	.....
Portland, Oreg	21	15	11	24	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Philadelphia, Pa	91	64	66	86	73	75	84	76	34	39	31	25	31	16
Pittsburgh, Pa	43	31	29	34	21	26	32	43	21	17	22	23	16	13
Scranton, Pa	9	9	5	8	9	7	7	5	6	.....	1	.....	2	.....
Providence, R. I	14	6	16	14	8	12	19	12	6	9	6	8	8	7
Memphis, Tenn	95	88	85	112	104	93	77	78	68	8	10	3	3	4
Nashville, Tenn	48	41	40	23	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Richmond, Va	27	33	27	27	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Seattle, Wash	19	29	20	33	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Spokane, Wash	10	7	10	8	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)	(6)
Milwaukee, Wis	14	16	11	9	5	14	3	6	9	3	4	5	3	3

[1] As constituted in each year.
[2] Includes District of Columbia.
[3] Includes South Dakota, which was a registration State from 1905 to 1909; the State returned 10 homicides in 1906; 13 in 1907; 21 in 1908; and 13 in 1909.
[4] Not admitted to registration area until a later date.
[5] Includes only municipalities having a population of 1,000 or over in 1900.
[6] Less than 100,000 population.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NORRIS submitted an amendment proposing to appropriate $50,000 to begin the construction of two public bathhouses and the work of converting portions of the tidal basin in Potomac Park into public bathing beaches, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was ordered to lie on the table and to be printed.

Mr. SHERMAN submitted an amendment providing that any lieutenant colonel of the Quartermaster Corps, United States Army, being one of the permanent officers thereof, who shall have served more than 6 years in that grade and more than 35 years continuously as a commissioned officer in the United States Army, the President is authorized to promote such officer to the next higher grade, etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. WEEKS submitted an amendment providing that so much of the act of Congress approved July 10, 1912, be amended so as to enable the Secretary of the Treasury to carry out existing contracts entered into under date of December 21, 1907, between the Secretary of the Treasury and Peabody & Stearns, architects, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was ordered to lie on the table and to be printed.

He also submitted an amendment authorizing the President to transfer to the active list of the Navy any officer retired on July 1, 1914, under the personnel act of 1899 as modified by the act approved August 22, 1912, who is now performing active duty, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. McCUMBER submitted an amendment providing for a refund of sums paid for documentary stamps, etc., intended to be proposed by him to the general deficiency appropriation bill (H. R. 21546), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CUMMINS submitted an amendment providing that no money appropriated for pay in the Navy or for the pay of retired officers of the Navy shall be used for the pay of any dental surgeons or for the pay of any retired dental surgeons in the United States Navy, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. POINDEXTER submitted an amendment proposing to increase the appropriation for incidental and contingent expenses, including rent of building, at the assay office at Seattle, Wash., from $5,000 to $6,000, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for wages of workmen and other employees at the assay office, Seattle, Wash., from $15,000 to $17,000, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. HUGHES submitted an amendment providing that hereafter assistant appraisers of merchandise shall receive a compensation, to be fixed by the Secretary of the Treasury, not to exceed the sum of $4,000 per annum, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was ordered to lie on the table and to be printed.

Mr. STONE submitted an amendment authorizing A. T. Bin Town Chu, a Chinese merchant, resident of the city of New York, to conduct a party of not exceeding 500 Chinese residents of the United States to China, etc., intended to be proposed by him to the diplomatic and consular appropriation bill (H. R. 21201), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. PITTMAN submitted an amendment proposing to increase the appropriation for the maintenance and operation of the Truckee-Carson project, Nevada, from $236,000 to $336,000, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

SUBTREASURY AT ST. LOUIS, MO.

Mr. STONE. I submit an amendment proposing to appropriate $50,000 for the commencement of the construction of a subtreasury building at St. Louis, Mo., intended to be proposed by me to the sundry civil appropriation bill (H. R. 21318), which I ask may be printed and referred to the Committee on Appropriations. I know the sundry civil bill has been reported and is now on the calendar, but notwithstanding that fact, I ask that the amendment be referred to the Committee on Appropriations.

The VICE PRESIDENT. That course will be taken.

RIVER AND HARBOR APPROPRIATIONS.

Mr. BURTON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was ordered to lie on the table and to be printed.

THE SENATE RULES.

Mr. OVERMAN submitted the following resolution (S. Res. 551), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That a committee of six Senators be appointed by the Vice President, and that the Vice President be the chairman, to take into consideration the rules for conducting business in the Senate of the United States, and report to the Senate such alterations and amendments, if any, as they shall judge proper; and may employ such assistance as may be required, and the necessary actual expense incurred in the execution of this order shall be paid out of the contingent fund of the Senate.

The said committee is hereby authorized to sit during the session or recess of the Senate at Washington or elsewhere.

THE SMELTING INDUSTRY.

Mr. POINDEXTER submitted the following resolution (S. Res. 550), which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Attorney General be, and he is hereby, directed to report to the Senate his findings and conclusions in the investigation conducted by the Department of Justice in the matter of illegal combinations in restraint of trade in the smelting industry, commonly called the Smelting Trust.

THE JUDICIAL CODE.

Mr. CULBERSON submitted the following resolution (S. Res. 552), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary be authorized to appoint a subcommittee thereof to consider in the interval between the Sixty-third Congress and the first session of the Sixty-fourth Congress, or during a session or recess of the Sixty-fourth Congress, the proposed codification, revision, and amendment of the laws relating to the judiciary contemplated in the bill H. R. 15578, passed by the House of Representatives in the last preceding session, and that such subcommittee be authorized to employ and compensate such persons as may be found necessary to assist in any work arising in connection with such consideration, the expenses thereby incurred to be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the subcommittee.

THE LIGHTHOUSE SERVICE.

Mr. FLETCHER. Mr. President, I ask unanimous consent to dispose of a matter of very great public importance, which is heartily urged by the Commerce Department. I refer to the bill (H. R. 19746) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes. The bill has passed the House and been sent to the Senate. It was unanimously favored by the Committee on Commerce and recommended by the Department of Commerce. It can be disposed of in a few moments.

Mr. SMOOT. Mr. President, so long as this is a House bill I do not think we ought to consider it this morning. If it were a Senate bill, and had to go to the other House as an emergency measure, I would not object to its consideration. I will say to the Senator from Florida that I have not any doubt that the calendar will be taken up in regular order, and that all bills to which there is no objection will be passed.

The VICE PRESIDENT. Objection is made.

BOY SCOUTS OF AMERICA.

Mr. SHIELDS. I ask unanimous consent for the present consideration of the bill (S. 6854) to incorporate the Boy Scouts of America, and for other purposes.

Mr. SMOOT. Mr. President, that is a Senate bill, and I think it perhaps might as well be passed now as at any other time.

Mr. CLARK of Wyoming. Let the bill be read, Mr. President.

Mr. ROOT. I have no objection to the consideration of the bill, but I think we ought to really consider it—that is, to really consider what kind of a corporation the Government of the United States ought to authorize for this purpose.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. GALLINGER. Let the bill be read for information, Mr. President.

Mr. MARTIN of Virginia. The bill is evidently going to lead to debate, and I think it would be unfortunate to take up a bill on the calendar which is going to lead to extended debate. I hope the Senator from Tennessee will not press the motion at this time.

Mr. SHIELDS. Mr. President, if the bill shall lead to extended debate, I shall not insist upon its consideration at this time; but I think the Senator from New York [Mr. ROOT]

understands this matter fully and the precedents that we have for it, and that he will not interpose debate on the subject.

This is a bill similar to one enacted some years ago incorporating the American Red Cross. Its objects are of a similar character; they are benevolent and charitable and for the purpose of training the youth of the country. It has the very highest merit; it is national in its character, in its objects, and in its purposes.

There is no question in my mind that Congress has the power to incorporate such a society. There are provisions in the Code of the District of Columbia for the incorporation of religious, charitable, and benevolent societies, and numbers of others of a nature similar. The reason for asking a special act in this case is that those provisions do not give all the privileges and extend all the protection to this association that are necessary for the accomplishment of its purposes, just as in the case of the Red Cross.

I will briefly mention one of them: The charter of the American Red Cross protects its insignia and emblems of various kinds from imitation by anyone. That is one of the objects of this bill. There are people who are imitating the insignia, the emblems, and the buttons that are ordinarily used by this society. Those people have even gone so far as to use the words as brands for cigarettes to be sold to boys. They are branding various articles for sale with the name "Boy Scouts" and with their insignia. The object of this charter is to protect the association from such use and invasion of their insignia and emblems.

Behind this movement are benevolent men from all over the United States. This bill contains the names of prominent men from almost every State in the Union who are greatly interested in the movement and believe this charter necessary to carry on the great work they have in hand. For these reasons I hope that there will be no objection and that the bill will be allowed to pass.

I will further state that it has been favorably considered by the Committee on the Judiciary of the House and that the parliamentary situation in the House is such that, if this bill is passed, it can be immediately substituted for the House bill and be enacted into law at this session of Congress.

Mr. SMOOT. Mr. President, let the bill be read for the information of the Senate.

The VICE PRESIDENT. Is there objection?

Mr. MARTIN of Virginia. Mr. President, it is perfectly manifest that this bill is going to be debated. The Senator from Tennessee, who thought there would be no debate, proceeded to make an argument himself upon it. I dislike to object, but I see no more reason for going to the calendar and taking up this bill and considering it than many other bills, and so I am compelled to object.

The VICE PRESIDENT. Objection is made.

GREAT NORTHERN RAILWAY CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3897) to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes, which were, on page 1, line 6, after "location," to insert "within three years from the passage of this act," and on page 3, line 7, after "forests," to insert: ": *Provided further*, That before the Secretary of the Interior shall consent to and approve the revision of location herein authorized, the Great Northern Railway Co. shall file with the said Secretary a relinquishment of all claims of whatever nature to that portion of its right of way affected by said revised location."

Mr. MYERS. I move that the Senate concur in the House amendments.

Mr. SMOOT. May I ask that the bill be read?

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That, with the consent and approval of the Secretary of the Interior and upon the filing with the Interior Department and the approval thereof by said Secretary of maps of definite location, the Great Northern Railway Co., a corporation of the State of Minnesota, be, and it is hereby, authorized to revise the location of that part of its line of railway along the southern boundary of the Glacier National Park, in the State of Montana, on the terms and conditions and subject to the limitations and restrictions granted by and contained in an act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875 (18 Stats., p. 482), as amended by an act of Congress entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes," approved March 3, 1899 (30 Stats., p. 1233): *Provided*, That all lands north of the north line of the revised right of way, when said revised line of right of way shall have been approved as aforesaid, shall be excluded from the Lewis and Clark National Forest and become and remain part of the Glacier National Park, and be subject to all the provisions of an act of Congress entitled "An act to establish 'the Glacier National Park' in the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes," approved May 11, 1910 (36 Stats., p. 354), and to all the provisions of any act of Congress that may hereafter be passed relative to said park, and the regulations of the Secretary of the Interior heretofore or hereafter prescribed in accordance with law for the government of the park, and that any and all lands south of the north line of such revised line of right of way which may now be within the Glacier National Park shall become and remain a part of the Lewis and Clark National Forest and be subject to and be governed by the laws heretofore or hereafter enacted by Congress and the regulations heretofore or hereafter prescribed by the Secretary of Agriculture for the control of national forests.

Mr. SMOOT. I should like to ask the Senator from Montana what are the amendments of the House and what the effect is upon the bill as it passed the Senate?

Mr. MYERS. The House amendments provide that when the Great Northern Railway surrenders its old right of way, making some minor changes abutting on the Glacier National Park, wholly in the State of Montana, the old right of way shall revert to the United States Government.

Mr. SMOOT. That is all the amendments provide?

Mr. MYERS. That is all.

The VICE PRESIDENT. The question is on concurring in the amendments of the House.

The amendments were concurred in.

SURVEY OF OYSTER BEDS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3362) to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars and rocks, and barren bottoms contiguous thereto in waters along the coast of and within the State of Texas, which were, on page 2, line 2, after "publications," to insert "at a total limit of cost of $10,000"; and, on page 2, to strike out lines 6 to 13, inclusive.

Mr. SHEPPARD and Mr. CULBERSON addressed the Chair.

The VICE PRESIDENT. The junior Senator from Texas.

Mr. SHEPPARD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

LIMITATION OF DEBATE.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. I ask that the resolution which went over yesterday on the objection of the Senator from North Carolina [Mr. OVERMAN] be now laid before the Senate. It is Senate resolution 549, relating to an amendment to the rules.

The VICE PRESIDENT. The Chair lays before the Senate a resolution, which will be stated by the Secretary.

The resolution (S. Res. 549) introduced by Mr. NORRIS on the 18th instant, was read, as follows:

Resolved, That the standing rules of the Senate be amended by adding a new rule, as follows:

"Rule XLI. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over one day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution, or any amendment thereto, but when any Senator's right to vote upon such motion is challenged, such Senator shall be allowed to determine for himself whether he is disqualified from voting on said motion. When it has been decided to consider a bill or resolution under this rule, the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending."

Mr. NORRIS. Mr. President, I have no desire to take up the time of the Senate in a discussion of this proposed rule; but all the propositions involved in it have been debated for several days, and there is not any doubt but that every Senator knows whether he is in favor of it or against it. It seems to me that it is no more than fair, after all the debate that has taken place, that we should reach a vote.

I ask for the yeas and nays on the adoption of the resolution.

Mr. OVERMAN. Mr. President, I move to refer the resolution to the Committee on Rules. This resolution practically has been before the Committee on Rules, and the committee decided not to report it back adversely, but that it was not the time now

to take up this question. Therefore I think it ought to go to the Committee on Rules.

The VICE PRESIDENT. The question is on referring the resolution to the Committee on Rules.

Mr. NORRIS. Mr. President, on that question I desire to say just a few words. I do not know but that it may as well be settled in that way, or by a motion to lay the resolution on the table, because everybody knows that if it goes to the Committee on Rules it goes there to stay.

As the Senator has said, a resolution introduced by me involving all the propositions in this rule, with the exception of the one relating to the caucus, has not been reported. The facts are, as I understand them, that a motion to report that resolution out of the committee favorably was defeated, and then those who favored the resolution in order to get it out of committee and on the calendar made a motion to report it out adversely, and that was defeated. That shows that the Committee on Rules will neither report one way nor report the other way. If this were a new proposition, if it had not been discussed, and if most of the questions had not been for several days the unfinished business before the Senate, it seems to me that a reference to the Committee on Rules would be proper.

The proposed rule involves two propositions. It has two objects. One is to prevent a filibuster and the other is to prevent caucusing upon bills that are reported to the Senate. Those who are opposed to filibustering and who are opposed to caucusing ought to be in favor of a proposition of this kind. I realize that there are those who are in favor of retaining the right to filibuster and who are opposed to a caucus. If those Senators think more of the filibuster than they hate the caucus, of course they would be against it. There are others who are opposed to a filibuster and who are in favor of the caucus. If they love the caucus more than they hate the filibuster, they would be against it. There are other Senators who are opposed both to the caucus and to the filibuster, and I take it that they would favor some resolution of this kind. But it is subject to amendment. If some Senator wants to strike out the part which refers to the caucus, we can get a vote on it, unless it is debated until after 2 o'clock, and I am perfectly willing to have a vote on any of these propositions; but it does seem to me that after all this debate and all the consideration that has been given to this question we are entitled to a vote upon the merits of the propositions involved.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. The Senator from Iowa.

Mr. CUMMINS. As I said a day or two ago, I am in favor of a rule which limits debate in the Senate, and I think the allowance for debate provided for in this resolution is sufficient; but, as I remarked then and as I feel now, I will not vote for any cloture or any limitation upon debate upon a bill, resolution, or question of any kind which has been made the subject of a caucus. I endeavored so to qualify the resolution of the Senator from Nebraska when it was before us as an amendment to the resolution of the Senator from Missouri [Mr. REED]; but I was not able to accomplish my object in that way, and we are now compelled to examine it in another form.

The Senator from Nebraska, in this resolution, proposes to reach that object by disqualifying every Senator who is bound by a caucus or conference order. I would vote for that if it were not for one thing. I do not believe it is within the constitutional power of the Senate to disqualify a Senator from voting upon a bill or resolution of that kind because he has been a member of a caucus and has thereby become bound, or may feel bound, to vote in a particular way.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield to the Senator from Nebraska.

Mr. NORRIS. I wish to call the attention of the Senator first to the fact that this is not a disqualification to vote on a bill or a resolution; and then I want to ask him another question. If it is unconstitutional to prohibit a Senator, under the conditions named, from voting to put a rule in operation, would it not also be unconstitutional to prohibit a Senator from making the motion; and is not that what the Senator's proposition involves?

Mr. CUMMINS. No.

Mr. NORRIS. He provides, in what he wants to do to get at the caucus, that no member of the party in which a caucus is held shall have the right to make a motion. Now, if it is unconstitutional to disqualify a man from voting, it certainly ought to be unconstitutional to disqualify a Senator from making the motion itself.

Mr. CUMMINS. Mr. President, while I do not think the instances are parallel, yet, in anticipation of the objection that has just been made by the Senator from Nebraska——

Mr. NORRIS. I will say to the Senator that I am basing that suggestion on the Senator's argument. I do not think there is any constitutional question involved.

Mr. CUMMINS. In anticipation of that objection I had prepared the amendment which I offered in a little different form, and had stricken out the provision to which the Senator from Nebraska referred, so that it would read in this way:

> This rule shall not apply to any bill, motion, resolution, or question upon which Senators belonging to any political party have held a caucus and passed a resolution, or declaration in any form, attempting to bind the members of such party in the Senate to vote in any particular way.

My view of it would limit the application of the rule to those cases in which the majority party had not held a caucus and attempted to bind the members of their organization to vote in a particular way, and could not be subject to any possible constitutional objection. But mark, now, the language of the proposal of the Senator from Nebraska:

> It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion when made shall lie over one day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution or any amendment thereto.

If I said a few moments ago that the rule would disqualify a Senator from voting upon a bill or resolution, I was unhappy in my use of words. What the rule attempts to do is to disqualify a Senator from voting upon the motion to apply the rule limiting debate.

Mr. NORRIS. Mr. President, will the Senator yield again?

Mr. CUMMINS. I yield.

Mr. NORRIS. The Senator did not read all of his rule, and I wish to ask him now if his rule does not disqualify a Senator from making a motion?

Mr. CUMMINS. It does not, Mr. President.

Mr. NORRIS. Will the Senator read the balance of his rule, which he has not yet read?

Mr. CUMMINS. The Senator refers to the second paragraph?

Mr. NORRIS. Yes.

Mr. CUMMINS (reading)—

> The fact respecting the existence of such caucus, resolution, or declaration shall be determined in the first instance by a committee of five Senators appointed by the presiding officer, who shall report within two days, and upon its report by the Senate without debate.

There is no disqualification at all in the rule that I have proposed. It simply renders the rule inapplicable to the instance concerning which a caucus has been held.

Mr. President, I do not believe it is within the power of the Senate to disqualify a Senator from voting upon any question that comes before the Senate.

Mr. NORRIS. Mr. President——

Mr. CUMMINS. I yield to the Senator from Nebraska.

Mr. NORRIS. Is not this language in the Senator's proposition? I have it printed here in my hand:

> And where the application of the rule is moved by a Senator belonging to any such political party.

Mr. CUMMINS. No.

Mr. NORRIS. Has the Senator stricken that out?

Mr. CUMMINS. I have.

Mr. NORRIS. Oh, yes.

Mr. CUMMINS. Even though it were not stricken out, there would be no disqualification in it. The whole purpose of my amendment is to determine certain cases in which the rule can not apply.

Mr. NORRIS. I understand that. Now, I want to ask the Senator if he does not distinguish, on the constitutional question he is raising, between these two propositions—the disqualification of a Senator from voting on a resolution or on a bill and the disqualification of a Senator who by his own conduct has placed himself in a position where he can not vote upon a motion that makes the rule applicable? That is not voting on a bill or resolution.

Mr. CUMMINS. Mr. President, I am unable to see any difference between the two instances; that is, the right to vote upon a bill and the right to vote upon a motion. A Senator comes here for the purpose of discharging his full duty. He enters the Senate with the right to vote upon every question that may come before the Senate and that may affect finally the deliberation or the action of the Senate. The fact that a Senator has entered into a caucus can no more disqualify him from voting in the Senate than though it were provided that if he had expressed his opinion with regard to the particular matter in hand therefore he should be disqualified.

I regret very much that this difference of opinion between the Senator from Nebraska and myself respecting the way in which to guard against the action of a caucus has so far separated us that he can not vote for my proposition and I can not vote for his, although I believe that we are united in the judgment that there ought to be a limitation upon the right of debate in the Senate.

For the reasons that I have given I intend to vote to refer the resolution to the Committee on Rules, for there I shall hope to attach to it the amendment I have proposed instead of the provision which has been adopted by the Senator from Nebraska.

Mr. NORRIS. Why does not the Senator offer his amendment to insert these words here, and let us have a vote on that and have the matter determined, rather than to send it to the committee, where it will be dead?

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. BRYAN. I move to lay the resolution of the Senator from Nebraska on the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida to lay the resolution of the Senator from Nebraska on the table.

Mr. NORRIS. On that I ask for the yeas and nays.

The VICE PRESIDENT. Is the request seconded?

Mr. CUMMINS. Mr. President, I rise to a point of order. While I am not in harmony with the Senator from Nebraska as to the exact rule proposed here, it seems to me that the pending question is the motion of the Senator from North Carolina [Mr. OVERMAN] to refer the resolution to the Committee on Rules, and that a motion to lay the original resolution upon the table is not in order.

The VICE PRESIDENT. The motion to lay the resolution on the table takes precedence of the other motion.

Mr. OVERMAN. Inasmuch as we can not act upon this matter in the Committee on Rules at the present session, I withdraw my motion and will let the motion to table take precedence.

The VICE PRESIDENT. It has precedence.

Mr. GALLINGER. Will the Senator from Florida withhold his motion just one moment that I may make a request?

Mr. BRYAN. Very well.

Mr. GALLINGER. Mr. President, I have the Lexington (Ky.) Herald, which contains an editorial on the question of cloture discussed very fairly and forcibly. I ask unanimous consent that it be inserted in the RECORD without reading.

The VICE PRESIDENT. Is there objection. The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Lexington Herald, Tuesday, Feb. 16, 1915.]

REMEMBER THE FORCE BILL.

One false step quickly leads to another, with the almost inevitable result that disaster overtakes those who stray from the path to the edge of the precipice. Those who advocate the passage of the shipping bill now urge the adoption by the Senate of a rule to limit debate, so that the question may be brought to a vote.

Immediately dangerous as would be the passage of the shipping bill, disastrous as it would be to the Democratic Party, it is not so dangerous as is a cloture rule for the Senate.

During the first century of this Government both the Senate and the House were deliberative bodies, in which great governmental questions were discussed and debated by great men. Appeals to reason and to patriotism were the basis for seeking the votes of Members of the House as well as of the Senate. Upon the speeches made in both bodies the judgment of the country was based. The great figures of the first century of the Government won their spurs and achieved their reputation in the House, and until the dark days when Tom Reed presided over its deliberations—or, rather, ruled over its proceedings—the House of Representatives was the greater body.

Due to the insatiate desire for temporary party advantage, the House was changed by Reed's rules from a deliberative legislative body to a body which merely records in votes the purposes of the majority of the party in control. No longer is the Speaker of the House of Representatives second in power and in dignity only to the President. He is now but a mere presiding officer, from whose hands has been taken the power to appoint committees, who has been stripped of the power of recognition, the greatest power a presiding officer can have, and the debates of the House have deteriorated, until they no longer command the respect or even attract the attention of the country.

During the very period when the Republican Party, under the dominant leadership of Czar Reed, adopted the rules which destroyed the individuality of the House and changed it from a deliberative to a mere recording body, there was an episode in the Senate that should not be forgotten by southern men who to gain their point in the enactment of the shipping bill are willing to vote for cloture. The same intolerant spirit that led to the adoption of the Reed rules by the Republican majority in the House of Representatives led to the introduction of the force bill.

Under the Reed rules there was no doubt that the force bill, or any bill drafted by the leaders and desired by the most extreme element of the Republican Party, could be pushed through the House of Representatives. Due to the Reed rules, it was impossible even for so superb a minority as the Democratic membership of the House of Representatives at that time to prevent by argument or by filibuster the passage of any bill, no matter how vicious, indorsed by the leaders of the Republican Party.

The only salvation of the South from the enactment of the force bill rested with those Democratic Senators who, day after day, week after week, with watchless vigilance, check-mated every move of the Republican majority in the Senate. There is in the legislative annals of this country no more glorious nor more serviceable episode than the filibuster led by Gorman of Maryland, which finally resulted in the defeat of the force bill.

It was at that time proposed by the Republicans to adopt a cloture rule. The more violent earnestly favored it, as do now the more violent and less intelligent Democrats. But the saving patriotism of some of the Republicans, their realization that the deliberative character of the House had been destroyed, so the Senate remained the last rampart for those who fight for due consideration of any measure before the American Congress, magnifying the importance and increasing the dignity of that body, made them unwilling to violate the traditions of a century and reduce the Senate to a mere recording instrument of the wishes of the temporary majority.

Those Democratic Senators who remember that episode, the men from the South who owe to those Democratic Senators who filibustered with Gorman freedom from the force bill, that would have given to Federal judges and Federal soldiers the right to supervise every polling place, should be the last to denounce their colleagues who with equally strong conviction and equal courage now oppose the shipping bill.

Are the Democrats of this Senate going to adopt a cloture rule in violation of all the traditions of the Senate, destroying the power and the dignity of the Senate, because the Senators are equally divided in support of and in opposition to the shipping bill, and the Democrats, by reason of having the Vice President, who is not a Member of the Senate and not even permitted to vote except in case of tie, can pass this bill by a majority of one? Surely this can not be.

Are there no Democratic Senators who favor this bill but who recognize their obligation to uphold the dignity of the body of which they are Members? Are there none there who fully realize the danger of the course they are pursuing? During recent years there has been a constantly growing encroachment of the executive on the power of the legislative. Under our Government there is presumed to be absolute separation between the powers of the executive, the legislative, and the judicial departments.

President Roosevelt used his commanding personality and dynamic force to drive through Congress bills that did not meet the approval of the majority of the Members of Congress. President Wilson has followed President Roosevelt's example. All the power of patronage, all the force of personality, all the prestige of office, have been used by him to influence the legislative department of the Government. Whether one approves or disapproves this change, no one can escape realization of the danger that would come were there a strong, vigorous, ambitious, unscrupulous man President, with the power to command the leader of the House to apply the cloture rule and force to quick decision a measure that had the temporary approval of the party, and also to command equally prompt and inconsiderate action in the Senate.

Vicious as is the shipping bill, it is not so vicious nor so permanent a danger as is the adoption of cloture by the Senate.

The VICE PRESIDENT. On the motion of the Senator from Florida to lay the resolution of the Senator from Nebraska on the table the Senator from Nebraska has asked for the yeas and nays. Is there a second?

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida to lay the resolution on the table.

The motion was agreed to.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of House bill 19909, the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN of Virginia. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first disposed of.

Mr. NORRIS. Mr. President, reserving the right to object, I wish to state to the Senator from Virginia it has never seemed to me quite fair that we should run through the bill and take up the committee amendments first and then go back and go over the bill again for individual amendments. I have no objection to the balance of the request, and I do not propose to make an objection to that, but I ask the Senator why should we not take the bill up and act on all amendments as we go through and not go through with it twice?

Mr. MARTIN of Virginia. It will speed the dispatch of business. Long experience in the Senate has shown that.

Mr. NORRIS. It seems to me that it delays it.

Mr. MARTIN of Virginia. I am sure the Senator from Nebraska is mistaken about that. It injures nobody to get through with the committee amendments first, for the bill is then open to amendment.

Mr. NORRIS. This appears——

Mr. MARTIN of Virginia. If the Senator objects, that is the end of it.

Mr. NORRIS. I do not want to be technical about it. To the balance of the Senator's request I certainly would not object.

Mr. LODGE. Mr. President, I did not hear the Senator's request. My attention was diverted.

Mr. MARTIN of Virginia. The request was that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

Mr. LODGE. I am entirely in sympathy with that request; but there is no formal reading of the bill required at this stage. It is simply the right of a Senator to ask for it. The sensible way to deal with all appropriation bills is the way the Senator from Virginia has suggested.

Mr. MARTIN of Virginia. The bill as passed by the House will not be formally read in the Senate unless desired. The first thing in order is to read the bill through from beginning to end, without any amendments being considered, if that is requested.

Mr. LODGE. Exactly. The bill is not to be read in that way unless——

Mr. MARTIN of Virginia. To avoid discussion I am willing to do anything. If the Senator objects, that is the end of it.

Mr. LODGE. I do not object. On the contrary, I think the Senator's request is exactly right.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill will be read for action on the committee amendments, and the committee amendments will be considered as they are reached in the reading of the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," on page 2, after line 3, to strike out:

That in lieu of all mileage each Senator, Representative, Delegate, or Resident Commissioner shall be allowed his actual traveling expenses for himself and the dependent members of his family in coming from and returning to his home, at each session of Congress.

Mr. LODGE. That I understand is the mileage amendment.

Mr. MARTIN of Virginia. That is right.

Mr. LODGE. I did not hear the first page of the bill read. It may have escaped my notice.

The VICE PRESIDENT. The Chair heard it read.

Mr. LODGE. It was my fault that I did not hear it. I wanted to say a word about that, and just a word.

Of course I am in favor of the committee's action, but I trust there will be no compromise on that proposition. It seems to me if any system is bad it is the worst that is provided in the House arrangement. We know what would be this business of providing for necessary traveling expenses for the family and dependents. We should have a lot of petty questions brought up here everlastingly. In my judgment there is only one sensible way of dealing with this matter, and that is by abolishing mileage, abolishing the stationery allowance, and paying Senators and Representatives a sufficient salary to cover their expenses for traveling and for stationery. All the trouble is made by these arrangements in the nature of perquisites. But if we can not have that system the present system of fixed mileage is infinitely better than such a system as is proposed by the House. I am very glad the committee has stricken it out, and I hope the committee will not assent to it in conference under any circumstances.

The VICE PRESIDENT. The amendment of the committee will be agreed to, without objection.

Mr. KENYON. Mr. President, I simply want an opportunity to vote on this matter, and I object to agreeing to it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee. All in favor of the amendment——

Mr. KENYON. Just a minute, please.

The VICE PRESIDENT. The Senator from Iowa.

Mr. KENYON. Every year now the House sends to the Senate a provision in this bill in relation to mileage. I do not know whether it is better than the present provision for mileage or not. I do know the present arrangement as to mileage raises a good deal of adverse criticism as to Congress. Now, the House, by adopting what is apparently on the face of it a fairer provision, puts up to the Senate the proposition of increasing the mileage both for the Senate and for the House. I think the House provision ought to be called. I agree with the Senator from Massachusetts that mileage ought to be abolished and all perquisites ought to be abolished and a salary paid that would be sufficient to cover the whole matter and relieve Congress from the adverse criticism this mileage question brings up if the present salary is not adequate. I am inclined to the belief that the present salary is sufficient.

I ask for the yeas and nays on the amendment, Mr. President.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Iowa whether any calculation has been made as to what would be the expenditure under the House provision? Is it not likely that it would be more than the amount provided for in the bill?

Mr. KENYON. I do not know, Mr. President, but——

Mr. SHAFROTH. If Members and the dependent members of their families are to be brought to Washington, as it would provide, it seems to me it is likely to be more than the amount which the Senate committee has recommended.

Mr. KENYON. I do not believe the privilege will be abused. The argument was made here before this that some Members of Congress would travel in more luxury than other Members of Congress, but they would not do that more than once, because they would be responsible to their constituents therefor.

Mr. WARREN. Mr. President, I hope the amendment of the committee will be agreed to. The appropriation proposed by the House is entirely inadequate. Even with the language the House placed in the bill a few of the Senators who are more prompt in demanding mileage might receive their mileage and others could not. As they have worded it, it would seem that a Senator would have to stand, hat in hand, before the Presiding Officer while he went through item by item what meals he had had on the way, and as to the Pullman whether he had had a drawing room or a lower berth or an upper. To pass it as the House has it places it beyond the power of the conferees. Of course, there is a deficit in the mileage. I hope the amendment of the Senate committee will be agreed to and let it go to conference and let it be arranged there.

Mr. BURTON. Mr. President, I shall not be a Member of the Congress during which this mileage is to be paid, and I can speak with entire impartiality on this subject.

It seems to me that the allowances for mileage and stationery have become a part of the compensation of a Senator or Representative quite as much as the prescribed salary. The mileage is a recognition of the fact that the Member of the House or of the Senate must leave his home and come to the Capital. It is also clearly recognized that, unless located very remote from the Capital, he goes back and forth between his home and Washington.

In this connection I may say that the striking out of the mileage provision at the end of the long special session in 1913 was an injustice to the Members of the House and Senate. The fact that they did not return home at the close of the special session of 1913 and return at the beginning of the regular session but emphasizes the length of our stay here and the necessity of going back and forth during that time. There were very few in the Senate who remained here during all of the extra session of 1913.

For many years this has been the custom. I think, nevertheless, it would be better, as suggested by the Senator from Massachusetts [Mr. LODGE], to make some provision for an increased salary. There is always a certain amount of criticism in regard to the mileage and the stationery allowances. There are very few Members of the Senate who do not spend more for traveling back and forth as an incident to the service here than that which is allowed under the law. To cut out that provision and substitute merely traveling expenses going and returning would, it seems to me, be unjust. Nevertheless, to avoid the inequality due to distance and relieve the Senate and the House from this constant criticism, it would seem to me much better to provide that each Senator or Representative shall have a specified salary, increased somewhat by reason of traveling expenses and stationery expenses, than to pay whatever his traveling expenses may be.

Mr. WARREN. May I ask the Senator a question?

Mr. BURTON. Yes.

Mr. WARREN. Does not the Senator believe that that ought to be done in the regular way?

Mr. BURTON. I think so.

Mr. WARREN. And not on an appropriation bill. That is what they have always demanded in the House, and we have been ready and anxious to meet it. The appropriation bill is not the place to change it.

Mr. BURTON. There is one feature which I may remark incidentally—the very wide difference between the mileage of Representatives and Senators who are near at hand and those who are far away. The mileage to a Member of the House living in Baltimore would be trivial, while that of a Senator or Member from Arizona or the State of Washington would be very considerable. It has come to be recognized, however, I think, as a part of the system, that the hardship of a Member located a considerable distance from the Capital is greater than that of one near at hand. There is plausibility, at least, in the argument or claim that their mileage should be very much greater. The traveling expenses may not be so much larger,

because they do not go back and forth between home and the Capital so frequently, but they are farther away from their homes, and in a sense are entitled to larger compensation. I think there should be a readjustment of the salaries, and the question of locality might very naturally be taken into account.

Mr. McCUMBER. Mr. President——

Mr. BURTON. I yield to the Senator from North Dakota.

Mr. McCUMBER. Let me ask the Senator one question in reference to the difference in the mileage of a man living in Baltimore and a man living in San Francisco. I think the Senator will acknowledge the fact that every man who is here at all has some business in his own State. He ought to have some business there which requires his attendance at least twice a year. He has to go back, for his business will not take care of itself ordinarily unless he does. Therefore, in order even to look after that business, with these almost continuous sessions of Congress, a Senator coming from San Francisco would have to make the trip at least twice a year to look after his business there. Then he would have to pay several thousand dollars out of his own pocket, while a Senator residing over in Baltimore would not pay that many cents out of his pocket. So the thing equalizes itself after all. If we assume, first, that a man must bring his family here and in addition to that he must return to his own State once or twice during the year, the mileage now fixed by law will just about equalize the difference between the Senator living close by and one living on the western coast.

Mr. BURTON. Not only does the Member or Senator have business or personal affairs to attend to, but it is very desirable that he should keep in touch with his constituents. The original idea of mileage was to provide traveling expenses coming to Washington and returning. That was when the means of communication were crude and very different from what they are now. I think the present idea is altogether different and is a recognition of the fact that he must spend a part of his time here in Washington and a part at home and must make trips more or less frequently between the two places.

Mr. THOMAS. Mr. President, if the matter of compensation is to be determined upon the basis proposed for such an amendment, I would suggest that it might be a good idea to turn to our salaries and strike out compensation for the last four weeks. That is a motion I would cheerfully vote for. We have spent the past four weeks at the rate of $1,000 an hour doing nothing except to obstruct the business of the country and also to decrease the public estimate of this body.

Mr. GALLINGER. Mr. President, does not the Senator think in the case of the Senator from New Hampshire, in view of the extra work he did, he ought to have his salary increased?

Mr. THOMAS. In view of the fact that one good result of the last filibuster will be to attract public attention to it in such wise as to bring about a change of our rules, I would be very glad to make an exception of my distinguished friend from New Hampshire, because I think he contributed more largely to that end than any gentleman on the other side of the Chamber through his display of such remarkable physical ability in keeping the floor as the tedious hours crept behind him.

Mr. GALLINGER. Of course, the Senator from Colorado would not leave himself out, in view of the very important contribution he made in the same direction.

Mr. THOMAS. No, Mr. President; I am willing to be included in the arrangement, if it is made, as I am a self-confessed obstructionist. I would make the single exception for the reason stated.

Mr. SMOOT. Mr. President, it is strange how men differ in opinion upon any one of many subjects. I differ with the Senator from Colorado to this extent: I think the last 30 days' work in the Senate has been of greater benefit to the American people than any 30 days' work that has been undertaken in the Senate of the United States for many, many years.

Mr. GALLINGER. And saved $50,000,000.

Mr. SMOOT. Not only have we saved $50,000,000, but we have saved an un-American bill from being forced into law upon the American people. So far as I am concerned, I want to congratulate every Senator who took part in defeating that un-American legislation, and the American people are to be congratulated upon the success of the undertaking.

Mr. THOMAS. Before the present session expires I shall have a few words to say on that subject. I merely wish now to remark that there is nothing strange, I think, in the difference of opinion which the Senator from Utah and I entertain as to the result of the last four weeks' filibuster. I saw in one of the leading magazines this morning a picture of the distinguished Senator accompanied by a statement that he had accomplished the most remarkable feat of long and continued soliloquy that has up to this time been inflicted upon the Senate furnishings, thus establishing his physical right to his seat and perhaps his claim to compensation. When we buy gas from the gas companies and pay them 75 cents per 1,000 cubic feet, we are apt to think that the price is extortionate; but the people have been paying at the rate of a thousand dollars an hour for the "hot air" supplied by distinguished Members of this body during the past four weeks—a price which I think is entirely out of all proportion to the value of the product.

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. MARTIN of Virginia. I simply desire to appeal to Senators not to discuss the ship-purchase bill pending the consideration of this appropriation bill. We have just 13 days of this session, and we are trying to dispatch the necessary business of the Senate in order to avoid an extra session; so I appeal to Senators to let the discussion of abstract propositions and irrelevant matters pass by for the present. I appeal to them to aid in passing the supply bills in order that the wheels of government may go along and that we may avoid an extra session. We can not do that if we are to discuss the ship-purchase bill on the appropriation bill now before the Senate. I especially appeal to members of the Committee on Appropriations, like the Senator from Utah [Mr. SMOOT], who, I know, is in accord with what I say, to forego a discussion of this sort to a more appropriate time.

Mr. THOMAS. Mr. President, I do not think the Senator from Virginia need fear that the Senate will filibuster against a bill which provides for its own compensation.

Mr. MARTIN of Virginia. I have not thought so; and yet it is mighty hard to distinguish this from a filibuster, when debate proceeds on irrelevant matters not at all connected with the bill.

Mr. SMOOT. Mr. President, I am in sympathy with what the Senator from Virginia has said. I assure him that I do not expect to take very much of the time of the Senate in discussing questions involved in this appropriation bill.

Mr. MARTIN of Virginia. I am sure the Senator agrees with me. All I want is a vote on this question.

Mr. SMOOT. I want to say to the Senator from Colorado [Mr. THOMAS], however, in just one word, as to the question of debate costing the Government $1,000 an hour, it has been stated so often here that I sometimes think the American people have come to believe it. The expenditures of the Government go on whether we are in session or whether we are not in session. The people understand that. The mere fact of figuring out the cost as being so much an hour, while it may do for some advertising purposes, will not apply to actual results, so far as they concern the Treasury of the United States.

Mr. THOMAS. That is true, Mr. President; the Government goes on, but the business is suspended.

The VICE PRESIDENT. Well, the filibuster is now over, and the question is on agreeing to the amendment proposed by the committee.

Mr. KENYON. I ask for the yeas and nays upon that proposition.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, line 9, after the word "Senators," to strike out "$12,750" and insert "$51,000," so as to make the clause read:

For mileage of Senators, $51,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Clerks and messengers to committees," on page 3, line 22, after "$3,000," to insert "assistant clerk, $1,800," so as to read:

Banking and Currency—clerk, $3,000; assistant clerk, $1,800; assistant clerk, $1,440; messenger, $1,200.

Mr. ROOT. Mr. President, may I ask the Senator from Virginia the reason for increasing the clerical force of that committee, when we are engaged in trying to retrench, with a deficit already and a larger deficit in view? I do not suppose it is a matter of very much consequence; but how can we expect others to economize when we increase the expense? The whole body of Government takes its color, its tone, and its methods from those at the top. If, while we talk retrenchment and talk about endeavoring to save money and cut down the salaries of poor fellows in the executive departments and endeavor to reduce expenses for letter carriers, we go on continually increasing the expenses of our own work and our own friends and our own dependents and our own clerks, how can we expect cheerful submission to our reductions in the executive departments and with all the 460,000 employees in the country?

Retrenchment, like charity, should begin at home. This additional clerk for this committee may be needed. I do not know as to that; but what I do know is that we have got now two committees to do the work which up to a few months ago was done by only one. We have two sets of clerks, two clerical forces, two schedules of expense for a Committee on Finance and a Committee on Banking and Currency to do what was formerly done by one committee; done perfectly well, done adequately, and done satisfactorily. We have gone on and doubled that expense, and now we are asked to still further increase the expenditure, to make another place for another man, so that we shall add to the already doubled expenditure.

It is a little thing. I do not care so much about this particular case. But you can not have retrenchment and economy in the Government of the United States when the men whose duty it is to provide for it will not themselves practice it. I am against the amendment unless some reasons for it are given which have not as yet been given.

Mr. MARTIN of Virginia. Mr. President, I realize the importance of retrenchment and economy, and the Committee on Appropriations have made a very earnest effort to accomplish those objects. We have put the knife in very deeply wherever we felt that we could possibly do so; indeed, the fear I have about this bill is that we have denied appropriations that we ought to have allowed. That has been the general policy of the committee.

So far as this particular item is concerned, it reduces itself simply to this: The chairman of the Committee on Banking and Currency, the Senator from Oklahoma [Mr. OWEN], appeared before the committee and stated that it was impossible for him to dispatch the work of the committee unless he had an additional clerk. The responsibility is on each Senator to deal frankly and squarely with the committee and with the Senate. I bring it home to the Senator from New York. Suppose he were to appear before the Committee on Appropriations and inform them that, by reason of his practical experience with the work of his committee, he found himself absolutely unable to do justice to the work committed to it; that it piled up on him; that he was unable to dispatch it; and he asked the committee to give him an additional clerk, what could the committee do? We must accept the statement of that Senator who is charged with a public duty; we must assume that he is dealing honestly and frankly with the committee; and the chairman of the Committee on Banking and Currency says he can not do the work confided to him unless he has an additional clerk.

Mr. ROOT. Mr. President, I think the committee could ask the Senator to state to them what is the work of the committee that can not be performed without additional assistance. That committee has completed the great labors for which it was separated from the Committee on Finance; that committee, with the force it had, was able to go through the long hearings and discussions and preparations incident to the banking and currency bill. There is nothing of particular consequence that occurs to me at this moment before that committee. I think the Committee on Appropriations might well have called upon the chairman of the Banking and Currency Committee to state what was the exigency, and when he had stated it the committee might well have brought into the Senate that statement in order that the Senate might judge. You can not perform the duty of retrenchment on any such basis.

Mr. MARTIN of Virginia. Mr. President, the work now taken care of by the Committee on Banking and Currency is almost entirely new work. It is not a work which heretofore has been done by the Finance Committee. It is work that has been created by new legislation. The chairman of the Committee on Banking and Currency did give the Committee on Appropriations the facts regarding this matter, and I am glad to say that he is now present and can himself, instead of my repeating what he said to the committee, state for himself the necessities of his committee.

Here is the rural-credits bill, which is inviting correspondence from every part of the United States, and an immense quantity of it, no doubt, for I myself get a great mass of correspondence relating to that matter, although I am not a member of that committee. But, as I have said, the Senator from Oklahoma did give to the committee good reasons, satisfying the committee that he needed another clerk. If he had not satisfied us, not only by his general statement, but by detailed facts that he presented, the committee would never have reported the allowance for the additional clerk. The committee believed, and still believes, that on the statements of fact made by the chairman of the Committee on Banking and Currency the additional clerk ought to be allowed and paid for in the interest of the efficient dispatch of the public business.

Mr. SHAFROTH. Mr. President, I am a member of the Committee on Banking and Currency. We have looked into the question of whether a new clerk is needed there, and the unanimous opinion of those who did look into it seemed to be in favor of allowing it.

Mr. HUGHES. Mr. President, will the Senator tell us how many clerks that committee has now?

Mr. SHAFROTH. It has three clerks now; and there are about 10 committees in the United States Senate that have more help than has the Committee on Banking and Currency.

I want to say that in adopting the banking and currency act relating to the Federal reserve banks we started out with a policy of inviting criticisms of the law, and that has brought an enormous amount of correspondence to the chairman of the committee. Since that time the chairman of the committee has written a number of letters to various persons interested in the rural-credits bill, and that has caused an immense volume of correspondence. We have also under way an investigation as to the stock exchanges in the United States, and that has also brought forth not only a large amount of protests, but also a large amount of correspondence.

There are, as I have said, a number of committees in the Senate that have an amount appropriated for them, largely in excess of the amount which the Banking and Currency Committee asks, and there is no more important committee in the entire Senate than is the Banking and Currency Committee.

Mr. LODGE. Does not this amendment give practically four clerks to the committee?

Mr. SHAFROTH. It gives four clerks, including the one authorized by the amendment.

Mr. LODGE. The messenger is practically a clerk.

Mr. SHAFROTH. Yes; including the messenger, this will make four clerks; and I desire to repeat that it is an important committee and should have that amount of help.

Mr. OWEN. Mr. President, I do not wish to point out the fact that a dozen committees have a larger force than has the Committee on Banking and Currency. I do not think that has anything to do with the question. If the Banking and Currency Committee needs this service, it ought to have it.

We have had to deal with the Federal reserve act, of which the Senator from New York has spoken, and to which he refers as a concluded matter. It is not a concluded matter. The Committee on Banking and Currency is subjected to a constant flow of inquiries from the 25,000 banks of this country, which are asking questions every day about some feature of the Federal reserve act, wanting explanations about it, suggesting improvements in regard to it, and making objections concerning it. So that the committee have found it necessary to offer certain amendments to that act; and there is on the calendar now an amendment proposed which it has not been possible to have taken up because of the pressure of other business.

We have also before us a very important question affecting the codification of the national banking law, which ought to be disposed of, and which was under consideration heretofore by the Finance Committee, but is now before our committee.

The question of rural credits is also a very important one. There are two branches of the rural-credits subject, one affecting the landschaften system and the other the personal-credit system.

Then, also, the investigations made by the Pujo committee in regard to clearing houses and the regulation of stock exchanges is a matter which has occupied much attention of the committee and which involves a very large correspondence. The hearings on the question of regulating the stock exchanges embrace a thousand printed pages. The need for the additional assistance is obvious. I presented it to the committee and it ought to be granted.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Oklahoma a question. He says that this extra work is largely the result of inquiries with reference to the new banking and currency act. Am I right about that? I understood the Senator to say that.

Mr. OWEN. In part; yes.

Mr. SMITH of Michigan. The Senator also speaks of a bill that has not yet become a law.

Mr. OWEN. The rural credits bill has excited a very lively interest all over the country, and there are two aspects of that measure.

Mr. SMITH of Michigan. I should like to ask the Senator whether the committee are engaged in any propaganda in favor of that bill, which requires extra assistance, or are they merely answering questions which may be asked?

Mr. OWEN. I will answer the Senator by saying that the committee, of course, is engaged in no propaganda, and I should like to know why the Senator asks that question.

Mr. SMITH of Michigan. I ask it because the committee have an unusual amount of assistance.

Mr. OWEN. The Senator is mistaken in saying the committee has an unusual amount of assistance. Every committee has three clerks. Even the Committee on the Disposition of Useless Papers has three clerks.

Mr. SMITH of Michigan. No; the Senator is mistaken as to that.

Mr. OWEN. Perhaps I am, but I think not.

Mr. SMITH of Michigan. I think the Senator is mistaken. There are only two clerks and a messenger assigned to that committee, although the messenger may be a clerk. I do not dispute the Senator, except that he is not so designated.

Mr. SHAFROTH. They may not be designated as clerks, but neither has this committee more than two clerks, then, if that construction is placed upon the act of Congress. Every committee has three helpers, as they may be termed—two termed clerks and one termed a messenger; and that is all this committee has at the present time.

Mr. SMITH of Michigan. I am not disposed to make any point about the amount of help the committee requires. I think it is an important committee, and if it really needs this help I am not disposed to withhold it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, in the item of appropriation for clerks to committees, on page 4, line 18, after the word "clerk," to strike out "$1,440" and insert "$1,800," so as to read:

Education and Labor—clerk $2,220, assistant clerk, $1,800, messenger, $1,440.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. ROOT. It is not my purpose to take upon myself the burden of dealing with all the minor changes and amendments here, but this is another illustration of the same proposition which I made a few minutes ago—that retrenchment should begin at home; and I do not think we ought to adopt any provision which increases the clerical forces of our own committees or increases their salaries without having good reason given for it. I dare say a good reason can be given for this, but I want it given before I sit still and permit the increase to be made. I should like to know what the reason is.

Mr. MARTIN of Virginia. The Senator from Georgia [Mr. SMITH] asked for that increase. He is present and he can explain it to the Senate.

Mr. SMITH of Georgia. Mr. President, I asked for that increase because I can not retain the assistant I have at less. There will be a very important matter before this committee during the coming session of Congress, the bill involving vocational education. He has had a large amount of correspondence during the past 12 months incident to that work and other educational work. It has grown. I am compelled to have as capable a man as I have to keep up with the work. I have to turn over a large amount of it to him, and he also aids in handling work before the departments. If Congress does not provide this amount, I shall have to pay it myself to keep the capable man who fills the place.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read to line 18, on page 5, the last words read being as follows:

Finance—clerk $3,000, assistant clerk $2,220, assistant clerk $1,600, assistant clerk $1,440, messenger $1,440, two experts, one for the majority and one for the minority, at $2,000 each.

Mr. SMITH of Georgia. Mr. President, if economy of business administration is desired, I suggest that here is a list of clerks, at least some of whom are entirely unnecessary. There are two experts added. They may have been necessary before in handling the tariff bill, but they certainly are not necessary now. The Finance Committee has very little to do at present. Banking and currency has been taken from the Finance Committee, and yet there are left for the Finance Committee a clerk at $3,000, an assistant clerk at $2,220, an assistant clerk at $1,600, an assistant clerk at $1,440, a messenger at $1,440, and two experts at $2,000 each. These men are in no sense needed by the committee. They are really the clerks of the chairman, except that one expert goes to the leader of the minority on the committee.

Mr. LODGE. The Senator can move to strike out the experts. They are not needed at this moment.

Mr. SMITH of Georgia. I move to strike out the experts.

Mr. OVERMAN. Mr. President, I think that had better be passed over until the chairman of the committee is here and can be heard. He is not here now. He notified me that he had to go away. I do not think the amendment is in order at this time, anyhow.

The VICE PRESIDENT. The Senate has already agreed to take up the bill first for committee amendments.

Mr. OVERMAN. This is not a committee amendment.

The VICE PRESIDENT. But the amendment can, of course, be proposed.

Mr. SMOOT. I simply ask that that item go over for the present.

The VICE PRESIDENT. It will go over.

Mr. OVERMAN. The motion is not in order now, anyway, under the rules.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was in the item of appropriations for clerks to committees, on page 5, line 21, after the word "clerk," where it occurs the first time, to strike out "$2,500" and insert "$3,000," so as to read:

Foreign Relations—clerk, $3,000; assistant clerk, $2,220.

The amendment was agreed to.

The next amendment was, in the item of appropriation for clerks to committees, on page 6, line 5, after the word "clerk," where it occurs the second time, to strike out "$2,220" and insert "$2,500," so as to read:

Interoceanic Canals—clerk $2,500, assistant clerk $1,800.

Mr. ROOT. Mr. President——

The VICE PRESIDENT. The Senator from New York.

Mr. ROOT. Mr. President, I think that calls for some explanation.

Mr. MARTIN of Virginia. The Senator from New York [Mr. O'GORMAN], who is the chairman of that committee, appeared before the committee and insisted that he could not get along without this increase; that he could not keep an efficient man. He insisted on it.

Mr. ROOT. That is quite natural, Mr. President. The most admirable impulses of our nature tend to make every chairman of a committee desire to increase the pay of his clerks. Some of us increase the pay of our clerks out of our own pockets; but observe the process: One at a time, one after another, all these clerks will have their pay raised. That has already been done. While we are very stern about the pay of the clerks in the executive departments, we are very kind and considerate about the pay of clerks of Senate committees. It is demoralizing to see the men who fix the salaries applying two different rules to two different sets of clerks—the rule of strict economy to the poor fellows who do not have access to us, who do not have an opportunity to appeal to our kindly sympathies, and the rule of large-hearted generosity to the men we appoint ourselves and who are in daily contact with us.

I should like to see all their salaries increased, but I am yielding now to an impulse to say something for the men who have not any "pull"; to say something for the men who can not get at a Senator and work upon his sympathies. You go through the list of the employees of the Senate from top to bottom and you will find that for services no higher in character, no more important, calling for no greater ability or experience, we are paying our own favorites here 50 per cent more than we permit the men in the executive departments to be paid.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Colorado?

Mr. ROOT. I yield.

Mr. THOMAS. I am in entire sympathy with the line of the Senator's argument; but he made a statement a moment ago to the effect that he wanted to say something for the class of officials who could not get at Senators. If there is any such class here, I should like to know it, because I have been laboring under the delusion, based upon my own experience, that everyone in public office had no trouble at all in getting at Senators.

Mr. ROOT. Mr. President, if they do, they do not get at me. If they do get at any Senator, it is with a barrier of repulsion between him and them. The poor fellow who gets hold of a Senator in the lobby or on the street or elsewhere in his casual and ineffective way does not really get at him. These gentlemen who are in our committee rooms and working with us, and for whom we have regard and esteem and often affection, are the ones that really get at us. I should like to see their salaries increased; but, I repeat, we can not retrench, economize, and have cheerful and effective service when we apply two

different rules to Government employees; when we apply the rule of large generosity to our own friends and the rule of strict, severe, and parsimonious economy to the clerks.

Mr. OVERMAN. Mr. President, why does the Senator say that? If he will examine this bill, he will find that many of these department clerks get more salary. The first-class clerks get $1,800. The Senator has been making a fight here against one clerk getting $1,800.

Mr. ROOT. No, sir.

Mr. OVERMAN. Every first-class Government clerk in Washington gets $1,800. That was as I understood the Senator.

Mr. ROOT. Mr. President, I am not making a fight against a clerk getting $1,800.

Mr. OVERMAN. That is what the Senator did a few minutes ago.

Mr. ROOT. No; I am making a fight against having these increases made without satisfactory evidence to the Senate that they ought to be made.

Mr. OVERMAN. Yes; but I take issue with the Senator when he says our clerks are paid more than the clerks in the departments, when if the Senator will examine this bill he will find that the heads of bureaus get three and four thousand dollars, every first-class clerk gets $1,800, and many of them are getting $2,700. I say that the department clerks, according to their ratings, are paid higher than our own clerks. Let the Senator go through the bill and see if that is not so.

Mr. ROOT. Mr. President, I have been through these appropriation bills many times, and I am pretty familiar with the salaries that are paid to the department clerks. I oppose the proposition of the Senator from North Carolina with the assertion that our men are paid 50 per cent higher for similar service than the men in the departments.

Mr. OVERMAN. I take issue with the Senator. The Senator can take up any department in this bill—I do not care which one he takes up—and he will find that the clerks of the same class are paid higher than the Senators' clerks. The Senators' clerks, as a rule, get $1,440. Some of them, a few of them, get $1,800. Every first-class clerk in the departments gets $1,800; every second-class clerk gets $1,600; every third-class clerk gets $1,400; so most of our clerks only get what a third-class clerk in the department gets. Let the Senator examine the bill, and he will find that is true.

Mr. ROOT. The great bulk of the clerks in the departments get from $720 to $1,000.

Mr. OVERMAN. Why, Mr. President——

Mr. ROOT. Our clerks at the head of these committees get either the same or within $500 of the salary of the chief clerk of a whole executive department.

Mr. OVERMAN. Mr. President, let us take up one department. You can take up any of them. My eye falls on the Office of the Auditor for the War Department:

Auditor, $4,000.

There is not a first-class clerk in the Senate that gets $4,000.

Mr. ROOT. There is not? Right here——

Mr. OVERMAN. The next item is:

Assistant and chief clerk, $2,250.

That is about what a majority of them get. Then there is a law clerk, $2,000; chief of division of accounts, $2,500; chief of division, $2,000; 2 assistant chiefs of division, at $1,900 each; chief transportation clerk, $2,000; clerks, 22 of class 4, $1,800 each. So these clerks in the departments are paid 50 per cent higher, instead of 50 per cent less, than ours of the same grade.

Mr. ROOT. Mr. President, what is it that these clerks of committees have to do compared with the work which the men in the departments have to do? The functions of our committee clerks are practically on a level with the functions of the clerks in the departments who are now in class 1, class 2, class 3, and class 4.

Mr. OVERMAN. If the Senator will yield further, the Senator says they do not have the same character of work, and he also made the statement that the clerks of Senators were paid more than the clerks in the departments. Now, I am going to take another one. Right on the next page, on page 42, is the Office of the Comptroller of the Treasury:

Comptroller, $6,000; assistant comptroller, $4,500; chief clerk, $2,500; chief law clerk, $2,500; law clerks revising accounts and briefing opinions—1, $2,100; 8, at $2,000 each; expert accountants—6, at $2,000 each; private secretary, $1,800; clerks—8 of class 4; 3 of class 3; 1 of class 2—

And so forth. I will tell the Senator that if he will examine the matter, as I hope he will do, he will agree with me that our clerks are not paid salaries equal to those of clerks who are doing the same class of work in the departments. I do not care what department we take.

Mr. MYERS. Mr. President, will the Senator yield to me for an observation?

Mr. ROOT. In the first place let me observe that I do not agree with the Senator from North Carolina at all and I propose to call attention to some of the facts in this very bill.

Mr. MYERS. Will the Senator yield at this juncture?

Mr. ROOT. I will.

Mr. MYERS. I want to call the attention of Senators to the fact that employees in the Government departments begin work at 9 o'clock in the morning and quit at 4.30 in the afternoon, and it is my understanding that during the summer time they get every Saturday afternoon off and they get 30 days holiday during the year. The clerk of the Senate Committee on Public Lands has been working all winter from 8 o'clock in the morning until 7 at night, and often after dinner, and every Sunday as a rule, and both the stenographers of that committee have kept about the same or pretty nearly the same hours. The employees of committees I know often have to do all the work for Senators and the Senate work, and they have no such opportunities as civil-service employees in the departments of the Government. They have no such privileges and promotions. I know that is true in very many instances. I know it is true of the Senate Committee on Public Lands. The employees of that committee and of Senators often have to handle important, weighty, and responsible matters which require considerable skill and judgment and amount to more than the ordinary routine work of department employees.

Mr. POMERENE. Mr. President——

Mr. ROOT. Mr. President, I do not want to lose the floor.

Mr. POMERENE. I merely wish to suggest another fact to the Senator. My committee is not asking for any increased pay, but I think we would be justified in doing it, considering the amount of work. Of course, the most of it comes to me perhaps as a Senator rather than as chairman of the committee. But I want to suggest this thought to the Senator: Within the last few years we have been in constant session here, probably 10 months in the year. The salaries which our clerks are getting were for the most part fixed years ago when the Senate was in session hardly six months in a year, and now, when they are required to be here almost twice as long as they were some years ago, their salaries are not proportionately increased. When it comes to clerks in the departments I am not aware that the character of their work has very materially changed; but I do know that in some of the departments and bureaus there are twice as many clerks now as there ought to be.

Mr. ROOT. Mr. President, I will agree that there are a great deal nearer twice as many during the last two years.

Mr. POMERENE. Mr. President, to what extent have they increased in the last two years over what they were before?

Mr. ROOT. I was agreeing about it with the Senator from Ohio.

Mr. POMERENE. I understood the Senator to make the statement that in the last two years there were more than there ought to have been.

Mr. ROOT. That was the extent of my agreement with the Senator from Ohio. It is his proposition, not mine.

Mr. POMERENE. Does the Senator mean to say by that that there were not more clerks in those departments two years ago than there should have been?

Mr. ROOT. No; I do not mean to say anything about it. I meant to limit my agreement. The Senator made a proposition, and I agree with it up to a certain extent.

Mr. POMERENE. That is certainly a very clever limitation.

Mr. ROOT. Well, I am very glad to have the approval of the Senator from Ohio.

Mr. POMERENE. I do not think that we differ very much on that subject.

Mr. ROOT. Mr. President, let me call attention now to the clerks upon the page that I open in this bill.

Mr. OVERMAN. What page?

Mr. ROOT. Page 43. It begins: Office of Auditor for Treasury Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; two chiefs of division, at $2,000 each; clerks—18 of class 4, that is, $1,800; 15 of class 3, that is, $1,600; 13 of class 2, that is, $1,400, and lower than the lowest clerk's salary that we pay; 31 of class 1, that is, $1,200, the salary we pay to a messenger and lower than any salary paid to any clerk of any committee. There are 31 of that class. Nine at $1,000 each, that is, $200 less than we pay to a messenger. Four at $900 each, $300 less than we pay to a messenger. Three assistant messengers, and so forth.

Office of the Auditor for the War Department: Auditor, $4,000; assistant and chief clerk, $2,250; law clerk, $2,000; chief of divisions of accounts, $2,500; chief of division, $2,000; 2 as-

sistant chiefs of division, $1,900 each; chief transportation clerk, $2,000; clerks—22 of class 4, that is, $1,800; 49 of class 3, that is, $1,600; 55 of class 2, that is, $1,400; 45 of class 1, that is, $1,200; 9 at $1,000 each; and 3 at $900 each. For the Office of the Auditor for the Navy Department, I find 13 of class 4; 22 of class 3, at $1,600; 20 of class 2, at $1,400; 23 of class 1, at $1,200. So I can go through this bill.

The Senator from Michigan [Mr. SMITH] calls my attention to the Post Office appropriation bill as reported from the committee.

Mr. OVERMAN. On what page?

Mr. ROOT. On page 24. By this it appears that there are 466 clerks of grade 10, not exceeding $1,800 each; 1,658 of grade 9, not exceeding $1,700 each; 601 of grade 8, not exceeding $1,600 each; 6,985 of grade 7, at not exceeding $1,500 each; 2,041 of grade 6, at not exceeding $1,400 each; 1,839 of grade 5, not exceeding $1,300 each; 2,441 of grade 4, not exceeding $1,200 each, our messengers' pay; 2,672 of grade 3, at not exceeding $1,100 each, less than our messengers' pay; 2,429 of grade 2, at not exceeding $1,000 each, $200 less than our messengers' pay; 2,213 of grade 1, at not exceeding $900 each, $300 less than our messengers' pay. Altogether, as the Senator from Michigan has footed it up, 19,863 clerks in the Railway Mail Service at less than $1,500 a year.

I say, sir, upon a long experience and observation both of the executive departments and of the legislative work of the Senate, the duties performed by these thousands of clerks, who receive no more pay or less pay than our messengers, are equal in dignity, importance, and difficulty to the work of any clerks of our Senate committees with the exception of not more than a dozen.

Mr. OVERMAN. Mr. President, the Senator has forgotten probably the fact that every one of those clerks is entitled to promotion. They go in at $1,200, and they go up to $1,400 and $1,600 and $1,800. Our clerks have no chance of promotion; they have no 8-hour law; they work 10 and 12 hours in a day. The department clerks work from 8 o'clock until 4 o'clock and have the balance of the day. I still maintain that the clerks in the departments get a larger salary, relatively, than our clerks.

Our clerks are called messengers, but the Senator knows that they are the hardest-worked clerks we have, and that some of the most efficient are called messengers. The typewriters and stenographers are generally called messengers.

Now, take the Department of State, which the Senator presided over so ably. He will find that the clerks of that department are getting a great deal higher pay, where they receive salaries that have not been changed since the Senator was the head of that great department. I should like to see some of the clerks in that department get more; I do not think they are probably paid as high as they ought to be paid; but I say the same grade of clerks in the departments certainly get more, and I stall maintain that they get more than Senators' clerks.

Mr. POINDEXTER. Mr. President, without discussing the proposition as to the pay of the clerks of Senate committees, I call attention to the condition in the department with reference to clerks. Recently there has been an investigation by the efficiency department, as it is called of the Civil Service Commission. Upon a scientific examination of the force in the Office of the Treasurer of the United States, it was found that the office could be conducted for $40,000 a year less than it is being conducted; that there were a great many superfluous clerks there.

Mr. OVERMAN. Yes; Mr. President, that is true; but——

Mr. POINDEXTER. Just one word more. In order to try out the proposition as to whether these superfluous clerks could be dispensed with the man in charge of the investigation segregated the superfluous clerks and asked them not to go to work. He would go and find that they were working. They were afraid that they would lose their positions, and they insisted on working. In order to carry out the test he had to take these superfluous employees and put them in another room, and herd them in there to keep them from working, assuring them all the time that they were not going to lose their positions, explaining to them what the purpose of the investigation was, and supplying them with magazines and newspapers. They were kept there in idleness and forced to remain in idleness in order to run that office on an economical and businesslike basis. I venture to say the same condition exists in very many of the offices of all the departments of the Government.

Mr. OVERMAN. I admit that is true; but a great many clerks have been discharged. There has been great saving in one of the departments, and this investigation is going on. In one department since we considered the bill we found we could dispense with a thousand clerks. I am not fighting the salaries of clerks and I am not asking for an increase of any salaries here, but I do think the Senator from New York was wrong when he said that the clerks in the departments are paid lower salaries than clerks of Senators. When he takes into consideration the fact that every one of those clerks is entitled to promotion, that they are continually promoted. There are three or four grades under the civil service, and a clerk who goes in at the $1,400 grade is then promoted to the $1,600 grade, and then to the $1,800 grade. Never, as long as time lasts, will one of our clerks be promoted. Then, those clerks have their hours from 9 to 4 or 4.30 o'clock. Our poor clerks work day in and day out and night in and night out. When you take that into consideration I say our clerks are paid much less than any clerks on earth.

Mr. President, I do not want to prolong this debate. All I ask is that the Senator from New York will go with me some time and look into the matter. I do not propose to relieve the Department of State of its clerks. I think they are valuable clerks, and probably ought to be paid more than any other clerks. They are pretty valuable people.

Mr. ROOT. Yes; they are good clerks.

Mr. OVERMAN. I doubt whether the clerk in the Senator's office gets fourteen hundred dollars——

Mr. ROOT. Under ordinary circumstances they have a vacation half the time.

Mr. OVERMAN. Not for the last six years.

Mr. ROOT. It is to be hoped that those conditions will not continue. Since that subject has been brought up, I want to say that we, in considering the labors of these clerks, ought not to assume that the bad practice of the last few years is to be continued. If we are going to have good legislation, we must not continue it. The city of Washington is like a boiler shop, and the Members of the Senate and the House have the sounds of strife and of political movement dinned into their ears continually, until after a time they can not hear from home. They can not hear from the real thought and feeling of the people of the United States. The Members of the Senate and the House ought to go home and live there a considerable part of every year, so that they may get into touch with their constituents and reorient themselves and get an idea of what the country is thinking and feeling, instead of staying here and squabbling 12 months in the year and getting every month farther and farther away from a real appreciation of the feeling and opinion and purpose and needs of their constituents.

Mr. OVERMAN. I will not take any issue with the Senator on that question.

Mr. ROOT. Therefore we are not to assume that these clerks are to work 12 months in the year, but we are to hope and expect that Congress will go back to the good old practice of coming here and considering legislation during a reasonable period and then going home to get into touch with the people of the country, allowing their clerks a reasonable vacation.

Mr. President, there is one thing I want to refer to. The particular question is upon the increase of the salary of a clerk for the Committee on Interoceanic Canals. I would like to ask how many meetings of the Committee on Interoceanic Canals there have been during the present session of Congress? I am informed there has not been one meeting of that committee since the tolls question was disposed of, nearly a year ago.

Mr. THOMAS. There were meetings of the committee upon the tolls bill, which constitutes the only business that committee has had since I have been a Member of the Senate.

Mr. ROOT. Very well. Then, sir, for what is it that we are to increase the compensation of this clerk?

Mr. SHAFROTH. Mr. President, I should like to answer that. Because the chairman of the committee has insisted upon having a $3,000 head of the clerical force of that committee instead of one at $2,500.

Mr. ROOT. How did he confine himself to that demand? Why did he not make it $12,000?

Mr. SHAFROTH. Well, Mr. President, there is this feature about this particular case: It is an increase here of $280. The Senator who is chairman of that committee represents the great State of New York and he has a degree of correspondence that is enormous. There is no doubt about that. Is it possible that we are to consider a man who has such a large constituency as not being entitled to have proper help in his work? We find as a matter of fact that when men come from large States there ought to be some concession made to them with respect to their clerks, and there generally is, because they represent generally a constituency with whom they have a large amount of correspondence. While his committee may not meet often there is continual correspondence between the Senator and his constituents.

It seems to me that this is a great amount of talk to be made over an increase of $280 a year. People differ in regard to what the expenditures of the Government should be. Some man thinks that if we make an increase of $100 or $200 it is extravagant. Other people think that expenditures in other directions are very extravagant.

Mr. President, the Senator from New York himself introduced a bill at the last session of Congress to erect a monument up at Lake Champlain for $250,000 and it was given. For an ornamental purpose, at a time when the Government is not making expenditures, it seems——

Mr. ROOT. May I ask the Senator from Colorado whether this is an ornamental matter?

Mr. SHAFROTH. No; it is not. It is more a useful than an ornamental matter. Whenever you come to the question of an appropriation for something that is ornamental, of all times when you can dispense with it is a time when the Government revenues are not equal to the expenditures.

Now, I do not blame the Senator. I think his idea in regard to what is extravagant and what is not extravagant is different from that of other people. I have been a member of the Committee on Contingent Expenses of the Senate and continually Senators come there wanting some additional help. We have been generally trying to fight them and trying to make the allowances just as low as we reasonably can. In the same way in the Committee on Appropriations we endeavor to do it. A claim comes in for an increase of $3,000 and we try to cut it down to $2,500. From my knowledge concerning these matters, while as a matter of fact we try to cut them down, yet there is merit in almost every application that is made. It seems to me, Mr. President, that this increase ought to be allowed.

Mr. OLIVER. Mr. President, I am glad that the Senator from Colorado [Mr. SHAFROTH] alluded to the great amount of extra work that the Senator from New York and his office force have to perform and which he has to perform as a Senator on account of the great constituency which he represents. Mr. President, I represent a constituency only second to that of the Senator from New York, and yet at the opening of this session of Congress the salary of my principal clerk was reduced from what he formerly received, $2,220, to $2,000, and the salary of my assistant clerk was reduced from $1,440 to $1,200. Both these men have exactly the same amount of work to perform that they had two years ago and both of them have just as much to do in the way of attending to correspondence on account of the great constituency that I represent as the clerks of the Senator from New York.

This brings me to the point of the great favoritism that is shown by giving the assistants of one Senator one amount of pay and of another Senator another amount of pay for exactly the same kind, quantity, and quality of work. That is the point which is made, and I think that is what is in the mind of the Senator from New York [Mr. ROOT] in objecting to the increase, not as a matter perhaps of extravagance but of extreme favoritism.

Mr. SHAFROTH. I should like to ask the Senator if the reduction which he complains of was not caused by the fact that he held the chairmanship of a committee more than two years ago, the clerk of which had a salary of $2,250 a year, and he has had an assignment as chairman of another committee the clerk of which receives a less amount?

Mr. OLIVER. It was not, Mr. President. I happened to be then in the same position that is now occupied by the Senator from New York [Mr. O'GORMAN], chairman of a committee which never had any work to do, a committee which might be called a "paper committee," and now I do not happen to be chairman of any committee, but my office force has just as much work to do as it had then. It has the work that pertains to other committees of which I am a member, though not a chairman. I am a member of several important committees of the Senate, and all of them entail work upon me and work upon my office force. I with my colleague attend to all the wants of all the nearly 9,000,000 people of Pennsylvania. The correspondence connected with that requires work, and my clerk is just as much entitled to $2,500 a year as is the clerk of the Senator from New York, because he does just as much work and his work is worth just as much money.

Mr. SHAFROTH. I should like to ask the Senator whether there has been any reduction in the pay of any of these clerks from four years ago up to the present time.

Mr. OLIVER. There has been a reduction in the salary of my clerk of $280.

Mr. SHAFROTH. That was by reason of the fact——

Mr. LIPPITT. If the Senator from Pennsylvania will yield to me, I wish to say that what the Senator from Pennsylvania describes as occurring in his clerical force occurred in exactly the same way in my clerical force.

Mr. SHAFROTH. That was because the Senator lost his chairmanship. Is not that the fact?

Mr. LIPPITT. It does not make any difference what chairmanship was lost, the fact is that two men in my office allowed to me by the provisions of this bill had their salaries reduced some $200 apiece. The amount of work that they had to perform, the number of hours that they had to use in performing that work, and their capacity and efficiency are exactly the same as they were before our good friends on the other side of the Chamber came into power. What really happened was that the clerks of some Senators had their salaries increased and others had their salaries cut down.

Mr. SHAFROTH. There have been very few that have been increased.

Mr. LIPPITT. I know that the salaries of my men were cut down, and I made it up out of my personal pocket.

Mr. SHAFROTH. The Senator will find that it was because he lost the chairmanship of his committee. A certain salary is attached to the clerk of a Senator who has a chairmanship, and when a person has not a chairmanship that salary does not apply. That has been the rule the last four or five years, and there has been no change made with respect to it.

Mr. OLIVER. That is an explanation perhaps, but it is not a defense.

Mr. LODGE. Mr. President, I wish to ask the Senator from Colorado a question. There are two grounds on which the pay of clerks is based. One is a committee like the Banking and Currency Committee, where the work of the committee requires it. Now, the Senator is placing his defense of this increase in the case of the Committee on Interoceanic Canals. He can not put it on the ground of the work of the committee, because the committee does not meet, but he puts it on the ground of the personal work which the Senator from the great State of New York is called upon to do, which I entirely recognize. But why is one Senator from New York, independent of the committee, entitled to a still further increase when the other Senator from New York, with precisely the same work, is not entitled to it—if you put it on that basis?

Mr. SHAFROTH. I have no doubt if the Senator from New York would appear before the committee and represent that his clerks are unable to do his work there would be some increase added to the force. As a matter of fact, there are two elements that enter into the salary of clerks. One is the element of committee work and the other is the element of the large correspondence with constituents. Both of them are matters that should be taken into consideration in determining the question.

Mr. ROOT. Mr. President, if it had occurred to me that my colleague was chairman of the Committee on Interoceanic Canals and I had known he wanted this increase for his personal convenience—not for the affairs of the committee but for his own correspondence—I should not have selected this particular increase for the purpose of pointing my moral; but I did it without realizing that it was the committee of my colleague. So long, however, as it is up and it is put upon the personal ground, I can only say that it is a very fortunate thing for the gentleman who is engaged in writing out the correspondence of the Democratic Senator from the State of New York, because of his employer's politics, his services are to be rated at $2,500 a year and his salary to be increased, while the gentleman who is doing the same thing for the Republican Senator from New York has his salary cut down to $2,000. I did apply, I did protest, I did say to the committee that the great correspondence that was incident to being one of the representatives of 10,000,000 people called for a very great amount of labor compared with that of the representatives of smaller States; but the salary of my friend and assistant was cut down, and I shall sit and see, with a mild degree of envy, the salary of the friend and assistant of my colleague increased upon purely political grounds, and none other.

Mr. SHAFROTH. Mr. President, I should like to state to the senior Senator from New York that the junior Senator from New York appeared before the Committee to Audit and Control the Contingent Expenses of the Senate nearly two years ago and insisted upon an increase of this particular salary, but the committee refused it. There have been one or two applications made there by him; and as a compromise of matters, while the interoceanic canal bill was before the Senate, we agreed that he should be allowed the increase for one or two months only, but outside of that the Committee to Audit and Control the Contingent Expenses of the Senate refused it, not because his clerk

was a Democrat or because the other clerk might be a Republican.

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. MARTIN of Virginia. I have not the slightest idea of following this debate through all of the collateral and irrelevant matters that have been discussed. The proposition is a very simple one and a very narrow one. It is to add $280 per annum to the salary of the clerk of the Committee on Interoceanic Canals. The Committee on Appropriations thought that $280 *ought to* be added to his salary, and they so reported. It may be that the committee was in error, but all the Senate have to do is to vote on the matter. That is all I ask them to do. If they do not think this $280 ought to be allowed, let them vote down the proposition. If they think it ought to be allowed, let them sustain the committee. I have, however, no pride of opinion about it, and will not be hurt in the slightest degree if the committee is overruled, but I must say a word in defense of the committee from the attack made on it by the Senator from New York [Mr. ROOT].

The Senator from New York started out with the statement that the committee had not dealt fairly in this matter of salaries, and that he wanted to say something for those who had been treated unfairly. The Senator from New York may be the only fair man in the Senate; evidently he thinks so, but I differ from him. I believe he is as fair as anyone else, but I do not think he has a monopoly of fairness.

I think the Committee on Appropriations have dealt with this matter as fairly as they could deal with it. The committee are not infallible; they may have made a mistake in this instance, and I am perfectly willing for the Senate to overrule it, but I must resent the imputation that has been made that the committee has not dealt fairly in fixing these salaries, and that is exactly what the Senator from New York said.

Mr. ROOT. Mr. President, the Senator from Virginia is mistaken. I made no imputation upon the committee. The Committee on Appropriations does not fix the salaries; the Senate fixes the salaries. What I said applied to the Senate, and it included me as well as it did every other Senator.

Mr. MARTIN of Virginia. Well, I thought the Senator was referring to this report and that is the way I understood it, and I think that would be the interpretation of anybody who listened to his remarks. The question was on the action of the committee; the Senate had not increased this salary by $280; the committee had reported in favor of it, and the committee, and nobody else, had done it.

Mr. OVERMAN. The committee recommended it.

Mr. MARTIN of Virginia. The committee recommended it, and the Senate has not acted upon it. So the charge of unfairness could not have applied to the Senate when the Senate has not acted on it at all, but could apply only to the committee. The committee have dealt as fairly with it as they are able to deal and with just as much fairness as the Senator from New York has done. He is a little too free in making accusations against the motives of other people. It is a very difficult work which the Committee on Appropriations have to perform. They are besieged and beset with appeals of all sorts for all kinds of appropriations, and particularly for increases in salaries. We have endeavored to deal as fairly with the matter as we could, and we think we have dealt fairly with it. We have reported this little increase of $280 for the clerk of the Senator's colleague. If the Senator does not want to allow that increase, all I ask is that the vote be taken and that the matter be settled in accordance with the judgment of the Senate, which will be perfectly satisfactory to me. I am exceedingly anxious to see progress made on this bill. I would rather have seen it voted out at the start than to have spent a great deal more than $280, which this discussion has no doubt cost. I do hope that we can have a vote on the amendment and settle it in accordance with the judgment of the Senate.

Mr. JONES. Mr. President, I am going to take but a moment, I will say to the chairman of the committee; but I want to state that I am glad this discussion has come up, because it emphasizes the same point I tried to make a little while ago in discussing this very matter.

It seems to me there is more injustice and more inequity in the provisions of this bill than you would find in any appropriation bill that comes before this body, not as comparing our employees with the other employees of the Government, but in equity and in justice among our own employees. That grows out of the system the Senate has adopted with reference to fixing the salaries of its own employees. That side of the Chamber is not to blame for it. It grew up under the Republican administration; it has come down to us, and the same system is being followed now that was followed under the preceding Republican administration. So it can not be charged to partisanship or to that side of the Chamber, or anything of the kind, but we have adopted no system at all with reference to fixing the salaries of the employees of the Senate.

I have offered an amendment, and have had it printed, which I expect to propose when the proper time comes, changing the present system and providing for salaries for the clerks of Senators, and so on. It seems to me that we ought to do this. There is not a Senator from any State in the Union but is entitled to a secretary of high-class ability.

Mr. POMERENE. Does the Senator mean to provide for clerks of committees, or of Senators individually and not for committees?

Mr. JONES. No; I propose to provide clerks for committees and also for Senators individually. I merely want to state briefly what I just now stated, that every Senator, no matter from what State he comes, big or little, ought to have at least one good man as his secretary. No matter what the size of the State, that man will have everything that he can do during all the time that he can give to his work. So it seems to me that every Senator ought to have a clerk, to be paid exactly the same salary.

I provide in my amendment that every Senator shall have a clerk, to be paid $2,500 a year. Take the Senator from New York. We give his clerk $2,500 a year because that Senator comes from a great State. That is true; and yet the secretary of the Senator from Rhode Island does just as much work and has just as much work to do as has the secretary of the Senator from New York, because each secretary can only do so much. No doubt more work comes to the Senator from New York than comes to the Senator from Rhode Island; but that should be met by additional help, and not by increasing the salary, for a man can not do any more than the secretary of the Senator from Rhode Island has to do and must do. Due allowance can be made for that increased work by providing additional assistance, and that is what we ought to do.

I have provided in my amendment, in brief, this: I recognize that there are certain committees that do a great deal of committee work, and I provide clerks for the Committees on Commerce, Appropriations, the District of Columbia, Finance, Foreign Relations, Interstate Commerce, the Judiciary, Banking and Currency, Public Lands, and Post Offices and Post Roads. I propose to give each of those committees a clerk at $2,750 per year.

Mr. NORRIS. Will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. I yield to the Senator from Nebraska.

Mr. NORRIS. I notice the Senator from Washington has included the Committee on the District of Columbia as doing some work. Has the Senator any knowledge that the Committee on the District of Columbia, as a committee, has done any work?

Mr. JONES. I have.

Mr. NORRIS. Well, can the Senator tell us when that committee had a meeting?

Mr. JONES. I can tell when they have not had a meeting.

Mr. NORRIS. I know that very well. Has the committee reported a bill at this session of Congress?

Mr. JONES. I do not care to refer to the committee. I want to say that that committee has a great many bills and a great many matters that ought to be considered.

Mr. NORRIS. There is no doubt about that.

Mr. JONES. The committee, for some reason, has not had any meeting at this session of Congress. I know that in the preceding Congress that committee met regularly every week; that it had many bills before it; and that it reported out a great many of them.

Mr. NORRIS. I want to say to the Senator from Washington that I am in entire sympathy with his plan. I do not know about all its details, but I think he is calling attention to a serious proposition here, and one that ought to be remedied. I do not believe there is any doubt about that; but when I see a committee like the Committee on the District of Columbia classified as one of the great committees, and then try to get a bill reported out of that committee, or even to get it considered by that committee, and I find that they never meet, I think they ought to have the same clerical help that the Committee for the Disposition of Useless Papers have.

Mr. JONES. I want to say as to the Committee on the District of Columbia not holding meetings, that it has only occurred in the last year or so, as I remember. In the preceding Congress the committee met every week, and sometimes two or three times a week; it had hearings and considered various bills and made many reports, and it was one of the most active

committees of the Senate. During the present Congress it has had a great many bills before it. So that, altogether, I thought that it should be included in this list.

Then I give these committees a messenger during the sessions of Congress. It is a fact, as every Senator knows, that there are many committees of this body the employees of which, when the Senate is not in session, have nothing to do. That is something which we ought to remedy; we ought to change it. If Congress adjourns on the 4th of March, as we hope, and does not convene again until December, there are many, many employees of the Senate who will have absolutely nothing to do during all that period of time. That can be taken care of and ought to be taken care of by Congress providing that these places shall be filled while Congress is in session.

Without going further into that, I have included some other committees in the proposed amendment; but I will not stop now to go into the matter fully. I provide that each Senator shall have a clerk at $2,500 a year and an assistant clerk at $1,500 a year. That would allow a Senator to have a clerk remain in Washington when the Senator himself is not here, and also to have one at his home when he needs one there. I do not know how it is with most Senators; but I will say frankly that I could get along—and I have probably about as much work as any Senator here, outside of the chairmen of some of the big committees—I could get along when Congress is not in session with one clerk at home and one clerk or an assistant clerk here in Washington. Then, when the Senate is in session, I provide for a stenographer at $1,440.

If we would adopt some such plan as that—I do not say that that is the best plan—but if we could adopt some basis like that it would be more equitable, and we could save money for the Government of the United States.

I have the assurance of the chairman of the Committee on Rules that that committee is going to give this matter during the coming summer the most careful consideration, and will try to work out a method of reorganizing the committees of the Senate. There are about 51 of these committees that ought to be done away with absolutely. They are simply a fraud, a subterfuge, to secure additional help that Senators need as Senators and not as chairmen of committees.

Now, Mr. President, I am not going to take further time in regard to the pending amendment. The Senator from New York needs the additional help, so far as that is concerned, but he does not need that help any more than does his colleague from his own State. It simply illustrates the injustice of the system under which we give to the secretary of one Senator from a certain State $2,500 and the secretary of the other Senator from the same State $2,000.

I shall offer the amendment to which I have referred at the proper time; but I promise the chairman of the committee that I will not take very much time then to discuss it. As I have said, we have the assurance of the Committee on Rules that they are going to look into this matter and try to work out a more equitable system in the administration of the affairs of the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item of appropriation for clerks to committees, on page 8, line 4, after the words "in all," to strike out "$423,740" and insert "$426,680."

The amendment was agreed to.

The next amendment was, on page 8, after line 4, to insert:

For additional amount for the clerk to the Committee on Rules for revising and preparing for publication biennially, under the direction of the committee, the Senate Manual, to be immediately available, $1,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 8, to insert:

For compiling the Navy Yearbook for the calendar year 1914, under the direction of the chairman of the Committee on Naval Affairs, $500.

The amendment was agreed to.

The next amendment was, in the item of appropriation for office of Sergeant at Arms and Doorkeeper, on page 8, line 18, after the word "each," to insert "1, $1,050," so as to read:

Messengers—4 (acting as assistant doorkeepers) at $1,800 each; 32 at $1,440 each; 1, $1,050; 1, $1,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for office of Sergeant at Arms and Doorkeeper, on page 9, line 12, after the words "in all," to strike out "$139,680" and insert "$140,730."

The amendment was agreed to.

The next amendment was, on page 9, line 20, after the word "folders," to strike out "six" and insert "seven," and, in line 21, after the words "in all," to strike out "$16,720" and insert "$17,720," so as to make the clause read:

Folding room: Foreman, $1,400; assistant, $1,400; clerk, $1,200; folders—7 at $1,000 each, 8 at $840 each; in all, $17,720.

The amendment was agreed to.

The next amendment was, on page 10, after line 19, to insert:

For driving, maintenance, and care of automobile for the Vice President, $1,500.

The amendment was agreed to.

Mr. MARTIN of Virginia. On page 10, line 22, I move to strike out "$2,000" and to insert in lieu thereof "$1,500."

The PRESIDING OFFICER (Mr. ASHURST in the chair). The amendment will be stated.

The SECRETARY. On page 10, line 22, after the word "folding," it is proposed to strike out "$2,000" and insert "$1,500," so as to read:

For materials for folding, $1,500.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "House of Representatives," on page 12, line 18, after the word "Commissioners," to strike out "$43,750" and insert "$175,000," so as to make the clause read:

For mileage of Representatives, Delegates, and expenses of Resident Commissioners, $175,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for office of Doorkeeper, on page 19, line 2, before the word "preceding," to strike out "eight" and insert "seven," so as to make the clause read:

Successors to any of the employees provided for in the seven preceding paragraphs may be named by the House of Representatives at any time.

The amendment was agreed to.

The next amendment was, on page 21, after line 21, to insert:

For driving, maintenance, and operation of automobile for the Speaker of the House of Representatives, $1,500.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. The Senator from Iowa.

Mr. KENYON. I should like to ask the chairman of the committee a question as to this item for driving, maintenance, and operation of automobile for the Speaker of the House of Representatives. Why was not that inserted by the House? Why is the Senate called upon to insert that item?

Mr. MARTIN of Virginia. Mr. President, I do not know why the House did not insert it; but we put in $1,500 for the expenses of the automobile of the Vice President, and we felt that it was hardly a consistent course that it should not be provided for both. I know that the House people were over here and asked us to do it. I do not know whether it was an accident or how it was, but I know that we were appealed to from the House side to make the same provision there that we made for the Vice President. The $1,500 is a meager allowance, and will not be fully equal to the expenses.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the head of "Library of Congress," on page 25, after line 6, to insert:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, and for the acquisition of material required for their work, and for other expenses incidental thereto, $25,000, together with the unexpended balance, if any, of the sum appropriated under the head of "Legislative reference" for the fiscal year 1915.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. The Senator from Iowa.

Mr. KENYON. I should like to ask the chairman of the committee if this is the same amount that was carried in the previous bill for this work?

Mr. MARTIN of Virginia. Exactly the same, according to my understanding.

Mr. KENYON. I think it is a very useful thing and is getting to be a very necessary thing.

Mr. MARTIN of Virginia. I started out with some prejudice against it, but some experience with it has satisfied me that it is useful and that the appropriation ought to be made.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 25, line 21, after "$1,600," to strike out "one $1,500" and insert "three at $1,500 each"; in line 22, before the words "at $1,400," to strike out "two" and insert "three"; and on page 26, line 4, after the word "Librarian," to strike out "$35,100" and insert "$39,500," so as to make the clause read:

Distribution of card indexes: For service in connection with distribution of card indexes and other publications of the Library, including the following salaries now authorized and being paid: Chief of division, $3,000; chief assistant, $1,800; assistants—1 $1,600, 3 at $1,500 each, 3 at $1,400 each, 3 at $1,200 each, 2 at $1,100 each, 3 at $1,000 each; and for services of assistants at salaries less than $1,000 per annum and for piecework and work by the hour, $15,600, including not exceeding $500 for freight charges, expressage, traveling expenses connected with such distribution, and expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $39,500.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The Librarian of Congress shall hereafter perform the duties, except those of disbursing officer, required of the superintendent of the building of the Library of Congress as provided in the act approved February 19, 1897 (29 Stat. L., 545).

The amendment was agreed to.

The next amendment was, on page 27, after line 21, to strike out:

The Librarian of Congress is authorized to appoint a disbursing clerk, who shall also act as assistant superintendent of the Library building and grounds and perform the duties of disbursing clerk under the aforesaid act and the act approved July 19, 1897 (30 Stats. L., p. 136). The disbursing clerk shall give bond in such sum as the Secretary of the Treasury shall determine and shall receive a salary of $2,500 per annum.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I wish to give notice that I shall offer an amendment on line 5, page 28, after the committee amendments have been agreed to.

The PRESIDING OFFICER. The notice of the Senator from Utah will be noted.

The next amendment was, on page 28, line 5, after the word "grounds," to strike out "Disbursing clerk and assistant superintendent, $2,500," and insert "Superintendent, $3,000, and the salary of the superintendent of the Library building and grounds shall, from and after the passage of this act, be at the rate of $3,000 per annun, and the amount appropriated for the salary of said superintendent for the balance of the fiscal year 1915 shall be available for the payment of said salary at the rate of $3,000 per annum"; in line 13, after the words "clerks," to insert "1 $2,000"; and in line 26, after the words "in all," to strike out "$74,345" and insert "$76,845," so as to make the clause read:

Library building and grounds: Superintendent, $3,000, and the salary of the superintendent of the Library building and grounds shall, from and after the passage of this act, be at the rate of $3,000 per annum, and the amount appropriated for the salary of said superintendent for the balance of the fiscal year 1915 shall be available for the payment of said salary at the rate of $3,000 per annum; clerks—1 $2,000, 1 $1,600, 1 $1,400, 1 $1,000; messenger; assistant messenger; telephone switchboard operator; assistant telephone switchboard operator; captain of watch, $1,400; lieutenant of watch, $1,000; 16 watchmen, at $900 each; carpenter, painter, and foreman of laborers, at $900 each; 14 laborers, at $540 each; 2 attendants in ladies' room, at $480 each; 4 check boys, at $360 each; mistress of charwomen, $425; assistant mistress of charwomen, $300; 58 charwomen; chief engineer, $1,500; assistant engineers—1 $1,200, 3 at $900 each; electrician, $1,500; machinists—1 $1,000, 1 $900; 2 wiremen, at $900 each; plumber, $900; 3 elevator conductors, and 10 skilled laborers, at $720 each; in all $76,845.

Mr. SMOOT. I ask that that amendment may be passed over.

Mr. LEA of Tennessee. May I ask the Senator why he wants it to go over?

Mr. SMOOT. I want it to go over because I want to offer an amendment to it.

Mr. LEA of Tennessee. Let the committee amendment be agreed to, and then the Senator from Utah can offer his amendment.

Mr. SMOOT. I suppose my amendment would not interfere with the committee amendment, and therefore I have no objection to its being agreed to.

The PRESIDING OFFICER. The Senator from Utah has no objection to its being agreed to at this time?

Mr. SMOOT. No. I simply give notice that at the proper time I shall offer an amendment which does not affect the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The next amendment was, under the head of "Botanic Garden," on page 29, line 17, after the word "Congress," to strike out "$14,593.75" and insert "$16,593.75," so as to make the clause read:

For assistants and laborers, under the direction of the Joint Library Committee of Congress, $16,593.75.

The amendment was agreed to.

The next amendment was, on page 29, line 23, after the word "Congress," to strike out "$6,500" and insert "$8,500," so as to make the clause read:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; and for services, materials, and miscellaneous supplies, and contingent expenses in connection with repairs and improvements to Botanic Gardens, under direction of the Joint Library Committee of Congress, $8,500.

The amendment was agreed to.

The next amendment was, under the head of "Executive," on page 30, line 7, after the word "clerks," to insert "2 at $2,500 each"; in line 8, before the words "of class 4," to strike out "six" and insert "four"; and in line 11, after the words "in all," to strike out "$73,440" and insert "$74,840," so as to make the clause read:

Office of the President: Secretary, $7,500; executive clerk, $5,000; chief clerk, $4,000; appointment clerk, $3,500; record clerk, $2,500; 2 expert stenographers, at $2,500 each; accountant, $2,500; 2 correspondents, at $2,500 each; disbursing clerk, $2,000; clerks—2 at $2,500 each; 3 at $2,000 each, 4 of class 4, 3 of class 3, 4 of class 2, 3 of class 1; messengers—2 at $900 each, 2 at $840 each; 3 laborers, at $720 each; in all, $74,840: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

The amendment was agreed to.

The next amendment was, on page 30, after line 20, to insert:

For such expenses as, in the opinion of the President, are properly connected with the formal and official opening of the Panama Canal and each and every purpose connected therewith, $160,000, to be immediately available, to be expended at the discretion of the President and accounted for on his certificate solely. The President is authorized to utilize the services of such officers of the Army and Navy as he may designate to assist in the formal and official opening of the Panama Canal. The services of the officers of the Army while so employed shall be counted as service with their organizations within the meaning of all laws relating to the detachment of officers from their organizations for duty of any kind. The actual expenses of officers of the Army and Navy while on such duty shall be paid them in lieu of any mileage allowance to which they may be entitled by law. The President is authorized to use such vessels of the United States Army transport service and of the Panama Railroad for the purposes indicated herein as in his opinion can properly be spared, and any expense connected with this use of such vessels shall be payable out of the appropriation herein made, and any vessel not carrying freight-earning cargo used for the purposes indicated herein shall during such use for those purposes be exempt from payment of Panama Canal tolls.

Mr. SMOOT and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. I ask that that amendment may be passed over for the present.

The PRESIDING OFFICER. The amendment will be passed over in the absence of objection.

The next amendment was, under the head of "Civil Service Commission," on page 33, after line 4, to strike out:

For establishment and maintenance of system of efficiency ratings, $30,000. The Civil Service Commission shall investigate and report to the President, with its recommendations, as to the administrative needs of the service relating to personnel in the several executive departments and independent establishments in the District of Columbia, and report to Congress details of expenditure and of progress of work hereunder at the beginning of each regular session: *Provided*, That no person shall be employed hereunder at a compensation in excess of $4,000 per annum.

The amendment was agreed to.

The next amendment was, on page 33, after line 14, to insert:

For maintenance of system of efficiency ratings, $40,000. The Civil Service Commission shall investigate and report to the President, with its recommendations, as to the administrative needs of the service relating to personnel in the several executive departments and independent establishments in the District of Columbia, and report to Congress at the beginning of each regular session details of expenditure and of progress of work hereunder, including investigation of duplication of statistical and other work in the various branches of the Government service: *Provided*, That no person shall be employed hereunder at a compensation in excess of $4,000 per annum.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," in the item of appropriation for salary of Secretary of State, etc., on page 35, line 14, before the word "messengers," to strike out "five" and insert "six"; in the same line, before the word "assistant," to strike out "twenty-five" and insert "twenty-four"; in line 17, after the word "operator," to insert "driver, $840; hostler, $720"; and in line 18, after the words "in all," to strike out "$320,060" and insert "$321,740," so as to read:

Chief messenger, $1,000; 6 messengers; 24 assistant messengers; messenger boy, $420; packer, $720; 4 laborers, at $600 each; telephone switchboard operator; assistant telephone switchboard operator; driver, $840; hostler, $720; in all, $321,740.

The amendment was agreed to.

The next amendment was, on page 35, after line 18, to insert:

For emergency clerical services, to be expended by the Secretary of State in his discretion, $30,000, or so much thereof as may be necessary.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. The Senator from Iowa.

Mr. KENYON. Can we have a little explanation of what that item is for? It proposes to appropriate $30,000 for emergency clerical services. I am not objecting to it, but I simply would like to be informed why it is desired.

Mr. MARTIN of Virginia. The State Department estimated for that and was very insistent that it was necessary. The department wanted $75,000 instead of $30,000, but the committee provided for only $30,000.

Mr. KENYON. The request from the Secretary of State was for $75,000?

Mr. MARTIN of Virginia. It was.

Mr. SMOOT. Will the Senator have the letter of the Secretary read? That, I think, will explain it in detail.

Mr. MARTIN of Virginia (reading)—

I am constrained to ask and earnestly and sincerely urge that the bill be so amended in the Senate as to provide a lump-sum appropriation of $75,000, or so much thereof as may be necessary, for the continuance of such temporary force during the fiscal year ending June 30, 1916, in order to adequately and properly perform the duties devolving upon this department.

It is a long letter. I think that covers that feature, though.

Mr. KENYON. Is there anything showing the number to be employed?

Mr. MARTIN of Virginia. No. It is a fund that is to be disbursed as the necessities may require, in accordance with the judgment of the Secretary of State. If the Senator desires it, the entire letter can be read. It is a long letter, however—four or five pages in length.

Mr. KENYON. I wish we might have a little more information about it. May we have the letter read? Would there be any objection to that?

Mr. MARTIN of Virginia. No; I have no objection whatever.

Mr. KENYON. I ask, then, that the Secretary read the letter.

The PRESIDING OFFICER. The Secretary will read the letter.

The Secretary read as follows:

DEPARTMENT OF STATE,
Washington, December 22, 1914.

The Hon. THOMAS S. MARTIN,
United States Senate.

DEAR SENATOR MARTIN: In submitting its estimates for the support of the Department of State for the ensuing fiscal year, earnest desire was expressed for slight increases in the permanent force assigned to this department. These increases were submitted to and approved by the President, who realized the necessity for them. Owing to the present disturbed conditions in Europe, which affect the entire world, a great additional burden of work and responsibility has been imposed upon both the technical and clerical force of the Department of State. The volume of this work has increase 300 per cent since the 1st of August, and the numerous and intricate questions growing out of the European situation bid fair to continue this increased work for an indefinite period. Only because of the appropriation for the relief of American citizens abroad has it been possible, through the employment of a temporary force, to keep up the immense volume of work with which this department has had to deal. This temporary force, of course, is of limited tenure, and no provision is made for its employment beyond the present fiscal year. With the Department of State looking after the diplomatic interests of the greater part of Europe, and with no end to the present European struggle in sight, it seems imperative that ample provision be made for the extra clerical force necessary for the department to properly and adequately perform its duties. These facts were fully set forth to the House Subcommittee on Appropriations handling the legislative bill, but apparently to no avail, as the bill has already passed the House carrying no provisions whatever for any increase in the clerical force or any provision for the temporary force. In view of these facts, I am constrained to ask and earnestly and sincerely urge that the bill be so amended in the Senate as to provide a lump-sum appropriation of $75,000, or so much thereof as may be necessary, for the continuance of such temporary force during the fiscal year ending June 30, 1916, in order to adequately and properly perform the duties devolving upon this department.

I beg further to invite your attention to the request contained in the annual estimates of the modest increase in the appropriation for rental of buildings occupied by the Department of State, in order that the outlying bureaus of the department may be brought together and housed in a conveniently located building. The quarters assigned to the State Department in the State, War, and Navy Building have long since been outgrown. They are crowded to the limit and several important bureaus have been forced to take up quarters in two outlying, widely separated, and inadequately arranged buildings. It is believed that for a rental of not exceeding $15,000 a modern office building conveniently adapted to the needs of the department will be erected by private parties immediately across the street from the entrance to the Department of State, and will provide for almost as convenient quarters as though housed in the department building proper. The present scattered condition of the bureaus of the department not only renders efficient administrative work impossible, but is a source of constant irritation to numerous callers, including Senators and Representatives, who, upon calling at the department, often find that they must be referred to buildings located some distance away. The present rent paid by the department amounts to $11,200 per annum. The buildings occupied for which this rental is paid give an available floor space of 13,000 square feet. The proposed new building will afford an estimated available floor space of 16,000 feet, much more conveniently arranged, and much better adapted for efficient administration. It is believed that in this building can also be accommodated the several commissions associated with the Department of State, for which an annual rental of $5,200 additional to the $11,200 above mentioned is paid. The provision of $15,000 would therefore present an actual saving in the rental expenditure for the coming fiscal year.

I have also the honor to invite your attention to the fact that for the past 10 years, under the authority provided in the appropriations "For the purchase, care, and subsistence of horses," we employed a stableman for the care of horses, at a monthly salary of $55. The disbursing clerk of this department has recently been notified by the Comptroller of the Treasury that this expenditure will be no longer allowed unless the employment is specifically provided for. This matter should therefore be remedied in the appropriations for the coming year.

I beg further to call your attention to the case of Mr. John Barry, who has been the driver for the Secretaries of State for the past 35 years. Mr. Barry is carried upon the department's rolls as an *assistant* messenger at a salary of $60 per month. He is a most efficient, capable, and careful man. I understand that the carriage drivers of the other Cabinet members receive much higher salaries than Mr. Barry, and I earnestly recommend, in view of his long and faithful services, that he be specifically provided for.

I therefore have the honor to request that your committee amend the bill as it affects the provisions for the Department of State providing for the matters above presented as follows:

After line 9, on page 33, insert the following: "For emergency clerical service, to be expended by the Secretary of State, in his discretion, $75,000, or so much thereof as may be required."

Strike out lines 24 and 25, on page 33, and insert: "For rent of buildings in the District of Columbia for the Department of State, $15,000; the Secretary of State is hereby authorized, in his judgment, to enter into a lease for a period of five years for the occupancy of a suitable building, in close proximity to the Department of State, for the housing of all outlying bureaus and offices of the department: *Provided*, The annual rental thereof shall not exceed the sum herein appropriated, any unexpended amount thereof to be available for heat and power connections with the State, War, and Navy Building."

After line 23, on page 33, insert the following: "One driver at $900 and one stableman at $720."

Every effort has been made to keep the required expenditures in the Department of State to the lowest possible limit, but it seems imperative, in view of the vastly increased amount of highly important work which the department is required to handle, and which bids fair to constantly increase as long, at least, as the present conditions continue in Europe, that the amounts herein requested are vital and necessary. I earnestly and urgently request the favorable consideration of your committee of the matters herein presented.

Very truly, yours,

W. J. BRYAN.

Mr. KENYON. I should like to inquire if Mr. Barry has been taken care of in the bill. I notice that the salary of the driver is placed at $840. I assume that that is Mr. Barry. Has he been taken care of?

Mr. MARTIN of Virginia. He has. That has been provided for. This $30,000 is all that we gave of the $75,000 asked. I will say that it was my personal judgment that the Secretary ought to have had $75,000, but the subcommittee did not take that view, nor did the full committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," in the item of appropriation for Office of the Secretary, on page 37, line 22, after "$1,100," to insert "assistant painter, $900"; on page 38, line 9, after the word "each," to strike out "skilled laborer, $840" and insert "carpenter, $900; wireman, $900"; and in line 10, after the words "in all," to strike out "$485,980" and insert "$187,840"; so as to read:

Painter, $1,100; assistant painter, $900; plumber's assistant, $780; 85 charwomen; carpenters—two at $1,000 each, one $720. Winder Building: Engineer, $1,000; three firemen; elevator conductor, $720; four watchmen; three laborers (one of whom, when necessary, shall assist and relieve the elevator conductor); forewoman of char force, $480; eight charwomen. Cox Building, 1709 New York Avenue: Two watchmen-firemen, at $720 each; laborer. Auditors' Building: Forewoman of char force, $480; 25 charwomen; elevator conductor, $720; five laborers, at $500 each (one of whom, when necessary, shall assist and relieve the elevator conductor); two female laborers, at $480 each; carpenter, $900; wireman, $900; in all, $187,840.

The amendment was agreed to.

The next amendment was, on page 40, after line 2, to strike out:

Division of Revenue-Cutter Service: Assistant chief of division, $2,400; chief clerk, $2,000; law and contract clerk, $1,800, and $200 additional while the office is held by the present incumbent; clerks—one of class 4, four of class 3, one of class 2, three of class 1, four at $1,000 each, three at $900 each; messenger; laborer; in all, $27,800.

The amendment was agreed to.

The next amendment was, on page 40, after line 9, to strike out:

The services of skilled draftsmen, and such other technical services as the Secretary of the Treasury may deem necessary, may be employed only in the Division of Revenue-Cutter Service in connection with the construction and repair of revenue cutters, to be paid from the appropriation "Repairs to revenue cutters": *Provided*, That the expenditures on this account for the fiscal year 1916 shall not exceed $3,400. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the annual estimates.

The amendment was agreed to.

The next amendment was, on page 41, line 1, before the word "laborers," to strike out "two" and insert "three," and, in line 2, after the words "in all," to strike out "$32,520" and insert "$33,180," so as to make the clause read:

Division of Printing and Stationery: Chief of division, $2,500; assistant chief of division, $2,000; clerks—4 of class 4, 3 of class 3, 3 of class 2, 3 of class 1, 1 at $1,000, 1 at $900; bookbinder, $1,400; 3 messengers; assistant messenger; 3 laborers; messenger boy, $360; in all, $33,180.

The amendment was agreed to.

The next amendment was, on page 42, after line 22, to insert:

For law books, including their exchange, to be expended under the direction of the Comptroller of the Treasury, $500.

The amendment was agreed to.

The next amendment was, on page 48, line 22, before the words "of class four," to strike out "ten" and insert "eleven"; in line 23, before the words "of class three," to strike out "fifteen" and insert "sixteen"; in the same line, after the words "of class three," to strike out "sixteen" and insert "seventeen"; and, on page 49, line 2, after the words "in all," to strike out "$153,780" and insert "$158,580," so as to make the clause read:

Office of Comptroller of the Currency: Comptroller, $5,000; deputy comptrollers—1 at $3,500, 1 at $3,000; chief clerk, $2,500; chiefs of division—1 at $2,500, 2 at $2,200 each; general bookkeeper, $2,000; assistant bookkeeper, $2,000; clerks—11 of class 4, additional to bond clerk $200, 16 of class 3, 17 of class 2, 26 of class 1, 13 at $1,000 each, 7 at $900 each; stenographer, $1,600; 6 counters, at $840 each; messenger; 5 assistant messengers; 3 laborers; 2 messenger boys, at $360 each; in all, $158,580.

The amendment was agreed to.

The next amendment was, on page 50, after line 15, to insert:

For the following employees in the Office of the Commissioner of Internal Revenue from July 1, 1915, to December 31, 1915, both dates inclusive: Clerks—2 of class 4, 2 of class 3, 1 of class 2, 1 of class 1, 1 at $900; 2 counters, at $900 each; in all, $6,050.

The amendment was agreed to.

The next amendment was, at the top of page 51, to strike out:

Office of Life-Saving Service: General Superintendent, $4,000, and $500 additional while the office is held by the present incumbent; assistant general superintendent, $2,500; principal clerk, $2,000; title and contract clerk, $2,000; topographer and hydrographer, $1,800; civil engineer, $2,250; draftsman, $1,500; clerks—3 of class 4, 5 of class 3, 4 of class 2, 5 of class 1, 3 at $1,000 each, 2 at $900 each; messenger; assistant messenger; laborer; in all, $48,570.

The amendment was agreed to.

The next amendment was, on page 51, after line 9, to insert:

Office of the Coast Guard: Two chiefs of division, at $3,000 each; 2 assistant chiefs of division, at $2,200 each; title and contract clerk, $2,000; law and contract clerk, $1,800 and $200 additional while the office is held by the present incumbent; topographer and hydrographer, $1,800; civil engineer, $2,250; draftsman, $1,500; clerks—4 of class 4, 9 of class 3, 5 of class 2, 8 of class 1, 7 at $1,000 each, 5 at $900 each; 2 messengers; assistant messenger; 2 laborers; in all, $73,370.

The services of skilled draftsmen, and such other technical services as the Secretary of the Treasury may deem necessary, may be employed only in the office of the Coast Guard in connection with the construction and repair of Coast Guard cutters, to be paid from the appropriation "Repairs to Coast Guard cutters": *Provided*, That the expenditures on this account for the fiscal year 1916 shall not exceed $3,400. A statement of the persons employed hereunder, their duties, and the compensation paid to each, shall be made to Congress each year in the annual estimates.

The amendment was agreed to.

The next amendment was, on page 53, line 18, after the words "assay offices," to strike out "$20,000" and insert "$30,000," so as to make the clause read:

For freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, $30,000.

The amendment was agreed to.

The reading was continued to line 24, page 54.

Mr. CHAMBERLAIN. On page 54, lines 23 and 24, I move for the committee to strike out the words "expenses of Revenue-Cutter Service, $1,600"; and on page 55, line 1, to strike out the words "Life-Saving Service, $1,000," and insert in lieu thereof "expenses of the Coast Guard, $2,600." These offices have been combined, and the appropriations embraced within the proposed amendments do not take any more money but make the bill conform to the law.

The amendment was agreed to.

The reading was continued.

The next amendment of the Committee on Appropriations was, on page 56, line 10, after the word "only," to strike out "$2,500" and insert "$3,500," so as to make the clause read:

For purchase, exchange, maintenance, and repair of motor trucks; purchase, exchange, and maintenance of horses, including shoeing; and the purchase and repair of wagons, horse-drawn passenger-carrying vehicles, and harness, all to be used for official purposes only, $3,500.

The amendment was agreed to.

The next amendment was, in the item of appropriation for washing and hemming towels, etc., on page 57, line 6, after the word "exceeding," to strike out "$250" and insert "$300," so as to read:

Sharpening tools, street car tickets not exceeding $300, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles, $13,500.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

For shelving and transferring records and files from and to the Treasury Building and its annexes in Washington, $500.

The amendment was agreed to.

The next amendment was, on page 58, line 13, after the word "Service," to strike out "$400" and insert "$750," so as to make the clause read:

For heat, light, and shelving for premises No. 1414 Pennsylvania Avenue NW., occupied by the purveying depot of the Public Health Service, $750.

The amendment was agreed to.

The next amendment was, under the subhead "Collecting internal revenue," on page 59, line 12, after the words "internal-revenue offices," to strike out "$2,165,000" and insert "$2,480,000," so as to read:

For salaries and expenses of collectors of internal revenue, deputy collectors, surveyors, clerks, messengers, and janitors in internal-revenue offices, $2,480,000.

The amendment was agreed to.

The reading was continued to line 24 on page 59.

Mr. CHAMBERLAIN. On behalf of the committee, on page 59, line 24, I move to strike out "$2,600,000" and to insert "$2,500,000," so as to read:

For salaries and expenses of 40 revenue agents provided for by law, including per diem not to exceed $4, in lieu of subsistence pursuant to section 13 of the sundry civil act approved August 1, 1914, and fees and expenses of gaugers, salaries and expenses of storekeepers and storekeeper-gaugers, $2,500,000.

The amendment was agreed to.

The reading of the bill was continued to line 18 on page 60.

Mr. CHAMBERLAIN. I desire to offer the following amendment, to come in on page 60, after line 18.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 60, after line 18, insert:

Restricting the sale of opium, etc.: For expenses to enforce the provisions of the act approved December 17, 1914, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," including the employment of agents, deputy collectors, inspectors, chemists, assistant chemists, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and for the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, including not to exceed $4 per diem in lieu of subsistence to employees while officially engaged away from their designated posts of duty, being for the fiscal year ending June 30, 1916, $292,000.

The amendment was agreed to.

The reading of the bill was continued to line 5, on page 61.

Mr. MARTIN of Virginia. On page 61, line 5, I move to strike out "$90,000" and insert "$100,000," so as to read:

For rent of offices outside of the District of Columbia, telephone service, and other miscellaneous expenses incident to the collection of internal revenue, purchase of necessary books of reference and periodicals for the chemical laboratory and law library, not to exceed $500, and reasonable expenses for not exceeding 60 days immediately following the injury of field officers or employees in the Internal-Revenue Service while in line of duty, of medical attendance, surgeon's and hospital bills made necessary by reason of such injury, and for horses crippled or killed while being used by officers in making raids, not exceeding $150 for any horse so crippled or killed, $100,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, under the head of "Mints and assay offices," on page 68, line 6, after the word "melter," to strike out "chief clerk and cashier," and in line 7, after "$1,800," to insert "chief clerk, who shall also perform the duties of cashier, $1,200; in all, $3,000," so as to make the clause read:

Assay office at Salt Lake City, Utah: Assayer in charge, who shall also perform the duties of melter, $1,800; chief clerk, who shall also perform the duties of cashier, $1,200; in all, $3,000.

The amendment was agreed to.

The next amendment was, in the items for assay office at Salt Lake City, on page 68, line 9, after the word "employees," to strike out "$1,500" and insert "$2,000," so as to make the clause read:

For wages of workmen, and other employees, $2,000.

The amendment was agreed to.

The next amendment was, in the items for assay office at Salt Lake City, on page 68, line 11, after the word "expenes," to strike out "$500" and insert "$1,000," so as to make the clause read:

For incidental and contingent expenses, $1,000.

The amendment was agreed to.

The next amendment was, under the head of "Public Buildings and Grounds," on page 77, line 17, after the word "park," to strike out "watchmen" and insert "police," so as to make the clause read:

For sergeant of park police, $950.

The amendment was agreed to.

The next amendment was, on page 77, line 18, after the word "park," to strike out "watchmen" and insert "police," so as to make the clause read:

For second sergeant of park police, $900.

The amendment was agreed to.

The next amendment was, on page 77, line 19, after the word "day," to strike out "watchmen" and insert "privates of park police," so as to read:

For day privates of park police, as follows: One in Franklin Park and adjacent reservations on New York Avenue; one in Lafayette Park, etc.

The amendment was agreed to.

The next amendment was, on page 78, line 10, after the word "night," to strike out "watchmen," and insert "privates of park police," so as to make the clause read:

For night privates of park police, as follows: Two in Smithsonian Grounds and neighboring reservations, etc.

The amendment was agreed to.

The next amendment was, on page 79, line 6, after the word "park," to strike out "watchmen" and insert "police"; and, in the same line, after the word "ammunition," to strike out "$400" and insert "$1,000," so as to make the clause read:

For purchase and repair of bicycles and revolvers for park police and for purchase of ammunition, $1,000.

The amendment was agreed to.

The next amendment was, on page 79, line 9, after the word "bridge," to strike out "watchmen" and insert "police," so as to make the clause read:

For purchasing and supplying uniforms to park, Monument, and bridge police, $2,800.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 81, after line 8, to strike out:

Library: Clerks—1 of class 2, 1 of class 1; assistant messenger; laborer; in all, $3,980.

The amendment was agreed to.

The next amendment was, on page 81, after line 10, to strike out:

Office of Naval Records of the Rebellion: Chief clerk, $2,000; agent, to be selected by the Secretary of the Navy from the officers of the late Confederate Navy, $1,800; clerks—1 of class 4, 3 of class 2, 3 of class 1, 2 at $1,000 each; copyist; coypist, $720; assistant messenger; necessary traveling expenses for collection of records, $100; in all, $17,840. All employees provided for by this paragraph shall be exclusively engaged on the work of this office during the fiscal year 1916.

The amendment was agreed to.

The next amendment was, on page 81, after line 20, to insert:

Office of Naval Records and Library: Chief clerk, $2,000; clerks—2 of class 4, one to be selected from officers of the Confederate Navy (agent for collection of Confederate records); 4 of class 2, 4 of class 1, 2 at $1,000 each; coypist; coypist, $720; assistant messenger; laborer; necessary traveling expenses for collection of records, $100; in all, $21,100. All employees provided for by this paragraph shall be exclusively engaged on the work of this office during the fiscal year 1916.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the Nautical Almanac Office, on page 86, line 24, before the words "one $2,000," to insert "one $2,200"; in the same line, after the words "one $2,000," to insert "one $1,800"; and on page 87, line 2, after the words "in all," strike out "$15,640" and insert "$19,640," so as to make the clause read:

Nautical Almanac Office: For assistants in preparing for publication the American Ephemeris and Nautical Almanac—one $2,200, one $2,000, one $1,800, two at $1,600 each, two at $1,400 each, three at $1,200 each, two at $1,000 each; copyist and typewriter, $900; assistant messenger; messenger boy, $420; in all, $19,640.

Mr. JONES. With reference to the first amendment and also the one following, "one $1,800," as the chairman of the committee knows I am very strongly opposed to those amendments; but in the interest of time I do not want to present the matter that I have gotten, and, furthermore, I do not want to do anything that will interfere with the proper conduct of that office. So I ask the chairman if he would not be willing to reject the first amendment and provide for two clerks at $1,800. If that would be satisfactory to the chairman of the committee, it would be agreed to by me.

Mr. MARTIN of Virginia. Mr. President, in the interest of economy of time, I will try to make the bill as acceptable as possible, and I am willing that that amendment shall be made; but if when the bill goes to conference any good reason can be shown against it, while I will insist on it myself, the Senator must understand it may be very difficult to retain it.

Mr. JONES. I want to suggest to the Senator that, of course, it will not be proper in conference to restore the one at $2,200, but the question would be whether to retain two at $1,800. I would not care if they are both rejected. We would save that much and not cripple the office, in my judgment.

Mr. MARTIN of Virginia. I have no objection to the amendment the Senator suggests.

Mr. JONES. I ask that the first amendment be rejected, then.

The PRESIDING OFFICER. The question is on agreeing to the first amendment.

The amendment was rejected.

The PRESIDING OFFICER. The Senator from Washington moves to amend the amendment of the committee, on page 86, line 24, by striking out "one, $1,800" and inserting "two, $1,800 each."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MARTIN of Virginia. I ask unanimous consent that the clerks be authorized to change the totals throughout the bill where it may be necessary.

The PRESIDING OFFICER. Without objection, that action will be taken.

Mr. JONES. I simply want to say in connection with these amendments that I hope the people in the Nautical Almanac Office, when they get these two additional officers, if they do, will see if they can not carry on the office all right with them. I am satisfied they can do it. I have facts and data here that I intended to present, but I will not do it now. I will expect them to take care of the office with those two additional assistants. There are matters that ought to be investigated, but if an attempt is made to correct abuses in the office, adopt efficient methods, and not seek to punish or humiliate those who would assist in doing effective work, I shall be satisfied. Unless better methods are followed, the Nautical Almanac Office should be transferred to another department.

The reading of the bill was continued. The next amendment was, on page 91, line 15, after "$1,100," to strike out "one, $1,000" and insert "three, at $1,000 each," and in line 16, after the words "in all," to strike out "$8,100" and insert "$10,100," so as to make the clause read:

Division of Naval Militia Affairs: For the following, authorized by section 17 of the Naval Militia act approved February 16, 1914: Chief clerk, $1,600; clerks—1 of class 2, 2 of class 1, 1 $1,100, 3 at $1,000 each; messenger boy, $600; in all, $10,100.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 94, line 11, before the word "Building," to strike out "Old Post Office Department" and insert "General Land Office," so as to make the clause read:

General Land Office Building: Engineer and electrician, $1,600; assistant engineer, $1,000; 4 firemen; 3 watchmen, acting as lieutenants, at $840 each; 20 watchmen; elevator conductor, $720; 14 laborers; 9 laborers, at $480 each; 3 skilled mechanics (painter, carpenter, and plumber), at $900 each; in all, $39,380.

The amendment was agreed to.

The next amendment was, in the item of appropriation for General Land Office, on page 96, line 10, after "$2,000," to insert "who may, with the approval of the commissioner, designate a clerk of the General Land Office to act as such depositary in his absence," so as to read:

Depositary acting for the commissioner as receiver of public moneys, $2,000, who may, with the approval of the commissioner, designate a clerk of the General Land Office to act as such depositary in his absence; clerk and librarian, $1,000; in all, $631,250.

The amendment was agreed to.

The next amendment was, on page 99, line 18, after the word "telegrams," to strike out "$85,000" and insert "$100,000," so as to make the clause read:

For per diem at not exceeding $3 in lieu of subsistence pursuant to section 13 of the sundry civil act approved August 1, 1914, for persons employed in the Bureau of Pensions, detailed for the purpose of making special investigations pertaining to said bureau and for actual and other necessary expenses, including telegrams, $100,000.

The amendment was agreed to.

The next amendment was, on page 99, after line 19, to insert:

For the purchase of law and reference books, including their exchange, for the general library of the Pension Bureau, $200.

The amendment was agreed to.

The next amendment was, at the top of page 100, to insert:

The sum of $750, or so much thereof as may be necessary, of the $6,000 appropriated for miscellaneous expenses, Bureau of Pensions, in the legislative, executive, and judicial act for the fiscal year 1915, is made available for constructing a fireproof and waterproof vault for the use of the disbursing office, Bureau of Pensions.

The amendment was agreed to.

The next amendment was, on page 101, after line 7, to insert:

For special and temporary services of typewriters certified by the Civil Service Commission, who may be employed in such numbers at

$2.50 per diem as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records, $5,000.

The amendment was agreed to.

The next amendment was, on page 101, line 17, after the word "Governments," to strike out "$2,500" and insert "$3,000," so as to make the clause read:

For purchase of professional and other reference books and publications and scientific books and expense of transporting publications of patents issued by the Patent Office to foreign Governments, $3,000.

The amendment was agreed to.

The next amendment was, on page 101, after line 17, to strike out:

For purchase of law and other reference books, $500.

The amendment was agreed to.

The next amendment was, under the head of "Offices of surveyors general," on page 106, line 14, after the word "expenses," to strike out "$2,500" and insert "$2,900," and in line 15, after the words "in all," to strike out "$15,500" and insert "$15,900," so as to make the clause read:

Alaska: Surveyor general and ex officio secretary of the Territory, $4,000; clerks, $9,000; contingent expenses, $2,900; in all, $15,900.

The amendment was agreed to.

The next amendment was, on page 106, line 16, after the word "clerks," to strike out "$10,000" and insert "$13,000," and in line 17, after the words "in all," to strike out "$14,500" and insert "$17,500," so as to make the clause read:

Arizona: Surveyor general, $3,000; clerks, $13,000; contingent expenses, $1,500; in all, $17,500.

The amendment was agreed to.

The next amendment was, on page 107, line 13, after the word "clerks," to strike out "$8,000" and insert "$11,000," and in line 14, after the words "in all," to strike out "$12,500" and insert "$15,500," so as to make the clause read:

Washington: Surveyor general, $3,000; clerks, $11,000; contingent expenses, $1,500; in all, $15,500.

The amendment was agreed to.

The next amendment was, on page 107, line 16, after the word "clerks," to strike out "$12,500" and insert "$18,500"; in line 17, after the word "expenses," to strike out "$500" and insert "$600"; and in the same line, after the words "in all," to strike out "$16,000" and insert "$22,100," so as to make the clause read:

Wyoming: Surveyor general, $3,000; clerks, $18,500; contingent expenses, $600; in all, $22,100.

The amendment was agreed to.

The next amendment was, on page 108, line 3, after the words "may require," to insert "and to pay their actual necessary traveling expenses in going to and returning from such office out of the appropriation for surveying the public lands," so as to make the clause read:

The Secretary of the Interior is authorized to detail temporarily clerks from the office of one surveyor general to another as the necessities of the service may require and to pay their actual necessary traveling expenses in going to and returning from such office out of the appropriation for surveying the public lands.

The amendment was agreed to.

The next amendment was, under the head of "Post Office Department," on page 114, line 12, before the words "of class 3," to strike out "34" and insert "31"; in line 13, before the words "of class 2," to strike out "50" and insert "47"; in line 15, before the words "of class 1," to strike out "62" and insert "59"; in line 17, before the words "at $1,000 each," to strike out "40" and insert "42"; in line 18, before the words "at $900 each," to strike out "21" and insert "23," so as to make the clause read:

Office of Third Assistant Postmaster General: Third Assistant Postmaster General, $5,000; chief clerk, $2,500; division of stamps—superintendent $2,750; division of finance—superintendent (who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties) $2,250; division of classification—superintendent $2,750; division of registered mails—superintendent $2,500; division of money orders—superintendent $2,750, chief clerk $2,250; clerks—19 of class 4, 31 of class 3 (2 transferred from Postmaster General's office), 47 of class 2 (1 transferred to Postmaster General's office), 59 of class 1 (2 transferred from Fourth Assistant's office, 1 to Postmaster General's office), 42 at $1,000 each (2 transferred from Fourth Assistant's office), 23 at $900 each (1 transferred from Fourth Assistant's office).

The amendment was agreed to.

The next amendment was, on page 114, line 20, before the words "two messengers," to insert "4 at $720 each."

Mr. MARTIN of Virginia. I ask the Senate to disagree to the amendment of the committee, which inserts "4 at $720 each."

The amendment was rejected.

Mr. MARTIN of Virginia. On the same page, in line 20, after the word "messengers," I move to insert "4 assistant messengers."

Mr. OWEN. At what rate?

Mr. MARTIN of Virginia. The statute fixes what assistant messengers shall receive.

Mr. OWEN. How much is that?

Mr. MARTIN of Virginia. Seven hundred and twenty dollars.

The amendment was agreed to.

The next amendment was, on page 114, line 20, after the words "in all," to strike out "$316,330" and insert "$310,410."

The amendment was agreed to.

The next amendment was, on page 115, line 13, before the word "Division," to strike out "assistant superintendents"; in line 15, after the words "Postal Service," to insert "Division of Dead Letters—superintendent $2,500," so as to read:

Office Fourth Assistant Postmaster General: Fourth Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Rural Mails—superintendent $3,000, assistant superintendent $2,000, chief clerk $2,000; Division of Supplies—superintendent $2,750, assistant superintendent $2,500; Division of Equipment—superintendent $2,750, chief clerk $2,000 (transferred from appropriation "Labor, mail-bag repair shop, Postal Service"); Division of Dead Letters—superintendent $2,500.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Office Fourth Assistant Postmaster General," on page 116, line 17, after the words "in all," to strike out "$395,060" and insert "$397,560," so as to read:

Twenty-eight laborers (2 transferred to Postmaster General's office); 3 female laborers, at $480 each (2 transferred to Postmaster General's office); in all $397,560.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 119, line 18, after the word "department," to insert "including their exchange," so as to make the clause read:

For books for law library of the department, including their exchange, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," in the item of appropriation for the office of the Secretary, on page 121, line 25, after the word "each," to strike out "2 firemen, at $660 each (1 fireman transferred from Census Office)" and insert "3 firemen (1 transferred from Census Office)"; and on page 122, line 6, after the words "in all," to strike out "$170,360" and insert "$170,480," so as to read:

Three elevator conductors, at $720 each; 3 firemen (1 transferred from Census Office); 13 laborers; 2 laborers, at $480 each; cabinetmaker, $1,000; carpenter, $900; chief watchman, $900; 10 watchmen (2 transferred from Census Office); 25 charwomen (5 transferred from Census Office); in all, $170,480.

The amendment was agreed to.

The next amendment was, on page 123, line 17, after the words "per day," to strike out "$552,300" and insert "$512,000, $150,000 of said sum to be immediately available for the completion of the canvass of manufacturing establishments," so as to make the clause read:

For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical report of stocks of baled cotton in the United States and of domestic and foreign consumption of cotton; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; cost of transcribing State, municipal, or other records; temporary rental of quarters outside of the District of Columbia; for supervising agents, and employment by them of such temporary service as may be necessary in collecting statistics required by law: *Provided*, That the compensation of not to exceed five special agents provided for in this paragraph may be fixed at an amount not to exceed $8 per day, $512,000, $150,000 of said sum to be immediately available for the completion of the canvass of manufacturing establishments.

Mr. BURTON. I should like to inquire what that item is—"$150,000 of said sum to be immediately available for the completion of the canvass of manufacturing establishments." When was that authorized by law?

Mr. MARTIN of Virginia. I will try and find it for the Senator, but it is provided for by law. It is an appropriation in accordance with law, and this $150,000 made available immediately enables the Director of the Census to reduce the appropriation from $552,000 to $512,000, because it will enable him to carry on the work continuously and economically instead of irregularly.

Mr. BURTON. Is this appropriation of $150,000 in the nature of a deficiency appropriation or is it an annual appropriation?

Mr. MARTIN of Virginia. It is a part of the appropriation for the year 1916. It is not a deficiency, but it is taken from the $512,000; it is made available immediately to enable the work to go along continuously and economically, and it will

enable the Director of the Census to reduce the aggregate appropriation from $552,000 to $512,000.

Mr. SMOOT. I will say to the Senator that the appropriation for last year was not sufficient to carry on the work to the end of the fiscal year ending June 30, 1915. In order that the work may continue right along, $150,000 of this amount for the coming fiscal year is now made available for the work for which they anticipated they would have appropriations in the last appropriation bill.

Mr. MARTIN of Virginia. If the Senator from Ohio desires it, I can have the letter from the Census Bureau read.

Mr. SMOOT. It had better be read.

Mr. MARTIN of Virginia. It is not in any sense a deficiency, but by being made immediately available it will effect an economy in the service.

Mr. BURTON. Before the letter is read I should like to ask, What is this "canvass of manufacturing establishments"?

Mr. MARTIN of Virginia. It is a census of manufacturing establishments. It is a regular branch of the census work.

Mr. BURTON. In the usual form, giving the number of establishments, the capital, employees, wages, raw material, and finished product?

Mr. MARTIN of Virginia. It is a complete census of general industries, as I understand, as provided for by law.

Mr. BURTON. When was that authorized?

Mr. MARTIN of Virginia. I can not immediately lay my hand on the statute which is now in force, and which provides for this census, but I know there is such a statute.

Mr. SMOOT. I will say to the Senator from Ohio that it was provided for in the legislative bill for the fiscal year ending June 30, 1914.

Mr. BURTON. What is the total cost of this census?

Mr. SMOOT. I forget exactly the amount of the appropriation, but I will say to the Senator that whatever the amount of the appropriation, it is not sufficient to carry on the work to the end of this year.

Mr. BURTON. There has been a census every five years of manufacturing establishments?

Mr. SMOOT. This is not the particular census of which the Senator speaks; this is the census which was provided for by the appropriation for the taking of the census of manufactures. There is, however, an appropriation made other than this for the general census of the United States. This has nothing whatever to do with that.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. BRYAN. In the statement prepared by the Director of the Census I find this, which will probably answer the question of the Senator from Ohio:

> There has been appropriated and set aside for the census of manufactures of 1914, $470,000, to be expended for field work during the fiscal year. It has also been estimated that the office work during the year ending June 30, 1915, on this branch of the census would amount to approximately $380,000, making a total expenditure for the present fiscal year of $850,000.

Of course, the addition of $150,000 would make it an even million dollars. As I understand, that will complete the census of manufactures.

Mr. GALLINGER. Mr. President, will the Senator from Florida permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. BRYAN. I do.

Mr. GALLINGER. When is the result of this investigation to be promulgated—immediately upon its completion?

Mr. BRYAN. According to this statement, that is the purpose; it is not to be postponed.

Mr. GALLINGER. It is not for the purpose of the next census, is it?

Mr. BRYAN. No; as I understand, the Director of the Census states that he will be able to publish it shortly.

Mr. GALLINGER. Mr. President, this is, to my mind, an illustration of the tremendous waste of money which we are making in this country by these investigations at great cost. They are practically out of date when we get their results. The census of the manufacturing establishments this year would not give us any information next year, nor would they have much relation to the condition of things the year before. If they are printed and promulgated, however, immediately upon completion, they ought to be completed as speedily as possible.

I presume that this is good work, valuable work, and I do not oppose it; but I have been interested in noticing the investigations by the Department of Labor. They send out their agents all over the country to ascertain the wages, the number of employees, and all that, and by the time we get the information in print, the whole condition has changed. Not only that, but they are duplicating that kind of work in several of the departments. I think the whole thing ought to be very carefully looked into with a view of practicing not only economy but common sense in such matters.

The PRESIDING OFFICER. The question is on the amendment.

Mr. BURTON. The letter was to be read, I believe, Mr. President.

The PRESIDING OFFICER. The Secretary will read the letter.

The Secretary read as follows:

> DEPARTMENT OF COMMERCE,
> BUREAU OF THE CENSUS,
> *Washington, February 2, 1915.*
>
> MY DEAR SENATOR: Confirming our conversation of yesterday, I desire to request that you have the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, amended as follows: On page 119, after line 2, and in lieu of the word "Provided," on line 3, insert the following:
>
> "*Provided*, That of the amount appropriated by this paragraph the sum of $150,000 shall be immediately available for the completion of the canvass of manufacturing establishments."
>
> You will please note that I have reduced the total amount of the appropriation for collecting statistics from $552,300 to $512,000, which is a decrease of $40,300 in the amount allowed by the House. I am willing to drop $40,300 of the appropriation for taking the census of manufactures if I can get $150,000 of the total made available at the time the bill becomes a law. I am asking that this be done in order that I may have sufficient money to push the canvass and complete my field work by June 30, 1915. It is my intention, if this money is made available, to finish the field canvass earlier than it has ever been done before and to publish the final results several months in advance of the publication of any preceding census of manufactures.
>
> If this money is not made available immediately upon the passage of the bill, I very much fear that my appropriation will be expended before the close of the fiscal year. If this should happen, it would place the bureau in a very embarrassing position, as the canvass of the manufacturing establishments would have to be abandoned until the appropriation for the next fiscal year became available. The bureau will have a large number of clerks and special agents in the field in connection with this canvass, and if the appropriation should be exhausted it would be necessary to return them to the office here or to their respective homes, and later send them into the field again at very heavy expense to the bureau. By having $150,000 available before the end of this fiscal year, a contingency of this kind would be prevented.
>
> Very truly, yours,
>
> WM. J. HARRIS,
> *Director.*
>
> Hon. THOMAS S. MARTIN,
> *Chairman Committee on Appropriations,*
> *United States Senate, Washington, D. C.*

Mr. BURTON. Mr. President, I wish to ask one question. Who are these five special agents provided for in this paragraph? Where are those provided for? In a hasty reading I am unable to see where provision is made for them.

Mr. SMOOT. They will be paid out of the lump sum.

Mr. BURTON. I know, but this provision reads:

> *Provided*, That the compensation of not to exceed five special agents provided for in this paragraph may be fixed at an amount not to exceed $8 per day.

Mr. SMOOT. They are to be paid out of the lump sum.

Mr. BURTON. I know that; but who are the "five special agents provided for in this paragraph"? How are they chosen? Are they under the civil service?

Mr. SMOOT. I should say they are not. I should say they would be appointed by the Director of the Census as soon as the $150,000 appropriation is available or upon the passage of the bill.

Mr. BURTON. That seems to have been in the bill before. Provision is made that $150,000 is to be immediately available.

Mr. OVERMAN. I think these five special agents are under the civil service. Though the Director of the Census does appoint special agents at three or four dollars a day for special work, there are five or six men who are under civil service. I know that. I know nothing about these five special agents, however.

Mr. BURTON. There is some confusion here. I did not understand the statement of the Senator from North Carolina.

Mr. OVERMAN. I said these five special agents were under civil service, but the Director of the Census does appoint a great many agents who are provided for special work.

Mr. SMOOT. No; I will say to the Senator that I am quite sure these special agents are not under civil service. The five special agents who will be appointed by the Director of the Census, I have no doubt, will be paid out of the sum provided for by this appropriation.

Mr. GALLINGER. The probability is, Mr. President, that the House of Representatives copied the phraseology of the bill of last year, because these five special agents are not provided for in this paragraph, so far as I can find, and the Senator from Ohio [Mr. BURTON] has called attention to the same thing. I think the words "provided for in this paragraph" ought to be stricken out. They can be restored in conference if they ought

not to be out, and I move to strike out the words "provided for in this paragraph."

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] will be stated.

The SECRETARY. On page 123, line 16, it is proposed to strike out the words "provided for in this paragraph."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SMOOT. Mr. President, I simply want to call the attention of the Senator from Ohio to the fact that in that paragraph he will notice, beginning at the end of line 7, this language:

Per diem compensation of special agents and expenses of same and of detailed employees—

I think it is to that language the phrase "provided for in this paragraph" refers; but as to the five special agents, they could not be paid to exceed $8 per day. I think, therefore, those words should not be stricken out.

Mr. GALLINGER. Mr. President, let the vote whereby my amendment was agreed to be reconsidered. I think the Senator from Utah is right.

The VICE PRESIDENT. If there be no objection, the vote whereby the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] was agreed to will be reconsidered, and the amendment will be regarded as not agreed to.

Mr. BURTON. Well, Mr. President, that is not an authorization to employ special agents. The language in lines 7 and 8 reads:

Per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere—

That does not seem to imply the creation of any new office. Indeed, so far as it goes, it negatives that idea, because it speaks of "detailed employees," while the words which the Senator from New Hampshire proposed to strike out were "provided for in this paragraph." I do not see any place in the paragraph where there is provision for any special agents.

Mr. MARTIN of Virginia. This paragraph provides the compensation, but there must be some provision of law somewhere else authorizing the employment. I agree with the Senator from Ohio. I do not see any specific authority here for their appointment, but it does provide for the compensation of special agents.

Mr. BURTON. Under those circumstances, I should be inclined to think, Mr. President, that the proposed amendment of the Senator from New Hampshire was appropriate. At least, I think the language had better go out, and, if necessary, it can be restored in conference. I am especially interested in this paragraph, in knowing whether these appointees are to be outside the civil service.

Mr. MARTIN of Virginia. I can not answer that. I am not very particular whether they are or not. I am not watching for appointments to positions involving a few dollars, and I am very indifferent to that matter one way or the other. I do not think the Government will be wrecked if the Director of the Census has to appoint them; and I do not think that it will be wrecked if he should have to go to the Civil Service Commission for them.

Mr. BURTON. Except, Mr. President, that the whole tendency in the management of the departments and bureaus by this administration has been to wreck the civil service.

Mr. MARTIN of Virginia. Well, Mr. President, I am not going into a discussion of that question, either.

The VICE PRESIDENT. The question is on the amendment.

Mr. MARTIN of Virginia. Mr. President, I understood that the amendment offered by the Senator from New Hampshire had been withdrawn, but the amendment of the committee has not yet been adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 124, to strike out:

That section 31 of the act approved July 2, 1909, is hereby repealed.

And insert:

Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the Thirteenth and subsequent censuses, including personal services in the District of Columbia and in the field, $2,286,100.

Mr. KENYON. Mr. President, I object to that amendment, and I want to submit a few observations in regard to it.

Mr. MARTIN of Virginia. Mr. President, there will be some discussion about that amendment, and I suggest that it be passed over until we get through with the remainder of the bill.

The VICE PRESIDENT. In the absence of objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 124, line 13, after the word "clerks," to strike out "nine" and insert "ten," and in line 17, after the words "in all," to strike out "$119,280," and insert "$121,080," so as to make the clause read:

Bureau of Foreign and Domestic Commerce: Chief, $6,000; assistant chiefs—1 $3,500, 1 $3,000; chiefs of divisions—1 $2,500, 1 $2,000; assistant chief of division, $2,250; chief clerk, $2,250; translator, $2,000; stenographer to chief of bureau, $1,600; clerks—10 of class 4, 6 of class 3, 1 $1,500, 15 of class 2, 14 of class 1, 13 at $1,000 each (2 transferred to Secretary's office), 14 at $900 each (1 transferred to Secretary's office); 3 assistant messengers; 2 laborers; in all, $121,080.

The amendment was agreed to.

The next amendment was, on page 126, line 17, after the words "United States," to strike out "and for one clerk to each of said commercial attachés to be paid a salary not to exceed $1,500 each," and insert "for clerks to commercial attachés," so as to make the clause read:

Commercial attachés: For commercial attachés, to be appointed by the Secretary of Commerce, after examination to be held under his direction to determine their competency, and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; for clerks to commercial attachés; and for necessary traveling and subsistence expenses, rent, purchase of reports, books of reference and periodicals, travel to and from the United States, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, $100,000.

The amendment was agreed to.

The next amendment was, on page 127, line 5, after the word "each," to strike out "1 $900" and insert "3 at $900 each," and in line 6, after the words "in all," to strike out "$15,540" and insert "$17,340," so as to make the clause read:

Steamboat-Inspection Service: Supervising Inspector General, $4,000; chief clerk and Acting Supervising Inspector General in the absence of that officer, $2,000; clerks—2 of class 3, 1 of class 2, 1 of class 1, 2 at $1,000 each, 3 at $900 each; messenger; in all, $17,340.

The amendment was agreed to.

The next amendment was, on page 127, line 16, after the words "New York," to strike out "twenty-seven" and insert "thirty-three"; in line 20, after the name "Milwaukee," to strike out "eight" and insert "two"; in line 22, after "$2,500," to insert: "Providence, R. I., 2 at $1,800 each; Cleveland, Ohio, 2 at $1,600 each; Chicago, Ill., 2 at $1,600 each; Grand Haven, Mich., 2 at $1,600; Detroit, Mich., 2 at $1,600 each; Portland, Oreg., 2 at $1,600 each"; and, on page 128, line 2, after the word "each," to strike out "$152,500" and insert "$174,500," so as to make the clause read:

Assistant inspectors, as authorized by act of April 9, 1906, for the following ports: New York, 33 at $2,000 each; New Orleans, 4 at $1,800 each; Baltimore, 6 at $1,800 each; Boston, 6 at $1,800 each; Philadelphia, 8 at $1,800 each; San Francisco, 8 at $1,800 each; Buffalo, 4 at $1,600 each; Milwaukee, 2 at $1,600 each; Norfolk, 4 at $1,600 each; Seattle, 8 at $1,600 each; traveling inspector, $2,500; Providence, R. I., 2 at $1,800 each; Cleveland, Ohio, 2 at $1,600 each; Chicago, Ill., 2 at $1,600 each; Grand Haven, Mich., 2 at $1,600 each; Detroit, Mich., 2 at $1,600 each; Portland, Oreg., 2 at $1,600 each; $174,500.

Mr. BURTON. Mr. President, I have received quite a number of complaints that the inspection service was so much behind that boats were delayed in beginning the business of the season. I take it this paragraph increases the number of inspectors and seeks to remedy that situation.

Mr. OVERMAN. Yes.

Mr. MARTIN of Virginia. The Senator is correct. The number of inspectors is increased for the purpose of making the inspection more prompt and more efficient.

Mr. BURTON. When will this provision go into effect?

Mr. OVERMAN. On July 1.

Mr. MARTIN of Virginia. On the 1st day of July next.

Mr. BURTON. If the evil exists, it is pressing now, and I will inquire if there is any objection to stating that these amounts shall be immediately available?

Mr. MARTIN of Virginia. It seems to me the time is so near at hand that we can better afford to go along and await the regular course for the law to become operative rather than to make the amounts immediately available.

Mr. BURTON. The provision is in pursuance of the recommendations of the Supervising Inspector and of the Secretary of Commerce, is it not?

Mr. MARTIN of Virginia. It is duly recommended and estimated for.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 128, line 3, after the word "Service," to strike out "$353,600" and insert "$375,600," so as to make the clause read:

In all, Steamboat-Inspection Service, $375,600.

The amendment was agreed to.

The next amendment was, on page 128, line 25, after "$80,000," to insert:

Provided, That after the passage of this act the officers and employees of the Steamboat-Inspection Service traveling in Alaska may be allowed, in addition to actual traveling expenses, actual expenses of subsistence not to exceed $7 per day when authorized by the Secretary of Commerce.

The amendment was agreed to.

The next amendment was, on page 129, line 12, after "$1,200," to strike out "Bath, $1,000"; in line 13, after "$3,000," to strike out "Gloucester, $600"; in line 15, before the name "Philadelphia," to strike out "Pascagoula, $300"; and in line 17, after the words "in all," to strike out "$29,500" and insert "$27,600," so as to make the clause read:

Shipping service: For shipping commissioners in amounts not exceeding the following: Baltimore, $1,200; Boston, $3,000; New Bedford, $1,200; New Orleans, $1,500; New York, $5,000; Norfolk, $1,500; Philadelphia, $2,400; Portland, Me., $1,300; Seattle, $3,500; Providence, $1,800; Rockland, $1,200; San Francisco, $4,000; in all, $27,600.

The amendment was agreed to.

The next amendment was, on page 135, after line 13, to insert:

For investigation and standardization of methods and instruments employed in radio communication, including personal services in the District of Columbia and in the field, $10,000.

The amendment was agreed to.

The next amendment was, on page 135, after line 18, to insert:

For investigation of the methods of measurement and technical processes in the manufacture of pottery, brick, tile, terra cotta, and other clay products, and the study of the properties of the materials used in that industry, $10,000.

The amendment was agreed to.

Mr. BURTON. There is rather an exceptional provision at the bottom of page 143 and at the top of page 144, reading as follows:

Retired judges: Salaries of judges retired under section 714 of the Revised Statutes, so much as may be necessary for the fiscal year 1916.

No amount is given. Is that one of the continuing appropriations paid out of the Treasury without legislation specifying the amount?

Mr. MARTIN of Virginia. It is never made definite. The item is to pay judges who have retired, and that is a varying amount. We might make a specific appropriation now and within 30 days another judge might retire and there would be no provision to pay him. It is an indefinite appropriation, and necessarily so. It is always made in that form and it is entirely free from any injustice or any wrong.

Mr. SMOOT. I will ask the Senator if it is not a continuing appropriation and paid every year without a direct appropriation being made of a specific amount?

Mr. MARTIN of Virginia. I believe it is customary to make this provision, continuing it every year. It covers a varying class, and the amount can not be fixed without doing injustice to some one.

Mr. BURTON. I am aware, Mr. President, that it is in accordance with law, but I do not see the need of the provision here.

Mr. MARTIN of Virginia. Well, it certainly does not do any harm and, in my judgment, it is necessary.

Mr. BURTON. I do not know that it can do any harm, either.

Mr. MARTIN of Virginia. I am quite sure it can not.

Mr. BURTON. But it is a rather singular provision to put in an appropriation bill in the midst of a number of specific appropriations.

Mr. MARTIN of Virginia. The amount expended last year is given in the Book of Estimates, but exactly what it will be another year depends on circumstances which have not yet developed. There may be other judges who will retire whose salaries would have to be paid. At any rate, the provision can not possibly do any harm.

Mr. WARREN. If the Senator from Ohio will refer to section 714 of the Revised Statutes, he will see that authorization is made for these payments. That section reads:

SEC. 714. When any judge of any court of the United States resigns his office, after having held his commission as such at least 10 years, and having attained the age of 70 years, he shall, during the residue of his natural life, receive the same salary which was by law payable to him at the time of his resignation.

I think, therefore, this is a continuing appropriation in accordance with the provisions of law.

Mr. MARTIN of Virginia. The provision is in the usual language; it is in accordance with the rules of the auditing department of the Government, and it is certainly a safe piece of legislation.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Judicial," on page 145, line 4, after the words "law books," to insert "including the exchange thereof," so as to make the clause read:

Books for judicial officers: For purchase and rebinding of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the nine libraries of the United States circuit courts of appeals, to be expended under the direction of the Attorney General: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased thereunder to be plainly marked, "The property of the United States," $16,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. MARTIN of Virginia. Mr. President, the first amendment passed over, I believe, was on page 28, relating to the Library.

Mr. SMOOT. The first one, I think, is on page 5. As I recall, an amendment was passed over in line 17, on page 5, covering the words "one for the majority and one for the minority."

Mr. MARTIN of Virginia. That relates to the experts for the Finance Committee. The Senator is correct. That, however, is a provision in the House text.

Mr. SMOOT. I understood the Senator from Georgia [Mr. SMITH] to move to strike out the words "one for the majority and one for the minority, at $2,000 each."

The VICE PRESIDENT. That is not a committee amendment.

Mr. SMOOT. That is true.

The VICE PRESIDENT. There are some committee amendments which have been passed over.

Mr. MARTIN of Virginia. I have called attention to the first committee amendment passed over, on page 28.

Mr. LEA of Tennessee. I do not think, Mr. President, there was an amendment passed over at the point indicated by the Senator from Utah [Mr. SMOOT]. There was merely notice given that an amendment would be offered at that point.

Mr. MARTIN of Virginia. An amendment was agreed to there, as I understand, but the Senator from Utah proposed to add to it.

Mr. SMOOT. If the Senator from Virginia has no further committee amendments to offer, when all the committee amendments that have been passed over have been agreed to, I will offer an amendment.

Mr. MARTIN of Virginia. I inquire if the amendment, on page 28, after the figures "$2,500," in line 6, was agreed to?

The VICE PRESIDENT. That was agreed to.

Mr. MARTIN of Virginia. Now, I will go to page 28. Is that the page?

Mr. SMOOT. The next item is on page 30.

Mr. MARTIN of Virginia. Oh, yes; about the Panama Canal. That was passed over, I think, at the request of the Senator from Utah.

The VICE PRESIDENT. The amendment has been read. It was passed over.

Mr. MARTIN of Virginia. I call the attention of the Senator from Utah to the amendment, on page 30, line 21, making an appropriation for the expenses of the formal opening of the Panama Canal. The Senator from Utah asked that that be passed over. It has not yet been adopted.

Mr. BORAH. Mr. President——

Mr. SMOOT. I will say to the Senator that I have sent word to a Senator who desired to speak upon it. Does the Senator from Idaho desire to discuss it?

Mr. BORAH. I do not care to speak on it. I simply wanted to know if there was any statement before the committee showing what this $160,000 is for.

Mr. MARTIN of Virginia. There was an informal schedule sent to the committee from the War Department which estimated for an appropriation of $250,000. In that $250,000 there was provision made for the President and for representatives of foreign Governments and for administrative officers and officials who have done this great work—engineers like Goethals and all the engineers who have been associated with the work.

There was provision made for them, and there was also provision made for taking a large delegation from Congress. It included about $100,000. Three ships were to be set aside for the transportation of Members of Congress. The committee thought that scheme ought not to be carried out. They thought Congress ought to be represented, however, and under the provision as it now exists the President will invite a fair representation of both Houses of Congress.

It was my suggestion to the President that we should not undertake to fix the personnel of this committee, but leave it to him. He said he would not like to undertake that duty; and I then suggested that the presiding officers of the two Houses could relieve him of it; that the President of the Senate could designate the Senators and the Speaker of the House designate the Members of the House to make a committee or a representation of the two Houses of Congress on this occasion and the expenses of that committee of the two Houses of Congress have been provided for in this $160,000. It is largely intended to pay distinguished attention to the South American Republics. The estimate did not go into very great detail, but in a general way it did make out a scheme of the kind I have mentioned.

Mr. BORAH. As I understand, then, a large portion of this $160,000, or at least a portion of it, is to be used for the purpose of paying the way, the expenses, hotel bills, and so forth, of Members of Congress to attend this exposition?

Mr. MARTIN of Virginia. On the contrary, Mr. President, an exceedingly small quantity of it is to be so used. The $100,000 provided for that purpose the committee thought was too large. It did not want any junket. It did not want any large representation from Congress, and we struck out about $100,000 in order not to permit a thing of that sort. A very small committee is to be selected, in order that the Congress may have official representation on this great occasion; but only a very small part of this $160,000 will be required to pay that expense. Indeed, it will be paid out of what had been intended for other purposes. They will have to economize in the other purposes I have mentioned in order to make provision for a small representation of the two Houses of Congress.

There is not to be anything like a junket. There is not to be anything like a great occasion for the pleasure of Senators and Congressmen. It is simply to provide for official representation of the two Houses at the formal opening of the canal, and a very small part of this $160,000 is to be expended for that purpose.

Mr. GALLINGER. Mr. President, if the Senator will permit me, of course the officials of the other American Republics are to be invited.

Mr. MARTIN of Virginia. They are to be chiefly the objects of attention on this occasion.

Mr. SMOOT. I will ask the Senator if it was not understood by the committee that none of the Members of the House and none of the Members of the Senate would be asked to accompany the President on this trip, or that if they did they would pay their own expenses?

Mr. MARTIN of Virginia. Unless the President chose to invite a few Members of each House, which I think he contemplates doing, but which he need not do unless he chooses.

Mr. SMOOT. I thought it was distinctly understood that that was not to be the case—that none of the Members of Congress were to be asked.

Mr. MARTIN of Virginia. That was not my understanding.

Mr. OVERMAN. I will state that I was on the subcommittee with the Senator from Utah, and the original idea was this: We at first provided for $250,000.

Mr. SMOOT. Yes.

Mr. OVERMAN. The idea then was to provide for a large number; but rather than have a scandal about it, or a controversy about it, we struck out $100,000——

Mr. SMOOT. Ninety thousand dollars.

Mr. OVERMAN. Ninety thousand dollars, which was the estimate for Congress. Now, if the President chooses to invite a few of his friends, I presume he will do so. I do not know whether he will do it or not.

Mr. BORAH. Mr. President, do I understand that, so far as the intent of the committee is concerned, it has eliminated the entire amount which it was anticipated would be spent for Members of Congress?

Mr. OVERMAN. Exactly—$90,000.

Mr. BORAH. So there is really no specific provision here, in the mind of the committee, to provide for Congressmen?

Mr. OVERMAN. Not at all.

Mr. BORAH. Then whom is it for?

Mr. OVERMAN. The President has a right to invite anybody he pleases. He can leave Congress out.

Mr. BORAH. Yes; that is true; but what I wanted to get at was the intent of the committee, and whether or not the committee was intending to appropriate for congressional representation.

Mr. OVERMAN. The original intention was to put in $100,000 for Congress; but on account of the fact that there might seem to be a scandal about it in the country we struck that out entirely, and that was the estimate which we did strike out.

Mr. SMOOT. I want to say that my understanding was that no Member of Congress would be invited to take this trip at Government expense. It was my understanding, when the estimated appropriation of $250,000 was first made, that Members of Congress would be invited, but the $90,000 reduction was made with the understanding that none should be invited. That is how I understood it.

Mr. MARTIN of Virginia. I have understood from the first that whether the amount was $250,000 or $160,000, in either instance it was left for the President to expend this money as he saw fit. There was no direction that any Congressman should go, but I knew by an informal statement sent to me from the department that the scheme for the use of this $250,000 included the sending of three ships, with about 250 or 300 Members of Congress on board. For my part, I did not approve of that. I did not care whether there was a scandal or not, but I did not think it was wise or just or reasonable to take three shiploads of Congressmen down on this occasion. I did think, however, that there was some fitness in having a few Members of Congress represent the legislative department of the Government on this formal occasion. I understood from the War Department, and I also understood from a conversation with the President, that he would like to have some Members of Congress present on the formal opening of the canal. I told him the committee had determined to strike out this $90,000 because it did not approve of this great delegation going down there at the expense of the Government. It was said in the conversation, either by him or by myself, that if he wanted to have any Members of Congress present, he could invite them and pay for them out of the $160,000. He said it would be very embarrassing to him to make the selection of a small committee to be present on this occasion, and I suggested that, if he desired it, I had no doubt the Vice President and the Speaker of the House would assist him.

The VICE PRESIDENT. The Vice President has no right to take a hand in legislation. The Vice President announces now that he will appoint no Senators. That can be depended upon.

Mr. MARTIN of Virginia. Mr. President, I take it for granted that if the President of the United States should request you to aid him in the selection of a few Members of Congress to go down there, there would be no insuperable objection on your part; but that is a matter with which we are not concerned. We appropriate $160,000 and put it at the disposal of the President, to be paid out on his order only.

Mr. FALL. Mr. President, does the Senator from Virginia think that the Congress has any concern with how this $160,000 is to be expended?

Mr. MARTIN of Virginia. I think it has; and it has done its part when it has put this sum at the disposal of the President of the United States, who is practically to be in charge of its expenditure. He is to invite the diplomats and the rulers of these South American Republics who have taken a deep interest in the Panama Canal, and he wants to extend to them some courtesies on the occasion of this formal opening. It is all put at the disposal of the President of the United States to be used in that way.

Mr. FALL. Mr. President, I understand from the Senator that there is some tentative scheme of this outlined trip and the expenditure of this money that he has had the good fortune to have presented to him by the War Department, or some other department. I should like to get at the basis upon which this $160,000 was arrived at. For instance, I heard objections here from certain Members of the Senate to the mileage proposed by the committee for the Senators, and rather some little insistence that the mileage provided by the House should be retained, which as I recall was $12,700 for mileage for 96 Senators from their homes to attend the sessions of Congress and return. That, as I figured out, roughly speaking, would amount to $133 apiece. I am perfectly willing to vote the $250,000 mentioned in the tentative scheme that the Senator speaks of if such an amount is necessary to carry out any legitimate purpose in opening the Panama Canal; but, query: If $133 apiece, on an average, is sufficient to pay the mileage and all expenses of a Senator in going to and from his home to attend the sessions of the Senate, how much is necessary to pay the expenses of the President of the United States to and from San Francisco, taking into consideration the fact that he is also to be furnished

with transportation, with war vessels, I presume with food, and with sleeping quarters for himself and his entourage, whether that may consist of diplomats, members of the staff of the Army or the Navy, or of Members of Congress. How much per capita is it? How do you arrive at this $160,000?

As I say, if it is necessary to vote the $250,000 that was originally asked, I am perfectly willing to vote it; but I should like very much to have the same advantage that the Senator from Virginia has had of an examination of this tentative scheme, to find the basis upon which the amount of $160,000 or $250,000 was arrived at, and how much the Senator concluded to strike off, or for what reason he concluded to strike off the arbitrary amount of $90,000, leaving it at $160,000 now.

Mr. MARTIN of Virginia. Mr. President, I explained to the Senator that we struck out what had been intended for, transportation and maintenance of Members of Congress. That was $90,000, and that was stricken from the bill.

Mr. FALL. Exactly. How many Members of Congress was it intended to take upon this trip?

Mr. MARTIN of Virginia. There was no way to fix that. It was estimated, though, that about 250 might be taken, and that it would take about $90,000 or $100,000. Of course, there is no way of figuring out these expenses minutely and mathematically. It is an approximate estimate; and the estimate was $250,000, including about $90,000 for Members of Congress.

Mr. FALL. But there must be some basis even for an approximate estimate.

Mr. MARTIN of Virginia. It was estimated by the Secretary of War that it would take $160,000, excluding this large delegation from Congress.

Mr. FALL. And that is in addition to the amounts which are already appropriated and being used for keeping up the ships which will be used. I can understand why, if the shipping bill had passed, we will say, and $40,000,000 had been put into vessels, and it had been the intention to take the merchant-marine fleet which we were to acquire around to San Francsco, quite an amount of money would be necessary to pay the expenses; but the vessels which are now in the service of the United States are being appropriated for and being paid for. It is proposed now to use those vessels, as I understand, and that in addition to their use and the expenses which are being paid by the Government there shall be a further amount of $160,000. Upon what basis is that $160,000 arrived at? As I say, all that I have before me now is the basis of the mileage, for instance, of Senators.

Mr. MARTIN of Virginia. Mr. President, surely the Senator can not mean to compare this to mileage—to take the representatives of the South American Republics, the diplomats and others——

Mr. FALL. There is nothing said about them.

Mr. MARTIN of Virginia (continuing). And extend to them hospitality, and nobody knows how much hospitality. Nobody can foresee what ought to be done. The purpose was simply to put the Chief Magistrate of the country in a position to do those things that hospitality requires, and extend those courtesies which should be extended to our South American neighbors, and to the engineers and scientific men who have been connected with this great work, on the occasion of the formal opening of the Panama Canal. The nearest estimate we could get from the War Department was that it would take $160,000, leaving out of consideration a large congressional delegation.

Mr. FALL. Mr. President, we are now arriving at something which we can discuss. For the first time we understand now that the purpose of this appropriation is partly to pay the expenses of diplomats of other countries. Nothing whatsoever is said about that in the amendment.

Mr. MARTIN of Virginia. It is entirely up to the President to do all the things he thinks necessary and proper to be done on this great occasion to commemorate the opening of the greatest engineering work that ever has been completed in the history of the world.

Mr. OVERMAN. Mr. President, if the Senator will yield to me, I should like to make a brief statement.

Mr. FALL. Certainly.

Mr. OVERMAN. The President is not limited to diplomats. As I myself heard him say, he is likely to have in the party those persons who have been most directly interested in building the canal. It has been suggested that probably ex-President Taft and ex-President Roosevelt will be invited, and everybody who was connected with the building of this great canal ought to go.

Mr. REED. On the same boat, Mr. President?

Mr. OVERMAN. No; on separate boats. [Laughter.]

Mr. MARTIN of Virginia. It is for the President of the United States to say whether he will invite either Mr. Roosevelt or Mr. Taft.

Mr. OVERMAN. That is right.

Mr. MARTIN of Virginia. There is no limitation on his authority, and there are no instructions to him. It is simply a question of whether or not Congress is willing to put at his disposal this amount of money for the commemoration of this great event.

Mr. FALL. Mr. President, I have learned in the last few days of my legislative experience, and I am having it impressed on me now, that the ideas of some Members of the Senate are not in accord with those of others, and certainly those of one, that there shall be no question whatsoever as to any act of the Chief Executive of this Government; that he shall not be held responsible for the expenditure of the people's money. Forty million dollars may be placed in his hands absolutely without any restriction for building a railroad in Alaska. Forty million dollars more may be placed in his hands for the purchase of vessels without restrictions.

Mr. OVERMAN. What kind of restrictions would the Senator put on him?

Mr. FALL. I would not vote the money unless I knew what was going to be done with it, and I will not vote it unless I have some better evidence as to what is to be done with it.

Mr. OVERMAN. If the Senator were going to draw the amendment, I should like to know what kind of an amendment he would draw and what kind of restrictions he would impose.

Mr. FALL. If I had intended to appropriate $160,000 or $160, I should have specified what the purpose of it was.

Mr. OVERMAN. The Senator would put everything in it in detail, and state how much was to be expended for each item?

Mr. FALL. I would undoubtedly say that it was for the purpose of enabling the President of the United States to invite to accompany him upon this ship foreign diplomats, for instance.

Mr. OVERMAN. I want to know how the Senator is going to specify how much of this $160,000 shall be spent for that purpose, and in what way it shall be spent.

Mr. FALL. Before I voted $160,000 or $1,000 or $250,000 I should want to know something about the plan, so as to base the estimate upon it intelligently.

Mr. OVERMAN. The Senator would like to provide a certain amount for mileage, I suppose, and a certain per diem, and so much for subsistence, and so on, and say how much each foreigner should be allowed, and what it would cost each foreigner to go, and all those things, and how much grape juice should be supplied. [Laughter.]

Mr. FALL. I think it would be very easy, Mr. President, to say that the ships of war which are being furnished free, the naval vessels which are being furnished free, the services of the officers of the Army and Navy of the United States, which are being furnished free, are not included in this $160,000. Then I should think it would have been easy enough—the committee have been in consultation with the President—to arrive at some general conclusion with him as to the total number who would accompany him, whether of his political or domestic family, or of foreign families, royal families, or merely commoners.

Mr. MARTIN of Virginia. I do not think he will draw any political line as to whether he will invite a Republican or a Democrat.

Mr. FALL. I have never yet heard a matter of this kind presented from a Republican source, and I am not here to draw any partisan or political lines; but I am asked here to vote away a sum of money that is being taken somewhere from the people of the United States. I think the President of the United States is still responsible to the people of the United States. I have just as much respect for his high position as is entertained by any Member upon that side of the Senate Chamber, or any member of the committee. I do not for one moment question the honesty of the President of the United States.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that whenever you attempt to specify exactly what shall be done a great many other things will arise that ought to be done, and they will be excluded by reason of the mention of the specific things?

Mr. FALL. The Senator understands well enough that I am not asking him nor the committee to specify the exact amount of money which shall be spent; but I am asking from the committee information to which, as a Member of the Senate, I am entitled as to what basis they used in arriving at the amount of $160,000 as being necessary.

Mr. SHAFROTH. It was the opinion of those who were to have the matter in charge, taking into consideration the foreign diplomats who were to be brought there, and the other persons

who have some interest in the building of the canal, that this amount would be required.

Mr. FALL. I have understood that, but that answers nothing. How did you arrive at the conclusion that you should strike out $90,000 from this item?

Mr. MARTIN of Virginia. I have told the Senator two or three times that that was arrived at by striking out all moneys appropriated to take Congressmen down there.

Mr. FALL. How many Members of Congress were you going to take with that $90,000?

Mr. MARTIN of Virginia. Two hundred and fifty or three hundred—three vessels loaded with them.

Mr. FALL. And you struck out $90,000 for 250 or 300 Congressmen?

Mr. MARTIN of Virginia. We did.

Mr. FALL. And you have left in $160,000 for how many?

Mr. MARTIN of Virginia. I do not know how many the President will take with him or how many diplomats he will invite from the South American Republics and from the world everywhere to be present on this occasion. I will say to the Senator, if he will excuse me for one moment, that this estimate was sent to us in a lump sum from the office of the Secretary of War. It was discussed in the committee; and, so far from there being any politics in it, there was not a single Republican or Democrat either in the Committee on Appropriations who said one word against the allowance of $160,000 for the purpose specified in this amendment.

Mr. FALL. Mr. President, I repudiate the use of the word "politics" in this discussion. I have not used it.

Mr. MARTIN of Virginia. I did not say the Senator used it, but it has been used.

Mr. FALL. I have no earthly objection to the expenditure of any amount of money to enable the President of the United States to go to the San Francisco Exposition in the proper style befitting the President of the United States to carry out the purposes of this amendment, if I understand what they are, but I want some basis for my vote.

Mr. MARTIN of Virginia. I will read it to the Senator again.

Mr. FALL. I have read the amendment.

Mr. MARTIN of Virginia. It is all the basis I can possibly give the Senator.

Mr. FALL. Then, if that is all, I can certainly say that I have no more information than I had from reading it in the first place, and I do not propose to vote the money of the people, so far as I am concerned, without some better basis. I notice that there is another item here of $25,000 for the contingent expenses of the President. Now, that is the usual amount.

Mr. MARTIN of Virginia. Mr. President, surely the Senator does not mean to say that he considers this a provision for the personal expenses of the President?

Mr. FALL. I do not know what it is for. That is what I am asking.

Mr. MARTIN of Virginia. This amendment makes clear what it is for.

Mr. FALL. I do not think it does. That is where we differ. I am asking some specific questions for information, and I can not get it.

Mr. MARTIN of Virginia. I hope the Senator will let me read it, so that it will go in the RECORD.

Mr. FALL. Certainly.

Mr. MARTIN of Virginia (reading):

> For such expenses as, in the opinion of the President, are properly connected with the formal and official opening of the Panama Canal and each and every purpose connected therewith, $160,000.

That is the purpose for which the $160,000 is appropriated.

Mr. FALL. I am not willing to leave everything to the President of the United States.

Mr. MARTIN of Virginia. It is impossible to make a detailed statement of what these expenses are going to be.

Mr. FALL. It is entirely possible and perfectly feasible for the Senator, if he knows anything about the foundation of this item, to explain to the Senate of the United States upon what it is founded. Some basis must be had for it.

Mr. MARTIN of Virginia. I have given the Senator all the information at my command.

Mr. FALL. Well, it is not satisfactory to me.

Mr. KENYON. Mr. President, will the Senator from New Mexico yield to me for a moment?

Mr. FALL. I will.

Mr. KENYON. It seems to me the Senator is getting some information.

Mr. FALL. I think so; yes.

Mr. KENYON. The $90,000 was to cover the expenses of 250 Congressmen, as I understand the explanation.

Mr. FALL. I so understood from the explanation of the Senator.

Mr. KENYON. These Congressmen probably would be treated as well as diplomats or our brethren from South America.

Mr. FALL. They would have to receive different treatment from that accorded to them recently, then.

Mr. KENYON. Well, they probably would receive at least as good treatment. Therefore, the $160,000, at that ratio, would carry about 450; so the Senator has secured the information that this appropriation will carry about 450 people.

Mr. FALL. I thank the Senator for the calculation he has made, which I have not had the time to make in the earnest effort in which I am now indulging to get information. How many diplomats, for instance, are included in this number of 450, approximately? The expenses of Army officers and Navy officers and officials of the Government, as I understand, are already being paid by the Government. Are there 450 diplomats, Members of Congress being excluded? I do not think we have 450 diplomats in the United States at the present time, including neutrals and belligerents.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. FALL. For a question. I do not wish to yield the floor.

Mr. REED. It occurs to me that a much graver question than the one the Senator is discussing is involved in this matter, and has been brought out in the debate, and I want to get the Senator's opinion on it.

Mr. FALL. I am always ready, in my humble way, to give my opinion.

Mr. REED. It is stated that it is the purpose to take both ex-President Taft and ex-President Roosevelt on this trip.

Mr. FALL. Do I understand that that is the purpose?

Mr. REED. That has been stated. I wanted to ask the Senator what he thought would become of the doctrine of neutrality? [Laughter.]

Mr. FALL. Mr. President, the other nations of the world have not joined with this Nation in declaring Panama a neutral zone. We have only done it ourselves, except by a treaty with England, some portions of which seem to have been repudiated. The other nations have not treated it as a neutral zone. I do not know whether I am correct in stating that possibly a part of this money is going to be expended for the protection of the diplomats or the members of the party who are to go through the Panama Canal to San Francisco, or whether it is simply for transportation. I want to get at something. Now, 450 people are to be carried along in addition to the President. The Senator says this is not for the payment of the expenses of the President, as I understand.

Mr. MARTIN of Virginia. Of course everybody knows that. The Senator need not ask me that question. He knows that $160,000 is not appropriated to pay the personal expenses of the President; and the amendment says it is for all expenses incident to the opening of the canal.

Mr. FALL. That means entertainment, music, and so forth?

Mr. MARTIN of Virginia. It certainly must mean entertainment. That is certain. Not only South America, but the nations of the world, are interested in this great event.

Mr. FALL. Bands are furnished, I think, on all the naval vessels. Music is furnished free, I believe.

Mr. MARTIN of Virginia. I think it ought to be. I have nothing to do with the arrangements; but if they do not have music of the very highest order, they will be very remiss in the discharge of their duty, in my judgment.

Mr. FALL. I agree with the Senator. I think there is no doubt about that.

Mr. SHIVELY. In order to meet and obviate the objections made to this appropriation an amendment can be added that everybody on the voyage shall be required to live on mush and milk and shall eat it out of a jug with a pegging awl. [Laughter.]

Mr. FALL. If the Senator from Indiana, who is so familiar with mush and milk, desires to offer that amendment, I shall make no objection to it, because he knows more about it than I do. I am originally from Kentucky.

Mr. MARTIN of Virginia. Mr. President, something has been said here about inviting ex-President Taft and ex-President Roosevelt. I have had no conversation with the President except that I did communicate with him over the telephone and told him we proposed to leave out any provision of $90,000 for Congress. That is the extent of my communication with him. I do not know whom he will invite or whom he will expect to come, but I shall be very much surprised if he fails to invite ex-President Taft and ex-President Roosevelt. There is no politics in this matter, and as they played a very conspicuous part in the construction of the canal it seems to me that the courtesy

of the occasion would require that they be invited and that they be provided for in a luxurious way in view of the distinguished part they took in the construction of this great work.

Mr. OVERMAN. Now, let us understand this matter, to see what is done. I want to state to the Senate the facts. I want to state whom the President took into his confidence. The Senator from New Mexico seems to be doubtful and suspicious. I am surprised that such a broad, patriotic Senator should be suspicious of the President and think he is going to spend some money that he ought not to spend. I will say to him that Mr. MANN, of the House, and Senator GALLINGER, of New Hampshire, and other Republicans were discussing this matter with the Democrats. Senators on both sides of the Chamber were discussing it, and this side of the Chamber agreed that this ought to be done. We laid the whole thing before them, and they agreed on the amount right through.

Mr. FALL. Two hundred and fifty thousand dollars?

Mr. OVERMAN. Two hundred and fifty thousand dollars.

Mr. FALL. Why did you strike out the $90,000?

Mr. OVERMAN. Because of complaint on the part of some Congressmen, and some criticism, we struck out all about Congress. That was the amount we talked about; and the President called to his chamber the leaders on this side of the Chamber, so-called—and they are the leaders—and in the House of Representatives, and we all agreed on it. Now, the Senator is raising a row and having a suspicion go up that the Government will spend some few dollars it ought not to spend, and asking for every little detail, when all the President has done is to ask the Secretary of War how much money it will take, and the Secretary of War sends down to him and tells him what it will take. We got from the Secretary of War the amount it will take, and we propose to make the appropriation. What would the Senator have us do?

Mr. FALL. The Senator realizes that the names he mentions are those of the leaders of both Houses. It appears that after a consultation with the leaders of both Houses the House refused to put a dollar in this bill for any such purpose as is herein specified. There appears to be an understanding, however, the House of Representatives having failed to vote a cent, that we should place it in the bill.

Mr. OVERMAN. Let us get the facts straight again.

Mr. FALL. I beg the Senator's pardon.

Mr. OVERMAN. The House of Representatives never had this matter before the committee.

Mr. FALL. This bill was before it.

Mr. OVERMAN. Not at all, in regard to this matter. This bill was pending in the House, and it was not intended to put it in the bill, but it was to be a separate measure.

Mr. FALL. Then this is new matter.

Mr. OVERMAN. It is no new matter. It is a matter put in so that we could pass it. The Senator knows that I introduced a joint resolution. I suppose it was introduced also in the House; but it is impossible to get it through at this session unless we put it on an appropriation bill.

Mr. FALL. What amount of money was appropriated in the joint resolution?

Mr. OVERMAN. In the original joint resolution $250,000, just the amount agreed on.

Mr. FALL. Exactly. That has been, apparently, the amount agreed on all the way through.

Mr. OVERMAN. That is the amount understood between us, and we afterwards concluded to put in $160,000, the estimate that was understood in the President's executive chamber.

Mr. FALL. How was it understood? How did you arrive at the amount?

Mr. OVERMAN. The Senator has been told a dozen times that the President asked the Secretary of War how much it would take, and he stated what it would take, and he recommended it, and the committee recommended it. What does the Senator want? Will he let us know?

Mr. FALL. What is your estimate?

Mr. OVERMAN. We made no estimate. The Secretary of War made an estimate of $250,000, and we have taken the word of the Secretary of War that that is the amount required.

I want the Senator to suggest an amendment and say how he would make it. I would just like to know what sort of an amendment he would propose.

Mr. FALL. The Senator is very welcome to the responsibility which he so gracefully assumes of spending the people's money without any estimate of any kind, not even providing that so much of the amount as may be necessary shall be expended, but providing an outright appropriation of $160,000 for certain purposes not shown in the bill at all.

Mr. President, I was just seeking to go back to some basis of legitimate estimates in expending the people's money. One of the Senators seemed to think $12,700 was enough mileage for Senators. I am willing to agree that the President of the United States is greater than the majority of this body. He has shown that, and they have shown it. I am willing to agree to that, and I would say——

Mr. THOMAS. Mr. President, will the Senator allow me to interrupt him long enough to express the hope that he will continue to show it?

Mr. FALL. I know you will continue to show it, judging by your actions.

Mr. THOMAS. Certainly I will follow the lead of the President of the United States as long as he is doing as well as he has done heretofore.

Mr. FALL. Following the Senator's own words, as well as the lead of the President of the United States, assuming that the President is greater than the majority of the Congress, he, in his judgment, thinking that $12,700 is sufficient for all the Senators of the United States, he should at least agree with me that $12,700 should be enough for the President of the United States. But admitting that he is greater than the entire Congress or the Senate, then double the amount, and with what is already provided for, as he has $25,000 already provided for in the bill, we would have some basis.

Mr. WARREN. It is not provided for in this bill.

Mr. MARTIN of Virginia. Mr. President, I wish to correct the Senator's continued and repeated statement that $12,750 is appropriated for mileage. The bill appropriates $51,000 for the mileage of Senators and $175,000 for the mileage of Members of the House.

Mr. FALL. I agree with the Senator that the $51,000 ought to continue to Senators.

Mr. MARTIN of Virginia. The Senator still continues to speak of $12,750.

Mr. THOMAS. I am sorry to say that the Senator is as accurate in that statement as he has been in his criticism of the manner in which the President is expected to spend this money.

Mr. FALL. I notice that the tolls are omitted. I am glad the President has concluded with the foreign diplomats, at least that he does not find it necessary to the carrying out of his foreign policy that the ships carrying them should pay tolls. In fact, I have found some little sentiment of gratification in this discussion if not in the amendment as offered by the committee itself.

Mr. MARTIN of Virginia and others. Question!

Mr. KENYON. Mr. President, I offer the following amendment to the committee amendment. I wish to say that I shall vote against the whole appropriation, but I think this amendment would make it better.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment the following proviso:

Provided, That no part of this appropriation shall be used to pay any expenses of Members of Congress.

Mr. MARTIN of Virginia. I move to lay the amendment of the Senator from Iowa to the amendment on the table.

Mr. KENYON. I ask for the yeas and nays on that motion.

The yeas and nays were ordered and the Secretary proceeded to call the roll.

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I withhold my vote.

Mr. JONES (when his name was called). I am paired for the afternoon with the Senator from Indiana [Mr. KERN], and I therefore ask to be excused from voting.

Mr. SMITH of Michigan (when his name was called). I am paired with the junior Senator from Missouri [Mr. REED]. I do not see him in the Chamber and withhold my vote. If permitted to vote, I would vote "nay."

Mr. STONE (when his name was called). I transfer the pair I have with the Senator from Wyoming [Mr. CLARK] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Georgia [Mr. HARDWICK] and vote "yea."

Mr. SMOOT. My colleague [Mr. SUTHERLAND] is absent from the Chamber on account of illness. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. If my colleague were here, he would vote "nay."

Mr. GALLINGER. I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. In his absence I will withhold my vote.

The result was announced—yeas 35, nays 30, as follows:

YEAS—35.

Ashurst	Hughes	Perkins	Smith, Md.
Bankhead	Johnson	Pittman	Stone
Bryan	Lea, Tenn.	Ransdell	Swanson
Burleigh	Martin, Va.	Robinson	Thompson
Camden	Martine, N. J.	Shafroth	Tillman
Chamberlain	Myers	Shively	Walsh
Chilton	Oliver	Simmons	Warren
Dillingham	Overman	Smith, Ariz.	Williams
Fletcher	Owen	Smith, Ga.	

NAYS—30.

Borah	Fall	Lodge	Smoot
Brady	Gore	McCumber	Sterling
Brandegee	Gronna	Norris	Thomas
Bristow	Hollis	Page	Townsend
Burton	Kenyon	Poindexter	Vardaman
Catron	La Follette	Pomerene	White
Clapp	Lane	Root	
Crawford	Lippitt	Sheppard	

NOT VOTING—31.

Clark, Wyo.	Hardwick	Nelson	Smith, Mich.
Clarke, Ark.	Hitchcock	Newlands	Smith, S. C.
Colt	James	O'Gorman	Stephenson
Culberson	Jones	Penrose	Sutherland
Cummins	Kern	Reed	Thornton
du Pont	Lee, Md.	Saulsbury	Weeks
Gallinger	Lewis	Sherman	Works
Goff	McLean	Shields	

So Mr. KENYON's amendment to the amendment was laid on the table.

The VICE PRESIDENT. The question recurs on the amendment of the committee.

Mr. SMITH of Michigan. Mr. President, I desire to call the attention of the Senator from Virginia to the appropriation of $104,000 in the last naval appropriation bill for this purpose. The language of that appropriation is as follows:

Provided further, That the sum of $104,000, or so much thereof as may be necessary, be expended, on the approval and authority of the Secretary of the Navy, for entertaining the officers and crews of foreign fleets which may be sent to attend and participate in the Panama-Pacific International Exposition in consequence of the invitation of the President of the United States, extended in pursuance of the authority contained in the joint resolution of Congress approved February 15, 1911, and of the authority contained in the act making appropriations for the naval service for the fiscal year ending June 30, 1912, and for other purposes, approved March 4, 1911.

This law as it now stands provides:

For defraying such other expenses incident to the visit of the said foreign fleets as the Secretary of the Navy may deem proper, and the said sum shall be available until November 15, 1915.

It also provides for a rebate in tolls. I should like to ask the Senator whether the amount sought to be appropriated in the present bill is in addition to this sum, which has already been appropriated?

Mr. MARTIN of Virginia. The appropriation to which the Senator from Michigan now refers has no relation whatever to this matter.

Mr. SMITH of Michigan. It has no relation to this matter?

Mr. MARTIN of Virginia. None whatever. It has nothing to do with the ceremonies of opening the Panama Canal. It is simply for the entertainment of the officers of foreign navies who may attend the Navy rendezvous at the Panama Exposition.

Mr. SMITH of Michigan. I understand that even now this appropriation is being used for the purpose of entertaining naval visitors from abroad. I make no point against it. It is a very appropriate thing to do.

Mr. MARTIN of Virginia. It will have to pass the auditing department of the Government and be shown by proper vouchers to have been expended in accordance with the provisions of that law, which has no relation whatever to the purpose of the amendment now under consideration.

Mr. SMITH of Michigan. Then, if I understand the Senator from Virginia correctly, the $160,000 contained in the present bill is not for the purpose of being expended by the Navy Department?

Mr. MARTIN of Virginia. It is not, but by the President of the United States.

Mr. SMITH of Michigan. The appropriation heretofore made stands, and is to be expended as the Secretary of the Navy may think proper?

Mr. MARTIN of Virginia. For entertaining officers of foreign fleets at San Francisco.

The VICE PRESIDENT. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment passed over will be stated.

The next amendment of the Committee on Appropriations which had been passed over was, on page 124, to strike out lines 1 and 2, as follows:

That section 31 of the act approved July 2, 1909, is hereby repealed.

And in lieu thereof to insert:

Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the Thirteenth and subsequent censuses, including personal services in the District of Columbia and in the field, $2,286,100.

Mr. KENYON. Mr. President, I want to submit a few observations with reference to this item, provided anybody will listen to them.

Mr. SMOOT. Mr. President, as this item amounts to over two and a quarter million dollars, and as the Senator from Iowa is going to speak to it, before he does so I think we had better have a quorum, as we are going to be asked to vote upon it. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	Nelson	Simmons
Bankhead	Gallinger	Norris	Smith, Ariz.
Borah	Gore	Oliver	Smith, Ga.
Brady	Gronna	Overman	Smith, Md.
Brandegee	Hollis	Owen	Smith, Mich.
Bristow	Hughes	Page	Smoot
Bryan	James	Perkins	Sterling
Burleigh	Johnson	Pittman	Stone
Burton	Jones	Poindexter	Swanson
Camden	Kenyon	Pomerene	Thomas
Catron	Lane	Ransdell	Thompson
Chamberlain	Lea, Tenn.	Reed	Tillman
Chilton	Lodge	Robinson	Townsend
Clapp	McCumber	Root	Vardaman
Clark, Wyo.	Martin, Va.	Shafroth	Warren
Crawford	Martine, N. J.	Sheppard	White
Dillingham	Myers	Shively	Williams

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a quorum present.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. KENYON. I yield for a question.

Mr. PITTMAN. No; I do not care to ask a question. I had another matter in view.

Mr. KENYON. Mr. President, I should like briefly and in as logical a manner as I can to explain this provision, which seeks to add $2,286,100 to this bill. I think in a time of prosperity this would be an absolutely indefensible proposition, but it is even more so now, at a time when the Nation's revenues are not in the best condition. This item is entitled "Census of agriculture," which possibly may make it alluring at first glance to those who represent agricultural constituencies. I represent an agricultural constituency, and, as I believe, the best agricultural State in the Union; but there are no farmers, so far as I have been able to discover, who are asking for this appropriation.

The proposed census of agriculture will give no information that is not now possessed. It will be a duplication of work, because the same facts can be found by anyone who desires them in the census which has heretofore been taken or in the agricultural publications which are issued year by year. It does seem to me that when additional taxes are being levied upon the people under the guise of war taxes this Congress ought not to appropriate, except where it is essential, or reasonably essential, for the public interest and welfare to do so. The report of the House committee says as to this item:

Under section 31 of the act of July 2, 1909, providing for the thirteenth and subsequent decennial censuses, it is required that in the year 1915, and once every 10 years thereafter, a census of agriculture and live stock shall be taken; accordingly, based on estimates regularly submitted by the Department of Commerce, there is recommended in the accompanying bill the sum of $2,286,100, including provision for the payment specifically of 1,000 temporary employments. As this expenditure is not an annual one, and will occur only once every 10 years, it constitutes no element for intelligent comparison of appropriations of one year with another, therefore the following comparison of the bill with the estimates submitted for 1916 and the appropriations for 1915 is made without reference to the estimates for this special service or the amount recommended therefor by the committee.

The House had this matter under consideration, and in the House bill as reported to that body it was provided as follows:

Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the thirteenth and subsequent censuses, including the employment, in addition to the regular force of the permanent Census Office, of not to exceed 1,000 temporary clerks at a salary of not to exceed $1,000 per annum for a period not to exceed two years, the Director of the Census—

And so forth.

The item also provided for "the employment of special agents at a salary not to exceed $6 a day, with actual and necessary

traveling expenses and an allowance of not to exceed $4 a day in lieu of subsistence," and so forth.

So that here is the carrying out of a provision of law, and that provision of law is taken from the act providing for the thirteenth decennial census. Section 31 of that act provides:

That there shall be in the year 1915, and once every 10 years thereafter, a census of agriculture and live stock, which shall show the acreage of farm land, the acreage of the principal crops, and the number and value of domestic animals on the farms and ranges of the country. The schedule employed in this census shall be prepared by the Director of the Census. Such census shall be taken as of October 1, and shall relate to the current year. The Director of the Census may appoint enumerators or special agents for the purpose of this census, in accordance with the provisions of the permanent census act.

Now, it is true, Mr. President, that this appropriation was made to carry out, I assume, the terms of that act. Upon discussion in the House of Representatives an amendment was offered to repeal section 31 of the act of 1909, and that amendment was carried, and is in this bill as it came from the House. The committee of the Senate, however, struck that out and substituted practically the old House proposition for this census of agriculture.

I contend, Mr. President, that there is no necessity for this census; that there is no demand for this census in the agricultural communities; that it will do one any good except those who are to obtain the great number of jobs that are proposed to be created by this provision.

Further than that, it is practically a duplication of work, for the Committee on Agriculture, in a bill which will be before the Senate in a short time, has provided an appropriation for a Bureau of Crop Estimates covering it, as will be found on page 58 of the Agricultural appropriation bill:

All necessary expenses for collecting, compiling, abstracting, analyzing, summarizing, and interpreting data relating to agriculture; for making and publishing periodically crop and live-stock estimates, including acreage, yield, and value of farm products.

Mr. BRYAN. Mr. President——

Mr. KENYON. I yield to the Senator.

Mr. BRYAN. What is the amount of the appropriation in the Agricultural bill?

Mr. KENYON. The amount appropriated is $283,480, to cover the entire expenses of the Bureau of Crop Estimates.

Mr. BRYAN. But for the crop estimates, what is the amount?

Mr. KENYON. I will say to the Senator that I do not think that is differentiated from the general sum. Yes; $142,000, as I read the bill. It is a little difficult to get at its real meaning.

Mr. President, there are three things to be covered by this enumeration of the census. One is the acreage of farm lands; another is the number of acres devoted to the cultivation of the principal crops; another is the number of domestic animals. I may say, in passing, that the print of this census would not be along for a year or two, the way things are ordinarily done, and would be of no value to the farmer. The farmer does not need this. He gets every year from the Agricultural Department a yearbook, and I hold in my hand the Yearbook for 1913. That yearbook, as I view it, with 145 pages, is devoted to the very things that would be covered by this agricultural census, and the farmer does not even read that yearbook in full.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I do, for a question.

Mr. BORAH. Was there any showing before the committee as to who desired to have this item put in the bill and what it was for?

Mr. KENYON. I will answer the Senator's question by turning to the hearings before the House committee. The Postmaster General appeared before the House committee and urged this appropriation, and I think I will place in the RECORD some of his language. These are the hearings for the year 1916, as I understand:

Mr. BURLESON. I think the inquiry should be directed to ascertain the number of acres in the farm in cultivation, the number of acres planted to the principal crops, and I think the principal crops are corn, wheat, oats, cotton, tobacco, and potatoes. I do not think it was intended to cover anything else.

Further down:

Mr. BURLESON. Then the bill was reintroduced, and I went before the Committee on the Census and made an argument—

In that I think he refers to the bill of 1909, providing for taking a census, to which there was added this provision for an agricultural census—

I went before the Committee on the Census and made an argument, and Secretary Wilson appeared and made an argument, and we hoped to put it through at that time. Later on, when Mr. Crumpacker brought forward his bill, I took advantage of that opportunity and said: "Now, Brother Crumpacker, this goes in or there will be trouble," and he put it in.

That is the way this provision was engrafted on the original bill of 1909. The yearbook that is issued every year by the Department of Agriculture contains all of these things and all of these data.

Mr. BORAH. Mr. President, may I ask the Senator another question?

Mr. KENYON. Certainly.

Mr. BORAH. Is the information which is contained in the yearbook such accurate information as would be gathered from a census properly taken?

Mr. KENYON. I think the claim is now made that that is the reason for taking the census. I did not know of that until to-day; but I understand that the hearings before the Senate committee tended to show that the estimates here were not exact, and that is undoubtedly true.

Mr. OVERMAN. Mr. President, will the Senator let me put in one paragraph here from a letter of the Secretary of Agriculture in reference to that matter?

Mr. KENYON. Yes. I will ask the Senator when that letter was written?

Mr. OVERMAN. It is dated December 15, 1914. I quote this in response to the question asked by the Senator from Idaho.

Accurate and timely estimates of crop and live-stock production are of vital interest to farmers, transportation companies, dealers, merchants, manufacturers, distributors, and consumers. Such estimates enable farmers to market their crops intelligently, transportation companies to estimate the number of cars required to move the crops, and other business men to avoid economic waste and loss in the conduct of their enterprises. Both producers and consumers are benefited by the economic and commercial adjustments which are based on estimates of agricultural production.

Then he goes on and shows by percentages that the statements that he is now circulating are false.

Mr. BORAH. From whom is the Senator reading?

Mr. OVERMAN. This is a letter from Secretary David F. Houston. He goes on to show that he can not make accurate estimates now on anything at all because of the errors he has found.

Mr. KENYON. That was before the year 1910, was it not?

Mr. OVERMAN. No; this is 1915.

Mr. KENYON. But he is referring to estimates before the year 1910. I do not think that discrepancy has existed since that time.

Mr. OVERMAN. But it is since the census reports are so incorrect. He is basing the estimate for this year on the census that has been taken, and he finds that in every State there is a difference, sometimes as high as 120 per cent. I presume that if we should look at Idaho, if I could find it, we would find a similar error. Let me see if I can find Idaho.

Mr. KENYON. Why would not those same discrepancies occur in the proposed census?

Mr. OVERMAN. The law itself requires that this census shall be taken every five years, and we think it is important that it should be done, in order that we may have correct estimates. It is impossible to get a correct estimate unless we have a census more frequently than once every 10 years.

Mr. KENYON. It is impossible to get correct estimates of crops, anyhow.

Mr. OVERMAN. That is another question.

Mr. KENYON. Take corn or oats. Some of it is put into silos; at times hogs are turned into cornfields. It is just a question of estimating, exactly the same as these reports are founded on estimates. You can not get anything more accurate.

Mr. OVERMAN. The estimate of the number of acres in the Senator's State is incorrect, I suppose. I will not say the Senator's State, but in many of the States the census reports are not correct, as shown.

Mr. KENYON. Oh, not exactly correct; no; but they come as near as human probability could expect them to be.

Mr. SHIVELY. Mr. President, will the Senator yield to me?

Mr. KENYON. I yield for a question. I do not want to lose the floor.

Mr. SHIVELY. The Senator says that recently the estimates have been more nearly correct.

Mr. KENYON. Since the census of 1910.

Mr. SHIVELY. Yes. If that be true, if the service has been improved in such a way that the estimates are reliable, then, of course, these figures no longer have much significance. Just as an instance, however, the estimate for 1909 for South Carolina on the acreage of wheat was 381,000, and the census disclosed 43,000.

Mr. KENYON. There are a great many erroneous figures or estimates in 1909, but I ask the Senator if he will produce any for 1913 or 1914?

Mr. SHIVELY. No; I will not.

Mr. KENYON. I think the Senator can not.

Mr. SHIVELY. I do not say that the 1913 or 1914 estimates are correct or not correct. I am merely calling attention to those which have come under my observation and which are five or six hundred per cent in excess of the real fact.

Mr. KENYON. The census that was taken in 1910 was not published until 1913, as I understand.

Mr. SMOOT. Mr. President, the practice of publishing the estimates each year necessarily brings the ninth year, just before the general census is taken, off as far as possible from the facts. Each year there is an estimate made, and then the next year an estimate is based upon that year and the next one upon that year, and at the end of the ninth year all of the mistakes that have been made during all of the 9 years show as soon as the general estimate of the 10 years is made. That is why the estimates of 1909 are so far from the facts—because they have been based upon the 9 preceding years, and all of the mistakes that were made during the 9 years show as soon as the census is taken for 1910. The present mode of estimating crops is no better than it was in 1908 or 1909, and the estimates are made exactly the same now as they were made then, but when the year 1919 comes all the mistakes of all the estimates of all the years will show as soon as the census is taken for 1920.

Mr. KENYON. Mr. President, I have before me corroborative evidence, I think, of the statement of the Senator from Utah. In the hearings before the Committee on Appropriations of the Senate there seem to be some discrepancies in 1909 and in 1899, every 10 years running on the "9" figure; but from 1909 on there are none shown at all.

Mr. SMOOT. No.

Mr. BRYAN. Mr. President, can not the Senator see that it is not possible to show that a mistake has been made in the estimate unless we provide for enumerations, so that we can find out what the fact is?

Mr. KENYON. We have had every year the figures in the agricultural yearbook, which I understand the Senator says are incorrect.

Mr. BRYAN. But the reason the chief of the bureau does not show that there is a mistake since 1910 is because he does not know. It is simply an estimate, and the very purpose of this provision is to stop the estimate and attempt to get at the fact in 5 years, instead of waiting for 10 years.

Mr. KENYON. If nobody knows that there have been any mistakes in the estimates, who has been hurt by them?

Mr. BRYAN. Does not the Senator see—I think the Senator must see—that the only way to find out whether you have made mistakes or not is to go and get the facts? The Senator says that nobody has contended that the estimates snce 1910 are not correct. The department does not believe they are correct, because, acting upon past experience, it knows that they have not been correct; and the very purpose of this provision is so that instead of allowing the estimates to accumulate from year to year for 10 years, within half that period we will take another census, so as to let the estimates begin from the census and from the facts ascertained. If you make an estimate based upon an error of the crop for one year, and base your next year's estimate upon that error, you very soon pile up errors until we had better stop issuing the estimates at all.

Mr. KENYON. Why, of course there will be errors, and when you multiply the errors for 9 or 10 years it will amount to some considerable amount; but does the Senator from Florida believe that the mistakes that have been made in estimates are sufficient to warrant this Congress, in the present condition of the finances of this Nation, in voting two and a quarter million dollars for this kind of a proposition?

Mr. BRYAN. Mr. President, if I did not think so I would not be supporting the proposition. When the Senator gets through I will state why I think it is proper to support it.

Mr. THOMAS. Mr. President——

Mr. KENYON. I yield to the Senator from Colorado.

Mr. THOMAS. I understand this bill to be one making appropriations for the legislative, executive, and judicial expenses of the Government. This amendment provides for taking an agricultural census. I hope before the Senator takes his seat he will endeavor to explain if he can, what connection there is between an agricultural census and the expenses of the national legislative, executive, and judicial departments.

Mr. KENYON. Of course the theory is that it is one of the expenses attached to the executive branch of the Government acting through the Department of Agriculture.

Mr. THOMAS. But that is only a theory.

Mr. KENYON. It is only a theory; and of course the condition of affairs in the country now as to our finances is a condition, not a theory.

Mr. THOMAS. I quite agree with that. A few moments ago the Senator read from the testimony of Mr. Burleson explaining the manner in which the statute was enacted.

Mr. KENYON. Yes.

Mr. THOMAS. My only reason for taking up the time of the Senator is to emphasize the vicious practice by means of which so-called riders are attached to all sorts of bills entirely foreign, generally speaking, to the subject matter of those bills.

This is a provision which, if it is a good one, ought to stand or fall upon its own merits. It is placed in here as a part of this bill doubtless because it is the only way in which its passage can be secured, and it can be secured here by forcing it through upon the alternative either of making it a part of the bill or having the bill itself fail of passage. It is not right.

Mr. KENYON. It gets back to the old proposition, upon which I think the Senator and I agree, that the President ought to have the power to veto any item in an appropriation bill.

Mr. THOMAS. Why, there is no question but that if the President had the power to veto specific items in appropriation bills, he could and would save the people of this country millions of dollars every year.

Mr. KENYON. There is no doubt about that.

Mr. THOMAS. And if in our Constitution there were the same provision that appears in the constitutions of nearly all of the States of the Union, providing that no bill shall refer to more than one subject, which shall be expressed in its title, it would be impossible to effectuate legislation such as this.

Mr. KENYON. Of course I absolutely agree with the Senator, and I think the Senator will agree with another proposition—that if appropriations are to go on as they have been going on, and such matters as this are put into appropriation bills, and no system is established of correlation between the different committees or between the executive departments and Congress, this Government is going on the rocks financially.

Mr. THOMAS. I think that prophecy may be verified, Mr. President. The difficulty lies in our system. Both parties are to blame for it.

Mr. KENYON. That is true.

Mr. THOMAS. Neither party seems to be able to correct it. Until some satisfactory system of estimating our receipts and expenditures can be made the basis of financial legislation the expenditures of the Government are going to increase, and increase constantly; and there is no question but that it will lead to bankruptcy unless some such method can be devised and put into effect in the course of a few years.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. KENYON. I yield.

Mr. STERLING. I should like to ask the Senator from Iowa whether he does not think this item is quite as germane to the title of the bill as many other items named in the bill. I turn to page 123, just at random, and for an example; and under the heading "Census Office" I find this:

> For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical report of stocks of baled cotton in the United States and of domestic and foreign consumption of cotton—

And so forth.

That is quite as germane, is it not, as the item now under consideration?

Mr. KENYON. Oh, unquestionably.

Mr. STERLING. Is not this an item for the payment of the expenses of one of the departments of the Government, an appropriation for the executive department, and therefore is it not proper so far as that is concerned?

Mr. KENYON. Oh, I am not raising the point that it is not proper, possibly, in this bill. I am raising the objection that it is a perfectly useless thing, in the first place, and, secondly, that if there is any necessity for it this is not the time to appropriate this two and a quarter million dollars.

Mr. POMERENE. Mr. President——

Mr. STERLING. Just a word further, if the Senator will permit me, not exactly in the nature of a question.

Mr. KENYON. Mr. President, under the rules of the Senate I can not yield for anything but a question.

Mr. JONES. There is no filibuster on now.

Mr. KENYON. Is that applicable only during a filibuster?

Mr. JONES. Yes; that is all.

Mr. STERLING. I will waive the matter until later, then.

Mr. JONES. Referring to the proposition of the President having the power to veto a proposition in an appropriation bill, I will say to the Senator I think it might be well if the President had that power, and I would vote to give it to him; but I do not think that it would result very much in the curtailment of appropriations. I wish to suggest to the Senator that in the sundry civil bill alone Congress is appropriating $12,000,000 less than the estimates from the department, and the President would not very likely veto any proposition in a bill that was urged pretty strongly by one of his executive officers. So we are not going to get economy by vesting the President with the power to veto an item in an appropriation bill. The only way is to make the appropriations and cut them down ourselves.

Mr. POMERENE. Mr. President——

Mr. KENYON. Mr. President, I yield to the Senator from Ohio for a question.

Mr. POMERENE. The question I desire to ask is this: It was stated by the Senator that there were certain estimates of acreage, and so forth, given in the Agricultural Yearbook, and it was stated that those estimates were not reliable.

Mr. KENYON. I have not said that.

Mr. POMERENE. Oh, no; I say it was stated that those estimates were not reliable. Is the Senator able to give us any information which would indicate the difference between the actual acreage and the estimates which are given?

Mr. KENYON. Mr. President, if the estimates of the crops and statistics that are sent out in the Agricultural Yearbook every year are not reliable, we had better stop publishing it, because it is a matter of great expense. This is sent all through the country, and I have never before heard it claimed that they were not reliable and up to date.

Mr. POMERENE. In reading some of the testimony, I notice that there seemed to be certain discrepancies in certain States, but whether that was shown I have not been able to advise myself. I was wondering whether the Senator had any specific information on that subject.

Mr. KENYON. I have some here, and if I can find it I will refer to it later.

Mr. OVERMAN. If the Senator please, I will read just a few lines from the statement given before the subcommittee by Secretary Redfield as to one State:

> Senator SMOOT. For what period of time, Mr. Secretary?
> Secretary REDFIELD. From 1899 to 1913. If I may take your own State, Mr. Chairman—
>
> I happened to be chairman of the subcommittee—
>
> as an example, I find that the acreage of corn in North Carolina in the year 1899 was found to be in error by a shortage of 262,000 acres, and in 1909 it was found to be in error by an excess of 438,000 acres.

Then in Utah there was about the same percentage, and so with a great many of the States.

Mr. KENYON. I will answer that. We appropriate every year about $150,000 in the Agriculture appropriation bill for the Secretary of Agriculture to get these estimates. If they are wrong every year why do we keep on doing this?

Mr. SHAFROTH. Mr. President, I should like to make a suggestion there to the Senator.

Mr. KENYON. I will yield.

Mr. SHAFROTH. I was on the committee that reported this bill, and I took leave to differ from the committee on this particular item. I did not believe that it ought to be passed. But I want to say that it is almost impossible, even if you have an accurate census taken one year, to estimate what will be the acreage the next year. Whenever the price of products in one line goes up a great acreage follows, and whenever a product declines, as the price of wheat or something like that, gets low, then, as a matter of fact, the production falls. But accuracy of estimate is almost impossible. I have found that whenever you make an accurate statement in regard to the census on a matter, the people are very much disappointed in it. It is true in population; it is true in everything. Every State is trying to boom its products, saying it produces so much, and certain statements are made in relation to it, and whenever you take an accurate statement it is disappointing to the people, and they want to have another one taken right over again.

Mr. KENYON. Mr. President, here are three finely bound books, "Thirteenth Census of the United States," volumes 5, 6, and 7. They are all devoted to agriculture and were published in 1913, and every conceivable question extant, of crop, stock, land irrigation, everything that could be thought of with relation to the farming interests of this country, is covered in that census which we have had only for use now for a couple of years.

I wonder how many farmers have ever read it or paid any attention to it, or very few other people, for that matter? If this is being done in the name of the farmer he has not asked for it and he does not want it. There are too many statistics now that are compiled by theorists as to the farmer. We simply stuff him with statistics. He knows a good deal more about it than the young fellow with rolled-up trousers at the bottom, who goes to him with a cigarette and instructs him how to farm and asks questions of him, such as: "How many children have you, and why," and "Are you married, and why," and "Have you no children, and why," and a lot of infernal nonsense that is ground up for the farmers every year. They do not want it.

Mr. SHAFROTH. I should like to ask the Senator if it is not a fact that the statistics or estimates are very valuable to the man who wants to buy or sell on the market, so as to ascertain whether he can make a bigger profit out of the farm than he could otherwise?

Mr. KENYON. Exactly. It might do the Chicago Board of Trade a lot of good to have these expenditures made. Here is a census that has cost this country $15,000,000, and $4,000,000 of that was devoted to this agricultural census.

Now, over on the House side, I want to read what some of the Democratic House leaders said about this matter. Mr. PAGE of North Carolina said, in the debate——

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Florida?

Mr. BRYAN. For the sake of economy of time more than anything else I object to the Senator from Iowa reading from the debates in the House of Representatives and from speeches made there.

Mr. KENYON. Does the Chair hold that this is correct?

Mr. BRYAN. Jefferson's Manual, on page 96, says that it is improper to refer in the Senate to what is said in the House, and vice versa. The rule is not based on whether it is adverse criticism. I think the Senator from Iowa is familiar with that. If the Senator, for example, will read from a Member of the House, and desires to commend him for what he said and to agree with him, some other Senator in answer to that might be led into an adverse criticism of what was said. The correct way is not to refer to debate in the House at all.

Mr. KENYON. Without conceding the point, I believe there is a good deal of force in it and I do not want to make a precedent of it. Of course, I am perfectly willing not to read the debate, but I will merely refer to matters that took place.

Mr. SHAFROTH. As the question is one of time, I should think we could agree that within half an hour from this time we shall take a vote on this amendment. Would that be satisfactory?

Mr. KENYON. I will not take more than 10 minutes, and that would require a roll call.

Mr. SHAFROTH. We want to get this bill out of the way.

Mr. THOMAS. Mr. President, we spent a great deal of time this morning over an item of $280. We are now considering one of two and a half million dollars, and yet there are not half as many Senators upon the floor as were in attendance then. I wonder if $280 for an employee is more important to the senatorial mind than two and a half million dollars to be expended upon a measure of this sort. It seems to me that we ought to debate it. If we are going to have a cloture rule, that is all right; but we have spent weeks here in idle debate upon many subjects, the purpose of which was of course entirely obvious. Now the Senator is calling attention to a very large item in an important measure at a time when the revenues of the Government are not in a satisfactory condition, and it is something, it seems to me, to which we should give our most serious attention.

Mr. SHAFROTH. My object was simply to facilitate the passage of the bill. I do not believe that the amendment just offered would carry, and I wanted to dispose of it just as soon as we reasonably could. I recognize that it is a big item and that it ought to be carefully considered.

Mr. KENYON. If the Senator will give bond that it will not be carried, I will quit; but I have not taken very much time of the Senate in the last few weeks. I have not been in sympathy with the filibuster, although not at all opposed to filibustering.

I will not offend the legislative sensibility of my friend from Florida, and I will not read the RECORD, but I want to say that the chairman of the Committee on Appropriations in the House made a speech against this provision of the House bill. He seemed to have some serious doubt about the financial condition of the Government. In that speech he showed what were the estimates for the fiscal year 1916 and how the expenditures would be a great deal more than the estimates. He pointed out that it was most unfortunate that the country was now subjected to this war tax, and that it was the duty of the Government to refrain from any unnecessary appropriations. He made

a very strong argument, which I hope those who are in doubt will read.

Now, Mr. President, in addition to all this information which the farmer has and which he knows vastly more about than those furnishing it, there is a bulletin issued every once in a while that goes out to the farmers of the country covering the matters in which they are peculiarly interested and setting forth some of the facts that would be covered by this census. The last one is January 1, 1915. It is so up to date that it deals with the question of the foot-and-mouth disease. I think it can not be questioned that it is accurate, because it places Iowa as the first State of the Union in the production of crops.

I would not vote against anything, Mr. President, that in my judgment was for the benefit of the farmers or the agricultural interests of the country, because agriculture is the basis of all our wealth and all our prosperity, but I believe that this is not for the benefit of the farmers of the country, but merely creates a vast number of jobs the salaries of which the farmers in additional taxes must help to pay for.

Mr. BRYAN. Mr. President, if the Senator from Iowa is correct in his conclusion, that this amendment will serve no useful purpose and that its only effect will be to give employment to enumerators, of course it ought not to be agreed to. I am rather forced to the conclusion that the Senator from Iowa has not given the hearing that was had by the Senate committee that careful attention to which it is entitled before the statement was made that this item is indefensible. Mr. President, I did not hear the Senator from Iowa raise any objection to the item immediately preceding this one, which completes the expenditure of $1,000,000 for the taking of the census of manufactures.

Mr. KENYON. Mr. President, there was no roll call on that, but I voted against it. I am not any more in favor of that item than I am in favor of this one.

Mr. BRYAN. Very well. I have the purpose in rising to try to explain to the Senate briefly the reasons which led the committee to recommend the inclusion of this item in the bill. At first blush it appeared to us that we might save this expenditure, and that we might justly do so. I take leave to say just here that the members of the Committee on Appropriations are as anxious to save wherever it can legitimately be done as is the Senator from Iowa.

But, Mr. President, there came before the committee the Secretary of Commerce and the Director of the Census, and we were furnished with a carefully prepared statement from the Director of the Census and from the Secretary of Agriculture.

Now, let us see what the Secretary of Agriculture says about this item. He says:

> The necessity for taking an agricultural census in 1915 is especially urgent because of the fact that unprecedented changes in the acreages sown to different crops will probably take place during the coming season because of the abnormal marketing conditions resulting from the war in Europe. It is already apparent that the largest acreage of winter wheat in the history of this country has been sown. If the war continues, the acreage sown to spring wheat next season will probably be larger than for many years. The acreage already sown to winter oats and cover crops in the South is believed to be larger than ever before.

The Director of the Census pointed out that they have two ways of furnishing statistics on crops. One is by an estimate acquired as carefully as possible by communications with individual farmers and with organizations that the State has created. Another is by an examination, by an enumeration, by the taking of a census. A census is taken every 10 years. The last census deals with conditions existing in 1909. The last time the Government acquired the facts upon which the acreage and the condition of agriculture could be stated was for the year 1909. Therefore it is not surprising that the statistics with the tables furnished, and from which the Senator read, do not show any discrepancy between the estimate and the census or enumeration since 1909, because no census or enumeration has been taken or had.

That is the very purpose of this item. It was the very purpose Congress had in view when in 1909 it provided that midway between the taking of the census of population, of agriculture, of manufactures, and of live stock there should be taken an agricultural census. As I understand from the hearings and from the statements made before the committee, the Bureau of the Census takes the census of 1910 as the basis, and they add to or subtract from that basis in order to arrive at an estimate of acres planted to agricultural products. From year to year that is done. If an error is made, the error is repeated from year to year.

So, Mr. President, however valuable the census of 1910 may be, five years have gone by. Suppose it is inaccurate; that a mistake has been made and is continued; what would be the result if it is not corrected until 1920? Let us see what was the result in the preceding 10 years. I will only call attention to mistakes of estimates, which amounted to more than 40 per cent.

In Alabama the wheat crop was underestimated 54.2 per cent in 1899; in 1909 it was overestimated 61.7 per cent. In Arkansas in 1899 the wheat crop was underestimated 40.1 per cent; in 1909 it was overestimated 149 per cent. In Colorado in 1909 the wheat crop was underestimated 58.7 per cent. In Connecticut in 1899 the estimate was higher than the enumeration, and there was a mistake of 89.7 per cent. In Delaware in 1899 there was an overestimate of 205 per cent on the oat crop. In Georgia in 1909 there was an overestimate of the wheat crop of 163.3 per cent, and in 1899 there was an overestimate of the oat crop of 49.8 per cent. In Idaho in 1899 there was an underestimate of the wheat crop of 46.6 per cent and of the oat crop of 50 per cent; in 1909 there was an underestimate of the oat crop of 42.2 per cent. In Kansas in 1899 there was an overestimate of the oat crop of 49.9 per cent. In Kentucky in 1899 there was an overestimate of the oat crop of 43.8 per cent. In Maine in 1899 there was an underestimate of the wheat crop of 70.7 per cent, and in 1909 there was an overestimate of 164 per cent. In Maryland in 1899 there was an overestimate of 63.3 per cent, and in 1909 of 43.1 per cent upon the oat crop.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Florida how it is known that a mistake was made in the first estimate when they did not have a census? Here it is stated a mistake was made. How do they know a mistake was made?

Mr. BRYAN. Mr. President, the Senator from Colorado, like the Senator from Iowa, has not yet grasped this question. The only time they can tell when a mistake is made in the estimate of a crop is when they have taken the census. In 1909 they made an estimate and also in 1909 they had made a count. They found that the estimate was wrong in some instances by 700 per cent.

Mr. SHAFROTH. Yes; and in the other years I can readily see that where a census is taken the mistake can be corrected; but if you have a census only once in every 10 years, I should like to know how you can say that these estimates are wrong or not wrong?

Mr. BRYAN. You can only tell at the end of the period.

Mr. SHAFROTH. At the end of 10 years?

Mr. BRYAN. Of course. The very object of this item is that the period shall not be so long and that the mistakes shall not be so great.

Mr. SHAFROTH. If there has been a mistake in the estimates for the years following 1909 the mistake is estimated on the census of 1910, is that it?

Mr. BRYAN. There has been nothing but an estimate since 1909, and in the very nature of things there can not be.

Mr. SHAFROTH. I do not understand how you can say that an estimate was off 62 per cent or off 105 per cent when you have not a census by which to correct it.

Mr. BRYAN. But they had a census in 1909; and when they took the census they showed that the estimates were out of plumb.

Mr. SHAFROTH. But they were out of plumb for that one year.

Mr. BRYAN. Oh, yes; that is the only year they take the census—at the end of the 10-year period.

Mr. GALLINGER. Will the Senator yield to me for a question?

Mr. BRYAN. Certainly.

Mr. GALLINGER. I want to get some information on this point. I notice the amendment reads:

> For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909.

The House bill has a provision repealing that act. This is to complete the census. I infer from that that some work has been done along that line?

Mr. BRYAN. I beg to say that this amount of money will enable the Director of the Census to take, compile, and complete the agricultural census, and that he will have it available by July 1, 1916.

Mr. GALLINGER. When was the work done?

Mr. BRYAN. It has not been done.

Mr. GALLINGER. It needs completion. The language is "completing the census."

Mr. BRYAN. This is the idea: We are giving authority here to take, compile, and complete the whole work.

Mr. GALLINGER. Is it proposed to make an entirely new census of agriculture?

Mr. BRYAN. Yes, sir.

Mr. GALLINGER. To start de novo?

Mr. BRYAN. Yes.

Mr. GALLINGER. And to complete it?

Mr. BRYAN. Yes. Now, take Massachusetts. In 1899 the estimate on the oat crop there was greater than the enumeration showed by 121 per cent.

Mr. THOMAS. Mr. President——

Mr. BRYAN. Just a moment. In Minnesota in 1909 they overestimated the wheat crop by 70.9 per cent.

Mr. THOMAS. Does the Senator know how these mistakes can be corrected except by the taking of a census every year?

Mr. BRYAN. Why, Mr. President, of course there may be some mistakes, but the Senator ought to know that if you correct the basis upon which you are acting and do not repeat the mistakes each year it will not be as great in 5 years as it would be in 10.

Mr. THOMAS. I think that is true, Mr. President, but I must confess I am more concerned about the estimates of the national revenues just at present, and it seems to me that they ought to be considered in this connection.

Mr. BRYAN. I did not yield to the Senator for a speech. I understand his position.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

Mr. BRYAN. I yield for a question.

Mr. SHAFROTH. I ask whether these estimates are made on the quantity of such products as wheat?

Mr. BRYAN. They are made on the acreage.

Mr. SHAFROTH. On the acreage?

Mr. BRYAN. Yes. To resume where I was interrupted, I will state that in Mississippi the estimate of the oat crop in 1909 was 150,000 acres, while, as a matter of fact, there were only 97,000 acres, an overestimate of 54 per cent.

Mr. President, I will not take up each State, showing the mistakes which have been made, but they range from a very small amount to as much as 700 per cent.

Now, is it of any value to have these figures correct? Does it make any difference whether these estimates are right or wrong? We issue a Statistical Abstract, which is accepted as containing correct information. Ought it to be issued when in it, according to the admission of the very departments which compile the information, are errors ranging from a fraction of 1 per cent to 700 per cent? Is it of any value to the farmers, for whom my friend from Iowa speaks, to have some idea of the acreage sown to wheat? Is it of any interest to the cotton grower to know the number of acres planted in cotton? Why, Mr. President, do we undertake to have this Government, through some one or more of its departments, arrive at estimates of the crops of the country? There are corn exchanges in the big cities; there are cotton exchanges; they make their estimates every year of the acreage of wheat or of the bushels of wheat that will be produced and of the acreage of cotton or of the bales of cotton that will be produced. They are interested in showing that there will be a large supply, an oversupply, of these products of the farm, while the farmer is interested in having the impression prevail that there will be an undersupply so that the price will be higher. The exchanges that sell these great products upon the market issue their estimates. The farmers do not get out a bulletin showing the acreage or making their estimates. Who will do it for them? Are they to take the estimates of the cotton exchanges and of the corn exchanges and of the wheat exchanges? Are they to be satisfied with whatever estimate is arrived at by gentlemen interested in depressing the price of their products? Is it of no consequence to the producer to have some idea of whether there will be an oversupply of farm products or whether there will be an undersupply? If a man is trying to make up his mind what to plant this year, ought he not to have all the information possible as to the sort of crop he will plant? Are you willing to leave the department to go ahead and make guesses, in which, when once an error creeps in, it remains? Are you willing simply to let the producer depend upon the statements and estimates of interested parties as to their products? If not, who else is to make the estimates?

That has been assumed to be the duty of the Government. It has been doing it for many, many years; but it has been found out that if you only make the enumeration, as the census is taken, every 10 years, the statistics are mere guesswork, and it would be of great value to the people who produce these products and as a matter of public concern to have the real facts known.

The Senator from Iowa pointed to the three books containing the census of agriculture for 1909, and which he says are now useless because out of date. Perhaps they are not as valuable as they were when published, but they are valuable. However, Mr. President, it does seem to me that we ought to do one of two things. We ought to quit issuing the yearbooks which the Senator says and the departments that issue them say are unreliable and misleading, or, if we intend to issue these reports, they ought to be issued in such form that everybody who reads them would have some reason to suppose that they are reliable.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. BRYAN. I yield to the Senator.

Mr. KENYON. Does the Senator realize that the present agricultural appropriation bill contains an appropriation of quite a large sum of money "for making and publishing periodically crop and live stock estimates, including acreage, yield, and value of farm products"?

Mr. BRYAN. How many men are provided for that purpose, I will ask the Senator?

Mr. KENYON. I do not think that is stated.

Mr. BRYAN. The number is 79. Does the Senator think that they could take a census of the agricultural acreage of this country?

Mr. KENYON. Of course they will only get an estimate from the farmers. The census is more accurate, I grant; but, nevertheless, it is more or less an estimate, and it can not be anything else. Why not stop appropriating this other money if it does not result in obtaining accurate information?

Mr. BRYAN. No, Mr. President, I think not. I do not believe the Senator from Iowa has ever yet found out the reason for the insistence of the department for the inclusion of this item in this bill.

Mr. KENYON. Well, I have my idea about their insistence.

Mr. BRYAN. The Senator asks why do they not contradict the estimates since 1910. Because they have not yet secured the facts by which they could show whether they were true or untrue. That is the complete answer. They can not show whether they are accurate or reliable until they get the facts again, and it is not compatible with the proper respect which should be entertained for the accuracy of Government publications to send them out year by year containing estimates that may be wrong, which have been wrong in the past, and which are calculated to mislead the public, when we can obtain the facts. I have no doubt the money proposed to be expended for getting the facts every five years will be well expended and will be in the interest of accuracy and of economy.

The Senator from Iowa says he stands for the farmer. Then the farmer ought to have an estimate made and a census taken by a disinterested party, and ought not to have to rely upon the estimates furnished by people who are buyers of the very articles the production of which they estimate. Every farmer will claim that there is a short crop and every buyer will claim that there is a large crop. It seems to me it is the duty of the Government, if it can do so, to arrive at the facts.

Mr. LANE. Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

Mr. LANE. It seems to me, from listening to the Senator from Florida, that this appropriation will be more valuable to the brokers, the men who sell the crops long or short, than it will to the farmer himself. I do not believe that as a rule the farmer reads these statistics.

Here is an appropriation asked for of about $2,000,000 to take a census. It seems, under the present plan, that nine times out of ten the department guesses at it, and guesses wrong, to the tune of 700 per cent, say. It seems to me that it would be cheaper to strike a general average of the errors and base their estimates on conclusions deduced in that way, and thus they would arrive pretty nearly at the facts.

It reminds me somewhat of the old man whose boy came home from college, and the father was interested in knowing what information he had gathered there; and having been a graduate of the same school he put his son through an examination. The father was telling a neighbor about it the next day. The neighbor asked: "How did he come out?" The father replied: "He did finely. Nine problems out of ten I put to him he said he did not know, and his answer was right about every one. The tenth problem I placed before him he tried to solve, and made a fool of himself." [Laughter.]

It seems to me that here we have a case where nine times out of ten the guess is wrong, and the farmer has been fed on that sort of information for, lo, these many years. Unless this appropriation is a continuing one, the misinformation will begin to accumulate year by year in the same proportion that it has in the past.

It is my opinion that with the funds of the Government in the condition they are now, it is going to cost the farmer more than the information will be worth to him. I question the wisdom of it at this time. I think he will be able to get along better than he has in the past, and at less cost, if the department will furnish him a fair average of its errors based on

past experience, to be used by him for his guidance in the future.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. The Senator from North Dakota.

Mr. GRONNA. I wish to say only a word on this item.

I think it is a mistake to say that a careful enumeration of acreage and crops is of no value, but I believe it can be done more cheaply by the States than it can be done by the Government of the United States. In North Dakota we require the assessors to take an enumeration of the acreage every year, and a report is made to the commissioner of agriculture, so that from year to year we have the acreage. Of course, it is very easy to make a mistake in estimating a crop, even if you have the acreage. If you estimate a crop of 20 bushels to the acre early in the season, perhaps later on something will happen to the crop, and you will get only one-half or two-thirds of that, so that necessarily there is a mistake in the estimate. That will happen even if you appropriate this money and appoint census enumerators to take the census under the provisions of this amendment; but it is of value to the farmer and to the country.

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. BRYAN. Will the Senator yield for a question?

Mr. GRONNA. I yield.

Mr. BRYAN. The enumeration is to be taken as of the month of October, which is supposed by the department to be the best month for getting an accurate return.

Mr. GRONNA. Yes.

Mr. BRYAN. Formerly it was taken, by the Thirteenth Census, in the spring. Of course floods and frosts might come along and destroy the crop, but it was thought that the month of October would give a pretty fair idea of that year's crop.

Mr. GRONNA. That is true, Mr. President, as the Senator from Florida has stated. If a census is taken after the crop has been harvested, of course you can get correct figures. It will not be an estimate; it will be actual results. But the question is whether or not we shall appropriate this great sum of money. Every year we are appropriating more and more money. I remember that when I was a boy I heard a Member of Congress say that the Congress had been extravagant; they had expended almost half a billion dollars. Now we expend more than $1,000,000,000 every Congress.

I believe it is of great value, not only to the farmers but to the entire country, to have a census or an enumeration of agricultural products and of stock, but the question is whether we should pay this immense amount of money for it. So far as North Dakota is concerned, we take the census every year at the expense of the State. It is very little work for the assessor, when he makes his assessment—and that has to be made every year—to take an enumeration of the acreage. Of course we would not have the estimate of the crop, because that would have to be done in the fall of the year.

I think, however, I shall vote against the amendment, because we are appropriating more money than we ought to appropriate.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. The Senator from Colorado.

Mr. THOMAS. This item provides for the expenditure of $2,286,100. That is added to the legislative, executive, and judicial appropriation bill by a rider placed upon it by the Senate Appropriations Committee.

It is difficult for me, sir, even to imagine any proper defense for the insertion of the provision calling for this expenditure at this time.

Mr. OVERMAN. Mr. President, I will ask the Senator if he calls this a rider upon an appropriation bill?

Mr. THOMAS. Why, of course, it is a rider.

Mr. OVERMAN. Why, Mr. President, this item is estimated for by two departments of the Government.

Mr. THOMAS. I do not care if it is estimated for by all of the departments and by the British Parliament.

Mr. OVERMAN. I am talking about whether or not it is a rider.

Mr. THOMAS. My understanding of a rider is an amendment not germane to the bill, and the mere fact that there has been an estimate for this item does not make it germane.

Mr. OVERMAN. Did the Senator read the two lines that were stricken out?

Mr. THOMAS. Yes; I did. I am sorry to say that I read the two lines that were stricken out.

Mr. OVERMAN. Those two lines were stricken out by the committee, and this amendment was reported to the House as we have it.

Mr. THOMAS. I understand.

Mr. OVERMAN. On the floor they struck out the two lines and the effect of that was to repeal the law. Instead of repealing the law as it was passed by a former Congress, we have carried into effect the law that was passed.

Mr. THOMAS. Yes, Mr. President; I am quite aware of the fact that in this bill the House repealed, or attempted to repeal, a section of another law. That was a rider, too. I understand what is meant by that expression. I do not think it had any place in this bill. Of course I do not mean that it was wrong, because I am well aware of the practice and of the fact that it is permissible under our system of proceeding; but the Senate committee, instead of standing by that provision, proposes to reinsert it and add to it an appropriation of $2,286,100 in order that it may be carried into effect.

Mr. President, the Democratic Party has been criticized, and very justly, by Senators upon the other side for its disregard of its platform pledge as to economy. While I know that this criticism has come in most instances from Senators who have not themselves voted in accordance with their criticism; while I am quite aware of the fact that, except in a few individual cases, no effort has proceeded from that side to limit our expenditures; while I am quite aware of the fact that many of the so-called pork-barrel bills have been supported just as earnestly upon that side of the Chamber as upon this, I want to warn my Democratic brethren that we are going to be held responsible for our disregard of that duty and not the Republican Party. They can vote for these measures just as we do; and I understand that this amendment received practically unanimous support in the committee, there being but one dissenting voice in regard to it. Nevertheless, those upon the Republican side who vote with the supporters of this amendment will be quite as constant and quite as vociferous in their charges of violation of platform pledges here as though they had opposed it.

Mr. President, we know that we are approaching a deficiency. We are all painfully aware of the fact that the finances of the Government are not in good condition. I am not going to go into the causes of this condition. Men differ about it. A great deal of political capital has been sought to be made, and will be sought to be made, upon it. Democratic legislation will be charged with being responsible for it. It has been; but the fact remains, irrespective of causes, that there is a deficiency; and now the Democratic majority of the Senate of the United States proposes, in this good year, under those conditions, to spend over two and a quarter million dollars in order to take an agricultural census. Why, Mr. President, I do not care how important it may be; if it is not an emergency, if it is not one of those urgent conditions that we can not avoid, this appropriation ought not to be made at this time.

I do not profess to be the only Member of this body interested in a reduction of governmental expenditures. I am quite aware of the fact that we all entertain that view, but we always make an exception of those individual appropriations in which we are either directly concerned or indirectly concerned for some constituent; and of course the pressure of the people themselves upon the Congress of the United States for appropriations for all conceivable purposes has much to do with our extravagance. As I say, to the extent to which we yield to these importunate demands, no matter how great the pressure, we will be held responsible.

I am aware that I am talking to an impatient audience. I am not unmindful of the expressions around me that if we do not quit talking we will never pass the bill; but I record my protest, as one of the Members of this body, against the expenditure of this vast sum of money at this time for a purpose that is not absolutely necessary, and I shall vote against it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. The Senator from Iowa.

Mr. KENYON. I want to ask the chairman of the committee whether or not there are some other matters in the bill that could be disposed of at this time. I think we should have a larger attendance before a vote is taken on this matter.

Mr. OVERMAN. I think the idea is to dispose of this and be done with it.

Mr. MARTIN of Virginia. I would rather dispose of it to-night if it is possible to do so.

Mr. OVERMAN. I think we have a pretty large attendance.

Mr. KENYON. I do not want to delay the passage of the bill in any way, but I do feel that we should have a larger attendance on this important amendment. Will not the bill have to go over until to-morrow in any event?

Mr. MARTIN of Virginia. I hope not. I do not know what discussion may be desired about the bill. I am very much disappointed that we can not pass it to-night.

Mr. THOMAS. Mr. President, I have a motion to make.

Mr. MARTIN of Virginia. I am afraid, Mr. President, that the debate is just beginning.

Mr. KENYON. There are some amendments to be offered, I know; and if it is proposed to ask for a vote on this amendment to-night I shall be compelled to call for a quorum. It is about 6 o'clock, anyhow, and it seems to me we might as well take a recess now.

Mr. MARTIN of Virginia. Mr. President, I had expected to finish this bill early to-day.

Mr. THOMAS. Why not hold a night session?

Mr. MARTIN of Virginia. I would if I could get Senators to stay here, but it has been difficult to keep them here this long. They have been talking about leaving for an hour, and we can not get them to stay here. I should be very glad if we could get a vote on the bill. I do not think the discussion is going to change anybody's vote. Every Senator must know what he thinks about this amendment. I do not see what good talk does about it.

Mr. KENYON. There is no doubt about that.

Mr. MARTIN of Virginia. If we can get a vote that is all I want, and we could finish the bill to-night. The Senate has a right to do as it pleases about the matter. It is no disappointment to me. Whatever the Senate wants will suit me. The Members of the Senate can vote it in or vote it out, just as they see fit, but I should like to get a vote now.

Mr. KENYON. I think we have made tremendous progress on this bill to-day. I should be glad to see it passed.

Mr. MARTIN of Virginia. There has been real progress, but there have been very few disputed items in it.

Mr. KENYON. As far as I am concerned, I do not want to be a party to delaying the bill to-night, but I shall ask for the yeas and nays on this proposition.

The VICE PRESIDENT. Is the request seconded?

The yeas and nays were ordered.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. The Senator from North Dakota.

Mr. GRONNA. I simply wish to inquire of the Senator from Virginia if it would not be possible to take a recess until 8 o'clock to-night? Then, by having a night session, we could surely dispose of the bill.

Mr. MARTIN of Virginia. I should be glad to do that, but there are so many Senators protesting against it that I hardly feel justified in expecting them to attend a night session.

Mr. SMOOT. Mr. President, I want to say to the Senator that I had an understanding that at 6 o'clock the Senate would take a recess until 11 o'clock to-morrow morning. I have told a number of Senators that that would be done, and they have gone. I really think, in justice to that statement made by me, that the Senate ought to take a recess until 11 o'clock to-morrow.

I will say to the Senator that I have not a word to say upon the question. I think we are ready to vote upon it, and if a recess is taken I do not think there will be any discussion upon it in the morning.

Mr. MARTIN of Virginia. All I am afraid of is that in the morning we will come back with a fresh start and we will have a dozen speeches and they will occupy the day.

Mr. SMOOT. I will say to the Senator that I do not think so. I do not think there is any intention whatever of debating the matter.

Mr. MARTIN of Virginia. Can we get unanimous consent to vote on the amendment at 11.30 to-morrow?

Mr. SHAFROTH. I suggest that the Senator try it.

Mr. MARTIN of Virginia. I ask unanimous consent that we vote on this amendment not later than 11.30 to-morrow morning.

The VICE PRESIDENT. Is there any objection?

Mr. KENYON. Mr. President, I will make no objection if the Senator will make it 12 o'clock.

Mr. MARTIN of Virginia. The Senator has just said he was through. Why does he want to carry it over for a longer time?

Mr. KENYON. No; I said to the Senator that I had an amendment to offer to the bill.

Mr. SHAFROTH. But this is only on this amendment.

Mr. KENYON. Oh, on this amendment. Yes, indeed; that is all right. I thought the Senator meant on the bill itself.

The VICE PRESIDENT. The Senator from Virginia requests unanimous consent to vote on this amendment not later than 11.30 o'clock to-morrow. Is there any objection? The Chair hears none, and that agreement is entered into.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate took a recess until to-morrow, Saturday, February 20, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 19, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, from whom are all things temporal and spiritual, increase our spiritual vision and our moral integrity, that we may meet all the duties and responsibilities of life with perfect faith and confidence in the overruling of Thy providence, assured that all things work together for good to them that love Thee and seek to do Thy will; for Thine is the kingdom and the power and the glory, forever. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. MOORE. Mr. Speaker, I notice that the Journal states that the point of no quorum just before adjournment was made by the gentleman from Illinois [Mr. MADDEN]. The RECORD correctly shows that the point of order was made by Mr. MOORE. I ask to correct the Journal to conform to the fact.

The SPEAKER. The Journal will be corrected to conform to the fact.

The Journal as corrected was approved.

LEAVE TO EXTEND REMARKS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the pension appropriation bill which was passed yesterday.

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN] asks unanimous consent to extend his remarks on the pension appropriation bill. Is there objection?

There was no objection.

WORDS SPOKEN IN DEBATE.

The SPEAKER. When the House adjourned last night the pending question was the motion for the previous question on the motion of the gentleman from Tennessee [Mr. GARRETT] to strike from the RECORD certain words spoken in debate by the gentleman from Pennsylvania [Mr. FARR].

Mr. GARRETT of Tennessee. Mr. Speaker, I withhold the demand for the previous question and yield to the gentleman from Pennsylvania [Mr. FARR].

Mr. FARR. Mr. Speaker, as I stated last night, I had no desire to reflect on the honor and integrity of the gentleman from Pennsylvania [Mr. PALMER]. I made clear the purpose of my remarks. I uttered the words "honorably and dishonorably." I have no desire to continue this debate; neither have I any desire nor feeling to add to or reiterate what I stated. I wish to eliminate the word "dishonorably"; but in order to do that and express my thought, the word "honorably" must also be eliminated, and I wish to add these words:

Deprived you, Mr. Speaker, of delegates when Democratic public sentiment was in your favor.

That will complete the sense of the paragraph, and I ask unanimous consent to amend the RECORD in that way.

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] asks unanimous consent to amend the RECORD in the manner stated by him. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I withdraw my motion to strike out the words.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLETCHER, Mr. RANSDELL, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. NELSON, Mr. BURTON, and Mr. CRAWFORD as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 2642. An act authorizing the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21201) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916. Pending that motion, I

would like to see if we can agree upon the time for general debate.

Mr. COOPER. Mr. Speaker, I have requests for about three hours. The gentleman from Missouri [Mr. BARTHOLDT] wishes to make a speech, which he characterizes as his "swan song," a sort of farewell address to the House, which will take one hour. I know we all wish to hear him, and I have requests from other gentlemen for about two hours more.

Mr. UNDERWOOD. Mr. Speaker, if the gentleman will allow me, I think the way is clear to get the appropriation bills out of the way now before the 4th of March, if we get down to business. But it seems to me that six hours' general debate on this appropriation bill at this time would be an unusual amount of time. I have no desire to interfere with gentlemen making speeches; but I think if that latitude of debate is allowed, we ought to have a gentleman's understanding that we are going to stay here to-night and pass this bill.

Mr. COOPER. I do not think there is any objection to that.

Mr. MANN. Is there, so far as anyone knows, much debate asked for on the Military Academy bill?

Mr. UNDERWOOD. I do not see the chairman of that committee in the Hall at this moment.

Mr. MANN. I should think we ought to be able to pass the diplomatic bill and the Military Academy bill by to-morrow night, and that will leave us in very good shape.

Mr. UNDERWOOD. The fortifications bill will probably bring a good deal of debate on the bill. The debate now proposed is not on the bill.

Mr. MANN. We have a week and a half after this week. The deficiency bill usually does not take very long.

Mr. FLOOD of Virginia. I suggest that this debate be limited to four hours, and that the gentleman from Wisconsin [Mr. COOPER] control two hours and a half of it and that I control one hour and a half.

Mr. COOPER. Very well, Mr. Speaker.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that the debate on this bill be limited to four hours, two hours and a half to be controlled by the gentleman from Wisconsin [Mr. COOPER] and one hour and a half by myself.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the general debate on this bill shall not exceed four hours, one hour and a half to be controlled by himself and two hours and a half by the gentleman from Wisconsin [Mr. COOPER]. Is there objection?

There was no objection.

PURCHASE OF SHIPS.

Mr. PADGETT. Mr. Speaker, before we go into the debate on the Diplomatic and Consular bill I ask unanimous consent to call up from the Speaker's table the shipping bill, which has come back from the Senate, and ask to agree to the conference requested by the Senate.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America, and between the United States and the countries of Europe.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take this bill from the Speaker's table and agree to the conference asked by the Senate. Is there objection?

There was no objection.

The SPEAKER. The Chair will announce the conferees later.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The motion of Mr. FLOOD of Virginia was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Diplomatic and Consular appropriation bill, H. R. 21201, with Mr. LINTHICUM in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 21201) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916.

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. PALMER].

Mr. PALMER. Mr. Chairman, on yesterday, in a discussion with the distinguished gentleman from Georgia [Mr. BARTLETT], I made reference to the child-labor laws of the State of Georgia. At that time I read from a statement which had been prepared by the National Child Labor Committee and submitted by their agents at the hearings before the Committee on Labor on the child-labor bill. Those hearings were held in the spring of 1914, and the statement of the child-labor conditions and child-labor laws in the various States was of course of that date. Relying upon its accuracy, I discussed the Georgia child-labor law from the standpoint as disclosed in that statement.

I have had my attention called this morning to the fact that on August 14, 1914, the Georgia Legislature passed a bill which was approved and became a law, to go into effect January 1, 1915, and that that law provides a liberal, just, fair, and equitable regulation of the labor of children in that State. I did not know about it yesterday; I had not kept up with the laws of the States so closely as to follow these laws passed within a few months, and I relied entirely upon the statement of the National Child Labor Committee.

I am going to ask unanimous consent, in order to do justice to the State of Georgia, to insert in the RECORD this law recently passed in that State, and I congratulate the State of Georgia on having fallen into line with the progressive States of the Union in protecting little children against the exploitation of employers. It adds another reason for the passage of a Federal child-labor law, because the more States that adopt proper laws, the more reason for the few remaining States to be compelled to accept such laws.

The law I read last night was the Georgia statute passed in 1908, which was repealed by the act of August 14, 1914, to which my attention has just been called. I ask unanimous consent to extend my remarks by printing the law of August 14, 1914.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing the law referred to.

Mr. MOORE. Mr. Chairman, reserving the right to object, merely for the purpose of obtaining information I would ask the gentleman from Pennsylvania whether his information, which now appears to have been inaccurate, was obtained from the National Child Labor Association?

Mr. PALMER. Yes; I made the statement that I read from the report of the agents of the National Child Labor Committee, and that that report was made at a meeting of the Committee on Labor last spring, before this Georgia statute was passed. The report then was accurate.

Mr. MOORE. I asked the question not to embarrass the gentleman but merely to show that sometimes we do get inaccurate information from those who agitate these matters.

Mr. PALMER. Yes; and we get inaccurate information from other sources.

Mr. ADAIR. But this was not inaccurate at the time it was made.

Mr. PALMER. No; but it has since been made obsolete.

Mr. COOPER. Will the gentleman yield?

Mr. PALMER. Yes.

Mr. COOPER. What was the date of the last statute enacted by the State of Georgia?

Mr. PALMER. August 14, 1914.

Mr. COOPER. I will say that I had the same pamphlet, and I did not know until this morning that Georgia had passed this statute.

Mr. PALMER. The statement I read was made before the Georgia act was passed.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The statute is as follows:

CHILD LABOR, REGULATING EMPLOYMENT OF.

No. 426.

An act regulating the employment of children; to provide for the issuance of certificates with reference to age and educational qualifications of children; the revocation of such certificates by the commissioner of labor; designating prohibited hours of labor for such children; making it the duty of the commissioner of labor and authorized assistants to enforce this act; making it a misdemeanor to violate the provisions of this act; and to repeal the act approved August 1, 1906, entitled "An act to regulate the employment of children in factories and manufacturing establishments in this State, and to provide for the punishments of violations of the regulations prescribed, and for other purposes," and which said act repealed is codified in sections 3143, 3144, 3145, 3146, 3147, 3148, and 3149 of the Code of Georgia of 1910, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of Georgia,* That no child under the age of 14 years shall be employed by, or permitted to work in or about any mill, factory, laundry, manufacturing establishment, or place of amusement; except that children over 12 years of age who have widowed mothers dependent upon them for support, or orphan children over 12 years of age dependent upon their own labor for support, may work in factories and manufactories; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 8 of this act.

SEC. 2. *Be it further enacted by the authority aforesaid*, That no child under 14 years and 6 months shall be employed or be permitted to work in any of the establishments or occupations mentioned in section 1, unless the person, firm, or corporation employing such child has and keeps on file accessible to the officials charged with the enforcement of this act, a certificate from the superintendent of schools in the county or city in which such child resides, that such child is not less than 14 years of age, has attended school for not less than 12 weeks of the 12 months preceding the date of issuance of such certificate; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 8 of this act.

SEC. 3. *Be it further enacted by the authority aforesaid*, That the certificate mentioned in the foregoing section shall state the full name, date and place of birth of the child, with the name and address of the parent, guardian, or person sustaining the parental relationship to such child, and that the child has appeared before the officer, and satisfactory evidence submitted that the child is of legal age. Blank forms of these certificates shall be furnished by the commissioner of labor to the superintendent of schools in the respective cities and counties. A duplicate copy of each certificate shall be filed with the commissioner of labor within four days from its issuance. The commissioner of labor may at any time revoke any certificate if, in his judgment, the certificate was improperly issued. He is authorized to investigate the true age of any child employed, hear evidence, and require the production of relevant books or documents. If the certificate is revoked, the then employer shall be notified, and said child shall not thereafter be employed or permitted to labor until a new certificate has been legally obtained; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 8 of this act.

SEC. 4. *Be it further enacted by the authority aforesaid*, That no child under 14 years and 6 months of age shall be permitted to work in or about any of the establishments mentioned in section 1, or section 2, of this act, between the hours of 7 p. m. and 6 a. m., according to the standard time of the community in which such establishment is located.

SEC. 5. *Be it further enacted by the authority aforesaid*, That it shall be the duty of the commissioner of labor and his authorized assistants to see that the provisions of this act are enforced.

SEC. 6. *Be it further enacted by the authority aforesaid*, That any person, agent, or representative of any firm or corporation violating any of the provisions of this act; or any parent, guardian, or other person standing in parental relationship to any child, who shall hire or place for employment or labor, any child under the age limits in any of the establishments or occupations mentioned in section 1 of this act, or any superintendent of county or city schools who shall issue a certificate knowing that its issuance was illegal; or any person who shall knowingly furnish any untrue evidence with reference to the date or place of birth of said child, or the age of said child or its educational qualifications, shall be guilty of a misdemeanor, and upon conviction shall be punished accordingly.

SEC. 7. *Be it further enacted by the authority aforesaid*, That the act approved August 1, 1906, and entitled "An act to regulate the employment of children in factories and manufacturing establishments in this State and to provide for the punishment of violations of the regulations prescribed, and for other purposes," and codified in sections 3143 to 3149, inclusive, of the Code of Georgia of 1910, is hereby repealed.

SEC. 8. *Be it further enacted by the authority aforesaid*, That it shall be lawful for a child 12 years of age or more to work in and for a mill, factory, laundry, manufacturing establishment or place of amusement if such child has dependent upon his labor a widowed mother or if such child is an orphan dependent upon his own labor. Whenever such child desires to work in any of such places as is specified above the fact that such child's labor is necessary to support a widowed mother or to support such orphan child must be found to be true after an investigation by a commission composed of the county school superintendent and the ordinary of the county where the work is to be done, and the head of the school in the school district where the said child lives. After an investigation by said commission, if it, or a majority of its members, find that the facts exist to authorize such child to work in or for any of the establishments mentioned in section 1 of this act, because of the existence of either of the conditions hereinbefore set out, such commission shall issue a certificate to that effect which shall be kept of file in the office of the establishment where said child is at work. Such commission shall make an investigation and issue a new certificate at least once each six months, and may prescribe as a condition precedent to issuance of such certificate school attendance for such length of time and at such time as in its discretion seems wise. No such certificate more than six months old shall authorize the employment of any child under 14½ years of age in or for any of the places specified in section 1 of this act.

SEC. 9. *Be it further enacted by the authority aforesaid*, That all laws and parts of laws in conflict with the provisions of this act be, and they are hereby, repealed.

SEC. 10. *Be it further enacted by the authority aforesaid*, That the provisions of this act shall be in force on and after January 1, 1915.

Approved August 14, 1914.

Mr. FLOOD of Virginia. Mr. Chairman, the Diplomatic and Consular appropriation bill carries a total of $4,454,370.01. This is an increase over the present law of $144,513, and is $130,312 less than the estimate sent in by the executive department to Congress.

The Committee on Foreign Affairs has labored earnestly to cut down appropriations in this bill to the least possible amount necessary to the proper conduct of our foreign service. I believe we have done it. We have decreased the following among other items:

Salaries of interpreters to embassies and legations, $6,000.

International Boundary Commission, United States and Mexico, $7,500.

Arbitration of pecuniary claims, $40,870.

Waterways Treaty International Joint Commission, $10,000.

I believe that all of these decreases are justified by evidence submitted to the Foreign Affairs Committee. Of course there are some items in the bill of last year that are not carried in this bill. Then we have increased certain items. We have increased the salaries of secretaries in the Diplomatic Service $31,500. That was due to the law which recently went into effect, known as the reorganization of the Diplomatic and Consular Service. That law necessitated an increase of $31,500 for secretaries to embassies and legations.

Then there is an increase in contingent expenses and foreign missions, $10,500, due to the fact that Argentina and Chile have been raised from legations to embassies.

We have increased the allowance for clerk hire in the United States consulates $117,800. That increase was deemed wise. There are several reasons why this increase should be granted. One of the principal weaknesses of the Consular Service for several years has been the inadequate number of competent clerks employed. The work of the Consular Service has vastly increased, and to a great extent the increase has been of a character which requires a higher grade of clerical assistance than has heretofore been necessary. Moreover, an earnest attempt has been made to Americanize the subordinate force in the consulates, and to a considerable extent this has been done. It can not be carried on, however, unless a larger fund is placed at the disposal of the department for compensation, for it is obvious that a competent American clerk will not serve in the consulates abroad unless given compensation upon which he can live respectably. The amount now appropriated would provide only one clerk at $1,259 a year for each office. It must be apparent that many consulates must have a number of clerks and that competent men who serve as vice consuls in the larger offices, and particularly when living expenses are high, can not be obtained for so small a sum.

Another reason for a larger and more competent force of subordinates is afforded by the complicated and onerous duties which the present war has placed upon consulates. The care of the interests and subjects of belligerent nations, safeguarding and protection of the commerce and shipping of the United States, the protection of American citizens—all require a vast amount of additional work. A considerable amount is being allowed for increased clerical assistance out of the special war appropriation made by Congress, but more will be required after that appropriation shall have been exhausted.

The conditions growing out of the war make it of the highest importance that a larger number of American citizens be employed as clerks in the consulates. In many places the services of clerks of foreign nationality have had to be dispensed with because of objections upon the part of foreign Governments. In replacing these clerks with Americans larger compensation will have to be paid, rendering a larger appropriation necessary.

We also incorporate an item of $360,000 for the purchase of consular premises at Shanghai and $2,275 for a similar purpose at Yokohama. There are some entirely new items in the bill. One is for a hundred thousand dollars for an exposition at Panama, which is to be held during the coming spring and summer. Twenty-five thousand dollars of this money will be used for an exhibit at this exposition and $75,000 to erect a permanent building at Panama City. I will read Secretary Bryan's letter in reference to this item:

DEPARTMENT OF STATE,
Washington, January 20, 1915.

MY DEAR MR. FLOOD: I have made inquiries in regard to the Panama Exposition, about which you spoke to me a few days ago, and find that the exposition is to open on July 6, 1915. Its character is to be Latin American, and its purpose is to bring under one organization a series of permanent exhibits of products from Latin-American countries, so that travelers crossing the Isthmus may have an opportunity to inspect with a minimum of difficulty and expense the products of the various countries of Latin America.

The only exception to the purely Latin-American character of the exposition is the inclusion of Spain as an exhibitor. It is expected that Spain will spend some $80,000 for the erection of a permanent building which, after the close of the exposition, will be used to house the legation and will contain a permanent exhibition of Spanish products and be the center of Spanish trade publicity in the Caribbean region.

It is understood that Cuba and Venezuela will also erect permanent buildings at the exposition. Cuba intends to spend about $60,000 for a building, which will later on become the home of the Cuban Legation and contain a permanent exhibit of Cuban products. It is not known how much will be expended by Venezuela.

It is understood that Guatemala will spend perhaps $25,000 on her exhibit, and Nicaragua, and probably other Latin-American countries, will be represented by displays of merchandise and other articles of their production.

Panama itself has already expended about $650,000 on a permanent exhibit and upon buildings now under construction, which will be used in the future as Government offices.

The distinct Pan American character of the exposition makes it of the highest importance that the United States should take a conspicuous part in the exposition. It is obvious that a permanent exhibit of the United States on the Isthmus of Panama, which will be crossed by so many passengers interested in trade, in the near future, could not fail to stimulate interest in articles of American production, and the appropriation for American participation should be ample for the installation of a thoroughly comprehensive display of articles produced in the United States.

In view of the character of the exposition it would seem desirable that as much latitude as practicable be given to the expenditure of the money appropriated for the purpose, and I would suggest that if there should be no objection on the part of Congress the appropriation be made without limitation to any particular year, so that it may be expended during the entire period of the exposition, which conceivably may extend beyond the calendar year of 1915.

I am, my dear Mr. FLOOD,
Very sincerely, yours, W. J. BRYAN.

Hon. HENRY D. FLOOD,
Chairman Committee on Foreign Affairs,
House of Representatives.

There is an item of $50,000 for a conference of American financiers and an authorization of the President to invite the financial secretaries of the South and Central American countries and leading bankers of these countries, not exceeding three from each country, to meet here with our Secretary of the Treasury in a conference, and authorizing the Secretary of the Treasury to invite bankers of this country to meet with them. This is deemed very important by the executive department. I understand that the system of bills of exchange used by this country and those used by the South and Central American countries are different. This and other subjects will be discussed, so that proper commercial relations can be established between our country and the Republics to the south of us, and our commercial relations with those countries increased and strengthened. I desire to read Secretary McAdoo's letter on this subject:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 15, 1915.

MY DEAR MR. FLOOD: With the approval of the President, I submitted to the Secretary of State, on the 6th of November last, a suggestion that an invitation be extended to each of the Central and South American Governments to send to Washington its finance minister, or some duly accredited financier, for a conference with the Secretary of the Treasury, looking to an improvement in the financial relationship between the United States and the Central and South American countries, and that these Governments be invited, also, to send three representatives of the banking interests of each country to join in the conference. I also suggested that if the Central and South American Governments should be favorably disposed to the idea, the Secretary of the Treasury would invite representative American bankers to participate in the proposed conference. In my letter to the Secretary of State I expressed the conviction that improved financial relations between the Central and South American countries and the United States is of primary importance, and that the proposed conference would be productive of great good. The Secretary of State informs me that he has communicated with the various Governments concerned, and that the idea has been favorably received. I inclose a letter from the Secretary of State, bearing the approval of the President, suggesting the passage of a joint resolution authorizing the President to extend a formal invitation to the Central and South American Governments to participate in the proposed conference, and authorizing the Secretary of the Treasury to invite representative American bankers to attend. For the purpose of entertaining the foreign conferees an appropriation of $50,000 is requested.

The unusual conditions prevailing throughout the world to-day make the proposed step exceedingly timely, and it should result in greatly improving and strengthening our relations—financial, commercial, and social, with our neighboring Republics in Central and South America.

In my first letter to the President the suggested date of the conference was February 1, but in view of the unavoidable delays which have occurred in the meantime it will be necessary to fix a later date. The joint resolution, therefore, authorizes the President to call the conference at such a date as he may think advisable.

Permit me to suggest the desirability of prompt action in this matter, particularly in view of the fact that the various Governments with which the Secretary of State has already communicated have evinced a most cordial and friendly disposition in the matter.

Faithfully, yours,
W. G. MCADOO.

Hon. HENRY D. FLOOD,
Chairman Committee on Foreign Affairs,
House of Representatives.

Mr. Chairman, the committee has considered all of these increases very carefully. The other items in the bill are the usual items carried in the Diplomatic and Consular appropriation bill. I believe that this bill should be passed without amendment and without having any of these items stricken out on a point of order, and I hope such will be the pleasure of the committee.

Mr. COOPER. Mr. Chairman, I yield one hour to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, permit me to remark at the outset that what I am going to say has no reference whatever to a situation in which our own country may be involved.

In discussing the affairs of the Nation on this floor we find our task on some occasions more weighty with responsibility than on others. This is true with me at this particular time, when I undertake to discuss from an American viewpoint the situation in this country resulting from the great European war. I do not know whether I am equal to the task, but, mindful of all real obligations of neutrality, I shall confine myself to such matters in which my judgment can claim at least a modest degree of competence. And as this will probably be the last time I shall have the honor to address the House I crave the attention of my colleagues.

The United States has a composite population. Not England alone, but all Europe is its mother, and contributions to the blood which now circulates through the Nation's veins have been made by practically all countries, the largest share next to Great Britain having been contributed by Germany or the States now constituting the German Empire. American statesmen recognized early in our history that ours was not a ready-made nation, but a "nation to be" whose character was to be shaped by the impress made upon it by the various elements constituting its growing population. It was also recognized that Saul could not at once turn into Paul, that the newcomer could not change his traits overnight. It is probably true that the Anglo-Saxon is less free from racial or national prejudices than the cosmopolitan German—a strange phenomenon, for they come from the same cradle—yet such was the tolerance of our older statesmen that they never regarded the love of the immigrant for the old country as in any wise irreconcilable with his allegiance to the new. And why? Because reverence for the mother never detracts from love for the bride, and, furthermore, because that reverence is a natural impulse which can no more be regulated or controlled than can the throbs of the human heart. We can educate an immigrant in our way of thinking, induce him to adopt our customs and make a good American citizen of him, but we can not change his heart to the extent of eradicating his regard for his native land. Along with freedom of thought and conscience we must grant him the liberty of placing his sympathies and affections where he pleases. It is a natural right which no law can limit and no government can deny him as long as our own country is not involved. American statesmanship had the choice of either closing the gates of the country or of taking its chances with the constant human influx. It chose the latter course, and history does not record a single instance to prove that policy to have been a mistake. While the people of the United States have been gathered from all nooks and corners of the globe, while many of them still differ in habits, customs, and language, and while on occasions the sympathies of the first, second, and even third generations still go out to the land of their ancestors, no serious problem has thereby been created. Our adopted citizens and their native descendants have stood the test of loyalty in every crisis in the country's history, and thus irrefutable proof has been adduced that memories of the fatherland conjured up by impulses of the heart do not and will not detract from the allegiance due to the adopted country. [Applause.]

I ask you to keep this essential point in mind when I proceed to define the attitude in the present crisis of one great element of our population, that of the American citizens of German blood. Owing to press denunciations they are entitled to a hearing, and therefore it is incumbent upon some one familiar with their sentiments and aspirations to interpret these sentiments for the information of this House and the country. I shall not discuss the war, either as to its causes or the merits of the contentions of either party, but confine myself strictly to American or home issues which now confront us in consequence of the stupendous struggle. Because of their sympathies with the fatherland, the Americans of German descent have been openly accused of divided allegiance and downright disloyalty. They know this wanton insult to emanate from English and French press agents, and consequently treat it with the contempt it deserves. But what they resent is that, in the face of our own history, the American press should have opened its columns to such calumnies. Germans have fought and bled on the battle fields of four American wars and furnished a larger proportion to the fighting strength of our country than any other of the so-called foreign elements. In the Revolutionary War, with Baron Steuben they espoused the cause of the Colonies, and the implicit confidence which the Father of our Country placed in their loyalty is a matter of history. In 1861, when many of the English, with instinctive aversion to American naturalization, took out British protection papers, the Germans—that is, nearly 200,000 of them—rallied around the flag of Abraham Lincoln to save the Union. They displayed the same valor in the War of 1812 and in the Spanish-American War, and their loyalty to the flag in times of war is equaled only by their loyalty to American ideals in times of peace. [Applause.] I should have much preferred if just at this time these historical truths had been uttered by other than a German-American tongue; but while our pro-English press is ignoring them, Americans of German blood should at least have expected immunity from libels and insults. Yet such insults are heaped upon that element by newspapers permitting agents of the allies to use their space for that purpose. We can best judge the future by the past, and the lessons of the past justify me in proclaiming it as an irrefutable fact that if unfortunately the United States should ever again be embroiled in war, which

the Heavens forbid, the Germans of this country would again as loyally rally around the Stars and Stripes as they did against our enemies in every crisis of the past. [Applause.] Let me again assert in most positive terms what I said on the floor the other day, that the Germans are for America against England, for America against Germany, for America against the world! They will never waver for one second in their allegiance to the land of their choice and adoption. [Applause.]

These few words will suffice, I trust, to lay bare the charge above referred to in its whole naked infamy. But let me proceed with my argument. If sympathy for Germany is an evidence of disloyalty, as is claimed by our traducers, you will agree that sympathy for the allies is exactly the same thing; and if that be true, we would be confronted with the monstrous fact that the whole American press printed in English, with but few exceptions, is disloyal to the United States. It is absurd, of course, but I make this deduction merely to show that I am not a less patriotic American by sympathizing with the fatherland and its ally than I would be if my sympathies were for England and her allies; and certainly no true American will claim that to side with England and to oppose Germany is a prerequisite of loyal American citizenship, for that would mean both truckling to a former enemy and the betrayal of a traditional friend, a course absolutely unjustifiable by any standard of American loyalty.

There is no question, Mr. Chairman, but what at the present time the Germans of this country are stirred as they were never stirred before. Their state of mind manifests itself in great mass meetings and in hundreds of thousands of petitions addressed to Congress in favor of an embargo on arms. It would not be quite correct, however, to ascribe the prevailing excitement solely to sympathy for Germany. In reality it is as much, if not more, injured pride and an outraged sense of justice which have caused their indignation to rise because of the outrageous prevarications of truth and the cruel misrepresentations of Germany, her people, and institutions contained in the manufactured news from England and reprinted in the American newspapers. Proud of their American citizenship, they have in a political sense absolutely nothing in common with Germany or its government, but their more or less accurate knowledge of conditions in that country taught them that the alleged news we were getting was a brutal attempt at defamation to poison the American mind against Germany. The war was started with a monstrous lie, and in order to support it a thousand other lies had to be told. The Germans were denounced as Huns and barbarians, as ravishers and plunderers, and as perpetrators of the worst imaginable atrocities. The Emperor was described as an Attila, who on one day had had 110 Socialist deputies executed; the Crown Prince as a thief, and so forth. You might say that it is natural for enemies to revile each other, but I must answer that, so far as Germany is concerned, she herself, though obliged to fight the lie as one of the worst of her many enemies, has not yet stooped to a departure from the truth either in her own newspapers or in the messages she has sent out to the world. And permit me to add parenthetically that to the neutral world the present struggle has an enhanced significance in that it is also a warfare of falsehood against the truth. If the international lie should succeed, I believe the world would eventually suffocate in its slime.

The Germans of this country could understand why England to secure recruits should want to incite her own people by these falsehoods, but they could not understand nor will they forgive the American newspapers for reprinting them in our country. To do so was a most serious and an unpardonable reflection on the German element of this country. As an integral part of the American people, whose characteristics and virtues are reflected as much in the composite character of this Nation as are those of the citizens of English descent, they believed themselves to be entitled to some consideration at the hands of the press of their own country. Such consideration was denied them, however, and with utter disregard of their feelings they were rudely informed that their brothers on the other side of the ocean are barbarians, ghouls, and vandals, and that is not all. From the first day of the war up to the present whatever the allies did was all right, while every act of the Germans was all wrong, even if it was an exactly similar thing; for instance, the dropping of explosives from aeroplanes. The alleged violation of Belgian neutrality was harped upon with sickening persistence even after it had been ascertained that the neutrality treaty had expired in 1872, and that, if it had still been in force, the Belgian Government had itself thrown it overboard by its secret agreement with England regarding the landing of English troops on Belgian soil. On the other hand, not a word is said about the violation of Chinese neutrality by Japanese and English troops, although this matter is of infinitely greater consequence to American interests than the affairs of Belgium can possibly be. The present international status of China is due to the skill of American statesmanship, it being an achievement of John Hay, made possible by the support of Germany alone. The integrity of China, already violated by England and her ally, should be restored and maintained at all hazards, but we look in vain for any appeals in the press in favor of the conservation of American interests in that quarter. It might embarrass England, you know, if just now the press insisted on our own rights. As to Belgian atrocities, five American newspaper men of the highest standing affirmed under oath that there was no such thing, yet these alleged atrocities are presented to American readers in glaring headlines, while the authentic refutation of the stories is published in small type on the sixteenth or seventeenth page. We may be foolish, but we are not blind to such notorious evidences of partiality. The Americans of German blood are a unit in bitterly resenting not only these unneutral efforts to poison the fountainheads of American public opinion against Germany but also the palpably unneutral "most-favored-nation" treatment systematically accorded to Great Britain. Touching the last-named fact, it seems to them as if we were using kid gloves against England and the mailed fist against Germany, as if, indeed, everything was being avoided, even to the disregard of American interests, that might embarrass the former country in her effort to crush Germany.

The bill of complaints is too long to recite here in full, but let me merely ask: Have we protested against American citizens having been dragged from neutral steamers and thrown into English prisons simply because those men, Americans to the manner born, happened to bear German names? No. Have we protested against England's inhuman policy to starve to death the noncombatant population of Germany by stopping, in open violation of international law, all food supplies, even if carried from a neutral country and in neutral bottoms? No. Have we protested against England declaring the whole North Sea as a war zone? No; but when Germany did the same thing in practically the same language we immediately dispatched a stiff note to Berlin, while the milder one was directed to England, though it would seem that the latter country was the chief offender in allowing the use of false flags. However, whatever the administration does in foreign affairs, as Americans it will be our duty to uphold it.

After this explanation can you understand, Mr. Chairman and gentlemen of the House, why the German mind in this country is agitated, and can you blame that element if their feelings are ruffled? When, moreover, it dawned upon them that all our arms factories were running night and day to supply the allies with weapons for use against their brothers and kinsmen, nothing could convince them that the United States was not actually a silent partner of the allies. Then it was that they demanded, and they are still demanding an embargo on arms to enforce honest neutrality, the kind of neutrality which the President proclaimed when he said: "We should be neutral in fact as well as in name, and should put a curb on every transaction which might be construed as giving a preference to one party to the struggle above another." This shameful traffic in arms, they argue, gives the lie to our prayers for peace, because it tends to prolong the war, and its permission by international law, they believe, imposes no obligation on our citizens to carry it on, no more on us than on the other neutral countries which have all stopped it upon the demand of England herself. I should like to discuss this important question at length, if my time permitted, but let me say just one more word. Whether the President would use the authority or not, there ought to be a law on our statute books which confers such authority upon him in order that he might enforce his demands for a free and open sea and unrestricted commerce in noncontraband goods. In our present demands against England our only alternative is to either give in or declare war. The threat of an embargo on arms, however, would quickly bring the "Mistress of the Seas" to terms and without war. Hence the legislation demanded by what the pro-English press is pleased to call German mass meetings, will be a preventive of, rather than a provocation to, war with England, and thus falls to the ground another of the silly charges preferred by the press bureau of the allies against me and the several millions of American citizens who think as I do on this subject.

Continuing as an interpreter of the feelings of these millions, all good American citizens, permit me to say that the hostility of the Anglo-American press against Germany and the Germans has forced many to a conclusion which, if correct, would be the most painful disappointment of my life. They believe this attitude to be less pro-English than anti-German, and, indeed, regard it as the outgrowth of racial preju-

dice against the Germans even of this country, and as a revival of the old know-nothing spirit which aimed at a sort of guardianship by those of English descent over this country, to the exclusion of all other elements, the latter to be classed simply as "foreigners," and degraded to the rank of second-class citizens. How could such a conclusion be reached? Well, they ask whether the history of the American Germans has not been an honorable one. They fought for independence, opposed slavery, and loyally gave their bodies and lives that the Union might live; they were almost a unit for sound money, and are imbued with the true American spirit of freedom to such an extent that they love liberty better than whatever good might come from its restriction. As a rule, they modestly refrained from seeking political preferment, but filled America's life with music and song and innocent social pleasures. They are peaceful and law-abiding citizens, who by industry and thrift have made the best of the opportunities which the country of their choice generously offered them, and thus they have contributed their honest share to the growth, the development, and the grandeur of the Republic. [Applause.] If such a record of good citizenship is not sufficient, it is argued, to insure the German element immunity from libels and insults, what else can account for it but racial aversion, the innate prejudice of the Anglo-Saxon against everything foreign?

Another argument: Why, it is asked, with intense seriousness, do American newspapers repeat and accept at par all the pretexts which England hurriedly invented for waging war against Germany, such as "The small States must be protected," "German militarism must be crushed," and so forth? Should not an American, free, neutral, and independent, form his own judgment rather than blindly accept the logic of a belligerent? Does not the proverbial American sense of justice and fair play require us to impartially hear both sides before we render our verdict? Every schoolboy knows the kind of protection England has afforded to smaller States. It is the kind which the spider gives to the fly. And then German militarism! As pacifists we can condemn it along with Russian, French, and English militarism, but of these the German military system is the least objectionable, because, never having been used for a war of conquest, it has been nothing more than a bulwark of national defense, of which every young man of military age feels it a duty and an honor to be a part.

For hundreds of years German soil has been the battle ground of all great European wars, and the poor people of that country suffered as the Belgians, the Russian Jews, and others suffer to-day, only that nobody sympathized with them. Finally they united for self-defense and self-preservation, and out of the smoke and fire of the Franco-German War emerged, as a realization of their fervent hopes and earlier dreams, the United States of Germany. But for the more lasting enjoyment of the blessings of peace the new German Empire combined with Austria-Hungary and Italy, the three forming the Triple Alliance for mutual protection and defence. In spite of her much-decried militarism Germany has kept the peace for 45 years, and she would to-day enjoy the fruits of her peaceful development and consequent prosperity if it had not been for the combined lust of conquest, lust of revenge, and jealousy of the three powers which are now trying to crush her. This is the story of German militarism. But, say my friends, when we relate this story we are cried down and given to understand that our very knowledge of these details is treason, because it shows that we pay attention to other than American interests.

Now, Mr. Chairman, we must admit that Germany is not getting a square deal from us, that she is to be condemned, right or wrong. The reasons are a psychological riddle, which has distressed me more than anything I ever experienced in my life, the more so because Germany has been our consistent and faithful friend from the beginning of our history. Carl Schurz, as long as 60 years ago, wrote to his friend Kinkel:

> It is my belief that the future interests of America and Germany are closely interwoven. However different the two nations may be in character, they will have the same opponents, and that will compel them to have a corresponding foreign policy. America's influence in Europe will be based on Germany, and Germany's world position will depend essentially on the success of America. Germany is the only power in Europe whose interests will not conflict with those of America, and America is the only power in the civilized world that would not be jealous of a strong united Germany. They can both grow without being rivals, and it will be to the interest of each to keep the adversaries of the other in check.

When this was written, in 1855, Japan was not yet a world power, England had not yet tried to help break up the Union, and Germany had not yet had the opportunity to befriend us as signally as she did during the Civil War. Hence, if this was true 60 years ago, it is even more so to-day. And in this connection let me again quote Carl Schurz. In 1903 Pomeroy Burton had asked him about the possibility of a war with Germany, and this was his answer:

> A war between the United States and Germany would be so awful, so incalculable a calamity, that only the most absolute and evident necessity could serve as an excuse for it. Not even the wildest jingo on either side will pretend that such a necessity exists or is in prospect. In fact, there is no real question of difference between the two countries important enough to disturb their ancient friendship. A war between them would, therefore, not only be criminal, but idiotic—an absurd atrocity, a murderous nonsense. Even to suggest the possibility of such a war under such circumstances and to agitate the public mind by such suggestions is a piece of mischievous recklessness.

[Applause.]

Mr. Chairman, before I digressed I was discussing the opinions of those who are inclined to ascribe the cause of the anti-German feeling in our country to racial prejudice. The counter-feeling ran high, as we all know, but I concluded that, even if there were some truth in that supposition, it must not be countenanced. If others wished to act in an un-American spirit, let them do so; the Germans, at least, should remain squarely on American ground and totally ignore every display of narrowness which, detestable in itself, would create a schism in this country and, if allowed to grow, eventually rend it asunder. There should never be a division in the United States upon racial or national lines. Russia, by using Servia as a tool, has sown the seed of discord between the different races in Austria-Hungary, and we see what it has led to. Under the American sun, in their capacity as citizens, the Teuton and the Slav, the Irishman and the Englishman, the German and the Frenchman extend to each other the hand of brotherhood as equals, and the great flag covers them all. [Applause.] Ancient prejudices have melted away under the sun of freedom until, no longer English, Irish, German, Scandinavian, we are, one and all, heart and soul, Americans! [Applause.]

I believe this to be the true sentiment of all citizens of German blood; and in justice to them it should be said further that in the present crisis they would not have been heard from but for the provocation caused by the outspoken unneutral attitude of the pro-English press and the sales exclusively to Germany's enemies of arms and ammunition. It was easy to direct the movement started by them into loyal American channels, and that, Mr. Chairman, was the purpose of the conference recently held here in Washington. It was a most remarkable gathering. Although Americans of German blood largely predominated, it was not a pro-German, but decidedly a pro-American, meeting, as it was intended to be. Those present were distinguished representatives; in most cases the heads of the great church and civic organizations of all parts of the country; and probably for the first time in our history Republicans and Democrats, Jews and Gentiles, Catholics, Protestants, and Free Thinkers shook hands for a common purpose, and that purpose was to call for an enforcement, in accordance with the spirit of American patriotism, of every American right against all belligerents alike, and to insist on the observance of strict and genuine neutrality as defined by all American Presidents from George Washington to Woodrow Wilson. As plainly indicated by its complexion, the gathering was strictly nonpartisan; and that, too, will be the character of the national organization to be effected as a result of that historic conference. After many hours of earnest deliberation, during which all the speakers displayed a most admirable feeling of restraint, as well as of solemn responsibility, a "declaration of principles," formulated by the platform committee, was adopted by a unanimous vote, and I leave it to the House to say whether this declaration rings true or not. Here it is:

> Whereas the spirit of absolute neutrality toward foreign nations at war with one another is a basic tradition of the American people; and
> Whereas the course of recent events has made it evident that this cherished attitude has been endangered through a foreign control of our news service and of our communication by sea; and
> Whereas our commerce and our citizens have been compelled to endure violation of the principles of international law; and
> Whereas the ships of our country in common with those of other neutral nations, having on board the property of citizens of the United States, have been arrested on the high seas by a belligerent power, conveyed into its port and there subjected to a process of search involving delays and losses; and
> Whereas citizens of the United States and of nations friendly to us have forcibly been taken off our ships in defiance of the protection accorded them by the American flag and put into prison or detention camps; and
> Whereas articles hitherto considered absolutely free in international traffic have been arbitrarily made contraband; and
> Whereas the rules of international law governing neutral commerce have been altered or disregarded in the special interest of one set of belligerents to the manifest injury of the United States as an independent Nation with rights to be respected and with citizens to protect; and
> Whereas the shipment of arms, ammunition, and munitions of war under conditions now prevailing is unfair, unneutral, and in violation of America's ethical ideas, tends to prolong the war, and is irreconcilable with our prayers for peace; and

Whereas this condition of affairs is intolerable to all American citizens who believe in the principles of neutrality, fairness, and friendship applied to all nations alike, and in the noble mission of this country as a promoter of peace and a champion of justice and humanity: Therefore, in order to reestablish genuine American neutrality and to uphold it free from commercial, financial, and political subservience to foreign powers, be it

Resolved, That we, citizens of the United States, agree to effect a national organization the objects and purposes of which may be stated as follows:

1. In order to assure the possession of an independent news service, we favor an American cable controlled by the Government of the United States

2. We demand a free and open sea for the commerce of the United States and unrestricted traffic in noncontraband goods as defined by international law.

3. We favor as a strictly American policy the immediate enactment of legislation prohibiting the export of arms, ammunition, and munitions of war.

4. We favor the establishment of an American merchant marine.

5. We pledge ourselves individually and collectively to support only such candidates for public office, irrespective of party, who will place American interests above those of any other country, and who will aid in eliminating all undue foreign influences from American life.

Mr. Chairman, this declaration hardly needs an explanation at my hands. That it is a truly American platform, and one on which all good and loyal citizens can stand, will be admitted by all whose judgment is not blinded by prejudice and partiality. Yet the pro-English newspapers, especially those of New York, denounced it in unmeasured terms. With blind fury they rushed to the defense of British interests, against these so-called hyphenated Americans, foreigners, and traitors who have the temerity to assert American rights at such an inconvenient time. The climax was reached by one of the great metropolitan dailies deliberately reversing the position which the conference took with regard to American and foreign interests. I can not resist the temptation to nail this instructive evidence of jugglery to the masthead. As we have seen, the last plank of the platform reads:

We pledge ourselves * * * to support only such candidates for public office, irrespective of party, who will place American interests above those of any other country.

But the newspaper just mentioned puts it this way editorially:

When the representatives of German-American societies publicly pledge themselves in effect to oppose all candidates for office who will not sacrifice American interests to German interests they are straining American patience to the breaking point.

This is the kind of journalism, Mr. Chairman, that we protest against from the standpoint of simple honesty. It is but a sample of the newspaper war which is being waged against Germany, too. Most of the comments might just as well have been written in London. The injustice of it all is solely responsible for whatever bitterness and indignation there may exist among those who believe in a square deal for Germany. American citizens of German blood simply refuse to accept the judgment of the English censor on the country of their fathers, because they know better; and when that judgment is presented to them by the newspapers of their own country, they protest because it does violence to the truth; and he would be a poor American, indeed, who would not stand up for right and truth rather than falsehood and wrong. As between the two he can not afford to be neutral. In order to guard against misrepresentations of our country, if ever we should be at outs with the country that now controls the news service of the world, an independent American cable, to be owned and controlled by the Government, is demanded as the first plank of the platform referred to. The other planks speak for themselves.

In conclusion let me reiterate the steadfast devotion of all citizens of German blood to American ideals and the flag. Impatient of injustice though they be, their hearts are true to the core. They feel themselves as one with every other citizen of the Republic, and, right or wrong, they will share the fate of their adopted country and of their children's fatherland. Whatever their secondary sympathies may be, they are with all other true Americans for America first, last, and all the time. [Applause.] They are for a united Nation, and shall ever uphold the ideal of national unity and dignity with that loyalty which has characterized their whole history on American soil.

I thank you for your patience and attention. [Prolonged applause.]

Mr. COOPER. Mr. Chairman, how much time did the gentleman from Missouri consume?

The CHAIRMAN. The gentleman has seven minutes remaining.

Mr. BARTHOLDT. Mr. Chairman, I yield back the remainder of my time.

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HEFLIN] for half a minute.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by Mr. Charles S. Hamlin, governor of the Federal Reserve Board, before the Chicago real estate board on February 13.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to print in the RECORD the speech referred to. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I expect to talk about war conditions for a few minutes, but it is certainly not my purpose to refer to that extraordinary, unparalleled horror in Europe. I believe that in His generosity the Lord has provided soil enough and conditions good enough for all of the people in the world to find a place in the sun, and, so far as my feeble abilities enable me to contribute to the bringing of that about, I propose to do so. I mean to speak a word about purely American matters. I shall refer to conditions in that part of the world which more directly concerns us. I do not believe that the Lord has commissioned us to administer the affairs of the Spanish-American countries about which I shall speak, but He has made them our neighbors, and what they do and how they do it does concern us. There exists to-day a most unfortunate state of affairs in the neighboring Republic of Mexico. For four years or more a carnival of crime has gone on in that country. It has become a huge international scandal. It is a political sore which, if not healed, may infect both the South and North American Continents.

In that country, where patriotic movements are always violent, there are large numbers who protest their love of the constitution, a document to which their devotion is shown in some very peculiar ways. One band of—well, I will say one army after another, in order to speak in diplomatic language—has gone about the great area embraced in that Republic and done deeds which the conscience of no good man can approve. It has made a condition on the frontier which is dangerous, a condition which I am afraid may precipitate us into war at any time. I am submitting a plan which I believe will clear that situation up.

The President declared in his Indianapolis speech, and I perfectly agree with him in the statement, that it is none of our business how they—the Mexicans—go about their business or how long they take in determining it. That is true within limitations, and provided they do not trespass upon our rights and make conditions which will render war between us and them inevitable, and which I certainly hope will be avoided. The President also said it is none of our business how they go about their business. That raises another question, and I regret to say I can not agree with the President of the United States in that respect.

Mr. Chairman, I believe that it is a perfectly simple and easy matter to avoid any conflict at arms with Mexico or with any other part of the Spanish-American peoples. I believe that if we make concessions of a reasonable sort, that if we meet them in the right spirit, if we freely recognize the absolute equality of sovereignty, the sovereignty of the big and the sovereignty of the little States, we may bring about conditions which will not only restore quiet to Mexico, but which will prevent a recurrence of such trouble, and it will certainly keep us out of any possibility of trouble with any people in that part of the world hereafter. And to that end, Mr. Chairman, I ask leave to extend my remarks by printing in the RECORD an article which I prepared and which was published in the current issue of the American Journal of International Law. It suggests a Pan-American agreement which is as practical as it is pacific. Mr. Chairman, before I take my seat I want to say one word and pay one small tribute to the character of the people who were referred to so truthfully and so eloquently by my friend from Missouri [Mr. BARTHOLDT], who has just taken his seat.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Can the gentleman from Virginia yield me another minute?

Mr. FLOOD of Virginia. The gentleman asked for three minutes and I yielded him five.

Mr. COOPER. I will yield one minute to the gentleman.

Mr. SLAYDEN. I want to say just a word: I have the honor, and I am proud to be able to say it, of representing a large constituency commonly referred to as German-Americans. There is no more robustly American or patriotic people in this country than the constituency which I represent, and everything the gentleman from Missouri has said as to their thrift, their integrity, their enterprise, and their usefulness as citizens,

I cordially indorse. In those counties in my district which are referred to as German counties there are no delinquent taxpayers. The criminal court has no business to do when it meets. They are law-abiding, industrious, useful, and patriotic citizens, and I am glad to have the opportunity to say so in these days of excited and foolish talk. [Applause.]

The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] asks unanimous consent to extend his remarks in the RECORD by inserting the article referred to. Is there objection? [After a pause.] The Chair hears none.

The article referred to is as follows:

THE A B C MEDIATION.

[By JAMES L. SLAYDEN.]

"How to regulate social, political, and commercial intercourse between the people and Government of the United States and the peoples and Governments of the other Republics on the American Continent so as to establish and maintain perfect cordiality and mutual confidence and respect, is a problem which has never been satisfactorily solved.

"In considering this question, which is often to the front and sometimes discussed with acerbity, certain disagreeable facts must be faced. In the process of understanding it American vanity will be hurt, but that is no reason for avoiding the effort to do so. There is abundant reason for believing that Americans are not popular in Mexico and other Latin-American countries. It is not the purpose of the writer in this brief essay to undertake to show why this is so. Suffice it to say that the people of the United States are viewed with suspicion, and this doubt of them and their purposes has militated against the development of American trade in the southern Republics, and is a cause of irritation which ought to be cured. Diplomatic friendship has existed and does exist, but that is a relationship which can always be counted on until an open breach is imminent. Less than 30 days before the outbreak of the greatest war in all history there was an assumed—a diplomatic—cordiality between the monarchs of Russia, England, Germany, and Austria. There is no danger of a cataclysm in America such as is deluging Europe with blood; but that unparalleled disaster shows that something more than formal friendships, something far more than diplomatic amenities, is desirable in the intercourse of nations.

"The right relations are based in justice, in respect for the rights and views of other countries, and in forbearance. These are elemental international virtues that must be cultivated if cordial relations are to be maintained. They are the antidotes for the poison of doubt and suspicion.

"For four years Mexico has been cursed by one revolution after another, and conditions in that unhappy country have gone from bad to worse. There has been a vociferous demand for intervention by the United States. This demand has come from citizens of the United States residing or doing business in Mexico and from other sources. It has been assumed by these citizens and by some Governments that it is the duty and the right of the United States to interfere in Mexico to command the peace.

"Against great pressure two Presidents of the United States have declined to intervene, although Americans and Europeans, supposedly under the protection of our Government, have been plundered and murdered. The civilized world has looked to this country for relief from Mexican anarchy. The fact that no intervention has occurred—except in one instance and for the specific purpose of resenting an insult to the American flag—should convince the people of Spanish America that neither the people nor Government of the United States desire to meddle in the domestic affairs of other countries.

"Of course, there are circumstances under which intervention may become necessary. When treaty rights are not respected, or when the property of aliens is destroyed and their lives taken, their Governments may interpose even with armed forces. Under such conditions intervention would be justified in the custom of nations and approved by all civilized powers.

"Although apt to lead to it, intervention is sometimes undertaken to prevent war, and is justified as a restraint of wrongdoing and illegal or immoral acts.

"While these provocations have all no doubt existed, the United States, the big brother of the family of the American Republics, has so far refused to undertake the task of restoring order in Mexico.

"But is there not a better, a less expensive, and more effective way of extending protection to aliens in Mexico than armed intervention by a single power? The writer believes that there is, and two recent precedents may be cited. In one of these instances, the intervention in China in 1900, the plan was completely successful, and in the other it was partially so. In the Chinese intervention, made jointly by the United States and sundry European Governments, the issue was a happy one for everybody, even for China herself.

"But it is to the situation in Mexico and the effort at mediation proposed by the ambassadors from Argentina, Brazil, and Chile, that specific reference is now made with the hope of indicating its value as a means for the preservation of peace.

"And here it may be well to say that the Mexican situation presents a purely American question, and must be settled by the Governments of the American continent.

"Everyone would like to see Mexico herself quickly and completely settle her internal troubles and avoid all interference from any other country or association of countries. But what if she will not, or can not? Shall intervention be by the United States alone, which will mean war and a new crop of suspicion and hatred of the Anglo-Saxon, or shall it be in association with the orderly Spanish-American countries? In the latter case the futility of resistance will be apparent, and quick and peaceful solution will certainly follow.

"Unfortunately all the details of the work done at Niagara are not known to the general public, and a correct estimate of its importance is difficult. But enough is known to suggest that the precedent is likely to become of transcendent importance in the political future of the American continent.

"The 'A. B. C.' mediation has taken its place in history, and in the opinion of the writer will be fully justified in the future. Certainly it was not a failure, and the more it is studied the stronger becomes the impression that it begins a diplomatic epoch in the history of the Americas.

"In their communication to the Secretary of State of the United States tendering good offices, the three ambassadors said that they did so 'for the purpose of serving the interest of peace and civilization on our continent, and with the earnest desire to prevent any further bloodshed to the prejudice of the cordiality and union which have always surrounded the relations of the Governments and the peoples of America.'

"It was a noble purpose, opportunely undertaken, and while never dramatic was in an important way successful. A war between the United States and Mexico then seemed imminent, and none occurred. A condition which was fast bringing ruin to Mexico, as it had brought shame, was distinctly and promptly bettered, and for some time thereafter there was no 'further bloodshed' in that unhappy country.

"To many students of the Niagara mediation it appears to have two distinct features of value. It helped, though possibly in a minor way, to bring the belligerents in Mexico into communication with one another, and it certainly made them realize that other countries were not indifferent to conditions in that Republic. It made them understand that chaos and bloodshed would not be permitted to go on forever. It compelled the Mexicans to realize that if they are to keep their sovereignty they must behave as a sovereign should, and not maintain an international nuisance. It forced them to think, and there was no more important fighting between the insurgents and the Huerta administration after the mediators met. Occasional minor conflicts between the followers of irresponsible guerilla chiefs and the military are not chargeable to Huerta or Carranza, and they may still be expected, for banditry of long standing is never ended in a day. Indians who have tasted the free, wild life of the camp, the companionship of a horse and a rifle, and an opportunity for loot and vengeance do not willingly or immediately go back to herding sheep or digging in mines.

"The second and by far the greatest value of the Niagara conference is the precedent it made. It points the way to the settlement of similar troubles in the future. It may, I think, be regarded as the beginning of a Pan American policy for the quieting of internal troubles and international disputes between the Republics on this continent.

"The proof it gave to the suspicious and doubtful citizens of the 20 Spanish and Portuguese speaking Republics that the people and Government of the United States contemplate no assault on their sovereignty and territory sufficed in itself to lift the mediation out of the class of failures. It did not accomplish all that some people believed it would or all that some of us hoped it might; but, in spite of the jeers of unsympathetic newspaper wits and the scorn of militarists, it did enough to establish a policy. Hereafter when any American country gives itself over to anarchy, those governments that prefer order to disorder, following the precedent of the 'A. B. C.' mediation, can jointly intervene to command the peace. If necessary to enforce this command, the military arm of all or a majority of the peaceable countries of America may be employed for that purpose. Under these joint operations no great financial burden will be put on any one peacemaker, and, better still, there can be no suspicion of motives, no apprehension of a loss of territory.

"That the people of Mexico, Central, and South America have entertained feelings of hostility toward this country, and a suspicion of its political purposes, is well known to observant travelers in those countries. The Mexican War of 1846, the exercise of overlordship in Santo Domingo and Haiti, 'dollar diplomacy' in Nicaragua and elsewhere, are all pointed to as reasons for this suspicion. The talk of some Americans of 'manifest destiny,' with its echo in the press, and the suggestion that the United States must, because of its ownership of the Panama Canal, control all territory down to the Isthmus, have not tended to remove that suspicion. South and Central Americans quite naturally say that the same reasoning applies to the territory south of the canal, and is equally valid.

"Such talk and the suspicion it has created have unquestionably interfered with the development of American trade in all Spanish America. It is human nature not to be inclined to favor, in trade or otherwise, people whose purposes are thought to be unfriendly. This feeling was perceptibly allayed by the proceedings at Niagara, and that, with the valuable precedent established, are distinct gains from the 'A. B. C.' mediation. Overlordship, so offensive to these Central and South Americans, was inferentially disclaimed, and the President and the Secretary of State made it perfectly clear that all this Government wants of its continental neighbors is friendship and mutual trade opportunities.

"The great and epoch-making speech of Mr. Wilson at Mobile cleared the atmosphere and made the mediation possible. That was a great and statesmanlike speech; but alone it was not sufficient to remove hurtful doubt and suspicion. It needed the persistent and sincere efforts of the Secretary of State, whose work for peace has given him an eminent and enviable place in history, and the prompt and hearty agreement to the mediation proposal to accomplish that.

"The way is now open for the future settlement of these revolutionary disturbances, the frequency and character of which have been a disgrace to the republican system of government. Why shall we not make the work begun at Niagara a permanent Pan American policy? Something like it worked very well in China at the time of the Boxer movement. There was no seizure of territory after the joint movement to Pekin. But who can doubt that if the task of rescuing the legations had been left to any one of the great powers of Europe or to Japan China would have paid for it with a big slice of her territory?

"In the opinion of many earnest advocates of peace who feel a profound interest in all the American Governments this plan, if mutually agreed upon and carried into effect, would go far to remove this continent from the theater of possible war and would be a long step toward universal peace. It would put an end to the persistent clamor for armed intervention in Mexico by the United States. It would take the sting out of intervention and more quickly and effectively accomplish all that could be expected from the most successful interference with arms by any one country. It would give a sense of relief and territorial security to the smaller Latin-American countries, and, as all the larger and more powerful Governments declare themselves supporters of the policy of peace and justice, it is hard to see how they could object to it.

"It is in line with the peace plan of Mr. Secretary Bryan and keeps step with the doctrine of The Hague—the doctrine of arbitration, which in theory all good men indorse. A Pan American policy of mediation and arbitration whenever disturbances shall unfortunately occur ought to convert what has been until recently one of the most turbulent sections of the earth into a region of peace and prosperity.

"There is one distinct and mutual benefit to be shared by all the Governments of the American continent sure to follow the establishment of sincerely cordial relations between them. It will strengthen them for resistance in the event of an assault on the sovereignty or territory of any of them by any or all the powers waved off by President Monroe in 1823. That will amount to an understanding for mutual defense among 175,000,000 people on one continent flanked on all sides by the world's greatest oceans."

Mr. COOPER. Will the gentleman from Virginia occupy some more time?

Mr. FLOOD of Virginia. The gentleman from Wisconsin can consume some time now.

Mr. COOPER. I yield 15 minutes to the gentleman from Pennsylvania [Mr. AINEY].

Mr. AINEY. Mr. Chairman and gentlemen of the committee, I have so recently returned from the Far East, traveling extensively in Japan, Korea, Manchuria, and China, traversing the extent of Russia from one extreme of Siberia to the other, crossing on the great Trans-Siberian Railroad, the longest railroad in the world, that in view of the utterances which have been made upon the floor of this House so recently with regard to the peoples of the Far East I am constrained to make some observations at this time, not in a controversial way, but for the purpose of broadening the perspective of our vision with respect to oriental affairs. These are momentous times. After the cataclysm and seismic convulsions of the warring world shall cease this country of ours is likely to be called upon to take an important part in the rehabilitation and rearrangement of world affairs. We shall need a clear vision, a firm hand, a sympathetic heart, and a temperate tone in order that we may meet that responsibility; and I deprecate any utterance or act which in these sensitive days shall add to the burdens of the President or tighten the tension of our international relations. We should consider the countries of the Far East, their relation to each other and to us, with a calm mind and freed from the prejudices which careless newspaper headlines and unwarranted newspaper utterances are calculated to create, swaying the judgment and stirring the emotions of our people. I feel that at this most critical time in the world's history, when feelings are keyed to highest pitch, when every international relation or activity is incased in tinder ready for the match, that the people and this high legislative body should stand with the President and with the Secretary of State, supporting them in their efforts to keep us off the reefs of war as they are forced to meet the delicate international situations which crowd thick and fast upon them.

I am constrained to believe that every Representative in Congress should carefully avoid any act or utterance calculated to disturb the equipoise of neutrality which we seek to maintain or which is likely to interfere with the solution of the grave problems which face the President and his Cabinet. I am surprised that anyone should carry the firebrand of war in these inflammable days. After this war in Europe, what? It would be a bold man who would now attempt to grasp the future to give an answer. We may assume, however, that the peoples of Europe will be depleted in men and money and that there is likely to be a change of influence, a change of emphasis, when Europe is weakened by war and her progress retarded by at least 50 years.

It may be that the weight of influence shall slip away from Europe, passing beyond the Ural Mountains and find lodgment among the peoples of Asia. Out of this war Russia, with her great resources, is likely to emerge the least harmed of any European power actively engaged in it. Russia territorially is largely Asiatic; ethnologically, she is allied in large measure with the Orient. Russia, slow-moving, ponderous Russia, that has been notching up in all these centuries until she now occupies one-sixth of the land area of the world with 8,417,000 square miles of territory; Russia, extending from the Atlantic to the Pacific and from the Arctic almost to the Indian Ocean; Russia, with a population of 185,000,000 people; Russia, with a railroad extending 6,000 miles across the Continents of Asia and of Europe; Russia, that can put under arms from twenty-two to thirty millions of men; Russia is a factor in the future development of the world. Russia will pour her commercial activities into the Pacific.

It were interesting to recall that it was Kiaochow, and not Port Arthur, which was Russia's first love. It was almost within her grasp. Under the secret convention known as the Cassini convention, China had leased Kiaochow to Russia; with it went the concession to build the Trans-Siberian Railroad through Manchuria; accompanying it there was an undoubted purpose to build the Kalgan Railroad from Lake Baikal to Peking. A straight line would take this railroad to Kiaochow, thus giving Russia her long-desired open port to the Pacific.

It was about this time that Li Hung Chang made his celebrated trip around the world; he came to Berlin, and Germany became aware of Russia's purpose. The murder of two Lutheran missionaries on the Shantung Peninsula furnished the pretext. Germany seized Kiaochow, and Russia swallowed her chagrin and took Port Arthur as a consolation. This crowded her against Japan. The result is well known. To-day Russia and Japan find themselves in accord, and where Kiaochow may ultimately land is beyond the ken of any who are content to deal with facts. Certain it is there are evidences of renewed activity in railroad construction in the vicinity of Kalgan.

I must not take the time of this committee to speak more particularly of the marvelous transformation and growth of Russia since the Japanese War, of her great commercial activity, of her railroad development. The Trans-Siberian Railroad, double tracked nearly its entire distance, is now equipped with all modern improvements. Russia now is unified, enthusiastic, and prepared.

Nor may I take the time to suggest her purpose of reaching the Indian Ocean, from which she is separated by a few hundred

miles, of immeasurably more advantage to her than is usually considered. A railroad through Persia would be easily constructed.

We speak of Japan in the diminutive. We speak of her as "little Japan," and yet by the way of comparison let me call your attention to the fact that in area and population Japan is larger than the islands of Great Britain and Ireland, larger than France, almost equaling Germany. She has a population of 50,000,000 people, almost that of our own Nation shortly *prior to the* Civil War. Japan little? Why, when the northern portions of Europe were peopled with barbaric hordes and when Assyria was a world power, shortly after the 10 tribes of Israel were carried away into captivity, Japan put upon herself the habiliments of a mighty nation. Her present monarch can boast an unbroken line of royal ancestry longer than that of any other monarch in all the world. Japan with her splendid universities; Japan that has made marvelous strides in scientific attainment, whose bacteriological research lags behind no nation; Japan spoken of as "little Japan!"

We are confronted by the words "yellow peril." Sometimes I think the American people like generalizations. They are the creators of phrases. Within the term "yellow peril" we have bound up a great deal of misconception. Sometimes I think it has approached almost to the element of hatred, and out of this misconception two things arise—first, a belief that there is irresistibly to come a conflict between the yellow and the white races. That conception, it seems to me, had its ignoble birth in the day when monarchs were entirely supreme and when democracy had little part and power. It was when great monarchs yearned for other countries to conquer and had preempted all the earth for the white people, leaving neither hope, part, or place in this great world for any other.

The Japanese and Chinese are here. They exist. Japan has already entered into the society of nations. China will soon follow. Napoleon's expression, with which every schoolboy is familiar, "China is a sleeping giant; let her sleep," is no longer true. The world is dealing with an awakened giant. The question therefore comes to us, What shall be our attitude toward these Asiatic peoples? Shall we irritate them or shall we, as is worthy of a great Nation, give them the consideration which our high position permits and demands?

I am forced to say that for some years there has existed—the source of which I am not at liberty to reveal—a continued effort to create and foster ill will and misunderstanding between the United States and Japan. The newspapers of both countries publish many misleading dispatches. It was only recently that in one of the Tokyo papers there was published a dispatch, purporting to emanate from an American source, in which one of our admirals was quoted as stating that America was about to send a fleet across the seas to make an attack on Japan. What bosh, you say, and yet you are reading in some of your own papers statements of Japan's purposes equally unwarranted and unreliable. When the distinguished minority leader on this side of the House not very many weeks ago made some general utterances not at all antagonistic to the Asiatic people they were telegraphed to Japan, not in the language of his speech, but in language calculated to arouse resentment. There are marvelous misstatements sought to be placed before both peoples. And I rebel against them, because I have had the opportunity of visiting Japan and I believe I know their attitude as I know our own.

Will you let me tell you just one personal incident? It is illustrative of the Japanese. It does not belong in the realm of debate, but it is characteristic. I was invited to address the members of the Imperial Parliament of Japan a few months ago. On my visit to the Parliament House I was ushered into the hall of their representatives and seated in the gallery facing the speaker. The assembly was in a hall nearly as large as this. I listened to the tumult of their debate over the hotly contested naval budget. In the midst of the debate an old gentleman arose and took the rostrum and was escorted to the chair in order that he might speak. He was exceedingly lame, an old man 76 years of age, and as he came before that turbulent audience he raised his hand and stilled it. Then a smile came over the old man's face and he spoke a few words and it brought a ripple of laughter over here and a few more words and a ripple of laughter over here, and a few more words and there was laughter all over the hall. Then I saw that he had captured his audience of legislators. The smile faded away and in the place of the smile the tense lines came, and, with the most impassioned utterance that it seemed to me I have ever listened to—although I could not understand the words; I felt them—he urged, from what I afterwards learned to be the fact, the development of his country along the lines that seemed to be necessary to him. And he swayed that audience. That was my introduction to the grand old man of Japan, Count Okuma, a quotation from whom was placed in the CONGRESSIONAL RECORD yesterday by a gentleman of this House, and I shall refer to it in a moment.

I thought of him and his history. I thought of him as a little Samurai boy, with two swords, one carried on one side and one on the other, one to preserve his country's honor in case it was attacked and the other to take his own life, according to the Japanese standard in case his own honor was invaded. Such a boy was he when Perry knocked at the door of Japan, and I thought of him as the progressive man of Japan who had toiled for the intellectual and commercial development of his country until it has become a marvelous people and a marvelous nation, imbuing it with the idealism of a great purpose. Then I thought of a few years ago how a would-be assassin had thrown a bomb at him and despoiled him of a limb and nearly caused Japan the loss of his splendid services. I thought of his wonderful sense of humor and the grim pathos of his life, and, do you know, my mind insisted upon jumping across the Pacific to my own home land, and I thought of one who likewise had that saving grace of humor, a man who sought his country's welfare, a man loved by the people of this country, and whose name will ever be revered as long as American life shall continue to exist, a man whom the assassin's bullet despoiled us of, and I could not help turning to the Japanese gentleman next to me and saying, "Do you know that your Count Okuma at the present time reminds me in some respects of our own Abraham Lincoln?" And the next day the Japanese newspapers from one end of the land to the other carried that utterance. Why? Because they were pleased that the name of one of their great statesmen should be coupled in compliment with the name of one whom they revere above almost every other man in American history. [Applause.]

I would like to put in the RECORD now the utterance of Count Okuma, made just a few years ago and at a time when there was considerable agitation in our country and in Japan concerning the California situation. I shall not speak at all in a controversial way concerning that situation——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. AINEY. Can the gentleman from Virginia [Mr. FLOOD] indulge me with a little more time?

Mr. FLOOD of Virginia. I yield to the gentleman five minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. AINEY. I thank the gentleman. Count Okuma gathered together some of the great legislators, some of the great statesmen, some of the people in Japan interested in the world's affairs, and what was his utterance and advice to them? That of belligerency? That of war. That of a desire to invade this country in any way or involve us in any difficulty? Not at all. This was Count Okuma's utterance:

> We can not solve this question by diplomacy. We can not solve it by arbitration. We can not solve it by war. We can not solve it by talk of war; that is the worst of all. We must appeal to the great Christian Nation to put in practice the principles for which it stands—the brotherhood of man; and out of this, in the process of time, if we will but content ourselves, the American people will, I am sure, find a solution. [Applause.]

That was Count Okuma's utterance. But there are many people who seek to get away from such pacific statements made by responsible men of Japan and accept the irresponsible ones of jingoes who exist on either side of the Pacific. They say, "Oh, Japan wants to send her surplus population over here."

Will you permit me to call your attention to the fact that there is the great island of Formosa, the settlement and solution of which can only be made by Japan sending her surplus population to promote them. She is now in Korea, and if you had traveled in Korea as I have recently you would see how much depends on Japan sending her surplus population there. And then if you would go to Manchuria and the neighboring provinces you would see the demand there for Japan's surplus population, and if you go to the northern islands you will see the opportunity there for Japan's surplus population; Japan has a program.

But let me say before I close that Japan's future program is not so much with respect to America as it is with respect to the great country of China, with her 400,000,000 of people, differing materially in thought and purpose from Japan. I shall not seek to differentiate or take sides, except to call your attention to this, that outside of America I believe there is no more patriotic people in the world than the people of Japan, and in China they have not emphasized that national unity of thought and purpose. If you traveled in China now you would find along the zones of the railroads, which represent foreign con-

cessions, a line of English soldiers, a line of German soldiers, a line of Belgian soldiers, a line of French soldiers, and a line of Russian soldiers, each of them having control of portions of China. If we were confronted in Mexico with a population of 400,000,000 of people, would America think that we had a problem down there? And yet Japan, with the great nation of China just across the narrow sea, is confronted with that problem, and she has got to meet and solve that problem. If we will place ourselves in Japan's position and seek to analyze her point of view for a moment, we will get away from an insularity which hampers our vision. Personally I believe that our entanglements with the Far East are not likely to do us any good. I am not inclined to involve ourselves too far with them, but leave them to solution of the peoples most concerned.

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Alabama?

Mr. AINEY. I can not yield. I have only a few moments left. I do not want to get into a controversial colloquy with the gentleman in regard to my attitude or views. I have only a few minutes. I asked for half an hour in the beginning, but I could not get it, so that I shall not be able to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. AINEY. A problem likewise confronts China out of this war in Europe; what think you of the likelihood of these concessions, railroad and otherwise, now existing in China with respect to the zones of influence of European powers being likely to continue there? It is a matter of self-preservation for Japan to see that some line of activity is taken with respect to the future of China, and that nation which has apparently little cohesive power shall be tied together by the influence of that nation most capable of aiding. I am not prepared to say that Japan may not aid more than any European power. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. AINEY. Mr. Chairman, may I ask leave to extend my remarks in the RECORD?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. AINEY] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BURNETT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 17122. An act for the relief of John Burrows.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. FLOOD of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. VAUGHAN].

The CHAIRMAN. The gentleman from Texas [Mr. VAUGHAN] is recognized for 10 minutes.

Mr. VAUGHAN. Mr. Chairman and gentlemen of the committee, I do not know that I shall occupy the entire time given to me, but I wish to answer some of the remarks made a few moments ago by the gentleman from Missouri [Mr. BARTHOLDT].

Mr. Chairman, in this war now going on in Europe the welfare of our country demands that we should be absolutely neutral. [Applause.] On that proposition all are agreed. If we love our country, we should do all in our power to preserve neutrality. On this proposition all should agree.

It is not for the American Congress to discuss who is to blame for bringing about this war. If we wish to preserve our neutrality, we should refrain from discussions that are calculated to disturb our neutrality.

But we are told that we are not giving Germany a square deal; that we are not observing neutrality toward Germany because some of our citizens are selling arms and munitions of war to the allies; that our Government should lay an embargo upon the exportation of such to all belligerents since Germany can not buy from us on account of British control of the seas. Now, if an observance of neutrality on our part requires that we lay this embargo we should do so, because we profess to be and we ought to be absolutely neutral.

But let us see whether or not an observance of strict neutrality on the part of the Government of the United States requires that we should lay this embargo. Let us examine international law upon the subject and see whether or not the policy of the administration is right. The newspapers carried the information on yesterday that the President had announced that the laying of such an embargo would be an unneutral act. I undertake to say that any gentleman who will examine the authorities on the subject will come to the conclusion that the President is right, and that he is sustained by all of our Secretaries of State from Jefferson down to the present time.

In the first place I wish to say that our policy on this subject is based upon sound reason. This is not a military country. Our military system is the militia system; and if our country to-day were to become involved in war with any other country, one of the first things we would have to do would be to buy arms and ammunition abroad. In the War with Spain it was one of the first things we had to do, and we bought munitions of war from Germans, although Germany's sympathies were with Spain, and it was not considered unneutral for Germany to permit Germans to sell arms and munitions of war to the United States Government in that War with Spain. The policy of allowing our people to sell arms and munitions of war to belligerents is supported by the sound reason that a country like ours which does not maintain a large standing Army nor immense stores of arms and munitions of war will find it necessary whenever it becomes involved in war to buy arms and ammunition abroad.

If all the nations of the earth were agreed, and if international law were to the effect that the duty devolved upon every neutral Government to prohibit its citizens from selling munitions of war to belligerents, every Government in the world that does not maintain immense stores of munitions of war would find itself at the mercy of those nations that do maintain standing armies and stores of munitions of war.

It does not necessarily follow that it is because of British control of the seas that Germany does not buy arms and munitions of war from our people. The best information is that she does not need to buy abroad, that she is well supplied with immense stores of munitions of war and the means of making them, and would not find it necessary to purchase in the United States, even if Great Britain did not control the sea. In fact, her friends boast of her preparedness and of the impossibility of the allies overcoming her or successfully defending themselves against her.

When this war broke out in Europe the Governments engaging in it had the right to expect that the United States would be neutral, that we would adhere to the policy established in the beginning by Washington which in his Farewell Address he so earnestly advised us to adhere to. These Governments had the right to expect that if we professed neutrality we would practice neutrality as interpreted by the established policy of our Government in regard thereto. [Applause.]

But I said, and I repeat, that if the observance of strict neutrality requires that we lay this embargo, it ought to be done. The question is, Does neutrality require it? Of course, I mean neutrality as interpreted by the established policy of our Government, for no belligerent could expect us to vary from our established understanding of what neutrality requires.

I read from the letter of Mr. Jefferson, Secretary of State, to the British minister, May 15, 1793, volume 7, page 955, of Moore's International Law;

> Our citizens have been always free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means, perhaps, of their subsistence, because a war exists in foreign and distant countries in which we have no concern would scarcely be expected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace does not require from them such an internal disarrangement in their occupations. It is satisfied with the external penalty pronounced in the President's proclamation, that of confiscation of such portion of these arms as shall fall into the hands of any of the belligerent powers on their way to the ports of their enemies. To this penalty our citizens are warned that they will be abandoned, and that even private contraventions may work no inequality between the parties at war the benefit of them will be left free and open to all.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. VAUGHAN. Yes.

Mr. GOODWIN of Arkansas. If any other policy should obtain throughout the nations of the world, would it not result logically that every country would find it necessary to be constantly employed in arming and panoplying itself in anticipation of wars yet to be declared in times of peace, knowing that it would be impossible to import arms from other countries after war was declared?

Mr. VAUGHAN. I agree with the gentleman entirely. I think I advanced that idea a moment ago. It would make it necessary that the Military Establishment of the United States should cost annually many hundreds of millions more than the immense sum it now costs to be prepared for defense.

Though Jefferson and Hamilton disagreed on many things, on this question they were agreed. I read from Hamilton's Treasury Circular of August 4, 1793 (1 American State Papers

on Foreign Relations, 140, vol. 7, p. 955, Moore's International Law):

The purchasing within and exporting from the United States, by way of merchandise, articles commonly called contraband, being generally warlike instruments and military stores, is free to all the parties at war and is not to be interfered with.

In 1796 France contended that the observance of neutrality on our part required that we should restrain our citizens from selling and exporting articles contraband of war to her belligerent enemies. We refused to yield to her demand, though she was our friend and ally in our struggle for independence. Now France wants to buy from us. We refused to restrain our people from selling to her enemies when she was engaged in a struggle for her existence against all Europe. We refused upon the ground that neutrality forbade. Shall we now, when she is engaged in another war, refuse to permit our citizens to sell to her?

Now, Mr. Chairman and gentlemen, I could go on making quotations from the declarations of Secretaries of State from Jefferson to Bryan, but I content myself with saying that it is not only international law but it is the American policy, declared by every Secretary of State from Jefferson to Bryan, and it is based upon the fact that we are not a military power, and that we depend for our defense upon the militia system, that our citizens shall be permitted to sell to belligerents in time of war, and that belligerents are remitted in their protection in the matter to capture on the high seas. And if belligerents, in this war now going on, in which we are neutral, and should remain neutral, find themselves at a disadvantage, it is their misfortune and not the fault of the United States. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. KEY of Ohio having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement; and

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3897. An act to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes; and

S. 3362. An act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters along the coast of and within the State of Texas.

The message also announced that the President had approved and signed bills of the following titles:

On February 17, 1915:

S. 1060. An act fixing the date of reenlistment of Gustav Hartfelder, first-class fireman, United States Navy;

S. 3525. An act for the relief of Pay Inspector F. T. Arms, United States Navy;

S. 543. An act to correct the military record of John T. Haines;

S. 145. An act for the relief of Charles Richter;

S. 1044. An act for the relief of Byron W. Canfield;

S. 1377. An act for the relief of Alfred S. Lewis;

S. 1703. An act for the relief of George P. Chandler;

S. 2304. An act for the relief of Chris Kuppler;

S. 2882. An act for the relief of Charles M. Clark;

S. 5695. An act for the relief of the Southern Transportation Co.; and

S. 5970. An act for the relief of Isaac Bethurum.

On February 18, 1915:

S. 1304. An act authorizing the Department of State to deliver to Capt. F. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johannson, United States Revenue-Cutter Service, watches tendered to them by the Canadian Government.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. FLOOD of Virginia. Will the gentleman from Wisconsin consume some of his time now?

Mr. COOPER. I have used considerably more time than the gentleman from Virginia, but I yield 10 minutes to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Chairman, owing to circumstances it was not possible for me to engage in the discussion on the floor of the House when the ship-purchase bill was under consideration, but I have in my possession some very important facts that, I think, were not brought out in that debate that seem to me to demonstrate conclusively that there is no danger of any permanent lack of American ships to carry American goods in this present crisis.

In the RECORD of Wednesday, February 17, my colleague [Mr. CURRY] has printed a list of 58 vessels heretofore engaged in the coastwise trade that recently have been transferred to the foreign trade to meet the present crisis. The list is probably far from complete, as I myself know of one coastwise steamer not in the list that has been thus transferred—the *Edson Light*, transferred from the the Great Lakes to salt water.

I am also advised by the highest authority that there are now 30 coastwise ships on the Pacific coast tied up to the dock, with no business to do, that can be transferred to the Atlantic, and doubtless will be so transferred, if it is certain that foreign business can be secured for them that will be profitable.

It is also a fact that three of the steamers of the Great Lakes fleet were last fall taken through the Welland Canal, Lake Ontario, and the St. Lawrence River to salt water and are now carrying cargoes of cotton to Germany. I hold in my hand a printed weekly report of the trade conditions between Germany and this country showing this to be a fact. These three steamers are:

The *Robert M. Thompson*, built by the Great Lakes Engineering Works, of Detroit, Mich.

The *Edson Light*, built by the same company at Ashtabula, Ohio.

The *Kenawha*, built by the Jenks Shipbuilding Co., of Port Huron, Mich.

By this weekly report it appears that the *Robert M. Thompson* sailed from Rotterdam on her return to the United States on January 20, the *Kenawha* on January 30 from Rotterdam, while the date of sailing of the *Edson Light* from Goteborg via Rotterdam was indefinite. It is certain that these three ships are either on the way to Europe or already landed there with another cargo.

There are thousands of steamers on the Great Lakes flying the American flag. Many of these remained all last summer tied to the docks at lower lake ports because there was nothing for them to do. The indications now are that the coming season will be no better than the last for business on the Lakes. Under these circumstances it is perfectly certain that many of these steamers, as soon as the ice is out of the Welland Canal and the St. Lawrence River, will be taken to the Atlantic and put into the trade, provided there is prospect of business for them for any considerable period of time at profitable rates. While some of the lake steamers are too large to go through the Welland Canal, there are hundreds of them that can.

There are nearly 15,000 ships of all kinds flying the American flag engaged in the coastwise trade. Even a small percentage of this number diverted to the ocean carrying traffic would provide for every possible want in the way of ocean freight facilities for our commerce.

These facts must be known by at least some of the active proponents of this ship-purchase bill as well as they are known to me. If so, it is plain that there must be some ulterior or hidden purpose behind this remarkable, revolutionary, socialistic proposition to put the Government into the foreign shipping business other than that which is publicly stated to be the reason for its enactment. There is nothing more certain than that there are plenty of ships under the American flag that may be used to carry any amount of foreign commerce that can possibly be secured by our people without giving our support to this proposition—one of many urged upon this Congress—to put the Federal Government into business hitherto reserved to private enterprise.

In order that I may put these facts before the House, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAYES. Mr. Chairman, I yield back the balance of my time.

Mr. COOPER. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, it was a great day in Lincoln, Nebr. The city's favorite son had torn himself from his confining duties as Secretary of State and was to deliver before the Lincoln Commercial Club one of his soulful addresses. It

must not for a moment be supposed that the surprise and pleasure of the town were due to the rarity of his public addresses. Far from it. But it was rumored that this address was to be delivered free of charge. Hence the rejoicing in Lincoln. [Laughter and applause on the Republican side.]

The fateful day of which I speak was January 6, 1914, and the equally fateful address is fortunately preserved to posterity in the March number of the Commoner. Much of Mr. Bryan's speech on that occasion may be passed over without comment; it is sufficient to say that, like most of the keynote speeches delivered by men prominent in the present administration, it deals in predictions and promises; the future tense is overworked to a lamentable degree.

For example, passages such as this are common:

> Our Nation has awakened and walks face foremost toward the light. Sometimes the student, looking back through history, bewails the lateness of his birth and says that if he had only been born in some golden age of the past he would have been happy. There is no golden age like this; in all the years there has been no time like ours, no period in all the annals of man when one human being could render such service to the world as he can render to-day. It is the era of hope, the day of confidence, the time of rejoicing.

[Applause.]

So sang sweetly the Secretary of State. It may be that the hundreds of thousands of men and women out of employment, facing daily want and even starvation, forced to stand in the bread line, did not find the year 1914 quite so pregnant with hope, with confidence, with rejoicing, as did the Secretary of State. But that is at the moment neither here nor there.

Even in the mind of the Secretary of State such sentiments as I have quoted were but by-products of his address. The real meat of the discourse is elsewhere. Again I quote from the speech as reported, apparently verbatim, in the March Commoner, page 13:

> You will find it in the Commoner. For authentic news of the progress of the new era, subscribe at once.

[Laughter and applause on the Republican side.]

I expected incredulity when I stated my opinion that the Secretary of State spoke before the Lincoln Commercial Club without receiving therefor compensation—or, as he doubtless prefers to designate it, "an honorarium." But the mystery is only on the surface; the speech merely provides a suitable stage setting for a deliberate and carefully planned attempt to boom the circulation of the Commoner, of which that same Secretary of State is "editor and proprietor." Shades of Thomas Jefferson, of John Quincy Adams, of Daniel Webster, of Richard Olney, and of John Hay!

This is the man who is the head of our great Department of State; this is the man charged with a thousand intricate and delicate details of adjusting our relations with every other power on the globe; this is the man upon whose judgment and foresight may perhaps hang the question of whether the United States will know peace or war the coming year. I do not charge, of course, that any moral opprobrium attached to the utterance which I have just quoted; I have the highest respect for the private character of the Secretary of State. But I do declare that a man so utterly devoid of even the slightest appreciation of the fitness of things is not and can not be anything but a hopeless misfit as the premier of the United States.

Mr. Bryan talks well—and frequently. He is very free with unctuous deliverances on the subject of our foreign policy; his heart yearns for the whole world, and especially, it would seem, does it yearn toward Latin America. For example, in a signed interview which appeared last March in America E Industrias Americanas—the price per word is not stated—Mr. Bryan spoke as follows:

> It may take some time to convince all of the people of Latin America of this Nation's disinterested friendship. They have sometimes been made the victims of commercial greed; they have sometimes suffered from exploitation by concessionaires without conscience, and are therefore naturally suspicious, but these suspicions can be overcome and will be overcome. * * * They will find in this Nation an increasing regard for their welfare.

Nothing could be more delightful, more uplifting, more soul satisfying, than the sentiment so beautifully expressed. But have theory and practice agreed? I doubt if a single Member of this House would say yes.

The fund of material and information bearing upon this interesting point is abundant to an unhappy degree. A year ago, in a somewhat extended speech, I attempted to show the nature of the substitutions in our ministers to Latin America which had been wrought by Mr. Bryan. I think no one, Republican or Democrat, would regard with pleasure or equanimity the wholesale decapitation in practically every Latin-American post of trained nonpartisan diplomats in favor of crude and wholly untrained Bryanized relics of the free-silver campaign of 1896.

I can take up to-day only one very minute phase of a very great question. I desire to refer at this time to the island of Santo Domingo, or Haiti, one of the Latin-American sisters to whom the Secretary of State so movingly extended the right hand of fellowship.

Santo Domingo is one of those regions of the world which seems likely to have greatness thrust upon it. Surprising as it may seem, few regions of the earth are so little known to-day as this lovely island, lying between Cuba and Porto Rico, in spite of the fact that it is beyond question the finest of the Antilles, and that neither Cuba, Porto Rico, nor Jamaica can compare with it in mineral wealth or in fertility of soil.

But by one of those curious shifts in the current of trade, such as that which brings an obscure way station onto the trunk line of a railroad, the opening of the Panama Canal places the island in the midstream of world traffic. The two main channels by which the shipping of Europe and of America may enter the Caribbean Sea and thence the Pacific Ocean pass on either side of it. On the west is the Windward Passage, between the Haitian end of the island itself and Cuba; on the east is the Mona Passage, between the Santo Domingo end of the island and Porto Rico. On the Windward Passage end of Cuba we have Guantanamo Bay, and at the other extreme we have, of course, the whole island of Porto Rico. We have no military or naval foothold on the island itself. On the western end of the Haitian portion of the island, opposite Guantanamo Bay, is the harbor of Mole St. Nicholas, which is notoriously coveted by Germany; and on the eastern end of the Dominican portion, opposite Porto Rico, is the Bay of Samana, which would have been ours 45 years ago if the Senate, by a tie vote, had not rejected the treaty of cession negotiated by President Grant. As recently stated in the Independent, from which the foregoing facts are largely taken:

> The island thus occupies a position of unique importance in both naval and commercial strategy. It is already apparent that whether the Panama Canal will attract enough traffic to repay us for the $400,000,000 we have sunk in it depends more on fuel facilities—that is, on the coal and oil stations of the route—than on the rate of tolls.

Perhaps a few words relative to the history of the island will not be out of place as an introduction to the discussion of the present situation. The island of Santo Domingo, usually known in the old geographies as Haiti or Hayti, is the second largest of the Great Antilles. The eastern two-thirds of the island, with which I am primarily concerned just now, is given over to the little State known indifferently as the Dominican Republic or as the Republic of Santo Domingo. The Dominican Republic covers about 18,000 square miles of territory, an area substantially equal to the combined areas of New Hampshire and Vermont. The Republic of Haiti, as we have seen, occupies the western third of the island and is the oldest colored Republic. The country is almost exclusively agricultural and has an exceedingly fertile soil. The principal product is coffee, which is still cultivated in an exceedingly primitive way. Some sugar is also grown to meet the domestic demand. In neither Republic, on account of the frequent revolutions and the unprogressive character of the people, is the agricultural capacity of the country at all developed. Although the island is about 400 miles long and as much as 165 miles in width, the total mileage in railroads is only 315.

The modern history of the Dominican Republic may be said to begin with the accession to the presidency of the negro Heureaux in 1882. For 17 years this savage despot—whose administration may, in a limited way, perhaps, be compared with that of President Diaz in Mexico—ruled the Dominican Republic with an iron hand, keeping the peace by mingling bribery and terrorism. Those whom he considered useful he kept quiet by graft and plunder; those whom he considered troublesome he killed—about 2,000 out of a total population of some 300,000. In the words of Prof. Jacob H. Hollander, of Johns Hopkins, the reorganizer of Dominican finance under the recent régime:

> The country was at peace; but it was the hush of a merciless terrorism, not the quiet of civil government. The seeming well-being which prevailed was attained by a bartering of resources of the country in prodigal concessions, and by discounting the future in reckless debt accumulations.

In the year 1899 Heureaux was assassinated, and, as Dr. Hollander well says, "With Heureaux's assassination came the deluge; the next six years constituted a climax, even in the history of Latin-American politics." There succeeded a reign of terror in the Republic which is comparable only to that which has prevailed in Mexico since the abdication of President Diaz. Chieftain after chieftain attempted to secure and to hold the presidency, and the country groaned under the hopeless and lawless conditions which resulted.

In the words of T. Lothrop Stoddard, writing in the American Review of Reviews last June, from whom I have gleaned some of the foregoing facts:

> Debasing as it had been to the Dominicans themselves, the 17 years' tyranny of Heureaux had given the outer world a vital interest in the country's future. Attracted by the political quiet imposed by Heureaux's rule, vast amounts of foreign capital had begun the development of the Republic's marvelous resources, while the dictator's lavish foreign loans had imposed heavy interest responsibilities. Accordingly, the carnival of riot and destruction following Heureaux's death had not long continued before the great powers were besieged with appeals from fugitive foreign planters, ruined concessionaires, and defrauded bondholders. And by the year 1904 it became perfectly clear that whatever the United States might fail to do to protect its injured citizens, the European powers were determined to see that their subjects obtained redress. * * * The American Government was plainly told that at least two great European powers were determined on intervention in Santo Domingo if something were not speedily done.

Neither the temper of the United States nor of President Roosevelt would perhaps willingly have brooked intervention by any foreign power. Accordingly in January, 1905, the protocol of an agreement was drawn up between the United States and the Dominican Governments providing that the United States should adjust the Dominican debt and administer the customs for the benefit of creditors. This protocol failing of ratification by the Senate, President Roosevelt made an interim agreement with the then President of Santo Domingo, Morales, providing for the collection of the Dominican customs by persons designated by him, 55 per cent of the proceeds to be deposited in the United States for the benefit of creditors. The various factions in the island were given plainly to understand that they would not be permitted to loot the customhouses in their former manner. This announcement cut the backbone out of the revolution. The nearest customhouse was always the goal of every insurgent "general," and with this possibility removed the lust of conflict quickly cooled.

After two years' operation the success of the Roosevelt-Morales interim agreement became so clear that the Senate consented to ratify a convention for American administration of Dominican customs if the original idea of an American adjustment of the Dominican debt were abandoned. Accordingly, the American receivership of the Republic's customs was formally ratified and assured legal permanence by the American-Dominican convention of 1907, a copy of which I shall append as part of my remarks.

Prior to 1914 but nine years had passed since the Roosevelt-Morales agreement ushered in the new régime; yet those nine years had brought an increase in prosperity and civilization almost unbelievable to those unaware of the marvelous natural wealth of Santo Domingo. Plantations had sprung up on all sides. Railroad extension continually brought new areas under development. Foreign capital poured in freely and the mass of the population enjoyed a prosperity and security never before known. The total customs collections for the fiscal year 1912–13 exceeded $4,000,000, and the terms of the debt service were met with ease. The total foreign trade had grown from less than $10,000,000 in 1905 to over $20,000,000 in 1912, and about the same in 1913. Imports had increased from $3,000,000 to $9,000,000 during this period, and exports from $7,000,000 to $12,000,000. The share of the United States in the exports of Santo Domingo actually exceeded 70 per cent in one year and averaged close to 60 per cent; of the imports of Santo Domingo the United States was in recent years furnishing well over 60 per cent. The country thus was flourishing, and on the commercial side its friendship was proving financially profitable as well as internationally highly desirable.

I can not take the time to discuss at length the bearing which the foregoing recital has upon a true appreciation of the Monroe doctrine. Prof. Hiram Bingham, in his work upon the Monroe doctrine, says:

> Another one of the "fruits" which has not escaped the attention of our neighbors in South America is our intervention in Santo Domingo. * * * There has been an occasional revolution since we took control of the customhouses, but the financial condition of the island is certainly better than it was. Thus we may seem to have been justified in our course, but the fact remains that, although our intervention may have been an excellent thing for the people of Santo Domingo, it has undoubtedly interfered with their right to do as they please with their own money, and has acted as a sinister warning to other Latin-American States as to what they may expect of us if they fail to pay their debts.

It may be admitted that the "international policeman" idea of Prof. Bingham may have disquieting possibilities in the future; at the same time it will be generally recognized that at the end of the Taft administration material conditions in the island had vastly improved. Mr. Stoddard, whom I have already quoted, for example, says:

> No page of our foreign policy is brighter than the story of our recent relations with that little State.

Of course, the character of the people had not been wholly changed, and there were during the nine years prior to 1914 ominous warnings that the old spirit of anarchy was still smoldering. In 1911 President Caceres, who had succeeded Morales, was assassinated, and a political upheaval was narrowly averted. In the summer of 1912 open revolution broke out and the insurgents ventured to seize the customhouses in the territory under their control. But President Taft soon showed that he would tolerate no return to the old dispensation, and 750 marines quickly ousted the revolutionists and restored American control.

I have detailed at this length the conditions prior to the advent of the Wilson administration to show the extreme delicacy and importance of the situation presented. Whatever one may think of the application of the Monroe doctrine to the state of facts, we have seen that tremendous prosperity to the people of the island and large increased foreign trade for ourselves had resulted from the step. We were apparently committed to continue in the island, and equally apparently the most careful and adroit management on the part of the United States was necessary to guide into peaceful channels the restless spirits of the people of the Republic.

Realizing the extremely delicate state of affairs, President Taft had in 1911 sent as minister to the Dominican Republic Mr. William W. Russell. Mr. Russell was born in Washington, D. C., in 1859. He was educated at the United States Naval Academy; was civil engineer and served on several surveys in South America, Mexico, and the United States; was lieutenant on the cruiser *America* when that vessel was delivered to the Brazilian authorities; was appointed secretary of the legation at Caracas November 15, 1895—his first purely diplomatic post thus having been the gift of a Democratic President; was appointed secretary of the legation at Panama City February 5, 1904; was appointed minister to Colombia in 1904, and minister to Venezuela in 1905; served as commissioner to the international exposition in Quito, Ecuador, in 1908–9; was appointed minister resident and consul general to the Dominican Republic in 1910, and was made minister, as I have previously stated, in 1911.

In other words, Mr. Russell was a thoroughly trained diplomat who had spent upward of 20 years in various capacities in Latin America. It is doubtful, perhaps, if he had any strong partisan affiliations, but presumably, from the fact that he was originally appointed by President Cleveland, he was a Democrat. He had served some three years in Santo Domingo with marked distinction and was from every point of view abundantly equipped to guide our diplomatic course through a very ticklish channel.

Yet he was displaced just as soon as Secretary Bryan got around to it. And by whom? By a trained diplomat? Hardly, with Mr. Bryan the appointing officer. The selection was James M. Sullivan, a criminal lawyer of New York. The fact that he was the defender of "Bald Jack" Rose seems hardly a sufficient reason for his selection, even from the Bryan point of view; therefore the fact that he was an indefatigable organizer of Democratic clubs in the campaign of 1912 must, beyond peradventure, have been the persuasive circumstance in the appointment. Mr. Sullivan was confirmed by the Senate August 12, 1913, and shortly thereafter went to his post. There were ugly rumors almost at the outset as to the reasons underlying his appointment and as to certain connections of his which were likely to make his presence in the island Republic highly undesirable.

For example, writing in the North American Review for February, 1914, that eminent Democrat, Col. George Harvey, refers to the appointment in these terms:

> His cousin is a contractor interested in railroad concessions in Santo Domingo.

I have previously pointed out how crushed to earth Santo Domingo had been for years prior to 1905 by domestic and foreign graft, by outrageous concessions, and by profligate and illegitimate contracts. Even if we could not, perhaps, have expected from Mr. Bryan a minister with any affirmative qualifications for the post, it did not seem unreasonable to expect, especially in view of the great delicacy of conditions there prevailing, that he would not appoint a man so manifestly unfit from every point of view to represent the United States Government.

A brief digression is here necessary. The office of general receiver of Dominican customs is a presidential appointment. William E. Pulliam, a Democrat, was receiver general in the early part of the Wilson administration. On June 16, 1913, Walker W. Vick, of Rutherford, N. J., was appointed to succeed Mr. Pulliam. Who's Who for 1914–15 tells us that Mr. Vick was "manager general headquarters Woodrow Wilson, at New York, preconvention campaign, 1912; assistant secretary of the Democratic National Committee, 1912, and organized New

York Leadquarters; secretary Wilson inaugural committee; Democrat; member Democratic Club at Rutherford, N. J., and of Bergen County Democratic Club of Hackensack, N. J." At all events, there seems no doubt of Mr. Vick's democracy or Woodrow Wilsonism; subsequent events have proved that he also had a backbone.

Shortly after Minister Sullivan's arrival at Santo Domingo, the internal conditions in the island became greatly disturbed and continued to become more and more chaotic as the months passed.

In December, 1913, when the Dominican elections occurred, the Wilson administration took the extraordinary step of sending over a horde of Americans to "supervise" the elections. Current Opinion for January, 1914, says:

The dispatch to Santo Domingo last month, in spite of the protest of that Government, of three officials connected with our State Department, and about 300 other Americans employed in the public service of Porto Rico, to observe and report on the elections, was an application of this new policy regarding constitutional governments (i. e., not to deal with or to countenance anything else). It was explained by Secretary Bryan, in a letter to Minister Sullivan, as follows:

"Please say to President Bordas that the President has planned to send a number of Americans to visit the principal polling places on election day, not as a 'commission' for which this Government asks any official recognition, but only as individuals, to lend moral support by their presence to the efforts which President Bordas has so fully pledged himself to make that the elections shall be free and uninfluenced in every respect, and in order that, if any questions should arise as to good faith of anyone concerned, undeniably impartial witnesses may be available to bear testimony as to exactly what happened."

I wonder if the intolerable smugness of this letter deceived even the most ignorant Dominican? We had no protectorate over the island or the Republic; we had no possible concern with its elections. This letter recognizes these circumstances and yet these Americans "visit" the polling places merely as "individuals to lend moral support by their presence" and to furnish "undeniably impartial" testimony in case of need. The phrasing of Mr. Bryan's letter would make it equally proper to send men to "supervise" British, French, or Italian elections. Perhaps the action was wise in this case, in spite of the strongly voiced opposition of the Republic itself; in spite of the clear departure from the Monroe doctrine as usually understood. But let us at least be candid in what we do and not hopelessly hypocritical.

Mr. Sullivan, as we have seen, had a troubled year in Santo Domingo. On June 9. 1914, Mr. Vick, after nearly a year of strife with Minister Sullivan, tendered his resignation, and immediately returned to the United States to bring to the attention of the Wilson administration just what manner of man our representative was.

A Washington dispatch, dated July 7, 1914, stated:

James M. Sullivan, United States Minister to Santo Domingo, is returning to Washington from his post, whence he sailed for New York on July 2. Mr. Sullivan has been in Santo Domingo nearly a year, during which time conditions in that Republic have been in constant turmoil, and at the present time a state of war prevails in the north, requiring the presence of American warships. Mr. Sullivan has been severely criticized because of his conduct of the affairs of his office, and doubt was expressed by many here that he will return to his post after he reaches this country.

It was only a few days ago that Walker Vick resigned the directorship of customs in Santo Domingo. It is understood here that friction between Vick and Sullivan was the real cause of Mr. Vick's resignation.

As illustrating the condition in the island about the same time and as showing conclusively how within a year a comparatively peaceful and orderly community had gone back to the dark age of anarchy and revolution, it may be worth while to append at this point a brief dispatch from Washington, dated July 15, 1914:

TO TAKE HAND IN DOMINICAN AFFAIRS—TRANSPORT "HANCOCK," CARRYING MARINES AND BLUEJACKETS, AND GUNBOAT SENT TO GUANTANAMO.

WASHINGTON, *July 14, 1914.*

With the transport *Hancock* speeding through the Gulf of Mexico, carrying marines and bluejackets from Vera Cruz toward Guantanamo, Cuba, as the first move in a demonstration to warn Haiti and San Domingo that they must put their Governments in order, it was intimated in official circles to-day that if actual intervention became necessary the United States might establish a financial trusteeship in Haiti and insist upon enlarging the authority it now exercises in the collection of Dominican customs.

Any radical change, it was said, in the administration policy toward the island Governments would be aimed to establish a fair system of internal and external taxation, with guarantees for the proper expenditures of collections. American administrators of the Dominican customs have complained that their present powers are too limited.

Several European powers have made representations to the American State Department concerning large financial interests that have suffered from continuance of revolutionary chaos in the little Republics. Financial affairs of both Governments, it is known, are in a state very unsatisfactory to foreign creditors. San Domingo's customs revenues have been so curtailed that it is said to be doubtful whether they will suffice to meet regular charges on account of the consolidated foreign debt, for which they are pledged. Conditions in Haiti are not much better.

Last fall, in response to the determined campaign by Mr. Vick for an investigation of Minister Sullivan's career, the State Department made a somewhat abortive investigation of Dominican affairs, with especial reference to the participation therein of Mr. Sullivan. This did not satisfy Mr. Vick, and he finally succeeded last December in having former Mayor Phelan, of San Francisco, Democratic Senator elect from California and a man of high distinction and ability, designated to conduct a real inquiry into the career in Santo Domingo of Minister Sullivan. The newspapers have stated that this action was taken by President Wilson "over Secretary Bryan's head." The dispatches, dated December 10 last, stated:

President Wilson has ordered an investigation into charges that James M. Sullivan, of New York, now minister to the Dominican Republic, had been guilty of misconduct in office, mainly through alleged use of influence to obtain contracts from the Dominican Government for a relative and friends and by having Dominican revenue collections transferred to a bank in Santo Domingo city which New York financial interests friendly to Mr. Sullivan were said to control.

The investigation was conducted for some two weeks in New York during January last, then for a few days here in Washington, and it is understood that Mr. Phelan has within a few days sailed for Santo Domingo for a thorough search into the history of Mr. Sullivan's régime there. Mr. Phelan will doubtless ultimately make a full report to the President, though whether or not this report will be made available to the public is not yet known. President Wilson is certainly to be commended for his vigorous, though somewhat tardy, action along this line and for the designation of a man of the parts of Mr. Phelan.

While I have nothing but the highest respect and regard for Senator Phelan, both as a man and as a public servant, it must not be forgotten that he is a staunch Democrat and that in his recent successful campaign for his seat in the Senate he relied mightily upon the written indorsements of President Wilson and Secretary Bryan. I am sure he will intend to be absolutely fair, but after all his predisposition must necessarily be to stand by and to uphold the administration and its appointees. Under these circumstances the investigation can hardly be deemed an impartial one. Indeed, it can hardly be called, in any true sense, an investigation at all.

How fundamentally different is this inquiry from one conducted by a bipartisan congressional select committee. Take, for example, the investigation conducted in 1910 by a Republican Congress of a Republican Cabinet officer. The special committee consisted of 12 Members, 6 from the Senate and 6 from the House. Four from each branch were Republicans and two were Democrats. The minority was allowed to designate its own representatives on that committee.

The investigation of such a committee, whatever the majority might report, was absolutely certain to bring to light every material fact upon which the public might base an intelligent opinion. How different is the present situation. The "commission" of inquiry consists of one member; that member is a staunch Democrat; he has no power to subpœna witnesses and he has the power—even though not the inclination, perhaps—to bring out what testimony he wishes and to suppress what he deems best. His finding obviously can not under the circumstances carry with it the weight which it should.

Much of the testimony, as reported in the newspapers, has dealt with the alleged corrupt negotiations of Mr. Sullivan with the various interests who were seeking to exploit the poor little Republic for their own welfare. A great deal of the testimony is exceedingly unsavory and certainly indicates a condition, of which Mr. Sullivan had knowledge, to be deplored by every right-thinking American. The testimony upon this head, however, is so extensive and so complex that it seems preferable not to attempt to abstract it at this time for fear that, unwittingly, some injustice might be done Mr. Sullivan or his associates. There are certain aspects of the testimony, however, to which reference may properly and perhaps profitably be made at this time.

KNOWLEDGE THE STATE DEPARTMENT HAD AS TO WHAT WAS GOING ON.

It should be remembered, as before stated, that both Mr. Vick and Mr. Pulliam, whom I shall quote principally, are Democrats and prima facie friendly to the administration and its policies. Mr. Vick was the personal selection of Secretary of War Garrison for the post at the island. In an interview with Mr. Garrison which appeared in the course of the hearings in New York last month, the New York World of Saturday, January 16, 1915, reports him as follows:

I am responsible for the appointment of collector of customs. I appointed Mr. Vick, and I accept the responsibility for his appointment. I know nothing about the other appointments, and I will not discuss the case any further.

Mr. Vick repeatedly tendered his resignation after the administration at Washington refused to act on the information sent by him to the War Department regarding certain doubtful episodes in Santo Domingo. Finally, as Mr. Vick refused to be longer responsible for conditions there, his resignation was accepted by President Wilson in terms flattering to Mr. Vick's integrity and ability. This is what the returned official had to say of the unsavory conditions in the island:

Before resigning my office I exhausted every resource at my command, both as an official and as an individual, first to induce, later to compel, a competent and impartial investigation of the appointment of Minister Sullivan and his official acts. I felt then and I believe now that the honor of the American Government and of the Democratic administration is involved. I was advised repeatedly to keep my own skirts clean and to ignore the conditions surrounding me—a situation that I could not close my eyes to and maintain my self-respect. Such an attitude is not my ideal of citizenship nor of public service. I know, too, that it is not the ideal of President Wilson, and I have never faltered in my faith that if ever the truth about Santo Domingo could be placed directly in his hands there would be prompt and righteous action.

It should be remembered that Mr. Vick resigned his office about the first of June last and that Mr. Sullivan is still minister to Santo Domingo.

As stated in the Boston Advertiser of December 9 last:

The air of sanctity which hangs around the office of the Secretary of State at Washington has been disturbed by certain meddlesome persons who will not be hushed up and who seem to grow more insistent the longer Mr. Bryan tries to ignore them.

The charge has been made to Secretary Bryan repeatedly (and with the offer of proofs to be examined by him whenever he is willing to make the investigation) that interests which have never appeared publicly in the matter have been at work to use the influence of the United States to get for themselves a number of concessions in Santo Domingo. We do not know how much of truth there may be in these charges. There have been some pretty strong accusations made, and the investigation made by Congress this winter may serve to show how much of all this case can be proven by incontestable evidence. But at least the charges are made by Democrats against Democrats, so that it can hardly be claimed that the affair has any partisan tinge.

The whole history of affairs in Santo Domingo since the present American minister, James M. Sullivan, took charge there, presents evidence of more or less influence by Tammany men upon the business affairs of the Republic. Just how far the events were subject to the influence of Minister Sullivan will be one of the things which Congress must be expected to determine. Mr. Sullivan, as the former attorney for the notorious "Jack" Rose, in the Rosenthal affair, was probably pretty well acquainted with the type of Americans who followed him to Santo Domingo City, and who showed such activity in attempting to influence the course of financial decisions, after American influence became predominant there.

A few weeks ago word came from Washington that the State Department had asked some prominent Americans to conduct a rigid inquiry into the conduct of Minister Sullivan and his general policies in Santo Domingo, and that the verdict of these men had fully exonerated the American minister. This was accepted by the American public as satisfactory, and we had supposed that the whole case had been dropped. The surprising feature now develops that the men who were publicly named as investigators emphatically deny that they served in any such capacity. They declare that Secretary Bryan must have been misled by somebody, and they insist that they are as ignorant of the alleged "investigation" as anybody else could be. They declare that they made no report on the case for the very good reason that they were never asked to do so, and never took any part in the reported "inquiry."

It is to be noted that since the attempt of Secretary Bryan to use the whitewash pail and brush in this case, rumors have been flying thick and fast at Washington, to the effect that Mr. Bryan is soon to leave the Cabinet. Whether the two developments have been wholly independent, or whether there may be some connection between them, we do not profess to know. But it is at least certain that Mr. Vick's emphatic statements have caused a decided flutter at Washington. The fact that Mr. Vick stands so close to W. F. McCombs, President Wilson's most influential adviser, lends further weight to the gravity of the proposed investigation. Altogether, the general impression that the Santo Domingo charges may carry a large amount of concealed political dynamite may be easily understood under such circumstances.

Former Receiver Pulliam testified that after his removal he had warned Assistant Secretary of State Osborne and Gen. McIntyre, head of the Bureau of Insular Affairs of the War Department. "That is what incenses me so much," said Mr. Pulliam; "to know that the administration would lend its exclusive ears to one particular faction only in Santo Domingo politics." Pulliam further testified that he had specifically warned Mr. Osborne in July, 1913: "Under no circumstances have anything to do with the Banco Nacional crowd," and had explained the character of the institution to him and that it was seeking to exploit Dominican finances.

I was surprised and incensed [said Mr. Pulliam] that such a coterie got to Bryan's ears. I was sorry to see the receivership of customs made the subject of political exploitation. I recalled the instructions which Secretary ROOT gave me when he said that those funds should be administered as a sacred trust. For eight years the receivership had been operated without any trouble and the difficulties that later arose were unquestionably caused by Sullivan's transferring the funds to the Banco Nacional. That was what they wanted. They had no funds. They wanted to establish credit for themselves. Why, nobody would accept their notes of issue except as handbills on the street. The bank was a joke.

James L. Bryne, of Boston, a construction engineer, testified to a conversation which he had had with the Secretary of State; that he had told Mr. Bryan that the minister's cousin, Timothy J. Sullivan, had stated to him that the minister had arranged that the Banco Nacional should get Government contracts, and that he—Timothy J. Sullivan—was down in Santo Domingo to manage the construction work and to see that Minister Sullivan got his "bit." Continuing, he said:

The American people, the President of the United States, and the Democratic Party have been discredited and dishonored in Santo Domingo by the conduct of Minister Sullivan. I did everything I could to get Mr. Bryan to take the matter up.

MR. SULLIVAN'S DIPLOMATIC METHODS.

Mr. Vick in the course of the examination was asked if he knew of an official call paid by the Italian minister and by the British chargé d'affaires upon Mr. Sullivan. He replied:

I know from a gentleman who was present and whose name I can not reveal publicly that these officials called upon Mr. Sullivan and that when he received them he wore only trousers and an undershirt open at the throat, with his suspenders dangling behind him. I am told he greeted the diplomats as "old sports" and that they were so indignant that they left and refused to call upon him again.

Mr. Vick further testified that the affair became the subject of much unfavorable comment in official and business circles.

Charles A. Butlin, former director general of telegraph and wireless service in Santo Domingo, testified that Mr. Sullivan—

Would not even take off his hat when the members of the Dominican cabinet called upon him, and it was common report that on one occasion he received the Italian Minister, Massignia, and another diplomat, in his undershirt, with his suspenders hanging down.

It is stated elsewhere in the testimony that the diplomatic call above referred to was made during the hours customary for such diplomatic formalities, and Sullivan could not justly plead that he was taken unawares. The story was told to Mr. Vick by an eyewitness.

Mr. Butlin also told of Sullivan generally affronting the sensibilities of the Dominicans, who are an extremely ceremonious and ceremonial people, by his boorish manners.

An interesting side light to indicate the point of view of an American citizen upon Mr. Sullivan's methods was furnished by Commissioner Phelan.

"When I was mayor of San Francisco," said Mr. Phelan, "I paid an official call upon the Lord Mayor of London. It seems there was moving or house cleaning going on, and his lordship came downstairs and greeted me in his shirt sleeves. I had supposed that the lord mayoralty consisted mostly of clothes. Later the lord mayor invited me to a dinner, which I declined to attend because I considered his reception of me as an official caller in his shirt sleeves was an insult."

HOW WAS MR. SULLIVAN REGARDED IN SANTO DOMINGO?

Perhaps this question answers itself. Mr. Vick was asked by Commissioner Phelan:

Q. Is Mr. Sullivan popular in Santo Domingo?
A. Hardly; I should say not.
Q. Was he ever fired at?
A. With bricks, not bullets. He has been hissed and hooted when driving, and on one occasion the lamps of his carriage were smashed by a mob. There is ample testimony that he frequently went driving with a guard of Government troops.

John L. Mann, former American director of public works in Santo Domingo, testified that he had informed the State Department that Mr. Sullivan had greatly offended the Dominicans and that he made it impossible for any American to walk the streets without being subject to insults. Mr. Mann also testified that Sullivan's personal habits were offensive to any Spanish-American who regards observance of the forms of etiquette as important.

Mr. Semple testified that last year he went to Mr. Bryan and begged him not to return Sullivan to his post. He read to Secretary Bryan a telegram from Paul Fuller—whom President Wilson sent to Mexico as his trusted agent—to the same effect. Testifying further, he said:

It is the consensus in Santo Domingo among Americans, Dominicans, Germans, and other foreign merchants that Minister Sullivan is a detriment to American business; that his connection with the Bordas government—whatever it may have been—and his relations with the Banco Nacional and his open association with its president make it impossible for him to serve American interests.

Mr. Vick on another occasion testified that Sullivan was generally credited with being responsible for the Dominican revolution of 1914 because he upheld the Bordas government against the Legalistas.

I do not wish it to be thought that I regard it as a serious indictment of Mr. Sullivan that he was careless in his dress, manners, or speech; we all know many men of the highest character and standing in the community who are not overscrupulous in these ways. But, as one of the witnesses testified, the Dominicans are a "polite" people; like most Latin-Americans they think a great deal of the forms of life and are oftentimes greatly influenced in their estimate of a man by his personal methods of speech and dress. If Mr. Sullivan had been in the island as an individual, it would not have been of great consequence how he comported himself. But he was in the island

as the official representative of the people of the United States. It was incumbent upon him, if he could honorably do so, to demean himself so as to merit and obtain the approval of the people among whom he was to live. Conduct of this kind was what they had been, doubtless, accustomed to from experience with Minister Russell and his predecessors and it was what they felt they had a right to expect of Mr. Sullivan. They were bitterly disappointed in him and showed their resentment in reprehensible but characteristic ways. Mr. Sullivan's usefulness as a diplomat was gone from the moment when the people began to hate him. He could no longer serve his country efficiently. We all know the importance of the personal side of our diplomatic service; we all know that Mr. Herrick and Mr. Gerard and Mr. Page have been of supremest usefulness in the anxious six months just passed because they were respected, admired, and beloved by the people to whom they were accredited. We all know perfectly well, too, that after hostility succeeds friendship, usefulness disappears. And usefulness in this connection means not merely an establishment and maintenance of friendship, but an increase in volume of trade which can be measured in dollars and cents. Mr. Sullivan was tried in the balance and found wanting in this exceedingly material way, and it is no necessary imputation upon his character or intentions that such is the case.

Nor do I mean to be captious in criticizing the State Department for the way the Sullivan ministry turned out. The best of men go wrong sometimes and the State Department can not be an insurer of the tact and skillfulness of a given representative in a difficult mission. My criticism of the State Department is, first, in sending to this delicate post a man whose training and experience had been such as manifestly to make it impossible, or at all events exceedingly unlikely, that he would wisely or successfully fit into the general scheme of things in the island; and second, in closing its ears to the repeated and sinister reports which we have seen were continually being brought to the attention of Mr. Bryan and his subordinates. I do not then blame the department because Mr. Sullivan turned out badly, because his régime in Santo Domingo has set back the United States there more than can well be measured; I blame it because at the outset it was manifest to any fair-minded man that Mr. Sullivan was not a judicious choice, and because, as the months passed, in spite of repeated warnings from authentic and dependable sources of information, no attempt was made to bring to an end his wretched official career.

Now we come naturally to the famous letter written by Secretary of State Bryan to Mr. Vick at Santo Domingo, dated August 20, 1913. Our memories are still charged with the events of that month of August, 1913. The Mexican situation was highly critical at that moment and the President was even then preparing his message to Congress, which he read on the 27th of August. The exigency was indeed such as to strain the resources of the State Department and of the Secretary of State. Yet just at this time, when one would have supposed him to be immersed in the grave questions arising out of the Mexican trouble, we find Mr. Bryan writing the following letter to Mr. Vick:

WALKER W. VICK,
Receiver of Customs, Santo Domingo City.

MY DEAR MR. VICK: Now that you have arrived and are acquainting yourself with the situation, can you let me know what positions you have to reward deserving Democrats? Whenever you desire suggestions from me in regard to a man for any place down there, call on me.

You have had enough experience in politics to know how valuable workers are when the campaign is on and how difficult it is to find suitable rewards for the deserving. I do not know to what extent a knowledge of the Spanish language is necessary for employees. Let me know what is requisite, together with the salary and when appointments are likely to be made.

Sullivan will be down before long, and you and he together ought to be able to bring about such reforms as may be necessary there, and you will find Sullivan a strong, courageous, and reliable fellow. The more I have seen of him the better satisfied I am that he will fit into the place there and do what is necessary to be done.

Very truly, yours,

W. J. BRYAN.

WASHINGTON, D. C., *August 20, 1913.*

Note the language—

Positions to reward deserving Democrats; find suitable rewards for all the deserving.

Not a thought or a suggestion of experience or ability or character or Americanism—just a brazen attempt to find any kind of a job for the Bryan hangers-on. Interpreted in the light of Mr. Bryan's point of view, it is easy to understand the meaning of his suggestion in the letter that he is satisfied that Minister Sullivan will "do what is necessary to be done." This phrasing makes still clearer—if, indeed, any evidence were needed—the motives behind Mr. Bryan's selection of Sullivan and the entire absence of any belief on his part that capacity and character were necessary elements in a minister to a foreign nation. It must be remembered that Mr. Bryan, in penning this letter, was writing to a staunch Democratic campaigner, to a man who he believed shared his own more or less high ideals of what constitutes true public service.

Contrast this letter, with its revealing frankness, with the high-sounding and sonorous interview which, as we have seen, Mr. Bryan caused to be circulated through Latin America:

It may take some time to convince all of the people of Latin America of this Nation's disinterested friendship.

Indeed it may.

They have sometimes been made the victims of commercial greed; they sometimes have suffered by exploitation by concessionaires without compensation, and are therefore naturally suspicious, but these suspicions can be overcome and will be overcome.

Can Mr. Bryan think in his heart, or even have the effrontery to say, that he, in the Santo Domingo incident, was practicing what he preaches? Can any instance be found in our recent history of more complete and thorough hypocrisy? Let us call the whole story "Pecksniff Up to Date."

Let us see what these jobs were which Mr. Bryan sought for "deserving Democrats." Here is the list as furnished him by Mr. Vick:

	Yearly salary.
Deputy receiver general of customs	$6,000
Secretary to the receivership; minimum, $1,800; maximum	2,400
Chief statistician	2,200
Assistant auditor; minimum, $1,800; maximum	2,200
Record clerk; minimum, $1,600; maximum	1,920
Superintendent of Revenue-Cutter Service	2,200
Executive clerk	1,500
Spanish stenographer and translator	1,800
Five special inspectors; total salaries, minimum, $9,000; maximum	12,000
Customs collector	2,200
Total	34,420

Mr. Vick testified that Secretary Bryan, on the recommendation of Boaz Long, until lately chief of the Division of Latin-American Affairs in the Department of State, had appointed Charles M. Johnston, of Indianapolis, financial expert for the Republic.

Bryan told me that Johnston would get $8,000 a year and expenses—

Said Mr. Vick.

Johnston was a flour salesman in Mexico, and as far as I know has never had any experience that will qualify him for the job. He's been down there six months and hasn't done a thing yet. Johnston is supposed to be a sort of a comptroller, a new office picked out of the skies.

When Secretary Bryan was told that a copy of his Vick letter was made public he made this statement:

I am glad to have the public know that I appreciate the services of those who work in politics and feel an interest in seeing them rewarded. I think these are the only charges that can be based on that letter, and as Mr. Vick received his appointment as a reward for political work, I thought he was a good man to address in expressing my opinion on the subject.

The New York World reporter states that when the above statement was read to Mr. Bryan for verification, he appeared to be greatly pleased with it.

He gave the impression that he believed some of his jobless followers of former years might understand that he was still looking for places where he could put them on a regular pay roll.

Another account states:

The Secretary of State seemed to regard the entire matter as a huge joke. The suggestion that the State Department had been made, since his entrance into office, a sort of employment bureau for the faithful machine politicians from various quarters of the United States, did not interest the Secretary in the least. He listened to the further suggestion that the offices parceled out in Santo Domingo were in no sense political plums, in view of the fact that the salaries were paid, not out of the United States Treasury, but from the Dominican treasury, without comment.

It is apparent that a sense of the fitness of things can not be injected into the Secretary of State by any methods now known to civilization.

Contrast this attitude with that of the previous history of the receivership. Mr. Pulliam, who had held the office of receiver of customs for six years prior to the incumbency of Mr. Vick, testified that he never had a demand or even a suggestion offered by the Department of State during the Republican régime that he should find places for "deserving Republicans." He said that politics had never entered into the receiver's office until the advent of the Bryan-Sullivan régime. "I always remembered the instructions given me by ELIHU ROOT, Secretary of State, when I was appointed, that the funds of the receivership were a sacred Government trust and should be guarded and administered with a knowledge of that fact." As I have previously stated, it is said in the newspaper accounts of the hearings that Mr. Pulliam is himself a Democrat.

In view of the extremely uneasy temper of the inhabitants of Santo Domingo; in view of the fact that our relationship to that island was that of a fiduciary and a guardian; in view of

the fact that Latin America was watching closely our conduct there; in view of the fact that United States partisan politics had always been rigidly excluded from the island; in view of repeated and enlightened utterances upon disinterested friendship for Latin America made by the "Apostle of (gold) Peace," it would seem as if the United States had a right and a duty to ask the writer of the Vick letter to indite another epistle—a letter of resignation as Secretary of State. [Applause.]

It is a comfort to know that the newspapers and magazines of the country have given the incident the treatment which it deserves. At the end of these remarks, I shall append some additional comments, mostly from newspapers inclined to be friendly to the present administration. The Literary Digest for January 30, last, sums up the situation thus:

The impression made upon the independent press may be gathered from the Springfield Republican's declaration that Mr. Bryan's utterances "deeply alarm as well as affront the best citizenship of the land," the New York Evening Post's characterization of his letter as "probably the most disgraceful thing ever written by any American Secretary of State," and the New York Globe's sweeping assertion that "in our whole history there has not been such an exhibition of indecency by a man in high office." Several independent papers hint that Mr. Bryan should now pen another letter containing his resignation. Mr. Bryan is revealed to the country, according to the New York Tribune (Rep.), as "a Secretary of State without sensitiveness and without shame." But the Democratic New York World is hardly less severe. Mr. Bryan, it says, "is a good man, an amiable man, and a well-meaning man, but he has no common sense and no appreciation of the dignity of his office." "Even Charles F. Murphy," declares the World, "would have hesitated to send that kind of a letter to a subordinate Tammany official. He would have regarded it as too raw," and the World is convinced that, "by his folly and foolishness, Mr. Bryan has given the Republicans legitimate issue that the country will not hear the last of for many a day." Similarly, the Charleston News and Courier (Dem.) admits that "the letter to Vick will be used for all its worth, and that it will alienate thousands who have been looking to the Democracy as the party of progress."

The National Civil Service Reform League, at its annual midwinter meeting held in New York on the 7th of this month, after thoroughly discussing the Bryan-Vick letter, adopted the following resolution:

The National Civil Service Reform League profoundly regrets that the Secretary of State appears to have suggested and advocated and later publicly justified the use of the customs service of Santo Domingo, constituting a national trust for the benefit of another American Republic and its creditors, to reward partisan services in our domestic politics.

The National Civil Service Reform League, by its governing body, declares this course plainly inconsistent, not only with fidelity to the principles of the merit system and with the purpose avowed in the Democratic national platform of 1912, to make "merit and ability the standard of appointment and promotion rather than service to a political party," but with ordinary good faith toward the Dominican Republic and its creditors. It hereby publicly expresses its earnest hope that the President will promptly take such effective action as may prevent the practical application of a policy so generally and justly condemned.

Seriously, why does Mr. Bryan continue on as Secretary of State? It must be inconvenient for him to adjust his occasional visits to the State Department so as not to interfere with his speaking engagements elsewhere; and, furthermore, the necessity which he is under in Washington of occasionally speaking without compensation must, in accordance with familiar economic laws, somewhat reduce the numbers of those who will later pay to hear him lecture. A newspaper account, dated November 30, 1914, analyzed the amount of time which the Secretary has been able to devote to the foreign affairs of the Government during the previous six weeks—six weeks that were pregnant with sinister possibilities that the United States might be involved in the European war. Perhaps the article is worth reproducing in full:

BRYAN ON THE JOB 10 DAYS OUT OF 46.

WASHINGTON, *November 30, 1914.*

Secretary of State William Jennings Bryan devoted just 10 days of his time to the foreign affairs of the Government, over which his department has control, from October 14 to November 28, inclusive.

Mr. Bryan passed Friday in Washington, on his way from his estate in Florida to Ann Arbor, Mich., where he addressed the students of the University of Michigan Saturday evening.

From October 14 to November 10 Bryan was making political speeches in various parts of the country.

From November 10 until November 17 he was at the State Department.

Proceeding to his Florida estate on the latter date, he remained there until November 24.

Returning to Washington on November 24, he put in two days (Thanksgiving being a holiday and therefore not counting) at the State Department. On Friday night he closed his desk and entrained for Ann Arbor. He is scheduled to return on Tuesday next for a short stay.

TIME TO UNEARTH A JOB.

The Secretary of State's last act before leaving Washington for his recent sojourn in Florida was to unearth a $5,000 job—that as counsel for the Canadian Boundary Commission—and to confer it upon Manton M. Wyvel, his private secretary. The duties of this office, which is catalogued in the "lame duck" class, are purely nominal; the wage is good.

Until Mr. Bryan's departure for Florida a considerable portion of his time each day has been given to the reception of political friends and to tireless efforts to land them in jobs.

On the day before he turned over the affairs of the State Department to Assistants Lansing and Adee an American engaged in business in South America was compelled to wait for more than two hours while Mr. Bryan discussed patronage with political retainers. The business man's description illuminates a scene that has been typical in the State Department since Mr. Bryan became the head of it. It was:

"It was really amusing to me, because I had come from New York on a matter of diplomatic purport. As I sat waiting for the Secretary I procured a view of how business is not done in the State Department. Five men of the Bryan type held the attention of the head of the Foreign Department. I was by force of proximity compelled to hear fragments of the conversation. From what I heard I gleaned that the callers had been 'friends' since '96. Each of the callers was looking for a job.

GLAD TO SEE THEM.

"The Secretary of State was manifestly glad to see them. He blushed like a school girl at the words of praise showered upon him. He beamed appreciatively upon hearing assurances of future indulgence of such political ambitions as he may desire to exploit. All of the callers departed with manifest satisfaction over their prospects for being stacked up against the national pay roll."

As a New York headline facetiously phrased it the other day—just before Thanksgiving, in fact—"Secretary Bryan returns to Washington for the holidays."

The most recent development in the Santo Domingo situation of which I have knowledge is recited in a press dispatch from Santo Domingo, dated January 22, 1915, and reads as follows:

SANTO DOMINGO, *January 22.*

A sensation has been caused here by the discovery of defalcations in the funds of the department of public works, amounting to many thousand dollars. The public works of the Dominican Republic are expended under supervision of the United States Government in its capacity as trustee for the Dominican Republic.

American officials are said to be involved in the misappropriations, but no detailed information is obtainable.

I am informed from official sources that sufficient evidence has been obtained to begin prosecutions, but that the American minister, James M. Sullivan, has caused further action in the matter to be postponed.

Mr. Sullivan is said to have acted upon instructions from Secretary of State Bryan, but it can not be learned why Washington desired the matter to be kept quiet at this time.

It is, indeed, to be hoped that Senator Phelan, during his stay in Santo Domingo, will succeed in getting to the bottom of this new scandal, as well as of those which have preceded it.

There are many other phases of the recent activity of the State Department which I should like to discuss, supplementary to my speech of April 2, 1914, on the diplomatic service; I should like to pay my tribute to the thoughtful invitation tendered to the navy of Switzerland to participate in the opening of the Panama Canal; I should like to refer to the strange case of Mr. George Fred Williams, minister to Greece, a lawyer who almost made himself king; I should like to deal with the case of Mr. Madison R. Smith, who was the first white man who ever served as minister to the Haitian end of the island of Santo Domingo, who has eulogized the Secretary of State and Assistant Secretary Osborne as "the greatest diplomats of all time," to assist whom the State Department was obliged to rush down a special secretary to untangle the routine work of his office and who was recently permitted to return permanently to the classic shades of Farmington, Mo.; I should like to take up the case of Robert E. Jeffery, of Newport, Ark., recently appointed minister to Uruguay—a job which, it is said, the Secretary of State turned over bag and baggage to the Arkansas Senators to parcel out to some unusually deserving Democrat from their State; I should like to speculate why young Mr. Hornibrook, of Albany, Oreg., unknown even by name to any of the three Oregon Members of Congress, was appointed minister to Siam—unless, indeed, it is the fact that he is connected with a little weekly newspaper, the Albany Democrat; I should like to scrutinize the ethics of the appointment as vice consul of John L. Cutright, of Lincoln, Nebr., who is the son of an erstwhile political enemy of Mr. Bryan, now reconciled by this appointment, and who wrote so indiscreetly pro-German statements that it was necessary summarily to recall him from his English post. All these are fruitful fields of inquiry, but time is now lacking for any adequate treatment. I may take occasion at some later date to refer to some of them more in detail.

As I said at the outset, my desire has not been to state the entire case against Secretary Bryan, but simply by discussing at some length the history of his relations with a small and relatively obscure sister republic to show the point of view which dominates his public service. The man whom he sent to Santo Domingo is said by so competent and dependable an observer as Mr. Vick to be directly responsible for the revolution that is now raging there. And yet Mr. Sullivan was probably not the worst of the Bryan brood of "diplomats" that went out a year and a half ago to Latin America. We should take warning before even worse results have befallen us. The years 1914 and 1915 will perhaps be reckoned in history as the most momentous of all time. Mighty transitions occur almost daily and pass almost unnoticed. The place of the United States in the world remains to be estab-

lished. Peace or war may hang upon the word of our representatives at home or abroad. Our prosperity and indeed our very existence may depend upon the nod of the President and his chosen assistants. Is it not, then, the right and obligation of every thinking American to demand that the United States be given a Secretary of State who, by ability, unswerving attention to duty, experience, and disinterestedness, may in these most critical of all days be worthy of being compared with the great men in that office upon whom the country has so often depended and of whom it has always been proud?

Some of the newspaper editorials to which I have referred are as follows:

[New York Tribune, Jan. 16, 1915.]

A SECRETARY OF STATE WITHOUT SENSITIVENESS AND WITHOUT SHAME.

No one acquainted with Mr. Bryan's true character could have expected him to wince at the publication of the shameful Vick letter. Since he became Secretary of State he has betrayed a strange lack of sensitiveness to his surroundings. It was a nonappreciation of the delicacies of conduct and traditions of dignity respected by other Secretaries of State which led him into his grotesque exploits on the Chautauqua circuit. His announcement that he felt obliged to supplement his $12,000 salary with the gate receipts of barnstorming lectures was only the outcropping of a deep streak of coarseness in his makeup.

That coarseness has cropped out again and again in his attitude toward appointments to the diplomatic corps. He has tried to treat all the officers he could lay his hands on as party patronage. He is the only Secretary of State in our time who ever set out openly to loot the foreign service. When Mr. Gresham was Secretary in Mr. Cleveland's second term he allowed Josiah Quincy to loot the consular offices. But never before in any excess of partisan covetousness has the head of the department dreamed of sending to a diplomatic agent executing in a foreign country a trust for that country a shameless demand for patronage odds and ends such as Mr. Bryan served on Mr. Walker W. Vick in San Domingo.

"Now that you have arrived and are acquainting yourself with the situation, can you let me know what positions you have at your disposal with which to reward deserving Democrats," wrote the brazen spoilsman who is now filling the place held by Root, Hay, Olney, Blaine, Bayard, Fish, and Seward. Secretaries of State in the old days may have incidentally looked out for party friends in making appointments; but they gave nine-tenths to ninety-nine one-hundredths of their time and thought to the weighty affairs of diplomacy. It is Mr. Bryan's unpardonable offense that in these days of far higher standards of fitness and merit in public appointments he has given nine-tenths to ninety-nine one-hundredths of his time and thought (when not lecturing for private profit) to using the foreign service as an agency to diminish unemployment among former Democratic campaign workers.

Mr. Bryan is not abashed by the publication of the Vick letter. On the contrary, he glories in his spoilsmanship. And why should he not? He simply applied in San Domingo (although the status of the financial commission there is somewhat exceptional) the same policy which filled most of the South American and Central American missions with Bryan protégés entirely innocent of diplomatic experience. In order to pay political debts hanging over from the campaign of 1908 he turned out of office American ministers who had risen from the secretarial grades and had established their capacity as diplomats. It was the same policy which forced the retirement of Ambassador William W. Rockhill, an expert who had spent most of his active life in diplomatic work. Making a place at Petrograd for Pindell, of Peoria, on the terms enlarged on in the celebrated letters attributed to Senator "JIM HAM" LEWIS differed in no essential from the attempted loading down of the Dominican Commission with "deserving Democrats" of small-fry caliber.

Mr. Bryan's incumbency in the State Department has been a failure and a scandal because he has never realized the dignity and importance of his office. He has made American diplomacy a Chautauqua circuit joke. But the fault is not exclusively his. Mr. Wilson has been obliged to tolerate him to a certain extent. Yet that tolerance has been too often flavored with sympathy.

Mr. Bryan's crude spoilsmanship has been permitted to go unrebuked, and even the Vick letter, which the Secretary now glories in, can hardly put a greater strain on the President's capacity for covering over his subordinate's vagaries than have a dozen previous incidents equally illuminative of Mr. Bryan's unfitness for his post. The Pindell letters were repudiated, yet they showed just as clearly as does the Vick document that American diplomacy will be without honor either here or abroad so long as its conduct remains in Mr. Bryan's hands. Mr. Wilson, however, can not escape responsibility for the continuance of the Bryan régime.

[New York World, Jan. 16, 1915.]

MR. BRYAN'S LETTER.

President Wilson's exultation over his success through the agency of postmasters in getting jobs for 30,000 idle workingmen was cold and formal in comparison with Secretary Bryan's delight at the prospect that he was going to find official places in Santo Domingo for some of his worthy friends. "You have had enough experience in politics," he wrote to Mr. Vick, American receiver of Dominican customs, "to know how valuable workers are when the campaign is on, and how difficult it is to find suitable rewards for all the deserving."

Mr. Vick's experience, of course, must be brief and uneventful in comparison with Mr. Bryan's, and so anything that the latter may have to say as to the difficulty of rewarding deserving Democrats must be accepted as the well-matured views of a veteran. In truth, while much fault has been found with the Secretary's conduct of the State Department, no one can say that he has ever permitted diplomacy or chautauquas to interfere with the pleasant task of getting offices for such meritorious Democrats as have adhered loyally to his political fortunes.

Let us all admit at once that no other distinguished American has ever shown more industry and gratitude in his humane desire to reduce unemployment among free-silver Democrats; but why did he have to write a letter on the subject?

[New York Herald, Jan. 16, 1915.]

In his letter to Mr. Vick Mr. Bryan reveals himself a spoilsman of the same stripe as Mr. Charles F. Murphy and Mr. Roger C. Sullivan. The only persons who will be at all surprised by the revelation are those who have been taking him at his own estimate of himself shining through smug professions of political righteousness while chautauquacking.

The fact is that Mr. Bryan's main business as Secretary of State has been job hunting for his henchmen, always with preference for those who were true to the "sacred ratio" in 1896.

The revelation of the Vick letter will not injure Mr. Bryan in the eyes of office-hunting Democrats. They, as he, are firmly wedded to the Jacksonian doctrine that to the victors belong the spoils.

But, as President Wilson made clear at Indianapolis, the independent voter holds the balance of power in American politics these days, and the independent voter expects service—not job hunting or mere office holding—from officials of his Government.

[From the Lowell (Mass.) Courier-Citizen, Jan. 18, 1915.]

BRYAN TO VICK.

The placid and unctuous Mr. Bryan must be a bit disturbed at the howl that is going up at the discovery of his letter to W. W. Vick, late a receiver of customs in San Domingo, in the course of which he asked that official to look around and see if there were not some more fat jobs to bestow on deserving Democrats from the United States. The text of the letter was something like this:

"Now that you have arrived and are acquainting yourself with the situation, can you not let me know what positions you have at your disposal with which to reward deserving Democrats? Whenever you desire a suggestion from me in regard to a man for any place there call on me.

"You have had enough experience in politics to know how valuable workers are when the campaign is on and how difficult it is to find suitable rewards for all the deserving. I do not know to what extent a knowledge of Spanish is necessary for employees. Let me know what is required, together with the salary, and when appointments are likely to be made."

Mr. Bryan is at least frank about it, nor does he now make any attempt to disavow his letter. It is his doctrine that, in the administration of a sacred trust conferred by politics, even in other countries than our own, the great and first commandment is to bestow the offices on the deserving party workers. If, in the process, the choice falls upon a man of ability as well, it is a happy accident and the public service does not in that case suffer. If in other cases it does suffer—as it did in some of the instances in San Domingo—never mind; the deserving Democrats have at least been paid off, and that's what we're here for!

The chorus of protest against this candid confession of a super-Jacksonian doctrine of spoilsmanship comes from the leading journals of both great parties. Mr. Bryan is frankly informed, for example, by the Springfield Republican that he has inflicted an "irreparable injury" on the whole Wilson administration, and the demand for his immediate resignation comes from about every quarter. The chances are, however, that Mr. Bryan will not resign, and that Mr. Wilson will not ask him to. Mr. Wilson is about as fatuously pachydermatous in such matters as Mr. Bryan himself and will probably go right along, not only tolerating Mr. Bryan but blandly approving all his works, including the letter to Mr. Vick on the primal necessity of putting none but faithful Democrats on guard, no matter what becomes of the good of the service. Of course, there is serious danger of splitting the party by breaking with Mr. Bryan, but there is a danger no less serious in keeping in with him. The administration is in a position not unlike that of the soldier who remarked: "I'll be hanged if I don't, and I'll be shot if I do." Mr. Wilson can not afford to retain Mr. Bryan, whose presence is increasingly a millstone hung about the administrative neck; and yet he can not afford to come to an open breach with him. It is this which makes the Springfield Republican—a strong friend of the President and of his general type—to remark gloomily that the Vick letter from Mr. Bryan's hand has done "irreparable injury" to the whole Wilson régime. If it hasn't, it should.

The trouble with the ancient ideal of partisan spoilsmanship professed so candidly by Mr. Bryan is that so many pesky independents in these days don't accept it, and their approval is highly desirable to secure. Inasmuch as it is they who commonly dictate the result of elections, by voting this way or that according to their belief, it ill becomes the party benefited by their momentary favor to take it as an ample warrant for a saturnalia of spoils mongering, whether that party be the Republican or the Democratic. Mr. Wilson in particular, being a "minority President," has small ground for assuming that a charter was conferred upon him in 1912 by the popular will to use the Government patronage to reward Bryanistic Democrats. In a word, Mr. Bryan's retrospective gratitude is outrageously bad politics, as well as discreditable statesmanship. It can do nothing but ruin his chief, for the sake of paying off a lot of Mr. Bryan's own political debts.

[Lowell (Mass.) Courier-Citizen, Jan. 19, 1915, from the Springfield Republican.]

MR. BRYAN, ARCH SPOILSMAN.

The very grave damage Secretary Bryan has done the Wilson administration by his staggering letter on jobs for "deserving Democrats," written to Mr. Vick, formerly United States receiver of customs in San Domingo, is irreparable. Nothing Mr. Bryan has ever said or done crystallizes his repulsively Jacksonian spoils principles like this letter.

It is nothing new that he is still living in the political atmosphere of Van Buren, Marcy, and Thurlow Weed in matters relating to the civil service. With all of his zeal for "reform," Mr. Bryan has frankly remained a spoilsman curiously filled with absurd notions to the effect that "life tenure" even in minor offices was undemocratic and that party workers should be rewarded at the expense of administrative efficiency in public office.

But the Vick letter is more of a shock than it could have been when Mr. Bryan first ran for President, nearly 20 years ago, upon a platform that gave precious little encouragement to civil service reformers. When he was the third time a candidate, in 1908, he seemed to have become more civilized in this particular, for the Denver platform drafted by himself declared: "The laws pertaining to the civil service should be honestly and rigidly enforced to the end that merit and ability shall be the standard of appointment and promotion rather than services rendered to a political party."

Finally in office, although not in the position of chief, Mr. Bryan has used all his influence in the administration to reward "deserving Democrats" solely because of "services rendered to a political party." That he has been an unblushing job hunter for party friends, even at the expense of San Domingo, is proved so conclusively by the Vick

letter that he defiantly acknowledges its authenticity. "I am glad to have the public know," he said yesterday, "that I appreciate the services of those who work in politics and feel an interest in seeing them rewarded, and, as Mr. Vick received his appointment for political work, I thought he was a good man to address and express my opinion on the subject."

Mr. Bryan's pachydermous and benighted attitude, it is needless to point out, outrages that powerful sentiment in the country which sustains the merit as against the political principle in filling administrative offices, a sentiment which is the product of a generation of laborious agitation and which will not suffer the civil service of the United States to be cast back into the muck heap of spoilsmongering without a bitter protest and struggle. Mr. Bryan's offense is magnified many times because of his high position in the administration, for he has an influence second only to that of the President himself, and such unblushing utterances from him must deeply alarm as well as affront the best citizenship of the land.

If Mr. Bryan "made" the Wilson administration, it is very possible that he will also destroy its chances of indorsement by the people in the next presidential election. His political support of the President has thus far been of incalculable value in maintaining a strong administration party in Congress, and it is virtually impossible for Mr. Wilson to continue in a party leadership that admits of no challenge without Mr. Bryan's sincere and cordial aid. That is why the damage done by the Vick letter is irreparable. The President can not force the retirement of Mr. Bryan without dividing his party and wrecking his administration.

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[From the Boston Advertiser, Jan. 19, 1915.]

BRYAN MUST GO.

We have been disposed, while the present war in Europe was going on, to make every possible allowance of charity and forbearance for the blunders of the present administration. But in the name of national decency and national honor it must be plain to every self-respecting American to-day that William Jennings Bryan should not be retained in his present post, at the head of the Department of State, a moment longer than it will take President Wilson to demand formally and in some public fashion Mr. Bryan's resignation.

It is useless to try to mince matters. Bryan has shown himself unfit for the position. His ideals of filling the diplomatic and consular service with his impossible creatures of the Sullivan stripe; his determined attempts to slather the whitewash brush over the worst scandals that have protruded themselves and that now smell to high heaven; these things make it impossible for President Wilson to retain him any longer without losing his own self-respect, as well as the respect of the people of this country.

Not only must Secretary Bryan resign; he must resign at once, in such prompt and sudden fashion as will leave no room for doubt that he goes at the demand of the President and of the American people alike.

The Santo Dominican scandal is the worst exposure of the State Department's blundering, but it is not the only one. Mr. Bryan's appointees have been making trouble in Europe, too—how much we can learn probably only at the close of the war. Bumptious, ignorant, open to suspicion on other grounds, the antics of some of these men have failed to attract much public notice, only because graver issues are at stake over there. The way in which the State Department tried to force Ambassador Herrick from his post at the time when his services were vitally necessary is an old story.

But the Santo Dominican exposures present the most enlightenment because this is the only case in which all the facts have been brought out plainly. We have, at the outset, a deal of Tammany men who wanted to exploit Santo Domingo to fill their own pockets. We have these unscrupulous men picking their tools and telling Bryan whom to put there. We have some of these men swaggering around among the punctilious people of the little island with the manners of barroom toughs and the morals of gold-brick operators. We see the honest Americans who still remain in office in the islands protesting—not to Bryan alone, but to the President, too, it should be remembered—with the result that the honest men had to resign to retain their self-respect. And when men came to Bryan with the proofs, we have seen the chilly reception which they had to endure.

But in public, while all this was going on, we saw Mr. Bryan—saintly as a Pecksniff or a Chadband—preaching "our obligations to the people of the Latin-Americas," expatiating on our obligations to treat them with scrupulous honesty and the highest ideals of Christian statesmanship. The unctuous hypocrisy shown in the contrast between public profession and private performance have been made patent to the people of Latin America much longer than to the people of North America. At this time of all times, when the American people have begun to desire the closest possible relations of friendship and honorable amity with the States of Latin America, it is self-evident that Bryan must not be kept in office a day longer than is necessary to complete the plans for his ignominious exit. The good faith and the honor of the American Nation demand his hasty and undignified expulsion from the State Department.

This can not be a partisan question. Neither the President nor the Democratic Party can afford for an instant to stand by or to defend Bryan. The facts in the case, the clear, convincing testimony of all the principals in the Santo Domingo investigation, bear incontestable testimony to Mr. Bryan's frantic use of the whitewash brush to conceal the facts from the American people. There was even given out from the State Department what purported to be a summary of an "impartial investigation" conducted by some disinterested men clearing Minister Sullivan; and on the basis of that investigation the State Department attempted to close the case. It now appears that the alleged investigation was a downright fake. Not one of the men mentioned had consented to touch the affair, and certainly not one gave Mr. Bryan the right to use his name in that connection.

The frantic appeals of Mr. Bryan to American agents in Santo Domingo to let him know at once of any opportunity to fill the service with his spoilsmen, his evident willingness to crowd political derelicts into the public service, these are among the other bad features of his rule in the State Department. An out-and-out spoilsman of the Bourbon type, packing public offices with the political wrecks who were "down and out," his influence upon our public service will not soon be cleansed away unless his appointees are sent packing, too, when he goes. In any case, however, he must go; and he can not go any too soon.

[Lowell (Mass.) Courier-Citizen, Jan. 20, 1915, from the Providence Journal.]

"A VERY NASTY MESS."

A witness before the commissioner appointed by the President to investigate the behavior of the American minister to Santo Domingo, "considers this a very nasty mess."

It is one of the nastiest that cheap politics has ever produced.

The nastiness is magnified because the cheap politics have their source in the highest quarters, the State Department. And the offense to public sentiment is aggravated by the fact that the consequences are not alone of domestic concern, but involve our foreign relations.

The national good faith has been discredited by the cheap politician in whom the President has chosen to confide it—Bryan. An intelligent administration of the State Department has not been looked for from the beginning. The neglect and blundering of Bryan have simply justified general expectation. But the American people might have supposed that the administration would be clean-handed.

Santo Domingo is as remote from the mind of the average American as Tibet. A nasty mess down there might have escaped public attention had it not become too nasty for one of the administration's own representatives to endure. Much of the testimony so far furnished is ex parte. But, at least—considering that it is out of the mouths of Democrats, testifying before a Democratic investigator and relating entirely to Democratic officials—it will not be impugned on the ground of partisan prejudice.

That accidental exhibit of documentary evidence—the Bryan letter to Vick, receiver of customs for Santo Domingo, imploring assistance to find jobs for "deserving Democrats" on the Dominican Government pay roll—is an unanswerable indictment. The disclosure amounts to a contemptible abuse of public trust. Minister Sullivan's case becomes of secondary importance. The President should call for Bryan's resignation from the Cabinet. It is no longer a question of fitness, but of decency.

Washington's tutelage of Santo Domingo was undertaken some 10 years ago. The arrangement is that an American representative has charge of the Dominican customs; and he turns over to the Dominican Government 45 per cent, withholding 55 per cent for the liquidation of the foreign debt. There is no meddling with domestic affairs, no restraint on the habit of getting up revolutions—but revolutionists must let the customhouses alone. Santo Domingo's credit is being restored, and the menace of foreign intervention for the collection of debts is removed.

This prosperity seems to have invited a descent on Santo Domingo by contractors of the Tammany stripe. The charges against Minister Sullivan indicate that the scheme was to organize a monopoly of public works down there. Santo Domingo was to be exploited. The treasury, which the Government at Washington has heretofore tried to conserve, was to be looted.

Not a "service to mankind," but "a very nasty mess."

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[From the New York World, Jan. 21, 1915.]

BRYANIZED DOLLAR DIPLOMACY.

The State Department under the dollar-diplomacy ideas of Secretary Knox may have been an agency for the easy use of financial freebooters in tropical America or elsewhere. But the State Department under William J. Bryan is giving instances of equal subserviency.

Whatever else may develop in the investigation of James M. Sullivan's appointment as minister to Santo Domingo, its absurd unfitness has already been amply proved, as well as its intimate relations with scheming contractors and exploiters. What Sullivan at the worst may be in this unsavory mess remains to be determined. But what Sullivan at the best has been shown to be is the tool of those contract workers of the Tammany political school who secured his appointment.

Sullivan's qualifications for a diplomatic post were so notoriously lacking that he himself apparently never dreamed of seeking such a position until he was put up to it by the Jarvis-Banco Nacional interests in the island. Secretary Bryan could not have been fooled in the first instance if he had been alive to his duties. But his later whitewashing of Sullivan and suppression of evidence of unfitness forced upon his attention show that from first to last his chief object had been to take care of "deserving Democrats."

The scandal has reached a stage where it must command the anxious attention of the President.

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[From the Lowell (Mass.) Courier-Citizen, Jan. 23, 1915.]

SLAMMING MR. BRYAN.

There have been lots of cutting things said about William Jennings Bryan, first and last, by his political opponents, all the way from 1896 to 1915; but it remains for a valiant supporter of the Democratic administration to hand him the most staggering blow yet delivered since he was revealed by his own correspondence to Mr. Vick as "the prince of job hunters." Let us quote a few paragraphs from the editorial recently printed by the New York Nation (and Evening Post) in which the matter was considered, merely adding that this differs only in bitterness of criticism from similar comments printed in other journals quite as friendly to President Wilson and his party:

"This letter is probably the most disgraceful thing ever written by any American Secretary of State. The trail of the spoilsman is over it all. Note the date, August 20, 1913. At that time many critical matters were pressing upon the attention of the State Department. The Mexican volcano was rumbling toward explosion. Yet the Secretary of State, his anterooms and corridors stuffed as they were for weeks with political dependents of his clamoring for jobs, was giving his thought to offices, and began looking around in helpless Santo Domingo to find 'suitable rewards' for those who had done party work for him. Such a letter on official State Department paper! Rummage the archives from the beginning, and you will find nothing so unworthy, so humiliating, so near an approach to the infinitely mean.

"What makes the affair peculiarly contemptible is the fact that Mr. Bryan was trying to get jobs for his friends in a service which the United States had undertaken as a solemn trust. On that subject no one had made finer flourishes than Mr. Bryan himself. We were to prove the 'disinterested' friendship of this Nation. We were to remove suspicion by setting our face like a flint against anything that looked like exploitation or self-seeking. And after all these noble words, this indecent request: 'Let me know what positions you have at your disposal!' The former receiver of Dominican customs has put in evidence what were his instructions from a former Secretary of State.

Mr. ROOT enjoined the receiver that his work was essentially that of a trustee. He was to consider himself as an administrator of trust funds. As a matter of fact, until the advent of Mr. Bryan in the State Department, there was no hint that politics had been allowed to sway the Dominican service discharged by us. Certainly there were no such scandals as have ever since been crawling to the surface. But why talk of scandals among subordinates when the chief scandal of all has been brought directly home to the Secretary of State?"

It was known long ago that no comparison existed between such a Secretary of State as Mr. Bryan and such a Secretary of State as ELIHU ROOT. The latter is probably the most accomplished statesman we have living among us to-day, and Mr. Bryan about as dunderheaded a public official as ever got into prominence. Yet Mr. ROOT was a rich and wicked corporation lawyer, and Mr. Bryan is a poor and pious lover of his fellow men! What a pity to have the latter shown up as so disregardful of a sacred governmental trust, in contradistinction to the former! But the Nation goes on to say:

"Admit that Mr. Bryan wrote the letter without one twinge. What does that prove? What but that the Secretary of State is so dense where he ought to be delicate, so callous where he ought to be sensitive, that he does things to shock the general sense of propriety and of morals without the glimmer of an idea that he is giving offense? Than this no severer condemnation could be passed upon a public man. We saw a revelation of such dull apprehension on Mr. Bryan's part when he went off Chautauqua-circuiting for money and fell into a rage when he found that the mass of the people either made fun of him or denounced him for making rags of the dignity of his office. That was bad enough, but his spoils-grabbing letter is worse. It is worse in itself, and it is worse as revealing the kind of appalling unconsciousness with which Mr. Bryan does discreditable things."

That's just it, exactly. Mr. Bryan hadn't the remotest idea he was not doing right. He even "laughed" when admitting that he wrote the letter, apparently never dreaming that he was bringing down the house upon his own devoted head by his effrontery. He must, in view of the way the entire country has jumped on him since, be a very perplexed and troubled man—for nothing bothers one who is sincerely anxious to do right so much as the overwhelming verdict that he has done a thing so grossly and obviously wrong as to invite universal condemnation. Mr. Bryan must be both puzzled and distressed, but it is highly improbable that even now he sees anything wrong in what he wrote or did. Such is the obtuseness of the man. He ought to resign, of course, and Mr. Wilson should not rest until he has compelled him to; but that either man will do either thing is too good to believe.

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[From the Boston Advertiser, Feb. 3, 1915.]

WHO IS RESPONSIBLE?

When the astounding revelations were first made, as to the policies under which the State Department was conducted, we hoped that President Wilson would act in the only possible effectual way to end that scandal. But he is showing himself as narrow a partisan as Bryan himself. Whatever Bryan stands for—and we sincerely regret that it is so—President Wilson stands for.

When it was first known that Bryan had made the State Department an employment bureau for "deserving Democrats"; when his plaint was first made public "how valuable workers are when the campaign is on, and how difficult it is to find suitable rewards for the deserving," the public looked to see the President in righteous protest against peddling the places in our diplomatic service as the reward of political jobbery. Beers, Vick, Pulliam, and all the others say, however, that all the facts were laid before the President long before the general public knew of the scandal. And it appears that these men were told either to keep their mouths shut or to get out of office.

When Sullivan astounded Latin Americans by holding his official levees in a condition of semideshabille the protests went to the White House. When the grave charges of political influence in the Dominican finances were formulated, they went to the White House. Now that a deficit of something like $15,000,000 is reported, and a new scandal is certain to be unearthed, we are told that the White House was warned last year of the dangers of mixing politics and business. But the President has stood resolutely by Bryan, because of his sympathy with Bryan's Bourbonism. And he stood by Sullivan, because the former associate of "Bald Jack" Rose was a Bryan politician.

In the notable speech made by W. M. Fullerton this week at Ford Hall the speaker declared that it was of absolutely vital importance to the United States at once to reach a definite diplomatic agreement, a settled understanding, with the nations of South and Central America. With a reticence in itself significant as to the basis for that warning, Mr. Fullerton, from his thorough knowledge of secret diplomacy in Europe, said that there could be "nothing more important" to the future safety of the United States.

Yet to-day we find all Latin America bitter over the revelations made as to the way in which Bryan has been peddling his offices in those countries as prizes among the "down and out" political fraternity of the Royal Bryan Rooters. When it is vitally necessary that our commercial relations should be closest, when all this hemisphere should be acting as one, we find the Bryan men in Latin America utterly without influence, utterly without initiative, absolutely a drag on every vital undertaking. What has been done that counts has been in spite of the bitter feeling which the blunderings of Bryan's loot of the offices have caused. Every business man in this country knows it. Every business man has been astounded by the indifference of the President to one of the worst scandals in national politics to-day.

And the pity of it is that good men in no less than 22 Latin American posts were displaced to make room for Bryan's "heelers."

Is the explanation of the President's astonishing attitude to be found in his recent Indianapolis speech?

A year ago all of us believed that Woodrow Wilson was the last man in public life to tolerate political rascality, to allow the public offices to be traded for political support. But the Woodrow Wilson of a year ago is not the man who spoke at Indianapolis, who threatened with "political extinction" every Democrat who dared to protest against the growing scandals of this administration. Reluctant as most of us have been to reach that conclusion, is there much room for doubt that the President, in order to make sure of a renomination, has determined to stand by the disgraceful Bryan policy through thick and thin; to keep him in office in spite of every new exposure; to sacrifice every consideration of high ideals in our foreign service for the sake of Bryan's support in the next Democratic national convention?

In taking that stand, the President shoulders the odium of the whole business. He has chosen deliberately. And with that choice must end his former promise of patriotic statesmanship.

[From the New York Sun, Feb. 18, 1915.]

THE NEW ERA IN WASHINGTON AND CARNEGIE HALL.

Owing to the exigencies of newspaper mechanics the Sun was prevented on Tuesday evening from assembling in juxtaposition two interesting announcements whose mutually illuminative significance obviously requires that they should be read together. We now bestow upon them that contiguity they so richly merit. The first of this twain was in a news dispatch:

"WORK TOO MUCH FOR BRYAN—SECRETARY ENLISTS AID OF FORMER TAFT OFFICIAL.

"WASHINGTON, *February 16.*

"Because of the rapidly multiplying problems confronting the State Department in connection with the European war Secretary Bryan has been forced to enlist the aid of Chandler P. Anderson, counselor to the department in the Taft administration, to act as an additional adviser.

"Announcement to this effect was made by Mr. Bryan this *afternoon.*"

The second member of the pair was in the space devoted to advertising the amusements offered by far-sighted and enterprising entrepreneurs for the entertainment of this town:

"CARNEGIE HALL, WED. EVE., FEB. 24—ADDRESS BY SECRETARY BRYAN ON 'THE NEW ERA'—SEATS, $1.50 TO 25C. AT BOX OFFICE."

The proud consciousness of having done our duty is the sole reward we crave for the unsought and unpaid repetition of this notice, and we sincerely trust that the presence of Mr. Anderson in the Department of State will render it unnecessary for the Secretary of State to cancel his lecture engagement, no matter what the international situation may be on February 24.

In addition to the excerpts which appear in the above-quoted editorial of the Lowell (Mass.) Courier-Citizen, dated January 23, 1915, The Nation says further:

The shocking letter by Secretary Bryan put in evidence in the Santo Domingo inquiry, was really a by-product of that investigation. What is being looked into, at the President's direction, is the doings of Minister Sullivan. He has been charged with grave improprieties and derelictions. When he was appointed there was much lifting of eyebrows at the choice of a man with such a record for such a post. The position was one of the few reserved by long custom for colored men, but the Department of State explained that it wanted a man of special competence to deal with the delicate and complex questions arising in the Dominican Republic. This was felt at the time to be a pretense. Sullivan's selection and his career in Santo Domingo make it a plain sham and fraud. And the unblushing way in which Mr. Bryan at once appealed to Mr. Vick, the new American receiver of Dominican customs, to let him know how many "deserving Democrats," at what salaries, could be foisted upon the Dominican service, shows what was the chief thing in his mind.

We know of no defense of Mr. Bryan in this matter which will not heighten his offense. It may be said that he was not aware that he was doing anything to be ashamed of. He never did take any interest in civil-service reform. The whole-hog principle always seemed about right to him. It was good Nebraska fashion to peddle out all available offices to one's friends. Nobody had so many needy friends as Mr. Bryan when he went to Washington. They were fairly encamped about him. Their pleading eyes looked up to him to be fed. How could he resist the appeal of his old campaigners who sat "three" in a chair in front of his door? And if jobs were to be had in Santo Domingo, why not go straight after them?

Those who, in their admirable simplicity, do God's will and know it not, are the subject of high praise by the poet. But what is to be said of those who do the will of the wicked and know it not? This at least may be said, that they will be regarded by intelligent Americans as having committed the unforgivable political sin, and to be unfit to represent them in high office. It is a calm judgment that Mr. Bryan has exhausted his usefulness to the administration, and is now a burden upon it. President Wilson must be wishing that the Secretary would write another letter—one containing his resignation.

APPENDIX.

1907.

CONVENTION PROVIDING FOR THE ASSISTANCE OF THE UNITED STATES IN THE COLLECTION AND APPLICATION OF THE CUSTOMS REVENUES OF THE DOMINICAN REPUBLIC.

CONCLUDED FEBRUARY 8, 1907; RATIFICATION ADVISED BY THE SENATE FEBRUARY 25, 1907; RATIFIED BY THE PRESIDENT JUNE 22, 1907; RATIFICATIONS EXCHANGED JULY 8, 1907; PROCLAIMED JULY 25, 1907.

Articles.

I. Receiver.
II. Payment of customs revenues.
III. Public debt.
IV. Accounts of receiver.
V. Ratification.

Whereas during disturbed political conditions in the Dominican Republic debts and claims have been created, some by regular and some by revolutionary governments, many of doubtful validity in whole or in part, and amounting in all to over $30,000,000, nominal or face value;

And whereas the same conditions have prevented the peaceable and continuous collection and application of national revenues for payment of interest or principal of such debts or for liquidation and settlement of such claims; and the said debts and claims continually increase by accretion of interest and are a grievous burden upon the people of the Dominican Republic and a barrier to their improvement and prosperity;

And whereas the Dominican Government has now effected a conditional adjustment and settlement of said debts and claims under which all its foreign creditors have agreed to accept about $12,407,000 for debts and claims amounting to about $21,184,000 of nominal or face value, and the holders of internal debts or claims of about $2,028,258 nominal or face value have agreed to accept about $645,827 therefor, and the remaining holders of internal debts or claims on the same basis as the assents already given will receive about $2,400,000 therefor, which sum the Dominican Government has fixed and determined as the amount which it will pay to such remaining internal debt holders; making the total payments under such adjustment and settlement, including interest as adjusted and claims not yet liquidated, amount to not more than about $17,000,000;

And whereas a part of such plan of settlement is the issue and sale of bonds of the Dominican Republic to the amount of $20,000,000, bearing 5 per cent interest payable in 50 years and redeemable after

10 years at 102½ and requiring payment of at least 1 per cent per annum for amortization, the proceeds of said bonds, together with such funds as are now deposited for the benefit of creditors from customs revenues of the Dominican Republic heretofore received, after payment of the expenses of such adjustment, to be applied first to the payment of said debts and claims as adjusted, and second out of the balance remaining to the retirement and extinction of certain concessions and harbor monopolies which are a burden and hindrance to the commerce of the country, and third, the entire balance still remaining to the construction of certain railroads and bridges and other public improvements necessary to the industrial development of the country;

And whereas the whole of said plan is conditioned and dependent upon the assistance of the United States in the collection of customs revenues of the Dominican Republic and the application thereof so far as necessary to the interest upon and the amortization and redemption of said bonds, and the Dominican Republic has requested the United States to give and the United States is willing to give such assistance;

The Dominican Government, represented by its minister of state for foreign relations, Emiliano Tejera, and its minister of state for finance and commerce, Federico Velasquez H., and the United States Government, represented by Thomas C. Dawson, minister resident and consul general of the United States to the Dominican Republic, have agreed;

I. That the President of the United States shall appoint a general receiver of Dominican customs, who, with such assistant receivers and other employees of the receivership as shall be appointed by the President of the United States in his discretion, shall collect all the customs duties accruing at the several customs houses of the Dominican Republic until the payment or retirement of any and all bonds issued by the Dominican Government in accordance with the plan and under the limitations as to terms and amounts hereinbefore recited; and said general receiver shall apply the sums so collected as follows:

First, to paying the expenses of the receivership; second, to the payment of interest upon said bonds; third, to the payment of the annual sums provided for amortization of said bonds, including interest upon all bonds held in sinking fund; fourth, to the purchase and cancellation or the retirement and cancellation pursuant to the terms thereof of any of said bonds as may be directed by the Dominican Government; fifth, the remainder to be paid to the Dominican Government.

The method of distributing the current collections of revenue in order to accomplish the application thereof as hereinbefore provided shall be as follows:

The expenses of the receivership shall be paid by the receiver as they arise. The allowance to the general receiver and his assistants for the expenses of collecting the revenues shall not exceed 5 per cent unless by agreement between the two Governments.

On the first day of each calendar month the sum of $100,000 shall be paid over by the receiver to the fiscal agent of the loan, and the remaining collection of the last preceding month shall be paid over to the Dominican Government or applied to the sinking fund for the purchase or redemption of bonds, as the Dominican Government shall direct: *Provided*, That in case the customs revenues collected by the general receiver shall in any year exceed the sum of $3,000,000, one-half of the surplus above such sum of $3,000,000 shall be applied to the sinking fund for the redemption of bonds.

II. The Dominican Government will provide by law for the payment of all customs duties to the general receiver and his assistants, and will give to them all needful aid and assistance and full protection to the extent of its powers. The Government of the United States will give to the general receiver and his assistants such protection as it may find to be requisite for the performance of their duties.

III. Until the Dominican Republic has paid the whole amount of the bonds of the debt its public debt shall not be increased except by previous agreement between the Dominican Government and the United States. A like agreement shall be necessary to modify the import duties, it being an indispensable condition for the modification of such duties that the Dominican Executive demonstrate and that the President of the United States recognize that, on the basis of exportations and importations to the like amount and the like character during the two years preceding that in which it is desired to make such modification, the total net customs receipts would at such altered rates of duties have been for each of such two years in excess of the sum of $2,000,000 United States gold.

IV. The accounts of the general receiver shall be rendered monthly to the Contaduria General of the Dominican Republic and to the State Department of the United States, and shall be subject to examination and verification by the appropriate officers of the Dominican and the United States Governments.

V. This agreement shall take effect after its approval by the Senate of the United States and the Congress of the Dominican Republic.

Done in four originals, two being in the English language and two in the Spanish, and the representatives of the high contracting parties signing them in the city of Santo Domingo this 8th day of February, in the year of our Lord 1907.

THOMAS C. DAWSON.
EMILIANO TEJERA.
FEDERICO VELASQUEZ H.

Mr. HAMILL. Mr. Chairman and gentlemen of the committee, when I came into the House this morning I did not have the slightest idea of injecting myself into any discussion on the topics which form the subject of to-day's business. I listened to the arraignment of Mr. Sullivan by my friend from Massachusetts, and I have arisen to shed some light upon the subject, not because I am interested in the slightest way in the matter, but simply because I happen to know something about it.

For one of the standing of the gentleman from Massachusetts [Mr. ROGERS], his attack on Mr. Sullivan on this floor was, to say the least, most amazing. I believe that ordinarily when one talks about a subject in a way that would involve the character of another man, he should at least in the interest of justice inform himself of the facts in the case.

I make two objections to the statement of the gentleman from Massachusetts [Mr. ROGERS]. First of all, the matter is now under investigation by a committee which has not yet finished taking the testimony; and, second, that the testimony at hand is mostly one-sided and against the minister to Santo Domingo, and that the gentleman did not submit even all of that, although he might without much effort had laid his hands upon it.

Mr. ROGERS. Will the gentleman yield?

Mr. HAMILL. Yes; with pleasure; because we want to have this thing correct.

Mr. ROGERS. The gentleman realizes that in these days the public must depend for enlightenment largely upon newspaper accounts of current events, and the gentleman knows to what extent newspapers are quoted and used on the floor. I have undertaken to read everything bearing on the case of Mr. Sullivan. I have undertaken to make no statement based merely upon my own inference or opinion. I shall be glad to furnish references to every statement I have made, and the sources thereof. In 30 or 40 minutes, of course, I could not quote verbatim the enormous mass of testimony. I tried to give a fair résumé of the testimony without even discussing the alleged contract frauds, the exact facts in connection with which seem to be in dispute.

Mr. GOODWIN of Arkansas. Will the gentleman from New Jersey yield to me for a moment?

Mr. HAMILL. I will.

Mr. GOODWIN of Arkansas. Inasmuch as the reports are newspaper talk and fragmentary, is not that a greater reason why the gentleman should refrain from giving it until the official testimony is in?

Mr. ROGERS. All the testimony has been taken except the defense of Mr. Sullivan himself at Santo Domingo.

Mr. GOODWIN of Arkansas. Then the gentleman is prejudging his case.

Mr. ROGERS. I am not; I have given the uncontroverted testimony of Democrats—of Mr. Vick, a favorite son of the Democratic administration and the personal representative of the Secretary of War.

Mr. HAMILL. The gentleman says he has read all the available newspaper accounts. Let me say that he could not have done so. He speaks of Mr. Sullivan's connection as counsel with the case of "Bald Jack" Rose. Does he find anything in that which would reflect upon him? Consider that Mr. ROOT, who committed this sacred trust of Santo Domingo to somebody or other to carry out, was, so I understand, one of the counsel who defended William Tweed when he was tried and convicted of certain criminal charges. Again, if the gentleman had read one of the New York papers—I think the New York Sun—he would have found that Mr. Whitman, then New York district attorney, but now governor of New York, wrote a letter of indorsement for Mr. Sullivan, declaring that he aided the State and that his conduct in that case was very commendable.

Mr. ROGERS. I did not criticize the gentleman——

The CHAIRMAN. Does the gentleman from New Jersey yield?

Mr. HAMILL. Not just now, not until I finish the statement. Furthermore, when "Bald Jack" Rose took the stand—I have not the honor of the acquaintance of that distinguished personage, who, I believe, is now engaged on the lecture platform, and I am merely concerned with what he said—when he took the stand, he said, in effect, that he had a grudge against Sullivan, either then or after the trial, and when asked why, he said it was because Sullivan insisted that he tell the whole truth, and he did not want to tell the whole truth. Is there anything dishonorable about that? Let us be fair, since we are talking about men's characters.

Mr. ROGERS. Oh, the gentleman wants to be fair——

Mr. HAMILL. Absolutely, and if I am not it is unintentional, just as I feel that if the gentleman is not fair it is unintentional on his part.

Mr. ROGERS. The only mention I made of "Bald Jack" Rose was to refer to the fact that Sullivan had been his defender in the trial, and to say that that circumstance could not have been the reason for his selection as minister to the Dominican Republic; I think the gentleman will agree with me that my statement was correct.

Mr. HAMILL. Yes; but the remark was injected into the discussion not as an explanatory statement as to who Sullivan was, but in order to give an impression of the character of Sullivan by the character of his client.

Mr. ROGERS. I wanted to give a little local color, and that was absolutely the only reason for the reference.

Mr. HAMILL. Yes; but it is a rule of law that in quoting a statement you should quote the whole statement, and in describing Mr. Sullivan from the character of his client you ought to state all you know about him in connection with that client.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Yes; but I want to say to the gentleman that I was accorded only 10 minutes, and if he will get me sufficient time to finish I will yield the whole day to him.

Mr. BRITTEN. Did I understand the gentleman to say that "Bald Jack" Rose was now lecturing with the Secretary of State? [Laughter.]

Mr. HAMILL. I, of course, do not know; but, considering the fluency bordering on flippancy of the gentleman, I think he himself would make a splendid colecturer with Jack Rose. [Laughter.]

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Yes.

Mr. MURDOCK. This whole controversy hinges on the statement of Walter Vick?

Mr. HAMILL. Absolutely.

Mr. MURDOCK. I read somewhere in the course of this controversy that somebody said that Vick was a "sorehead." What has the gentleman to say on that subject?

Mr. HAMILL. I think if the gentleman will read the newspapers he will find two or three statements to that effect, but I am not characterizing Mr. Vick or anybody else.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. HAMILL. Mr. Chairman, I will ask the gentleman to yield me some more time.

Mr. FLOOD of Virginia. How much time does the gentleman want?

Mr. HAMILL. Ten minutes.

Mr. FLOOD of Virginia. I have not the time to yield the gentleman all of that. I yield the gentleman five minutes.

Mr. HAMILL. Mr. Chairman, just one other matter in connection with this case. The gentleman from Massachusetts [Mr. ROGERS] narrated Commissioner Phelan's remarks to the effect that he thought the lord mayoralty consisted mostly in clothes, and that he did not take dinner with that official on that account; but if you had read further in the testimony—and I do not know whether this was in the newspapers and therefore can not object to my friend for not using it—you would have noticed that Mr. Phelan said that the man was so unconscious of the fact that he had committed an offense that on the next evening, I think it was, he took dinner with him, on which occasion he was surrounded with all the pomp and circumstance of his office. I have only this to say. I have no interest in this question one way or the other. I happen to know something about it, and I want to give what little I do know to the gentlemen of the House. This topic is under discussion. I say wait until all of the facts are before us and do not prejudge anybody. I am sure that on second thought my friend, who wants to be just, would not in any way intentionally do a man an injury. I say wait until this committee reports. My friend says that he understands there is nothing more to be taken except the defense of Mr. Sullivan. I understand there is a great deal of testimony to be taken on the very points he raised, namely, as to the acceptability of the minister to the people of the Dominican Republic.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Yes.

Mr. ROGERS. I want to remind the gentleman that my speech was not an attack or intended as an attack on Mr. Sullivan. Mr. Sullivan was minister there as a result of the decision of the Secretary of State. My charge and my grievance are against the Secretary of State for his conduct of the Diplomatic Service. I wish the gentleman, before he sits down, would give a little attention to that aspect of the case.

Mr. HAMILL. Mr. Chairman, I do not know that it is my province to defend a department which is so well able to take care of itself. Whether the Department of State acted wisely or unwisely will depend on the very thing that the gentleman assumes, as to whether or not these charges that he opens are true. But here is my opinion, if you want it, regarding the "deserving Democrat" letter. Of course, I know that the Republicans are so unquestionably altruistic and so possessed and obsessed with the frantic endeavor to serve the people and the people alone that they would not reward the deserving Republicans. Oh, no! But, outside of that, is it not proper for any department to select for certain positions where the occupant will have it within his power to either injure or assist the administration—is it not good statesmanship, as well as good politics, to select men who are in sympathy with them, and not men who are out of sympathy with them? [Applause on the Democratic side.] The qualifying adjective "deserving" does not necessarily mean anything wrong or sinister. A deserving public man is one who, of course, has rendered party service, but it means deserving in point of ability and attainments as well as in point of political service. You construe the Secretary's letter in a way that suits your own purpose, but it is equally susceptible of a construction such as I have indicated, which would be in favor of and to the credit of the Secretary of State, who wrote the letter. But I am not going to take up the time of the House longer.

Mr. Chairman and gentlemen, I thank you for giving me this opportunity. I merely want to close with one sentence, and say, gentlemen, wait. In the name of American fairness, to which my friend from Massachusetts [Mr. ROGERS] has appealed, let us wait until the entire question is investigated and the facts are before us, and then in the American way let us pronounce a just decision. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD of Virginia. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. LINTHICUM], and I would like to inquire how much time I have consumed.

The CHAIRMAN (Mr. HARRISON). The gentleman has 44 minutes remaining.

Mr. LINTHICUM. Mr. Chairman, whoever has traveled abroad and observed the manner in which this Government provides and maintains its diplomatic and consular offices as contrasted with the provision made by other nations must indeed feel ashamed of our neglect. The United States is a competitor for the world's trade, and if we are to secure that trade we must put forth efforts not only equal to those of our competitors, but we must surpass them. If we are to do this, we must establish our country in the confidence and estimation of the people whose trade we seek. We must impart to them some knowledge of the strength and character of the country which seeks their business. In my opinion, nothing will do more to this end than the maintenance of our diplomatic and consular representatives in those lands in a manner and dignity in harmony with this idea. Sound reasoning dictates that this should be our policy, and I welcome every step to this end.

It is for these reasons that I am especially interested in seeing favorable action by the House on those paragraphs on page 23 of this bill making provision for the acquisition of suitable premises or for the purchase of land and the erection thereon of a suitable building or buildings in which to house the consulate general, the United States court, the jail, the post office, and other offices of the United States at Shanghai, China, and for the purchase of a building located upon the land now leased to the consulate general of the United States at Yokohama, Japan, carrying in all appropriations of $362,275. I favor the appropriation in these two cases because I am aware of their merits. On broader grounds, and for similar reasons, I believe in the policy of Government-owned diplomatic and consular buildings.

COMMERCIAL IMPORTANCE OF SHANGHAI.

Shanghai is a city of nearly a million inhabitants, located on the Whangpoo River, a short distance from the coast. This river and its connecting waters is to China what the Amazon is to South America and the Mississippi is to the United States. Shanghai is at the same time the New York and New Orleans of China—the great financial and commercial center at the mouth of the principal watercourse, over which trade can be carried to one-third of the entire Empire, and the chief city of the great Yangtse Valley. The principal foreign banking houses, steamship offices, business houses, and foreign consulates of China are in Shanghai. Politically Shanghai is second only to Peking in importance; commercially it is by far the most important port of China and the Far East.

Nearly 42 per cent of the total trade of China goes through Shanghai. Her imports for 1913 amounted to over $178,000,000 and her exports to over $129,000,000. The volume of combined business passing through that port was therefore something over $307,000,000.

REASONS FOR A GOVERNMENT-OWNED CONSULATE.

The prestige that comes from external appearances is more marked in China than perhaps in any country in the world, and has a direct bearing on commercial success. The territory set aside for foreign habitation is quite limited. The number of available foreign buildings suitable for consular purposes is small, and Chinese buildings are in no way suitable. It is not easy, therefore, to obtain quarters large and convenient to commercial and shipping houses. All the principal foreign nations, especially the rivals of the United States for the trade of China, own dignified and often pretentious consular buildings. The United States is the only great Nation which does not own its consular and court buildings in Shanghai, the greatest port in China, notwithstanding that it has adopted the policy of acquiring Government-owned consulates.

The impression of power and size, so necessary to be created on the oriental mind, is of primal importance, for he often

judges the strength, worth, and dignity of a nation by the residence of its representative. This fact is what Germany knows and appreciates, and it was with this view that she has built so extensively and grandly in the Orient. In view of the nation to which they belong and of our own increasing trade interests in this land of wonderful possibilities now opening to foreign trade exploitation, all true Americans would be ashamed to see our Nation go back to the undignified, inconvenient, and inadequate consular quarters formerly furnished by the American Government at Shanghai, while the representatives of other powers are so well provided for.

VALUE OF CHINA'S TRADE.

If you pause for a moment to consider that the Republic of China contains something over 400,000,000 of people; that in 1913 she imported nearly $428,000,000 worth of goods, and exported something over $306,000,000 worth; if you bear in mind that the relations existing between the Chinese Government and the Chinese people, and the Government of the United States and the people of the United States, are exceedingly friendly and cordial; that our Republic is regarded as the sincere and traditional friend of China, you will appreciate that with greater energy and initiative upon our part, with a more studious effort applied to capturing the Chinese trade, we could have increased our imports to that country greatly beyond the figure they reached.

Now, if we are to canvass the Orient in quest of our share of its lucrative commerce we must expect to proceed along those lines which have been determined the correct lines to travel. We can not expect to do business contrary to what others have found to be the best business policy and succeed. We certainly can not hope to build up respect for our Government and confidence in our commercial houses unless we appear before these people, who do not know us, in a way to win their respect and confidence. You know, and I know, that with many people appearances go a long way. It should not excite wonder that in the absence of a definite knowledge of you people should judge you by your appearance. It is therefore not surprising that in the absence of more adequate information the people of China and other foreign countries should judge us by the only evidence of our character they have daily before their eyes.

CHARACTER OF OUR REPRESENTATION.

And what evidence have they? Merchant ships flying our flag rarely enter a foreign port. Indeed, the Stars and Stripes are a curiosity in the Orient, unless they be seen on a man-of-war or some other Government-owned vessel stationed in Asiatic waters. And if these people fail to behold any evidence of our Republic manifested in the form of flags on vessels in their harbors, what other tokens have they by which to judge as to the kind and character of nation we are?

Other nations possess the buildings which their diplomatic and consular representatives occupy, maintain them in good condition, and thus create an impression of dignity, stability, and affluence. But the American diplomatic representative and consular officer must hold forth in some rented and temporarily converted private dwelling whose appearance and location make but a poor comparison beside the headquarters of those nations who are our trade competitors.

Is it any wonder, I ask, in the face of such evidence, the Chinaman, or resident of whatever country he may be, should misjudge our character? Surely, if other Governments find it a paying investment to provide befitting headquarters for their diplomatic and consular officers, we should find it equally as profitable to do likewise.

MARYLAND'S INTEREST.

I wish to make plain, Mr. Chairman, that Maryland is deeply interested in this subject. Representing, as I do, a State which has been one of the great commercial States of the Union, a State which embraces the most magnificent bay of the Nation, a bay which is ever alive with ships of commerce, it is but natural that those things which influence or affect our commerce should be of paramount importance to us.

I do not believe that interest in the merits of this subject is confined to those Representatives from our seaboard States; but I can readily understand why Representatives from our seaboard States should be more deeply interested than those hailing from the interior of our country. My people understand, as those of other nations have already learned, that those things which contribute to the increase of commerce are worthy of careful study and consideration. We know full well if other nations have found it to their financial interest to maintain their own buildings in foreign countries in which to house their diplomatic and consular representatives they have come to that conclusion after careful study of the subject, and if they have reached that conclusion, we believe that equal consideration upon our part would show that it would be a profitable thing for us to follow their example.

The people of Maryland have, to a large extent, always been especially interested in our country's commerce. Since the establishment of our Government Maryland has been a shipbuilding and ship-sailing State. Maryland sailors and seamen have always been a part of the crews of our men-of-war, and there is hardly a naval battle written in our country's history but what Marylanders took a prominent part.

For these reasons our interest is a natural one. We believe in helping those merchants who carry American goods to foreign shores. We realize that a merchant marine is indispensable, and we appreciate that in the contest for this foreign trade our merchants should have all the assistance and prestige that can be rendered them by our diplomatic and consular officers so situated in foreign lands as to make them influential with the people among whom they are domiciled. We realize that our consular and diplomatic officers can not attain the sphere of influence and usefulness they ought to occupy unless they enjoy a creditable standing among the people of those lands to which they are assigned. We believe that such a standing would be a material aid to us commercially, and for these reasons Maryland is keenly interested in the measure now before the House.

OUR FOREIGN TRADE.

That you may have some adequate conception of the extent of our interest, I wish to point out that in 1914 more than 732 vessels engaged in foreign commerce entered the port of Baltimore, in addition to 1,483 engaged in coastwise commerce. During this same period 826 vessels cleared from the port of Baltimore engaged in foreign commerce, and 1,833 vessels engaged in coastwise traffic.

Our exports in 1914 amounted to $106,852,045 and our imports were $29,687,729. Our total foreign trade was estimated at something in the neighborhood of $136,330,774. It is not remarkable, as you will observe, in view of this vast volume of foreign commerce, that this subject should be one which appeals directly and personally to my district.

We have always been large exporters to foreign countries, as well as importers from those countries. We have always been close to the elbow of competition, and being this close, we have learned what every man learns who engages in a formidable struggle with a competitor who is alive to his opportunities.

We have been taught that when men invest money along certain lines, even though those lines may appear unimportant and without value, it will generally be found upon closer examination that they are productive of good, and if they were not they would not be followed. We have learned that it pays to keep abreast of your competitor. Surpass him if you can, but if you can not surpass him, do not let him surpass you; do not fall behind and get in the vanguard. Now, our consular officers are our trade representatives. If we fail to give them the proper respectability through housing them under appropriate conditions, the people in foreign lands will not only look down upon them but they will look down upon us.

SOUTH AMERICAN TRADE.

The opening of the Panama Canal and the development of our merchant marine will naturally bring us in closer trade relations with many of the countries and people of South America. Our South American friends, with whom we will be endeavoring to do a greater business in the future, are an impressionable race. There can be no denying the fact that our failure to maintain in many of these countries consulates of a class and character favorably comparing with those of other foreign Governments has resulted in a comparison decidedly to our disadvantage and has exerted its influence upon our trade with those countries.

I am firmly of the opinion that, with the inauguration of a policy whereby our consular representatives will be housed in a style befitting their position as representatives of the great North American Republic, such a change will create a better opinion of us and a more favorable attitude toward the business interests of this country.

As between two merchants, one exhibiting every evidence of stability and the other minus those evidences, you would not hesitate a moment in placing your trade. It would go to the one in whom your confidence was the greater. On a larger scale, this is our situation in South America. We are the natural market for supplying many of their demands as well as the chief consumers of much of their raw materials; yet so lamentably have we failed in making the most of our opportunities that European countries have actually beaten us out of these markets at our very door. As an evidence of this, less than two years ago Dr. Lauro S. Muller, the Brazilian minister of foreign affairs, during a visit to this country pointed out that

in 1913 our imports from Brazil amounted to nearly $124,000,000, while our exports to that country reached only a little over $34,000,000.

Now that we are awake to the necessity of an American-owned merchant marine and are to have vessels of our own, we should take another step forward and see that every legitimate and proper assistance that can be extended our trade getters in those countries be offered; and the best way to extend this assistance is through making apparent to the people of those countries whose trade we are seeking that they are trading with a first-class business country, and let the surroundings of our representatives bear evidence of that stability with which we would impress them.

A SOUND POLICY.

Permit me to direct the attention of the House to the fact that the ownership by this country of our diplomatic and consular headquarters abroad is not only a wise investment, when considered with reference to its influence in favor of our country, but that, judged purely from the standpoint of a business investment of the Government, it is a policy economically sound.

We can acquire the necessary property, build our embassies and consulates, and maintain them for a sum much less than we now pay in rent. I have heard it said by some men that they could rent a house at a sum less than the interest charged on the money required to purchase it, but I have never known of an instance where the Government could rent a building equally adequate and suitable for its needs for diplomatic or consular headquarters at a price anywhere near that for which the building could be built and maintained by our Government.

The average private building which can be secured by our Government for the use of its consular offices is, as a rule, unsuited to our particular needs. I understand that it is frequently the case that when the proper building can be secured it is unsuited for our use by reason of its location; then where the proper location is decided upon a suitable building is almost impossible to be obtained. The result is obviously a makeshift. Where our consulate is in the proper building it is generally to be found not in the right location.

It is apparent, therefore, that the only solution of the problem is Government-owned consulates, erected on Government-owned ground, permanently maintained by our Government for its use, as other Governments are already doing.

OUR CONSULAR EMPLOYEES.

I am acquainted to some extent with the character of men in our Consular Service and with the nature of the work they are doing. Of these men I can speak only in the highest terms. They are a splendid body of men, thoroughly qualified, competent, and efficient, and doing a valuable work. Probably no other Government in the world is securing more valuable services from its consular employees than those services which are being rendered our Government by the men in its service. Year after year their field of activity is being expanded and the value of their services becoming greater. Men of this character rendering services of such importance should certainly be adequately provided for by the Government they represent. Because of its good work in behalf of American trade and its aid to business men in the United States our Consular Service holds a warm spot in the heart of our business interests, and I am sure that these interests will emphatically approve of any measure the purpose of which is to give our Consular Service a better standing abroad than it now enjoys, and thus to increase its usefulness.

COMPENSATION OF DIPLOMATIC OFFICERS.

And while the opportunity is afforded I want to refer to one deplorable feature of our Diplomatic Service, namely, the neglect of our Government to bear the rental expenses of all our embassy buildings and our failure to pay our diplomatic representatives salaries commensurate with the positions they hold.

It is true that provision has been made for an embassy in Mexico City and that the President recently asked for the purchase of premises for diplomatic headquarters at Habana, Cuba. We now own our headquarters, at Peking, China; Tokyo, Japan; and Bangkok, Siam, and an appropriation was recently authorized for a new building at Tokyo. These were acquired under the act of Congress of February 17, 1911, providing for the purchase and erection of embassy, legation, and consular buildings abroad. If we continue along this line, of course we shall eventually possess adequate buildings in every foreign country where we will be warranted in constructing them; and we certainly need them.

In a number of countries the salaries received by our chief diplomatic officers, I am told, is hardly sufficient to discharge the rent of their official places of residence. These countries therefore can not be represented by other than men of wealth who can afford to work for the Government without any compensation whatever. But that is not the worst of it; for the usual expenses of entertaining, I am informed, amount to far in excess of the rental costs of suitable quarters for an embassy, with the result that our diplomatic officers must not only suffer the loss of salary, but contribute a substantial sum for the privilege of representing our Government in those countries in which these conditions obtain. As a result, the occupancy of these posts is necessarily confined to men of financial resources with the willingness to pay for what the Government itself should pay. Obviously our Diplomatic Service must have suffered. I make this statement with no reflection upon the men now in the service, or who have been engaged in it in the past, but merely upon the hypothesis that any condition which narrows the number of possible appointees to such posts to those enjoying incomes from private sources must necessarily exclude some men of real ability, precluded from serving by reason of their lack of the necessary financial means.

Our traditional attitude is one of deep-seated aversion to inequality of opportunity. Yet in this situation we find the most flagrant violation of this principle, and one which must necessarily operate to deprive our Diplomatic Service of some of the best men, and thereby prevent that service becoming, as it should be, the embodiment of the greatest skill, experience, and efficiency.

CONCLUSION.

Many reforms in our Diplomatic and Consular Service have been brought about recently. We need the very best men we can secure in the foreign service of this country. We require men of genuine talent and ability, and when we have secured such men, and they have satisfactorily demonstrated their worth, they ought to be rewarded and spurred on to even more valuable efforts. These places ought to be open to all classes of our people possessing the necessary training and qualifications. Under the present arrangement relating to apportionment among the States and the restrictions with which these places are surrounded, through no fault of the officers of our State Department, these appointments do not always go to those possessing the best qualifications for them.

Upon the conclusion of the European war the nations of the earth will enter upon a broader and wider field in their relations. The great victories of the future, I believe, will be those achieved in the battles of diplomacy rather than through the clash of arms. Against that day we must now begin to prepare, unless we would linger in comparative diplomatic and commercial isolation. We must begin the education and training of the best men procurable as representatives capable of looking after our country in all those involved conditions of closer relationship, for it will be through the efforts of men of this character that we shall assume our heritage as a leader in the commercial and political affairs of the world. [Applause.]

Mr. FLOOD of Virginia. Mr. Chairman, I will ask the gentleman from Wisconsin to use some time.

Mr. COOPER. Mr. Chairman, as I calculate now, I have 39 minutes remaining.

The CHAIRMAN. That is correct.

Mr. COOPER. I yield 15 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, the position of this Republic in the family of nations makes it important that we should not be indifferent to the good opinion of mankind touching our foreign policy.

In the time I have I want to refer to the foreign policy of the United States, if it has a foreign policy, and suggest what I regard as an important improvement. It is doubtful if the United States has a foreign policy to-day. Let me illustrate: In the closing days of the last administration a delicate situation arose in a neighboring Republic. The retiring President gave as a reason why he thought it would indelicate for him to take any action at that time that the action taken might not be in keeping with the policy of the incoming administration. My contention, Mr. Chairman, is that the foreign policy of the United States should not change with the fortunes of political parties in political campaigns. No other great nation changes its foreign policy as a result of change in political parties. The foreign policy of the United States should be a consistent, continuing policy, maintained by a foreign office that does not change in its personnel below the head of the office with the fortunes of political parties.

I am not criticizing this administration more than any other. I am simply saying that from the foundation of the Republic to the present hour the foreign policy of the country, if it has one, has changed with the political parties as they have changed as a result of a political campaign by political parties and ad-

ministrations rewarding with foreign appointments and responsible positions in the State Department those who have rendered conspicuous political service or given large campaign contributions. This is not the policy of any other nation on earth, and should not be the practice in this. The gentleman from Maryland [Mr. LINTHICUM], who has just addressed the House, has spoken of the necessity of this Nation having the respect of mankind and of the people with whom we have international relations. But how can foreign nations with a consistent foreign policy, that have foreign offices with men trained in the foreign service, who carry out the policy of their country, have respect for a great nation that gives as a reward to political campaigners or those who have given contributions the office of ambassador or minister to the great countries of the world, and too often without any regard whatever as to their fitness for work in statecraft and diplomacy, as we have just been shown by the case of Santo Domingo.

Mr. BARKLEY. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. BARKLEY. In view of the fact that our Government is a Government of parties, so-called, what remedy has the gentleman from Kansas to suggest for this condition which he describes?

Mr. CAMPBELL. Simple enough. I would make all officers below the Secretary of State continuing officers. I would not change the Assistant Secretary of State, I would not change the Counselor for the State Department, and I would have officers who are familiar with the precedents and with international law and usage, and also familiar with the details of the office and able to carry out a consecutive foreign policy.

Mr. BARKLEY. Is it not a fact that, regardless of parties and administrations in the past, with very few exceptions, and small exceptions, too, our representatives abroad have reflected credit upon our country and distinction upon themselves in the discharge of their duties?

Mr. CAMPBELL. In the main, that is true; we were hopelessly weak in our Consular Service until the last 15 years, when we established the merit system in that service.

Mr. BARKLEY rose.

Mr. CAMPBELL. I can not yield further. Until 15 years ago our Consular Service was worse than weak. Since that time we have made the Consular Service a continuing service, and men appointed and promoted in that service now are not appointed or promoted because of their political affiliations or services in political compaigns, but it is different in our foreign service. Our ministers and ambassadors are far more important to the welfare and the peace of our country in the family of nations.

Mr. CLINE. Will the gentleman yield for a brief question?

Mr. CAMPBELL. Make it very brief.

Mr. CLINE. I want to inquire whether you think the retention of the Secretary would not change the policy of the Government; in other words, the undersecretaries would not control the policy of the Government?

Mr. CAMPBELL. The Secretary would rely upon the office. I would make it the policy of the Government of the United States to ignore partisanship in the matter of the foreign policy. [Applause.] For instance, we should have had a foreign policy that would have enabled President Taft to have dealt with the conditions in Mexico in the closing days of his administration that would not have been changed and would not have invited a change by the incoming administration within a few days. The same thing is true of what has been done in Colombia. The policy of one administration with that country has been changed as a result of a change of political parties. We should be above and independent of the influence of foreign nations in our domestic politics. No nation on earth except our own should have any concern as to which political party should be successful in a campaign in the United States. And now that we have become great in the family of nations and our relations are becoming more and more important, naturally foreign nations will participate in our political campaigns and have an interest in them if our foreign policy is to be changed every time political parties change in this country.

Mr. SMITH of New York. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. SMITH of New York. I agree absolutely with the attitude of the gentleman from Kansas, but I want to ask him this question: Has he ever tried to obtain legislation to bring about the condition which he describes?

Mr. CAMPBELL. The thought I am giving this House has just suggested itself to me within a few days.

Mr. McKENZIE. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Kansas yield to the gentleman from Illinois?

Mr. CAMPBELL. I will.

Mr. McKENZIE. I would like to ask the gentleman how he would proceed to fill vacancies?

Mr. CAMPBELL. Just as they are filled in the Consular Service—by promotions and from an eligible list.

Mr. McKENZIE. By civil service?

Mr. CAMPBELL. Yes; I would make it so that men would have an opportunity in our foreign service to prepare for the foreign service as a career, just as they prepare for our military service, as they prepare for service in the Navy, and I would advance them as they show a fitness for advancement, and I would have houses and equipment, so that men of modern circumstances could go to the Court of St. James, to Paris, to Berlin, and to all the great courts of the world without having a private fortune or the necessity of a private fortune. These are the suggestions that I arose to make while this bill was under consideration. And I think it important not only to the welfare but to the dignity of our country that we cease to appoint men to responsible positions in the State Department and as ambassadors and ministers to reward them for campaign services or campaign contributions. We can no longer be indifferent to the opinions that other nations have of us. There is no question that the nice things the Secretary of State has said to South American Republics are all overturned by what he has done in Santo Domingo. Nations take note of these things, and gauge us and our foreign policy and our lack of foreign policy by what we do. So I urge that the Committee on Foreign Affairs take up the question of a foreign office. I do not know that I would include ambassadors in the classified foreign service at the present time, but ultimately I would include the ambassadors, or as soon as suitable provision can be made in foreign countries for housing them.

Mr. FLOOD of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I have listened with interest to what the gentleman from Kansas [Mr. CAMPBELL] has just said, and there is much force and merit in his views upon the question of a fixed foreign policy in so far as the same may be practicable. I invite his attention to this, that under all conditions, changing as they are from time to time, a fixed policy always would be impracticable and impossible. He refers to two instances. He refers to the case of Colombia, and I infer from what he says that we ought to abide by the rape of that helpless nation and not undertake to make amends for the injustice which all the world recognizes as such. He lamented the fact that President Taft did not decide upon a fixed Mexican policy. I regret that he did not, for if he had done so I have no doubt that President Wilson would have carried that policy out. But this administration had to originate a policy with reference to the Mexican situation. It has been a successful one, and to-day the American people applaud President Wilson's course with relation to Mexican affairs. [Applause.] One thing which I regret more than another is that in times such as these, when the world is involved in war, the Members of this House can not sometimes get serious and forget partisan bias and give credit where credit belongs. To-day, and on every day, criticisms come from that side of the House—fault-finding and carping for political purposes and for political effect. And yet no man here volunteers a suggestion as to how conditions can be remedied or what policies would be better.

I am not the spokesman of the administration. I have no brief other than as a Democratic Member of this House to speak for the President or the Department of State. But I sometimes feel like coming to my feet and asking gentlemen to point out what there is in the management of our foreign affairs that could be improved and what changes they would make. I for one believe that Mr. Bryan is performing noble duties for his country, and that his department is being conducted as well as it ever was in the history of our country. With all the troubles that surround us, the complications which arise from day to day, gentlemen can not put their fingers upon a single act of the Department of State and criticize it—not one. They can not point to a single change which ought to be made; and if this administration continues as it has and gets through with the troubles that now involve the world without the United States becoming involved, the present Secretary of State will go into history as one of the greatest that ever exercised the functions of that high office. [Applause.]

Mr. CAMPBELL. Will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. CAMPBELL. Does the gentleman think that the Santo Domingo incident is above criticism?

Mr. WILLIAMS. I have not seen anything to seriously criticize in that. I will say that I rather commend or approve the Secretary of State in wishing in a proper way to provide for political friends, because in all that he has done in that direc-

tion he has never recommended or secured the appointment of any man who was not a good, capable, and suitable man for the position.

Now, may I ask gentlemen to grow serious for one moment? Forget that we are partisans, that there is a line here dividing this House, and upon that side sit partisan Republicans and upon this side sit partisan Democrats, and for one moment say to ourselves that we will give credit where credit is due. I will read an extract from a great newspaper, edited by a great editor, and I only wish that gentlemen here could sometimes grow as broad minded as the author of this article. It is entitled "The man of burdens," and is from the Chicago Herald of the 17th, a paper which never was Democratic. It is edited, as I have said, by a broad-minded, liberal man, who can sometimes forget partisan bias and pay tribute to one to whom tribute is due.

I read:

THE MAN OF BURDENS.

In these troubled times, when every day shows more clearly the dangers that confront even the most sincere neutrality, the hearts of all Americans should go out in sympathy and support to that solitary man sitting in the White House at Washington who carries the welfare of 100,000,000 people so largely in his hand.

His is a staggering responsibility. It is the greatest that could be laid on the chief executive of any nation in time of peace. No American since Lincoln has borne such a burden, has been confronted with issues which are so big with fate for the land we love.

It is easy for those who do not share his burden or realize its tremendous weight on heart and mind to say what ought to be done under any and all circumstances. But his is the solemn duty not only of saying, but also of acting; not only of acting but also of doing so with the knowledge that the welfare of his fellow citizens may hang upon his course.

Under such circumstances President Wilson needs the sympathy and support of every true American. He needs to know that political friends and foes alike are with him; that they know the burden he is carrying and believe that he will carry it—if with pain and labor to himself—with honor to the Nation.

He should be made to feel that there is from one end of the country to another an abiding faith in his integrity and singleness of purpose and in his absolute determination to walk with circumspection but directly to the goal, stepping aside neither in the spirit of truculence nor subservience.

He should be made to feel that partisanship and personal feeling wholly cease to have a meaning for Americans when their President is confronted with what may quickly develop into an international crisis of grave significance; that the whole moral force and the whole heart and the whole mind of the Nation are his to lean upon or to call upon for support.

And above all he should be made to feel that Americans understand how free from the taint of personal ambition and pride are his high-minded efforts to serve his country in these moments of its need for wise guidance; that it is of his country and not of himself he thinks first and last of all; that his one aim is to serve her and her alone.

Nothing that could be said or felt or done can avail to abate his high and solemn responsibility. But his way may and should be brightened by the knowledge that those for whom he stands and speaks and labors have confidence in his integrity, his ability, his singleness of purpose, and his zeal.

[Applause.]

Mr. FLOOD of Virginia. I yield five minutes to the gentleman from Delaware [Mr. BROCKSON].

The CHAIRMAN. The gentleman from Delaware [Mr. BROCKSON] is recognized for five minutes.

Mr. BROCKSON. Mr. Chairman, in the short time allotted to me I shall not discuss foreign affairs, but will bring to your attention some domestic affairs.

Lately we have heard much said here about the number of people in this country who are out of work. I am pleased to be able to inform the House that business conditions in the State which I have the honor to represent have been improving recently, and are still improving, notwithstanding the disturbance of business caused by the European war. [Applause on the Democratic side.] Some of the new business is shown by the newspaper articles which I will read.

The Evening Journal, of Wilmington, Del., of December 5, 1914, contains the following article:

HARLAN & HOLLINGSWORTH TO BUILD BIG FOREIGN STEAMER—LOCAL CORPORATION GETS CONTRACT FOR FREIGHT CARRIER 450 FEET IN LENGTH—ONE OF LARGEST EVER BUILT IN LOCAL YARD.

Announcement was made by the Harlan & Hollingsworth Corporation to-day that it had just signed a contract for a large steamship.

The vessel will be 450 feet long, and one of the largest, if not the largest, ever constructed in Wilmington.

It will be a freight steamship, and is to be constructed pursuant to an order received from a foreign country.

Just for whom the steamship will be built is not announced. The Harlan & Hollingsworth officials stated that work has been started on preliminary details, but actual construction may not be started for a month.

The Wilmington Morning News, of Wilmington, Del., of February 16, 1915, contains the following article:

HARLAN & HOLLINGSWORTH CORPORATION GETS ANOTHER CONTRACT—LONDON PETROLEUM CONCERN DUPLICATES ORDER FOR SHIPS.

The Anglo-Saxon Petroleum Co., of London, England, that recently placed an order for the construction of a freight steamer 450 feet long with the Harlan & Hollingsworth Corporation, has duplicated the order, it was said yesterday, and where the company was to build one ship it will now build two.

The Wilmington Morning News, of Wilmington, Del., issued to-day, contains the following article:

HARLAN & HOLLINGSWORTH CORPORATION GETS ANOTHER CONTRACT—TO BUILD FERRYBOAT AND STEEL PASSENGER COACHES.

Information was given out at the offices of the Harlan & Hollingsworth Corporation yesterday that they have succeeded in securing a contract for the building of the hull of a large steel ferryboat for the Fort Lee Ferry Co., of New York. The vessel will be 200 feet in length and 61 feet in breadth of beam. It is to have a carrying capacity of 1,200 persons, and will be fitted with all the latest modern accommodations, together with a strictly fireproof equipment, conforming to all rules regulating safety required at sea. She will be used for traffic between Riverside, N. Y., and Edge Water Park, N. J.

Announcement was also made of the contract secured from the Philadelphia & Reading Railroad for the construction of 10 all-steel coaches. The cars will be 70 feet in length, and they will be completed as soon as possible.

These two contracts, coupled with the contract for the two large tank steamers which are to be built for the Anglo-Saxon Petroleum Co., of London, England, and several minor contracts, will mean a revival of old-time activity at the plant. It is thought by the opening of spring the concern will be working on full time, with their full quota of men. It was learned that the keel of the first tanker had been already laid and that preparations for the second one are now going on, the material arriving yesterday.

[Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. BROCKSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is their objection to the request of the gentleman from Delaware?

There was no objection.

Mr. COOPER. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. HUMPHREY].

The CHAIRMAN. The Chair wishes to say to the gentleman from Wisconsin [Mr. COOPER] that he has 24 minutes remaining and the gentleman from Virginia [Mr. FLOOD] has 14 minutes remaining. The gentleman from Washington [Mr. HUMPHREY] is recognized for 3 minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, I have listened to the remarks of the gentleman who has just left the floor [Mr. BROCKSON] with a great deal of interest. The news that he has read has suggested to my mind a few queries.

First, I have wondered whether this was a "psychological" recovery from a "psychological depression." I have been wondering if we have had no bad times, as our friends on the other side have been claiming for the past year, how it happens that they were improving.

But the one question that suggested itself most pointedly to my mind was this: It seems that this shipyard referred to by the gentleman from Delaware is now constructing foreign ships for the foreign trade, for the freight trade; the very character of vessels that are proposed to be purchased under the terms of the bill that we passed the other day.

Now, if the foreigner can come into our shipyards and have his vessels constructed, where is the necessity of our giving authority to a shipping board to go forth and purchase foreign ships? If the foreigners have ships for sale, why are they here in our yards ordering vessels to be constructed? What becomes of the argument that we have been hearing, that we must have the privilege of going out and purchasing foreign ships to get them under the American flag?

I could not help thinking, when the gentleman from Delaware was telling about the conditions that had been improved, of the argument that we have so frequently heard to the effect that the European war has brought upon the country the great business depression that we are now suffering from. The revival of which the gentleman speaks is mostly due to foreign orders. It seems that the war has acted to a certain extent as a protective tariff. It has caused the foreigner to sell us less and to buy of us more. It is giving some work to our own people. I hope when the gentleman gives us a statement the next time about prosperity he will show us something that is being revived in our domestic industries not due to the war.

Mr. BROCKSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Delaware?

Mr. HUMPHREY of Washington. I have only three minutes.

Mr. BROCKSON. Well, I know; but I want to correct the gentleman's statement.

Mr. HUMPHREY of Washington. If the gentleman can correct it in a minute, all right.

Mr. BROCKSON. Only two boats are to be used in the foreign trade. The other boat is to be used in New York, and the cars are intended for domestic trade entirely.

Mr. HUMPHREY of Washington. I understood the gentleman to say that some of the cars were for the foreign trade.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. FLOOD of Virginia. Mr. Chairman, I ask the gentleman from Wisconsin [Mr. COOPER] to use some of his time. We will probably have but one speech on this side.

Mr. COOPER. The gentleman says "probably." Will you or will you not have but one speech on your side? It ought not to be difficult to determine that.

Mr. FLOOD of Virginia. I am not positive.

Mr. COOPER. I will ask the gentleman why not? Why can not the gentleman determine?

Mr. FLOOD of Virginia. Because I have not made up my mind. It is a question between two gentlemen, as to whether one shall have all the time or divide it between the two.

The CHAIRMAN. Do the gentlemen want all the time to be taken out of their time equally?

Mr. COOPER. This is not debate. I yield 15 minutes to the gentleman from South Dakota [Mr. BURKE].

The CHAIRMAN. The gentleman from South Dakota [Mr. BURKE] is recognized for 15 minutes.

Mr. BURKE of South Dakota. Mr. Chairman, in view of some recent events, I want to discuss in the time allotted to me the question of the relations between the President and Congress.

Under the Constitution the President has the right to recommend to Congress such measures as he deems proper, and he also has the right to veto any measure that may be passed by Congress that he deems unwise, and in both of these rights he can not and ought not to be interfered with. In other words, the President has the right to recommend any legislation that he may desire, and he may also veto any bill that may be passed by the Congress and without assigning any reason for his action.

I do not believe, however, that the Constitution contemplated that the President should have the right to influence the legislative body to the extent that on many occasions Executive influence has been exercised, and we have very recently had an illustration of such influence both with relation to the passage of a bill and also with relation to a veto message that, in my opinion, violates the spirit of the Constitution, and if the tendency that has gradually been growing up in the last few years for the President to dictate, if not dominate, the Congress is not discontinued the time will soon come when one of the great political parties of this country will declare against what will be termed "Executive interference," and the people will indorse the party that makes such a declaration.

Within a very few days the present Congress passed the immigration bill. It was sent to the President, and after considering it for a number of days, in his wisdom, using his discretion and the power given him by the Constitution, he saw fit to veto the bill, and he had a right to veto it if it did not meet with his approval. There, in my judgment, his responsibility in relation to the measure ceased. The bill had passed the House by a vote of 252 to 126, or by a vote of 2 to 1. It went to the Senate. It passed that body by a vote of 50 to 7. The bill then went to conference, and when the conference report was adopted in the House the vote was 227 to 94. So it appears beyond any question that a two-thirds majority of the House and a 7 to 1 majority of the other body was in favor of the legislation.

Notwithstanding the vote in the House upon the bill and the conference report, when the vote was taken upon the passage of the bill over the veto of the President it failed to receive the necessary two-thirds majority, due to the change of several Members on that side of the Chamber who voted to sustain the veto when only a few days before they were recorded for the passage of the measure.

Mr. Chairman, I do not believe anyone will deny that except for the influence of the Executive the bill would have passed this House, the veto of the President to the contrary notwithstanding. I do not believe there is anyone on either side of the House who will assert that in his opinion the veto would have been sustained had it not been for the influence of the administration.

In vetoing the immigration bill the President in his message said:

> Its enactment into law would undoubtedly enhance the efficiency and improve the methods of handling the important branch of the public service to which it relates. But candor and a sense of duty with regard to the responsibilities so clearly imposed upon me by the Constitution in matters of legislation leave me no choice but to dissent.

This was a sufficient statement to explain why he could not approve the measure, and it would seem as if a Member of Congress ought to be permitted to vote his conviction upon any question when convinced that "candor and a sense of duty with regard to the responsibilities so clearly imposed * * * by the Constitution" impel him to do so.

He ought to be left to discharge his obligation without such influence from the Executive as might be exercised, in view of the great power that the President possesses, and he ought not to be criticized if his position is not in accord with the opinion of the President.

I want to refer to the shipping bill that was passed by the House the other day. The President, in his message delivered in this Chamber at a joint session of the Senate and House on the 8th day of December, in accordance with his power under the Constitution, urged the Congress to enact into law the then pending shipping bill. That was entirely within the functions of his high office. I do not wish to be understood as saying that the President ought not to take any interest in measures that he may recommend to Congress, because that would be going further than I wish to go. But I do say that the Executive ought not to use the power that he has, as it was used on this shipping bill and with relation to the veto of the immigration bill, and that such use is a violation of the power conferred by the Constitution upon the President with relation to legislation.

Mr. Chairman, the shipping bill that we passed on Tuesday was not the pending bill that the President referred to in his message on December 8. It was a bill originating outside of the House, prepared and brought here, but not introduced. It came into the House under a special rule reported by the Committee on Rules, making it in order as an amendment to a bill that had passed the Senate and was pending before the Committee on Naval Affairs, and which had not had any consideration by that committee; the rule discharged the Committee on Naval Affairs from the consideration of the bill and directed that it be reported to the House with the shipping bill added to it as an amendment, though the amendment was not germane to the Senate bill. The rule provided that after six hours of general debate the previous question should be ordered and the bill placed upon its passage without being read, so that its different provisions could be discussed under the usual five-minute rule, and without any opportunity to offer amendments, and under that gag rule it was jammed through the House. This action is another evidence of Democratic inconsistency, because for a number of years before they got control of this House they were protesting against gag rule, and made it an issue in the campaigns. I wonder what some of them will say to their constituents if they are questioned with reference to their action in voting, as most of them did, for the rule that was adopted in connection with the ship-purchase bill. I might remind them that in their platform of 1908 they declared that under the Republican Party the House of Representatives "has ceased to be a deliberative body." In their platform of 1912, boasting of what their party had accomplished, they said:

> It has, among other achievements, revised the rules of the House of Representatives so as to give to the representatives of the American people freedom of speech and action in advocating, proposing, and perfecting remedial legislation.

The adoption of the rule on the ship-purchase bill is only following many other gag rules that have been adopted by this and the preceding Congress that in their drastic provisions exceed by far anything that the Republicans were ever accused of.

Mr. Chairman, no one now will dispute that the ship-purchase bill is the President's bill. It was admitted in the debate, in speech, and in verse; it was stated by the distinguished Speaker of the House in a caucus of his party during the late hours of the night immediately preceding the day when the bill was passed, if we can believe what we read in the newspapers, that it was the bill of the President; that it was the President's desire that the bill be passed; in fact, that he was insisting upon its passage, notwithstanding that a clear majority of the Members of this body, if they had voted their honest convictions, were against it; it was jammed, as I have already stated, through the House.

And how was it done, Mr. Chairman? To a large extent it was done in the same manner that the veto message on the immigration bill was sustained when it was considered by the House. A representative of the administration, one of his immediate official family, and the same one in both instances, appeared at the Capitol and was very much in evidence lobbying with the Democratic Members of the House, urging them to support the wishes of the President. And why was that particular member of the Cabinet—the Postmaster General—selected to lobby with the Members in both of these cases? It is perfectly apparent why he was selected. It was because he happens to have the ear of corn. [Laughter on the Republican side.] In other words, the Democratic Members saw post-office appointments in their different districts dangling before them, and they evidently believed that if they wished to have their way

with relation to these appointments it would probably be policy on their part to do the will of the administration.

We have heard a good deal since this administration came into power about lobbying and lobbyists, but there is no influence upon legislation that is more pernicious than a Cabinet official who has much patronage to dispense using his influence with the Members of Congress upon pending measures. That this has been done by the present Postmaster General both as to the veto of the President on the immigration bill and with reference to the ship-purchase bill can not be denied.

Why, Mr. Chairman, the morning after the caucus, and the day on which the shipping bill was considered, it was currently reported that the Postmaster General had communicated with somebody in the House, wanting a list of the names of the members of the Democratic Party who had stated that they would not abide by the action of the caucus of the night before. Now, I do not know whether he made that inquiry or not, but if he did, what was the significance of it? Certainly it could have but one significance, and that would be the effect that it might have upon the Members on that side of the Chamber.

Mr. Chairman, I wish I had more time to discuss this question. I want to read as a part of my remarks excerpts from two speeches, one by the lamented Abraham Lincoln at Pittsburgh on February 15, 1861, another by Stephen A. Douglas at Alton, Ill., October 15, 1858, which speeches were published upon the editorial page of the New York Sun recently, both dealing with the subject of the President and Congress. I commend the same to the Members of the House.

[From Abraham Lincoln's address at Pittsburgh, Feb. 15, 1861.]

By the Constitution the Executive may recommend measures which he may think proper and he may veto those he thinks improper, and it is supposed that he may add to these certain indirect influences to affect the action of Congress. My political education strongly inclines me against a very free use of any of these means by the Executive to control the legislation of the country. As a rule, I think it better that Congress should originate as well as perfect its measures without external bias.

—

[From Stephen A. Douglas's opening speech at Alton, Oct. 15, 1858.]

And now this warfare is made on me [by Mr. Buchanan] because I would not surrender my convictions of duty, because I would not abandon my constituency and receive the orders of the Executive authorities how I should vote in the Senate of the United States. I hold that an attempt to control the Senate on the part of the Executive is subversive of the Constitution. The executive department is independent of the Senate and the Senate is independent of the Executive. * * * Whenever you recognize the right of the Executive to say to a Senator, "Do this or I will take off the heads of your friends," you convert this Government from a Republic into a despotism. Whenever you recognize the right of a President to say to a Member of Congress, "Vote as I tell you or I will bring a power to bear against you that will crush you," you destroy the independence of the Representative and convert him into a tool of Executive power.

Mr. Chairman, I am an optimist. I am always looking for the good that there is in everything. I have seen some good come out of this outrageous, high-handed proceeding that took place here two or three days ago in connection with the shipping bill. It is reported by the newspapers that the distinguished Speaker in the Democratic caucus the night before the bill was passed made the statement that a special session of Congress meant disaster and defeat to the Democratic Party. Here is what the Speaker is alleged to have said:

The House should do everything possible to expedite action and avoid an extra session. If there is an extra session, the Democratic Party will be wiped off the face of the earth at the next election.

At that time it looked as if a special session was inevitable, but we now understand that it is not being considered and that there is no intention of any special session of the Sixty-fourth Congress. So that much good has come out of the passage by the House of the ship-purchase bill, and the Speaker, who went so far as to help the administration out of a bad situation by aiding in getting his party associates to vote for the bill, has indeed rendered to the country a most valuable service if his prophecy of the effect of a special session has resulted in abandoning that idea. Another good that came out of the passage of the shipping bill was that it afforded a question upon which the Republican Members of the House for the first time during this Congress were able to vote as a unit, and it was extremely gratifying to me, as I am about to retire to private life, that at last the Republicans are united and that they had the support of a majority of the Progressive Members of the House, which, Mr. Chairman, assures in 1916 Republican success and a return to the prosperity that will come to the country as it has on every other occasion when that party is in control of the affairs of the Nation. [Applause on the Republican side.]

Mr. COOPER. Mr. Chairman, the gentleman from Maine [Mr. GUERNSEY] was to occupy some time, but inasmuch as he is not here I ask unanimous consent that he be allowed to extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from Wisconsin [Mr. COOPER] asks unanimous consent that the gentleman from Maine [Mr. GUERNSEY] have leave to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. COOPER. Mr. Chairman, I yield three minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, a few moments ago the gentleman from Delaware [Mr. BROCKSON] gave some figures about the improvement of the industries on the Atlantic coast. Since that time I have felt in my pocket, and have found there some figures that show the conditions on the Pacific.

A few days ago the House of Representatives of the State of Washington passed a resolution, by a vote of 74 to 20, asking the repeal of the Underwood tariff law. They gave some figures to show some of the reasons why. I quote from the resolution figures giving the increases in imports into the State of Washington for the year 1914:

The importation of butter increased from 12,008 to 1,104,000 pounds; eggs from 4,755 to 289,000 dozen; fresh beef from 145,891 to 3,453,000 pounds; hogs from 5 head to 98,000; salmon from 759,362 to 3,000,000; lumber from 434,000 to 12,026,000 feet; shingles from 44,276,000 to 235,000,000.

All that represents that much work and wages that have been taken from the laborer in Washington and given to the foreigner. Not a single one of the articles is selling for a cent less than when the Underwood tariff bill went into effect.

Last night I had the pleasure of attending a banquet in New York, given by the American Pulp and Paper Association, and the facts developed there that there is not a single newspaper on Puget Sound that is using a pound of paper manufactured in the United States. Before the Underwood tariff law went into effect every pound of paper used there was manufactured in the State of Washington. The paper then used represented a pay roll of $150,000 a month, and every cent of that has been transferred from the State of Washington to British Columbia. The Underwood tariff law has destroyed the pulp business of Puget Sound as completely as a conflagration. But the people pay the same for the newspapers that they paid before. That is some of the prosperity that we are suffering under on Puget Sound as the result of the Underwood tariff law, and we do not believe that it is psychological or entirely a state of mind. [Laughter and applause on the Republican side.]

I have here in my hand another matter, an order issued by the Postmaster General, reducing the salary of letter collectors $200 a year. What is the reason for that? What is the use of reducing the wages throughout the country in this time of the return of prosperity. Also in his report he requests that the eight-hour law be repealed in order that these letter carriers can do more work. That does not look like a period of general prosperity. Is that the reason that we have the general reduction of hours and wages? Mr. Chairman, I yield back the balance of my time.

Mr. COOPER. Mr. Chairman, I understand that I have three minutes left.

The CHAIRMAN. That is correct.

Mr. COOPER. I yield three minutes to the gentleman from Kansas [Mr. TAGGART].

Mr. TAGGART. Mr. Chairman, it was my purpose to make a few observations on our foreign relations, but on account of the shortness of time I am unable to address myself properly to that subject.

I am very much interested in the fact that the State Legislature of Washington took occasion to pass a resolution with reference to the repeal of the Underwood tariff law. I have no doubt but that there are many phases of the law that may not be to the best interests of all the people of the State of Washington. But I will take this occasion to call attention to another resolution that was passed by a Republican house of representatives in the State of Kansas. Kansas Republicans are nothing if not eloquent. The house of representatives of Kansas consists of a large majority of Republicans—66 Republicans against 49 Democrats, 9 Progressives, and 1 Socialist, constituting the 125 members of the lower house of the most prosperous State in the Union. This is what they said:

House resolution No. 33.

Whereas the Old World is now a theater of war and blood, more appalling than any picture to be found in all the past history of the civilization; and

Whereas the United States forms a striking contrast to these warring nations, being a land of happiness, prosperity, and contentment, her people nobly following peaceful pursuits, and out of her generosity and abounding love for humanity sending her fair daughters to relieve the suffering of the wounded and dying, and immense cargoes from her abundant stores to save the lives of the unfortunate victims of this world's catastrophe: Therefore be it

Resolved, First. That we extend to the Hon. Woodrow Wilson, President of the United States, and his able advisers, our grateful and heartfelt thanks for having preserved the peace of our country and kept us out of this maelstrom of human destruction.

Resolved, Second. That we pledge to the President our united support in any and all honorable means that he may deem necessary to preserve the peace and dignity of our country and to bring about peace among the people and nations of the world.

Resolved, Third. That a copy of this resolution, signed by our speaker and certified by our chief clerk, be sent to the President of the United States and to each of our Members in Congress.

I hereby certify that the above resolution originated in the house, and passed that body.

Adopted February 15, 1915.

ROBERT STONE,
Speaker of the House.
I. E. LAMBERT,
Chief Clerk of the House.

Mr. FLOOD of Virginia. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. CLINE].

Mr. CLINE. Mr. Chairman, I want to refer, in the first place, to a statement made by my good friend from South Dakota [Mr. BURKE] with reference to the passage of several bills under what he denominates "compulsion and gag rule" in this House, and the anticipated punishment by the Postmaster General of those men who refuse to be bound by the caucus.

Since the statement has been made by my friend from South Dakota I have taken occasion to inquire of three or four gentlemen in the cloakroom, who had reserved the right not to be bound by the caucus action on the shipping bill, as to whether Mr. Burleson or any other official had interviewed them with reference to their position on the immigration bill or on the shipping bill, and I found that neither of these gentlemen were interviewed by the Postmaster General or anyone in his behalf. [Applause on the Democratic side.]

I also find that it is properly within the province of the minority to criticize the majority in its legislation. The majority, Mr. Chairman, is responsible for the legislation always, and at no time in the history of the country in recent years has any party been so ready to accept the responsibility of standing for the legislation that has taken place in the Sixty-third Congress as we are. [Applause on the Democratic side.]

I know that my friend from South Dakota is addicted to the general habit that a great many good Republicans are in the matter of prophecy. In 1909 I heard the gentlemen on that side say the Republicans in 1910 would sweep the country in the election. In 1911 I got the same prophecy as to what they were going to do in 1912. In 1913 I heard the same statement as to what the country would do to the Democratic Party in 1914, and I expect, Mr. Chairman, to hear this year the same kind of talk as to what the Republican Party is going to do in 1916, and with the same result. The average ordinary Republican is as full of forecasts as the Weather Bureau, and not half as reliable. [Laughter and applause.]

Mr. Chairman, I want to take occasion here to differ from my good friend from Kansas [Mr. CAMPBELL] in reference to his theory of how the Government ought to be conducted. If I understood the gentleman correctly, it was that in the standardization of consuls of the United States, and in placing all of the administration officers under the civil service in the different departments of Government, we ought to establish a fixed and definite policy that should continue through the administrations that shall come after us. I do not think my friend means to say that. In this Republic, made up of parties to which the people appeal for a change of policy whenever in their opinion it ought to be made, that condition could not be effective.

Mr. CAMPBELL rose.

Mr. CLINE. Mr. Chairman, I beg the gentleman's pardon, but I have only a few minutes left.

Mr. CAMPBELL. But right on that proposition.

Mr. CLINE. The gentleman undertook to say that there should be no change in the offices held by the administration forces of the Government, except the Presidency and the secretaries of his Cabinet, and that all of the other officers——

Mr. CAMPBELL. Oh, the gentleman should quote me correctly. I was referring to the foreign service entirely. I make a distinction between our domestic policy and our foreign policy.

Mr. CLINE. The gentleman says that he was talking about the foreign service. The consuls in the foreign service do not affect our policy. Those policies are affected by our ministers and not by the consuls, who are the especial business agents of the United States, and they have nothing to do with the policies of the country. They are representing our business abroad and not the policy of any party.

The man that fixes the policy of the party is the titular head of the party, the President, represented through his Secretaries and other administration officers. The consuls have been put into the classified service, into a standardized service, for the purpose of maintaining some regularity in their appointment and in the offices the duties of which they are to perform. But, Mr. Chairman, that could not possibly affect the policy of a party, and in a Republic the policies of the different parties are as distinct as it is important they should be. The policy and theory of the Democratic Party are as absolutely distinct from those of the Republican Party as it is possible to make them.

Mr. CAMPBELL. What is the foreign policy of the Democratic Party as distinguished from the foreign policy of the Republican Party?

Mr. CLINE. The gentleman will excuse me, when I have only one or two minutes of time. I do not want him to take that away from me. I will say to the gentleman one thing—that the foreign policy of the Democratic Party is a policy of absolute neutrality and universal peace. [Applause.] We are proceeding with the head of the party to establish those relations upon strictly and absolutely neutral grounds.

Mr. CAMPBELL. Was that the policy of the Democratic Party when you went down and took Vera Cruz last April?

Mr. CLINE. Mr. Chairman, I want to refer to another matter in this discussion. My good friend from Massachusetts [Mr. ROGERS] has undertaken, as several gentlemen have recently, to criticize Mr. Bryan with reference to the writing of the Vick letter. To use an everyday expression, it is a cold day when the administration is not criticized with reference to this Santo Domingo incident. Mr. Bryan assumed, however violent the assumption may have been, that even under this administration a good and deserving Democrat might be recognized when he could discharge the duties as well as a Republican and an opportunity arose to appoint him. [Applause on the Democratic side.]

I have no authority to speak for Mr. Bryan, other than as a Democrat to defend a man unjustly attacked when he is absent and to unqualifiedly indorse his actions in the San Domingo incident. It may be sufficient to say that through the appointment of the minister now representing this Government there that Mr. Bryan has established a stable and respectable government and wiped out some reprehensible methods.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CLINE. No.

Mr. STAFFORD. It is a short question.

The CHAIRMAN. The gentleman declines to yield.

Mr. CLINE. Mr. Chairman, a short time ago I sent to the State Department and asked it to send to me a list of all the men that had been appointed, transferred, or promoted under the Consular Service from March 4, 1909, to the 20th of January, 1912. I shall not have time to read it at this time, but I ask unanimous consent to revise and extend it in my remarks by including this list.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend the letter from the State Department in the RECORD. Is there objection?

There was no objection.

The letter is as follows:

Appointments, transfers, and promotions in the Consular Service Mar. 4, 1909, to Dec. 20, 1912.

[Italic entries indicate post held Mar. 4, 1909.]

Name and home address.	Post.	Salary.	Date.
Alger, William E., Boston, Mass.	*Consul, Tegucigalpa*	*$3,500*	*Nov. 10, 1904*
	Consul, Puerto Cortes	2,500	May 31, 1909
	Consul, Mazatlan	2,500	Dec. 16, 1909
Anderson, George E., Springfield, Ill.	*Consul general, Rio de Janeiro*	*8,000*	*Feb. 13, 1908*
	Consul general, Hongkong	8,000	May 4, 1910
Arnold, Julean H., Sacramento, Cal.	*Consul, Amoy*	*4,500*	*May 1, 1908*
	Consul, Chefoo	4,500	Mar. 8, 1912
Baker, E. Carleton, Alameda, Cal.	Consul, Antung	2,500	Nov. 10, 1909
	Consul, Chungking	3,500	Aug. 19, 1911
Baker, Henry D., Chicago, Ill.	*Consul, Hobart*	*2,000*	*Aug. 15, 1907*
	Consul, Nassau	3,000	Aug. 22, 1912
Baugh, Hubert G., Petaluma, Cal.	*Interpreter, Hankow*	*1,500*	*Feb. 17, 1909*
	Interpreter, Mukden	1,500	Dec. 16, 1910
	Interpreter, Tientsin	1,500	Feb. 24, 1911
	Consul, Saigon	2,000	Aug. 19, 1911
Baxter, John K., Nashville, Tenn.	Consul, St. Pierre	2,000	Apr. 9, 1912
Bergh, Robert S. S., Grand Forks, N. D.	*Consul, Belgrade*	*3,000*	*June 10, 1908*
	Consul, Bursiem	3,000	Dec. 20, 1911
Bergholz, Leo Allen, New York, N. Y.	*Consul general, Canton*	*5,500*	*May 25, 1906*
	Consul, Kingston, Jamaica	4,500	Aug. 22, 1912
Birch, David R., Philadelphia, Pa.	*Consul, Alexandria*	*3,500*	*June 10, 1908*
	Consul, Bahia	4,000	Aug. 22, 1912
Blake, Maxwell, Kansas City, Mo.	*Consul, Dunfermline*	*3,000*	*Dec. 21, 1907*
	Consul general, Bogota	3,500	Jan. 11, 1910
	Consul general, Tangier	3,500	Dec. 14, 1910
Bond, Wallace C., Cheyenne, Wyo.	*Consul, Karachi*	*3,000*	*June 10, 1908*
	Consul general, Copenhagen, resigned Jan. 1, 1911.	3,000	Aug. 27, 1909
Bonney, Wilbert L., Chicago, Ill.	Consul, San Luis Potosi	2,500	June 24, 1910

Appointments, transfers, and promotions, etc.—Continued.

Name and home address.	Post.	Salary.	Date.
Bray, John P., Grand Forks, N. Dak.	*Consul general, Sydney, Australia.*	$5,500	*June 10, 1908*
	Consul, Manchester	6,000	[1]
Brett, Homer, Meridian, Miss.	Consul, Maskat	2,000	Aug. 19, 1911
Brickwood, jr., Albert W., Nogales, Ariz.	*Consul, Puerto Cortes*	2,500	*Aug. 17, 1906*
	Consul, Tapachula, resigned Mar. 1, 1912.	2,000	May 31, 1909
Bucklin, jr., George A., Norman, Okla.	*Consul, San Luis Potosi*	2,500	*June 10, 1908*
	Consul general, Guatemala	3,500	June 24, 1910
Busser, Ralph C., Philadelphia, Pa.	Consul, Erfurt	2,500	May 31, 1909
Byington, Homer M., Norwalk, Conn.	*Consul assistant*	1,800	*July 1, 1908*
	Consul, Bristol	2,000	May 31, 1909
Caughy, Charles M., Baltimore, Md.	*Consul, Malaga*	3,000	*Apr. 29, 1907*
	Consul, Milan, resigned Dec., 1912.	4,000	May 31, 1909
Cauldwell, Frederic W., Washington, D. C.	*Consul assistant*	1,800	*July 1, 1908*
	Consul, Tapachulu	2,000	Aug. 22, 1912
Chamberlain, George A., Capitan, N. Mex.	*Consul, Pernambuco*	4,000	*June 22, 1906*
	Consul, Lourenco Marques	5,000	May 31, 1909
Chamberlin, George E., Ouronta, N. Y.	Consul, Swatow	2,500	Jan. 10, 1910
	Consul, Cork	2,500	June 24, 1910
Chase, Benjamin F., Clearfield, Pa.	Consul, Leeds	2,500	May 31, 1909
Cheshire, Fleming D., Brooklyn, N. Y.	*Consul general at large*	5,000	*May 24, 1906*
	Consul general, Canton	5,500	Aug. 22, 1912
Clare, Arthur J., District of Columbia.	*Consul, Georgetown*	3,500	*June 10, 1908*
	Consul, Bluefields	3,500	Jan. 21, 1911
Cloud, Frederick D., Des Moines, Iowa.	*Consul, Antung*	2,500	*June 22, 1908*
	Vice and deputy consul general in charge at Mukden.		Aug. 5, 1909
	Reappointed consul, Antung, resigned Jan., 1910.	2,500	Nov. 1, 1909
Clum, Harold D., Saugerties, N. Y.	Consul, Ceiba	2,000	Mar. 13, 1912
Coffin, Henry P., Philadelphia, Pa.	Consul, Mazatlan	2,500	June 2, 1909
	Consul, Rosario	2,500	Dec. 16, 1909
	Retired June, 1911.		
Coffin, William, Middleboro, Ky.	*Consul, Tripoli-in-Barbary*	2,500	*June 10, 1908*
	Consul, Jerusalem	3,000	June 24, 1910
Conner, Jacob E., Mount Pleasant, Iowa.	*Consul, Saigon*	2,000	*Aug. 15, 1907*
	Consul, St. Petersburg	3,500	Aug. 27, 1909
Cooke, Arthur B., Spartansburg, S. C.	Consul, Patras	2,000	Mar. 7, 1910
Crane, Robert T., Baltimore, Md.	*Consular assistant*	1,000	*June 24, 1908*
	Consul, Guadeloupe	2,000	May 31, 1909
	Consul, Rosario	2,500	Aug. 19, 1911
Culver, Henry S., Delaware, Ohio.	*Consul, Cork*	2,500	*June 22, 1906*
	Consul, St. John, New Brunswick.	3,000	June 24, 1910
Cunningham, Edwin S., Maryville, Tenn.	*Consul, Durban*	3,500	*June 22, 1906*
	Consul, Bombay	4,000	Dec. 20, 1910
	Consul general, Singapore	4,500	Aug. 22, 1912
Damm, Henry C. A., Sewanee, Tenn.	Consul, Cornwall	2,000	May 31, 1909
	Consul, Stettin	2,500	Apr. 9, 1912
Daniels, Charles N., Willamantic, Conn.	*Consul, Sheffield*	3,000	*Sept. 25, 1903*
	Consul, Sherbrooke	3,500	Aug. 22, 1912
Davis, George F., Richmond, Mo.	Consul, Ceiba	2,000	Aug. 19, 1911
	Died Feb. 13, 1912.		
Davis, Leslie A., Port Jefferson, N. Y.	Consul, Batum	2,500	Mar. 13, 1912
Dawson, Claude I., Anderson, S. C.	Consul, Puerto Cortes	2,500	June 24, 1910
	Consul, Valencia	2,500	Aug. 22, 1912
Dawson, William, jr., St. Paul, Minn.	Consul, Sierra Leone	2,000	[1]
Denby, Charles, Evansville, Ind.	*Consul general, Shanghai*	8,000	*Apr. 15, 1907*
	Consul general, Vienna	6,000	May 17, 1909
De Soto, Hernando, California.	*Consul, Riga*	3,000	*June 10, 1908*
	Consul, Palermo	3,500	June 24, 1910
Deedmeyer, Frank, Birmingham, Ala.	Consul, Charlottetown	2,000	May 31, 1909
	Consul, Leghorn	3,000	Aug. 19, 1911
Deichman, Carl F., St. Louis, Mo.	*Consul, Tamsui*	3,000	*May 4, 1908*
	Consul, Nagasaki	3,500	May 31, 1909
Dennison E. Haldeman, Columbus, Ohio.	*Consul, Bombay*	4,000	*June 22, 1906*
	Consul, Dundee	4,000	Dec. 19, 1910
Donegan, Alfred W., Mobile, Ala.	*Consular assistant*	1,000	*June 24, 1908*
	Consul, Madgeburg	2,500	June 24, 1910
Dorsey, W. Roderick, Baltimore, Md.	Consul, Jerez de la Frontera.	2,500	Aug. 22, 1912
Doty, William F., Princeton, N. J.	*Consul, Tabriz*	3,000	*June 22, 1906*
	Consul, Riga	3,000	June 24, 1910
Dreher, Julius D., Selwood, S. C.	*Consul, Tahiti*	2,000	*Aug. 2, 1906*
	Consul, Port Antonio	3,000	June 24, 1910
Du Bois, James T., Hallstead, Pa.	Consul general, Singapore	4,500	Apr. 5, 1909
	Envoy extraordinary and minister plenipotentiary to Colombia.	10,000	Aug. 21, 1911
Dumont, Frederick T. F., Lancaster, Pa.	Consul, Guadeloupe	2,000	Aug. 19, 1911
	Consul, Madrid	2,500	Aug. 22, 1912
Dunning, James E., Portland, Me.	*Consul, Milan*	4,000	*Apr. 11, 1905*
	Consul, Havre	5,000	May 31, 1909
	Consul general at large	5,000	Aug. 22, 1912
Dye, Alexander V., Liberty, Mo.	Consul, Nogales	2,500	May 31, 1909
	Resigned Jan. 1, 1913.		
Dye, John W., Winona, Minn.	*Consular assistant*	1,800	*July 1, 1908*
	Consul, St. Johns, Quebec	2,000	[1]
Eberhardt, Charles C., Salina, Kans.	*Consul, Barranquilla*	3,500	*May 1, 1908*
	Consul general at large	5,000	Jan. 12, 1910
Edwards, Clement S., Albert Lea, Minn.	Consul, Acapulco	2,500	Mar. 2, 1911
Ferris, Cornelius, jr., Denver, Colo.	Consul, Asuncion	2,000	May 31, 1909
	Consul, Malta	2,500	[1]
Fisher, Fred D., Albany, Oreg.	*Consul, Newchwang*	4,500	*Jan. 21, 1909*
	Consul general, Mukden	4,500	Aug. 27, 1909
Forman, Charles, New Orleans, La.	Consul, Turks Island	2,000	Aug. 23, 1912

[1] Nomination pending.

Appointments, transfers, and promotions, etc.—Continued.

Name and home address.	Post.	Salary.	Date.
Foster, Paul H., Houston, Tex.	Consul, Teneriffe	$2,500	Nomination pending.
Fowler, John, Winchester, Mass.	*Consul, Chefoo*	4,500	*June 10, 1908*
	Consul, Foochow	4,500	Mar. 13, 1912
Frazer, Robert, jr., Philadelphia, Pa.	Consul, Valencia	2,500	July 16, 1909
	Consul, Malaga	3,000	Aug. 22, 1912
Freeman, Charles M., Hillsboro Bridge, N. H.	*Consul, Durango*	2,000	*Mar. 30, 1907*
	Consul, Sydney, Nova Scotia	3,000	Aug. 19, 1911
Frost, Wesley, Berea, Ky	Consul, Charlottetown	2,000	Apr. 5, 1912
Fuller, Stuart J., Madison, Wis.	Consul, Goteborg	2,500	July 29, 1909
	Consul, Iquitos	3,000	Apr. 11, 1912
Gale, William H., Leesburg, Va.	*Consul, Malta*	2,500	*Dec. 21, 1907*
	Consul general, Athens	3,000	Jan. 11, 1910
Gard, Allen, Orange, N. J.	Consul, Ceiba	2,000	Aug. 2, 1910
	Consul, Charlottetown; died Oct. 27, 1911.	2,000	Aug. 19, 1911
Garrels, Arthur, St. Louis, Mo.	*Consul, Zanzibar*	2,500	*June 22, 1908*
	Consul, Catania	3,000	Jan. 11, 1910
	Consul, Alexandria	3,500	Aug. 22, 1912
Gassett, Percival, Washington, D. C.	*Consul, Jerez de la Frontera*	2,500	*June 10, 1908*
	Consul, Iquique	3,000	Apr. 15, 1912
Gaulin, Alphonse, Woonsocket, R. I.	*Consul, Havre*	5,000	*Mar. 8, 1905*
	Consul general, Marseille	5,500	May 31, 1909
Gracey, Wilbur T., Boston, Mass.	*Consul, Tsingtau*	4,000	*June 22, 1906*
	Consul, Nanking	4,000	Apr. 15, 1910
	Consul, Progreso	3,000	Mar. 13, 1912
Greene, Roger S., Cambridge, Mass.	*Consul, Harbin*	4,000	*Jan. 21, 1909*
	Consul general, Hankow	4,500	Aug. 19, 1911
Griffith, P. Merrill, Sabina, Ohio.	*Consul, Tampico*	3,000	*Aug. 15, 1907*
	Consul, Pernambuco	4,000	Jan. 10, 1910
	Consul general, Callao	4,500	Nomination pending.
Griffiths, John L., Indianapolis, Ind.	*Consul, Liverpool*	8,000	*Mar. 8, 1905*
	Consul general, London	12,000	May 31, 1909
Guenther, Richard, Oshkosh, Wis.	*Consul general, Frankfort*	5,500	*Nov. 11, 1898*
	Consul general Cape Town	6,000	May 4, 1910
Guyant, Claude E., Decatur, Ill.	Consul, Salina Cruz	2,000	Mar. 8, 1912
	Consul, Ensedada	2,000	[1]
Haeberle, Arminius T., St. Louis, Mo.	*Consul, Manzanillo*	2,000	*June 10, 1908*
	Consul, Tegucigalpa	2,500	Jan. 11, 1910
	Consul, Vladivostok	3,500	[1]
Hale, Franklin D., Lunenburg, Vt.	*Consul, Charlottetown*	2,000	*May 1, 1908*
	Consul, Trinidad	3,000	May 31, 1909
	Consul, Huddersfield	3,000	Aug. 22, 1912
Hamm, Theodore C., Bancroft, Va.	Consul, Durango	2,000	Aug. 19, 1911
Hamm, Walter C., Philadelphia, Pa.	*Consul, Hull*	2,500	*July 18, 1903*
	Consul, Newcastle-on-Tyne	3,000	Feb. 12, 1912
Handley, William W., Brooklyn, N. Y.	*Consul general, Boma*	4,500	*June 22, 1908*
	Consul, Naples	4,000	Dec. 14, 1910
Hanna, Rea, Berkeley, Cal.	*Consul, Iquique*	3,000	*Aug. 15, 1907*
	Consul, Georgetown	3,500	Dec. 20, 1911
Hannah, Frank S., Evanston, Ill.	*Consul, Magdeburg*	2,500	*July 21, 1904*
	Consul, Kehl, resigned Aug. 31, 1911.	3,000	June 24, 1910
Hanson, George M., Ogden, Utah.	Consul, Hobart	2,000	Aug. 23, 1912
Harris, Ernest L., Rock Island, Ill.	*Consul general, Smyrna*	3,500	*June 10, 1908*
	Consul general, Stockholm	3,500	Jan. 20, 1911
Harris, Heaton W., Alliance, Ohio.	*Consul general at large*	5,000	*Jan. 25, 1909*
	Consul general, Frankfort on the Main.	5,500	Aug. 22, 1912
Haskell, Lewis W., Columbia, S. C.	Consul, Salina Cruz	2,000	Jan. 11, 1910
	Consul, Hull	2,500	Feb. 26, 1912
Hathaway, Charles M., jr., Olyphant, Pa.	Consul, Puerto Plata	2,000	Aug. 19, 1911
Hays, Perry C., Great Falls, Mont.	Consul, Zanzibar	2,500	Aug. 23, 1912
Heingartner, Alexander, New Philadelphia, Ohio.	*Consul, Batum*	2,500	*June 10, 1908*
	Consul, Liege	3,000	Aug. 19, 1911
Heintzleman, Percival, Fayetteville, Pa.	*Consul, Chungking*	3,500	*Jan. 22, 1909*
	Department of State		Aug. 31, 1909
	Consul, Dalny	3,500	June 24, 1910
	Second secretary, legation, Peking.	1,800	Aug. 16, 1910
	Assistant chief, Division of Far Eastern Affairs.	3,000	June 27, 1911
Henry, Frank Anderson, Wilmington, Del.	Consul, Guadeloupe	2,000	Aug. 23, 1912
Hill, Frank D., Pine Island, Minn.	*Consul general, Barcelona*	5,500	*Mar. 10, 1908*
	Consul general, Frankfort. Died May 23, 1912.	5,500	May 4, 1910
Holder, Charles A., Colorado Springs, Colo.	Consul, Rouen	2,000	May 31, 1909
	Consul general, Christiania	3,000	Aug. 22, 1912
Holland, Philip E., Jackson, Tenn.	Consul, Puerto Plata	2,000	Mar. 7, 1910
	Consul, Saltillo	2,000	Aug. 19, 1911
Hollis, W. Stanley, Boston, Mass.	*Consul, Lourenco Marques*	5,000	*Jan. 6, 1898*
	Consul, Dundee	4,000	May 31, 1909
	Consul general, Beirut	4,500	Dec. 19, 1910
Hoover, Charles L., Bolivar, Mo.	Consul, Madrid	2,500	June 4, 1909
	Consul, Carlsbad	3,000	Aug. 22, 1912
Horton, George, Chicago, Ill.	*Consul general, Athens*	3,000	*June 22, 1906*
	Consul, Saloniki	3,500	Jan. 10, 1910
	Consul general, Smyrna	3,500	Aug. 19, 1911
Hurst, Carl Bailey, Washington, D. C.	*Consul, Plauen*	4,000	*Aug. 23, 1905*
	Consul, Lyon	5,000	Dec. 14, 1910
	Consul general at large	5,000	[1]
Ingram, Augustus E., Los Angeles, Cal.	*Consular assistant*	1,800	*July 1, 1908*
	Consul, Bradford	3,500	June 2, 1909
Jenkins, Douglas, Greenville, S. C.	*Consul, St. Pierre*	2,000	*June 22, 1908*
	Consul, Goteborg	2,500	Mar. 8, 1912
Jewell, John F., Galena, Ill.	*Consul, Melbourne*	3,000	*June 10, 1908*
	Consul, Vladivostok	3,500	Aug. 19, 1911
	Consul, Tsingtau	4,000	[1]
Jewett, Milo A., Danvers, Mass.	*Consul, Trebizond*	2,500	*Dec. 11, 1905*
	Consul, Kehl	3,000	Dec. 20, 1911

[1] Nomination pending.

Appointments, transfers, and promotions, etc.—Continued.

Name and home address.	Post.	Salary.	Date.
Johnson, Felix S. S., Vineland, N. J.	*Consul, Bergen*	$2,500	*Aug. 17, 1906*
	Consul, Kingston, Ont	2,500	Jan. 10, 1910
Johnson, Henry Abert, Washington, D. C.	*Consul, Liege*	3,000	*Mar. 30, 1907*
	Consul, Ghent	3,000	Aug. 19, 1911
Johnson, James W., New York, N. Y.	*Consul, Corinto*	3,000	*Jan. 12, 1909*
	Consul, St. Michaels	3,000	(1)
Johnson, Jesse H., Columbus, Tex.	*Consul, Swansea*	3,000	*Mar. 30, 1907*
	Consul, Matamoros	2,500	Jan. 12, 1910
Keena, Leo J., Detroit, Mich.	Consul, Chihuahua	2,500	May 31, 1909
	Consul, Florence	3,000	Dec. 14, 1910
Kehl, John E., Cincinnati, Ohio.	*Consul, Sydney, Nova Scotia*	3,000	*June 10, 1908*
	Consul, Saloniki	3,500	Aug. 19, 1911
Kemper, Graham H., Georgetown, Ky.	Consul, Cartagena	2,000	Aug. 19, 1911
Kent, William P., Wytheville, Va.	*Consul general, Guatemala*	3,500	*July 21, 1903*
	Consul, Newchwang	4,500	May 2, 1910
Kirk, Milton B., Chicago, Ill.	*Consul assistant*	1,400	*July 1, 1908*
	Consul, Manzanillo	2,000	Aug. 19, 1911
Kitchen, William W., Gulfport, Miss.	Consul, Teneriffe, died Oct. 16, 1912.	2,500	Mar. 2, 1911
Knabenshue, Samuel S., Toledo, Ohio.	*Consul, Belfast*	5,000	*Jan. 9, 1905*
	Consul general, Tientsin	5,500	Aug. 27, 1909
Laing, James Oliver, Kansas City, Mo.	Consul, Malta	2,500	Aug. 2, 1910
	Consul, Maracaibo	2,500	(1)
Latham, Charles L., Greenville, N. C.	*Consul, Cartagena*	2,000	*Feb. 17, 1909*
	Consul, Punta Arenas	3,000	Aug. 19, 1911
Lay, Julius G., Washington, D. C.	*Consul general, Cape Town*	6,000	*May 24, 1906*
	Consul general, Rio de Janeiro.	8,000	May 2, 1910
Lee, Samuel T., Ann Arbor, Mich.	*Consul, Nogales*	2,500	*Aug. 15, 1907*
	Consul, San Jose, Costa Rica.	3,000	May 31, 1909
Leonard, Walter A., Evanston, Ill.	Consul, Stavanger	2,000	Aug. 23, 1912
Letcher, Marion, Conyers, Ga.	Consul, Acapulco	2,500	June 2, 1907
	Consul, Chihuahua	2,500	Jan. 10, 1911
Livingston, C. Ludlow, Pittsburgh, Pa.	*Consul, Salina Cruz*	2,000	*June 10, 1908*
	Consul, Swansea	3,000	Jan. 10, 1910
Long, James Verner, Pittsburgh, Pa.	*Consul, Venice*	2,000	*Aug. 15, 1907*
	Consul, Malta	2,500	Jan. 10, 1910
	Consul, Venice	2,000	Aug. 2, 1910
Lowrie, Will L., Elgin, Ill.	*Consul, Erfurt*	2,500	*June 10, 1908*
	Consul, Carlsbad	3,000	May 31, 1909
	Consul general, Lisbon	3,500	Aug. 22, 1912
Lupton, Stuart K., Clarksville, Tenn.	*Consul, Catania*	3,000	*Feb. 10, 1909*
	Consul, Karachi	3,000	Aug. 27, 1909
	Consul, Tampico	3,000	(1)
MacClintock, Samuel, Lexington, Ky.	Consul, Tegucigalpa	2,500	May 31, 1909
	Consul, Puerto Cortes, resigned Apr. 16, 1910.	2,500	Dec. 16, 1909
McConnico, Andrew J., Vaiden, Miss.	Consul, St. John's, Quebec	2,000	May 31, 1909
	Consul, Owen Sound	2,500	(1)
McGoogan, George B., Fort Wayne, Ind.	*Consul, La Paz, Mexico*	2,000	*June 27, 1906*
	Consul, Progreso	3,000	June 2, 1909
	Consul, Georgetown; died at Mobile, Ala., Aug. 29, 1911.	3,500	Aug. 19, 1911
McNally, James C., Pittsburgh, Pa.	*Consul, Nanking*	4,000	*Mar. 30, 1907*
	Consul, Tsingtau	4,000	Apr. 15, 1910
	Consul, Hanover	3,000	(1)
Magelssen, William C. Bratsberg, Minn.	*Consul, Colombo*	3,000	*Feb. 20, 1909*
	Consul, Melbourne	3,000	Aug. 19, 1911
Mahin, Frank W., Clinton, Iowa.	*Consul, Nottingham*	4,500	*June 11, 1902*
	Consul, Amsterdam	5,000	May 4, 1910
Manning, Isaac A., Salem, Oreg.	*Consul, La Guaira*	3,000	*Feb. 18, 1909*
	Consul, Barranquilla	3,500	Aug. 19, 1911
Mason, Dean B., Cleveland, Ohio.	*Consul, assistant*	1,800	*July 1, 1908*
	Consul, Algiers	2,500	Dec. 18, 1911
Maynard, Lester, San Francisco, Cal.	*Consul, Vladivostock*	3,500	*Mar. 11, 1908*
	Consul, Harbin	4,000	Aug. 19, 1911
	Consul, Amoy	4,500	Aug. 20, 1912
Memminger, Lucien, Charleston, S. C.	*Consul, assistant*	1,600	*July 1, 1908*
	Consul, Salina Cruz	2,000	(1)
Michelson, Albert H., Cambridge, Mass.	*Consul, Turin*	2,000	*Jan. 29, 1906*
	Consul, Hanover	3,000	Aug. 22, 1912
	Consul, Milan	4,000	(1)
Miller, Clarence A., Kansas City, Mo.	*Consul, Matamoras*	2,500	*Aug. 15, 1907*
	Consul, Tampico	3,000	Jan. 11, 1910
	Consul, Pernambuco	4,000	(1)
Miller, Henry B., Eugene, Oreg.	*Consul general, Yokohama*	6,000	*Mar. 8, 1905*
	Consul, Belfast; resigned Nov. 8, 1910.	5,000	Aug. 27, 1909
Moffat, Thomas P., Brooklyn, N. Y.	*Consul, Trinidad*	3,000	*Feb. 17, 1909*
	Consul, Bluefields	3,500	May 31, 1909
	Consul, Managua, resigned Mar. 29, 1911	3,000	Jan. 20, 1911
Moorhead, Maxwell K., Pittsburgh, Pa.	*Consul, Acapulco*	2,500	*Jan. 13, 1908*
	Consul, St. John, N. B	3,000	May 31, 1909
	Consul, Rangoon	3,500	Apr. 15, 1910
Morawetz, Albert R., Nogales, Ariz.	*Consul general at large*	5,000	*Aug. 14, 1907*
	Consul, Leipzig, retired Aug., 1912.	4,000	Jan. 12, 1910
Morgan, Henry H., New Orleans, La.	*Consul, Amsterdam*	5,000	*Apr. 29, 1907*
	Consul general, Barcelona	5,500	May 11, 1910
Moser, Charles K., Lewinsville, Va.	Consul, Aden	2,500	May 31, 1909
	Consul, Colombo	3,000	Aug. 19, 1911
Mosher, Robert Brent, Washington, D. C.	*Consul, Port Elizabeth*	3,500	*Nov. 21, 1908*
	Consul general, Hankow	4,500	Jan. 11, 1910
	Consul, Plauen	4,000	Aug. 19, 1911
Myers, David J. D., La Fayette, Ga.	Consul, Puerto Cortes	2,500	Aug. 24, 1912
Nathan, Edward I., Philadelphia, Pa.	*Consul, Patras*	2,000	*Aug. 15, 1907*
	Consul, Mersina	2,500	May 4, 1909
	Consul, Karachi	3,000	(1)
Northrup, Alfred S., Chicago, Ill.	Consul, Trebizond	2,500	Mar. 8, 1912
Norton, Edward J., Memphis, Tenn.	*Consul, Asuncion*	2,000	*Mar. 30, 1907*
	Consul, Malaga	3,000	May 31, 1909
	Consul, Bombay	4,000	Aug. 22, 1912

[1]Nomination pending.

Appointments, transfers, and promotions, etc.—Continued.

Name and home address.	Post.	Salary.	Date.
Olivares, José de, St. Louis, Mo.	*Consul, Managua*	$3,000	*June 23, 1908*
	Consul, Madras	3,000	Jan. 27, 1911
Osborne, John Ball, Scranton, Pa.	*Chief, Bureau of Trade Relations, Department of State.*	2,500	*May 17, 1905*
	Consul, Havre	5,000	Aug. 22, 1912
Paddock, Gordon, New York, N. Y.	Consul, Tabriz	3,000	June 24, 1910
Patton, Kenneth S., Charlottesville, Va.	*Consul assistant*	1,400	*June 24, 1908*
	Consul, Asuncion	2,000	(1)
Perry, Chas. B., Crete, Nebr.	Consul, Turin	2,000	Aug. 22, 1912
Pike, William J., Hallstead, Pa.	*Consul, Kehl*	3,000	*Mar. 30, 1907*
	Consul, Reichenberg	4,000	June 24, 1910
Pontius, Albert W., St. Paul, Minn.	*Consul, Swatow*	2,500	*Jan. 22, 1909*
	Consul, Chungking	3,500	Jan. 10, 1910
	Consul, Dalny	3,500	Aug. 19, 1911
Potter, Julian, New York, N. Y.	*Consul, Nassau*	3,000	*Oct. 30, 1903*
	Consul, Rouen	2,000	Aug. 22, 1912
Ragsdale, James W., Santa Rosa, Cal.	*Consul, St. Petersburg*	3,500	*June 10, 1908*
	Consul general, Halifax	4,500	Aug. 27, 1909
Rasmusen, Bertil M., McCallsburg, Iowa.	*Consul, Stavanger*	2,000	*June 22, 1905*
	Consul, Bergen	2,500	Jan. 12, 1910
Ravndal, Gabriel Bie, Sioux Falls, S. Dak.	*Consul general, Beirut*	4,500	*June 23, 1906*
	Consul general, Constantinople.	6,000	Dec. 10, 1910
Ray, John A., Whitewright, Tex.	Consul, Maskat	2,000	May 31, 1909
	Consul, Maracaibo	2,500	Aug. 19, 1911
	Consul, Corinto	3,000	(1)
Reat, Samuel C., Tuscola, Ill.	*Consul, Port Louis*	2,000	*June 22, 1908*
	Consul, Tansui	3,000	May 31, 1909
Robert, Albert W., Palm Beach, Fla.	Consul, Algiers (retired, 1911).	2,500	May 31, 1909
Robertson, William H., Richmond, Va.	*Consul general, Tangier*	3,500	*Jan. 13, 1909*
	Consul general, Callao	4,500	May 2, 1910
	Consul general, Moscow	5,500	(1)
Rosenberg, Louis J., Detroit, Mich.	*Consul, Seville*	3,000	*June 28, 1906*
	Consul, Pernambuco	4,000	May 31, 1909
	Consul, Barranquilla (declined appointment to Barranquilla and resigned Jan. 15, 1910).	3,500	Jan. 12, 1910
Rublee, William A., Milwaukee, Wis.	*Consul general, Vienna*	6,000	*Mar. 26, 1903*
	Consul general, Hongkong (died at post Apr. 15, 1910).	8,000	May 17, 1909
Sammons, Thomas, Seattle, Wash.	*Consul general, Seoul*	5,500	*Mar. 30, 1907*
	Consul general, Yokohama	6,000	Aug. 27, 1909
Sauer, Emil, Lange, Tex.	Consul, Bagdad	2,000	Aug. 19, 1911
Schmucker, George B., Tampa, Fla.	Consul, Ensenada, retired June 3, 1911.	2,000	May 31, 1909
Schmutz, Gaston, New Orleans, La.	Consul, Aguascalientes	2,000	Aug. 19, 1911
Schulz, Walter H., Oklahoma City, Okla.	Consul, Aden	2,500	Aug. 19, 1911
Scidmore, George H., Madison, Wis.	*Consul, Nagasaki*	3,500	*Mar. 30, 1907*
	Consul, Kobe	5,000	June 2, 1909
	Consul general, Seoul	5,500	Aug. 27, 1909
Shank, Samuel H., Indianapolis, Ind.	*Consul, Mannheim*	3,500	*Mar. 30, 1907*
	Consul, Sherbrooke	3,500	Mar. 21, 1912
	Consul, Fiume	3,500	Aug. 20, 1912
Sharp, Hunter, Hertford County, N. C.	*Consul general, Moscow*	5,500	*June 10, 1908*
	Consul, Lyon	5,000	May 31, 1909
	Consul, Belfast	5,000	Dec. 14, 1910
Shaughnessy, Walter D., Salt Lake City, Utah.	*Consul, Aguascalientes*	2,000	*Apr. 9, 1907*
	Consul, Martinique, resigned Apr. 19, 1910.	2,500	Apr. 13, 1910
Simpich, Frederick, Wenatchee, Wash.	Consul, Bagdad	2,000	May 31, 1909
	Consul, Ensenada	2,000	June 8, 1911
	Consul, Nogales	2,500	(1)
Slater, F. C., Topeka, Kans.	Consul, Sarnia	2,500	July 16, 1909
Smith, A. Donaldson, Scotland Neck, N. C.	*Consul, Mersina*	2,500	*Mar. 3, 1909*
	Consul, Patras	2,000	May 7, 1909
	Consul, Aguascalientes, resigned Apr. 8, 1911.	2,000	Apr. 13, 1910
Snodgrass, John H., Wheeling, W. Va.	*Consul, Kobe*	5,000	*June 10, 1908*
	Consul general, Moscow	5,500	May 31, 1909
	Consul general, Sydney, Australia.	5,500	(1)
Snyder, Nicholas R., Pittsburgh, Pa.	*Consul, Port Antonio*	3,000	*June 22, 1906*
	Consul, Kingston, Jamaica	4,500	June 7, 1910
	Consul, Leipzig	4,000	Aug. 22, 1912
Starrett, Henry P., Dade City, Fla.	Consul, Tegucigalpa	2,500	(1)
Stewart, Nathaniel B., Butler, Ga.	*Consul, Madras*	3,000	*June 10, 1908*
	Consul, Durban	3,500	Dec. 19, 1910
Sullivan, Lucien N., South Bethlehem, Pa.	Consul, La Paz, Mex	2,000	May 31, 1909
Summers, Maddin, Nashville, Tenn.	*Consul assistant*	1,800	*July 1, 1908*
	Consul, Belgrade	3,000	Dec. 20, 1911
Taggart, Giles R., Woodbury, N. J.	Consul, Cornwall	2,000	Mar. 13, 1912
Taylor, P. Emerson, Tekamah, Nebr.	Consul, Port Louis	2,000	May 31, 1909
	Consul, Stavanger	2,000	Jan. 10, 1910
	Consul, Trinidad	3,000	Aug. 22, 1912
Taylor, Samuel M., Urbana, Ohio.	*Consul General, Callao*	4,500	*June 22, 1906*
	Consul, Nottingham	4,500	May 2, 1910
Teichmann William C. St. Louis Mo.	*Consul Stettin*	2,500	*Feb. 20, 1909*
	Consul Mannheim	3,500	Apr. 9, 1912
Tenney, Charles D., Cambridge, Mass.	*Chinese secretary at Peking*	3,600	*Mar. 11, 1908*
	Consul, Nanking	4,000	Mar. 13, 1912
Thompson, Robert J., Chicago, Ill.	*Consul, Hanover*	3,000	*June 20, 1906*
	Consul, Sheffield	3,000	Aug. 22, 1912
Totten, Ralph J., Nashville, Tenn.	*Consul, Puerto Plata*	2,000	*June 10, 1908*
	Consul, Maracaibo	2,500	Mar. 7, 1910
	Consul, Trieste	3,000	Aug. 23, 1911
Trimmer, Edwin W., Rochester, N. Y.	*Consul, Cape Gracias à Dios*	2,000	*June 21, 1905*
	Consul, Niagara Falls	2,000	Aug. 19, 1911
Van Dyne, Frederick Palmyra, N. Y.	*Consul, Kingston, Jamaica*	4,500	*May 8, 1907*
	Assistant Solicitor, Department of State.	3,000	June 23, 1910
	Consul, Lyon	5,000	(1)

[1]Nomination pending.

Appointments, transfers, and promotions, etc.—Continued.

Name and home address.	Post.	Salary.	Date.
Van Sant, Howard D., Island Heights, N. J.	*Consul, Kingston, Ontario*	$2,500	*Sept. 15, 1905*
Voetter, Thomas W., Santa Fe, N. Mex.	Consul, Dunfermline	3,000	Jan. 11, 1910
	Consul, Saltillo	2,000	*Aug. 15, 1907*
	Consul, La Guaira	3,000	Aug. 19, 1911
Wakefield, Ernest A., Augusta, Me.	*Consul, Rangoon*	3,500	*June 10, 1908*
	Consul, Port Elizabeth	3,500	Jan. 11, 1910
Wallace, Thomas R., Atlantic, Iowa.	*Consul, Jerusalem*	3,000	*Mar. 30, 1907*
	Consul, Martinique	2,500	June 24, 1910
Warner, Southard P., Kensington, Md.	*Consul, Leipzig*	4,000	*Aug. 9, 1904*
	Consul, Bahia	4,000	Aug. 27, 1909
	Consul, Harbin	4,000	Aug. 22, 1912
Washington, Horace Lee, Washington, D. C.	*Consul general, Marseille*	5,500	*June 10, 1908*
	Consul, Liverpool	8,000	May 31, 1909
Weddell, Alexander W., Richmond, Va.	Consul, Zanzibar	2,500	Jan. 11, 1910
	Consul, Catania	3,000	Aug. 22, 1912
West, George N., Washington, D. C.	*Consul general, Vancouver*	4,500	*June 10, 1908*
	Consul, Kobe	5,000	Aug. 26, 1910
White, Jay, Lapeer, Mich.	*Consul general, Bogota*	3,500	*June 22, 1906*
	Consul, Santos	4,000	Aug. 27, 1909
Wilber, David F., Oneonta, N. Y.	*Consul general, Halifax*	4,500	*Mar. 30, 1907*
	Consul, Kobe	5,000	Aug. 27, 1909
	Consul general, Vancouver	4,500	Aug. 26, 1910
Wilder, Amos P., Madison, Wis.	*Consul general, Hongkong*	8,000	*Mar. 7, 1906*
	Consul general, Shanghai	8,000	May 17, 1909
Williams, Charles L. L., Columbus, Ohio.	*Interpreter, Chefoo*	1,500	*July 1, 1908*
	Interpreter, Newchwang	1,500	July 6, 1909
	Consul, Swatow	2,500	June 24, 1910
Williamson, Adolph A., Washington, D. C.	*Student interpreter, in Japan*	1,000	*Oct. 8, 1906*
	Consul, Antung	2,500	Aug. 19, 1911
Willrich, Gebhard, Milwaukee, Wis.	*Consul, St. Johns, New Brunswick*	3,000	*Oct. 3, 1905*
	Consul, Quebec	3,500	June 9, 1909
Winans, Charles S., Chelsea, Mich.	*Consul, Valencia*	2,500	*Mar. 30, 1907*
	Consul, Seville	3,000	May 31, 1909
Winship, North, Macon, Ga.	Consul, Tahiti	2,000	June 24, 1910
Winslow, Edward D., Chicago, Ill.	*Consul, Goteborg*	2,500	*Jan. 22, 1909*
	Consul general, Stockholm	3,500	Mar. 29, 1909
	Consul, Plauen	4,000	Dec. 14, 1910
	Consul general, Copenhagen	3,000	Aug. 19, 1911
Wood, John Q., Honolulu, Hawaii.	Consul, Venice	2,000	Jan. 12, 1910
	Consul, Tripoli	2,500	Aug. 2, 1910
Yerby, William J., Memphis, Tenn.	*Consul, Sierra Leone*	2,000	*June 28, 1906*
	Consul, Mersina	2,500	[1]

[1] Nomination pending.

Mr. CLINE. That statement was made out and delivered to me about January 20, 1912, by the then Secretary of State, Mr. Knox. I am not an extreme partisan, but I wanted to know the facts connected with the Consular Service in which the appointments were made under the farce of a civil service examination stripped of political preferences. He sent me the names of the gentlemen who have been promoted, who have been appointed, who have been transferred to these positions. There were 212 out of 289 consuls of the United States when this new law became effective. I asked for the home address, the place to which they were appointed, and the salary, and when they were appointed or transferred. Out of the 212 I found that 199 were Republicans, and that there were 13 Democrats appointed in four years, or promoted or transferred, and that out of $726,500 of salaries, the Democrats drew $31,500, or less than 5 per cent of the amount that was paid to those men in those situations. The State of Massachusetts, that the gentleman [Mr. ROGERS] comes from, had five men appointed or transferred in that time, whose salaries equaled more than half of the entire amount that was coming for a year to the 13 representatives of the Democratic Party in the Consular Service, and yet the gentleman finds fault because a Democrat gets into the service.

The State of Illinois had 13 representatives appointed or transferred during the four years, commanding salaries amounting to $43,500. The great State of Pennsylvania had 18 representatives appointed, transferred, or promoted during this time, carrying salaries amounting to $62,000, twice the amount paid to the Democratic representatives for the entire United States. Only two of the 13 were appointed north of the Mason and Dixon line. What kind of salaries did they get? Six of them got $2,000 a year, three of them got $2,500 a year, three of them got $3,000 a year, and one $3,500 a year, and all of them occupying inferior and unimportant positions.

Mr. Chairman, that is an exemplification of the administration of the holy civil service under a Republican administration.

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Charges d'affaires ad interim and vice consuls, $50,000; total, $587,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee the reason for putting the vice consuls separately in this item and not having them included under the general designation for the Consular Service? I did not know that vice consuls were a part of the ambassadorial or legation force.

Mr. FLOOD of Virginia. Mr. Chairman, the reason for putting them there was that they might participate in this fund of $50,000. The gentleman will recall that a few weeks ago Congress passed a law classifying the Consular Service and the secretaries of embassies and legations, and provided that vice consuls when acting as consuls should get the same proportion of the consul's pay that the chargés d'affaires do of the ambassador's or minister's pay.

Mr. STAFFORD. I should think that would be included under the item, page 19, which relates to salaries of the Consular Service, rather than in this connection.

Mr. FLOOD of Virginia. What item?

Mr. STAFFORD. Page 19, the paragraph with the heading "Salaries of the Consular Service."

Mr. FLOOD of Virginia. The item on page 19 is for the salaries of consuls and consuls general. This item back here is a specific appropriation heretofore to pay the first secretary who is acting in the place of an ambassador or a minister half of the salary of such ambassador or minister when he was away from his post of duty. Now, under the new law we recently enacted, the vice consul acts in place of the consul general in the absence of such officer from his post of duty and gets half of the salary of that officer, and we put vice consuls in here in order that they might participate in this fund.

Mr. STAFFORD. The vice consul, of course, will not have any duties to perform connected with a legation or embassy.

Mr. FLOOD of Virginia. Oh, no.

Mr. STAFFORD. That is why I asked the gentleman why it should be included here if it is really part of the Consular Service.

Mr. FLOOD of Virginia. It may have been better to have divided the appropriation and put it in a different place.

The Clerk read as follows:

SALARIES OF SECRETARIES IN THE DIPLOMATIC SERVICE.

For secretaries in the Diplomatic Service as provided in the act of January —, 1915, entitled "An act for the improvement of the foreign service," approved January —, 1915, $157,500: *Provided*, That the amount appropriated for "Salaries of secretaries of embassies and legations" contained in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, is hereby made available for the salaries of secretaries in the Diplomatic Service at the rate of compensation specified in the act entitled "An act for the improvement of the foreign service," approved —— —, 1915; and there is also hereby appropriated for salaries of secretaries in the Diplomatic Service, to be expended in accordance with the provisions of the said act of January —, 1915, during the remainder of the fiscal year 1915, the additional sum of $7,500.

The CHAIRMAN. There is a point of order pending.

Mr. FLOOD of Virginia. Well, let the gentleman make it.

Mr. PAGE of North Carolina. Mr. Chairman, I do not care to make the point of order, at least I do not know that I do, but I want to inquire of the chairman of the committee in reference to this matter. This is apparently a deficiency appropriation. That is an appropriation for the current year.

Mr. FLOOD of Virginia. That was necessitated by reason of the fact on February 5 of this year the law went into effect reorganizing the service of secretaries of embassies and legations, and increased the compensation of secretaries taken as a whole to an amount that would equal this $7,500 for the last four months of this fiscal year. The purpose of this proviso here is to enable the State Department to pay the balance of appropriations of this year which was made for secretaries of embassies and legations under the old system to the secretaries under the new law, and adds $7,500 for the purpose of making their salaries what they would be under the new law from the 1st of March to the 1st of July.

Mr. PAGE of North Carolina. Does not the gentleman think it would be a better form of appropriation for this to have been carried in the deficiency bill rather than in this bill? It is a deficiency.

Mr. FLOOD of Virginia. Well, I do not know; I do not believe, under the circumstances, it would.

Mr. PAGE of North Carolina. I call the gentleman's attention to the fact this is simply a deficiency, as he is appropriating for the current fiscal year.

Mr. MANN. That is, the $7,500 is a deficiency?

Mr. PAGE of North Carolina. And my question was if the gentleman did not think it would be better, at least, to have that amount carried in a deficiency bill rather than in this appropriation bill.

Mr. MANN. If the gentleman from North Carolina will permit, when the consular reorganization bill was passed there was some discussion whether the bill itself ought not to make available the existing appropriations for the payment of the reorganized service.

Mr. PAGE of North Carolina. I recall it.

Mr. MANN. The fact is the gentleman from Virginia really wanted to have that done, although the way it came up it is probably not convenient; but as this is to make the present appropriations available for salaries, I can see there is some reason——

Mr. PAGE of North Carolina. I want to say to the chairman of the committee I shall not press the point of order, but I merely wanted to call his attention to the fact that this item belongs to a deficiency bill and not to this bill. Mr. Chairman, I withdraw the point of order.

Mr. FLOOD of Virginia. Mr. Chairman, I offer four amendments to this section, all the same. On page 2, line 26, strike out the word "January" and insert "February 5."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 26, by striking out "January" and inserting "February 5."

The question was taken, and the amendment was agreed to.

Mr. FLOOD of Virginia. On page 3, line 2, strike out the word "January" and insert "February 5."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, line 2, by striking out the word "January" and inserting "February 5."

The question was taken, and the amendment was agreed to.

Mr. FLOOD of Virginia. On page 3, line 10, insert the words "February 5" after the word "approved."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "approved," insert the word and figures "February 5."

The question was taken, and the amendment was agreed to.

Mr. FLOOD of Virginia. On page 3, line 14, strike out the word "January" and insert "February 5."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 3, line 14, by striking out the word "January" and inserting the word and figure "February 5."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

To pay the salaries of ambassadors, ministers, consuls, and other officers of the United States for the periods actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act, in pursuance of the provisions of section 1740 of the Revised Statutes, so much as may be necessary.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the Chairman kindly indicate what appropriation is used for these respective services? One would expect there would be some amount appropriated in this paragraph, but none is included, and none was included in last year's act also.

Mr. FLOOD of Virginia. It is provided for by the Revised Statutes.

Mr. STAFFORD. The appropriation?

Mr. FLOOD of Virginia. Whatever is necessary.

Mr. STAFFORD. From what fund is the money paid? Here is an item without carrying any appropriation.

Mr. FLOOD of Virginia. The Revised Statutes authorize it to be paid, and it is paid out of any money in the Treasury.

Mr. STAFFORD. But I assume the money is appropriated somewhere.

Mr. FLOOD of Virginia. Here is the amount paid.

Mr. STAFFORD. Which amount?

Mr. FLOOD of Virginia. The gentleman from North Carolina asked me what amount was paid. Last year it was $109,700.

Mr. STAFFORD. But where is the money appropriated?

Mr. FLOOD of Virginia. The Revised Statutes provide that it shall be a charge on the Treasury. Whenever the State Department draws on the Treasury for money on this account it is paid.

Mr. STAFFORD. It is a very exceptional case. I never knew of the Revised Statutes carrying an unlimited appropriation.

Mr. FLOOD of Virginia. We frequently impose an obligation on the Treasury, and when the conditions called for in the Revised Statutes are complied with, there is a payment. It is not unusual, though probably not the wisest method of legislating.

Mr. STAFFORD. When the statutes authorize the expenditure of the money and designate the sum, what is the need of carrying the paragraph?

Mr. FLOOD of Virginia. It has been carried in this bill so long if it was left out some question would arise as to its payment.

Mr. STAFFORD. Where is the amount of money from which it is paid? That is the question that is difficult for me to understand.

Mr. FLOOD of Virginia. It is paid out of any money in the Treasury. I can not make it plainer than that. We do not make any specific appropriation here. We simply recognize an existing law.

Mr. PAGE of North Carolina. Will the gentleman from Virginia allow a question?

Mr. FLOOD of Virginia. Yes.

Mr. PAGE of North Carolina. Then, whatever amount is paid out of the Treasury, out of this particular provision, is not included in the aggregate of the amount carried in this bill?

Mr. FLOOD of Virginia. No.

Mr. PAGE of North Carolina. In other words, if the amount appropriated in the bill is in excess of the amount shown in the report, such amount is paid in this paragraph?

Mr. STAFFORD. And last year the amount expended was $109,000?

Mr. FLOOD of Virginia. One hundred and nine thousand and some odd dollars.

The Clerk read as follows:

Interpreter to legation and consulate general at Bangkok, Siam, $1,500.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word for the purpose of interrogating the chairman of the committee in regard to the item we had under consideration at the top of this page. What is the reason that the amount that is necessary to meet this obligation can not be carried in the appropriation bill?

Mr. FLOOD of Virginia. There is no reason why it can not be done. The committee has just followed the custom of years.

Mr. PAGE of North Carolina. There are some customs that ought to be revised, and I should have thought that the gentleman from Virginia in taking charge of this bill would have been on the lookout for things of this sort.

Mr. FLOOD of Virginia. I think the committee has in the last two years been on the lookout and revised a good many of them.

Mr. PAGE of North Carolina. Now, the result of this is that here is an appropriation bill on its face carrying a certain sum of money——

Mr. COX. How much?

Mr. PAGE of North Carolina. Something over $4,000,000. And the facts are that the bill carries appropriations of an amount of money in excess of that—an undetermined amount. No Member of the House could possibly know how much. The chairman of the committee says that something like $109,000 was expended under this item last year. Has the chairman of the committee any information as to what amount will likely be expended during the current year for which this appropriation is made?

Mr. FLOOD of Virginia. I think it will be less this year than the year before.

Mr. PAGE of North Carolina. Was information obtainable when the gentleman was constructing this bill to enable him and his committee to make a fairly accurate estimate of the amount of money that will be required under this item?

Mr. FLOOD of Virginia. It will evidently be considerably less than it was last year, because there were more changes in the Diplomatic Corps last year than there will be this year.

Mr. PAGE of North Carolina. The gentleman then could have carried in this bill as an appropriation for this purpose, say $100,000, using the language, "or so much thereof as may be necessary," which would have fixed the amount that the bill carried.

Mr. FLOOD of Virginia. We could have done that.

Mr. PAGE of North Carolina. I suggest to the gentleman next year in making up this bill that he take that under consideration.

Mr. FLOOD of Virginia. I thank the gentleman for his suggestion.

Mr. PAGE of North Carolina. In order that we may know what amount of money we are appropriating.

Mr. FLOOD of Virginia. I am much obliged to the gentleman.

Mr. PAGE of North Carolina. I withdraw the pro forma amendment, Mr. Chairman.

The Clerk read as follows:

For 10 student interpreters at the legation to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legation and consulates in China, at $1,000 each, $10,000: *Provided*, That said student interpreters shall be chosen in such manner as will make the selections nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to con-

tinue in the service as interpreter to the legation and consulates in China so long as his said services may be required within a period of five years.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last two words for the purpose of asking the chairman of the committee how the selections are made of these 10 student interpreters. Who has the power of naming them?

Mr. FLOOD of Virginia. The State Department names them.

Mr. GOULDEN. And there is no civil service?

Mr. FLOOD of Virginia. They put them through a civil-service examination of their own. There is none provided by law.

Mr. GOULDEN. Does the gentleman know what particular requirements are demanded of those who apply for that examination—the age, educational qualifications, and so forth?

Mr. FLOOD of Virginia. They have to speak an additional language to the English language and stand an English examination. They have to be educated.

Mr. GOULDEN. Has the gentleman any idea about what age they have to be?

Mr. COX. I think it is from 18 to 35 years. I had an opportunity to look that up a few years ago.

Mr. GOULDEN. This looks like a fine opportunity for young men to see other countries. I withdraw the pro forma amendment.

The Clerk read as follows:

RESCUING SHIPWRECKED AMERICAN SEAMEN.

Expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck, $4,500.

THE SEAMEN'S BILL.

Mr. BRYAN. Mr. Chairman, I move to strike out the last word.

The Democratic Party came into power with a distinct platform promise to aid American seamen. Involuntary servitude on ships was to be ended forever. The priceless boon of freedom and liberty was to be guaranteed to the men who go down to the sea in the ships. Their independence and self-respect was to be encouraged. This doctrine was not only incorporated in the platform pledges, but it was proclaimed from the throats of a thousand spellbinders of greater or less force and magnitude throughout the Nation. All the coast cities were raided with these sturdy declaimers and their fair promises. Congress convened and the shipowners assembled. They lobbied and they explained. Every argument and influence they could summon was brought into play. The chairman of the Committee on the Merchant Marine and Fisheries was in London at a conference, and delay was necessary. Finally when it became apparent that the foreign shipowners were deceiving the public as to safety provisions and were sandbagging the seamen at that conference, Andrew Furuseth, the seamen's representative in this country, who was serving as one of the American delegates, packed up his belongings and left. He told the people of the United States that the shipping interests had control of that international conference.

Finally the chairman of the Committee on the Merchant Marine and Fisheries, who is himself independent and faithful to duty, returned to his post here in this Congress. The report of the conference and the treaty it proposed was sent to the Senate for ratification.

Silence was the special order in the House committee on the much advertised promise of the Democracy to abolish involuntary servitude. Months passed and on my own motion the committee finally found itself in position to lay aside temporarily such questions as the renaming of merchant ships, the creation of lobster beds and fish hatcheries, and other matters and consider the seamen's bill which Senator LA FOLLETTE had forced through the Senate months and months before.

In the meantime there came up on this floor a recodification bill, and the statute on which involuntary servitude was based was read and reenacted. My motion to strike out the statute, which had been denounced as un-American by the Democratic platform, was rejected and the law was actually reenacted in violation of the platform.

Finally the Committee on the Merchant Marine and Fisheries wiped out the La Follette bill, all except the enacting clause, and reported a substitute which was so objectionable that the representative of the seamen of America, Andrew Furuseth, urged all friends of the seamen and of safety at sea to vote against the bill as reported. I had submitted a minority report against the bill. The committee got together again and submitted a further much improved substitute which was passed and sent over to the Senate about six months ago.

The international treaty was pending and action on the bill was continually delayed. In the meantime another election approached. The Democratic Party went before the people to answer for its legislation and to tell how it had redeemed its platform pledges. A campaign textbook was issued and in violation of propriety, as it appears to me, the seamen's bill was referred to as one of the accomplishments of that session of Congress.

But the seamen's bill all the while rested quietly in the hands of Senate and House conferees, where it still lodges, and I fear is sleeping the sleep that knows no waking. The Shipping Trust is watching the bill. We are within 10 legislative days of adjournment. No report from these conferees is forthcoming, and rumors about the Capitol tell that they have about agreed on a report that will be pleasing to shipowners and will greatly displease the seamen.

It is doubtful, very doubtful, if any bill reported by these conferees can pass unless it meets with the tacit approval of the Shipping Trust and the all-night talkers in another House.

Plain, ordinary decency demanded a prompt report from these conferees long ago. Andrew Furuseth, in his position as to the international treaty, has been vindicated, for the treaty has been rejected because by its terms it made this legislation impossible. It seems to me that unless this bill is passed there will have been a deplorable lack of good faith and sincerity on the part of the Democratic Party in this matter.

Mr. HARRISON. Will the gentleman yield?

Mr. BRYAN. I yield to the gentleman from Mississippi.

Mr. HARRISON. I just wanted to ask the gentleman relative to this provision appropriating for "the expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck, $4 500." The gentleman proposes to strike out this appropriation of $4,500, and yet at the same time he speaks in behalf of the American seamen. It seems to me as being inconsistent.

Mr. BRYAN. Instead of the gentleman, as one of the leading representatives of the Democratic Party, taking up the proposition I submitted, he tries to take this motion of mine to strike out the last word, and which I took as the ground to present the argument I did present, and fails to refer to the real matter I presented. Why does not the gentleman say something about the seamen's bill and explain why his party and those in power here in this House and the other House fail and neglect to bring out this bill? There is a vast majority of this House in favor of it and a majority in the other House; yet it is absolutely neglected and no attention is paid to it.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HARRISON. I want to oppose the motion of the gentleman from Washington. It strikes me he is trying to blow hot and cold at the same time.

We have not the American seamen's bill up now. I voted for the shipping bill and I am for the seamen's bill. We are now trying to do something for some oppressed seamen and trying to appropriate $4,500 for them in this bill. This is the item that is now up for consideration.

Mr. BRYAN. Mr. Chairman, I want to say——

Mr. HARRISON. I do not yield now. This is the item that we must now vote on. The gentleman from Washington moves to strike from this bill this item of $4,500 that is recommended to be appropriated for the seamen of this country. We are bound to conclude that the gentleman is sincere in his motion, and I oppose it, and I do not think the House ought to accept the view of the gentleman from Washington and strike out this item of $4,500 for the seamen of this country. [Applause.]

Mr. FLOOD of Virginia. Mr. Chairman, I trust that this amendment will not be adopted. It is to strike out the appropriation of $4,500 for rescuing shipwrecked American seamen. The item has been carried in this appropriation bill for 30 years, and it has accomplished much good in behalf of shipwrecked American seamen. I trust the committee will vote down the gentleman's amendment. [Applause.]

Mr. BRYAN. Mr. Chairman, I move to strike out the last two words.

Mr. HARRISON. Mr. Chairman, the gentleman can not do that. I make a point of order on that. There is a motion already pending.

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] is out of order. He will have to get unanimous consent.

Mr. BRYAN. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. BRYAN. I do not propose to allow the RECORD to show that I am opposed to this appropriation of $4,500. Those who

may read the RECORD will know that the motion was offered in order to present this matter to these two gentlemen; and now, not only the gentleman from Mississippi [Mr. HARRISON] but the gentleman from Virginia, the chairman of the committee in charge of this bill, gets up and, instead of answering the question I propounded in regard to the seamen's bill and its merits, indulges in the same joke that the gentleman from Mississippi has attempted to perpetrate on the House.

The CHAIRMAN. The Clerk will read.

Mr. PAGE of North Carolina. I submit, Mr. Chairman, that there is a motion now pending.

Mr. BRYAN. Mr. Chairman, I withdraw my amendment.

Mr. PAGE of North Carolina. I object.

Mr. BRYAN. I would like to call attention to the fact that the Democrats are really by their action advocating the amendment.

Mr. FOSTER. They will not strike it out.

Mr. BRYAN. They would like to strike out everything connected with the seamen's bill.

The CHAIRMAN. The motion that is pending before the House is that of the gentleman from Washington [Mr. BRYAN] to strike out the last word. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

To enable the commission to continue its work under the treaties of 1884, 1889, and 1905, $7,500: *Provided*, That $5,000 thereof is made immediately available to resume and continue the work relating to the distribution of water, under the direction of the Secretary of State, and as authorized by and in pursuance to the protocol of May 6, 1896, between the United States and Mexico, and to enable the commission to study the questions connected with the equitable distribution of the waters of the Rio Grande River between the citizens of the United States and Mexico, and to make an investigation under the supervision of the Secretary of State as to the best and most feasible method of preserving the boundary line between the United States and Mexico by preventing the flood waters of the Rio Grande and its tributaries where the said Rio Grande constitutes said boundary line from disturbing and changing the channel, and also the best and most feasible mode of impounding, regulating, and utilizing said waters in such manner as to secure to each country and its inhabitants their legal and equitable rights and interests in said waters, and to report in detail plans, findings, and conclusions to Congress not later than December 10, 1915.

The CHAIRMAN (Mr. HAY). Without objection, the Clerk will be authorized to correct the spelling of the word "tributaries" on lines 2 and 3 of page 11.

There was no objection.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. I notice, Mr. Chairman, in the report that the Department of State recommended an appropriation of $50,000 in connection with this boundary commission, and the committee has reduced the amount appropriated last year from $15,000 to $7,500, and yet makes available for expenditure this year $5,000.

First, I would like to inquire how much of the appropriation of $15,000 is now available and the reason for the deficiency appropriation of $5,000; and next, the reason for this new authorization about boundary lines between Mexico and Texas, along the Rio Grande.

Mr. FLOOD of Virginia. It is not new. It was in the bill of last year.

Mr. STAFFORD. Well, it is all new, I will say to the gentleman, after the first four lines of the proviso.

Mr. FLOOD of Virginia. What does the gentleman mean by the first four lines?

Mr. PAGE of North Carolina. I think the gentleman is mistaken about that. The language is new from the beginning of line 15, page 10, down to the end.

Mr. STAFFORD. That is what I said—that all after the first four lines is new. The proviso begins on the fourth line.

Mr. FLOOD of Virginia. The appropriation of $7,500 is made under treaties between this country and Mexico. There is a commissioner on the part of this country and one on the part of Mexico to establish and keep established, so far as that can be done, the boundary line between this country and Mexico, and an appropriation of $7,500 was made under this treaty. There is another commission, which has been acting under a protocol between this country and Mexico and under the authority of the State Department for quite a number of years, to determine the amount of water of the Rio Grande that citizens of the United States are entitled to and the amount that citizens of Mexico are entitled to.

As far as the boundary-line question is concerned, owing to the disturbed conditions in Mexico there is very little that can be done, and this appropriation was made simply for the purpose of keeping the treaty alive until conditions got better in Mexico.

Mr. STAFFORD. Can the gentleman furnish to the committee a statement of the amount under the $15,000 appropriation that is now unexpended?

Mr. FLOOD of Virginia. I think it is all expended.

Mr. STAFFORD. With nobody representing Mexico, and still the representative has gone ahead and spent $15,000, and you are asking for only $7,500 next year under the same conditions?

Mr. FLOOD of Virginia. The gentleman must remember that we inherited these two commissions from a preceding administration. One of them was authorized under a treaty made by an administration prior to this one, and there were a number of officials employed to take the measurements of the waters of this river and kept an office at El Paso and one in Washington. The officials were there, and while they were not doing as much work as they might have done they still were there, and on the pay rolls of the Government. We reduced the appropriation from $50,000 to $15,000, and under that they could keep only a portion of these officials, but they still kept enough of them to consume this $15,000, doing work which, while not strictly under these treaties, was of very great importance to the people on the American border in the State of Texas and work that the State of Texas and the citizens of that State were greatly interested in. We thought they could get along with even less than $15,000, and we cut it down to $7,500, which was enough to keep the organization in existence, so that when matters settle down in Mexico the commission will be there, the treaty will be alive, and our commissioner can cooperate with the Mexican commissioner in settling the questions that arise by reason of the changing channel of the Rio Grande River and the questions that have arisen in the past as to the equitable distribution of water.

Mr. STAFFORD. Then it is expected that this commissioner will, during the ensuing fiscal year, spend only $2,500?

Mr. FLOOD of Virginia. The boundary-line commission will spend only $2,500.

Mr. STAFFORD. Does the gentleman think $2,500 will be sufficient to undertake this new work of providing an irrigation system for the Rio Grande?

Mr. FLOOD of Virginia. I do not think it will be sufficient for any purpose in the world except to keep the commission alive. I do not think they can do very much work; but they will be there, and the treaty will be complied with by us, and the institution will be ready to be reestablished and go to work when Mexico gets into a condition to appoint a commissioner on her part.

Mr. STAFFORD. I understand, then, that the commissioner, or the attachés connected with the commission, need some new work in order to justify their keeping themselves employed.

Mr. FLOOD of Virginia. Not some new work.

Mr. STAFFORD. That is what you are delegating in this paragraph.

Mr. FLOOD of Virginia. No; the gentleman misunderstood me.

Mr. STAFFORD. That is what you are delegating in this new authorization.

Mr. FLOOD of Virginia. No; that work has been done for years. The difference between this bill and previous bills is that formerly the authorization was not made by Congress, but an appropriation of $50,000 was made, and the State Department, under prior administrations, diverted the larger part of this $50,000 to do this work that we have specified here in the second part of this section, without, as we thought, any authority of law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Since the new administration has taken hold, do I understand that the new commissioner has done none of the work authorized in this new authorization?

Mr. FLOOD of Virginia. Oh, yes; he did it; but he did it under the authority of Congress in the last appropriation act.

Mr. STAFFORD. There was no such authority in the appropriation act as that contained in the lines following line 20.

Mr. FLOOD of Virginia. It may not have been as specific and detailed as it is in this bill, but still the authority existed.

Mr. GARNER. The authority is given in the treaty.

Mr. STAFFORD. As I understood, last year there was a jumble of authority, and the commissioner who had been appointed found that there was no system whatsoever, and he

went up to the State Department and protested about the conditions existing and claimed that there were duplications of work and the like, and thereupon the committee rearranged this item and provided a special authorization, as carried in last year's appropriation bill.

Mr. FLOOD of Virginia. No; the gentleman is mistaken about that. The committee itself inserted the provision in the bill.

Mr. STAFFORD. It was so represented to me by some persons attached to this commission.

Mr. FLOOD of Virginia. Whoever informed the gentleman from Wisconsin was mistaken. The committee saw that that work had not been authorized by law. It was being done, and it was a very valuable work, and the committee put in this provision authorizing it.

Mr. STAFFORD. It must be very valuable if they are going to appropriate only $2,500 for the ensuing year. Therefore I withdraw the point of order.

Mr. CLINE. Mr. Chairman, I want to call attention to the amount that has been appropriated, which I think will be interesting to the committee. Since the question of an international boundary between the United States and Mexico arose we have expended $409,000. The appropriations ran year by year from $20,000 to $25,000, and when the new auxiliary came into existence the appropriation of larger sums, as high as $50,000, took place, so that the entire amount expended has been $656,000. The reason the appropriation is only $7,500 was because the committee thought that was sufficient to keep the commission alive, as we knew that there could not be anything done during the present conditions in Mexico, except what would have to be done over again.

Mr. STAFFORD. Will the gentleman yield?

Mr. CLINE. I will.

Mr. STAFFORD. I notice that from the State Department there was a proposition to construct on the upper part of the Rio Grande an irrigation project known as the Engle Dam, and it was thought that they ought to have $50,000 for another project. How much has been expended on the Engle Dam?

Mr. GARNER. About $12,000,000.

Mr. STAFFORD. The gentleman from Texas says about $12,000,000; that comes under the irrigation laws.

Mr. GARNER. We have no public lands in Texas.

Mr. COX. I want to ask the gentleman from Indiana, has this entire sum of money been expended for clerk hire and salaries?

Mr. CLINE. This goes way back to 1884, and that amount has been expended in keeping gaugers and engineers and surveyors, maintaining an office here at this capital in connection with it.

Mr. COX. It is all gone for salaries practically?

Mr. CLINE. Yes; and in determining the boundary rights of the Mexican people and ourselves.

Mr. COX. I do not know anything about the geography in that territory down there.

Mr. CLINE. A part of the money has been expended to determine the geography and where the boundary line was.

Mr. COX. Is it a fact that the Rio Grande is constantly changing its channel backward and forward, washing people that live in the United States over into Mexico, and vice versa?

Mr. CLINE. That is what the committee understands, and the further proposition is added to it to devise ways and means whereby the flood waters of the upper part of the Rio Grande can be impounded and saved.

Mr. COX. How long has that attempt been carried on to impound the flood water of the upper part of the Rio Grande?

Mr. CLINE. It is under advisement; there has been no attempt made to establish reservoirs.

Mr. COX. Does the gentleman understand that the project is contemplated to ultimately create the erection of a great dam to impound the headwaters of the Rio Grande and prevent its overflow?

Mr. CLINE. No; I do not understand that there is any proposition determined. That is one of the things the country will have to consider.

Mr. ROGERS. Mr. Chairman, I have just come in, and I did not hear all the debate on this paragraph. I think it has not been brought out just how the amount in question came to be recommended in the bill. We have been hearing a good deal in the last weeks and months, and very properly, too, about the need of economy in every department of government. We have been told that every Secretary and every subordinate was being urged and required to prune down estimates to the very lowest possible cent. I have in my hand the estimates for the Diplomatic and Consular appropriation bill of 1916 furnished the Committee on Foreign Affairs by the Department of State. On page 13 of that print I find that in place of the $15,000 which was allotted last year for this Mexican Boundary Commission the sum of $50,000 is recommended this year, an increase of $35,000, or some 300 per cent, over last year.

When the commissioner of that boundary commission, the Hon. John Wesley Gaines, came before the committee he was naturally asked why that increase was necessary at this time, when, as we all know, the boundary conditions are of the most chaotic description, and when it was obvious that in any bilateral undertaking, such as the settlement of a boundary, there could be no effective work done toward fixing that boundary.

Several questions were asked Mr. Gaines along that line. In the course of the testimony he said he had not been consulted in advance by the Department of State as to what amount should be called for. He said he had no knowledge, until the moment he came before our committee, of the amount asked for in behalf of his mission. Then this question was asked him:

> What figures would you suggest in substitution for the $25,000 and the $50,000?
>
> Mr. GAINES. Make it $25,000 for the waterworks, or so much thereof as is necessary—the usual way when we do not exactly know—and let it be used under the administration of the Secretary of State, and say so literally.

Then, again, later, this question was asked him:

> You have not given us in terms what you say you ought to have in place of the $50,000.
>
> Mr. GAINES. I am not an engineer, and I do not know what it would cost. Let it be $25,000, or so much thereof as is necessary, for waterworks.
>
> Mr. ROGERS. Instead of the $50,000.
>
> Mr. GAINES. Yes; we do not need $50,000; I have looked far enough into it to see that.

Of course it did not need the testimony of Commissioner Gaines; it was obvious that with the prevailing conditions on the Mexican border, $50,000 could not be judiciously expended there, nor any appreciable part of that sum. The committee thought it was wise and necessary to keep the commission alive, and having heard the testimony of Mr. Gaines, having considered the recommendation of the Department of State, cut the sum down from the $50,000 which the State Department asked, from the $25,000 which the commissioner asked, to $7,500.

Mr. Chairman, I maintain that the recommendation of the Department of State, in these days when the most rigid economy is required in all branches of Government, for three or four times as much as last year, without reason and without foundation, was an insult to the Committee on Foreign Affairs, was an insult to this body. I maintain that those recommendations ought to be made with prudence and foresight, discrimination and care, and that we can not have the slightest confidence in any recommendation unless we know that their advice has been carefully considered by the Department of State, that it represents due study and accurately reflects present-day conditions.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, there are two typographical errors in this paragraph that ought to be corrected at this time.

Mr. FLOOD of Virginia rose.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Virginia that we correct those typographical errors in lines 3 and 8.

The CHAIRMAN. Without objection, the typographical errors will be corrected.

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I do not agree with the gentleman from Massachusetts [Mr. ROGERS] that the fact that the State Department sent an estimate greater than it turned out was needed to the Committee on Foreign Affairs was an insult to that committee. I think, on the contrary, it showed that the State Department had confidence in the committee, and knew that the committee would investigate the estimate and not make a report in favor of an estimate that was not justified by the facts and the law. And I want to say, Mr. Chairman, that the way the State Department fell into this error was because for years, under Republican administrations, they had been sending estimates for this and giving appropriations for $50,000 for this commission, when it was doing no more work then than it did last year on $15,000. I think the committee is deserving of the thanks of the House, as it has the confidence of the State Department, for investigating the estimates so carefully and reporting to this House only such sums as are necessary to properly carry on the work of the projects under that department. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, the gentleman from Virginia surely was not serious when he said that they did as much work last year as they did some years ago upon this boundary commission?

Mr. FLOOD of Virginia. I am serious in that; yes.

Mr. MANN. Then the gentleman is not informed as to the facts. There is no work being done on this boundary commission now to speak of. We are paying a salary to a former Member of this House—and I have no objection to that—to maintain the commission alive; but for many years before the Mexican trouble got bad they were really working on this boundary commission.

Mr. FLOOD of Virginia. If the gentleman makes the statement that they did any work, he is ignorant of the facts.

Mr. MANN. Oh, I am not. I took the trouble to look this up, something which probably the gentleman has not done. There was a great deal of actual work done on this boundary commission, actual work in the field as well as in the office. It is a mere honorary position now, a sinecure.

Mr. FLOOD of Virginia. It was a sinecure before, and for years the only thing the commission did was to work on what is known as the Chamizal case, being a litigation between citizens of this country and citizens of Mexico to determine in which country about 600 acres of land at El Paso was located. For years an appropriation of $50,000 was made to keep up this commission, with a long list of high-paid officials, and, so far as we were able to find out, the only work they accomplished was the work they did on this Chamizal case, determining in which country a few bancos were located. When these gentlemen who constitute this commission came before the committee they themselves could tell of no other work that had been done. I was justified in saying that the work done by this commission last year upon $15,000 was as great as the work that had been done heretofore for $50,000.

The Clerk read as follows:

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary, and commutation to members of the field force while on field duty, actual expenses not exceeding $2.50 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, $40,000, together with the unexpended balance of previous appropriations for these objects: *Provided*, That hereafter advances of money under the appropriation, "Boundary line, Alaska and Canada, and the United States and Canada," may be made to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under such advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. PAGE of North Carolina. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. The gentleman from North Carolina and the gentleman from Wisconsin reserve a point of order.

Mr. LINTHICUM. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. That can not be done until the point of order is disposed of.

Mr. PAGE of North Carolina. Mr. Chairman, I would like to ask the chairman of the committee why the provision is inserted on page 12, line 7, "that hereafter advances of money, etc.," thereby making permanent law?

Mr. FLOOD of Virginia. Mr. Chairman, it was in order to pay promptly the parties that the commissioners sent up on the Canadian boundary line. The representation made to the committee was that when the vouchers had to go through the State Department the pay was delayed and these parties were a long time getting their pay. It was practically done in this way before, but they wanted authority of law. They had been doing it in this way, but some question was raised by the Auditor of the State Department, and in order to prevent delay in paying these rodmen and laborers and others they wanted the matter made clear. We understand that the work will probably be completed within a year or two.

Mr. PAGE of North Carolina. That being true, there was less necessity for making it permanent law than if it were going to continue for a longer period of time.

Mr. FLOOD of Virginia. No. These men go up into the woods in Maine and they have a great deal of trouble getting up there and they need their pay promptly.

Mr. PAGE of North Carolina. What is the reason that that can not be done without this proviso?

Mr. FLOOD of Virginia. My recollection is that Dr. Tittmann said they would have to get a voucher for each man and it would have to come back and be certified by the State Department before the auditor would pay.

Mr. PAGE of North Carolina. Well, if the gentleman would leave out the word "hereafter," it would effect the same purpose.

Mr. FLOOD of Virginia. The purpose of this was to make it only apply to this particular appropriation.

Mr. PAGE of North Carolina. Mr. Chairman, I withdraw the point of order and offer an amendment to strike out the word "hereafter" in line 7, page 12.

Mr. FLOOD of Virginia. The amendment is acceptable.

Mr. STAFFORD. Mr. Chairman, I believe I have a reservation of a point of order pending. Mr. Chairman, I can not agree with the chairman of the committee, so far as the present explanation has been made, that there is any urgent need of giving the chairman of this commission full authority to control the moneys expended by the commission. We are acquainted with conditions existing in other branches of the service where the persons who perform work in the field receive their money direct and are obliged to give vouchers therefor, and I do not think it is a very good system of accounting to pay over the money entirely to one man, even though he is under bond, and allow him to determine whether the money is properly expended by his subordinates. I think it is a better system of checks and control to have the individual employees give vouchers, as in the Postal Service, rather than depute to one man the privilege and have the money go through his subordinates without check or control. Now, it is true the Coast and Geodetic Survey has it to some extent, but I question whether we should depart from the present practice; and unless the gentleman can give some further reason, I shall feel constrained to make the point of order on the proviso.

Mr. FLOOD of Virginia. Here is what the commissioner said:

The system of direct advances to chiefs of parties has caused serious delays, principally because as much as a month elapses between the time a field officer makes requisition for funds and the date he receives notice that they are placed to his credit, and, further, because the system of direct advances to field officers imposes upon them the necessity of extensive accounting.

Mr. STAFFORD. I wish to say to the gentleman that I read the report, but it did not satisfy me there should be any change made. Here under the existing practice the chief of parties receives these moneys, and he accounts for them and is obliged to give vouchers. If we pay all that money over to one man there will be no check whatsoever, but merely the bond received from the various individuals.

Mr. FLOOD of Virginia. And the account he renders for it.

Mr. STAFFORD. The comptroller and auditor do not pass upon those. I think, Mr. Chairman, it would be a bad practice to adopt this policy, and therefore I make the point of order on the proviso, beginning line 7, page 12.

The CHAIRMAN. The point of order is sustained.

Mr. LINTHICUM. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, by inserting after the word "necessary," in line 2, page 12, the following: "And including a sum not exceeding $50 per month as additional compensation for the clerk of the Coast and Geodetic Survey disbursing these funds."

Mr. COX. Mr. Chairman, I reserve a point of order.

Mr. FOSTER. Mr. Chairman, I make the point of order. Does the gentleman wish me to reserve it?

Mr. LINTHICUM. Yes.

Mr. FOSTER. Then I will reserve it.

Mr. LINTHICUM. Mr. Chairman, this amendment is to carry out what was recommended by the State Department. The State Department recommended that the chief clerk of the Coast and Geodetic Survey be paid an additional $50 per month as disbursing agent. Now, when this commission was organized, in 1903, the chief clerk was asked to take charge of the disbursements, and for many years he continued this work until it became quite onerous. In 1913 a letter was written to the chief clerk, Nicholas G. Henry, which is as follows:

MARCH 24, 1913.

Mr. NICHOLAS G. HENRY,
Coast and Geodetic Survey, Washington, D. C.

SIR: At the request of Mr. O. H. Tittmann, Superintendent of the Coast and Geodetic Survey, you are hereby appointed a special disbursing agent of this department to disburse, under the direction of Mr. Tittmann, so much of the appropriation of $75,000 provided for in the Diplomatic and Consular appropriation act of April 30, 1912, and the unexpended balance of previous appropriations as may be actually necessary to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada in conformity with the award of the Alaskan Boundary Tribunal and existing treaties and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great

Britain, of the land and water boundary line between the United States and the Dominion of Canada as established under existing treaties.

It has been decided to allow you $50 per month for your additional services as special disbursing agent of the department, to cease when in the judgment of Mr. Tittmann your services are no longer required.

A blank form of bond for execution by you in the penal sum of $20,000 is herewith inclosed, together with three cards which you are requested to sign for the use of the accounting officers of the Treasury Department.

I am, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary of State.

Now, Mr. Henry entered upon the work and for several months he received $50 per month, but the auditor in looking over the accounts decided that there was no authorization for this $50 per month, and, though he was doing the work and had been paid, decided that he could not be paid because there was no authorization. So he put it up to the comptroller and the comptroller decided definitely that the payment could not be made, because there was no authority for it.

Now, Mr. Henry has continued to do that work. He is a splendid and efficient man. He gets only $1,800 a year, and he has spent the larger part of his leave each year in catching up with this disbursing work and tabulating it, and so forth. In fact, I believe he received last year nine and three-eighths days of his entire leave, and the balance of it he spent on his books in this matter. Each and every day during the year he keeps these accounts. He can not do it during his time in the office, because he has too much other work to do, and he does it after his hours are over, at night. He is a man who knows how to do it, has made a splendid official, and he has been in the department for years, and has been doing this work. The State Department wants him to have the $50 per month; the State Department, under Acting Secretary of State Adee, wanted him to have the $50 per month; and there is no authorization for it. He has been doing the work outside of his regular official duties, and he has been giving a bond of $20,000 for the faithful performance of that work, and the premium on that $20,000 bond he has been paying out of his own pocket. He could not complain, because he accepted the job, and he believed he was going to get the $50 a month, but the comptroller found he could not be paid. I know this gentleman, and I believe that you, if you could see him and talk to him, would find out, as I have found out, that this is a meritorious case and that he is entitled to this money.

Mr. BORLAND. I would like to have the gentleman yield to me long enough to ask the chairman of the committee who acts as disbursing clerks of these other commissions?

Mr. LINTHICUM. I have only a couple of minutes. I will not yield for a question as to some other commissions. If you want to ask about this one, all right.

Mr. BORLAND. It strikes me that this can not be an isolated case. It must occur in other commissions.

Mr. LINTHICUM. I think there must be some money provided out of which they are paid in those other funds. I am anxious that this man should receive this extra $50 a month, because he has performed the duty, and the State Department says he ought to have it and they recommend it. We did not have all the facts before us, and it was stricken out of the bill.

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. COX. Mr. Chairman, I make the point of order.

Mr. CLINE. Mr. Chairman, I would like to make a remark or two concerning the amendment of the gentleman from Maryland.

Mr. COX. I reserve the point of order.

Mr. CLINE. Mr. Chairman, I am opposed to increasing the salaries, especially of this commission. It has been the most expensive piece of work that this Government has ever undertaken by way of a commission. We have expended on the boundary line between Alaska and Canada—and I am not finding any particular fault with that, because the difficulties necessarily encountered to establish the boundary line there are very great—we have expended in establishing the boundary line between Alaska and Canada $668,000 in round numbers.

Mr. COX. How long has it been running?

Mr. CLINE. From 1905 to 1912. The unfinished work, which was a very small amount, was then transferred from the Alaska boundary line to the commission that had charge of the boundary line between the United States and Canada, and the total amount expended between the United States and Canada, and that work consisted chiefly of remonumenting the line, the line having been established some time about 1850. But we have expended in remonumenting that line $749,176, and this commission did not have jurisdiction over more than 1,000 miles of the line between the United States and Canada. Over 1,000 miles of the line is a water boundary under the jurisdiction of another commission. It illustrates the absolute necessity for some different manner of making appropriations for these commissions. As I have said, we expended $749,176 to establish the Canadian boundary. To survey the Northern Pacific Railroad from 1866 to 1870—and I understand they made three surveys; that is, they surveyed three different routes—the directors of the organization spent only $250,000. I am not including the amount, of course, that the Government paid for sending the Army along to keep the Indians off the survey. But the actual expenses of the survey by the directors of the Northern Pacific Railroad were $250,000, and yet we have spent in remonumenting this line between the United States and Canada $749,176, and the end is not yet.

I shall incorporate at this point in my remarks the data furnished me by the State Department showing the amounts appropriated, available, and expended, respectively, on the boundary between the United States and Alaska and between the United States and Canada year by year since the projects have been undertaken.

Appropriation, "Boundary line, Alaska and Canada," for fiscal years 1905 to 1912.

Year.	Appropriations and balances.	Total available.	Expenditures.	Balances.
1905	$100,000.00	$100,000.00	$36,206.40	$63,793.60
1906	65,000.00 [1] 63,793.60	128,793.60	49,191.53	79,602.07
1907	25,000.00 [1] 79,602.07	104,602.07	59,893.27	44,708.80
1908	50,000.00 [1] 44,708.80	94,708.80	78,553.52	16,155.28
1909	75,000.00 [1] 16,155.28	.....	.....	.....
1910	100,000.00	191,155.28	189,477.36	1,677.92
1911	100,000.00 [1] 1,677.92	.....	.....	.....
1912	200,000.00	301,677.92	225,106.27	76,571.65

[1] Available balances from previous appropriations reappropriated and made available for expenditure during succeeding fiscal year.

The appropriations, "Boundary line, Alaska and Canada" and "Boundary line, United States and Canada," were combined by Congress for the fiscal year 1913, the unexpended balances of both appropriations being reappropriated and made available for use, together with the new appropriation, under the title, "Boundary line, Alaska and Canada and United States and Canada."

Appropriation, "Boundary line, United States and Canada," for fiscal years 1904 to 1912.

Year.	Appropriations and balances.	Total available.	Expenditures.	Balances.
1904	$100,000.00	$100,000.00	$64,399.48	$35,600.52
1905	100,000.00 [1] 35,600.52	135,600.52	67,064.42	68,536.10
1906	50,000.00 [1] 68,536.10	118,536.10	25,864.19	92,671.91
1907	20,000.00 [1] 92,671.91	112,671.91	6,297.69	106,374.22
1908	20,000.00 [1] 106,374.22	126,374.22	19,730.78	106,643.44
1909	20,000.00 [1] 106,643.44	126,643.44	36,954.85	89,688.59
1910	25,000.00 [1] 89,688.59	114,688.59	65,026.75	49,661.84
1911	105,000.00 [1] 49,661.84	154,661.84	66,747.57	87,914.27
1912	95,000.00 [1] 87,914.27	182,914.27	91,939.76	90,974.51

[1] Available balances from previous appropriations reappropriated and made available for expenditure during succeeding fiscal year.

The appropriations, "Boundary line, United States and Canada," and "Boundary line, Alaska and Canada," were combined by Congress for the fiscal year 1913, the unexpended balances of both appropriations being reappropriated and made available for use, together with the new appropriation, under the title, "Boundary line, United States and Canada and Alaska and Canada."

Appropriation, "Boundary line, Alaska and Canada and United States and Canada," fiscal years 1913 to 1915.

Year.	Appropriations and balances.	Total available.	Expenditures.	Balances.
1913	$75,000.00 [1] 90,974.51 [2] 76,571.65	$242,546.16	$182,851.29	$59,694.87
1914	100,000.00 [3] 59,694.87	159,694.87	122,298.82	37,396.05
1915	100,000.00 [3] 37,396.05	137,396.05	.....	.....

[1] Available balance from appropriation "Boundary line, United States and Canada, 1912."
[2] Available balance from appropriation "Boundary line, Alaska and Canada, 1912."
[3] Available balances from appropriations for 1913 and 1914, reappropriated and made available for expenditure during fiscal years 1914 and 1915, respectively.

I want to say that it illustrates the viciousness of making a lump-sum appropriation to these commissions. Of course, they say a man ought not to complain about a method for expending money when he has no better theory to advocate, but there is not a man here who is acquainted with private business who would turn over such sums to be expended without better supervision. And we have made available in several instances more than $250,000 to this commission to dip into and spend here and there wherever they thought it was necessary. I say that is a waste of public funds. It is illustrated by a remark I once heard from a great Republican orator who is now deceased. He said that Uncle Sam would spend a dollar as though it was a leaf and that leaf as though he owned the whole unbounded forest. I simply make the statement that we are compelled to take these estimates from men who are interested always in increasing their respective appropriation, and we have no way of determining the actual amount necessary. We ought not to make such an appropriation as this, and for that reason the committee at this time cut down the amount that was appropriated to $40,000 and made available the unexpended balance. The commission last year worked from about the 1st of May to the 1st of October. Of course, the surveyors come back and make a permanent record of the field notes and the topographers make the necessary maps in connection with the survey. But no man can make me understand that it is necessary to spend in remonumenting the line between the United States and Canada $746,000, with two or three years yet to run.

Mr. MANN. Mr. Chairman, I move to amend by striking out, on page 12, line 3, after the word "duty," the comma and inserting the word "or."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 12, line 3, by striking out, after the word "duty," the comma and inserting the word "or."

Mr. MANN. Mr. Chairman, I am not sure whether that is the proper thing to do; but the language of the bill as it reads, I think, can not be understood. It says, "Commutation to members of the field force while on duty, actual expenses not exceeding $2.50 per day each," and so forth. If the commutation is to be limited to $2.50, then the amendment that I have offered is the proper amendment.

Mr. FLOOD of Virginia. What is the language now?

Mr. MANN. "Commutation to members of the field force while on duty, actual expenses not exceeding $2.50 per day each." In either case the amendment I offer limits the commutation.

Mr. FLOOD of Virginia. That is right.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. LINTHICUM. In reference to what the gentleman from Indiana [Mr. CLINE] says about increasing salaries, I think this stands on a different basis from the ordinary increase. Here is a man who was appointed by the Secretary of State to do this work. He was ordered to do it, and he took out a bond of $20,000, and he has been disbursing over $200,000 each year. He was receiving $50 a month for this service, according to the Secretary's own letter. Yet you say he should not have it. If he took that appointment in good faith and has done the work and given the bond and paid for it out of his own pocket in all equity he is entitled to the increase promised him by the department.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. CLINE. Is not that the argument that any man can make about increasing his salary?

Mr. LINTHICUM. No. Here is a man who is appointed to an office outside his regular duties. He is ordered to give a bond. He gives a bond, and he pays for it out of his own pocket, and does the work, and now you say he ought not have the salary promised him.

Mr. FLOOD of Virginia. Mr. Chairman, may I interrupt the gentleman?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Virginia?

Mr. LINTHICUM. Yes.

Mr. FLOOD of Virginia. Is it not a fact that this salary was contracted for and paid for some years and then under a ruling of the auditor he had to refund?

Mr. LINTHICUM. It is a fact that he received it for several months, and when the auditor said there was no authority for it, he received it no longer; and then the State Department recommended that it be put into the bill, so that he would have the authority to pay him.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Wisconsin?

Mr. LINTHICUM. I do.

Mr. STAFFORD. When was that decision made?

Mr. LINTHICUM. I do not know exactly; but it was about three months after March 4, 1913—in June or July. There was a decision to the effect that he could not receive it. He has since been doing the work and paying the premium on the bond.

Mr. STAFFORD. What is his salary?

Mr. LINTHICUM. Eighteen hundred dollars. He is earning it. I am sorry that the gentleman saw proper to make the point of order to that. It is a just claim.

Mr. COOPER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Wisconsin?

Mr. LINTHICUM. Yes.

Mr. COOPER. Is there any question about the authority of the official who wrote that letter and made that promise?

Mr. LINTHICUM. I do not know anything about the authority he had. He was the Acting Secretary of State. I presume he thought he had the authority. He thought the money could be paid out of the regular fund as compensation for his services as disbursing agent, and he told him to go ahead and do it, and he did it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission, and the expenses of a commission, including preparation of reports, $2,550.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. BORLAND. Mr. Chairman, I would like to ask the chairman of the committee a question. What does the evidence show as to what that $2,500 is expended for?

Mr. FLOOD of Virginia. It began many years ago, I think in 1846. I think the organization was effected on the initiative of this country. Conferences are held every five years. Twenty nations are members of it. The object is to study the treatment of criminals, to promote prison reform, the general suppression of crime, and the rescue of children. The United States became a member 20 years ago. The first regular appropriation we made was in 1897. The quota was paid to the prison bureau at Berne, Switzerland. The American commissioner is Dr. Charles R. Henderson. He is under the jurisdiction of the Secretary of State. His reports have to be made to the Secretary of State.

Mr. BORLAND. How much was the first appropriation?

Mr. FLOOD of Virginia. The same as this one.

Mr. BORLAND. About $2,500 a year?

Mr. FLOOD of Virginia. Yes.

Mr. BORLAND. How does it happen that our expenses as one member of that body run $2,500 a year? With the meeting only once in five years, how can they absorb that amount of money?

Mr. FLOOD of Virginia. They keep a bureau at Berne, with a considerable number of clerks and officials in it, and get out very valuable literature. There are only 20 adhering nations, so that does not mean a very large total amount of money. They pay in proportion to the population, I think, so they do not all pay as much as we do.

Mr. BORLAND. There is a meeting only once in five years?

Mr. FLOOD of Virginia. They meet only once in five years, but the work is kept up all the time. The bureau is maintained regularly.

Mr. BORLAND. Once in five years we send representatives, do we?

Mr. FLOOD of Virginia. Once in five years there is a meeting of the representatives of these different nations.

Mr. BORLAND. Do we have an additional expense at that time?

Mr. FLOOD of Virginia. No; this appropriation covers that.

Mr. BORLAND. Are all of the expenses paid out of this fund?

Mr. FLOOD of Virginia. The expenses of our commissioner, Dr. Henderson, of Chicago, are paid out of it; yes.

Mr. BORLAND. I thought something in the hearings of the committee would show what they spent the money for.

Mr. FLOOD of Virginia. Some of it is spent in publication work.

Mr. BORLAND. Do we have a separate employee there?

Mr. FLOOD of Virginia. No.

Mr. BORLAND. No American representative?

Mr. FLOOD of Virginia. No; but the reports are published and sent out.

Mr. BORLAND. I take it when we have occasion to send a delegate to that meeting we send some American official who is in Europe, convenient to the place of the meeting, do we not?

Mr. FLOOD of Virginia. No; Dr. Henderson, of the University of Chicago, goes as our delegate.

Mr. BORLAND. What is his official position?

Mr. FLOOD of Virginia. Dr. Charles R. Henderson, of the University of Chicago, is the representative of this country in that congress.

Mr. BORLAND. That amount seems to be a good deal in comparison with the amount we pay for keeping up the bureau for the suppression of the African slave trade. That is only $125.

Mr. FLOOD of Virginia. But the activities of this bureau are much larger. The printing is considerably more.

Mr. BORLAND. I suppose the committee have looked into it to see whether this continuing expense ought to go on.

Mr. HARRISON. Mr. Chairman, I notice in the hearings, according to the statement of Mr. Carr, that this is the sum contributed annually, and that it has remained the same for many years, although the population has increased; that it is now proposed to request the Government to contribute the maximum sum mentioned, namely, 50 francs for each 1,000,000 inhabitants, and that several governments have already signified their intention to grant this increased contribution. This is the quota of the United States in that amount.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. Has the gentleman from Virginia any objection to recurring to page 12, line 24, for the purpose of inserting a comma after the word "Continent"? There should be one there.

Mr. FOSTER. The enrolling clerk has the power to correct the punctuation.

Mr. MOORE. I ask unanimous consent to insert a comma after the word "Continent," in line 24, page 12. I do not press it at all unless the gentleman from Virginia agrees to it. As it reads there it says, "in a certain defined zone of the African Continent of firearms."

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to insert a comma after the word "Continent," in line 24, page 12. If there be no objection, the amendment will be agreed to.

The amendment was agreed to.

The Clerk read as follows:

PAN AMERICAN UNION.

Pan American Union, $75,000: *Provided*, That any moneys received from the other American Republics for the support of the Union shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the chairman of the governing board of the Union for the purpose of meeting the expenses of the Union and of carrying out the orders of said governing board: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the monthly bulletin not to exceed 6,000 copies per month, for distribution by the Union during the fiscal year ending June 30, 1916.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee what amount of money has been contributed by the different American Republics.

Mr. FLOOD of Virginia. To the Pan American Union?

Mr. GOULDEN. Yes.

Mr. FLOOD of Virginia. The rest of them contribute $50,000.

Mr. GOULDEN. I notice it says here—

That any moneys received from the other American Republics for the support of the union shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the chairman of the governing board of the union for the purpose of meeting the expenses of the union and of carrying out the orders of said governing board.

Mr. FLOOD of Virginia. It is based on population.

Mr. GOULDEN. I withdraw the pro forma amendment.

The Clerk read as follows:

INTERNATIONAL BUREAU OF THE PERMANENT COURT OF ARBITRATION.

To meet the share of the United States in the expenses for the calendar year 1914 of the International Bureau of the Permanent Court of Arbitration, created under article 22 of the convention concluded at The Hague, July 29, 1899, for the pacific settlement of international disputes, $1,250.

Mr. BORLAND. Mr. Chairman, I want to call the chairman's attention again to the fact that here is a very important international organization, and our contribution to that is only $1,250. It does seem on further investigation that $2,550 for a prison commission is an amount that is not properly represented by the amount of work that we get out of them.

Mr. FLOOD of Virginia. The committee did not agree with the gentleman about that. They did make inquiry into it, and as the gentleman from Mississippi called the attention of the gentleman from Missouri to the fact, it was the purpose to increase it rather than to decrease it. They seem to have the idea that the work that is appealing to the different countries which are parties to it is a work that is valuable to those who are interested in improving prison conditions all over the world.

Mr. BORLAND. I have never seen or heard of any of their work, so it can not be very far-reaching.

Mr. FLOOD of Virginia. The gentleman from Illinois by my side and the gentleman from Illinois on the other side and the committee have inquired into it, and they are all of the opinion that the work is very valuable, and probably next year there will be a proposition to increase the appropriation.

Mr. BORLAND. And I think the proposition will not be met. Twelve hundred and fifty dollars for the international bureau of the permanent court of arbitration is a very reasonable sum, but $2,550 for a prison commission seems to me more than we get out of it.

Mr. MONTAGUE. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. MONTAGUE. May I make the suggestion that the amount of which the gentleman speaks as being somewhat extravagant carries a delegate?

Mr. FLOOD of Virginia. A commissioner.

Mr. MONTAGUE. I used the word delegate to bring out the idea of a representative. In the Hague tribunal the appropriation does not cover the delegate, but only our proportional part for the maintenance of the bureau itself.

The Clerk read as follows:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed $10 per day for the judge and $5 per day for the district attorney; and so much as may be necessary for said purposes during the fiscal year ending June 30, 1916, is hereby appropriated.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire the reason why you single out the district attorney and pay his actual expenses, and not accord the same consideration to the marshal and the clerk when they are obliged to accompany the court when held at some other place than Shanghai.

Mr. FLOOD of Virginia. We do it in the interest of economy.

Mr. STAFFORD. You have been doing it all along, and it is not fair treatment. Why single out one and deprive the other two, who have equally meritorious claims, when they are obliged to accompany the court when held at a place other than Shanghai? If the gentleman is going to economize, why not eliminate all? Why single out the higher officials and leave the fellows with smaller salaries to pay their own expenses?

Mr. FLOOD of Virginia. I am willing to eliminate all of them. We have carried this provision for years. We inherited it and have not thought to change it.

Mr. MANN. If the gentleman from Illinois will allow me, I think they have a court bailiff at each place.

Mr. STAFFORD. But they have no clerk.

Mr. MANN. I think they have.

Mr. STAFFORD. I have been informed that they have not, and that the clerk is obliged to accompany the court to each place.

Mr. MANN. They could have a clerk at each place.

Mr. STAFFORD. I say that the clerk is entitled to his expenses as well as the marshal.

Mr. GARRETT of Tennessee. The clerk and the marshal can have deputies at these places.

Mr. STAFFORD. The gentleman realizes that that would cost a great deal more than it would to pay their expenses, at not to exceed $5 a day, when accompanying the court.

Mr. FLOOD of Virginia. The marshal could not have a deputy unless he paid him, because his salary is fees.

Mr. MANN. I have no doubt he has a bailiff.

Mr. STAFFORD. I am not sufficiently advised about that, but I do not believe that the gentleman or his committee is in favor of putting a wet blanket on the judge and district attorney holding court at other places than at Shanghai when the purpose of justice demand, which would happen if you struck out these lines.

I will not offer an amendment this year, but I would like to have the gentleman and his committee next year inquire into as to why the clerk and the marshal should not receive the same treatment.

Will the gentleman kindly bear in mind next year an inquiry into whether there is any reason for not paying the clerk's

expenses if he accompanies the court, as I understand he does.

Mr. FLOOD of Virginia. Yes; we will look into it.

Mr. BAILEY. Mr. Chairman, I move to strike out the last two words, and I do so for the purpose of asking the chairman a question. I have understood that in this court in China, where we are paying a total of $28,800 a year, that there are not more than a dozen cases a year, and that those are of trivial importance.

Mr. FLOOD of Virginia. Mr. Chairman, I think the gentleman is mistaken. I made a special inquiry of a gentleman in the State Department, whom I believe is as well informed as anyone in this country about this, and he told me that the business was considerable.

Mr. BAILEY. I understood from a gentleman who has been practicing before that court more or less, and was told within an hour, that there were very few cases.

Mr. FLOOD of Virginia. Who is the gentleman to whom the gentleman alludes?

Mr. BAILEY. A Mr. Curtis.

Mr. FLOOD of Virginia. He has been before committees of Congress here for the last four or five years making representations about this court that an investigation of our committee does not show to be correct.

Mr. BAILEY. The gentleman was before a committee of which I have the honor to be a member a few months ago and made certain charges, which were so well sustained that the judge against whom they were filed was compelled to retire, and did retire.

Mr. FLOOD of Virginia. There is now another judge there.

Mr. BAILEY. Yes.

Mr. FLOOD of Virginia. I referred to his statement about there being no business before the court. I was informed, as I say, by an official of the State Department that there was a great deal of business in this court and that Mr. Curtis's statement in reference to that matter is incorrect. He made that statement to me. I do not know that he ever appeared before the committee, but he made it to me personally, and he has been around Congress here making attacks on this court for a number of years on account of differences which he had with the judge who has resigned.

Mr. BAILEY. I have also been informed, whether correctly or not, that the district attorney in the China court was not a lawyer at all.

Mr. FLOOD of Virginia. Oh, that is a mistake. I think the gentleman is a young lawyer, but he is a lawyer, and a good one.

Mr. BAILEY. The allegation is made that he is not a lawyer at all.

Mr. FLOOD of Virginia. I will say to the gentleman that I have a friend who is to be marshal of this court and who is also a lawyer.

Mr. CURRY. Mr. Chairman, I believe this court is of sufficient importance to be retained in China on account of the conditions in the Orient at the present time, and even if there were no cases before the court it should be retained for the purpose of maintaining the dignity and standing of the country. The fact of the matter is that many cases are brought before this court, and the marshal made many arrests last year. He made 8 or 10 arrests in December. What I want to call the attention of the committee to is the fact that, while the marshal may have a deputy and the clerk may have a deputy at places where the court is held other than Shanghai, there is but one stenographer connected with the court, and his salary is $1,800 a year, and out of that $1,800 a year he has to pay all of his traveling expenses and his hotel bills while he is absent from the location of the court at Shanghai. I think that next year the committee ought to arrange for the proper care of these lower paid officials.

The Clerk read as follows:

Salaries, United States agency: Two counsel, at $2,520 per annum; one stenographer, at $1,200 per annum; and messenger, $720 per annum; in all, $4,440.

Mr. FLOOD of Virginia. Mr. Chairman, I desire to move to strike out the words "in all, $4,440."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 25, strike out the words "in all, $4,440."

Mr. MANN. Mr. Chairman, the item says "two counsel, at $2,520 per annum." Is it intended to have two counsel at that sum each?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. It would be necessary to say "each," then; and then the gentleman could move to change the total. As the bill reads without the word "each" the two counsel combined would get $2,520.

Mr. FLOOD of Virginia. Mr. Chairman, the intention of the committee is to provide for two counsel at $2,520 each, and I make that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 24, after the word "annum," insert the word "each."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Now I suggest that the gentleman correct the total.

Mr. FLOOD of Virginia. Mr. Chairman, I will withdraw the former amendment in respect to the total and offer another amendment, to change the figures "$4,440" to "$6,960."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 25, strike out "$4,440" and insert "$6,960."

Mr. BYRNS of Tennessee. Mr. Chairman, I want to ask the chairman of the committee a few questions in regard to this item, in which I notice that there is a considerable reduction. I certainly do not take any exception to that, but I am interested in knowing exactly how the committee arrived at a knowledge of what particular positions should be eliminated. For instance, I notice here that the bill provides for two counsel at $2,540 each. At the same time the committee has eliminated the position of joint secretary provided for under current law. I assume the gentleman will say that this economy was made possible by the fact that it is not expected that the commission will be able to do much during the next fiscal year toward the settlement of claims. If that be true, I do not understand why you want two counsel. It seems to me a secretary might be needed for the purpose of taking care of the business and papers, and so forth, of the commission.

Mr. FLOOD of Virginia. I will say to the gentleman the committee thought this tribunal would be able to do very little work during this year, but it was constituted under a treaty, and we thought it wise to keep the tribunal together and to keep some person in charge of the office who would take charge of the papers, the books, the briefs that had been prepared when the tribunal last met; and in doing that we decided to dispense with the high-priced lawyers, such as the agent at $7,500, the attorney at $5,000, also dispensing with the law clerk at $1,800; and we kept those two attorneys, one of whom would act as disbursing officer, and they could work on those cases during the time between now and the next assembling of the tribunal, and by making this arrangement we save $40,000.

Mr. BYRNS of Tennessee. Do I understand it is expected that one of the counsel shall act in the place of the secretary?

Mr. FLOOD of Virginia. Act as disbursing officer instead of the joint secretary; that was the idea the committee had.

Mr. BYRNS of Tennessee. The item does not say so; it makes no provision for that.

Mr. FLOOD of Virginia. The duties may be imposed upon him by the Secretary of State.

Mr. SMITH of New York. I was going to suggest there is no work for a joint secretary while the commission is not in session, and this work is being carried on and the pending cases are being carried on by these two counsel.

Mr. BYRNS of Tennessee. From the statement made by the gentleman from Virginia, it seems to me the only work that is expected to be done by this commission during the next fiscal year would be such as is usually done by a secretary.

Mr. FLOOD of Virginia. This is not the secretary. This is the joint secretary, the secretary who acts and works when England and the United States are both represented.

Mr. BYRNS of Tennessee. I am not going to offer any amendment, for if I had any idea of doing so I do not think it would be adopted; but from the statement made in detail of the duties of these counsels it seems to me they are more peculiarly the duties of the secretary rather than of a counsel, as I understood the gentleman to say that about all to be done was to look after the papers, books, and briefs, and keep the records straight.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD of Virginia. Just a moment. No; the joint secretary acts as disbursing officer of this tribunal, and we think one of these attorneys can do that, and then they could spend their time preparing cases that they already have, so as to be ready to submit them to the tribunal when it next meets; but I believe the result will be that the State Department will not keep at least one of them. I think there is only one there at this time.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Fisheries convention, United States and Great Britain: For the payment of the actual and necessary expenses of a commissioner on the part of the United States under the convention between the United States and Great Britain concerning the fisheries in waters contiguous to the United States and the Dominion of Canada, signed at Washington on April 11, 1908, while engaged in work under the convention, including clerical expenses that may be incurred in carrying out the convention during the fiscal year ending June 30, 1916, $2,000, or so much thereof as may be necessary.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Virginia whether this commissioner is the commissioner who agreed to a convention between this country and Canada that has not been approved?

Mr. FLOOD of Virginia. I beg the gentleman's pardon, I could not hear him.

Mr. MADDEN. I would like to know whether the commissioner provided for in this fisheries matter is the commissioner who agreed to a convention between the United States and Canada that has not been approved?

Mr. FLOOD of Virginia. No.

Mr. MANN. Mr. Chairman, I hope the gentleman will ask unanimous consent to pass over the next paragraph temporarily.

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent that the next paragraph be passed temporarily.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to pass the next paragraph temporarily. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SALARIES OF THE CONSULAR SERVICE.

For salaries of consuls general and consuls, as provided in the act approved January —, 1915, entitled "An act for the improvement of the foreign service," $1,060,000: *Provided*, That the amount appropriated for salaries of consuls general and consuls contained in the act entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915," approved June 30, 1914, is hereby made available for salaries of consuls general and consuls at the rate of compensation specified in the act entitled "An act for the improvement of the foreign service," approved January —, 1915; and that there is also hereby appropriated for salaries of consuls general and consuls, to be expended in accordance with the provisions of the said act of January —, 1915, the additional sum of $13,333.35.

Mr. FLOOD of Virginia. Mr. Chairman, I want to offer several amendments to that. The first one is in line 15, page 19, to strike out the figures "$1,060,000" and insert "$1,069,000." It was a typographical error. The amount the committee intended to report was $1,069,000.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

Mr. FLOOD of Virginia. Then, in line 13, strike out the word "January" and insert "February 5."

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

Mr. FLOOD of Virginia. And then, on the same page, line 24, strike out the word "January" and insert "February 5."

The CHAIRMAN. If there is no objection, the amendment will be agreed to.

There was no objection.

Mr. FLOOD of Virginia. And on page 20, line 3, the same amendment, to strike out "January" and insert "February 5."

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

Mr. PAGE of North Carolina. Mr. Chairman, I move to strike out the last word, just for the purpose of calling the attention of the chairman of the committee to the fact that this is also a deficiency appropriation, and, that he may not overlook it when he comes to draw the bill a year from now, I wish to say that it is in line with the first item of the bill that I called to his attention.

I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman withdraws the pro forma amendment, and the Clerk will read.

The Clerk read as follows:

EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, $15,000: *Provided*, That no inspector shall be allowed expenses for subsistence in excess of $10 per day.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. This proviso authorizes $10 a day for subsistence, I think that is too much. When we passed the consular reorganization bill, I think in that bill, as far as they were concerned, we changed it to $5 a day.

Mr. FLOOD of Virginia. Five dollars a day.

Mr. MANN. Is the gentleman willing to do that here?

Mr. FLOOD of Virginia. I am.

Mr. MANN. I withdraw the point of order.

Mr. FLOOD of Virginia. Mr. Chairman, I move to strike out "$10" and insert "$5."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 12, strike out "$10" and insert in lieu thereof "$5."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Allowance for clerk hire at consulates, to be expended under the direction of the Secretary of State, $493,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I notice that here is an increase in these Democratic times of $117,800 in clerk hire alone. The committee states it is occasioned by substituting American clerks for clerks of the domicile where these consular offices are established, and also by reason of increased work. Can the gentleman inform the committee how much is due directly to increase of salaries occasioned by the employment of American clerks and how much by reason of increased service?

Mr. FLOOD of Virginia. The proposition is to increase the clerical force at the consulate and to eliminate from it, as far as possible to do, everybody except Americans. They have now in some of these consulates people working for $400 to $600 a year who are natives of the country in which the consulates are located, and it has been the purpose of the department for quite a number of years to eliminate the foreign employees and fill our consulates with Americans. That has been done to some extent already, and appropriations have been increased for that purpose. I can not say exactly how much we will use for that purpose, but enough will be used to carry that into effect and the balance of it for the giving of more clerical force to these consulates which the department does not think have a sufficient clerical force. In many instances the consuls have to do the clerical work and can not get around sufficiently to gather information valuable to the department and to our mercantile people.

Mr. STAFFORD. In the report of the department that is included on page 11 of the report I find that the amount now appropriated would provide one clerk at $1,259 for each office. Does that refer to the amount appropriated for the present fiscal year?

Mr. FLOOD of Virginia. Yes.

Mr. STAFFORD. There is an allowance of $1,259 for a clerk for each consular office. Now, you propose to increase this appropriation nearly one-third, nearly 33⅓ per cent, in these pressing times of economy?

Mr. FLOOD of Virginia. We did not think this was an item upon which to economize. When the opportunity for enlarging the commercial influence of this country all over the world is so great, we did not think it was time to economize in our consular work.

Mr. STAFFORD. The question of enlarged activities is not involved at all. They have clerks, but they happen to be natives of the country in which they are located. Now you propose to send American clerks to those places and you will be obliged to send them at increased salaries. We have an item just preceding for 40 consular assistants at $40,600, an average of a little over $1,000, and yet you are proposing here, without any information as to the increased salaries to be paid to these men in these pressing times, over $117,000 additional to be paid at the will of the Secretary of State and in a haphazard way.

Mr. FLOOD of Virginia. It is not haphazard and it is not at the will of the Secretary of State. It is in pursuance of a well-regulated system conducted by gentlemen who are familiar with the situation and necessities confronting our Consular Service.

Mr. STAFFORD. The gentleman says that will improve the system, and yet he has no facts to present to the committee when I asked him what the facts are.

Mr. FLOOD of Virginia. I have stated the facts.

Mr. STAFFORD. Oh, I beg the gentleman's pardon. I asked him at the very start, and he stated that he could not furnish the information, as to how much of the increase would be occasioned by the substitution of American clerks for these foreigners, and how much for increased work. The gentleman stated he could not furnish the information.

Mr. FLOOD of Virginia. Well, I can not furnish that, and that is a matter of very minor importance; very minor importance indeed.

Mr. STAFFORD. Oh, very minor importance to the Democratic chairman of the committee that is appropriating $117,000

more than the total appropriation for this item in the bill of last year.

Mr. FLOOD of Virginia. If the gentleman wants to clog the commercial prosperity of this country and our efforts to extend our trade in foreign lands, let him vote against the appropriation.

Mr. STAFFORD. There has never been any opposition by Republicans at any time to the improvement of the service; in fact, the reorganization of the service as to these clerks was adopted by a Republican administration about 10 years ago; but this is only a means of creating places and taking care of some favorites.

Mr. FLOOD of Virginia. Oh, that is too despicable an argument to call for an answer.

Mr. STAFFORD. The gentleman can not answer it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MANN. Mr. Chairman, will the gentleman yield for a word?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. The gentleman from Virginia knows that the gentlemen on this side of the House are asking the courtesy of that side of the House, which the gentleman, I know, is very willing to grant.

Mr. FLOOD of Virginia. Yes. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Virginia [Mr. FLOOD] moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LINTHICUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 21201) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. POWERS, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of John Storms, H. R. 1480, first session Sixty-third Congress, no adverse report having been made thereon.

Mr. ALEXANDER, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Catherine J. Thomas, H. R. 16768, Sixtieth Congress, no adverse report having been made thereon.

Mr. J. M. C. SMITH, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of George Tederbaum, no adverse report having been made thereon.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On January 28, 1915:

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

On February 15, 1915:

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.;

H. R. 20818. An act to authorize the Brunot Island Bridge Co. to construct, maintain, and operate a bridge across the back channel of the Ohio River; and

H. R. 20933. An act extending the time for completion of the bridge across the Mississippi River at Memphis, Tenn., authorized by an act entitled "An act to authorize the Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at Memphis, Tenn.," approved August 23, 1912.

On February 17, 1915:

H. R. 9584. An act to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.; and

H. R. 18783. An act to increase the limit of cost of the United States post-office building and site at St. Petersburg, Fla.;

On February 18, 1915:

H. R. 16896. An act for the relief of Col. Richard H. Wilson, United States Army.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 17765. An act to regulate details of majors in the Ordnance Department;

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River;

H. R. 17122. An act for the relief of John Burrows; and

H. J. Res. 391. Joint resolution authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 19376. An act confirming patents heretofore issued to certain Indians in the State of Washington; and

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

LEAVE OF ABSENCE.

By unanimous consent, Mr. HELVERING was granted leave of absence for two days, on account of illness.

PURCHASE OF SHIPS.

The SPEAKER. The Chair announces the conferees on the part of the House on the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe: Mr. ALEXANDER, Mr. PADGETT, Mr. HARDY, Mr. TALBOTT of Maryland, Mr. GREENE of Massachusetts, Mr. ROBERTS of Massachusetts, and Mr. HINDS.

HOUR OF MEETING TO-MORROW.

Mr. FLOOD of Virginia. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Virginia asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection.

There was no objection.

ADJOURNMENT.

Mr. FLOOD of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned, pursuant to the order made, until to-morrow, Saturday, February 20, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of the First Presbyterian Church of Darien, Ga., *v.* The United States (H. Doc. No. 1614); to the Committee on War Claims and ordered to be printed.

2. Letter from the Postmaster General, transmitting schedule of papers and documents which are not needed in the transaction of public business in the Post Office Department and which have no permanent value or historical interest (H. Doc. No. 1615); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

3. Letter from the Secretary of Commerce, transmitting report of Winifred H. Osgood, Edward A. Preble, and George H. Parker, scientific assistants of the Bureau of Fisheries, on the fur seals and other life on the Pribilof Islands in 1914; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from the committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (H. R. 21441) to amend section 260 of the Judicial Code, reported the same with amendment, accompanied by a report (No. 1419), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Utah, from the Committee on the Public Lands, to which was referred the bill (H. R. 21139) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept from said State certain other lands in lieu thereof, reported the same with amendment, accompanied by a report (No. 1420), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 409) authorizing the President to extend invitations to the Governments of Central and South America to appoint representatives to attend a conference with the Secretary of the Treasury in the city of Washington, reported the same without amendment, accompanied by a report (No. 1421), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 20738) to amend section 9 of an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 1422), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ROBERTS of Massachusetts, from the Committee on Naval Affairs to which was referred the joint resolution (H. J. Res. 413) to authorize the appointment of an advisory committee for aeronautics, reported the same with amendment, accompanied by a report (No. 1423), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 21359) granting the consent of Congress to the Citizens' Bridge Co. to construct a bridge across the Mississippi River at or near Burlington, Iowa, reported the same without amendment, accompanied by a report (No. 1424), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MORIN: A bill (H. R. 21508) for organizing and creating an efficient reserve and defensive force of citizen soldiery for national defense from among the members of organized societies and fraternities; to the Committee on Military Affairs.

By Mr. STOUT: A bill (H. R. 21509) authorizing the Secretary of the Interior to appoint a commission to negotiate with the Crow Indians for the cession of their lands lying west of the Big Horn River on the Crow Reservation; to the Committee on Indian Affairs.

By Mr. GOULDEN: A bill (H. R. 21510) to amend the Criminal Code of the United States by inserting therein a new section to be known as section 10417a; to the Committee on the Judiciary.

By Mr. CAMPBELL: Joint resolution (H. J. Res. 427) providing for the continuance of the Joint Commission to Investigate Indian Affairs; to the Committee on Indian Affairs.

By Mr. MADDEN: Joint resolution (H. J. Res. 428) for the appointment of a commission to investigate and report measures for the development of the American merchant marine and commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEPHENS of Texas: Joint resolution (H. J. Res. 429) reappropriating and making available unexpended balances of appropriations for Indian reclamation projects in Montana; to the Committee on Indian Affairs.

By the SPEAKER (by request): Memorial of the Legislature of the State of South Dakota, urging the enactment of legislation compelling the Chicago, Milwaukee & St. Paul Railway Co. to construct a good, safe, permanent bridge across the Missouri River at Chamberlain in said State; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of South Dakota: Memorial of the Legislature of South Dakota, urging the enactment of legislation compelling the Chicago, Milwaukee & St. Paul Railway Co. to construct a good, safe, permanent bridge across the Missouri River at Chamberlain in said State; to the Committee on Interstate and Foreign Commerce.

By Mr. DILLON: Memorial of the Legislature of the State of South Dakota, urging Congress to compel the Chicago, Milwaukee & St. Paul Railway Co. to construct a permanent railway bridge across the Missouri River at the city of Chamberlain; to the Committee on Interstate and Foreign Commerce.

By Mr. STOUT: Memorial of the Legislature of the State of Montana, favoring the opening of the Crow Indian Reservation to settlement; to the Committee on Indian Affairs.

Also, memorial of the Legislature of the State of Montana, favoring the enactment of a law giving title to all desert-land entrymen to claims filed prior to March 23, 1914; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Montana, favoring the reestablishment of postal service to Cook City, Mont.; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the State of Montana, favoring the payment of one-half the expense of building a bridge across the Big Horn River, in Big Horn County, out of Crow Indian moneys; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COX: A bill (H. R. 21511) granting an increase of pension to John R. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21512) granting an increase of pension to Thomas T. Reasor; to the Committee on Invalid Pensions.

By Mr. FERGUSSON: A bill (H. R. 21513) for the relief of Frances L. Llewellyn; to the Committee on the Public Lands.

By Mr. POWERS: A bill (H. R. 21514) for the relief of the heirs of Lidda Goff, deceased; to the Committee on War Claims.

By Mr. REED: A bill (H. R. 21515) granting a pension to Dennis Ryng; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 21516) granting an increase of pension to Joseph N. Elmer; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 21517) for the relief of Benjamin F. Willis; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Petworth (D. C.) Citizens' Association, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ANTHONY: Petition of Emil Meyer and other citizens of Brown County, Kans., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. BARTHOLDT: Petition of citizens of Kingston, N. Y., and citizens of St. Louis, Mo., and vicinity, favoring an embargo on arms; to the Committee on Foreign Affairs.

Also, petitions of Union Biscuit Co., of St. Louis, Mo., favoring an embargo on wheat; to the Committee on Foreign Affairs.

By Mr. BROWNING: Petition of Linden Baptist Bible School and Church, Camden, N. J., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of citizens of New York City, favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of New York City, against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. DANFORTH: Petition of sundry citizens of Auburn, N. Y., favoring passage of the Palmer-Owen child-labor bill; to the Committee on Labor.

Also, petition of citizens of Seneca County, N. Y.; Emil A. Linder, jr., and 76 others; George King and 26 others; O. D. Kane and 27 others; St. Andrew's Branch, No. 285, C. M. B. A., all of Rochester, and J. D. Waterbury and 12 others, of Lyndonville, N. Y., protesting against House bill 20644, press-muzzle bill; to the Committee on the Post Office and Post Roads.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petitions of sundry citizens and societies of New Jersey, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of citizens of the seventh district of Ohio, favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. JACOWAY: Petition of St. Joseph Unterest Verein, of Little Rock, Ark., favoring curtailment of license usurped by Menace and other publications; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Petitions of 75 citizens of San Francisco, Cal., protesting against the use of the United States mails by the Menace; to the Committee on the Post Office and Post Roads.

Also, petition of 120 citizens of San Francisco, Cal., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petitions of residents of Burbank, Sawtelle, Los Angeles, Redlands, Santa Ana, Long Beach, Downey, Riverside, Escondido, Lakeside, San Bernardino, Glendale, Santa Barbara, Norwalk, and San Diego, all of the State of California, protesting against the enactment of the bills H. R. 20644, H. R. 20780, and H. R. 21183, to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Petitions of citizens of the fifteenth Pennsylvania district, favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. LINDQUIST: Petition of Rev. R. A. Baker and others, of Entrican, Mich., and vicinity, protesting against the proposed Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of Charles Guiff and others, of Mount Pleasant, Mich., protesting against the proposed Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of George Matteson and others, of San Lake, Mich., and vicinity, protesting against the proposed Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of J. P. Wierman and others, of Breckenridge, Mich., protesting against the proposed Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. LONERGAN: Petition of Charles Catzbeck and sundry citizens and members of the German School Society of New Britain, Conn., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of 75 citizens of Otoe County, Nebr., favoring bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MOORE: Petition of Wurttemberger Unterest Verein, of Philadelphia, Pa., urging legislation to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Petition of citizens of McKees Rocks, Pa., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. NEELEY of Kansas: Petition of sundry citizens of seventh congressional district of Kansas, protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Kansas, protesting against and abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. NEELY of West Virginia: Petition of citizens of Wheeling, W. Va., favoring bills prohibiting export of war material; to the Committee on Foreign Affairs.

By Mr. ROBERTS of Massachusetts: Memorial of Ponevlezei Progressive Association, of Chelsea, Mass., favoring system of Federal, State, and municipal free employment; to the Committee on Labor.

By Mr. SABATH: Petition of post office clerks of Chicago, Ill., against proposed Senate committee amendment on page 14, lines 10 to 20, of the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. SELDOMRIDGE: Petition of citizens of Greeley and Brush, Colo., and other citizens of Colorado, against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of the Federal Club, Trinidad, Colo., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SMITH of Texas: Petition of citizens of Sagerton, Tex., favoring embargo on arms; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, *February 20, 1915.*

(Legislative day of Friday, February 19, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	Nelson	Smith, Ga.
Bankhead	Fletcher	Overman	Smoot
Brady	Gallinger	Page	Stone
Brandegee	Gronna	Perkins	Thomas
Bryan	James	Poindexter	Thompson
Burleigh	Jones	Ransdell	Tillman
Burton	Kenyon	Robinson	Townsend
Catron	Kern	Saulsbury	Vardaman
Chamberlain	La Follette	Shafroth	Walsh
Clark, Wyo.	Lane	Sheppard	Warren
Colt	Lodge	Sherman	White
Culberson	Martin, Va.	Shively	Works
Dillingham	Martine, N. J.	Simmons	

Mr. LA FOLLETTE. Mr. President, I was requested by the Senator from Oklahoma [Mr. OWEN] to state that he is detained from attendance at this time on the Senate by work upon the Committee on Indian Affairs.

Mr. WALSH. I wish to announce that the Senator from Missouri [Mr. REED] has been called home on account of the death of a dear friend, and will be absent for several days.

Mr. RANSDELL. I wish to announce the unavoidable absence of the senior Senator from Louisiana [Mr. THORNTON] on account of sickness. I ask that this announcement may stand for the day.

Mr. SMOOT. I desire to announce the absence of my colleague [Mr. SUTHERLAND] on account of illness. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I will allow this announcement to stand for the day.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The pending question is on the amendment of the committee on page 124.

Mr. BURTON. Mr. President, I desire to be heard very briefly on the pending amendment. I represent an agricultural State, and I make bold to say, notwithstanding the very great number of agricultural associations, granges, and other similar bodies in that State, I have not received one request from anyone in Ohio representing the agricultural interest asking for the adoption of this amendment, which is a proof to my mind that the farmers of the country do not desire it.

At this time, when the revenue is less than the expenditure, it seems to me we should hesitate a very long time before adopting any such amendment saddling upon the country so large an expense. I think the Senator from North Dakota [Mr. GRONNA] yesterday suggested a better way for securing these statistics. The method in vogue in North Dakota to which he referred, a report by the assessors, has been adopted in many of the States, and it is possible in that manner to obtain reliable figures.

I recognize that many of the reports have been altogether inaccurate. For instance, for a long time, up until after 1910 the statistics in regard to the number of cattle in the country were erroneous. The accepted figures showed no decrease at any time. But the reports made soon after 1910 showed not only a decrease in proportion to population, but showed an absolute decrease between 1890 and 1900 in number, and only a slight increase between 1900 and 1910. I question, however, whether this method will give us any more valuable statistics than can be obtained in other ways. In addition to that, the decisive argument to my mind is the very large and unnecessary expense contemplated by the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. KENYON. The yeas and nays, I suggest, have been ordered.

The VICE PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a pair with the junior Senator from Pennsylvania [Mr. OLIVER]. He is absent, and I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN], who is absent, and for the present I will withhold my vote.

Mr. NELSON (when his name was called). I have a pair for the day with the Senator from Louisiana [Mr. THORNTON].

The roll call was concluded.

Mr. SIMMONS. I wish to inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted.

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a general pair with that Senator, and in his absence I withhold my vote.

Mr. WALSH (after having voted in the negative). I observe that the Senator from Rhode Island [Mr. LIPPITT] has not voted. I have a general pair with that Senator. I transfer my

pair to the Senator from Illinois [Mr. LEWIS] and allow my vote to stand.

Likewise, Mr. President, I wish to announce that the Senator from Missouri [Mr. REED] is paired with the Senator from Michigan [Mr. SMITH].

Mr. GRONNA (after having voted in the negative). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and let my vote stand.

Mr. NELSON. I transfer my general pair for the day with the Senator from Louisiana [Mr. THORNTON] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). I understand that the Senator from Maryland [Mr. SMITH] has not voted. I have a pair with that Senator. I transfer my pair to the Senator from North Dakota [Mr. MCCUMBER] and let my vote stand.

Mr. GALLINGER. I wish to announce a pair between the Senator from West Virginia [Mr. GOFF] and the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 12, nays 47, as follows:

YEAS—12

Bryan	La Follette	Myers	Ransdell
Fletcher	Lea, Tenn.	Overman	Sheppard
Gore	Martin, Va.	Perkins	Warren

NAYS—47.

Ashurst	Fall	Owen	Stone
Borah	Gronna	Page	Thomas
Brady	Hollis	Poindexter	Thompson
Brandegee	James	Pomerene	Tillman
Bristow	Jones	Robinson	Townsend
Burleigh	Kenyon	Root	Vardaman
Burton	Kern	Saulsbury	Walsh
Catron	Lane	Shafroth	Weeks
Clark, Wyo.	Lodge	Sherman	White
Colt	Martine, N. J.	Shively	Williams
Dillingham	Nelson	Smoot	Works
du Pont	Norris	Sterling	

NOT VOTING—37.

Bankhead	Goff	Newlands	Smith, Md.
Camden	Hardwick	O'Gorman	Smith, Mich.
Chamberlain	Hitchcock	Oliver	Smith, S. C.
Chilton	Hughes	Penrose	Stephenson
Clapp	Johnson	Pittman	Sutherland
Clarke, Ark.	Lee, Md.	Reed	Swanson
Crawford	Lewis	Shields	Thornton
Culberson	Lippitt	Simmons	
Cummins	McCumber	Smith, Ariz.	
Gallinger	McLean	Smith, Ga.	

So the amendment of the committee was rejected.

Mr. THOMAS. Does the vote just taken reinsert lines 1 and 2 of the House text, which were proposed to be stricken out by the committee?

The VICE PRESIDENT. It does not.

Mr. THOMAS. Then I want to make the appropriate motion that we do not concur in that amendment.

The VICE PRESIDENT. The motion will be to reconsider the motion whereby the amendment was adopted.

Mr. THOMAS. I withdraw the suggestion for the present.

The VICE PRESIDENT. The Chair was in error about the matter referred to by the Senator from Colorado [Mr. THOMAS]. It was treated as an amendment to strike out and insert, according to the RECORD. So lines 1 and 2, on page 124, remain in the bill, according to the vote just taken.

Mr. GALLINGER. That is right.

Mr. THOMAS. Do I understand the Chair to say that the action of the Senate committee in striking out those lines stands?

Mr. MARTIN of Virginia. Those two lines, as I understand, are now restored and constitute a part of the bill.

The VICE PRESIDENT. Lines 1 and 2 remain in the bill now, in accordance with the vote of the Senate on the amendment, which was an amendment to strike out and insert—to strike out lines 1 and 2, on page 124, and insert lines 3, 4, 5, 6, 7, and 8.

Mr. THOMAS. Then, Mr. President, I move that lines 1 and 2, on page 124, of the bill be stricken out.

Mr. BRYAN. I understand that is exactly what the Senate has acted upon.

Mr. THOMAS. Either I am very obtuse this morning——

Mr. BRYAN. Under the vote taken lines 1 and 2 remain in the bill, and that is what the Senator from Colorado desires.

Mr. THOMAS. No; I want them stricken out. In other words, I want that section repealed as the House proposed to repeal it.

The VICE PRESIDENT. That is done.

Mr. MARTIN of Virginia. That is done by restoring those lines. It repeals the law, and if we do not make the appropriation under the law it ought to be repealed.

Mr. THOMAS. I am entirely in accord with that view.

Mr. MARTIN of Virginia. That is exactly what is done. The ruling of the Chair is that those lines remain in the bill and that the law is repealed.

The VICE PRESIDENT. Does this complete the committee amendments?

Mr. MARTIN of Virginia. This completes the committee amendments.

Mr. OVERMAN. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. In the item for Division of Loans and Currency, on page 39, line 19, it is proposed to strike out "5," where it first occurs, and to insert in lieu thereof "6," so as to read "6 of class 3."

Mr. OVERMAN. This is no increase of the number of clerks over the clerks that are now authorized for that department. This clerk was carried in what is known as the sundry civil bill, and that has been done for 50 years. The department thinks he ought to be carried in the legislative bill, instead of being cared for in the sundry civil bill. While it adds one more clerk here, it is merely the transfer of the provision for this clerk from the sundry civil bill to this bill. That is all the amendment proposes.

Mr. GALLINGER. Let the amendment be again stated.

The VICE PRESIDENT. The amendment proposed by the Senator from North Carolina will be again stated.

The Secretary again stated the amendment proposed by Mr. OVERMAN.

Mr. MARTIN of Virginia. Mr. President, I desire to say just a word or two in reference to this amendment. The committee did not provide for this clerk because the committee was unable to find any human being connected with the Government service who was willing to say that he was needed. I was very reluctant to strike out this salary, which is being drawn, no doubt, by a very worthy and competent person; but the question was raised that the person was not needed, and the other House refused to make the appropriation. I sent to the department and had before the committee the man who ought to have known something about it. He said he was not willing to say that the Government needed the services of this clerk. Therefore the committee did not provide for him. If anybody can now show that he is needed, I shall not have a word to say, but I was unwilling to provide for a clerk when no human being would say that he was needed by the Government.

Mr. OVERMAN. Mr. President, the facts are these: The chairman of the subcommittee of the Committee on Appropriations of the House of Representatives came over here and said they had left out the item thinking it would go on the sundry civil bill—it has been on the sundry civil bill for 50 years—and so I offered the amendment. The duties of this clerk are these: It was provided by law, I think, in 1868, that in the destruction of the currency two officials should be assigned from the Treasury Department to see that the destruction was complete, and that one other person should be selected to represent the public. Of course, as to these clerks, I suppose they all represent the public, but the custom of the Government for 50 years has been as I have stated. That is all there is to it. I do not care what is done with the amendment.

Mr. MARTIN of Virginia. I will ask the Senator from North Carolina, who was present at the hearings and heard the questions asked, if he has been able to find a single officer of the Government who is willing to say that this work is necessary?

Mr. OVERMAN. The Senator agreed with me that the man who testified did not seem to know anything about his business.

Mr. MARTIN of Virginia. That is true; but somebody must be found who knows that the Government needs this clerkship before I can support the amendment.

Mr. OVERMAN. I do not know anything about this; but I know that it has been recommended by the Treasury Department, which estimated for it, and I know the position has been in existence for 50 years. I also know that this clerkship has been provided for in another bill; and if it is going to be provided for, it should be provided for in this bill, instead of in the sundry civil bill, as heretofore.

Mr. POMERENE. Mr. President, if these three men are of such a character that they need to watch one another, why ought there not to be another man to watch these three?

Mr. OVERMAN. I am merely stating what the situation is.

Mr. SMOOT. Mr. President, I voted against the inclusion of this item for the reason stated by the Senator from Virginia [Mr. MARTIN], and for still another reason, which was that after the House had passed the legislative bill they passed the sundry civil bill, and in the sundry civil bill they did not provide for this clerk. So evidently the House did not intend that he should be provided for this year.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Carolina.

The amendment was rejected.

Mr. MARTIN of Virginia. Mr. President, on page 59, line 24, the Senate adopted an amendment reducing the lump-sum appropriation of $2,600,000 to $2,500,000 for the payment of revenue agents. This morning I have a letter from the Secretary of the Treasury stating that that amount can be reduced, without detriment to the service, to $2,200,000, thereby saving $300,000, provided a further amendment is made, which I send to the desk. First, however, I move to reconsider the vote by which the amendment was agreed to fixing the amount at $2,500,000, with a view to the reduction which I have stated.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was adopted is reconsidered.

Mr. MARTIN of Virginia. Now, I make my motion to amend by substituting "$2,200,000" in place of "$2,600,000," and following it with the proviso which I have sent to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 59, line 24, in the provision for collecting internal revenue, it is proposed to strike out "$2,600,000" and in lieu thereof to insert "$2,200,000" and the following proviso:

Provided, That whenever any cask or package of distilled spirits containing 5 wine gallons or more is dumped by a rectifier for rectification or filled and received from rectification for sale, shipment, or delivery, the same shall be gauged, marked, branded, and stamped by a United States gauger; but the Commissioner of Internal Revenue may by regulations approved by the Secretary of the Treasury provide that the gauging, marking, stamping, and branding of such packages so dumped for rectification or received therefrom be done by the rectifier instead of by a United States gauger.

Mr. SMOOT. Mr. President, the proposed amendment is rather a sweeping one and changes existing law. I should really like to have the Senator having the bill in charge explain just what changes the proposed amendment makes in the present law.

Mr. MARTIN of Virginia. I will say to the Senator that I have here a letter from the Secretary of the Treasury in explanation of the amendment, which I will send to the desk and ask to have read.

Mr. SMOOT. Very well; let the letter be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

TREASURY DEPARTMENT,
Washington, February 19, 1915.

Hon. THOMAS S. MARTIN,
United States Senate.

MY DEAR SENATOR MARTIN: I have the honor to transmit herewith a proposed amendment to H. R. 19909, the legislative bill. I respectfully recommend that this amendment be added at the end of line 24, page 59, of the bill.

This amendment will authorize regulations which, if adopted, will save to the Government at least $400,000 annually, without in the least jeopardizing the interests of the Government in the collection of its revenue, and the appropriation of $2,600,000 for salaries and expenses of revenue agents, gaugers, etc., may accordingly be reduced to $2,200,000.

At present spirits dumped by a rectifier are regauged before being dumped by a regular United States gauger, and after being rectified and drawn off into packages they are again gauged. The expense of this gauging is approximately $450,000 per annum.

The gauging of spirits to be dumped for rectification does not in practice operate to protect the interests of the Government. Spirits upon which the Government imposes a tax can be made at distilleries, and at distilleries only. Storekeeper-gaugers are assigned at all distilleries, and spirits produced at registered distilleries are, of course, gauged by these officers, and the tax is paid at the registered distilleries.

If spirits upon which the tax has not been paid get upon the market, whether produced at a regular registered distillery or at an illicit distillery, they are not taken to a rectifying establishment to be rectified but are sold direct to the trade, unless the owner of the rectifying establishment has entered into a corrupt agreement with the gauger assigned to duty at his place. The taking of illicit spirits to a rectifier in no way assists the owner of same in evading the tax, unless the Government officer is corrupt, in which event the rectifying house may be used to dispose of untax-paid spirits.

It is believed that the proposed change, dispensing with the use of gaugers at rectifying establishments, would not result in the loss of any tax whatever to the Government. So far as the records of the Internal-Revenue Bureau show, there has been in the history of the bureau practically no untax-paid spirits discovered, and no tax saved through the instrumentality of gaugers at rectifying establishments.

Respectfully,

W. G. MCADOO, *Secretary.*

Mr. SMOOT. Mr. President, the only objection that I can see to the proposed change in existing law is that, if we adopt this amendment, then there will be only one gauger to do the necessary gauging of rectified spirits. Under the present system there is a check. There are two gaugers, and, of course, under that system it has been practically impossible for corruption to exist; but under the proposed amendment, if there is one dishonest gauger, it may cost the Government a hundred thousand dollars or more per annum. However, so long as we will make a saving of more than that we can perhaps take the chance, and so I shall say nothing more about it, but I myself think it is a little dangerous.

Mr. MARTIN of Virginia. The department says that it can safely be done, and will involve the saving of over $400,000 per annum. I hope the amendment will be adopted.

Mr. POMERENE. If there are frauds of that kind, we have secret-service men to look after them. I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. MARTIN].

The amendment was agreed to.

Mr. STONE. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. STONE. On behalf of my colleague [Mr. REED], who has been suddenly and unexpectedly called from the city, I propose, at his request, the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 8, line 15, after the words "Assistant Sergeant at Arms," it is proposed to strike out "$2,500" and insert "$3,500."

Mr. STONE. Mr. President, as I understand, the reason of this proposed increase of the salary of the Assistant Sergeant at Arms, aside from the belief that the amount now paid is inadequate for the service rendered, is that two officials who are subordinate to the Assistant Sergeant at Arms, namely, the Assistant Doorkeeper and the Acting Assistant Doorkeeper, receive salaries larger than that of the Assistant Sergeant at Arms.

Mr. SMITH of Georgia. Mr. President, I should like to ask the Senator if the better plan, therefore, would not be to reduce the salaries of the other two to $2,500 each?

Mr. STONE. I have not made a motion to that effect. Of course I leave that to the Senator from Georgia.

Mr. SMITH of Georgia. I may make that motion, if it is necessary.

Mr. STONE. The motion I make on behalf of my colleague I have submitted.

The VICE PRESIDENT. The question is on the amendment submitted by the Senator from Missouri.

Mr. MARTIN of Virginia. Mr. President, I simply want to say this amendment was not before the committee; it was never presented to the committee; and has never had any consideration at the hands of the committee. I also wish to say to the Senate, and especially for the information of the Senator from Missouri, that the Assistant Doorkeeper, Mr. Keller, and the Acting Assistant Doorkeeper, Mr. Loeffler, are not under the Sergeant at Arms, but are elected by the Senate; so that they are not subordinates of the Assistant Sergeant at Arms, as the Senator from Missouri seems to think; yet he is proposing to give the Assistant Sergeant at Arms $500 more than either of the officers to whom I have referred receives.

I am very sorry to have to raise my voice against this matter, but I can not give my approval to it. It ought to have had the consideration of the committee, and there ought to have been some investigation of the work of this officer and an ascertainment of the fact that he is inadequately paid, if such be the case; but we have had no opportunity to make that inquiry, because it has not been brought before the committee or considered by it.

Mr. STONE. I have nothing more to say, Mr. President.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Missouri. Those in favor of the amendment will say "aye." [A pause.] Those opposed will say "no." [A pause.] The Chair is in doubt.

Mr. CHAMBERLAIN. Mr. President, I desire to be heard on this matter.

Mr. BRYAN. Mr. President, I am going to raise a point of order so as to save any question about it. This amendment offends against paragraph 1 of Rule XVI, in that it is not estimated for.

The VICE PRESIDENT. The point of order is raised that the proposed increase has not been estimated for nor referred to the Committee on Appropriations for examination. Under clause 1 of Rule XVI, the Chair will be compelled to sustain the point of order. Is there any appeal from the decision of the Chair?

Mr. STONE. Mr. President——

The VICE PRESIDENT. The Senator from Missouri.

Mr. STONE. I understood the Chair to say that the point of order was sustained.

The VICE PRESIDENT. The Chair is compelled to sustain it, in the view of the Chair, under clause 1 of Rule XVI.

Mr. STONE. Mr. President, I have two other amendments I desire to propose and have disposed of. I ask the attention of the chairman of the Committee on Appropriations. The first amendment is proposed in line 20, page 35, increasing the amount from $30,000 to $75,000. I ask to have it read, and then I shall say just a word about it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 35, line 20, in an amendment already agreed to at that place, it is proposed to strike out "$30,000" and insert "$75,000," so that if amended it will read:

For emergency clerical services, to be expended by the Secretary of State in his discretion, $75,000, or so much thereof as may be necessary.

Mr. STONE. Mr. President, the amendment is clearly in order under the rule. It was not, as I was about to say, introduced and referred to the committee; but the matter was brought up before the Committee on Foreign Relations and there considered, and that committee directed me on its behalf to propose the amendment to the bill which I have just submitted. I did so, and asked that it be referred to the Committee on Appropriations, and that was done. That occurred several days ago. I do not know whether or not the Committee on Appropriations has considered the amendment; but I gather, if I may be permitted to say so, that the chairman of the committee thinks the amendment is a proper one. If I am mistaken in that, I should be glad to have the chairman correct me now.

Mr. MARTIN of Virginia. Mr. President, I think this amendment reducing the amount to $30,000 was first made by the subcommittee. It was before the committee, and the committee fixed on $30,000. I do not know exactly whether or not it is proper that I should go into my personal views about it, but I will say that I really thought it would have been wise legislation to have made the $75,000 appropriation instead of reducing it to $30,000. The committee, however, thought otherwise, and they fixed it at $30,000, and I do not feel justified in departing from that solution of the matter.

Mr. STONE. Mr. President, I do not want to consume the time of the Senate, but I have here a letter from the Secretary of State outlining the reasons for this increase which I will read if it is desired. If there is opposition to the amendment, I will have it read.

Mr. CLARK of Wyoming. I should like to have it read.

Mr. MARTIN of Virginia. I think the letter was read yesterday, but other Senators are present now, and I think it would be very proper to have it read.

Mr. STONE. Then I will ask the Secretary to read this letter down to the mark I have drawn across on page 3, as that part refers to another matter.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

DEPARTMENT OF STATE,
Washington, February 16, 1915.

Hon. WILLIAM J. STONE,
United States Senate.

MY DEAR SENATOR: Owing to the disturbed situation in European affairs since the 1st of last August I have made effort to secure what seemed to me an absolutely necessary increase in the permanent clerical force of the State Department. The matter was taken up at the proper time with the House committee; but after consideration that committee, in its judgment, declined to grant the requested increase upon the ground that a permanent force once added to would be difficult to decrease. The chairman of the committee subsequently stated—but after the bill had passed the House—that there would be no objection to providing $75,000 for a temporary clerical force. The matter was thereupon submitted to the Senate committee, and they have amended the bill to provide for $30,000. I do not know whether at this late stage it would or would not be possible to secure an amendment of this provision of the legislative bill when it comes up for consideration in the Senate. As you know, we are looking after the interests of practically all the belligerent countries in Europe and this has involved a tremendous additional labor upon the force of this department. As chairman of the Committee on Foreign Relations, and therefore conversant with the urgent needs of this department, I thought that possibly it would be proper for you to suggest the necessary amendment to the bill during its consideration in the Senate to secure an increase of $75,000 of the allowance for temporary clerical assistance. I would therefore request that you propose the following amendment to the bill when it is presented for consideration in the Senate:

In line 20, on page 35, strike out "$30,000" and insert "$75,000."

This amendment is suggested because I am convinced of its great necessity. It is more than likely that the demands upon this department will increase within the next year or two rather than decrease, and I am hopeful that Congress will place in our hands the means of promptly and efficiently disposing of this great volume of additional duties. Needless to say, I am heartily in favor of keeping our expenses within the lowest possible figures, and I give my assurance that this will be done. But I believe that the increase for emergency clerical service should be fixed at $75,000, so as to insure a proper disposition of our work if the occasion demands it.

The VICE PRESIDENT. If the amendment is to be proposed it will be necessary to reconsider the vote whereby the amendment was adopted on yesterday.

Mr. OVERMAN. That can be done by unanimous consent.

Mr. STONE. I ask unanimous consent to reconsider the amendment.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was adopted is reconsidered. The Senator from Missouri moves to strike out "$30,000" and insert "$75,000."

Mr. SMOOT. Mr. President, just a word in relation to the proposed increase. The subcommittee that had this matter in hand considered the letter that has just been read, or one very similar to it; and taking into consideration the action of the House in refusing to give anything whatever, and the testimony that it gathered, it was decided that $30,000 would be ample for this particular service. I will admit that it is an estimate made by the subcommittee. We know nothing more about it than what we heard discussed.

I will say further that the Secretary of State says that perhaps he can use the $75,000. We thought it was a very proper thing to allow the $30,000, and if it became absolutely necessary the Secretary of State could do like many other heads of departments and heads of bureaus have done—spend the money, and have it reimbursed by the Government in the next deficiency bill.

That was the condition in which we found things, and that is the position at which we arrived, and the committee approved the action of the subcommittee in that respect. I think the amount of $30,000 ought to remain as it is, and if a larger amount than the $30,000 should be needed, the Secretary of State, as I say, could do as other heads of departments have done, and we could provide for it in the next deficiency bill.

Mr. STONE. Mr. President, I call the Senator's attention to this clause in the letter from the Secretary of State which has been read at the desk:

The matter was taken up at the proper time with the House committee, but after consideration that committee, in its judgment, declined to grant the requested increase upon the ground that a permanent force once added to would be difficult to decrease. The chairman of the committee subsequently stated—but after the bill had passed the House—that there would be no objection to providing $75,000 for a temporary clerical force.

I read that merely in answer to the suggestion of the Senator from Utah that the House had not appropriated anything.

Mr. SMOOT. Mr. President, I understood otherwise, but, of course, I shall not dispute the letter. I have understood, however, that some Members of the House did not favor it.

I shall say no more than I have already said, and allow the Senate to decide whether or not the increase shall be made.

Mr. OVERMAN. In general I want to say, as I was the chairman of the subcommittee, that, as I recollect, we had no officer of the department before us at all. We simply had this letter—the same letter that had been before the House committee. The House committee refused to give anything at all, and our committee thought that if we should give $30,000 now to employ emergency clerks, if they should need more there would be another bill coming here in December; and as we want to keep down expenses as much as possible, we just cut it in two. That is the truth of the matter.

Mr. STONE. Mr. President, just a word further: It seems to me to be a bady policy, in circumstances such as confront us now, where the department is asking for these emergency clerks, to say that we will appropriate a less sum, assuming that the Secretary may on his own motion go ahead and employ clerks for whom no appropriation has been made, although asked for, leaving it to a future Congress to provide for a deficiency—a deficiency created without authority.

Mr. SMOOT. Mr. President, I want to say to the Senator that if this bill carried all the clerks that were asked for by the departments the amount carried by the bill would be increased over $10,000,000.

Mr. STONE. That may be, but——

Mr. SMOOT. I will say to the Senator further that I am in full sympathy with him that deficiencies should not be allowed. In fact, I have made that statement on the floor so many times that I hardly feel it necessary to repeat it.

Mr. STONE. I know the Senator's attitude.

Mr. SMOOT. But in a case of this kind, if it becomes necessary to incur a deficiency on account of the war conditions, over which no person on earth has any control, it seems to me it should be upon just such occasions and under such circumstances.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a question for information?

Mr. STONE. Yes.

Mr. CLARK of Wyoming. I wish to ask the Senator whether there is any fund now under which emergencies like this may be partially cared for?

Mr. STONE. The chairman of the committee can better answer that question.

Mr. CLARK of Wyoming. I ask the question, for information, whether there is any emergency fund connected with the State Department or with the other departments under which clerks can be hired for emergencies for a short time without putting them on the regular roll. We hear a good deal about the departments of temporary rolls. Is there any appropriation of that kind in this case?

Mr. MARTIN of Virginia. As far as I know, there is no appropriation available for this purpose. The Secretary may incur a deficiency and rely on Congress to appropriate for it; but there is no fund available in his office for this purpose unless Congress appropriates for it in this bill.

Mr. CLARK of Wyoming. There is, as I understand, some fund available in his office, but probably it is for other purposes.

Mr. MARTIN of Virginia. It is. There is none available for this purpose. This is a special purpose, growing out of the present peculiar conditions of the obligations and responsibilities of the State Department in connection with the European situation, and I know of no authority for him to expend any other fund for this purpose.

Mr. CLARK of Wyoming. Has either the senior Senator from Virginia, the chairman of the committee, or the senior Senator from Missouri any knowledge as to where and how this particular fund is to be used? I understand it is for the employment of clerks; but where are they to be employed and how are they to be employed?

Mr. MARTIN of Virginia. My understanding is that they are to be employed in the State Department here. The letter that has been read gives all the information I have on the subject, however. I have nothing except what is contained in the letter that has been read to the Senate.

Mr. CLARK of Wyoming. Can the Senator from Missouri give us any information as to that?

Mr. STONE. I can not give definite information on the subject. It is a fact, however, that because of the troublous condition in Europe men employed locally in the State Department have been temporarily transferred to the foreign service to meet emergencies there, leaving the department short-handed here. It may be that emergency clerks employed under this provision, or some of them, might be sent to some of the embassies or legations abroad. I do not know definitely as to that.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. STONE. I do.

Mr. BRANDEGEE. I want to ask the Senator if the report that he referred to of the Committee on Foreign Relations was a unanimous report, unanimously recommending this increase?

Mr. STONE. It was unanimous.

Let us have a vote on the amendment, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STONE. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 36, lines 12 and 13, it is proposed to strike out the words "for rent of buildings in the District of Columbia, $11,200," and insert the words:

For rent of buildings in the District of Columbia, $15,000; and the Secretary of State is hereby authorized, in his judgment, to enter into a lease for a period not exceeding five years for the occupancy of a suitable building within close proximity to the Department of State, at an annual rental not to exceed the sum herein appropriated.

Mr. STONE. Mr. President, I will say that this amendment also was considered by the Committee on Foreign Relations at its last meeting on Wednesday and by the authority and under the direction of that committee I reported it to the Senate and had it referred to the Committee on Appropriations. I do not know whether the Committee on Appropriations have taken it up.

Mr. MARTIN of Virginia. The Committee on Appropriations considered the amendment and rejected it. We thought the department could get along without it, and we were not willing to make an appropriation under a 10-year lease for this additional sum.

Mr. STONE. May I have what the Secretary of State has to say with respect to it read for the information of the Senate?

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

I had also suggested to the Appropriation Committees of the two Houses the urgent need of a small addition for the rental of buildings in the District of Columbia occupied by the bureaus of this department. At present we have bureaus of the department located in three different buildings widely separated from each other, which renders efficient work of the department most difficult. It is believed that for a small additional rental we will be able to secure a building located in close proximity to the main department building which will enable us to bring the scattered bureaus under one roof and within a short distance of the main building. It is believed that by housing in this proposed building the various international commissions coming under the jurisdiction of this department there will be a considerable net saving in the amount paid for rental purposes. It will not be possible to secure a new building, erected by private parties, without authority to enter into a lease for at least five years. I would, therefore, earnestly ask that lines 12 and 13, on page 36, be amended to read as follows:

"For rent of buildings in the District of Columbia, $15,000; and the Secretary of State is hereby authorized, in his judgment, to enter into a lease for a period not exceeding five years for the occupancy of a suitable building within close proximity to the Department of State, at an annual rental not to exceed the sum herein appropriated."

If it be found impossible to secure an increase of our present rental from $11,200 to the requested amount of $15,000, I would still ask that I be granted authority to enter into the requested lease for a period of five years, as it may be possible to secure a building of less capacity than that desired but still sufficient to accommodate the department and to bring our rental within the amount appropriated.

I will personally appreciate it if you will offer these suggested amendments when the bill is considered in the Senate, for I am very sure you will recognize the necessity for them.

Mr. MARTIN of Virginia. Mr. President, I make the point of order against the amendment.

Mr. STONE. The Senator makes a point of order against it?

Mr. MARTIN of Virginia. It is legislation. It provides for a 10-year lease. It provides for the construction by private parties of buildings that the Government shall then lease for 10 years.

Mr. STONE. I was about to remark, if the Senator will let the point of order stand for a second——

Mr. MARTIN of Virginia. I will withhold it until the Senator gets through.

Mr. STONE. After having heard this communication from the Secretary of State, if the chairman of the Committee on Appropriations still feels disposed, as it appears he does, to oppose the adoption of the amendment, I personally would not be willing to press it.

Mr. MARTIN of Virginia. Mr. President, it is with much hesitation that I do it; but I believe the department can get along very well without it.

The VICE PRESIDENT. The point of order is sustained.

Mr. SHAFROTH. Mr. President, I desire to offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 137, after the words "for rent of buildings in the District of Columbia, $66,500," in lines 20 and 21, insert:

Until otherwise ordered by Congress the building known as the Maltby Building and the buildings on the west side of New Jersey Avenue between B and C Streets NW., in the city of Washington, D. C., shall be used for governmental purposes.

Mr. MARTIN of Virginia. I make the point of order that that is legislation.

Mr. SHAFROTH. I hope the Senator from Virginia will not——

Mr. MARTIN of Virginia. I am constrained to do it because we have not time to go into the discussion of a matter that has had no consideration. We could discuss it here for hours and still be unprepared to legislate on it.

Mr. SHAFROTH. I want to say to the Senator that the building is about to be destroyed, that it is a separate building, and——

Mr. MARTIN of Virginia. If the law requires it, let it be destroyed.

Mr. SHAFROTH. There is no reason on earth for it. We rent public buildings in the District of Columbia aggregating hundreds of thousands of dollars.

Mr. MARTIN of Virginia. This amendment changes a specific law on the statute books, and I insist on the point of order.

Mr. OVERMAN. The site is a part of the Capitol Park scheme, and the law provides that all those buildings shall be toru down.

Mr. SHAFROTH. Yes; but it is not worth anything to the scheme, and I should like to discuss it, because I feel——

The VICE PRESIDENT. If the point of order is insisted upon, the Chair will be compelled to sustain it.

Mr. MARTIN of Virginia. It is insisted upon.

Mr. SHAFROTH. Mr. President, I want to be heard just a minute on it, anyhow.

Mr. MARTIN of Virginia. I dislike to have the time dissipated in that way.

Mr. SHAFROTH. I desire to discuss the bill just a little while.

Mr. MARTIN of Virginia. Of course, the Senator can discuss the bill. That is his privilege.

Mr. SHAFROTH. Mr. President, there were included in the Capitol park scheme between here and the Union Station 12 or 13 squares. One of them down here is the square on which the Maltby Building has been erected. That has no connection with the vista that goes between the Capitol and the Union Station. The amount of land that should be considered in the scheme, it seems to me, is the land which lies between Delaware Avenue, upon which the Senate Office Building is located, and New Jersey Avenue; that is, to the east line of the Maltby Building. The Maltby Building cost, I have no doubt, $75,000 to $100,000. There is no indication in any way otherwise than that it is a good building, which could be used by the Government for governmental purposes.

Mr. President, it seems to me that when we are trying to save money and they are about to begin the destruction of that building and the other buildings along on the west side of New Jersey Avenue, some one at least ought to put a stop to it until the question can be considered.

I feel, Mr. President, that the destruction of that building is going to be an injury, and it is not going to improve the appearance of the plaza between here and the Union Station. In fact, if those houses are torn down, the houses that will be preserved will be those upon a small street with buildings not near as good looking as those that face east on New Jersey Avenue.

The only excuse I have heard for this is that they desire to make a straight street between the Columbus Monument and the Peace Monument and thereby cut off also a part of the Capitol Grounds. It seems to me that that would be an injury instead of a benefit.

For these reasons, Mr. President, I hope the point of order will be withdrawn and that we may take a vote upon this proposition. It is not something of a permanent nature. It is merely "until otherwise ordered," so that we can look into it; and if we wait until the next session, the building will have been destroyed.

Mr. SMOOT. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 28, line 5, after the word "grounds" and before the semicolon, insert a comma and the words:

Under the direction and supervision of the Librarian, who shall hereafter appoint the employees provided for hereunder.

Mr. LEA of Tennessee. Mr. President, I make the point of order that the amendment offered by the Senator from Utah is general legislation in that it changes existing law. The act passed in 1897 provides that the employees named in the amendment shall be appointed by the superintendent of the library building and grounds.

The VICE PRESIDENT. If that is the fact, the point of order is sustained.

Mr. KENYON. Mr. President, I offer an amendment to come in after line 6, page 140, and I call the attention of the chairman of the committee to the amendment.

Mr. SMOOT. Mr. President, may I ask the Senator from Tennessee if he will not withhold his point of order until I can explain the amendment in just a minute

Mr. LEA of Tennessee. Mr. President, I think the point of order is thoroughly understood, and if we are ever to make any progress with the bill when a point of order has been decided it should not be debated. I must insist on my point of order.

Mr. SMOOT. Of course I do not want to take the time of the Senate to speak upon the bill. I never undertake to do that upon any bill, and I shall not do it now. I will content myself by simply stating the way the law is now. If the Senator from Tennessee had told me he was going to make the point of order against this amendment, I never would have allowed the amendment offered by the committee to be agreed to. But he did not say he was going to make the point of order. He came and asked me if I would not allow the committee amendment to be agreed to, and I said I would have no objection to the committee amendment, but I should want to offer my amendment.

Mr. President, the way the law is now there is a librarian put in charge of the library and he can not appoint any of the employees of that institution, and he is held responsible for them. The principle is wrong. It is wrong in theory.

Mr. SMITH of Georgia. Does he not appoint 500, the whole crowd, without any supervision from anyone, and promote them as he pleases without and civil-service regulations or anything but his own will?

Mr. SMOOT. He does not under the amendment as proposed now.

Mr. SMITH of Georgia. The employees of the Library proper, I mean.

Mr. SMOOT. Some of the employees in the Library itself he does, but over 200 of them he will not under this provision.

Mr. MARTIN of Virginia. Mr. President——

Mr. SMOOT. All I ask is that it be put under the direction and the supervision of the librarian, who shall hereafter appoint the employees provided for hereunder. Mr. President, I of course stated to the Senator that I would not discuss it any further than that, but no business in this country could ever be run successfully by appointing a superintendent of it and then taking all the appointing power out of his hands.

Mr. KENYON. I have proposed an amendment following line 6, page 140. I ask the chairman of the committee to please note it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 140, after line 6, insert the following:

To enable the Department of Labor to make an investigation as to the cost of living of wage earners in the District of Columbia, exclusive of Government employees, and to report to Congress thereon, $6,000.

Mr. MARTIN of Virginia. Mr. President——

Mr. KENYON. I wish to state that there has been a hearing before a subcommittee of the Committee on Education and Labor upon this amendment, and that it has been favorably reported from that committee. So it is not subject to a point of order.

Mr. MARTIN of Virginia. Mr. President, I am not prepared to give any concurrence of my judgment that this amendment ought to be adopted, but there is so much feeling in favor of it that, so far as I am concerned, I will be glad, in the interest of economizing time and in the interest of good legislation, to have the amendment adopted and let it go to conference, where it will be carefully investigated.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. OVERMAN. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 8, line 22, strike out "$2,000" where it occurs and insert in lieu thereof "$2,500," so as to read:

Clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the Official Reporters, $2,500.

Mr. OVERMAN. Mr. President, I suppose everyone in the Senate knows the hard work that little fellow who sits there at the end of the desk does on the Journal work. There is no man in the Senate who does as hard work as he is doing, day and night, in making up the Journal work for the CONGRESSIONAL RECORD. I think his salary ought to be increased.

Mr. MARTIN of Virginia. Mr. President, I simply desire to say that this amendment was not brought to the attention of the committee, but I have had expressions in regard to it from so many members of the committee with whom I have talked I believe it would have had the approbation of the committee if it had been before it. I think this employee is underpaid, and, speaking not for the committee but as an individual Senator, as he has performed long and faithful service of a most responsible nature, as his work is very exacting both as to kind and as to the hours he bestows upon it, I believe his salary ought to be increased.

Mr. THOMAS. Mr. President, I should like to inquire if any estimate has been made for this payment.

Mr. MARTIN of Virginia. None whatever; and I do not know how an estimate could be made. The rule of estimates from the departments can not apply to the employees of the Senate. We estimate for our own employees and no one can make the estimate for us. I do not see that that rule can be brought in as against the Senate's own employees.

Mr. THOMAS. I make a point of order against the amendment for the purpose of testing it.

The VICE PRESIDENT. What is the point of order?

Mr. THOMAS. The point of order is that no estimate has been made for it.

Mr. GALLINGER. It could not possibly have been estimated for.

The VICE PRESIDENT. The Chair overrules the point of order.

Mr. WARREN. Mr. President, I wish to say——

Mr. THOMAS. I make the further point of order that it was not reported by a committee.

The VICE PRESIDENT. That point of order will have to be sustained.

Mr. WARREN. Mr. President, I wish to be heard on the point of order. I wish to say that in this matter the committee favored the raise of the salary, and it was simply forgotten at the time. Now, as to the estimates covering Senate employees,

those estimates do not come up like others. They are simply copied from the appropriation bill of the previous year. There is no one who pretends that the estimates——

The VICE PRESIDENT. That point of order has been overruled.

Mr. WARREN. That I will pass by. On the other hand, this increase has already been heretofore voted in by the Senate, but with other matters it was lost in conference. There is not a single employee of the Senate, among the many faithful ones—and they are all as a class most faithful—who deserves promotion and better pay more than does Mr. Moxley, to whom it is sought to give this slight raise in salary. I want to say that this underpayment has been understood for a long time, we have tried to fix it before, and it ought to be remedied now, letting it go to conference.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming does not pretend to say that the Committee on Appropriations reported this item.

Mr. WARREN. I speak now from the Committee on Appropriations when I say it was intended, but it was forgotten. I ask the chairman of the committee whether I am right about that.

The VICE PRESIDENT. The last point of order made by the Senator from Colorado was that it had not been reported by a standing or select committee. The rule provides that—

no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

The point of order, as the Chair understood it, was that the amendment had not been moved by direction of a standing or select committee.

Mr. WARREN. I understand the technical position, and I want to appeal to the Senator making the point of order to withdraw it. The amendment was dropped through forgetfulness by the committee. I think the chairman will verify what I say.

Mr. MARTIN of Virginia. Mr. President, it was not brought to my attention. I was not reminded of it. I have thought for some time that his salary ought to be increased, and if it had been brought to my attention when the committee was considering this bill I would have urgently advocated that the amendment be incorporated in the bill.

Mr. OVERMAN. The committee last year reported the bill with this item in it.

Mr. MARTIN of Virginia. Yes; but that it was heretofore reported would not cover the point of order made now. I can not question the ruling of the Chair. I think it is correct, and we might as well go on with some other matters if the Senator from Colorado insists on his point of order. I regret it exceedingly, because I believe this is a most meritorious proposition and I am very anxious to see it adopted.

Mr. JAMES. Mr. President, I hope the Senator from Colorado will withdraw his point of order.

Mr. SMITH of Georgia. Mr. President, I desire to present an amendment on page 8, at the end of line 4. I will read it. I am not sure that it will appeal to the Senate, but it appeals to me, and at least I will have the opportunity of expressing my opinion upon the subject. It reads:

Provided, however, That the positions of clerks and messengers to committees hereinbefore named shall not continue longer than January 1, 1916.

Mr. President, I offer the amendment because I think we ought to abolish our present system of calling clerks of committees men who are really secretaries to Senators. When we have a clerk of a committee he ought to be the clerk of the committee subject to the call of the members of the committee and not the private secretary of the chairman of the committee. The abuse that has followed the present practice is shown in the bill as it is presented to the Senate.

Mr. OVERMAN. May I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. OVERMAN. Suppose this amendment is adopted, and on the 1st day of January we make the change; there would be no appropriation after the 1st of January to pay these employees, and we would have to get a new appropriation, unless it was paid out of the contingent expenses of the Senate, and the contingent expense fund will not be ample to pay it.

I agree with the Senator that there ought to be a change; but the question is, how are you going to pay these clerks after the 1st of next January if the amendment is adopted?

Mr. SMITH of Georgia. We could very easily put it on an appropriation bill in December.

Mr. President, what I insist is this: There are committees that need clerks, and those clerks should be in the committee room, subject to the use of members of the committee they are supposed to serve. They should not be the private secretaries of the chairmen of the committees.

Mr. MARTIN of Virginia. Mr. President, I raise a point of order that this is plain legislation on an appropriation bill.

The VICE PRESIDENT. Let us see. Is there any law of the Congress of the United States which provides for the appointment of these clerks?

Mr. MARTIN of Virginia. I suppose there is; but, independently of that, this makes a change in the law.

Mr. SMITH of Georgia. On the contrary, Mr. President——

Mr. MARTIN of Virginia. It makes a law to fix the term of office extending it. I think there is a law, and I will ask the clerk of the committee to find it; but, even whether there be a law or not, here it makes a limit on the tenure of office, fixing the time when it shall expire as January 1, 1916.

Mr. SMITH of Georgia. Yes, Mr. President; and it is done on a bill which undertakes to fix the term itself. The provision of the bill undertakes to fix the term for 12 months, and I undertake to substitute 6 months for the 12 months' provision in the bill.

Mr. President, I insist that members of a committee are entitled to have the services of anyone designated as clerk of the committee for all the members of the committee, and that the practice of having a clerk nominally for a committee who is not a clerk to the committee but who discharges other duties is a misnomer. If we would give each Senator a private secretary——

Mr. MARTIN of Virginia. If the Senator will permit me, does he know of a clerk of any committee who is not available to every member of the committee at all times? They do a great deal of work for other Senators. I have never heard it suggested since I have been the chairman of a committee that the clerks did not owe the same duty to other members of the committee that they owe to me. No member of the Committee on Appropriations has ever desired the service of a clerk of the Committee on Appropriations that he did not get it.

Mr. SMITH of Georgia. Mr. President, I am glad to hear from the Senator from Virginia. I am not a member of the Appropriations Committee and have not had occasion to call on those clerks. What I insist is that the man who is clerk of a committee or the expert of a committee ought to be in the committee room and not in the room of the chairman of the committee. He ought to be there to serve us, and each Senator ought to have for himself the same force; each Senator ought to have a secretary, an assistant secretary, and perhaps a stenographer.

Mr. MYERS. If I may make a suggestion there, I want to say to the Senator from Georgia that the clerk to the Senate Committee on Public Lands and one stenographer are at all times in the Senate Committee on Public Lands whenever the Senate is in session. That committee is open, and those employees devote practically all their time to the committee business. I personally do not get any work out of them at all worth speaking of.

Mr. SMITH of Georgia. Then, Mr. President, the Senator from Montana is entitled to have for himself, and he ought to have, a secretary, an assistant secretary, and a stenographer while the Senate is in session for his personal work, for the work of his State, and what service the committee requires—the actual committee work—ought to be performed by men who are assigned to the committee.

I am criticizing the plan that I find in force, and which has been in force for years—the using of the term "clerk of a committee" for the place of a secretary to the chairman of the committee, and then adding several other well-paid men called assistant clerks to committees, but who really are used as the personal force of the chairman. I wish to press the fact that the service would be more satisfactory if each Senator were given the same service for himself personally, and if the additional force required for the committee was really set apart exclusively for the committee.

Now, Mr. President, I called attention on yesterday to the force of the Finance Committee. I find for that committee a clerk at $3,000, an assistant clerk at $2,220, and another assistant clerk at $1,600 a year. Although a member of the committee, I know of nothing they do for the committee.

Mr. MARTIN of Virginia. If the Senator from Georgia will excuse me, I want to call the attention of the Vice President, who asked whether there is any law in respect to this matter to the fact that I find a provision relative thereto, as follows:

SEC. 6. That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed, and the rates of salaries or compensation of officers or

employees herein appropriated shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law.

So the salaries are fixed by law. I have read from the legislative act for the year 1915.

The VICE PRESIDENT. Is it the contention of the Senator from Virginia that the language which he has read constitutes an act creating the office?

Mr. MARTIN of Virginia. It fixes the salary of the office.

The VICE PRESIDENT. Does the Senator from Virginia claim that there is anything in that language except that from year to year the House and the Senate provide for certain clerks and messengers in the annual appropriation bill? Is there any law other than the annual appropriation bill which provides for clerks and messengers?

Mr. MARTIN of Virginia. The legislative bill contains a provision; that is a general law; it is a statute providing that these salaries shall be the permanent law; and it was put in for that purpose.

The VICE PRESIDENT. From what section of the law does the Senator from Virginia read?

Mr. MARTIN of Virginia. It is section 6——

The VICE PRESIDENT. Will the Senator again read it?

Mr. MARTIN of Virginia. It is section 6 of the legislative act for 1915. I will send it to the desk.

Mr. OVERMAN. It is the same as the section in the pending bill.

The VICE PRESIDENT. Is it the same language as that of the pending bill?

Mr. OVERMAN. Yes; substantially so.

The VICE PRESIDENT. The pending bill reads:

SEC. 6. The officers and employees of the United States whose salaries are herein appropriated for are established and shall continue from year to year to the extent they shall be appropriated for by Congress.

Mr. SMITH of Georgia. Mr. President, that was an annual appropriation bill and this is another annual appropriation bill. If that were a general law which could not be changed in an appropriation bill, we could not touch it in any respect in this appropriation bill; we would simply be compelled to follow it just as it was there written; and a point of order could be made to any change of any kind proposed to be made in that act.

Mr. STONE. May I interrupt the Senator?

Mr. SMITH of Georgia. No; I do not yield to the Senator. I desire to go on with what I have to say.

I call attention to the fact, Mr. President, that the Committee on Finance has a clerk at $3,000, an assistant clerk at $2,220, another assistant clerk at $1,600, an assistant clerk at $1,440, a messenger at $1,440, two experts, one for the majority and one for the minority, at $2,000 each.

Mr. CLARK of Wyoming. If the Senator will yield for just a moment, he has cited the Committee on Finance. The Senator himself is a member of that committee, and I ask him how often the committee meets?

Mr. SMITH of Georgia. If there has been a meeting of the committee in months, I do not know of it. If they have had anything to do at this session of Congress except to confirm a few appointees, I do not know of it.

Now, there are two men, at $2,000, called "experts" on the committee. Do they stay in the committee room? Where are they? Here are two additional clerks. I insist that the proper way to handle that committee and the other committees is to allow the chairman of the committee as a Senator a secretary, an assistant secretary, and perhaps a stenographer, treating all alike in that respect. If the committee needs an expert or needs a special clerk for some special work, the special clerks of the committee should be in the committee room handling the work of all the members of the committee. This system is wrong. I am not criticizing this particular committee; I just happened to know about it, as I am a member of the committee.

Mr. CLARK of Wyoming. Will the Senator yield to me for another question?

Mr. SMITH of Georgia. Yes.

Mr. CLARK of Wyoming. I am also a member of that committee, and I should like to know if the Senator himself has any knowledge as to what the actual work of these two experts may be? What do they do during the time when Congress is not engaged in tariff legislation?

Mr. SMITH of Georgia. I had overlooked the fact, though a member of the committee, that the experts were carried on the pay roll of the Government until I saw provision made for them in this appropriation bill. When we had up the war-tax bill, we had experts from the Treasury Department, who were with us, as the Senator knows and as the majority know, who helped us prepare the bill. I am criticizing the system. I illustrate the impropriety of the system by using one of the committees of which I am a member, which furnishes a splendid opportunity to illustrate its impropriety. I believe every Senator ought to have a secretary, an assistant secretary, and a stenographer when the Senate is in session.

Every Senator ought to be given the force that he requires to attend to the work of his constituents. Then, a committee, where it has real work to perform, ought to have such assistance as the public service requires for the committee; but the two ought not to be intermingled. If you intermingle them, you can not tell where responsibility of the committee begins and where the relation of secretary to the chairman of the committee begins, or where either ends.

Mr. BORAH. Mr. President, it seems to me that one suggestion the Senator has made is not well founded. The Senator says that, in addition to a secretary and an assistant secretary, each Senator should have a stenographer during the session. There is very little cessation of work upon the part of a Senator during the recess of Congress.

Mr. SMITH of Georgia. What I had in view was that the Senator's secretary and assistant secretary ordinarily could do his regular work; but while he is here in Washington during the session of Congress he would need a stenographer as well. Of course if he needs the stenographer all the time, he should be provided. What I am urging is that a Senator be given to assist him in discharging the duties of a Senator from his State such help as he needs; that the committees be given such help as they need; and that the positions of clerk to committees and of secretary to Senators be separated, so that the two be not commingled in such a way that an outsider, when he desires some service rendered, does not know whether he is trenching upon employees who are engaged in doing the work of a Senator as contradistinguished from the work of the clerk of a committee. We know that the men who are called clerks of committees are in reality not clerks of the committees. I am chairman of the Committee on Labor. The clerk of that committee does nothing for the committee, but is really my private secretary. The assistant clerk does the work of the committee.

Mr. SMOOT. Mr. President, may I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. If the Senator's plan is carried out, would it not necessarily entail additional expense, because now our private secretaries attend to the work of the committees, while at the same time doing a great deal of personal work for the chairmen of the committees? If they were appointed as clerks of committees merely, and if all they had to do was to attend to committee work, it seems to me that it would add necessarily to the expense.

Mr. SMITH of Georgia. I would reduce the expense, instead of adding to it. I would not add a special clerk for a committee or special expert for a committee except in a few cases. In other instances the chairman of the committee himself carries the additional work for the committee. I would not think of adding an additional clerk for a committee, except in cases where a man is needed to devote his time to the work of the committee. But where four men are assigned to a committee, in addition to the three I have suggested for the personal use of the Senator who may be chairman of the committee, making seven in all connected with the committee, I think it manifestly is an unwise plan, and that the much wiser course is to give to each Senator for himself the personal force he requires, no matter what committee he is at the head of, and then, if the committee needs additional help, give it to the committee.

Mr. SHAFROTH. Mr. President, would not the scheme proposed in the amendment offered by the Senator from Georgia be calculated to increase, instead of decrease, the amount of money that we pay out for services of the kind referred to?

Mr. SMITH of Georgia. Not at all.

Mr. SHAFROTH. Let me suggest to the Senator that the highest-priced man is the clerk to the committee. Suppose, as a matter of fact, we adjourn on the 4th of March until the first Monday in December. According to the amendment proposed by the Senator, as I understand it, the clerk of the committee will say, "Good-by; I will be here on the first Monday in December"; whereas now the clerks of the committees having been appointed with the knowledge that they are not only clerks of committees, but also subject to the orders of the chairmen of those committees, will perform work from now until the first Monday in December. If you do not require them to do that work, you will practically have to hire other men, additional men, in order to do the same work.

So far as my committee is concerned, all three of the employees connected with it work every day; they are continually at work; but as to the actual work of that committee it does

not meet very often. It has had and will have important work, but the assistant clerk of the committee does the work of the committee.

Mr. SMITH of Georgia. Mr. President, I yielded to the Senator for a question, not for a speech.

The VICE PRESIDENT. The Chair is going to enforce the rule pretty soon.

Mr. SMITH of Georgia. I do not desire to yield for speeches under any circumstances.

Mr. GALLINGER. Will the Senator yield to me for a question?

Mr. SMITH of Georgia. I will; yes.

Mr. GALLINGER. The Senator and I are both members of the Committee on Rules; and is it not a fact that the chairman of that committee has promised that this matter shall be taken up by that committee and fully considered?

Mr. SMITH of Georgia. That was why I desired to suggest a limitation of six months for these employees, rather than 12 months. It was because I believed we could work that proposition out and put it in much better shape that I suggested the six months' limitation.

Now, replying to the Senator from Colorado [Mr. SHAFROTH], he has three employees connected with the committee of which he is chairman. Under the plan I propose, as a Senator he would have three just the same.

Mr. SHAFROTH. Then a clerk of the committee added would require $2,240 more for the committee.

Mr. SMITH of Georgia. If there were no need of having a clerk for the committee of which the Senator is chairman, there would be no special clerk provided for that committee, just as in the case of the committee of which I am chairman, the Committee on Education and Labor. I would not ask for an additional clerk for that committee. There are probably half a dozen committees that need one or at most two extra men beyond the ordinary force required by a Senator; and they should be real clerks of the committee, working solely upon committee matters and separate from the personal work of the Senator who is chairman of the committee; they should not be simply under the names of clerks to a committee, the personal force of the chairman.

Mr. OVERMAN. Mr. President, the difficulty that I see in the whole matter is the proposed limitation which the Senator makes of six months for the payment of these employees. The Senator says that it is an easy matter to get appropriations through Congress, but I will say to the Senator that it is not an easy matter. This item in the bill appropriates $426,680 for clerks and other employees of committees. If the Senator's amendment is adopted, on the 1st day of January next there will be no money to pay for a single clerk. There will have to be some appropriation then made for these emplyoees in order that they may be available after the 1st of January. Where will the appropriation have to originate? It will have to originate in the House of Representatives. We shall have to go there and beg for another appropriation in order that we may have clerks, and it will take months to get such an appropriation through the House and the Senate. In the meantime where are we going to get the money to pay these employees?

Mr. SMITH of Georgia. That could easily be provided for.

Mr. OVERMAN. We could provide that the unconsumed portion of the appropriation on January 1 should be paid to employees of committees after that time, and I think the Senator had better incorporate in the amendment some such provision as that. I am urging the matter now to show the difficulties in the way if this amendment should be adopted. We will be absolutely without clerks and might not be able to get them for months.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming.

Mr. CLARK of Wyoming. Mr. President, I am in hearty sympathy with the views expressed by the Senator from Georgia [Mr. SMITH]. I agree that the plan under which we have been working is a bad plan, in view of the fact that it allows the private secretary of one Senator, who may, perhaps, have nothing more to do than has the secretary of another Senator, a higher or a lower or a different salary. The Senator from Georgia is quite right in saying that the clerk of a committee, as a rule, does not do the work of the committee. The work of the committee is done in most cases by the second man upon the committee force. The first man upon the committee force is almost invariably the private secretary of the Senator who is chairman of the committee.

Mr. MARTIN of Virginia. If the Senator will permit me just a word, I want to say that the clerk of my committee has never done 10 minutes' work for me, but has been engaged purely upon the work of the committee. He has never been called upon for 5 minutes' service except upon the work of the committee. I do not know how it may be as to other committees, but, at least, I want to state this fact, so far as the Committee on Appropriations is concerned.

Mr. CLARK of Wyoming. I said "most of the committees." Perhaps in order to make it absolutely accurate I should refer to the committee of which I have had charge. I have been chairman of one of the large committees of this body in years past. The clerk of that committee received a salary of $2,500 per annum, but, so far as I know, he did no work for that committee. The work of the committee was done wholly by the assistant clerk. The gentleman who was clerk of that committee when I was chairman is now clerk of the minority committee of which I am chairman, and, after 20 years' service, is getting $250 a year less than he heretofore received.

But I can hardly agree with the Senator from Georgia that the amendment ought to be adopted at this time. It looks to me as though it was wrecking the ship without providing any lifeboats. As stated by the Senator from North Carolina [Mr. OVERMAN], if the amendment of the Senator from Georgia is adopted we will be up against a condition, and not a theory, when it comes to the 1st of January.

I simply rose to assure the Senator that when he gets to work on the revision of the method of employing our clerks, assistant clerks, and messengers, I shall be heartily with him; but I can see certain disaster ahead if his amendment is adopted limiting the employment of the present force that we have to six months from July 1 next.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. The Senator from North Carolina.

Mr. SIMMONS. Mr. President, I do not rise to address myself to any part of the amendment introduced by the Senator from Georgia further than to answer some of the statements made by him with reference to the Finance Committee. When I became chairman of the Finance Committee, in addition to the five clerks that are allowed that committee, the majority was entitled to an expert and two additional employees. The minority membership of the committee was likewise entitled to an expert and two additional employees. I was advised that that arrangement had been in force for many years; that is to say, that there were six employees in addition to the regular clerks to the committee and the Senator who might be chairman of that committee. When the last appropriation bill was under consideration, by mutual consent, four of these employees were dropped—two that belonged to the minority and two that belonged to the majority—and the bill provided for only the five clerks of the committee and an expert for the majority and an expert for the minority.

The Senator says that this expert ought to have a room where he would be accessible to all the members of the majority, and especially to all the members of the committee. The gentleman who represents the majority as an expert is in fact an expert upon the subject of the tariff. Before he was appointed to that position he had had large experience in statistical work that pertained to matters connected with the tariff and with finance. He has a room in connection with the Finance Committee in the Office Building, No. 306, a room which he occupies almost entirely by himself. He is a man of very great learning and very large ability. He has the use of one of the stenographers that I have appointed as chairman of the committee, and he takes a great deal of his time. During the making of the last tariff bill and during the making of the emergency revenue bill that gentleman was kept constantly at work. When we are not making a tariff bill, as we are not now, he does about as much work as any clerk of any Senator in this body, in my judgment.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. Yes.

Mr. THOMAS. I should like to ask the Senator while he is upon that subject where the other expert is, and if he gives any time whatever to the affairs of the committee and does anything beyond drawing his salary?

Mr. SIMMONS. I do not know about that. I am only speaking with reference to the expert that is allowed the majority.

Mr. THOMAS. I assumed that the Senator would know whether the other expert occupied a room in the suite of rooms that is devoted to the use of that committee, and whether he puts in an appearance there at all.

Mr. SIMMONS. He does not. I would suppose that the other expert occupied rooms in connection with the committee of which the ranking minority member of the Finance Committee [Mr. PENROSE] is chairman.

Mr. SMITH of Georgia. Probably the Senator from Wyoming [Mr. CLARK] can tell us where the minority have used their expert. The Senator from Wyoming is a member of the minority, and he no doubt can tell us how they use their expert.

Mr. CLARK of Wyoming. I should have to refer the question to the Senator from Pennsylvania [Mr. PENROSE], who is the ranking minority member of the committee. I presume, however, that he is profitably employed.

Mr. SMITH of Michigan. Mr. President, I want to say for the minority expert that he is always in attendance upon the minority. While he does not come directly under my observation I am very well acquainted with him, and I know him to be a man of unusual ability and fitness for the position, and I know that in the discharge of his duty he reflects credit upon both sides of the Chamber.

Mr. CLARK of Wyoming. Mr. President, if the Senator will yield, I was misinformed as to the actual situation, and as I am now informed I am satisfied that the expert for the minority is in constant attendance upon Congress and at the service of the minority members of the committee. I make that statement in the absence of the Senator from Pennsylvania.

Mr. SIMMONS. I know nothing about that, Mr. President, except that on yesterday the senior Senator from Pennsylvania [Mr. PENROSE], who is the ranking member of the Finance Committee on the minority side, and who, I understand, by courtesy is allowed to select this expert, and in whose rooms I suppose this expert has his office, stated to me that he was receiving on an average 500 letters a day; that a large part of those letters related to matters pertaining to the tariff, and in order to answer them some sort of an investigation was very frequently required, and that they were referred to this gentleman, and that he got up the information.

I want to say about the expert of the majority that I have said to members of the committee that this gentleman was at all times at their command. I have said to various members of the majority who are not upon the committee that this expert was always at their command. Everybody knows that the tariff is a perennial question. We always have it with us. Whether we have a tariff bill up or do not have a tariff bill up, we have the tariff with us. There are always inquiries, even after a bill is passed, with respect to the operation of certain provisions and items and sections of the bill. They are addressed to various Members of the Senate, and the majority Senators are in the habit of sending those letters to me and asking me to answer the inquiries of their constituents. I have not the time to sit down and work out these answers. Some of them require statistical work; some of them require information from the departments. I turn these letters over to this expert, and I put at his service all the clerks of my office to go to the departments and help him to get up this information.

Mr. SMITH of Michigan. Mr. President, the fact of the matter is that it requires an extraordinary expert to explain the workings of the present tariff law.

Mr. SIMMONS. The Senator knows that I do not desire to get into any tariff controversy.

Mr. SMITH of Michigan. Oh, no. I do not want to get into any controversy, either, because——

Mr. SIMMONS. The Senator may be correct about that. The tariff is a complicated and intricate question. We will all admit that.

Mr. SMITH of Michigan. Most complicated; and the present one is the most complicated of all.

Mr. SIMMONS. We know perfectly well, the country knows, it is a matter of common knowledge, that we are going to have quite a controversy about the tariff from now on. Our friends on the other side have given us notice that that is to be one of the great issues. I take it that Senators on this side, when that question comes up for discussion in the Senate Chamber, want information. They want statistics. They have not time to look up the desired information or statistics themselves. They have not an expert under them to do this work, but they are at liberty to call upon this expert directly or through me for the desired data. Mr. President, this expert is needed by the committee and by the majority membership of this body, and the same is true, I am sure, of the minority side of this Chamber.

Mr. President, with reference to the number of clerks that the Finance Committee has, the Senator from Georgia says that this committee, having gotten through with the tariff bill and the war-revenue bill, has nothing to do; and he refers to the fact that probably there has not been a meeting of that committee since we passed the war-revenue measure. That is true; there has not been a formal meeting of the committee. As we are all in a hurry here, to save time, the committee has adopted the rule with reference to nominations of having the clerk go around and poll the membership of the committee and avoid calling meetings for that purpose. There are before the committee, however, I venture to say, not less than 20 or 30 bills of different degrees of importance, some of them very much pressed; some of them pressed by the departments of the Government, the Treasury and the Department of Commerce.

I have not called a meeting of the committee to consider those measures for obvious reasons. By agreement with members of the minority I have not done it because I knew and they knew that there was no possibility of getting consideration of these measures at this session of the Senate except by unanimous consent, and therefore it was not deemed necessary to interfere with our other business in order to hold sessions to pass upon these bills.

The Senator from Georgia is chairman of a committee. It is an important committee, but I venture to say that it is a committee that has had very few sessions——

Mr. SMITH of Georgia. It has had precisely the same number during this session of Congress that the Finance Committee has had.

Mr. SIMMONS. How many is that?

Mr. SMITH of Georgia. The Senator has just stated—none.

Mr. SIMMONS. I have just stated that we have not had any since we passed the war-revenue measure.

Mr. SMITH of Georgia. I said at this session of Congress, since the 7th of last December.

Mr. SIMMONS. How many did it have the session before that?

Mr. SMITH of Georgia. Oh, we had an immense amount of work. For two months we were in constant cooperation with the vocational educational board and a joint committee of the House and the Senate, and in session for two months and more continuously.

Mr. SIMMONS. How many meetings did the committee have?

Mr. SMITH of Georgia. Very few.

Mr. SIMMONS. The Senator on yesterday asked to have the salary of one of his clerks increased. He has three clerks and he asked to have one, who has a salary of $1,440 increased to $1,800. That was done, and I think very properly done. While that is an important committee, it is one that has not as much work as some other committees of this body. I think the Senator himself will agree to that. But the Senator stated to me on yesterday, when we were talking about this matter, that the work of his committee was so great that he had been forced to supplement the force in his office by going into his pocket to the extent of $2,800, in order that he might have sufficient force to do the work of the committee. The Senator may be able to do that——

Mr. SMITH of Georgia. The Senator is mistaken. I made no such statement to him. I will state for myself what I said to him, although I am not in the habit of going into private conversations on the floor of the Senate.

Mr. SIMMONS. I did not suppose the Senator would object to my making that statement, and I did not understand that he was making it to me as part of a private conversation. We talk about our affairs here, and it is well known that some Senators, who are able to do it, supplement their regular force from their private means.

Speaking for myself, I am one of the Senators—and there are many others; I am not claiming any credit to myself on that account—I am one of the Senators who stay in this Chamber when the Senate is in session. I have not the time to be constantly running around to the departments about matters connected with patronage, legislation, and so forth—the thousand and one things about which we are called upon to consult the departments. I have to send my clerks. If I absented myself from the Chamber when the Senate was in session, I could give a good deal of my time to that work, but I do not do it. Unless the matter is very important and seems to require my personal attention, I turn it over to my clerks, and it takes a great deal of time for these clerks to attend to that business.

Mr. President, the Finance Committee has just two more clerks than the committee of the Senator from Georgia. I think that is as few clerks as that committee has ever had. I want to say to the Senate frankly that I do not want to get into any controversy about this matter. Whatever the Senate wants to do about it, it can do. I say to the Senate frankly that the men I have are not idle men. There is work for them to do, and they do the work, and do it well. I could not very well get along with a less force than I have and do my work. These gentlemen who are assigned to a Senator are not only assigned to him to do the committee work, but they are assigned to him to do the work that he has to do as a Senator outside of and independently of his committee. I am perfectly willing for the

Senate to do whatever it pleases about these two experts, but I want to say that, in my judgment, it would be a mistake to deprive the committee of them.

Mr. SMOOT. Mr. President, may I ask the Senator a question before he takes his seat?

Mr. SIMMONS. Yes.

Mr. SMOOT. I really do not know who the majority expert is.

Mr. SIMMONS. It is Capt. S. A. Ashe. He is a lawyer, and for many years was the editor of the leading newspaper in North Carolina.

Mr. SMOOT. I do know, however, that Mr. Stewart is the minority expert, and I suppose that if Senators want anything particularly upon the question of finance or the question of the tariff or the question of statistics relating to importations and exportations they feel perfectly at liberty to call on Mr. Stewart for that information.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming.

Mr. CLARK of Wyoming. I would not want either the Senator from North Carolina [Mr. SIMMONS] or the Senator from Georgia [Mr. SMITH] to think for a moment that I was questioning the usefulness of the clerks of the Finance Committee, because I was not doing so. I know that the expert who is provided for the minority, Mr. Stewart, is constantly in attendance, ready for any work that may be brought before him. When I first answered the inquiry of the Senator from Georgia I was not aware that Mr. Stewart was carried on the rolls as the minority expert. I knew that he was connected with the committee, but I was not aware of that particular fact.

Mr. SIMMONS. I think he is the expert of the minority.

Mr. CLARK of Wyoming. I want to say that I think Mr. Stewart's work and his devotion to his duty here might well be taken as an example for Members of the Senate.

Mr. MARTIN of Virginia. Mr. President, a parliamentary inquiry. Is the point of order overruled?

The VICE PRESIDENT. The Chair has never had a chance to rule upon it.

Mr. MARTIN of Virginia. I ask for a ruling.

Mr. SIMMONS. Mr. President, if the Senator will pardon me for just a minute——

Mr. MARTIN of Virginia. The Senator from North Carolina is discussing another question. I am addressing myself to the motion of the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, this discussion is going on until it is finished, regardless of what direction is given to the motion before the Senate; so the Senator will not speed his case by pressing the point of order.

Mr. MARTIN of Virginia. Mr. President, I have a right to submit the point of order.

Mr. SMITH of Georgia. Certainly.

Mr. MARTIN of Virginia. And I should be glad to have the Chair rule on it.

The VICE PRESIDENT. The Senator from Virginia calls the attention of the Chair to section 6 of the appropriation act of 1914, which reads:

> That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed, and the rates of salaries or compensation of officers or employees herein appropriated shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law.

The Senator from Virginia does not call the attention of the Chair to any statute of the United States which creates the office of clerk or messenger. The Chair does not believe that there is any statute of the United States which creates these offices. They are simply created from year to year in the appropriation bill. The Chair believes, therefore, that the amendment of the Senator from Georgia is not general legislation.

Mr. MARTIN of Virginia. I move——

The VICE PRESIDENT. It is, however, fair to state in consideration of the amendment—but probably it is not the business of the Chair—that there is not anything in the bill which provides that these salaries shall be paid by the month. The Chair overrules the point of order. The Senator from North Carolina.

Mr. SIMMONS. Mr. President, I simply desire, in addition to what I have said, to call attention to the fact that committees of the same importance as the Finance Committee have as large an allowance for clerks. For instance, the Committee on Appropriations has a clerk at $4,000, and he is also allowed an additional sum of $1,000; an assistant clerk at $2,500, another assistant clerk at $1,900, one at $1,800, and a janitor at $1,000.

The Committee on Interstate Commerce has a clerk at $2,500, an additional clerk at $2,000, an assistant clerk at $1,500, and a janitor at $1,000. The Ways and Means Committee of the House, which certainly have no broader jurisdiction than the Finance Committee of the Senate, in fact, not as broad a jurisdiction as the Finance Committee of the Senate, because the Ways and Means Committee has no connection with appointments and confirmations, has one clerk at $3,000, an assistant clerk and stenographer at $2,200, an assistant clerk at $1,900, and a janitor at $1,000, and another employee not designated by name at $720. They have five clerks, the aggregate amount being practically the same as that allowed for the clerical assistance of the Committee on Finance.

Mr. SMITH of Georgia. Mr. President, I shall not detain the Senate. As illustrating the desirability of changing our system of furnishing clerks for committees who are in reality to be secretaries serving for chairmen of committees, I called the attention of the Senate to the Finance Committee to illustrate the value of my suggestion that a change should be made.

Now, just one word more with reference to the clerk of the Finance Committee. Without a committee hearing since Congress adjourned last fall this committee is supposed to have a clerk to the committee at $3,000. It has an assistant clerk at $2,220. It has another assistant clerk at $1,600. I do not know either of the three, although I am a member of the committee. I know nothing of their serving the committee. It has another assistant clerk at $1,440, a messenger at $1,440, and two experts at $2,000. I realize the importance of keeping the Senator from North Carolina on the floor; and if it is necessary to have all these clerks to keep him on the floor of the Senate, I do not raise any objection to it. He has told us how necessary they are. To enable him to perform his arduous duties on the floor of the Senate, they visit the departments for him.

Mr. President, I am only insisting that all Senators may have a fair chance in handling their business in the departments. It produces invidious distinctions; it creates disturbance in the force of other Senators to see the real private secretary of one Senator paid $3,000 and another $2,000 when called clerks to committees but doing private secretary work in the departments, to enable the Senator whom they serve to stay on the floor of the Senate.

I would like to see a system inaugurated by which they would all be treated alike, that all Senators might stay on the floor of the Senate, and now I have given the reason why I offered the amendment.

I am well aware that this is not a time when we can pass it. I do not think we can have this done now. We have a resolution on the subject before the Committee on Rules, and I hope that we can be able to present next December a plan which will appeal to the Senate to treat Senators alike with reference to their secretaries and assistant secretaries, and assign to the committees fairly the men who are really to do committee work, separating the personal work of Senators from the work of the committees.

Mr. President, I withdraw, with the consent of the Senate, the amendment which I sent to the desk.

Mr. MYERS. Mr. President, I submit an amendment.

The VICE PRESIDENT. The Senator from Montana.

Mr. JONES. Mr. President, before this amendment is withdrawn I want to say a word or two on it.

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Washington?

Mr. MYERS. As long as the Senator from Washington wants to discuss the amendment which has been withdrawn, I will yield.

The VICE PRESIDENT. There is no amendment before the Senate.

Mr. JONES. The Senator from Georgia asked to withdraw it and I rose to object to its withdrawal. I want to be heard on it.

The VICE PRESIDENT. The Chair recognized the Senator from Montana. He did not know for what purpose the Senator from Washington was rising.

Mr. JONES. The Chair did not submit the request of the Senator from Georgia.

The VICE PRESIDENT. It is the universal custom to permit a Senator to withdraw an amendment without any action on the part of the Chair.

Mr. JONES. Very well; I will make some remarks at another time.

The VICE PRESIDENT. The Senator from Montana will proceed.

Mr. MYERS. I offer an amendment to the bill, which I ask may be read.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 7, line 16, amend by inserting, after numerals "$1,440," the words and figures "assistant clerk, $1,200."

Mr. MYERS. Mr. President, my object in offering this amendment is to give the Committee on Public Lands an additional clerk. I believe the Committee on Public Lands is the only committee heavily burdened with work in this body, a committee which transacts a great deal of business, which has no more than three employees for the chairman and the committee combined. Every other committee that transacts any business in large volume in this body has more than that number. I submit the amendment for that purpose.

Mr. SMOOT. Let the amendment be read again. I did not quite catch it.

The VICE PRESIDENT. The amendment will be again read.

The SECRETARY. On page 7, line 16, after the numerals "$1,440," insert a comma and the words "assistant clerk, $1,200."

Mr. JONES. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. SMOOT. I suggest——

The VICE PRESIDENT. The Senator from Washington is recognized by the Chair.

Mr. JONES. Mr. President, what I wanted to say with reference to the amendment offered by the Senator from Georgia [Mr. SMITH] may just as well be said in reference to the amendment of the Senator from Montana. I am glad that the Senator from Georgia has presented the matter as he has done, and I would have voted for his amendment not so much because I believed it was a proper amendment to adopt, but more because I think it will take some drastic action like that in order to get the Senate to get down to work and bring about some system different from what we now have. So I would have voted for it in the hope of adopting a drastic provision that would practically force the Senate hereafter to adopt another system.

I agree with practically everything that the Senator from Georgia has said. We ought to get the help of the Senate provided for on the basis of the help that is needed by Senators for the Senators and the help that is needed by the committees for the committees. I do not think I would separate them entirely, however.

I have offered an amendment covering this matter and had it printed. It is intended to carry out the idea suggested by the Senator from Georgia. I do not claim that it is original with me. I think the Senator from Wyoming [Mr. WARREN] really suggested it quite a while ago; but I close my amendment with the following provision:

All assistance provided for Senators shall be ex officio assistants of any committee of which the respective Senators may be chairman, and the chairmen of all committees shall appoint the assistants provided for their committees.

That, of course, provides for the help of all Senators particularly, but it also provides that this help may be used in connection with committee work. Sometimes a committee is rushed with work, and it is hard to separate the work of a Senator from the work of a committee.

I wish to call attention briefly to the provisions of the amendment I have offered. I do not pretend that it solves the matter entirely, but it occurs to me that it does furnish a basis upon which we could work. There are some committees of the Senate that have much more work to do than others, while there are many committees of the Senate that practically have no committee work. There are fifty-odd committees of the Senate that could be done away with absolutely and not interfere with the work of Senators, either by burdening it or lessening it. There are too many committees that do no work when there is given to a Senator, because he is chairman of a committee, possibly even more help than he needs.

I have provided for practically two classes of committees. I have provided, first, for a clerk to the Committee on Appropriations and the Committee on Commerce. I suggest a change in the amendment here by striking out of the first class the District of Columbia Committee and putting in the Committee on Pensions. The Committee on Pensions, I imagine, from what connection I have had with it, is about as busy a committee as there is in the Senate, and I think it does a great deal of work during the recesses of the Senate as well as during the sessions of the Senate.

Then follow the Committee on Finance, the Committee on Foreign Relations, the Interstate Commerce Committee, the Committee on the Judiciary, the Committee on Banking and Currency, the Committee on Public Lands, and the Committee on Post Offices and Post Roads. I would provide each of those committees in this plan with a clerk at $2,750 and a messenger during the sessions of the Senate at $1,200.

Then, as to the Committee on Agriculture and Forestry, the Committee on Rules, the Committee on Claims, the Committee on Military Affairs, the Committee on Naval Affairs, the Committee on the District of Columbia, the Committee on Printing, the Committee on Enrolled Bills, the Committee on Public Buildings and Grounds, and the Committee to Audit and Control the Contingent Expenses of the Senate, I would provide each of those committees with a clerk at $2,000 a year and one messenger while the Senate is in session at $1,200 a year.

Those are the only committees I have provided for in this provision for committee work.

I provide for assistants to Senators 96 clerks at $2,500 each and 96 assistant clerks at $1,500 each. That gives each Senator as a Senator one clerk permanently and one assistant clerk permanently.

Then I provide that during the sessions of the Senate each Senator shall have a stenographer to be paid at the rate of $1,440 a year.

Now, what does that do, for instance, for the Committee on Finance? It gives the Committee on Finance a clerk and the chairman of the committee an additional clerk and an assistant clerk, and then when the Senate is in session it gives the committee a messenger and also gives to the Senator a stenographer. So it does not diminish the help very materially while the Senate is actually in session, and I think it does provide an abundance of help to take care of the work of Senators when the Senate is not in session.

Then I make the provision that all assistants for Senators and committees, shall be, you might say, changeable, so that they will cooperate one with the other.

Mr. OVERMAN. What does the Senator propose shall be the salary of each Senator's secretary?

Mr. JONES. Twenty-five hundred dollars. It gives him such a salary that he can get the sort of a man he ought to have. We want to have a secretary who is something more than a man to go down to the departments, something more than a mere errand man. The secretary to a Senator ought to be a man who can really be an assistant to the Senator in research work and investigating questions that must come before the Senate that he has not time to investigate fully.

Mr. OVERMAN. It is the Senator's idea that the messengers shall be paid only during the sessions of the Senate, when now they are paid during the year?

Mr. JONES. Surely.

Mr. OVERMAN. I think really with that assistance we probably might save something.

Mr. JONES. I will say that, estimating that Congress would be in session on an average six months every year in a short session or a long session, this plan would save about $50,000 or $60,000 a year. This leaves a large margin for all the help Senators may need while the Senate is in session. I think a Senator ought to have the help necessary for him to do his official work. He ought not to be required to pay it out of his own pocket. Every Senator, whether from a small State or a large one, needs an efficient secretary. An efficient secretary will have all he can do, whether from a small State or a large one, and the Senator who comes from a larger State, if he needs more assistance, does not need a more highly paid secretary, but needs more help, and we ought to provide for that; that is, for whatever is necessary.

Mr. President, I do not expect the Senate to adopt this in this bill now, but I do hope that the Committee on Rules will some time during the summer get to work and try to work out some plan that we may incorporate in the next appropriation bill.

Mr. SMITH of Georgia. Mr. President, I desire to correct one statement made by the Senator from North Carolina [Mr. SIMMONS]. He misunderstood me when he said that I had paid out $2,750 or $2,800 for the committee. I did not say that. I never paid out anything for services for the committee, but I have paid out more than that for additional service for my office help. During the first two years I employed an additional stenographer myself, and paid him out of my own pocket. I found it necessary to have him.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senator from Utah.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. The Senator from Utah has been recognized.

Mr. SMOOT. I yield to the Senator from North Carolina for a moment.

Mr. SIMMONS. I think it is due to the Finance Committee I should state that that committee has, according to the statement of my clerk, handled something over one hundred and forty-odd nominations, and there are now between 40 and 50 bills pending before the committee. Six of those bills have already passed the House, and five of them have been referred

to subcommittees. We have had no sessions to consider these matters and report on them, because it was understood by the committee that in the congested condition of the calendar and the situation we had here, there was no possibility of legislation at this session unless it could be done by unanimous consent.

Mr. SMOOT. Mr. President, if the amendment of the Senator from Montana [Mr. MYERS] is going to be adopted let me suggest to him that he change the amendment for this reason. As the amendment is offered it would provide for an assistant clerk. The Senator will notice that his messenger is paid $1,440, and the amendment provides for an assistant clerk at $1,200. It seems to me if the amendment is to be adopted the Senator ought to strike out the words "messenger, at $1,440," on page 7, line 16, and insert "assistant clerk, $1,440; messenger, $1,200."

Mr. MYERS. I accept that amendment, Mr. President. I wish to say that I only failed to get this before the Committee on Appropriations from mere lack of time. I went down three or four times and my duties would not premit me to pursue it any further, but I have consulted practically all the members of the committee about it and no objection has been made.

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The SECRETARY. On page 7, line 16, strike out "messenger, $1,440," and insert "assistant clerk, $1,440; messenger, $1,200."

The VICE PRESIDENT. The amendment will be agreed to without objection.

Mr. CATRON. Mr. President, I have an amendment which I suppose every Senator will agree to. I ask to have it read, and after it is read I should like to make a few remarks.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. Strike out all of line 10, page 9, after the word "each," and all of lines 11 and 12 and insert in lieu thereof "$11,680 for 16 pages, at the rate of $730 per annum, which last amount they shall be paid annually after March 4, 1915."

Strike out all of line 18, page 17, after the word "each," and all of lines 19, 20, 21, and 22 to the semicolon preceding the word "superintendent," and insert in lieu thereof the following: "$33,580 for 46 pages, including 2 riding pages, 4 telephone pages, press gallery page, and 10 pages for duty at the entrance to the Hall of the House at the rate of $730 per annum, which last amount they shall be paid annually after March 4, 1915."

Mr. CATRON. Mr. President, I have introduced this amendment because I think these young men ought to be paid at least the amounts specified. They are now receiving during the time they are attending the Senate session at the rate of $2.50 a day. My amendment provides that they shall have an annual salary which will amount to $2 per day. The law with reference to the pages of the Senate reads as follows:

That it shall be the duty of the Sergeant at Arms to classify the pages of the Senate so that at the close of the present and each succeeding Congress one-half the number shall be removed; and in no case shall a page be appointed younger than 12 years, or remain in office after the age of 16 years, or for a longer time than two Congresses, or four years.

These young men come into the service of the Senate in this capacity from outside. They are not wealthy; their parents are not wealthy. They have to give all their time while the Senate is in session to the session of the Senate. While they are here during the sessions of the Senate—and they have been here practically 24 months up to the present time—during this Congress they have received probably more than this would give them for the past two years. For the next two years it seems to be estimated, on the theory that there is to be no extra session of Congress, that the Congress will last probably from the 1st of December until some time in June following, then meet in the December following and last until the 4th of March. They would not, therefore, receive as much in that time as they have been receiving; but these young men have to attend school, or they ought to attend school. They are compelled to be here only between the ages of 12 and 16. That takes them away from their school life. There is no way for them to make up that time and at the end of their 16 years to take the classical course, which they should take if they want to, unless they can make it up by an education acquired during the vacation of the Senate and of Congress. To do that they would have to employ teachers or tutors, and this may enable them to do it. From this class of young men which we have been having in the Senate Senators have come into this body, and we expect some others may still come.

I hope that the amendment will be adopted.

Mr. THOMAS. Mr. President, I want to be consistent in my position as to these amendments. One would think from the statement made by the Senator from New Mexico that the pages of this body were obliged to work here. My information is that there is a long waiting list. Boys are anxious to get here and fill this position. For my part I do not think this is the time to indulge in these generous impulses at the expense of the people of the United States. I wish to make the point of order against this amendment that it is not included in the estimates nor recommended by a committee and therefore is not germane.

The VICE PRESIDENT. Has the amendment been referred to a committee?

Mr. THOMAS. No.

The VICE PRESIDENT. The point of order will have to be sustained, then.

Mr. JONES. I desire to submit an amendment to come in on page 139 after the word "day," in line 12.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 139, line 12, after the word "day," insert "and for temporary statistical clerks and stenographers in the District of Columbia, to be selected from civil-service registers and to be paid at the rate of not exceeding $100 per month, the same person to be employed for not more than six consecutive months, the total expenditure for such temporary clerical assistance in the District of Columbia not to exceed $6,000."

Mr. JONES. Mr. President, as the chairman of the committee knows, this is estimated for by the department, and the department is anxious to have this provision made. It does not increase the amount of the appropriation. I suggest to the chairman that it might be well to adopt it and let it go to conference and there see whether or not the provision should not be retained. That would save time.

Mr. MARTIN of Virginia. The Senator does not seem to entertain a serious expectation of having the amendment adopted.

Mr. JONES. How is that?

Mr. MARTIN of Virginia. I suppose the Senator does not think seriously that it will be accepted by the House.

Mr. JONES. Oh, yes; I do.

Mr. MARTIN of Virginia. It was considered by the committee and rejected. I can not think that it can be finally adopted. I hope the Senator will not insist upon it.

Mr. JONES. It will take some time for me to discuss it.

Mr. MARTIN of Virginia. If the Senator wants to make a filibuster on a measure of that sort, let it go in and let it go to conference, and it will meet its fate. In all probability the House is not going to agree to it. I thought the Senator knew the temper and the condition there well enough not to seriously expect that any such amendment would be made.

Mr. JONES. No; I did not.

Mr. MARTIN of Virginia. So far as I am concerned, to avoid protracted debate, I will not resist the amendment at this time.

The VICE PRESIDENT. The question is on the amendment, then.

The amendment was agreed to.

Mr. JONES. I want to have printed in the RECORD in connection with the amendment some data, but on account of a remark the Senator from Virginia made I want to say to the Senator I do not exactly like the remark of the Senator from Virginia that I threaten a filibuster, because it is not true. I want to save all the time I can.

Mr. MARTIN of Virginia. I so understood it, but if the Senator disclaims it that is all right.

Mr. JONES. I certainly disclaim it. I simply wanted to present the facts and reasons; that is all. I ask that this matter may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

This amendment will not add a single dollar to the amount to be appropriated for the miscellaneous expenses of the Bureau of Labor Statistics. It merely grants authority to the bureau to expend not to exceed $6,000 of the total appropriation of $64,090 for miscellaneous expenses for the employment of temporary clerks and stenographers in the District of Columbia. The wording of this appropriation was changed last year to correct what some Members of Congress believed to have been a tendency to increase salaries of permanent employees in the Bureau of Labor Statistics by drawing upon this lump sum for this purpose. The change then made in the wording of the section, however, went far beyond the correction of the thing complained of and put a handicap upon the bureau which I take it was not intended. This amendment would not increase the permanent force of the bureau in any manner whatsoever, nor permit any increase of salary of permanent employees to be paid from this lump sum, as the amendment specifically provides that these shall be temporary employees, none of whom are to be employed for more than six consecutive months, and the salary in any case, is not to exceed $100 per month. This is, by all means, the cheapest and most effective method of compiling and preparing for publication the results of investigations made by agents of the Bureau of Labor Statistics in the field, as it would enable the bureau to hire clerical assistance in Washington when the amount of data sent in from the field is so great that it can not be handled by the present small office force of the bureau. It would, obviously, not be economy to give this bureau a considerable number of additional permanent employees at salaries ranging, say from $900 to $1,200 per

annum, when the services of such a number of additional permanent employees could not be utilized to advantage throughout the year. Such a method would increase the annual outlay for salaries very materially, while the method suggested by this amendment does not increase the appropriation either for salaries or for miscellaneous expenses. The bureau having now no authority to employ temporary assistance in Washington, finds it necessary to draw the regular field agents of the bureau in from various parts of the country, some of them high-grade men at salaries of $1,600 and $1,800 per annum, to do clerical work in the bureau in computing and tabulating the data which they have secured in the field, which could be done as well by temporary clerks at from $75 to $100 per month, obtained through the Civil Service Commission. This plan necessarily interrupts and delays the field work, and is a very expensive method of handling material in the office.

The following statement shows to what extent temporary clerical assistance was used on the regular work of the bureau during the fiscal years 1909 to 1914, inclusive:

Year.	Employees.	Approximate time.	Amount.
1909	33	3 to 6 months	$10,974.17
1910	70	1 to 6 months	9,126.66
1911	4	3 to 8 months	1,333.75
1912	26	1 to 6 months	8,741.25
1913	17	1 to 4 months	1,906.25
1914	33	1 to 9 months	6,924.92

This tabular statement emphasizes the importance of temporary clerical help and the necessity for the adoption of this amendment. Here is a small bureau, having now no more regular employees than it had 20 years ago, which is endeavoring in the most economic manner possible to piece out its work by employment of temporary cheap help and has been using from 25 to 30 of such persons for from four to six months each fiscal year, and I take it that Congress does not intend to prevent this work from going on by shutting off this temporary help. I trust the amendment will be adopted.

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MEMORANDUM.

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, January 23, 1915.

The Bureau of Labor Statistics has 27 persons on its pay roll who are available for the field work necessary to carry out the regular investigations of the bureau. The work of the bureau has been planned for each year to cover about 8,000 one-man day's work in the field. That means 324 months' work for one person, or, in other words, 27 men for 12 months each.

The salaries of these 27 persons are as follows: Two at $2,000, 3 at $1,800, 5 at $1,600, 11 at $1,400, 6 at $1,200—the average being $1,500. The $6,000 which the bureau desires to spend for the temporary employment of statistical clerks in Washington means to this bureau 80 months' work for one person, for while the amendment fixes $100 per month as the maximum to be paid, the bureau, as a matter of fact, pays $75 per month for these clerks. Your amendment, therefore, means 80 months, or 2,000 days' work for one person, at an expense of $6,000, while at the same time the regular field work of the bureau would be going along.

The defeat of this amendment means that to get the office work done the Bureau of Labor Statistics must reduce its field work by 80 months, or 2,000 days' work for one person; that is, instead of 8,000 days' field work, the bureau can do but 6,000 days—a reduction of 25 per cent in the amount of field work possible to be done. To get these 2,000 days' office work done by persons ordinarily employed in the field, and whose average salary, as stated above, is $1,500 per year, will cost the bureau $10,000 instead of $6,000, as provided for by the amendment.

It seems unthinkable that Congress wants to cut down the field activity of this bureau by 25 per cent and make a given amount of office work that has heretofore been done for $6,000 cost the bureau $10,000.

Again, the regular field work can not be done with 25 per cent of the field time of agents transferred to the office; neither can the same amount of work—that is, the same volume of office work—be done by the field agents in the office that is done in the same time by temporary clerks. While the bringing in of field agents to do office work will, in cold dollars, cost $10,000 for the same number of days' work that could be hired for $6,000, yet, measured by units of work done, the bureau will not get as much for the $10,000 as it would for the $6,000.

This amendment does not add one cent to the appropriation; it merely permits the bureau to use its funds in the most intelligent way and to get the greatest return for the money appropriated and expended.

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UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, January 6, 1915.

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter of January 4 acknowledging receipt of my letter of December 31, together with memoranda regarding your amendment to appropriation bill H. R. 19909.

In looking over the hearings before the House subcommittee on this bill, I find, on page 167, Mr. JOHNSON, chairman of the subcommittee, again makes the statement that the last session of Congress transferred the clerks carried on the lump-sum roll to the statutory roll of this bureau, and that this act increased our clerical force by the number of people so transferred; to use his exact words, "We took those clerks up and appropriated for them specifically, thereby increasing the force of clerks in the Bureau of Labor Statistics." Now, Senator, I want to tell you just exactly what was done.

The bureau had been paying some 21 salaries out of the lump-sum appropriation of $64,090. Some of these were clerks in the office, and some were in the field part of the time and in the office part of the time, but of our 96 employees 21 were carried on this roll. In addition to that we had been employing temporary people from one to six months at office work. That is to say, we had a permanent force of 96 people, including those always employed in the District of Columbia, as well as those sometimes employed in the field and those always employed at field work. This constituted our permanent force. In addition to that we had occasionally as high as 25 or 30 temporary clerks.

What Congress did was to put 21 clerks on the statutory roll, thus putting the total force of 96 people on the statutory roll. It then so worded the lump-sum appropriation as to prevent the employment of temporary clerks, thus absolutely reducing the clerical force of this office to the extent of the work heretofore performed by temporary clerks.

Congress did not, as Mr. JOHNSON says, increase the force of clerks in the Bureau of Labor Statistics, but it did absolutely decrease our clerical assistance, as stated above, to the extent of the temporary employment.

The tabular statement which I inclosed in my letter of December 31 will thus show you perfectly the extent to which this action of Congress decreases our force of clerks and cripples the work of this bureau.

I would like to emphasize further the unfairness of this treatment by calling your attention to the appropriations for other bureaus. I turn at random to page 128, line 19, of H. R. 19909, and find the words, "including personal services in the District of Columbia"; on page 129, lines 4 and 5, "including personal services in the District of Columbia"; lines 8 and 9 on the same page, line 14 on the same page, lines 20 and 21 on the same page, lines 24 and 25 on the same page, and line 3, on page 130, etc., all through the bill, authorization for the employment of clerks from lump sums in the District of Columbia is granted.

We are not asking that the employment of clerks from the lump sum be left wide open, as to whether they shall be temporary or permanent in the District of Columbia. I can see that that matter is closed. Congress is unalterably opposed to this bureau's paying permanent salaries in the District of Columbia from the lump-sum appropriation. I do not ask and do not want to reopen that question, but I fail to see why the remedy should go so far beyond the grievance complained of as to estop us from employing efficient help in the most economic way.

Any information that you want from the bureau to assist you in securing the adoption of this amendment, please command me.

Faithfully, yours,

ETHELBERT STEWART, *Chief Clerk.*

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JANUARY 19, 1915.

DEAR SENATOR: I desire to call your special attention to the wording of the section of the bill making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, known as H. R. 19909; that is, to the section which provides for the general miscellaneous expenses of the Bureau of Labor Statistics, Department of Labor. The estimates provided for the following language which follows the word "day" in line 2, page 134, of the bill, as it came from the House, "and for temporary statistical clerks and stenographers in the District of Columbia, to be selected from civil-service registers and to be paid at the rate of not exceeding $100 per month, the same person to be employed for not more than six consecutive months, the total expenditure for such temporary clerical assistance in the District of Columbia not to exceed $6,000."

The authority to employ temporary help, which this language would grant, is a very vital matter. At the last session of Congress all permanent clerks employed from this fund in the District of Columbia were very properly transferred to the statutory roll, and the Bureau of Labor Statistics was stopped from paying permanent clerks in the District from this fund in the future; but the Bureau of Labor Statistics had been, in the past, employing temporary clerks from this fund, and the language of the estimate referred to above simply restores this authority. It is so restricted that abuse seems impossible, and I can assure you that no abuse of it will be permitted.

This amendment proposes no increase in the amount appropriated, and its incorporation in the bill by your committee is of such vital concern that I trust you will see your way clear to include it. In no other way can the work of the Bureau of Labor Statistics be kept current, as to wait until the field work is done and call the field men in to do the office work is not only expensive but delays the preparation of the work in the office; and to keep the field men in the office until the material of a previous investigation has been prepared for publication, in turn delays the bureau's activities in the field.

Hoping for your cooperation in this matter, I am,

Sincerely, yours,

(Signed) W. B. WILSON, *Secretary.*

Hon. THOMAS S. MARTIN,
United States Senate, Washington, D. C.

Mr. HOLLIS. Mr. President, in the bill as it came from the House of Representatives there are some hundreds of employees who are provided for. There are three who are designated by name. I know that all these men are efficient and capable employees, but I do not believe in the bill designating three of them when the others are not designated. I shall first offer a motion to strike out the first that appears in the bill, and if that carries I will offer a motion to strike out the others. I therefore move, on page 2, line 20, to strike out the name "Henry M. Rose."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 20, strike out the name "Henry M. Rose" and the comma.

Mr. WARREN. Mr. President, of course I appreciate the view that the Senator from New Hampshire [Mr. HOLLIS] takes as to naming men in the bill. I have taken that same view always, except in what were considered very exceptional cases. When I came to the Senate 24 years ago the salary of the superintendent of the document room was appropriated for by name—Amzi Smith—and soon after the chief clerks of the Senate and House Committees on Appropriations were practically named by a provision in which an extra $1,000 was appropriated for each clerkship "while held by the present incumbent," on account of long services and experience which were considered almost indispensable in the work upon the great appropriation bills. When the time came for considering an advance in the salary of the reading clerk of the Senate, Mr. Rose, who had been tried out thoroughly and was popular with both sides of the Senate, was named as Assistant Secretary, at a salary of $5,000, and his name was inserted in the

bill, as had been the name of Amzi Smith. He had been offered a position abroad to represent this Government in a diplomatic way at a considerably better salary than he was receiving, and it was only upon an earnest request from both sides of the Senate that he remained in the position.

That salary was fixed, and his name was put in the bill in the interest of the same economy that had prevailed in the nomination by name of the others before that time. For instance, the salary of the clerk of the Committee on Appropriations of the Senate was $4,000, with $1,000 additional so long as the then incumbent remained; and the same was done in the case of the clerk of the Committee on Appropriations of the House of Representatives.

Mr. MARTIN of Virginia. If the Senator will excuse me for just one moment. I may be wrong, but, for the purpose of saving time, I will say that it does not appear to me to be at all important whether the name is left in or not. The payment of the salary goes to the office, and though the incumbent is named, he could be removed.

Mr. WARREN. I am not arguing against that at all.

Mr. MARTIN of Virginia. But if that be the case—if I am right in that——

Mr. WARREN. I am making a statement as to why the name was put in at the time. Then, of course, the matter can be taken up.

In the Senate Appropriations Committee, when the term of the chief clerk mentioned ceased on account of the death of the incumbent, the salary was lowered $1,000 the same as it would be in other cases. It has been the view of the Senate that putting it in this way it left the Senate freer when they did change—as, of course, they have a right to change—to determine whether that should be a standing salary for whoever might be nominated for the place or whether it would be more easily handled by having it a smaller salary, a permanent salary, with addition for whatever was considered due as a reward for meritorious services.

The House of Representatives has steadily maintained that position, so far as I know, in the changes from Democratic to Republican and from Republican to Democratic control. There has never been a question raised, I think, in the House, and, except on one occasion, I think the question never has been raised in this body. As to putting in a name, if the proposition were to put in a new name at this time it would require very strong presentation and strong argument to induce me to vote for it as applying to any new places; but this was done, as I say, so unanimously—and as that has seemed ever since to be approved so unanimously—I do not feel that there is any necessity or any reason at this time for departing from it as to the particular officials who have so long and so well served in their places. I therefore hope the amendment will not prevail.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. The Senator from Colorado.

Mr. THOMAS. Mr. President, when the legislative, executive, and judicial appropriation bill for last year was reported, I gave it a somewhat careful examination, and discovered that out of something over 1,500 employees of the Senate and of the other House, three were mentioned by name. It seemed to me to be so unusual as to justify some inquiry as to its cause. That inquiry was answered completely, but not to my satisfaction. It was my intention then to make the same motion regarding the addition of these names as was just made by the Senator from New Hampshire [Mr. HOLLIS], but on account of the pressure of business of the Senate I refrained from doing so. I afterwards intended to call the attention of the Senate to the fact and to suggest that motion in connection with this bill, but, in view of the shortness of the time between now and the expiration of the present session, I had determined to state my objections to the practice and to content myself with giving notice that if the next legislative appropriation bill contains these, or any other names, I should insist on having them stricken out; but inasmuch as the Senator from New Hampshire has offered the motion, I deem it of sufficient importance to give expression to the views which I entertain upon the subject.

Under the Constitution the Senate is authorized and required to choose its own officers and employees; the House of Representatives has the same authority. That has been done, and it ought to be done either by naming them all or by naming none of them. I do not think that any name should appear in a bill of this kind, because it is a surrender by the Senate of its power to choose its own officers, and it delegates that power of choice to the action of both Houses and to the President; in other words, we consent to the creation of statutory offices whenever the names of the incumbents are inserted in the bill. At the same time, I think, we surrender our power of removal, for it stands to reason that if an office is created by statute—and that must be the case where the incumbent is named—the officer can not be removed or the office be done away with except in the same manner. Every reason, therefore, which exists for the inclusion of a name in a bill of this kind requires the name of every official to also appear in the bill; every reason which opposes the insertion of a name should be equally general, and should exclude them all.

In my opinion, Mr. President, the practice is one which has nothing to do with the personality of the incumbent, either as to his competency or lack of it, to his politics, or to any other personal considerations; it is entirely a matter of principle.

I find three names here, one the Assistant Secretary of the Senate, another the superintendent of the document room, and on page 18 an employee of the House, one Joel Grayson. So out of 1,555 employees, if my computation is correct, there are general provisions for the employment of each official, and but three exceptions are made which name the incumbent and fix his salary accordingly.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. THOMAS. Yes.

Mr. WARREN. Does the Senator also observe that as to the chief clerk of the Appropriations Committee of the House, while he is not named, the provision in the bill is "while the office is held by the present incumbent." Of course, that is as plain as if the name of Mr. Courts had been inserted in the bill.

Mr. THOMAS. I did not notice that; but I will say to the Senator that I had noticed an item, on page 2, of $3,000 for the financial clerk of the Senate, "and $1,250 additional while the office is held by the present incumbent." That is the nearest approach to the naming of the officer that I have found in a somewhat careful examination of the bill.

Mr. WARREN. Mr. President——

Mr. THOMAS. I am not questioning the assertion of the Senator.

Mr. WARREN. The one I referred to was in the House, in addition to the one the Senator is naming. There is also one House employee named in the bill—I allude to Joel Grayson, an old and valued House employee.

Mr. THOMAS. I am not questioning the assertion of the Senator; but even if we assume, Mr. President, that the language used in these two instances is language which identifies the particular individual, it only adds two to the list, and the proportion is still infinitesimally small.

Mr. President, if it be lawful or necessary, or even expedient, to incorporate into an appropriation bill the names of the officials or the name of any official, it is equally necessary, equally appropriate, and equally expedient to incorporate the names of them all. In the event this motion is denied, and the motions which are to follow it—which I understand the Senator from New Hampshire intends to make—are defeated, I shall feel it incumbent upon me, beginning with the President of the United States and going down the list, so far as the Congressional Directory furnishes the names to me, to insist upon their insertion also, because I do not think we should make any exceptions here at all. While I do not care to take up the valuable time of the Senate—and I know it is pretty valuable—I think it is due to these other officials that they should be given the same recognition and be held to the same responsibility and to be made statutory officials, if the others are to be so.

I do not think that the statement of the Senator from Wyoming [Mr. WARREN], under the conditions, illuminating as it is as to the history of this particular office, is at all a justification of the practice. Because we create a particular office, it does not follow that we should fill that office in an appropriation bill by naming a particular individual as the incumbent. If it were true, then that is another reason why the names should go in all along the line, for every one of these places has either been created by act of Congress or by the action of the Senate itself, and every officer in the executive departments—practically every one which is of sufficient importance to require a specific appropriation—should also be named. So I hope, Mr. President, that, inasmuch as this motion has been made, it will be sustained.

Mr. SMOOT. Mr. President, there is no Senator who does not know that the name of Henry M. Rose, as Assistant Secretary, and the name of George H. Boyd, as superintendent of our document room, have been put in the appropriation bill as an honor to those men for their long, efficient, and faithful service.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of Georgia in the chair). Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. Certainly.

Mr. THOMAS. Mr. Nixon, the disbursing clerk of the Senate, has been here longer than either of them. Why should not his name, as an honorable distinction, be also inserted in the bill?

Mr. SMOOT. I am coming to that in just a moment. The House, for the same reason, conferred a similar honor upon Joel Grayson, of the House document room.

Mr. SMITH of Michigan. And everyone who has ever served in the House knows how valuable his services are.

Mr. SMOOT. As suggested by the Senator from Michigan, any Senator who has served in the House knows how valuable the services of Joel Grayson are.

Mr. OVERMAN. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. I will.

Mr. OVERMAN. The history of the naming of Mr. Rose is this: The Senator from Utah and I came into the Senate at the same time. Mr. Rose had been a clerk, at a salary of $3,000 a year. He was tendered a position abroad, or, as I recall, the position of collector of internal revenue in Michigan.

Mr. SMOOT. I think it was a position abroad.

Mr. OVERMAN. That may be the case; but the position would have paid him $5,000 a year. So I think the then Senator from Maine, Mr. Hale, stated on the floor that Mr. Rose was such a valuable man that the Senate ought to retain him, and he asked the Senate to provide for him by naming him in the bill and fixing his salary at $5,000 a year. So his name was put in the bill and his salary fixed at $5,000 in order to hold him. The other assistant at the desk only gets $3,000; but, as I have said, the Senate increased the compensation of Mr. Rose and inserted his name in the bill in order to retain him. That is the history of the matter.

Mr. SMITH of Michigan and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and, if so, to whom?

Mr. SMOOT. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. Mr. President, if the Senator from Utah will permit me, the Senator from North Carolina [Mr. OVERMAN] is partially correct. The truth is that the position of Assistant Secretary of the Senate was created upon the motion of former Senator Gorman, of Maryland.

Mr. OVERMAN. Perhaps I was in error in stating that it was Senator Hale; it may have been Senator Gorman.

Mr. SMITH of Michigan. Senator Gorman took such action, with the unanimous approval of the Senate. I have had nothing whatever to do with the appointment or retention of Mr. Rose as Assistant Secretary, but the Senate has retained him because of his remarkable efficiency, and has given him this deserved and additional compliment in the law.

The same thing has been done in the case of Joel Grayson, and I believe if you were to strike the name of Joel Grayson out of this bill, the House of Representatives would put it back there so quickly that you would not know what had happened. He is a little humpback; but he knows the document room of the House of Representatives as no other man has ever known it. I do not care what a man's politics may be, if he steps to the door of that document room and asks for anything in that room, Joel Grayson puts his hand on it in an instant. He is named in the bill as a personal compliment; and the provision now under discussion was intended as a tribute to Mr. Rose, to his skill and efficiency as a parliamentarian; the office he holds was created solely for him. That is the reason that other and deserving names do not appear; the offices are older than the men who fill them. This is a new office created here in the last 10 years; and as every one knows, Mr. Rose is very efficient, his services entirely satisfactory to the Senate. I hope the provision will remain unchanged.

Mr. SMOOT. Mr. President, what can be said of Joel Grayson, of the House document room, can also be said of George H. Boyd, of our document room. This honor has been conferred upon three men, and in two other cases reference has been made to the present incumbent of the office. I think, Mr. President, that it seems like a small thing now to try to strike out of this bill the name of Henry M. Rose. I believe he deserves the honor of being named. I do not know where we could replace him to-day.

Mr. THOMAS. Mr. President——

Mr. SMOOT. I know that we could get men to fill the place; I do not say that we could not do so; but I mean for the convenience of the Senate and for the dispatch of the business of the Senate I do not know where we could get another man so well equipped by ability, voice, and delivery as is Mr. Rose.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. Yes; I yield.

Mr. THOMAS. Does not the Senator know that all of those services can be rendered, all of this consideration given, and the same amount of salary provided just as well whether the name of the official is in the bill or not?

Mr. SMOOT. Mr. President, yes, I know that that can be done, and I know that we can lay flowers upon the graves of the dead after they are gone; but I want, so far as I can, to give a few bouquets, if they may be called such, to worthy men while they are yet alive. I think that Henry M. Rose is entitled to the honor that has been conferred upon him by naming him in the bill.

Mr. THOMAS. Does not the Senator, then, consider that the same thing should be done in the case of every official who has distinguished himself, whether in a humble or in an exalted place, by putting his name in the bill?

Mr. SMOOT. Yes, Mr. President; if they have earned it as Henry M. Rose has earned it. I would not object at all if an employee had distinguished himself by length of service and efficiency and faithfulness to having his name put in the bill.

Now, Mr. President, these are not the only cases of our Government acknowledging and honoring men for their services. No question was ever raised against our paying the late Mr. Bernard R. Green, the superintendent of the Library building and grounds, $5,000 a year, and paying it to him as long as he lived. We are hiring a man to-day to fill his place for $3,000 instead of $5,000, and there was no member of the Appropriations Committee who did not know that Mr. Green would not have left the service of the Government if his salary had been cut from $5,000 to $3,000, but so long as the Library stands, so long as the American people visit and admire it, the name of Bernard R. Green will be remembered.

Mr. President, I do not object to the provision in the bill under which $1,250 additional is provided for our financial clerk, Mr. Nixon, so long as he holds the office, but when Mr. Nixon dies——

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. Yes.

Mr. THOMAS. I am not objecting to that, either, but Mr. Nixon's name has not been mentioned, and his tenure of office has been just as permanent and just as continuous as though his name had been printed in large capitals in every appropriation bill for the last 45 years.

Mr. SMOOT. The policy of the committee has been to pay men like Mr. Nixon an extra salary by providing that the incumbent of the office shall be paid an extra salary as long as it is held by him. I would not object if Mr. Nixon's name were specifically inserted, but it amounts to the same thing; there is no difference in principle, because we appropriate an additional amount for him as long as he holds the office.

I think, Mr. President, that the amendment is entirely unnecessary, and I had hoped that the question would never again be raised in the Senate; and therefore, under existing conditions, I certainly shall vote against the motion.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, I desire to enter my protest against striking from the bill the name of Mr. Rose. I assume that the majority will probably be against me on this proposition, though they ought not to be. I understand that always since Mr. Rose has occupied the position which he now holds he has had the unanimous support of the Democratic Senators, both while they were in the minority and while they were in control of the Senate. So far as he is personally concerned, it does not amount to much; but if I had my way I would not hesitate a moment to include in the appropriation bills those official employees here who have rendered efficient service where such service has been rendered for a long time.

I have been here six years, and I have never seen Mr. Rose at any time in any way, shape, or form show any difference in his actions toward the Democrats or Republicans. I do not feel as some men, Mr. President, that if a man happens to be an employee of this department of the Government and the Democrats are in charge he must act for the Democrats and do things for the Democrats which are not impartial, to say the least, or that when the Republicans are in control he should do those things which the Republicans expect of him. I think it is the duty of a man behind that desk to act with absolute impartiality and fairness; and I have never seen Mr. Rose at any time by word or act show that he was of one party or the other. In

other words, he has acted with impartial justice to everybody in the Senate.

I know it is hard for any man to occupy a place behind the desk and in front of the presiding officer, because in the heat of controversy here, Mr. President, I know that the Republicans sometimes feel that a particular officer has not treated them fairly, and, on the other hand, I have heard it suggested that the same officers were not fair to the Democrats; but I have been sitting pretty close to the throne since I have been here, and I want to acquit these officers of ever having done, so far as I have observed, anything against which I could make a protest.

There is no use for us to fool ourselves; I do not propose to fool myself. The purpose of this amendment is to get rid of Mr. Rose—there is not any question about that—just as some others have gone out of here when their names were stricken from the bills which had been framed with their names included in order to show to them some special title of honor, some title of respect. I could name some such instances if I would, and I think that would be the fate of Mr. Rose.

The history of Mr. Rose's appointment has been stated here, Mr. President. I think the suggestion of the creation of this new place and the appointment of this man came from the then Democratic leader of the minority. I do not believe there has been any change in the office since then. I therefore intend to register my protest against this proposition, and hope I shall be joined in that protest by some of my Democratic friends, as well as by my Republican friends who are desirous of doing justice to a faithful and an honest public servant of the Senate of the United States.

The VICE PRESIDENT. The question is on the adoption of the motion of the Senator from New Hampshire [Mr. HOLLIS].

Mr. THOMAS. On that I ask for the yeas and nays, Mr. President.

Mr. WARREN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Hardwick	Myers	Smith, Md.
Bryan	Hollis	Nelson	Smith, Mich.
Burleigh	Hughes	Norris	Smoot
Burton	James	Overman	Stephenson
Camden	Jones	Page	Sterling
Catron	Kenyon	Perkins	Thomas
Chamberlain	La Follette	Pittman	Thompson
Clark, Wyo.	Lane	Poindexter	Walsh
Colt	Lea, Tenn.	Ransdell	Warren
Dillingham	Lee, Md.	Robinson	Weeks
Fall	McCumber	Sheppard	White
Fletcher	McLean	Shively	Williams
Gallinger	Martin, Va.	Simmons	
Gronna	Martine, N. J.	Smith, Ga.	

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum of the Senate is present. The question is upon the amendment offered by the Senator from New Hampshire [Mr. HOLLIS].

Mr. GALLINGER. I ask to have the amendment stated, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 2, line 20, it is proposed to strike out the words "Henry M. Rose."

Mr. GALLINGER. I hope that amendment will not be agreed to.

Mr. SMITH of Michigan. Mr. President, if it had not been for the statement of the Senator from Oregon [Mr. CHAMBERLAIN], which was frank and fair and complete, I should have expected to say something to the Senate upon this matter myself. I am only going to say that the present Senators from Michigan have had nothing whatever to do with either the appointment or the selection of Mr. Rose as Assistant Secretary of the Senate. I am sorry that we have had nothing to do with it, because he reflects credit upon the entire Senate, and any connection that we might have had with the matter would have been distinctly creditable; but the truth is that the position of Assistant Secretary was created on the suggestion of prominent Democrats on the other side of the Chamber, and the motion was made by Senator Gorman, of Maryland, and unanimously carried, creating that place for Mr. Rose. That he has been efficient and painstaking and helpful everyone admits. I do not believe there is a Senator on the other side of the Chamber who would willingly dispense with his services here. So far as I am concerned, I have had from him only the service which every other Senator has had in the performance of his official duties; but this is a compliment that was due him, in the estimation of the Senate, when he was promoted from Chief Clerk to the position of Assistant Secretary, and his services since merit a continuance of that recognition on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LEA of Tennessee. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLT (when his name was called). I have a pair with the junior Senator from Delaware [Mr. SAULSBURY]. In his absence I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. In his absence I will withhold my vote. If at liberty to vote, I should vote "nay."

Mr. JONES (when his name was called). I am paired for the afternoon with the junior Senator from Indiana [Mr. KERN]. I therefore ask to be excused from voting. If I were at liberty to vote, I should vote "nay."

Mr. KENYON (when his name was called). I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. I transfer that pair to my colleague [Mr. CUMMINS] and will vote. I vote "nay."

Mr. LEA of Tennessee (when his name was called). I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. LIPPITT (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. SMITH of Michigan (when his name was called). I have a pair with the junior Senator from Missouri [Mr. REED]. I transfer that pair to the senior Senator from Pennsylvania [Mr. PENROSE] and will vote. I vote "nay."

The roll call was concluded.

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the junior Senator from Michigan [Mr. TOWNSEND] and will vote. I vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER], but I understand that if he were here he would vote as I intend to vote. I therefore vote "nay."

Mr. NELSON. I have a general pair with the senior Senator from Louisiana [Mr. THORNTON]. I transfer that pair to the senior Senator from Kansas [Mr. BRISTOW] and will vote. I vote "nay."

Mr. SIMMONS (after having voted in the affirmative). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and will allow my vote to stand.

Mr. CLARKE of Arkansas. I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. As he is not present, I withhold my vote.

Mr. LIPPITT. I transfer my pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from Pennsylvania [Mr. OLIVER] and will vote. I vote "nay."

The result was announced—yeas 26, nays 39, as follows:

YEAS—26.

Camden	Lane	Pomerene	Stone
Chilton	Lea, Tenn.	Robinson	Swanson
Fletcher	Lee, Md.	Shafroth	Thomas
Gore	Martin, Va.	Sheppard	Thompson
Hardwick	Myers	Shively	White
Hollis	Overman	Simmons	
James	Owen	Smith, Ga.	

NAYS—39.

Borah	Fall	Martine, N. J.	Smith, Mich.
Brady	Gallinger	Nelson	Smoot
Brandegee	Gronna	Norris	Stephenson
Bryan	Johnson	Page	Sterling
Burleigh	Kenyon	Perkins	Tillman
Burton	La Follette	Poindexter	Warren
Catron	Lippitt	Ransdell	Weeks
Chamberlain	Lodge	Root	Williams
Clark, Wyo.	McCumber	Sherman	Works
Dillingham	McLean	Smith, Md.	

NOT VOTING—31.

Ashurst	Cummins	Newlands	Smith, Ariz.
Bankhead	du Pont	O'Gorman	Smith, S. C.
Bristow	Goff	Oliver	Sutherland
Clapp	Hitchcock	Penrose	Thornton
Clarke, Ark.	Hughes	Pittman	Townsend
Colt	Jones	Reed	Vardaman
Crawford	Kern	Saulsbury	Walsh
Culberson	Lewis	Shields	

So Mr. HOLLIS's amendment was rejected.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. THOMAS. On page 2, line 15, after the word "Chaplain," being the third word in the line, I move to insert the words "Forrest J. Prettyman."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 15, after the word "Chaplain," where it appears the second time in the line, it is proposed to insert "Forrest J. Prettyman."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado.

The amendment was rejected.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. The Senator from Washington.

Mr. POINDEXTER. On page 30, line 24, I move to strike out "$160,000" and to insert in lieu of it "$80,000," and for that purpose I move to reconsider the vote by which the committee amendment was adopted. I think the President ought to have a liberal allowance for making this trip to the Panama Exposition, but I think $80,000 would be very ample for that purpose.

Mr. THOMAS. Mr. President, a point of order. The amendment to which the amendment of the Senator from Washington is offered has been adopted. Can an amendment be offered to it without moving to reconsider?

The PRESIDING OFFICER. The Senator from Washington has moved to reconsider.

Mr. POINDEXTER. I am moving to reconsider.

Mr. THOMAS. Oh, I beg the Senator's pardon. I did not so understand.

Mr. POINDEXTER. I desire to make a brief statement in the matter.

A few years ago the salary of the President was $50,000 a year, and in addition to that he received $25,000 a year to cover his traveling expenses.

Mr. MARTIN of Virginia. Mr. President, will the Senator excuse me long enough to say about five words?

Mr. POINDEXTER. Certainly.

Mr. MARTIN of Virginia. The Senator seems to be laboring under a misapprehension. This is not for the President. This is for the Nation, to commemorate a great occasion. It is not personal to the President of the United States. His salary has nothing to do with it, because this is not personal to him at all.

Mr. POINDEXTER. I heard the discussion in regard to the matter the other day, and I think I understand it as fully as anybody does. There does not seem to be any very complete understanding as to how the money is to be expended, but it is to be expended under certificates issued by the President, and the amendment is very explicit that it shall be on his voucher solely.

I was proceeding to mention the allowance that is already made for the traveling expenses of the President, because the President will be the central figure in this expedition of modern argonauts to San Francisco. It will be his party. It is to be upon Government ships. I think anyone would have a good deal of difficulty, however elaborate they might imagine this ceremony ought to be, in explaining how $160,000 could be legitimately expended in connection with it, in view of the facilities of which they will have the advantage and which will cost them nothing. There is the *Mayflower*, the *Dolphin*, and other vessels which are ordinarily used without question by the executive departments for trips which have far less of an official character than this trip will have.

As I was proceeding to recall, to illustrate how we slip easily and swiftly into extravagance, the salary of the President was formerly $50,000 a year, and he was allowed $25,000 a year for traveling expenses in addition to his salary; but there was always so much debate about whether he had legitimately expended the money for traveling expenses that the $25,000 was added to his salary, with the expectation that he would spend all of it, and if he did not spend all of it he would keep the balance, and there would be no question as to what he spent it for. The understanding was, however, when the salary was increased to $75,000, that he was to pay his own traveling expenses out of it. It was simply a new method of paying his traveling expenses. But, as so often happens in similar matters, we went on appropriating the $25,000 for his traveling expenses just as we had done before, notwithstanding we had added that amount to his salary for that purpose; so that these appropriation bills at present carry $75,000 for his salary and $25,000 for his traveling expenses.

The point I am making is that, so far as the President's expenses are concerned, if there are any—and I doubt whether there will be any material expenses on his part—they should be paid out of the $25,000 which will be appropriated and is carried in the sundry civil bill now pending in the Senate. We have a great deal of difficulty in getting little appropriations for very practical and important work in our State in connection with the development of its agricultural resources. We want an appropriation of $5,000, or it may be of $2,000 or $3,000, for experiment work along the lines to which the Government has committed itself—the investigation of the arid belt for the purpose of determining new grasses that can be grown there successfully. We have a great deal of difficulty in doing that. We have not been able to secure an appropriation for the experts of the Agricultural Department to study some cheap and practicable method, which has not been found so far, by which denatured alcohol can be produced from the waste of the fruit farms and from other waste agricultural products. It is well understood that means can be devised by which this fuel and element of power can be economically produced, and there are efforts being made to secure a small appropriation for the purpose of investigating that. If you will reduce this $160,000, which is extravagant and unnecessary, by half and save out of it $80,000, and devote the $80,000 to the practical work of aiding in the development of the new sections of our country and solving the difficult problems with which those who are doing the heavy work of pioneering are confronted, it will be a very important saving and a very useful amendment to this bill.

I do not desire to delay the Senate; but, as I said, I heard the debate the other day and the questions asked of the chairman of the committee as to how they were going to spend $160,000 on this trip, and he was not able to answer them. Nobody has stated to the Senate why it was necessary to have this amount of money. The reduction of it to $80,000 is not going to interfere with the trip or with the entertainment of diplomatic representatives of other countries. There is not any set program, there is not any necessary cut-and-dried arrangement which can not be adapted to a reduced expenditure. The affair can be arranged to conform to a reasonable appropriation. No embarrassment will be occasioned to anybody or to the Government by reducing it.

Mr. POMERENE, Mr. OVERMAN, and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Washington yield, and to whom?

Mr. POINDEXTER. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator has just complained because the committee was not able to give a detailed statement of the items which would make up the $160,000. I assume, in view of the fact that the Senator has asked that the expense be limited to $80,000, that he can give the reasons why that will be sufficient and what the items are which will make up the $80,000.

Mr. POINDEXTER. Yes; I can do that.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington now yield to the Senator from North Carolina?

Mr. POINDEXTER. I prefer to answer the question before yielding.

Mr. OVERMAN. I do not ask the Senator to yield. I thought he had yielded the floor.

Mr. POINDEXTER. I was about to yield the floor when the Senator from Ohio asked me the question, and I am going to answer it.

The purpose of this appropriation is to enable the President to arrange and execute some appropriate ceremony at the opening of the Panama-Pacific Exposition. It has been stated here that as a part of that he would invite representatives of foreign countries. It is obvious to me—and I think it is to the Senator from Ohio—that $80,000 will pay the traveling expenses, and far more than pay them, if the plan which has been talked about of taking the party on ships through the canal is carried out. I suppose there will be hotel expenses. There will probably be expenses for a banquet, one or more. Those are some of the items. I shall not undertake to give a bill of the exact nature of the entertainment, and it is not necessary to do that in order to understand that the great sum of $80,000 will be sufficient to cover it; but the general nature of it I think I have described.

Mr. POMERENE. Does it not occur to the Senator that his statement about the probable expenses is about as indefinite as the statement of which he complains?

Mr. POINDEXTER. No; I do not think it is as indefinite.

Mr. POMERENE. Let me ask the Senator a question.

Mr. POINDEXTER. That is more definite than anything I have heard heretofore.

Mr. POMERENE. I think it is about as indefinite as it can be. Let me ask the Senator a further question. Does the Senator really believe that the President is going to be extravagant in these expenditures, or that he is going to expend any more

than is really necessary, consistently with his ideas as to what would be appropriate in the entertainment of guests in connection with this trip?

Mr. POINDEXTER. I do not think the President is going to have very much to do with it. I have not the slightest idea that the President of the United States, with the problems to which he ought to be giving his attention, is going to pay any attention to the details of the entertainment of these guests at the Panama-Pacific Exposition. It is going to be directed by subordinate officials, and the ordinary experience is that they will spend all the money that is available. Whether they do that or not, it ought to be limited to a reasonable sum.

Mr. OVERMAN. I move to lay the motion to reconsider on the table.

Mr. MARTINE of New Jersey. Mr. President, I want to say one word before the motion is put.

The PRESIDING OFFICER. It is not debatable except by unanimous consent.

Mr. MARTINE of New Jersey. I ask the Senator from North Carolina to withhold his motion temporarily.

Mr. OVERMAN. I will withhold it for the present.

Mr. MARTINE of New Jersey. The Senator is very courteous and very kind, and I appreciate it. I think there is not any Senator in this body who was brought up with more frugal ideas and frugal tastes and, of necessity, frugal habits than myself. I do not believe in squandering money or squandering anything. I believe in making the best use of the blessings God has given us. I believe that this great Panama Canal is one of the stupendous works of the age or of ages. Its opening will be a great event not only in our history but a great event in the world's history, and will prove a blessing untold, I believe, to ages yet to come. We are the principal parties to it.

I do not want to squander a dollar of the people's money. I believe it is our duty to be frugal and to be prudent and careful, but I do not believe the people of this great country with its hundred million of people demand that we shall be mean, narrow, or niggardly. Instead of cutting the proposition down I would rather make it $200,000 than cut it down to $80,000.

I believe there should be a dignified and splendid demonstration at the connection of the two oceans and particularly by American enterprise. I believe we can safely trust the President of the United States. Heaven knows, if there has been any man who has been brought up in frugal ways and with frugal tastes it has been President Woodrow Wilson, the President of the United States. I feel that we can safely trust him. Because he has at his disposal $160,000, that is no reason why he will lavish it or waste it. I want to see this a dignified, grand, and imposing opening.

Something was said here yesterday about inviting ex-President Taft and ex-President Roosevelt. I do not share in the little witticism when it was asked whether they were both to go on the same ship. I do not care how in the name of heaven they get there, but I would invite both of them. I believe it would be fitting and proper to invite ex-President Taft and to invite ex-President Roosevelt. The people will not condone us for being narrow and contemptible in hoping to get the plaudits of the people, but the people will honor us for being dignified, fair, just, and liberal in opening this affair on the completion of the most glorious feat of engineering work that the pages of history have ever recorded.

Mr. OVERMAN. I renew my motion.

The PRESIDING OFFICER. The Senator from North Carolina moves to lay on the table the motion to reconsider.

Mr. POINDEXTER. Upon that I ask for the yeas and nays.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Myers	Smith, Md.
Brandegee	Hughes	Nelson	Sterling
Bryan	James	Newlands	Stone
Burleigh	Johnson	Norris	Swanson
Burton	Jones	Overman	Thomas
Camden	Kenyon	Owen	Tillman
Catron	Lane	Page	Warren
Chamberlain	Lea, Tenn.	Poindexter	Weeks
Chilton	Lewis	Pomerene	White
Clark, Wyo.	Lippitt	Ransdell	Williams
Clarke, Ark.	McCumber	Root	
Dillingham	Martin, Va.	Sheppard	
Gallinger	Martine, N. J.	Simmons	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from North Carolina [Mr. OVERMAN] to lay on the table the motion of the Senator from Washington [Mr. POINDEXTER].

Mr. POINDEXTER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I transfer my pair to the junior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. CLARK of Wyoming (when Mr. GALLINGER's name was called). I desire to announce the general pair of the senior Senator from New Hampshire [Mr. GALLINGER] and the Senator from New York [Mr. O'GORMAN].

Mr. JONES (when his name was called). I am paired with the junior Senator from Indiana [Mr. KERN] and ask to be excused from voting.

Mr. LIPPITT (when his name was called). I have a general pair with the Senator from Montana [Mr. WALSH]. In his absence I withhold my vote.

The roll call was concluded.

Mr. LIPPITT. I transfer my pair with the Senator from Montana [Mr. WALSH] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "nay."

Mr. LEA of Tennessee. I have a general pair with the senior Senator from South Dakota [Mr. CRAWFORD] which I transfer to the junior Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. GALLINGER. I will transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the Senator from Kansas [Mr. BRISTOW] and vote "nay."

The result was announced—yeas 40, nays 16, as follows:

YEAS—40.

Ashurst	Fletcher	Martine, N. J.	Smith, Ga.
Bankhead	Hardwick	Myers	Smith, Md.
Bryan	Hughes	Newlands	Sterling
Burleigh	James	Overman	Stone
Burton	Johnson	Owen	Swanson
Camden	La Follette	Pomerene	Thomas
Catron	Lea, Tenn	Ransdell	Thompson
Chamberlain	Lee, Md.	Sheppard	Tillman
Chilton	Lewis	Sherman	White
Dillingham	Martin, Va.	Simmons	Williams

NAYS—16.

Brandegee	Gronna	Lodge	Page
Clark, Wyo.	Kenyon	McCumber	Poindexter
Fall	Lane	McLean	Smoot
Gallinger	Lippitt	Norris	Weeks

NOT VOTING—40.

Borah	Goff	Perkins	Smith, Mich.
Brady	Gore	Pittman	Smith, S. C.
Bristow	Hitchcock	Reed	Stephenson
Clapp	Hollis	Robinson	Sutherland
Clarke, Ark.	Jones	Root	Thornton
Colt	Kern	Saulsbury	Townsend
Crawford	Nelson	Shafroth	Vardaman
Culberson	O'Gorman	Shields	Walsh
Cummins	Oliver	Shively	Warren
du Pont	Penrose	Smith, Ariz.	Works

So Mr. POINDEXTER's motion to reconsider was laid on the table.

Mr. THOMAS. Mr. President, on page 2, line 16, between the words "Senate" and "including," I move to insert the words "James M. Baker"; on line 20, the same page, after the words "Chief Clerk," to insert "Peter M. Wilson"; on line 21, after the words "financial clerk," to insert "R. B. Nixon"; in line 22, to strike out the words "the present incumbent" and insert "him"; line 23, after the words "principal clerk," to insert "Thomas H. Tulley"; in the same line, after the words "reading clerk," to insert "John C. Crockett"; in the same line, after the words "enrolling clerk," to insert "Benjamin S. Platt"; in line 24, after the words "executive clerk," insert "Thomas F. Dawson"; after the words "assistant financial clerk," in the same line, insert the words "Charles F. Pace"; in line 25, after the word "librarian," insert "Edward C. Goodwin"; in the same line, after the words "file clerk," insert "Harry J. Overman"; after the words "chief bookkeeper," line 25, insert the name "Eugene Colwell"; on page 3, line 1, after the words "assistant Journal clerk," insert "J. L. Aston"; and after the words "printing clerk" insert "Ansel Wold," so that the sentence as amended will read:

Office of Secretary: Secretary of the Senate, James M. Baker, including compensation as disbursing officer of salaries of Senators and of the contingent fund of the Senate, $6,500; hire of horse and wagon for the Secretary's office, $420; Assistant Secretary, Henry M. Rose, $5,000; Chief Clerk, Peter M. Wilson, $3,250; financial clerk, R. B. Nixon, $3,000 and $1,250 additional while the office is held by him; minute and Journal clerk, principal clerk, Thomas H. Tulley, reading clerk, John C. Crockett, and enrolling clerk, Benjamin S. Platt, at $3,000 each——

Mr. OVERMAN. Mr. Platt has just died.

Mr. THOMAS. Well, let us honor him—

executive clerk, Thomas F. Dawson, and assistant financial clerk, Charles F. Pace, at $2,750 each; librarian, Edward C. Goodwin, file clerk, Harry J. Overman, chief bookkeeper, Eugene Colwell, assistant Journal clerk, J. L. Aston, printing clerk, Ansel Wold—

And so forth.

Mr. MARTIN of Virginia. I move that the amendment be laid on the table .

The PRESIDING OFFICER. The Senator from Virginia moves that the amendment of the Senator from Colorado be laid on the table.

The motion to lay on the table was agreed to.

Mr. THOMAS. Mr. President, I am not going to take up the time of the Senate any longer upon this motion except to make a statement. During the discussion of the motion of the Senator from New Hampshire [Mr. HOLLIS] it seemed to be assumed by those opposing the motion, or some of them, that striking out the name of Mr. Rose from the bill would operate as a removal of Mr. Rose from his office, or in some other manner affect the proper discharge of his duties. Speaking for myself, such was not the intention, and I do not believe it was the intention of anyone here. Yet the argument, if I may so term it, based upon the fact that the office was one specially created and filled by Mr. Rose at the time of its creation, could have led to no other conclusion.

Mr. President, it was my purpose, in the event this motion was defeated, to take the time of the Senate and insist upon the insertion of every name of every clerk that was available to me. I do not intend, however, to trespass upon the time of the Senate, brief as it is, for that purpose; but I think it is fair to give notice that I will, if I am living and a bill of this kind is introduced specifying the names of individuals, I shall take the time, at least, to insist to the best of my ability upon a similar course with reference to all of the congressional and departmental employees who are provided for.

Mr. OWEN. Mr. President, I wish to direct the attention of the chairman of the committee to page 135, which I think has quite an important bearing upon our international commerce. The South American countries have agreed that they will take certain manufactured products of our country, such as cement, paints, oils, textiles, paper, et cetera, provided there was a certificate from our Bureau of Standards that such materials were up to the quality required by the United States Government and fixed by the Bureau of Standards. Upon the representation made by the Bureau of Standards, a very large order of cement was sent to Argentina. The French Government recently bought 4,000,000 yards of cloth upon the basis that the quality would be certified by the Bureau of Standards. They have no special fund for that, and I wanted to ask, at the bottom of page 134, the insertion of a small amount sufficient to start this matter and then let the business be supported by the fees that will be fixed by the Department of Commerce upon certification of materials for foreign shipment. I ask permission to read it. It is only a few lines.

For the special certification of commercial products intended for export, including the necessary inspection and tests connected therewith: *Provided*, That such certification shall be limited to classes of materials being examined by the Bureau of Standards for the Government, and shall be made only upon request of manufacturers concerned and upon the payment of an adequate fee, including personal services in the District of Columbia and in the field, to be immediately available, $10,000.

I hope there will be no objection to it.

Mr. POMERENE. I notice that the amendment speaks of an adequate fee.

Mr. OWEN. That will be fixed.

Mr. POMERENE. Is there anything to specify who shall determine the adequate fee?

Mr. OWEN. The Department of Commerce does that.

Mr. POMERENE. Very well; if that is made clear by the amendment, it is entirely satisfactory to me.

Mr. OWEN. I think it is quite clear.

Mr. MARTIN of Virginia. Mr. President, this amendment was considered by the committee and rejected. I will say that I have very little hope of finishing the appropriation bills before the 4th of March. I know we will not finish them unless we have night sessions. If this matter is discussed it will consume a great deal of time. So, without giving my assent to it, to save time I am willing that it shall go to conference to be considered there. The committee rejected it, and I am not in favor of it, but I do not wish to consume time by a discussion here. Is that course agreeable to the Senator?

Mr. OWEN. It is agreeable to me.

Mr. MARTIN of Virginia. The amendment may be adopted, as far as I am concerned, and then let the conferees take it up.

Mr. SMOOT. Mr. President, the House has already passed upon this. Why put it into this bill now and have it come back in a conference report? I shall, for that reason, make the point of order on it that it has not been reported by a committee.

Mr. MARTIN of Virginia. It has been duly estimated for.

Mr. OWEN. If it was estimated for I will say to the Senator that that brings it without the point of order.

Mr. SMOOT. I have not said it had not been estimated for. I said that it had not been reported to the Senate by a standing committee of the Senate, and upon that I make the point of order.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Will the Senator please read the rule to which he refers?

Mr. OWEN. I shall not insist on the amendment if the Senator makes the point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. McCUMBER. Mr. President, we have been in the habit during all of the years that I have been in the Senate, with the exception of the last two years, of appropriating one month's extra salary to each one of the employees of the Senate and also of the several committees. That has been granted in lieu of mileage, as nearly all of these employees come from the States of the Senators whose employees they are, who employ them either as their own private secretaries or for the use and benefit of the several committees. For the last two years we have abandoned that practice. We have abandoned it, I assume, because we have been in almost continuous session, so that very few of these secretaries have had an opportunity to return to their homes. We all hope that on March 4, 1915, we shall be able to adjourn, and for the first time, I think, in seven years we shall not have either a long session or an extraordinary session. The services of most of these secretaries will be required in their home States; there is work for them all the time, and they ought to have either a mileage allowance or this extra month's compensation.

I have offered an amendment to allow each one mileage at the rate of 5 cents a mile, if he shall be required to go to the State from which he has been appointed. If he remains here, of course there will be nothing whatever paid. The sum I propose will scarcely pay, of course, the expenses of the trip. The amendment, I will say to the Senator having the bill in charge, would undoubtedly be open to the point of order that it has not been reported from a committee nor has there been any estimate made of it. If the Senator should see fit to make the point of order, of course it would prevail.

Mr. MARTIN of Virginia. I do make the point of order against the amendment.

Mr. McCUMBER. I ask, at least, that the amendment may first be read, so that the Senator may see the justice of it. Then the Senator can make the point of order if he sees fit to do so.

Mr. KENYON. I should like to ask the Senator from North Dakota a question.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. I do.

Mr. KENYON. I wish to ask if the Senator from North Dakota has estimated what this would cost—what it will amount to?

Mr. McCUMBER. I think it would amount to between $30,000 and $40,000.

Mr. KENYON. That could easily be saved on the proposed trip to the Panama Exposition.

Mr. McCUMBER. I think so.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. After line 4, on page 8, it is proposed to insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to those employees of the Senate who may be required to return to their respective places of appointment mileage at the rate of 5 cents per mile each way for going to and returning from each regular session of Congress, including the third session of the Sixty-third Congress, to be estimated by the nearest route of common travel, such mileage to be paid on vouchers containing the certificate showing the necessity for such travel, approved by the Senators appointing such employees. And the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same to be immediately available.

Mr. MARTIN of Virginia. Mr. President——

The PRESIDING OFFICER. The Senator from Virginia.

Mr. MARTIN of Virginia. I make the point of order against the amendment. The Senator from North Dakota, I understand, admits that the amendment is subject to a point of order. If he is desirous, I will read the rule covering the case.

Mr. McCUMBER. I admit that the amendment is subject to a point of order. I only appeal to the generosity of the Senator from Virginia not to make the point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. RANSDELL. Mr. President, I submit the amendment which I send to the desk. I wish to say that I am doing this at the request of my colleague, the Senator from Louisiana [Mr. THORNTON], who is ill. I am very sorry that he can not be

here to present this amendment himself, as he is quite interested in it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Louisiana for his colleague will be stated.

The SECRETARY. On page 129, line 21, it is proposed to strike out the figures "$35,000" and to insert in lieu thereof the figures "$35,900," so that it will read:

Clerk hire: For compensation, to be fixed by the Secretary of Commerce, not to exceed $1,600 per annum for each person, of clerks in the offices of shipping commissioners, $35,900.

Mr. RANSDELL. I wish to say——

Mr. MARTIN of Virginia. I make the same point of order as to this amendment that I did as to the last amendment offered. It is, under the same rule, plainly out of order.

Mr. RANSDELL. What is the point of order? The amendment has been estimated for.

Mr. MARTIN of Virginia. The rule to which I refer is as follows:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation—

And so forth.

The amendment is plainly in contravention of that rule.

Mr. RANSDELL. This amendment is to carry out an existing law. It is to provide pay for the clerks in the office of the shipping commissioners, and there is certainly a law creating the shipping commissioners and providing clerks for them. This is merely to provide for one additional clerk.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Florida?

Mr. RANSDELL. I yield.

Mr. BRYAN. I should like to have the amendment again stated.

The PRESIDING OFFICER. The amendment will be again stated.

The Secretary again stated the amendment.

Mr. RANSDELL. Mr. President, this merely adds $900 to the appropriation. Its purpose is to provide for an additional clerk in this office. The Secretary of Commerce has asked for it, and the committee has taken testimony in regard to the matter.

Mr. MARTIN of Virginia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Virginia?

Mr. RANSDELL. I yield for a question.

Mr. MARTIN of Virginia. I simply want to withdraw the point of order. I think, on reading the remainder of the rule, the point I made was not well taken, and I do not wish to press it.

Mr. RANSDELL. I thank the Senator. I think the point of order was clearly wrong, and I hope the Senate will agree to the proposed appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Louisiana on behalf of his colleague.

The amendment was agreed to.

Mr. STERLING. Mr. President, I desire to call the attention of the committee to an item found on page 67 of the bill, line 7. It relates to the salary of the clerk of the assay office at Deadwood, S. Dak. The amount provided for in the bill is $1,000, while the amount of compensation for the clerk of every other assay office runs from $1,200 to $1,400. I do not see why there should be this discrimination. I should like to call the attention of the chairman of the committee to a statement made by the clerk of the Deadwood office himself. I read from a letter addressed to Representative BURKE, of South Dakota, by the present clerk of the Deadwood assay office, Mr. Jesse Simmons. Mr. Simmons, after referring to the salaries paid the clerks at Carson, Boise, Helena, and Deadwood, says:

This interests me very much, as I am the clerk in this office; doing the same work and having the same responsibilities as these other men. I would esteem it a very great personal favor if you will fix it for me to get an increase to $1,200—the amount this salary stood at for 14 or 15 years. I feel that I am being discriminated against—but probably not intentionally.

The duties of the office of the clerk at Deadwood are quite as onerous, I think, as they are at any of the other assay offices, and there is no other clerk who does not receive a salary of from $1,200 to $1,400.

Mr. MARTIN of Virginia. Will the Senator let me know whether this increase was estimated for? In looking at the Book of Estimates I find that $1,000 has been estimated for the pay of that office, and I know of no reason for increasing it, except that the clerk asks that it be done.

Mr. STERLING. I am aware of the fact, as I said to the chairman of the committee the other day, that the estimate was for only $1,000.

Mr. MARTIN of Virginia. Mr. President, I make the point of order against the amendment. I am compelled to do so, because we can not continue——

Mr. STERLING. I hope the Senator will see that this is a discrimination against this clerk, although, as the clerk himself says, he thinks it was unintentionally done. I hope the Senator from Virginia will not invoke the point of order against the proposed amendment.

Mr. MARTIN of Virginia. Mr. President, I feel compelled by a sense of duty to raise the point of order against these sums that we know nothing on earth about, except that the clerks want the increase. This clerk can wait for another year; and, if his case is meritorius, let the department in which he works investigate the matter and make a recommendation in regard to it. I am compelled to ask that this piling up of appropriations on this bill be stopped. I must, therefore, make the point of order and insist upon it.

Mr. STERLING. Mr. President, if the Senator will permit me, I will first make the motion to amend. I have not yet made the motion. I was merely making a preliminary statement, thinking that in consideration of the statement the chairman of the committee might not make the point of order.

I move that, in line 7, page 67, the figures "$1,000" be stricken out and that the figures "$1,200" be inserted in lieu thereof, so that it will read for the item "$1,200."

Mr. MARTIN of Virginia. I make the point of order that the item has not been estimated for.

The PRESIDING OFFICER. The Senator from Virginia makes the point of order that the proposed appropriation has not been estimated for.

Mr. STERLING. Mr. President, while I am on my feet, I desire to offer two other amendments, which I send to the desk in order that they may be considered together.

The PRESIDING OFFICER. The Chair sustains the point of order as to the Senator's first amendment. Now, the Senator from South Dakota offers a further amendment, which the Secretary will state.

The SECRETARY. On page 67, line 10, it is proposed to strike out the figures "$500" and insert in lieu thereof "$1,000," so that the line will read:

For incidental and contingent expenses, $1,000.

Mr. MARTIN of Virginia. I move that the amendment be laid on the table.

Mr. STERLING. Mr. President——

Mr. MARTIN of Virginia. Well, Mr. President, in order to save time, let the amendment go in the bill and let it be investigated by the conference committee, if that suits the Senator from South Dakota. I do not know whether or not it has any merit in it. The committee turned it down.

The PRESIDING OFFICER. Does the Senator withdraw his motion to lay the amendment on the table?

Mr. MARTIN of Virginia. I withdraw that motion.

Mr. STERLING. Did I understand the Senator to say that he would consent to let the amendment go in the bill?

Mr. MARTIN of Virginia. Let the amendment be adopted, with the understanding that it will have careful investigation; and if it is thought to be meritorious, I will try to hold it; but if I can not find any merit in it, I can not make a fight for it.

Mr. STERLING. That is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from South Dakota submits a further amendment, which the Secretary will state.

The SECRETARY. On page 67, line 9, it is proposed to strike out "$2,000" and insert "$2,400," so as to read:

For wages of workmen and other employees, $2,400.

Mr. STERLING. Mr. President, I will say that this amendment is of the same nature as the other. It relates to the expense of operating the assay office at Deadwood, S. Dak.

Mr. MARTIN of Virginia. Let it take the same course as the last amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JAMES. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Kentucky offers an amendment, which will be stated.

The SECRETARY. On page 8, line 22, after the words "Official Reporters," it is proposed to strike out "$2,000" and insert "$2,400," so as to read:

Clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the Official Reporters, $2,400.

The PRESIDING OFFICER. In the absence of objection, the amendment is agreed to.

Mr. BRANDEGEE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Connecticut proposes an amendment, which will be stated.

The SECRETARY. On page 73, line 10, before the word "clerks," it is proposed to insert "two translators, at $1,800 each," and on page 73, line 11, after the word "three," to strike out "twenty-six" and insert in lieu thereof "twenty-four."

Mr. BRANDEGEE. Mr. President, let me just say a word in explanation of the amendment.

Mr. MARTIN of Virginia. Mr. President, I ask the Senator if that has been estimated for? I can find no estimate for it whatever, and I make the point of order that it has not been estimated for.

Mr. BRANDEGEE. If the Senator will allow me one moment, this is an amendment which I submitted to the Senator yesterday, and the clerk of the committee found that it had been estimated for the year before.

Mr. MARTIN of Virginia. Exactly; but it is not estimated for now.

Mr. BRANDEGEE. And I understood the Senator to say that if the Senate cared to put the amendment on the bill he would not oppose it.

Mr. MARTIN of Virginia. I recall that there was such a conversation between the Senator and myself, and I withdraw the point of order. The Senate can do as it pleases with the amendment.

Mr. BRANDEGEE. All I ask, Mr. President, is that it shall be considered in conference. I will not press it if it is not found to be meritorious and if the department does not explain it satisfactorily.

Mr. MARTIN of Virginia. With that understanding, it can go into the bill, so far as I am concerned.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Connecticut.

The amendment was agreed to.

Mr. SMITH of Maryland. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 144, line 17, after the words "Chief justice," it is proposed to insert "$6,500."

Mr. SMOOT. I ask that the amendment be again stated.

The VICE PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 144, line 17, after the words "Chief justice," it is proposed to insert "$6,500," so as to read:

Supreme Court, District of Columbia: Chief justice, $6,500, and five associate justices, at $6,000 each.

Mr. BRYAN. Mr. President, I should like to ask the Senator if this increase has been estimated for?

Mr. SMITH of Maryland. Mr. President, I will say to the Senator that the amendment proposes to increase the salary of the chief justice of the Supreme Court of the District of Columbia from $6,000 to $6,500, the other justices to receive the amount at present paid them of $6,000 each. It is customary for the chief justice of a court to receive a slightly additional compensation to that received by the associate justices.

Mr. BRYAN. My question was, Has this increase been estimated for?

Mr. SMITH of Maryland. It has not.

Mr. BRYAN. I raise the point of order that it has not been estimated for.

The VICE PRESIDENT. The point of order is sustained.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SUNDRY CIVIL APPROPRIATIONS.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

Mr. LEWIS. Mr. President, will the Senator yield to me?

Mr. MARTIN of Virginia. When the sundry civil bill is laid before the Senate, if the Senator has a matter that will not occasion debate, I will yield to him.

The VICE PRESIDENT. The question is on the motion of the Senator from Virginia.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

CHANNEL OF CALUMET RIVER, ILL.

Mr. LEWIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Illinois?

Mr. MARTIN of Virginia. I will yield temporarily if it will not displace the sundry civil appropriation bill and if the matter which the Senator from Illinois desires to bring to the attention of the Senate does not lead to debate.

Mr. LEWIS. If debate shall ensue upon the matter which I wish to bring to the attention of the Senate, I will withdraw it. I would not like to interfere with the consideration of the appropriation bill.

Mr. President, I ask unanimous consent for the immediate consideration of the bill (H. R. 18745) in relation to the location of a navigable channel in the Calumet River in Illinois.

I will say that this is a bill which has passed the House and which has been recommended by the Committee on Commerce of this body. It merely authorizes the occupation of an old channel which has been abandoned by the Government. I am not aware of any opposition to it, but some formal authorization is required.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I will inquire if there is a report accompanying the bill?

Mr. LEWIS. There is, but I can state the facts to the Senator as I understand them.

Mr. President, the old channel of the Calumet River ran in a zigzag manner, so that it became necessary to straighten the channel. The property owners gave up their land in order that the work might be done and in consideration of the old channel being subject to occupation.

Now, the new channel has been completed; the old channel has been abandoned, and it is desired by the people of this little locality to occupy the old channel. As will be noticed, the bill merely authorizes the use of the old channel in lieu of the land given to make the new channel.

I must say that I am doing this as an accommodation to Representative MANN. I do not profess complete knowledge of the matter, and I am merely quoting from Mr. MANN. I would not like to state that I have personal knowledge of the matter.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Whereas by deeds dated May 4, 1887, and recorded in the recorder's office of Cook County, Ill., on April 6, 1889, in book 2497 of records, at page 219, and on April 8, 1889, in book 2481 of records, at page 271, respectively, the owners of the north quarter of fractional section 7, township 37 north, range 15 east of the third principal meridian, south of the Indian boundary line in Cook County, Ill., gave and granted unto the United States of America free and unobstructed right of way in and through the above-described ground 200 feet in width for purposes of a channel for the Calumet River, in accordance with the provisions of the act of Congress approved July 5, 1884, and in order to enable the United States to straighten the channel of the said Calumet River and conform to a survey and realignment of the channel lines of said river as adopted, established, and shown by plat approved by the Chief of Engineers of the United States Army and filed for record in the office of the recorder of deeds of Cook County, Ill., on the 17th day of May, 1889, as document No. 1102284, entitled "Map of the Calumet River, Ill., from Lake Michigan to Calumet Lake, to accompany report of W. G. Ewing, United States attorney, to the Attorney General, respecting cession of right of way for improvement of said river, under act of Congress approved July 5, 1884" (report dated January 24, 1888, and report dated February 12, 1889. William G. Ewing, United States attorney, northern district of Illinois); and

Whereas it is provided in the said deeds above referred to that "the shore or dock lines of said river as so established and shown on said plat shall hereafter for all purposes be taken as the true meandered lines of said stream"; and

Whereas a navigable channel has been cut through said north quarter of said fractional section 7 within the new channel lines of the Calumet River as shown on said map: Therefore

Be it enacted, etc., That the portion of the old channel of the Calumet River in the north quarter of fractional section 7, township 37 north, range 15 east of the third principal meridian, south of the Indian boundary line, in Cook County, Ill., which lies outside of the new channel lines, as established by the United States

and shown on "Map of the Calumet River, Ill., from Lake Michigan to Calumet Lake, to accompany report of W. G. Ewing, United States attorney, to the Attorney General, respecting cession of right of way for improvement of said river, under act of Congress approved July 5, 1884," is hereby abandoned as navigable water.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

ANNA MILLER.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Wyoming?

Mr. MARTIN of Virginia. I yield to the Senator from Wyoming. I understand that he desires to ask consideration for a House bill which will take but a few moments. If it does not lead to any discussion, I have no objection.

Mr. WARREN. It is a House bill of only 10 lines, and I will withdraw it if it leads to debate.

Mr. MARTIN of Virginia. That is agreeable, so far as I am concerned.

Mr. WARREN. Mr. President, I ask unanimous consent for the immediate consideration of the bill (H. R. 15557) for the relief of Anna Miller.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Anna Miller, of Glencoe, Wyo., $116, as full reimbursement for sums paid by her for carrying the United States mail between the railroad station and the post office at Glencoe, Wyo., from December 20, 1906, to January 6, 1908.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21318) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

Mr. MARTIN of Virginia. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the committee amendments to be first disposed of.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The first amendment of the Committee on Appropriations was, under the head of "Treasury Department," subhead "Public buildings, constructions, and sites," on page 4, after line 5, to insert:

Boise, Idaho, rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $10,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 8, to insert:

Charlotte, N. C., rent of buildings: Additional for rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $4,000.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

Concord, N. H., rent of buildings: Additional for rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $5,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 13, to insert:

Danville, Va., post office and courthouse: For completion of tower and installation of clock therein, $2,500.

The amendment was agreed to.

The next amendment was, on page 9, after line 18, to insert:

Harrisburg, Pa., rent of buildings: Additional for rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $4,200.

The amendment was agreed to.

The next amendment was, on page 12, after line 5, to insert:

Lincoln, Nebr., rent of buildings: Additional for rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $5,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 14, to insert:

Madison, Wis., rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $15,000.

The amendment was agreed to.

The next amendment was, on page 15, line 24, after the word "For," to strike out "completion, $400,000," and insert "continuation, $550,000"; so as to make the clause read:

New Haven, Conn., post office: For continuation, $550,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 6, to insert:

Newport, R. I., rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $12,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 14, to insert:

Oakland, Cal., post office and customhouse: For site, in accordance with value ascertained in condemnation proceedings, $51,750.

The amendment was agreed to.

The next amendment was, on page 17, after line 12, to insert:

Portland, Ind., post office: For completion, $18,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 13, to insert:

Portland, Oreg., post office: For continuation, $50,000: *Provided*, That the Secretary of the Treasury may, in his discretion, eliminate the installation of vacuum-cleaning and air-washing machinery, intercommunicating telephones and clock systems, etc., as set forth in section 6 of the public-buildings act approved March 4, 1913, but that the building shall, within the limit of cost as fixed, namely, $1,000,000, be completed with all the necessary and usual mechanical equipment and mail-conveying machinery, together with any other labor-saving devices, as the Secretary of the Treasury may deem necessary and desirable.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to insert:

Poughkeepsie, N. Y., rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $10,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 13, to insert:

Reading, Pa., rent of buildings: Additional for rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $5,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 19, to insert:

Sandusky, Ohio, rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $12,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 19, to insert:

Toledo, Ohio, rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $5,000.

The amendment was agreed to.

The next amendment was, on page 23, line 1, after the word "commencement," to strike out "$1,000" and insert "$21,000," so as to make the clause read:

Waynesville, N. C., post office: For commencement, $21,000.

The amendment was agreed to.

The next amendment was, on page 23, line 16, after the word "continuation," to strike out "$220,000" and insert "$200,000," so as to make the clause read:

Wilmington, N. C., customhouse and appraisers' stores: For continuation, $200,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 9, to insert:

Connecting parkway between Rock Creek and Potomac Parks: That the commission created by section 22 of the public buildings act approved March 4, 1913, for the purpose of acquiring land for a connecting parkway between Potomac Park and Zoological Park shall have power, in its discretion, so to amend the map on file in the office of the engineer commissioner of the District of Columbia, dated May 17, 1911, as to exclude lands not needed and to include lands needed for the execution of a plan for the said parkway approved by the Commission of Fine Arts: *Provided*, That the total area of lands finally to be acquired for said parkway shall not exceed the area authorized to be acquired by said act: *Provided further*, That the said commission is hereby authorized to settle and compromise all questions and controversies between the United States and adverse claimants of titles to lands within or adjacent to the area desired for said parkway, subject to the approval of the Attorney General of the United States, who may, in such settlement and compromise, or in any condemnation proceedings requested by said commission, exercise the power in him conferred by sections 363, 364, and 365 of the Revised Statutes of the United States, any provision of law to the contrary notwithstanding: *Provided further*, That any changes herein authorized shall first be approved by the Commission of Fine Arts.

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings, repairs, equipment, and general expenses," on page 26, line 4, after the word "thereto," to insert "and the Secretary of the Treasury is authorized, in his discretion, to dispose of said wharf and warehouse upon such terms and conditions as may be for the best interests of the United States," so as to read:

Repairs and preservation: For repairs and preservation of all completed and occupied public buildings and the grounds thereof, under the control of the Treasury Department, and for wire partitions and fly screens therefor, Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto, buildings and wharf at Sitka, Alaska, and the Secretary of the Treasury may, in renting said wharf, require that the lessee shall make all necessary repairs thereto, and the Secretary of the Treasury is authorized, in his discretion, to dispose of said wharf and warehouse upon such terms and conditions as may be for the best

interests of the United States, for care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; for repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per cent of the annual rentals of such buildings.

Mr. MARTIN of Virginia. Mr. President, I think there should be a semicolon added after "United States."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the word "United States," on line 7, in the committee amendment, it is proposed to insert a semicolon.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Coast Guard," on page 35, line 14, after the word "fuel," to insert "and water," so as to make the clause read:

For fuel and water for vessels, stations, and houses of refuge, $277,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 13, to insert:

Ten per cent of the foregoing amounts shall be available interchangeably for expenditure on the objects named, but no more than 10 per cent shall be added to any one item of appropriation.

The amendment was agreed to.

The next amendment was, on page 36, after line 23, to insert:

To purchase or construct a harbor boat for the Coast Guard to replace the *Hartley* at San Francisco, Cal., $9,000.

The amendment was agreed to.

The next amendment was, under the subhead "Engraving and Printing," on page 37, line 4, before the word "million," to strike out "seventy-four" and insert "ninety"; and in line 9, after the word "stamps," to strike out "two hundred" and insert "two hundred and thirty-nine," so as to make the clause read:

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1916 of not exceeding 90,000,000 delivered sheets of United States currency, 13,500,000 delivered sheets of national-bank notes and Federal reserve currency, 90,000,000 delivered sheets of internal-revenue stamps, 8,000,000 delivered sheets of emergency-revenue stamps, 239,000 delivered sheets of customs stamps, 4,225,000 delivered sheets of opium orders and special tax stamps required under act of December 17, 1914, and 1,600,500 delivered sheets of checks, drafts, and miscellaneous work, as follows:

The amendment was agreed to.

The next amendment was, on page 37, line 17, after the word "assistants," to strike out "$1,300,000" and insert "$1,521,600"; and in line 19, after the word "Treasury," to strike out "including $8,400 for custody of dies, rolls, and plates," so as to make the clause read:

For salaries of all necessary employees, other than plate printers and plate printers' assistants, $1,521,600, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denomination than those that may be canceled or retired, except in so far as such printing may be necessary in executing the requirements of the act "To refine and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900.

The amendment was agreed to.

The next amendment was, on page 38, line 7, after the word "employed," to strike out "$1,561,421" and insert "$1,801,059," so as to make the clause read:

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants, when employed, $1,801,059, to be expended under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, on page 38, line 22, after the words "horse-drawn," to strike out "passenger-carrying," and in line 23, after the word "Treasury," to strike out "$615,526" and insert "$657,526," so as to make the clause read:

For engravers' and printers' materials and other materials except distinctive paper, miscellaneous expenses, including paper for internal-revenue stamps, and for purchase, maintenance, and driving of necessary motor-propelled and horse-drawn vehicles, when, in writing, ordered by the Secretary of the Treasury, $657,526, to be expended under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous objects, Treasury Department," on page 40, after line 9, to insert:

Expenses of refunding United States bonds under section 18 of Federal reserve act: To enable the Secretary of the Treasury to prepare for the refunding provided by section 18 of the Federal reserve act of 2 per cent bonds of the United States into one-year 3 per cent Treasury notes or 30-year 3 per cent United States bonds, and to make such conversions as may be authorized during the fiscal year 1916, $25,000.

The amendment was agreed to.

The next amendment was, on page 41, line 24, before the word "million," to strike out "seventy-three" and insert "ninety," and on page 42, line 5, after the word "Treasury," to strike out "$415,000" and insert "$488,950," so as to make the clause read:

Distinctive paper for United States securities: For distinctive paper for United States currency, not less than 90,500,000 sheets, and for national-bank currency and Federal reserve bank currency, not less than 13,500,000 sheets, including transportation, traveling, mill, and other necessary expenses, salaries of not exceeding 1 register, 2 assistant registers, 5 counters, 5 watchmen, and 1 skilled laborer, and expenses of officer detailed from the Treasury, $488,950.

The amendment was agreed to.

The next amendment was, on page 42, after line 6, to insert:

Custody of dies, rolls, and plates: For custody of dies, rolls, and plates used at the Bureau of Engraving and Printing for printing Government securities: Custodians—2 at $2,000 each; distributors of stock—1 $1,600, 2 at $1,400 each; in all, $8,400

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 45, after line 19, to insert:

The unexpended balances of the appropriations for "Hygienic Laboratory, Public Health and Marine-Hospital Service" (grading and retaining wall), and "Building, Hygienic Laboratory" (additional building for research work, disinfection, experiments, and housing animals), are hereby reappropriated and made available "For building and grounds, including such fittings and furnishings as are necessary to permit of the use of the structure for the purpose for which it was planned."

The amendment was agreed to.

The next amendment was, in the item of appropriation for the quarantine service, on page 47, line 18, after the word "action," to strike out "$155,000" and insert "$160,000," so as to make the clause read:

Newport, Coos Bay, and Gardner, Oreg.; Port Townsend and supplemental stations thereto; quarantine systems of Alaska, the Hawaiian Islands including the leprosy hospital, and Porto Rico; and including and not exceeding $500 for printing on account of the quarantine service at times when the exigencies of that service require immediate action, $160,000.

The amendment was agreed to.

The next amendment was, on page 48, line 9, after the word "service," to strike out "$200,000" and insert "$225,000," so as to make the clause read:

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, $225,000.

The amendment was agreed to.

The next amendment was, under the head of "Smithsonian Institution," at the top of page 52, to insert:

George Washington Memorial Building: The limit of time for beginning the erection of the George Washington Memorial Building, provided in the act entitled "An act to increase the limit of cost of certain public buildings," etc., approved March 4, 1913 (37 Stats., 881), is hereby extended to March 4, 1917.

The amendment was agreed to.

The next amendment was, on page 52, after line 8, to insert:

Navajo National Monument, Arizona: For preservation and repair of prehistoric pueblo ruins and cliff dwellings, under supervision of the Smithsonian Institution, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Interstate Commerce Commission," on page 54, line 11, after the word "Columbia," to strike out "$3,000,000" and insert "$1,900,000," so as to make the clause read:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities," approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $15,000 for rent of buildings in the District of Columbia, $1,900,000.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 57, after line 1, to insert:

SECRETARY'S OFFICE.

To continue under the direction of the Secretary of War, as provided in the act approved March 2, 1913 (37 Stat. L., p. 723), the work of collecting or copying and classifying, with a view to publication, the scattered military records of the Revolutionary War, to be immediately available and to remain available until expended, $25,000.

The amendment was agreed to.

The next amendment was, on page 57, after line 16, to insert:

For one tin shop, $72,000.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

Extension of lumber shed, $22,500.

The amendment was agreed to.

The next amendment was, on page 57, line 19, after the words "In all," to strike out "$21,000" and insert "$115,500," so as to make the clause read:

In all, $115,500.

The amendment was agreed to.

The next amendment was, on page 58, after line 5, to insert:

The unexpended balance of the appropriation of $3,600 for a system of semaphore signals for the protection of the draw span of the bridge at the Rock Island Arsenal, made in the sundry civil appropriation act for the fiscal year 1915, shall continue available during the fiscal year 1916.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 70, line 12, after the word "repair," to insert "exchange," and in line 13, after the words "operation of," to insert "one delivery wagon," so as to make the clause read:

For improvement, care, and maintenance of various reservations, including maintenance, repair, exchange, and operation of one delivery wagon, one horse-drawn and two motor-propelled passenger-carrying vehicles to be used only for official purposes, $30,000.

The amendment was agreed to.

The next amendment was, under the subhead "Commission of Fine Arts," on page 75, line 11, after the word "commission," to strike out "$5,000" and insert "$6,000," so as to make the paragraph read:

Commission of Fine Arts: To meet the expenses made necessary by the act approved May 17, 1910, entitled "An act establishing a Commission of Fine Arts," including the purchase of periodicals, maps, and books of reference, to be disbursed, on vouchers approved by the commission, by the officer in charge of public buildings and grounds, who shall be the secretary and shall act as the executive officer of said commission, $6,000.

The amendment was agreed to.

The next amendment was, under the subhead "National Home for Disabled Volunteer Soldiers," on page 84, after line 11, to insert:

For sea wall and back filling Johns Creek, $31,834.

The amendment was agreed to.

The next amendment was, on page 84, line 13, after the words "In all," to strike out "$362,200" and insert "$394,034," so as to make the clause read:

In all, $394,034.

The amendment was agreed to.

The next amendment was, on page 89, line 8, after the word "Soldiers," to strike out "$3,831,009.50" and insert "$3,862,843.50," so as to make the clause read:

In all, National Home for Disabled Volunteer Soldiers, $3,862,843.50.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," subhead "Public buildings," on page 91, line 18, before the word "Building," to strike out "old Post Office Department" and insert "General Land Office," so as to make the clause read:

Repairs of buildings, Interior Department: For repairs of Interior Department and Pension Buildings, and of the General Land Office Building, occupied by the Interior Department, including preservation and repair of steam-heating and electric-lighting plants and elevators, $40,000, of which sum not exceeding $7,500 may be expended for day labor, except for work done by contract.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses in Alaska," on page 114, after line 4, to insert:

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, to be immediately available, $75,000.

The amendment was agreed to.

Mr. JONES. Mr. President, in connection with the amendment just adopted I ask permission to insert in the RECORD an extract from a letter of the United States district judge, Hon. Fred M. Brown, of Valdez, Alaska; also an extract from the report of the Commissioner of Education for 1913; also a brief extract marked here from an address by Mr. M. K. Sniffen before the Lake Mohonk conference, and also extracts from pages 15, 16, 17, and 36 of the report of the governor of Alaska for 1914, what I have marked with reference to it.

I wish to express the hope that the conferees will be able to retain this amendment in their report, because I think an examination of the reports and records will show that our treatment of the natives of Alaska is little short of shameful. In a paragraph on the same page we have provided $20,000 for the protection of game in Alaska, and we certainly ought to provide some medical service for the natives there. I ask that what I have sent to the desk may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[Extracts from letter from Hon. Fred M. Brown, United States district judge, Valdez, Alaska, to the Secretary of the Interior, December 1, 1914.]

In charge of the "floating court" aboard the U. S. revenue cutter *McCulloch* during the past summer, I visited many places along the westerly coast of Alaska remote from ordinary routes of travel and found such deplorable conditions existing among the natives in many places that I conceive it to be my duty to call attention to it in the hope that such conditions may be bettered.

Many are dying from tuberculosis and other diseases, no doubt largely the result of exposure to cold and wet and insufficient food and clothing, as well as places of habitation. In some places their condition is so utterly abject and wretched that it is a disgrace to humanity that it should be permitted; even animals would not be permitted to suffer and die as these poor wretches are doing.

The Department of Education, under whose charge these natives are placed, have no doubt done all that has been possible with the very limited appropriations made available for such use.

* * * * * * *

It would take too long to describe these conditions in detail, but they are such as shock every sense of decency and right, and I earnestly hope that measures may be at once taken to relieve this situation.

I respectfully urge that an appropriation be made to relieve the immediate physical necessities of these natives without delay.

Very respectfully,

FRED M. BROWN,
United States District Judge.

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[From Report of Commissioner of Education, 1913, vol. 1, p. 638.]

RECOMMENDATIONS.

1. Medical relief: Adequate and special provisions for the medical and sanitary relief of the Eskimos, Indians, Aleuts, and other natives of Alaska is imperative. Most of these natives live in villages far away from any white settlement in which there is a practicing physician, and must depend on Government physicians, nurses, and teachers for ordinary medical attention and care. The use of part of the educational appropriation for medical relief is an emergency measure dictated by the absolute necessity for action. The entire appropriation is urgently needed for the support of the schools and to promote the industrial development of the natives. Under a decision of the comptroller this appropriation can not be used in erecting hospitals. Without hospitals for the segregation and proper care of natives afflicted with tuberculosis, trachoma, and other communicable diseases it is impossible to reduce their prevalency. An appropriation of at least $125,000 is needed to establish medical service among the natives of Alaska with an efficient organization. This is a matter of vital importance not only to the natives but also to white settlers in Alaska.

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CONDITIONS AMONG CERTAIN NATIVE TRIBES OF ALASKA.

[Address by Mr. M. K. Sniffen, recording secretary Indian Rights Association.]

* * * * * * *

The Alaska Division of the Bureau of Education exercises jurisdiction over the natives of the Territory. It is a pleasure for me to bear testimony to the splendid work that bureau is attempting to do for the 30,000 Indians and Eskimos under very adverse circumstances. Over 70 schools are maintained, and several hospitals have been established. In order that the extent of the bureau's work may be understood, let me remind you that Alaska is one-fifth as large as the United States, and that the entire coast line is probably a matter of 20,000 miles, for which vast field the bureau has but $200,000 annually. For a country where extravagant prices are charged for everything it is necessary to economize even to paying some of the teachers eight or nine months for a year's work. The Army gives its soldiers extra pay and additional allowance for Alaska service, but many of the bureau's employees do not receive normal wages. To do the work required in Alaska the appropriation should be at least $500,000.

The Public Health Service loaned Dr. Krulish, one of its physicians, to the Alaska bureau to go over the Territory. He made a thorough investigation and a report on health conditions of the natives, showing a deplorable situation calling for urgent action. Congress was asked for an appropriation to enable the bureau to do effective medical work, but not a dollar was granted. If the ravages of tuberculosis, trachoma, and kindred diseases are to be effectively checked or eradicated, favorable action should be promptly taken by Congress on the recommendations of Dr. Krulish. Otherwise the number of natives of Alaska in need of education and Christianity will be a diminishing quantity.

* * * * * * *

5. The establishment of a number of small hospitals in charge of competent physicians.

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[From the Report of Governor of Alaska, 1914.]

PUBLIC HEALTH AND HEALTH CONDITIONS.

Among the native population, however, diseases of various kinds are widespread, this being especially true in remote sections, in some parts of southwestern Alaska and the eastern shore of Bering Sea, where such things as sanitation and hygiene are unknown. Tuberculosis is the principal disease, and there is no doubt that if not eradicated in the near future it will exterminate the natives well within the present century. According to the 1913 report of Dr. Emil Krulish, United States Public Health Service, detailed for service in Alaska under the Commissioner of Education, 15 per cent of the native population is affected with tuberculosis, including all forms, and both the active and latent type, while in 7 per cent it is present in the active stage. The home conditions are responsible for this infection, says Dr. Krulish, for in the crowded, unventilated rooms "all eat from the same dish, drink from the spout of the same teapot, use the same towel, and expectorate upon the same floor." It is there that the principal danger of con-

tagion exists, and it is there that tuberculosis, trachoma, and other diseases are frequently contracted.

During the present summer Rev. J. H. Condit, an Alaskan missionary of many more years residence, visited many native villages of southwestern Alaska and the eastern coast of Bering Sea. He describes conditions among the natives in those sections as little short of horrible. Disease, suffering, and death are everywhere apparent, neither age nor sex being exempt. Sanitation and hygiene in any form are absolutely unknown; little medical relief can be obtained, nor are there hospitals to care for the sick and diseased. Crippled children are numerous and death stalks everywhere. A devoted physician is found here and there at wide intervals who endeavors to alleviate the suffering that he finds, but handicapped as he is, he can render but insufficient relief. Dr. Condit found children 4 and 5 years old who had never learned to walk; they were the victims of disease and neglect, of hunger, dirt, and cold. Missionary societies can not cope with these conditions, notwithstanding the fact that missionaries, teachers, and physicians show painstaking devotion to the welfare of the native people among whom they are stationed. Medical relief is necessary and urgent, the present medical service being entirely inadequate. Hospitals are indispensable for the proper treatment of cases. Those now in use are few and unsuited for the treatment of the sick. Their number should be materially increased and they should be located at points where they will serve the needs of the greatest number of the native people throughout the Territory.

The natives of Alaska have at all times received but scant consideration from the Government, except in the matter of appropriations by Congress for their education. They are, as a rule, self-supporting; they have to be or they would inevitably die of starvation. The Government provides schools for them, in which good work is being done, the teachers of these schools giving attention to sanitation and hygiene in the schools as also in the native villages where schools are maintained, but necessarily their efforts in the latter direction are limited by existing conditions which they are unable to control. The only way by which the medical problem can be solved is, therefore, by the establishment of well-equipped hospitals, the employment of physicians and nurses, the isolation of the infected, and the thorough education of the natives in hygiene and sanitation. The establishment of a number of hospitals along the Pacific coast of Alaska and the Bering Sea coast and on the Yukon River, at convenient points, is indispensable if these people are to have the medical care and attention to which they are entitled from a humanitarian standpoint. The case of the native is not yet hopeless, nor will it be if prompt steps be taken to save him from the ravages of the many diseases to which he seems to be heir. The peopling of the Territory by white men, while it has given the native some new avenues of employment, can not be said to have increased his means of making a livelihood; each succeeding year the old native finds it more difficult to provide for himself, and while the Government has provided schools for the education of the natives, and reindeer herds in some sections for their sustenance, much that is vital to their welfare, even their very existence, remains to be done. They are just as much in need of medical treatment as they are of education, perhaps more so; at any rate, education and medical treatment are inseparable and are essential factors to their welfare. If the natives are taught to live under sanitary and hygienic conditions, a long step forward will have been made, and with sound bodies the natives will then profit much more largely by education and will be more thoroughly equipped to become self-supporting, self-respecting citizens.

* * * * * * *

NATIVE INHABITANTS.

The health conditions existing among the native inhabitants in some sections of southwestern Alaska and along the southern and eastern shores of Bering Sea have been referred to elsewhere in this report. These conditions are such as call for immediate remedy. In southern Alaska, in the central Pacific region, and in the interior conditions among the natives physically and from a health standpoint are better than in the districts named above. This is particularly true of the natives of southeastern Alaska, who are generally industrious and self-supporting, and some of them are advancing rapidly in the ways of civilization. Many of them occupy fairly comfortable homes, and the sanitary conditions of houses and villages show improvement. This improved condition is due to the work of teachers and physicians who are under the direction of the Bureau of Education and the missions which are maintained by a number of religious denominations. There is, however, still much need for effective work along sanitary and hygienic lines. Hospitals for the care of diseased natives should be provided and maintained by the Federal Government at central points, where those needing medical and surgical attention could be conveniently assembled at a minimum expense. Some provision should also be made for furnishing aid to the aged natives, some of whom are found in nearly every native community and who are unable to earn a livelihood. The necessity for the construction, equipment, and maintenance of hospitals and for the proper care of indigent natives is urgent.

The next amendment was, under the subhead "National parks," on page 115, line 21, after the date "1914," to strike out "$40,000" and insert "$75,000," so as to read:

Glacier National Park, Mont.: For administration and improvement, construction of roads, trails, bridges, and telephone lines and the repair thereof, including necessary repairs to the road from the old town of St. Marys through that part of the Blackfeet Indian Reservation east of lower St. Marys Lake to a point in or near section 35, township 36 north, range 15 west, on the boundary line between the Glacier National Park and the Blackfeet Indian Reservation, authorized by the sundry civil act of August 1, 1914, $75,000.

The amendment was agreed to.

The reading was continued to line 12, on page 117.

Mr. THOMAS. Is it in order to offer an amendment to the bill at present?

The VICE PRESIDENT. Not until the committee amendments have been disposed of.

The reading was continued. The next amendment was, on page 118, after line 21, to insert:

HOWARD UNIVERSITY.

For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than $1,500 shall be used for normal instruction, $65,000;

For tools, materials, fuel, wages of instructors, and other necessary expenses of the department of manual arts, $12,000;

For books, shelving, furniture, and fixtures for the libraries, $1,500;

For improvement of grounds and repairs of buildings, to be immediately available, $10,000;

Medical department: For part cost of needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, $7,000;

For material and apparatus for chemical, physical, and natural-history studies and use in laboratories of the new science hall, including cases and shelving, $2,000;

For fuel and light: For part payment for fuel and light, Freedmen's Hospital and Howard University, including necessary labor to care for and operate the same, $3,500;

In all, $101,000.

Mr. HARDWICK. Mr. President, in behalf of the Senator from Mississippi [Mr. VARDAMAN], who is necessarily absent from the Chamber on account of illness, I desire to make a point of order against this amendment. It is that this legislation is obnoxious under the rule because not authorized by law, and also that the appropriation is not estimated for.

Mr. MARTIN of Virginia. It is estimated for. The Senator is mistaken.

Mr. HARDWICK. I merely state what was stated to me by the Senator from Mississippi.

Mr. SMOOT. I will say that it is estimated for, and the same appropriations have been made for years and years.

Mr. HARDWICK. That would not affect the whole point of order. I think it may be there is another answer to the point of order, but that is not it.

Mr. MARTIN of Virginia. The point of order the Senator makes is that it has not been estimated for. I can assure him——

Mr. HARDWICK. I was mistaken.

Mr. MARTIN of Virginia. The Senator is mistaken about that.

Mr. HARDWICK. But the proposition is not authorized by existing law.

Mr. MARTIN of Virginia. That does not make it out of order. It has been duly estimated for. Very few of the appropriations are provided for by existing law—not one in a hundred.

Mr. HARDWICK. The answer suggested by the Senator from Utah——

Mr. SMOOT. It was simply stated as an argument.

Mr. HARDWICK. I merely, at the request of the Senator from Mississippi, submit the point of order. I promised to do it.

The VICE PRESIDENT. What is the point of order?

Mr. HARDWICK. That it is obnoxious to the rules in that it is not authorized by existing law. I state it in the language he requested me to use.

The VICE PRESIDENT. The Chair has some difficulty in hearing the Senator from Georgia.

Mr. HARDWICK. I will state it over again, and as requested by the Senator from Mississippi. I made the point of order that this appropriation for Howard University is obnoxious to the rule in that it was not estimated for, but the Senator from Virginia relieved that part of it, because he said that is a mistake, that it is estimated for; and I make the further point of order that it is obnoxious to the rule in that it is not authorized by existing law.

The VICE PRESIDENT. There is not any such rule.

Mr. HARDWICK. Still I make it at the request of the Senator from Mississippi, who is absent, and in the form that he wanted to have it presented.

The VICE PRESIDENT. There is no such rule, so the point of order is overruled.

Mr. HARDWICK. Mr. President, on the merits of the proposition I wish to make some observations. I wish to inquire of the Senator in charge of the bill the reason for this appropriation? Have we maintained in the District of Columbia a policy of making appropriations for any colleges except this one?

Mr. MARTIN of Virginia. I do not remember about appropriations for colleges. I know this one has been appropriated for for many years.

Mr. HARDWICK. Is there any other one maintained here by the Government?

Mr. MARTIN of Virginia. I do not recall another one. This, as the Senator knows, is for colored people.

Mr. HARDWICK. I know that.

Mr. MARTIN of Virginia. A helpless class of our population, those whose necessities have appealed to philanthropic people all over the United States. The National Government undertook to do something for the education of the colored race by establishing this institution of learning here, and Congress has been appropriating for it every year for many years. As a southern man, living all my life with the colored people, I will say there is nothing which appeals more strongly to me than

this appropriation. I think it ought to be maintained, and I am sure the Senate will maintain it.

Mr. HARDWICK. Mr. President, I suppose in a way I have gotten the information I asked for. I want to be accurate in what I am about to say. My objection to this appropriation is based on the proposition that although we have a number of higher educational institutions in this city for the white race, the Government makes no appropriation for any one of them. If I am wrong about that I want to be corrected.

Mr. MARTIN of Virginia. If the Senator will excuse me for interjecting just a few words here, I do not know of an appropriation made for an institution for white people in the city of Washington, but we appropriate for the cause of education to white people throughout the United States hundreds of times more than we do for the colored people. We have made this little appropriation for the colored people in the city of Washington, which is a mere pittance as compared with the appropriations we make throughout the United States for institutions where the colored people are not admitted.

Mr. HARDWICK. Mr. President, I do not know whether the Senator is accurate in that statement or not. If we make any appropriations for educational purposes throughout the United States from the Federal Treasury, I am not apprised of it.

Mr. MARTIN of Virginia. We do, for the agricultural and mechanical colleges in every State in the Union.

Mr. HARDWICK. Yes; we have land-grant colleges.

Mr. MARTIN of Virginia. And the colored people are not admitted to them.

Mr. HARDWICK. I think they are.

Mr. MARTIN of Virginia. They are not in my State.

Mr. HARDWICK. They are not in my State, but I suppose in a majority of the States they are admitted.

Mr. MARTIN of Virginia. They may be theoretically admitted in some of the northern States, but practically they do not enter those institutions anywhere. I trust the Senator from Georgia can see his way clear to permit this little pittance to go to the colored people for their education and betterment, when it is a mere bagatelle as compared with the amount appropriated out of the public money in different parts of the United States for institutions for the whites.

Mr. SHAFROTH. Will the Senator from Virginia state about how much money we appropriate for agricultural colleges for the whites?

Mr. MARTIN of Virginia. I am sorry, but I do not carry those figures in my head.

Mr. SHAFROTH. Is it not some millions of dollars?

Mr. MARTIN of Virginia. Yes; many millions of dollars.

Mr. SMOOT. Many millions.

Mr. RANSDELL. A good many millions.

Mr. NELSON. Will the Senator from Georgia allow me?

Mr. HARDWICK. I yield to the Senator from Minnesota.

Mr. NELSON. Under existing laws agricultural colleges in each State get $50,000 a year. They originally got $25,000. Some years ago on my motion that was increased at the rate of $5,000 a year until it reached the sum of $50,000 in all. In addition to that, there is $50,000 appropriated to every State for experimental stations, so that to-day under State laws each State gets for experimental stations and for agricultural colleges $100,000 from the Federal Government. That is the existing law and it has been so for years. Originally the appropriation for experimental stations was $25,000. Some years ago, at the instance of a Representative in the other House from Wisconsin, whose name I can not recall, that was increased $25,000.

Mr. HARDWICK. If the Senator will pardon me, the Representative was Congressman Adams, of Wisconsin.

Mr. NELSON. Representative Adams. That is correct. The other law, the law giving agricultural colleges $25,000 a year, was increased some years ago under an amendment offered by myself in the Senate, so that each State now gets for these two purposes $100,000 a year.

Mr. HARDWICK. Still, the proposition I had in my mind to start on is not changed by any of these observations. These agricultural colleges—these land-grant colleges—throughout the States, at least in most of the States, are open to both races. There is certainly no racial question involved in those appropriations. I do not seek to raise any by the question I raise now, except in this way: I do not see why and I have not yet heard a reason advanced——

Mr. NELSON. Will the Senator allow me to make a further statement?

Mr. HARDWICK. I will, with pleasure.

Mr. NELSON. In addition to that, many years ago—I do not recall the date—a land grant of 30,000 acres was given for each Member of Congress. Those States that had public lands in their midst located the land and got it; those that did not got land scrip as an equivalent for it. Thirty thousand acres, as I recall it, were given for each Member of Congress.

Mr. HARDWICK. I referred just now to the land-grant colleges. Of course they are aided from the Federal Treasury or from the proceeds of the public domain. But this is what is bothering me about this appropriation: We have a number of institutions for the higher education of the white race in the District of Columbia, and, unless the Senator from Virginia is lacking in information, we appropriate not one cent for their maintenance.

Mr. MARTIN of Virginia. I am sure that is right. There is no doubt about that.

Mr. HARDWICK. We appropriate not one cent for their maintenance or support. Of course it is a part of the duty of the Federal Government—it is the sole duty at present of the Federal Government—to make appropriations for the various forms of education in the District of Columbia. Therefore these appropriations might well be justified if other appropriations were granted to the people of the white race for their education in the higher branches of study in Washington and the District of Columbia. But I have not yet heard the reason for this appropriation being made purely, entirely, solely, and exclusively for the people of one race, and to a college that is maintained only for that race.

The suggestion made by the Senator from Virginia that it is necessary to educate these people and therefore the corollary that might be drawn from it that they are benefited by the kind of education they get at Howard University might open a very wide and interesting field of debate. I do not know whether it is to their best interest to have this sort of education or not. In fact, I have always doubted it. I do not know what the Senator's views are upon that question.

While I have no disposition to hold up the Senate at this time and no desire to do anything except to record my own dissent, certainly I am opposed to this appropriation, greatly opposed to it, unless at least the same thing is done for our own race in the District of Columbia. I believe we ought to have impartial treatment about this matter, to say the least of it. If I were to express in the Senate frankly my own view, I would say that this money appropriated to this colored university is worse than wasted, in my judgment. I do not believe it does any good. I am inclined to think it does harm. Be that as it may, other Senators may not agree to that view of the question, but I do not see how any Senator on either side of the Chamber can seriously contend that we ought to make this appropriation while denying it to others. For that reason I am opposed to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Miscellaneous objects, Department of Justice," on page 121, after line 16, to strike out:

Defending suits in claims against the United States: For necessary expenses incurred in the examination of witnesses and procuring of evidence in the matter of claims against the United States and such other expenses as may be necessary in defending suits in the Court of Claims, including not exceeding $500 for law books, to be expended under the direction of the Attorney General, $17,000.

Defense in Indian depredation claims: For salaries and expenses in defense of the Indian depredation claims, including not exceeding $6,000 for salaries of necessary employees in Washington, D. C., to be expended under the direction of the Attorney General, $13,000.

And in lieu thereof to insert:

Defending suits in claims against the United States: For defraying the necessary expenses incurred in the examination of witnesses and procuring of evidence in the matter of claims against the United States and such other expenditures as may be necessary in defending suits in the Court of Claims, including the defense in Indian depredation claims, not exceeding $1,000 of which may be expended for law books, to be expended under the direction of the Attorney General, $32,000: *Provided*, That said appropriation need not be apportioned as required by the provisions of section 3679, Revised Statutes, as amended February 27, 1906 (34 Stats. L., 49): *Provided further*, That not exceeding $8,250 of said appropriation shall be available for the payment of salaries of necessary employees in Washington, D. C.

The amendment was agreed to.

The next amendment was, on page 126, line 7, after the word "therewith," to strike out "$50,000" and insert "$75,000," so as to make the clause read:

Protecting interests of the United States in suits affecting Pacific railroads: To enable the Attorney General to represent and protect the interests of the United States in matters and suits affecting the Pacific railroads, and for expenses in connection therewith, $75,000.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 126, after line 8, to insert:

To pay the widow of Horace H. Lurton, late a justice of the Supreme Court of the United States, $14,500.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," subhead "Coast and Geodetic Survey," on page 141, line 12, after the word "expenses," to strike out "$355,400" and insert "$380,400," so as to make the clause read:

In all, field expenses, $380,400.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Fisheries," in the item of appropriation for the commissioner's office, on page 144, line 22, before the words "assistant architect," to insert "civil engineer, $2,000," and in line 24, after "$1,600," to insert "clerk to deputy commissioner, $1,200," so as to read:

Commissioner's office: Commissioner, $6,000; deputy commissioner, $3,500; assistants in charge of divisions—fish culture $2,700, inquiry respecting food fishes $2,700, statistics and methods of fisheries $2,500; assistants—one in charge of office $2,500, one $2,500, one $1,800, one $1,600, two at $1,200 each, two at $900 each; fish pathologist (to be appointed by the Secretary of Commerce), $2,500; architect and engineer, $2,200; civil engineer, $2,000; assistant architect, $1,600; draftsman, $1,200; accountant, $2,100; librarian, $1,500; superintendent of car and messenger service, $1,600; clerk to deputy commissioner, $1,200.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the commissioner's office, on page 145, line 9, after the words "in all," to strike out "$100,380" and insert "$103,580," so as to read:

Five janitors and messengers, at $720 each; janitress, $480; messenger boy, $360; four charwomen, at $240 each; in all, $103,580.

The reading of the bill was continued to the end of line 12, on page 151, the last clause read being as follows:

For officers and crew of vessel for Alaska fisheries service, $16,000.

Mr. POINDEXTER. Mr. President, I should like the chairman of the Committee on Appropriations to accept an amendment at that point to make the $16,000 appropriated immediately available. The Bureau of Fisheries has bought and paid for a vessel——

Mr. MARTIN of Virginia. I trust the Senator from Washington will wait until we get through with the committee amendments, and he can then offer his amendment. I do not feel at liberty to accept the amendment which he now proposes, as the committee did not recommend it.

Mr. POINDEXTER. I had overlooked the fact that we are now only considering committee amendments. I will bring up the matter again.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 152, line 15, after the word "therewith," to strike out "$60,000" and insert "$75,000, $5,000 of which to be immediately available," so as to make the clause read:

Maintenance of vessels: For maintenance of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, and all other necessary expenses in connection therewith, $75,000, $5,000 of which to be immediately available.

Mr. MARTIN of Virginia. On page 152, line 15, before the words "of which," I move to amend the committee amendment by striking out "$5,000" and insert "$10,000," so that it will read "$10,000 of which to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 153, line 20, after the word "therewith," to strike out "$65,000" and insert "$75,000," so as to make the clause read:

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, and for all expenses necessary to carry out the provisions of the act approved April 21, 1910, entitled "An act to protect the seal fisheries of Alaska, and for other purposes," and for the protection of the fisheries of Alaska, including travel, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, $75,000.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 159, after line 4, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $55,000.

The amendment was agreed to.

The next amendment was, on page 159, after line 9, to insert:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, etc., $5,000.

The amendment was agreed to.

The next amendment was, on page 159, after line 13, to insert:

For the Capitol: For repairs, improvements, and equipment for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended by the Superintendent of the Capitol Building and Grounds, under the supervision of the Committee on Rules, United States Senate, $17,500.

The amendment was agreed to.

The next amendment was, under the head of "The Panama Canal," on page 170, line 24, after the word "reference," to strike out "$1,000," so as to read "law books not exceeding $500, textbooks and books of reference."

The amendment was agreed to.

The next amendment was, under the head of "Panama Canal," on page 175, line 19, after the word "Government," to strike out "as follows: From" and insert "from," so as to read:

In addition to the foregoing sums, there is appropriated, for the fiscal year 1916, for expenditure and reinvestment under the several heads of appropriation aforesaid without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Co., the Canal Zone government, or to their employees, respectively, or to the Panama Government from hotel and hospital supplies and services.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. MARTIN of Virginia. I ask unanimous consent that the Secretary be authorized to change the totals wherever necessary to conform to the particular items of the bill.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. The Senator from Colorado.

Mr. THOMAS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 117, line 12, after "$8,000," it is proposed to insert: "All funds derived from concessions, privileges, or other sources within the park shall be expended therein," so as to read:

Rocky Mountain National Park, Colo.: For protection and improvement, $8,000. All funds derived from concessions, privileges, or other sources within the park shall be expended therein.

Mr. THOMAS. Mr. President, that clause was in the original bill for the creation of the park, but was stricken out by the House. It appears, as I am informed, in the law creating all other national parks. It seems to me that such funds as are derived from within the parks should be expended within the parks themselves, and I therefore ask for the adoption of the amendment.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Colorado that he is mistaken in the statement that that clause appears in all the acts relating to national parks.

Mr. THOMAS. I may be in error, but such is my information.

Mr. SMOOT. I think there are only three acts creating parks that contain that language. I wish to say further to the Senator that if it were undertaken now to pass those original acts, those words would not be allowed to be put into the law.

Mr. THOMAS. I think they ought to be in all of them, and especially——

Mr. SMOOT. No, Mr. President; I think I can show the Senator that they should not be. The parks established are maintained by the Government. The question as to what the charges shall be should be decided by the Government, and whatever may come from the parks ought to go directly to the Treasury of the United States and should not be in the hands of a local man. I know of one case of a national park—and that is what brought this question so forcibly to the attention of the country—where it became a money-making proposition, and since that time it has been the policy not to allow this to be done. I hope, therefore, the Senator will withdraw the amendment.

Mr. THOMAS. Mr. President, we are allowed only $8,000 for the improvement and care of this park. The sum is extremely small. I think it is smaller than that appropriated for any other national park. It is $2,000 less than the sum provided in this bill for the Mesa Verde Park, which is scarcely 1 per cent of its size. Under the circumstances we certainly should have this added sum. It is needed, and I do not believe it is going to be expended improperly. Every cent of it will have to be accounted for to the Interior Department.

Mr. SMOOT. The Senator knows that the bill creating this park passed just a month or so ago.

Mr. THOMAS. Yes.

Mr. SMOOT. I will assure the Senator that the $8,000 is all that was estimated for, all that was asked for by the department; and next year there will be an increase, and next year

an increase over that, and I do not know to what extent the amount ultimately will go.

Mr. THOMAS. But, Mr. President, the department also recommended this identical clause as a part of the bill creating the park.

Mr. SMOOT. I certainly would rather increase the amount than have that amendment there.

Mr. THOMAS. The Senator did not object to it before when the bill passed the Senate.

Mr. SMOOT. I will say to the Senator that I did not notice it at the time.

Mr. SHAFROTH. I will say to the Senator from Utah that this being a new park it is necessary to have hundreds of miles of road constructed, and obviously it is impossible to make any considerable improvements with a little appropriation of $8,000. These concessions may not be large, but the people who came there would naturally like to patronize the concessions if they knew the amount was going to the improvement of the park, instead of going to the National Government. It seems to me, therefore, the point of order ought to be withdrawn.

Mr. MARTIN of Virginia. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. MARTIN of Virginia. I make the point of order that the item is not estimated for, and that it is general legislation on an appropriation bill.

Mr. THOMAS. Before the point of order is made I wish to say that I hope the Senator will not do that.

The VICE PRESIDENT. Did not the Chair understand that the bill creating this park provided that the proceeds of these concessions should be turned over in this way?

Mr. THOMAS. It passed the Senate with that clause in the bill. The House struck it out.

The VICE PRESIDENT. Then it is not in the law. The Chair will have to sustain the point of order.

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARDWICK. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 47, after line 19, it is proposed to insert the following as a separate paragraph:

The Secretary of the Treasury is hereby authorized and directed to have made all needed dredging, repairs, and other improvements at the United States quarantine station near the city of Savannah, Ga., at a cost not to exceed $30,000, which said sum of $30,000, or so much thereof as may be necessary, is hereby appropriated and made immediately available for the purposes stated herein.

Mr. HARDWICK. Mr. President——

Mr. CHAMBERLAIN. I make the point of order——

Mr. HARDWICK. I have the floor, Mr. President.

Mr. CHAMBERLAIN. I will reserve the point of order, then.

Mr. HARDWICK. Let me make the statement, and then the Senator can make it. Of course I concede in advance that a point of order, if insisted upon, is good. I want to make a short statement to the Senate, however, in the hope that it may appeal to the committee to withhold the point of order. I believe that if I had been able to appear before the Senate committee and present this matter to them this amendment would have been included in the bill as reported; but the bill came up in the committee at a time when our attention was demanded here on the floor of the Senate, and I therefore lost that opportunity. I did not even know when the committee met to consider the bill, and I did not have a chance to appear before them.

The quarantine station at Savannah is in such a condition that it would be real economy to make this appropriation now, without waiting for another session of Congress to pass. I want briefly to call the attention of the Senator from Oregon, in the hope that it may appeal to his judgment, and the attention of the Senator from Virginia to the state of facts connected with it.

I read first from a letter addressed to a Member of the other House of Congress from this city and district. It reads as follows:

The undersigned firms, composing the Savannah Maritime Association, who are engaged in the foreign steamship business, are very much concerned about the conditions prevailing at the Savannah quarantine station. Numerous complaints are made by the masters of steamers as to the utter lack of facilities to take care of their crews during fumigation. The pilots complain that there is no suitable place at or near the station to moor a vessel, the wharf at the station being decayed and dangerous and the dolphins about 3 miles above the station having rotted away. At the quarantine station the channel is about the narrowest place in the river, so to anchor vessels in this vicinity, and their swinging with the incoming or outgoing tide, seriously endangers navigation.

We particularly call attention to the report of Capt. F. W. Spencer, of the Savannah Pilots' Association. With the enormous foreign business done out of this port, she is certainly entitled to the desired improvements, and we earnestly urge the passage of House bill 21069 for relief from the conditions now prevailing.

Respectfully,

A. F. CHURCHILL.
SOUTHERN SHIPPING CO.,
By E. A. ARMAND, *President and Treasurer.*
BURG LINE,
By W. J. WALKER, *Agent.*
WILLIAMSON & RANUS.
HENRY NANNINGA CO.,
By HENRY NANNINGA, *President.*
SOUTH ATLANTIC STEAMSHIP LINE,
By E. S. TROSDAL, *President.*
STRACHAN SHIPPING CO.,
ROBT. W. GROVE, *Director.*

The House bill referred to is identical with the amendment I have offered. Now I want to read Capt. Spencer's letter. It is brief. It is as follows:

RE SAVANNAH QUARANTINE STATION.

SAVANNAH, GA., *January 27, 1915.*

This matter has been under discussion for some considerable time, and it is my purpose to submit the actual facts now prevailing at the station.

First of all, there is an extremely narrow channel at this point, and all vessels arriving at the station and receiving orders to undergo fumigation are compelled to anchor directly in the fair way of other vessels passing in or out. The channel width, to be exact, is 425 feet, and many of the vessels detained for quarantine purposes require the full width to swing to the tides, thereby creating a source of danger to the port's commerce. The Savannah River, with all of its importance, is without a single point at which vessels may be accommodated when undergoing quarantine.

Loaded vessels of deep draft have been compelled to proceed to a point about 3 miles above the quarantine station in order to find a suitable mooring, but the fact that these moorings have now rotted away finds the port without any accommodations whatever for deep-draft vessels subject to quarantine detention.

Even light-draft vessels at anchor at the Savannah Quarantine Station have come to sustain losses through grounding, and it is extremely difficult to prevent some harm to these vessels when so anchored, due to the many shoals on the edge of the channel. It is not possible to reach the quarantine station proper, as the dock is of extremely light construction and would not stand up under a vessel's weight and strain.

When fumigation takes place at the Savannah Quarantine Station, the entire crew of a vessel has no alternative but to camp out on deck for several hours, no matter what the weather conditions may be, as there is absolutely no shelter provided for the men.

It is evident that the European war will prove to be the cause of an increased number of vessels detained at the quarantine station, and this only adds to the necessity of the improvements which all maritime interests at the port of Savannah hope to see established at this station. If facilities are secured, so will the health of the people be safeguarded, and this should appeal to the citizens in general.

It will be necessary to have increased width in the channel at the quarantine station; a new dock built for the accommodation of the vessels undergoing quarantine and additional dolphins built near the station for vessels which may not be able to find sufficient space at the dock proper, dredging, of course, being necessary in order that these structures may be accessible to all classes of vessels, and, finally, there should be suitable buildings provided for the accommodation of the men who make up the crews of the vessels undergoing quarantine.

The above facts are expressed by one who has full knowledge of the conditions as they now exist, and it is hoped that the remedies herein suggested and advocated may be favorably acted upon without delay.

Respectfully,

FRANK W. SPENCER,
Savannah Pilots' Association.

Mr. President, only one word more. It will be real economy to do this now. It has been recommended, not once but twice, by the department of the Government that has charge of this matter, the Public Health and Quarantine Bureau. While it is not included in the estimates for this year, and is therefore subject to the point of order, if the Senators in charge of the bill feel compelled to make it I hope that at some future time we will be able to induce the committee to provide for this meritorious case; and I earnestly ask those Senators, if they possibly can do so, not to make this point of order now. I know it is good if they do make it.

Mr. MARTIN of Virginia. Mr. President, I was called from the Chamber, and for that reason did not hear the debate. The Senator from Oregon [Mr. CHAMBERLAIN] has charge of this matter on behalf of the committee.

Mr. HARDWICK. I hope the Senator from Oregon will not feel obliged to insist upon the point of order. The expenditure is small. It has been twice recommended by the public quarantine bureau, and if we delay making the appropriation it is going to cost a great deal more in the long run.

Let me say just one word more. I intended to present this matter to the committee, but the committee took up the bill, so I am informed—I certainly did not know it—at a time when the Senate was very much employed with another important and pressing matter and when my whole attention was demanded here on the floor of the Senate. Therefore I did not have the opportunity, which I otherwise should have availed myself of, to argue this matter out before the committee. Still, the case is so meritorious and the necessity is so pressing that I earnestly hope the Senator from Oregon will not feel obliged to insist on the point of order.

Mr. CHAMBERLAIN. Mr. President, I dislike very much to refuse to gratify the wish of the Senator, but there has been no estimate whatsoever made for this item.

Mr. HARDWICK. If the Senator will pardon me just a moment, there has been an estimate, although not this year. It is technically subject to a point of order. They have recommended it in the past.

The VICE PRESIDENT. Does the Chair understand the Senator from Oregon to insist on the point of order?

Mr. CHAMBERLAIN. I do.

The VICE PRESIDENT. Then the point of order is sustained.

Mr. RANSDELL. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana.

Mr. RANSDELL. I send to the desk an amendment which I propose, on page 45.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 45, after line 6, it is proposed to insert:

For 12 additional assistant surgeons, $25,000.

And on page 46, line 16, it is proposed to change the total to conform to the increase, so that it will read: "$1,983,106."

Mr. RANSDELL. Mr. President, this is an item which would, if adopted, add 12 assistant surgeons to the force of the Public Health Service. The item was estimated for by the Secretary of the Treasury. It was not, however, included in the appropriation. I do not think it is subject to a point of order. The committee did add $25,000 on page 48, line 9, to the item of "Field investigations: For investigations of diseases of man, * * * including sanitation and sewage," and so forth.

I have talked over this matter with the Surgeon General of the Public Health Service, and he assures me that these physicians are very badly needed. Demands are being made upon that service from all over the country. I know that recently, in my own State, there was an outbreak of bubonic plague in the city of New Orleans. The Public Health Service was required to send a number of its best men there, and did magnificent work. I think it has completely stamped out that outbreak. There may be a very little of the disease among vermin and rats there yet; but certainly the disease itself among human beings is stamped out. He also assures me that very vigorous investigations are being carried on throughout the country in attacking trachoma in Kentucky, pellagra and malaria in the South, spotted fever in Montana and other Western States, and typhoid fever in the rural communities of many portions of the country. Indeed, he assures me that these physicians are very, very much needed; and as we are so liberal in making appropriations for many things, I believe we ought not to economize on the question of conserving our own health.

Mr. SMOOT. Mr. President, no one in this body feels more interested in the Public Health Service than myself. I want to see it grow and develop and become all that any American citizen could anticipate, but I do not believe this ought to be done at this time. I call the Senator's attention to the fact that this bill carries thousands and thousands of dollars for the very purposes named by him. It was only just a little while ago that we increased our assistant surgeons general in this department by some 20, I think. I do not remember the exact number. I think there is no real necessity at this time for this increase in the number of assistant surgeons.

Mr. RANSDELL. Mr. President, I am presenting this amendment as chairman of the Committee on Public Health and National Quarantine. If I were not thoroughly convinced that it is needed, I assure the Senator I would not ask the Senate to adopt it. I have no interest on earth in it, but I firmly believe that we need these doctors. I have great confidence in Surg. Gen. Blue, and he has assured me that we need them now. He tells me that the Public Health Service honestly has more money than it has doctors to dispense the money. I would rather see some of these funds reduced and the additional doctors given to him in order that he may carry out the work effectively; and if that has to be done, I will not say a word; but he needs these doctors. He needs them in my section of the country. We have malaria down there. There is pellagra in many parts of the South. There is trachoma in Kentucky that has to be investigated. There is typhoid fever all over the United States, and in my country the efficiency of this service is remarkable.

Just one word about the yellow-fever outbreak that occurred there in 1905. We were almost in the slough of despond until we sent to this service, and they sent Dr. White down there, and he took charge; and if ever a general marshaled an army in magnificent manner, Dr. White, of the Public Health Service, did; and long before the cold weather came on we had eradicated that awful disease—yellow fever. The people of my section have the greatest confidence in this service. I hope the amendment will be adopted.

Mr. SMOOT. Mr. President, all that the Senator says of the accomplishments of the Public Health Service is absolutely true, not only with the yellow fever in his own State but with other contagious diseases in other parts of the United States. The bubonic plague of California was handled in the same way. The Senate of the United States has never at any time hesitated to make liberal appropriations for this service; but this is the first time I have heard, as a member of the Appropriations Committee, that they are willing to reduce the appropriation in order that further assistant surgeons may be appointed. That proposition never was presented to the Appropriations Committee.

I will say to the Senator that this same proposition was presented to the House, and the House turned it down. It came over to us, and the subcommittee having the bill in charge decided not to put it into the bill. When the question was presented to the whole committee they voted against putting it into the bill, and I do not think it ought to be put into the bill at this time. Therefore I make the point of order that the amendment is obnoxious to the following rule:

No amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law.

Mr. RANSDELL. Why, Mr. President, this was estimated for. The Secretary of the Treasury estimated it.

Mr. SMOOT. Oh, it can not be existing law when it creates new positions.

Mr. RANSDELL. I do not understand how it can be out of order. We have the service. We have this work going on, and we need these additional doctors. If we were creating some new service, of course it could not be done in this appropriation bill; but we have the service, and it is simply making effective the appropriations that we are already making in this bill.

Mr. SMOOT. Mr. President, the very amendment the Senator offers is for the creation of 12 new offices.

The VICE PRESIDENT. It seems to have been proposed, in accordance with a statement in pursuance of an estimate of the head of the Treasury Department.

Mr. RANSDELL. Yes.

The VICE PRESIDENT. The point of order is overruled. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ROBINSON. I offer the following amendment and I ask the attention of the Senator from Virginia.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 7, after line 13, insert:

Arkadelphia, Ark., post office, for completion, $55,000.

Mr. ROBINSON. Mr. President, I wish to make a very brief explanation of this amendment, and I ask the attention of the chairman of the committee to my amendment.

In 1910 the Treasury Department was authorized to procure a site for a post-office building at this place, Arkadelphia, Ark. A public-spirited citizen of that town donated the site, and the $5,000 authorized for that purpose reverted to the Treasury.

Subsequently, in order to advance the building, there being great necessity for it, an agreement or an understanding was entered into between the citizens of Arkadelphia and the Treasury Department whereby the plans for the proposed building were donated. These plans are ready and the work of construction may be commenced as soon as the necessary funds are available.

Mr. MARTIN of Virginia. Mr. President, I am, I think, familiar with this item. It is clearly an estimate, and I have no objection to its being put in the bill.

Mr. ROBINSON. I thank the Senator from Virginia. I will not continue the statement unless some one indicates a disposition to object.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. WEEKS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 31, line 17, strike out "$65,000" and in lieu thereof insert "$83,000."

Mr. WEEKS. Mr. President, the purpose for which I offer the amendment is to pay the architects of the Boston customhouse $18,000 in addition to the amount which has already been paid them for their services in constructing the customhouse. The architects, Messrs. Peabody and Stearns, have a contract with the Treasury Department to pay them 6 per cent of the cost of the construction of the building. The original appropriation was $1,800,000, of which $300,000 was set aside to pay for transferring the quarters and the operations of the customshouse to another building and for the rental of that building while the construction was under way. But the million and a half which was left of the original appropriation was not sufficient to construct the building, and therefore an additional appropriation of $300,000 was made for that purpose. The contract is perfectly plain that they are entitled to 6 per cent

of the total cost of the construction of the building. The testimony before the House Committee on Appropriations is conclusive as to this understanding.

Mr. MARTIN of Virginia. Will the Senator from Massachusetts permit me to ask him a question? Has this been estimated for by the head of the department?

Mr. WEEKS. It has been estimated for in this way. Before the Committee on Appropriations of the House the supervising architect appeared and answered questions relating to this appropriation. He was asked this question by the chairman:

He asks for a commission on the amount above $1,500,000.

Mr. WENDEROTH. He is asking a commission on the difference between $1,500,000 and the actual expenditure. The latter will amount to about $1,725,000.

The CHAIRMAN. Have you any recommendation to make?

Mr. WENDEROTH. I think it should be paid. You do not desire us to accept gratuitous personal services, but you are forcing us to do it in this case.

There is not any question about——

Mr. MARTIN of Virginia. In the hope of saving time, if the Senator will excuse me, so that I may get it clearly in my mind, the architect had a contract for a 6 per cent commission.

Mr. WEEKS. Six per cent on the total.

Mr. MARTIN of Virginia. And there was an increase of cost in the building of $300,000.

Mr. WEEKS. Yes.

Mr. MARTIN of Virginia. And they got the commission only on the original contract.

Mr. WEEKS. On the original contract.

Mr. MARTIN of Virginia. This is to pay 6 per cent on the excess over the original appropriation.

Mr. WEEKS. That is it exactly.

Mr. MARTIN of Virginia. It is not estimated for and it is not in order, but it is meritorious, and I shall not make a point of order against it, because I think the architects are entitled under their contract to the $18,000. So far as I am concerned I have no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Arizona. I offer the following amendment.

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 107, line 10, strike out the figures "$725,000" and insert "$934,000," so that if amended it will read:

Yuma project, Arizona-California: For maintenance, operation, continuation of construction, and incidental operations, $934,000.

Mr. SMITH of Arizona. Mr. President, I should like to have the attention of the Senate while I give the facts in this case. The irrigation fund is not a part of the general fund of the Treasury. It is set aside as a specific fund dedicated to a specific purpose. In order to get the extension of time for the payment under the irrigation project we were forced to accede to a House amendment requiring the irrigation fund to go before the regular Appropriation Committees of the House and Senate. I tried to defeat it; it ought never to have gone there; and this is a striking illustration of what it means to the western country as to the irrigation fund.

The estimate sent down is $934,000. I received a telegram to-day from the Water Users' Association of Yuma, telling me that a letter would follow immediately giving their reasons for the use of every dollar estimated for, and yet the House without any reason, as far as I can see in the debates, have cut it down to $725,000. In addition to that, there have never been such floods known since the white man has been in that country as have occurred this year. The Colorado River is now about to break its banks, and at this usually low season of the river sweep down across the city of Yuma and absolutely submerge the irrigation project.

Mr. MARTIN of Virginia. If the Senator will permit me to interrupt him, since he has offered the amendment I have looked up the matter with some accuracy and I find that the estimate was $934,000. The House committee cut it to $725,000, no doubt in the interest of economy, but I am perfectly willing to allow the amendment making it $934,000 to be adopted and let it go to conference; and unless there is some reason why it can not be retained, I will be glad to see it remain in the bill.

Mr. SMITH of Arizona. I have often gotten into conference with these amendments, and I have found the chairman of the committee a friend to every measure that was proper; but I have always found him overruled when it goes to conference. I wish to know if it goes to conference, whether I can be permitted to appear before the conferees?

Mr. MARTIN of Virginia. I will guarantee that the Senator shall have that opportunity; but I speak guardedly as I do because Senators ought not to expect an item of this sort, if the issue is presented, to jeopardize or defeat the bill, when already the very liberal sum of $725,000 is provided.

Mr. SMITH of Arizona. I am not going to delay the Senator a minute in passing the bill, but this shows the impropriety of ever putting in the ordinary Committee on Appropriations in either House the question of a specific fund for a specific purpose. It has nothing to do with general appropriations, it is not in the general fund, and men who never saw an irrigation ditch in their lives cut down the estimates $250,000 on the statement of some gentlemen who happened to come before the committee.

But I will close with this statement to the Senator. If I find from the letters I get, which are promised in the telegram received to-day, that I can not convince the Senator and the conference committee that the additional appropriation is needed, if I find it is not needed, I shall be very glad to consent to a reduction.

Mr. MARTIN of Virginia. I will say to the Senator that I know of no reason why the full amount of $934,000 should not be appropriated; but I speak guardedly, because I know the difficulties encountered in conferences are frequently almost insurmountable. Senators do not understand that. We can not afford when as large a sum as $725,000 is appropriated to defeat a bill carrying $125,000,000 if such an ultimatum is presented to us. I will do my best in conference to retain it, and I am willing to have the amendment adopted.

Mr. SMITH of Arizona. In answer, I will say that I see the allowance of $1,650,000 is given for an Idaho project. That is not cut very much; and $1,265,000 in a Texas project is not cut much; but this particular item was cut $250,000 or $300,000 without rhyme or reason.

Mr. WARREN. May I interrupt the Senator?

Mr. SMITH of Arizona. Certainly.

Mr. WARREN. I think nearly all those items have been cut more or less. I agree with the chairman of the committee that the amendment may go to conference and there be looked into.

Mr. MARTIN of Virginia. That is what I suggested.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arizona.

The amendment was agreed to.

Mr. GORE. Mr. President, the chairman of the committee has just given $200,000 in view of the speech of the Senator from Arizona. I am willing to refrain from making a speech for a good deal less than that amount.

On page 103, line 25, I move to strike out "$35,000" and insert "$70,000." It is the appropriation for inquiries and investigations concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, with a view to economic development, and conserving resources through the prevention of waste, and to inquire into the economic conditions affecting the industry.

Mr. MARTIN of Virginia. If the Senator will allow me, I will state that the estimate is only $50,000. If he will make it $50,000, I shall have no objection to the amendment. I can not agree that he shall exceed the estimate.

Mr. GORE. I appreciate the propriety and the wisdom of the Senator's position, and I will accept $50,000.

The VICE PRESIDENT. The amendment will be stated as modified.

The SECRETARY. On page 103, line 25, strike out "$35,000" and insert "$50,000," so as to read:

For inquiries and investigations concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, with a view to economic development, and conserving resources through the prevention of waste; to inquire into the economic conditions affecting the industry, $50,000.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, on page 23, following line 16, I move to insert:

Willow, Cal.: For commencement, $20,000.

Mr. MARTIN of Virginia. I will say to the Senator from Wisconsin that that item is just like the one the Senator from Arkansas [Mr. ROBINSON] presented a little while ago. The amount is under the estimate, and I see no reason why the amendment should not go in the bill.

Mr. LA FOLLETTE. The estimate is $75,000.

Mr. MARTIN of Virginia. I am perfectly willing to have the amendment adopted.

The amendment was agreed to.

Mr. NORRIS. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 71, at the end of line 22, insert as a new paragraph the following:

To begin the construction of two public bathing houses and the work of converting portions of the tidal basin in the Potomac Park into public bathing beaches, as outlined in Senate Document No. 593, Sixty-third Congress, second session, $50,000.

Mr. NORRIS. Mr. President, the chairman of the committee, I think, has no objection to the amendment.

Mr. MARTIN of Virginia. Perhaps it is a little irregular, but I consider it so absolutely meritorious that, while I can not speak for the committee, I think the amendment is a good one, and I do not object to having it adopted, so far as I am concerned.

The amendment was agreed to.

Mr. NORRIS. I ask unanimous consent to insert in the RECORD without reading the letter of the Secretary of War, being the document referred to in the amendment which has just been adopted.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WAR DEPARTMENT,
Washington, October 5, 1914.

The PRESIDENT OF THE SENATE.

SIR: In compliance with Senate resolution of August 25 (calendar day, September 2), 1914, instructing the Secretary of War to report to the Senate regarding the practicability and cost of converting the tidal basin in Potomac Park into a public bathing beach, I have the honor to make the following report:

The establishment of bathing beaches in the tidal basin in Potomac Park is considered both practicable and desirable. It is a convenient and logical site, being located in Potomac Park, the improvement of the interior of which is being prosecuted by the office of public buildings and grounds, which office has under way extensive plans for the providing of recreation facilities for the use of the general public.

About one-third of the volume of water in the tidal basin is changed twice each day by the automatic operation of the tidal gates at the inlet and outlet to the basin, and the water in the Potomac River is believed to be of sufficient purity to prevent any injurious results following its use for bathing purposes.

It is proposed by the office of public buildings and grounds to erect two attractive permanent buildings, having tile walls, covered with stucco, and to be provided with tile roofs, to accommodate bathers, and also to be used as boathouses and refectories, and to construct sand beaches in front of these houses to provide bathing facilities for all ages and classes of bathers.

The estimated cost of the above-outlined project is as follows:

Beach for white bathers:	
One building containing approximately 400,000 cubic feet	$100,000
Constructing beach 400 by 250 feet	10,000
Removing 400 feet of sea wall	3,000
Piers	15,000
Floats and equipment	5,000
Contingencies	6,650
Total	139,650
Beach for colored bathers:	
One building containing approximately 140,000 cubic feet	35,000
Constructing beach 200 by 250 feet	5,000
Removing 200 feet of sea wall	7,500
Floats and equipment	2,500
Contingencies	2,500
Total	52,500

The buildings proposed to be erected will be substantial fireproof structures in keeping with the high standard of future projected park improvements, and the whole scheme can be so designed that its construction could cover a period of several years, making the part completed each year available for the use of bathers when completed.

Tentative plans and sketches are now being prepared in the Office of Public Buildings and Grounds covering the whole project, and will be submitted upon completion.

Very respectfully,
LINDLEY M. GARRISON,
Secretary of War.

Mr. BURTON. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After line 17, page 5, insert the following:

Cleveland, Ohio, public building: For the installation of mail chutes, $800.

Mr. BURTON. That, Mr. President, is in pursuance of a statute passed on the 15th of September last. I think there can be no possible question in regard to it.

Mr. MARTIN of Virginia. This seems to be a very small item, $800, I understand, for some mail chutes. It is not estimated for and it is irregular and such items ought not to be adopted, but as it is only $800 the Senate can dispose of it as it sees fit. I can not agree to it.

Mr. BURTON. This is not only in pursuance of the estimate, but there is an absolute statute passed here on the 15th of September last. I will read the statute:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to contract for and to have installed in the public building at Cleveland, Ohio, suitable mail chutes, and a sum not exceeding $800 is hereby appropriated for said purpose out of any moneys in the Treasury of the United States not otherwise appropriated.

Mr. MARTIN of Virginia. Did the Senator read a statute?

Mr. BURTON. It is a bill reported by the Committee on Public Buildings and Grounds.

Mr. MARTIN of Virginia. The bill has simply been reported?

Mr. BURTON. And it passed both Houses.

Mr. MARTIN of Virginia. The Senator read from a statute of the United States?

Mr. BURTON Yes.

Mr. MARTIN of Virginia. Will he please read it again?

Mr. BURTON. I want to explain that this has been pending two or three years. There is a great office building costing $3,230,000 containing the post office, the United States courts, the office of the United States district attorney, the United States marshal's office, and a number of other public offices, and they have no mail chutes in the building. The delay about it has been something very exasperating. The bill was introduced, referred to the Committee on Public Buildings and Grounds, and reported favorably by that committee. After it passed the Senate it was taken to the House and reported there and passed. That is the statute:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to contract for and to have installed in the public building at Cleveland, Ohio, suitable mail chutes, and a sum not exceeding $800 is hereby appropriated for said purpose out of any moneys in the Treasury of the United States not otherwise appropriated.

That sounds as if it were an appropriation, but it is necessary to carry it in the sundry civil appropriation bill in order to make it effective.

Mr. MARTIN of Virginia. The Secretary of the Treasury is authorized to put in the mail chutes at a cost not exceeding $800.

Mr. BURTON. Not exceeding $800.

Mr. MARTIN of Virginia. Is there any evidence here or any estimate indicating that he did contract for them?

Mr. BURTON. I do not know whether there is an estimate or not. There is a statute of the United States.

Mr. MARTIN of Virginia. I will adhere to my former statement. I do not know that any harm will be done by the adoption of the amendment; but it is entirely irregular and out of order. The Senate can put it in if it sees fit. I have no sort of concern about it.

The amendment was agreed to.

Mr. CHILTON. I offer the following amendment, to come in on page 45 after line 6.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 45, after line 6, insert the following:

Provided, That hereafter the Director of the Hygienic Laboratory shall receive the pay and allowance of an assistant surgeon general.

Mr. CHILTON. Mr. President, I merely want to say a few words in support of the amendment. It seems to me that in some of our appropriations and adjustments of salaries we have lost all sense of proportion. We have no trouble in appropriating to pay an assistant clerk of this body $5,000 a year, and yet we pay only $4,500 a year to the Director of the Hygienic Laboratory, which requires an eminent man, a man of great learning as a physician, as a scientist, as a pharmacist, and as a chemist. In this particular case we have a man who has made a national reputation and who is handling that great institution with wonderful ability. I was amazed when I heard that he got only $4,500 a year, while we pay the assistant surgeon general of the Public Health Service $5,000. This proposes an increase of only $500 a year, and it seems to me it is disgraceful for this Government not to allow it.

I happen to have personal knowledge that the man who now holds that position could get twice and, I believe, three times the salary from private institutions. Colleges want him; great institutions of learning want him; he has offers to go into private practice, where he could make twice or three times the amount of his present salary; but he prefers to stay with the Government, and probably will stay with the Government as a matter of duty for this niggardly salary of $4,500.

Merely as a recognition of this man, as a matter of justice, and in order to show that Congress has advanced a little and has some idea of proportion in fixing salaries, I hope there will be no objection to the amendment and that it will be agreed to by the Senate.

Mr. MARTIN of Virginia. Mr. President, I am compelled to make the point of order against this amendment that it is not estimated for. We can not go into the raising of salaries on the judgment which Senators may entertain as to the superiority of these distinguished men. If this man can earn ten or fifteen thousand dollars somewhere else, he is too big a man for this place, and he ought to give it up. We can get plenty of men for $4,500 who can conduct the business of this laboratory; but, be that as it may, this is a case not estimated for, and I think it would be a dangerous habit for us to get into to raise salaries in this way. I make the point of order against the amendment that it is not estimated for.

Mr. CHILTON. Mr. President, before the Chair decides upon the point of order, I wish to say that the Senator from Virginia is everything, in my judgment, that a Senator ought to be. He has had experience, he has the confidence of the people of his State, of this country, and of this body, and yet we find even a man of his experience and his judgment getting up here and making such an argument as he has made upon a proposition of this kind. You can get a man at $4,500 probably to begin with, but here is a man who has had the experience, here is a man of recognized ability, here is a man the Government needs. We ought to be proud to have such a man as he, who is versed in

technical knowledge to such an extent as to make an honorable reputation for the great institution of which he is in charge.

Mr. President, this amendment is proposed for the purpose of carrying out existing law, for this position is already provided for. It is merely a question of fixing the salary. Whether or not it has been estimated for makes no difference. The law requires this officer, and the question is merely what his salary shall be. I do not think the point of order made by the Senator from Virginia is good.

Mr. MARTIN of Virginia. I insist on the point of order.

Mr. CHILTON. I desire to read the rule.

The VICE PRESIDENT. The Chair is compelled to disagree with the Senator from West Virginia.

Mr. SHIVELY. Regular order!

Mr. CHILTON. One moment, Mr. President. The rule says:

> And no amendments shall be received to any general appropriation bill * * * to add a new item of appropriation unless it be made to carry out the provisions of some existing law.

As I understand the law, you must have this official, and you can not carry the law out without fixing the salary or without making the appropriation for it.

The VICE PRESIDENT. The Chair will be compelled to disagree with the Senator from West Virginia. The point of order is sustained.

Mr. CHILTON. Well, Mr. President, I will not appeal from the decision of the Chair, but I will reserve the matter until some other time.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. The Senator from Arizona.

Mr. ASHURST. Mr. President, I offer the amendment which I send to the desk, and I ask the attention of the chairman of the committee, the Senator from Virginia, to the same.

The VICE PRESIDENT. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. On page 39, line 15, it is proposed to insert the following as a new paragraph:

> For the construction of a permanent wagon-and-foot bridge across the creek at International Avenue, Nogales, Ariz., on land reserved by the United States for customs purposes, $10,000.

Mr. ASHURST. Mr. President, I have offered this amendment under the head of "Miscellaneous objects, Treasury Department," at the request of the mayor of Nogales, Ariz. In order to explain the necessity for this appropriation I desire to say that in order to facilitate the collection of customs duties in 1892 the International Boundary Commission made the following recommendation respecting the boundary at Nogales:

> That a reservation of not less than 50 feet in width be declared by the United States to extend along the entire length of the boundary on the American side, and that the Republic of Mexico be asked to declare a like reservation on the Mexican side, and that the erection of buildings on either side of the line within these limits be prohibited by law: *Provided, however,* That such reservation might be used for public streets or highways.

In 1897 the President, by proclamation, reserved a strip of land 60 feet wide by 2 miles long on the American side of the international boundary, a part of which was at that time covered with buildings. The buildings were torn down by direction of the Government in all cases where the occupants of the land did not remove them. I might add in this connection that the citizens of the United States who owned these buildings have never been compensated for the damages they sustained. They were occupying this ground under what everybody considered to be perfect title derived from a grant made by the Mexican Government. However, that has nothing to do with this appropriation, except to show that the United States has not been liberal in its treatment of the people of Nogales.

The mayor of Nogales writes as follows in regard to the necessity for this bridge:

> The Government has never spent one solitary dollar for improvements of any kind whatsoever upon said international strip. The town has kept up the streets and bridges of one sort or another upon said strip and the principal use of said bridge is for the benefit of the Customs Service, which is strictly a United States institution.
>
> The necessity for the bridge is very apparent, for the reason that there is a 16-foot wall the entire distance from the international boundary line to the first bridge, which the town erected in 1913, a distance of over 500 feet down the stream. You have proof of this through the recommendation of the collector at this port, showing the advantages of said bridge, who approved our petition.

The international strip was created for the convenience of the Customs Service in order that smuggling might better be prevented. A creek that heads in old Mexico crosses this strip at an angle, and when the creek is in flood it is impossible to pass from one part of the boundary strip to the other. For this reason the people of Nogales believe that there ought to be a bridge not only for their convenience, but in order to properly carry out the duties of the Customs Service at that port of entry. For these reasons I offer this amendment.

An estimate of cost has been prepared by the mayor of Nogales, who is an engineer by profession, for the construction of a bridge about 50 feet wide, including the necessary stone or concrete work to protect the banks of the creek from being washed away. Owing to a curve in the creek the bridge will be at an angle which makes the construction more expensive than it otherwise would be. I am satisfied, however, that everything that is necessary to be done can be accomplished within the sum that I have named in this amendment.

Mr. MARTIN of Virginia. Mr. President, it is very painful to me to intervene and disappoint my friends in matters of this sort which so deeply concern them, but I must observe some equality in such cases. I have been making points of order wherever amendments were obnoxious to the rule, and I hope the Senator from Arizona will realize that I am responsible in such a way that I can not fail to interpose the point of order against his amendment. I make the point of order against the amendment, Mr. President.

The VICE PRESIDENT. The point of order is sustained.

Mr. SMOOT. I offer the amendment, which I send to the desk, to follow line 13, on page 91.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 91, after line 13, it is proposed to insert:

> To authorize the Secretary of the Senate to pay those officers and employees of the Senate borne on the roll known as the soldiers' roll, in accordance with the provisions of Senate resolution of July 14, 1911, and continue such persons on said roll who are now designated as "mail carriers," "folders," "skilled laborers," "policemen," or by other designation, but who are now serving as messengers in and about the doors of the Senate and performing service exactly similar to those performed by messengers whose compensation is $1,440 each per annum, a sum sufficient to make their compensation at the rate of $1,440 each per annum for the fiscal year ending June 30, 1915, $10,459, which amount shall be immediately available.

Mr. SMOOT. Mr. President, just a few words in explanation of the amendment. A year ago I offered an amendment to an appropriation bill then pending to provide for the salary of these employees for that year. The Senate agreed to the amendment, but it went out in conference.

In 1893 there was appointed by the Senate a committee consisting of 15 Senators, Republicans and Democrats, for the purpose of considering the question of a soldiers' roll. That committee agreed upon the roll, and there were 13 employees put upon it. I learn now, Mr. President, that there are only four old soldiers who would really be affected by this amendment, as the four Democratic soldiers on the roll have not been reduced, while the salaries of the four Republican soldiers have been reduced to $840. The amendment simply provides that those employees shall receive $1,440, which is the amount they originally received when they were placed upon this special roll of the Senate. That is all there is to the amendment. I hope the Senator from Virginia will accept it.

Mr. MARTIN of Virginia. Mr. President, it is impossible for me to accept the amendment. We can not give way to our feelings of generosity and appropriate money regardless of anything but our sympathies. I should like to see these old soldiers well cared for. They are all getting pensions, and they are all on the pay roll, being employees of the Senate and receiving salaries as such. Now comes the proposition that their salaries shall be increased and that we shall legislate them on a permanent roll. It is obnoxious to the rule in that it is legislation on an appropriation bill, and it is obnoxious to the rule in that it proposes to increase an appropriation without a report from any committee at all. This matter has not been brought before the Senate from any standing committee of the Senate, and is plainly out of order.

Mr. SMOOT. Mr. President, I will state to the Senator that the amendment was offered and referred to the Committee on Appropriations; but I do not claim that it is in order if the Senator is going to make a point of order against it.

Mr. MARTIN of Virginia. I regret exceedingly to do so; it is very painful for me; but I feel in duty bound to make the point of order.

Mr. SMOOT. Before the Senator does that, I wish to say that the same can be said of the four Democratic employees on this roll, who each receive $1,440, that can be said of the four Republican employees, who are only drawing $840 each per annum, and that is that they are all drawing pensions from the Government. So that the two classes are not differentiated in any way upon that ground.

Mr. MARTIN of Virginia. It appeals to me very strongly; I feel as great an anxiety to provide for these old soldiers as does the Senator from Utah; but I feel bound, in the exercise of my duty as chairman of the Committee on Appropriations, to make the point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. SMOOT. Mr. President, I had another amendment which I intended to offer, but I will not do so now, because I am fully aware that a point of order will lie against it. The amendment

is for the relief of Prof. William H. H. Hart, and covers a claim which has been presented to Congress many times.

Mr. President, I have no doubt in the world that this poor man has been wronged and that there should be something given to him in the way of recompense. I am fully aware that perhaps the matter should go to the Committee on Claims and be acted upon there; but it has been referred to that committee a number of times and no action has been taken upon it. I will say further——

Mr. BRYAN. Mr. President, will the Senator allow me to ask him a question?

Mr. SMOOT. Certainly.

Mr. BRYAN. Is there a bill in relation to the matter pending before the Committee on Claims now?

Mr. SMOOT. Not at this session of Congress.

Mr. BRYAN. Has one been introduced during the present Congress and sent to the Committee on Claims?

Mr. SMOOT. No; I do not think that such a bill has been referred to the Committee on Claims during the present Congress. I will say to the Senator, however, that on July 13, 1914, I introduced a resolution, being Senate resolution 416, directing the Committee on the District of Columbia "to investigate the statement of Prof. William H. H. Hart, principal of the Hart Farm School, and accompanying papers." With that resolution I submitted the papers to the committee for investigation. I have not heard anything from that resolution, and it was for that reason that I intended to offer the amendment to the appropriation bill; but, as I have said, I shall not now offer the amendment, because I know that it would only take the time of the Senate to make a point of order against it, and the point of order, I am quite sure, would lie.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

Mr. CHAMBERLAIN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 109, after line 24, it is proposed to insert:

North canal unit of the Deschutes project, Oregon, as designated by the Secretary of the Interior, $450,000.

Mr. CHAMBERLAIN. Mr. President, I desire to say a few words in reference to this proposed appropriation. It has been estimated for by the Secretary of the Interior and by the Reclamation Service, and, further than that, after the estimates were made, the Secretary of the Interior addressed a letter, first, to the committee of the House and then to the committee of the Senate, recommending the granting of the amount estimated for the carrying on of a vast reclamation project in Oregon.

Mr. President, Oregon has done as much as—and I should not hesitate to say more than—any State in the Union, with the possible exception of New York, in the way of cooperating in the plan of public improvements, not only in river and harbor work but in reclamation work as well. Within the past two years Oregon and the United States, by a joint agreement, each appropriated $50,000 for the purpose of investigating certain projects for reclamation work in that State. It was quite a task; it took a good while to do it. The two bodies were acting in conjunction and all of the money was spent, and yet it took some time afterwards to ascertain just what projects ought to be entered upon in the State.

The Legislature of Oregon two years ago appropriated $450,000 for reclamation work. It was supposed at that time that that would be used in cooperation with the General Government, and I believe that the State authorities believed in the bottom of their hearts that it was used cooperatively with the Government of the United States. At all events, it was used in reclamation work, and a splendid project which had been practically abandoned under the Carey Act was carried to completion at a reasonable expense.

Of late the State, through its public bodies, has insisted that the United States ought to appropriate $450,000 more, to be used in cooperation or in conjunction with the work which was done by the State, and which cost, as above stated, $450,000.

The Government officials, however, have insisted that, inasmuch as the money which was expended by the State was not expended for cooperative work, the State ought to appropriate $450,000 more, and then a recommendation would be made to the Congress of the United States to appropriate $450,000 more.

Mr. President, I want to say with reference to the amendment which I have suggested and which carries $450,000 for cooperative work that long ago, possibly six or eight months ago, before the taking effect of the act of Congress which required all future appropriations for reclamation work to be made by Congress—long before that law was put into effect the Secretary of the Interior appropriated that amount. In other words, he set aside $450,000 with which to carry on reclamation work in the State of Oregon in cooperation with the State. That appropriation was made by the Secretary of the Interior, and does not expire until the 30th day of June next. In view of that, we feel that the Congress will not be appropriating any money, as a matter of fact, but that the money has already been appropriated by the Secretary of the Interior, because he had full power to appropriate it when he took that action, and the money might remain in its present condition until the 30th of June; but under the new act it will be necessary to appropriate money after the 30th of June, and then it will be too late for Congress to act on the proposition now under consideration.

So much by way of a brief outline of the matter. I simply want to call the attention of Congress to the liberality with which all of these States have been treated at this session of Congress. Oregon is the second largest in the United States for appropriations to the reclamation fund. I do not like to take the time of the Senate to read what I am going to ask to have put in the RECORD—a statement of the amounts of money that have been received by each of the several public-land States and the moneys that have gone into the reclamation fund, including the estimated receipts by the Treasury of the United States on the 30th of June, 1914, not yet audited, the total estimated receipts to June 30, 1914, the allotments to June 30, 1914, for reclamation work, and finally the net investment to June 30, 1914. I take this table from page 218 of the hearings before the Appropriations Committee.

The table referred to is as follows:

RECEIPTS, ALLOTMENTS, AND INVESTMENT BY STATES.

The table following gives a statement of additions to the reclamation fund from the sale of public lands, by States, and also shows the amounts allotted and the net investment of the Government for irrigation work in each of the reclamation States:

Receipts from the sale of public lands, allotments, and net investment, by States.

States.	Actual receipts from sale of public lands transferred to credit of reclamation fund to June 30, 1914.	Estimated receipts with Treasury United States on June 30, 1914, not yet audited.	Total estimated receipts to June 30, 1914.	Allotments to June 30, 1914.	Net investment to June 30, 1914.
Arizona	$1,165,696.88	$76,000.00	$1,241,696.88	$17,608,015.62	$15,873,020.83
California	5,358,943.03	262,000.00	5,620,943.03	3,048,167.66	2,424,064.45
Colorado	6,680,991.93	277,000.00	6,957,991.93	9,065,688.75	6,492,806.66
Idaho	5,039,708.90	172,700.00	5,212,408.90	17,956,894.92	14,082,198.37
Kansas	963,080.07	12,000.00	975,080.07	419,000.00	376,029.16
Montana	8,872,107.48	693,000.00	9,565,107.48	11,295,788.40	7,373,177.47
Nebraska	1,664,013.83	95,600.00	1,759,613.83	5,602,377.01	4,319,375.93
Nevada	541,596.96	32,000.00	573,596.96	6,290,476.63	5,414,242.44
New Mexico	3,939,790.95	177,000.00	4,116,790.95	4,694,409.43	2,862,452.76
North Dakota	11,921,898.43	103,500.00	12,025,398.43	2,278,034.14	1,951,020.38
Oklahoma	5,783,557.84	29,800.00	5,813,357.84	172,402.22	72,852.87
Oregon	10,413,928.22	137,000.00	10,550,928.22	5,644,530.82	3,261,623.22
South Dakota	6,823,778.66	175,400.00	6,999,178.66	3,566,534.04	3,142,786.74
Texas				2,083,457.60	1,108,529.93
Utah	1,890,479.34	49,000.00	1,939,479.34	3,459,877.02	2,388,263.70
Washington	6,433,299.73	122,000.00	6,555,299.73	9,131,392.97	6,856,538.59
Wyoming	4,320,900.46	202,000.00	4,522,900.46	7,377,899.38	5,790,562.22
Secondary projects				121,708.12	
Preliminary investigations				511.27	
General accounts				392,700.00	122,512.32
Total	81,813,772.71	2,616,000.00	84,429,772.71	110,209,956.00	83,912,058.04

Mr. CHAMBERLAIN. It appears from this table that Oregon, while it has been the second largest contributor to this fund of any of the States, has not received by any manner of means as much as has been received by States that contributed much less to the fund; and I hope the Congress will see fit to appropriate this money. It is possible that it might go out in conference; but I think we ought to have an opportunity to present it in conference. The appropriation was not allowed in the House of Representatives, as I understand, because the Secretary of the Interior had not adopted for Oregon any project, and the Secretary of the Interior had not at that time designated a practical irrigation project. He has since done so, however; and in the communication to the chairman of the Appropriations Committee a project has been adopted and selected by the Secretary of the Interior for work in case the appropriation is made. I do hope the Senate will allow this appropriation to stand.

Mr. MARTIN of Virginia. Mr. President, the State of Oregon has been very liberally dealt with. There are two irrigation projects that have been provided for. For one of them this bill appropriates $366,000, and for the other one it appropriates $317,000. There is about $700,000 already appropriated by this bill for irrigation projects in the State of Oregon. The committee felt that in these times of an almost empty Treasury the State of Oregon could afford to wait a little while before it got its hand deeper into the Treasury.

I am very sorry that the Senator feels that he is bound to press the matter at this time. This is not the last Congress that we are going to have. There will be other opportunities. Really, the Treasury can not afford to take out these vast sums that do not seem to be very urgent or immediately necessary. The committee concluded that this $450,000 ought not to be appropriated at this time. If the Senate wants to appropriate it, it is within its province to do so, but I do not think it wise legislation. I do not think it ought to be done. I think we have done a great deal for the State of Oregon when we have given it about $700,000.

Mr. CHAMBERLAIN. Mr. President, as I said a while ago, I call the attention of the Senator to the fact that Oregon is not putting her hand into the Treasury. Oregon is only taking out a part of what she has put in, and a small part at that.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

Mr. CHAMBERLAIN. Certainly.

Mr. OVERMAN. Has not Oregon refused to make the appropriation necessary in order to get this?

Mr. CHAMBERLAIN. Not yet.

Mr. OVERMAN. She did two years ago, did she not?

Mr. CHAMBERLAIN. No. I will tell the Senator what she did. The State of Oregon appropriated $450,000 and expended it under a mistaken apprehension that it was for cooperative work.

Mr. OVERMAN. I know; but did not they refuse to appropriate the money for this project, and have they appropriated the money necessary to get this money now?

Mr. CHAMBERLAIN. Have they appropriated it?

Mr. OVERMAN. Yes.

Mr. CHAMBERLAIN. I have not any fear but that they will, as Oregon always does her duty fairly and squarely.

Mr. OVERMAN. I understand she does her duty; but her legislature is in session now, and yet they have not responded to this, and unless they pass the bill we can not make the appropriation here.

Mr. CHAMBERLAIN. I will say to the Senator, in answer to that, that Oregon has been buncoed so often by the Congress of the United States that she is afraid to act until the Congress does something.

Mr. OVERMAN. Mr. President, I do not know anything about Oregon; but your legislature having this very matter before it, and not having passed it, why should we put it in here now? When your legislature does pass it, I am in favor of the proposition.

Mr. CHAMBERLAIN. The Senator need not have any fears about that. But the Senator diverted me from what I wanted to say. I was speaking of the liberality of the Congress to the various States; and I am not "knocking" any of these projects. I believe that all of them ought to be carried on, and upon a much larger scale than they are being carried on. It is the last remaining land for the homesteader in this country—the arid land of Oregon and other Western States.

Speaking of the liberality of Congress to Oregon, let me say to the chairman of the committee that here in the pending bill is a project, the Yakima project in Washington, for which you have appropriated $1,250,000, while you have been appropriating a few hundred thousand dollars for Oregon. For the Shoshone project in Wyoming there is $478,000 appropriated. For the Rio Grande project in this appropriation bill there is $1,265,000. In Arizona there has been appropriated more money than has ever been paid by that State from the sale of the public lands.

While I am not criticizing the committee for being liberal to these other projects, and I think they ought to be carried on, I do not want the Senator to say that Oregon, which has contributed more money to the reclamation fund than any State in the Union except one, is asking more than she ought to have when she is allowed a paltry three or four hundred thousand dollars in this bill. As I said, the Congress of the United States could well afford to appropriate the $450,000 I am asking for, for the simple reason that it is already appropriated, and if Congress wants to be square with us it will make the appropriation available because of the law which took effect at the last session of Congress, which now makes these appropriations necessary by Congress itself.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Oregon a question. When this matter was before the committee, as I understood the proposition, it was that the Government of the United States should appropriate half and the State of Oregon the other half. Is this item the same as the one that was presented there?

Mr. CHAMBERLAIN. It is the same item.

Mr. SHAFROTH. Does the Senator's amendment provide that this shall take effect only in the event that the State of Oregon makes an appropriation of a similar amount?

Mr. CHAMBERLAIN. I do not believe the amendment I have suggested does.

Mr. SHAFROTH. If the Senator will put that in I shall be very glad to support it, as I was glad to support it in the committee.

Mr. CHAMBERLAIN. I shall certainly be glad to do that, because if we do not do it in cooperation I feel that there is a disposition upon the part of Congress not to make the appropriation. As I said a while ago, Oregon has already expended $450,000 under the belief that it was expending it on a cooperative proposition.

Mr. MARTIN of Virginia. Mr. President, I will ask the Senator whether that amount was not expended by the State of Oregon for the improvement of lands privately owned by its own people?

Mr. CHAMBERLAIN. No, sir; and very little of this land that the Secretary of the Interior now proposes to irrigate is in private hands.

Mr. MARTIN of Virginia. Oregon is spending all these millions of money, then, for lands owned by the United States Government?

Mr. CHAMBERLAIN. Oh, no. The Senator is doubtless familiar with the Carey Act, which applies to lands in private ownership within projects where the State or the Government has large holdings. Some of it might be in private ownership.

Mr. MARTIN of Virginia. It is owned, then, either by the State or by private citizens? The United States owns very little land that will be benefited by these improvements?

Mr. CHAMBERLAIN. It does own much in this project.

Mr. MARTIN of Virginia. That was my information—that it was to a very slight extent beneficial to the lands in which the Government holds any interest. That is all the information I have.

Mr. CHAMBERLAIN. I will say to the Senator that that is hardly correct. In some instances we have appropriated money for reclamation where there were lands in private ownership within the project, and much that was owned by the United States.

Mr. MARTIN of Virginia. But we have been told all along that the State of Oregon stood ready to put up a like sum, $450,000. Let her do that, and then let the Senator come here with his proposal.

Mr. CHAMBERLAIN. I do not think the Senator ought to insist on that, particularly——

Mr. MARTIN of Virginia. That is what the Senator has been telling me. His colleague appeared before the committee and said that the act might be passed any day; that they were going to do it.

Mr. CHAMBERLAIN. Well, it may be. The legislature will be in session for 30 days longer.

Mr. MARTIN of Virginia. I would be willing to vote to appropriate $450,000 to equalize a similar amount appropriated by the State.

Mr. LANE. Mr. President, I should like to say just a word at this point. I suggest to my colleague that he make the appropriation contingent upon the fact that the State of Oregon appropriates dollar for dollar.

Mr. MARTIN of Virginia. I suggest to the Senator that he make his appropriation contingent upon the United States making a similar one. Let him act first. He is the man that is asking for this.

Mr. LANE. I am not a member of the Oregon Legislature, but I am a Member of this body. I should like to do my share of it in this body.

Mr. MARTIN of Virginia. I have found that the State of Oregon gets very liberal treatment from this Congress. You can not take up any bill where there are any appropriations going where the activity and the ability of the Oregon Senators does not get all that is coming to them. It reminds me of the man that was on the witness stand, and the judge asked him if he was sure he had told the whole truth. He said, "Yes, Judge; and a leetle more." [Laughter.]

Mr. CHAMBERLAIN. The Senators have always treated Oregon on that very basis.

Mr. MARTIN of Virginia. You will find that is so if you look at any of these bills. If you look at the river and harbor bill, you will see one item of $2,000,000. Take any bill that appropriates money, and the activity and the watchfulness and the zeal of the Senators from Oregon always secure for that State all that it is entitled to, and "a leetle more."

Mr. CHAMBERLAIN. Let me ask the Senator this question, in all fairness: He and I are members of the Commerce Committee. I will ask the Senator if there is a single State in this Union that has put up as much money for river and harbor improvements as has the State of Oregon?

Mr. MARTIN of Virginia. She has been very liberal. She does very well, and she asks the Government of the United States to do a little better.

Mr. CHAMBERLAIN. Well, she ought to, because the Columbia River carries the commerce of the world.

Mr. MARTIN of Virginia. I am not criticizing or complaining. I voted for it, and I think it is right. I simply mean to say that Oregon has all that is coming to her and a little bit more; and we have given her, not two or three hundred thousand dollars, as the Senator stated just now, but over $700,000, in this bill. I suggest to the Senator that he should wait for another time and get it then. Do not get it all at once.

Mr. CHAMBERLAIN. Let me ask the Senator, in all fairness, this question: The Senator says Oregon ought to go back and appropriate money for cooperative work. Has the Senator imposed that requirement upon a single other State in the Union?

Mr. MARTIN of Virginia. I do not think we have imposed it upon Oregon. Oregon imposed it upon herself. She came here with this proposition. Nobody asked her to make it.

Mr. CHAMBERLAIN. Oregon imposed it upon herself, and she has always stood ready to carry it out.

Mr. MARTIN of Virginia. Because she is the chief beneficiary; and the United States is being very liberal when, for the slight interest she has, she puts up half the money, when the State of Oregon and the people of Oregon own a great deal more than half the lands that are being irrigated.

Mr. CHAMBERLAIN. I am going to appeal to the generosity of the Senate in this matter.

Mr. MARTIN of Virginia. It is for the Senate to determine. I have no interest in it and no desire except simply to see that the matter is treated justly and equitably. I think Oregon can wait until next time; and in the meantime you can have the appropriation of $450,000 made by your own legislature.

Mr. CHAMBERLAIN. I will ask to modify my amendment so as to make it contingent, as has been suggested.

Mr. SMOOT. Mr. President, in that respect I want to say to the Senator from Oregon that if these are not private lands Oregon should not be compelled to pay a dollar.

Mr. CHAMBERLAIN. I know that; but they have always asked Oregon to do that, and she has never declined to do it, either.

Mr. SMOOT. I have never known any case where the State paid one-half of the amount for reclamation, unless there were private lands embraced in the project.

Mr. CHAMBERLAIN. No; that is true. I am going to say to the Senator that if this rule is applied to my State I am going to make the best fight that is in me to see that it is applied to every semiarid State in the Union. Why should it not be?

Mr. MARTIN of Virginia. That is right.

Mr. SMOOT. I will say that if Oregon has paid half of the amount that has been spent in reclamation projects in the State of Oregon, she is the only State in the Union that has done so.

Mr. CHAMBERLAIN. She did pay about $500,000.

Mr. LANE. She did.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. SHAFROTH. Mr. President, I hope the Senator is going to put the amendment in contingent form, dependent upon the action of the Legislature of the State of Oregon, so that I can vote for it.

Mr. CHAMBERLAIN. I have just asked that that be done.

The VICE PRESIDENT. The Secretary will state the amendment as now proposed.

The SECRETARY (reading)—

Provided, That no portion of this appropriation shall be expended until the State of Oregon shall have appropriated a like sum for the like purpose.

Mr. MARTIN of Virginia. "For the same purpose." It might be an appropriation for some other purpose.

The SECRETARY (reading)—

For the same purpose.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified. [Putting the question.] By the sound the noes seem to have it.

Mr. CHAMBERLAIN. I ask for a division.

The VICE PRESIDENT. All those in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The amendment is adopted.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. The Senator from Wyoming.

Mr. WARREN. I send to the desk an amendment which appropriates no additional money, and I call the attention of the chairman of the committee to it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In line 22, page 115, after the numerals "$75,000," it is proposed to insert:

Also, the Secretary of the Interior is authorized to expend out of the appropriation herein authorized for the repair of the road known as the Two Medicine Road from the main automobile road to the boundary line between the Glacier National Park and the Blackfeet Indian Reservation, within the Blackfeet Indian Reservation, $1,000; and also $1,000 for the repair of the Cut Bank Road from the main automobile road to the boundary line between the Glacier National Park and the Blackfeet Indian Reservation, within the Blackfeet Indian Reservation.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. LA FOLLETTE. I offer the amendment which I send to the desk, and I ask the attention of the chairman of the committee to it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 102, line 20, after the word "use," it is proposed to insert:

And to recommend to the various departments such changes in selection and use of fuel as may result in greater economy.

Mr. LA FOLLETTE. I will say to the Senate, and especially to the Senator from Virginia, that this provides for no addition to the appropriation. It is a suggestion that comes to me from the Bureau of Mines. They are making investigations with respect to economies in fuel, and I am informed that if they can convey their recommendations to the heads of departments it will work out a very great saving to the Government. I am assured that in the War Department alone it will result in a saving of $100,000.

Mr. MARTIN of Virginia. Mr. President, it is legislation on an appropriation bill and a plain violation of the rule; but I will not make any objection, in the interest of getting through with the bill. It can go to conference.

Mr. LA FOLLETTE. It will be justified in conference if the conferees will listen to experts on the subject.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. The Senator from Montana.

Mr. MYERS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend the bill by inserting, on page 128, after line 11, the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the Federal building at Billings, Mont., to be remodeled, altered, and improved so as to better fit said building for the accommodation of other branches of the public service, including the United States courts and the officials thereof; and the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated therefor and made available out of any moneys in the Treasury not otherwise appropriated.

Mr. MYERS. I want to explain that amendment very briefly.

Mr. MARTIN of Virginia. Mr. President, I make the point of order that it is general legislation and has not been estimated for. I hope the Senator will not insist upon making an argument about a matter that can not possibly go on this bill if the rules of the Senate are to be respected. I make the point of order, and the Chair can dispose of it.

Mr. MYERS. Mr. President, perhaps I should have stated why I desired to offer the amendment first and offered the amendment later. As long as I have the floor, I will simply say that in hope of getting the Senator from Virginia, the chairman of the committee, to withdraw his point of order I——

Mr. MARTIN of Virginia. Mr. President, I respectfully submit that I have a right to have the point of order ruled on. If this amendment is not in order, it ought not to be debated.

The VICE PRESIDENT. The Chair must sustain the point of order, of course, if the statement of the Senator from Virginia is correct.

Mr. MYERS. I appeal from the ruling of the Chair, if the Chair please, and I wish to be heard for a few seconds on that appeal.

The Government has erected an adequate and very substantial public building at Billings, Mont., at a cost, I believe, of about $150,000. The third floor has never been completed, and it is eminently adapted to holding the Federal court. The Federal court for one division of the Montana business is held in Billings, Mont. As I say, this space is adequate for court purposes, but it has never been finished up for courts or for anything else. It is simply standing there vacant and idle, and the United States Government has to rent court quarters outside of the building, in other buildings in another part of the town. I do not see any economy in renting court quarters in other buildings when there is plenty of room here in our own building. In regard to that the Department of Justice wrote me a letter, in which it said:

> This building was authorized for post-office purposes only, and when the matter of permitting the court to occupy a portion thereof during its sittings was taken up with the Treasury Department it was ascertained that no appropriation was available for the expense of installing permanent benches, railings, etc., necessary for the average courtroom. Apparently it will take an act of Congress to furnish the necessary authority for using this building for court purposes, and possibly a special appropriation to cover the expense of fitting up the third floor.

The department recommends that I ask for legislation for that purpose. I consulted personally with the Supervising Architect of the Treasury, and he said that $15,000 would be sufficient. I have a letter from the United States marshal of Montana advising me that the building could easily be fitted up for court purposes. I assure the chairman of the committee and Senators that some place is badly needed, and I am assured by the Supervising Architect of the Treasury that $15,000 will be sufficient.

I may say that I could not find the time to go before the Committee on Appropriations when it was considering the bill. I did not know when the committee was sitting, I had no notice of its meetings, and I failed to have an opportunity to appear before it.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the decision of the Senate? [Putting the question.] The ayes have it, and the ruling of the Chair is sustained.

Mr. NEWLANDS. Mr. President, in the absence of my colleague [Mr. PITTMAN] I wish to offer an amendment which he presented yesterday to the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 109, line 3, strike out "$236,000" and insert in lieu thereof "$336,000," so as to read:

> Truckee-Carson project, Nevada: For maintenance, operation, continuation of construction, and incidental operations, $336,000.

Mr. MARTIN of Virginia. I make a point of order against the amendment that there has been no estimate for it whatever. The only information we have is from the Senator. It has not been reported from any committee and there is no authority anywhere for it whatsoever, and no estimate.

The VICE PRESIDENT. The point of order is sustained.

Mr. NEWLANDS. I should like to be heard on the point of order.

The VICE PRESIDENT. The Chair rules that the point of order is sustained.

Mr. NEWLANDS. I appeal from the ruling of the Chair, and would like to be heard.

The VICE PRESIDENT. The point of order is now debatable on an appeal.

Mr. NEWLANDS. Mr. President, the sundry civil appropriation bill contains appropriations for various reclamation projects payable out of the reclamation fund and not out of the General Treasury. Among the items is the following:

> Truckee-Carson project, Nevada: For maintenance, operation, continuation of construction, and incidental operations, $236,000.

Mr. MARTIN of Virginia. Will the Senator excuse me just to call attention to the fact that the estimate here was $236,000 and the committee has given every dollar that was estimated?

Mr. NEWLANDS. I understand that; but I state that any recommendation made by a department as to amount can be increased in amount or diminished by the Senate. Otherwise we change the department itself into the legislative body and make its estimates final and conclusive.

Recollect, there is no additional purpose for this appropriation put into the bill by this amendment, there is no additional subject matter, there is no change at all in the item. The question is simply as to the amount, and I propose to show that an increase of an amount estimated for by any department is the subject of an amendment, and that this increase ought to be granted.

Mr. OVERMAN. I suggest to the Senator from Nevada to get an estimate, and when the deficiency bill is reported here next week, if he has the estimate, we can put it on. I ask him not to delay this bill by trying to put it on now.

Mr. NEWLANDS. Mr. President, I stand here representing temporarily my colleague [Mr. PITTMAN], who is just informed that the Senate is considering this bill. He has presented this amendment, and he wishes to have an opportunity of presenting it. He is on his way to the Senate now, but I am afraid he may not get here before the conclusion of the bill.

Now, what is the fact with reference to this matter? The Interior Department is now considering it, and will by Monday determine whether it will recommend it.

I understand that the Reclamation Service has written a letter to the Secretary of the Interior recommending an increase of $100,000. The Secretary of the Interior is absent, and the matter is to be determined by the Assistant Secretary, and he is to render his decision on Monday upon the subject.

I hope to be able to convince the Senator that this amendment should not be ruled out.

Mr. MARTIN of Virginia. Let me suggest to the Senator that if this amendment is a meritorious one and ought to be provided for, it can easily be done on the deficiency appropriation bill. This is not the last appropriation bill that is coming before Congress. We are asked now to legislate on a letter from the United States marshal. That is the only statement which has come to us. Nobody knows what is necessary or how much will be required or anything about it, but if this is a meritorious proposition, as I told the Senator when he approached me first about it or in one of the conversations, he should get the amendment in shape and get it estimated for by the proper authority and get before the Senate the information that will enable it to legislate intelligently and justly, and if it is just it can be put on the deficiency appropriation bill. But the Senator is asking us to legislate here without any basis whatever to go on except the opinion of the United States marshal that this work ought to be done. That is the only document that has been referred to. We have given every dollar that the officers of the Government charged with this duty have asked us to give, and if it is a meritorious project, all the Senator has got to do is to get his material in shape and we will see that he has fair treatment, so far as the committee can give it, and I am sure the Senate will do the same on the deficiency appropriation bill.

Mr. NEWLANDS. Mr. President, I am put under some embarrassment by the appeal made by the Senator from Virginia. I have received by telephone a request from my colleague that this matter should be held up until he can arrive. He will arrive very shortly and I am desirous of complying with his request. I believe this amendment is not subject to a point of order, and I hope that the Senate will, after discussion, reverse the ruling of the Chair. The point of order is made that this amount, the sum of $336,000, is not estimated for.

The VICE PRESIDENT. Has the Senator from Nevada read the rules of the Senate?

Mr. NEWLANDS. Not very recently.

The VICE PRESIDENT. There is not any doubt about the question.

Mr. NEWLANDS. Will the Vice President refer me to the rule?

The VICE PRESIDENT. The rule provides that—

> No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session;

or unless the same be moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the departments.

The Senator from Virginia has given the estimate of the department. This is an appropriation to increase the amount in the bill. It has not been estimated for heretofore, it has never gone to a committee, and there can not be a doubt about the ruling of the Senate upon the question.

Mr. NEWLANDS. Well, Mr. President, I do hope that the Senator from Virginia will withdraw his point of order, because if this matter goes into conference and it is not followed up by an estimate from the Secretary of the Interior, we will not urge its retention in the bill.

Mr. MARTIN of Virginia. It is impossible for me to withdraw the point of order. I have pointed out to the Senator the only channel for him to pursue. If there is any merit in this proposition, he ought to be willing to have it presented with the proper fortification behind it from some department of the Government, and when the committee takes up the deficiency bill it can be considered. If he can not do that, it can certainly never have my support.

Mr. NEWLANDS. Mr. President, the Chair in reading the rule has convinced me that the point of order was properly sustained. I made an appeal to the Senator from Virginia to withdraw the point of order and let this amendment go in, subject, of course, to its being backed up hereafter by an estimate, but he declines. I feel that I have done my full duty to my colleague in the matter and I withdraw my appeal.

The VICE PRESIDENT. The appeal is withdrawn. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. I ask the Chair to lay before the Senate House bill 20347, the Army appropriation bill, and then it can be laid aside until Monday morning.

The VICE PRESIDENT. The Chair lays the bill before the Senate.

The SECRETARY. A bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

The VICE PRESIDENT. The bill is before the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House insists upon its amendments to the bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America and between the United States and the countries of Europe, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALEXANDER, Mr. PADGETT, Mr. HARDY, Mr. TALBOTT of Maryland, Mr. GREENE of Massachusetts, Mr. ROBERTS of Massachusetts, and Mr. HINDS managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2518. An act granting to the town of Nevadaville, Colo., the right to purchase certain lands for the protection of water supply;

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908; and

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PETITIONS AND MEMORIALS.

Mr. PERKINS presented petitions of sundry citizens of Los Angeles, Cal., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of San Dimas, Cal., remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. GRONNA. I present a concurrent resolution of the Legislature of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the concurrent resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Bismarck, this 10th day of February, A. D. 1915.

[SEAL.] THOMAS HALL,
Secretary of State.

A concurrent resolution (McClellan).

Be it resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That—

Whereas there are now in the western part of North Dakota about 673,000 acres of rough, broken, and nonirrigable vacant Government land more suitable for grazing and stock raising than for any other purpose; and

Whereas the steady development of the West has been dependent upon and built up by actual settlers and homesteaders who came West for the purpose of finding homes for the support and maintenance of themselves and families; and

Whereas the occupation and settlement of these vacant lands will in time, through taxation and other sources, inure to the benefit of the counties and whole country in which said lands are located; and

Whereas practically all the agricultural lands in the third congressional district of the State of North Dakota have been selected and are now occupied by actual settlers; and

Whereas the balance of the unoccupied lands are quite rough and broken and consist mostly of what are commonly known as the Bad Lands, and principally valuable for stock raising; and

Whereas there is a shortage of beef throughout the land as a result of stock raising having been neglected for agricultural pursuits; and

Whereas the balance of this land, if assigned in proper quantities, will yet support hundreds of families; and

Whereas we believe an act can and should be passed by Congress which will grant each settler a sufficient acreage of said lands as will comfortably support a family by mixed farming and stock raising thereon, and which act might be drafted along the line of the 640-acre stock-raising homestead bill No. 15799, which was introduced during the second session of the Sixty-third Congress of the United States, and in which there is incorporated a classification clause which would leave absolutely no grounds for the act to monopolize lands coming under the 160-acre or 320-acre acts; and

Whereas it has come to our notice that a movement was on foot to have Congress pass a law to have said Government lands granted to the State for leasing purposes, and to also pass a national leasehold bill; and

Whereas we believe that such an act would be a crime and an outrage perpetrated upon the counties in which said lands are situated, and would deprive them of the actual settlers and families which they would otherwise get and would further deprive such counties of the assessable valuations and taxable property which they are entitled to and from which said counties would eventually realize an abundance of revenue by virtue of entrymen having their lands patented and homes built thereon for themselves and families and their children's children; and

Whereas there is not the incentive for families to build up valuable and permanent homes on rented land that there is on land they can call their own, and from which they would not have to be separated by virtue of the expiration of a lease; and

Whereas there are a number of the counties in which this land is located that are already too small in the area of their agricultural lands without robbing them of what is left, and this is especially true of Billings County, which has not any more taxable real estate than it needs for the running of their county government; and

Whereas we do not believe in heaping the burdens of taxation on the few who happen to own the agricultural land in such localities when the same can be reduced with the settlement of these vacant Government lands by homesteaders who are willing to share the burden of taxation in their community for the purpose of getting homes; and

Whereas we are heartily in favor of some act that will tend to improve said district and bring settlers who will make permanent homes therein, but that we are bitterly opposed to the submission of a national leasehold bill, or any act that will shut the lands out from actual homesteading, thereby curtailing and handicapping the development and upbuilding of said district: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we transmit a copy of this resolution to our Senators and Representatives in the National Congress, requesting and urging them to use all honorable means to see that the

spirit of this resolution be put into execution as far as possible, and that any act which would tend to prevent the actual settlement of the lands above referred to, and which would deprive any county in said third congressional district of the full benefit of its lands through taxation or otherwise, be prevented: It is further

Resolved, That the secretary of state is hereby authorized to transmit the foregoing resolution to the Senators and Representatives in Congress from the State of North Dakota.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. LEA of Tennessee presented petitions of sundry citizens of Wayne County, Tenn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. WARREN presented a petition of the Trades and Labor Assembly of Cheyenne, Wyo., praying for the passage of the so-called seamen's bill and the enactment of legislation to prohibit interstate commerce in convict-made goods, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Lingle, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. WORKS presented petitions of sundry citizens of southern California, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey presented memorials of sundry citizens of Washington, D. C., remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which were referred to the Committee on Woman Suffrage.

Mr. McLEAN presented a petition of St. Boniface's Society, of Meriden, Conn., praying for the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Danbury, Conn., remonstrating against the exclusion of certain matter from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the St. Stephan's Kranken Unterst-Verein, of New Britain, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Pomfret, Conn., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

Mr. WEEKS presented a memorial of 127 citizens of Pittsfield, Mass., remonstrating against the curtailment of the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Clinton and Turners Falls, in the State of Massachusetts, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of the congregation of the United Presbyterian Church of Eskridge, Kans., remonstrating against the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. POINDEXTER presented petitions of Simon P. Ambrose, of South Bend; of Mrs. G. H. Hummel, of Auburn; of Donald K. Billings, of Tacoma; of John Fisher, of Elk; and of sundry other citizens in the State of Washington, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of Chauffeurs' Union No. 196, of Seattle, Wash., praying for the passage of the so-called seaman's bill, which was ordered to lie on the table.

He also presented a petition of Flat Grange No. 533, Patrons of Husbandry, of Stevens County, Wash., praying for the postalization of the telephone and telegraph lines, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. CATRON, from the Committee on Military Affairs, to which was referred the bill (H. R. 11839) for the relief of William Ham, reported it without amendment and submitted a report (No. 1016) thereon.

Mr. HUGHES, from the Committee on Finance, to which was referred the bill (H. R. 12674) to provide for the allowance of drawback of tax on articles shipped to the island of Porto Rico or to the Philippine Islands, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McLEAN:

A bill (S. 7391) granting an increase of pension to Jerome S. Manchester (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 7692) for the relief of I. C. Johnson, jr., to the Committee on Naval Affairs.

By Mr. POINDEXTER:

A bill (S. 7693) for the relief of Gertrude M. Woodson; to the Committee on Claims.

A bill (S. 7694) for the relief of Wellington F. Larabee; to the Committee on Military Affairs.

By Mr. CHILTON:

A bill (S. 7695) for the relief of George T. Goshorn; to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WEEKS submitted an amendment providing that any officer of the Navy or Marine Corps advanced in rank for service rendered during the War with Spain by the act of March 3, 1901, shall be entitled on retirement to the next higher grade, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment providing that the appropriation of $400,000 for the erection on the Isthmus of Panama of barracks, quarters, and other buildings for accommodation of marines provided for by the act of March 4, 1913, is hereby reappropriated and $200,000 thereof be made available for the erection of marine barracks at Mare Island, Cal., etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment providing that the number of gunnery sergeants in the United States Navy heretofore authorized be increased by 20, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment relative to the appointment of additional officers in the Marine Corps, etc., intended to be proposed by him to the naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. WILLIAMS submitted an amendment authorizing the President to appoint to the grade of brigadier general on the retired list one lieutenant colonel who has served continuously for 30 years as a commissioned officer in the Regular Army, etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347), which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to appropriate $25,000 for 12 additional assistant surgeons in the Public Health Service, intended to be proposed by him to the sundry civil appropriation bill (H. R. 21318), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate $5,838.36 to pay Simon S. Preston, of Seattle, Wash., being the amount of the defalcation of D. C. Kearns, deputy collector of internal revenue, and which was repaid to the United States Government by Simon S. Preston, etc., intended to be proposed by him to the general deficiency appropriation bill (H. R. 21546), which was referred to the Committee on Appropriations and ordered to be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors, having met,

after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 3, 5, 6, 7, 10, and 13, and agree to the same.

That the House recede from its amendments numbered 1, 2, 4, 8, 9, and 12.

That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed therein insert the sum "$24"; and the House agree to the same.

BENJAMIN F. SHIVELY,
CHARLES F. JOHNSON,
L. Y. SHERMAN,
Managers on the part of the Senate.

JOE J. RUSSELL,
M. E. BURKE,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 3, 6, 7, 8, 9, 10, 11, 13, 14, and 15, and agree to the same.

That the House recede from its amendments numbered 1, 2, 5, and 12.

That the Senate recede from its disagreement to the amendment of the House numbered 4 and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment and in lieu of the sum proposed therein insert the sum "$30"; and the House agree to the same.

BENJAMIN F. SHIVELY,
CHARLES F. JOHNSON,
L. Y. SHERMAN,
Managers on the part of the Senate.

JOE J. RUSSELL,
M. E. BURKE,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. SHIVELY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 8 and 13, and agree to the same.

That the House recede from its amendments numbered 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, and 16.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in lieu of the sum proposed therein insert the sum "$36"; and the House agree to the same.

BENJAMIN F. SHIVELY,
CHARLES F. JOHNSON,
L. Y. SHERMAN,
Managers on the part of the Senate.

JOE J. RUSSELL,
M. E. BURKE,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

LANDS IN UTAH.

Mr. STONE. Mr. President——

Mr. SMOOT. Will the Senator from Missouri yield to me for a moment?

Mr. STONE. I yield to the Senator.

Mr. SMOOT. From the Committee on Public Lands I report back favorably with an amendment the bill (S. 7362) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept relinquishment from the State of Utah of certain other lands in lieu thereof, and I submit a report (No. 1015) thereon. It is purely a local bill and a similar one has been reported in the House. I ask unanimous consent that it be considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, at the end of the bill, to strike out the proviso and insert the following in lieu thereof:

Provided, That said patent shall not issue until the State of Utah shall have filed an unconditional relinquishment of all the lands covered by Utah segregation list No. 2, as well as a proper release of any interest or claim which the State of Utah may have or assert in or to the lands offered in exchange for those herein proposed to be patented.

The amendment was agreed to.

Mr. SMOOT. I ask that the letter of the Secretary of the Interior which is embodied in the report be printed in the RECORD.

The VICE PRESIDENT. Without objection, that will be done.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 11, 1915.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: In response to a request from the Committee on Public Lands I have the honor to submit the following report on S. 7362: The legislation proposes to authorize and direct the Secretary of the Interior to patent to the State of Utah 4,197.31 acres of public lands which were segregated to the State under the Carey Act as a portion of Utah segregation list No. 2, comprising 48,226 acres, on February 1, 1908, in exchange for a like quantity of school lands, most of which is unsurveyed and within the limits of certain national forests.

Briefly stated, the facts pertinent to this matter, as shown by the records of the General Land Office, are as follows:

July 16, 1907, the State of Utah applied, under the Carey Act, for the segregation of 48,750.07 acres of public land. February 1, 1908, the then Secretary of the Interior approved said list for 48,226.74 acres. The waters relied upon for the reclamation of these lands were certain appropriations from the Beaver River. Subsequent to the segregation the State of Utah entered into a contract with the Beaver Irrigation, Land & Power Co. for the reclamation of said lands.

June 18, 1912, the State land board canceled its contract with the Beaver Irrigation Land & Power Co. because of the nonconstruction of the system, and subsequently said company failed and its equities were sold under the hammer for $500.

August 21, 1912, a Carey Act inspector of this department, reporting upon the project, stated that in his opinion the water applicable thereto was only sufficient for the proper irrigation of about 17,000 acres gross, which would be in the neighborhood of 12,000 to 14,000 net acres. Upon receipt of this report the department notified the State of Utah of the probable shortage of water for the project, and suggested the relinquishment thereof in view of the facts. April 9, 1913, the governor of Utah, in answer to said suggestion, notified the department that the State land board was considering other means of reclaiming the lands segregated and, by inference, indicated that the State would stand upon its legal rights pending a trial of the proposed new system.

On April 30, 1913, the Beaver County Irrigation Co. was incorporated with a capital stock of 15,000 shares, par value $1 per share, for the expressed purpose of irrigating certain lands, aggregating 15,000 acres, one share of stock being set aside for each acre of irrigable land, such project being known as the Milford project. Something over 4,000 acres of the lands segregated under the segregation list No. 2, supra, were included within the limits of the Milford project, leaving 11,000 acres of the project in private ownership or held under desert or homestead claims. Under date of January 13 and January 19, 1915, Mineral Inspector Julius Hornbein, of this department, rendered two very full reports upon said project, in connection with certain desert-land entries which relied for their water upon the Milford system. In brief, his reports showed that the Beaver County Irrigation Co. had proceeded in good faith to construct the Milford project and had completed its system in a good and workmanlike manner, at an estimated cost of $750,000; that in such construction no bonds were issued, the system being constructed entirely from the funds of the company; and that, so far as he was able to ascertain, all outstanding bills had been promptly paid. It appears from these reports that the company has obtained by purchase various water-right priorities in addition to the appropriations made for the benefit of the Carey Act segregation, which, all together, will furnish sufficient water to raise remunerative crops upon the 15,000 acres of land included in the project, although he expresses doubt as to the sufficiency of said water to raise diversified crops when the entire 15,000 acres is under cultivation.

It appears, therefore, that the State of Utah is in a position to request patent under the Carey Act for the 4,100 acres mentioned in the bill, and while in view of Mr. Hornbein's reports some question might be raised as to the sufficiency of the water as a basis for patent under the Carey Act, other data on file in the General Land Office in connection with the water supply would seem to indicate that Mr. Hornbein's report was perhaps a little too conservative, and that upon fuller consideration of the question a less duty of water than that recommended by Mr. Hornbein might be considered sufficient.

It is the contention of the Beaver County Irrigation Co., however, that it has fully completed its system with its own funds; that it has sold nearly all of the water appurtenant to the 11,000 acres of privately owned land, and that it has entered into contracts for the sale of the Carey Act land; that it did not enter into such contracts until it had been assured by the State land board that the State of Utah could and would relinquish the 4,000 acres of Carey Act lands and select them as State indemnity; that the company, fully relying upon such statements, proceeded in good faith to contract for the sale of water appurtenant to the 4,000 acres of Carey Act land mentioned in

the bill; that subsequently the State did file indemnity school selection lists, accompanied by Carey Act relinquishments, for said lands, which lists were rejected by the General Land Office upon the ground that a relinquishment from a Carey Act segregation did not take effect until its acceptance and approval by the department, and hence that until such acceptance the land remained as effectually segregated as though the relinquishment had not been filed and was not subject to selection by the State as indemnity school land or to any other form of appropriation.

Under the former practice of the department it was usual to accept relinquishments by the State of lands within Carey Act projects as a matter of course, and to direct the acceptance of applications filed with such relinquishments. The present practice upon receipt of such relinquishments is to accept them and restore the lands to settlement 28 days after the date of the receipt of the letter of acceptance in the local office and to entry 56 days subsequent to such receipt, thus giving public notice of the restoration and equal opportunity to all.

The contention of the company is corroborated by the State land board. The rejected State lists are now on appeal before the department. As to the lands for which the bill proposes to direct a patent to issue, it may be said that they are all included in Utah segregation list No. 2 and appear to be subject to the disposition proposed by the bill. As to the base land, it is unsurveyed and lies within the boundaries of a national forest. Much land in like circumstances has been used in the past as basis for indemnity school land selections without question as to its validity.

In view of the decisions in Hibberd *v.* Slack (84 Fed., 571), State *v.* Whitney et ux. (120 Pac., 116), Balderston *v.* Bradey et al. (107 Pac., 493, and 108 Pac., 742) and Deseret Water and Irrigating Cos. (138 Pac., 891) this department is, for the time being, abstaining from action for the approval and certification of all lists of State school land indemnity selections based, as are these here considered, on the exchange provisions of the act of February 28, 1891 (26 Stat., 796), amending sections 2275 and 2276, United States Revised Statutes, the provisions of said act having been made applicable to the State of Utah by the act of May 3, 1902 (32 Stat., 188).

The object of this is to permit a full and adequate inquiry relative to the state of the law bearing on the validity of such selections, as that law may be established or influenced by the decisions above cited and by the statutory and constitutional provisions in force in the several States by which said selections have been made and upon which these decisions are supposed to rest. It is not by any means certain, however, that anything involved in that inquiry necessarily questions the validity of selections made by Utah. The purpose has been and is rather to ascertain and define what legislation, if any, may be essential or advisable to provide adequate security for the titles secured by the States by means of these selections, and also proper protection for the title of the United States to lands surrendered as bases for these selections.

From the best information obtainable the following financial statement of the company's affairs is presented:

	Acres.
Land privately owned	7,000
Desert-land entries	4,000
Carey Act land (mentioned in the bill)	4,000
Total	15,000

Privately owned land, to wit, that owned or controlled by the company, is being sold for $100 per acre, including water rights. Water appurtenant to lands held under desert-land or homestead entry is being sold for $70 per acre. The 4,000 acres of Carey Act land, if patented under the Carey Act and not under this bill, would be subject to such charge for water only as might be agreed upon between the Beaver Co. and the State land board, which, in the light of present contracts with homestead and desert-land entrymen, should not exceed $70 per acre, while if the lands were patented to the State pursuant to the proposed legislation it would sell to the settler, including water rights, for $100 per acre.

The gross income of the company on account of sale of land and water rights if the lands provided for in the bill were patented under the Carey Act, therefore, would appear to be about as follows:

7,000 acres, at $100 per acre	$700,000
8,000 acres, at $70 per acre	560,000
Total gross income	1,260,000

It would appear further that if this bill passes, and the 4,000 acres of Carey Act land is deeded to the State, the company will realize, after paying for its scrip, about $20 per acre more than if it were patented under the Carey Act, viz, $80,000, making the gross receipts $1,340,000. The cost of the project completed, colonized, and disposed of may be summarized as follows:

Cost of construction, including overhead charges	$750,000
Cost of colonization	100,000
Two years' lost interest on the amount invested, at 6 per cent	90,000
Value of privately owned land (7,000 acres) at $5 per acre (rough estimate)	35,000
Incidental expenses	15,000
Total	1,000,000

Assuming, therefore, the total cost of the enterprise when turned over to the settler to be $1,000,000, the apparent profit in case the lands were patented under the Carey Act would be $260,000. In case this bill passes, the profit would be increased to $340,000. Taking into consideration the three or four years' preliminary work by the investors, together with the risks and unforeseen contingent expenses incident to a venture of this character, it does not appear to me that the prospective profit is abnormally large.

Considering all the facts shown by the record, I may, perhaps, summarize the case as follows:

As against the passage of the bill—

It appears to be an attempt to circumvent the provisions of the Carey Act.

It appears that if passed the bill would make it possible for the company to charge the settler about $25 per acre more for the 4,000 acres included in this bill than if it were patented under the Carey Act.

It might be contended that if these lands were patented under the Carey Act the estimated profit as hereinbefore set forth is sufficient.

On the other hand, it may be said in favor of the passage of the bill—

That the Government will receive as indemnity 4,100 acres which it would not receive were the lands patented under the Carey Act.

That the Beaver Co. has actually constructed its system and placed the lands sought to be patented in condition for immediate reclamation.

That nothing in the record shows that they have not proceeded throughout in good faith.

That if the State applies for patent and it is refused, after further consideration of the water supply, the company would probably be the loser.

That unless the questions involved, in case the State applies for patent under the Carey Act, can be settled and patent issued before next spring, the lands involved could not be cultivated and a year's time would thus be lost, involving the proportionate additional interest on the cost of the project, loss of taxable valuation, and crops.

That besides the losses to the company hereinbefore enumerated it would be compelled to abrogate whatever contracts it has for the sale of the lands mentioned in the bill, entailing possible legal consequences resultant to a forfeited contract.

While, as a general rule, I believe that legislation of this character should not be encouraged, yet in view of all the facts and circumstances in this particular case, as hereinbefore set forth, I am unable to conclude that this proposed legislation is not justified, and for that reason will offer no objection.

In any event, if Congress should determine that the legislation is proper, the proviso, beginning on line 6, page 7, should be amended to read as follows:

"*Provided*, That said patent shall not issue until the State of Utah shall have filed an unconditional relinquishment of all the lands covered by Utah segregation list No. 2, as well as a proper release of any interest or claim which the State of Utah may have or assert in or to the lands offered in exchange for those herein proposed to be patented."

It is deemed proper that the State be required to relinquish its entire segregation list, for the reason that all of the waters upon which the segregation was predicated will be required by and are to be used for the Milford project, leaving no available water for the 44,000 acres which would be left in the segregation after patenting the lands mentioned in this bill. This statement is acquiesced in by the State engineer, the various engineers of the Beaver Co., and the inspectors of this department. There appears, therefore, no excuse for continuing this land in a state of segregation. It should be opened up to homestead entry and other forms of disposal at once.

Cordially, yours,

FRANKLIN K. LANE.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECESS.

Mr. KERN. I move that the Senate take a recess until Monday morning at 11 o'clock.

The motion was agreed to, and (at 6 o'clock and 30 minutes p. m., Saturday, February 20, 1915) the Senate took a recess until Monday, February 22, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 20 (legislative day of February 19), 1915.

MARSHAL OF THE UNITED STATES COURT FOR CHINA.

Paul McRae, of Virginia, to be marshal of the United States Court for China, vice Daniel Allen Wilson, jr.

REGISTER OF THE LAND OFFICE.

Arthur J. Evans, of Elida, N. Mex., to be register of the land office at Fort Sumner, N. Mex., vice Charles C. Henry, resigned.

COLLECTOR OF INTERNAL REVENUE.

Fred C. Kirkendall, of Wilkes-Barre, Pa., to be collector of internal revenue for the twelfth district of Pennsylvania. District reestablished by Executive order of October 28, 1914.

ASSISTANT TREASURER.

William W. Heard, of New Orleans, La., to be assistant treasurer of the United States at New Orleans, La., in place of John A. Wogan, whose term of office will expire by limitation March 19, 1915.

UNITED STATES MARSHAL.

Herman O'Connor, of Holton, Mich., to be United States marshal for the western district of Michigan, vice Nicholas J. Whelan, whose term has expired.

UNITED STATES DISTRICT JUDGE.

Harland B. Howe, of St. Johnsbury, Vt., to be United States district judge for the district of Vermont, vice James L. Martin, deceased.

REAPPOINTMENT IN THE ARMY.

Brig. Gen. Erasmus M. Weaver, Chief of Coast Artillery, to be Chief of Coast Artillery, with the rank of brigadier general, for the period of four years beginning March 15, 1915, with rank from March 15, 1911.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Second Lieut. Philip Gordon, Second Cavalry, to be first lieutenant from December 3, 1914, vice First Lieut. John K. Hume, Fifth Cavalry, dismissed Decemebr 2, 1914.

INFANTRY ARM.

Capt. John E. Woodward, Infantry, unassigned, to be major from February 12, 1915, vice Maj. William C. Bennett, Sixteenth Infantry, detailed as adjutant general.

Capt. James T. Moore, Twenty-seventh Infantry, to be major from February 13, 1915, vice Maj. Henry G. Learnard, Fourteenth Infantry, detailed as adjutant general.

POSTMASTERS.

ALABAMA.

S. D. Fulford to be postmaster at Georgiani, Ala., in place of Madison D. Majors. Incumbent's commission expired February 2, 1915.

William L. Phillips to be postmaster at Clio, Ala. Office became presidential January 1, 1915.

ARIZONA.

Dan L. Robinson to be postmaster at Clarkdale, Ariz. Office became presidential January 1, 1915.

CALIFORNIA.

Alexander P. Bettersworth to be postmaster at Elk Grove, Cal., in place of Vivian Welch. Incumbent's commission expires March 2, 1915.

Corinne Dolcini to be postmaster at Guadalupe (late Guadaloupe), Cal., in place of Evelyn Stokes, resigned; change name of office.

Anna Dryden to be postmaster at Manteca, Cal. Office became presidential January 1, 1915.

C. H. Gallagher to be postmaster at Sebastopol, Cal., in place of Louis V. H. Howell. Incumbent's commission expired May 18, 1914.

Ruth D. Kilgore to be postmaster at Colusa, Cal., in place of Ruth E. Dempsey (name changed by marriage).

C. E. Lilly, to be postmaster at Santa Cruz, Cal., in place of Orlando J. Lincoln. Incumbent's commission expired February 14, 1915.

Phillippe P. Roche to be postmaster at Fillmore, Cal., in place of Richard Stephens. Incumbent's commission expires March 2, 1915.

Clarence Tynan to be postmaster at Salinas, Cal., in place of William J. Hill. Incumbent's commission expired December 13, 1914.

COLORADO.

Jerry A. Ferris to be postmaster at Golden, Colo., in place of B. P. Quaintance. Incumbent's commission expired February 14, 1915.

CONNECTICUT.

Daniel P. Hurley to be postmaster at Terryville, Conn., in place of Thomas F. Higgins. Incumbent's commission expires March 3, 1915.

Joseph F. Leahy to be postmaster at Stonington, Conn., in place of Nathaniel P. Noyes. Incumbent's commission expired February 1, 1915.

John J. Moran to be postmaster at Southington, Conn., in place of Charles A. Keyes. Incumbent's commission expired February 1, 1915.

John Mulville to be postmaster at Norfolk, Conn., in place of Leopold J. Curtiss. Incumbent's commission expired February 8, 1915.

John P. Murphy to be postmaster at Norwich, Conn., in place of William Caruthers. Incumbent's commission expired February 4, 1914.

Thomas S. Rourke to be postmaster at Unionville, Conn., in place of Charles C. Georgia. Incumbent's commission expires February 23, 1915.

Edward R. Wooster to be postmaster at Bridgewater, Conn., in place of Charles N. Hatch. Incumbent's commission expires March 2, 1915.

FLORIDA.

James M. Miller to be postmaster at Bonifay, Fla., in place of Millard M. Owens. Incumbent's commission expires March 2, 1915.

GEORGIA.

Charles L. Collins to be postmaster at Cartersville, Ga., in place of Walter Akerman. Incumbent's commission expired December 14, 1914.

J. J. Foreman to be postmaster at Pavo, Ga., in place of T. E. Dixon. Incumbent's commission expires February 23, 1915.

IDAHO.

John E. Wood to be postmaster at Harrison, Idaho, in place of Orville J. Butler. Incumbent's commission expired February 6, 1915.

ILLINOIS.

J. L. Adkison to be postmaster at Ipava, Ill., in place of Charles S. Randolph. Incumbent's commission expired January 16, 1915.

John F. Bosworth to be postmaster at El Paso, Ill., in place of Frank G. Robinson. Incumbent's commission expired February 6, 1915.

Edward T. Crock to be postmaster at Hampshire, Ill., in place of Fred R. Brill. Incumbent's commission expired December 16, 1914.

Ernest R. Duncan to be postmaster at Potomac, Ill., in place of Tracy W. Buckingham, resigned.

Robert H. Lewman to be postmaster at Georgetown, Ill., in place of Luranah Haworth. Incumbent's commission expired December 13, 1914.

John H. Nelson to be postmaster at Paxton, Ill., in place of David C. Swanson. Incumbent's commission expired January 19, 1915.

Hugh Rice, jr., to be postmaster at Piper City, Ill., in place of Edward D. Cook. Incumbent's commission expired February 6, 1915.

Frederick E. Schweer to be postmaster at Beardstown, Ill., in place of E. E. Nicholson, resigned.

Ann Sheehan to be postmaster at Ohio, Ill., in place of Grant S. Remsburg. Incumbent's commission expires February 23, 1915.

M. C. Slattery to be postmaster at Galena, Ill., in place of Edward Grimm. Incumbent's commission expired June 2, 1914.

David Wilson to be postmaster at Gridley, Ill., in place of Abraham L. Coyle. Incumbent's commission expired January 19, 1915.

INDIANA.

Verado W. Bigney to be postmaster at Sunman, Ind. Office became presidential January 1, 1915.

Peter F. Hein to be postmaster at Crown Point, Ind., in place of Charles J. Daugherty, removed.

Charlie E. Heiney to be postmaster at Andrews, Ind., in place of David L. Snowden. Incumbent's commission expired February 6, 1915.

Marley Kendall to be postmaster at Dana, Ind., in place of Roy E. Turner. Incumbent's commission expired January 26, 1915.

IOWA.

J. A. Cowger to be postmaster at Mediapolis, Iowa, in place of J. Ken Mathews. Incumbent's commission expired February 10, 1915.

William Dealy to be postmaster at Hawarden, Iowa, in place of George A. Sedgwick. Incumbent's commission expired January 18, 1915.

Walter H. Dewey to be postmaster at Chariton, Iowa, in place of R. A. Hasselquist. Incumbent's commission expired December 19, 1914.

Henry Durst to be postmaster at Battle Creek, Iowa, in place of Isaac Hossler. Incumbent's commission expired February 1, 1915.

D. J. Harris to be postmaster at Inwood, Iowa, in place of Simon J. Mak. Incumbent's commission expired February 1, 1915.

William A. Julian to be postmaster at Merrill, Iowa, in place of George W. Irwin. Incumbent's commission expired February 6, 1915.

John E. McNamara to be postmaster at Castana, Iowa, in place of Preston T. Waples. Incumbent's commission expired February 6, 1915.

James D. Minnes to be postmaster at Moravia, Iowa, in place of J. W. Halden. Incumbent's commission expired February 1, 1915.

Samuel Manuel to be postmaster at Fayette, Iowa, in place of Charles H. Hoyt. Incumbent's commission expired February 16, 1915.

James H. Noon to be postmaster at Sumner, Iowa, in place of Earl M. Cass. Incumbent's commission expires March 2, 1915.

KANSAS.

Peter J. Murphy to be postmaster at Gardner, Kans., in place of Thomas W. Dare. Incumbent's commission expired January 19, 1915.

Fred H. Ricketts to be postmaster at Spring Hill, Kans., in place of Paul O. Coons. Incumbent's commission expired February 6, 1915.

T. Dwight Seeley to be postmaster at Tonganoxie, Kans., in place of Lincoln Ballou. Incumbent's commission expired February 16, 1915.

KENTUCKY.

Virgie H. Lytle to be postmaster at Augusta, Ky., in place of Joseph Insko, removed.

David L. May to be postmaster at Elizabethtown, Ky., in place of Marvin W. Barnes, removed.

O. C. Quirey to be postmaster at Sturgis, Ky., in place of Clarence H. Wilson. Incumbent's commission expired March 7, 1914.

LOUISIANA.

J. M. Callaway to be postmaster at Jonesboro, La., in place of James C. Brown. Incumbent's commission expires March 2, 1915.

Teakle W. Dardenne to be postmaster at Plaquemine, La., in place of Benjamin Deblieux. Incumbent's commission expired February 8, 1915.

Kate Gilbert to be postmaster at Farmerville, La., Office became presidential January 1, 1914.

Lee Kiblinger to be postmaster at Jackson, La. Office became presidential January 1, 1915.

Maydie Nichols to be postmaster at South Mansfield, La. Office became presidential January 1, 1915.

MARYLAND.

Joseph P. Getty to be postmaster at Western Port, Md., in place of Charles F. Peters. Incumbent's commission expired December 15, 1914.

W. G. Musgrove to be postmaster at Brunswick, Md., in place of Alonzo R. Spitzer, deceased.

J. A. Williamson to be postmaster at Frederick, Md., in place of William C. Birely. Incumbent's commission expired February 16, 1915.

MASSACHUSETTS.

Frank E. Gibbs to be postmaster at Petersham, Mass. Office became presidential July 1, 1914.

Daniel M. O'Leary to be postmaster at Baldwinsville, Mass., in place of Charles A. Perley. Incumbent's commission expires February 23, 1915.

James T. Wheelan to be postmaster at Ashburnham, Mass., in place of Frederick H. Greene. Incumbent's commission expires March 2, 1915.

MICHIGAN.

Arthur L. Francis to be postmaster at Portland, Mich., in place of Grant M. Morse. Incumbent's commission expired January 16, 1915.

Chauncey Hummel to be postmaster at Chelsea, Mich., in place of Orrin T. Hoover. Incumbent's commission expired January 20, 1915.

Charles A. Lahser to be postmaster at Redford, Mich. Office became presidential January 1, 1915.

Ellis T. Jermin to be postmaster at Ewen, Mich. Office became presidential January 1, 1915.

William O'Riley to be postmaster at Hudson, Mich., in place of Sidney E. Lawrence. Incumbent's commission expired February 1, 1915.

Levi S. Rice to be postmaster at Bessemer, Mich., in place of Luther E. Sherman. Incumbent's commission expired February 1, 1915.

Jacob Steffes to be postmaster at Lake Linden, Mich., in place of John Amesse. Incumbent's commission expired January 11, 1915.

MINNESOTA.

J. M. Collins to be postmaster at Pine City, Minn., in place of John Y. Breckinridge. Incumbent's commission expired February 1, 1915.

Charles R. Frazee to be postmaster at Pelican Rapids, Minn., in place of Charles R. Frazee. Incumbent's commission expired February 1, 1915.

William Gausewitz to be postmaster at Hill City, Minn. Office became presidential January 1, 1915.

Frank L. Gorenflo to be postmaster at Cass Lake, Minn., in place of John L. Grady. Incumbent's commission expires February 23, 1915.

Patrick H. Grogan to be postmaster at St. James, Minn., in place of Charles E. Fuller. Incumbent's commission expired January 20, 1915.

James H. Parker to be postmaster at Kasson, Minn., in place of Edward Wilson. Incumbent's commission expired February 17, 1915.

Jacob Scherer to be postmaster at Winthrop, Minn., in place of Frank Hagberg. Incumbent's commission expired February 17, 1915.

E. N. Smith to be postmaster at Blackduck, Minn., in place of Jesse E. Dade. Incumbent's commission expired February 1, 1915.

E. J. Sutherland to be postmaster at Chatfield, Minn., in place of John Charmak. Incumbent's commission expired January 10, 1915.

MISSISSIPPI.

Robert Burns to be postmaster at Brandon, Miss., in place of Robert Burns. Incumbent's commission expires February 23, 1915.

Willie Herring to be postmaster at Bude, Miss., in place of Willie Magee (change of name by marriage).

Rose Walley to be postmaster at Richton, Miss., in place of David Walley, resigned.

MISSOURI.

George T. Barker to be postmaster at Everton, Mo., in place of Victor H. Snoddy. Incumbent's commission expired January 18, 1915.

George C. Bean to be postmaster at Illmo, Mo., in place of Rolla G. Williams. Incumbent's commission expired February 16, 1915.

Patrick H. Kidwell to be postmaster at Versailles, Mo., in place of A. G. Baker. Incumbent's commission expires February 23, 1915.

Stephen B. Rogers to be postmaster at Cainesville, Mo., in place of C. E. Oden. Incumbent's commission expired February 6, 1915.

Alva S. Wells to be postmaster at Wyaconda, Mo., in place of A. H. Deitrich. Incumbent's commission expired February 16, 1915.

MONTANA.

A. R. McDonald to be postmaster at Whitehall, Mont., in place of W. W. McCall, resigned.

NEBRASKA.

O. K. Campbell to be postmaster at Gibbon, Nebr., in place of Romaine A. St. John. Incumbent's commission expired December 13, 1914.

Horace M. Davis to be postmaster at Ord, Nebr., in place of Alvin Blessing. Incumbent's commission expired January 27, 1915.

Robert Graham to be postmaster at Alliance, Nebr., in place of Ira E. Tash. Incumbent's commission expired January 31, 1915.

Jesse B. Lane to be postmaster at Scottsbluff, Nebr., in place of E. T. Westervelt. Incumbent's commission expired May 17, 1914.

Russell Mooberry to be postmaster at Dorchester, Nebr., in place of Samuel H. Weston. Incumbent's commission expired January 10, 1915.

Nathaniel W. Smails to be postmaster at Fremont, Nebr., in place of B. W. Reynolds. Incumbent's commission expires March 3, 1915.

NEW HAMPSHIRE.

Otis F. Sumner to be postmaster at Goffstown, N. H., in place of Bertha L. Martin. Incumbent's commission expires March 2, 1915.

NEW JERSEY.

Fred P. Crater to be postmaster at Gladstone, N. J. Office became presidential January 1, 1915.

Matt. Ely to be postmaster at Jersey City, N. J., in place of Peter F. Wanser. Incumbent's commission expired March 17, 1914.

Frank McMurtry to be postmaster at Mendham, N. J., in place of John W. Garabrant. Incumbent's commission expired December 19, 1914.

Bayard C. Stavely to be postmaster at Haddonfield, N. J., in place of A. H. Doughty. Incumbent's commission expired February 16, 1915.

Walter S. Terrell to be postmaster at Chatham, N. J., in place of William J. Wolfe, removed.

NEW MEXICO.

Joseph C. Swain to be postmaster at Wagon Mound, N. Mex., in place of Piedad Medina, removed.

NEW YORK.

George F. Brunner to be postmaster at Harrison, N. Y., in place of John A. Raser. Incumbent's commission expired January 16, 1915.

Augustus S. Hughes to be postmaster at Seneca Falls, N. Y., in place of Pryce W. Bailey. Incumbent's commission expired December 13, 1914.

Eugene E. Mann to be postmaster at Jordan, N. Y., in place of Adelbert E. Brace. Incumbent's commission expired February 5, 1915.

Thomas Smith to be postmaster at West Winfield, N. Y., in place of H. B. Stebbins. Incumbent's commission expires March 2, 1915.

Dennis F. Spellman to be postmaster at Newport, N. Y., in place of John B. Lankton. Incumbent's commission expired January 27, 1915.

Leverne Thomas to be postmaster at Prattsburg, N. Y., in place of Willoughby W. Babcock. Incumbent's commission expired February 8, 1915.

NORTH CAROLINA.

Lacy M. Clark to be postmaster at Beeford, N. C., in place of Neill McFadyen. Incumbent's commission expires February 23, 1915.

M. W. Cranford to be postmaster at Davidson, N. C., in place of Cloyd A. Potts. Incumbent's commission expires March 2, 1915.

Rosse D. Edgerton to be postmaster at Kenly, N. C., in place of Jacob M. Stancill. Incumbent's commission expires March 3, 1915.

Samuel S. Gay to be postmaster at Nashville, N. C., in place of Lucullus C. Cooper. Incumbent's commission expires March 3, 1915.

NORTH DAKOTA.

W. L. Armstrong to be postmaster at White Earth, N. Dak., in place of C. E. Shepard. Incumbent's commission expires March 3, 1915.

Harriet A. Deyoe to be postmaster at Marion, N. Dak. Office became presidential January 1, 1915.

Walter P. Osborne to be postmaster at Hunter, N. Dak., in place of Walter P. Osborne. Incumbent's commission expires February 23, 1915.

OHIO.

Henry Becker, jr., to be postmaster at New Washington, Ohio, in place of Senate A. Pugh. Incumbent's commission expired February 1, 1915.

James G. Bell to be postmaster at Frankfort, Ohio, in place of Allison B. Cline. Incumbent's commission expires February 23, 1915.

Hardie E. Bursk to be postmaster at Mason, Ohio. Office became presidential January 1, 1915.

Charles B. Chilcote to be postmaster at Mount Gilead, Ohio, in place of Alfred H. Breese. Incumbent's commission expired February 1, 1915.

John H. Geach to be postmaster at Granville, Ohio, in place of Lucius A. Austin. Incumbent's commission expires February 23, 1915.

Wilson S. Potts to be postmaster at Lisbon, Ohio, in place of Edmund F. Moore. Incumbent's commission expires March 2, 1915.

Dennis W. Seward to be postmaster at Elyria, Ohio, in place of John W. Bath. Incumbent's commission expired January 23, 1915.

Percy A. Walling to be postmaster at Circleville, Ohio, in place of Charles C. Chappelear. Incumbent's commission expires February 23, 1915.

OKLAHOMA.

Lula A. Ball to be postmaster at Wapanucka, Okla., in place of Jesse A. Taylor. Incumbent's commission expired April 5, 1914.

Edgar R. Christopher to be postmaster at Lone Wolf, Okla., in place of Joseph V. Martin. Incumbent's commission expired February 17, 1915.

M. M. Henderson to be postmaster at Tecumseh, Okla., in place of William E. Johnston. Incumbent's commission expired April 5, 1914.

Calvin R. Lockhart to be postmaster at Dustin, Okla., in place of Eugene D. Head. Incumbent's commission expired December 15, 1914.

H. E. Thomson to be postmaster at Wagoner, Okla., in place of Charles J. Brown. Incumbent's commission expires March 3, 1915.

Claude Weaver to be postmaster at Oklahoma, Okla., in place of H. O. Eastman, resigned.

OREGON.

Robert Blumenstein to be postmaster at Elgin, Oreg., in place of Robert C. Mays. Incumbent's commission expired February 14, 1915.

E. L. Campbell to be postmaster at Eugene, Oreg., in place of James L. Page. Incumbent's commission expires March 3, 1915.

John G. Foster to be postmaster at Baker, Oreg., in place of William J. Lachner. Incumbent's commission expired February 1, 1915.

E. J. Kaiser to be postmaster at Ashland, Oreg., in place of John R. Casey. Incumbent's commission expires March 3, 1915.

C. H. Stewart to be postmaster at Albany, Oreg., in place of James S. Van Winkle. Incumbent's commission expired February 14, 1915.

PENNSYLVANIA.

Origen K. Bingham to be postmaster at Slippery Rock, Pa., in place of Alfred W. Christy. Incumbent's commission expired January 19, 1915.

Casper S. Burtnett to be postmaster at Beaverdale, Pa. Office became presidential January 1, 1915.

Nathaniel S. Byers to be postmaster at Perryopolis, Pa., in place of William S. Stickel. Incumbent's commission expired January 21, 1915.

Grover C. Buser to be postmaster at Hummelstown, Pa., in place of Edgar C. Hummel. Incumbent's commission expired January 10, 1915.

John Cashman to be postmaster at St. Marys, Pa., in place of John C. Burden. Incumbent's commission expired January 28, 1914.

Orville W. Chase to be postmaster at Montrose, Pa., in place of Freeman I. Lott. Incumbent's commission expired April 15, 1914.

Otis H. Davis to be postmaster at Wellsboro, Pa., in place of W. E. Champaign. Incumbent's commission expired February 1, 1915.

John M. Decker to be postmaster at Stroudsburg, Pa., in place of Samuel V. Dreher. Incumbent's commission expired February 16, 1915.

William Fairchild, sr., to be postmaster at Dawson, Pa., in place of Charles J. McGill. Incumbent's commission expired January 24, 1914.

John P. Hines to be postmaster at Stoneboro, Pa., in place of James L. Greer. Incumbent's commission expired January 10, 1915.

James C. Jacobs to be postmaster at Burnham, Pa., in place of James C. Jacobs. Incumbent's commission expired January 10, 1915.

William T. Johnston to be postmaster at Bristol, Pa., in place of Ellwood W. Minster, resigned.

J. W. Keating to be postmaster at Towanda, Pa., in place of David M. Turner. Incumbent's commission expired February 4, 1915.

A. S. Knepp to be postmaster at North East, Pa., in place of Norris S. Woodruff, removed.

B. C. Lamberson to be postmaster at McConnellsburg, Pa., in place of Sylvester B. Wollet. Incumbent's commission expired January 20, 1915.

Joseph G. Lesher to be postmaster at Huntingdon, Pa., in place of Howard E. Butz. Incumbent's commission expired February 6, 1915.

Robert Lesher to be postmaster at Northumberland, Pa., in place of John H. Mailey. Incumbent's commission expires February 23, 1915.

Lewis J. Lieb to be postmaster at Colver, Pa. Office became presidential January 1, 1915.

Thomas McCobb to be postmaster at Cochranton, Pa., in place of Elizabeth J. Beatty. Incumbent's commission expired June 24, 1914.

Thomas P. McCormick to be postmaster at Forest City, Pa., in place of F. T. Golder. Incumbent's commission expired February 6, 1915.

M. M. Naginey to be postmaster at Milroy, Pa., in place of John T. McCormick. Incumbent's commission expired January 13, 1915.

Daniel J. O'Brien to be postmaster at Everson, Pa., in place of Elizabeth Hill. Incumbent's commission expired February 16, 1915.

Andrew J. Palm to be postmaster at Meadville, Pa., in place of Henry M. Dickson. Incumbent's commission expired April 26, 1914.

Preston L. Peters to be postmaster at Saegerstown, Pa., in place of John C. Minich. Incumbent's commission expired May 6, 1914.

Granville F. Rehrig to be postmaster at Lehighton, Pa., in place of David McCormick. Incumbent's commission expires March 3, 1915.

Edmund J. Rafferty to be postmaster at Conshohocken, Pa., in place of Harry B. Hoywood. Incumbent's commission expired February 17, 1915.

L. B. Rowley to be postmaster at Greenville, Pa., in place of John H. Martin. Incumbent's commission expired February 1, 1915.

John W. Runkle to be postmaster at Middleburg, Pa., in place of John N. Brosius. Incumbent's commission expired February 10, 1915.

Ralph W. Simcox to be postmaster at Sandy Lake, Pa., in place of William A. Boyd. Incumbent's commission expired February 14, 1915.

Lester N. Strickler to be postmaster at Vanderbilt, Pa., in place of Eli P. Clifton. Incumbent's commission expired January 21, 1915.

Theodore E. Warner to be postmaster at New Oxford, Pa., in place of William H. Emmert. Incumbent's commission expires March 2, 1915.

Thomas Wood to be postmaster at Muncy, Pa., in place of William F. Brittain. Incumbent's commission expired February 6, 1915.

Andrew J. Young to be postmaster at Pen Argyl, Pa., in place of John H. Jackson, removed.

John C. Barclay to be postmaster at Clearfield, Pa., in place of John H. Martin, removed.

RHODE ISLAND.

Ruth A. Vars to be postmaster at Bradford, R. I. Office became presidential October 1, 1914.

SOUTH DAKOTA.

H. H. Swift to be postmaster at Arlington, S. Dak., in place of Adam Royhl. Incumbent's commission expires March 2, 1915.

TENNESSEE.

James M. Cates to be postmaster at Maryville, Tenn., in place of M. H. Edmondson. Incumbent's commission expired January 31, 1915.

William E. Snodgrass to be postmaster at Spring City, Tenn., in place of James F. Collins. Incumbent's commission expires March 2, 1915.

TEXAS.

Lloyd E. Lockhart to be postmaster at Van Horn, Tex. Office became presidential January 1, 1915.

Georgia B. Welch to be postmaster at Corpus Christi, Tex., in place of E. G. Crabbe. Incumbent's commission expires April 24, 1915.

VIRGINIA.

E. E. Miles to be postmaster at Onancock, Va., in place of William H. Parker. Incumbent's commission expires March 3, 1915.

Clarence W. Garrett to be postmaster at Bowling Green, Va., in place of E. B. Travis. Incumbent's commission expires February 23, 1915.

Emmet W. Skinner to be postmaster at Falls Church, Va., in place of Ozias B. Livingston, removed.

WASHINGTON.

Constance C. Clark to be postmaster at Montesano, Wash., in place of Fremont A. Tarr. Incumbent's commission expired February 14, 1915.

Nelson Murray to be postmaster at Roy, Wash. Office became presidential January 1, 1915.

WEST VIRGINIA.

John Haynes to be postmaster at Hinton, W. Va., in place of Harvey Ewart, deceased.

WISCONSIN.

Oscar Hanisch to be postmaster at Waupun, Wis., in place of James W. Meiklejohn. Incumbent's commission expired February 5, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 20 (legislative day of Feb. 19), 1915.

ASSISTANT TREASURER OF THE UNITED STATES.

William W. Heard to be Assistant Treasurer of the United States at New Orleans, La.

UNITED STATES MARSHALS.

Chesterfield C. Middlebrooks to be United States marshal for the district of Connecticut.

John J. Mitchell to be United States marshal for the district of Massachusetts.

PROMOTIONS IN THE NAVY.

Lieut. Guy Whitlock to be a lieutenant commander.
Lieut. Roe R. Adams to be a lieutenant commander.
Lieut. James P. Murdock to be a lieutenant commander.
Lieut. (Junior Grade) Charles C. Slayton to be a lieutenant.
Lieut. (Junior Grade) Irving H. Mayfield to be a lieutenant.
Ensign Daniel A. McElduff to be a lieutenant (junior grade).
Ensign Charles C. Davis to be a lieutenant (junior grade).
Asst. Surg. John C. Parham to be a passed assistant surgeon.

POSTMASTERS.

FLORIDA.

Orlando E. Hannah, Tavares.

INDIANA.

Henry B. Snyder, Gary.

IOWA.

C. F. Duncombe, Fort Dodge.
Martin F. Kelly, Dewitt.
Pearl L. Maier, Dumont.
George W. McKeehan, Cincinnati.
Earl P. Patten, Danbury.
H. R. Richards, Churdan.
J. E. Spence, Milton.
Thomas P. Watson, Dows.

KANSAS.

Hiram R. Fulton, Hanover.
John E. Hare, Cunningham.
William L. Scott, Sharon Springs.

MARYLAND.

Charles A. Deffinbaugh, Oakland.
B. C. Lefever, Williamsport.
Patrick T. McGann, Frostburg.

MASSACHUSETTS.

Daniel A. Donnelly, Walpole.

MONTANA.

William Cluston, Great Falls.
P. J. Conway, Fromberg.
Lucile D. Knight, Twin Bridges.

MISSOURI.

Tinsley Brown, Hamilton.
John E. Cherry, Mount Vernon.
J. Thomas Fisher, Jefferson City.
Jefferson B. Robertson, Brunswick.
Harry E. Shepherd, Seneca.

NEBRASKA.

Charles E. Lewin, Comstock.
Nils Lindskog, Pilger.
George P. Miller, Papillion.
Herbert O. Paine, Cook.
William Sweeney, Emerson.

OHIO.

Fred M. Black, Greenwich.
Carroll R. Jackson, Gambier.
F. W. Maiberger, Monroeville.
Horace E. McConnell, Milford Center.

RHODE ISLAND.

E. W. Perry Greenman, Narragansett Pier.

SOUTH CAROLINA.

Paul H. E. Sloan, jr., Pendleton.

SOUTH DAKOTA.

P. H. Murphy, Henry.

VERMONT.

James E. Burke, Burlington.
Daniel H. Cray, Bellows Falls.
George W. Gorman, Barre.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 20, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God Almighty, our Father in heaven, in spite of the untoward circumstances of life, its sorrows, disappointments, and the untold miseries growing out of the awful war in Europe, its brutalizing and barbaric effects, strengthen our arm of faith and help us to believe that out of it all shall come to humanity a larger, nobler, grander life, a peace world-wide, that shall unite all peoples of all climes into one great brotherhood that shall make peace stronger than war and good the ruling passion of mankind.

That nothing walks with aimless feet,
That not one life shall be destroyed
Or cast as rubbish to the wind,
When God hath made the pile complete.
Behold, we know not anything;
We can but trust that good shall fall
At last—far off at last—to all,
And every winter change to spring.

For Thou art God, and Thou art good. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION.

Mr. BARTLETT. Mr. Speaker, on the day before yesterday I stated that there was a surplus of $7,658,572.87 from the $169,000,000 appropriation for pensions for the current year. This was a slip of the tongue. That surplus was from the $180,000,000 appropriation for the fiscal year ending June 30, 1914. I ask to make that correction, and to place in the RECORD a letter from the Commissioner of Pensions calling attention to it.

The SPEAKER. If there be no objection, the request of the gentleman will be granted.

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, February 19, 1915.

Hon. CHARLES L. BARTLETT,
House of Representatives.

MY DEAR MR. BARTLETT: I call your attention to the CONGRESSIONAL RECORD, dated February 18, 1915, page 4064, in which you are made to say that there was a surplus of $7,658,572.87 from the $169,000,000 appropriation.

This is an error. That surplus was from the $180,000,000 appropriation for the fiscal year ended June 30, 1914. The $169,000,000 appropriation is for the current year ending June 30, 1915.

This is an important matter, and I think this correction ought to be presented to Congress and made to appear in the RECORD.

You will notice on page 1 of the hearings before your committee, December 16, 1914, the statement that there was $180,000,000 appropriated, and from that there was a surplus left of $7,658,572.87. At the bottom of that page and at the beginning of the next page is a very careful statement of just how this exact sum was arrived at.

Thanking you for your attention to this matter, I am,

Very respectfully,

G. M. SALTZGABER, *Commissioner.*

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2335. An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I call up the conference report on the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1427).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 3, 5, 6, 7, 10, and 13, and agree to the same.

That the House recede from its amendments numbered 1, 2, 4, 8, 9, and 12.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed therein insert the sum "$24"; and the House agree to the same.

JOE J. RUSSELL,
M. E. BURKE,
JNO. W. LANGLEY,
Managers on the part of the House.

BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
LW. Y. SHERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the House to the bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, viz:

Amendment No. 1: House recedes. The evidence filed warrants proposed increase.

Amendment No. 2: House recedes. The circumstances in this case fully justify proposed pension.

Amendment No. 3: Senate concurs. The evidence in this case does not warrant a higher rate.

Amendment No. 4: House recedes. Claimant is the widow of two Civil War soldiers. Proposed pension is justified by the circumstances in the case.

Amendment No. 5: Senate concurs. The rate proposed by the House amendment is deemed sufficient.

Amendment No. 6: Senate concurs. The rate proposed by the House conforms to the rules of the committees.

Amendment No. 7: Senate concurs. A higher rate than that proposed is not justified.

Amendment No. 8: House recedes: Proposed increase is fully warranted by the evidence.

Amendment No. 9: House recedes. Proposed pension is fully justified by the proofs on file.

Amendment No. 10: Senate concurs. The circumstances in this case warrant proposed increase.

Amendment No. 11: Senate concurs in the House amendment with an amendment allowing $24. This is justified by the circumstances of the case and the proofs on file.

Amendment No. 12: House recedes. Proposed increase is fully justified by the evidence on file.

Amendment No. 13: Senate concurs. The evidence on file does not warrant proposed increase.

The conference report was agreed to.

Mr. RUSSELL. Mr. Speaker, I call up the conference report on the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1426).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 3, 6, 7, 8, 9, 10, 11, 13, 14, and 15, and agree to the same.

That the House recede from its amendments numbered 1, 2, 5, and 12.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in lieu of the sum proposed therein insert the sum "$30"; and the House agree to the same.

JOE J. RUSSELL,
M. E. BURKE,
JNO. W. LANGLEY,
Managers on the part of the House.

BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
LW. Y. SHERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the House to the bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, viz:

Amendment No. 1: House recedes. Proposed increase is fully justified by the evidence.

Amendment No. 2: House recedes. Proposed pension is justified by the circumstances in the case.

Amendment No. 3: Senate concurs. The proofs on file do not warrant proposed increase.

Amendment No. 4: The Senate concurs with an amendment allowing $30. This amount is warranted by the evidence on file in the case.

Amendment No. 5: House recedes. Proposed pension is justified by the evidence.

Amendment No. 6: Senate concurs. Short service of soldier does not warrant proposed pension.

Amendment No. 7: Senate concurs. Higher rate is not justified by the evidence.

Amendment No. 8: Senate concurs. The beneficiary is dead.

Amendment No. 9: Senate concurs. Soldier is dead.

Amendment No. 10: Senate concurs. Soldier is dead.

Amendment No. 11: Senate concurs. Higher rate is not justified by the evidence.

Amendment No. 12: House recedes. The evidence fully justifies proposed increase.

Amendment No. 13: Senate concurs. Proposed increase is justified by the circumstances in this case.

Amendment No. 14: Senate concurs. The rate proposed by the House is justified by the evidence on file.

Amendment No. 15: Senate concurs. The evidence in this case does not warrant proposed increase.

The conference report was agreed to.

Mr. RUSSELL. Mr. Speaker, I call up the conference report on the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1425).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 8 and 13, and agree to the same.

That the House recede from its amendments numbered 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, and 16.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in lieu of the sum proposed therein insert the sum "$36"; and the House agree to the same.

JOE J. RUSSELL,
M. E. BURKE,
JNO. W. LANGLEY,
Managers on the part of the House.

BENJ. F. SHIVELY,
CHARLES F. JOHNSON,
LW. Y. SHERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the House to the bill (S. 7402) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, viz:

Amendment No. 1: House recedes. The evidence on file in this case fully justifies proposed pension.

Amendment No. 2: House recedes: Soldier is blind and proposed rate is not excessive.

Amendment No. 3: Senate concurs with an amendment allowing $36, and the House agrees thereto. The proofs fully justify this amount.

Amendment No. 4: House recedes. The evidence on file fully justifies proposed pension.

Amendment No. 5: House recedes. The rate proposed is not excessive under the rules of both committees.

Amendment No. 6: House recedes. The evidence justifies proposed increase.

Amendment No. 7: House recedes. Claimant's present physical and financial condition, as shown by the evidence, fully justifies proposed increase.

Amendment No. 8: Senate concurs, in accordance with the rules of the committee.

Amendment No. 9: House recedes. The circumstances in this case justify proposed increase.

Amendment No. 10: House recedes. Proposed pension is warranted by the evidence on file.

Amendment No. 11: House recedes. The circumstances in this case fully justify proposed pension.

Amendment No. 12: House recedes. Evidence filed in support of this case justifies proposed pension.

Amendment No. 13: Senate concurs. The rate proposed is justified by the evidence and soldier's rank.

Amendment No. 14: House recedes. The proposed increase of pension is fully justified by soldier's long service and his present physical condition.

Amendment No. 15: House recedes. The circumstances in this case warrant proposed increase.

Amendment No. 16: House recedes. The evidence on file justifies proposed pension.

The conference report was agreed to.

COLLECTOR OF CUSTOMS, LAREDO, TEX.

Mr. GARNER. Mr. Speaker, I offer a privileged resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 672.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the House of Representatives all papers or copies thereof and all facts in his possession with reference to the conduct of the collector of customs of the Laredo district, in the State of Texas, as shown by all reports and papers received at the Treasury Department since January 1, 1914; also the number of days said collector has been absent from his duties since said date.

The resolution was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

On motion of Mr. FLOOD of Virginia, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21201) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916, with Mr. LINTHICUM in the chair.

Mr. GREEN of Iowa. Mr. Chairman, last evening the committee had under discussion the item on page 20 appropriating $493,000 for clerk hire, to be expended under the direction of the Secretary of State. The gentleman from Wisconsin [Mr. STAFFORD] was discussing this item, and I gathered from his remarks that he did not entirely approve of it.

The gentleman from Wisconsin [Mr. STAFFORD] is one of the most indefatigable Members that we have in the House. There is hardly anyone who gives us more information or who studies these bills more carefully. And yet I have had just a suspicion that the gentleman from Wisconsin in discussing this item did not fully grasp the Democratic methods of administering the Consular Service. He objects because there is something like $113,000 added to this item, to be expended under the direction of the Secretary of State. Why should my friend from Wisconsin be astonished at that? Has not the Secretary of State himself announced that it is necessary to find positions for the effective campaign workers? And how, let me ask our friend from Wisconsin, could we better assist him in that laudable enterprise than by adding $113,000 to this item, to be expended under the direction of the Secretary of State, in order that deserving campaign workers can be rewarded?

Mr. ANDERSON. Are we to understand that the gentleman thinks it better to employ these Democrats outside of the United States?

Mr. GREEN of Iowa. I think there might be some benefit in that.

Mr. COX. Will the gentleman yield for a question?

Mr. GREEN of Iowa. In a moment. Does my friend from Wisconsin [Mr. STAFFORD] realize, as the Secretary of State has stated, how important it is and how difficult it is to find places for deserving campaign workers?

The CHAIRMAN. The Chair does not know of any question pending before the House.

Mr. GREEN of Iowa. I will move to strike out the last word, but I was speaking in opposition to the motion of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. COX. Will the gentleman yield?

Mr. GREEN of Iowa. I yield to the gentleman from Indiana.

Mr. COX. I suppose the gentleman knows that these employees are all under the civil service——

Mr. STAFFORD. Oh, no.

Mr. COX. Well, wait, or else get up and make your objection.

Mr. STAFFORD. Will the gentleman yield?

Mr. COX. No; I will not. Does the gentleman object to sending American employees and American clerks abroad, or would he rather the State Department would hire foreign employees to do this work?

Mr. GREEN of Iowa. I was going to suggest how this money might be properly expended by the Secretary of State in order that this extremely desirable purpose might be carried out. Something like a year ago we had in the city of Council Bluffs an election. At the close of the election a number of citizens sought the Democratic headquarters in the town and presented certain slips of paper, which purported to state that they had been working through the day for the benefit of the Democratic Party. Upon the presentation of these certificates they received the sum of $2 each for the day. There were unkind and uncharitable persons in the vicinity who said that they had not been working for the party, but had simply sold their votes; but I do not care to discuss that matter at this time, knowing, as we do, from the distinguished Secretary how valuable the services of party workers may be. If they had been at work for the Democratic Party at the extremely small price of $2 a day, I judge, from the statement of the Secretary of State, that would not be a sufficient reward for them to receive. I would suggest also that a very large reward ought to be obtained out of the sum we are appropriating for the parties who managed to hire them to work for the Democratic Party on that occasion at this rate.

Gentlemen can see how important this is that we should increase these appropriations for the purpose of recompensing the services of party workers and provide money which would be expended under the direction of the Secretary of State, no matter if we do face a deficit in the Treasury, no matter if we are short of funds and that the shortage is constantly increasing. The gentleman from Wisconsin can hardly expect under the circumstances that the appropriation will be reduced.

Mr. FLOOD of Virginia. Mr. Chairman, I rise in opposition to the amendment. Do I understand the gentleman from Wisconsin [Mr. STAFFORD] offered an amendment to strike out the increase?

Mr. STAFFORD. No; I moved to strike out the last figure, which is a cipher.

Mr. FLOOD of Virginia. Mr. Chairman, in reference to this increase I desire to say that the committee deemed it necessary and the department deemed it necessary. I note what the gentleman from Iowa says about the Secretary of State and the letter he wrote to Mr. Vick in reference to deserving Democrats. It but illustrates the weakness of the arguments that the Republican partisans can make against the present administration, particularly the Secretary of State. That is a matter that is continually alluded to in this House by this gentleman. If that is all that can be brought against the Democratic administration or the Secretary of State, if that class of arguments is all the gentleman can suggest to the discredit of this administration, the nominee of the Republican Party in 1916 will carry fewer States even than the nominee carried in 1912. [Applause on the Democratic side.] This item was recommended not only by the Secretary of State, but by an official of the State Department who has been there for at least three or four administrations. The head of the Consular Bureau in the State Department is a gentleman who has been in the service of that department for quite a number of years—I do not recall how many, but certainly he was there under President Roosevelt and under President Taft. He is a Republican in politics, and notwithstanding his political affiliations he is a most efficient official. I want to read to those gentlemen who are trying to make political capital out of the effort of the department to give the country a chance to embrace the splendid opportunities it now has and what this gentleman says about the increase. I refer to Mr. Wilbur J. Carr:

> The demands on the Consular Service even before this war began had very greatly increased. Our business men are taking a great deal more interest in foreign trade and the Department of Commerce is increasing its activities and thereby increasing the demands on our consuls for commercial information and assistance. Almost every session of Congress enacts new legislation which imposes some new duty upon the Consular Service. The last tariff act, for example, imposed upon the Consular Service the duty of doing a lot of statistical work which had not before been required, and all of that necessitates a great deal of clerical work.

I want to say that most of these are Republicans, men who were put into the Consular Service before the consular reorganization act went into effect, and they were covered in as civil-service employees of this Government. Mr. Carr continues:

> When we made our allotments beginning on the 1st of July of the current year we denied requests from our consuls for increased assistance amounting to over $74,000 which we did not have the money to meet. There are other offices that we know of where we would like to get certain work done, which would cost probably $30,000 or $40,000 more. The sum total of our requests and the needs as we see them in the service under normal conditions is about $117,000 for clerical assistance.

Then he goes on to strongly advocate this in the commercial interests of the country, and the Secretary of State did so for the same reason.

I know nothing of the political corruption of the State of the gentleman from Iowa, but if he says it is corrupt I do not take issue with him. I know in our State, which is Democratic, we have no such condition as that. I want to say that if we do want to reward deserving Democrats and undeserving Republicans, we want to get Americans in these offices, men who are American citizens and who will look strictly after the interests of the American people and the American Government, and we want to pay them a decent salary.

Mr. ADAIR. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman in charge of the bill whether any Member on the other side of the aisle has offered a motion to strike this increase from the bill.

Mr. FLOOD of Virginia. No; I asked the gentleman from Wisconsin if he did and he said no.

Mr. MANN. The gentleman from Wisconsin moved to strike out the last cipher, which would reduce the amount.

Mr. ADAIR. What I desire to know is if the gentleman from Wisconsin insists on his amendment.

The CHAIRMAN. The gentleman from Wisconsin withdrew his amendment on yesterday.

Mr. STAFFORD. Oh, no, Mr. Chairman; I did not withdraw my amendment yesterday.

Mr. ADAIR. Mr. Chairman, the point I desire to make is this: I listened yesterday afternoon to my good friend from Wisconsin [Mr. STAFFORD]. He did not exactly discuss the question. We all understood of course that what he said was for political purposes. I was inclined to believe that the gentleman was not sincere at the time he was discussing the matter, but that the statements he was making were made purely for political purposes. I am quite sure that the gentleman from Wisconsin prefers the employment of Americans rather than foreigners, and that the only purpose he had in saying what he did last evening was to lead the country to believe this administration was seeking to increase the pay roll for the benefit of Democratic workers. Let that be as it may, I think we all agree that it is much better to employ Americans in doing this service for the Government than foreigners, and I am sure before this matter is closed the gentleman from Wisconsin will withdraw his amendment, which will be sufficient evidence to all of us that his purpose in making the remarks he did was purely political, and that he had really no criticism to make of the merits of the proposition contained in the bill.

Mr. MANN. Mr. Chairman, whenever anyone on this side of the House proposes to reduce an appropriation some distinguished gentleman, like the gentleman from Indiana [Mr. ADAIR], who has just addressed the House, says it is for political purposes. The gentleman from Indiana, who has never been noted as an economist, thinks that any proposition to keep us from squandering money out of the Treasury is for political purposes, and I do not doubt it from his viewpoint.

May I ask the gentleman from Virginia a few questions in reference to the item? There is an increase in the item for clerk hire at consulates of more than $100,000.

The gentleman from Virginia [Mr. FLOOD], in charge of the bill, has indicated first that the purpose is to place American clerks in the consulates instead of clerks of foreign nationalities, and also for the purpose of giving our business interests more advantages in the way of information from abroad. We are maintaining under the Department of Commerce, I will not say an expensive establishment because I do not think it is expensive, but one that has very largely increased in the last few years, for the purpose of maintaining commercial attachés abroad to obtain this very information. How far is it intended to duplicate this work, may I ask? A few years ago it was indicated that the consuls were not intended to do the commercial work abroad, except such as comes within the scope of their work as consuls. There was considerable discussion about that, and there has been more or less rivalry all of the time between the Department of Commerce and the Department of State in reference to this work.

Mr. FLOOD of Virginia. Mr. Chairman, there is no purpose on the part of the State Department to duplicate this work, and

I do not believe there is much danger of duplication, because the activities of the Department of Commerce are necessarily limited by the small number of attachés which they have for this work, and those they have will cooperate with the consuls in the places to which they are sent, and the work will not be a duplication, but will be an aid to the consul.

Mr. MANN. Is this increase in the main, as the gentleman understands it, for the purpose of employing American citizens as clerks instead of citizens of foreign nationalities or is it designed also to increase the number of clerks or the salaries of clerks now in the service?

Mr. FLOOD of Virginia. It is for all three purposes. It is to eliminate the foreign clerks who get a very much smaller salary than we could get American clerks for, and that will necessitate an increase in the pay of the individual clerks, and also it is designed for the purpose of giving more clerical assistance to the consuls; more than they have now, so that it is for all three purposes—to eliminate foreigners, to increase the salaries of clerks, and to increase the number of clerks.

Mr. MANN. Mr. Chairman, so far as I am concerned, I am not particularly in sympathy with the idea that all of the clerks in consulates abroad shall be American citizens. I have not any doubt at all that in many places a consul can employ a foreigner as a clerk at $600 a year who will be worth three times as much as an American clerk sent from here over there would be worth, to whom we would have to pay twelve or fifteen hundred dollars a year. The foreigner not only talks the language, but he understands the situation locally, which the American clerk sent from here would not, although he may in a way talk the language.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. SMITH of New York. In some cases these clerks act as vice consuls, and in the absence of the consul they act as consul. That makes it imperative, does it not, that they shall be Americans?

Mr. MANN. No; it does not. There are lots of consuls in the United States of foreign countries who are American citizens. It is a purely business proposition. These men have no diplomatic duties to perform.

Mr. FLOOD of Virginia. Still, the gentleman recalls that it has been the policy of Congress, beginning back eight or nine years ago, to have American clerks in the consulates?

Mr. MANN. I think not. I think the very fact that this year you raised the appropriation from $375,000 to $493,000 for this purpose shows that it has not been the policy of Congress heretofore. I know there has been discussion about it.

Mr. FLOOD of Virginia. But they have heretofore raised this very appropriation for that very purpose, and the work has been going on. The foreign clerks have been gotten rid of to some extent and Americans substituted in their places.

Mr. MANN. I understand that.

Mr. FLOOD of Virginia. And in a number of instances we have increased the appropriations for that purpose. This is to continue that work.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FLOOD of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FLOOD of Virginia. What is the motion before the committee?

The CHAIRMAN. The motion pending is to strike out the last word, offered by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. FLOOD of Virginia. That would make this appropriation $49,300 instead of $493,000.

Mr. CLINE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. There is an amendment already pending before the House, to strike out the last word.

Mr. CLINE. Mr. Chairman, I desire to call attention to this fact, which I think ought to go in the RECORD—that is, that the cost of this Consular Service to the Government is not anything like what you would naturally suppose it to be without having the full information which is given in House Document 1259, and I quote from page 54:

Expended for the maintenance of the Consular Service for the fiscal year ending June 30, 1914, $2,083,908.42. Less fees collected and deposited in the Treasury (statement No. 10), $2,040,234.42—

Mr. STAFFORD. Will the gentleman yield?

Mr. CLINE. Wait until I finish the statement—

leaving a balance of $43,674.

Now I yield to the gentleman.

Mr. STAFFORD. In line with the figures which the gentleman gave, can the gentleman give the total appropriations that are carried in this bill? I notice in some items there is a reappropriation of balances running back to the end of time. Will the gentleman give us the actual amount of appropriations carried in this bill?

Mr. CLINE. I think the gentleman can be furnished with that information if he will designate the particular items.

Mr. STAFFORD. I mean the total appropriations carried in the bill. The report does not give it; the report only gives the total amounts carried, and yet in many items we find appropriations stating that the appropriations available for prior years shall be utilizable for these items. We have nothing presented as to the real amount of appropriations carried in the bill.

Mr. CLINE. I will say to the gentleman that that policy has been largely curtailed by the committee at this session, and I think it will be completely curtailed hereafter. For illustration, in the Canadian boundary there was an unexpended balance of $51,000; that, together with $40,000 carried in this present bill, makes $91,000, and the expenditure last year was $93,000.

Mr. STAFFORD. So I understand it is to be the policy of the committee hereafter that they will desist from the practice of making available all the unexpended balances and will appropriate only the various amounts specifically needed.

Mr. CLINE. The policy hereafter, as I understand it, would be to let these unexpended balances go back into the Treasury and appropriate definite amounts.

Mr. STAFFORD. I certainly approve of that policy, because as it is no one knows definitely the amount that is being appropriated.

Mr. CLINE. I desire to call attention to another fact. We are in favor of putting American secretaries with the Consular Service, for the reason that it has been demonstrated by Germany in the South American trade that the most efficient means to build up German trade in South American countries was the employment of trained men exclusively for that service. A competent American secretary who knows our business, our method of manufacture, our resources in manufacture, and has a personal and rational interest in our business, who is able to speak of the quality of our goods is much more efficient in the service than is the foreigner in introducing those goods; and that is particularly true of this kind of service from the fact that we are always reaching out and developing all the industries of this country as largely as possible to increase our foreign trade, and that is one of the efficient ways in which we think we can increase that business.

Mr. HUMPHREY of Washington. Mr. Chairman, I want to say a word in opposition to this amendment along the line suggested by the distinguished gentleman from Indiana [Mr. CLINE], who has just taken his seat. Now, if it is true that the employment of American labor will increase our foreign trade, I am in favor of it. I think my distinguished friend from Wisconsin [Mr. STAFFORD] is mistaken in arguing that there is no necessity for this increased appropriation. The chairman of the committee has told you it is for the purpose of increasing our foreign trade. Well, if there is anything that will increase that trade, we ought to have it. Prior to the time of the war in Europe we were losing our foreign trade at the rate of a million dollars every day. Seven months prior to the war in Europe we lost our foreign trade to the extent of over $248,000,000. Now, if this appropriation is going to increase our foreign trade, then we ought to make the increased appropriation. Gentlemen over on the other side have cited the case of South America. Last October Argentina increased her trade with us over 400 per cent. We have lost in our foreign trade with every nation of the earth under this administration up until the time of the war in Europe, and if this money is to be expended for the purpose of increasing our foreign trade, then everybody ought to be in favor of it.

Mr. ADAIR. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. Certainly.

Mr. ADAIR. Did not the gentleman state upon this floor a few days ago that in the month of December of this year we actually exported more American products than ever before in a month of December?

Mr. HUMPHREY of Washington. I do not know whether I did or not, but I think that is true.

Mr. ADAIR. Then our foreign trade is not going to the bad so fast, then?

Mr. HUMPHREY of Washington. I said prior to the war. Of course the war increased our exports, but, notwithstanding the war, the imports from England since this war commenced increased during the month of October over 26 per cent. There

is no nation on the face of the earth to-day, except those engaged in that great contest, but what our trade has decreased with them, every one of them. It has changed to some extent in our exports since the war came. While we all regret that great contest, yet it has benefited us industrially. As I said awhile ago, I hope my friend from Wisconsin will not object, because if this is going to increase our foreign trade everybody ought to be for it. During the first 10 months the Underwood law was upon the statute books Canada increased her trade with us 15 per cent. We lost in our trade with her 35 per cent. So the increase in 10 months after this present law went upon the statute books, with the best customer we have upon the face of the earth to-day, was 50 per cent in favor of the foreigner; so if this increase in appropriations will increase our foreign trade I think every man ought to vote for it.

As bearing on our foreign trade, I call attention to the following statement taken from the letter of the British secretary of state for foreign affairs to the American ambassador, under date of February 10, 1915:

Taking the figures in millions of dollars, the exports of merchandise from the United States for the seven months of January to July, 1914, inclusive, were 1,201, as compared with 1,327 in the corresponding months of 1913, a drop of $126,000,000.

For the months of August, September, October, and November—that is to say, for the four months of the war preceding the delivery of Your Excellency's note—the figures of the exports of merchandise were—again in millions of dollars—667, as compared with 923 in the corresponding months of 1913, a drop of $246,000,000.

If, however, the single article of cotton be eliminated from the comparison, the figures show a very different result. Thus the exports of all articles of merchandise other than cotton from the United States during the first seven months of 1914 were $966,000,000, as against $1,127,000,000 in 1913, a drop of $161,000,000, or 14½ per cent. On the other hand, the exports of the same articles during the months of August and November amounted to $608,000,000, as compared with $630,000,000 in 1913, a drop of $22,000,000, or less than 4 per cent.

It is therefore clear that, if cotton be excluded, the effect of the war has been not to increase but practically to arrest the decline of American exports which was in progress earlier in the year. In fact, any decrease in American exports which is attributed to the war is essentially due to cotton. Cotton is an article which can not possibly have been affected by the exercise of our belligerent rights, for, as Your Excellency is aware, it has not been declared by His Majesty's Government to be contraband of war, and the rules under which we are at present conducting our belligerent operations give us no power in the absence of a blockade to seize or interfere with it when on its way to a belligerent country in neutral ships. Consequently no cotton has been touched.

Into the causes of the decrease in the exports of cotton I do not feel that there is any need for me to enter, because, whatever may have been the cause, it is not to be found in the exercise of the belligerent rights of visitation, search, and capture, or in our general right when at war to intercept the contraband trade of our enemy. Imports of cotton to the United Kingdom fell as heavily as those to other countries. No place felt the outbreak of war more acutely than the cotton districts of Lancashire, where for a time an immense number of spindles were idle. Though this condition has now to a large extent passed away, the consumption of the raw material in Great Britain was temporarily much diminished. The same is no doubt true of France.

The general result is to show convincingly that the naval operations of Great Britain are not the cause of any diminution in the volume of American exports, and that if the commerce of the United States is in the unfavorable condition which Your Excellency describes, the cause ought in fairness to be sought elsewhere than in the activities of His Majesty's naval forces.

I may add that the circular issued by the Department of Commerce at Washington on the 23d January admits a marked improvement in the foreign trade of the United States of America, which we have noted with great satisfaction. The first paragraph of the circular is worth quoting verbatim:

"A marked improvement in our foreign trade is indicated by the latest reports issued by the Department of Commerce through its Bureau of Foreign and Domestic Commerce, sales of foodstuffs and certain lines of manufactures having been unusually large in November, the latest period for which detailed information is at hand. In that month exports aggregated $206,000,000, or double the total for August last, when, by reason of the outbreak of war, our foreign trade fell to the lowest level reached in many years. In December there was further improvement, the month's exports being valued at $246,000,000, compared with $233,000,000 in December, 1913, and within $4,000,000 of the high record established in December, 1912."

A better view of the situation is obtained by looking at these figures month by month. The exports of merchandise for the last five months have been—in millions of dollars: August, 110; September, 156; October, 194; November, 205; December, 246.

The outbreak of war produced in the United States, as it did in all neutral countries, an acute but temporary disturbance of trade. Since that time there seems to have been a steady recovery, for to-day the exports from the United States stand at a higher figure than on the same date last year.

Before passing away from the statistics of trade, and in order to demonstrate still more clearly if necessary that the naval operations of Great Britain and her allies have had no detrimental effect on the volume of trade between the United States and neutral countries, it is worth while to analyze the figures of the exports to Europe since the outbreak of hostilities. For this purpose the European countries ought to be grouped under three heads—Great Britain and those fighting with her, neutral countries, and enemy countries. It is, however, impossible for me to group the countries in this way satisfactorily, as the figures relating to the export trade of the United States with each country have not yet been published. In the preliminary statement of the export trade of the United States with foreign countries, only principal countries are shown and various countries which are tabulated separately in the more detailed monthly summary of commerce and finance are omitted. Those omitted include not only the Scandinavian countries, the exports to which are of peculiar importance in dealing with this question, but also Austria.

So far as it is possible to distribute the figures under the headings which I have indicated above—all the figures being given in thousands of dollars—the results are as follows:

Total exports to Europe from the 1st August to the 30th November, 413,995, as against 597,342. Of these Great Britain and her allies took 285,312, as against 316,805 in 1913. Germany and Belgium took 1,881, as against 177,136 in 1913, whereas neutral countries—among which Austria-Hungary is unavoidably included—took 123,802, as against 103,401 in 1913.

The general complaint in Your Excellency's note was that the action of Great Britain was affecting adversely the trade of the United States with neutral countries. The naval operations of Great Britain certainly do not interfere with commerce from the United States on its way to the United Kingdom and the allied countries, and yet the exports to Great Britain and her allies during those four months diminished to the extent of over $28,000,000, whereas those to neutral countries and Austria increased by over $20,000,000.

Mr. FLOOD of Virginia. Question, Mr. Chairman.

Mr. SMITH of New York. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Wisconsin withdraw the pro forma amendment?

Mr. STAFFORD. I will accommodate the gentleman from New York by having it remain a little longer.

Mr. SMITH of New York. Mr. Chairman, I want to say something in connection with the employment of American clerks in consulates. Recently on the border opposite Buffalo two Americans were shot by Canadian soldiers. At the time that incident occurred the consul at Fort Erie was absent on leave. His assistant, a clerk, was in charge. The gentleman from Illinois [Mr. MANN] states that consuls do not have to perform diplomatic work. As a matter of fact, this clerk in charge was the American representative at Fort Erie at that time. In Toronto, just a few miles away, the clerk is a Canadian. Now, we would not be in a fortunate position if that circumstance happened at any place where our only representative was a resident and citizen of the country in which our citizens were injured. In other words, a citizen of their country would be representing our country in a matter in which we were deeply concerned and in which we ought to be represented by one of our own citizens. We have no diplomatic representatives in Canada except the consular agents. In their absence, as I have stated before, the clerks are in charge, and that is true in a large degree all over the world. From that point of view alone, we ought to have at every place and in every country American clerks in our consular offices.

Mr. STAFFORD. Mr. Speaker, there being nobody else who wishes to discuss this important item, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws the pro forma amendment, and the Clerk will read.

The Clerk read as follows:

EXPENSES OF INTERPRETERS, GUARDS, AND SO FORTH, IN TURKISH DOMINIONS AND SO FORTH.

Interpreters and guards at the consulates in the Turkish dominions, Persia, Morocco, northern Africa, and at Zanzibar, to be expended under the direction of the Secretary of State, $30,000.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I notice in a preceding item, on page 20, lines 20 to 24, inclusive, there are four places selected and an appropriation of $48,700 made for interpreters to be employed in those consulates. On page 21, in the item the reading of which has just been completed by the Clerk, I notice there are five places so named. Why are those nine places selected especially and an appropriation made of $78,700 for the two items? I am asking this purely for information.

Mr. FLOOD of Virginia. It is necessary owing to the difficulty of the language at those places to have trained interpreters. The language is hard to learn, and it is difficult to get people who understand it thoroughly.

Mr. GOULDEN. And it applies to no other section of the world in which our consulates are located?

Mr. FLOOD of Virginia. No, sir.

Mr. GOULDEN. I withdraw the amendment.

Mr. ROGERS. Mr. Chairman, I move to amend by striking out the words "and so forth," in line 1, and inserting after the word "interpreters," in line 1, the word "and."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 21, by striking out in line 1 the words "and so forth," and inserting after the word "interpreters" the word "and."

Mr. STAFFORD. The gentleman only strikes out the one "and so forth." There are two.

Mr. ROGERS. There is a reason for the second "and so forth," but I think there is no reason for the first.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. What is the amendment?

Mr. STAFFORD. To strike out "and so forth," in the first line.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. STAFFORD. Division, Mr. Chairman.

Mr. FLOOD of Virginia. The text of the bill does not carry the words "and so forth."

Mr. ROGERS. You want the headlines to be in accordance with the text of the bill, do you not?

Mr. FLOOD of Virginia. I want to give some idea of what is in it.

Mr. ROGERS. The bill itself says "interpreters and guards." What possible reason can there be for having in the headlines the words "interpreters, guards, and so forth"?

Mr. FLOOD of Virginia. I have no objection to the amendment.

The CHAIRMAN. The amendment has been rejected unless division is asked for.

Mr. ROGERS. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 8, noes 14.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FOREIGN HOSPITAL AT CAPE TOWN.

Annual contribution toward the support of the Somerset Hospital (a foreign hospital), at Cape Town, $50, to be paid by the Secretary of State upon the assurance that suffering seamen and citizens of the United States will be admitted to the privileges of said hospital.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in reference to the preceding item of $20,000 for the relief and protection of shipwrecked American seamen in certain territories. How much of that has been expended in the past, if the gentleman knows? I can not see how they spend that sum of money a year for this purpose.

Mr. FLOOD of Virginia. The expenditure for the fiscal year 1914 was $23,849—$3,000 and something more than was appropriated.

Mr. MANN. All right.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, UNITED STATES CONSULATES.

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent (allowance for rent not to exceed in any case 30 per cent of the officer's salary), repairs to consular buildings owned by the United States, postage, furniture, including typewriters and exchange of same, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular assistants, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates and consular agencies in the transaction of their business, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $465,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I notice that we pay a very considerable sum of money at various of the embassies out of this item for contingent expenses. I suppose that is largely for rent. At Argentina, for the last fiscal year we paid out $7,300 from this contingent fund; Chile, $12,362; Germany, $14,647; Japan, $10,505; in Mexico, $17,420; in Russia, $15,387; Venezuela, $11,924. Those are rather large sums of money to pay out of the contingent fund. I suppose that has been done for years. Is it mainly for rent?

Mr. FLOOD of Virginia. It is for rent, but it is for other things, too, such as stationery and any expense of that character that arises at an embassy. But the gentleman will recall in the last appropriation bill the contingent expenses of the embassies was increased for the purpose of occasioning an equalization of these amounts at the European embassies.

Mr. MANN. These items I speak of, of course, were for the preceding year. They will be larger for this fiscal year.

Mr. FLOOD of Virginia. The statement was made at that time that the Russian embassy got something like $15,000 and the embassies at Berlin and Vienna got less, and the idea was to increase the appropriation so that our embassies in Russia, Germany, France, England, and probably Austria-Hungary, could have $15,000 a year from this sum for the rent and general expenses of the embassies. Italy and Spain had $10,000 a year. We increased it last year for the purpose of equalizing these embassies. I will say to the gentleman that a good part of that fund was used for rent.

Mr. MANN. Is that rent paid for consular offices or the embassy offices?

Mr. FLOOD of Virginia. I was talking about the embassies.

Mr. MANN. That is what I thought. As a matter of fact, though, we make an allowance for embassies?

Mr. FLOOD of Virginia. Yes; we do.

Mr. MANN. Of course, we have been told a thousand times here and elsewhere, and mainly elsewhere, that the salary paid to ambassadors is too small—and that may be true—because they are compelled to rent expensive quarters and pay the rent out of their own pockets, and that the Government makes no allowance for rent at all. As I understand it, we do make some allowance for rent.

Mr. FLOOD of Virginia. We certainly do. As I just stated, at some of the big embassies in Europe they get $15,000—not all for rent, but for all the expenses.

Mr. STAFFORD. I move to strike out the last word. I wish to inquire if any part of this item is used for rent of embassies? As I understand it, this particular item is for consulates exclusively.

Mr. FLOOD of Virginia. The gentleman is right.

Mr. STAFFORD. And there is a limitation in the paragraph that allows rent only in an amount not to exceed 30 per cent of the consul's salary?

Mr. FLOOD of Virginia. Yes. But the gentleman from Illinois [Mr. MANN] asked about the embassies during the discussion of this item.

Mr. STAFFORD. Can the gentleman tell the committee how much of this appropriation is used for rent exclusively?

Mr. FLOOD of Virginia. One hundred and fifty-seven thousand dollars.

Mr. MANN. I can tell the gentleman how much was used in the last fiscal year. It was $77,729.57 for rent of offices.

Mr. STAFFORD. If there is only $77,000 used, that would leave about $388,000 available for these miscellaneous expenses.

Mr. FLOOD of Virginia. One hundred and fifty-seven thousand dollars was used for rent.

Mr. MANN. Well, as reported by the State Department on page 17 of the report on the expenditure of this item, they have "rent of offices" set down as $77,729.50.

Mr. FLOOD of Virginia. From what does the gentleman read?

Mr. MANN. Page 17.

Mr. FLOOD of Virginia. Appropriations and expenditures of the Department of State, page 17?

Mr. MANN. I was reading from contingent expenses for foreign missions. This is for contingent expenses of consulates?

Mr. FLOOD of Virginia. Yes; and that is $157,000.

Mr. STAFFORD. Then there would be available over twice the amount for contingent expenses. Can the gentleman inform me generally as to how that is used?

Mr. FLOOD of Virginia. Well, for all sorts of expenses around embassies—water and ice, flag, uniform, repairs to furniture and fixtures, repairs to building, books; miscellaneous expenses that arise in connection with the consulates; and taxes, stamps, stationery, and so forth.

Mr. STAFFORD. What do they total?

Mr. FLOOD of Virginia. The taxes?

Mr. STAFFORD. No; I mean all these miscellaneous items that have just been enumerated.

Mr. FLOOD of Virginia. Three hundred and seventy-nine thousand three hundred and forty dollars in 1913.

Mr. STAFFORD. That includes the $157,000 for rent?

Mr. FLOOD of Virginia. Yes; and in 1914 the total was $455,865.

Mr. STAFFORD. I was trying to ascertain the amount that was expended for these miscellaneous items, exclusive of rent.

Mr. MANN. I will furnish the gentleman with the total that I have got here.

Mr. FLOOD of Virginia. One hundred and fifty-seven thousand dollars was taken from $379,000, leaving $227,000.

Mr. STAFFORD. That furnishes the information I was desirous of obtaining.

Mr. MANN. The largest item was cablegrams, and so forth, which was $42,000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Purchase and repairs, consular premises: For the acquisition of suitable premises or for the purchase of land and the erection thereon of a suitable building or of buildings in which to house the consulate general, the United States court, the jail, the post office, and other offices of the United States at Shanghai, China, including all necessary repairs, $360,000, or so much thereof as may be necessary.

Mr. COX. Mr. Chairman, I reserve a point of order on the paragraph, and at the request of the chairman I ask that it be passed over for the time being. I want to be heard on it later.

The CHAIRMAN. The gentleman from Indiana [Mr. Cox] reserves a point of order on the paragraph, and asks unanimous consent that it be passed over for the time being. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NINETEENTH CONFERENCE, INTERPARLIAMENTARY UNION.

The appropriation of $40,000 "For the purpose of defraying the expenses in Washington City incident to the Nineteenth Conference of the Interparliamentary Union, to be held in Washington in 1915, to be expended under such rules and regulations as the Secretary of State may prescribe. The President is hereby requested to extend an invitation to the members of the Interparliamentary Union," made in the "Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915," is hereby extended and made available for the fiscal year ending June 30, 1916.

Mr. FLOOD of Virginia and Mr. MOORE rose.

Mr. MOORE. Does the gentleman from Virginia wish to offer an amendment?

Mr. FLOOD of Virginia. Yes.

Mr. MOORE. I merely wanted to inquire, in the event of no meeting being held in 1915, in view of the European war conditions, what the effect of this appropriation would be?

Mr. FLOOD of Virginia. If no conference could be started in the calendar year 1915, I understand from the Department of State that this money would not lapse into the Treasury on the 1st of July, 1915, because this conference can be held at any time during the calendar year 1916.

Mr. MOORE. Is it the idea to extend this appropriation so that it may be available for 1916 if the convention should be held then?

Mr. FLOOD of Virginia. Yes. I will say to the gentleman that I conferred with the officials of the State Department with reference to it, and they thought it would be available anyhow.

Mr. MOORE. They thought it would be available in 1916?

Mr. FLOOD of Virginia. Yes; because it does not revert to the Treasury on the 1st of July.

Mr. MOORE. A number of international conferences or conventions of one kind and another called for 1914 and 1915 undoubtedly will not be held. I know of one or two that have been called off, and I assume that, unless there is a cessation of hostilities on the other side, this one also would be called off, because it would be impossible for the belligerent nations to participate.

Mr. FLOOD of Virginia. This is extended to July 1, 1916.

Mr. MOORE. That is done because it is thought that possibly the convention may be held?

Mr. FLOOD of Virginia. Yes. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amend, on page 25, line 23, after the word "prescribe," by striking out the period and the words "The President is hereby requested to extend an invitation to the members of the Interparliamentary Union" and inserting in lieu thereof a comma, and on page 26, line 6, at the end of the paragraph, insert the words "The President is hereby requested to extend an invitation to the members of the Interparliamentary Union."

Mr. MOORE. Mr. Chairman, that amendment brings up the question that I had in mind a little while ago. Is it the idea of the gentleman that the President should invite members of the Interparliamentary Union, notwithstanding the conditions that prevail abroad now?

Mr. FLOOD of Virginia. Oh, no. It is only in the event the President should see fit to extend the invitation.

Mr. MOORE. I think it is fair that the gentleman should know of at least one instance that has come to my knowledge. I happen to be very familiar with one of these international congresses. Only during the last month has word come out of Brussels, for instance—and I suppose there are other headquarters for these international bodies abroad—that absolutely nothing could be done, because the papers of the congress had been seized and were under the control of a belligerent power not friendly to the headquarters country. Therefore it would seem to be almost an absurdity for the President of the United States to extend invitations where countries are under the war control of other countries and would be in no position to respond to the invitation.

Mr. FLOOD of Virginia. Of course, he would not do that.

Mr. MOORE. I would not want to put him in the position of doing what would appear to be an absurd thing.

Mr. MANN. This simply extends the authority that he now has. It is in the present law.

Mr. FLOOD of Virginia. That is all.

Mr. MANN. That provision is in the existing law.

Mr. FLOOD of Virginia. It was intended that the Inter-Parliamentary Union should meet last fall, but on account of the distressing conditions in Europe the President did not extend the invitation. This just gives him the authority that he already has.

Mr. MOORE. I thought there was some obligation imposed on the President.

Mr. FLOOD of Virginia. Oh, no.

Mr. MOORE. I think he ought to have discretion to do the sensible thing, under the circumstances.

Mr. FLOOD of Virginia. He has.

Mr. MONTAGUE. Does the gentleman from Pennsylvania feel that it would embarrass the President to extend this invitation?

Mr. MOORE. Not so much that as that we are imposing upon the President the obligation to invite people to come here when they are helpless and unable even to receive their invitations.

Mr. MONTAGUE. The duty imposed upon the President must be understood from the context, and the context is that the President is "requested" to extend an invitation.

Mr. MOORE. He is not obligated to do it?

Mr. MONTAGUE. He should simply be "authorized" to do it.

Mr. MOORE. Then that would leave him discretion.

Mr. MONTAGUE. Yes; that would leave him discretion.

The amendment was agreed to.

The Clerk read as follows:

FIFTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The appropriation of $75,000 "To meet the actual and necessary expenses of the delegates of the United States to the Fifth International Conference of American States, to be held at the city of Santiago, Chile, beginning in September, 1914, and of their clerical assistants, to be expended in the discretion of the Secretary of State," made in the "Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915," is hereby extended and made available for the fiscal year ending June 30, 1916.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What was the reason for postponing this congress?

Mr. FLOOD of Virginia. The reason was that in this instance the Chilean Government was not ready to hold the conference at that time.

Mr. MANN. I withdraw the pro forma amendment.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOOHER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 7091. An act to create an additional judge in the district of New Jersey; and

S. J. Res. 205. Joint resolution to convey the thanks of Congress to Capt. Thomas Moore, master of the Alaska Steamship Co.'s steamer *Cordova*, and to the officers and crew, for the prompt and heroic service rendered by them in rescuing 58 survivors of the U. S. revenue cutter *Tahoma*.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

FIFTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM.

The appropriation of $40,000 "For the purpose of defraying the expenses incident to the Fifteenth International Congress Against Alcoholism, to be held in the United States in 1915, to be expended under such rules and regulations as the Secretary of State may prescribe; the Secretary of State is hereby authorized and requested to extend an invitation to the Governments of the world with which we maintain diplomatic relations to participate in and appoint delegates to said congress: *Provided*, That an itemized account of all expenditures shall be reported to Congress," made in the "act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915," is hereby extended and made available for the fiscal year ending June 30, 1916.

Mr. MANN. Mr. Chairman, the same error exists in this paragraph that existed in the previous paragraph, that the gentleman has just corrected.

Mr. FLOOD of Virginia. Mr. Chairman, I offer the amendment which I send to the Clerk's desk, the same amendment that I offered to the other paragraph.

Mr. MANN. It would not be the same amendment. It is to strike out all of line 25 on page 26, and down to and including the word "congress," in line 5 on page 27, and then insert that language at the end of line 9.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out all of line 25, page 26, and down to and including the word "congress," in line 5 on page 27, and insert, at the end of line 9, the words "The Secretary of State is hereby authorized and requested to extend an invitation to the Governments of the world with which we maintain diplomatic relations to participate in and appoint delegates to said congress: *Provided*, That an itemized account of all expenditures shall be reported to Congress."

The amendment was agreed to.

Mr. FOSTER. Mr. Chairman, I offer a new paragraph to come in after line 9.

Mr. MANN. To come in after the amendment just agreed to.

Mr. FOSTER. Yes.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend on page 27 by inserting after the amendment just agreed to the following:

"That the President of the United States be, and he is hereby, authorized and requested to invite the several Governments of the Republics of Mexico, Central and South America, Haiti, and Santo Domingo to send official delegates to the meeting of the Pan American Medical Congress to be held in the city of San Francisco, Cal., Panama-Pacific International Exposition, June 17, 18, 19, 20, and 21, anno Domini 1915."

Mr. MANN. I reserve a point of order, at least until you strike out "anno Domini."

Mr. FOSTER. I agree with my colleague on that. I ask unanimous consent to modify the amendment by striking out the words "anno Domini."

The CHAIRMAN. Without objection, that modification will be made.

There was no objection.

Mr. MANN. I reserve a point of order on the amendment, anyhow. I did not understand just what countries the amendment covers.

Mr. FOSTER. It covers the South American countries, including, of course, Mexico. I do not know whether he could now extend an invitation to Mexico or not.

Mr. MANN. Does it cover the South American countries? Let us hear it read.

Mr. STAFFORD. I ask unanimous consent to have it reported again.

The CHAIRMAN. If there be no objection, the amendment will be again reported.

The amendment was again read.

Mr. MANN. I still reserve the point of order. Is there to be any expense?

Mr. FOSTER. No; I shall not ask that there be any expense.

Mr. MANN. I withdraw the point of order.

Mr. STAFFORD. I reserve the point of order. I should like to inquire whether this includes an invitation to the Government of Cuba.

Mr. SLAYDEN. I am glad the gentleman has asked that question. I was about to ask it.

Mr. FOSTER. I think it does.

Mr. STAFFORD. Cuba should certainly be included.

Mr. MOORE. Why not the other West Indian Islands?

Mr. FOSTER. I think Cuba ought to go in. The Pan American Union was organized some years ago. We did invite these Latin-American Republics to form the Pan American Union, which was done about 1892, and Congress passed a bill inviting them to come to this country and form this union.

Mr. STAFFORD. In that Congress was Canada included?

Mr. FOSTER. I think not.

Mr. STAFFORD. Does not the gentleman believe that owing to our close relations with our neighbor on the north we should invite Canada as well?

Mr. MANN. This congress is to consider those diseases which float into us from the torrid countries.

Mr. FOSTER. As my colleague says, this congress is with reference to the diseases that come from the south from the torrid countries.

Mr. STAFFORD. That information would be as valuable to the Dominion Government as to ourselves.

Mr. FOSTER. Yes; but the Pan American Union comprises those countries to the south, and the congress is to consider the diseases that come from those countries.

Mr. STAFFORD. I understand that the gentleman has no objection to including Cuba in the list.

Mr. FOSTER. No. Mr. Chairman, I ask unanimous consent to modify my amendment by including Cuba.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment so as to include Cuba. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I withdraw my reservation of the point of order.

Mr. SLAYDEN. Mr. Chairman, one reason that there has been no invitation to the Dominion of Canada is that this invitation was addressed to the sovereignties, only to those independent Governments. It is true that the British have some tropical concessions down there like Jamaica and British Honduras.

Mr. STAFFORD. And British Guiana.

Mr. KAHN. But they are not in the Pan American Union.

Mr. MOORE. Mr. Chairman, I desire to ask the gentleman from Illinois, to whom the President would direct an invitation, to the Republic of Mexico.

Mr. FOSTER. I do not know, although this includes the Republic of Mexico; I do not know whether there could be an invitation extended to it or not.

Mr. MOORE. As a matter of etiquette I would like to know whether the invitation would go to Carranza or Villa or Zapata?

Mr. FOSTER. If they were going to invite all the governments it would, but I can not tell the gentleman.

Mr. MOORE. We have some communications which are to be addressed to Mexico anyhow, and I would like to know how it is done.

Mr. SLAYDEN. It would be easy enough; send five invitations.

Mr. MOORE. I observe that the amendment offered by the gentleman from Illinois says "republics of Mexico"; it speaks of governments in the plural.

Mr. FOSTER. It says "republics of Mexico" and then goes on with the names of the other republics, so they are all included, and this does not mean "republics of Mexico."

Mr. MOORE. The gentleman interprets his language to mean only one Republic of Mexico?

Mr. FOSTER. Yes; I have said that I do not know whether we could extend any invitation to Mexico or not; it might be that by that time conditions would be altogether different.

Mr. MOORE. The President was insistent on refusing to confer with Huerta. This should be known before any point of order is raised. I do not want to make the point of order to bar out a friendly country, but how is Mexico to be invited?

Mr. FOSTER. I will say that I can not give the gentleman the information that he asks for.

Mr. MOORE. The gentleman regards it more a matter of law than of etiquette.

Mr. FOSTER. That would be determined by the President and the State Department.

Mr. MOORE. It would be left with the State Department?

Mr. FOSTER. Yes.

Mr. MOORE. And we could fall back upon the Secretary of State to advise us in the emergency?

Mr. MONTAGUE. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. MONTAGUE. Does the gentleman think it would be a proper thing to withhold an invitation from the Republic of Mexico?

Mr. MOORE. Not at all. I think that the invitation should be extended if it is possible to give it.

Mr. MONTAGUE. Would there be any harm in having the invitation potential, so that we might use it if the occasion should arise?

Mr. MOORE. I recognize that the gentleman from Virginia is an authority on matters of etiquette, and since the gentleman from Illinois has not been able to answer my question, I appeal to my Chesterfieldian friend from Virginia to say just how and to whom the invitation should be extended for the Republic of Mexico.

Mr. MONTAGUE. I understood the invitation to be to the Latin-American Republics, including, of course, Mexico. The word "Republics" applies or includes Mexico and the other countries of South America.

Mr. MOORE. At any rate, in the last analysis we could fall back on the Secretary of State to interpret this delicate situation.

Mr. FOSTER. I have no doubt that the Secretary of State would meet the situation.

Mr. MANN. Mr. Chairman, the question that the gentleman from Pennsylvania asked my colleague from Illinois might have produced a dangerous answer if my colleague had not been cautious and accurate, as he always is. I asked the same question the other day, in the consideration of the sundry civil bill, on an item making an appropriation in reference to the Imperial Valley of the Colorado River, and several gentlemen informed me without any hesitation at all that we would have no trouble in dealing with the home government in Mexico; that we had obtained authority and that we had been doing the work; and, as a matter of fact, some gentleman said we had dealt with Villa or his man. Then, I picked up the report of our Government, made by the officer in charge of the work down there, and found that he said because there was no government in Mexico with which they could deal they had done nothing. I wondered whether the information which is often furnished on the floor on the spur of the moment to relieve somebody who wants information is reliable, because this time I got "accurate" information which undoubtedly was entirely imaginary.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. STAFFORD. Oh, I withdrew the point of order several minutes ago.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

EXPOSITION IN CITY OF PANAMA.

That the President be, and he is hereby, authorized to accept an invitation extended by the Government of Panama to the Government of the United States to participate in an exposition to be held in the city of Panama; and the sum of $100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to enable suitable participation in said exposition by this country, $75,000 of which, or so much thereof as may be necessary, to be expended for the erection, on land donated to this Government by the Government of Panama, of a suitable building, which may permanently stand as a bureau of information and commercial museum to exhibit and draw attention at all times to the industrial and commercial standing of the United States, and the residue to be expended for an appropriate exhibit of the arts, industries, manufactures, products of the soil and the mines of the United States, and, as far as practicable, of the functions of the General Government, and an exhibit of such other articles as the President may direct, including an exhibit relating to the Panama Canal.

Mr. MANN. Mr. Chairman, on that I reserve the point of order. As I understand this proposition, a year ago last November or December the Republic of Panama transmitted an invitation to the United States to take part in this exposition, which was to be held in Panama last November or December. That matter rested with the Department of State for five or six months, or thereabouts, and then they sent a letter, and it was sent to the Committee on Foreign Affairs, where it again reclined on an easy sofa for several months. In August or September, or thereabouts, this resolution was reported to the House with a favorable recommendation. It was not acted upon. In fact, there was not time within which to construct the building. The exposition has been put off until, I think, April. Is that right?

Mr. FLOOD of Virginia. I think it is later than that.

Mr. MANN. It may have been again postponed.

Mr. FLOOD of Virginia. I think it is July.

Mr. MANN. When I was in Panama in November last it had been postponed, I think, until April. This exposition, as the gentleman knows, is to be located on grounds out where they want to make a new portion of the city for residence purposes, and it is some distance from the city of Panama—not a great ways—but at a place where a permanent exhibit building for the United States would be just about as valuable as it would be at the bottom of the sea. If we have a Government building down there in connection with the Panama Canal, it seems to me it ought to be easily accessible to the canal and not located out of town.

Mr. FLOOD of Virginia. The information the committee had was that this land was about the most desirable location around Panama city.

Mr. MANN. Oh, it is a very pleasant location for an exposition. It is not in a part of the city of Panama at present, but it is out of the city, at a point where they wish to develop it.

Mr. FLOOD of Virginia. Then it will probably be a future city?

Mr. MANN. Some people may live out there. That is very likely; but it is quite a ways from the canal. The Panama Canal lies on one side of the city of Panama, and this exposition site is away out on the other side of the city of Panama. A permanent exposition building there, so far as we are concerned, would not be worth anything at all.

If we are to have a Government exhibit there, and I do not know but that we will need one, it ought to be easily accessible to the canal and on the Canal Zone, and not located where we have no control over it at all in a portion of the city where no one will go as a rule without considerable trouble. I doubt very much whether it is possible—I know it is not possible to construct an exposition building after the 4th of March in time for the exposition if it is held at the time it is expected it will be held. It has been postponed, and it may be again postponed. There is nothing there but an exposition building, a very good looking building. It is possible that Spain has put up something of a building there. I am perfectly willing, of course, to have our Government make any sort of an exhibit that is proper at an exposition that the Republic of Panama holds, no matter what is the reason for holding it, but for us to put up a permanent building, and that is the only excuse offered by the Department of State for this item, for United States exhibits at a place where people will not go, instead of putting it alongside the canal on the Canal Zone, seems to me to be the height of folly.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. STEPHENS of Texas. What distance is it from the city of Panama, or Balboa, which adjoins Panama?

Mr. MANN. Of course they join, but it is 2 or 3 miles from the canal.

Mr. STEPHENS of Texas. On the opposite side?

Mr. MANN. On the opposite side from where the exposition is to be held.

Mr. STEPHENS of Texas. And there is no town whatever over there where the exposition is to be held?

Mr. MANN. There is no town there now. It is a very pretty part of the surrounding country. There is an effort being made, so I was informed, to develop it as suburban property and get the people to go out there to live.

Mr. STEPHENS of Texas. Where is it located in respect to the Miraflores Lake or Dam?

Mr. MANN. I could not give the gentleman the points of the compass, but it is practically opposite from Balboa.

Mr. FLOOD of Virginia. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has stated the situation correctly. This bill was reported from the Committee on Foreign Affairs by the gentleman who now occupies the chair last August. It was thought that the exposition would be held last fall. Since then it has been postponed from time to time, and my understanding is it is to be held in July. The purpose of the appropriation is to have $25,000 available for participation in the exposition, and $75,000 with which to put up a permanent building upon the exposition grounds, upon land that is deemed most desirable for a building of this character, and in a part of the country that it is thought will in the near future build up into a residence part of the city of Panama. I desire to read in this connection a letter which I recently received from the Secretary of State in reference to the matter:

DEPARTMENT OF STATE,
Washington, January 20, 1915.

MY DEAR MR. FLOOD: I have made inquiries in regard to the Panama Exposition, about which you spoke to me a few days ago, and find that the exposition is to open on July 6, 1915. Its character is to be Latin American and its purpose is to bring under one organization a series of permanent exhibits of products from Latin-American countries so that travelers crossing the Isthmus may have an opportunity to inspect with a minimum of difficulty and expense the products of the various countries of Latin America.

The only exception to the purely Latin-American character of the exposition is the inclusion of Spain as an exhibitor. It is expected that Spain will spend some $80,000 for the erection of a permanent building which, after the close of the exposition, will be used to house the legation and will contain a permanent exhibition of Spanish products and be the center of Spanish trade publicity in the Caribbean region.

It is understood that Cuba and Venezuela will also erect permanent buildings at the exposition. Cuba intends to spend about $60,000 for a building, which will later on become the home of the Cuban Legation and contain a permanent exhibit of Cuban products. It is not known how much will be expended by Venezuela.

It is understood that Guatemala will spend perhaps $25,000 on her exhibit, and Nicaragua, and probably other Latin-American countries, will be represented by displays of merchandise and other articles of their production.

Panama itself has already expended about $650,000 on a permanent exhibit and upon buildings now under construction, which will be used in the future as Government offices.

The distinct Pan American character of the exposition makes it of the highest importance that the United States should take a conspicuous part in the exposition. It is obvious that a permanent exhibit of the United States on the Isthmus of Panama, which will be crossed by so many passengers interested in trade in the near future, could not fail to stimulate interest in articles of American production, and the appropriation for American participation should be ample for the installation of a thoroughly comprehensive display of articles produced in the United States.

In view of the character of the exposition it would seem desirable that as much latitude as practicable be given to the expenditure of the money appropriated for the purpose, and I would suggest that if there should be no objection on the part of Congress the appropriation be made without limitation to any particular year, so that it may be expended during the entire period of the exposition, which conceivably may extend beyond the calendar year of 1915.

I am, my dear Mr. FLOOD,
Very sincerely, yours,
W. J. BRYAN.

Mr. MANN. The gentleman will notice that in the letter most of the items say that they expect that this or that country will do this and that. Now, this exposition was to have been held last November or December. Then it was postponed until April or May. Now, it is again postponed until July. They still say that they expect that this country or that will erect a building and make an exhibit. There never will be an exposition held there, so far as that is concerned, that amounts to anything. There is nothing there, and it is no place at all for a permanent building unless you want to build a legation building down there, which is another proposition. I do not know but what it would be suitable for a summer home or a winter home or a country residence for an American legation. It is no place for an exposition. I went over the ground and looked at it very carefully when I was there, because I knew of this bill; but no American who goes down there would recommend this place. Of course, very naturally people here representing Panama are

very anxious to have this Government participate for reasons which I am not going into.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MANN. I will.

Mr. STEPHENS of Texas. I think the gentleman is entirely correct, if an exposition building is to be placed at the point the gentleman indicates. I think it should be in Balboa.

Mr. MANN. I went over there and looked at it.

Mr. STEPHENS of Texas. I think if it would be at Balboa it would be in a better location.

Mr. MOORE. Is it on the road to old Panama?

Mr. MANN. I think it is out in that direction.

Mr. FLOOD of Virginia. Does the gentleman make the point of order against this item?

Mr. MANN. I make the point of order.

Mr. MOORE. Will the gentleman reserve the point of order?

Mr. MANN. I will reserve the point of order.

Mr. FLOOD of Virginia. May I ask a question before the gentleman from Pennsylvania begins? I would like to ask the gentleman from Illinois a question, if he will yield.

Mr. MANN. Surely.

Mr. FLOOD of Virginia. I would like to ask the gentleman if he would make a point of order against the item that carried an appropriation for $25,000?

Mr. MANN. I would not.

Mr. MOORE. Mr. Chairman, in view of what has been said by the two distinguished gentlemen who have been carrying on this discussion [Mr. MANN of Illinois and Mr. FLOOD of Virginia], I think probably the adoption of the suggestion that $25,000 be expended to enable the United States to participate in the Panama Exposition would be sufficient for the present. It would be manifestly impossible to erect a building and set up an adequate permanent exposition of American products for the $100,000 mentioned in the bill. For many years I have believed that something ought to be done in the way of a permanent building for an exhibit of American products to promote trade in South American and other countries through the medium of the Panama Canal, and I regret that up to date no definite steps in that direction have been taken.

During the discussion of the Panama Canal government bill a great deal was said about the purpose of the canal. A majority of the House held at that time that the canal was constructed more for military than for commercial purposes. I did not fully subscribe to the military idea. From the beginning of the Panama Canal agitation I have believed that if the canal was to be of any advantage to the United States at all it would not be in keeping a chip on our shoulder and inviting other nations to knock it off, but, in addition to saving the long and dangerous voyages around South America, it would broaden and promote our commercial relations with South American countries, which relations have long been neglected. Mr. Chairman, before the unhappy conflict that now prevails Great Britain and Germany were very industrious in gathering up the trade of these Latin-American countries. It was a matter of great interest and concern to American merchants and manufacturers. The large commercial interests of the United States approved our undertaking at Panama, believing the business and industries of our own country would be the first to obtain advantage from the construction of the canal, and that it would inaugurate closer and friendlier relations with the South American Republics.

In 1911 there was considerable discussion of the methods by which the benefits of the canal were to be reaped by the people of the United States. Expositions were proposed for San Francisco and New Orleans, but neither of these were to be permanent, although, as in the case of the great Centennial Exposition at Philadelphia in 1876, some memorial will doubtless remain of the stupendous San Francisco Exposition which is being opened by the President to-day. Having the permanence of our Panama Canal advantages in mind, I introduced a bill in February, 1911, to celebrate the opening of the Panama Canal by establishing a great national headquarters of commerce and industry in the city of Washington, the Capital of the Nation.

For information, I insert that bill at this time:

A bill (H. R. 32536) to celebrate the completion of the Panama Canal by the establishment of a permanent memorial to commerce and industry.

Be it enacted, etc., That there be, and is hereby, created and dedicated to commerce and industry a national trade bureau, which shall be a permanent memorial of the completion of the Panama Canal, as authorized by the act of June 28, 1902, and of the intent of the Government to foster, promote, and develop the foreign and domestic commerce, as contemplated by the act of February 14, 1903, creating the Department of Commerce and Labor. The national trade bureau shall be organized and established in the city of Washington, D. C., under the supervision and control of a board of trustees, to consist of the Secretary of State, the Secretary of the Treasury, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce and Labor, severally, ex officio. The board of trustees is hereby authorized and directed to select and purchase land and erect thereon a building or buildings in the city of Washington of sufficient proportions to install a complete collection of sample products of the soil, the forests, the mines, and the sea as grown, manufactured, improved, or prepared for commercial use by human labor or ingenuity in the United States of America or in any foreign country with which the people of the United States may have commercial or industrial relations now or hereafter, and illustrative of the methods and opportunities of creating and distributing wealth. The board of trustees shall further organize and establish a thorough system of acquiring and imparting to the people information of every kind upon commercial and industrial questions at home and abroad, and, for the purpose of making more effective this work, shall consolidate in the national trade bureau such existing bureaus charged by law with the collection and dissemination of statistical information as may be appropriate thereto.

SEC. 2. That it shall be the duty of the board of trustees, provided for in section 1 of this act, to time the completion and opening of the national trade bureau to correspond with the formal opening of the Panama Canal and to arrange for such ceremonies at the opening of said bureau as shall include the participation of accredited representatives of the various nations of the world with whom the United States entertains or may hereafter entertain friendly trade relations. Such ceremonies shall be continued for a period not exceeding three months, during which the bureau, under such regulations as the board of trustees may provide, shall be open to public inspection and to such meetings and conferences of trade and commercial bodies of this and foreign countries as may avail themselves of the opportunity to meet or confer therein. At the expiration of the ceremonial period of three months the board of trustees shall cease to exist and the supervision and control of the bureau shall devolve upon the Secretary of the Department of Commerce and Labor in such manner as shall be defined by law.

SEC. 3. That the limit of cost to enable the board of trustees to give effect to and execute the provisions of sections 1 and 2 of this act shall be the sum of $2,500,000.

Of course I had in mind the establishment at Washington or at any other point that might be agreed upon, at a cost of $2,500,000, more or less, of such a memorial institution as would prove a Mecca, not only for people of the United States who are interested in trade and commerce, but of visiting foreigners who might be induced to trade with us. This country does not now have any such institution, and my thought at the time was that since most visiting foreigners come to Washington, it might be appropriate to set up this great American information bureau at the Capital. The bill attracted much attention from commercial bodies throughout the country, but as Congress decided to approve the Panama Canal Exposition at San Francisco, the permanent institution proposition had very little chance in that Congress. Later on, in June, 1912, when the question of fortifications was up and Congress was considering a bill for that purpose, I offered the following amendment:

And the President is also authorized and directed to create a commission, to consist of one member of the Isthmian Canal Commission, three members of the National Chamber of Commerce, and the Secretary of the Department of Commerce and Labor, to inquire into and report upon the most approved ways and means of utilizing the Panama Canal and the territory adjacent thereto within the Canal Zone, to foster, promote, and develop the mining, manufacturing, shipping, and fisheries industries, the labor interests, and transportation facilities of the United States, and to provide for the commerce and industry of the United States a fair and full return upon the investment made by the United States in the construction of the canal. For the purposes hereof the President is empowered to use so much as may be necessary of the moneys appropriated by this act from the departments of civil administration and law.

The purpose of this amendment was to obtain some recognition, if possible, for the commercial interests through the Department of Commerce and Labor, but it was objected to and ruled out by the Chair.

Subsequently, in support of this general idea, I said:

Now, Mr. Chairman, in view of the contemplated coordination of the canal and commerce, it would seem as if we ought to provide in some way for the business man who wants to do business on or through the canal. It is patent to anyone who visits the zone and stops overnight at the Tivoli Hotel that foreign nations have their representatives on the ground. It is obvious also that, so far as they have been able to do so, they have made Panama a basis for operations in the contest for the commerce of South America. We are already buying extensively from those foreign agents ourselves.

To what extent have we encouraged American business interests to make business by or through the canal? We know that Germany and Great Britain are already intrenched in the countries south of Panama and that they have been more successful in making friends with the 60,000,000 of people there than we have. What warehouse facilities have we offered Americans? What banking factors or means of exchange? What opportunities to study the language and customs of South Americans or to show our samples? I do not insist that it is the business of the Government to do all these things for the individual business man, but I do believe that by our decision to make the zone a military reservation we are helping to shut the door in his face.

The fortification of the canal having been provided for, without regard to the commercial advantages that might be acquired through our control of the Canal Zone, I introduced another bill, hoping it might be considered, apart from both the San Francisco Exposition, which must necessarily be temporary, and also the fortifications question. This bill contemplated a Panama Canal trade commission to investigate and report upon the possibilities of the canal as a commercial feeder. It was referred to the Committee on Interstate and Foreign Commerce, which has not yet seen fit to act upon it. It is also a fact that

many commercial bodies expressed their approval of this bill and urged that something be done on the lines suggested. The bill was as follows:

A bill (H. R. 25779) creating a Panama Canal trade commission, and to enable the commercial, agricultural, and industrial interests of the United States to derive advantages from the Panama Canal.

Be it enacted, etc., That a commission to be known as the Panama Canal trade commission, to consist of the Secretary of the Department of Commerce and Labor, the Secretary of the Department of Agriculture, and five representative citizens, members of commercial or industrial organizations of the United States, no two of whom shall be residents of the same State, shall be appointed by the President to inquire into and report upon the possibilities and advantages of the Panama Canal and the territory adjacent thereto within the Panama Zone for the fostering, promotion, and development in Central and South America and in other countries of the commerce and industry of the United States.

SEC. 2. That it shall be the duty of the Panama Canal trade commission, created in the foregoing section of this act, to report from time to time to the President as to the advantages to be derived by the farmers, the merchants, and the manufacturers of the United States, and by all citizens having to do with the raw or finished products of the soil, the forests, the mines, or the waters of the United States, to the end that the vast expenditures made by the United States in the construction and maintenance of the Panama Canal and the United States territory adjacent thereto may be of advantage and benefit to the people of the United States. And for the information of the people of the United States the said commission shall include in its report to the President all available data as to the use made of the Panama Canal and adjacent territory, including the cities of Panama and Colon, by foreign nations engaged in commercial transactions with Central and South America, in which, by or through the Panama Canal and adjacent United States territory, the commercial relations of the United States might be strengthened and improved.

SEC. 3. That the members of the Panama Canal trade commission, excepting the Secretary of the Department of Commerce and Labor and the Secretary of the Department of Agriculture, shall receive for their services $1,000 per annum each; that necessary traveling expenses on official business incident to the work of the commission shall be paid to all the members of the commission, and that the commission may employ such expert and clerical assistance as may be necessary to carry on the work provided for in this act.

SEC. 4. That the limit of cost to enable the Panama Canal trade commission to give effect to and to execute the provisions of the foregoing sections of this act shall be the sum of $50,000.

With this hurried statement of well-intentioned efforts to direct public attention to the desirability of acquiring something from the people of the United States in return for their vast expenditure upon the canal, I am naturally pleased to note that the Secretary of State, in his letter to the gentleman from Virginia [Mr. FLOOD], under date of January 20, 1915, approves the idea of a permanent exhibit in connection with the approaching exposition of the Government of Panama at Panama City. It indicates that we are gradually coming round to the suggestion of a permanent exposition for the display of American products and wares, no matter whether it is held in Washington, in San Francisco, in New York, or on the Isthmus. Some day it may be found that such a plan as was outlined in my bill of February, 1911, will contribute very largely to our own prosperity and to the peace of nations. We may not yet be ready for it on so large a scale. We certainly could not accomplish it with the appropriations proposed in this bill, nor at the remote location from Panama City which the gentleman from Illinois [Mr. MANN] indicates is to be the scene of the Government of Panama activities.

We could not erect for $100,000, as proposed in this bill, any such building for exhibition purposes as would be commensurate with the display we should make of our manufactures and farm products, nor would the $25,000 suggested for exhibits only begin to meet the situation. The permanent exposition that ought to be established somewhere as a memorial of the Panama Canal, which is our international trade promoter, should have all the facilities of an international trade bureau as well as floor space for American samples and the vast quantity of exhibits that would come up from the factories and farms as well as from the mines and the seas. We should be able to give the manufacturer in Detroit as much information about trade conditions in Ceylon as the intending Ceylon purchaser would desire to have about the industries of Detroit. There should be the most complete and up-to-date information on rates, tariffs, banking customs, and methods of transportation, and we should provide along with our greatest show place the most accurate and detailed information that we had reason to believe might come to us upon the creation of the Department of Commerce and Labor in 1903. The province of that department as set forth in the act was:

To foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States.

And it is high time the American business men and producers were getting the full benefit of this splendid program.

Mr. SLAYDEN. Will the gentleman yield?

Mr. MOORE. I will.

Mr. SLAYDEN. I would like to ask the gentleman if he does not believe that one active, well-trained, thoroughly intelligent commercial traveler would do more good in the way of getting trade than an exposition on the Isthmus, even at the expense of $100,000?

Mr. MOORE. No; I would not go that far. One thoroughly trained commercial traveler could do a splendid business for his particular concern. If he should go out to sell American hats or shoes, he could drum up a special trade, but that would be for one concern; it would not have that broad and nation-wide interest we would like to see taken in an enterprise of this kind.

Mr. SLAYDEN. Does not the gentleman believe that the various productive enterprises will have their representatives there, or salesmen, soliciting trade and getting it?

Mr. MOORE. Well, my experience as a result of two visits to the canal taught me something with respect to the trade activities of the United States. I noticed very particularly that the representatives of foreign nations were there. I observed that the German representatives were on the Canal Zone, that the French representatives were there, that the British representatives were there, but I saw very few representatives of the United States, or seeking to promote American trade.

Most of the Americans on the canal were sightseers, or were there because they were being paid by the United States to do some work in connection with the canal. They were not taking advantage of the trade opportunities that might come from mixing up with the nationalities that were on the canal, or otherwise ingratiating themselves and the things they had to sell into the confidence of foreigners.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman, with his permission, another question or two. I want to get at the facts. Does not the gentleman believe that those representatives of English, German, and other European commercial houses who were on the Isthmus of Panama were not there to meet the casual visitor or traveler crossing the Isthmus, but were there to sell goods to the merchants residing on the Isthmus at Panama or Colon, or wherever it is?

Mr. MOORE. If their objective was to do business only on the Isthmus of Panama, that might be true. But I presume that was only an incident of their being there. They were coming up from and going back to Ecuador and Chile and Argentina. They were there doing business generally. Panama is a central point and an international meeting place, and I suppose these foreigners were improving upon their opportunities there. The truth is that many of them have become well established in the South American markets, which up to the present time the United States has not attempted to do as it should.

Mr. SLAYDEN. If the gentleman will bear with me, the point I want to make is this: They have gotten themselves well established in the South American trade and Central American trade because they went to the places where the merchants reside. They went to the people where the customers were, and not stopping at a central point and trying to do business through anticipation. The way they do business is to go and visit the various countries and present their goods and their prices?

Mr. MOORE. That may be true wherever they go out specifically for a specific kind of business. They may have produced results, and no doubt they did. They understood the language; they understood Spanish, which the average American traveler does not. They made themselves understood by the people, and they remained in the territory long enough to get the confidence of the people, which the American hustler will not usually wait to do.

The Yankee traveler goes there and does not remain long enough to get acquainted with the trade customs, banking, and so forth. We expected to improve upon these conditions when the Department of Commerce was founded in 1903. Its special function was to be to develop American trade at home and abroad. Here at Panama was the greatest American enterprise ever attempted, and not a dollar spent in any way to help ourselves commercially, and commerce includes mechanics and labor in the United States.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MOORE. I will.

Mr. STEPHENS of Texas. I desire to ask the gentleman what has been the success of the Philadelphia exposition, for which he has had appropriations for many years?

Mr. MOORE. To which exposition does the gentleman refer?

Mr. STEPHENS of Texas. The permanent exhibit that was established many years ago.

Mr. MOORE. If the gentleman refers to the Commercial Museum, I would inform him that it receives no appropriations from the Government. It is maintained by its members and by small appropriations received from the city of Philadelphia and the State of Pennsylvania. It does not receive anything from the United States at all.

Mr. STEPHENS of Texas. But it did at one time.

Mr. MOORE. It did receive an appropriation when the international exhibits were being brought in and when nations were being invited to conference and a great deal was being done to improve our relations, particularly with the Latin-American countries. The record in connection with that institution is a proud one, and although it serves the people generally, the Government saw fit to shut it off from appropriations.

Mr. STEPHENS of Texas. And what have been the results of the museum?

Mr. MOORE. The results have been excellent. So much so that at the exposition building, where information is available in respect to raw materials, tariffs, and so forth, of all countries, when free lectures are given there is not room to accommodate the people who come daily wishing to acquire information in regard to international trade. It is a valuable information bureau for business men desiring to expand their connections and for foreigners seeking to know about American conditions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SLAYDEN. Mr. Chairman, I ask the privilege of proceeding for five minutes.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order against this paragraph.

Mr. FLOOD of Virginia. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FLOOD of Virginia. Mr. Chairman, I offer an amendment in lieu of the paragraph.

The CHAIRMAN. The gentleman will send his amendment to the Clerk's desk.

Mr. FLOOD of Virginia. My amendment proposes, Mr. Chairman, to strike out of the item——

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Amend, page 27, line 15——

Mr. FLOOD of Virginia. That is not what I want. If the Clerk will take the bill, I will indicate. I want to strike out all the item on line 18——

Mr. MANN. I suggest to the gentleman that he ask leave to return to this place later.

Mr. FLOOD of Virginia. It will take but a minute.

Mr. MANN. So that he can have his amendment prepared.

Mr. FLOOD of Virginia. It will take just a minute. Strike out, on line 18, beginning with the figures "$75,000," down to and including the words "to be expended" in line 24. And the rest of it is the amendment I offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 27, by striking out——

Mr. FLOOD of Virginia. And, on line 15, strike out "$100,000" and insert "$25,000."

The CHAIRMAN. The Chair will suggest to the gentleman that he reduce his amendment to writing.

Mr. MANN. Ask leave to return to the paragraph.

Mr. FLOOD of Virginia. The Clerk has it there now, if the Chair will permit him to read it.

The CHAIRMAN. The Clerk will read the amendment. The Chair wishes to say that you can not amend the paragraph. It has been stricken out on a point of order.

Mr. FLOOD of Virginia. I am not trying to amend the paragraph. I am offering an amendment in lieu of the paragraph, which I ask the Clerk to read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On line 15, page 27, strike out "$100,000" and insert "$25,000"; and on the same page, line 18, strike out all after the word "country" down to and including the word "expended," in line 24.

Mr. FLOOD of Virginia. Mr. Chairman, let the Clerk read the rest of the paragraph. That is not my amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For an appropriate exhibit of the arts, industries, manufactures, products of the soil and mines of the United States, and, as far as practicable, of the functions of the General Government, and an exhibit of such other articles as the President may direct, including an exhibit relating to the Panama Canal.

Mr. FLOOD of Virginia. That is not my amendment. The Clerk should begin on 11.

Mr. MANN. Mr. Chairman, the gentleman had better adopt my suggestion.

Mr. FLOOD of Virginia. I adopt the gentleman's suggestion and ask unanimous consent to pass over that item for the present and return to it later.

The CHAIRMAN. Without objection, the paragraph will be passed over and returned to later.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the President is hereby requested to take such steps as he may deem necessary to have the Republic of Cuba reimburse the United States to the extent of $6,509,511.26, said sum being the amount expended out of the Treasury of the United States from 1907 to 1909 on account of the army of pacification in Cuba.

Mr. MCKENZIE. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from Illinois [Mr. MCKENZIE] makes a point of order on the paragraph.

Mr. MANN. Mr. Chairman, it is clearly subject to a point of order. It is legislation.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MCKENZIE] want to be heard on that?

Mr. MCKENZIE. No. I do not care to be heard on it. It is too important a matter to be put through on a bill of this character. Therefore I make the point of order.

Mr. FLOOD of Virginia. Mr. Chairman, it is an item requesting the President of the United States to take such steps as he may deem necessary to have the Republic of Cuba reimburse the United States to the extent of $6,509,511.26, which this Government expended in Cuba for the benefit of Cuba.

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MADDEN. The gentleman does not maintain that this is not legislation, does he?

Mr. FLOOD of Virginia. I have not gotten to that point.

I want to say, Mr. Chairman, that in 1906, during the disturbed conditions in the island of Cuba, our Government established a provisional government in Cuba, and the Hon. William H. Taft, who was then Secretary of War, acting under instructions of the President, proclaimed, on September 29, 1906, this provisional government. They did it with the assurance to the Government of Cuba that it would be temporary. It was temporary, but it established peace and order there, and in doing so there was expended out of the Treasury of the United States the sum of $6,509,511.26, with the understanding that the Cuban Government would reimburse this Government for that amount of money.

This is simply a request to the President to take steps to collect that amount, which he will do if the Cuban Government is able to pay it. If the Cuban Government is not able to pay it, he will not do it. Our bill carries $4,400,000, and this sum is more than $2,000,000 in excess of the entire amount which the bill carries. The Cuban Government owes it to this Government. There is no question on the face of the earth about that. Our Treasury needs this money, and if the Cuban Government is able to pay it I see no reason why it should not be requested to pay it.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. FLOOD of Virginia. Yes.

Mr. MANN. Has the President now the power to deal with the Cuban Government on this subject?

Mr. FLOOD of Virginia. I think he has that power, but this is a reminder——

Mr. MANN. Would he not have just as much power now as he would have if we passed this item?

Mr. FLOOD of Virginia. This is a reminder to the President, and a congressional sanction or authority for the President to act.

Mr. MANN. If the gentleman will permit, are we not just now on both sides of the Chamber, in the main—at least those who feel the responsibility—trying to keep Congress from interfering with the President in our foreign relations? And

does the gentleman think it is an apt time for Congress to poke its nose into the relations between this country and foreign affairs?

Mr. FLOOD of Virginia. I think the gentleman is doing all he can to keep Congress from interfering with the President in our diplomatic relations. Not all of his side are.

Mr. MANN. I am doing that now on this item.

Mr. FLOOD of Virginia. This would in no way cause friction or tend to create trouble. We can trust the President to take care of that.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield there for a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent, Mr. Chairman, that the time of the gentleman be extended for one minute.

The CHAIRMAN. Is there objection to the gentleman's request.

There was no objection.

Mr. STAFFORD. I would like to inquire whether the State Department has made any recommendation that this item should be included in the bill or has recommended that it should be passed?

Mr. FLOOD of Virginia. The State Department made no formal recommendation to the committee. A member of the committee, who is the author of this amendment, stated that the State Department—and I do not know with whom he conferred in the State Department—thought it ought to be included in this bill.

Mr. STAFFORD. It is purely on the initiative of the committee and has been recommended in the State Department?

Mr. FLOOD of Virginia. It was in a bill referred to our committee. The initiative was in Congress.

Mr. STAFFORD. Was the bill referred to the State Department for its approval or disapproval?

Mr. FLOOD of Virginia. Not formally.

Mr. GARNER. Was any estimate of it made in the Book of Estimates?

Mr. FLOOD of Virginia. No.

Mr. McKENZIE. Mr. Chairman, I want to say this in relation to the point of order: I am opposed to our Government assuming, in the first place, the rôle of international policeman; but when we do it and interfere with the affairs of the people of other countries, I think it is in bad taste for us then to ask those people to pay us for our meddling, and I am opposed to the President of the United States making this request. Therefore I insist on the point of order.

Mr. FLOOD of Virginia. May I ask the gentleman a question?

Mr. McKENZIE. Yes.

The CHAIRMAN. The time of the gentleman has expired. The point of order is sustained. The Clerk will read.

Mr. FLOOD of Virginia. But, Mr. Chairman, the gentleman yielded to me for a question.

The CHAIRMAN. If the gentleman wants unanimous consent, he can get it at any time, no doubt.

Mr. FLOOD of Virginia. Very well; go ahead.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONFERENCE OF AMERICAN FINANCIERS.

That the President is hereby authorized to extend to the Governments of Central and South America an invitation to be represented by their ministers of finance and leading bankers, not exceeding three in number in each case, to attend a conference with the Secretary of the Treasury in the city of Washington at such date as shall be determined by the President, with a view of establishing closer and more satisfactory financial relations between their countries and the United States of America; and authority is hereby given to the Secretary of the Treasury to invite, in his discretion, representative bankers of the United States to participate in the said conference.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph.

Mr. COOPER. Mr. Chairman, will the gentleman withhold his point of order for just a moment?

Mr. MANN. Yes; I will withhold the point of order for a moment.

Mr. COOPER. Mr. Chairman, I rose simply for the purpose of suggesting that it would be well to put in Cuba and Santo Domingo if you are going to invite them.

Mr. MANN. I make the point of order against the paragraph.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

SEC. 2. That for the purpose of meeting such actual and necessary expenses as may be incidental to the meeting of said conference, and for the entertainment of the foreign conferees, the sum of $50,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. Does the gentleman reserve it or make it?

Mr. MANN. I make it.

The CHAIRMAN. Does the gentleman from Virginia [Mr. FLOOD] want to be heard on the point of order?

Mr. FLOOD of Virginia. I concede it is good. I would like to say something, however, about the merits of it, if it is reserved.

Mr. MANN. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FLOOD of Virginia. Now, Mr. Chairman, I move that we return to the two items passed over temporarily, on page 18 and page 27.

Mr. MANN. Let the Clerk read the item.

The Clerk read as follows:

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, including rental of offices at Washington, D. C., expense of printing, and necessary traveling and other expenses, and for one-half of all reasonable and necessary joint expenses of the international joint commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, as well as for the payment of necessary expenses, not to exceed the sum of $5,000, incurred, and compensation for services rendered under the direction of the Secretary of State in the examination and preparation of cases involving the use, distribution, or division of waters and other questions or matters of difference covered by the treaty of January 11, 1909, between the United States and Great Britain, and in representing this Government and the American interests involved in the presentation of such cases before the international joint commission constituted under that treaty, $40,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1915, said amounts to be disbursed under the direction of the Secretary of State: *Provided*, That no part of the appropriation shall be expended for subsistence of the commission, its attorney and secretary, except the sum of $5 per day when absent from Washington on official business; and no part of it shall be expended for subsistence and traveling expenses from and to their places of residence and Washington.

Mr. HUMPHREY of Washington. Mr. Chairman, I reserve a point of order on these words:

Not to exceed the sum of $5,000, incurred, and compensation for services rendered under the direction of the Secretary of State in the examination and preparation of cases involving the use, distribution, or division of waters and other questions or matters of difference covered by the treaty of January 11, 1909, between the United States and Great Britain, and in representing this Government and the American interests involved in the presentation of such cases before the International Joint Commission constituted under that treaty.

I want to ask the chairman of the committee whether that $5,000 is not at this time being given to a gentleman for the purpose of acting as special counsel, whose title was first "counsel for the International Joint Commission" and then afterwards changed to "counsel for the United States before the commission."

Mr. FLOOD of Virginia. I think Mr. Tawney, a member of the commission, told me that there was some letter written to the commission which gave the gentleman a title different from the one that is carried in this bill.

Mr. HUMPHREY of Washington. My information is that this $5,000 is paid to a gentleman by the name of Manton M. Wyvel.

Mr. FLOOD of Virginia. The best man connected with the commission; worth the whole bunch of them.

Mr. HUMPHREY of Washington. I suppose so, since the personnel has been recently changed; but this gentleman, Mr. Manton M. Wyvel, was private secretary to the Secretary of State.

Mr. FLOOD of Virginia. That is true; and Mr. Tawney was chairman of the Appropriations Committee in this House just before he was appointed, and Mr. Busby, who was secretary of the commission, was secretary to Speaker Cannon just before he was appointed on this commission.

Mr. HUMPHREY of Washington. Yes; but this gentleman, Mr. Wyvell, is not a member of the commission. He was appointed at the request of Mr. Bryan. On November 11, 1913, he was appointed "counsel for the International Joint Commission" at a salary of $5,000. Now, where does that salary come from?

Mr. FLOOD of Virginia. It is coming out of this fund, and he was appointed at the request of this commission. The Hon. James A. Tawney, the chairman of the commission, appeared before the Committee on Foreign Affairs nearly a year before the gentleman was appointed, and said that the commission was

put to great disadvantage because England and English claimants were represented by lawyers familiar with the questions presented to the commission, while the United States was not represented at all, or was represented by some gentleman assigned by the Department of Justice, who was not familiar with the questions the commission was considering, and that therefore American interests suffered; and they suggested that an attorney or counsel should be assigned to familiarize himself with this work and appear before the commission.

Mr. HUMPHREY of Washington. Oh, yes; I understand that. The English Government was represented by counsel, but this gentleman was appointed to inform the counsel, and not to represent the United States.

Mr. FLOOD of Virginia. That is not a fact at all, as I happen to know. He was appointed to represent the United States. Mr. Tawney informed me that the title first given him was not the title that he ought to have. I do not remember what it was. The wrong title was given him inadvertently, and it was changed.

Mr. HUMPHREY of Washington. It was not given inadvertently; it was given that way so as to give a shadow of authority for paying him out of the fund appropriated for the commission. Let me give you some of the facts in relation to this appointment. First, I should like to ask what cases this gentleman has prepared, representing the Government of the United States?

Mr. FLOOD of Virginia. He has just been appointed, not very long ago. You ask me what cases he has prepared. I will tell you that I do not think they will be very numerous, because I do not think there is very much for this commission, which was established by the last Republican administration to take care of their lame ducks.

Mr. HUMPHREY of Washington. I suppose that is true; and I notice that you managed to get a lame duck on it immediately afterwards, and put off a good Democrat in order to put him there, too.

Mr. FLOOD of Virginia. We are bound by treaty to take care of these cases. The good Democrat whom the gentleman speaks of resigned because he did not care to render service on the commission any longer.

Mr. HUMPHREY of Washington. The gentleman refers to a very distinguished citizen of my State, and I happen to know something about his case. Does the gentleman want to convey the impression that the distinguished gentleman on this commission—I refer to ex-Senator Turner—was not requested to resign from that commission?

Mr. FLOOD of Virginia. Yes.

Mr. HUMPHREY of Washington. Then the gentleman is wrong.

Mr. FLOOD of Virginia. I am not.

Mr. HUMPHREY of Washington. He was given to understand by the Secretary of State directly that he wanted him to get off of that commission, in order that he might give the place to one of his friends.

Mr. FLOOD of Virginia. The gentleman is mistaken about that.

Mr. HUMPHREY of Washington. I know what I am talking about on that. The gentleman is talking about a distinguished citizen of my State, a distinguished Democrat and a lawyer of great ability; a man of the highest honor and standing, and my personal friend. And when the gentleman from Virginia makes the statement that this gentleman resigned without an intimation from the Secretary of State that he wanted him to get off that commission the gentleman is not stating what is correct.

Mr. FLOOD of Virginia. I am referring to ex-Senator Turner, and I agree with the gentleman about Senator Turner; but the gentleman is mistaken about his resignation being requested.

Mr. HUMPHREY of Washington. I know about that part of it. I repeat that he was given to understand by the Secretary of State that his resignation was desired. Ask the Secretary of State and see if he will deny it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CALDER. Will the gentleman yield for a moment?

Mr. HUMPHREY of Washington. Yes.

Mr. CALDER. Does the gentleman know that Mr. Wyvell was a candidate for Congress from a New York district in 1912 and 1914, and that he is devoting the most of his time to making political speeches around the country?

Mr. HUMPHREY of Washington. I will give you a little information about Mr. Wyvell. I do not know anything about the particular matter to which the gentleman refers, but I know that Mr. Bryan, on November 11, 1913, appointed Mr. Wyvell under the title of "counsel for the International Joint Commission" at a salary of $5,000. You might just as well appoint one of the page boys of this House to advise the Supreme Court of the United States upon legal questions as to appoint this gentleman to advise a commission composed of great lawyers on legal questions.

Then they made the discovery that that was not the proper thing to do, and so about December 16 the Secretary wrote a supplemental letter and changed the title to "counsel for the United States before the commission." Before that, when we had an important matter the department that was particularly interested in it furnished the counsel. For instance, when we had the case known as the Livingston Channel case the Department of Justice assigned Mr. Strickland from the department to represent it, as I recall. In the Sault Ste. Marie case they sent Mr. Koons, the law officer of the Chief of Engineers, to represent them. Now they have a distinguished gentleman that was a private secretary to the Secretary of State given the place, and the Secretary has directed the commission to pay his friend a salary monthly at the rate of $5,000 a year. Does the Secretary of State under the construction of this law have the right to direct the payment of that money?

Mr. FLOOD of Virginia. He does. We thought it was necessary to give somebody control over the expenditure of this money besides the commission, that has heretofore been too extravagant with it. For instance, although the home of the commission is in Washington, these gentlemen have been allowing themselves $10 a day for subsistence for every day they were away from their homes on the business of the commission, whether they were in Washington or elsewhere.

Mr. HUMPHREY of Washington. Why does not the gentleman move to abolish the commission?

Mr. FLOOD of Virginia. We can not do it; we are bound by treaty to keep it up. We did cut the appropriation down, and we did put into this bill a provision by which to curtail their extravagance.

Mr. HUMPHREY of Washington. But you want to give $5,000 to some one who has not done anything.

Mr. FLOOD of Virginia. We do not do anything of the kind. Mr. Wyvell's salary began only on the day when he assumed the duties of the position indicated in this paragraph. It is only for payment when he is rendering services. Mr. Tawney, who was then chairman of the commission, appeared before the committee and complained of the system which the gentleman from Washington prefers, of assigning attorneys from the Department of Justice to his commission, and said that American interests were put to a great disadvantage before the joint commission in dealing with questions between this country and Great Britain by reason of that fact, and he suggested that counsel ought to be assigned to do this particular work before the commission. Whether there was a mistake in giving the counsel a proper title in the first instance, I have only the information from Mr. Tawney, from whom, I presume, the gentleman got his information.

Mr. HUMPHREY of Washington. I have never spoken to Mr. Tawney in my life about this matter, either directly or indirectly. Who are the members of the commission?

Mr. FLOOD of Virginia. Hon. James A Tawney, ex-Gov. Glenn, of North Carolina, and ex-Senator Obadiah G. Gardner, of Maine.

Mr. HUMPHREY of Washington. In the hearings the other day, when this question arose before the gentleman's committee, did not Mr. Gardner say that he was opposed to this special counsel? And did not Mr. Tawney add also that he wanted to be placed in the same category?

Mr. FLOOD of Virginia. They did not say that.

Mr. HUMPHREY of Washington. Was not that the substance of what they said?

Mr. FLOOD of Virginia. No; because Mr. Tawney had been there before and asked for him, and Senator Gardner backed him up in that request.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FLOOD of Virginia. What Senator Gardner did say was, after he became chairman of the commission, he approved of the restriction upon the expenditure of this fund and thought the

members of the commission should devote all of their time to the work.

Mr. HUMPHREY of Washington. If the gentleman from Virginia has no objection, I will place in the RECORD the statements of Mr. Tawney and Mr. Gardner before the committee.

Mr. FLOOD of Virginia. I have no objection. Mr. Tawney did make this objection, that this money ought not to come out of this fund; that it ought not to reduce the fund that they handle. The committee thought they had too large an appropriation, and we not only required that this payment should come out of that appropriation, but we cut it down $10,000.

Mr. HUMPHREY of Washington. I want to ask the gentleman another question. This special counsel, as he is now called, has a suite of offices in the Woodward Building in this city. I would like to know how those offices are furnished and how the expenses are paid. Does it come out of this fund of $40,000?

Mr. FLOOD of Virginia. Yes.

Mr. HUMPHREY of Washington. Under the direction of the Secretary of State?

Mr. FLOOD of Virginia. It will be in the future.

Mr. HUMPHREY of Washington. I think I understand the situation. Here is a gentleman appointed by the Secretary of State special counsel of the United States, notwithstanding that heretofore counsel has been assigned by the Department of Justice or some other department where counsel was particularly qualified for the work; that he was appointed by the Secretary of State; that he is being paid by the month at the request of the Secretary of State; and that he has furnished an office, and the rent of that office is paid at the request of the Secretary of State; and, so far, my information is that he has not prepared any case nor done any work for this commission, but is helping the distinguished Secretary of State in getting places for deserving Democrats; and I make the point of order.

Mr. FLOOD of Virginia. That has about as much foundation as most of the statements that the gentleman makes. Here is what Mr. Tawney said:

> The difficulty heretofore has been that there was no authority for the appointment of anyone in the State Department, and there was no appropriation out of which to pay for the services, and it was at their request, at the request of the State Department officials, that I consented, as chairman of the United States section of the International Joint Commission, a year ago, that $5,000, or so much thereof as might be necessary, should be paid for the services and the expenses incident to appearing before the commission, to be taken out of our appropriation. It was then that they first selected some one to represent the Government of the United States. We regarded it as so essential that we were willing to have it appear that the expenses of the commission were $5,000 more than they actually are. That was the only way out of it, and that was the reason for the appropriation. The expenditure of the appropriation is all under the direction of the Secretary of State anyway, so that I do not see that it makes much difference whether it comes out of one pocket or another.

Mr. HUMPHREY of Washington. I am unable to follow the gentleman. From just what line was he reading?

Mr. FLOOD of Virginia. I was reading from the statement of Mr. Tawney, on page 71 and page 72, in reference to the employment of Mr. Wyvell as counsel. He did object, in some part of the hearings, I recall, to compensation coming out of this appropriation, but he says here that so essential does he regard it that they have a counsel that they would consent to have their appropriation taxed with this additional $5,000. As to Mr. Wyvell's ability as an attorney, he is an able attorney, a high-class man, a splendid citizen, nominated, as somebody suggested, by one of the great New York districts for Congress, and he is a man who made a very efficient secretary to the Secretary of State, and is amply able to cope with the lawyers who will represent Great Britain before this tribunal.

Mr. HUMPHREY of Washington. Mr. Chairman, I am perfectly satisfied that a gentleman who would accept a position at $5,000 a year must be capable to advise this international commission, and that he must be a great international lawyer. That fact alone is sufficient evidence to prove that he is competent to fill a high position of that character.

Mr. FLOOD of Virginia. Oh, I recall that the gentleman from Washington served here for $5,000 a year, with only the addition of mileage.

Mr. HUMPHREY of Washington. Certainly.

Mr. FLOOD of Virginia. And was very willing to do it.

Mr. HUMPHREY of Washington. But I never posed as a great international lawyer.

Mr. FLOOD of Virginia. The gentleman certainly posed as a statesman, and a statesman ought to be worth as much as a lawyer.

Mr. HUMPHREY of Washington. Oh, I would not plead guilty to even that.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. I want now to read to the gentleman what I had in mind a little while ago, because I do not want either the gentleman or the House to think that I had no foundation for the statement I made. The Chairman says:

> The counsel for the United States would have to go wherever the commission sits?
>
> Mr. TAWNEY. Yes; if, in the judgment of the Secretary of State, the interests of the United States Government required that.

I have no objection to a counsel for the United States. The United States ought to be represented, but heretofore the United Sates has been represented by the different departments without any additional salary. They have always taken some one; but here is what was said:

> The CHAIRMAN. Would he pay his own expenses?
>
> Mr. TAWNEY. No; it would have to be paid out of the $5,000.

Do I understand the gentleman to contend that this gentleman's expenses are paid out of that $5,000?

Mr. SMITH of New York. No.

Mr. FLOOD of Virginia. Not under this law.

Mr. HUMPHREY of Washington. Then I read further from the hearings:

> Mr. GOODWIN. Then the salary and the expenses incident to the appearing of counsel before the commission would have to be paid out of that $5,000?
>
> Mr. TAWNEY. There is a variance of opinion concerning the construction of that provision.
>
> Mr. GARDNER. I would like to say in connection with this matter that Gov. Glenn and myself were opposed to the appointment of an attorney as a part of the American section of the international joint commission.
>
> Mr. TAWNEY. I would like to have you include me in that statement ment also, because that was so.

I thought I was right about that. All of them objected to this special council.

Mr. FLOOD of Virginia. But the gentleman is not right. They were opposed to the commission having a counsel, to the appointment of an attorney as part of the American section of the commission. They wanted the United States to have a counsel to represent this Government before the commission. They did not want the commission to have a counsel.

Mr. HUMPHREY of Washington. That is exactly what the gentleman was appointed for.

Mr. FLOOD of Virginia. That is not what he is now.

Mr. HUMPHREY of Washington. And the reason they changed it was because they discovered there would be some difficulty about getting his salary.

Mr. FLOOD of Virginia. Oh, no. It was simply the correction of a mistake.

Mr. HUMPHREY of Washington. There was no mistake about it. The change was made so that the Secretary of State, as he thought, might have authority to direct the payment of his salary. I make the point of order.

Mr. MANN. I will ask the gentleman to reserve it for a while.

Mr. HUMPHREY of Washington. I reserve it.

Mr. GOULDEN. Mr. Chairman, will the gentleman from Washington yield?

Mr. HUMPHREY of Washington. Yes.

Mr. GOULDEN. I want to state, in reference to this gentleman, that I indorse every word the chairman of the committee so tersely said about Mr. Wyvell. I know Mr. Turner is regarded as a first-class lawyer, a good man in every respect, but I know Mr. Wyvell personally very well, that he is the peer of Mr. Turner in every respect, and is a first-class lawyer. He lived in the district that I have the honor to represent for a number of years, and I know him well as a neighbor and a citizen. He is entirely competent in every respect to occupy the position to which he has been named and will reflect credit on the Government in the important position he now occupies.

Mr. HUMPHREY of Washington. But he does not take the position of Senator Turner.

Mr. GOULDEN. I consider him just as good a lawyer, and that is quite complimentary to him, as Senator Turner stands deservedly high in his profession.

Mr. CLINE. Mr. Chairman, I do not think the aspersions cast upon Mr. Wyvell's ability as a lawyer by the gentleman from Washington [Mr. HUMPHREY] ought to go unanswered. Of course, if that statement were confined in knowledge to the membership of the House, who know the gentleman from Washington and know the amount of bombasity he unloads on the House almost daily in malicious criticism of the administration or some of its principal administrative officers, it would be a different proposition; but I want to call the attention of the country to some of the men who recommended Mr. Wyvell—men who know him, men who are acquainted with his ability—and place their statements in the balance against the statement of the gentleman from Washington, and let the House and the

country know whether there is any foundation for the gentleman's statement. I read from the statement of Secretary Bryan in the hearings:

He is recommended by a large number of persons in New York who are acquainted with his legal ability, among others Hon. Samuel Seabury, recently elected judge of the Court of Appeals of New York State; by Hon John Ford, Hon. Charles L. Guy, Hon. James A. Blanchard, Hon. L. A. Giegerich, Hon. Mitchell L. Erlanger, justices of the supreme court of the first district; and by Hon. John P. Cohalan, surrogate of New York County; by Hon. William F. Schneider, county clerk of New York County; by Hon. Cuthbert W. Pound; Herbert P. Bissell; Harry L. Taylor, justice of the Supreme Court of New York State, eighth judicial district; by Hon. James W. Gerard, ambassador to Germany; Hon. E. R. O'Malley, formerly attorney general of New York State; Hon. Frank Irvine, dean of the Cornell Law School; and E. H. Woodruff, professor of law in the Cornell Law School.

I think that is sufficient indorsement to say whether Mr. Wyvell is competent to occupy this position, and the source of authority is so great and the information is such that it ought to be received by this House and by the Secretary of State, who suggested the appointment of Mr. Wyvell, as sufficient to warrant the appointment. I do not think the statement made by the gentleman from Washington that the appointment was made without regard to qualification ought to go unchallenged. I make this answer in defense of a man who can not answer for himself.

Mr. MANN. Mr. Chairman, for the benefit of those who do not know the gentleman from Indiana [Mr. CLINE], who has just resumed his seat, and as he says for the benefit of the country, I would like to say that the gentleman from Washington [Mr. HUMPHREY] has no superior in this House in the way of ability. He is one of the best working Members of the House, and he thinks and talks clearly. If the gentleman from Indiana would study the gentleman from Washington and emulate his example, he would be a much better Member of the House than he is, and he is not a bad one at that.

An honest confession, it is said, is good for the soul; and I am going to make a little confession and take part of the blame. This commission was created several years ago, ostensibly in accord with the provisions of a treaty. It has been operating for some years and I presume doing some very good work. The former secretary of the commission was Mr. Busby, who used to be the secretary to the Speaker of the House, Mr. Cannon. When the Democratic administration came into power it was reasonable to suppose that the commission would be reconstituted and be made up of two Democrats and one Republican. It was reasonable to suppose that the new reconstituted commission would employ a Democratic secretary. The commission, in fact, was not immediately reconstituted, though it was shortly; but the commission as reconstituted really wanted to keep Mr. Busby in as secretary, and I am frank to say I wanted to keep Mr. Busby in as secretary; but in a moment of temporary mental aberration I suggested that Mr. Klutz, who was then being urged for appointment as secretary of this commission by the Secretary of State, should be appointed as counsel for the commission and that Mr. Busby be allowed to remain as secretary of the commission. Fatal suggestion. As soon as the recommendation was made—and I ought to have known it—that there could be a new place created, the suggestion was accepted. The new place was created and Mr. Busby did not keep his place. Mr. Klutz was appointed secretary of the commission and the new place was filled by another noble Democrat. I do not criticize the department for doing this. I am only sorry that in a moment I suggested this extravagance, though I do not think that extravagance is so much in the counsel as it is in the rest of the membership connected with the commission and their employees. However, I will try to make it up some time and save that $5,000 somewhere else.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask to proceed for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Mr. Chairman, it seems to have become a fashion recently with a few certain gentlemen every time I make a remark to get up and reply by something of the character of the statement made by the gentleman from Indiana [Mr. CLINE]. Now, a while ago while I was speaking about Mr. Wyvell I did not reflect upon his character. It was the character of the position which he was holding to which I was objecting, because I do not believe from what I know about it that he has rendered any service. But the gentleman from Indiana [Mr. CLINE] immediately rose and made a statement the character of which has been made familiar by these featherweight statesmen who are back scratching the President and the Secretary of State. Now, gentlemen, I am not going to criticize him, because if there is anything I admire about a bootlicker it is his faithfulness. For these gentlemen who stand up here and defend the Secretary of State for patronage received, I have nothing but admiration. But because they receive this compensation I do not want them to think that they can stand up here on this floor every time I make a remark upon any occasion and attack me in the manner they have. Since I have been a Member of this House, and I leave it to the gentlemen on each side, I have never attacked any man personally except when I have first been attacked, never; and in the speeches I made I did not refer to any gentleman in person, and I give notice that this method of some of these would-be statesmen on that side of the House attacking me and villifying me personally every time I speak is going to come to an end, or I am going to have something to say in reply. There is a certain class of individuals so constituted, so narrow brained, that if you let a thing of this kind pass by too long they take it for cowardice or for a degree of good nature which I may not always possess.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. HUMPHREY of Washington. No; I insist on the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FLOOD of Virginia. The Chair does not sustain that point of order; it is based on a treaty.

The CHAIRMAN. The gentleman has not made any argument against it.

Mr. FLOOD of Virginia. The Chair did not give me time.

The CHAIRMAN. The Chair will give the gentleman time.

Mr. FLOOD of Virginia. Mr. Chairman, this appropriation is founded upon a treaty between this country and Great Britain. The only authority we have for making any part of this appropriation is by the fact we have a treaty and that treaty authorizes this Government to appoint, on the part of this Government, the necessary officials to attend the meeting of this joint tribunal.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. FLOOD of Virginia. Yes.

Mr. STAFFORD. I had occasion some years ago to review that treaty which was entered into between this country and Great Britain, and I do not think the context of the treaty agrees with the statement of the gentleman that there was any authority for the employment of these officials——

Mr. FLOOD of Virginia. The treaty has that provision, and it necessarily follows that the Government could not carry out the provisions of this treaty without the necessary officials. The appropriation is authorized by treaty.

Mr. STAFFORD. I will say further, for the benefit of the Chair, if he will permit, when the original authorization was first incorporated in an appropriation bill it was the understanding on this side that it was subject to a point of order. I remember having examined the treaty at that time. Now, I have not had occasion to examine it since.

Mr. FLOOD of Virginia (reading)—

This commission was created by authority of the treaty of January 11, 1909, between the United States and Great Britain to pass upon applications approved by either Government for the use, obstruction or diversion of the boundary waters on one side that might affect the level on the other side, the construction of dams or obstructions in the boundary waters; the decision of the commission being final in those cases. The commission may also be called upon to examine and report on other differences between the two Government, involving rights, obligations and interests along the boundary.

Under that treaty this commission was constituted and of course the necessary assistants for the commission are contemplated.

The CHAIRMAN. The Chair does not find this includes assistants to the commission. The Chair finds that this counsel is to be employed for the United States before the commission.

Mr. FLOOD of Virginia. Yes.

The CHAIRMAN. Does the gentleman mean to say that the treaty would cover that or carry that?

Mr. FLOOD of Virginia. Yes; because it is necessary to carry out the treaty.

The CHAIRMAN. But this counsel is to argue cases before the commission; he is not a counsel to advise the commission at all.

Mr. FLOOD of Virginia. That is true.

Mr. HUMPHREY of Washington. I call attention to the fact that this is a new position, one that has only been created recently, as the gentleman from Illinois has stated. It was not necessary before, because counsel were assigned from the other department.

The CHAIRMAN. It is in the appropriation bill for last year.

Mr. HUMPHREY of Washington. But I think that was the first time it was carried.

Mr. FLOOD of Virginia. It was in last year's appropriation bill. It was put in there upon the suggestion of the then chairman of the commission, Mr. Tawney, and this is a limitation on the rest of the appropriation. If it is not paid out of this appropriation there will have to be no appropriation made for it. So this is a limitation upon this appropriation, the amount that the commission has to expend.

The CHAIRMAN. The Chair does not think the question of whether another appropriation would have to be made to pay this counsel should enter into our consideration at all. The provision reads:

As well as for the payment of necessary expenses, not to exceed the sum of $5,000, incurred, and compensation for services rendered under the direction of the Secretary of State in the examination and preparation of cases involving the use, distribution, or division of waters and other questions or matters of difference covered by the treaty of January 11, 1909.

And then goes along:

And in representing this Government and the American interests involved in the presentation of such cases before the International Joint Commission constituted under that treaty.

Now, he is not appointed as counsel for the commission at all. He is employed to prepare the cases of the people—American citizens—to be presented before the Joint High Commission. Now, how it can be claimed that this is covered by a treaty creating a Joint High Commission the Chair can not see.

Mr. FLOOD of Virginia. This is for salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commission on the part of the United States, making an appropriation of $40,000, and here is a limitation on it of $5,000. And on that account it would be in order. It limits the amount to be appropriated to the commissioners and clerks for salaries and things to $35,000.

The CHAIRMAN. Does the gentleman mean to say that unless there is an authorization you have the right in an appropriation act to limit the expenditure of $5,000 of this money? You can not use a limitation for an authorization.

Mr. FLOOD of Virginia. If it is a limitation, you can. Here is an appropriation of $40,000 and here is a provision in it that takes $5,000 from the commission to pay the counsel for this Government who appear before the commission. It is a limitation on that appropriation. It saves money to the Treasury, and, therefore, it is in order.

Mr. STAFFORD. Will the gentleman permit?

Mr. FLOOD of Virginia. Yes.

Mr. STAFFORD. The gentleman is referring to an authorization for the payment of clerks and employees by the commission. The Chair has pointed out that this official is really to be appointed, not by the commission but by the Secretary of State, and therefore it is not a limitation on the authority of the commission.

The CHAIRMAN. The Chair does not view it that this is a limitation at all. It merely uses this wording to show how it should expend $5,000, and is not a limitation but an expenditure of $5,000—and for what? To prepare cases to be presented to the joint high commission, and not to advise the joint high commission.

Mr. HARRISON. Mr. Chairman, the treaty that was entered into between the United States and Canada was for the purpose of settling differences that might arise between the two Governments about the boundary waters. Under that treaty it only states that each side shall appoint three commissioners and other officers, but under the act of Congress of 1911 this wording, at least inferentially, would give authority for the employment of a counsellor for the joint high commissioners representing the United States. And I might say in that connection that Canada is represented by counsel. I think it was stated before our committee that they had two counsellors. I am not sure about that, but they at least had one, and the commissioners representing this country thought it was fair to this country to be represented by counsel also. Here is the reading of the act of Congress of March 4, 1911.

Mr. STAFFORD. Will the gentleman kindly give the page and volume?

Mr. HARRISON. The page is 1364, Sixty-first Congress, 1910–11, United States Statutes at Large.

Mr. STAFFORD. What volume of the statutes?

Mr. HARRISON. Volume 36. It says:

For salaries and expenses, including salaries of commissioners and salaries of clerks appointed by the commissioners on the part of the United States with the approval solely of the Secretary of State, including rental and furnishing, after the passage of this act, of offices at Washington, D. C., and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and other purposes, signed January 11, 1909, $75,000, together with the balance unexpended July 1, 1911, of the appropriation made for said joint commission for the fiscal year 1911.

Now, I call the Chairman's attention——

The CHAIRMAN. Is that the appropriation bill?

Mr. HARRISON. Yes; but that is the authority of law, because that is the authority of law that gave to the President the right to fix these salaries and which, at least inferentially, would give the right to appoint other officers to carry out the purposes of the treaty between Canada and the United States. It says further:

Provided, That the salaries of the members of said commission on the part of the United States shall be fixed by the President, and the amount appropriated for the payment of salaries and other expenses hereunder shall be disbursed under the direction of the Secretary of State; that said commission or any member thereof shall have power to administer oaths—

And so forth.

So I submit the wording of that statute, "the amount appropriated for the payment of salaries and other expenses hereunder shall be disbursed under the direction of the Secretary of State," would carry out the purpose of the treaty, for the treaty says that these various officers shall be employed to carry out the terms of the treaty, without limiting the number or character of officers. I submit that there is authority of law for this appropriation for this counsel.

Mr. STEVENS of Minnesota. Mr. Chairman, if the Chair will indulge me, I think that, having some familiarity with the procedure before this commission, I may make it clear to the Chair that the treaty should be the basis for the legislation for an official of this sort favored in the bill. Some people from my State were the first who were obliged to appear before this commission, and I assisted them at best I could, so that I have had some familiarity with the work and procedure of the commission.

The CHAIRMAN. Can the gentleman throw any light on the point of order?

Mr. STEVENS of Minnesota. I think I can. The Chair will note that under the treaty there can be but two litigants—the United States and Canada. Under the treaty the commission itself is a judicial tribunal. It is the only permanent judicial tribunal between the two nations. There is no other, and the commission has a vast responsibility under the treaty in deciding matters and controversies which may be referred to the commission by the two Governments.

Now, the Chair must remember that before this judicial tribunal only two litigants can appear—the Canadian Government and the American Government—and that each Government must present its own case on matters for judicial determination. Under the treaty these Governments appear in a case. I think those are the words that were used in the treaty case and questions and matters of difference. The Chairman read, I think, correctly from the treaty.

When any citizens of the United States appear to have a matter which should be presented to the commission, as my people have appeared to have, and seek that a matter be submitted to the tribunal, they first go to the Department of State. The department, under the language of the treaty, is then obliged to formulate an application to present a case on matters to the commission. The Secretary of State and the United States as a party to the treaty then assume the responsibility of presenting this case to this judicial tribunal. That application is presented by the United States itself, and that treaty requires that it be done; and this is the official provided in this bill that this treaty requires now to prepare and present the matter for the United States. So that it seems to me it is clearly implied from the requirements of the treaty itself, a necessary provision for the United States making its application and presenting its case to the commission, that there should be proper officials to present the matter to a judicial tribunal.

Now, who are these proper officials? Who prescribes the proper officials? Why, Congress, of course, has plenary authority in such matter to prescribe how the treaty shall be made effective, and Congress has provided this official as one of the proper officials to present this matter. It can call him anything it pleases, but his duty is to make effective the provisions of this treaty and present the case of the United States. No private individual can perform such duty. The law prohibits it. So it must be done by an official provided by Congress, and this is the man. I can not see how the treaty can be made effective unless something like this be done. If so, it must and should be in order in this bill.

Now, incidentally, Mr. Chairman, I wish to call the attention of the committee itself to the importance of this tribunal, and

I claim to have some information in regard to it, because, as this committee knows, my relations with Mr. Tawney were intimate when he was a Member of this House, and I know that those who knew him and know him now need not be assured that he needs no defense from those who were associated with him on the floor of this House. He was not only able and capable but was always solicitous for the public expense and the observance of the law and proprieties. He was careful of the public funds when he was the guardian of them, and I know he has not changed in this respect. This tribunal is one of the most important and one of the most dignified tribunals of its kind in the world, and gentlemen of the committee underestimate the responsibilities which it has had and the responsibilities that it must have incident to the controversies and cases and matters and differences which may be submitted by the United States to this commission.

Mr. FLOOD of Virginia. Mr. Chairman, will the gentleman allow me to interrupt him for a moment?

Mr. STEVENS of Minnesota. Certainly.

Mr. FLOOD of Virginia. I do not think that anything I have said would warrant the conclusion that I underestimate the importance of the commission or the importance of their work. The statement I made was that up to this time they had done very little work and had decided very few cases, and the criticism I had of the commission was that in former times they had made a loose expenditure of this money.

Mr. STEVENS of Minnesota. Mr. Chairman, I think the gentleman underestimates the work, both the amount and importance, which has been done and the work that is pending before this commission. The matter that came from my State was the first. It involved the boundary waters, the Lake of the Woods and Rainy Lake, between Minnesota and Canada, with their vast potentialities of manufacturing and its large interests, involving untold millions of dollars for power and navigation and the fisheries. Just west of us there is a very intricate controversy which has been under way for many years, and, if I recall, is expressly covered by the treaty concerning the Milk River, in Montana, capable of irrigating hundreds of thousands of acres of land. That river rises in the United States and flows up into Canada and comes back into the United States and possibly flows back into Canada again. I do not recall the exact geography on the controversy, but it is of great importance. How those waters shall be distributed and allotted has been a matter of controversy for years. The question involves millions of dollars and hundreds of thousands of acres of land and hundreds of thousands of people and will extend through the long future. That is a matter which is now under settlement by the commission.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from New York?

Mr. STEVENS of Minnesota. Yes; I will be glad to yield to the gentleman on that point.

Mr. SMITH of New York. I suggest to the gentleman that the United States Government has appropriated $5,000,000 for irrigation projects on the Milk River, which belongs to this general subject of settling the question of boundary waters.

Mr. STEVENS of Minnesota. Yes. I am glad the gentleman did interrupt me.

The matter of the height of the waters of Lake Superior involves, Mr. Chairman, the commerce on Lake Superior and that passing through the Soo Canal, which this commission has been considering for several years, and this committee knows that that commerce is larger than that in any other waters in the world. The commerce of this canal and of the waters sought to be controlled which these gentlemen have been considering in the last few years is annually larger than the commerce which can ever pass through the Panama Canal. More than 79,000,000 tons of commerce passed through those canals at the Soo last year, while the possible capacity of the Panama Canal, working day and night for 365 days in the year, is only 80,000,000 tons. More canals are being constructed right now connecting the lakes on both sides—the Canadian and the American sides—because the possible increase will be so great. This commission must give its approval and pass on questions affecting the height and control of those waters, and recently by its wise action produced an annual revenue to the United States of $66,000 per annum for 30 years, or about $7,000,000 for the Treasury.

What I wish to point out to the committee is that this commission, which has charge of the controversies concerning the use of that water, the height of the water, and the diversion of the water, is a tremendously important body, and its dignity and authority should be guarded and respected. Those controversies will continually arise between Canada on the one side and the United States on the other as to the use, diversion, height, and pollution of these waters.

I think the commission has been investigating the pollution of the water which is expressly provided by the treaty, which is a most important matter, affecting the welfare of the people of a most important part of this country. Thousands of people pass over these lakes and are obliged to use that water. Millions of people live on the borders of those lakes and must use that water in one way or another. It is of the utmost importance for this country and for Canada to have the right kind of use and disposition of that water, and that must come on our part through careful investigation by the Government of the United States, and then a proper presentation of these important matters to this commission. It is therefore the duty of the United States to be properly represented before this commission, to properly prepare its case as the treaty requires, and this is the official provided by Congress to represent it. It makes no difference who the person may be, but it is important to have the right kind of an official provided by Congress to represent the United States in this matter.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STAFFORD. Mr. Chairman, I presume that the Chair is desirous of having information as to the authority which the law or the treaty gives for the appointment of this official. I have in my hand the original treaty, and I direct the attention of the Chair to Article VII of that treaty, which is the authority for the appointment of the three commissioners by the respective Governments. It is as follows:

> The high contracting parties agree to establish and maintain an international joint commission of the United States and Canada, composed of six commissioners—three on the part of the United States, appointed by the President thereof, and three on the part of the United Kingdom, appointed by His Majesty on the recommendation of the Governor in Council of the Dominion of Canada.

I now direct the attention of the Chair to the really pertinent paragraph as to the appointment of assistants, clerks, and secretaries, and providing for their expenses. It is found in the second paragraph of Article XII of the treaty:

> The United States and Canadian sections of the commission may each appoint a secretary, and these shall act as joint secretaries of the commission at its joint sessions; and the commission may employ engineers and clerical assistants from time to time as it may deem advisable. The salaries and personal expenses of the commission and of the secretaries shall be paid by their respective Governments, and all reasonable and necessary joint expenses of the commission incurred by it shall be paid in equal moieties by the high contracting parties.

That is warrant for carrying in an appropriation bill items providing for the salaries of the commissioners, the secretaries, and for clerical assistants employed by the commission, and for incidental expenses incurred by it. This paragraph must also be considered in connection with the appropriation law already cited by the gentleman from Mississippi [Mr. HARRISON], which is:

> *Provided*, That the salaries of the members of the said commission on the part of the United States shall be fixed by the President—

That is not in conflict with the treaty obligation. And further—

> and the amount appropriated for the payment of salaries and other expenses hereunder shall be disbursed under the direction of the Secretary of State.

Shall be disbursed. It refers to the expenses for clerical assistance and other expenses which the commission is authorized to incur under the treaty, and only the Secretary of State shall be the disbursing officer.

It is a matter of indifference to me who is the person filling this position. I am only presenting this to the Chair for him to determine whether there is any authorization of law for the employment by the Secretary of State of a counsel for the presentation of cases before this commission. Certainly the treaty which I have read to the Chair and also the paragraph cited by the gentleman from Mississippi [Mr. HARRISON] contains no warrant for the employment by the Secretary of State of any outside officials.

Mr. HARRISON. Will the gentleman yield?

Mr. STAFFORD. I will be glad to.

Mr. HARRISON. I want to say that on the first reading of that paragraph that the gentleman has cited I was of the same opinion as the gentleman is, because it specifies that they can appoint these secretaries and engineering and clerical forces; but if the gentleman will read that article 12 a little further he will find that the concluding clause of that article is as follows:

> The commission may adopt such rules of procedure as shall be in accordance with justice and equity, and may make such examination in person and through agents or employees as may be deemed advisable.

Mr. STAFFORD. The commission may, not the Secretary of State.

Mr. HARRISON. The commission may do it, and if the commission think it is advisable to employ counsel to make the investigation, certainly under the terms of the treaty they have a right to employ that counsel, who may be either an employee or an agent, to make that examination. It strikes me that the very article the gentleman has cited gives authority of law.

Mr. STAFFORD. But the gentleman will see that the commission are not employing the counsel, nor have they prescribed any rules or regulations for the employment of counsel. It is an outside matter for the Secretary of State to employ this counsel.

Mr. HARRISON. This counsel is certainly to aid the commission, and while the appointment is not made directly by the commission, it is made on the recommendation of the commission.

Mr. STAFFORD. There is nothing on the face to show that.

Mr. HARRISON. Here is a place that ought to be filled, and it is left optional with the Secretary of State to fill it.

Mr. STAFFORD. You can not bring it within this authority by any such statement as that.

Mr. SMITH of New York. Mr. Chairman, I call attention to section 817 of the Manual, a note under Rule XXI, which says:

The authorization by existing law required in the rule to justify appropriations may be made also by a treaty, if it has been ratified by both the contracting parties.

I think clearly the treaty covers this situation.

Mr. SMITH of Minnesota. Mr. Chairman, in construing a statute or treaty it seems to me that some weight should be attached to what has been done under it. What has been the course of procedure? I think it has been stated by some of the parties to this controversy that there has been one appropriation made of a like character. I think it is true that since the inception of this treaty and since the organization of this commission there has been a similar official employed under the Republican administration.

Mr. STAFFORD. Oh, the gentleman is mistaken about that. The gentleman did not listen to the statement of the distinguished gentleman from Illinois [Mr. MANN].

Mr. STEVENS of Minnesota. The Republican Secretary of State did employ a man from Massachusetts by the name of Bumpus.

Mr. FLOOD of Virginia. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule.

Mr. SMITH of Minnesota. Mr. Chairman, I repeat that under the Republican administration, and shortly after this commission was created, a similar official was appointed, and this is the first time a point of order has been raised against an appropriation of this character. I think the Chairman ought to take into consideration what the authors of the law had in mind, as clearly defined by a long line of unbroken procedure since 1909, the time of the adoption of the law.

I am glad my distinguished colleague [Mr. HUMPHREY of Washington] had nothing to say against the personal character of Mr. Wyvell or his ability to fill the position creditably. I have known Mr. Wyvell for the last 15 years, and I know him to be a man of high character and exceptional legal ability, standing high in his own State and in his own party, and entitled to all the respect that this Congress or any other department of this Government can give him. The fact that he has been the private secretary to the Secretary of State should not sway our action in this matter one iota. He is a man capable of filling the position, and he will do honor to the service in which he is engaged. I trust the Chairman will not sustain the point of order, for I am satisfied that the position which Mr. Wyvell holds is within the contemplation of the act creating the commission, and Mr. Wyvell or some one else will have to be appointed to represent the Government in matters pending before the commission.

The CHAIRMAN. The Chair has considered all the arguments on this point of order and regrets that he is unable to agree with the gentlemen who desire tc retain this appropriation in the bill. The Chair views it that here is a high court, created for the consideration of cases between Canada and the United States. He views it that this commission have the right to incur expenses for clerical services and matters of that kind and to pay them out of the appropriation, according to the terms of the treaty. But the Chair does not feel that we have the right to limit any item in this appropriation bill except to pay—

For services rendered under the direction of the Secretary of State in the examination and preparation of cases involving the use, distribution, or division of waters and other questions or matters of difference covered by the treaty of January 11, 1909, between the United States and Great Britain, and in representing this Government and the American interests involved in the presentation of such cases before the international joint commission constituted under that treaty.

The distinction the Chair makes is that here is an attempt to employ counsel, not to advise the commission but to act under the direction of the Secretary of State in preparing cases to be presented to this commission, an absolutely different situation. The counsel is not to act under the direction of the commission; he is to act under the direction of the Secretary of State, and his whole duties are to present the suits in which the United States Government and the American interests are involved before the court. It is as distinct as if we should say that the court had a right to employ counsel to present John Smith before it. It looks like an effort to use the treaty and the fund provided for salaries of the commission and other officials in the employment of counsel to present cases involving American interests. The Chair does not know what those interests are which are referred to, but if they need counsel there ought to be another appropriation for that purpose. Hence the Chair sustains the point of order.

Mr. FLOOD of Virginia. Mr. Chairman, the next item passed over is on line 6, page 23.

The Clerk read as follows:

Purchase and repairs, consular premises: For the acquisition of suitable premises or for the purchase of land and the erection thereon of a suitable building or of buildings in which to house the consulate general, the United States court, the jail, the post office, and other offices of the United States at Shanghai, China, including all necessary repairs, $360,000, or so much thereof as may be necessary.

Mr. COX. I make the point of order, Mr. Chairman.

Mr. COOPER. Will not the gentleman reserve it?

Mr. COX. I will for a reasonable time.

Mr. COOPER. Mr. Chairman, I look upon this provision as one of the most important in the bill. It ought to pass. I think that the gentleman who reserved the point of order will withdraw it after he is made familiar with the facts upon which the Department of State bases its very urgent request for this appropriation. And therefore I intend to do no more than make as plain a statement as possible of the indisputable facts.

In 1913 China bought from other countries nearly $430,000,000 worth of their products and sold to them $306,000,000 worth of her own, her total foreign trade thus amounting to nearly $740,000,000. Of this total foreign trade of China, the city of Shanghai alone did more than 42 per cent—nearly one-half. The imports into Shanghai alone were about $180,000,000, and the exports through her port were nearly $130,000,000, an aggregate of more than $300,000,000. The increase in its foreign trade has been very remarkable. In 1880 the city's imports and exports amounted to only $40,000,000; in 1898 they amounted to more than $200,000,000, and in 1913 to more than $300,000,000. The city has a population of about three-quarters of a million, and is by far the greatest commercial center not only in China but in all the Orient. I visited Shanghai a few years ago. I never shall forget our ride up that crowded river, nor the view of the broad, beautiful avenue along its shore, nor the astonishment with which all of our party looked at the Government-owned buildings occupied by the consular offices of Great Britain, Germany, France, and Japan, our chief commercial rivals, and at the hotels, club houses, banks—some of these being branches of great international banks—and at the many other interesting, attractive sights on that remarkable water front. The British Empire has a number of impressive structures there, including a beautiful cathedral and a fine consulate building. Germany also has such a building, Japan has one, France has one, and Russia is about to build a new one. All of the great nations except the United States have their consultes on that water front, with flags flying in plain view of the shipping from all parts of the world. But ours was on a back street in poor, shabby quarters, out of sight.

The representatives of our Government more than once told us that at times they had felt humiliated on hearing the comments made about our Government offices by oriental traders and other people who came to the American consulate to talk business. They assured us that an appearance of thrift, strength, prosperity always has much influence on the oriental mind, and especially when it is associated with the public offices of a foreign Government. And yet, in so far as its consulate and other public offices were concerned, the United States was by far the most poorly housed of any important nation represented at the great city of Shanghai.

Mr. MANN. Will the gentleman yield?

Mr. COOPER. I will.

Mr. MANN. I did not raise the point of order, because I would be quite willing to vote for the item; but in the Louden Act which was passed we limited the cost of any embassy building to $150,000, as the gentleman will remember. What special reason is there for this building or buildings to cost $360,000?

Mr. COOPER. The question asked by the distinguished gentleman from Illinois [Mr. MANN] is the exact question I asked on first hearing of the proposed appropriation. But a careful study of the conditions and possibilities surrounding our consulate general at Shanghai, the chief port of all the Orient, made the answer plain. If the House will pardon a moment's delay, I will have the Doorkeeper bring in a map and a photograph belonging to the State Department, which show the international settlement on the water front of Shanghai. As I have said, I think that all that is needed to induce any gentleman to consent to a consideration of this proposition is that he acquaint himself with the indisputable facts of the case. At first I was opposed to the proposition, but the evidence—what I heard and read and had seen—convinced me that my opposition was wrong. In my judgment the urgent request of the State Department for this greatly needed appropriation ought to be granted at once.

Mr. COX. Mr. Chairman, I have no disposition to shut off the gentleman from Wisconsin, but I want to say that I am going to make the point of order.

Mr. MANN. I think we should have a short explanation of the matter.

Mr. COOPER. Has the gentleman from Indiana been requested to make this point of order?

Mr. COX. No; I did it of my own accord.

Mr. COOPER. Then I think that the gentleman will withdraw it after he understands all of the facts.

Mr. COX. I will not withdraw it, but I will withhold it.

Mr. COOPER. Does the gentleman know the reason why the State Department asked for this provision?

Mr. COX. I am well acquainted with the Louden law, but my reason for making the point of order is this: When I see the receipts of the Treasury going down at the rate of a million dollars a day, and is now down to $45,000,000, and I find here a provision exceeding the limit of cost by $200,000, I make up my mind that it is not right. With all due deference to the gentleman, I desire to say that there is nothing personal in the matter. I intend to make the point of order, but I shall withhold it for a reasonable time.

Mr. COOPER. Mr. Chairman, that exact point was urged before our committee. The gentleman from Indiana objects because, as he says, this would exceed the limit of cost set by the Louden law. The complete answer to that objection is that the necessities and the possibilities of our situation at Shanghai are wholly exceptional. We have no such consulate problem elsewhere in the world—nothing comparable to it. Moreover, even in the midst of business depression, it is sometimes advisable for a man who sees a rare business opportunity to borrow money to meet it, because the near future will surely bring him fine dividends upon the investment. Twenty-five years ago Fifth Avenue, New York, was almost exclusively a residential street. If at that time, before the Waldorf Astoria was erected, or any other of the great structures that now adorn that splendid thoroughfare, a man had borrowed money to purchase property among those dwelling houses, most people, especially people who had not studied the subject, would have called him very foolish, whereas the record of events now abundantly demonstrates that he would have been very wise.

Mr. COX. I think there is an item in the bill appropriating $2,400 a year rent for that purpose, and that would be much cheaper than any building would ever cost.

Mr. COOPER. But, Mr. Chairman, the gentleman should remember that that sum is a part of the rent for six houses situated on a part of the premises on the water front we now occupy and propose to purchase. These premises are directly between the consulate building of Germany and that of Japan.

Mr. Chairman, Germany, Great Britain, Japan, France, Russia, our great business competitors, all appreciate the fact that Shanghai is on the Whangpoo River, a stream that, with its tributaries, affords access to practically one-third of China, a country whose vast natural resources have but barely felt the touch of modern industrial methods.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER. Mr. Chairman, China is our friend. We gave back the Boxer money to China and in other ways have indicated our friendship for her. When an end comes to the war now raging in Europe, our chief commercial rivals will put forth tremendous efforts to capture the trade of China. Her foreign trade, now between $700,000,000 and $800,000,000 a year, is certain to be rapidly and greatly increased. A wonderful change is coming over China. This change is of especial interest to me, because it seems like the fulfillment of a prophecy that I heard made a few years ago in China by a Chinaman. On a train going from Canton he informed me that he was an official of the railroad company and had been educated at Lehigh University, in this country. On my remarking that I had recently visited Japan and had been greatly impressed by the developments and transformations going on there, he said quietly, but with earnestness, "Yes, Mr. COOPER, we Chinamen know what Japan has done and is doing; we Chinamen have studied Japan, and we know why and how she is succeeding." Then, closing his hand in this fashion, he added: "And, I assure you, Mr. COOPER, that China is going to turn over." Coming from him, under such circumstances, that was an extraordinary expression—"China is going to turn over." So I said, "If you mean that China is going to turn over as Japan has turned over in the recent past by adopting modern methods, you have made a statement of startling significance. If, with your 400,000,000 of people, your skilled mechanics, and abundance of common labor, your iron mines, coal mines, and other rich natural resources as yet only a small fraction developed—if with all these you change as Japan has changed, you are to do something of profound concern to the whole world." He closed his hand, and, striking gently on the ledge of the open window, replied in his calm, forceful, Chinese way: "Yes; we know that, Mr. COOPER, and we know also that powerful influences are at work in opposition, but I assure you that China is going to turn over."

That was a strange prophecy. I reported it to some of my fellow travelers and they thought it the most significant utterance heard on the trip. It was a strange prophecy, but how soon it proved true. Only a brief time passed before we witnessed the overthrow of the Empire in China and the establishment of the Republic on its ruins. The vast "turn over" had begun. Mr. Chairman, China intends to turn over also by the adoption of modern industrial methods. She is our friend, as we are hers. China has $700,000,000 worth of foreign trade, of which our share has been less than 10 per cent. That total of seven hundred millions is going to be developed into billions. It is the duty of statesmanship to be provident of the future. It is our duty to lose no opportunity in an honorable way to help put our country in as good a position as possible in the coming world struggle for the trade of China and the other nations of the Far East.

Along the shore of the river is this broad avenue, filled always by people from all over the globe.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. TOWNSEND. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin be permitted to conclude his remarks.

Mr. COX. Oh, no. How long does the gentleman want?

Mr. COOPER. That should make no difference. This is Saturday afternoon.

Mr. COX. But there is another bill to be considered this afternoon.

Mr. COOPER. There is nothing in that bill of more importance than is the proposition I am discussing.

Mr. COX. I understand there is another appropriation bill to come before the House this afternoon.

Mr. COOPER. Give me 15 minutes and there will be no objection.

Mr. COX. I am willing to allow the gentleman to proceed for 5 minutes, but I can not agree to 15 minutes.

The CHAIRMAN. Is there objection to the gentleman from Wisconsin proceeding for five minutes?

There was no objection.

Mr. COOPER. Upon this water front [pointing to the map] there is what is called the international settlement, to which are confined by the law of China all foreign resident of Shanghai, including the representatives of foreign Governments. It is a very restricted area. The value of the property within it has gone up with exceeding rapidity during the last 20 years. There is remaining but one site upon this water front which we can buy—only one. We are now occupying it. As I have said, it is located directly between the German Government building and the Japanese Government building. During the course of his examination before our committee I asked Mr. Carr, the Director of the Consular Service of the United States, with whom the Members of the House are very favorably acquainted, if there were any particular reason, aside from the reasons given in the report of the State Department, why we ought to get that property now. He hesitated. I repeated the question, in substance, and he replied that unless we exercise our option and take this splendid location—absolutely the only

location left on that water front—and take it now, we are in very serious danger of losing it forever.

I said, "Who is after it?" Then, he gave the name of a steamship company belonging to a nation that is one of our great rivals for the trade of the Orient. So that if that steamship company should buy the property and locate itself between the consulate of Germany and the consulate of Japan, the United States of America will be forever barred from the magnificent water front in Shanghai.

Now, as to the price asked for the property. On this point the Department of State says:

> The department has the assurance of the minister at Peking, the consul general at Shanghai, the American Association of China, and others, as to the reasonableness of the price at which the property has been held. * * *
>
> As an illustration of the reasonableness of the price asked for the property under option the consul general reports that the British firm of Hall & Holtz (Ltd.) has purchased about one-third of an acre of ground, together with the buildings thereon, on Nanking Road, Shanghai, for approximately $170,000. This property is located about 400 feet from the river front and in what at present may be considered the best retail district of Shanghai. For consular or modern hotel purposes, however, such a location is not as desirable as the water-front location now occupied by the consulate general. The buildings on the Hall & Holtz property are of red brick and may be roughly estimated to be worth $50,000, which, deducted from the total cost, leaves the valuation of the land at $120,000, or approximately $60,000 a mu. Estimated on the same valuation the land only which is now under option to the United States would be worth over $336,000, but, as has already been stated, on the basis of the estimate of the overseer of taxes this land would be worth $392,000.

We are now renting only about one-half of the floor space of all of the buildings on the property. Our option expires on the 4th of March. If that foreign steamship company takes the land, we are forever barred. Who does not know that when the war in Europe is ended the United States is going to meet with tremendous rivalry for the great trade certain to be developed in China? Business prudence—ordinary business prudence—demands that we do not lose this opportunity to own the very superior business site that we now occupy, the only site on that great water front possible for us to own, an opportunity that may be lost forever if we lose it now. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin be allowed to proceed for 15 minutes.

Mr. COX. Mr. Chairman, I make the point of order.

Mr. MADDEN. Mr. Chairman, I do not want to make the point of order of no quorum present, and I ask the gentleman to permit the gentleman from Wisconsin to go on. His speech is exceedingly interesting, and I think the gentleman will save time by giving him 15 minutes.

Mr. COX. Mr. Chairman, I do not want to be abrupt about this. I have served notice that I am going to make the point of order. The gentleman has had already 15 or 20 minutes, and there are other appropriation bills pressing here. However, if the gentleman from Illinois wants to be instrumental in losing time he must take the responsibility on himself.

Mr. MADDEN. I hope the gentleman will let the gentleman from Wisconsin have the 15 minutes.

Mr. COX. Mr. Chairman, I have no disposition in the world to shut off the gentleman from Wisconsin [Mr. COOPER]. This is clearly subject to a point of order. The gentleman has now had 15 or 20 minutes.

Mr. MADDEN. But the statement the gentleman is making now is important.

Mr. COX. But there is another appropriation bill coming in where there will be general debate, and the gentleman can come in on that.

Mr. MADDEN. But it will not be consecutive, and why not yield and permit the gentleman to have 15 minutes? We will not lose any more time by this than if the point of no quorum was made.

Mr. COX. I will withhold the point of order for five minutes, and at the end of that time I will make it. It is five minutes or nothing.

Mr. MADDEN. We want to hear what the gentleman from Wisconsin has to say. I hope the gentleman will do it. I would do as much for him.

Mr. CALDER. Suppose you make it eight minutes.

Mr. MADDEN. Make it 10 minutes.

A MEMBER. Let us divide the time and make it seven and a half minutes.

Mr. COX. No; make it five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may proceed for seven and a half minutes. Is there objection?

Mr. HARRISON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. Is it not within the discretion of the Chair to give as much time as he desires to listen——

The CHAIRMAN. No; the Chair has to rule on the point of order.

Mr. COX. Mr. Chairman, I will withhold my point of order for 10 minutes. [Applause.] At the end of that time I am going to make the point of order.

Mr. COOPER. I am greatly indebted to the gentleman from Indiana. Here is what the State Department said:

> Unless, therefore, this Government is able to purchase the property the offices of the consulate general, upon the expiration of the present lease, must be removed to other quarters, and there are none on the water front and none near the business portion of the settlement to be found. The department has the assurance of the minister at Peking, the consul general at Shanghai, the American Association of China, and others as to the reasonableness of the price at which the property has been held. In 1907 the United States could have purchased suitable premises in the vicinity of the present consulate general for $216,000. Since that date property in that neighborhood has risen in value. The reasons are two—the growth of the port and the restricted area of the district in which foreigners are permitted to reside.
>
> The land assessments of 1907 showed an increase in the value of property in the vicinity of the consulate of twenty times that of 1880 and eight and one-half times that of 1890. This indicated to some extent the rate of growth.

This increase in price reminds us of the way in which the value of property has increased in the restricted loop district in Chicago, or along Fifth Avenue, or some of the other great thoroughfares in the city of New York. The circumstances in Shanghai are very exceptional. The city itself is surrounded by a stone wall, pierced by gates. This international settlement has a restricted area which can not be increased. Within this area the great business nations of the world have built business houses—consulates are business houses—diplomatic services are not performed in them; they are business houses. England, Germany, France, Japan, and Russia know the necessity of having government-owned consulates worthy of the dignity of the nation. We, the foremost of republics, destined, we hope, to become the foremost of all nations the wide world around, are going to seek a legitimate share of the foreign trade of the Far East, and therefore we need and ought to have a place on the water front in what is to be the London of the Orient [Applause.]

Mr. MANN. Will the gentleman yield for just a second?

Mr. COOPER. Yes.

Mr. MANN. While the gentleman was speaking here, I was talking for a moment with Senator LEWIS, of Illinois, who made a trip to the Orient two or three years ago by direction of the State Department, and he said to me that it was an odd coincidence that while he was sitting over here, which is very rarely, Mr. COOPER was making a speech about a subject on which he had made a report, and he stated that the property that Mr. COOPER was talking about was of inestimable value to the United States.

Mr. COOPER. Did Senator LEWIS say that?

Mr. MANN. That is what he said just now, that he made a report upon it, and that it is worth many times to us what it could possibly cost now. That is what Senator LEWIS said.

Mr. COOPER. I have never, either directly or indirectly, had any communication with Senator LEWIS on the subject of our consulate at Shanghai, nor upon any other subject in anywise relating to the Orient. Until the gentleman from Illinois made his statement a moment ago I was not aware that Senator LEWIS had ever been in Shanghai. As the gentleman from Illinois [Mr. MANN] said, it is an odd coincidence that the Senator should come to this Chamber at this time. I am very glad to hear the gentleman from Illinois say that the Senator has visited Shanghai and is familiar with the subject I am discussing, and that in a recent report to the State Department the Senator declared that the location of our consulate on that water front in Shanghai is a thing of inestimable importance to the business of the United States.

This is not a proposition to throw away public funds. On the contrary, it is, as I say, a proposal to make a business investment that in the near future will yield profitable dividends. The great international business struggle of the future is to come in the Orient.

Mr. COX. Will the gentleman yield for a question?

Mr. COOPER. Yes.

Mr. COX. At what is this land assessed?

Mr. COOPER. I just read what the State Department says:

> Estimated on the same valuation, the land which is now under option to the United States would be worth over $336,000, but, as has already been stated, on the basis of the estimate of the overseer of taxes this land would be worth $392,000.

Mr. COX. Has the gentleman information as to what this land is actually assessed at for taxation purposes now? I am informed it is assessed at $108,000.

Mr. COOPER. Well, I know nothing about that. It may be, if the assessment is as it is in some cities of this country, at about a third or a quarter of the value. However, here is the estimate of the overseer of taxes that this land is worth $392,000.

Mr. COX. Has he any interest in this property?

Mr. COOPER. None whatever.

Mr. COX. Has he ever testified on that point?

Mr. COOPER. But the China Realty Co.——

Mr. COX. Is he a member of the China Realty Co.?

Mr. COOPER. Mr. Carr said, I believe, that none of the people who testified was interested in this property.

Mr. COX. Has the gentleman any information as to who constitutes the China Realty Co.?

Mr. COOPER. No; nor does that make the slightest difference. I am sure that our minister at Peking is not a member of that company. He strongly favors this proposition. I am sure that our consul general is not a member of that company, and that none of our consular officers is a member of it. All of these men strongly indorse this proposition, as does our Secretary of State and the Director of the United States Consular Service. I do not think that the American association in China are owners in this property. This association also indorses the proposition. And Senator LEWIS, a Democratic Senator, who went to China on a mission for the State Department, came in here a few minutes ago and told the minority leader that as a result of his personal observation he considered it of inestimable importance that the United States Government should not lose this one chance to secure a business location in Shanghai, the greatest business city in all the Orient. This is not a party question. The United States ought not to lose an opportunity to make a wise investment, nor should the gentleman from Indiana if one presents itself to him.

Mr. COX. The "gentleman from Indiana" has no money to make any such investment.

Mr. COOPER. The same is true of the "gentleman from Wisconsin." My time is expiring. Before concluding, permit me to say that I have no knowledge as to who are the owners of this property. No person, directly or indirectly, ever has spoken to or had any communication with me on this subject——

Mr. COX. I think that is absolutely true.

Mr. COOPER. One moment. Except in the committee room, when all the members were present, and except that Mr. Carr and I made brief and mere casual reference to it when we chanced to meet for a moment at a recent reception at the Japanese Embassy.

Mr. COX. I entertain no doubt but that is absolutely true.

Mr. COOPER. I hope that the gentleman will withdraw the point of order. He certainly ought to do so. [Applause.]

The CHAIRMAN. The Chair sustains the point of order.

Mr. FLOOD of Virginia. Mr. Chairman, I send an amendment to the desk, which I will ask the Clerk to report.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 27, by inserting in lieu of the paragraph headed "Exposition in city of Panama," the following:

"EXPOSITION IN CITY OF PANAMA.

"That the President be, and he is hereby, authorized to accept an invitation extended by the Government of Panama to the Government of the United States to participate in an exposition to be held in the city of Panama; and the sum of $25,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to enable suitable participation in said exposition by this country for an appropriate exhibit of the arts, industries, manufactures, products of the soil and the mines of the United States, and, as far as practicable, of the functions of the General Government, and an exhibit of such other articles as the President may direct, including an exhibit relating to the Panama Canal."

Mr. GOOD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FLOOD of Virginia. If the gentleman wants to make a point of order, the point of order is good.

Mr. GOOD. I want to ask the gentleman a few words in regard to it. The naval appropriation bill appropriates $104,000, as I understand, for a naval display at the opening of the canal. There is now pending a legislative appropriation bill that carries an item of $160,000, and that item, if it passes the House as agreed to in the Senate, gives to the President the use of the vessels of the Navy and the transports, and the use of the Panama Railroad, which, I assume, includes the use of the hotels that are owned by the Panama Railroad Co. Here is $264,000, with practically everything paid for by the Government throughout other appropriations for which we could be called upon to pay money. Now, $25,000 is not a large sum, but I only want to inquire if this is to be used in addition to these other sums we have already been appropriating or for which the appropriation bills are pending?

Mr. FLOOD of Virginia. This is for a different purpose. This is to send an exhibit from this country to the Panama Exposition, which opens on the 6th of July. The $160,000 may be partly consumed in going through the canal at that time, partly consumed in taking distinguished Americans up to the San Francisco exposition and the other expositions in California, but this is for an entirely distinct purpose. It is to send an exhibit, and has nothing in it in the nature of an appropriation for trips for anyone.

Mr. GOOD. What is the object of reducing it from $100,000 to $25,000 if we are to make an exhibit that is to be at all——

Mr. FLOOD of Virginia. We never intended to spend more than $25,000 for the exhibit.

Mr. MANN. I will say to the gentleman from Iowa [Mr. GOOD] that the $100,000 included $75,000 for a permanent exhibition building in the city of Panama on the side of the city opposite to Balboa. I made a point of order on that provision on the ground that we did not need a permanent exposition building there, or that if we did the building ought to be located on the Canal Zone, on our own territory, and not located opposite, across the city, at a point in the opposite direction, where nobody would ever go to it hereafter. That is the reason for the reduction.

Mr. GOOD. My inquiry was whether or not $25,000 would be sufficient to enable the Government to make a suitable exhibition of our arts and sciences in the exposition.

Mr. FLOOD of Virginia. The estimate was made by the State Department for $25,000 for this purpose, and $75,000 for the purpose stated by the gentleman from Illinois [Mr. MANN].

Mr. MANN. I will say to the gentleman from Iowa that if we make any exhibit there at all, which may be somewhat doubtful, it is quite probable that the State Department will have the Panama Canal make some exhibition in regard to the Panama Canal, which would be paid out of this fund. I do not think there would be much else done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. May I inquire of the gentleman from Virginia what is to be the nature of this exhibition?

Mr. FLOOD of Virginia. An exhibit of the arts, industries, manufactures, products of the soil and mines of the United States, and, as far as practicable, of the functions of the General Government, and an exhibit of such other articles as the President may direct, including an exhibit relating to the Panama Canal.

Mr. SIMS. But the Government does not have any of those exhibits, does it?

Mr. FLOOD of Virginia. It would have to get them up.

Mr. SIMS. Could it get them up from private industries and manufactures? Is not that a new departure?

Mr. FLOOD of Virginia. I do not believe so.

Mr. SIMS. The Government exhibits heretofore have been confined to things in the National Museum and the Smithsonian Institution and things that pertain to the Government business.

Mr. FLOOD of Virginia. The Government wants to make an exhibit that people traveling through the canal from all parts of the world may see and therefrom get some idea as to our resources.

Mr. SIMS. As to manufactures as well as other things?

Mr. FLOOD of Virginia. Yes.

Mr. SIMS. The Government would have to prepare those things?

Mr. FLOOD of Virginia. Yes; from the $25,000 appropriated.

Mr. MOORE. I do not think that the amendment offered by the gentleman from Virginia provides for agricultural exhibits, does it?

Mr. FLOOD of Virginia. Yes; for exhibits of products of the soil.

Mr. MOORE. It does not provide for products of the waters—fish and dried fish—which is a very important commodity in the South American countries?

Mr. FLOOD of Virginia. No.

Mr. MOORE. I am going to offer an amendment to cover that point, which I think the gentleman from Virginia will accept.

Mr. FLOOD of Virginia. Yes; I will accept it.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GOOD] withdraw his point of order?

Mr. GOOD. Yes; I withdraw it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] to the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amend the amendment as follows: After the word "soil" insert a comma and strike out the words "and the" and after the word "mines" insert the words "and waters."

Mr. MOORE. That would mean, Mr. Chairman, that exhibits could be made of dried fish and other products of the waters of

the United States, which are used very extensively in tropical countries.

Mr. FLOOD of Virginia. I accept the amendment, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting a paragraph from the letter of the British secretary of state for foreign affairs to the American ambassador in relation to our foreign trade, following up the statement I made this morning.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I move that the committee do now rise and report the bill, with the amendments, to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LINTHICUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 21201) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WITHDRAWAL OF PAPERS.

Mr. FERRIS, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 6168, Sixty-third Congress, no adverse report thereon having been made.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21328) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1916, and for other purposes.

The SPEAKER. The gentleman from Virginia [Mr. HAY] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21328, the Military Academy appropriation bill.

Mr. HAY. And pending that, Mr. Speaker——

Mr. UNDERWOOD. Mr. Speaker, will the gentleman allow me a moment in which to make a request?

Mr. HAY. Certainly.

HOUR OF MEETING ON MONDAY.

Mr. UNDERWOOD. Mr. Speaker, pending that I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Monday morning.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-morrow, Sunday, it adjourn to meet at 11 o'clock on Monday morning. Is there objection?

Mr. MANN. Reserving the right to object, it is now almost 3 o'clock. As I understand, there will probably be in the neighborhood of an hour's debate on the Military Academy bill?

Mr. HAY. About an hour.

Mr. MANN. And I suppose the fewer that are here considering the bill the more easily it will be passed. Is it the intention to adjourn either when we finish the Military Academy bill or after we have had the first reading of the fortification bill?

Mr. UNDERWOOD. I think, Mr. Speaker, that the gentleman in charge of the fortification bill [Mr. SHERLEY] may want to take it up and have it started, but not to do any work on it.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and it is so ordered.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, pending my motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, I ask unanimous consent that the general debate on this bill be confined to an hour, one-half the time to be controlled by the gentleman from California [Mr. KAHN] and one-half by myself.

The SPEAKER. The gentleman from Virginia [Mr. HAY] asks unanimous consent that the general debate on this bill be limited to one hour, one-half to be controlled by himself and one-half by the gentleman from California [Mr. KAHN].

Mr. MANN. Mr. Speaker, the exercises in connection with the opening of the Panama-Pacific Exposition are taking place at the White House at this time. Mr. KAHN, necessarily, has gone to attend those exercises, and while the time may be allotted to him, the gentleman from Kansas [Mr. ANTHONY] will control it.

Mr. HAY. The gentleman from California [Mr. KAHN] told me he would be away, but asked to have the division of time made in that way, and stated that the gentleman from Kansas [Mr. ANTHONY] would control it for him.

The SPEAKER. Is there objection? The Chair hears none.

Mr. FOWLER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. FOWLER. I rose for the purpose of reserving the right to object.

The SPEAKER. The gentleman will proceed.

Mr. FOWLER. I want to know of the distinguished chairman of the committee if I may have 10 minutes.

Mr. HAY. Yes; I will yield to the gentleman 10 mintues.

The SPEAKER. Is there objection?

Mr. LAFFERTY. Mr. Speaker, reserving the right to object, I desire 10 minutes on this bill, and I feel constrained to object unless I have some assurance that it will be allotted to me.

Mr. HAY. I will yield to the gentleman 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

The motion of Mr. HAY was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 21328) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1916, and for other purposes, with Mr. CULLOP in the chair.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read the title of the bill.

Mr. HAY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. HAY. I yield to the gentleman from Indiana [Mr. CLINE].

Mr. CLINE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the pension appropriation bill which passed yesterday.

The CHAIRMAN. The gentleman from Indiana [Mr. CLINE] asks unanimous consent to extend his remarks in the RECORD on the pension appropriation bill which passed yesterday. Is there objection?

There was no objection.

Mr. HAY. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Chairman, during this and the last session of Congress it has been the custom of the gentlemen on the other side of the aisle to inject into the CONGRESSIONAL RECORD daily statements regarding the financial condition of the Treasury of the United States, many of which have been altogether imaginary or based upon false information. It has been repeatedly stated by these statesmen on the floor of the House that the Underwood bill was so unskillfully drawn that it has proven to be a failure as a revenue producer. I desire to call the attention of these gentlemen to a comparison of the revenue produced under the first fiscal year of the Underwood bill with that produced under the last two years of the Payne-Aldrich bill.

During the fiscal year ending June 30, 1914, the total ordinary receipts in round numbers for the first year of the Underwood bill amounted to $734,000,000; while the total ordinary receipts for the fiscal year 1913 amounted to $724,000,000; and for the fiscal year ending June 30, 1912, the total ordinary receipts amounted to $691,000,000. It will thus be seen from these figures that the revenue for the first fiscal year under the Underwood bill amounted to $10,000,000 more than the reve-

nue for the best year under the Payne-Aldrich bill. If the gentlemen on the other side would give more attention to the reports of the Treasury Department and less attention to the clamor of the special interests and false statements in the subsidized press, their public statements on the floor of this House might be more in harmony with the facts. The public prefers truth instead of falsehoods, and while the people are usually patient, yet, when they find that they have been outraged by deception and falsehood, they become more exacting in their demands for the causes prompting public servants in making misleading statements.

It is well known that all legislation is more or less a compromise. This applies to tariff measures the same as to other measures. I have no doubt but what the Payne-Aldrich bill was not altogether satisfactory to any of the men who voted for it. Mr. Payne himself was much disappointed and probably never recovered from the shock which was produced by the passage of that measure, which was to bear his name, because many changes were made after the first draft of the bill radically increasing the rates; yet he was compelled to submit to the majority sentiment of his party in Congress. It was the highest protective measure of all other tariff laws, and while Mr. Payne was not a radical advocate of a high protective tariff, yet he voted for the bill on its passage.

In the preparation of the Underwood bill the Democrats were divided on the question of tariff rates, and while the bill as it passed did not reflect in all of its parts the wishes of any of us, yet, as a whole, it was a reduction of the high rates carried in the Payne bill and in harmony with the promises which we made the people in advance of our election. I was in favor of retaining a reasonable rate on wool, sugar, and farm products, but the majority of our party decided otherwise, and as a revenue producer, if we may judge from the income of the first year of its life, it will produce under ordinary conditions ample revenue to meet the requirements of the Treasury. After paying all expenses of the Government we had $34,000,000 left. The first year of all new tariff laws is usually the worst year, and it requires time for business conditions to adjust themselves to the new features of the law. The gentlemen who are denouncing the Underwood law as a free-trade measure well know that it was intended to be a revenue measure free from graft and special privileges. They well know that their criticism of this measure is unjust, and that the falling off of the revenue since July last is the result of the radical disturbance in commercial circles abroad. The European war is the greatest and most universal calamity known to man. The disturbance in the business and financial countries of Europe is much greater than in America.

The nations in the war zone are bankrupt and compelled to float loans frequently in order to bring sufficient revenue to defray the ordinary expenses of Government. Their business is paralyzed and their commercial relations with us is such that imports to this country from these sources has dropped down to a mere bagatelle. This being true no man of ordinary sense would dare to attribute the falling off of the revenue to the Underwood bill, because tariff revenues depend entirely upon imports from other countries.

It was not intended that the consumer should be taxed as heavily under the new tariff schedules as they had been under high-protective tariff law. We believe that the surplus millions in the hands of the idle and unscrupulous rich should bear at least a portion of the burden of taxation, and acting upon this just and humanitarian principle we provided for an income tax in the Underwood bill so that hereafter the rich will be compelled to pay a tax upon the never-ceasing stream of wealth which flows into their coffers as an income from the labor of the toiling many. I regard this feature of the Underwood bill as one of the safeguards not only to the Treasury but to the people of our country. We were able to incorporate this law in our tariff bill by virtue of the sixteenth amendment to the Constitution which was adopted by the various States of the Union.

Mr. Chairman, I have been so impressed with the virtue of the sixteenth amendment that I have embodied a few of my thoughts in some homemade poetry which I desire to recite:

THE SIXTEENTH AMENDMENT.

The right to levy an income tax
  Had been upheld for a hundred years,
And more; but confronted with some facts,
  Which bore evidence of many fears,
Lest their dividends might be impaired,
  Should such tax be perpetuated,
The rich, in their wrath, boldly declared
  That it must be exterminated.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Such tax in the past had been confined
  To cases of national distress,
But after it was clearly outlined
  That tariff rates were used to oppress
The toiling many for the rich few,
  It was clear that a change must be made
In our plan of raising revenue;
  So wealth, its taxes could not evade.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

In our state of civilization,
  It would be natural to expect
That no fraud or intimidation
  Would be used at the polls to reflect
On elections by majority;
  Yet, a rule, hatched up by party cliques,
Boldly claimed, without authority,
  That ev'rything's fair in politics.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Capital, by this base rule inspired,
  Sought to corrupt the electorate,
And for this purpose secretly hired
  An army of men, most desperate.
Their corrupt dealings with the voter
  Coined such terms as "slush fund," "scoop the dive,"
"Ward heeler," "we have the dope," "floater,"
  "Booster, "two-dollar bills," "blocks of five."
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

The States, in righteous indignation,
  Passed laws vote selling to disfranchise,
Which acted as a stimulation,
  Honest elections to aggrandize.
The long struggle to enforce these laws
  Slowly molded public opinion
In favor of the party whose cause
  Promised reform in our dominion.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

The people, wrought up to a high pitch
  During the campaign of ninety-two,
Mustered their forces against the rich,
  Electing their ticket through and through;
Down went tariff rates in ninety-four,
  With a righteous law, taxing incomes,
Which created a tremendous roar
  Among proud masters owning big sums.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

For thirty years, the profits of toil
  Had been reaped by capital combined,
But through bitter struggles of turmoil,
  A new policy had been outlined,
Shifting the burden of taxation
  From the backs of the unsupported,
To incomes on wealth valuation,
  And on luxuries, when imported.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Having been vanquished by the masses
  In their fight for Federal control,
Appeal was taken by the classes
  To the high court, the death knell to toll
Of the law which sought to penalize
  Incomes by a tax of two per cent,
Because they began to realize
  The weight of its far-reaching extent.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Once in the hands of the Supreme Court
  The task of the boss was quite easy;
According to a certain report,
  Judicial air became right breezy.
But to be certain and leave no doubt
  As to future administrations,
The court turned turtle and knocked it out,
  In its final deliberations.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Like fiends, rejoicing over revenge;
Like burglars, gloating over big spoils,
As the mantle of darkness descends
Upon the hutlet of him who toils,
The owners of mighty dividends,
In stately halls, assembled that night
To revel and rejoice with their friends,
And celebrate their vict'ry outright.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

The people, with sad hearts, heard the news,
And met in anxious groups ev'rywhere
To learn the facts and express their views;
While to some it was not very clear
What course was best for them to pursue
To regain the power they had lost,
All agreed their courage to renew
And push the fight, regardless of cost.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Flushed with fresh Federal victory,
Capital laid plans very drastic
To debauch our country's history,
Its servants, with conscience elastic,
Passed the Dingley bill in ninety-seven,
Raising tariff rates so monstrous high
That the groans from the poor brought from Heaven
A painful look and a heavy sigh.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Commercial business of the same kind,
Now organized in corporate groups,
With strict search everywhere to find
Business refusing to join the coups,
With the express purpose to destroy
All opposition that might be made
Against those who skillfully employ
Unlawful methods to control trade.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

The work of quick elimination
Against independents was imposed,
To crush, without discrimination,
All the business actively opposed
To the control of trade by masters.
Rebates, and fighting brands with coupons,
Produced in the markets disasters
From wholesales to retail of pecans.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

During the fight prices dropped quite low,
And the consumer was delighted;
Its real purpose he did not know,
Until rising prices were sighted.
Then he clearly saw the reason why
Independents, with their little stocks,
Were forced out of business, with a sigh,
As on their doors were placed sheriff's locks.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

With opposition out of the way,
Big business in the United States,
Worked out an ingenious game to play—
Called interlocking directorates.
It was new to the commercial world,
But, soon became quite fascinating,
As its splendid features were unfurled
In favor of wealth aggregating.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Andy and John soon became experts,
And taught Bill, Nelson, and Sereno,
By many wise and foxy excerpts,
How to herd pigs, stocks, and Merino,
In roads, mines, and wells with much avail;
Long terms in Congress—nothing to fear.
Then they sang the "Highwayman" song, "Hail,
The gang's all here; what the hell d'we care!"
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Heretofore corporations had fought
Commercial battles single handed,
But now everything that is bought
Is made by the trusts, neatly branded.
Competition, like ghosts at daybreak,
Hath fled to secret quarters unknown,
Leaving the people their way to make,
Under cruel masters, overgrown.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

The people were not to be frightened
In their manly struggle for relief,
For they had seen their shackles tightened,
And their wives and children brought to grief.
To win with the ballot they must fight,
And not with glittering blades of gore,
For in struggles for causes of right,
Weapons of steel should be used no more.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Like a chieftain from exile recalled,
The honor of his country to save,
The people, in bitter war enthralled,
Unearthed their brave leader from the grave,
Where for many long years he had slept
By a decision of five to four,
Rendered while our Supreme Court was kept
Quite busy writing protection lore.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

On raged the battle the country wide,
To settle the question at the polls;
From shop, hill and dale, and mountainside,
Came the steady tread of marching souls;
With features stern and purpose steady,
Straight to the polls they went to elect
A ticket of men who stood ready,
Honor on their country to reflect.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

Other types of men to the polls went,
With liquor to drench and money to buy,
Having in mind no other intent
Than the laws of the land to defy,
And politics to commercialize.
They issued political dictums,
Laid foul schemes, good men to terrorize,
And scoured the land for easy victims.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

In the basic laws i' the nation,
We carved his rights in living letters,
Beyond the reach of litigation,
And strange decrees of legal fetters.
Linked with the seventeenth amendment,
It's the greatest triumph of the age,
Making sure our fathers' intendment
That all in government should engage.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

It's the harbinger of a new day,
The beginning of a new system,
Compelling the rich a tax to pay
On their incomes and truly list them.
It lifts from the shoulder of labor
Some of the burden of taxation,
And places them on our rich neighbor
To worry him with sore vexation.
The sixteenth amendment, hail, all hail!
Its triumph, resplendent, hail, all hail!

[Applause.]

Mr. HAY. Will the gentleman from Kansas use some of his time?

Mr. ANTHONY. I yield to the gentleman from Michigan [Mr. J. M. C. SMITH].

Mr. J. M. C. SMITH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, by placing therein the platform adopted by the Republican State convention recently held in Michigan.

The CHAIRMAN. The gentleman asks unanimous consent to place in the RECORD the document which he names. Is there objection?

There was no objection.

Mr. J. M. C. SMITH. Mr. Chairman, under the permission granted me by the House, I wish to have printed in the RECORD the platform unanimously adopted by the Republican State convention held at the city of Grand Rapids, in the State of Michigan, on the 12th day of February, 1915. The platform embodies a clear exposition of the principles of the Republican Party; is a keynote for its future course, a succinct statement of its splendid fitness and capacity, and exposé of present conditions, with the reasons therefor:

A VIGOROUS KEYNOTE PLATFORM.

The platform adopted by the Republican State convention is as follows:

We, the Republicans of the State of Michigan in convention assembled, appealing to the record of matchless achievements of half a century of triumphant progress under Republican rule, confidently address ourselves to the awakened conscience of an intelligent electorate.

First. For the second time since the Civil War the American people have witnessed the calamitous consequences of Democratic inefficiency that has closed factories, increased bankruptcies, reduced bank deposits, lowered wages, crippled production, destroyed confidence, decreased revenue, increased deficits, and increased appropriations, a record of unparalleled incapacity, violated pledges, and disastrous policies, which makes it the plain duty of all right-thinking Americans to rescue the administration of national affairs from a party incapable of progressive legislation and content with psychological depression, watchful waiting, and masterly inactivity.

Second. We condemn the Democratic administration for its hypocrisy, deceit, and broken promises. It has violated every pledge in its national platform and broken faith with the people.

We point to the disastrous consequences of unintelligent tariff tinkering. Instead of lowering the cost of living, its cost has been increased. Instead of the laboring man being the chief sufferers under high tariff, he is the first and chief sufferer under low tariff. Instead of prosecuting trust violators, the Attorney General's office is given over to spoilsmen, and the most flagrant violators go unwhipped of justice. The professed champion of State rights, it arbitrarily interfered with the internal affairs of Michigan. It favored one term for President, but now explains that this does not apply to Wilson. It charged the Republican Party with extravagance, and has greatly increased appropriations. It condemned the Aldrich currency plan, but adopted its essential features. Pledged to exempt American vessels from Panama Canal tolls, it meekly bowed to Great Britain and stood sponsor for a repudiation of its own promises. Pledged to preserve and strengthen the civil service, it repealed essential features of the law and filled the Government offices with inexperienced and inefficient party followers, and now proposes to sell the rural delivery of mail to the highest bidder, while Bryan frantically demands, even of the Diplomatic Service, more jobs for his political henchmen.

This party which has proved recreant to every trust, arrested national development, halted progress, ruined credit, impoverished labor, and subjected American citizenship to the sneers of every nation on earth ought to be and will be driven from power and the administration of affairs returned to the only party that has kept pace with the progress of the centuries.

Third. We renew our faith in the principles of protection as the solid basis of industrial achievement, prosperity, and independence—a policy which taxes foreign products marketed in competition with our own, which encourages home industries, raises needed revenue from foreign goods, secures the American market to the American people, upholds the high standard of American wages, builds the factory beside the farm, creates agricultural enthusiasm, stimulates industry, encourages inventive genius, diversifies occupations, diffuses thrift, and builds up, strengthens, and ennobles American independence, civilization, and character.

We denounce the revenue legislation of the present administration as the product of party incompetency, unscientific methods, sectional discrimination, and individual favoritism, destructive alike to American business and American enterprise. It has lowered wages, closed factories, and reduced thousands of useful laborers to want. Where to get bread, not where to get men, is the present paramount issue.

Fourth. As we favor industrial protection and freedom, so we favor national protection and independence. We therefore demand the strengthening of our coast defenses, the upbuilding and maintenance of an adequate American Navy, the complete fortification and control of the Panama Canal, the reorganization of the National Guard, the increase of the Regular Army to such size as at all times to adequately garrison all necessary fortifications, as the best means of protecting our territory, property, and people.

Fifth. While we favor reform where reform is needed, the present need is to reestablish an American policy, restore confidence, replenish the Public Treasury, repeal the iniquitous internal-revenue measures, reestablish credit, replace the sign "To let" with "Help wanted," reopen the door of opportunity, and give to American labor "an honest dollar and a chance to earn it."

We commend the attitude and tireless exertions of Senators SMITH and TOWNSEND in opposing by every fair means the attempt of the administration to force upon our people the iniquitous "ship-purchasing bill," and recommend that the secretary of this convention wire to Senators SMITH and TOWNSEND a copy of this paragraph.

Mr. ANTHONY. I yield as much time as he may desire to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the Post Office Department, the ship-purchase bill, and H. R. 13769.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the subjects named by him. Is there objection?

There was no objection.

Mr. HAY. I yield to the gentleman from New Jersey [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in relation to a resolution now before the House.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ANTHONY. I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I send to the Clerk's desk a petition to be read, and I ask permission to have the names inserted in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

A PETITION TO CONGRESS FOR THE UNEMPLOYED OF AMERICA.

To the honorable the Congress of the United States.

GENTLEMEN: To the end that relief may be found for the millions of unemployed throughout the Nation, we earnestly urge upon you and the Members of your honorable body that this matter be given precedent over every other possible measure, and that action along the following or similar lines be taken at the earliest possible moment:

First. That a comprehensive system of Federal, State, and municipal free employment agencies be established. Such a system was outlined by Congressman MURDOCK, of Kansas, in his bill introduced in Congress April 29, 1914. Either this measure or some similar measure should be adopted at once.

Second. That every possible line of public works now owned and operated by the Government be at once extended and new ones opened so as to give work to the unemployed. The Government should build more roads, push the work on its reclamation, irrigation, and deforesting projects, open more mines, and inaugurate public enterprises and industries.

Third. That provision be made for loans by the United States Government to the various States and municipalities, at a rate of interest sufficient only to cover the cost of handling the money, in order to enable such States and municipalities to develop public works of their own, and thus employ their proportion of the unemployed.

Fourth. That Congress proceed at once to develop and put in operation a national system of unemployment insurance, by which the workers of the Nation may be protected from involuntary idleness.

Fifth. And finally that a sufficient appropriation be made out of any available funds to put into operation at once the above measures.

Most respectfully submitted.

J. B. Carpenter, B. E. Bacon, G. H. Bacon, T. J. Johnson, W. J. Koer, J. F. Wakefield, J. R. Smith, G. R. Hanmer, W. G. Newson, B. F. Laymann, W. Stedder, Rufe Akins, J. Tom Daniel, Eliger Esping, E. R. Derrick, S. Z. Rose, J. T. Dickson, E. M. Vinson, F. W. Lyon, James Lyon, John Lyon, Walter Lyon, J. S. Brackett, A. H. Doescher, Will Pierce, S. C. Witt, F. N. Eldridge, Joe Robson, Glenn Duckett, Arthur Phillips, I. H. Peterman, J. C. Hensly, G. W. Smith, Geo. Cunningham, W. J. Hurd, C. W. Powell, T. C. Carpenter, J. A. Turner, R. W. Turner, Tom Turner, J. S. Tindel.

Mr. ANTHONY. Mr. Chairman, I yield to the gentleman from New York [Mr. PLATT] 20 minutes.

Mr. PLATT. Mr. Chairman, I want to say a few words about the filling of vacancies in the Corps of Cadets at West Point. Under the law each congressional district is entitled to have a cadet at West Point and each State, on the nomination of the Senators, 2 in addition; the District of Columbia has 2; Porto Rico and Alaska, 1 each; and the Secretary of War is authorized to permit not exceeding 4 Filipinos to be designated, 1 for each class. Besides these, the President appoints from the United States at large 40. Under a provision in the Military Academy act of 1910 Members of Congress make their appointments once in three years—that is to say, as soon as a cadet representing any district or State has completed three years of his course another appointment from that district or State may be made. This and the increase of Members of Congress by the last apportionment has brought the total authorized strength of the corps of cadets to about 700. It varies somewhat from year to year with the variation in the number of cadets in the graduating class. For the past 10 years there has been a considerable number of vacancies, varying from 42 in 1904 to 129 in 1909. Last year there were 82 and in 1913 there were 80.

I have introduced a bill—H. R. 21449—which will give the President the authority to fill all vacancies from the whole list of alternates, selected in the order of merit established at the entrance examinations. The same bill has been introduced in the Senate by Senator CHAMBERLAIN, chairman of the Committee on Military Affairs, and it has the warm support of the Secretary of War. I believe that bills of somewhat similar character have been introduced in this House before, and in talking with members of the Committee on Military Affairs I have been met with the objection that if this bill were to become law it would prevent a Member of Congress from making an appointment from his district after his boys had failed at the examination. This objection has been phrased usually something like this: "If my principal and alternates fail, that makes a vacancy from my district. Now, suppose the President fills it; then there is not any vacancy to fill, and I am deprived of a chance to make another appointment."

Mr. Chairman, I want to show conclusively that this argument is not valid. The bill distinctly says:

The admissions thus made shall be credited to the United States at large, and shall not interfere with or affect in any manner whatsoever any appointment authorized by existing law; and whenever by the operation of this or any other law the Corps of Cadets exceeds its authorized maximum strength as now provided by law, the admission of alternates as prescribed in this act shall cease until such time as said corps may be reduced to its present authorized strength.

It seems to me that those words clearly mean that if the President should fill a vacancy caused by the failure of my appointees, principal and alternates, to qualify, I could go right ahead and designate another principal and two more alternates for the next examination; but in order to be sure that that construction should be placed upon the words quoted I had the bill submitted to the Judge Advocate General, who has rendered an opinion "that the enactment of the proposed bill will in no way deprive any congressional district of its representation at the United States Military Academy as authorized by laws now in force." It seems to me, Mr. Chairman, that this opinion settles the matter.

The Military Academy, where the selected boys, to become officers in the Army of the United States, are educated and trained, is one of the most beautifully located institutions in the world. West Point is situated in the heart of the Highlands of the Hudson, and was a fortified post of great importance during the American Revolution. The existence, amid the highlands and mountains, at a considerable elevation above the river, of a remarkable level plain, which forms the parade ground of the Military Academy and is the site of its principal buildings, was noted by Gen. Washington and other leaders of the Revolution, and determined the selection by Washington of this point as the most available site for America's National Military Academy. There the Government of the United States has gradually developed a great plant, representing an investment of many millions of dollars. In recent years the Military Academy has largely been made over by the erection of many beautiful and splendid buildings, and much money has been spent in road building and grading, and so forth.

Our National Military Academy is a great university in number and variety of its buildings and extent of its grounds, and it seems to me very unfortunate and very bad business management that it is not working to its full capacity. If you were to go to West Point to visit it to-day, and were shown through the cadet quarters or barracks, you would find many vacant rooms, with beds standing ready but no one occupying them, and when you visited the lecture rooms and recitation rooms you would find seats and desks unoccupied, all because certain districts are not represented. Perhaps these districts are so located that few boys in them care for Army life. West Point's attractions are either unknown to them or do not appeal to them. Perhaps, again, boys have been appointed but have failed, or the cadets representing some districts may have been compelled to leave because of illness or some disqualification during their course. Even if all vacancies were filled and the academy should begin each year with a full quota, there would develop during the year a certain number of vacancies. In an institution of 700 students the number of vacancies that would naturally occur during the year would probably amount to 40 or 50. Vassar College, which is limited to a thousand students, admits each year about 1,060 in order to keep all vacancies filled, and has a large waiting list besides. I think this is true of other institutions which are limited to a certain number of students. If the number of vacancies occurring from natural causes in West Point is about 50, and we may allow 30 more for districts in which it is not easy to obtain candidates, the President could fill about 80 vacancies every year without running over the present authorized strength of the Corps of Cadets and without interfering in the least with the rights of appointment of any Member of Congress.

Mr. GARDNER. Will the gentleman yield?

Mr. PLATT. Certainly.

Mr. GARDNER. As I understand the gentleman's bill, it allows the President to appoint cadets whenever there are vacancies; but that does not interfere with the Congressman appointing his cadet on top of the President's filling the vacancy.

Mr. PLATT. That is true.

Mr. GARDNER. Suppose the President has filled all of these vacancies, and 25 or 50 Congressmen appoint cadets who pass examination, then there will be 50 more cadets than the present authorized strength.

Mr. PLATT. There would be if the appointments were made right away.

Mr. GARDNER. As I understand, the academy is large enough to accommodate all those extra cadets as well.

Mr. PLATT. No doubt about it.

Mr. GARDNER. So, even if the gentleman's bill was subject to the complaint that was made that this would amount to an increase in the number of cadets authorized, the facilities are all there to take care of them?

Mr. PLATT. That is certainly true; and this bill authorizes the increasing of the strength temporarily. When vacancies are filled, the President ceases from making the appointments from among the alternates. But the authorized strength varies from year to year; it is not a fixed number.

Mr. STAFFORD. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. STAFFORD. Will the gentleman inform the committee as to the capacity of the buildings at West Point?

Mr. PLATT. The superintendent says that they can accommodate 700 very comfortably, and they can take care of more. I understand new buildings are being constructed with the purpose of accommodating 1,400 in the future.

Mr. STAFFORD. So as to provide, as in the Naval Academy, appointments every two years instead of every four years.

Mr. PLATT. I have heard it so stated. Some buildings constructed with that purpose in view are already finished.

Mr. GOULDEN. Will the gentleman yield?

Mr. PLATT. I will.

Mr. GOULDEN. Knowing that West Point is in the gentleman's district, I know that he is well informed. Will he tell us how many Congressmen failed to make appointments during the term? I know there are several vacancies existing, and they are frequently caused by Members of Congress failing to make appointment, especially if a principal has failed and alternates are not named, and so the fault lies with Congress rather than with the law.

Mr. PLATT. Vacancies for the past 10 years have averaged on September 1 from 42 to 129. For the first few years they ran from 42 to 51, and then they jumped up to 117, 129, 122, and then they fell back again to 57. In 1913 there were 80, and this report gives 87 on June 30, 1914; but the Secretary of War in a letter to me has stated that there were 82 in that year, so I suppose that 5 boys got in somehow during the summer.

Mr. GOULDEN. I would like to have the gentleman include in his statement the number of vacancies existing and the cause of the vacancies.

Mr. PLATT. I do not know that I could give all the causes.

Mr. GOULDEN. I think the Secretary of War can give them.

Mr. PLATT. The 82 vacancies on September 1st last were doubtless nearly all due to failure to appoint qualified boys, and they had increased to 112 in January last, due to illness, failure at examinations, etc., during the half year.

Mr. HAY. Will the gentleman yield?

Mr. PLATT. Certainly.

Mr. HAY. I understood the gentleman to say that the Military Academy could accommodate how many?

Mr. PLATT. The superintendent says 700.

Mr. HAY. He said in the hearings 732.

Mr. PLATT. In his report he says that the academy can accommodate 700 comfortably.

Mr. HAY. And he says that the buildings as they now exist can accommodate 732; that is, he can put those into the barracks. But I understood the gentleman's bill to provide that the number of cadets should be twice as many.

Mr. PLATT. Oh, no; that is another bill. My bill gives authority to the President only to fill vacancies from among the alternates.

Mr. STEENERSON. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. STEENERSON. Is not the reason for the vacancies the fact that if all the appointees and alternates fail in the district the appointment can not be made until the following scholastic year, but under the gentleman's plan the vacancies would be filled at once by persons who have passed the examination? That is the philosophy of the gentleman's bill.

Mr. PLATT. That is it exactly.

Mr. STEENERSON. So it makes a continuous membership of full strength, while under the present law as it operates there are vacancies.

Mr. ESCH. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. ESCH. Why should there be 80 vacancies in 1914 when appointees can now enter upon a certificate of graduation?

Mr. PLATT. The physical examination accounts for a good many.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. ANTHONY. I wanted to ask the gentleman if his bill provides that the President shall appoint cadets from the district where the vacancy exists?

Mr. PLATT. They are to be credited to the United States at large, but are to be taken from the alternates designated from districts.

Mr. ANTHONY. But not necessarily to be appointed from the district where the vacancy exists?

Mr. PLATT. No; it does not interfere with the vacancy at all. The Congressman can fill that later.

Mr. ANTHONY. It occurs to me that it would strengthen the bill if the President were to appoint some one from that district.

Mr. GARDNER. Oh, no; if that were in my district, I should be very careful to see that my first boy failed, and then when the President had appointed one I would get another to succeed.

Mr. PLATT. Yes; and in that way you would get more than you were entitled to.

Less than 50 per cent of the active Army officers are graduates of the Military Academy at West Point—it was stated in the report of the Superintendent of the Military Academy in 1914 as 44 per cent—and the Army needs the service of all the young men who can be trained at West Point. In case of any emergency, even a very mild one like a war with Mexico, it would need a great many more. The expenses of maintaining the United States Military Academy are a little over a million dollars a year. The present bill carries $1,037,983.37, and there would be scarcely any perceptible increases if the academy were filled to its capacity. Everyone knows that a manufacturing plant is losing money if not working all its machinery full time, and everyone who has had any connection with a private boarding school conducted for profit knows how much money it can lose if its rooms are not kept full. The rooms are there and the number of instructors has to be just the same as if all were occupied. The only difference in expense is the comparatively trifling one of board.

There is another very strong reason why this bill, which would enable the President to fill vacancies from the list of alternates designated, should pass and that is this: Since the issue of General Orders, No. 3, and General Orders, No. 38, which allow boys to enter the United States Military Academy at West Point without taking the entrance examination, alternates designated by Members of Congress in many cases have no chance whatever of obtaining admission, and it is exceedingly difficult to get them to even take the examinations. I designated a principal and two alternates to West Point as a result of a competitive examination on the Rhodes scholarship plan. In this examination the boys not only answered questions on all the subjects required in the regular West Point examination, but they were examined physically and their school athletic records and general physical development counted toward the result. The physical examination was competitive as well as the mental, which made it really a more severe test in most respects than the physical examination for entrance, which is simply an examination to discover defects. The boy who won this competitive examination was not only well developed physically but he had a good record as a track athlete, and as he was already entered in Cornell University was practically sure of entrance at West Point, barring accident. The alternates had no chance. Under General Orders, No. 3, as modified by General Orders, No. 38, boys who have already been admitted to college or who present properly attested certificates of graduation from a high school or preparatory school in courses covering the West Point requirements do not have to take the entrance examination. There is no chance of failing to enter except on physical examination, and if boys are appointed as a result of a competitive physical examination even that chance is reduced to a minimum. Now, why designate alternates at all if they are to be wholly without hope? It seems to me that the passage of this bill is absolutely necessary in order to give them an inducement to take the entrance examination. In the examinations of March and May, 1914, 52 alternates qualified for whom no vacancies existed. Every one of them could have been admitted if this bill had become a law, but if this bill were passed a great many more would take the examination, and instead of having only 52 there would probably be 152 or more from whom to chose those of highest standing.

It seems to me therefore, Mr. Chairman, that from every point of view we should pass this bill and bring the number of cadets at our splendid Military Academy up to its full strength. [Applause.]

Mr. HAY. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. LAFFERTY].

[Mr. LAFFERTY addressed the committee. See Appendix.]

Mr. KAHN. Mr. Chairman, I yield three minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the practice under the rules of the House is for petitions to have a notation made in the RECORD stating that they have been filed, and giving the names of the committees to whom they have been referred. A concurrent resolution adopted by the legislature of a sovereign State is entitled to be printed in full in the RECORD. The gentleman from California [Mr. KAHN] has kindly yielded me sufficient time to read a concurrent resolution adopted by our State legislature, now in session at Bismarck. It is upon the subject of the disposition by the Government of the remaining public land in the different States and deserves the most careful consideration of this House. The concurrent resolution reads as follows:

Whereas when North Dakota was admitted to statehood the State was given for State institutions by the Federal Government lands aggregating 500,000 acres. This land was divided among the various State institutions, and as these lands are sold the moneys derived from them go into a permanent fund, the income of which is used and shall be used for the maintenance and support of the institution for which these lands stand as an endowment; and

Whereas there is in North Dakota to-day about 700,000 acres of vacant Government land remaining, much of which is subject to the 320-acre homestead, and may be subject to a homestead entry of 640 acres, provided a bill now before Congress shall be enacted into law; and

Whereas if this shall be done the remaining public lands in North Dakota will only provide a little over 1,000 homesteads; and

Whereas if Congress should enact a law giving to every public land State 500,000 acres of the remaining vacant public lands in the various public-land States, thereby benefiting all of the people of those States, and in a way in which and by which they would derive a much greater benefit than were the lands open for homesteads to a few: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we respectfully request and petition the Congress of the United States, through our Senators and Representatives in Congress, that a law be enacted so that the States receiving these public lands shall be authorized through their legislatures to distribute the lands so given between the penal, charitable, and educational institutions of the State, but providing that one-fifth of the lands so given shall be set aside by the legislature as an endowment fund, the interest from which, when the lands shall have been sold, to be used for the purpose of building roads and bridges in the various States.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Bismarck, this 16th day of February, A. D.

[SEAL.] THOMAS HALL, *Secretary of State.*

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

For pay of cadets, $390,000, $10,000 of whic —— made immediately available.

Mr. HAY. Mr. Chairman, there is a typographical error in which the "h" is left out of the word "which" and the word "is" is omitted. I ask unanimous consent that they may be inserted by the Clerk, so as to make it read:

For pay of cadets, $390,000, $10,000 of which is made immediately available.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

Provided, That until the apportionment under the Fourteenth Census of the United States becomes effective, whenever any cadet shall have finished three years of his course at the academy his successor may be admitted.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the proviso.

Mr. HAY. Mr. Chairman, five years ago, in 1910, this law was passed, and was to be in effect for five years. That period has now expired, and if we do not continue it one-fourth of the cadets in the academy will be cut off. In other words, we now appoint a cadet every three years under this provision.

Mr. STAFFORD. I knew that the new method of appointment every three years was in force, but I wondered whether the carrying out of this provision would increase the enrollment so that there would not be accommodations for the cadets?

Mr. HAY. No. It does not increase from where it is now. It simply permits us to do what we have been doing for the last five years.

Mr. STAFFORD. And the effect of the law of five years ago has been to increase the number at the academy?

Mr. HAY. By one-fourth, yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For extra pay of two enlisted men employed as clerks in the office of the commandant of cadets, at 50 cents each per day, Sundays and holidays included, $366.

Mr. MANN. Mr. Chairman, I move to strike out the last word. In the paragraph preceding this one it says "Sundays and legal holidays included." That is in the existing law, and in this paragraph you insert "Sundays and holidays included," but on the next page, in lines 19 and 20, on page 8, and again on page 9 you leave out what is now in the law, "Sundays and holidays included." I wondered if it were necessary to put those words in; and if it is, should they not be restored in those places where they now are in the existing law and left out of the bill?

Mr. HAY. I think they ought to be put in, because these men work on Sundays and legal holidays. I do not know how they happened to be left out. I think they ought to be put in, and when we get to the proper place I will ask that that be done.

The Clerk read as follows:

For extra pay of four enlisted men as assistants and attendants at the library, at 50 cents each per day, $732.

Mr. HAY. Mr. Chairman, I move to amend, on page 8, line 20, by inserting after the word "day" the words "Sundays and holidays included."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 20, after the word "day," insert the words "Sundays and holidays included."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For extra pay of one enlisted man employed in the department of civil and military engineering, at 50 cents per day, $157.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Now, that amount does not include Sundays and legal holidays. It probably is the correct amount. If the amount is right, the item is right.

Mr. HAY. I do not think holidays and Sundays are included in this.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

For pay of mechanic assistant in department of natura and experimental philosophy, $1,000.

Mr. MANN. There is a typographical error in line 17, page 11.

Mr. HAY. I move to amend by adding the letter "l" at the end of line 17, page 11.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 17, page 11, amend at the end of line 17 by adding the letter "l."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Repair and purchase of cooking utensils, chairs, tables, and other furniture in the cadet mess, and the replacement of same, to be expended without advertising, to be immediately available, $3,000.

Mr. MANN. Mr. Chairman, I reserve a point of order. There are many of these items in this bill where they make a deficiency appropriation by making certain amounts immediately available. The gentleman from Virginia is very careful about his appropriation bills, but of course it is a very difficult thing for the clerks who compile the appropriations of the amounts appropriated for this fiscal year and the next fiscal year to make up any accurate statement where so many deficiency appropriations appear in the regular appropriation bills in this way. The gentleman appreciates that undoubtedly, or perhaps he does not fully appreciate it. I think if the gentleman fully appreciated the difficulty which the clerks have in making up the amounts of the appropriations for this fiscal year and then for the next fiscal year he would not insert so many deficiency items in the bill, but would make the people go to the deficiency committee for them.

Mr. HAY. I will say to the gentleman that wherever we ask that part of an appropriation or all of it be made available, it is at the request of the superintendent of the academy.

Mr. MANN. I have no objection to the appropriations being made immediately available, or making them a deficiency appropriation. In a good many cases you say so much shall be immediately available. Now, that so much is a deficiency appropriation, and it is almost impossible for the clerks of the Committees on Appropriations of the House and Senate, who make up their final statements of amounts appropriated for each fiscal year, to pick these items out.

Mr. HAY. That is true; I appreciate that.

Mr. MANN. That is one reason why we are usually quite careful about it to see that deficiencies appear in the deficiency bill, where they can be noted. I call attention to it, of course. I do not intend to make the point of order, but it makes it very difficult for anybody to keep track of how much of appropriations is for one year and how much is for another year.

Mr. HAY. I think there is a great deal in what the gentleman says, and perhaps hereafter it might be a wise thing to tell these gentlemen to go to the Committee on Appropriations and get their deficiency.

Mr. MANN. I think it would be. There is no trouble about getting the money.

Mr. HAY. Occasionally, if it can be done, it had better be done by going to the Committee on Appropriations. I agree with the gentleman.

Mr. McKENZIE. I would like to ask the chairman of the committee if in regard to this particular item it was not stated that it was necessary to make this immediately available on account of the enlarged class that is coming in before this appropriation would be available?

Mr. HAY. That is true.

Mr. MANN. I was not referring especially to this item.

Mr. HAY. I understand the gentleman's objection was that they should ask their appropriations from the Committee on Appropriations.

Mr. MANN. I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

The Clerk resumed and concluded the reading of the bill.

Mr. HAY. Mr. Chairman, I move that the committee do now rise and report the bill as amended, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CULLOP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21328, and had directed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had agreed to the reports of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 7213. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 7402. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 6980. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 18745. An act in relation to the location of a navigable channel of the Calumet River, Ill.; and

H. R. 15557. An act for the relief of Anna Miller.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21491, a bill making appropriations for fortifications and other works of defense, and for other purposes; and, pending that motion, I would like to ask the gentleman from Illinois if we can have an agreement as to general debate.

Mr. MANN. The gentleman from New York [Mr. CALDER] is temporarily out of the Chamber on business, and I understand he has requests for four and a half hours.

Mr. SHERLEY. Well, the gentleman appreciates that at this time in the session it is not practical to have that much general debate on a side.

Mr. MANN. Well, no; I really think we could have it, as far as that is concerned. We are very well fixed in reference to the appropriation bills.

Mr. SHERLEY. I talked informally with the gentleman from New York [Mr. CALDER], and suggested to him what I thought was a very liberal agreement—two hours and a half to a side.

Mr. MANN. I will say to the gentleman there are bona fide requests, and I do not see how it is possible to get along without three and a half hours on this side. That cuts me out entirely, as I had requested some time, but I am willing to waive it.

Mr. SHERLEY. I appreciate that; but right after the conclusion of this bill it is proposed to bring in the general deficiency bill, and the House will soon be called upon to consider conference reports, and I submit——

Mr. MANN. But the general deficiency bill, of course, probably will not take very much time.

Mr. FITZGERALD. We expect to be able to go on Wednesday with the general deficiency bill.

Mr. MANN. If we go ahead Monday we would undoubtedly be able to pass the fortifications bill Tuesday or Wednesday, unless something intervenes. That puts us in good shape as to the appropriations. I hope the gentleman will let us have three hours and a half on this side.

Mr. SHERLEY. I will compromise with the gentleman on three hours on a side.

Mr. MANN. I say I hope the gentleman will let us have three hours and a half. We have requests for four hours and a half.

Mr. SHERLEY. I appreciate that; but the gentleman understands that the requests are always way beyond the possibility of the House to grant.

Mr. MANN. We usually hold them down. I do when they come to me.

Mr. SHERLEY. My understanding from my conversation with the gentleman from New York [Mr. CALDER] was that he might get along with two hours and a half. I will make it three hours in view of that fact.

Mr. MANN. Make it three hours and a quarter.

Mr. SHERLEY. Well, call it three hours and a quarter. Mr. Speaker, I ask unanimous consent that general debate shall be for six hours and a half, half of that time to be controlled by the gentleman from New York [Mr. CALDER] and half of it by myself.

The SPEAKER. The gentleman from Kentucky asks, pending the motion to go into committee, that general debate on the fortifications bill be limited to six hours and a half, one half to be controlled by himself and the other half by the gentleman from New York [Mr. CALDER].

Mr. GARDNER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether he is going to be prepared to answer questions when he presents this bill to the House?

Mr. SHERLEY. I hope to be able to present the bill to the House and give it such information as I am capable of doing.

Mr. GARDNER. Will the gentleman allow me to question him when he presents the bill to the House?

Mr. SHERLEY. Oh, I do not know that I think it is proper to make any agreement about what I will or will not do. I have usually tried to be fair with the House and shall continue to try to be fair.

Mr. GARDNER. Yes; but the gentleman told me this morning that he did not propose to open the address in the usual way, as I saw he did last year; that he was going to close the debate, which would not allow me to ask him any questions.

Mr. SHERLEY. Well, Mr. Speaker, I ask for the regular order.

Mr. GARDNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER. How many does it take to constitute a quorum?

The SPEAKER. It takes 213.

Mr. GARDNER. Now does the gentleman from Kentucky want the regular order?

Mr. SHERLEY. I do.

Mr. GARDNER. I raise the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts raises the point of order that there is no quorum present, and evidently there is not.

Mr. SHERLEY. I move a call of the House, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky moves a call of the House.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARDNER. Mr. Speaker, I ask for a division. The gentleman will not gain anything by this, I warn him.

The House divided; and there were—ayes 33, noes 2.

Mr. GARDNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARDNER. Is it in order to move to adjourn?

Mr. FOSTER. Not when the House is dividing.

Mr. GARDNER. I have asked the question of the Chair.

The SPEAKER. The Chair thinks it is.

Mr. GARDNER. I move to adjourn, Mr. Speaker.

Mr. UNDERWOOD. Mr. Speaker, in order that we may get a quorum here, I ask for the yeas and nays on the motion to adjourn. It amounts to the same thing as a call of the House.

The SPEAKER. The gentleman from Alabama asks for the yeas and nays on the motion to adjourn. All in favor of the motion will rise and stand until they are counted. [After counting.] Thirty-three gentlemen have risen in the affirmative, not a sufficient number.

Mr. ADAMSON. The other side, Mr. Speaker.

The SPEAKER. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] There does not seem to be anyone rising. Thirty-three gentlemen rose in the affirmative, not a sufficient number.

Mr. CRISP. Mr. Speaker, one-fifth of those present orders the yeas and nays.

The SPEAKER. One-fifth of those present orders the yeas and nays, provided——

Mr. CRISP. That is the proposition before the House.

Mr. ADAMSON. I asked for the other side and nobody objected.

The SPEAKER. Nobody rose.

Mr. FITZGERALD. Then the Speaker must count the House.

The SPEAKER. The Chair will count the House.

Mr. GARNER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. To suggest to the Chair, if the Chair will permit, that in taking the question of whether or not we shall have the yeas and nays, under the Constitution it is not necessary for the Chair to count the other side unless it rises, and 33 gentlemen have risen in favor of the yeas and nays.

The SPEAKER. The Chair knows; but it is necessary for the Chair to observe the rules. The rule of the House is "one-fifth of those present."

Mr. GARNER. But, Mr. Speaker, when you called the other side and no one rose, then certainly you have more than one-fifth of those present indicating their desire.

The SPEAKER. The Chair knows; but he can see. The Chair will count to see how many there are here. [After counting.] Sixty-three Members are present, and 33 voted to take this vote by the yeas and nays. That is a sufficient number, and the Clerk will call the roll. The question is on agreeing to the motion to adjourn. All those who are in favor of adjourning will, when their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 4, nays 218, answered "present" 2, not voting 199, as follows:

[Roll No. 83.]

YEAS—4.

Gillett	Greene, Mass.	Guernsey	Kindel

NAYS—218.

Abercrombie	Blackmon	Byrnes, S. C.	Cox
Adair	Booher	Byrns, Tenn.	Cramton
Adamson	Borchers	Callaway	Crisp
Allen	Britten	Cantrill	Cullop
Anderson	Brockson	Caraway	Curry
Ashbrook	Brown, W. Va.	Carlin	Danforth
Austin	Bryan	Casey	Davenport
Bailey	Buchanan, Ill.	Chandler, N. Y.	Decker
Bartlett	Bulkley	Church	Dent
Barton	Burke, S. Dak.	Claypool	Dershem
Beakes	Burke, Wis.	Coady	Dickinson
Beall, Tex.	Burnett	Connelly, Kans.	Dies

Difenderfer	Hayden	McKellar	Small
Dillon	Heflin	McKenzie	Smith, Idaho
Donovan	Helgesen	McLaughlin	Smith, J. M. C.
Doolittle	Helm	Maguire, Nebr.	Smith, N. Y.
Doremus	Hill	Mann	Smith, Saml. W.
Doughton	Hinds	Mapes	Stafford
Eagan	Hinebaugh	Miller	Stedman
Eagle	Holland	Mitchell	Steenerson
Edwards	Houston	Moon	Stephens, Cal.
Esch	Hoxworth	Morgan, Okla.	Stephens, Miss.
Evans	Hughes, Ga.	Morrison	Stephens, Nebr.
Fairchild	Hull	Moss, Ind.	Stephens, Tex.
Falconer	Humphrey, Wash.	Murray	Stevens, Minn.
Ferris	Humphreys, Miss.	Neeley, Kans.	Stone
Fess	Igoe	Norton	Sutherland
Fields	Jacoway	O'Hair	Switzer
Finley	Johnson, Ky.	Oldfield	Taggart
Fitzgerald	Johnson, S. C.	Paige, Mass.	Talcott, N. Y.
FitzHenry	Johnson, Utah	Park	Tavenner
Flood, Va.	Kahn	Parker, N. J.	Taylor, Ark.
Floyd, Ark.	Keating	Parker, N. Y.	Taylor, Colo.
Fordney	Kelly, Pa.	Peters	Ten Eyck
Foster	Kennedy, Iowa	Phelan	Thacher
Francis	Kent	Platt	Thomas
Gard	Kettner	Plumley	Thompson, Okla.
Gardner	Key, Ohio	Porter	Towner
Garner	Kinkaid	Pou	Tribble
Garrett, Tenn.	Kirkpatrick	Quin	Underhill
Gill	Kitchin	Ragsdale	Underwood
Glass	Knowland, J. R.	Rainey	Vaughan
Godwin, N. C.	Konop	Raker	Vinson
Goeke	Korbly	Reilly, Wis.	Volstead
Gordon	Langley	Rogers	Walsh
Goulden	Lazaro	Rothermel	Watkins
Gudger	Lee, Ga.	Rouse	Watson
Hamilton, Mich.	Lenroot	Rubey	Weaver
Hamilton, N. Y.	Lesher	Russell	Webb
Hardy	Lewis, Md.	Seldomridge	White
Harris	Lindbergh	Sherley	Williams
Hart	Lloyd	Sherwood	Witherspoon
Haugen	Lobeck	Sims	Young, N. Dak.
Hawley	Lonergan	Slayden	
Hay	McAndrews	Sloan	

ANSWERED "PRESENT"—2.

Fowler	Kennedy, R. I.

NOT VOTING—199.

Aiken	Dooling	Kreider	Rayburn
Ainey	Driscoll	Lafferty	Reed
Alexander	Drukker	La Follette	Reilly, Conn.
Anthony	Dunn	Langham	Riordan
Aswell	Dupré	Lee, Pa.	Roberts, Mass.
Avis	Edmonds	L'Engle	Roberts, Nev.
Baker	Elder	Lever	Rucker
Baltz	Estopinal	Levy	Rupley
Barchfeld	Falson	Lewis, Pa.	Sabath
Barkley	Farr	Lieb	Saunders
Barnhart	Fergusson	Lindquist	Scott
Bartholdt	Frear	Linthicum	Scully
Bathrick	French	Loft	Sells
Bell, Cal.	Gallagher	Logue	Shackleford
Bell, Ga.	Gallivan	McClellan	Shreve
Borland	Garrett, Tex.	McGillicuddy	Sinnott
Bowdle	George	McGuire, Okla.	Sisson
Brodbeck	Gerry	MacDonald	Slemp
Broussard	Gilmore	Madden	Smith, Md.
Brown, N. Y.	Gittins	Mahan	Smith, Minn.
Browne, Wis.	Goldfogle	Maher	Smith, Tex.
Browning	Good	Manahan	Sparkman
Bruckner	Goodwin, Ark.	Martin	Stanley
Brumbaugh	Gorman	Metz	Stevens, N. H.
Buchanan, Tex.	Graham, Ill.	Mondell	Stout
Burgess	Graham, Pa.	Montague	Stringer
Burke, Pa.	Gray	Moore	Sumners
Butler	Green, Iowa	Morgan, La.	Talbott, Md.
Calder	Greene, Vt.	Morin	Taylor, Ala.
Campbell	Gregg	Moss, W. Va.	Taylor, N. Y.
Candler, Miss.	Griest	Mott	Temple
Cantor	Griffin	Mulkey	Thomson, Ill.
Carew	Hamill	Murdock	Townsend
Carr	Hamlin	Neely, W. Va.	Treadway
Carter	Harrison	Nelson	Tuttle
Cary	Hayes	Nolan, J. I.	Vare
Clancy	Helvering	O'Brien	Vollmer
Clark, Fla.	Henry	Oglesby	Walker
Cline	Hensley	O'Shaunessy	Wallin
Collier	Hobson	Padgett	Walters
Connolly, Iowa	Howard	Page, N. C.	Whaley
Conry	Howell	Palmer	Whitacre
Cooper	Hughes, W. Va.	Patten, N. Y.	Wilson, Fla.
Copley	Hulings	Patton, Pa.	Wilson, N. Y.
Crosser	Johnson, Wash.	Peterson	Wingo
Dale	Jones	Post	Winslow
Davis	Keister	Powers	Woodruff
Deitrick	Kelley, Mich.	Price	Woods
Dixon	Kennedy, Conn.	Prouty	Young, Tex.
Donohoe	Kiess, Pa.	Rauch	

So the motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SABATH with Mr. KEISTER.

Mr. MORGAN of Louisiana with Mr. HUGHES of West Virginia.

Mr. GARRETT of Texas with Mr. ROBERTS of Nevada.

Mr. WALKER with Mr. VARE.

Mr. RIORDAN with Mr. EDMONDS.

Mr. BELL of Georgia with Mr. DUNN.

Mr. LEVER with Mr. MANAHAN.

Mr. WILSON of Florida with Mr. GRAHAM of Pennsylvania.

Mr. HENRY with Mr. MORIN.

Mr. O'SHAUNESSY with Mr. PATTON of Pennsylvania.

Mr. PATTEN of New York with Mr. GRIEST.

Mr. AIKEN with Mr. BELL of California.

Mr. ALEXANDER with Mr. BARTHOLDT.

Mr. ASWELL with Mr. BARCHFELD.

Mr. BARKLEY with Mr. AINEY.

Mr. BARNHART with Mr. ANTHONY.

Mr. BORLAND with Mr. AVIS.

Mr. SCULLY with Mr. BROWNING.

Mr. BURGESS with Mr. BROWNE of Wisconsin.

Mr. CANDLER of Mississippi with Mr. BURKE of Pennsylvania.

Mr. CARTER with Mr. BUTLER.

Mr. CLARK of Florida with Mr. DAVIS.

Mr. CLINE with Mr. DRUKKER.

Mr. COLLIER with Mr. FARR.

Mr. CONRY with Mr. FREAR.

Mr. DALE with Mr. CALDER.

Mr. DIXON with Mr. CAMPBELL.

Mr. DRISCOLL with Mr. FRENCH.

Mr. DUPRÉ with Mr. COOPER.

Mr. ESTOPINAL with Mr. GOOD.

Mr. FAISON with Mr. CARY.

Mr. GALLAGHER with Mr. GREEN of Iowa.

Mr. GALLIVAN with Mr. HOWELL.

Mr. GOODWIN of Arkansas with Mr. JOHNSON of Washington.

Mr. GREGG with Mr. KIESS of Pennsylvania.

Mr. HAMLIN with Mr. KREIDER.

Mr. HARRISON with Mr. LA FOLLETTE.

Mr. GOLDFOGLE with Mr. HAYES.

Mr. HELVERING with Mr. LANGHAM.

Mr. HENSLEY with Mr. LEWIS of Pennsylvania.

Mr. HOWARD with Mr. LINDQUIST.

Mr. LEE of Pennsylvania with Mr. MADDEN.

Mr. LIEB with Mr. MARTIN.

Mr. LINTHICUM with Mr. MONDELL.

Mr. MONTAGUE with Mr. MOORE.

Mr. NEELY of West Virginia with Mr. MOSS of West Virginia.

Mr. PAGE of North Carolina with Mr. NELSON.

Mr. RAUCH with Mr. PROUTY.

Mr. RAYBURN with Mr. SCOTT.

Mr. REILLY of Connecticut with Mr. SELLS.

Mr. RUCKER with Mr. SHREVE.

Mr. SAUNDERS with Mr. ROBERTS of Nevada.

Mr. SHACKLEFORD with Mr. SINNOTT.

Mr. SISSON with Mr. SLEMP.

Mr. SMITH of Texas with Mr. TREADWAY.

Mr. SPARKMAN with Mr. SMITH of Minnesota.

Mr. STOUT with Mr. POWERS.

Mr. SUMNERS with Mr. TEMPLE.

Mr. TALBOTT of Maryland with Mr. WALLIN.

Mr. WHALEY with Mr. WINSLOW.

Mr. YOUNG of Texas with Mr. WOODS.

Mr. MAHER with Mr. GREENE of Vermont.

The result of the vote was then announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SLAYDEN, for two days, on account of business.

To Mr. WINGO, for the balance of the day, on account of illness.

To Mr. DONOVAN, indefinitely, on account of sickness.

To Mr. ALEXANDER, for one week, on account of illness.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I renew my motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21491, the fortifications appropriation bill, and pending that I ask unanimous consent that general debate may be limited to six and one half hours, one half of the time to be controlled by the gentleman from New York [Mr. CALDER] and the other half by myself.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21491, and pending that motion he asks unanimous consent that general debate on the bill be limited to six and one-half hours, one-half of which is to be controlled by himself and one-half by the gentleman from New York [Mr. CALDER]. Is there objection?

There was no objection.

The SPEAKER. The question now is on the motion of the gentleman from Kentucky to go into Committee of the Whole House on the state of the Union.

The question was taken; and on a division (demanded by Mr. GARDNER) there were—ayes 140, noes 20.

So the motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HOUSTON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 21491) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. HOUSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21491, the fortifications appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3362. An act to authorize the Secretary of Commerce, through the Coast and Geodetic Survey and the Bureau of Fisheries, to make a survey of natural oyster beds, bars, and rocks, and barren bottoms contiguous thereto, in waters along the coast of and within the State of Texas; and

S. 3897. An act to authorize the Great Northern Railway Co. to revise the location of its right of way, and for other purposes.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Sunday, February 21, 1915, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MACDONALD, from the Committee on Labor, to which was referred the bill (H. R. 19015) to provide for the establishment of a national employment bureau in the Department of Labor, reported the same with amendments, accompanied by a report (No. 1429), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAMPBELL, from the Committee on Indian Affairs, to which was referred the joint resolution (H. J. Res. 427) providing for the continuance of the Joint Commission to Investigate Indian Affairs, reported the same without amendment, accompanied by a report (No. 1428), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 21518) to establish public highways along all section lines in the public lands of the United States; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 21519) to encourage the reclamation of certain arid lands in the State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. ASHBROOK: A bill (H. R. 21520) for the coinage of a McKinley souvenir silver dollar in commemoration of the erection of a memorial to William McKinley, late President of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. HELGESEN: Joint resolution (H. J. Res. 430) to authorize the Committees on Agriculture of the Senate and House to investigate a system of rural personal credit; to the Committee on Rules.

By Mr. NORTON: Memorial of the Legislature of North Dakota commending the action of its Representatives in Congress in voting for the Sheppard-Hobson resolution for national prohibition, and urging Congress to reconsider and pass it; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUCKNER: A bill (H. R. 21521) for the relief of Adolph Fenton; to the Committee on Claims.

By Mr. DICKINSON: A bill (H. R. 21522) granting an increase of pension to George Lutz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21523) granting an increase of pension to Harrison Hancock; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 21524) for the relief of Augustus G. Reynolds; to the Committee on Claims.

By Mr. HAUGEN: A bill (H. R. 21525) for the relief of John C. Kathan; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 21526) for the relief of R. S. Settles; to the Committee on War Claims.

Also, a bill (H. R. 21527) granting an increase of pension to Isam Smith; to the Committee on Invalid Pensions.

By Mr. McCLELLAN: A bill (H. R. 21528) granting an increase of pension to Ellen J. Stratton; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 21529) granting pensions to Zelia Barker, Eva G. Barker, Stellia Barker, Gertrude Barker, Dora Barker, and Edna Barker; to the Committee on Pensions.

By Mr. TEN EYCK: A bill (H. R. 21530) granting a pension to Mary Raleigh; to the Committee on Pensions.

By Mr. TOWNSEND: Resolution (H. Res. 739) authorizing the appointment of William F. Cody upon the Capitol police force; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of German-Irish Alliance, of Passaic County, N. J., urging neutrality of Americans; to the Committee on Foreign Affairs.

By Mr. ANDREWS: Memorial of the city council of Chicago, Ill., protesting against the reduction in salary of 350 letter carriers in the Chicago (Ill.) post office; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petitions of W. W. Neesley and 10 citizens, of Jackson; Charles A. Mosman and 12 citizens, of Jackson; Rev. A. Siegenthaler and 16 citizens, of Jackson; George Berkaw and 12 citizens, of Detroit; H. W. Smith and 12 citizens, of Detroit; J. H. Letcher and 7 citizens, of Kenton; and A. H. Towne and 10 citizens, of Shelby; all in the State of Michigan, protesting against bill to amend the postal laws relative to freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of John Theurer and 19 citizens, of Ann Arbor, Mich., in favor of prohibiting the export of munitions of war to foreign countries; to the Committee on Foreign Affairs.

By Mr. BELL of California: Petition of Silas Munsell and 940 citizens, of Pasadena, Los Angeles, Sierra Madre, Alhambra, Monrovia, San Gabriel, Glendale, Long Beach, and Covina, in the ninth congressional district of California, favoring House joint resolution No. 377, to prohibit the export of arms, ammunition, and munitions of war from the territory or any seaport of the United States; to the Committee on Foreign Affairs.

By Mr. BROCKSON: Petitions of citizens of Wilmington, Del., asking for the adoption of H. J. Res. 377 and 378, S. 6688, and H. R. 19548, to prohibit the sale and export of arms, ammunition, and munitions of war to any of the friendly nations

at present at war in Europe; to the Committee on Foreign Affairs.

Also, resolutions adopted by citizens of Delaware, at a mass meeting in Wilmington, on February 14, 1915, favoring the passage of House joint resolutions 377 and 378, Senate bill 6688, and House bill 19548, to prohibit the sale and exportation of arms, ammunition, and munitions of war to any of the belligerents in the present European conflict; to the Committee on Foreign Affairs.

Also, petitions of citizens of Kent County, Del., asking for the adoption of House joint resolutions 377 and 378, Senate bill 6688, or House bill 19548, to prohibit the sale and exportation of arms, ammunition, and munitions of war to any of the friendly nations at present at war in Europe; to the Committee on Foreign Affairs.

By Mr. BROWNING: Petition of 15 citizens of Gloucester City, N. J., protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of members of the Roman Catholic Church, of New York, favoring exclusion of the Menace from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of A. L. Ortman, against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. CARR: Petition of the citizens of Aleppo, Greene County, Pa., protesting against the amendment offered by Hon. J. J. FITZGERALD to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, resolution adopted by the Little Riostum Presbyterian Church, Fayette City, Pa., favoring the Weeks-Gillett resolution prohibiting polygamy in the United States; to the Committee on the Judiciary.

Also, resolution adopted by the Woman's Missionary Society of Brownsville, Pa., favoring the Weeks-Gillett resolution prohibiting polygamy in the United States; to the Committee on the Judiciary.

By Mr. CURRY: Petition of citizens of Stockton, Cal., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. DALE: Memorial of Chamber of Commerce of the United States of America, protesting against the Deitrick amendment to the Army appropriation bill; to the Committee on Military Affairs.

Also, memorial of American citizens in Paterson, N. J., protesting against export of war material; to the Committee on Foreign Affairs.

Also, memorial of Brotherhood of Railway Postal Clerks, Denver, Colo., protesting against war tax on salaries of clerks in the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of F. T. Schwanke and 34 others, of Lime Ridge, Wis., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. EVANS: Petition of citizens of Butte, Mont., against export of arms; to the Committee on Foreign Affairs.

By Mr. FESS: Petitions of citizens of the eighth district of Ohio, favoring the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. GALLAGHER: Petition of city council of Chicago, Ill., against reduction in salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Memorial of board of directors of the associated employers of Indianapolis, favoring passage of the militia pay bill; to the Committee on Military Affairs.

Also, petition of the National Industrial Traffic League, Chicago, Ill., relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: Petition of 326 citizens of California, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

Also, petition of Hugh Doherty, of California, favoring exclusion of the Menace and other publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Connecticut: Petition of Robert Emmet Literary Association, Torrington, Conn., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. LIEB: Memorial of the Pocket Publishers' League, by O. J. Brooner, secretary-treasurer, presenting resolutions passed at Huntingburg, Ind., on February 13, favoring the passage of the bill which seeks to restore to the publishers of the country the privilege of exchanging advertising for mileage; to the Committee on Interstate and Foreign Commerce.

Also, petition of S. F. Boslor, of Rockport, Ind., supporting bill 20644; to the Committee on the Post Office and Post Roads.

Also, petition of International Molders' Union, No. 51, of Evansville, Ind., protesting against the discharge of American citizens in the Canal Zone; to the Committee on Appropriations.

Also, petition of E. M. Scholz, J. H. Henke, John Wilbur, H. E. Hulseman, H. Karn, A. C. Froelich, Julius Doerius, Louis A. Genpel, C. Eckardt, F. H. Shoemaker, J. Stoever, Jacob Lahr, Henry Luerrssen, J. H. Gerlich, Louis A. Wollenberger, John Farr, H. H. Wessling, F. H. Bosse, F. G. Haas, Jacob Kurtzman, William F. Horst, F. W. Ellerbusch, Henry Reters, Charles Schmacke, Henry Haas, Rev. A. Merkle, Henry Fuchs, Gustav Weber, Wilhelm Simon, John H. Ohring, Wilhelm Aufterhauer, Christ Hoepna, Phillip Gerkmann, Julius Simon, Emil J. Wimpelberg, William J. Rech, C. H. Espenlaub, Henry Stahlknecht, William Krickhauer, J. N. Schneider, William Aberlee, Paul Pfeifer, William Rahm, Charles Hille, Julius Gruen, Richard Gruen, August Leich, Carl G. Viche, M. D., all of Evansville, Ind., favoring embargo on arms, ammunition, and munitions of war, etc.; to the Committee on Foreign Affairs.

Also, petitions of John C. Fischer, of Evansville, Ind., and Rev. Ludwig von Lougi, W. F. Dassel, Edwin Ahrens, Adolph Thomas, H. L. Bass, William Menke, August Susott, Louis Susott, Henry C. Gerick, Gustav Susott, Henry W. Blickman, A. W. Severott, August Jarvis, Lawrence Besing, Emil F. Halwes, Harry Holtz, H. F. Hebbler, Frank Harbert, Emil Holtz, C. C. Ayers, F. W. Kempe, and Frederick Schultz, all of Elberfeld, Ind., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of Z. T. Hedges, Fred Geier, and Albert Barton, of Boonville, Ind., favoring the Kern-Foster bill; to the Committee on Mines and Mining.

Also, petition of citizens of Evansville, Ind., presented by Dan P. Killinger, Robert Leigh, F. J. H. Hooge, Albert Gunther, Russell Wytenbach, and A. Homer Burket, favoring legislation to regulate economic functions of the Federal Government; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of Anton Habeal, New Britain, Conn., relative to House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petition of 62 citizens of Kingston, N. Y., favoring bills to prohibit export of war material from United States; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers filed in support of House bill 21529, granting pensions to Zelia Barker, Eva G. Barker, Stellia Barker, Gertrude Barker, Dora Barker, and Edna Barker; to the Committee on Pensions.

By Mr. RAKER: Petition of Theodore Restro, of Redding, Cal., protesting against the Hobson resolution; to the Committee on the Judiciary.

Also, memorial of National Traffic League, of Chicago, Ill., relative to regulation of common carriers through the medium of the commerce act; to the Committee on Interstate and Foreign Commerce.

Also, petition of B. F. Mitchell, of Red Bluff, Cal., favoring the adoption of some relief for the unemployed throughout the Nation; to the Committee on Foreign Affairs.

By Mr. SABATH: Petition of the City Council of Chicago, Ill., protesting against the reduction of the salaries of 350 postal employees; to the Committee on the Post Office and Post Roads.

By Mr. SCULLY: Petition of German-Irish Alliance, of Passaic County, N. J., favoring strict neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Petition of citizens of Troy, Idaho, favoring legislation for the settlement of controversies between nations by an international court; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Oklahoma: Petition of the Catholic Church of Purcell, Okla.; the Catholic Church of Lexington, Okla.; Bishop Meerschaert Council, Knights of Columbus, No. 916, Guthrie, Okla., against circulation of certain periodicals through the mails; to the Committee on the Post Office and Post Roads.

By Mr. UNDERHILL: Petition of citizens of Elmira, N. Y., Chicago, Ill., and Washington, D. C., favoring strict neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. WEBB: Petition of citizens of Conover, N. C., favoring Senate bill 6688, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of citizens of Paterson, N. J., favoring strict neutrality of the United States; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 21, 1915.*

The House met at 12 o'clock noon, and was called to order by Mr. BARTLETT as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.

We are come to pay a tribute of respect to two chosen servants of the people and to record their life, character, and public services, that they may live in history as an inspiration and as an example to coming generations. The one passed on while serving as a Member of this House, the other while a Senator of the United States. To have been thus chosen as Members of this great legislative body is in itself a mark of distinction, indicative of mental strength, moral courage, and worthy endeavor.

They have finished the work Thou gavest them to do and have passed on to a service for which the experiences of this life have fitted them. We mourn their going, but look forward with faith, hope, love to the touch of their hand, the cheer of their voice and kindly smile. Be this our solace and the comfort of those who knew and loved them best in the home, in society where their genial presence will be missed. May we be prepared, when the summons comes, to pass with unperturbed spirit into that realm where love reigns supreme; and we will praise and magnify Thy holy name forever, through Him who taught us life and the immortality of the soul. Amen.

THE JOURNAL.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that the reading and approval of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that the reading of the Journal be postponed until to-morrow. Is there objection?

There was no objection.

LEAVE TO PRINT.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that all who speak in eulogy to-day have permission to revise and extend their remarks, and that general leave to print be extended to all Members.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that those who speak to-day may have permission to extend their remarks, and that leave be granted to those who are not present and who desire to incorporate remarks in the RECORD to do so. Is there objection?

There was no objection.

ORDER OF THE DAY.

The SPEAKER pro tempore. The Clerk will read the order of the day.

The Clerk read as follows:

On motion of Mr. BARTLETT, by unanimous consent, *Ordered,* That Sunday, February 21, 1915, be set apart for services upon the life, character, and public services of Hon. AUGUSTUS O. BACON, late a Senator from the State of Georgia.

On motion of Mr. PETERS, by unanimous consent, *Ordered,* That Sunday, February 21, 1915, be set apart for services upon the life, character, and public services of Hon. FORREST GOODWIN, late a Representative from the State of Maine.

THE LATE SENATOR BACON.

Mr. PARK took the chair as Speaker pro tempore.

Mr. BARTLETT. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Georgia offers a resolution which the Clerk will report.

The Clerk read as follows:

House resolution 740.

Resolved, That as a mark of respect to the memory of the Hon. AUGUSTUS O. BACON, late a Senator from the State of Georgia, the business of the House be now suspended, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That as a further mark of respect to the memory of the deceased, the House at the conclusion of the exercises of this day stand adjourned.

Resolved, That the Clerk of the House communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. BARTLETT. Mr. Speaker, born on the 20th of October, 1839, after having served his native State as soldier, as legislator, as speaker of the house of representatives, as trustee of the State University, and for 19 years as a United States Senator, AUGUSTUS OCTAVIUS BACON died on the 14th of February, 1914, ripe in years and full of honors. I had known him personally since my early boyhood and intimately for 35 years. Before his birth his father died, and while yet in infancy, before he was a year old, his mother passed to the great beyond to join the husband and father. He was reared by his grandmother. At an early age he entered the University of Georgia, from which he graduated with the degree of bachelor of arts, and soon thereafter he received the degree of bachelor of laws. For many years he was a trustee of the University of Georgia, and was such at the time of his death. There were conferred upon him by that university the degrees of bachelor of arts, bachelor of laws, master of arts, and doctor of laws. Shortly after beginning the practice of law he answered to the call to arms made upon her sons by the Southern Confederacy. He served in the Army of Virginia for two years and was afterwards transferred to Georgia and assigned to general staff duty. Soon after the close of the war he commenced the practice of law at Macon, Ga., where he resided until his death. As a lawyer he was studious; he mastered all subjects with consummate skill, and presented them to court and jury with convincing argument and logic.

During the years following the Civil War, known as the reconstruction period in Georgia, he gave his great powers to the task of rehabilitating the State and restoring its government to its own people. In recognition of his public services he was elected a member of the Georgia House of Representatives from the county of Bibb in 1870, and was successively reelected to that position for a period of 12 years. For eight years he was speaker of the Georgia House of Representatives, and in that office he evinced his wonderful familiarity with parliamentary law. He presided with great fairness and dignity, and was everywhere recognized as one of the most skillful parliamentarians that had ever presided over the Legislature of the State of Georgia. In every campaign, both local and national, Mr. BACON was an earnest champion of the cause of the Democratic Party, to which he always belonged. He was ready at all times to aid his party, and he rendered most effective service in its behalf. The Democratic national committee always availed itself of his services in the presidential campaigns, and his abilities were exerted in behalf of his party's candidates and in advocacy of its principles in many States. In 1894 he was elected to the United States Senate from the State of Georgia. While it is true that he was elected to this office by the legislature of his State, yet for the first time in the history of the State there had been held a primary in order that the voters might give expression to their choice for United States Senator, and when the legislature met the people had already declared by their votes that he was their choice for that high office. He entered the Senate in 1895, at the same time that I became a Member of the House of Representatives. In 1900, 1906, and again in 1912 the Democrats of the State of Georgia, in primary elections, selected him as United States Senator. In 1912, after the amendment providing for the election of United States Senators by the people was adopted, he was elected Senator by the people of the State, after having been nominated in the primary, being the first United States Senator elected by the people under the seventeenth amendment to the Constitution. From the day of his entrance into the Senate he became a commanding figure in that body and immediately attracted the attention of the Senate and of the country. He soon demonstrated that he was fully equipped in every way to meet promptly in debate every question that arose. During his term of service many of the most important questions which have engaged the attention of the Senate were considered. He participated in all the great debates that occurred there, oftentimes contending with the most distinguished Members of that body, and in no debate in which he engaged did he ever fail to demonstrate his ability to sustain and uphold the dignity and honor of his high office.

Intimately familiar with the history of our Republic, and thoroughly grounded and learned in the fundamental principles of our Government as contained in the charter of our liberties, the Constitution, he was ever its earnest defender, and no effort to infringe it, impair it, or destroy it was ever made that did not meet with prompt resistance from him. He believed in the traditions of our people and in the tradition of our Government, and at all times he stood firmly by them. Punctual in his attendance on the sessions of the Senate and assiduous in the performance of his duties, his great mentality was impressed upon nearly all the deliberations of that great body during the period of his service. Never did he permit his private business or personal fortunes to lure him from his duty as Senator. Although opposed vigorously in the last primary in which he was a candidate, he still remained at his

post while the Senate was in session, and the people, recognizing his ability and faithfulness, gave him a large majority and a vote of confidence. It may be truthfully said that during the 19 years of his service he was never absent from the Senate on account of private or personal business, and frequently he attended the sessions of the Senate and discharged his duties there when his physical condition was such that he should not have done so.

Senator BACON was a believer in and defender of the rights of the States, and on many occasions when they were sought to be invaded by the enactment of laws which undertook to confer unwarranted powers upon the Federal Government he delivered speeches of protest which will live as masterpieces of logic, of learning, and of eloquence. No stronger or more forceful speech was ever made in the Senate on that subject than the one which he delivered on the amendment that was offered to the proposed seventeenth amendment to the Constitution, providing for the election of United States Senators by the people, in which he met and answered the arguments of the distinguished Senator from New York [Mr. ROOT], and the debate on that amendment will go down in history as one of the great debates in the Senate of the United States.

Believing that this Government should not hold or own colonies, when the treaty involving the status and future of the Philippines was up for consideration he not only voted against its confirmation, but introduced a resolution declaring it to be the purpose of the United States not to permanently retain the islands, but to give to the people of those islands independence and self-government. His speech upon this subject was listened to with profound interest in the Senate, and attracted the attention of the people of the United States and of many countries abroad. The debate on this subject between Senator BACON and Senator Spooner, of Wisconsin, has justly been characterized as one of the great debates of the Senate, and as recalling the days of Webster, Calhoun, and Clay.

In the Sixty-second Congress, although the Republicans had a majority of the Senate, they were not able to agree upon a President pro tempore, and it became necessary for them to enter into an arrangement with the Democrats by which a Senator on the Democratic side should be selected as President pro tempore and also a Senator on the Republican side to serve as President pro tempore. On that occasion the Democrats unanimously selected Senator BACON as their representative for this important position in the Senate. Called upon to preside over that most exalted and distinguished Senate in the world, Senator BACON presided with the ease, grace, dignity, and fairness for which he was noted; and when a great impeachment trial was conducted before the Senate to try a judge who had been impeached by the House he was unanimously selected to preside. Nothing demonstrated so clearly as this action the confidence and esteem in which he was held by the Members of the Senate.

When the Democrats elected the President and secured a majority of the Senate, Senator BACON was placed at the head of the Committee on Foreign Relations, having served upon that committee for years. It was during his service as chairman of that committee that the troubles in Mexico became acute, and there is no question but that the President of the United States advised with him daily and relied upon his sound judgment, his prudence, and his wide knowledge of international affairs in aiding him to maintain proper peaceful relations with the Mexican Government during that critical period. I have no doubt that the President of the United States now feels keenly the loss of his counsel and advice.

His death was not only a surprise to us who were associated with him here, but it was a profound shock to the people of the State of Georgia. They sincerely mourned his death, and when his body was borne through the confines of the State to its last resting place at his home, Macon, Ga., at every station through which the funeral train passed numbers of people gathered and, with bowed heads and sorrowing hearts, paid their respect and homage to him dead whom they had loved so well in life.

He died at his post of duty, and I have no doubt if he could have chosen the hour and manner of his death this great man who had devoted his life to the public service of his people would have chosen to die as he did—at his post, at the front, with armor bright and untarnished, hale and vigorous, although full of honors and years. I know he would have preferred to face the dread summons with harness on rather than to have lain prone and broken by wasting disease. And I truly believe that all of us who are engaged in the discharge of public duty would prefer to meet the grim destroyer at our post.

> And could we choose the time, and choose aright,
> 'Tis best to die, our honor at the height,
> When we have done our ancestor no shame,
> But served our friends, and well secured our fame.

By direction of the governor of Georgia the body of Senator BACON lay in state in the capitol at Atlanta. It was borne from the funeral train through a vast concourse of people gathered from all parts of the State to the rotunda of the capitol, where the body lay, and was viewed by thousands. And then we carried him to his home at Macon. All business there was suspended, and the people stood with uncovered heads around the bier of the man who had served them so faithfully and so long and whom they loved so well. His body was then carried to its last resting place in Rose Hill Cemetery, to repose until the resurrection morn, when all shall appear before the great white throne to be adjudged for the deeds done in the flesh.

In Senator BACON'S death a truly great man has been taken away from us. Georgia has sent many of her distinguished sons to the Senate—Berrien, Toombs, Hill, Colquitt, Gordon, and others—and while some of them may have been more eloquent and possessed in greater degree with the power to sway assemblages of men, none excelled Senator BACON in clearness of thought or reasoning power, nor was there anyone among that bright galaxy of names who was more truly devoted to the best interests of the State of Georgia. His memory will be cherished along with that of the other great men who have represented Georgia in the United States Senate as one entitled to receive the plaudits of the people and the encomium, "Well done, thou good and faithful servant."

He loved his State as his fireside and his Nation as his home. Nationally broadminded, he accorded to the General Government all the rights that were granted to it by the Constitution, but at the same time he jealously protected the independent sovereignty of each State. He was proud of the position of the United States among the nations of the earth, yet he was so jealous of her integrity that in dealing with other nations he insisted that full justice should be meted out to them so as to enjoy their full faith and confidence. His was a patriotism that did not defend aggression and conquest, but his great powers were at all times exercised in the promotion of national security and peace.

Mr. ADAMSON. Mr. Speaker, among the first really great men I ever knew was Senator BACON. A generation my senior, he had become celebrated as a Georgia legislator and had issued a law book—an analysis of the first 40 volumes of Georgia Reports—which was highly prized by the bar and remains to this day the best law book of the kind I ever saw.

He was a great lawyer, a great parliamentarian, and eminent as a public-spirited, generous citizen. He was an astonishing compendium of universal information. He was at all times ready to discuss, and discuss accurately and minutely, any subject which any person he might meet was able to discuss at all. He was distinguished for his dignity and urbanity. It was said of the old Roman statesmen that even in the throes and madness of discord and faction they never lost their dignity nor forgot their respect for law and decorum. Senator BACON would have been among Roman statesmen as eminent as he was among American statesmen. He was punctilious in all his association and contact with his fellow men, extremely considerate of others in all things, and a miracle of perpetual industry.

When he was transferred from his Georgia work to the wider field of operations as a United States Senator he was as admirably equipped as any statesman ever called to the position from any State, and well did he maintain himself and illustrate the honor and greatness of the State of Georgia and her people. The whole country suffered an irreparable loss when Senator BACON died. Of course his friends, his family, and his beloved State of Georgia more deeply feel the immediate loss. A lifelong friend and associate of Senator BACON, Hon. John T. Boifeuillet, of Macon, Ga., for many years his private secretary, better acquainted with him perhaps than any other man who ever associated with him, has prepared a beautiful tribute, true and just, to the life, character, and public services of Senator BACON, which I shall appropriate here as a part of my remarks. They more nearly do Senator BACON justice than I am able to do.

TRIBUTE OF HON. JOHN T. BOIFEUILLET.

In him was—

> A combination and a form indeed,
> Where every god did seem to set his seal,
> To give the world assurance of a man.

The melancholy tidings of the death of Senator AUGUSTUS O. BACON, on February 14, 1914, in the city of Washington, plunged the people of his native State of Georgia into mourning and were heard with sadness throughout this entire country and in many distant lands. The Senate was in session at the hour of his demise, and the announcement of the unexpected and distressing event carried grief to the heart of every Senator. A deep and solemn stillness instantly pervaded the Chamber, for

all realized that one of the pillars of the Senate had fallen. The Senate immediately adjourned for the day, sorrowfully and tearfully.

Desiring to pay to his memory that love, honor, and respect so eminently due, and which the Senators felt and entertained in such profound degree, his lifeless form a few days later was borne into the Senate Chamber, so long cherished and beloved by him, and, in the imposing presence of the Vice President, the members of the Cabinet, the Speaker of the House, Senators and Representatives, the Chief Justice and Associate Justices of the Supreme Court, diplomats, and other public functionaries, and the galleries crowded to their utmost capacity with sorrowing friends, impressive religious ceremonies were held. The body, escorted by a delegation from the Senate and House, was carried to Georgia for interment in Macon, the Senator's home city, and when Atlanta, the capital of the State, was reached it was met at the depot by a vast concourse of citizens and the military, headed by the governor and all the statehouse officers, members of the various courts, and Confederate veterans. Fifty thousand mourning people lined the streets along which the great funeral procession passed from the depot to the capitol, where the remains laid in state for several hours and were viewed by more than 10,000 persons. No greater demonstration of love was ever paid to any other Georgian, living or dead.

Upon the arrival of the body at Macon there was another great outpouring of the people in honor of the memory of the distinguished dead. The remains were placed in the city hall, and all during the night that they rested there a steady stream of grief-stricken friends flowed past the bier. On the day of the burial there was a remarkable display of deepest feeling. The mournful cadence of the people's sorrow was heard throughout the borders of the State. The overshadowing gloom bespoke their woe.

Under the blue skies and fleecy clouds of his beloved Southland, he lies in his final earthly rest in beautiful Rose Hill Cemetery, where the rustling murmurings of the foliage speak in answering language to the changeful melodies of the near-by river, and where bloom the forget-me-nots of affectionate remembrance and the immortelles of lasting regret. There the early swallow warbles his pæan to the morning air, and the night bird's evening carol blends with the purling of the star-lit streams.

> The night dew that falls, though in silence it weeps,
> Shall brighten with verdure the grave where he sleeps;
> And the tear that we shed, though in secret it rolls,
> Shall long keep his memory green in our souls.

My relations with him have been one of the joys of the heart to me, and the remembrance of them will linger like the fragrance of roses that are faded and gone. In the early morning hour, when the orb of day is bursting away from the blue hills and the birds are singing in the meadows, his face will be before me. In the rich ray of noonday splendor, when the sun is glowing in the zenith of his power, his face will be before me. At sunset, when the "golden gates of the resplendent west" seem hanging in a sea of glory, his face will be before me. At twilight, when the crimson sky has faded and heaven's light is serene above, his face will be before me. In the mysterious silence of midnight, "when the streams are glowing in the light of the many stars," his image will come floating upon the beam that lingers around my pillow.

Senator BACON impressed himself forcibly upon the minds and hearts of his fellow countrymen, not only on account of his great ability and lofty patriotism, but because they had absolute faith in the integrity of his motives and in the rectitude of his purposes. They had perfect confidence in the sincerity of his actions, and placed the fullest trust in his unfaltering devotion to the highest ideals of his office. He abhorred hypocrisy and deceit. Envy had no place in his heart. He was incapable of the insidious wiles of the crafty politician. He never attempted to employ the arts of the self-seeking demagogue. He was always guided by a high sense of duty. He was "in action faithful, and in honor clear." His principle was to act right, regardless of personal consequences. He sought to do equal and exact justice to all.

In illustration of his uprightness and justice, it can be stated that once when there was talk that certain impeachment proceedings might be instituted, he was asked, in a party of political supporters who favored the proposed impeachment, how he would vote in the event the trial was held. His stern and independent reply was in the firm and bold spirit of the memorable response of Lord Coke to James I, King of England:

> When the case happens, I shall do that which it shall be fit for a judge to do.

The saying of the Greeks can be appropriately applied to Senator BACON:

> What Themistocles was to the rest of the Athenians in acute foresight, wisdom, and vigor, Aristides was to every statesman in Greece in incomparable purity and integrity of public life, and no one has dared to dispute his well-won title of The Just.

Immediately upon Senator BACON's entrance into the Senate he took rank with the leaders by reason of his fine ability, his tact as a parliamentarian, his knowledge of legislative procedure, and his familiarity with public affairs. His ripe experience and mature judgment, his legal learning and forensic talents, his dignified bearing and courtly manners, gave him instant prestige. He grew steadily into a national figure, and was a commanding influence in the senatorial contests of his time. He was capable of filling the highest position under the Government. In him were embodied all the elements of a statesman and a patriot. The love of country was in his heart. His career was eminent.

Senator BACON planted himself firmly upon the Constitution of his country. To him it was "a pillar of cloud by day and a pillar of fire by night." He was its sleepless guard and valiant defender. He believed that the spirit of the Constitution would live as long as our civilization blessed us with a full appreciation of the benefits of government and the joys of liberty.

He regarded the honor, the rights, and the dignity of the Senate as high and sacred trusts.

No man has been truer, or firmer, or bolder in espousing Democratic principles, upholding State's rights, advocating white supremacy, and resisting any usurpation of power. He met with manly firmness every responsibility imposed upon him.

Senator BACON had bravely battled as a Confederate soldier, and was ever the able, active, and earnest champion of the South, her institutions, and her people; yet, as a Senator of the United States, he appreciated and realized that to him, in part, had been confided the honor, safety, and peace of the entire country, and that he was intrusted with large powers in the exercise of which happiness or misery, prosperity or adversity would result to the Nation. It was his aspiration that this Republic might be forever blessed with wise, humane, and beneficent government. He was ever ready to say "peace, be still" to the angry elements of discord and the stormy waters of sectional dissensions. His patriotic love and solicitude reached to the utmost circle of the land. He could say with Prince Edward, when contemplating the long War of the Roses and the cheering prospects of its termination:

> Free from the passionate animosities of either faction—Yorkist and Lancastrian—whether victor from the field of Towton or St. Albans, are but Englishmen to me, to whom I can accord justice to all who serve, pardon to all who oppose.

Senator BACON "knew enough of the world to know that there was nothing in it better than the faithful service of the heart." He walked in the paths of honor. He was the unsullied gentleman. He measured up to the true test of fidelity which is constancy in the hour of peril, devotion in the season of affliction. In integrity of character, in capacity and learning, in patriotism, and as one tried and proven in the public service, he stands forth an example for the emulation of youth. By his labors education was advanced, industry promoted, resources developed, society protected, the personal and material interests of the citizen guarded, and civil and religious liberty preserved. He has left a rich legacy to his family and friends—the legacy of an honorable and useful life.

Senator BACON took the oath of office as a Senator on March 4, 1895. Of this class there now remain in the Senate only two of his Democratic colleagues, the senior Senator from South Carolina, Mr. TILLMAN, and the senior Senator from Virginia, Mr. MARTIN, and on the Republican side there are only the senior Senator from Wyoming, Mr. WARREN, and the senior Senator from Minnesota, Mr. NELSON.

Never in the history of the Senate has there been a Senator more punctual in his attendance upon its sessions. The remarkable fact can be stated to his enduring credit, that in a service of 19 years he was never absent from his seat a day except from providential causes. Neither his personal business nor pleasure drew him away in a single instance. So absolutely devoted was he to his senatorial work that he gave up every thought of everything else in the way of occupation, and his greatest ambition was to be thought worthy of the place by those who so greatly honored and trusted him, to deserve their approbation and continued friendship, and to do all in his power to serve their interests to the very best of his ability. Anybody who has been in touch with affairs at Washington knows that he was unremitting in his labors, untiring in his activities.

In 1912, when Senator BACON was a candidate for renomination in the primary and had active opposition, he jeopardized his interests by refusing to absent himself a moment from the Senate to go to Georgia to participate in the campaign. He was unwilling to neglect the public interests by abandoning his place here to advance his political welfare. He said that his duty and obligations required his presence in Washington, and he would leave his candidacy in the hands and care of his constituents. He declared that at last his struggles must be in the confidence of the people, and that confidence largely rested upon the opinions and judgment of men as to how efficiently he had performed his work, and whether he had been faithful and true to his trust. That he had the confidence and love, the praise and gratitude of his people, that they realized in fullest measure the great value and influence of his able and patriotic services, that they recognized the honor and dignity which always characterized his personal and official life, and that they appreciated the distinction and eminence achieved by him was attested by the fact that he was overwhelmingly renominated, and in 1913 was unanimously reelected by popular vote.

Senator BACON had the distinction of being the first Senator elected from the State of Georgia to the third consecutive term and the only Senator ever elected for four terms. He possessed the further distinction of having been the first Senator elected in the United States under the amendment to the Federal Constitution providing for the election of United States Senators by direct vote of the people.

He was elected President pro tempore of the Senate in the Sixty-second Congress, serving a part of the years 1912 and 1913, and performed the duties of the office ably, impartially, expeditiously, and with dignity and courtesy. He was justly recognized as one of the ablest parliamentarians and most accomplished presiding officers ever in either branch of Congress. Before entering the Senate he had served eight years as speaker of the House of Representatives of Georgia. No other Georgian was ever speaker for so long a time. Until Senator BACON became President pro tempore of the Senate it had been 100 years since a Georgia Senator had held that office. The last Georgian prior to him was the great William H. Crawford, who was President pro tempore during the Twelfth Congress, which convened on November 4, 1811, and adjourned on March 3, 1813. In October, 1912, when Vice President Sherman, who was President of the Senate, died, Senator BACON was President pro tempore, and to him fell making the arrangements for the Senate's participation in the funeral ceremonies. On the second Wednesday in February, 1913, when, according to law, the members of the Senate and House assembled together in the House to open and count the electoral votes for President and Vice President of the United States, Senator BACON, as President pro tempore, presided over the joint session and officially proclaimed the result and declared Woodrow Wilson and THOMAS R. MARSHALL duly elected.

A distinct compliment was paid him when he was chosen by the Senate to preside over the Archbald court of impeachment, especially so in view of the fact that the defendant was of a different political faith from Senator BACON and the Senator a member of the minority party in the Senate at the time. The ability, fairness, ease, and dignity with which he presided provoked universal encomiums. All of his rulings in this trial were sustained, though the hearing lasted for several weeks and there were 11 able and earnest lawyers in the case.

Senator BACON was a member of a number of committees which are powerful factors in determining much important legislation. His favorites were the Committees on the Judiciary, Foreign Relations, and Rules. He was a member of the Judiciary Committee for 17 years, of the Foreign Relations Committee for 15 years, and of the Rules Committee for 13 years. He had been the ranking Democratic Member on each of these committees for many years, while the Republicans were in the majority in the Senate; and upon the Democratic reorganization of the Senate in March, 1913, he could have had, not only because of his preeminent qualifications but, according to precedent, practice, and the rule of seniority, the chairmanship of either of these committees he preferred. He was peculiarly well fitted to be at the head of the Judiciary Committee, as he was a sound constitutional lawyer, with broad and varied experience at the practice. Likewise he was thoroughly equipped to be the leader of the Rules Committee, because of his perfect familiarity with Senate procedure and complete knowledge of parliamentary law. He selected the chairmanship of the great, important, and influential Committee on Foreign Relations, for which he was splendidly qualified. Always conspicuous in the Senate, he was particularly prominent in matters appertaining to foreign relations. Senator BACON had made a special study of the question of treaties, and of international law generally, and in addition had traveled extensively abroad, studying the conditions and customs of the people and their forms of government, all of which were of great assistance and material value to him in the discharge of his onerous duties as chairman. His wise counsel and sound judgment, his clear perceptions and farsighted vision, his high sense of right and justice, and his broad American patriotism made him eminently strong, influential, and useful in this responsible position. His deliberations were deep and conscientious, and his attitude was that of a man with a wide and true human interest. The committee has never had a chairman better fitted than Senator BACON was for the exalted trust, one more eminent in all those qualities necessary to the discharge of the high functions of the office. That he was regarded as just and fair in his consideration of Pan American affairs is shown by the following resolution of sympathy which was adopted on his death by the assembly of the Department of Santander, Colombia:

> Interpreting the patriotic sentiments of the worthy people whom it represents, and considering the expression of its sympathy and appreciation as an act of justice to those who have labored, or labor, for the supreme rights of the country and humanity, it deeply regrets the death of Senator BACON, who placed his highest abilities at the services of Colombia and the weak nations, battling for her in the Congress of his country, in connection with the events that took place in Panama.

President Wilson and Secretary of State Bryan continually sought his counsel and advice. For weeks at a time during the severe stress of the Mexican trouble and while the arbitration treaties were pending Senator BACON was in almost daily conference either at the White House or at the Department of State. Referring to a certain important diplomatic matter the President said in a note written to the Senator shortly before his last illness:

> I have already told you how I appreciate your efforts to sow the right impressions and expectations, but I want to tell you again how much I value your cooperation.

In a still later note, with reference to a communication Senator BACON had written to Secretary Bryan concerning a critical foreign question, the President wrote:

> I am sincerely obliged to you. It has helped to clear my thinking.

Not very long before the Senator's death he received a very cordial note from the President, relating to a very serious subject, in which he said:

> The way in which you have handled the matter makes me warm around the heart. I certainly feel deeply grateful for the support you are giving me. You have my sincere appreciation.

Senator BACON was a self-immolated martyr to his official duty. During the last week that he was at the Capitol in the discharge of his labors an insidious fever had seized upon him and he should have been at home in his bed, particularly as the earth was covered with a heavy mantle of snow, sleet was falling, and all weather conditions were very bad. But so anxious was he to have certain important treaty matters reported out of the committee to the Senate that he held three meetings of the Committee on Foreign Relations on three separate days that week, and the desired action in regard to the treaties was taken, and the report was made by Senator BACON to the Senate. The third and last meeting was held on Friday. On leaving his office that afternoon, at the close of the Senate's session, Senator BACON remarked that his fever was quite high and he apprehended he would be unable to be at the Capitol the following day. He never returned, save when his lifeless body was borne into the Senate Chamber about two weeks later for the funeral obsequies.

Senator BACON was qualified for the prompt and intelligent consideration of every governmental question which was presented for his action. He was possessed of a learning which richly entitled him to the credit of a scholar. He was well grounded in the fundamental principles upon which rest the laws which he was called upon to affect by legislation. He was versed in the whole science of political economy. He was perfectly familiar with the history of his own land, and in this way had that knowledge requisite for a proper understanding and appreciation of the institutions and laws of his country. Consequently, he took active part in the discussions of every great subject that came before the Senate during his remarkable career of 19 years. There is scarcely a number of the CONGRESSIONAL RECORD in that time that does not contain the evidences of his work.

His speeches covered a wide range of topics. They embraced every momentous subject affecting the growth, development, and prosperity of the whole country and contributing to the peace, contentment, and happiness of all the people. While he was forceful, logical, illuminating, and informing at all times, whether discussing the tariff, currency, railroad rates, and postal affairs, or debating the rights of the Senate, election of Sena-

tors by popular vote, agriculture, commerce, and education, he was never more potent, earnest, lucid, and interesting than when arguing constitutional questions and matters of international law and foreign relations. His speeches on these three last-named subjects showed the acute mind and the far-seeing eye, and not only made their impress upon the Senate and throughout this country, but attracted marked attention across the seas.

One of his memorable speeches was delivered on a resolution introduced by him "declaring the purpose of the United States not permanently to retain the Philippine Islands, but to give the people thereof their liberty." This effort was an oration which recalled "the first race of American statesmen." This Nation and foreign lands became deeply engrossed in the discussion which the proposition provoked. Amid intense interest the vote was taken on the resolution, and it resulted in a tie. The Vice President cast his vote in opposition, and the resolution was lost.

One of the first intellects in this Republic to-day is former Senator Spooner, of Wisconsin. He has achieved eminence at the bar, and won distinction in the public service. When in the Senate he was a man of mark and power. He and Senator BACON often met in intellectual contest in that great field of oratorical triumphs. Referring to a debate which occurred between them in February, 1906, the Hartford (Conn.) Courant made the following complimentary and interesting editorial comment:

Take down an old volume of the Congressional Globe and read one of the debates on foreign affairs in which Lewis Cass and John M. Clayton were pitted against each other—for instance, the debate (famous in its time) on the merits of the Clayton-Bulwer treaty. Then take Monday's CONGRESSIONAL RECORD and read the report therein of the debate between Mr. BACON, of Georgia, and Mr. Spooner, of Wisconsin, on the constitutional powers of the President and Senate in treaty making. It would be scant praise to say that the Bacon-Spooner debate is the more readable of the two. For intellectual vigor, grip of the matter in hand, compactness and lucidity in statement, brisk alertness in the give and take of dialectic fence, and last, but not least, good English the Bacon-Spooner debate is the abler of the two. Daniel Webster would have listened to every word of it attentively, with keen interest and pleasure; Calhoun and Clay also.

In speaking, Senator BACON seldom left the lines of logical argument and philosophical reasoning, but at times he would employ pathos, love, and beauty as messengers to men's hearts. There was in his nature a touch of the tenderest sentiment. In closing his remarks in the Senate on the resolution to establish a "Mothers' Day," and to observe it by wearing a white flower, he said:

Mr. President, unfortunately for me, a white rose will not bring back to me the memory of my mother, for I have no memory of her. I was not a year old when she died. But I would wear it, Mr. President, not because of danger that I would forget I owe to her my life, but because I would be glad of the opportunity to manifest the fact that although I do not remember ever to have seen her, I have always loved her memory.

It may be pathetically remarked in this connection that Senator BACON's father died several months before the Senator was born.

The Senate is an unsurpassed field for the display of genuine talent. Here Senator BACON's genius was in its first action. He had an "iron memory," and such were the resources of his mind and so abounding was the wealth of his information that he delivered his great speeches without the use of manuscript. During the long period I was connected with him I never knew him to prepare in writing any of his notable efforts. The only pages which he had were "the leaves which he tore out from the vast volume of his mind." Nature had smoothed a channel for his thoughts, and his ideas easily flowed in clear streams. He delivered exhaustive arguments on the tariff and finance, spoke elaborately on profound matters of law, and discussed momentous affairs of state without a moment's preparation, speaking entirely impromptu, on the impulse of the instant. Yet his presentation of the subject was like a brilliant panorama—everything had been made clear and visible to the sight and understanding.

He delivered more than 50 able and strong extemporaneous addresses, which, if they had been made by many other men, would have been "set speeches," prepared after great effort and long time, reduced to writing, and spoken from manuscript.

The march of his mind through his subject was dauntless and resistless—the triumphal progress of King Thought.

When he arose to speak Senators gave instant and close attention and visitors in the galleries manifested the keenest interest. Everyone had a listening ear.

Senator BACON always took position immediately at his desk while speaking. Neither his own zeal nor the excitement of others caused him to move away from this accustomed place. He stood a Saul among Titans. Like some gigantic oak in the forest, he towered among his fellows, unshakingly facing the storm of debate, unswayed by the winds of passion, and calmly surveying the scene when the rushing turbulence of the hour had subsided. As he faced an opponent in discussion he bore the unclouded brow and noble mien of the highest type of statesman. His imposing presence carried with it the innate dignity of command which "girded him as with a sword of power." His inherent courtesy and courtliness won cheerful homage.

Senator BACON loved truth—that essence of the highest manhood, that indestructible power whose victories are "hymned by harps which are strung to the glories of the skies" and, like God Himself, lives on and on, "the same yesterday, to-day, and forever." During the many years I was associated with Senator BACON I never heard him prevaricate nor equivocate in the slightest degree to any person, and at no time did he ever temporize with or deceive or mislead anyone who sought his personal aid or official assistance. He was not of those that "keep the word of promise to our ear, and break it to our hope." He was a striking model of candor and frankness. Truth and sincerity ran like silver currents through his nature.

Senator BACON believed in the existence of a Supreme Ruler, who sits upon a throne past which the waves of ages have rolled, to whom all nature bows, who made all worlds, and controls the destiny of all created things. He believed that man was born for a higher purpose than that of earth and at the close of his mortal life was not to sink into everlasting darkness and nothingness, but would live again in the unclouded brightness of the celestial regions beyond the stars. That such was his belief, and that he placed a tender reliance on the mercies of the Almighty, is shown by these opening and impressive words in his last will and testament, written with his own hand something more than a year before he died:

I commit my soul to God, in the humble hope that in spite of my many weaknesses, imperfections, faults, and misdeeds, I shall be reunited in a happy immortality with my kindred and friends, and particularly with the members of my immediate family, to whose happiness and welfare my life has been gladly and unsparingly devoted.

May we not fondly hope that he has already had a joyous meeting in the realms of the blessed with those loved beings who preceded him to the voiceless land, and that his dear ones now on earth, when they have crossed over the river, shall dwell with him eternally on the shining and peaceful shore. I fervently pray that when the final summons comes that takes us from these earthly scenes we shall be reunited with him in that wondrous sphere where chant the white-winged angels of glory, and there "bask forever in the sunshine of the love of God."

With us his name shall live
Through long succeeding years,
Embalmed with all our hearts can give,
Our praises and our tears.

Mr. PARKER of New Jersey. Mr. Speaker, no one ever really knew Senator BACON without becoming his friend. There was a simplicity about his character that was winning. Of all the statesmen I have ever known, he tried most to live the simple life, without ostentation, without show, and yet his presence was desired wherever it could be obtained. He was so kind and so loyal, he was so devoted to what he thought were the duties of his high office; he had such a strong feeling of the independence of Congress and of the duty of every Member to do as he thought right, to vote as he thought right, and to maintain the rights of Congress against all attack or invasion.

I remember well when it was proposed that a commission should be appointed, two by the President, two from the Senate, and two from the House, that in conference and on the floor in the Senate he absolutely insisted that the report of that commission should be made to Congress and not to the President; and agreement was impossible until I finally suggested, and he adopted the suggestion, that as a part of the members had been appointed by the President, the commission should report to Congress through the President. I give this only as an example of his earnestness in what he thought was necessary.

He was a great constitutional lawyer. He loved the Constitution as it came to us from our forefathers. He loved it with all his heart and soul, and was ready to fight for it in the Senate at all times, as well as for the rights of the States under the Constitution.

But I have got away from what I meant to say. I meant to speak more of the man, of the warmth of his affection for those whom he loved, of the warmth of the affection which he inspired in those who knew him, and of his absolute freedom from any of those personal ambitions or personal rancors which would at all impair the value of such a friendship. Not only in the warmth but in the absolute loyalty of his affection for his friends he was almost unique. He was greatly beloved, and

his death was felt as a loss, not only by men of all parties, but by a wide circle of friends throughout the whole United States.

Mr. LEE of Georgia. Mr. Speaker, in the death of Senator BACON the people of the whole country, no less than the people of Georgia, suffered an immeasurable loss. He was in the fullest sense of the word a Senator of the United States. His mental vision reached to the farthest horizon of the Republic's needs and powers. He was as jealous of his country's honor and greatness as of the honor and greatness of the State whose commission he held. He was as passionately devoted in his service to both as so knightly a champion of right and justice and purest love of country could be. To us of Georgia his untimely death came with a shock of a personal grief, for we had seen him rise step by step to the high pinnacle of renown on which he stood when death called him. And so, when he was laid to rest amid the whispering trees of Macon's beautiful "garden of peace," all the people of his beloved State breathed benedictions on his grave.

Mr. BACON hardly knew parental love. His father died before he was born, and his mother when he was but a year old. He was reared by his grandmother, and under her guidance he passed the earliest years of his life. After passing through the public schools of his county, he entered the University of Georgia when but 16 years of age. By that institution several academic degrees were conferred upon him—the last one that of doctor of laws, bestowed upon him in 1909. For many years and up to the time of his death he was a trustee of the university. In less than a year after his graduation he entered the Confederate Army, and at the close of the war was mustered out with the rank of captain. Immediately he resumed his legal studies, and entered upon the practice of the law in Macon.

His natural talents and eminent attainments rapidly secured for him a high rank in the profession and also drew the attention of his neighbors to his fitness in the arena of politics. Thus it came that for 14 years he served in the Georgia House of Representatives, and for 10 years of that period presided as speaker over the deliberations of that body. In 1894 he was elected a Senator of the United States. His service in that body extended over 19 years. He died after the first year of his fourth term, for which latter he was chosen by the unanimous vote of the people of Georgia at the first election held under the mandate of the seventeenth amendment to the Constitution.

In the Senate he soon took rank with the ablest of his colleagues. At the time of his death he was chairman of the Committee on Foreign Relations, and, besides, a member of the Committees on Judiciary, Rules, Railroads, Private Land Claims, and Expenditures in the Post Office Department. On all of these he distinguished himself by unflagging application to the work in hand and his great acumen in determining the real merits in each particular case. It was, however, as member and chairman of the Committee on Foreign Relations that he found his most congenial work, because from his youth he had been a close student of history and the lessons it teaches. His judgment was rarely at fault, and was highly esteemed by his associates.

Just as he was exemplary in his committee service, so he was in his attendance and work in the Senate Chamber. He gave to all questions the closest attention and scrutiny. The pages of the CONGRESSIONAL RECORD bear evidence of his fidelity to the best interests of the Republic. No debate on an important subject occurred but he had a part in it. Mr. BACON was not an ornate speaker. He did not seek to dazzle his audience with great flights of oratory or entertain them by relation of anecdotes and witty sayings. His speeches are marked more by profound reasoning and lucidity of deduction than by brilliancy of form. His mental resources were apparently inexhaustible. He was never at a loss for illustration or precedent. In every debate in which he engaged he had his facts marshaled in orderly array; nor was the continuity of his argument ever disturbed by the most ingenious or seductive artifices of opposing speakers.

Mr. BACON's mental integrity showed brightly in everything he said, as it did in every act of his life. He could no more lend voice or vote to anything to which he could not give wholehearted support than he could have done an outright unjust act. His action had to square in every instance with his truest convictions. With these he could not palter. If ever I knew a man who lived up to the noble counsel given by Polonius to his son—

> To thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man—

That man was AUGUSTUS BACON.

Mr. BACON was true to the best traditions of the Democratic Party. He frowned upon the acquisition of colonial possessions, of territory lying outside of and beyond the borders of the United States. He was a "strict constructionist" in the best sense of those words as applied to an interpretation of the letter and spirit of the Constitution. During his service in the Senate he participated in two great tariff debates—those on the Dingley bill in 1900 and again on the Payne-Aldrich bill nine years later. His thorough understanding of economic principles and his keen analysis of the details of the various schedules were a new revelation of the powers of his intellect even to those who thought they had gauged his mental gifts to the fullest extent. His speeches are among the most notable contributions to the history of those enactments.

It would carry me too far afield, Mr. Speaker, if I were to attempt to recount in all their bearings and aspects the many achievements of this distinguished Georgian. My feeble tribute to his memory embraces the broad sweep of his whole public life. In that he has erected his own enduring monument, for no history of the Senate of the United States for the two decades of his activity there can be written which will not assign one of the most conspicuous pages to his work.

Mr. BACON was thought by many to be austere and unsociable. This was a false estimate of his nature. It is true that while he was at all times courteous to those who approached him, there were comparatively few privileged to penetrate to the sanctuary of his inner self. To these few, however, he disclosed the full charm of as gentle a heart as ever beat in a man's breast, and upon them he lavished in unstinted measure the treasures of his well-stored mind. Himself chastened by great sorrow, his sympathy went out to others tried in the fiery furnace. Where gentle solace could give comfort he bestowed it freely, nor did the needy ever appeal to him in vain. No Senator was ever held in greater respect by all his colleagues; none more affectionately regarded by those who came into closer contact with him.

When AUGUSTUS BACON answered the final roll call he had passed the scriptural age of three score and ten years. The grim reaper had no terrors for him. He had led a noble, pure, and upright life.

Mr. MANN. Mr. Speaker, it is in no sense a lack of appreciation of the abilities and services of those who have succeeded Senator BACON to say that at this critical situation in the world's history we would very much appreciate now if we had his services and his wise counsel. When he passed away he was chairman of the great Committee on Foreign Relations of the Senate, and I do not doubt that both the President and the Senators and this House and all the country would be glad if they could enjoy his advice and his counsel as Senator and as chairman of that committee which has more to do with our foreign relations than any other committee of Congress.

Senator BACON was a Senator who believed in orderly procedure. He was well versed in parliamentary law and procedure and believed it were wiser to follow the orderly procedure of legislative bodies, and he always insisted that that should be done.

However, I knew Senator BACON better, I think, because I served with him on the Board of Regents of the Smithsonian Institution for a number of years. The Chief Justice of the United States, the Vice President of the United States, were members of that body. There was Senator Cullom, Senator LODGE, and Senator BACON, members from the Senate. There was Mr. HOWARD of Georgia, from the House, Mr. Dalzell from the House, and myself, upon the board, besides a number of distinguished citizens who had been elected by Congress as regents.

And among these men, most of them of strong force and great prominence, the advice and counsel of Senator BACON was always sought, and his advice was usually followed. We became rather strong friends on that board. Senator BACON when you reached him had a most genial heart and manner. I remember that only a few days before he died, I think possibly almost the last time when he attended the Senate, we met out here on the plaza, I coming one way and he going to the Senate the other way. It always has touched me rather deeply that at that time he was expressing a desire to do something for me personally, which he did do. It is not necessary now to say what it was, but when I heard of his illness, and, then, shortly after, of his death, immediately following this occurrence, where he had gone out of his way considerably to do me a personal favor, it touched me more deeply than almost any other occasion of my recent life.

Georgia has been very eminent in the history of our country. Georgia has reason to be proud and grateful that she had an opportunity and took the occasion to send to the Senate of the

United States a man like Senator BACON, who exercised such a strong influence in the right direction upon the history and progress of our country.

Mr. FERRIS of Oklahoma. When Senator AUGUSTUS O. BACON was overtaken by the Grim Reaper he had reached his seventy-fifth year. Each day of this more than the average tenure of life had been active; each day he had stood out among his fellow men as a sturdy oak in the primeval forest. Death always comes too soon, but when we recount the activities, the *sterling qualities* of this most remarkable man it intensifies a truth that is axiomatic.

Being myself a Member of the lower branch of the Congress and not being a usual frequenter of the Senate, I can not even yet as I enter the door of yonder Chamber but look about me in bewilderment and think "Where is Senator BACON?" My second thought reminds me that he is called home to his reward, that he has crossed the river to rest under the shade of yonder tree, and then, even though I be a resident of a State far removed from Georgia, even though a Member of another branch of the Congress, and even though a member much his junior in years, each time I pause and think of the loss sustained.

It was my pleasure to meet Senator BACON when I first came to Congress upon the admission of our new State into the *Union*, and while I look back at that time and observe my inexperience, inefficiency, I can not but recall the tenderness, sincerity, and patience always accorded me by this most remarkable man. It almost seemed to me that my cares became his cares; it almost seemed to me that my shortcomings vanished and passed away and he supplanted in their stead hope of accomplishment and success in the end. Later, the distinguished Speaker of the American House of Representatives—Speaker CHAMP CLARK—upon our coming into power at the House end of the Capitol in 1910, honored me by appointing me a member of the Board of Regents of the Smithsonian Institution. For almost four years it was my pleasure to sit as a member of the Board of Regents from the House with Senator BACON as a member of that body from the Senate of the United States.

During the last three years of his life Senator BACON was a member of the executive committee of the Board of Regents, and played an important and forceful part in directing the destiny of the great Institution. This service on that board enabled me to know intimately the real worth of Senator BACON. This intimate acquaintance enables me to speak more feelingly upon this occasion than I otherwise could. This coming in close contact with Senator BACON enables me to understand why he is recognized everywhere as a valiant, brilliant, courageous soldier, a brilliant and successful lawyer, a statesman in all the term implies, and yea, even more than this, he was a man. This gifted and brilliant son of Georgia will be missed in the Senate of the United States perhaps longer than any Senator who has departed that body in the last generation. Senator BACON'S death was a distinct loss to Georgia, the Congress, and the Nation.

The Congress of the United States did what they had seldom done before—accorded Senator BACON a congressional funeral held in the Senate Chamber in the Capitol of the United States. I was appointed as a member of the funeral committee which journeyed to Georgia and paid our last sad respect to this most distinguished Senator. I shall always remember that day. Georgia, with her warm-hearted people, did not bow their heads singly but collectively in tender reverence and respect to his memory. All day the body of this giant oak lay in state at the Georgia capitol in Atlanta, and there in that beautiful southern city was every head bared in grief and affection for Senator BACON.

Even a more touching scene was presented when the funeral train reached his home city of Macon. There, from the humblest to the greatest, all in accord, bowed their heads in tender reverence to the life of a public man who had honored the name of Georgia, had honored the name of Macon.

Macon is a city with broad streets beautifully arranged. It fairly seemed to me it was the only place that the dignified Senator could possibly have lived.

While it is true Senator BACON was a soldier and a southerner in all the term implies, still he was of remarkably broad vision and free from the narrowness that might have been expected from one who had suffered the hardships of strife during the earlier and impressionable years when the Civil War occurred. Though the war and the results dealt havoc, destitution, and hardship upon the South, Senator BACON was remarkably free from bitterness and partisanship that emaciates and enfeebles any cause, any Senator, any Congressman, or any citizen. Senator BACON did not live in the past but in the future. His face was ever turned toward the rising rather than toward the setting sun; he was all the South expected him to be in breadth of character and vision; he was more generous and charitable than the North could realize; he was a man who refused to be narrowed by hardships, but preferred to believe that he was the greatest who bore the greatest burdens, and Senator BACON never shirked or failed to bear his part. He was a true friend of the South not alone in empty protestations of affection but in real service actually rendered. He, by his sturdy character, untiring energy, and well-poised disposition, was able to beget respect and affection for the South when its load was almost heavier than it could bear. No detail of Government business was too small to have his patriotic and dignified attention. While it is true he paused and gave heed to form and asked and sought and accomplished the correct way, still it was not at the expense of substance; neither did he ever allow it to supercede or override principle. It was merely a trait in the life of Senator BACON which begot for him poise, good judgment, sound sense, and enabled him to be well and forcibly referred to as the safest counselor in all that great body.

Senator BACON'S long and faithful service on the Committee on Foreign Relations and his promotion to the chairmanship of that greatest of great committees has left its lasting imprint upon the Congress of the United States, and has made us all realize how closely he was related to the very pulsations of the heart of the Nation and functions with which that great committee had to deal. It is the committee that plays an important part in guiding us and keeping us in peace with all the world; it is the committee which to-day plays its full part in permitting us to be a peaceful, law-abiding, ambitious, progressive Republic without entanglements, embroilments, or embarrassing conditions. What Senator, what Congressman, would not be proud to look forward to the time when he could occupy this dignified and delicate rôle?

Georgia has in the past and will in the future send many able and gifted sons to the Congress of the United States, but when did she heretofore and when will she again send us another Senator BACON? No finer type of a true southern gentleman with dignity and poise will soon appear upon the battle field of American politics. No Senator from the North or the South will soon attend this body and lend more consecrated service to his own constituency or the Republic itself than did the late lamented Senator BACON. The dread reaper has called him, as it will call us all, but it generously spared him long enough to permit him to leave in the sands of time footprints that will not soon be effaced or erased. I repeat, he was left with us long enough to leave a lasting imprint of his work and his greatness upon the Congress indelibly inscribed upon the hearts of his colleagues, the citizens of Georgia, and the Republic.

As we recount the accomplishments of his busy life during the three-quarters of a century, and as we observe him standing for justice and the right to the very end, can anyone in thoughtfulness truly say that all is ended with the grave, and can anyone bring logic to bear that will teach us there is no future? No; I can not believe it; I do not believe it. To so believe belies our reason, our observation, and our every thought of serious things.

Senator BACON was a soldier; he was a statesman; he was a man. The legacy he left behind him was not a local one to the few, but a common legacy to all. It will endure long after our poor words spoken of his memory here to-day are distintegrated from the pages upon which they are written.

Mr. EDWARDS. Mr. Speaker, much has been said of the late Senator A. O. BACON'S long and distinguished services to his State and country. I feel that I can add but little, if anything, to this sad and impressive service, yet my affection for him and my admiration for his ability and character prompt me to say a few words.

Senator BACON was one of Georgia's greatest sons and one of the ablest men who ever occupied a seat in the United States Senate. Almost from the time he first entered the Senate, in 1895, to the time of his death, he was regarded and generally recognized as one of the towering intellects of that great body of distinguished men.

Senator BACON was born October 20, 1839, in Bryan County, Ga. He attended school in Liberty and Troup Counties, Ga., where much of his boyhood was spent. From his infancy he was an orphan. He made his own way in the world and won the high honors that came to him by his own efforts and upon his own merits.

In his early manhood he recognized the necessity of a college education, so he attended the State University of Georgia,

from which he graduated with honors in 1859. He graduated from the law department of this same institution in 1860. He entered the Confederate Army at the beginning of the War between the States and served during the campaign of 1861–62 as adjutant of the Ninth Georgia Regiment in the Army of Northern Virginia and was subsequently commissioned captain in the provisional army of the Confederacy and assigned to general staff duty. At the close of that unfortunate war he resumed the study of law and began practice in 1866 in Macon, Ga.

In war and in peace, he was ever at the service of his State. He was repeatedly chosen a delegate to the State Democratic conventions. He was a strong Democrat, and believed in and advocated the principles of Jeffersonian Democracy of the purest strain. There is nothing in his long public career to the contrary.

The people of his county, who had an opportunity to know him best, had every confidence in him. They elected him to the Georgia House of Representatives, where he served with marked ability from 1871 to 1886. In the Georgia House his worth was recognized and he was made speaker pro tempore two terms and served as speaker for eight years. His record in the Georgia Legislature, like his record in the United States Senate, was one of distinct service to the public. He was a slave to duty and never let anything interfere with the performance of his public duties. He was a conspicuous figure for years in public affairs and in politics in Georgia before his election to the United States Senate. He was several times a candidate for governor of his State, and in 1883 in the Democratic convention he missed the nomination for governor by only one vote. The Democratic nomination in Georgia for many years back meant the election of the nominee, which I am happy to add is still the case in that good old democratic Commonwealth.

The ambition of his life was to be a United States Senator. His ambition was first to be governor of Georgia and then represent his State in the United States Senate. In 1894 he was elected to the United States Senate and took his seat in that great body on March 4, 1895. He was reelected in 1900. With a firm grip he merited and held the esteem and confidence of his fellow citizens, and in 1907 he was again elected. As a still further evidence of their continued and unbroken confidence in Georgia's greatest son of that time, his fellow Georgians not long before his death again elected him. By general State primary in 1913 he was nominated for election to the term expiring March 3, 1919. His last election was the first to elect a United States Senator by a direct vote of the people. His service was a continuous and unbroken one in the United States Senate from March 4, 1895, to the time of his death on February 14, 1914 It was a long, able, patriotic, and useful service. He had great power and influence in the Senate, of which body he was for a while President pro tempore.

Senator BACON was a great lawyer. He was a hard worker. He was a recognized authority upon parliamentary procedure and upon constitutional questions. He had long been a student and a defender of the Constitution. He was also recognized as an authority on questions of foreign affairs and foreign relations.

The funeral ceremonies, held in the Chamber of the Senate, attended by the greatest men of this country and by representatives of many foreign countries, evidenced the esteem in which he was held at the National Capital, where he had labored so long, so faithfully, and so well. His death was a great loss to his relatives and friends and to his State and country.

His successes, by his own efforts, should be an inspiration to every American boy. It shows what can be accomplished by one who prepares for life and then keeps his life free from blemish.

Senator BACON was a true southern gentleman—courteous, kindly, brave, the very soul of honor. He hated hypocrisy. He loved frankness, candor, and sincerity.

The words spoken here to-day are not flattery. They are merited by a long and honorable record which is without stain. For weeks he had not been well, and his work here was carried on in the face of difficulties which would have discouraged a less courageous man. But he did not flinch, and he never inflicted his troubles upon his friends.

The passing years will show more and more clearly how great is the country's loss. He represented with absolute fidelity a noble and devoted constituency, which will ever hold in grateful remembrance this manly and useful life.

> Nothing is here for tears, nothing to wail
> Or knock the breast, no weakness, no contempt,
> Dispraise or blame—nothing but well and fair;
> And what may quiet us in a death so noble.

Mr. HUGHES of Georgia. Mr. Speaker, the people of this Union know the distinguished record of Senator BACON, for he was a national figure. He was a statesman of rare ability, endowed with a brilliant intellect, educated, cultured, and trained in parliamentary usages, admirably equipped to stand sponsor for a great people. He stood second to no one in the Senate of the United States. In his death Georgia lost one of her noblest and most gifted sons, the Nation a legislator whose scrupulous honesty and unusual ability inspired an international confidence and respect.

But it is not of his illustrious achievements that I wish to speak to-day, for his colleagues in the Senate and those who have preceded me here to-day have paid eloquent tribute to his honorable service. It is as a friend that I wish to offer my humble tribute of love and respect, for great as the loss I feel Georgia and the Nation have sustained in his death, it is chiefly as a departed friend that I mourn him.

In those dark and terrible days of reconstruction, when every light of hope was dimmed, and the whole Southland was shrouded in sorrow and despair, I first saw Mr. BACON, a young man of commanding figure, faultlessly attired, with a long, wavy, silken beard. He had come to the county seat of my native county, Twiggs, then a part of his congressional district, in company with many of the State's most beloved sons, to address the people of the county on the issues of the day. It was one of the first political meetings after the close of the great war between the States. Fresh from the conflict, where his lot had been cast with the losing side, he had come that day to inspire hope in a struggle that seemed hopeless, pointing the way in the new era that was upon us. In the great assemblage he faced on that occasion were men who a few short years before had left their large landed estates where they enjoyed every comfort, with a retinue of servants at their bidding, for the fields of battle, and had returned but yesterday to find their homes in ashes, their fields in idle waste, and a revolutionized economic system. It was a mighty task young BACON faced that day, and masterly did he meet it. He was equal to the emergency. Unknown save as a gallant young soldier, his words were so logical and his prophecies so convincing that his powerful oratory laid hold on his hearers and they found hope in the dark and impenetrable future. His speech was an inspiration to the young men and a comfort and consolation to those of declining years and lost fortunes, on that eventful day in Georgia's history. Speaking with some of the leaders of that epochal period, young BACON won the confidence and respect of those who heard him. Everyone present was impressed with the careful preparation and thorough knowledge which marked his speech. His words that day were prophetic, and he lived to see Georgia rise again to wealth and power and greatness in this indissoluble Union of States.

When I was presented to him by my father I felt that I had met a man rather unbending, who stood upon a plane difficult to approach, but in that meeting was the beginning of an acquaintance which soon ripened into a close personal friendship that was intensified by each passing year and continued throughout his life.

His general bearing at a casual meeting was aristocratic and aloof, but when you knew him well you found him genial, generous, and lovable, a man with the noblest impulses and with a heart as warm and true as ever beat within the breast of man. He knew neither guile nor deceit. He was a courageous and honest man.

I never knew a man with a finer sense of honor in his business affairs than characterized Senator BACON. He judged men by their conduct in small transactions in which rested big principles. It was the intent that he weighed, and he always resented injustice in trivial matters, for he considered them as indexes to the human character. Incidents of this kind caused him to be misunderstood and criticized, but if you knew the man you knew him to be just and broadminded. I feel that I should speak here of an incident with which I am personally familiar to show the real nobility of the man.

A friend of his, who was one of the original projectors of a new railroad, employed him to defend the charter rights of the railway company, and upon the decision in the case depended the success or failure of an important enterprise in Georgia's development. He was paid a retainer of $500 by this gentleman. With his great legal skill he fought the case to a successful conclusion. Mr. BACON presented a bill of $5,000 to the president of the company, who advised him that the charter was to be defended by the man who had employed him and not by the railroad company. The Senator's friend called at his office to pay the balance of the fee. Mr. BACON asked his friend if it was true that he was individually responsible, and when he received an affirmative answer he asked for the bill he had

rendered and tore it into shreds, remarking that the account was settled. The man tendered him a check to cover the balance of the fee, but the distinguished lawyer refused it, saying that it would be an injustice for his friend to pay it and that that ended the matter. It did.

Senator BACON was incapable of doing what he considered an injustice. He was a big man of big heart, big brain, and noble impulses. There was not an atom of littleness in him.

While he devoted the greater part of his time to the practice of law Senator BACON gave much of his work to the upbuilding of his State, and was ever a prominent figure in the political arena. He possessed untiring energy and was a diligent student. He was one of the most eminent lawyers Georgia has ever given to the Nation, and while he was actively engaged in the practice of law he was employed in practically every great litigation in the State.

In his political life he was frank and outspoken. It was his belief that a candidate should stand upon principles, and there was never any difficulty in finding where he stood on public questions. Few men were ever better equipped for the duties of a statesman, none more sincere and honest.

It was but natural that his State should call him to many public offices and finally crown his political life with a commission to the Senate of the United States.

It is with a feeling of deep personal loss that I say these last few words in memory of my friend, whose nobility of character will ever be an inspiration to the youth of the Nation, whose life is worthy of the highest emulation.

Mr. VOLLMER. Mr. Speaker, I esteem it as one of the greatest honors that has come to me during my short service in this House to be invited by the Georgia delegation to voice my sentiments on this solemn occasion.

A great Senator from a great State has answered the last roll call. The span of my entire life would not measure in period of duration the length of his public service. I was born in Iowa two years after the close of the War between the States in which he fought. In my early childhood, that period when the mind receives its most lasting impressions, the reverberations of that mighty conflict had not yet died away, and one might have expected that I would have been permanently affected by influences hostile to the South and southern men. But, on the contrary, I early became a violent partisan, not of their cause but of them personally. I believed, and I still believe, that it was best that they were defeated and the Union preserved; but when the great story of their exploits was first told to me, my boyish heart went out to Lee and Jackson and those tattered gray battalions who won, not victory, but glory, transcendent and imperishable, by heroism rarely equaled and never excelled. I remember with pleasure how in that early day I idealized your State. Its very name came to my ear like music. I thought of it—and think so still—as the home of brave men and beautiful women, of chivalry and courage, of gracious manners, and of every generous instinct of the human heart; as a land favored by the smiles of Providence, where "the cotton whitens beneath the stars and by day the wheat locks the sunshine in its bearded sheaf."

Why, out of that devoted sisterhood of the lost cause, I should have set my heart upon your State more than another I can not tell, unless its strange explanation be found in the following curious fact. At that time in the Middle West the victory in which our section had had so large a share was still causing great swelling waves of triumphant emotion. By screaming fife and rattling drum, by brass band or soldiers' chorus, by every possible instrumentality, at all times and in all places, we were entertained with Marching Through Georgia. Thank God, that in the metamorphosis caused by time this is no longer the barbaric pæan of triumph over a noble foe! And I may add that now your own Dixie is cheered quite as much in the North. But even at that early age I glimpsed what it must have meant to you. We of the North want you of the South to erase from the tablets of memory the horrible thing out of which it grew. It should cause all of us Americans at this day to judge with less intolerance other acts of military necessity and not to indulge in too much canting hypocrisy about war and its atrocities when charged to some other people that may not be much worse than we are.

Pardon these reflections, by the way, which are perhaps not altogether out of place here. Someone has said:

We are as ships that pass in the night, that speak to each other a moment in darkness and then pass on.

And when one of the great ones of the race passes on we are shocked out of our cold isolation; we instinctively seek for and extend the hand of sympathy and reveal ourselves in our innermost natures more plainly to each other than at any other time.

Senator BACON'S life and works epitomize a remarkable chapter in history. After the Civil War, when the South, "like Niobe, all tears," sorrowing over her children, sat among the ashes of her ruined industries and blackened hearthstones, when a more terrible problem than the war itself came with reconstruction, he did his part bravely, patiently, and untiringly to lift her up on her feet again and to save white civilization from the shadow of an awful impending danger. Misunderstood as it was at first by the people of the North, I believe that to-day that section is almost unanimous in the desire to let the South work out the race problem for herself in the light of her greater familiarity and better understanding and more vital interest.

A great lawyer, Mr. BACON was soon called to give his State the benefit of his professional training and great ability in the capacity of a lawmaker; and in many years of distinguished service in her legislature he helped her to pass through this the most trying period of her history. Providence smiled upon his labors and of those of his compatriots. Out of the ashes of the old, like the fabled bird of Greek mythology, the new South arose in all its present splendor and gorgeous future promise and soon its message came to us, borne on the voice of the immortal Grady, like accents of divine revelation. We heard and we believed.

For 19 long years Georgia sent Mr. BACON to the greatest representative parliament this world has ever seen, and for this long period and until death called him from his unremitting labors he here served his country with as great love and loyalty as his State. Oh, how more powerful is love than hatred, for it has produced this miracle of accomplished fact, a union of hearts and common aspirations, of patriotism that knows no dividing line, a solemn compact sealed with the mingled blood of the sons of those who wore the gray and of those who wore the blue on battle fields 10,000 miles apart, from Santiago to Manila, and again on the burning sands of Vera Cruz. And not less has it been cemented by the labors of peace under this splendid dome, joined in whole-heartedly by men from both sides of what was once known as Mason and Dixon's line. Here Puritan and Cavalier, native and foreign born, those of ancient and those of more recent lineage, all merge in the greatest of all human titles of nobility—American citizenship. "Kings and emperors" may well "gaze and marvel" at the wondrous spectacle here and now presented, of a free self-governing people, saluting, living under, and willing to die for one flag—the most beautiful on earth—and working in harmony for a better, cleaner, freer humanity in the New World, while the civilization of the Old World seems to be sinking in a bottomless sea of blood.

Senator BACON believed in the Constitution of the fathers, He appreciated the wisdom of those checks and balances, so irksome to impatient radicals, which prevent it from being what Macaulay said it was, "All sail and no anchor"; which bar the way alike to the confiscatory zeal of State socialism and the blind fanaticism of those who would enthrone the mob as a more absolute tyrant than any autocrat in Europe. He believed in the division of Federal powers from the reserved rights of the States. He believed in the American doctrine of local self-government. He believed in the great mission of our country among the nations of the earth, and he would not be seduced from loyal adherence to these sublime ideals of national duty and democracy and of the justice of government based on the consent of the governed. He could not be tempted to leave the solid ground of the principles established by the founders of this Government to follow that will-o'-the-wisp—conquest in distant seas and world-wide dominion—which lures Republics into the treacherous bog of imperialism.

I presume he had to suffer at times, as all of us do, from envy and malice and all uncharitableness; and that he shared in the common lot of those in public station to be misrepresented and misunderstood.

The loftiest mountains are covered with ice and snow;
He who surpasses or subdues mankind must look down on the hate of those below;
Though high above the sun of glory glow, round him are icy peaks,
And on his head blow rude contending blasts which thus reward
The toil that to those summits led.

And yet his was a glorious career, for so long a period of time, in the words of the poet—

The applause of listening senates to command,
The threat of pain and ruin to despise,
To scatter plenty o'er a smiling land,
And read your history in a nation's eyes.

Mr. Speaker, on the honor roll of those who in their lives and works contributed much to the production of our present

reunited American commonwealth—perhaps the happiest and most fortunate result of the evolution of human affairs that has been brought about in all the tide of time—the name of AUGUSTUS OCTAVIUS BACON, Senator from the State of Georgia, will shine out in characters of living light for the reverent regard of generations yet unborn.

Mr. HOWARD. Mr. Speaker, Senator AUGUSTUS OCTAVIUS BACON was my close kinsman, our mothers were sisters, and I loved him with tenderest affection.

In my boyhood, my young manhood, and in my maturer years he was my counselor, my true friend, my godfather. So long as life in me exists I shall revere his memory and strive to emulate his life in all things.

The imperial State of Georgia delighted in showering her rarest honors upon him; and when God called him, and all Georgia bowed her head in unutterable grief, the tender and consoling words of Myrta Lockett Avory, a Georgia woman, expressed Georgia's love and admiration for him who had served her with such distinction and so faithfully in the highest councils of the Nation:

Do not bow thy head, O Georgia,
Shed thou ne'er a tear;
Walk thou smiling, proud, majestic,
From thy great son's bier.
Wear no sable garments for him,
Don thy vestments white,
Bind the oak about thy forehead,
Stand forth in the light,
Gracious, glorious, glad, victorious,
By maternal right!

E'er a son's completed record
In its high renown,
Is unto the State, the Nation,
To the race, a crown.
And for motherhood triumphant,
Is no cypress wreath,
But the palm that honor giveth
In the court of death!

Mr. CRISP. Mr. Speaker, when, on February 14, 1914, the Great Reaper of the Universe called to its final reward the soul of AUGUSTUS OCTAVIUS BACON, the State of Georgia and the United States lost a statesman, the peer of any man of his day and generation.

The true treasures of a nation are its good men, and neither death nor time can steal them. The man indeed dies, but the memory of his character and life survives and is a perpetual inspiration to the youth of the land to emulate his example.

Lives of great men all remind us
We can make our lives sublime,
And departing leave behind us
Footprints on the sands of time.

Mr. Speaker, as long as time remains the memory of Senator BACON will not die, for he has played too prominent a part in the affairs of state to ever be forgotten. Senator BACON, the posthumous son of the Rev. Augustus O. Bacon and Mary Louise Bacon, was born in Bryan County, Ga., on October 20, 1839. He graduated at the University of Georgia in the literary and classical departments in 1859, and in the law department in 1860; he entered the Confederate Army at the beginning of the War between the States and served during the campaigns of 1861 and 1862 as adjutant of the Ninth Georgia Regiment in the Army of Northern Virginia. At the close of the war Senator BACON began the practice of law in Macon, Ga., and rapidly rose in his profession, and when elected to the United States Senate in 1894 stood easily at the head of the bar in his State. Senator BACON always took an active interest in public affairs and sought to serve his fellow man. The Civil War, a war that produced on both sides patriotic and heroic soldiers whose valor and heroism have never been equalled in all the annals of time, which war had completely devastated the resources of the South, had only been ended a few years. The years immediately following the close of the war were more trying, terrible, and heart-rending to the people of the South than even the days of the awful conflict, for the governmental affairs of the various States of the South were now in control of renegade carpetbaggers and ignorant negroes, who were vicious and incapable of self-government. This was a time of all times when the Southland needed the services of her ablest men. Senator BACON offered to the people of Georgia his great talents and served them in the lower branch of the legislature for 14 years, serving them with great ability and fidelity and indelibly stamping his personality on many statutes of the Commonwealth. He served so faithfully and efficiently that his colleagues in the legislature elected him their presiding officer, and for eight years he was the speaker of the Georgia Assembly, and the State never had an abler speaker.

Senator BACON held many positions of honor and trust in his native State, and distinguished himself in every instance. For many years he was one of the trustees of the University of Georgia, his alma mater, and always took a great interest in its affairs and had its welfare ever at heart.

Senator BACON was a man of great reserve and dignity and was frequently misunderstood, but he possessed a warm heart and was a true, loyal, and unselfish friend.

Mr. Speaker, I desire to here refer to an incident connected with Senator BACON, probably known to very few, which illustrates the bigness and loyalty of my deceased friend. In 1893 Senator Colquitt, whose time in the Senate would have expired in March, 1894, died. He was not a candidate to succeed himself, and AUGUSTUS OCTAVIUS BACON was an active candidate for this senatorial toga. Upon the death of Senator Colquitt Gov. Northern tendered my revered father, Charles F. Crisp, then Speaker of this august body, the appointment as United States Senator to fill this vacancy. Mr. BACON immediately wired his friend, Mr. Crisp, that if he accepted the appointment he, Mr. BACON, would withdraw from the senatorial race and give Mr. Crisp his active support for the full senatorial term. Mr. Crisp declined the appointment, and Gov. Northern appointed Hon. Patrick Walsh, of Augusta, Senator. Mr. BACON continued his candidacy for the Senate, and when the legislature convened in 1894 he was elected, and thrice thereafter the people of Georgia reelected him to represent them in the highest legislative body in our country.

Senator BACON was peculiarly well qualified to represent his State in the Senate. He was a man of great intellect and was a complete master of parliamentary law, a trained legislator, a profound lawyer, and was an able and skillful debater. This equipped, very soon after he took the oath of office his colleagues in the Senate realized he was destined to be a leader among them, and he soon took high rank in the Senate. He served on many of the most important committees of that body, and when we, the Democrats, regained the Senate Senator BACON was made chairman of the important Committee on Foreign Relations. His knowledge of international law was so profound and his judgment on delicate questions of state was so wise and safe to follow that the administration frequently sought his counsel and advice; but just when his country needed him most, in the very zenith of his intellectual power and usefulness, he quietly and peacefully passed away.

And could we choose the time,
And choose aright,
'Tis best to die
Our honors at the height.

Georgians were proud of Senator BACON, loved to honor him when in life, and now revere his sacred memory. Mr. Speaker, Georgia and our country have lost a noble son, and I have lost a personal friend. I shall ever cherish with recollections of gratitude the many acts of kindness extended me by our distinguished dead. When I entered upon the duties as Representative from the third district of Georgia, the wise counsel and sympathetic help of Senator BACON was ever at my command.

Mr. Speaker, if friends on the other shore are cognizant of events transpiring here below, I am quite sure the heart of our deceased friend was made glad when last year the legislature of the State he loved so well did him the honor of naming one of its counties Bacon, for him; thus will the name of Bacon be forever perpetuated in the Empire State of the South.

Pursuant to popular demand, the Constitution of the United States was amended by providing that United States Senators should be elected directly by the people of the States, in lieu of being elected by the legislature. Senator BACON had the distinction of being the first United States Senator to be elected by the direct vote of the people.

Mr. Speaker, the services rendered our country by the distinguished deceased statesman were so great that it would be out of place for me to take sufficient time on this sacred occasion to enumerate them all. Suffice it to say that, while the Senate of the United States has had among its Members many able, patriotic, and truly great men, the late Senator BACON was the peer of any of them.

Statesman, yet friend to truth, of soul sincere,
In action faithful, and in honor clear;
Who broke no promise, served no private end,
Who gained no title, and who lost no friend;
Ennobled by himself, and by all approved.

Mr. PARK. Mr. Speaker, it may be truly said that Senator BACON was not only one of the greatest men that any sovereign Commonwealth has sent to the United States Senate, but he was one of the most punctilious in all things. No detail was ever too small to escape him. Such was his conception of the rights

of the American people in their legislative representation at Washington. No influence, be it ever so great, could swerve him from the straight course of duty and right. In all the years of his splendid career at Washington he felt it his duty to be present at every session of the body to which the people of the great State of Georgia sent him, and his only absences during that long span of service were solely for providential reasons and not for personal convenience.

At the convening of Congress he was frequently one of those assigned the duty to notify the President. When Congress adjourned it was often his duty to notify the Chief Executive of the Nation that the greatest parliamentary institution on earth had ended its labors for the session.

He jealously guarded the Senate's rights and prerogatives as no other man did in many long years. He was an undisputed authority on the precedents of the Senate. As one of the senior Members of that body, he commanded the respect and confidence and love and admiration of every colleague, however much they might differ with him politically. No man ever so stoutly and sincerely contended for the upholding of that dignity of the Senate as an institution that should ever be held firmly in the minds of all thinking people. He contended, in brief, that the creature can not be greater than the creator, and that therefore the Senate as the upper branch of Congress can not be inferior in *rank to offices* which are the mere creatures of Congress.

He held the fundamental and controlling fact to be that the Federal Constitution creates no offices except those of the Presidency, the Vice Presidency, the Supreme Court, and the Congress, composed of both Houses. All other offices of the United States have been created by act of Congress; and he held that, if it be deemed necessary, Congress may at any time abolish any of these offices except those above named, which were created by the Constitution, and create others in their stead. This has happened in recent years. Congress has created many; abolished many.

With the President and Vice President, in their order, standing first, unquestionably, the Senate, as he viewed it, courteously yielded the right of precedence to the Supreme Court, but uniformly, as the head of the legislative branch of the Government, declined to concede more than this recognition of the heads of the executive and judicial departments. "Insistence by Senators of their superior rank," he once said, "is not made in depreciation of other officials. No officer of the United States, saving only the President and Vice President, is depreciated in being placed second in rank to Senators."

The great State of Georgia lost one of its greatest of a long list of great men in the passing of Senator BACON. In that galaxy of great public men who have lit with splendor the proud escutcheon of Georgia and contributed to the prowess of this great Nation among the peoples of the earth no name shines with greater luster than that of AUGUSTUS OCTAVIUS BACON. No record of legislative achievement within the past two decades is complete without bearing upon its face the hall mark of his great mind, and no movement of any national consequence has been undertaken by the great body in which he served so long that failed to reckon with his clear and convincing views.

A southerner, he knew no sectionalism that could overshadow his duty to the country in enacting its laws, though he loved his State and section with the deepest of loyal sentiment.

A Senator, he jealously guarded the constitutional rights of the Government and the people, not for the passing show, but for the great and everlasting glory of the greatest people in the world. His every act was in the direction of safeguarding the rights of the people.

His command of legislation was surpassed by none. Every vital national problem that was to be an issue since he first took public office was mastered by him in readiness for its consideration in the Halls of Congress. He was conspicuous in the consideration of the tariff, currency, and other momentous policies. He was active in the framing and discussion of the Panama Canal, railroad, and other great legislation. He was in the fore of every constitutional debate. He was active in the consideration of popular elections of Senators and along many other lines of legislation that have attracted popular attention.

In the foreign relations of the United States he was a potential figure. A member of the great Committee on Foreign Relations, and for some time its chairman, and thereby the directing head of the consideration of foreign policies in our legislative halls, he stood forth a great national figure in the shaping of action upon those issues on which vitally hinge the international comity of the governments of the world.

Replying to a request by me for a word on the character and career of Senator BACON, President Wilson said:

It should be a rich theme, for Senator BACON'S service in the Senate was long and distinguished. After I myself came into office, I learned to entertain for him a very great respect as a thoughtful and conscientious public servant. My dealings with him were chiefly in the field of foreign affairs, where I found him singularly well informed and always inclined to promote the highest principles of action.

These generous words will ever be dear to Georgians, who loved the dead Senator and who love and admire the great President.

In the Philippine and Cuban developments his mature counsel was voiced in the Senate Chamber.

His was a shining instance of the greatness of the land in which we live, for no man sent to the Nation's Congress by a great people ever transmitted to history a record of greater achievement in the cause of the whole people.

He was a broadly finished scholar, closely familiar with the history of political questions which have disturbed this and other countries, even those which shook and sundered ancient kingdoms and principalities, and he put to use that knowledge in efforts to guide the American ship of state. "Were it not for minds like his, the dust of antique time would lie unswept and mountainous error grow too highly heaped for truth to overpeer."

His steady ascent from obscurity to great prominence was not attained by sudden flight, but resulted from well-directed, intelligent effort. His public acts and life ever satisfied as proud a constituency as lives to-day under the flag.

His death, following so brief an illness shocked his associates at the Capitol and spread gloom and sorrow amidst the people of Georgia as they sadly realized that a great Georgian and a trusted Democratic counselor of the National Government had passed on his way.

The public men of the Nation met in the Senate Chamber to do his memory honor; the Supreme Court, both Houses of Congress, the Cabinet, foreign embassies and legations, and many dintinguished visitors. An escort of Senators and Representatives accompanied the casket containing his body to Atlanta, where thousands and tens of thousands awaited, standing with bared heads as the procession passed on its way to the State capitol where his body lay in State; as the casket was borne through the terminal station in Atlanta on its way to the grave in Macon, it passed between two lines of Confederate veterans who bowed a silent farewell to their comrade in arms, while the torn battle flag of his regiment hung with caressing sweep over the passing casket; and then and there amidst vivid and crowding memories of the past he received the holiest baptism that can come to the living or dead, tears from the eyes of old comrades in arms, after a half century of separation from intimate association.

He was a Senator whose course and conduct satisfied his people; like the mountain streams and breezes of his State, her humming industries, and all her great things past and present, he fitted into the harmony of things and blended with all—a part of all.

He loved with deep devotion his beautiful mother State; her brow bound with the priceless Appalachian chain, her left cheek laved with old Atlantic's tireless hand, making of her dimples the safe and ample harbors for the fleets of the world, her right cheek moistened by Chattahoochee's limpid stream beaded with commerce-bearing vessels, her throat adorned with the supernal beauty of Florida's varied hues, through which course the arteries bearing the life blood of internal trade, and with his loving devotion to his mother State he gave to her service the best years of his great life.

His calmness and self-possession gave the impression to the beholder of coldness and lack of feeling and sympathy; yet beneath the calm was a nature as simple and direct as that of childhood, and within his breast there pulsated as warm a heart as that of any who has wiped away the orphan's tears or relieved distress of suffering humanity.

His nature was proud, and beneath the pride one could not always see and feel the beat of his tender, honest heart.

His charity was white handed and voiceless.

Georgia has produced her meed of men of greatness, and in the foreground, among the greatest of them all, on its roll, and on the scroll of national fame, there stands the memory of the magnificent life of the famous publicist whose services to his country we commemorate to-day.

Mr. VINSON. Mr. Speaker, we are told on high authority that "there is a time to weep, and a time to laugh; a time to mourn, and a time to dance;" and in the official life of the Members of Congress to-day is a day of mourning. We have ceased to think the thoughts of our parties; we have banished the dreams of ambition; we have put away the trappings of place and pride, left our mirth and our employments, to spend a brief while in solemn reflection upon the life and virtues of

that distinguished Member of the United States Senate who has been translated to the realms of eternal bliss.

One of the most thrilling events of human life comes when the great spoiler, like a gigantic bird of prey, swoops down and fixes his talons into the side of a man and tears his child or his life companion away. When a man looks into the pale dead face of the wife of his bosom he feels that his very life is invaded. As truly as this is applicable to a man, so truly is it applicable to the Empire State of the South. For the pale messenger that never tires and never pities; the messenger that called Sappho from her odes and Letitia Landon away from her sorrow; the messenger that called Byron to where he could sleep, and piloted Poe to the "misty dim regions of Weir," did on the 14th day of February, 1914, knock upon the door and reach upon the inexorable roll call the name of AUGUSTUS OCTAVIUS BACON, and guide him into that radiant hereafter, of which hope is the creator and faith the defender. A soul which needed no cleansing to fit it for the companionship of the just.

It is true, Mr. Speaker, that many great and distinguished Members of the United States Senate have "passed over the river" and gone to that great beyond, but I measure my words when I say that among that great number there have been few, yea, very few, who gave more complete and unfaltering devotion to his State and the Nation he loved than did that illustrious lawmaker.

When the news was flashed over the wires announcing the death of Senator BACON, the people of a great and prosperous State mourned; imperial Georgia wept, for a true son had passed to the beyond.

His learning as a lawyer, his success at the bar of his native State, his ability, skill, and force as a debater in the Senate, his unusual talent, tact, and genius as a parliamentarian, his unsullied honor, his innate dignity and courtesy, his high regard for the proprieties, traditions, rights, and prerogatives of the Senate, his unwavering loyalty to the South and her people, his unfaltering advocacy of State rights, and his American patriotism are well known to the people of the United States.

Mr. Speaker, he entered the Senate on March 4, 1895, and served 19 years. At the time of his death he had not served one year of his fourth term. The Senate was in session at the very hour of his demise, and instantly adjourned out of respect and in deep sorrow. Imposing funeral services were held in the Senate Chamber, and the body was then taken back to Georgia to be interred beneath the old red hills, among a people he loved and who loved him.

During a service of 19 years Senator BACON was never absent a day from the session on account of pleasure or his personal affairs. Possibly no other Senator has been able to claim such a record for punctuality. He was the first Senator ever elected from Georgia for the third consecutive term, and was the only one elected from the State for four terms. He was the first Senator elected in the United States by the popular vote of the people under the recently adopted amendment to the Federal Constitution.

In the Sixty-second Congress he was elected President pro tempore of the Senate, and served parts of the years 1912 and 1913. On account of his impartiality and great learning as a lawyer he was chosen to preside over the Archbald Court of Impeachment. The Senate was Republican, the defendant was a Republican, yet so great was the confidence of his colleagues, regardless of party lines, as to his ability, his uprightness, and his fairness he was selected to preside, and every ruling of his was sustained, notwithstanding the trial lasted for many weeks.

When the Republican Party went out of power in the Senate on March 3, 1913, Senator BACON became chairman of the Committee on Foreign Relations. He had for years during the Republican administration been the ranking Democratic member of Foreign Relations, Judiciary, and Rules Committees. When the Democrats came into control, he could have had the chairmanship of either of these committees he desired. He selected Foreign Relations, for which he was admirably equipped. He was a member of the Judiciary Committee 17 years, Foreign Relations 15 years, Rules Committee 13 years.

He discussed with remarkable ability every question of importance that came before the Senate during his 19 years of service and illumined every subject he debated.

The debate in 1906 between Senator BACON and Senator Spooner, on the merits of the Clayton-Bulwer Treaty, for intellectual vigor, grasp of the subject, compactness and lucidity in statement, ranks as one of the greatest debates ever delivered in the Senate.

Mr. Speaker, all nature speaks the voice of dissolution; the highway of history and life is strewn with the wreck which Time, the great despoiler, has made.

The dweller of the infant world saw that all the world was his foe; earth, air, and water swarmed with his enemies; the forces of nature, the elements, the beasts of the field, all combined to accomplish his destruction. He saw his wife, his children, and his tribal brothers lay disease stricken and die in his presence, while he was helpless to comfort or relieve. No downy couch or smoothed pillow gave comfort to his pain-racked body. No surgeon's skill repaired the manglings of the battle or the chase, and no sedative remedies tempered his death pangs.

The life of the dweller of the infant world was one long contest with nature's unchained and untamed forces. "For him death rode on every passing breeze and lurked in every flower." He saw that "As for man his days are as grass, as a flower of the field, so he flourisheth, and the wind passeth over it, and it is gone, and the place thereof shall know it no more." Could this be all of life? His primitive nature hungered for something more and abhorred the idea that death was annihilation.

So ancient man, as he lay on his bed of boughs in the gnarled branches of some giant oak or sat at the entrance of his cavern home, occupied himself with serious and solemn thoughts of the future and witnessed the phenomena of the natural universe. He saw the sun rise and scatter the mists of the morning and drive across the celestial dome to go down a ball of fire in a lake of burnished gold, and in the silent vigils of the night he saw the myriads of twinkling-eyed children of the sun and the queenly moon in their march athwart the firmament, and all these infinite ends of heaven be peopled with the creatures of his fancy and filled all things and all space, even to the very frontiers of his imagination, with an all-wise and a powerful God.

He saw the seasons succeed themselves and the harvest succeed the seedtime. He saw approaching winter lay icy fingers on all the beauties of field and forest and all nature struggling in the pangs of death until winter sepulchred her in a crown of snow and all the world was dead. But again he saw the smiling beams of a vernal sun conjure a new and glorious life into old earth, and where one flower bowed its head to winter's blast a multitude of bright-eyed beauties lifted their heads to kiss the coming beams, and hopeful, happy man read the glorious promise of a resurrection and of life immortal.

Mr. Speaker, we are but those of whom others shall say, to-morrow, "They are the dead." From the beginning of time, through all the ages, every man has propounded to his innermost soul this question, "If a man die, shall he live again?" How simple is the mystery!

He can not die who truly lives,
For virtue has immortal breath;
'Tis but the sowing of the grain
Which blossoms into life again
And finds perfectness in its death.

If the seed be perfect, the harvest is sure;
If the fountain be sweet, the waters are pure;
If the present is right, the answer is plain;
If a man dieth, he liveth again.

THE LATE REPRESENTATIVE FORREST GOODWIN.

Mr. PETERS. Mr. Speaker, I ask unanimous consent that those who speak on the life, character, and public services of the late Mr. GOODWIN be permitted to revise and extend their remarks in the RECORD, and that the same privilege be granted to all Members.

The SPEAKER pro tempore (Mr. BARTLETT). Is there objection?

There was no objection.

Mr. PETERS. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 741.

Resolved, That the business of the House be now suspended in order that opportunity may be given for tributes to the memory of Hon. FORREST GOODWIN, late a Member of this House from the State of Maine.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career the House at the conclusion of these exercises stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the widow of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. PETERS. Mr. Speaker, when a man heavy with years, having lived a long and complete life, is called to his reward it is an occasion of solemnity—because death is always solemn—

but not necessarily of sorrow and regret. When a man full of strength and power of usefulness, at the zenith of his capacity, equipped with a varied and well-digested experience, of matured judgment, forceful, sane, eloquent, high minded, able, and ambitious, is suddenly removed from his sphere of earthly activity his friends and associates are shocked and grieved and organized society is hurt.

When FORREST GOODWIN died, shortly after he had taken his seat in this Congress, a wave of sorrow swept over his State. He was indeed a favorite son. His future was perhaps the brightest of that of any matured man in Maine. He had completely equipped himself for, and had a right to expect a long, honorable, and brilliant career in Congress. He had obtained an education through his own efforts. Graduating with honor from Colby in 1887, after preliminary schooling in the high school of his native town of Skowhegan and in Bloomfield Academy, he entered upon the study of the law, pursuing his studies first in the office of Walton & Walton, of Skowhegan, and later in the Boston University Law School, where he successfully completed a three years' course in one. During his school and college life he developed extraordinary proficiency in athletics, especially in baseball, and was a prominent and formidable figure on his college nine, greatly contributing to its success in contests with other colleges. He was a sturdy son of Maine, of great energy, force, and capacity for effort, both physical and mental. He entered upon the practice of the law in his native town with brilliant prospects, which were realized in his subsequent career. Soon after his admission to the bar he laid aside his legal work for a time and came to Washington as parliamentarian to Speaker Reed.

It is interesting in this connection to note that he was recommended for this position by the Hon. ASHER C. HINDS, now representing Mr. Reed's district in this body. Mr. GOODWIN, at that time entering on manhood, was unknown to Mr. Reed, but he soon acquired his esteem and confidence, and by careful work and attention to the details of the position he amply justified his recommendation by the man whom the minority leader of this House has rightly called the greatest parliamentarian in the United States, to the man who acquired his greatest fame and world-wide reputation in the Speaker's chair. Without question, the knowledge and experience gained by Mr. GOODWIN while working with Mr. Reed in Washington were of great value in after years when he became a member of legislative bodies, and especially when, in 1905, he became president of the Maine Senate.

Mr. GOODWIN had a characteristic, possessed by all great men, of assimilating information and using experiences. Past question all the experiences in the life of a man are useful to him, but strong, alert minds make better use of them than others. Whether at early schools, in the classroom at college, on the baseball field, at the law school, by the Speaker's side in Washington, or through early hard knocks in the practice of the law, Mr. GOODWIN was continually laying up stores of knowledge and fitting himself, consciously or otherwise, for a commanding position in life's battle.

He early acquired the habit of success. My acquaintance with him began in college days, and he was even then a dominating figure, much respected and admired by his mates, and by the students of other institutions, taking honors that came modestly and not puffed up by achievement. On graduation it was as natural that he should be class orator as that Holman Day, of the same class, should be class poet. The impetus of early success never left him.

After two years' service in Washington with Speaker Reed Mr. GOODWIN returned to his native town and engaged in the active practice of the law. The lawyers of Maine are not specialists. They have to take such business as comes, and the successful country lawyer has the opportunity of developing along a diversity of lines. The right type of country lawyer is an important and valuable factor in the community, a power for good. Mr. GOODWIN achieved the best kind of success in that profession. His business grew steadily and his fame in a few years extended throughout the State.

By reason of his natural aggressiveness, brilliance, and reputation for obtaining results before a jury he naturally became a plaintiff's lawyer and tried many personal injury and damage suits, in one noted case, that of Tilson against the Maine Central Railroad Co., obtaining a verdict of $25,000, quite unprecedented in Maine. Probably as a result of that case he was invited to become permanent counsel for the railroad company at a substantial salary. He hesitated somewhat, but finally accepted the invitation, and for five years previous to his final entry into politics in 1912 he was actively engaged in defending suits against the railroad. It was characteristic of the man that this change of work fretted him and wore upon him nervously. He was used to winning verdicts. He throve on successful and spectacular accomplishment. The inevitable defeats before a jury that a lawyer suffers who has a corporation for a client depressed him. He was unused to the postponement of success.

The political activities of Mr. GOODWIN extended intermittently over his whole career. He was elected from Skowhegan a representative in the legislature as early as 1888, when 26 years old, having previously served on the local school board. He was appointed postmaster of Skowhegan in 1892. He attended as a delegate the Republican national convention at Cincinnati for the purpose of supporting the nomination of his old patron, Thomas B. Reed, for the Presidency. He was elected to the State senate in 1902 and again in 1904, in the latter session being chosen president of the senate after a close contest. He was chairman of the Republican State convention at Portland in 1908. In 1910 the third district of Maine elected a Democrat to Congress—the first time since 1855, with the exception of the Greenbacker, Murch, in 1878. In 1912 Mr. GOODWIN entered the field as a Republican candidate for Congress to oppose the Democratic incumbent, who was also a popular and able Skowhegan man, the Hon. Samuel W. Gould. As a candidate for the nomination he was not unopposed. A very spirited but friendly contest followed, in which Mr. GOODWIN was nominated and subsequently elected over his fellow townsman and came to Washington at the opening of the first session of the Sixty-third Congress, in the spring of 1913.

At that time the hand of death had gripped him, but without his knowledge. After a brief service here of less than two months he returned to Maine with his devoted wife and died on the 28th of May, 1913. His untimely death ended his larger career almost before it began.

I feel safe in saying that had he lived he would have represented the third Maine district for many years and with ability and strength approaching her best traditions, than which nothing more can be said.

Mr. FERRIS. Mr. Speaker, my acquaintance with the late Hon. FORREST GOODWIN was not one of long duration nor of intimacy. I did, however, meet him and observe him and was impressed with his sterling worth as a Member of the Congress of the United States. His service in that body was of less than two months' duration. So short a career did not enable all of his colleagues to judge carefully of him as a Congressman. In order to do his memory full-handed justice we must delve into his life of usefulness in his own State.

He was but little more than 50 years old at the time of his death. Death always comes too soon, but the sickle seemed more keen in this instance than in others, for it cut down, so to speak, the life of one who had gradually but steadily grown and progressed from a beardless boy on a farm to a strong, virile, able Congressman of the United States. Congressman GOODWIN was an able lawyer; a brave, true, patriotic citizen. He had served with distinction in both branches of the Maine Legislature and arose in his second term to the presidency of the State senate. He began in the lower branch of the Maine Legislature at the early age of 26. He stood high in the councils of his party in Maine; he was prominent in political and lodge work.

He was unusually popular among all classes of people who knew him. He came from a sturdy stock of people; he was a sturdy, well-loved, well-poised citizen of New England. To those of his acquaintance in Maine and here in Congress no doubt will ever arise in the minds of any of us that could he have been spared but for a few years longer to have served his district in Congress that greater honors would have awaited him.

I repeat, my acquaintance with him was brief and not overly intimate, but no thoughtful man could come in close contact with Congressman GOODWIN without having it impressed upon his mind that he was an honest, courageous, able, industrious man. It was my sad duty to journey from Washington with the congressional funeral committee and aid in paying our respects in the last sad rites of Congressman GOODWIN at his home town in Skowhegan, Me. The thing that impressed me most during my visit to his home was the complete and unfaltering devotion, respect, and affection of all men, women, and children of all political faiths, of all churches, creeds, and avocations for him.

His private character was clean, pure, and above reproach; his public service was beyond cavil or abuse. His devotion to duty was such that he was impregnable to partisan slander and villification. He was a good father; a good husband; a lovable, warm-hearted, courageous, patriotic citizen. In him the third congressional district of Maine suffered a distinct loss; in him

the entire State suffered a loss; in him the Nation suffered a loss, for it is conceded everywhere that no nation is greater than its greatest men.

It is true his career in Congress has ended; it is true he did not live his three score years and ten; it is true that death overtook him while he was marching forward in the zenith of his power rather than receding from it. His face was still turned eastward and not westward. But, after all, he has left behind him the legacy of a good name, a spotless character, and an honorable career without one single page turned down.

It is eminently proper that the Congress of the United States pause from its busy labors and pay tribute to such a man.

Mr. GUERNSEY. Mr. Speaker, I come here to-day to pay a few words of respect to the memory of a personal friend and colleague in this House, the late Hon. FORREST GOODWIN, whose death on the 28th day of May, 1913, was untimely and almost tragic. He had barely occupied his seat in the National Congress 30 days when he was called from this life.

FORREST GOODWIN was a prominent citizen of Maine, lawyer, and legislator. He rose to high position among his fellow citizens from humble circumstances through his own industry and force of character. He was a man of fine qualities, self-reliant, purposeful, far-sighted, and energetic. Had he lived he undoubtedly would have taken a high place in the councils of the Nation. It is sad to consider that he was cut off in the prime of life, while still a comparatively young man, but he had lived long enough to prove his quality as a man, and within the period accomplished many times that which the average man can hope to accomplish in a life of full length.

Early in life, with untiring energy and industry, he laid the foundation of his future career of usefulness by educating himself. It is related that after graduating from the high school of his native town of Skowhegan, Me., he immediately set to work to secure funds to enable him to go through college, and with less than $20 as capital bought out the ice business of the town, and during the following summer, by working night and day, saved $1,000, demonstrating at once his industrious nature and capacity as a business man.

He went to Colby College, where he took front rank as a student. He took prizes and scholastic honors, was the editor of the college paper and magazine, and chosen by his class as class orator, and graduated with high honors. Not only was he in the front rank as a student in his college days, but he was a great athlete. He was a star baseball player. His fame as a pitcher was State wide, and at the end of his college course, with barely enough funds left to purchase a ticket to the city of Bangor, where he went to sign as a professional baseball player; and in the capacity of pitcher played on this team during the season in Maine and also in Massachusetts.

His townsmen took great pride and had great confidence in him as a young man and sent him as their representative to the legislature at a very early age. At the same time he entered a law office in Skowhegan to study law, and two years later, in 1889, he was admitted to the bar. Following his admission he took a law course in the law school of Boston University, where it is said he completed a three-year course in one year, demonstrating what a brilliant intellect FORREST GOODWIN possessed.

He was appointed parliamentary clerk to Speaker Reed in the National House of Representatives and for two years acted in that capacity. During the following four years he was postmaster of his town.

These varied positions disclosed the wide experience that he acquired while still a very young man.

Political honors seemed to crowd upon him. In 1903 he was elected to the Maine Senate and reelected in 1905. At that time he was chosen president of the senate. To the office he brought the experience he acquired as parliamentary clerk at Washington under the great Speaker Reed. He filled the position of president of the Maine Senate with conspicuous ability.

In 1912 he was chosen by his people to represent them in the Congress of the United States, where this brilliant man finished his life work.

For more than 20 years I enjoyed his acquaintance. I knew him as a personal friend, as a brother lawyer, and as a legislator. I served with him in the Maine Senate and on this floor in the present Congress. He had my greatest esteem and highest admiration.

The last time I saw him alive we walked together to the Office Building of the House of Representatives at the close of a session of the House. It was late on a May afternoon. The weather was charming; the air was soft and balmy. He seemed in unusual good spirits and enthusiastic over his work here. He said to me that he had not felt in better health in years.

Within a few days the news came over the wire that he had been stricken at his home in Maine by a fatal disease. It seemed almost incredible to me, but nevertheless it was true. The people of the entire State of Maine were shocked, and in his death Maine met with a great loss.

FORREST GOODWIN, as a lawyer and public speaker, was known throughout the State. As a lawyer he won early recognition and went rapidly to the head of the Maine bar. His practice was a general one and extended into every county in the State. As a convincing advocate before a jury he had few equals; as an orator he stood in the very first rank. In his home town he seemed to enjoy the friendship and confidence of everyone.

The record of the life work of this distinguished son of Maine will be remembered as long as the history of the State is preserved.

Mr. STEVENS of Minnesota. Mr. Speaker, it is always a melancholy duty to pay a last tribute to one of our associates upon this floor who has departed this life. It is especially sad, when our friend seemed to be at the commencement of a distinguished career in national affairs, had won the respect, esteem, and support of a steadfast constituency, and possessed the confidence and affection of a host of devoted friends. I know of no man with a short service here who more truly or justly seemed to have gained these attributes than FORREST GOODWIN, to whose memory the House of Representatives to-day measures its sincere respect.

It was my privilege to know him slightly while we were students, 30 years ago, at neighboring colleges in Maine, and at that time all who knew him appreciated the rare qualities of good fellowship, of adaptability and capability, which easily made him a leader among his fellows wherever his lot was cast. He developed broadly by a varied and possibly at times arduous experience through an active and successful civic, professional, and public career in his native State, so that when opportunity afforded he gave the promise of splendid achievement in this wider and more conspicuous field of national importance.

As soon as we renewed acquaintance in the early days of the extraordinary session of 1913 we discovered a mutual congeniality which I knew was delightful to me and which seemed equally agreeable to him. With our growing intimacy, he unfolded his hopes and plans and ambitions for a substantial, useful, and creditable career in the House of Representatives, which were based, as one would expect of him, upon genuine service for his people and his country, and not upon the flighty spectacular performances which in this day some seem to believe to be necessary for distinction in Congress. He knew that he had behind him a constituency of steady, shrewd, and practical people, who for generations had been accustomed to loyally support their Members of the Senate and House in Washington when it knew they had proven themselves to be worthy and capable.

It was my privilege for fully 30 years to know his predecessors in this House, Messrs. Milliken, Burleigh, and Gould, I think, back to the Forty-eighth Congress. I know of their delightful personal qualities and of their usefulness and influence and splendid service upon this floor. It is no disparagement to any of them to place among them FORREST GOODWIN as fully worthy to occupy the station they had so adorned as Representatives of one of the most discriminating constituencies of the country. It is a proud heritage which Members of Congress from Maine have long possessed, the fame and influence which their State has won from its distinguished membership for many years in both the Senate and House. To a modest, sensitive, and conscientious man like FORREST GOODWIN I know it seemed a wonderment as to whether he could maintain himself properly amid such illustrious company. To me that very query seemed to be the very best reason why his fondest hopes in this regard would be amply realized, because he would labor sincerely, intelligently, and unremittingly to accomplish them. While discussing his plans, I had an opportunity to judge as to his capabilities and excellencies, and noted his own judgment as to what he desired should be the chief field for his congressional labors. He expressed himself as anxious to serve upon committees which would require solid and arduous work from him, without the brilliant or pleasurable distractions which so many seek; and to me this indicated his sincerity for a substantial and useful career for himself and for the people who had trusted him.

Just as these plans were commencing and he was coming to realize the aspirations of his life, the fruition of his splendid powers and experience, and with the beloved companion of his youth was preparing for the enjoyment of a wider outlook

upon the future, the Dread Archer sped the winged arrow that touched him, and he departed.

That life is long which answers life's great end.
Nor love thy life nor hate, but what thou livest,
Live well; whether long or short permit to Heaven.

As a member of the funeral party to his native town, the place of his last residence, I was greatly impressed with the sincere grief and sympathy of the entire community. They were proud of him—of his accomplishments and possibilities for future usefulness and fame. They seemed to have been glad to have been helpful to him as the various occasions had arisen. But deeper than that, their sorrows became personal as they reviewed his happy, active, and useful life among them, as they recalled his kindly greetings and the close ties of intimacy and affection, springing from nearly a half a century of his loyal, lovable daily intercourse.

Where hand
Grasps hand, eye lights eye in good friendship,
And great hearts expand
And grow one in the sense of this world's life.

We left him in this last resting place, a beautiful hill on the banks of his beloved Kennebec, with the birds, the trees, and the flowers, overlooking the homes of his family and the friends he loved so well, amid the scenes of his youthful development and of the struggles and triumphs of his maturity. Well may it be said of him:

He never failed to march breast forward,
Never doubted clouds would break;
Never thought though right were worsted,
Wrong would triumph;
Held, we fall to rise, are beaten to fight harder,
Sleep to wake.

Mr. CRISP. Mr. Speaker, once again this legislative hall is turned into one of mourning. We have met to-day to pay our last tribute of love and respect to our deceased colleague, the Hon. FORREST GOODWIN, late a Representative from the third congressional district of Maine, who departed this life on May 28, 1913, in Portland, Me. Mr. GOODWIN was born in Skowhegan, on June 14, 1862, and was in the vigor and prime of his intellectual usefulness when called to answer the final summons. Mr. GOODWIN held many places of honor and trust, and he measured up to the full expectation of his friends in each of them. I shall leave to those who knew him more intimately than I the pleasant task of delineating in detail the various steps by which he rose to places of power and responsibility and grew in the love and admiration of his fellow citizens who always delighted to honor him.

Mr. Speaker, Mr. GOODWIN at one time served as parliamentarian of the House of Representatives, having been appointed by Speaker Thomas B. Reed. When the Sixty-third Congress convened, three of its Members had at previous times served in this body as clerk at the Speaker's table, viz, Messrs. GOODWIN, HINDS, and myself. This naturally drew us together, and it was our pleasure to meet and discuss our experiences in filling this trying and exacting position. A few days before Mr. GOODWIN was stricken with his fatal malady, I had the pleasure of lunching with him and Mr. HINDS, and I shall ever recall with pleasure our meeting. Mr. GOODWIN was full of hope, ambition, and had an earnest desire to be of service to his country and his people, and had Providence spared him, with his intellectual force, great industry, and noble impulses, he would have been a power for good, and would have easily taken rank in the history of his country with any of the able statesmen that the great State of Maine had contributed to the Nation.

Mr. Speaker, it was my sad privilege to attend the funeral of our deceased friend, which took place in the beautiful little city of Skowhegan, Me. A great concourse of people attended that sad event, and his house was a veritable flower garden, which showed the love and affection his neighbors and fellow citizens felt for their distinguished dead.

We all mourn the loss of a true, strong, brave man, and such a character was FORREST GOODWIN. His life should be an inspiration to his fellow citizens, for the elements of nature were so well blended in him that all the world that knew him was prompt to say "This was a man." So, in reverent submission, we bow to the will of our Heavenly Father, Who doeth all things well, and say, "Peace to his ashes."

O! Why should the spirit of mortal be proud,
Like the swift fleeting meteor, the fast-flying cloud,
A flash of the lightning, a break of the wave,
Man passeth from earth to his rest in his grave.

Mr. MORGAN of Oklahoma. Mr. Speaker, this hour has been set apart as a time to pay tribute to the memory of our late and lamented fellow Member, Hon. FORREST GOODWIN. Mr. GOODWIN, like many of the greatest characters in our history, was born on a farm near Skowhegan, Me., in 1862. He achieved in life a career worthy the emulation of us all. He was a student at the Bloomfield Academy, and graduated from the Skowhegan High School in 1881. He entered Colby College in 1883 and graduated in 1887 with the distinction of being the orator of his class. Thus, Mr. Speaker, early in life he manifested those rare qualities and characteristics of mind and heart which in later years brought him high honors and made him a distinguished figure in his State.

He chose law as his profession. By the aid of early training in a law office he succeeded in completing in one year a three years' course at the Boston University Law School. He was admitted to the bar. He soon attained popularity as a lawyer. He was especially successful as an advocate, and by reason of his unusual ability, strict integrity, sincerity, and honesty of purpose he acquired an extensive and lucrative practice.

Because of his fidelity to duty and his high moral character, Mr. GOODWIN was honored in life by being chosen to fill many responsible public offices. He was one of the youngest men that was ever elected to the Maine Legislature, being only 26 years of age when he took his seat in that body. He had the honor to serve as parliamentary clerk in the House of Representatives during the Fifty-first Congress, when the Hon. Thomas B. Reed was Speaker. In 1902 he was reelected to the State senate, and was chosen president of that body. In 1912 he was elected to the present Congress. His service in this House was brief, but he made a most favorable impression upon those with whom he came in contact, and gave promise of a most successful and honorable career in the Congress of the United States.

Mr. GOODWIN took an active interest in political affairs of his State and of the Nation. Among the important political conventions in which he participated was the Republican national convention at St. Louis, in which convention he supported Hon. Thomas B. Reed for the Presidency.

Mr. GOODWIN not only showed a keen interest in political affairs, but he also took an active interest in the social life of his community. He was a member of several benevolent organizations and served three years as a member of the Skowhegan school board.

And so, Mr. Speaker, his life was devoted to the service of his community, his State, his country, and his fellow men. And no greater work can a man perform than to render honest, faithful, conscientious, unselfish service to others, for 20 centuries ago the lowly Galilean said:

And whosoever will be chief among you, let him be your servant.

I was a member of the committee of this House that attended the funeral services of our departed friend. I witnessed the hundreds of friends and neighbors who gathered at the family residence and with them followed his remains to the cemetery. In every possible way his fellow townsmen indicated the high esteem in which he was held and manifested their great regret, their deep grief, and their profound sorrow at his untimely death. I was deeply impressed with the thought that it could be justly said of him: Those who knew him best loved him most.

Mr. Speaker, truly death is the great tragedy of life.

Thou know'st 'tis common; all that lives must die,
Passing through nature to eternity.

But, sir, the life of our departed friend and colleague reminds us that the journey of life, with all its brevity, uncertainty, disappointments, sorrows, and tears, still affords an opportunity for the performance of deeds and the rendition of service, the influence of which will endure indefinitely in the hearts of others.

Mr. HINDS. Mr. Speaker, in paying this simple tribute to FORREST GOODWIN I can not dwell upon his achievements as a Member of this House, for he died while his career here was still before him. His friends and supporters in the third congressional district of Maine believed that as a Member of this body he would become both useful and eminent. Those of us who knew him feel that the service he was capable of rendering would bring him honor and prominence in his own State as well as the Nation.

Having expressed thus briefly, but sincerely, my appreciation of the promise for the future which his ability and faithfulness justified his friends in forecasting for him, I wish to speak of FORREST GOODWIN as a friend and companion of my early manhood, for we were born in neighboring towns in the Kennebec Valley, attended the same college, and for a time our duties brought us together in the service of this House.

Twenty-five years ago the Young Men's Republican Club of Portland, Me., entertained as their guests William McKinley and Thomas B. Reed. As the distinguished visitors were taking their leave Mr. Reed turned to Mr. McKinley and said in a bantering way, "Governor, you do not know what it means to break through life in the town where you were born." He meant that any man who must win his way among the people who knew intimately the conditions of his youth, and possibly the mistakes of early manhood, earns his success. Like Mr. Reed, Mr. GOODWIN "broke into life" in the town where he was born June 14, 1862. His parents were not among either the prominent or wealthy citizens of Skowhegan. They had, however, a high sense of honor and integrity. As a sergeant of the First Maine Cavalry the elder Mr. Goodwin performed his duty faithfully and was considered a most reliable man by the officers under whom he served. Being a man of modest means, he could not materially assist his son when his ambition led him to desire a college education, so the lad began to consider for himself ways and means for accomplishing his desire. An opportunity presented itself to buy out a local ice dealer; and, believing that he could make a success of the business, young GOODWIN asked his father to furnish the capital for his venture. But the man who could face danger in the performance of his duty as a soldier could not face the possibility of failure in business and of finding himself in debt, which to his keen sense of integrity meant disgrace. But FORREST, even against the advice of his father, borrowed the money from a neighbor, bought out the business, and conducted it with such success that he closed it out with enough in the bank to pay the expenses of a college course.

Mr. GOODWIN entered Colby College in the class of '87. I was just leaving college when he came in, but I followed his career as pitcher of a successful ball team through the four years' course and rejoiced in his prestige as a baseball hero. In those youthful days this seemed a great achievement, but as I look back over those years I realize that he stood among the first four in his class in scholarship and was the class orator. His love of fun, however, prevented him from gaining the admiration of the faculty to the degree which his literary and scholastic attainments entitled him. Colby had in those days, as now, a high ideal of the behavior of a serious student. Boardman, the missionary to the Karens, and Lovejoy, the martyred abolishionist, were honored sons of the college. Even when I was in college, Benjamin F. Butler, of the class of 1838, was not accorded full honor as an alumnus. His natural inclination to antagonize all constituted authority with which he came in contact was shown even at that early period of his career. He accounts for the estrangement between himself and the faculty in his autobiography, where he relates that he had a bitter religious controversy with the pastor of the college church—no less a person than Rev. S. F. Smith, author of America—and intimates that he had rather the best of the argument.

There high ideals, however impossible of attainment they might have seemed to the youth at the time, had, nevertheless, a great influence in forming character, as many of Colby's sons will testify. Colby was then a small college and had not adopted to any extent the lecture system in vogue in large colleges. Recitations to the professor were made daily, and the interchange of ideas between teacher and pupil at such close range could not fail to bring out the best in the student. Two members of the faculty of our day are still living. Prof. Julian D. Taylor was then, as he still is, at the head of the Latin department.

A student recently said of him, "When you make a recitation to Dr. Taylor, you realize what an infinite thing perfection is." Such thoroughness and attention to duty as he demanded in his classwork furnished a standard for good work anywhere in any field of effort. Dr. Albion W. Small, now the distinguished head of the sociological department of Chicago University, came to Colby fresh from the German universities and brought to his classes an enthusiasm to which they heartily responded. Moreover, though he scandalized the faculty, he delighted the boys by attending the matched games of the baseball team of which Mr. GOODWIN was the star.

After graduating from Colby Mr. GOODWIN was elected as representative to the State legislature by his fellow townsmen. I was then reporting the proceedings of the legislature for the Portland Press. The members of the house were seated at desks like those in the old country schools in Maine. Mr. GOODWIN shared a front seat with one of the oldest public men in the State, ex-Gov. Frederick Robie, who represented Gorham, a town near Portland. When it was proposed to remove the capital of the State from Augusta to Portland, on the ground that Portland was the best place in Maine for the capital city, both Gov. Robie and I tried to influence Mr. GOODWIN to vote for the proposition. But even at the beginning of his political career he had mastered the fundamental duties of a representative in a republic and, resisting the claims of age and experience as well as youthful friendship, he voted as the good sense and the best interests of Skowhegan demanded—against the measure.

Mr. GOODWIN studied law for a time with Samuel J. Walton, a leader of the Somerset County bar, whose sturdy common sense carried him through a long career at the bar and the politics of his State, and still serves him in a green old age. After a year's further study Mr. GOODWIN graduated from the law school of Boston University in the class of 1890, and soon after we were again associated, as we each held clerkships in this House.

In 1890, Maine was represented in Washington by a distinguished group of men. James G. Blaine, who, since the retirement of Hannibal Hamlin, stood at the head of the old Maine Republican dynasty, was Secretary of State. Senator Eugene Hale and Senator William P. Frye were conspicuously able members of the Senate. Both Hale and Frye shared Mr. Blaine's interest in watching the career of Mr. Reed. Indeed, public opinion credited Mr. Blaine with having either written or inspired a much-discussed article in the North American Review signed X. M. C., commenting unfavorably upon the famous quorum ruling of Speaker Reed.

Although there was no open break in the relations between Mr. Blaine and Mr. Reed, yet Mr. Reed felt that if he wished to enter the broader field of Maine politics it would be wise for him to form connections with young men of promise in the central part of the State. Hon. Amos L. Allen, then secretary to the Speaker and later a Member of this House, advised that the position of parliamentarian, then vacant, be given to such a young man, and asked me if I could suggest anyone. I was at that time the Speaker's clerk, practically an assistant to the Secretary. I would have liked the position myself, but thinking that a knowledge of the law was desirable and realizing Mr. Allen's good sense in selecting some one from the central part of the State, I did not consider myself a candidate. I suggested, however, that Mr. GOODWIN be considered, with the result that the place was offered him and he assumed its duties in February of 1890.

Mr. Reed was then 51 years old, in the prime of life, and at the height of his powers. He was a dominating figure in a Congress where sectional and party animosity embittered debate to a degree not experienced in any succeeding Congress. The demand of the Republican Party that the suppression of the colored vote in the South must cease aroused the southern men to an opposition which recalled the stormy period immediately following the Civil War. The growing industrial spirit of the North demanded the enactment of a tariff bill favorable to their interests, and the bill reported by the Republicans gave rise to a long and acrimonious debate with the Members who favored free trade or a low tariff.

There were notable men on both sides of the House. From the time the Republican Party came into power Maine had maintained a delegation of strong men in Congress. Hannibal Hamlin, William Pitt Fessenden, and James G. Blaine had served either in the Senate or in the House. In the Fifty-first Congress the members of the delegation were Thomas B. Reed, Speaker, Nelson Dingley, jr., Charles A. Boutelle, and Seth L. Milliken. All had been Members of the House for at least six years, and, with the exception of Mr. Reed, who resigned after 22 years of service, they remained in Congress as long as they lived. Maine was not the only State represented in this Congress by able men. Georgia had in her delegation such men as Charles F. Crisp and Henry G. Turner; Texas had an able body of men, among them Roger Q. Mills, David B. Culberson, Joseph D. Sayers, and Samuel Lanham. In the Missouri delegation was Alexander M. Dockery, a prominent member of the present administration. Ex-Speaker Randall, of Pennsylvania, was still a Member of the House although in failing health and serving his last term. In the Alabama delegation was Gen. Joseph Wheeler, of the Confederate Army and later a hero of the Spanish War. William McKinley led the Ohio delegation, of which Gen. Charles H. Grosvenor and THEODORE E. BURTON were prominent Republican Members. James S. Sherman and Sereno E. Payne, of New York, were among the younger Members of the House. Nathaniel P. Banks, who first served in the Thirty-ninth Congress, in the stormy period before the war, was again representing a Massachusetts district. He seldom spoke on the floor. I remember only one such occasion, when he arose to eulogize a friend and companion in the stirring events of the past—Gen. Fremont. HENRY CABOT

LODGE was an active Member of the delegation. Other conspicuous Republicans were David B. Henderson, of Iowa, Joseph G. Cannon, of Illinois, and John Dalzell, of Pennsylvania.

The debates of the Fifty-first Congress reflected a transition period in the thought of the Nation. Memories and traditions of the Civil War dominated public sentiment. The animosity aroused, especially by the consideration of the so-called force bill, sometimes affected even the social life of Washington. Gen. Wheeler, of Alabama, and Gen. Grosvenor, of Ohio, did not hesitate to fight the war over again in acrimonious debate on the floor. Happily, the Spanish War furnished an opportunity for both these elements to unite in a common service to the country and put an end to such references to sectional differences in debate in the House of Representatives.

The Hall of the House during this Congress was a wonderful school for a young man. The spectacle of strong men striving together in the performance of difficult tasks, while not calculated to teach good manners perhaps, gave an unparalleled opportunity for the study of human motives and the elements which make for strength of character. Mr. GOODWIN made excellent use of this opportunity. He mastered the duties of his position, showing in the discharge of them an aptitude and tact which was a distinguishing trait of his character.

On March 4, 1891, the Fifty-first Congress ceased to exist, and Mr. Reed was no longer Speaker of the House. Mr. GOODWIN returned to Skowhegan and took up the practice of law. In 1892 he was appointed by President Harrison postmaster of Skowhegan. In 1902 he was elected to the Maine Senate, and was made president of that body, a position equal to that of lieutenant governor in other States. He was also a delegate to the St. Louis convention, where he was an ardent supporter and trusted friend of Thomas B. Reed. Aside from these political duties and a general interest in the welfare of his town, he devoted himself to his law business.

Of Mr. GOODWIN'S professional career at the bar, others will speak more at length. It is enough to say that he was a lawyer of great ability and resourcefulness and among the most prominent in the State.

In 1912 his election to Congress brought us together again as Representatives of neighboring districts of our native State, and during his brief stay here we renewed the association of earlier years. He had definitely severed his connection with the law and it was his purpose to devote to his duties the great ability and experience gained from his years of legal training. Who can doubt that his service would have brought large results and reflected honor both upon himself and those who sent him here? Yet although—

> The fame is quenched that I forsaw,
> The head hath missed an earthly wreath,

Why should a limit be set for service when there are—

> So many worlds, so much to do,
> So little done, such things to be,
> How know I what had need of thee,
> For thou wert strong as thou wert true.
>
> O hollow wraith of dying fame,
> Fade wholly, while the soul exults,
> And self infolds the large results
> Of force, that would have forged a name.

Mr. GOODWIN had many friends throughout his whole life, and they were inconsolable when he could no longer be their leader and friend. The editor of the Independent-Reporter of Skowhegan, Mr. Roland T. Patten, expresses his feelings as follows:

> The humble and exalted answer to the same call. We, human atoms that remain, presume to dignify, by a somewhat deeper reverence, one departure more than another. He whose hand has grasped the scroll of fame drops it, all but empty at the last of those things which satisfy a life's ambition, and we note with something more than casual glance 'tis not the callous palm of humble tasks finally unbending from an implement of toil.
>
> That we should thus observe and thus distinguish between our brothers at their dissolution is wisdom's part. By this much we place ourselves above other orders of creation, which note not, when a member falls, whether it be of noble or unpretentious mien. By this longer pause, this reverence more profound, this deeper sigh, we create a prize toward which men all their lives will strive, and in so striving are more like to live worthily and usefully.
>
> A life so strived in and so lived is closed and to it we give this final guerdon of reverence and respect. This we may do eagerly, unhesitatingly, as we shall ourselves be gone before another of like mold shall come among the scenes now occupied by us to claim this justice at the hands of men.

ADJOURNMENT.

Then, in accordance with the resolution and the order heretofore adopted, at 2 o'clock and 27 minutes p. m., the House adjourned until to-morrow, Monday, February 22, 1915, at 11 o'clock a. m.

SENATE.

MONDAY, *February 22, 1915.*

(Legislative day of Friday, February 19, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Martine, N. J.	Sherman
Bankhead	Hughes	Newlands	Shively
Brady	James	Oliver	Simmons
Brandegee	Jones	Overman	Smoot
Bryan	Kenyon	Owen	Sterling
Burleigh	Kern	Page	Stone
Burton	La Follette	Penrose	Swanson
Chamberlain	Lane	Perkins	Thomas
Colt	Lea, Tenn.	Pittman	Thompson
Fall	Lodge	Pomerene	Tillman
Fletcher	McCumber	Root	Warren
Gallinger	McLean	Saulsbury	White
Gronna	Martin, Va.	Sheppard	Works

Mr. CHAMBERLAIN. I was requested to announce that the junior Senator from Mississippi [Mr. VARDAMAN] has been detained from the Senate on official business.

Mr. MARTINE of New Jersey. I wish to announce the absence of the Senator from Louisiana [Mr. THORNTON], owing to illness.

Mr. SMOOT. I wish to state that my colleague [Mr. SUTHERLAND] is detained from the Senate by illness.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 21201. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916; and

H. R. 21328. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1916, and for other purposes.

The message also transmitted to the Senate resolutions of the House on the life and public services of Hon. Augustus O. Bacon, late a Senator from the State of Georgia.

The message further transmitted to the Senate resolutions of the House on the life and public services of Hon. Forrest Goodwin, late a Representative from the State of Maine.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 2335. An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards;

H. R. 17122. An act for the relief of John Burrows;

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River;

H. R. 17765. An act to regulate details of majors in the Ordnance Department;

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement;

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind.; and

H. J. Res. 391. Joint resolution authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable.

WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. Senators, this is more than a red-letter day in the calendar of the Republic. It is a sacred date in the calendar of constitutional liberty. It does not lessen the honor and esteem in which public men should be held to-day if the people of the Republic turn backward to the beginnings of our institutions to show their love and veneration and

respect for those who had sounded all the shoals and depths of civil government, and who discovered the great and basic principles upon which alone republican government could be founded. The world stands amazed not only at the patriotism and devotion of George Washington but at the wonderful intuition which he displayed as to the dangers which might come with age to this Republic of ours.

In accordance with the custom and the order of the Senate the Farewell Address of the first President of the United States will now be read by the senior Senator from New York, Mr. ROOT.

Mr. ROOT read the address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive Government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no dimunition of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection of the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which can not end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North it finds its particular navigation invigorated, and while it contributes in different ways to nourish and increase the general mass of the national navigation it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East in a like intercourse with the West already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is

perhaps of still greater consequence it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union directed by an indissoluble community of interest as one Nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger a less frequent interruption of their peace by foreign nations, and what is of inestimable value they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your Union ought to be considered as a main prop of your liberty and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern, Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the Nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Toward the preservation of your Government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of Governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and, remember especially, that for the efficient management of your common interests in a country so extensive as ours a Government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a Government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the Government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit unfortunately is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind—which nevertheless ought not to be entirely out of sight—the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foments occasional riot and insurrection. It opens the door to foreign influence and corruption,

which finds a facilitated access to the Government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object—which is always a choice of difficulties—ought to be a decisive motive for a candid construction of the conduct of the government in making it and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury to lay hold of slight causes of umbrage and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent, collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes, perhaps, the liberty, of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducements or justifications. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence—I conjure you to believe me, fellow citizens—the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith—here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient Government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of *patronizing* infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences, consulting the natural course of things, diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions or prevent our Nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism, this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after 45 years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GEO. WASHINGTON.

UNITED STATES, *17th September, 1796.*

ADDITIONAL CIRCUIT JUDGE.

Mr. CULBERSON. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator from Texas.

Mr. CULBERSON. I ask unanimous consent out of order to submit a report from the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, the report will be received.

Mr. CULBERSON, from the Committee on the Judiciary, to which was referred the bill (S. 6493) to provide for the appointment of an additional judge in the fifth judicial circuit of the United States, reported it without amendment and submitted a report (No. 1017) thereon.

SHELDON S. S. CAMPBELL.

Mr. McLEAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. CHAMBERLAIN. I yield, Mr. President.

Mr. McLEAN. I ask unanimous consent for the entry of an order for the withdrawal of papers.

The VICE PRESIDENT. It will be received.

On motion of Mr. McLEAN, it was

Ordered, That the papers in the case of Sheldon S. S. Campbell, Senate bill 5085, Sixty-third Congress, second session, be withdrawn from the Senate files, no adverse report having been made thereon.

RIVER AND HARBOR IMPROVEMENTS (S. DOC. NO. 953).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 18th instant, a statement of the balances to the credit of the respective river and harbor projects of the country now under improvement remaining unexpended and available on January 1, 1915. The Chair believes that this is a matter the Senator from Ohio [Mr. BURTON] desired. So the Chair lays it before the Senate. It is a communication from the Secretary of War, with reference to unexpended balances for river and harbor work.

Mr. BURTON. I ask that the communication be printed. That has been the usual course. It is not of very great length and will be useful for the Senate.

There being no objection, the communication and accompanying paper was referred to the Committee on Commerce and ordered to be printed.

ANILINE COLOR INDUSTRY (S. DOC. NO. 952).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of the 26th ultimo, certain information relative to the supply of dyestuffs for American textile and other industries, which, on motion of Mr. SMOOT, was referred to the Committee on Finance and ordered to be printed.

NORFOLK (VA.) NAVY YARD.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting a supplemental estimate of appropriation in the sum of $50,000 for building slip, navy yard, Norfolk, Va., which, with the accompanying paper, was referred to the Committee on Naval Affairs.

WATER-POWER SITES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, acknowledging the receipt of the resolution of the Senate of the 13th instant, relative to the ownership and control of the water-power sites in the United States, and stating that the desired information will be transmitted to the Senate at the earliest possible date, which was referred to the Committee on Public Lands.

NATIONAL ACADEMY OF SCIENCES.

The VICE PRESIDENT laid before the Senate the annual report of the National Academy of Sciences for the year ended December 31, 1914, which was referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a joint resolution of the Legislature of South Dakota, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, Frank M. Rood, secretary of state, do hereby certify that the within resolution, to wit, House joint resolution No. 5, was duly passed by the 1915 session of the Legislature of the State of South Dakota, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, this 18th day of February, 1915.

[SEAL.] FRANK M. ROOD, *Secretary of State.*

A joint resolution to accept the provisions and benefits of the Smith-Lever Act of Congress, approved by the President May 8, 1914.

Be it resolved by the Senate and House of Representatives of the State of South Dakota:

SECTION 1. Whereas the Congress of the United States has passed an act, approved by the President May 8, 1914, entitled "An act to provide for cooperative extension work between the agricultural colleges in the several States receiving the benefits of the act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture"; and

Whereas it is provided in section 3 of the act aforesaid that the grants of money authorized by said act shall be paid "to each State which shall by action of its legislature assent to the provisions of this act": Therefore be it

Resolved, That the assent of the Legislature of the State of South Dakota be and is hereby given to the provisions and requirements of said act, and that the State treasurer of the State of South Dakota be and is hereby authorized and empowered to receive the grants of money appropriated under said act, which agricultural extension work shall be carried on in connection with the State College of Agriculture and Mechanic Arts in accordance with the terms and conditions expressed in the act of Congress aforesaid.

Mr. GRONNA. I present a concurrent resolution of the Legislature of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the concurrent resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, at the capitol, in the city of Bismarck, this 16th day of February, A. D. 1915.

[SEAL.] THOMAS HALL,
Secretary of State.

A concurrent resolution (Turner).

Whereas when North Dakota was admitted to statehood the State was given for State institutions by the Federal Government lands aggregating 500,000 acres. This land was divided among the various State institutions, and as these lands are sold the moneys derived from them go into a permanent fund, the income of which is used and shall be used for the maintenance and support of the institution for which these lands stand as an endowment; and

Whereas there is in North Dakota to-day about 700,000 acres of vacant Government land remaining, much of which is subject to the 320-acre homestead, and may be subject to a homestead entry of 640 acres provided a bill now before Congress shall be enacted into law; and

Whereas if this shall be done, the remaining public lands in North Dakota will only provide a little over 1,000 homesteads; and

Whereas if Congress should enact a law giving to every public-land State 500,000 acres of the remaining vacant public lands in the various public-land States, thereby benefiting all of the people of those States, and in a way in which and by which they would derive a much greater benefit than were the lands open for homesteads to a few: Now therefore be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we respectfully request and petition the Congress of the United States, through our Senators and Representatives of Congress, that a law be enacted so that the States receiving these public lands shall be authorized through their legislatures to distribute the lands so given between the penal, charitable, and educational institutions of the State, but providing that one-fifth of the lands so given shall be set aside by the legislature as an endowment fund, the interest from which, when the lands shall have been sold, to be used for the purpose of building roads and bridges in the various States.

A. P. HANSON,
Speaker of the House.
ALBERT N. WOLD,
Chief Clerk of the House.
J. H. FRAINE,
President of the Senate.
M. J. GEORGE,
Secretary of the Senate.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to exclude certain matter from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the enactment of legislation proposing to interfere with the present practice of issuing Government stamped envelopes bearing printed return requests, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against a change in the present system of promotion of postal clerks, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the use of stop-watch and time study of employees, etc., at the Frankford Arsenal, Philadelphia, which were referred to the Committee on Military Affairs.

Mr. LODGE presented sundry papers to accompany the bill (S. 7688) for the relief of Augustus P. Reynolds, which were referred to the Committee on Claims.

Mr. WORKS presented a petition of sundry citizens of Newman, Cal., praying for the enactment of legislation to prohibit the exportation of munitions of war, which was referred to the Committee on Foreign Relations.

NAVAL APPROPRIATIONS.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably with amendments the bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes, and I submit a report (No. 1021) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

INDIAN APPROPRIATIONS.

Mr. ASHURST. From the Committee on Indian Affairs I report back favorably with amendments the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, and I submit a report (No. 1022) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

REPORTS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. SMITH of Maryland, from the Committee on the District of Columbia, to which were referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon:

H. R. 15215. An act to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain

accounts of said District, and for other purposes (Rept. No. 1019); and

S. J. Res. 226. Joint resolution providing for the appointment of a joint select committee to investigate and report as to the proper proportion of the expenses of the government of the District of Columbia which shall be borne by said District and the United States, respectively, and as to the necessity of any change or revision in the tax laws applicable to said District (Rept. No. 1020).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 7696) granting an increase of pension to George W. Adams (with accompanying papers);

A bill (S. 7697) granting a pension to Catharine A. Allen (with accompanying papers);

A bill (S. 7698) granting an increase of pension to Sarah J. Alling (with accompanying papers);

A bill (S. 7699) granting an increase of pension to Charlotte A. Avery (with accompanying papers);

A bill (S. 7700) granting an increase of pension to Jane A. Babcock (with accompanying papers);

A bill (S. 7701) granting an increase of pension to Eliza J. Banning (with accompanying papers);

A bill (S. 7702) granting an increase of pension to Abbie C. Boardman (with accompanying papers);

A bill (S. 7703) granting an increase of pension to Maria E. Bowers (with accompanying papers);

A bill (S. 7704) granting an increase of pension to Hiram F. Chappell (with accompanying papers);

A bill (S. 7705) granting an increase of pension to Martha Connor (with accompanying papers);

A bill (S. 7706) granting an increase of pension to Martha Crumb (with accompanying papers);

A bill (S. 7707) granting an increase of pension to Mary C. Daniels (with accompanying papers);

A bill (S. 7708) granting an increase of pension to Charles P. De Forest (with accompanying papers);

A bill (S. 7709) granting an increase of pension to Henry H. Geer (with accompanying papers);

A bill (S. 7710) granting an increase of pension to Frances A. Hall (with accompanying papers);

A bill (S. 7711) granting an increase of pension to Mary J. Hayes (with accompanying papers);

A bill (S. 7712) granting an increase of pension to Sarah F. Hovey (with accompanying papers);

A bill (S. 7713) granting an increase of pension to Ellen Jackson (with accompanying papers);

A bill (S. 7714) granting an increase of pension to Mary Moriarty (with accompanying papers);

A bill (S. 7715) granting an increase of pension to Nellie R. Palmer (with accompanying papers);

A bill (S. 7716) granting an increase of pension to Elsie A. Platt (with accompanying papers);

A bill (S. 7717) granting an increase of pension to Mary L. Playfoot (with accompanying papers);

A bill (S. 7718) granting an increase of pension to Margaret Semple (with accompanying papers);

A bill (S. 7719) granting an increase of pension to Adelaide M. Tarbox (with accompanying papers); and

A bill (S. 7720) granting an increase of pension to Mary Whipple (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 7721) granting a pension to Ella Webster; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7722) granting an increase of pension to Charles Thurston; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 7723) authorizing the Texarkana Board of Trade to construct a bridge across the Red River between Fulton, Ark., and Index, Tex.; to the Committee on Commerce.

CONSTRUCTION OF SUBMARINES.

Mr. SMOOT. I offer an amendment to the naval appropriation bill (H. R. 20975), and ask that it be read and referred to the Committee on Naval Affairs.

There being no objection, the amendment was read, ordered to be printed, and referred to the Committee on Naval Affairs, as follows:

On page 48, line 1, strike out "one" and insert "fifty"; line 4, strike out "eleven" and insert "twenty-five"; line 5, strike out "$2,305,000" and insert "$30,000,000," so that the paragraph will read as follows:

"Fifty submarines, to be of seagoing type, to have a surface speed of not less than 20 knots, to cost exclusive of armor and armament not exceeding $1,400,000 each; and 25 submarines, to cost, exclusive of armor and armament, not exceeding $550,000 each, and the sum of $30,000,000 is hereby appropriated for said purposes to be available until expended."

HOUSE BILLS REFERRED.

H. R. 21201. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916, was read twice by its title and referred to the Committee on Appropriations.

H. R. 21328. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. I ask that the Senate proceed to the consideration of House bill 20347, the Army appropriation bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, which had been reported from the Committee on Military Affairs with amendments.

Mr. CHAMBERLAIN. Mr. President, I had intended at this time to make some observations with reference to the present situation and condition of our military establishment, but because of the shortness of the time which intervenes between now and the 4th of March I have felt that I would be recreant to my duty if I devoted any time to the discussion of these matters, further than to say that there are those in our country who would violate the letter and spirit of Washington's Farewell Address, just so ably read by the distinguished Senator from New York, wherein, after speaking of the necessity of maintaining the Union of our people, he said:

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

There is existing to-day, Mr. President, the same unity of heart and purpose in our country, in the North and in the South, in the East and in the West, which existed at the time of that farewell address. There is no more reason to-day for the maintenance of a large standing army than there was at that time, if we follow out the further suggestion of that address and abstain from entangling alliances with other countries of the earth. I think I can safely say that we have been enabled to do that through the efforts of patriotic Presidents.

I think I am able to prophesy that we will be able to do it in the future through the patriotic efforts of the present patriotic President and those who are to follow, and while there are some things that need to be done with reference to our military establishment, there is absolutely no need to meet the fears of the timid in this country by the establishment of a large standing army. There is a middle ground between those who insist upon a small standing army, insufficiently officered and manned, and those who insist upon the maintenance of a large one.

It was as an advocate of a medial course in this country that I had intended to say something to the Senate to-day, but I propose to wait until some future occasion to address myself to the subject when legislation may be considered maturely. There is some legislation that is sorely needed, but the shortness of the present session has made it impossible to suggest it. There is some that I am sure will be enacted at the next session of Congress to meet the needs of the Army and make efficient not a large standing army but make most efficient an army of not to exceed 125,000 men. With such an army, properly officered, and an efficient national guard as a nucleus and the establishment of a reserve, which can be created with little, if any, expense to the country, there is no question but that we will be in a position to meet all dangers that are likely to come upon us from foes without or within.

Now, Mr. President, with this short observation upon the subject, and regretting that I do not feel it proper to go into

the whole subject at this time, I will ask that the formal reading of the bill now before the Senate be dispensed with; that it be read for amendment; and that the committee amendments be first considered and acted upon.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon that the formal reading of the bill be dispensed with; that it be read for amendment; and that the committee amendments be first considered? The Chair hears none.

Mr. THOMAS. Mr. President, in view of the fact that much has been said in both Houses, principally in the House of Representatives, concerning the need of the establishment of a large military and naval armament, I feel it my duty, notwithstanding the value of our time, to address the Senate upon that subject for about 20 minutes.

Mr. President, last summer, with the swiftness of thought, seven nations of Europe became involved in war. The population of the countries engaged were transformed into belligerents before they were fully conscious of the fact. Peace fled on the wings of the morning. The wheels of commerce and industry came to a halt with a suddenness that shook the foundations of the industrial world. Great armies sprang into being overnight. Civilization stood aghast at the change which reversed the hands upon the dial of progress and menaced the overthrow of all her great achievements. All that science had accomplished in three centuries was pressed into the science of slaughter and destruction. The mightiest nations of the Old World abandoned their pursuits and grappled in grim and deadly conflict on land, on sea, and in the air. For six months the contest has raged, spreading death and desolation everywhere, and no man may say what the end will be.

Mr. President, until this terrible upheaval occurred many of us had cherished the hope that war's arbitrament was a horror of the past; that reason had substituted the principles of enlightened justice for the sword; and that the gravest of national differences were amenable to adjustment through the bloodless processes of a wise diplomacy. Republican government had established itself firmly in the Western Hemisphere, the force of whose example had been impressed upon the peoples of every land. Commercial intercourse had knit the nations together with a network of mutual interests, and their interdependence for the necessities and comforts of modern industrial life had become the established consequence of international trade. The sword had been more than beaten into a plowshare; it had been molded into the telegraph wire, the steel rail, the machine drill, and the prow of the merchantman. Ours seemed to be the age of constructive development, material and intellectual. The genius of men found its loftiest expression and their ambitions its greatest triumph in the pursuit of commerce, of the industries, and of science in all her manifold phases. The engineer had been substituted for the soldier. The armed camp still abounded in eastern monarchies, but the huge expense of militarism apparently condemned it to an early death.

For an hundred and twenty-five years the American Republic had maintained itself without a large standing army. The conviction that liberty could not coexist with such an institution had steadily grown. We had prevailed in two wars with a foreign enemy, and had fought to a finish our internecine controversy without overcoming or impairing our prejudice against great military establishments. And we have kept our naval force within comparatively modest limits. Our isolation, our freedom from alliances, entangling or otherwise, with other powers, and our moral influence in the affairs of men at the close of our first cycle of national life confirmed and vindicated our policy in so far as our conceptions could determine.

In one instance we had made an innovation upon a general feature of defensive strategy. We covenanted with Great Britain that no naval force save such as might be required for safeguarding the revenues, should be maintained by either nation; a pact which has been well observed for nearly a century. Since the convention of April, 1817, the common frontier has stretched from ocean to ocean, and with a careless unconsciousness of the peril which is now vociferously asserted with the vigor of a fire alarm we have not safeguarded it with a single blockhouse.

We have been equally remiss upon our southern border, which is also transcontinental, where nothing but an occasional customhouse intervenes between ourselves and Mexico. Moreover, continuous lines of railway have been constructed from our own into the foreign domains north and south; and these are operated by private owners without governmental interference beyond what is necessary for the enforcement of our tariff laws. We have thus contributed both actively and passively to a situation, the frightful potential consequences whereof are now suddenly revealed to us.

The European war has rudely disturbed our reposeful sense of security. It has reminded a large portion of the public as with a blow in the face that ours might have been—as it may soon be—the fate of Belgium. To them our peril is so great, because of our lack of precautionary defensive measures, that it may be difficult to strengthen our exposed frontiers and coast line before the shock of its arrival is upon us. Although we have expended billions upon our Army and our Navy within the last 20 years, the deficiencies of both are said to be as lamentable as though the expenditures had not been made. It has inspired makers of armor plate and military equipment the world over to magnify our helplessness and to advertise their facilities to supply all needed armament in quantities demanded by the unprecedented emergency.

What is this peril, the breath of whose presence we can actually feel? Whence comes it, and why does it menace our Nation so directly? If imagination can body forth a thing unseen, I should declare it to be a long-cherished purpose of the nations now at war across the Atlantic, or some of them, and of another great nation across the Pacific, because of our unpreparedness for war, to direct an expedition, or several of them, consisting of vast bodies of trained veterans, fully equipped with all the modern machinery of war, to ravage our shores, burn our cities, murder our men, ravish our women, and levy tribute upon us or take final possession of our country by right of conquest; that they will come without warning and without provocation merely because we are defenseless, and because they are red with the lust of plunder. It may be England, because she has a great navy; Germany, because she has a great army; Japan, because she is said to have a grievance; or it may be all of them together. But the great central fact to be gathered from the apprehensions of men is that they, or some of them, or one of them, or some other power, are—

> Coming as the winds come when forests are rended;
> Coming as the waves come when navies are stranded.

And that we, fervently thanking Providence for restraining the invasion thus far, will make it certain by any postponement of an armed defensive preparation. And as we are assured that this formidable unknown but positively identified menace is inevitable, so are we also told that the blow may fall anywhere, everywhere. England may launch it across our northern border, in conjunction with her Asiatic ally. They have access to the Canadian ports and in that way can mobilize against us with impunity. Canada has marshaled her legions for the German foe; how easy to utilize them for a drive over the unprotected border when they come marching home again.

We are also warned that Japan contemplates a strike at us through Mexico, with whose late ruler she was most friendly. This would avoid the feeble opposition which might be encountered if a landing were attempted upon our coast line.

Or it may come from the sea. From every direction the danger haunts us. We seem to be surrounded by invisible enemies entertaining visible designs against us. Our plight is not a recent but a chronic one. The glare of Europe's conflagration has merely served to reveal its terrors more clearly, and so the war-equipment trust is here with samples of their wares for our inspection. And the fact that these great military and naval powers are exhausting themselves against each other, that each is put to the supreme test of endurance that it may not be overcome, would seem to be of no importance as regards ourselves. Instead of removing or postponing the common purpose to invade America, it has, according to the alarmist within our midst, served to intensify that purpose and to reveal its real terrors in absorbing perspective. Beset by these sinister conditions, we are admonished to prepare the means for a successful defense against the great powers of the earth. We must do it effectually and we must do it now. We are not united as to the extent to which our defensive preparations must go in order to be efficient, but we are all agreed that efficiency must be the goal. And it is clear that no defensive equipment can be adequate unless it be equal to the emergency which confronts us. The emergency must measure the volume of preparation. It is Japan and also Anglo-Japanese. It is Teutonic. It is Russian. It is Latin. It is the Dual Monarchy. And it may be a union of them all. It is omnipresent and circumambient.

We should be aided in our task by the example of other countries, whose armaments, including those to be utilized for our destruction, were all designed for defensive purposes. They have so declared, not once but constantly. They justify their enormous military and naval expenditures to their subjects

wholly upon this assurance. The nations now at war in Europe are all upon the defensive. Each accuses the others of being the aggressors, and none will acknowledge that responsibility. And their defensive preparations have taxed their resources to the last degree.

We have a longer coast line than any other nation. If it be true that a formidable enemy can land almost anywhere and inflict irreparable damage upon us, then we should fortify and protect the whole of it against the danger or we do not protect ourselves adequately.

If it be true that our Navy, although second only to that of Great Britain, is practically worthless, then we should increase it beyond that of Great Britain. If it be true that Germany with her 42-centimeter guns has designs upon our territory, then we should equip our coast fortifications with 84-centimeter guns. And, of course, I assume all these things to be true, because we have been assured of their truth by the solemn declarations of the American press and by multitudes of circulars and pamphlets scattered through the mails in October, November, and December of every year since 1898. These are the months in which Japan always accommodatingly reveals her designs against our Pacific coast or outlying possessions, and I venture the prediction that if she shall prove to be the foretold invader she will land her forces about 30 days before a regular session of Congress. The consistency of her conduct in this regard is a reflection upon her high reputation for strategy, but she doubtless persists in the habit as a tribute to some oriental superstition and upon the assumption that our lethargy and lack of preparation will continue.

Besides fortifiying our coast lines, we should terminate the Rush-Bagot convention of 1817 and establish a fleet on the Great Lakes. Our defensive policy will demand it. We can terminate that agreement upon six months' notice and begin our naval construction at once. I am mindful of the fact that both Governments conceded in 1817 that the presence of armed vessels on the Lakes would provoke instead of prevent discord, but this minor danger must yield to the demands of the greater peril.

And there is Alaska, with Canada's huge bulk interposed between it and ourselves, and Russia only 36 miles away on the other side, with the Aleutians stretching far westward into the Pacific. Perhaps it is permissible to postpone the fortification of Alaska's eastern frontier until the more pressing needs of our nearer ones are satisfied, but we should not neglect her seacoast. We must construct an Aalskan squadron and fortify and garrison her coast line. Should the Slav vanquish the Teuton in Europe he may determine to reassert his dominion over that region and march his hordes across the frozen waters of Bering Straits while we sit secure in our fancied isolation.

And there are Hawaii and Porto Rico, both tempting morsels to the ravenous appetites of the devouring nations. And the Philippines away off in the Orient which we ravished from Spain despite the protests of Democracy and the warning of our wisest statesmen. If German occupation of Kiaochow menaced the peace of Asia, why does not our possession of these islands tend in the same direction? The world was told in 1900 that we departed from our unbroken policy and invested these islands in the discharge of a great public duty which had been thrust upon us; a duty still existent and whose obligations we are admonished to observe until our subjects there have reached our own moral and intellectual stature. This far-flung outpost demands the most formidable defensive equipment. It is a part of the enemy's country, infested by foes from without and foes from within. Here is need for forts and fleets, for guns and garrisons. It is as though we had extended our coast line by 4,000 miles, taking chances with fate for its conservation.

And there is our Canal Zone across the Isthmus wrested from Colombia in wanton disregard of our treaty obligations and in violation of the sovereignty of a friendly sister Republic. We followed our acquisition by the construction of a great canal designed to serve the needs of commerce and communication for all time. This vast undertaking was conceived and accomplished not for ourselves alone, but for all the nations. It is a great international highway dedicated to the service and welfare of mankind. It is the contribution of the great Republic to the progress of the world. It is ours, but impressed with a trust for the future and for which all generations are the beneficiaries. But we are daily admonished, we have been warned from the beginning, that unless we guard its approaches with impregnable fortifications and batteries of highest power, unless we line its banks with a veteran soldiery and people the sky above its channel with biplanes and dirigibles, the cupidity or vandalism of the nations in whose behalf we expended five hundred millions for its construction may invest and destroy it. If this be true, it is a ghastly satire on civilization. We may conceive this Nation at war with formidable enemies eager to occupy its territory, to crush its armies, and exasperated beyond endurance by the stubborn resistance they encounter; we may imagine American supremacy in commerce attained through competition with her adversaries so fierce as to provoke reprisals and arouse implacable animosities; but it is difficult to believe a great artery of intercommunication, constructed at enormous expense and open to the vessels and commerce of every country, could be imperiled by the hand of man. But we are warned that it is so, and that the gift of our Nation to the world must be guarded by the giver against destruction by some of its beneficiaries; that our act of unexampled generosity has entailed a great and permanent burden upon us, if what has been dedicated to the use of man shall escape his destructive frenzy. And the wonder is that our credulity accepts this libel upon our race as true and clamors for canal fortifications costing almost as much as the waterway, which shall be impregnable to the assaults of armies and navies.

Mr. President, I can not deny to my country the right of self-preservation, nor avoid the duty, as one of its representatives, to extend it every facility which the task demands. I solemnly affirm that if we are subject to formidable foreign invasion we should make preparations against it upon a scale commensurate with the danger. And it is self-evident that a partial or half-hearted scheme of national defense is little better than none at all. Modern warfare is not conducted with small establishments or upon a limited field. It is colossal, deadly, all embracing. It means the discipline of millions of soldiers; the building of huge fleets; the accumulation of vast stores of ordnance, of food, and all the paraphernalia of military equipment; the construction and command of effective lines of communication; the possession of scores of aeroplanes and dirigibles; the maintenance of a competent bureau of information; the possession of many scores of motor trucks and motor cycles. To be defensively secure we must be offensively prepared. We must be stronger than the strongest force we have reason to fear, or we may be overwhelmed.

Let us have no illusions on this subject, for they may be fatal. He who seriously believes that war will come to us indulges in idle chatter when he demands a standing army of but 150,000 men and a reserve force of half a million, an occasional fort along our coast line, and but three or four new battleships annually. We must arm against the only nations we have reason to suspect, and whose prowess excites apprehension. They are the great powers of the present day.

A man said to me a few days ago, "If Germany wins, we shall be compelled to arm against her." I replied, "If England or Russia win, we may be compelled to arm against them." The one contingency is as probable as the other. If we must arm, then we should arm effectually.

It follows that our national defense requires a fleet at least as powerful as those of Great Britain and France on the Atlantic, and of Japan and Russia on the Pacific, in battleships, cruisers, torpedo boats, submarines, and transports. And our vessels should be superior to them in armor, speed, and gun power.

We should have a standing Army of at least 1,250,000 men and a reserve of twice as many more. A third of the Regulars should be sufficient for our outlying possessions; the remainder would be few enough for the coming continental emergency. To this general land and water equipment should be added a fleet upon the Lakes and fortifications along our boundary and coast lines wherever a landing in force or a drive across the border could be made or expected. We should have not less than 2,000 aeroplanes and 250 dirigibles, 25,000 autotrucks and 10,000 motor cycles. The Government should take over all armor-plate, rifle, powder, and small-arms manufactories and erect as many others as the demands of our defensive preparation require. It should also take over the entire transportation system of the country and operate it exclusively with reservists. Only in this manner can lines be constructed to strategic points where they do not now exist and be devoted exclusively to mobilization when war is declared. Not otherwise can they be operated with certainty and safety. Even now it is asserted by our alarmists that our privately operated roads are lined with Asiatic trackwalkers and section hands commissioned to destroy them the moment hostilities begin. And the telegraph and telephone lines must be nationalized as well.

We must establish a bureau of intelligence. Canada, Great Britain, and Italy, Germany and France, Japan and Russia must be sown with American spies to pilfer information through back doors and intrigue, to purchase it from corrupt officials and eavesdropping accomplices. We must encourage and reward betrayals of trust, the manufacturers of lies, and the violation of confidences. In a word, we must emulate if we

would thwart the enemies of our country by duplicating their methods, at whatever cost to our Treasury, our standards of conduct, our national self-respect, and our conceptions of honor and honesty.

And, Mr. President, we should also invest the Almighty with the attributes of a tribal God, a God whose peculiar people we are, who will battle with us and for us when war is upon us; a God who directs our missiles of destruction, who confuses our enemies, who aids us in spreading carnage and destruction among our foes; a God who sanctions and stimulates the slaughter of our opponents, to whom their widows and orphans may not turn for relief; a God who rides our battle storm and speaks in the thunder of our cannon; a God who reveals his face to us alone, who hides his countenance from those who war against us, who justifies our deeds and applauds our virtues.

Mr. President, the Omniscient power which guides the sword in the hands of the German Emperor is not the power which bade the Czar go forth and destroy him. That to which England appeals in her great extremity possesses attributes vastly different from those investing the Jehovah before whom Francis Joseph bows in supplication. Each transfigures the same ideal into an image of its own, and that image is clothed in the habiliments of nationality. We shall do likewise, albeit unconsciously, just as soon as we enter upon the task of defensive preparation upon a scale at all commensurate with the danger depicted.

You tell me this is militarism. I grant it. It is navalism too. But where is our alternative? During the past 10 years we have appropriated over a thousand millions of dollars for the Army and for fortifications, and more than twelve hundred millions for the Navy, of which 85 per cent have been expended under Republican administrations, and you are appalled by what you affirm to be an utterly helpless condition. We have the second navy in the world, and you tell us it is nothing. We are isolated by 3,000 miles of ocean from our nearest antagonist, but you say that is no longer a protection. I have taken your premises and sought to trace the inexorable logic of its requirements.

In 1908 Representative Tawney, of Minnesota, then chairman of the Committee on Appropriations, declared that the Government was then expending in preparation for war and on account of wars past 67.5 per cent of its total revenues, exclusive of appropriations for the Postal Service. He also said that we were annually expending in the aggregate for these purposes a greater sum than England, France, or Germany, the percentages of these countries being 42.2, 32.2, and 42.9, respectively. And Mr. Tawney did not include certain overhead charges in his estimate which raised our total of expenditures for these purposes to 71 per cent.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I yield for a question.

Mr. NORRIS. Before the Senator leaves the unpreparedness of our country, which has been so elaborately discussed here and elsewhere and in all the papers, I wanted to ask him if he had taken into consideration what would happen to us in our unprepared state if Villa, the bandit in Mexico, could read and thus discover how easy it would be for him and one or two or half a dozen of his fellow bandits to come across the country and not only destroy the country but capture Washington?

Mr. THOMAS. Yes, Mr. President; I have considered that. I have considered also how easy it would be for the people of Canada, who might be aroused to the height of passion by some untoward incident, to invade us from that direction.

Mr. NORRIS. I can not understand why they do not do it, because they can read, but I understand Villa can neither read nor write, and he does not know how easy a job he would have to capture this country.

Mr. THOMAS. Perhaps it is because he can not read and write that he does not know how helpless we are.

Mr. NORRIS. I think that is right.

Mr. THOMAS. That is possible.

Mr. NORRIS. If he could read the CONGRESSIONAL RECORD, he would be up here in two weeks.

Mr. THOMAS. If our condition were as entirely helpless and hopeless as the advocates of militarism would have the world believe—and I say that in a perfectly respectful sense, because I think men who desire and who feel the necessity for a greater equipment are unconsciously perhaps militarists—that condition, however, has existed for years, but the marvelous thing is that with the expenditure of millions upon millions and of billions of dollars for defense we are in the good year 1915 as unprepared and as helpless as we were before that expenditure was made.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I yield to the Senator from Ohio.

Mr. POMERENE. In view of the very great preparedness of the European countries and the great calamities which have befallen those countries in their prepared state is the Senator quite ready to say that our unpreparedness is an unmixed evil?

Mr. THOMAS. The Senator has anticipated what I will say before I get through.

But 29 per cent of our national revenues are therefore available under present conditions for the manifold activities of Government exclusive of its military and naval requirements. Agriculture, commerce, manufactures, mining, education, public improvements, the administration of justice, navigation, all these subjects combined, are conducted upon less than a third of the national income, that wars which were and wars which may come may take their toll. And now we learn that all these past expenditures have been made in vain, that our outlay has gone for nothing, and that we must multiply the burden tenfold if we would not perish from the earth.

Mr. President, this means militarism, perhaps not immediate, but certain. For those who profit by the system, who make merchandise of wars and rumors of wars, who stimulate, because they benefit by, the apprehensions of the timid, who make an asset of the martial spirit of our youth, who suggest and promote strife between nations that they may arm each against the other, who coin blood and tears and misery into dividends, will persist until we have exhausted our national resources in creating and continuing military and naval armament for what they term necessary defensive purposes. They think war, breathe war, preach it through the press, and find much response among the good people of the land. These have the vast profits which over twenty-two hundred millions of the past decade have yielded; they will reap that which the coming harvest of thrice that sum will surely yield.

And, Mr. President, when we are at last prepared, fully prepared, we will attack that we may defend. No man thoroughly armed for defense ever failed in time to seek, if he did not encounter, the adversary against whom his defense was directed, or failing to find him has found another. In all history nations thoroughly prepared for defense have been drawn sooner or later into the toils of war. No nation has ever thus equipped itself without arousing resentments and suspicions which find expression in counter armaments. Preparation breeds preparation and finds justification in seeking if it does not otherwise encounter armed conflict, always baptized as defensive warfare. "What is the use of our army," complained the German crown prince shortly before the present war began, "if it is not employed"? This great Republic, the refuge of freedom and the home of popular government, can not escape the fate or the future of monarchies, once it fully embarks upon the policy of militarism, by whatever name it may be christened.

We can secure the money, Mr. President. Every protectionist in the land will tell us how. We can multiply the injustice of the Payne-Aldrich bill manyfold; we can quadruple our excise dues and our income tax; we can lay tribute upon hearths and windows, upon salt and sugar. What boots it when national salvation is in the balance? What boots it when posterity, in whose behoof it is to be done, must pay the toll? Theirs will be the awful burden, because theirs is the benefit. It is they whom we safeguard against the storms looming, always looming, on the horizon. And it is a debt which, reaching a sum that the existing civilization can not sustain, must eventually produce the catastrophe it was created to prevent.

Mr. President, I have spoken upon this subject in no spirit of levity. I do not believe this Nation to be in any danger of invasion, but I am conscious of the fact that a vast number of my countrymen do believe it. I know that a great propaganda, promoted for years, and never more vigorously than now, to foster and extend that belief is animated by the sordid spirit of avarice and greed—a spirit which justifies old Dr. Johnson's celebrated definition of patriotism, a spirit which knows neither nationality nor politics, a spirit whose pernicious activities are largely responsible for the awful campaigns of the hour. I want, if I can, to impress upon those who, candidly apprehensive, clamor for a "state of preparedness," are lending themselves and their fears to its accomplishment, that this policy once begun will know no turning, will transform the Republic into a military Nation, and exhaust its resources in the creation and support of vast organizations for so-called defensive warfare, undermine our institutions, reverse our purposes, bankrupt our Treasury, and culminate in the awful tragedy of destructive and devastating war. The way to avoid the result is to reject the policy.

This does not require nor justify a resort to the other extreme. A small standing Army should be maintained as heretofore, but made more efficient. A trained citizenry has many advantages, not all of which are military. The discipline of youth is the best assurance of respect for authority and confidence of the individual in himself. A coast defense kept at an efficiency of 100 per cent is obvious. Our Navy is large enough for the present and far too large if it is as antiquated as its critics contend. This is the day of submarines and dirigibles. Battleships, like other leviathans, belong to an age that was. But let us not be deluded by the false cry that the Philistines are upon us into imitating those countries which have exhausted themselves and piled mountains of debt upon their posterity in the mad competition of militarism under the pretense of defensive preparation. It is a policy which carries within itself the seeds of its own undoing, seeds which must ripen into life and bring their certain harvest of ruin and desolation upon all the sons of men.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Colorado, I should judge from his remarks, thinks that unless this country is willing at once to increase its military establishment to the point where it would be successful over the largest military establishment of any foreign power it ought to do nothing at all. The Senator seems to think that unless we are prepared immediately to maintain an absolutely invincible Army and Navy, it is, as he phrases it, "idle chatter" to talk about taking any measure to increase the efficiency of our Army or our Navy.

Mr. President, I am not a military man. I know nothing about the details of the service. I am not in any sense an expert. I had some slight service upon the Committee on Naval Affairs when I was a Member of the House of Representatives, but I do not think that for at least a sufficient understanding of the question of national defense and national preparedness it is necessary that a legislator should have a technical military education.

To my mind the question before us appears to be a question of common sense. A man does not need to be a graduate of Annapolis or West Point, I take it, to have an opinion as to whether it is the duty of this country of 100,000,000 people to sit helpless and undefended, offering itself as a fat and easy prey to whatever cormorant or predatory nation may take it into its head to attack us, or whether this country shall obey the mandate of the Constitution of the United States and maintain an "adequate" Army and Navy, not with any idea of immediate war, either of offense or defense, but, as I regard it, with the same common-sense view that a city would maintain an adequate police force.

Mr. President, it is well enough to talk about universal peace. In view of the developments over the world during the last three or four years, I consider it to be "idle chatter" for anybody to talk now as though the public opinion of the world had arrived at that state of beautitude where the Sermon on the Mount could be translated into national action. It seems to me to be perfectly preposterous, not only idle but criminal, for grown men who know the history of this country, who know how we have esablished our institutions, how our fathers in ancient times and in modern times have had to fight with the strong arm to maintain what they thought was right and to maintain the very life of the Government of this country.

I am not discussing what ought to be. I am not discussing what may happen thousands of years hence, perhaps, when all the rest of the races of the world have been educated to the point of Christianity and the kindness and sweetness which ought to characterize people if they practice what they preach. I am talking about existing conditions, and for one I do not propose to sit here silent and quiescent with the pillars of the temples of the world smashing and tumbling all about my ears and lull myself to sleep with any dolce far niente talk about universal peace and sympathy and the concordance of nations. That, Mr. President, I regard almost in its effect, though, of course, not in its intention, as treason to this country.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BRANDEGEE. With pleasure.

Mr. THOMAS. I assume that the last remark of the Senator was due to the remarks which I have just submitted to the Senate. While I recognize that the Senator draws the sting from his remark by declaring that such was not the intention, I can not permit it to pass by without protesting against its application to that large number of men and women throughout this country who are now, as they have been for years, devoting their lives and their energies to the cause of universal peace. It may be that they are subject to the charge of cowardice, which is sometimes brought against every man who styles himself a pacificist, but I am not one of those who think those who cry peace in the world instead of war can be guilty of treason to their own country and their own Government. It is true that the pillars of the temples of the other nations are now tumbling and many of them are falling. It is due to us to do what we can to temper the blow, but that we should immediately get ready by imitating and following the example of those whose policies have brought about this terrible result would seem to me to smack more of treason than the action of those who, seeing this example, would try to avoid it.

Mr. BRANDEGEE. The Senator from Colorado may possess his soul in patience in the serene consciousness that I had no reference whatever to him or to the remarks which he has made. I succeeded him on the floor in point of time, and I take the other view of the question of national preparedness, as I understand it, from what he has expressed.

Mr. THOMAS. I do not doubt the Senator is perfectly sincere and entirely patriotic in the view which he entertains of existing conditions as they exist for increased naval and military equipment, and I am sure that his sober second thought will approve the suggestion that the same charity of sentiment and intention should be extended to all the sons of men.

Mr. BRANDEGEE. Certainly; Mr. President, I have nothing but the kindliest feelings for the Senator from Colorado, and also for all the people who are engaged in a great propaganda of peace. I do not, as I have said, question their patriotism. I do not question their courage. If this country were attacked I believe they would fight as valiantly in its defense as anybody who advocates an adequate preparation for defense now, without waiting until the emergency and the hysteria arise; but I say, if I be correct, it is better to be prepared than to be unprepared; when the emergency arises it is better to have an armament of completely trained and competent men and officers, both on land and sea, than it is to appeal in hysterical tones to the country for two or three millions of men gathered from peaceful pursuits and attempt to make a disciplined army out of an unorganized mob. I say, if it is better to be prepared than to be unprepared, prepared for whatever may come, hoping that nothing but good for us will come, then the view I take of this matter is a safer and a sounder view for this country than the view of those who say that because we are not at once to plunge into military preparation exceeding that of any foreign power, therefore they will sit supine and do nothing. I may be wrong in that opinion, but I regard it as in accordance with my oath of office and my responsibility as a Senator of the United States to warn this country that in my view they have been and are living in a fool's paradise.

I do not believe, in the present temper of the world, with what we have seen in the Orient, in Europe, in Mexico, north and south and east and west, that it does us any good or is any credit to our intelligence to sit and fold our hands and talk about the beauties of beating swords into plowshares and setting a good example to people who are so enraged that they are engaged in the genial occupation of cutting each other's throats and blowing up the vessels of neutral powers in addition to those of belligerents. I do not believe it is of any use to talk about the beauties and the blessings of universal peace. I should consider myself a candidate for a madhouse if I should undertake to shape the policy of this great Nation upon any such conception as that.

Mr. President, I started by saying I am not a military man. This is not a military question so far as we are concerned. It will be, if we adopt the common-sense, national patriotic policy, a military question for military experts to carry out the details, but it is a question of common sense, of common ordinary sanity, in my opinion, to open our eyes and to view things according as your senses convey the events that are proceeding about us to a normal brain.

Mr. President, there has been for several months a spirit of inquiry in this country to ascertain exactly what is our condition both as to the Army and the Navy. Various attempts have been made in another branch of this Congress to ascertain merely the facts. We are not allowed to do so. The condition is suppressed. Wherever a man having the knowledge competent to discuss the situation and to tell the country what it is, no matter how high or how low in rank, either in the Army or the Navy, if he venture to make a talk to a few friends in a social club, he is called to account and reprimanded by the Secretary either of the Army or the Navy, as the case may be. The men competent to give us the information are officially gagged. The men in Congress who demand it are accused of trying to make trouble for the country. So far as I am con-

cerned I shall not try to make any trouble for the country. All I want is to try to do what I may in my small way to avoid trouble for the country, and if trouble shall ever come, and I trust it may not, I want to be in a position to say at least that I saw the situation and I demanded that proper steps should be taken to ascertain the condition of our military unpreparedness and to correct it.

If I could have my way, I would vote for a thorough inquiry by a joint committee of Congress into the entire question of the military preparedness of this Nation in case it were called upon to defend itself, and as far as I can see there is no reason why anybody should want to oppose that.

It is said that vast sums have been expended in the past upon the Army and the Navy and the coast defense. Of course nobody expected that those branches of the Government would be maintained for nothing. Everybody knows that great guns cost money, and that battleships cost $8,000,000 or $10,000,000 apiece. Everybody knows that they wear out. It might be that if we had remained undefended and impotent, so that we would have had to submit to national humiliation during the last 25 years if any attempt had been made upon us that we were unprepared to resist, that money would not have been spent.

But, Mr. President, if a nation of 100,000,000 people is to be prepared to assert its rights and to defend its flag and its honor and its commerce, it has got to maintain an adequate army and navy, and it costs money. They can not be created upon the instant. We all know that it takes from one to three years to build a battleship of the first class, and that it would be idle to attempt to create a navy after the necessity for its use had arisen; and it would be just as idle to attempt to create an army. We have got always to maintain an adequate army and navy or else we have got to adopt the policy of some of the pacificists—I do not know whether they are entirely agreed upon it—to abolish the Army and Navy. Then we could save the money, and then when Mexico or Turkey or the Barbary pirates, if there be any, cast our citizens into prison and put the torture upon them, whenever any nation has a boundary dispute with us or attempts to use its army or navy in blockading our ports and imposing indemnity upon us, we can preach the sweet doctrine of moral suasion to them and turning the other cheek as an argument that we think it is not in accordance with the spirit of an enlightened age to use these horrible instruments of force against us; that we ought to submit to some kind of an international arbitration tribunal to be organized and sit down and talk it over.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BRANDEGEE. I do.

Mr. POMERENE. I notice the Senator has several times expressed his view of the necessity for an adequate Navy and an adequate Army. What in his judgment would be an adequate Navy or an adequate Army?

Mr. BRANDEGEE. Mr. President, I think I have heard the Senator ask that same question before. I will say to him that it would depend entirely upon the circumstances. I would say in general terms that nothing would be adequate, no matter how large, either as a naval or a military establishment, that was not properly and proportionately balanced and equipped in every branch of all the auxiliaries of the service, so that, the chain being no stronger than the weakest link, the progress and rapidity of action of a fleet or an Army depending absolutely upon the slowest unit it could be operated perfectly to whatever extent it existed, so that it would not be unbalanced and onesided and insufficiently supplied with artillery, or with cavalry, or with infantry; that whatever size it was, it would be a perfect instrument of its size; that our Naval Establishment should not be perfect of its size in line of battleships or dreadnaughts or superdreadnaughts and be absolutely deficient in the colliers that furnish those dreadnaughts with coal, so that the humiliating and mortifying spectacle might never again be witnessed, as it was witnessed when our great fleet was sent around the world for the purpose of giving an exhibition to foreign nations of the majesty and power of this Nation, that it would have to be furnished with the fuel by which it navigated from one foreign port to another by the colliers leased from other Governments with whom, if we ever wanted to use our Navy, we might be at war.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Washington?

Mr. BRANDEGEE. Certainly.

Mr. JONES. I wish to ask the Senator from Connecticut if he does not think it might be interesting to get a definition from the Senator from Ohio [Mr. POMERENE] as to what an adequate Navy may be? I find that the Democratic platform of 1912 says:

> The party that proclaimed and has always enforced the Monroe doctrine and was sponsor for the new Navy will continue faithfully to observe the constitutional requirements to provide and maintain an adequate and well-proportioned Navy—

And so forth.

I would be very much gratified if the Senator from Ohio would also give his definition of what an adequate Navy is.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield further to the Senator from Ohio?

Mr. BRANDEGEE. Certainly.

Mr. POMERENE. I do not think I am a dreamer by any means. I am quite willing that there shall be an adequate Navy and an adequate Army, but when I hear a gentleman in the public service using those terms in legislative halls the situation is somewhat different from a general declaration which may be made by a political party. The question is confronting us now, it seems, in conjunction with the Army and Navy bills. When they speak of an adequate Navy or an adequate Army, am I to understand as a legislator that this means an expenditure of $100,000,000 a year or a thousand million dollars a year? I have heard no one give to me an intelligent declaration on that subject; and, not meaning to get into a controversy with the distinguished Senator from Connecticut or with the distinguished Senator from Washington, it occurred to me that it was quite a pertinent question, in view of the fact that this is under discussion at the present time.

Mr. JONES. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Washington.

Mr. JONES. I did not want to get into any controversy, either. I was simply desirous of getting for my own information the idea of the Senator from Ohio as to what would be an adequate Army or an adequate Navy. The Senator did not give us any expression of his views as to what an adequate Army or an adequate Navy is.

Mr. BRANDEGEE. I did not, and, of course, it is impossible, as the Senator from Ohio knew it would be impossible, for me now or anybody else to describe in number of vessels or number of men what would be "adequate."

Mr. POMERENE. It was not I who was discussing the question; it was the Senator from Connecticut who raised the question. I have heard suggestions made that we perhaps ought to add 100,000 or 200,000 men to the Army. I do not profess to know, but I take no lesson whatever from conditions as they prevail in the militarism of Europe.

Mr. CHAMBERLAIN. Mr. President, may I suggest to the Senator that I am in accord with his views on that subject. There is a contrariety of opinion as to what is necessary to constitute an adequate Army. The Secretary of War, who has given the matter very great consideration, thinks that an Army of 105,000 to 110,000 men would constitute an adequate Army, and I am inclined to agree with him in that opinion; but I think everyone concedes, whether they agree as to the number of men or not, that there ought to be some method adopted in this country for creating and maintaining a reserve that might be called for at any time.

Mr. POMERENE. Mr. President——

Mr. BRANDEGEE. Mr. President, I believe I must decline to yield to a tripartite colloquy, because my remarks will be brief and I should like to finish them.

Mr. POMERENE. Will the Senator permit me simply to make this statement, in view of what he has recited?

Mr. BRANDEGEE. Very well.

Mr. POMERENE. I am not sure that I am ready to accept that; but I have been more impressed with the views as expressed by the junior Senator from Massachusetts [Mr. WEEKS] in a speech which he made some weeks ago than I have by anything else which I have heard upon the floor of the Senate upon this subject.

Mr. BRANDEGEE. I am very much gratified if any impression has been made whatever upon this subject in the line referred to by the Senator from Ohio.

Mr. President, the Senator from Ohio did raise the question of what was adequate. I apologize to him. I was addressing the Senate, and the Senator rose in his place and asked me what I thought was an adequate Army and Navy. That is the cause of all this digression.

Now, the Senator will never get a more precise answer to his own inquiry than he will to the inquiry of what is a "reasonable doubt" in a law case. It is the kind of doubt that a reasonable man would entertain on the question, in view of all the circumstances, which simply begs the question. What

would be an adequate Navy now and an adequate Army now would not be adequate if the danger of international complications between our Nation and other nations were greater than it is now. What would be best or what would be the composite judgment of the ninety-six Members of the Senate and the four hundred and odd Members of the House as to what would be wisest to start in with as a proper increase in the standing Army in time of peace is utterly beyond the ability of me or the Senator from Ohio to say. But I have a definite enough notion about it to say this, and I refer, as the Senator from Ohio did upon this subject regarding the Army and the Navy as one military branch of the Government in cooperation and the great arm of the Government, to the masterly address of the Senator from Massachusetts [Mr. LODGE] here a few weeks ago.

He showed that with that portion of our Army which we are compelled to maintain in our insular possessions and at Panama excepted, with 100,000,000 people here dependent upon a mobile force of 25,000 men, is not adequate even under existing circumstances for this country. It ought to be increased, but above all we ought to find out to our satisfaction whether what we have as a nucleus is organized upon that basis of elasticity and easy and proper expansion so that it can be even the nucleus of what may be necessary to have if complications should arise.

Now, that can not be unreasonable, it strikes me. No man and no combination of business men in any business of large magnitude, or small, either, would for an instant permit his organization, his force, to be upon a basis where it was not reasonably responsive to the probabilities of the future, and he would not wait until the emergency arose. If his business is liable to expand next year, he would not wait until it had expanded before he had provided for the extension of his organization. I am perfectly satisfied, Mr. President, in my own mind, that if this Congress would only allow itself to hold up to its own eyes what the conditions are of preparedness as to our Army and Navy they would not dare, as trustees of this great country's interests, to allow the conditions to remain any longer as they are now.

Mr. President, anybody who knows nothing more about this Armageddon that is going on in Europe and Asia than he may read in the headlines of the daily press knows perfectly well that those armies are equipped with accessories and auxiliaries of which we are almost barren here in this country.

I refer again to the statistics laid before Congress and in the hope of stirring it to transact and perform its manifest duty by the Senator from Massachusetts. He gave the statistics of an attempted rendezvous for experimental purposes of our submarine fleet, and it was an astounding and a pathetic recital. If a submarine is meant for any other purpose than to steam from one repair shop to another and to go out of commission when there is anything to do in the submarine line, then our submarine fleet at the time it assembled, so that its capacity could be ascertained, was a hospital and an ambulance corps instead of an effective fighting machine. Now, it is easy to find out whether that is so or not.

The Senator from Massachusetts said that it was shown by the official reports. He had had the industry to get them together and extract the facts. If that is so, what is the condition of the rest of our Naval Establishment?

I myself think the Naval Establishment is a great deal better off than is the Army Establishment. I think what constitute our first line—the large battleships—are in good condition, probably, though I think the personnel and the efficiency of the men in action may have deteriorated somewhat; but the country does not want to govern itself upon what I think or what somebody else suspects or what some third party may apprehend. Can there be any excuse for not finding out "where we are at"? That is all the country wants to know.

I am satisfied that if we find out the truth about this matter, and it needs a remedy, Congress will supply the remedy, for I think Congress will want to do what they think is their duty and what the people want them to do. I have no doubt that we have a common-sense people, and I do not think they are relying for their protection upon any resolutions that any peace society is passing or upon any diplomatic assurances of "distinguished consideration" from parties from whom other people may apprehend danger at some time or other.

I think our people want an adequate Army and Navy to protect the peace and good order of the country and to protect our commerce abroad and our flag everywhere. Why, Mr. President, a mobile army of 25,000 men scattered about this country, the Infantry never drilling together or cooperating with the Cavalry, with only a few battalions of each in one fort and a few guns and portions of artillery in another fort, and a few regiments of Infantry scattered about from Governors Island to Maine and on the plains of the great West—if you could get them all together, and once operate them together, they would hardly make more than an honorary staff of the German Kaiser; yet Senators and Representatives and peace advocates stand up all over the country and talk about militarism in this country. To my mind it is too absurd to discuss.

Mr. President, I have said a great deal more about this matter, in a more or less random way, than I intended to do; but inasmuch as the discussion of the bill has just begun, I desire to ask the Secretary to read an editorial in the Army and Navy Journal of February 20, two days ago, and two very short editorials from two leading metropolitan newspapers which relate to these questions.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the chair). Without objection, the Secretary will read as requested.

Mr. FLETCHER. May I ask the Senator if he would not just as soon have these editorials printed in the RECORD as to have them read?

Mr. BRANDEGEE. Mr. President, if there were any great rush I would; but it will take only five minutes, I assure the Senator, to read them. I should like what few Senators have honored me with their attention to hear them, and I know they would not read them if they went into the RECORD.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Army and Navy Journal of Feb. 20, 1915.]

A CALL TO ARMS.

If President Wilson consults his military advisers, he will ask authority from Congress to mobilize an army of 1,000,000 volunteers, not for the purpose of making war but to avoid war by preserving neutrality and maintaining our honor and dignity. Placing a million volunteers under training would amount to a declaration that the United States is preparing to insist upon its rights and resist aggression. It would be a measure of peace, as it might possibly avert the war toward which we are now fast drifting, as every student of military history must see, and it would at least partially prepare us to meet the shock of war if war must come. It would also go far to solve the problem of unemployed labor with which we are contending.

If volunteers responded, the most vigorous policy on the part of the War Department could not prepare them for service in the field within less than a year. To send them into battle earlier would be a repetition of the blunder of the first battles of all of our wars thus far. Without adequate training a volunteer army would be as helpless in defending the Nation against an attack as were the citizen soldiers in defending the Capital against the attack of the British regulars in the War of 1812. The mobilization of volunteer troops at this time could not be construed as a hostile demonstration against any nation. It would only amount to a preparation for future developments in the world-wide war. Switzerland and Holland have mobilized their troops to maintain their neutrality, and similar steps are being taken by Italy. None of these nations is more vitally interested or deeply involved in the European war than is the United States at the present time. The armies of Italy, Switzerland, and Holland are made up of trained soldiers. They are ready for war at a moment's notice, while a volunteer army that would be called out by the President would be composed of recruits in training for future service. This country would only be taking the steps for the creation of an army of defense which should have been taken years ago. Further delay in preparing some measure of defense may be fatal to us.

The necessity for calling out a Volunteer Army is made more urgent because of the peace-at-any-price policy which is being preached so vociferously from the housetops with the tacit, if not with the open, approval of those in authority. Foreign nations not only realize that we are not prepared to defend ourselves, but are under the impression that we never will be. On this account, neither Germany nor Great Britain is giving any serious consideration to the protests of the State Department except in words, and Japan is going ahead with its plans for the domination of China and the Pacific Ocean without considering the wishes or the interests of this country. This is ominous of war, for in the end the belligerent instincts of this country, which are only lying dormant, will be aroused by a realization that our people have been misled by the false theories of the peace fanatics. Have those in authority forgotten how, after the firing upon Fort Sumter in 1861, and again after the sinking of the *Maine* in 1898, war came like a flash out of a clear sky? He who rightly reads the signs of the heavens can see the war clouds once more gathering.

If the President should call for such an army as is proposed, aggressions on the part of the great powers would cease, and is it not time that we showed our teeth? During the present war no one can afford to engage in hostilities with this country, though it is obvious to all that our State Department is not in a position to enforce any of its demands. Every step in the diplomatic controversy between Germany and the allies emphasizes the unpreparedness of this Nation to defend itself against aggression.

The calling out of a million volunteers would be the quickest and most practical way of solving the question of national defense. It would determine whether it is safe for this Nation to continue to depend upon the volunteer system to develop an adequate land force. It would be too late to attempt to raise a large force of volunteers after we had been attacked. As Secretary Garrison in his annual report contended, to concede that it would take six months to train a Volunteer Army is virtually an admission of defeat in a war with any of the great nations, and we are fast drifting toward war.

If this Nation could keep a million Volunteers under arms for a limited period, a foundation could be laid for an adequate land force. The Regular Army and the Organized Militia could be used as a nucleus for the training and organization of the Volunteer Army for a further period, after which the Volunteers could go back to civil life as a real force of reserves. Provision could be made for an annual mobilization of the Volunteers, and they could be kept in condition to be called into the field rapidly. All the questions of equipment and provision of reserve supplies could be worked out by the General Staff of the Army,

and the country could then have something approaching an adequate land force. Not only could the present, but the future needs of the country's defense be provided for at a minimum of expense, and we would have a breathing spell in which to organize a complete system of defense and furnish ourselves with an adequate supply of the munitions of war.

We do not overlook the necessity for strengthening our first line of defense, the Navy, but that is a subject for separate consideration. We limit ourselves accordingly in this statement to what is not only immediately practicable and necessary, but what appeals most directly to popular support.

As to the Regular Army, it is only necessary to suggest that all of the great military reputations gained during the Civil War were gained in the command of volunteer troops, and in numerous cases by men of the age of those who are now serving in the rank of subalterns.

The politics of the matter does not, of course, concern us. But an administration that would act on this advice would secure the approval of the country, which is always quick to respond to bold action. Timid counsels never win applause except from those who are past the fighting age or who are in the smug enjoyment of a prosperity shared by only a minority of their fellows.

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[From the New York Times of Feb. 21, 1915.]

GEN. GREENE ON OUR DEFENSES.

The object of Gen. Francis Vinton Greene in his little book called "The Present Military Situation in the United States," which is the subject of an article in the magazine section of the Sunday Times today, is not to excite alarm, not to impress Americans with a sense of danger, not to cause New Yorkers to apprehend a sudden bombardment and invasion of their port by a foreign foe. On the contrary, though he is at pains to state all the facts in the case in a forcible and picturesque way, his purpose is chiefly to promote intelligent consideration of our national defenses. Two Secretaries of War, Mr. Stimson and Mr. Garrison, have failed to interest deeply the people of this country in the defects of our military system; but of late, with thoughts of war forced upon them, the public has given many evidences of awakening interest, and there is no doubt that Secretary Garrison's modest plan to bring the strength of the Army up to the requirements of the law has received general approval. Congress thus far has been disposed to treat the matter lightly, to be guided by false counsels, and to reject plans of essential improvement on the ground of economy, while showing small sense of the need of that desirable quality in their treatment of certain other appropriation bills of larger political significance.

Gen. Greene's prophecy of the invasion is fanciful, of course, but it presents a clear picture of a possible happening. That it will ever occur he does not believe, because he expects the American Nation to arouse its representatives in Congress to wholesome action. We must have on this continent a mobile Army of about 50,000 men, well-officered, apart from the troops we need in our outlying possessions; our coast defenses must be strengthened, scout aeroplanes must be obtained, and intelligent provision made for an army reserve. Also, the disposition too frequently manifested in Congress to retard the normal development of our Navy must be checked.

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[From the New York Sun of Feb. 21, 1915.]

SECRETARY GARRISON'S OMISSION.

Secretary Garrison has learned that national defense is a subject of minor interest to the American people. Of course, Mr. Garrison is thinking of the land forces; our Navy, whatever its deficiencies may be, has not been neglected. In a timely article in the Century for March Mr. Garrison says that "it is only in the matter of national defense and the precautions to be taken with respect to it that we find an unwillingness to study the past, face the facts, and do what experience dictates."

In their cities the people demand large police forces, efficient fire departments, and boards of health directed by well-trained medical men. But when it comes to any proposal to provide an adequate Army for the defense of the United States and to make preparations for a war that is not in sight the American people show little or no interest. So declares Mr. Garrison, and he is right. What a great service he would render the country by rousing it from its apathy and making people understand that it is just as necessary for the United States, with its "far-flung" coast lines, to have the means of calling a powerful home-defense Army into the field as to possess a strong Navy of dreadnaughts and submarines. Only publicity, more publicity, and still more publicity can accomplish the miracle.

The Secretary of War makes a beginning in this article, but Army men who have studied the matter thoroughly will hardly agree with him that the piecemeal legislation he proposes is wise because Congress can not be expected to act any comprehensive scheme of organization, such as officers of the General Staff have ready to present to the House and Senate, but which has not yet seen the light, owing to the Secretary's policy of suppression. What Mr. Garrison proposes is an addition of 25,000 men and 1,000 officers to the mobile Army and 10,000 men to the Coast Artillery.

The General Staff experts would like to see an increase of the Army, but they would also like to see the Army properly organized on the division plan, so that it could be expanded both scientifically and rapidly to a war footing in any emergency. As the General Staff has pointed out, "even a small army should be correctly organized as an army." Otherwise, when the call to arms comes political conditions will rule, as in the past, the raising of an army for national defense. Secretary Garrison would have made a better beginning in his appeal to the country if he had also explained the General Staff's draft of a reorganization bill and vigorously urged it. Some day the plan will be taken up and put on the statute book, for reorganization of the Army is absolutely the first essential in any intelligent system of national defense.

Mr. BRANDEGEE. Mr. President, it appears from the latter part of the editorial from the New York Sun which the Secretary has just read that the General Staff has a plan—that it has made recommendations for the increase of our military establishment and, to a certain extent, for its reorganization, and the words in that article fairly imply, I think, that the Secretary of War has suppressed that plan. He may have perfectly good and wise motives for not having transmitted it to Congress; I do not know; but it does seem to me——

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. BRANDEGEE. Certainly.

Mr. CHAMBERLAIN. I do not think there has been any general plan adopted other than the general reorganization plan of 1912, which has been published in pamphlet form. The Secretary of War may have received some suggestions in that line, but they have not been embodied in the form of a recommendation as yet. I think the Senator from Connecticut does not want to do the Secretary of War an injustice.

Mr. BRANDEGEE. Oh, far from it. I used the word "suppressed" because that is the word the newspaper article uses. I accompanied it with a declaration on my part that he may have been entirely justified in doing it if he had done it. But, whatever the fact may be, I have no doubt that the General Staff, Mr. President, which is practically the staff of the Secretary of War, composed of his official expert advisors, have modern, up-to-date views upon the question of what should be done for our Army, and I think very likely some of the notions that they had in the report of 1912, to which the Senator from Oregon has referred, may have been modified by events which have transpired since the 1st of last August in the foreign wars; but I do not know as to that. However that may be, it seems to me that the men who hold the purse strings, the representatives of the people of the United States of America here in Congress, who are obliged to formulate the policy or to adopt recommendations, who are obliged to make the appropriations, and who have to justify them or explain them to their constituents at home, are entitled fairly to every ray of light that can be shed upon this question.

I have seen in the past, when certain people and certain publications referred to the efforts Mr. GARDNER, of Massachusetts, has been making in the House to secure additional information with respect to this whole problem of national defense, it was attempted to be set aside on the ground that it was a political drive upon the administration, or something of that kind. Now, Mr. President, it is needless to say that in our foreign relations political parties cease to exist, at least in this Chamber; and on the question of our Army and Navy I would no more think of playing politics or attempting to take any political advantage than I would upon a religious question. I am sure that every Senator of any political party in this Chamber views the question of the Army and Navy—at the present time, at least—as a very grave question and a question involving the honor and welfare—I will not use the word "existence," because I think this Nation would exist no matter what could be done—but the honor and welfare of this Nation; and anything that I have said or intend to say is utterly without any political idea or any intention to reflect upon the administration.

Mr. President, this administration is not responsible, except in a very small part, for whatever situation may exist in the Army and Navy. It may be responsible, and I think it is, for not giving us the light and advising us to correct the faults that have grown up in both establishments during a long series of years under the administrations of both political parties, but principally under that of the party to which I myself belong.

Mr. WARREN. Mr. President, may I interrupt the Senator?

Mr. BRANDEGEE. Certainly.

Mr. WARREN. I have been listening attentively to what the Senator has said, and I agree with him in a great many of the positions he has taken. I wish to say that he is absolutely right when he speaks of the nonpolitical nature of the manner in which the Army and Navy and military matters generally are handled in the Senate. In a somewhat long service on the Committee on Military Affairs I have never seen the time when a bystander could have told the difference between the Members as to what their politics might be by their acts.

Now, as to the information which the Senator seeks, we in the committee have been somewhat confounded—I will not say "confounded," but somewhat confused—because of the changes advocated from time to time by those high in military position. The Senator knows that the General Staff is made up by a detail of officers, and that such officers are changed every year or two—at least a portion of them—and the Chief of Staff is changed every four years or in a less time. I think the chairman of the committee has been at all times ready to increase, and, in fact, we have bills now on the calendar to increase the Army; but that matter must be taken up, of course, in a regular way in legislation. While this does not pertain particularly to an appropriation bill, it is entirely proper to speak of it now and to discuss it, and to urge immediate and substantial enlargement of the Army and Navy, and the Military Affairs Committee itself has gone quite a long way in recommending the increase of the Army in bills which are now on the calendar, and

which I hope will yet be passed during the present session. I know the committee voted nearly as a unit on those measures, and certainly the chairman has been desirous, as I am very glad to testify, during this entire term to get in a position where all confusion would be eliminated, so that we might go, if not to the entire limit that the more enthusiastic adherents desire to go, at least a good long step in the way of increasing both the numbers of the Army and its efficiency.

Mr. BRANDEGEE. Well, Mr. President, I am glad to hear that; and I will say in passing that anything that I have said, of course, I do not intend to reflect upon the Committee on Military Affairs or the Committee on Naval Affairs of either branch of Congress or upon the Members of Congress themselves. I have perhaps expressed myself forcibly, because I feel deeply on this question, and I do not think that it has had the consideration that its primal importance demands.

I think we were entitled to have had during the last two months a committee investigating the situation of the Army and Navy and our national preparedness, so that we could have had the benefit of its investigation and report at the time the appropriation bills for the military and naval service came up. We have not been allowed to do it. I hope that this Congress, if it shall adjourn on the 4th day of March, will not adjourn without appointing some committee of that nature, which during the recess may be considering this tremendously important question, and which may be ready to report to the next session of Congress, whether it shall be the next regular session or a special session, if one happens to be called.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. CHAMBERLAIN. I thought the Senator had finished.

Mr. BRANDEGEE. I shall conclude in a moment. I was about to say, Mr. President, that on this military question I have especial confidence in the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the Committee on Military Affairs. I know that Senator well enough, and I am sufficiently familiar with his position in matters affecting the welfare of this Nation, to know that he has the kind of mind that will refuse to be clouded by the sawdust, feathers, and froth, and the pacificatory words of the people, whose desire is the best mental conception that they can form on a proposition; and I know that, while what he may advocate may not go as far as many others would like to go in the way of strengthening our Army and our Naval Establishment, it will be something, and that—at least, judging by his course and what he says upon this question—it will not be along the line of abandoning ourselves upon the maelstrom of international rapine and murder and drifting helplessly, subject to the first dagger that any international highwayman chooses to implant in the bosom of this Republic.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, it is not necessary for me to say that I thank the Senator from Connecticut very much for his cordial expressions in my behalf. What I rose for, however, was to suggest, without intimating that I cared to limit debate or discussion on this bill, that I shall later on, if it becomes necessary, insist that the Senate continue the discussion of the bill until at least 10 o'clock this evening, if it is not finished before that time. As I have said, however, I have no desire at all to limit any Senator in debate.

Mr. FALL. Mr. President, I have listened with great interest to the remarks which have been made here, particularly the remarks of the Senator from Colorado [Mr. THOMAS]. In our domestic or internal affairs it is very seldom the law-abiding, quiet, peaceable, intelligent citizen from whom we fear any violence upon person or property or against whom we find it necessary to guard society either as a whole or as to its individual members. It is the burglar, the bandit, the murderer, the man without regard for the law, against whom society must guard itself and its individual members.

Yet, Mr. President, within the last few months, even in the State which the Senator from Colorado so ably represents, we have seen it necessary for society to invoke military rule for its own protection. We have seen it necessary to send the military forces under the direction of the President of the United States to the State of Colorado to protect society, not only against those who would ordinarily, as we would think, be the persons against whom we must protect ourselves, but against at least some of the good citizens of Colorado, as it is claimed. And, Mr. President, as a general proposition, it is not against the civilized nations of the world that another nation must be ready to protect itself; but unfortunately, sir, the millenium has not yet come, and we have international burglars, bandits, and lawbreakers, and at present, as we have seen, we have the greatest conflagration the world has ever known arising among the most highly civilized nations.

What is an adequate Navy or an adequate Army, granting that this country must be prepared to protect itself and to make itself respected, to protect its citizens wherever they may be legally, whether within the boundaries of our own country or elsewhere, if that doctrine is longer to be maintained by this Government? What is an adequate Navy and an adequate Army?

I think the Senator from Connecticut [Mr. BRANDEGEE] has practically answered that question. His answer, to me at least, is satisfactory as to how we are to arrive at the adequate Army or Navy necessary for our purposes. He has answered. We have military experts, and we have had reports from them from time to time; but Congress itself has ignored them for years, has failed to carry out their suggestions, and consequently some of us believe to-day that we have not an adequate Army or an adequate Navy—a sufficient nucleus, as the Senator has said—around which we may gather sufficient forces, sufficiently well armed, to protect ourselves against aggression from either burglars, bandits among the other nations of the earth or civilized countries. We can readily see how it might be possible for this country to become involved in a war, or at least how this country might be compelled to protect its own boundaries against aggression from some of the nations that are now engaged in this great world war.

The Senator from Colorado has said that he has seen the great line extending between ourselves and our civilized neighbor on the north, without fortifications and without soldiers upon it, and that that of itself is to his mind a sufficient answer to all the arguments of those whom he chooses to call militarists. Why, Mr. President, I can see and he can see and every other Senator can see how, if the war should happen to take a certain turn, it might be that very line which would be crossed by those seeking to attack that neighbor of ours on the north. It might be, if we had no adequate Army or Navy for our own defense, that the easiest way in which Canada could be reached by some enemy would be across the territory of the United States.

"Oh, but," it is said, "you need not fear anything of that sort." The same thing was said to Belgium and Luxembourg, that they need fear nothing of that kind.

Mr. President, there is another neighbor to this country—a neighbor to the south of us. Conditions in Mexico at the present time are very similar to the conditions as they existed in 1858. The attention of the Congress was repeatedly called, between the years from 1856 to 1860, to the conditions existing in Mexico, not only with reference to the duty of the United States to some extent to preserve order upon this hemisphere but with reference to the danger which might inure to this country itself if it allowed conditions within the boundaries of our unfortunate neighbor on the south to continue as they existed then. Prophecies were made in this Chamber by Senators from various States that the conditions existing in Mexico as they were at that time might possibly result in dragging this country into a war with a foreign nation.

Had it not been for the fact that from 1860 to 1865 we were engaged in a great civil war, we would have been brought face to face with the conditions which had been prophesied by those speaking here, and by a President of the United States in a message to this body. As it was, unable to carry out the doctrine which we had announced in 1823, and which we have maintained down to the present time, we could only protest against the action of France in sending 18,000 veteran soldiers from her country into Mexico to place Maximilian in Chapultepec upon the Mexican throne. We could not send the armed forces of the United States to back that protest; but so soon as the Civil War was over we did throw 25,000 veteran troops upon the Rio Grande, and notified Napoleon III, as well as the Emperor of Austria, that in the event they did not withdraw the French troops, and did not cease to aid Maximilian in his ambitions, the United States would of itself drive the French out and Maximilian from the throne. Had not that demand of the United States been complied with, the result would have been war between this country and France, growing out of the internal difficulties within Mexico, with which it was said then, as it is said now, that this country has nothing to do.

Mr. President, I for one see the same difficulties staring us in the face to-day that those who spoke here from 1858 to 1860 saw confronting us from Mexican sources at that time. I hope the policy so far followed by this Government with relation to Mexico may not result as the policy of inaction at that time resulted. I hope the time may not come when we may be face to face with the armed forces of some other country upon Mexican soil; but, unfortunately, sir, if this country were to be

dragged into this great war which is sweeping over the world, the point of danger to the United States, the point from which the attack would almost inevitably come upon this country, is Mexico upon the south. There is no power there to prevent the landing of troops. There is no power in Mexico to prevent the overrunning of the entire country by foreign troops, either for the purpose of permanently acquiring territory in that country or for the purpose of reaching us upon our unprotected southern border, for along the southern border of the United States for thousands of miles there are no fortifications and but few armed forces of the United States. There are magnificent harbors upon the coast of Mexico inviting an attack upon this country and railroads reaching from those harbors to our borders; and, as I say, if unfortunately this country were involved in war, in my judgment the attack would come from the weakest point, which is Mexico.

I know that matters of this kind have been considered by some of those interested or involved in Mexican difficulties; and it is a matter of common knowledge, published in the public press of Mexico time and again, repeatedly spoken of openly in public meetings, that negotiations have from time to time been entered into between one or more of the factions in Mexico and foreign countries with which we may at almost any moment be involved in very, very grave international questions.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from New Mexico yield to the Senator from Iowa?

Mr. FALL. I do.

Mr. KENYON. I suggest the absence of a quorum.

Mr. FALL. Mr. President, I have no desire myself for the calling of a quorum.

Mr. KENYON. I know that; still, I think more Senators should be here.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	James	Norris	Simmons
Brady	Johnson	Oliver	Smith, Ariz.
Brandegee	Jones	Overman	Smith, Md.
Burleigh	Kenyon	Owen	Smith, Mich.
Camden	Kern	Page	Smoot
Chamberlain	La Follette	Penrose	Sterling
Chilton	Lane	Perkins	Swanson
Colt	Lea, Tenn.	Pittman	Thomas
du Pont	Lee, Md.	Poindexter	Thompson
Fall	Lewis	Pomerene	Tillman
Fletcher	Lippitt	Ransdell	Vardaman
Gallinger	Lodge	Root	Weeks
Gore	McLean	Saulsbury	White
Gronna	Martin, Va.	Shafroth	Williams
Hardwick	Martine, N. J.	Sheppard	
Hollis	Myers	Sherman	
Hughes	Nelson	Shively	

Mr. MYERS. Mr. President, I have been requested to announce that the senior Senator from Arizona [Mr. ASHURST] is necessarily absent on business of the Senate.

Mr. SMITH of Arizona. The junior Senator from Missouri [Mr. REED] is necessarily absent from the sessions of the Senate. I make this announcement and ask that it may stand for the day.

The PRESIDING OFFICER. Sixty-five Senators have responded to their names. A quorum is present.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. FALL. I am aware that I have taken the time of the Senate upon more than one occasion upon some branches of this question, which I consider of such grave interest to the United States. I am further aware that any public man or any Member of Congress who announces himself as in favor of an adequate Army or Navy, or who expresses a sentiment which he intends to be in the nature of what he understands as the duty of the Government to its citizens, or which he intends as an appeal to citizens who may entertain the same views as those entertained by himself, but who, he thinks, may not understand the facts or the circumstances as he understands them—I appreciate the fact that in the eyes of very many good, sincere, earnest people of this country that public servant or public man is viewed as a "jingo" and is spoken of by those who do not agree with him in all matters as one desiring to fasten a policy of militarism upon this country.

Knowing this as I do, and knowing that I have at times trespassed upon the time of the Senate by calling attention for the last three years, since July 22, 1912, upon various occasions, to the conditions which I believe constitute an ever-increasing danger to the future peace and welfare of this country—realizing that and yet knowing conditions as they exist south of our boundary line as I do, believing that some of the people who should have equal interest and who have equal interest in these questions with myself do not understand them; believing, with due deference to the present administration, that neither the President of the United States nor his Secretary of State understand those conditions or realize their constant, continuing menace and threat to the peace of this country, to the safety of this country, which I see from my standpoint, I shall do my duty as I see it and accept the designation of "jingo" or "militarist" from those who desire to confer such an appellation upon me, because, sir, I think the time has come in the history of this country when the people of the country should obtain information, from whatever source possible, in order that, as I said once before in this body, public opinion in the United States may be informed, and whatsoever action is finally taken by this country may be under the pressure of informed and not inflamed public opinion.

Entertaining these views, and believing, as I do, without egotism, that I understand the situation south of us as possibly few public men do, I think it my duty to call the attention of the Senate of the United States and of the people of the United States to some of the phases of the conditions existing now in Mexico, and possibly, incidentally, to some of the mistakes already made by this Government in the treatment of affairs in Mexico, and some which will inevitably be made if the present want of policy by this Government is to be continued. To do this intelligently it will be necessary for me to call the attention of the Senate to some facts as well known to other Members of this body as to myself, but possibly not now impressed upon their minds as vividly as upon mine—first, to the condition in Mexico at the time President Wilson was inaugurated on the 4th of March two years ago.

Prior to that time for 35 years Mexico had progressed as few countries in its condition have ever progressed in civilization, development, and education. I know that but recently it has been said by the President that for 30 years more than 80 per cent of the people of Mexico have had nothing to do with their Government, not even a "look in," as I believe he expressed it; nothing to do with the election of their officials or with the administration of their laws. Apparently the President has conceived the idea that the great masses of the Mexican people were left during the thirty odd years of the Diaz administration with no educational advantages, with no attempt to elevate them in the scale of humanity, but that they were simply exploited by foreigners and by residents of Mexico for their own private, individual benefit; that now this great mass of the Mexican people had uprisen and were demanding their rights, and the President himself, sympathizing with this great uprising of the masses in Mexico, has determined that he should allow them to work out, as he expresses it, their own salvation.

Mr. President, a different opinion of Mexico has been held by other prominent officials of the present administration; and I want to call the attention of the Senate to one of the expressions of the Secretary of State, Mr. Bryan, to which he gave utterance after his return from Mexico upon his first visit to that country, wherein he says:

> Fifth. That President Diaz is entirely deserving of the encomiums bestowed upon him by his own people, by resident Americans, and by visitors. He has a genius for public affairs, understands the conditions and needs of his people, and has their confidence to a degree seldom enjoyed by an executive, either hereditary or elective. While the advantages of a stable government are now so generally recognized that his death or resignation would not disturb the existing order of things, yet his qualifications have been so amply proved and his administration so completely successful that his people are unanimous in the hope that he may yet enjoy many years of official life.

Again, after his second visit Mr. Bryan was called upon, as he said, by citizens all over the United States for information as to Mexico and for advice as to investment in that country by American citizens, capitalists, artisans, railroad men, and bankers. He was asked whether he thought that Mexico was a favorable place for men to go to seek investment or work, and he goes fully into the question, citing examples where Americans have gone there and made money not only by the investment of capital, but as skilled workmen in various lines. The general tenor or trend of all his statement upon the subject constitutes advice to Americans to go into Mexico under the beneficent Diaz administration, invest their capital, and seek work there, and again he speaks in conclusion along that subject of Diaz himself and of the condition of affairs in Mexico:

> All things considered, Mexico's experience is illustrative of the growth of Democratic principles and can be studied with profit by Americans. The friendship existing to-day between the United States and Mexico is based upon an identity of interests and upon a growing identity of ideas.

Mr. Bryan speaks of visiting the schools, of seeing the reception by President Diaz of 5,000 school children at Chapultepec from the public schools of the District of Mexico alone. He

speaks of the great stride of education and of the establishment of public schools in practically every district in Mexico.

We are now told that this was the era of the butcher and that the people of Mexico have risen in their might to wrest from those who have so long exploited them the powers of their own government.

Mr. President, I am firm in the belief that the President of the United States is sincere in the statement which he is now making. When this administration came in there had been a revolution in Mexico. The result of it was to overthrow the Madero Government. The final result of it was the assassination of President Madero and of his vice president Suarez. Apparently this administration had been impressed with the idea that the Madero administration represented the desires and the wishes of 80 per cent of the Mexican population, concerning whom the President is constantly referring in interviews and in public speeches.

I shall show later in the course of my remarks something of the truth of the conditions underlying, which the President never grasped and which have never been understood by any officer of this administration so far as I understand it; and without understanding those conditions it is impossible for the President of the United States to deal intelligently with Mexican questions, as he still insists that he shall be allowed to deal with them in some manner.

Huerta was an officer at that time, a general in the Mexican Army. He assisted in the capture of Madero. He has been accused in this country of at least knowing of the plot which resulted in the murder of Madero and Suarez. The President of the United States, in his first message to the Congress of the United States, in which he mentioned Mexican affairs, stated the conditions as he undoubtedly understood them to exist with reference to Huerta's accession to power and what he as the President of this country proposed to do and had done with reference to such conditions in Mexico. All the Members of the Senate, of course, recall the message of the President, but for the purposes of my argument, that I may show the misunderstanding now existing in the mind of the President and of many of the people of the United States with reference to this subject, I am going to call the attention of the Senate to the wording of at least a portion of that message. The President says:

> Accordingly, I took the liberty of sending the Hon. John Lind, formerly governor of Minnesota, as my personal spokesman and representative, to the City of Mexico, with the following instructions:
> "Press very earnestly upon the attention of those who are now exercising authority or wielding influence in Mexico the following considerations and advice:
> "The Government of the United States does not feel at liberty any longer to stand inactively by while it becomes daily more and more evident that no real progress is being made toward the establishment of a government at the city of Mexico which the country will obey and respect."

This message was August 27, 1914:

> The Government of the United States does not stand in the same case with the other great Governments of the world in respect of what is happening or what is likely to happen in Mexico. We offer our good offices, not only because of our genuine desire to play the part of a friend, but also because we are expected by the powers of the world to act as Mexico's nearest friend.
> * * * * * * *
> A satisfactory settlement seems to us to be conditioned on—
> (a) An immediate cessation of fighting throughout Mexico, a definite armistice solemnly entered into and scrupulously observed;
> (b) Security given for an early and free election in which all will agree to take part;
> (c) The consent of Gen. Huerta to bind himself not to be a candidate for election as President of the Republic at this election; and
> (d) The agreement of all parties to abide by the results of the election and cooperate in the most loyal way in organizing and supporting the new administration.

The President then continues:

> Mr. Lind executed his delicate and difficult mission with singular tact, firmness, and good judgment, and made clear to the authorities at the City of Mexico not only the purpose of his visit but also the spirit in which it had been undertaken. But the proposals he submitted were rejected in a note the full text of which I take the liberty of laying before you.

Mr. President, the proposals which Mr. Lind submitted to Huerta in Mexico have never been laid before this body or before the Congress of the United States. The tactful proposals of John Lind to Huerta have never been referred to the Senate, nor have they ever been published by the Government of the United States. All we know is what the President has given us here as his instructions to Lind and the answer of Gamboa and Huerta; but Lind's proposals have never been presented to us. We have been compelled, or will be compelled if we want any information as to what the tactful proposals of Mr. Lind were to Mr. Huerta, to search the press of the country. Congress has been left uninformed by the executive department of the Government.

In April of last year there was published in the North American Review a translation from the Mexican of the Lind proposals. I am aware of the fact that the North American Review is not an official publication of the Government. It may not at all times be the mouthpiece of the administration; but at any rate, in the absence of any other information and in view of the high respect which that periodical has had from its readers and from the people generally for so many years, at least as to its honesty and truthfulness, I may be justified in referring to the Lind propositions as they were actually presented by Lind to Huerta and as they were translated and printed in the North American Review under the statement of the editor of that periodical, that this was the correct statement of the Lind proposals. I am not going to quote from them at any length, but we will see by a few extracts from one of them the tactful manner, indorsed by the President, in which Mr. Lind approached Mr. Huerta. This is the translation of the Lind proposal to Huerta:

> That unless Huerta voluntarily and on his own initiative—

"Huerta," not President Huerta, not Gen. Huerta, not Mr. Huerta, but "Huerta"—

> That unless Huerta, voluntarily and on his own initiative, retires at once from power and abandons every idea of controlling the organization of the government and the conduct of negotiations, the First Magistrate will find himself under the necessity of intervening by means of an ultimatum, and if this is not accepted he will be obliged to propose to the Congress of his country the adoption of practical measures of a most serious nature.
> That such a course is absolutely necessary to the end that he (the Chief Executive), by one method or another, to eliminate completely all assistance that Huerta believes he may receive from foreign sources if he persists in his proposal to remain in power, it being a further fact that only for a few days longer will he, Huerta, be free to select the course he chooses to follow.

Under the authority of Col. Harvey, of the North American Review, this is the tactful proposal submitted by the representative of this great Government to the man who at least was recognized as the President of Mexico by every other nation except the United States and Argentina, Brazil, and Chile.

This was to the man to whom ambassadors of France, Great Britain, Germany, and the other great countries of the world were directly accredited. This was to the man who at least had received an autographic letter from the Emperor of one of the greatest empires on the face of the earth, congratulating him or greeting him at least upon his accession to the office of Chief Magistrate of our Republican neighbor, Mexico.

Mr. President, exactly the same tactful methods have been used from the time William Bayard Hale went to Mexico down to the present time in dealing with Huerta, Carranza, or other leaders, except that some of the representatives of this Government have appeared to the people in Mexico at least to be political partners of some of the leaders, if not partners in commercial enterprises.

I have read these extracts from the message of the President of the United States to the Congress, and from what is the best authority which I have been able to reach, the proposal as actually "tactfully" submitted by the representative of the President to Mr. Huerta for the purpose of showing to the Senate that from the very beginning the President of the United States has misunderstood Mexico, and to-day has no conception of the actual conditions existing in that country.

I want to say now, sir, that I acquit the President of the United States of any ulterior motive whatsoever, but I must say that, in my judgment, he has up to the present time been just as unfortunate in the selection of a "tactful" representative as he was in the selection of his first personal representative, Mr. John Lind.

Mr. President, Huerta apparently was a little bit hard to drive out from Mexico. Although Mr. Lind told him that he would have to get out in a few days, he remained some time, until finally an unfortunate occurrence took place at Tampico—unfortunate for him, unfortunate for Mexico, and unfortunate for the United States; unfortunate in the way it was handled for the people of this country—when some subofficer in the Huerta army at Tampico arrested one or two of the marines or sailors of the United States while the flag was said to be flying at the stern of the boat from which they had just landed upon Mexican soil.

Just after this occurrence the President of the United States again came before Congress with a message upon Mexican matters. On April 20 the President asked the Congress of the United States to indorse his action in having sent the naval forces of this Government to Vera Cruz for the purpose distinctly stated in his message, which I will not take the time to read—it appears in the CONGRESSIONAL RECORD, page 7442, under date April 20, 1914, volume 9—for the exact purpose, as the President states, of wringing from Mr. Huerta the salute demanded by Admiral Mayo to the flag of the United States in apology and reparation for the arrest of these marines and sailors at Tampico. There was no other purpose expressed.

Indignantly denying that there was intended any act of aggression against the Mexican people, that there was any war waged upon the Mexican government, he stated that the difficulty was with one Victoriano Huerta, and this Government would demand such an apology as had been demanded by its admiral at the time of the occurrence of the incident—a salute of so many guns to the flag of the United States and an apology directly given.

Mr. President, was that the purpose for which we landed troops? That was the declared purpose in an official message delivered to this body. Was it the purpose? On May 11, 1914, the bodies of the American sailors and marines who had been killed in this unfortunate attack on Vera Cruz in the effort to make Mr. Huerta fire so many guns as a salute to the flag of the United States were brought back to this soil, and at the Brooklyn Navy Yard the President of the United States pronounced a most eloquent discourse. I want to read what he said there about the service in which the boys died, and show by following that up with other expressions, both in writing and public utterance, that the President seems to have had an idea that there was some other service which was demanded of our sailors and our marines than that which he had expressed as the purpose of the attack upon and the seizing of Vera Cruz in his message to the Congress of the United States. He says:

So, while we are profoundly sorrowful, and while there goes out of our hearts a very deep and affectionate sympathy for the friends and relatives of these lads who for the rest of their lives shall mourn them, though with a touch of pride, we know why we do not go away from this occasion cast down, but with our heads lifted and our eyes on the future of this country, with absolute confidence of how it will be worked out. Not only upon the mere vague future of this country, but upon the immediate future. We have gone down to Mexico to serve mankind, if we can find out the way. We do not want to fight the Mexicans. We want to serve the Mexicans if we can, because we know how we would like to be free and how we would like to be served if there were friends standing by in such case ready to serve us. A war of aggression is not a war in which it is a proud thing to die, but a war of service is a thing in which it is a proud thing to die.

The act of the President of the United States in the seizing of Vera Cruz was pronounced here in the Senate by practically everyone who spoke upon the passage of the resolution of indorsement as if not an act of war, at least, an act of aggression. The President says that—

A war of aggression is not a war in which it is a proud thing to die, but a war of service is a thing in which it is a proud thing to die.

Mr. President, why did not the President of the United States say to the Congress of the United States that he asked our ratification of his act in sending the armed forces of the United States, the sailors and marines of the Navy followed by the Army of the United States, for the purpose of assisting a faction in Mexico in overthrowing Huerta, leader of another faction, and in seizing the capital of that Republic? In his Mobile speech he again referred to this wonderful act of service, and that its results must have convinced the people of the Latin-American countries that the sole desire of the United States was to serve them.

Remember, Mr. President, we ratified by resolution the act of the President of the United States in sending our forces to Vera Cruz to demand of Huerta reparation for an insult to the flag of the United States, nothing more nor less, and yet from that day to this the President has spoken of it as an act of service to some one in Mexico, not even an act of service to the United States of America.

Mr. President, is not this a remarkable condition of affairs? At the time the President of the United States came before Congress and asked us to ratify his act in seizing Vera Cruz, it certainly could not have been his understanding that we were going there for the purpose of serving some other faction in Mexico by driving Huerta from power when that faction had been unable to drive Huerta out themselves, because the President has now said that we should stand aside and leave them to spill all the blood necessary, that we should not interfere in any way whatsoever with the working out of their own salvation between Mexicans themselves; that they were entitled to spill blood; that it was nothing to us; that we had no interest in it.

Therefore, I say it is impossible to conceive the idea that at a time when he sent these marines and sailors down there that he then meant that they were sent there in the service of one or another of the Mexican factions engaged in this same effort to spill blood.

Mr. President, following rapidly along the history of occurrences in Mexico, the next part which stands out in bold relief, showing the dealings of this Government with Mexico, is the effort at mediation. Possibly without the clear impression which these matters left upon my mind, knowing a little of the inside of the operations as I do, you will all recall generally the so-called efforts at mediation. You will recall the fact that in the first place the President reported that A. B. C.—Argentina, Brazil, and Chile—had offered their services immediately after the Vera Cruz incident in an attempt to bring about an adjustment of the difficulties between this country and Mexico and to prevent war between this country and Mexico. Undoubtedly, soon after the mediators met it must have become apparent to some that the act of aggression at Vera Cruz was an act intended by this Government to be in the service of some faction in Mexico.

In the matter of the discussions, as they were reported from time to time, had before and with the mediators at Niagara, can any Senator recall the question of the salute to the flag demanded by President Wilson? Was there any reference in the various meetings of those mediators to the question of how many guns should be fired? That was the question in dispute between Huerta and President Wilson; that was the purpose for which the mediation was offered, as the press published it; but when the mediators met, with the representatives of this Government and of Huerta present, and various propositions were discussed pro and con between the representatives of the United States and the representatives of Huerta, it then became apparent that mediation was an attempt on the part of the United States Government to adjust the difficulty, and properly so, of course, between the opponents of Huerta in Mexico and Huerta himself, in some way which might possibly result in bringing peace to that distracted country—a most noble purpose, Mr. President—but in consideration of this, the express purpose of our enterprise at Vera Cruz was lost sight of, and no finding, in so far as I know, was ever made upon the subject of the mediation itself, but an abortive attempt was made to bring about some adjustment of affairs between the Huerta faction and the so-called Carranza faction in Mexico.

From day to day discussions were had behind closed doors. Finally the people of the United States were informed by the press, through a signed declaration, as I recall it, of the American representatives, that the proposition under consideration was the attempt by the mediators and by the Carranza representatives to adjust matters to the effect that some man not identified with either the Huerta faction or the so-called Constitutionalist faction in Mexico should be acting President of Mexico until an election should be held, and the insistence of the American representatives upon the agreement for placing in power a representative of the Carranza faction. I have before me a transcript of the article as it appeared in the papers, signed, or at least officially given out, by our representatives, in which they said that they thought that was best, as the Carranza faction very largely outnumbered the others, and that it would conduce finally to peace, in the event some member of the Carranza faction was recognized as the President of Mexico pending an election and final adjustment of affairs.

Mr. President, I do not know how the dropping of the mediation affected other Members of the Congress of the United States; I do not know what impression remained on the mind of the President of the United States after the cessation of attempts at mediation; but I do know what effect it left upon the minds of the people of Mexico. The general discussion was along the line, and the general understanding arrived at was along the line, that Huerta should get out; should surrender the City of Mexico; that the Constitutionalists should be allowed to go into the city; that Carranza himself should give certain pledges to the United States that he would not persecute or murder—that is what it meant—those who had not adhered to him, but who had fought him; that he should grant general amnesty for the time being at least; and that some man not obnoxious to either faction should take temporarily the reins of power until an election could be had. That was the general understanding of the people of Latin America, as well as of Mexicans, as to what had been generally arrived at, while no man had been selected or named by agreement between the parties.

What took place? Huerta retired from the City of Mexico, placing in power Carbajal, who had not been obnoxious to Carranza nor to any other faction in Mexico so far as was known, whose name had been discussed before the mediators, who had not been agreed upon, but who was generally regarded as the one man in Mexico who possibly would be accepted by both sides.

Huerta turned over the City of Mexico to Carbajal, withdrew, and, sailing for Europe, left the country as it was understood in Mexico and in Latin America, pursuant to the understanding of the mediators and our representatives at Niagara. Carbajal requested the United States to say to Mr. Carranza: "You must not go into the City of Mexico until you have made the pledges which were mentioned by your representatives and by ours; that is, to the effect that you will not persecute, prosecute, nor kill those who did not agree with you; that you will grant general amnesty until such time as a President can be elected and

a government which would be recognized by the United States could be formed in Mexico."

Was that understanding of the Mexicans and of the Latin Americans well founded or not? Having driven Huerta out without demanding, but simply requesting, of Carranza some assurance, without demanding of him security that the general, tentative understanding of the Mexican people, founded upon the understanding with the mediators or before the mediators—without demanding security that this general understanding should be carried out, although we did, so far as the press publications disclosed, request of Mr. Carranza certain assurances; without securing those assurances we allowed Carbajal to turn over the City of Mexico to Carranza, in absolute violation, as a great majority of the Mexican people believe to-day, of the pledges which we at least gave at Niagara. You will not find an intelligent man knowing anything of Mexican affairs—I mean an intelligent Mexican—who will not tell you to-day that he understood, and that the Mexican people and the Latin-American people understood, that we had given a pledge that if Huerta got out of the country Carranza should not be allowed to go into the City of Mexico until he had pledged himself and given ample security to us for his good conduct. They believe that we were false; they believe that we misled them; they believe that we had some ulterior purpose or that we at least were so weak that we allowed a horde of bandits and murderers to go into the capital city of Mexico when we had it in our power to keep them out. They believe that Huerta could have kept them out, and that he would have been there to-day in possession of the City of Mexico had it not been for the service rendered to Carranza by the landing of our troops and our marines and the seizing of Vera Cruz.

When we mix in international affairs, when we invite mediation, then, before closing the chapter, we should at least understand what the other parties to the controversy resulting in mediation understood as its result. Of course it was generally known that no definite result had been arrived at in so far as naming a particular man for temporary President who should be recognized and upheld by the United States; that they could not do; but it was felt by the Mexicans that when Carbajal, whose name was discussed and who was not objectionable, was placed in charge and Huerta got away at the demand of this Government, that the Huerta faction had carried out the general understanding in good faith, and neither the Mexicans nor other Latin Americans believe that we ever did carry it out in good faith. So we have not risen very highly in the estimation of the people of Mexico.

Mr. President, I am not going to take up time to read the statement of the American delegates to that mediation conference; I am not going to take time even to call attention or to read into the RECORD the protocol of agreement between the representatives of this Government and the representatives of Huerta as to what matters should be discussed. Those are matters which have become public in so far as the press of the United States has been able to make them public, but not in so far as we have any official information from the administrative department of this Government upon them.

When Carranza entered the City of Mexico in the face of protests from foreign representatives and our own representatives, he proceeded to punish without hesitation, by shooting to death I am afraid to undertake to say how many of the more prominent citizens of that Republic who remained within the city or whom he could seize in whatever quarter under his control without trial. Mr. President, the so-called court-martial proceedings of either faction in Mexico consists in one man sitting in his office or at his desk or in his chair or leaning up against a wall and ordering a file of soldiers to go and arrest another man and shoot him. Those are the trials that are had; those are the trials that were held by the Carranza courts in the city of Mexico. Man after man, delegates of the Republic, senators, members of the standing committee on legislation, were shot down—assassinated. The police force was discharged; the courts were closed; the streets were paraded by soldiers, so called, of the Carranza army; business houses were closed and the seal of foreign embassies placed upon them for their protection; and armed bands of rioters paraded the streets of the City of Mexico. That was the so-called Carranza government.

Do you wonder now, Mr. President, that the people of Mexico, in whose behalf we are supposed to be acting, can not understand or appreciate the great services which we have rendered them so far, when we have simply driven out one man who did represent something of law and order, under whom the courts were open, under whom civil process was secure, and have driven out the constituted police force and the constituted authorities, thrown open the doors of the jails, and turned loose on the community a horde of murderers and thieves? Do you suppose that they can understand what we mean when we say that we are acting in their service?

Mr. President, I hasten along. After occupying Vera Cruz we were anxious apparently to know what the different leaders of Mexico, aside from the Huerta faction, would think of our action. We heard through the press that Mr. Carranza repudiated such action upon our part and that he was very severe in his criticism of our action, but that he said whenever he got in power he would salute the flag, and we could get off Mexican soil. We understood from the press at the same time that Mr. Villa was the friend of the United States, and that Mr. Villa thought that we were correct, or, at least, he did not resent our taking Vera Cruz. So at once those of us who wanted to think that the action of the United States was proper under the circumstances imagined that Mr. Villa was our friend and that Carranza was our enemy. As a matter of fact, reports came here from official sources to that effect; reports from American representatives, who are attached to Villa's court, came here to that effect, and the attempt was made to make this Government and the people of the country understand that Villa was a true friend of the American people.

Mr. President, the 16th of September is in Mexico their independence day, the anniversary of the day on which Hidalgo raised the cry of freedom. It is celebrated there every year all over the entire Republic as our Fourth of July is celebrated here. It is celebrated in various ways, as we celebrate the Fourth of July, celebrated by public speech, as we celebrate our Fourth of July here. On the 16th of September in Torreon, in the presence of the victorious army of Gen. Villa, speeches were made and references were made to the occupation by the Americans of Vera Cruz and to the fact that Vera Cruz was still in the hands of the foreigners. The Zaragoza brigade is one of the brigades which is even yet faithful to Gen. Villa, which has remained faithful to him, despite the fact that within the last month Benevides and others have deserted him, despite the fact that Gen. Monclovio Herrera, who was in command of the army to which the Zaragoza brigade belonged, has now taken up arms against Villa. At that time they were all together, Monclovio Herrera was one of Villa's own soldiers, and the Zaragoza brigade was his own brigade, and is as yet faithful to him. On that day Col. Manuel C. Izaguirre, of the Zaragoza brigade, one of their leaders, made a speech, which was considered to be so representative of the sentiment of Villa's army, that under threat, as the Parral paper says, of Monclovio Herrera himself they published the speech. I am going to read two or three extracts from it, which constitute a literally correct translation of the remarks of Col. Izaguirre, of the Zaragoza brigade of Villa's army.

It is time that we should drive from our soil the usurper Army of the north or that Divine anger should humble and destroy us, as death is a thousand times more preferable to consenting to its remaining in our first maritime seaport, where solely is allowed the permanency of the noble sons of Cuahutemoc, or those of eagle sight, those of brown skin and dark eyes, the sons of Hidalgo, Morelos, and of Juarez. * * *

It is now time that men of the Indian figure of Guerrera, of Melchor Ocampo, or of Ignacio Zaragoza should appear and no longer tolerate such ignominy.

Let us forego this dreadful indifference and fling ourselves upon the American colossus and dispute that piece of our ground, cradle of the greatest men of our national history.

* * * * * * *

We here find ourselves in the sanctuary of the fatherland, where we have come to honor the memory of that Pleiades of heroes. Let us honor the same in a manner worthy of them. Let us honor it by starting a bloody struggle, protesting with all energy against the ineffaceable insult—

That is a very liberal translation, but it is the best I can do—

suffered by our national integrity in the conception that Gens. Maclovio and Luis Herrera have called the attention of the present provisional president of the Republic to the urgent necessity that in the shortest possible time the seaport of Vera Cruz be evacuated by the American forces, and they have been given a certain time in which to effect same, which terminates on the 30th instant, and within that period if the same is not carried out then it will be our inevitable duty to take up arms in order to drive them from our territory, and we are sure there will not be a Mexican who does not join us and who will remain impassive to the armed movement which is to take place on the 30th of the present month in the event that the colossus of the north still insists upon profaning our national sovereignty.

Comrades, long live Mexico! Death to the puritan Wilson! Death to the Americans!

On the 14th of November Vera Cruz was evacuated, but we have not heard from official sources, Mr. President, why Vera Cruz was evacuated. We have no knowledge that the Mexican Government or Huerta or his successor has ever acceded, or did ever accede, to the demands of the United States, served upon him at the muzzle of the artillery and the guns of the marines and the sailors at Vera Cruz. We have received no information. Even in the President's message to Congress we had nothing at all upon the subject of Mexico. We know nothing as to what has taken place. We have been compelled to appeal to the columns of the press, and some of us, who are

able to do so, to entirely other sources for the information which we have upon the subject.

Mr. President, the next occurrence to which I wish to call the attention of the Senate concerning Mexican affairs and our participation therein, is that, as was foretold more than once and as I have myself stated to the Senate upon more than one occasion, immediately upon the acquisition of power by Carranza, the forces which had been supporting him to drive Huerta out turned their guns against Carranza; and after this Government had succeeded in driving Huerta out of the City of Mexico there were seven revolutions in a week. This is true, although Carranza was supposed to be the representative of the Madero movement, and the Madero movement was supposed to represent, and is supposed, apparently, in the mind of the President of the United States, to represent the demands of 80 per cent of the population, with which, he says, he is so heartily in sympathy.

Mr. President, 160 of the generals who had been declaring their allegiance to Carranza until we drove Huerta out met in convention at the City of Mexico. Subsequently they retired for consideration, as they said, to get away from the presidential influence and for more mature deliberation and consideration, to the city of Aguas Calientes. Under the agreement made at Torreon, to which I have previously referred in a speech in the Senate, it was understood that Mr. Carranza signed a written agreement with Villa to the effect that, so soon as they occupied Mexico City, a convention of the generals should be held and a temporary president elected, who should remain in power and be supported by the armed forces of Mexico until an election could be held.

So an attempt was made to carry out this agreement, and this convention was called, first, in the City of Mexico, and then, upon the statement of several of its members that possibly they would be subject to the influence of Carranza, who was then in power, they retired to Aguas Calientes, by a resolution adopted, for the further consideration of the agreement of Torreon. There they elected Antonio I. Villarreal as president of that convention, and they proceeded to discuss the question of the election of a temporary president. Villa appeared before the convention, through his representatives and in person and by his army, 20 miles away, and demanded that Carranza be altogether eliminated from affairs in Mexico, offering at the same time to refuse the presidency, even if it were offered him, and pledging himself not to become a candidate for any office.

Carranza at once replied to the convention, saying that if Villa would surrender his military command and get out of Mexico he, Carranza, would surrender his civil and military command, renounce all pretensions to the presidency, and expatriate himself forever from his country. Neither got out. This man Villarreal, who was the president of the convention and one of the delegates who waited upon Carranza demanding Carranza's resignation, took part in the selection of Gutierrez as the successor of Carranza, then ostensibly going to the City of Mexico to insist upon the resignation of Carranza in accordance with the demands of the convention. He proceeded to the State of Coahuila and took charge of his army.

I shall call attention in a short time to this gentleman, Mr. Villarreal, as a representative of the spirit in Mexico which President Wilson has never understood, and who still is one of the most prominent, one of the most intelligent men among the leaders of that Republic. He has written more and said more than any of the present leaders, and it is remarkable to me that the President of the United States does not know something of the views held by the followers of Antonio I. Villarreal.

Gutierrez was declared President by this convention of generals; and in their usual dramatic manner, not satisfied with passing resolutions such as we would pass here, a very large Mexican flag was brought into the convention hall and those generals sat down at their desks and inscribed their names upon the flag, swearing to support the action of the convention to the last drop of their life's blood. That flag is now a fugitive on this side of the border, brought over by 5 of the 13 who were appointed especially to guard it "forever."

Following the appointment of Gutierrez, and preceding his arrival in the city, Mr. Carranza evacuated Mexico, Gen. Obregon, who is now in charge of Mexico City, first declaring himself independent as the President of Mexico, but later concluding that he had better retire and follow Carranza into Vera Cruz. Gutierrez remained outside the city limits to allow his military forces to reconnoiter following the evacuation of the army of Obregon, and by mutual agreement the Zapata forces came in from one side and Villa and Zapata rode down the streets of Mexico City together, the great conquering heroes, one of them the bandit of the north and the other the bandit of the south. Gutierrez followed and was proclaimed the President of Mexico, Carranza then being at Vera Cruz. Mr. Gutierrez, the choice of this convention of the generals, of all the leaders of the Constitutionalist forces in Mexico, was introduced to the convention in a speech advocating his nomination, and the only one which was made, and which was indorsed by the official publication of the convention proceedings thereafter. He was indorsed for the Presidency of Mexico because of the fact that he had burned more bridges in the last four years than any other man in the Republic of Mexico. Unfortunately for Gutierrez, he did not take his bridge burners along with him into the City of Mexico as a personal guard; but that was furnished, with a great deal of forethought, by Hon. Francisco Villa, so that when some of the occurrences took place of which Mr. Gutierrez has spoken officially, and which have not been published in this country, Mr. Gutierrez said that he was unable to interfere. Some of these matters I shall refer to a little later.

Villa and Zapata retired, leaving their respective followers in sufficient number, as they supposed, to guard Mr. Gutierrez and to protect Mexico City—the one to the north, the other to the south—and Mr. Gutierrez seized the first opportunity of which he could avail himself and escaped from the clutches of both, setting up another independent revolution.

Zapata then declared that he would have nothing more to do with the election of a President, but that he himself was the supreme chief of the south, independent of Villa or anyone else. Villa hurried back into the City of Mexico and proclaimed Mr. Roque Gonzales Garcia as the President of the Republic. Obregon coming in on his lone hand, after driving Zapata out of Pueblo and gaining the outskirts of the City of Mexico, the Villa forces evacuated the city, leaving poor Roque Gonzales Garcia to this day unheard of, and cutting Villa off from the entrance from the north to the city. Villa at once seeing the great need of some government, Curranza at Vera Cruz, Gutierrez at San Luis Potosi, Zapata in Morelos, and the various other leaders at different places seeing the great need of law and order in a country over which he was supreme, each declared himself the President of Mexico, so that to-day, in so far as anyone knows, we have Carranza the President at Vera Cruz, we have Gutierrez the President somewhere unknown, we have Roque Gonzales Garcia's whereabouts entirely unknown, and we have Zapata, the supreme chief of the south, reported as holding the waterworks of the City of Mexico, and Mr. Pancho Villa in the north, the friend of the United States, also the President of Mexico. This is about the political condition as we understand it, each fighting the other, and every general of each claimed by each if he happens to capture a town. Benevides and other gentlemen who have been with Villa are now either with Gutierrez or directly with Carranza or with Obregon. None of these leaders can tell from day to day where one of his generals is, and each treats every town that he enters as the enemy's country for the purpose of loot and of theft.

Mr. President, what is the great service that this country has performed for Mexico?

Take Carranza, for instance, who is the constitutionalist chief, with representatives even in Washington. When Carranza's army evacuated the City of Mexico they took with them great trainloads of household furniture. They had taken nothing when they arrived in the City of Mexico. They robbed houses, they took pianos, sewing machines, desks, furniture of all kinds out of the houses of the people whom they had driven out of the City of Mexico and carried them to Vera Cruz.

I mention this simply as an example of what is done by each of the leaders whenever he is driven out of a town.

We have heard a great deal in the American press of Gen. Benjamin Hill, spelled H-i-l-l, who has been so boldly and courageously entrenched at Naco, until finally our diplomatic chief of staff persuaded him to get out and withdraw from the border. Do not make the mistake of thinking that Gen. Hill is an American. His name is Gil, pronounced "Hill" in Spanish, and consequently we become accustomed to spelling it H-i-l-l. A short time ago I was down around Naco when balls were not whizzing in my direction, because I took care of that, but still were coming across the line. Gen. Hill was in his headquarters. He had just arrived, and was in his headquarters in a little adobe house in the Mexican part of the town. He had just come out of Cananea, and he had brought his furniture along with him. His wife was sitting at the door of the house, and an automobile full of Americans passed through, going down to Cananea. One of the ladies in the machine, being acquainted with Mrs. Hill, stopped to speak to her. The old lady is very amiable, and pointed out to the American lady that she had quite a lot of household goods. This is the wife of the general in command of the Carranza force, sitting there puffing his cigarette. She said she had quite a lot of household goods, and she was ready to dispose of some of them. The articles to which

this American lady's attention was particularly called were three pianos, three grafonolas or talking machines of some kind, and seven sewing machines. Mrs. Hill was offering the sewing machines at $5 apiece. Upon one of the ladies saying, "Why, they are quite cheap," she responded, "Oh, yes; but you know they didn't cost us anything"; and they did not. They had been brought from the houses of citizens of Cananea. One of the commanding generals, when he went through to El Paso, being called to the city of Mexico by Mr. Carranza, bought $100,000 worth of diamonds from diamond merchants there with money not altogether derived from the proceeds of the sale of sewing machines.

Mr. President, bankruptcy has overtaken Mexico, of course; but I do not know whether any of you have thought of the method by which these different leaders were undertaking to finance themselves. You have talked of "high finance" here in this country. Mr. Bryan has said, in one of the extracts I have read to you, that we in the United States might well take the example of Mexico in various matters of government, study it with great interest and profit to ourselves, and follow it. I may say, Mr. President, that we might possibly have thought that we knew something about finance. Mr. Obregon, in the City of Mexico, when he entered there a few days ago, declared that the money which had been recognized by Villa and Zapata as a circulating medium could not be received; but this was after he had himself used a certain amount of that money—about ₱300,000—whereupon he declared that it would not be received further. Villa issues his own currency and signs it himself, and if you do not take it you are shot. You take it at the price he puts on it, and you can not pay your laborers in your mines or on your farms or on your cattle ranch with American or Mexican gold. You must take your gold to Villa, and you must buy from him certificates, signed by himself, at a certain given price—35 cents on the dollar. They are quoted on the market to-day at 9½ cents, but you can not buy them from a broker; you can not buy them outside. You are not allowed to start a new enterprise, to open your mine, on the money of Mr. Villa himself unless you buy it from him. The consequence is that when it is once out in circulation there is no earthly chance for a new enterprise to start up except by getting some more of it in circulation from Mr. Villa himself.

Why, to illustrate the remarkable esteem in which this manner of financing is held, I have a friend from Cleveland, Ohio, who is very largely interested in the mining business; and, while he has not been able to conduct his mines for some time, he has at one of his mining camps some four or five hundred tons or more of copper left over which he has not been able to ship out of the country. The State treasurer of the State of Chihuahua informed this friend on a recent visit to Mexico that they needed a ton of copper, and they were going to send up to his mine to get it. The American said, "How are you going to pay for it?" "Why," he said, "in our money." "At what price?" "Why, at 35 cents. We are giving it out at 35 cents." "Oh," he said, "you don't get that copper at any such price as that. I have no copper to sell you, and I do not choose to sell you any." Then he added: "Perhaps, though, as a matter of friendship, we can make a trade. I will tell you what I will do; I will trade with you." Vargas asked, "How?" He said, "This Villa money?" "Yes." "Well, just ton for ton."

It seems ridiculous, Senators, that a so-called revolution can be financed in any such way; but when you understand that every man, every soldier in each one of these commands, getting hold of a piece of this signed money, from whomever it is issued—Carranza, Obregon, Maytorena, Hill, Villa, Zapata, every other leader issuing his own money—going into a town, notifies everyone there who has anything to sell or anything that he wants: "We propose to pay you for it, but you must take our money, and if you do not take it you are shot." This is the method by which they are financing their revolutions when they make any pretense whatsoever of returning any value for that which they seize without compunction.

I do not think the President of the United States can understand the conditions exactly as they exist there, otherwise he would not utter the sentiments upon which he seems to base his action toward Mexico.

I have in my pocket a list of the shipments of cattle, hides, and meat from the various points along the Mexican border to the United States for the two months last past. I have already taken up a great deal more of the time of the Senate than I had expected to use, and I do not care to occupy more time by reading statistics into the RECORD, but I am going to refer to the method by which this meat is acquired and who is shipping it.

One of the great packing houses in this country has a representative in Juarez. Pancho Villa owns a packing house there. He has seized it and taken charge of it. He issued a decree prohibiting the exportation of cattle from Chihuahua, even with the duties which are placed upon them paid into his hands. He has had some trouble because the stolen cattle were seized on this side and identified by their brands. Finding that he had trouble in getting the cattle over and getting the money out of them, he established this packing house, with, as is reported, an American representative of one of the great packing establishments of this country in partnership with him, and there they are killing stolen beef, known to every man in the State of Chihuahua to be stolen, taken from Americans and Mexicans alike wherever they can be seized; they are killed and are shipped across into this country as far as Kansas City. The hides are not even packed so that they can be identified and seized. There is no way of identifying a hide or animal as the property of anyone, run as they are on our ranges, except by the brands; and the Government of the United States will not revise its laws with reference to manifests, although the collector of the port of El Paso has requested it to do so, so as to compel them to state what certain branded hides are in the bales of 500 pounds which are sent over here.

The consequence is that $350,000 worth of stolen hides have been imported or brought over into this country through the Juarez customhouse within the last six months.

These things are going on all the time. You have heard here before of the millions of dollars' worth of cotton belonging to the Spanish and the French citizens that were seized at Torreon. Possibly you may not have heard this, but it is an open scandal in Mexico that certain parties claiming to represent this Government in some capacity or other—I do not mean here, of course, but I mean certain local representatives of the Government down there—are said to have made $200,000 out of this sale of French and Spanish cotton. As I said here at one time, in the eyes of the people of Spain and France and other countries who are interested, we are acting as an international "fence" in protecting these bandits and robbers and burglars who are stealing property in Mexico and shipping it over here with impunity, and we are enforcing our laws so as to protect them, instead of assisting the owners in even tracing their property, so that eventually they may make demands for repayment if there ever is a government established in Mexico.

Mr. President, the President of the United States said in one of his speeches that the people of South America and Latin America had heretofore suffered under a system, which he said they were compelled to adopt, of concessions. He said in an interview—apparently an authorized interview in May of last year in the Saturday Evening Post, with Samuel G. Blythe—that we proposed to help the Mexican people, and that finally he, the President of the United States, proposed to see that they were not exploited by outsiders. He spoke of concessions, and said that the first thing to get rid of in Latin American countries and in Mexico is the "concession" system, under which they have been compelled, as he says, to develop their resources and to obtain money; and yet, if he would inquire of the representative of the State Department who is with Villa always, in more ways than one, he would know that there never has been in the history of Mexico such bald-faced thievery and grafting as has been carried on by the pets of Mr. Villa, some of them foreigners, under the system of concessions. Never in the history of Mexico nor the history of any similar civilized country has anything like it been known. The birds of prey are gathered along the borders, and they have their representatives at the throne of Villa and other leaders in Mexico.

The President seems to think that these people are actually fighting for something. They are; but he does not know that the great struggle to-day in Mexico is between the factions over the Tampico oil fields. He does not know that every move Villa makes in attempting to drive his foes out of his way in the north is toward Tampico, and that it is not for the purpose of securing arms and ammunition. They are allowed to go to him across our borders. He needs no seaport. It is for the purpose of seizing and confiscating the oil wells in that district, which is the greatest oil district on this continent by five to one to-day. Efforts have been made already by agents of Villa in this country to finance him when he seizes those oil fields. I am informed that efforts have been made or are being made by representatives of Carranza, upon the other hand, to do the same thing. Whose property is it? It makes no difference. One method or another of confiscation is used.

When we say "confiscation," or when we read in the papers that a certain piece of property has been confiscated or will be confiscated, we naturally think that means by a decree of some authorized or duly constituted body, followed up by the party whose property is taken having his day in court, as we enforce decrees of confiscation; that there is some legal proceeding taken. What they understand in Mexico by a decree of con-

fiscation is confiscation such as is perpetrated by the train robber upon the express messenger with a six-shooter at his head. No legal forms have ever been invoked or carried out or proceeded under in any decree of confiscation in Mexico. These people have gone to the extreme to which Juarez went in 1860 when he was fighting a foreign enemy. They have invoked the decree which Juarez issued against those who assisted Maximilian, a foreign enemy undertaking to subvert their Government and turn it into a monarchy. He did go to extremes, Mr. President, and he treated as traitors those who joined Maximilian. Each one of these people in his own little command, in his own little town, invokes the Juarez decree No. 62 against every opponent whom he may meet in that town, and may shoot him down like a dog.

Mr. President, three years ago American citizens were shot down on the border in the fights between Mexican factions on the other side, first at Agua Prieta and later at El Paso. Speeches were made here in the United States Senate about it. The country began to wake up to the fact that American citizens were being shot down in the American cities, and the great parties held conventions, and declarations were put in the platform at least of the Democratic Party brought about by that very condition, as I was told by some of those who assisted in making that platform. They told me that because the Republican administration had not taken strong measures to stop the killing of American citizens on this side of the border the Democratic Party had gone on record as promising that it would stop it, and that citizens on our borders should be protected in their lives and in their property. Has that been done? No. Neither the Democratic Party nor the Republican Party has made a move to stop the killing of Americans on this side, except that the Chief of Staff of this country was finally sent down to the border after 49 Americans, many of them soldiers, had been shot down on this side, killed and wounded; after the public schools of the little American town of Naco had been closed for two months or more, and the children were not allowed by their parents out on the streets for fear of being killed, while the American people in that little town were living in cellars and barricading the windows in their houses and were still being shot down in their hotels and when they appeared on the streets. Finally our military authorities seized the town of Naco, and would not allow you to depart from a train or to take a train either in or out of Naco for fear that you would be shot; and the trains stopping on their way from California at the station of Naco were shot into and people wounded around the railroad station; but our troops were not allowed to prevent it, and finally were withdrawn behind the hills a mile away where they would not be hurt themselves. Then, after all these things, the Chief of Staff of the United States Army was sent down there in order that he might get together with two bandits and undertake to persuade them to go away from the border and not to hurt our American citizens. Of course they were persuaded; and yesterday they marched back, and yet the President of the United States seems to think that it is possible to place confidence in the word of one of these men!

Mr. President, I do not want to arouse any passion. I am simply attempting to make a plain statement of facts. I am not appealing to any prejudice or any passion of the Senate. I do not want the impression to go out to the country that I am attempting to make any such appeal, because I have been very carefully attempting to restrain myself from any expression of my indignation or my feeling in this matter. I am making these remarks simply to let you know what is going on and how the President is mistaken in order that in dealing with this bill you may understand that conditions may arise and will inevitably arise out of the Mexican affairs where you are going to need some money and some men before the United States gets through there.

Now, Mr. President, I shall not read, as I could, the affidavits showing the most horrible state of affairs in Mexico that ever existed in any country of which I have ever read, except in Santo Domingo after the uprising of the negroes.

It is necessary to call the attention of Senators, however, to the fact that in the Republic of Mexico there were sisters of charity, women engaged in undertaking to spread education among the poor people, women engaged in charitable work in the hospitals and sanitariums, and there is not one of them left to-day to carry on the work, but hundreds of them have suffered the most horrible outrages at the hands of these so-called Constitutionalists. There is not one solely to blame, but all are equally guilty. There has just been driven out of Guadalajara in the last day or two one of the men who drove women along in front of him, kindly, gentle, charitable, educated women. He drove them along, herding them for the use of his army when he evacuated Guadalajara. I have said that every town was the enemy's country. In going through the country the poor, common, ordinary Mexicans, who had nothing to do with the revolution, who were not interested in it, who were friendly, and who met them in a friendly way when they came through, have been maltreated and shot down without provocation or excuse by so-called "Constitutionalists," "Villistas," and others, their homes burned, their property seized, and their women outraged. It makes no difference who they are, every piece of loot that can be obtained is considered legitimate loot, and every town that is captured is the enemy's country for the purpose of loot and worse than loot.

What can happen with conditions such as these existing? What must happen inevitably? Will the world stand by and see a reversion to barbarism of 13,000,000 people simply because a few worthless bandits have obtained arms and have worked upon their credulity, with the statement made by Villa and others that all the property is going to be turned over and divided up?

At the outside, 200,000 people have been interested in this revolution. There are 13,000,000 Mexican people appealing to the Christian people of the United States and of the world. Religion itself is calling upon the civilized nations of the earth to uphold that banner which was carried among those poor Indians 350 years ago.

Why, sir, if the State Department of this Government would publish its reports, would publish statements as to why Huerta left Mexico, and a list of the outrages committed by Villa, the killing of men, women, and children, the assassination of members of Congress, of members of the Senate, the assassination of everyone whom he could catch who disagreed with him, names and lists given by the then President, Guitterez, if not by Villa himself—if these lists could be published, and if the people of the United States could see the affidavits which have been made by the women of the religious orders in Mexico and the statements, which there has been no attempt made to controvert, showing the absolute breaking down of civilization, the President of the United States would no longer remain in ignorance and in control of the sentiment of the people of the United States.

I wish to call the attention of the Senate for a moment to the official utterance of the Liberal Party of Mexico, of whom Antonio Villarreal, the president of the Mexican convention, is the great leader. He was one of the original revolutionary junta that issued the first manifesto of July 1, 1906.

One reason, I may say in passing, why I have been rather familiar with the occurrences in Mexico is because I was present at the Cananea riot, when the original private papers of the original revolutionary junta were seized in 1906, and I was instrumental to some extent in seeing that those private papers went to the proper authorities in Mexico, where they would be of some use.

Antonio Villarreal was one of the original revolutionary junta. This "junta" issued various proclamations to the people of Mexico. They have issued one proclamation to certain people throughout the world referring to Mexico. This was in 1911. These are the ideas entertained by Villarreal and his class of people in Mexico, in so far as any of them are sincere about anything.

I deny that you can find a Mexican patriot to-day in the Republic of Mexico. If there is a man who has ever had any patriotism in his body in Mexico, he is a fugitive in the United States or in some other country to-day.

This is a call to the workers of the world, made by Villarreal, Magon, Sarabia, Rivera, and others, in 1911, when the Madero revolution was going on, showing what their ideas were and what they were calling upon their people to do:

> The Mexican Liberal Party is not fighting to destroy the dictator, Porfirio Diaz, in order to put in his place a new tyrant. The Mexican Liberal Party Is taking part in the actual insurrection with the deliberate and firm purpose of expropriating the land and the means of production and handing them over to the people; that is, to each and every one of the inhabitants of Mexico, without distinction of sex. This act we consider essential to open the gates for the effective emancipation of the Mexican people.
>
> There is also another party in arms, the Antireelectionist Party, whose leader, Francisco I. Madero, is a millionaire, who has seen his fabulous fortune grow with the sweat and the tears of the peons of his haciendas. This party is fighting to make "effective" the right to vote, and to found, in short, a bourgeois Republic like that of the United States. This purely political and capitalist party is naturally an enemy of the Mexican Liberal Party, because it sees in the activity of the liberals a menace to the survival of the bourgeois Republic which guarantees to politicians, to seekers for jobs, to the rich, to all the ambitious, to those who would like to live at the cost of the suffering and the slavery of the proletarian, the continuance of social inequality, the capitalist system, the division of the human family into two classes—that of the exploiters and that of the exploited.
>
> The dictatorship of Porfirio Diaz is about to fall; but the revolution will not end by this act alone. Upon the tomb of this infamous

dictatorship there will stand face to face, with arms in the hand, two social classes, that of the well fed and that of the hungry, the first upholding the interests of its caste and the second the abolition of those privileges by means of the installation of a system which guarantees to every human being bread, land, and liberty.

This formidable fight of the two social classes in Mexico is the first act of the great universal tragedy which will soon have for its stage the surface of the whole planet, and whose final act will be the triumph of the noble formula, liberty, equality, and fraternity, that the political revolutions of the bourgeoisie have not been able to crystallize into fact because they have not dared to break the backbone of tyranny, capitalism, and authority.

Comrades of all the world, the solution of the social problem is in the hands of all disinherited of the whole earth, for they only require the practice of one great virtue—solidarity. Your brothers in Mexico have had the courage to raise on high the red flag, but not to make a puerile boast with it in inoffensive manifestations through streets and plazas, which almost always terminate with the arrest and the wounding of the participators by the cossacks of the tyrant, but to sustain it firmly in the battle fields as a spirited challenge to the old society which it is trying to crush in order to build on the solid earth the new society of justice and of love.

Our forces, however generous and self-sacrificing they may be, may be annihilated by the solid action of the bourgeoisie of all the countries of the world. By the simple act of having brought about the appearance of the red flag in the Mexican battle field the bourgeoisie of the United States has obliged President Taft to send 20,000 soldiers to the Mexican border and warships to the Mexican ports. What are the workers of the world doing in the meantime? Crossing their arms and viewing as from the seats of a theater the persons and the events of this tremendous drama, which ought to move every heart, which ought to arouse every conscience, which ought to make the nerves of all the dispossessed of the world vibrate intensely and to make them rise as one man to hold back the fleets and to halt the uniformed slaves of every country.

Mr. President, magnificent language! This man was one of the best writers and best speakers I ever heard or read, as keen and shrewd a labor agitator as ever lived. These are his public utterances.

Following along, there have been circulated letters which, as I said, were seized as early as 1906, proclamations issued to the Yaqui Indians, the Zapotecs, the Mayas, and other Indians all over Mexico, to this effect:

Before the Spaniards came into the country the mines in which you are now working were yours. They are yours now. Take them.

Before the Spaniards came into the country the lands were yours. They are yours now. Take them.

The cattle upon those lands take as interest upon your investment. The improvements upon the farms are yours, because the lands were yours and these people have exploited you. This country is yours. You need no government. Government has been against you.

Just as he says here in his public utterance, but he is too shrewd to publish as boldly as he speaks to those poor ignorant people down there.

When we have elevated Madero the revolution will keep on and these two great opposing forces will be face to face, and you will stand in the struggle for the ultimate end.

Now, how does that appeal to these poor, ignorant people down there, 80 to 90 per cent of whom can not read or write, who still have a race prejudice against the white man, whether the blood of the Spaniard or the blood of the Anglo-Saxon flows in his veins, who feel that prejudice against the conqueror which the Aztecs felt against Cortez in the time of Montezuma? They are a quiet, peaceable people, the great majority of them, millions of them wanting to continue to work in the mines in Mexico. At Cananea, which was the center originally of the rebellion, they insisted upon remaining at work and not joining either army. There are millions of these people who, when they hear these eloquent speakers say what they are going to do, exclaim, "May God speed your army; go ahead!" and they do not fight against it. They have no arms, no ammunition, nothing with which to act; but they are waiting and praying and begging for some power to come to their assistance.

We have the same people in New Mexico whom I know so well, the Zunis, Hopis, and Indians of like character, generally spoken of as Pueblos, and never but once in all history on this continent were they found with arms in their hands. They are a quiet, peaceful, good people. There are millions and millions of them in Mexico of exactly the same character. They have no earthly interest in this revolution, except that they are being exploited and shot, their sons murdered, and their daughters outraged by every band that happens to come through one of their little settlements.

These demagogues with no desire in the world except to raise themselves to some position where they can live from the efforts of these poor people, these men who simply have not been grafters in the past because they had no opportunity to graft, now desire to foist themselves upon the people. To these demagogues the President of the United States has given ear, of course unwittingly and unknowingly, not understanding the true condition of affairs in Mexico.

Mr. President, I shall refer to only one other matter, which must have opened the eyes of the President of the United States. Everyone understands that Mr. Villa has been supposed by some of the representatives of this Government to be the most prominent man in Mexico and the one possibly through whom a settlement of Mexican affairs might be worked out without the interference of this Government.

Now, sir, in view of that feeling and of the fact that publication has not yet been made of Villa's true character, I am going to give to the Senate a statement of the character of man he is, as shown by one of his acts recently in the City of Mexico, and I do it, sir, with only the desire to impress on the mind of the Senators of the United States the character of this man from whom apparently the administration yet hopes something.

I have denounced him before as a bandit without conscience, as a bloody murderer for hire, and I have known of him personally for years. Mr. President, when Mr. Villa went into the City of Mexico at the time Gutierrez went in as President he visited a hotel in that city known as the Hotel Palaccio. The proprietor of the hotel is a French reservist who had joined his colors and who is now fighting for his country in France. Before leaving the City of Mexico this Frenchman made a schedule of his property, placed it in the hands of the French Embassy, and also placed his property under the care of the French Embassy. He left his wife, a young French woman, in charge of the hotel. I am not going into all of the details, Mr. President. I do not want, as I said, to arouse passion, but I do want the people to be informed. Suffice it to say that Villa, with a file of soldiers, dragged that French woman from her home, took her, screaming, down the street in his automobile, and kept her for four days—Villa himself, personally. That was no act of one of his irresponsible officers or vandals. I am not going to repeat rumor as to what happened to her after that. These facts are verified. This is the man whom the administration has apparently, and undoubtedly sincerely, thought might be used to work out something good for Mexico.

The desire of all of us has been, of course, Mr. President, to prevent the necessity for armed interference by this Government in Mexico; none of us wants a war with Mexico. There can be no war with Mexico. Any war or any action resulting in the sending of our troops to restore order and peace in Mexico would be in the service of the 14,000,000 people of Mexico against a few bandits who have them prostrate by the throat and who are choking out the life of civilization. It would not require any very great augmentation of the forces of the United States to enable us to do it. The time has been since I have been in the Senate and speaking to Members of this body upon this subject when the police force of New York City could have absolutely restored order in Mexico without difficulty and without the spilling of blood. The time has now come when there are 150,000 bandits armed in Mexico, killing one another and killing peaceable, quiet citizens, destroying civilization, and wiping religion out of the country.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Connecticut?

Mr. FALL. Yes, sir.

Mr. BRANDEGEE. A few moments ago, Mr. President, the Senator from New Mexico said that these horrible conditions were known in Mexico; that he himself had known them; and yet he states that the President of the United States has been misinformed. The President of the United States, as I understand, has several times had special commissioners down in Mexico for the purpose of ascertaining the truth, and they have been in communication with these various bandits and leaders. Can the Senator from New Mexico explain how it was that the President, under those circumstances, could have been so misinformed? Are not the facts that the Senator has been relating to the Senate generally known in Mexico?

Mr. FALL. Mr. President, they are generally known in Mexico, and they are generally known wherever anything is known at all about Mexican affairs. There is no question about that. The difficulty, as nearly as I can see it, is that the President is not correctly informed or is misinformed by his personal representatives. For instance, his personal representative whom he had there, Mr. Lind, came back here, took an encyclopedia, and wrote a history of Mexico by copying off the article in the encyclopedia, as I recall it; and I am informed—I do not know how true it is—that Mr. Lind told the President of the United States that if he would send the marines and sailors to Vera Cruz, we could land there, take the post office, the railroad yards, and the customhouse without firing a shot; that there would be no attempt to drive us away or to keep us from that soil; that there would not be a drop of blood spilled; and that, if we held on, we could make Huerta get out of the country. I know nothing of the actual truth of this. I have been informed on what I consider to be good authority that that was the report made by Mr. Lind. I know that Members of Congress have come to me here to seek information concerning Mexico,

thinking I knew something about it, and have made statements to me as coming directly from Mr. Lind within five minutes, that he was here and had said to them certain things concerning the matter; for instance, that Pancho Villa was now studying metaphysics and reading several volumes of philosophy, and statements of that kind; that really the man was educating himself and was developing a great interest in deep subjects, such as philosophy and metaphysics. I think one of them told me the names of the volumes which had been mentioned, and asked me if I thought that it was possible. They did not understand. I asked if Mr. Lind had said that he knew Mr. Villa or had ever met Mr. Villa. The Representative returned later and informed me that Lind admitted that he had never been farther north than Tampico; that he had never met Villa in his life; that he did not know anything about him; but he did give the name of his informant, and that informant was a representative of one of the greatest foreign oil companies in the world.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. FALL. I do.

Mr. NORRIS. Following up the question asked by the Senator from Connecticut [Mr. BRANDEGEE], I should like to ask the Senator from New Mexico whether evidence of the incident that he has just related in regard to Villa in the City of Mexico—I suppose the Senator has the evidence that satisfies him of the truth of the incident, for he has said very positively that it was true—has been placed in possession of our Government; and if it has not, why does not the Senator communicate it to our State Department?

Mr. FALL. I have been informed, on what I regard to be absolutely good authority, that these statements I have made can be verified from the State Department. I have so heard.

Mr. NORRIS. That that information is now in the hands of the State Department?

Mr. FALL. I think so; yes. I do not want to betray any confidence, but I think that information is in the hands of the State Department, placed there possibly officially by representatives of foreign Governments.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. FALL. With pleasure.

Mr. McCUMBER. Mr. President, the Senator is perhaps better acquainted with the Mexican situation than is any other Senator in the United States Senate. He is thoroughly acquainted with the modern history of that country and with the character of its people. We all agree, I think, or most of us do at least, about the initial mistake that was made in Mexican affairs; but that is a matter that has passed, and we can not retrace our steps in regard to it. I should like, however, to ask the Senator's view as to what this Government ought now to do under present conditions in reference to interference or with reference to letting the matter work itself out?

Mr. FALL. Mr. President, I will answer unhesitatingly, as I have answered before that same question, to the best of my ability. Up to the time that mediation was asked by this Government through the Argentine, Brazilian, and Chilean representatives I would not have made this answer.

I have been one of those, Mr. President, who believed in the absolute supremacy of the United States of America on this continent; that it was our duty to ourselves and to those who had gone before us and made this Government to let it be understood all over the world that we carried no chip on our shoulders and desired no territory by conquest; that we were not posing as the owners or the rulers of this hemisphere, but that we did propose to notify the entire world, including the nations on this continent, that the United States was supreme and would forever remain the supreme power on this continent. That has been my position heretofore.

Frankly, I am willing to say to you now, Mr. President, that since mediation has been attempted, and the mediators attempted so sincerely to discharge their duties, if I were President of the United States, I would call the same representatives together and say to them, "Now, let us agree to stop this trouble in Mexico; you are interested as well as we; we have shown that our interests here are identical in the maintenance of neutrality in this great world war; you have called upon us to assist you and join you in matters of that kind. Now, we are willing to join you, and we want to request that you shall join us in settling this difficulty in Mexico, which eventually is going to precipitate a great war upon this continent if it is not settled." I would ask those three nations to join us. I would say to them, "Now, you people know the conditions in your Latin-American countries," for I would say to you frankly, sir, that I realize that each one of the representatives of Argentina, Brazil, and Chile knows exactly how to deal with the character of crowd that is on top in Mexico.

Do you suppose that these people are the representatives of 80 per cent of their population of which the President speaks? They are the representatives of the intelligence and the intellect of their countries; they are the representatives of law and order, the representatives of religion and of civilization itself in their respective countries. If we had adopted their suggestions and invited them to make further suggestions and adopted those suggestions in the settlement of the Mexican troubles, we would have had them settled long ago. I would now invite them to participate in the settlement of the difficulty.

In my judgment it will be necessary for us to have a police force in Mexico to enforce the orders of the A. B. C. in that country; but if the A. B. C. said that they were not ready to do that, and asked us to do so, I would furnish a United States police force. I would invite them to go in with us and join us in the undertaking; but, having started in, I would establish peace from Yucatan to El Paso and from Guaymas to Tampico, and I would see that it was maintained. The cry of the pacificists or of the sentimentalists that the Mexican people should be allowed to spill blood from now until eternity, and that it is none of our business to interfere with them, would not for one moment cause me to hesitate in dealing with Mexico as it should be dealt with, not only in the interest of civilization itself, Mr. President, but in the interest of the eventual safety and the peace of this country of ours. Why, I will say to you, sir, that just so sure as we have foreign troubles of any kind, you will see that the threatening point, the danger point, will come from the Republic to the south of us. If we do not control it and put an end to the present situation, we will have trouble on that account with other nations of the earth.

Mr. McCUMBER. Then, if I may ask the Senator another question——

The PRESIDING OFFICER. Does the Senator from New Mexico yield further to the Senator from North Dakota?

Mr. FALL. Yes.

Mr. McCUMBER. The Senator's own opinion is, then, that sooner or later intervention must come, and that when it does come, it should come through the cooperation of at least three South American countries and the United States acting jointly?

Mr. FALL. Through their cooperation, if they will give it, and through their advice, and by our action if they will not cooperate with us. I believe they would cooperate.

Mr. McCUMBER. And the Senator further believes that the sooner we start in on that program the better?

Mr. FALL. The sooner we start in on it the better for civilization, the better for our own people, and the better for our country, because everyone must realize that we are now in a critical position so far as foreign affairs are concerned, not only from the west but possibly from the east. We are no longer in a position of magnificent isolation. Mr. President, that is what I have dreaded all the time, and I have been trying sincerely and honestly in my poor way to impress upon the mind of the Senator who has just spoken to me and upon the minds of the other Senators here that if we let Mexican affairs drift it means a foreign war as well as an actual war with Mexico sooner or later.

Mr. President, I am not going to refer to the last speech, which I have here before me, of the President of the United States on this subject, because I know that he was then speaking not as the President of the United States but as the partisan leader of his party. When he spoke with reference to Mexico I am satisfied, I am confident, that he did not intend or desire to have it understood that he was then speaking as President of the United States, but simply that he was speaking as the leader of a party. No President of the United States, entertaining the views which Mr. Wilson must entertain, referring to the accounts in the newspapers criticizing him for his watchful-waiting policy, could have uttered any such expressions as he uttered there when he said "Woodrow chuckled."

Woodrow could not have meant that he was chuckling over occurrences in Mexico or over the success of his policy. The President of the United States, then speaking as a partisan, may have chuckled over the fact that the criticisms of his "watchful waiting" policy had had no more political effect than to reduce the majority in the House of Representatives from 165 or 170 down to 25 or 30. It was a congratulatory chuckle incident to the result of the election. It could not have been any chuckle from the President of the United States that he had not been forced, despite criticism, to intervene in Mexico, when the papers were constantly referring to some of the outrages that I have mentioned here, to the killing of our own marines, the killing of 200 poor deluded Mexicans, who

thought that Huerta was President of Mexico and that they were defending him at Vera Cruz. There could not, of course, have been any chuckle from the President of the United States over conditions or facts of that character. So I will not refer to it; I will not read it. I am not going to inject politics into the discussion or make a political speech.

Now, Mr. President, I shall close. I appreciate the fact that the Senator from Oregon [Mr. CHAMBERLAIN], who has charge of the pending appropriation bill, has listened with a great deal of patience, and yet naturally with some impatience, as he desires to carry the bill through. But, Mr. President, I say to you, sir, that this country needs an adequate Army; it needs a nucleus around which it can gather enough men, not to conquer Mexico, but to restore peace and maintain order there; a nucleus around which we can gather sufficient force to eject other people in the future, not from the Golden State coast possibly, but from the friendly soil of a country which is to-day a wreck so far as government or civilization is concerned.

PENSION APPROPRIATIONS.

Mr. SHIVELY. Mr. President, may I ask the Senator in charge of the pending bill to allow its consideration to be suspended for a moment and yield to me to submit a report on the pension appropriation bill and ask for its present consideration? I think its consideration will take only a few moments.

Mr. CHAMBERLAIN. I yield to the Senator for that purpose.

Mr. SHIVELY. I am directed by the Committee on Pensions, to which was referred the bill (H. R. 21161) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes, to report it without amendment, and I submit a report (No. 1018) thereon. I ask unanimous consent for the present consideration of the bill. It contains no new or general legislation. It is purely an appropriation bill.

Mr. SMOOT. Is it reported just as it came from the House?

Mr. SHIVELY. Yes.

Mr. LODGE. I have no objection to the consideration of the bill, but I should like to have a copy of it if it is available.

Mr. BRANDEGEE. Let the bill be read.

Mr. SHIVELY. Let the bill be read. It is very short.

The Secretary read the bill, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1916, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $164,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1916, $100,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions without amendment.

Mr. LODGE. I wish to ask the Senator from Indiana how that total compares with the total of last year.

Mr. SHIVELY. The bill carries $5,050,000 less than the amount appropriated last year.

The VICE PRESIDENT. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. I ask that the Senate proceed with the consideration of the Army appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

The first amendment of the Committee on Military Affairs was, under the head of "Office of the Chief of Staff," in the item of appropriation for "Contingencies, military information section, General Staff Corps," on page 3, line 2, after the word "newspapers," to insert "drafting and messenger service"; in line 5, after the name "Manila," to insert "the cost of special instruction at home and abroad and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper"; and in line 12, after the word "appropriation," to insert "*And provided*, That military attachés abroad under orders from the Secretary of War shall be allowed mileage and actual expenses for sea travel under existing laws for travel abroad under competent orders, and all accounts for mileage for such travel performed during the fiscal years 1914 and 1915 shall, if otherwise correct, be allowed and passed by the accounting officers of the Treasury," so as to make the clause read:

Contingencies, military information section, General Staff Corps: For contingent expenses of the military information section, General Staff Corps, including the purchase of law books, professional books of reference; periodicals and newspapers; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad; and of the branch office of the military information section at Manila; the cost of special instruction at home and abroad and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper; to be expended under the direction of the Secretary of War, $11,000: *Provided*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *And provided*, That military attachés abroad under orders from the Secretary of War shall be allowed mileage and actual expenses for sea travel under existing laws, for travel abroad under competent orders; and all accounts for mileage for such travel performed during the fiscal years 1914 and 1915 shall, if otherwise correct, be allowed and passed by the accounting officers of the Treasury.

Mr. SMOOT. Mr. President, may I ask the Senator having the bill in charge if that is not changing the present policy of the department—in allowing travel pay for the attachés?

Mr. CHAMBERLAIN. Measurably it is; but there are various men now in the service on the Continent representing this Government in the zone of war, and they are sent from one place to another, and there is no provision for any travel pay for them.

Mr. SMOOT. I thoroughly agree with the Senator that that class of attachés ought to be provided for in the bill; but this takes care of those attachés traveling at any time during the fiscal year 1914; which means, of course, at any time between June 30, 1913, and June 30, 1914.

Mr. CHAMBERLAIN. They have been in the actual service of the Government during that time, too. I will read what the Secretary says about it if the Senator would like to hear it.

Mr. SMOOT. If it is not too long, I would.

Mr. CHAMBERLAIN. It is not lengthy. He explains this more briefly than it would be possible for me to make the statement. He says:

The act making appropriation for contingencies, military information section, General Staff Corps, for the fiscal years 1914 and 1915, provided for the payment of actual and necessary traveling expenses, incurred by the military attachés abroad under orders from the Secretary of War. The appropriation made was wholly insufficient to defray these expenses, which prior to the passage of this legislation had been paid from funds appropriated for transportation and mileage. Therefore the provision was incorporated above authorizing the payment of such travel from the latter appropriation.

This amendment transfers it to an appropriation in which there will be an adequate sum for paying these men.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 3, after line 20, to insert:

For the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $15,000: *Provided*, That the actual and necessary expenses of officers of the Army who, after July 1, 1914, have been on duty abroad for the purpose of observing operations of armies of foreign States at war, and of officers who may hereafter be on duty abroad for that purpose, shall be paid out of the appropriation for contingencies of the military information section, General Staff Corps, upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information; and the amount appropriated for such contingencies by an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1915," approved April 27, 1914, is increased to $26,000.

The amendment was agreed to.

The next amendment was, on page 4, line 19, after the word "Service," to strike out "School"; on page 5, line 5, after "$35,350," to strike out "for the pay of one translator, at $100 per month, to be appointed by the commandant of the Army Service Schools, $1,200," and insert "of which sum not exceeding $100 per month may be used for the payment of one translator, to be appointed by the commandant of the Army Service Schools, with the approval of the Secretary of War," so as to make the clause read:

United States service schools: To provide means for the theoretical and practical instruction at the Army Service Schools (including the Army Staff College, the Army School of the Line, the Army Field Engineer School, the Army Field Service and Correspondence School for Medical Officers, and the Army Signal School) at Fort Leavenworth, Kans., and the Mounted Service School at Fort Riley, Kans., and the School of Fire for Field Artillery and for the School of Musketry, at Fort Sill, Okla., by the purchase of textbooks, books of reference, scientific and professional papers, the purchase of modern instruments and material for theoretical and practical instruction, employment of temporary, technical, or special services, and for all other absolutely necessary expenses, to be allotted in such proportions as may, in the opinion of the Secretary of War, be for the best interests of the military service,

$35,350, of which sum not exceeding $100 per month may be used for the payment of one translator, to be appointed by the commandant of the Army Service Schools, with the approval of the Secretary of War.

The amendment was agreed to:

The next amendment was, on page 5, after line 11, to insert:

Relief of Lieut. Col. George O. Squier, Signal Corps, United States Army: The Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lieut. Col. George O. Squier, Signal Corps, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $41.46, which amount is hereby appropriated, being the amount of money expended by him as military attaché to the American Embassy at London from an allotment of the appropriation "Contingencies, Military Information Section, General Staff Corps, 1913 and 1914," and which amount was deposited by him in the Treasury of the United States from private funds.

Mr. JONES. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. JONES. I note that there are several items like this, and I want to ask the chairman of the committee why this lieutenant had to pay this amount out of his private funds into the Treasury of the United States? The amendment says that he expended this money from an allotment of the appropriation "Contingencies, Military Information Section, General Staff Corps." Now, if he had a right to spend it or take it from that fund, why was he required to replace it in the Treasury, thus necessitating our repayment of the amount to him?

Mr. CHAMBERLAIN. I will say to the Senator that it was on account of an adverse ruling of the comptroller, who held that the money was not properly expended.

Mr. JONES. The comptroller held that he did not have any right to expend it out of that fund, and upon that ruling he replaced it in the Treasury?

Mr. CHAMBERLAIN. Yes. He expended the money in good faith, as did all of these men. They are small amounts, and the comptroller ruled that the expenditures were not proper, with the result that they are now called upon to pay these small balances to the Government. These amendments are to relieve them of that responsibility.

Mr. JONES. Of course hereafter they will understand that they have no right to expend any money out of this fund, and we will have no more payments of this kind?

Mr. CHAMBERLAIN. Yes.

Mr. DU PONT. Mr. President, when the chairman of the committee said the comptroller ruled that the payments were not proper, I assume he meant to say that they were not authorized by existing law?

Mr. CHAMBERLAIN. Yes, sir.

Mr. DU PONT. They were proper in themselves.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

Relief of First Lieut. Sherman Miles, Field Artillery, United States Army: The Secretary of the Treasury be, and he is hereby, authorized and directed to pay to First Lieut. Sherman Miles, Field Artillery, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $57.95, which amount is hereby appropriated, being the amount of money expended by him as military attaché to the American legation at Bucharest, Roumania, from an allotment of the appropriation "Contingencies, Military Information Section, General Staff Corps, 1913," and which amount was deposited by him in the Treasury of the United States from private funds.

The amendment was agreed to.

The next amendment was, on page 6, after line 13, to insert:

Relief of Matthew E. Hanna, late captain, Tenth Cavalry, United States Army: The Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Matthew E. Hanna, late captain, Tenth Cavalry, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $532.18, which amount is hereby appropriated, being the amount of money expended by him as special disbursing agent from an allotment from the appropriation for "Contingencies of the Army, 1912," to pay the unusual and extraordinary official expenses of the special mission of Army officers detailed by the President and the Secretary of War to witness the autumn maneuvers of the German Army in 1911, and which amount was deposited by him in the Treasury of the United States from private funds.

The amendment was agreed to.

The next amendment was, on page 7, after line 4, to insert:

Relief of Maj. Powell C. Fauntleroy, Medical Corps, United States Army: The Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maj. Powell C. Fauntleroy, Medical Corps, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of $601.40, which amount is hereby appropriated, being the amount of money expended by him from an allotment of funds of the Quartermaster Corps, 1913, furnished him for the purpose of paying expenditures incurred as an official observer of the War Department of the Turko-Balkan War, and which amount was deposited by him in the Treasury of the United States from private funds.

The amendment was agreed to.

The next amendment was, on page 7, after line 18, to insert:

Credit in the accounts of Capt. Henry L. Newbold, Fourth Field Artillery, United States Army: The accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of Capt. Henry L. Newbold, Fourth Field Artillery, United States Army, the sum of $319.37, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, at the top of page 8, to insert:

Credit in the accounts of Capt. N. K. Averill, Seventh Cavalry, United States Army: The accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of Capt. N. K. Averill, Seventh Cavalry, United States Army, the sum of $39.23, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 8, after line 7, to insert:

Credit in the accounts of Maj. Jesse McI. Carter, Third Cavalry, United States Army: The accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of Maj. Jesse McI. Carter, Third Cavalry, United States Army, the sum of $352.23, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to insert:

Credit in the accounts of Lieut. Col. T. Bentley Mott, Second Field Artillery, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. T. Bentley Mott, Second Field Artillery, United States Army, the sum of $55.33, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 8, line 23, after the word "departments," to insert "districts," so as to read:

Contingencies, headquarters of military departments, districts, and tactical commands.

The amendment was agreed to.

The next amendment was, on page 9, line 11, before the word "Chief," in the subhead, to insert "under the," so as to make the subhead read:

Under the Chief of Coast Artillery.

The amendment was agreed to.

The next amendment was, under the head of "Office of the Chief Signal Officer," on page 11, line 7, after the word "otherwise," to strike out "$600,000" and insert "$700,000," so as to make the clause read:

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, signal equipments, and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary meteorological instruments for use on target ranges; war balloons and airships, and accessories, including their maintenance and repair; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; fire control and direction apparatus and matériel for field artillery; maintenance and repair of military telegraph lines and cables, including salaries of civilian employees, supplies, and general repairs, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, $700,000.

The amendment was agreed to.

The next amendment was, on page 11, line 9, after the words "more than," to strike out "$300,000" and insert "$400,000," so as to read:

Provided, however, That not more than $400,000 of the foregoing appropriation shall be used for the purchase, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the aviation section; and for the purchase, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles, which may be necessary for the aviation section.

The amendment was agreed to.

The next amendment was, under the head of "Pay of officers of the line," on page 12, line 11, after the word "line," to strike out "$7,800,000" and insert "$7,850,000: *Provided*, That the President is authorized to retain Maj. Gen. Arthur Murray, United States Army, on the active list of the Army as an additional officer in the grade of major general and as commanding general, Western Department, United States Army, from April 29, 1915, the date on which he would retire from active service under the provisions of section 1 of the act of Congress approved June 30, 1882, until the close of the Panama-Pacific International Exposition, December 4, 1915, when he shall be retired from active service: *Provided further*, That the number of major generals of the line of the Army on the active list shall be increased by one during the period named, and for that period only," so as to make the clause read:

For pay of officers of the line, $7,850,000: *Provided*, That the President is authorized to retain Maj. Gen. Arthur Murray, United States Army, on the active list of the Army as an additional officer in the grade of major general and as commanding general, Western Department, United States Army, from April 29, 1915, the date on which he would retire from active service under the provisions of section 1 of the act of Congress approved June 30, 1882, until the close of the Panama-Pacific International Exposition, December 4, 1915, when he shall be retired from active service: *Provided further*, That the number of major generals of the line of the Army on the active list shall be increased by one during the period named, and for that period only.

The amendment was agreed to.

The next amendment was, on page 13, line 2, after the word "pay," to strike out "$1,800,000" and insert "$1,871,937.35," so as to make the clause read:

For pay of officers for length of service, to be paid with their current monthly pay, $1,871,937.35.

The amendment was agreed to.

The next amendment was, under the head of "Pay of enlisted men," on page 13, line 4, after the word "recruits," to strike out "$18,200,000" and insert "$18,300,000: *Provided*, That hereafter pay and allowances shall not accrue to a soldier under sentence of dishonorable discharge, during such period as the execution of the sentence of discharge may be suspended under authority of the act of Congress approved April 27, 1914, and pay which has heretofore been forfeited under such suspended sentence shall not be held to have accrued to the Soldiers' Home under the operation of section 4818, Revised Statutes, but shall be covered back into the Treasury of the United States," so as to make the clause read:

For pay of enlisted men of all grades, including recruits, $18,300,000: *Provided*, That hereafter pay and allowances shall not accrue to a soldier under sentence of dishonorable discharge during such period as the execution of the sentence of discharge may be suspended under authority of the act of Congress approved April 27, 1914, and pay which has heretofore been forfeited under such suspended sentence shall not be held to have accrued to the Soldiers' Home under the operation of section 4818, Revised Statutes, but shall be covered back into the Treasury of the United States.

The amendment was agreed to.

The next amendment was, under the subhead "Hospital Corps," on page 15, line 10, after the word "men," to strike out "$1,000,000" and insert "$1,067,736," so as to make the clause read:

For pay of enlisted men, $1,067,736.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps (enlisted men)," on page 15, line 13, after the word "Corps," to strike out "$1,150,000" and insert "$1,276,000," so as to make the clause read:

For pay of enlisted men, Quartermaster Corps, $1,276,000.

The amendment was agreed to.

The Secretary proceeded to read the next amendment of the Committee on Military Affairs, which was, beginning at the top of page 16, to strike out all down to and including line 1, on page 17, and to insert certain other words; and the Secretary read to line 20 on page 17.

Mr. THOMAS. Mr. President, I ask that the proviso which the Secretary is now about to read may be passed over until the senior Senator from Kansas [Mr. BRISTOW] can enter the Chamber. He wishes to be heard on it.

Mr. SMOOT. Unless the Senator having the bill in charge is willing to allow the proviso to be eliminated. If he is, that will hasten the passage of the bill.

Mr. THOMAS. I assume, however, that that is not the case.

Mr. CHAMBERLAIN. I will state that I am not willing to do that. I think we can show that it is not only meritorious but economical.

Mr. SMOOT. Then I wish to give notice to the Senator that it may be passed over at this time, but that whenever it comes up I shall make a point of order against it.

Mr. CHAMBERLAIN. I have no objection to its going over temporarily and being reached a little later in the afternoon.

The VICE PRESIDENT. Can the amendment down to the words "Additional pay while on foreign service, $9,000" be agreed to?

Mr. THOMAS. The amendment down to line 20 on page 17——

Mr. WARREN. I think it had all better go in or stay out.

Mr. SMOOT. I will ask that the whole amendment may be passed over, because if any part of it goes out the House provision ought to be restored, and if any part of it goes out it all ought to go out.

Mr. CHAMBERLAIN. Yes; if it all goes out the House provision, with some slight modifications, would have to be reinserted in the bill.

Mr. SMOOT. Oh, certainly.

Mr. CHAMBERLAIN. So I am willing that it shall all go over for the present.

The VICE PRESIDENT. The entire amendment, then, will be passed over.

The reading of the bill was resumed.

The next amendment was, under the head of "For pay of officers of the Staff Corps and staff departments," on page 23, line 14, after the word "Corps," to strike out "$200,000" and insert "$258,650," so as to make the clause read:

Signal Corps: For pay of the officers of the Signal Corps, $258,650.

The amendment was agreed to.

The next amendment was, under the subhead "Retired officers," on page 23, line 23, after "$2,850,000," to insert "*Provided*, That the President be, and he is hereby, authorized within two years of the approval of this act, by and with the advice and consent of the Senate, to transfer to the active list of the Army all officers under 60 years of age who may have been transferred heretofore for physical disability from the active to the retired list of the Army by the action of any retiring board: *Provided*, That such officer shall be transferred to the place on the active list which he would have had if he had not been retired or to which he had passed a satisfactory examination for promotion, and shall be carried as an additional number in the grade to which he may be transferred or at any time thereafter promoted: *And provided further*, That such officer shall stand a satisfactory medical and professional examination for promotion as now provided for by law," so as to make the clause read:

For pay of officers on the retired list and for officers who may be placed thereon during the current year, $2,850,000: *Provided*, That the President be, and he is hereby, authorized within two years of the approval of this act, etc.

Mr. SMOOT. Mr. President, I should like to ask the Senator having the bill in charge to explain that proviso and what effect it will have. How many officers, if he can state, will be affected by it?

Mr. CHAMBERLAIN. I think only a few will be affected by it. The purpose of it is to provide for the restoration to service of those officers who have been retired by the retiring board for ill health or otherwise and who have subsequently entirely recovered. The Senator from Delaware [Mr. DU PONT] is entirely familiar with the provision and the number it will affect.

Mr. DU PONT. Mr. President, I offered the amendment in the Committee on Military Affairs, and it was adopted and now stands in the bill as an amendment reported by the committee.

I should like to say that this amendment is intended to provide a general method for the restoration to the active list of a few retired officers in regard to whom justice requires that some action be taken, and in whose behalf several special bills are now pending, some of which have passed the Senate and are now in the House.

The fact is that there are several officers in the Army who, on their return from the Philippines or other tropical regions, were ordered in the past, against their will, before a retiring board, were reported as permanently unfit for active service and placed on the retired list of the Army. Several of these men have entirely recovered their health, and it does not seem right, because three medical officers make a mistake in their diagnosis, that the professional careers of these officers should be ruined. The principles of ordinary justice seem to require their restoration.

The bill is so framed that it does not interfere with the rights of any officers who are now on the active list, because the officers restored are to be supernumary officers. It is also to be observed that the Government is paying three-fourths pay to the retired officers who would be affected by the amendment, which involves an increase of only 25 per cent in their pay, and that the restored officers would be available for any duty which they may be required to perform, whereas retired officers are available for only certain limited and restricted duties.

I think the principle of the amendment is entirely sound, just, and proper, and I hope it will be agreed to.

The amendment was agreed to.

The next amendment was, on page 24, line 16, after the word "pay," to strike out "$40,000" and insert "$460,000," so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, $460,000.

The amendment was agreed to.

The next amendment was, under the subhead "Retired enlisted men," on page 24, line 25, after the word "list," to strike out "$2,850,000" and insert "$2,905,720," so as to make the clause read:

For pay of the enlisted men of the Army on the retired list, $2,905,720.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 25, after line 6, to strike out "For expenses of courts-martial, courts of inquiry, military commissions, taking depositions, and compensation of reporters and witnesses attending the same, $40,000," and insert "For expenses of courts-martial, courts of inquiry, military commissions, and compensation of reporters and witnesses attending the same, and ex-

penses of taking depositions, and securing other evidence for use before the same, $50,000," so as to make the clause read:

For expenses of courts-martial, courts of inquiry, military commissions, and compensation of reporters and witnesses attending the same, and expenses of taking depositions, and securing other evidence for use before the same, $50,000.

The amendment was agreed to.

The next amendment was, on page 25, line 18, after the word "men," to strike out "$440,000" and insert "$640,000," so as to make the clause read:

For commutation of quarters, and of heat and light, to commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, $640,000.

The amendment was agreed to.

The next amendment was, on page 26, line 3, after the word "duty," to strike out:

Provided further, That not more than the rate now allowed by law shall be paid in any case.

And insert:

Provided further, That hereafter heat and light for the authorized allowance of quarters of commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, when on duty where there are no public quarters available, will be commuted at rates fixed by the Secretary of War and paid with and as a part of commutation of quarters, which rates shall, as nearly as possible, be commuted upon a reimbursable basis.

Mr. OVERMAN. I make the point of order against the amendment that it is new legislation.

Mr. WARREN. I should like to be heard a moment on the point of order. Will the Senator state his point of order?

Mr. OVERMAN. The point of order is that this is a matter fixed by law, and the amendment proposes to strike out the part that is fixed in the law and to give the Secretary of War the discretion. In other words, they are attempting to get around the decision of the Auditor of the Treasury and allow him full discretion to allow what he pleases in the way of compensation.

Mr. WARREN. Perhaps the Senator has not examined the original law. The law provides that—

Hereafter the heat and light actually necessary for the authorized allowance of quarters for officers and enlisted men shall be furnished at the expense of the United States under such regulations as the Secretary of War may prescribe.

The power is delegated to the Secretary of War to arrange that which he has to do as between the different zones. I understand the difference the Senator alluded to which occurred between the comptroller and the War Department has been arranged satisfactorily by the adoption of the amount that shall be paid in different zones.

Mr. OVERMAN. There is no reason for a difference of $200,000.

Mr. WARREN. There is not.

Mr. OVERMAN. Of course if you turn it over and $200,000 is appropriated in the appropriation bill.

Mr. WARREN. The appropriation bill does not give an increase of $200,000.

Mr. OVERMAN. I am not talking about the increase. If the President pleases, lines 3 and 4 speak for themselves:

Provided further, That not more than the rate now allowed by law shall be paid in any case.

Then it goes on to say that the Secretary of War shall have the discretion which repeals the law.

Mr. SMITH of Georgia. In other words there is a substitution of a new law for the present law.

Mr. OVERMAN. Exactly.

Mr. WARREN. How does the Senator explain his point when this is already in the law, provided that it shall be arranged by the regulation of the War Department?

Mr. OVERMAN. Why did you strike out the proviso?

The VICE PRESIDENT. What is the law now? Will the Senator from Wyoming read it?

Mr. WARREN. I will read the law, and then I will read the amendment. This is the way the law reads:

Hereafter fuel may be furnished to commissioned officers on the active list by the Quartermaster's Department, for the actual use of such officers only, at the rate of $3 per cord for standard oak wood, or at an equivalent rate for other kinds of fuel, the amount so furnished to each to be limited to the officer's actual personal necessities as certified to by him.

That was the act of June 12, 1906. By a later act, March 2, 1907, it is provided that—

Hereafter the heat and light actually necessary for the authorized allowance of quarters for officers and enlisted men—

Enlisted men were not included in the first.

Mr. OVERMAN. Right there are the words "actually necessary."

Mr. WARREN (reading)—

shall be furnished at the expense of the United States under such regulations as the Secretary of War may prescribe.

That is the law.

The VICE PRESIDENT. The Chair thinks the amendment is subject to a point of order. This is not furnishing; it is commuting. It is permitting the officer to furnish it himself and commute it. The law reads that the Government shall furnish it. The point of order is sustained.

Mr. CHAMBERLAIN. Before that is done I wish to say that the objection urged here was really urged by the comptroller, but they finally reached an agreement. The comptroller was of the opinion that the amount which was being charged or allowed was larger than it ought to be. So they got together, as the Senator from Wyoming said, and arranged a schedule of fees and agreed upon the specific provision in the law as it is. I do not know whether the Senator from North Carolina has been advised or not, but they have agreed upon a tabulated statement.

Mr. OVERMAN. When was that agreed to? That has nothing to do with the law. The Secretary of War and the auditor can not make a law.

Mr. CHAMBERLAIN. The Senator from North Carolina need not tell me that. Nobody made such an insistence as that.

Mr. OVERMAN. I know the Senator does not say that. I beg his pardon.

Mr. CHAMBERLAIN. It is so essential that I feel like expressing a hope that the Senator from North Carolina will withdraw his point of order. I wish to read from the House hearings. When the bill was before the House they inserted the proviso to which attention has been called by the Senator from North Carolina:

Provided further, That not more than the rate now allowed by law shall be paid in any case.

That was inserted on the floor of the House. The Senate committee struck it out and amended it by inserting the provision to which objection is now made. It is in the estimates, too. I am not going to quarrel with the decision of the Chair, but I think, with the Senator from Wyoming, that there is a law on the subject now. Anyhow, at the expense of tiring the Senate, I wish to call attention to Gen. Aleshire's testimony before the House committee. He says:

Mr. Chairman, in response to your request to explain that item—

That is the item we are just discussing now—

more than a year ago there were some questions as to the rental of buildings for quarters and the payment of heat and light allowances, brought up by the auditor and comptroller. The Secretary of War directed that the matter be fully investigated, and it was put in the hands of an officer of the Inspector General's Department. Investigation was completed, I think, about last June, or shortly afterwards.

The matter was a subject of dispute at that time between the different departments:

The Secretary of War went over these reports, and so did I, as Quartermaster General, and it was noted that the inspector dwelt upon the hardships and inequalities imposed upon enlisted men by the existing system and stated that in his opinion satisfactory relief can only be obtained by legislation fixing a flat money commutation of quarters and heat and light for officers and enlisted men whenever the Government does not provide them with public quarters.

The Secretary of War in his review of this case directed that we take the matter up with a view to obtaining necessary legislation and confer with the comptroller with a view to getting his views and so that he might see the result of that investigation.

I call the attention of the Senator from North Carolina to this:

Informal conference was held with the comptroller, and several drafts of a bill to accomplish the desired end were prepared in the office of the Quartermaster General and Judge Advocate General, and finally the draft that is included in the estimate was submitted—that draft. I understand that the comptroller concurred in the suggestion to commute heat and light as well as quarters, and generally in the proviso as drafted.

That is the proviso which is in the bill and the provision that is now in the law, I insist, in opposition to the ruling of the Chair, but I do not expect to get him to overrule it, is a part of the law, and the result of it was reached and the draft framed in pursuance of an agreement made by the Secretary of War, the comptroller, and the Quartermaster General.

Mr. WARREN. Mr. President——

Mr. OVERMAN. I do not care to go into an argument on this matter. I could speak for half an hour on it, but I do not care to do it. The amendment is out of order, and I think the Chair has ruled correctly.

Mr. WARREN. I presume the Senator does not want to take me off the floor.

Mr. OVERMAN. I did not know the Senator had the floor.

Mr. WARREN. With the testimony that the Senator from Oregon has just read, attention was invited by the Quarter-

master General to the fact that the enlisted men of the Marine Corps on similar duties would receive, according to law, commutation of fuel at the rate of $9 a month at first and $8 a month afterwards, and commutation of quarters at a rate per month, and so forth. In other words, this amendment, if adopted, would simply place the Army on the same basis as the Navy, and of course an enlisted man ought to have the same rights as an officer when he is detailed on duty where he is compelled to hire a room and pay for light and heat.

The VICE PRESIDENT. That is not the point with the Chair. The point with the Chair is that the law provides that the Government shall furnish it. This says that it shall be commuted. That is a change of the law.

Mr. WARREN. I am not differing with the Chair. The Chair has ruled that it is to go out on a point of order. I hope before the bill is finished there will be a way provided to cover the desired end.

Mr. OVERMAN. They should have the necessary light, but I am told that a few officers up here at the Highlands Hotel receive more money for light and fuel, just for their commutation, than it takes to light the hotel and heat it.

Mr. DU PONT. I should like to ask the chairman whether he understands the increase of $200,000 is due to the amendment in question? I understand that there will be an increase necessary in any event, even with the House provision.

Mr. SMOOT. Mr. President——

Mr. CHAMBERLAIN. There is just one other matter, if the Senator from Utah will allow me, with reference to the law as it now stands, and that is what the Chair is basing his ruling on. I really do not think the Chair grasped the situation, because there is a law.

Mr. HUGHES. There is a law for commutation.

Mr. CHAMBERLAIN. There is a law for commutation now. You will find it on the page preceding the one now under discussion.

What is under discussion now is simply a proviso to the law as it always existed. The bill reads:

> For commutation of quarters and of heat and light to commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men.

That is also the language of the law, and it has been in force for years past. That is what I am claiming. I repeat, it is a part of the bill and is also a part of the law as it now stands.

Mr. OVERMAN. I should like to see the law.

Mr. WARREN. The language is precisely the same as that used heretofore.

The VICE PRESIDENT. The Chair asked for the law; it was handed to him, and he ruled on the question.

Mr. CHAMBERLAIN. I thought it was fair to call the attention of the Senator from North Carolina to that and to the latter part in parenthesis.

The VICE PRESIDENT. From what is the Senator from Oregon reading?

Mr. OVERMAN. It is the bill itself from which the Senator is reading.

Mr. SMOOT. That is not the standing law; that is a part of this bill, I will say to the Senator.

Mr. WARREN. But it is exactly the language of last year's law.

Mr. SMOOT. That may be, but that was an appropriation bill; it is not a permanent statute.

The VICE PRESIDENT. That is not a statute of the United States.

Mr. CHAMBERLAIN. I insist that nearly all the laws, nearly all the affirmative legislation on the statute books affecting the Army have been engrafted in appropriation bills, and so this is in a former appropriation bill. The language in this bill is simply a copy of that with a proviso added to it; in other words, there is a law on the subject, and we are now simply proposing to add a proviso to the law as it stands.

Mr. SMOOT. Mr. President, I understand that the increase from $440,000, proposed on page 25, line 18, to $640,000, was occasioned by the proviso which has just been ruled out of order.

Mr. WARREN. It has nothing whatever to do with it.

Mr. DU PONT. No; it has nothing whatever to do with it.

Mr. CHAMBERLAIN. If the Senator will excuse me, even if it had to do with it, as to the words under discussion now, I will state to the Senator from Utah that he has not stated the facts correctly, because there has been a reduction instead of an increase.

Mr. SMOOT. The House provided $440,000 and the Senate committee has reported to increase it to $640,000, an increase of $200,000.

Mr. CHAMBERLAIN. Yes; but there have been reductions in other features of the bill covered by this very law. While the amount here has been increased to $640,000, there has been a reduction in the amount estimated for barracks and quarters of $38,500 and a reduction of the amount that was estimated for regular supplies of $58,700, the total being $97,200.

Mr. SMOOT. But the Senator misunderstood me, or perhaps I did not express myself clearly enough. The House provision is:

> For commutation of quarters, and of heat and light, to commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, $440,000.

The Senate committee provides for the same purposes $640,000, an increase of $200,000. There must be some reason for that increase.

Mr. WARREN. Mr. President, will the Senator allow me to make a suggestion?

Mr. SMOOT. Certainly.

Mr. WARREN. The Senator will find all the amounts before him. They have been increased over the estimates, and the House acted on those estimates. The increase has no reference to this proviso whatever.

Mr. SMOOT. I am not speaking of the previous increases; I am speaking of this particular increase.

Mr. WARREN. The Senator charges that this increase is made because of the proviso, which I deny.

Mr. SMOOT. No; I asked the question whether this particular increase of $200,000 had not been made necessary by the proviso on page 26 which has been just ruled out of order.

Mr. DU PONT. Mr. President, I understand that if this amendment, which the Senate committee has reported, be stricken out and if the text of the provision as it came from the House stands, we still shall have to make an increase of over $440,000, because the House has cut below the proper estimate.

Mr. SMOOT. How much will you have to increase it?

Mr. DU PONT. The chairman of the committee has the details. I think it ought to be increased to some extent.

Mr. OVERMAN. Regular order!

Mr. SMOOT. I am willing to let the matter go to conference; but I repeat that I understood the increase was on account of this proviso.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 26, line 17, after "$100,000," to strike out "and so much as may be necessary to pay back such deposits," so as make the clause read:

> For interest on soldiers' deposits, $100,000.

The amendment was agreed to.

Mr. SMOOT. Now that the proviso has been eliminated, it seems to me that the Senator having the bill in charge should ask for a reconsideration of the amendment on the same page, lines 3, 4, and 5.

The VICE PRESIDENT. That was not agreed to.

Mr. OVERMAN. I made a point of order against all of it.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

Mr. CHAMBERLAIN. Did I understand the Chair to say that he did not understand that there was any law on the subject?

The VICE PRESIDENT. The Chair has been unable to find it.

Mr. CHAMBERLAIN. I will give it to the Chair.

The VICE PRESIDENT. In what year was the act passed?

Mr. CHAMBERLAIN. Last year.

Mr. OVERMAN. That was on an appropriation bill?

Mr. CHAMBERLAIN. Certainly. The Senator must admit that nearly all affirmative legislation affecting the Army has been engrafted on appropriation bills. There has practically been no legislation, unfortunately for the Army, unless it has been put on the different appropriation bills. This is a part of the law now. I will read it to you, Mr. President, and then I will send the statute to the desk. It is in the bill of last year, and is as follows:

> For commutation of quarters to commissioned officers, acting dental surgeons, and veterinarians and pay clerks on duty without troops at stations where there are no public quarters, $450,000.

The VICE PRESIDENT. On what page is that?

Mr. CHAMBERLAIN. I will send the law up to the desk. The language I refer to is marked on page 9. I say, with that law in force, Mr. President, this proviso is entirely in order.

The VICE PRESIDENT (after examining). This can not change the opinion of the Chair, as it was on an appropriation bill passed last year. It reads:

> For commutation of quarters to commissioned officers, acting dental surgeons, and veterinarians and pay clerks on duty without troops at stations where there are no public quarters, $450,000.

That was an appropriation of $450,000 to pay for commutation of quarters. There is a general law which provides that the

Government shall furnish light and fuel for such officers. This amendment reads:

Provided further, That hereafter heat and light for the authorized allowance of quarters of commissioned officers, acting dental surgeons, veterinarians, pay clerks, nurses (female), and enlisted men, when on duty where there are no public quarters available, will be commuted at rates fixed by the Secretary of War.

The two are, to the mind of the Chair, clearly distinguishable. The ruling of the Chair stands unless there is an appeal.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 27, line 9, before the word "cable," to strike out "Washington-Alaskan" and insert "Washington-Alaska military," so as to make the clause read:

For extra pay to enlisted men of the line of the Army and to enlisted men of the Signal Corps employed in the Territory of Alaska on the Washington-Alaska military cable and telegraph system, for periods of not less than 10 days, at the rate of 35 cents per day, $30,744.

The amendment was agreed to.

The next amendment was, on page 28, line 9, after the word "misconduct," to strike out "$60,000" and insert "$70,000," so as to make the clause read:

For six months' additional pay to beneficiaries of officers and enlisted men who die while in active service from wounds or disease not the result of their own misconduct, $70,000.

The amendment was agreed to.

The next amendment was, on page 28, line 15, after the word "mounts," to strike out "$190,000" and insert "$200,000," so as to make the clause read:

For additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, $200,000.

The amendment was agreed to.

The next amendment was, on page 29, line 5, before the word "Regiment," to strike out "Provisional," so as to make the clause read:

For Porto Rico Regiment of Infantry, composed of two battalions of four companies each.

The amendment was agreed to.

The next amendment was, on page 29, after line 10, to strike out:

Provided, That the permanent captains of the Porto Rico Regiment of Infantry shall be recommissioned as captains of Infantry of the United States Army, to take rank on the lineal list of officers of Infantry immediately after the junior officers of the same grade whose total commissioned service equals or exceeds theirs.

Mr. SAULSBURY. Mr. President, I wish to ask the chairman of the committee whether or not he has been able to give consideration to the proposed amendment to the proviso, instead of striking it out, which I offered here and which is printed and of which, I think, a copy has been furnished the Senator.

Mr. CHAMBERLAIN. I have not had an opportunity, I will say to the Senator, to discuss it with the members of the committee as yet, but I will do so before the bill is concluded.

Mr. SAULSBURY. Mr. President, I understand that the committee is not hostile to the suggestion that the captains of the Porto Rico Regiment be given an opportunity of professional advancement. That is the object of the amendment of which I have given notice. I hope the matter will, at least, go to conference, where I understand the chairman of the committee will try to make some provision which will give them an opportunity for advancement and which will not interfere with the regular advancement of other officers. That would be entirely satisfactory.

Mr. CHAMBERLAIN. I think probably that can be worked out. The reason why the provision was stricken out by the Senate committee was that its effect was to transfer from the Porto Rico Regiment 11 officers, and in many cases retard the promotion of men now in the regular line. I think probably we can adjust it if the matter goes to conference, as it will go to conference anyway if the provision is stricken out as reported by the committee.

Mr. SAULSBURY. So I understand. I trust the chairman will endeavor to have some similar provision adopted, but I do not wish to insist upon my amendment now.

Mr. CHAMBERLAIN. We will try to do that.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. The Senator from Kansas.

Mr. BRISTOW. Mr. President, I was engaged out of the Chamber on matters requiring my attention for a short while, and in my absence the amendment on page 17 was passed over. I desire to make a point of order against that amendment, beginning with line 2, on page 17, and extending to line 17, on page 20.

This is simply a provision to place on the retired list at half pay civil-service employees in the War Department who are 65 years of age. It is an astounding provision to incorporate in an appropriation bill, and I am very much surprised to see it here. If we are to create a civil pension list in the United States, it should be done with great care and after very mature consideration by the committees of the Senate and of the other House authorized to consider such measures. I therefore made the point of order that it is legislation on an appropriation bill.

The VICE PRESIDENT. The point of order can be noted as pending, unless the chairman of the committee desires to go back to the amendment.

Mr. CHAMBERLAIN. I understand, Mr. President, that the Senator from Kansas can not be here very well to-night, and I am perfectly willing to accommodate him by returning to the item. I may say, in order to save time, a word about this matter, and then I will submit the question to the ruling of the Chair.

I think the point of order would probably lie, but the question of the reclassification of the clerks has been under discussion for a long while. There were two bills introduced in the Senate on behalf of the clerks and employees of this department, some of whom were not and could not be justly treated under the law as it is. When those particular bills were introduced on behalf of the clerks—and they had the approval of the employees all down the line—they went to the Committee on Military Affairs and were by that committee referred to the Secretary of War for his report. The result was that the Secretary appointed a committee of five, consisting of three officers of the Army and two representatives of the clerks, who took the bills which were introduced in behalf of the clerks and worked out this proposition, which was satisfactory to the War Department as well as to the clerks. They came back to the committee and discussed it at length, and every branch of the service was satisfied with this provision as it now appears in the bill.

The objection of the Senator from Kansas is that it will create a civil pension list. It has that effect in a modified form; and yet I say, Mr. President, without fear of contradiction, that if such a system could be introduced in all of the departments it would result in efficiency of service. For instance, the old, superannuated employees who have reached the age of 65 or 70 years are drawing the higher rates of pay, and there is no way to get rid of them except to ruthlessly turn them out on the streets. The effect of this provision, if allowed to remain in the bill, would be to permit the old, superannuated men and women to be placed, if you please to call it so, on a civil pension list on half pay—enough to support them in their declining years—and to use the other half of their salary for the payment of clerks entering the service at the initial pay, the half so paid in every case being sufficient to meet the salaries of the new employees; in other words, infusing lifeblood into the department and at the same time retiring the old men.

Mr. DU PONT. And, Mr. President, without costing the Government one cent more.

The VICE PRESIDENT. Notwithstanding the statement of the value of the legislation as set forth by the chairman of the committee, that statement in itself is an admission that it is general legislation, and the Chair sustains the point of order.

Mr. BRISTOW. Mr. President, before we pass from the matter, in answer to the statement of the Senator from Oregon, the chairman of the committee, I desire to say that, so far as I am concerned, I am opposed to the creation of a civil pension list in the United States. I am not willing to put on a pension list Government clerks who have received more pay during a long series of years for shorter hours than nine-tenths of the people of the United States receive for the labor they perform. I am not willing to tax people in the United States who draw less than $50 or $60 a month year after year for their labor, to establish a pension roll for clerks and employees who have received more pay every month of their lives since they have been in Government service than by far the greater part of the American people receive. I do not look with any patience upon any plan that seeks to tax men who work with their hands for from $40 to $50 or $60 a month, in order to pension people who have received two, three, or four times that much, and whose jobs the men so taxed would have been delighted to have if there had been any way by which they could get them.

If this scheme were justified as to one department, it would be justified as to every other department of the Government; in the Postal Service, and in every other service; and you would be saddling upon the people of the United States an enormous expenditure and requiring them to bear a pension burden which in time would be larger than that which results from the Military Establishment.

Mr. WARREN. Mr. President, relating to what the Senator from Kansas has said, I will say that I gave my support to placing this amendmont on the bill in order to bring the question before the Senate, to ascertain what the idea of the Senate is as to civil pensions. We all know there has been a great deal of talk about the matter, especially in the newspapers; and we know that many corporations have provided pensions for their superannuated employees.

I myself believe in a contributory pension system, under which the men benefited will themselves contribute to the payments. This plan seemed to be less objectionable, if objectionable at all, than any other proposition which has come before us. However, as the Senator from Kansas has said, if it can be made applicable to the War Department, it is just as adaptable to every other department of the Government. My idea was to bring it before the Senate for their attention.

Mr. DU PONT. Mr. President, I fail to see how the contention of the Senator from Kansas can be sustained, because the amendment does not saddle the country with any additional expense. The half pay that is cut off from these retiring clerks is simply applied to the new clerks that are appointed, so that the country will not have to pay an additional dollar if the amendment is adopted.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment was, in the item of appropriation for "Subsistence of the Army," on page 34, line 12, after the word "Army," to insert "$10,045,894.25," and in line 20, after the word "Corps," to strike out "$9,840,000," so as to read:

For providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army, $10,045,894.25: *Provided further*, That the officers and enlisted men of the Navy and the Marine Corps shall be permitted to purchase subsistence supplies at the same price as is charged the officers and the enlisted men of the Army; and the officers and the enlisted men of the Army shall be permitted to purchase subsistence supplies from the Navy and Marine Corps at the same price as is charged the officers and the enlisted men of the Navy and Marine Corps.

The amendment was agreed to.

EXECUTIVE SESSION.

Mr. STONE. Mr. President, I have just conferred with the chairman of the committee in charge of this bill, and it is agreeable to him, as it is to other Senators present, that we shall have a short executive session, after which to return to legislative session. If there be no objection, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916.

The next amendment was, in the item of appropriation for "Regular Supplies, Quartermaster Corps," on page 36, line 23, after the word "reports," to insert "$7,746,715.44," so as to read:

For remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports, $7,746,715.44.

The amendment was agreed to.

The next amendment was, on page 38, line 1, after the word "paid," to strike out "$7,732,000," so as to make the proviso read:

Provided, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants, and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Incidental expenses, Quartermaster Corps," on page 39, line 23, after the word "department," to insert "$1,891,463.21"; on page 40, line 2, after the word "barracks," to insert "and the duty now devolved by existing law upon the board of commissioners respecting the government and control of the United States military prison, the semiannual inspections, the framing of regulations, and the submitting of reports shall hereafter be performed by the Secretary of War or by such officers as he may designate"; and in line 17, after the word "prescribe," to strike out "$1,853,000," so as to read:

For the following expenditures required for the several regiments of Cavalry, the batteries of Field Artillery, and such companies of Infantry and Scouts as may be mounted, the authorized number of officers' horses, and for the trains, to wit, hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the Cavalry service, and for the shoeing of horses and mules; chests and issue outfits; and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, $1,891,463.21: *Provided*, That the United States military prison at Fort Leavenworth, Kans., shall hereafter be known as the United States disciplinary barracks and the branches of said prison as branches of such barracks, and the duty now devolved by existing law upon the board of commissioners respecting the government and control of the United States military prison, the semiannual inspections, the framing of regulations, and the submitting of reports shall hereafter be performed by the Secretary of War or by such officers as he may designate: *Provided further*, That the authority now vested in the Secretary of War to give an honorable restoration to duty, in case the same is merited, to general prisoners confined in the United States disciplinary barracks and its branches shall be extended so that such restoration may be given to general prisoners confined elsewhere, and the Secretary of War shall be, and he is hereby, authorized to establish a system of parole for prisoners confined in said barracks and its branches, the terms and conditions of such parole to be such as the Secretary of War may prescribe.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Horses for Cavalry, Artillery, Engineers, etc.," on page 41, line 3, after the word "employees," to insert "$495,120," so as to read:

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts, for officers entitled to public mounts, for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees, $495,120.

The amendment was agreed to.

The next amendment was, on page 41, line 22, after the word "place," to strike out "*And provided further*, That the Secretary of War is authorized to expend $2,110.32, or so much thereof as may be necessary, of the amount appropriated herein, for the completion of the purchase of certain lands included in the reservation of the Front Royal (Va.) Remount Depot, which was acquired under authority of the act of Congress approved March 3, 1911, namely, tracts 22, 25, and 28, aggregating 193¾ acres, more or less, and for the release of all claims against the United States for the use and occupation thereof, the said sum being the amount necessary to complete the purchase of the said tracts under the proposed compromise of the suit now pending for the condemnation of the same, $495,120," so as to read:

Provided, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place.

Mr. CHAMBERLAIN. Mr. President, at the time this amendment was inserted by the committee we had no evidence at all of the purpose of it, nor any estimate. We have since had an estimate sent us and a statement submitted by the Secretary of War. I ask that that amendment be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment of the Committee on Military Affairs was, in the item of appropriation for barracks and quarters, on page 43, line 9, after the word "tents," insert "$2,067,558.60," and in line 16, after the word "War," to strike out "$2,000,000," so as to read:

For the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks, and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters; and for flooring and framing for tents, $2,067,558.60: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *And provided further*, That the number of and total sum paid for civilian employees in the

Quartermaster Corps shall be limited to the actual requirements of the service, and that no employee therein shall receive a salary of more than $150 per month, except upon the approval of the Secretary of War: *Provided*, That of the foregoing appropriation, $5,000, or so much thereof as may be required, shall be expended to complete the post chapel at Fort Sam Houston.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Transportation of the Army and its supplies," on page 46, line 25, after the words "Pacific Oceans," to insert "$10,734,068.46," and in line 4, after the word "subsistence," to strike out "$10,516,000" and insert "*And provided further*, That the provisions of the act of March 3, 1885 (23 Stats., 350), entitled 'An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States,' shall hereafter extend to cover loss of or damage to the regulation allowance of baggage of officers and enlisted men sustained in shipment under orders, to the extent of such loss or damage over and above the amount recoverable from the carrier furnishing the transportation," so as to read:

For the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans, $10,734,069.46: *Provided further*, That $75,000 of the appropriation hereby made shall be available for additional pay of employees on harbor boats, quartermaster service, in lieu of subsistence: *And provided further*, That the provisions of the act of March 3, 1885 (23 Stats., 350), entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," shall hereafter extend to cover loss of or damage to the regulation allowance of baggage of officers and enlisted men sustained in shipment under orders, to the extent of such loss or damage over and above the amount recoverable from the carrier furnishing the transportation.

Mr. SMOOT. Mr. President, I will ask the Senator if that does not change existing law.

Mr. CHAMBERLAIN. A little bit; but I will state to the Senator the reason for it. Many of the officers of the Army own their own mounts, for instance, and their own baggage, and it goes under the Government rates at cheaper rates of transportation; and this is intended to enable them to be paid when their property is lost.

Mr. SMOOT. I know that in the past we have had a good many private claim bills for just such items.

Mr. CHAMBERLAIN. This is to remedy that.

Mr. SMOOT. This, of course, is making a general law covering them all, and I did not know whether or not it was proper to put it upon an appropriation bill.

Mr. CHAMBERLAIN. I will say to the Senator that it will cost the Government very little, if any, more to have it put in, and it will avoid the necessity of these private claims coming before this body.

Mr. SMOOT. The only reason why I bring it up is this: Many claims have been made on the part of officers of the Government for property lost such as is provided for in this amendment, and when an examination has been made of the actual cost or value of the article lost we have found that in some cases it is not half the amount claimed in the bill introduced. All I am afraid of is that if this is allowed to be paid by the War Department itself the claims that will be made will be for amounts over the actual value of the property destroyed. I will say to the Senator I know at least of a dozen cases that have been before the Claims Committee, and we have cut them down, after an examination, at least 50 per cent, and it was found that there was full compensation for all the property which was destroyed.

Mr. CHAMBERLAIN. Under the rule of the comptroller baggage must now be shipped under the limited valuation at the lower rate, and if you attempt an unlimited valuation it carries a higher rate by 50 per cent, and the full value of the baggage could be collected.

The VICE PRESIDENT. Is the amendment to be agreed to?

Mr. SMOOT. I simply call the attention of the Senate to the fact. If we had time I would discuss it and let it go out and pass the bill. But we have not time at this session. Therefore I will make no point of order against it.

The amendment was agreed to.

The next amendment was, on page 47, line 19, after the word "stations," to strike out "$600,000" and insert "$606,000: *Provided*, That not more than $6,000 of this appropriation may, in the discretion of the Secretary of War, be used in defraying one-half the cost of paving Thirtieth Street between Fort and Laurel Streets, along the east side of Fort Omaha, in Omaha, Nebr.," so as to make the clause read:

Roads, walks, wharves, and drainage: For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, $606,000: *Provided*, That not more than $6,000 of this appropriation may, in the discretion of the Secretary of War, be used in defraying one-half the cost of paving Thirtieth Street between Fort and Laurel Streets, along the east side of Fort Omaha, in Omaha, Nebr.

Mr. WEEKS. I should like to ask the Senator in charge of the bill if it is customary for the Government to pay for the paving of roads or streets abutting on public buildings or to pave sidewalks outside of military reservations and navy yards.

Mr. DU PONT. I will say to the Senator from Massachusetts that we considered a year or two ago precisely a similar case for a military post in the State of Massachusetts, and it was allowed.

Mr. WEEKS. I do not care a tinker whether it was done in Massachusetts or in Delaware, that is not an answer to my question. I want to know if it is customary to do it.

Mr. CHAMBERLAIN. I will say to the Senator that these claims are unusual for this reason. Nearly all of such places are outside the city limits. In this case, and there are occasionally similar conditions, the city street goes right alongside the reservation. The property owners of the city are compelled to improve to the middle of the street, and there is no way to compel the Government to pay its half.

Mr. WEEKS. Is it the law in Nebraska that the property owner shall pay to the middle of the street?

Mr. CHAMBERLAIN. To the middle of the street. It is the law in nearly all these cases that the property owners on each side shall pave to the middle of the street. Here we were assured by one of the members of the House committee that this reservation abuts on a street and the property owners on the opposite side are compelled to improve to the middle of the street and there is no way to have the other half improved unless this provision is inserted.

Mr. BRISTOW. Mr. President——

Mr. WEEKS. I yield to the Senator from Kansas.

Mr. BRISTOW. I realize the force of what the Senator from Oregon said, but there is no post-office building in the United States where that is done.

Mr. SMITH of Georgia. I was just going to call attention to that.

Mr. BRISTOW. Why should an exception be made in Omaha? There is not a city in the country that does not pave around the public buildings.

Mr. CHAMBERLAIN. I will say to the Senator that there is good reason to make an exception in this case.

Mr. BRISTOW. If the Senator will examine he will find that in the case of every post-office building in the United States the citizens pay for the paving. I should like to know why a single exception should be made.

Mr. CHAMBERLAIN. I should like to have the Senator name a city where it is done.

Mr. BRISTOW. Salina, Kans., my home town, where I helped to pay for it myself.

Mr. CHAMBERLAIN. This was brought before the committee and it was held that it was a just claim.

Mr. SMITH of Georgia. I have often thought that the practice was hardly fair on the part of the Government to decline to pay for any portion of the paving; but I have been applied to in the past three years from several cities in Georgia where the paving was laid in front of the Government building, and the request was made that I should seek to have the Government pay one-half of it. I investigated it and I found that it was not the practice. They wanted the Government building and were glad to get it, and I thought the city could afford to pay for the paving.

Mr. BRISTOW. I am not complaining, if it is to be the policy of the Government to pay for paving about Government buildings; but I do not think one community ought to be compelled to pay in one case and the Government pay in another. I think all ought to be treated alike.

Mr. SMITH of Georgia. If we do this, it would seem to me that in each case where there is a public building erected throughout the country we ought to pay one-half of the paving in front of it.

Mr. BRISTOW. I agree with the Senator from Georgia.

Mr. SMITH of Georgia. I think we ought to understand that we are changing the past policy, and if that is done, of course, we will present from all our States at the next session of Congress bills to pay for half the paving where public buildings have been erected, as the property holders pay for the other half. I just wanted to suggest to the chairman of the committee that while this may have seemed just and appealed to him, I am afraid it would lead to a practice that would involve a much greater expense than this.

Mr. CHAMBERLAIN. I am frank to say that when this matter was under consideration the possibility of the Government being called on to pay in other cases did not occur to me

at all. I can see the force of the objection and am willing to leave it to the Senate to dispose of it. I simply submitted it at the instance of a member of the committee in the other House, and on his explanation that the street was to be improved to the middle by the city and the Government should pay the other half.

Mr. DU PONT. I should like to say that when this amendment was proposed in the Committee on Military Affairs I was guided more by the precedent that had been established a couple of years ago when we paid for the pavement of a public road or sidewalk near a military post in Massachusetts. It was discussed at the time fully, and the Senate agreed to it without objection. I thought that if we have taken a certain line of conduct in Massachusetts we ought to adopt a similar line of conduct in regard to Omaha, Nebr.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. JONES. I wish to say that I have had a good deal of the same experience the Senator from Georgia has had. When I was a Member of the House I know in several cases the representatives of cities came to me wanting to have provision made to reimburse them or to provide for paving on the side of the public building in the improvement of streets, and I found that it was impossible to get any legislation of that sort. It seems to me if we are going to do anything of this kind it ought to be done under a general law applicable to every locality, and we should not single out one particular place.

I do not know whether this matter is subject to a point of order or not. If it is, I am going to make a point of order. If not, I shall vote against the amendment. I do not know whether any estimate for it has been made or not. I make the point of order that no estimate has been submitted for it.

Mr. SMITH of Georgia. But the committee reported it.

The VICE PRESIDENT. Was there an estimate made for this item, the Chair will ask the chairman of the committee?

Mr. CHAMBERLAIN. There was no estimate made.

The VICE PRESIDENT. But it has been reported by the committee?

Mr. CHAMBERLAIN. Yes, sir.

The VICE PRESIDENT. The point of order is overruled. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. SMOOT. I desire to ask the Senator from Oregon having the bill in charge if the amendment on page 47, line 20, increasing the appropriation from $600,000 to $606,000 should not be reconsidered as the $6,000 was for paving?

The VICE PRESIDENT. It is all one amendment, and it has been disagreed to.

The next amendment was in the appropriation for "Water and sewers at military posts," on page 48, line 16, after the word "employees," to strike out "$1,564,000" and insert "$1,673,328.44: *Provided*, That $75,000, or so much thereof as may be necessary, of the amount appropriated herein shall be immediately available for commencing the project of improving and increasing the water supply at Corregidor Island, P. I," so as to make the clause read:

Water and sewers at military posts: For procuring and introducing water to buildings and premises at such military posts and stations as from their situation require it to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repairs of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto, including the authorized issue of toilet paper; for repairs to water and sewer systems and plumbing within buildings; and for hire of employees, $1,673,328.44: *Provided*, That $75,000 or so much thereof as may be necessary of the amount appropriated herein shall be immediately available for commencing the project of improving and increasing the water supply at Corregidor Island, P. I.

Mr. WEEKS. I wish to inquire of the Senator from Oregon what the estimated cost is of constructing the water supply for this system? I notice the fact that this is for commencing the undertaking, but future appropriations will be necessary. How large are they likely to be?

Mr. CHAMBERLAIN. I will say that the water supply is totally inadequate to the necessities there, and there has been an estimate made. The hearings before the committee of the Military Affairs of the House shows it as follows:

For improving and increasing the water supply at Corregidor Island by the construction of reservoirs, capacity for 1,000,000 gallons, down-spout connections, cisterns, pipe lines, fittings, etc., to utilize rainfall on that part of the reservation known as "Top Side," $116,859.

So the amount appropriated is not quite enough, but it is all that they could utilize. The Senator will understand that the only way they can get water there for this purpose will be by catching the rainfall and putting it in down-spout connections, cisterns, and so forth.

The amendment was agreed to.

The next amendment was in the item of appropriation for "Construction, repair, and maintenance, military and post roads, bridges, and trails, Alaska," on page 48, line 25, after "$125,000," to insert: "*Provided*, That hereafter estimates of appropriations required for the construction, repair, and maintenance of military and post roads, bridges, and trails in Alaska shall be submitted by the Board of Road Commissioners constituted by the act approved January 27, 1905, as amended, to the Secretary of War on or before September 1 each year, and after approval by the Secretary of War such estimates shall be embraced in the annual estimates to be submitted to Congress through the Secretary of the Treasury for 'Public works' under the War Department," so as to make the clause read:

Construction, repair, and maintenance, military and post roads, bridges, and trails, Alaska: For the construction, repair, and maintenance of military and post roads, bridges, and trails, Territory of Alaska, $125,000: *Provided*, That hereafter estimates of appropriations required for the construction, repair, and maintenance of military and post roads, bridges, and trails in Alaska shall be submitted by the Board of Road Commissioners constituted by the act approved January 27, 1905, as amended, to the Secretary of War on or before September 1 each year, and after approval by the Secretary of War such estimates shall be embraced in the annual estimates to be submitted to Congress through the Secretary of the Treasury for "Public works" under the War Department.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Clothing, and camp and garrison equipage," on page 50, line 23, after the word "reasons," to strike out "$6,624,000" and insert "$6,762,000," and on page 51, line 4, after the word "parties," to strike out "with their names at the end thereof," so as to read:

For indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $6,762,000: *Provided*, That hereafter whenever contracts which are not to be performed within 60 days are made on behalf of the Government by the Quartermaster General, or by officers of the Quartermaster Corps authorized to make them, and are in excess of $500 in amount, such contracts shall be reduced to writing and signed by the contracting parties.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Shooting galleries and ranges," on page 52, line 19, after the words "Secretary of War," to strike out "$45,000" and insert "$71,000: *Provided*, That $26,000 thereof may be used, in the discretion of the Secretary of War, for the purchase of a certain tract of land, comprising 280 acres, more or less, being a part of what is known as the Macauley ranch and adjoining the United States Army post at Fort Missoula, in the State of Montana, providing the title to said realty be in fee simple and be approved by the Secretary of War," so as to make the clause read:

Shooting galleries and ranges: For shelter, shooting galleries, ranges for small-arms target practice, repairs, and expenses incident thereto, including flour or paste for marking targets, hire of employees, such ranges and galleries to be open, as far as practicable, to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, $71,000: *Provided*, That $26,000 thereof may be used, in the discretion of the Secretary of War, for the purchase of a certain tract of land, comprising 280 acres, more or less, being a part of what is known as the Macauley ranch and adjoining the United States Army post at Fort Missoula, in the State of Montana, providing the title to said realty be in fee simple and be approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 54, after line 4, to insert:

Relief of Lieut. Sloan Doak, United States Army: For payment of $150 to Lieut. Sloan Doak, Fifth United States Cavalry, being the value of his private mount lost in a fire at Fort Riley, Kans., on March 23, 1914, $150.

The amendment was agreed to:

The next amendment was, on page 54, after line 9, to insert:

Relief of Lieut. J. A. Barry, United States Army: For payment of $135 to Lieut. J. A. Barry, Second United States Cavalry, being the value of his private horse lost in a fire at Fort Riley, Kans., on March 23, 1914, $135.

The amendment was agreed to.

The next amendment was, on page 54, after line 14, to insert:

Relief of Lieut. Waldo C. Potter, United States Army: For payment of $375 to Lieut. Waldo C. Potter, First Field Artillery, being the value of his two private horses lost in a fire at Fort Riley, Kans., on March 23, 1914, $375.

The amendment was agreed to.

The next amendment was, on page 54, after line 20, to insert:

Relief of Lieut. J. F. Taulbee, United States Army: For payment of $200 to Lieut. J. F. Taulbee, Second United States Cavalry, the value of his private horse lost in a fire at Fort Riley, Kans., on March 23, 1914, $200.

The amendment was agreed to.

The next amendment was, at the top of page 55, to insert:

Medical services and hospital care rendered George Vay, injured seaman: For payment of $47.90 to St. Francis Hospital, Newport News, Va., and $56 to Dr. S. W. Hobson, Newport News, Va., for care and medical services, respectively rendered George Vay, seaman, who, on

February 12, 1913, was seriously injured while in line of duty upon the Army transport *Meade*, then being prepared for active service at Newport News, Va., $103.90.

The amendment was agreed to.

The next amendment was, on page 55, after line 9, to insert:

Credit in the accounts of Capt. David L. Stone, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. David L. Stone the sum of $1,191 disallowed on voucher 6 B of his money accounts for the month of December, 1911, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 55, after line 16, to insert:

Credit in the accounts of Capt. Henry L. Kinnison, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Henry L. Kinnison, Quartermaster Corps, United States Army, the sum of $82.50 disallowed on voucher 12 B of his money accounts for May, 1912, and 6 B of his money accounts for June, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, at the top of page 56, to insert:

Credit in the accounts of Lieut. Col. John M. Carson, jr., United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. J. M. Carson, jr., Deputy Quartermaster General United States Army (now colonel, Quartermaster Corps), the sum of $1,975 disallowed on vouchers 7 A and 8 A of his money accounts for the month of May, 1909, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 56, after line 10, to insert:

Credit in the accounts of Maj. John E. Baxter, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. John E. Baxter, quartermaster, United States Army (now lieutenant colonel, Quartermaster Corps), the sum of $18.96 disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 56, after line 17, to insert:

Credit in the accounts of Capt. L. C. Brown, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. L. C. Brown, United States Army (now major, Coast Artillery Corps, United States Army), the sum of $124 suspended against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, at the top of page 57, to insert:

Credit in the accounts of Maj. H. L. Pettus, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. H. L. Pettus, Quartermaster Corps, United States Army, the sum of $1,545 disallowed on voucher 11B, January, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 57, after line 7, to insert:

Credit in the accounts of Col. Frederick G. Hodgson (retired), Capt. Briant H. Wells, and Capt. Girard Sturtevant, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of the following-named officers of the Army the sums set opposite their names, respectively, which have been disallowed and charged against them on the books of the Treasury: Col. Frederick G. Hodgson (retired), February, 1912, $21; Capt. Briant H. Wells, September and October, 1911, $171; Capt. Girard Sturtevant, December, 1911, $2.99.

The amendment was agreed to.

The next amendment was, on page 57, after line 20, to insert:

Credit in the accounts of Maj. James E. Normoyle, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. James E. Normoyle in the sum of $5 disallowed on voucher 238B of his money accounts for the month of September, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 4, to insert:

Credit in the accounts of Maj. G. G. Bailey, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. G. G. Bailey, Quartermaster Corps, United States Army, the sum of $106, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 10, to insert:

Credit in the accounts of Lieut. Col. I. W. Littell, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. I. W. Littell (now colonel, Quartermaster Corps, United States Army) the sum of $98.65, disallowed on voucher 24 B of his money accounts for September, 1909, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 19, to insert:

Credit in the accounts of Capt. O. R. Wolfe, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Orrin R. Wolfe, United States Army, the sum of $40, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, at the top of page 59, to insert:

Relief of Ethel Fredrickson and daughter Ethel: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ethel Fredrickson and daughter Ethel, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of $500, in full settlement of their claim against the Government of the United States for damages done to their property and personal injuries sustained through being run down in the streets of San Antonio, Tex., by a section of Battery B, United States Artillery, from Fort Sam Houston, Tex.

The amendment was agreed to.

The next amendment was, on page 59, after line 10, to insert:

Relief of Lena Garagnon: That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lena Garagnon, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of $7,500, in full settlement of her claim against the Government of the United States for damages done to her property and personal injuries sustained through being run down in the streets of San Antonio, Tex., by a section of Battery B, United States Artillery, from Fort Sam Houston, Tex.

The amendment was agreed to.

The next amendment was, under the head of "Medical Department," on page 61, line 7, after the word "Department," to insert "$750,000: *Provided*, That hereafter, with the approval of the Secretary of War and at rates of charge of not less than the contract prices paid therefor plus 25 per cent to cover the cost of purchase, inspection, etc., the Medical Department of the Army may sell for cash to the American National Red. Cross such medical supplies and equipments as can be spared without detriment to the military service"; and in line 23, after the word "concerned," to strike out "$750,000," so as to read:

For supplies for use in teaching the art of cooking to the Hospital Corps; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, $750,000: *Provided*, That hereafter, with the approval of the Secretary of War and at rates of charge of not less than the contract prices paid therefor plus 25 per cent to cover the cost of purchase, inspection, etc., the Medical Department of the Army may sell for cash to the American National Red Cross such medical supplies and equipments as can be spared without detriment to the military service: *Provided further*, That hereafter in the settlement of accounts between the appropriations of the Medical Department and those of any other branch of the Army service, or any bureau or office of the War Department, or any other executive department or establishment of the Government, payment thereof may be made by the proper disbursing officer of the Medical Department or of the branch of the Army service, office, bureau, department, or establishment concerned.

The amendment was agreed to.

The next amendment was, on page 61, after line 23, to insert:

Hospital care, Canal Zone garrisons: For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority: *Provided*, That the subsistence of the said patients, except commissioned officers and acting dental surgeons, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals, $85,000.

The amendment was agreed to.

The next amendment was, under the head of "Engineer Department," on page 65, line 1, after the words "for same," to insert "$48,000," and in line 5, after the words "motor cycles," to strike out "$48,000," so as to make the clause read:

Engineer equipment of troops: For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops for military surveys, and for Engineer operations in the field, including the purchase and preparation of Engineer manuals and procurement of special paper for same, $48,000: *Provided*, That authority is granted for the expenditure from this appropriation of the sum of $750 for the purchase of two motor cycles, and of the sum of $200 for the maintenance and repair (exclusive of fuel) of four motor cycles.

The amendment was agreed to.

The next amendment was, on page 65, line 9, after the word "commanders," to strike out "$28,000" and insert "$40,000," so as to make the clause read:

Civilian assistants to Engineer officers: For services of surveyors, survey parties, draftsmen, photographers, master laborers, and clerks to Engineer officers on the staffs of division, corps, and department commanders, $40,000.

The amendment was agreed to.

The next amendment was, under the head of "Ordnance Department," on page 66, line 12, before the word "horse-drawn," to strike out "motor-propelled or," and in line 13, after the word "vehicles," to insert "and maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle," so as to make the clause read:

Ordnance service: For the current expenses of the Ordnance Department, in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters, and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance service and those attending practical trial and tests of ordnance, small arms, and other ordnance stores; for publications for libraries of the

Ordnance Department, including the Ordnance office; subscriptions to periodicals which may be paid for in advance, and payment for mechanical labor in the office of the Chief of Ordnance; and for purchase, maintenance, repair, and operation of horse-drawn passenger-carrying vehicles, and maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle, $325,000.

The amendment was agreed to.

The next amendment was, on page 67, line 1, after the word "homes,' to insert "$100,000," and in line 3, after the word "ammunition," to strike out "$100,000," so as to make the clause read:

Ordnance stores—ammunition: Manufacture of ammunition for small arms for reserve supply, ammunition for burials at the National Soldiers' Home in Washington, D. C., ammunition for firing the morning and evening gun at military posts prescribed by General Orders No. 70, Headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home in Washington, D. C., and soldiers' and sailors' State homes, $100,000: *Provided*, That not more than $5,000 of this appropriation may be used in the purchase of ammunition.

The amendment was agreed to.

The next amendment was, on page 67, line 20, after the word "armories," to insert "$250,000," and in line 23, after the words "carried out," to strike out "$250,000," so as to make the clause read:

Manufacture of arms: For manufacturing, repairing, and issuing arms at the national armories, $250,000: *Provided*, That existing written agreements involving the purchase of patented articles patents for which have not expired may be carried out.

The amendment was agreed to.

The next amendment was, on page 69, after line 5, to strike out:

For the purchase and manufacture of armored motor cars, $50,000.

The amendment was agreed to.

The next amendment was, on page 69, after line 7, to insert:

For testing types of armored motor cars, $25,000.

The amendment was agreed to.

The next amendment was, on page 69, line 10, before the word "manufacturing," to insert "purchasing or"; and in the same line, after the word "manufacturing," to strike out "in Government establishments," so as to read:

Field artillery for Organized Militia: For the purpose of purchasing or manufacturing field artillery material for the Organized Militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 70, line 4, before the word "manufacturing," to insert "purchasing or," so as to make the clause read:

Ammunition for Field Artillery for Organized Militia: For the purpose of purchasing or manufacturing reserve ammunition for Field Artillery for the Organized Militia of the several States, Territories, and the District of Columbia, the funds to be immediately available and to remain available until the end of the fiscal year ending June 30, 1917, $2,900,000.

The amendment was agreed to.

The next amendment was, on page 70, line 10, after the words "more than," to strike out "$25,000" and insert "$100,000," so as to make the clause read:

Provided, That not more than $100,000 of this appropriation may be used in the purchase of Field Artillery reserve ammunition.

The amendment was agreed to.

The next amendment was, on page 70, after line 12, to strike out:

Provided, That no part of the appropriations made in this bill shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made, with a stop watch or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this bill be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no claim for services performed by any person while violating this proviso shall be allowed.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. The Senator from Washington.

Mr. POINDEXTER. Mr. President, it seems to me that the House provision, which is proposed to be stricken out by the committee, is a very reasonable one, and I am very sorry that the issue is raised by the amendment proposed by the committee. I notice that there was a report made upon this identical proposition by a committee of the Senate on July 17, 1912, being a favorable report upon a bill which, in substance, was the same as the provision which is here proposed to be stricken out.

Of course the object of using a stop watch or of giving a bonus for extra production by employees is to increase the efficiency and the economy of the Government factories. In that connection, as to whether or not any such system as that—which, I think, inevitably leads to abuses in driving men beyond their ability in their work—is necessary in the Government factories, it is very interesting to note the cost of the product of Government factories under the system which is now there in vogue as compared with the private factories which are their competitors, in some of which the stop watch and bonus system is used. I only want to call attention to a few items.

I have here, in the report to which I have just referred, some testimony of Gen. Crozier as to the comparative cost of the articles produced in Government factories under the system obtaining there now with those produced in private factories. For instance, 3-inch rifles—that is, field guns—which cost $2,510.60 in the Rock Island factory, cost $3,398.82, or an increase of 35.4 per cent in private factories. Caissons, which cost $1,128.67 in the Rock Island factory, cost $1,744.10, or 54.6 per cent increase, in private factories. Springfield rifles manufactured in the Springfield Armory, as Gen. Crozier says, at a most liberal estimate, cost the Government not above $17.65. He adds:

And if it were possible to obtain the opinion of an expert, I would be glad to ask him if he thought the Springfield rifle could be produced by anybody else anywhere and purchased for $25. My own opinion is that you could not get it as low as $25 from any manufacturer.

Limbers for 3-inch rifles, which cost $1,518 when the Government buys them from a private concern, are manufactured for $684 by the Government itself under the labor system which now obtains. Three-inch caissons, which cost $1,708 when bought from manufacturing concerns, are manufactured at Rock Island Arsenal for $1,081. For the 3-inch gun carriages proper, the average of the contract price paid by the Government to private concerns is $3,268, and the average cost under manufacturing orders at the arsenal is $2,341; and he states that that includes the overhead charges.

I will not cite any more figures, but those are ample to show, to say the least, that the work is conducted economically and efficiently in the Government factories at the present time.

I notice, Mr. President, that the system of rules and regulations for labor in the Rock Island and other Government factories contain reasonable, and more or less stringent, regulations as to efficiency and as to production, which evidently—judging by the results which I have just cited and many others which I have not cited, for instance, the production of shells for 3-inch guns, which cost $15 in the Rock Island factory and $25 in the private factory—demonstrates that any such system as that which is proposed to be prohibited by the provision in the House bill is unnecessary. One of these rules is:

Ability: The ability of an employee will be judged by the quantity and quality of work performed, proper deductions having been made for all errors or deficiencies which may have occurred during the semi-annual period. If for lack of ability employees are employed upon work usually assigned to a lower class, the marking should be correspondingly low, although the work itself may be exceedingly good. Likewise, if employees are employed upon work usually assigned to a higher class, credit should be given therefor. The quality of work shall be expressed by the terms "Excellent," "Very good," "Good," "Fair," and "Poor," the quantity of work by the terms "Very large," "Large," "Average," and "Small." The figures to be attached to these designations are as follows:

Then he gives the figures representing the various grades of quantity and quality of work and as to the habits of employees. One of the rules is:

Habits: In estimating habits, consideration should be given to sobriety, integrity, subordination, cheerful and zealous obedience to orders and regulations. Frequent tardiness and drunkenness on duty will be made the subject of special inquiry. A deduction of 10 points for every absence after Sundays, holidays, or pay days for each day or part of day without having previously obtained leave therefor will be made, and a deduction of 10 points will be made for tardiness in getting to work after reporting.

Reasonable and sensible regulations and rules of that kind seem to produce very excellent results, and I was very much in hope, as otherwise it may occasion a great deal of debate, that the provision which the committee has moved to strike out would be left in the bill and that the amendment reported by the committee would be defeated.

Mr. OLIVER and Mr. HUGHES addressed the Chair.

The VICE PRESIDENT. The Senator from Pennsylvania.

Mr. OLIVER. Mr. President, I do not know anything about the workings of what is called the "stop-watch system," but I have been requested by a committee representing over 400 employees of the Frankford Arsenal, who are now working under what is known as the bonus system, to enter a protest in their behalf against any change looking to the abolition of that system. I have here a communication at some length from them, giving their reasons why the system as applied in that arsenal should not be interfered with. I will say that no stop-watch system is employed at the Frankford Arsenal.

Mr. ROOT. Why not have the communication read?

Mr. OLIVER. Very well, I will ask the Secretary to read the communication. It is signed by a committee consisting of George S. Matthews, Anna E. Armstrong, Charles E. Flynn, Mary Macdonald, and Florence H. Smith, evidently three women and two men. After the communication is read I will read other communications in connection with it.

The VICE PRESIDENT. Is there objection to the Secretary reading the letter submitted by the Senator from Pennsylvania? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

THE FRANKFORD ARSENAL ASSOCIATION,
Philadelphia, Pa., February 6, 1915.

Hon. GEORGE T. OLIVER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: We appreciate very much the effective work which you have accomplished in behalf of the Frankford Arsenal employees in succeeding in inducing the Senate Committee on Military Affairs to strike out the objectionable clause known as the Deitrich bill from the Army bill.

You have asked us to furnish you with more complete information in regard to the bonus system at the Frankford Arsenal, and this we gladly do to the best of our ability:

1. The bonus or premium system was introduced at the Frankford Arsenal about five years ago after a conference between ourselves and the commanding officer at the arsenal. The greater number of the bonus or premium rates was then established, and they remained in operation up to the recent suspension without any change whatever on the part of the management of the arsenal except in our interest. We were assured by the commanding officer that the premium rates then established, or to be established, would be permanent so long as the manufacturing processes and the ammunition manufactured remain the same, and this agreement has never been deviated from by the management except with our consent.

2. The premium or bonus system at the Frankford Arsenal consists in giving the employees a bonus above their daily rates if they make the tasks assigned to them, and if they make in addition anything above the task a premium is also paid, which is usually 50 per cent of the rate at which the bonus was established. For example: If an employee receiving $2 per day is turning out, say, 200 to 225 pieces daily the management may say to him, "If you will turn out 300 pieces we will give you $3 for the work; but if you turn out 299 pieces you will only get $2," which he would get even if he turned out 150 pieces. Furthermore, if he should turn out 400 pieces he would receive $3 for the 300 pieces and 50 cents for the 100 pieces above the 300, and if he turned out 500 pieces he would receive $4, etc. In other words, the Government shares in the premium earned by the employee which, it is understood, is due to the fact that the Government furnishes heat, light, power, repairs to machinery, working tools, etc., on which the employee is engaged.

3. The lowest day rate for a male employee at the Frankford Arsenal is $1.76 per day, but by giving him a bonus for the task assigned him and the premium for what he may do above the task such an employee may earn between $2.20 and $2.60 per day. A higher grade workman earning $2.24 per day on a day rate may earn between $3 and $3.20 per day when operating under the bonus and premium system. Men whose day rates are $3 to $3.25 per day may earn from $3.50 to $4 per day, and over $4 per day has been earned in case of men whose day rates are as stated.

The lowest day rate paid young women at the arsenal is $1.16 per day, and such employees have a task assigned to them which enables them to earn $1.40 per day, and their actual earnings have been as high as $2.50 per day, but the average earnings of such employees are about $1.73 per day. Young women whose day rate is $1.20 per day are able to earn as inspectors between $2.20 and $2.26 per day, and there is a case of one young woman who has earned as high as $3 per day.

4. The committee most emphatically inform you that the earnings referred to have been made by the skill, application, and industry of the employees whom we represent. We most emphatically deny that we have been driven or speeded up or worked beyond our capacity. Not a single employee operating under the premium system, although it has been in force for about five years, has been obliged to give up his or her position due to operating under such a system owing to any physical breakdown. We do say, however, that we apply ourselves to our work and waste no time about the shops. This committee represents about 450 employees engaged in the manufacture of small-arms ammunition under the bonus or premium system, and we know that we are telling you the truth when we make this statement.

5. We understand that the bonus and premium earned by us annually amounts to about $45,000, and we are confident in stating that in case of other departments at the arsenal there is probably an additional premium or bonus paid to the employees to the extent of at least $6,000 annually. It may be stated, therefore, that the sum of $51,000 at least is paid annually by the Government for the increased efficient service which we give to it, and we appreciate such acknowledgment of the service that we render.

6. Based on our increased earnings under the system referred to many of us have taken on obligations by way of purchasing homes or investing our savings in building and loan associations, and we feel that if we are deprived of the opportunity to make such earnings we may lose our homes or other investments on which we have made partial payments.

7. We are perfectly satisfied with our conditions at the arsenal. We particularly like the eight hours of employment, as those of us who are women employees are able to do our sewing when we get home and help our mothers and sisters with the household work. Those of us who are men employees are able, particularly in summer, to work in the gardens about our homes and take our children out for recreation, for Philadelphia is peculiarly a city of homes and gardens, particularly in Frankford.

8. We are provided at the arsenal, in the cartridge factory, with sanitary working conditions, and those of us who are women are provided with chairs at our machines and benches. We have, therefore, no complaint to make of our rates of compensation or of our working conditions except that we would like a retiring room or rest room in each building where we could retire during lunch hours. We hope that Congress will some day furnish such a building.

9. We respectfully invite your attention to the marked benefits that the Government receives, particularly in the manufacture of small-arms ammunition, from the introduction of the bonus or premium system. We have been informed that for the quantity of small-arms ammunition manufactured last year the costs at the arsenal were such that when they were compared with the latest contract prices for the same ammunition the Government effected a saving of about $680,000. When such a magnificent showing is made for the Government by the employees whom we represent we ask you, therefore, why should the Government want to change such a system that makes for efficiency and economy, and particularly when those employees operating under it desire no change whatever? We ask you to have the extent of these savings confirmed by reference to the War Department.

10. We read a great deal in the newspapers how much the President and the administration are concerned toward increasing the economy and efficiency of the public service, and we notice that the Saturday Evening Post, a Philadelphia newspaper, has an article by ex-President Taft on the economy and efficiency of the public service. We sincerely believe that we are giving to the President of the United States the very economy and efficiency so much talked about for several years, and since we are perfectly satisfied with the compensation paid us and our working conditions, except as noted above, we simply do not understand why the Government should desire to abolish by law a situation which is so manifestly efficient and satisfactory.

Respectfully submitted.

MARY MACDONALD,
FLORENCE H. SMITH,
GEORGE S. MATTHEWS,
ANNA E. ARMSTRONG,
CHARLES E. FLYNN,
Committee.

Mr. OLIVER. Mr. President, it has been alleged that this system interferes with the health of the employees, that it makes old men of young men, and so on. I have another letter here, which states:

To-day one of the committee, Mr. G. S. Matthews, took Dr. H. A. P. Neel, the attending physician at the arsenal, through the various shops where men and women are employed on the premium rate and where they are not so employed, and no intimation was given to Dr. Neel as to where the premium workers were employed and where those who were not premium workers were employed. The doctor was asked to make this inspection to see if he had noticed in the brief inspection whether or not there was any physical breakdown of the employees at this arsenal. The report of Dr. Neel is inclosed, and you will note that everywhere he found the men and women employees in good physical condition, irrespective of whether they were on premium, piecework, or daywork. The doctor did not know when he made this report where the premium workers were employed.

I have a communication here from Dr. Neel, which I will read:

3602 DISSTON STREET,
Tacony, Philadelphia, February 8, 1915.

Mr. G. S. MATTHEWS,
Frankford Arsenal.

DEAR MR. MATTHEWS: At your request I made a brief inspection of the various shops at the Frankford Arsenal, accompanied by yourself, the object being to ascertain by a brief inspection whether or not any of the employees working under the premium system showed the effects of overexertion or what you call "speeding up." I visited the cartridge factory, the fuse shop, the primer shop, and the artillery assembling shop, and I found everywhere that the men and women employed were in good physical condition.

In this connection I might state that many of them are patients of mine, and I know that the physical condition of the employees of the Frankford Arsenal is very good. I understand that the premium workers are employed in certain parts of the arsenal, of which I had no knowledge, and therefore my opinion applies to all the employees.

Respectfully,

H. A. P. NEEL, M. D.

Mr. President, the situation of the Frankford Arsenal is about as follows: This premium system has been established. That is, each employee gets a stipulated day's wages. The minimum for women, I believe, is $1.16 a day, and from that up; and for men the minimum is $1.75 a day, and from that up. They get their day's wages under any circumstances. There is a certain stipulated task which every machine ought to yield. If the machine yields more than the stipulated task during the eight hours of work, a bonus is paid, so that some of the men whose daily wages are $1.75 earn up to approximately $3 a day.

It is represented to me that these employees own homes, have taken stock in building and loan associations, and have undertaken various responsibilities and liabilities based upon this system, and that if this amendment is adopted they will all be put down to the dead level of a day's wages. They will not be able to obtain these premiums to which they have been accustomed and to which they think they have a right, and for Congress now to step in and abolish the system without any further investigation they think is doing them a grave injustice.

It seems to me that any system which seeks to put the industrious, efficient workman down to the level of the lowest, instead of trying to raise the lowest up to the level of the highest and most efficient and most skillful, is all wrong. It is undeniable that this system, as introduced into this particular arsenal—and I have nothing to say about any other—has not only resulted in cheapening the cost of the articles turned out to the Government from that arsenal, but it has resulted in making the employees of the arsenal more contented, better satisfied, and better off in every way.

You can do what you please with the stop-watch system. I do not know what it is. I have never examined it. But any law or

any system that will prevent the officers of the United States Government from placing a premium upon industry and efficiency is wrong, in my opinion; and whoever votes for it will be voting against the interests of the country and against the real and true interests of the working people.

Mr. HUGHES. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey.

Mr. HUGHES. I ask unanimous consent to have this matter go over until to-morrow morning.

Mr. CHAMBERLAIN. Mr. President, I have no objection to that. There are two or three Senators who desire to speak on it, though not at great length. I will suggest that we might finish the balance of the bill and let that item go over.

Mr. ROOT. Mr. President, I wish to say that if it goes over I desire to say a few words on the subject of this amendment in support of the position of the committee.

Mr. HUGHES. Mr. President, a parliamentary inquiry. I want to find out just the position of the Senator from Washington with reference to the matter. Is there any motion?

The VICE PRESIDENT. No; there is no motion. The matter is still pending on the proposed amendment of the committee.

Mr. HUGHES. I wanted to make a motion which would result in letting the House action stand.

The VICE PRESIDENT. That result can be accomplished by disagreeing to the amendment. Is this amendment to be passed over?

Mr. CHAMBERLAIN. I thought, at the request of some of the Senators, that we might complete the balance of the bill and let that one item go over until to-morrow morning.

The VICE PRESIDENT. In the absence of objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 71, line 6, after the words "per day," to insert "in lieu of subsistence," so as to make the clause read:

Provided, That the appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed $4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty.

The amendment was agreed to.

The next amendment was, on page 71, after line 9, to insert:

Provided, That hereafter when one bureau or executive department procures by purchase or manufacture stores or material of any kind or performs any service for another bureau or executive department the funds of the bureau or department for which the stores or material are to be procured or the service performed may be placed subject to the requisition of the bureau or department making the procurement or performing the service for direct expenditure by it: *Provided*, That when the stores being procured are for current issue during the year stores of equal value may be issued from stock on hand in place of any of those aforesaid.

The amendment was agreed to.

The next amendment was, on page 71, after line 20, to insert:

That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, any brigadier general of the Army on the retired list who has held the rank and command of major general of Volunteers and performed the duties incident to that grade in time of actual warfare, and has been honorably discharged, and who served with credit in the Regular or Volunteer forces during the Civil War prior to April 9, 1865, to the grade of major general in the United States Army and place him on the retired list with the pay of brigadier general on the retired list; and any officer now on the retired list of the Army who served with credit for more than two years as a commissioned officer of Volunteers during the Civil War prior to April 9, 1865, and who subsequently served with credit for more than 40 years as a commissioned officer of the Regular Army, including service in command of troops in five Indian campaigns, the War with Spain, and the Philippine insurrection, and to whom the congressional medal of honor for most distinguished conduct in action has been twice awarded, and who has also been brevetted for conspicuous gallantry in action, and place him on the retired list of the Army with the rank and retired pay of one grade above that actually held by him at the time of his retirement from active service in the Regular Army.

The amendment was agreed to.

The next amendment was, on page 72, after line 20, to insert as a new section the following:

SEC. 2. That section 1342 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 1342. The articles included in this section shall be known as the Articles of War, and shall, at all times and in all places, govern the Armies of the United States, including all persons belonging thereto, and all persons now or hereafter made subject to military law.

"I. PRELIMINARY PROVISIONS.

"ARTICLE 1. Definitions.—The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man;

"(c) The word 'company' shall be understood as including a troop or battery; and

"(d) The word 'battalion' shall be understood as including a squadron.

"ART. 2. Persons subject to military law.—The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles:

"(a) All officers and soldiers belonging to the Armies of the United States, including Regulars, militia called into the service of the United States from the date of notice of such call, and Volunteers;

"(b) Cadets, veterinarians of Cavalry and Field Artillery, and pay clerks of the Quartermaster Corps;

"(c) Officers and soldiers of the Marine Corps when detached for service with the Armies of the United States by order of the President;

"(d) All retainers to the camp and all persons accompanying or serving with the Armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the Armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

"(e) All persons under sentence adjudged by courts-martial; and

"(f) All persons now or hereafter declared by law to constitute a part of or to belong to the Armies of the United States or to be subject to the Articles of War or to trial by courts-martial.

"II. COURTS-MARTIAL.

"ART. 3. Courts-martial classified.—Courts-martial shall be of three kinds, namely:

"First. General courts-martial;

"Second. Special courts-martial; and

"Third. Summary courts-martial.

"A. COMPOSITION.

"ART. 4. Who may serve on courts-martial.—Officers of the Regular Army, of the militia when called into the service of the United States, of the Volunteer Army, and of the Marine Corps when detached for service with the Army by order of the President shall be competent to serve on courts-martial for the trial of any person who may lawfully be brought before such courts for trial.

"ART. 5. General courts-martial.—General courts-martial may consist of any number of officers from 5 to 13, inclusive.

"ART. 6. Special courts-martial.—Special courts-martial may consist of any number of officers from 3 to 5, inclusive.

"ART. 7. Summary courts-martial.—A summary court-martial shall consist of one officer.

"B. BY WHOM APPOINTED.

"ART. 8. General courts-martial.—The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, a field army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 9. Special courts-martial.—The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 10. Summary courts-martial.—The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

"ART. 11. Appointment of judge advocate.—For each general or special court-martial the authority appointing the court shall appoint a judge advocate, and for each general court-martial one or more assistant judge advocates when necessary.

"C. JURISDICTION.

"ART. 12. General courts-martial.—General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles and any other person who by statute or by the law of war is subject to trial by military tribunal: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy.

"ART. 13. Special courts-martial.—Special courts-martial shall have power to try any person subject to military law, except an officer, for any crime or offense not capital made punishable by these articles: *Provided*, That the President may by regulations, which he may modify from time to time, except from the jurisdiction of special courts-martial any class or classes of persons subject to military law.

"Special courts-martial shall not have power to adjudge confinement in excess of six months, nor to adjudge the forfeiture of more than six months' pay.

"ART. 14. Summary courts-martial.—Summary courts-martial shall have power to try any person subject to military law, except an officer, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a general court-martial: *And provided further*, That the President may by regulations, which he may modify from time to time, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of three months, nor to adjudge the forfeiture of more than three months' pay: *Provided*, That when the summary court officer is also the commanding officer no sentence of such summary court-martial adjudging confinement at hard labor or forfeiture of pay, or both, for a period in excess of one month shall be carried into execution until the same shall have been approved by superior authority.

"ART. 15. Not exclusive.—The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses

that by statute or by the law of war may be triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. Officers, how triable.—Officers shall be tried only by general courts-martial, and no officer shall, when it can be avoided, be tried by officers inferior to him in rank.

"D. PROCEDURE.

"ART. 17. Judge advocate to prosecute.—The judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings; but should the accused be unrepresented by counsel, the judge advocate shall from time to time throughout the proceedings advise the accused of his legal rights.

"ART. 18. Challenges.—Members of a general or special court-martial may be challenged by the accused and by the judge advocate, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

"ART. 19. Oath of members and judge advocates.—The judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the Armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the judge advocate and assistant judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the judge advocate and to each assistant judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will not divulge the findings or sentence of the court to any but the proper authority until they shall be duly disclosed by the same. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 20. Continuances.—A court-martial shall, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

"ART. 21. Refusal to plead.—When the accused, arraigned before a court-martial, from obstinacy and deliberate design stands mute or answers foreign to the purpose, the court may proceed to trial and judgment as if he had pleaded not guilty.

"ART. 22. Process to obtain witnesses.—Every judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

"ART. 23. Oath of witnesses.—All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

"In the case of affirmation the closing sentence of adjuration will be omitted.

"ART. 24. Refusal to appear or testify.—Every person not subject to military law who, being duly subpœnaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpœnaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the Territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person on conviction shall be a fine of not more than $500, or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses.

"ART. 25. Compulsory self-incrimination prohibited.—No witness before a military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him.

"ART. 26. Depositions—When admissible.—A duly authenticated deposition, taken upon reasonable notice to the opposite party, may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or district in which the court, commission, or board is ordered to sit, or beyond the distance of 100 miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing: *Provided*, That testimony by deposition may be adduced for the defense in capital cases.

"ART. 27. Depositions—Before whom taken.—Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"ART. 28. Courts of inquiry—Records of, when admissible.—The record of the proceedings of a court of inquiry may be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

"ART. 29. Resignation without acceptance does not release officer.—Any officer who, having tendered his resignation and, prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

"ART. 30. Enlistment without discharge.—Any soldier who quits the organization to which he properly belongs and, without having first received a regular discharge from such organization, enlists in or joins any other organization of the Army, or militia when in the service of the United States, or the Navy or Marine Corps of the United States, shall be deemed to have deserted the service of the United States and to have fraudulently enlisted.

"ART. 31. Oath of reporters and interpreters.—Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

"And every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 32. Closed sessions.—Whenever a general or special court-martial shall sit in closed session, the judge advocate, and the assistant judge advocate, if any, shall withdraw; and when their legal advice, or their assistance in referring to the recorded evidence, is required, it shall be obtained in open court.

"ART. 33. Order of voting.—Members of a general or special court-martial, in giving their votes, shall begin with the junior in rank.

"ART. 34. Contempts.—A court-martial may punish, at discretion, subject to the limitations contained in article 14, any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder.

"ART. 35. Records—General courts-martial.—Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the judge advocate; but in case the record can not be authenticated by the judge advocate, by reason of his death, disability, or absence, it shall be signed by the president and an assistant judge advocate, if any; and if there be no assistant judge advocate, or in case of his death, disability, or absence, then by the president and one other member of the court.

"ART. 36. Records—Special and summary courts-martial.—Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the President may from time to time prescribe.

"ART. 37. Disposition of records—General courts-martial.—The judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority, or to his successor in command, the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been finally acted upon, be transmitted to the Judge Advocate General of the Army.

"ART. 38. Disposition of records—Special and summary courts-martial.—After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special or summary court-martial shall be transmitted to such general headquarters as the President may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, such records may be destroyed.

"ART. 39. President may prescribe rules.—The President may by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *And provided further*, That all rules made in pursuance of this article shall be laid before the Congress as soon as practicable after they are made.

"ART. 40. Irregularities—Effect of.—The proceedings of a court-martial shall not be held invalid nor the findings or sentence disapproved in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *And provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the executive order prescribing maximum punishments.

"E. LIMITATIONS UPON PROSECUTIONS.

"ART. 41. As to time.—Except for desertion committed in time of war, or for murder, or for rape, no person shall be liable to be tried by a court-martial for any crime or offense committed more than three years before the beginning of the prosecution of such person for such crime or offense: *Provided*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused may not have been amenable to military justice, shall be excluded in computing the aforesaid period of three years: *And provided further*, That the prosecution shall be held to have been begun when the charges shall have been duly received at the headquarters of an authority competent to appoint a court-martial for the trial of charges alleging the commission of the crime or offense in question.

"ART. 42. As to number.—No person shall be tried a second time for the same offense.

"F. PUNISHMENTS.

"ART. 43. Certain kinds prohibited.—Punishment by flogging or by branding, marking, or tattooing on the body is prohibited.

"ART. 44. Penitentiary sentences—When lawful.—No person shall, under sentence of a court-martial, be punished by confinement in a penitentiary unless the crime or offense of which he may be convicted would, under some statute of the United States or under some law of the State, Territory, District, or other jurisdiction in which the crime or offense may be committed, render such person liable to confinement in a penitentiary; but when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions, any one of which, under the statute or other law hereinbefore mentioned, constitutes or includes a crime or offense punishable by confinement in a penitentiary, the entire sentence of confinement imposed by the court-martial may be executed in a penitentiary.

"ART. 45. Death sentences—When lawful.—No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of two-thirds of the members present, and for an offense in these articles expressly made punishable by death. All other convictions and sentences, whether by general or special court-martial, may be determined by a majority of the members present.

"ART. 46. Cowardice—Fraud—Accessory penalty.—When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"ART. 47. Maximum limits.—Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not, in time of peace, exceed such limit or limits as the President may from time to time prescribe.

"G. ACTION BY APPOINTING OR SUPERIOR AUTHORITY.

"ART. 48. Approval and execution of sentences.—No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 49. Powers incident to power to approve.—The power to approve the sentence of a court-martial shall be held to include, inter alia:

"(a) The power to approve or disapprove a finding, and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt;

"(b) The power to approve or disapprove the whole or any part of the sentence; and

"(c) The power to change the sequence in which a sentence as adjudged by the court may require the execution of the punishments of dishonorable discharge and confinement.

"ART. 50. Confirmation—When required.—In addition to the approval required by article 48, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely:

"(a) Any sentence respecting a general officer;

"(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the army in the field or by the commanding general of the territorial department or division;

"(c) Any sentence extending to the suspension or dismissal of a cadet; and

"(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution upon confirmation by the commanding general of the army in the field or by the commanding general of the territorial department or division.

"When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.

"ART. 51. Powers incident to power to confirm.—The power to confirm the sentence of a court-martial shall be held to include, inter alia:

"(a) The power to confirm or disapprove a finding and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt; and

"(b) The power to confirm or disapprove the whole or any part of the sentence.

"ART. 52. Mitigation or remission of sentences.—The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence; but no sentence of dismissal of an officer and no sentence of death shall be mitigated or remitted by any authority inferior to the President.

"Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the authority competent to appoint, for the command in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior authority; but no sentence extending to the dismissal of an officer or loss of files, no sentence of death, and no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority.

"The power of remission and mitigation shall extend to all uncollected forfeitures adjudged by sentence of a court-martial.

"ART. 53. Suspension of sentences of dismissal or death.—The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known; and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.

"ART. 54. Suspension of sentence of dishonorable discharge.—The authority competent to order the execution of a sentence including dishonorable discharge may suspend the execution of the dishonorable discharge until the soldier's release from confinement; but the order of suspension may be vacated at any time and the execution of the dishonorable discharge directed by the officer having general court-martial jurisdiction over the command in which the soldier is held, or by the Secretary of War.

"ART. 55. Suspension of sentences of forfeiture or confinement.—The authority competent to order the execution of a sentence adjudged by a court-martial may, if the sentence involve neither dismissal nor dishonorable discharge, suspend the execution of the sentence in so far as it relates to the forfeiture of pay, or to confinement, or to both; and the person under sentence may be restored to duty during the suspension of confinement. At any time within one year after the date of the order of suspension such order may, for sufficient cause, be vacated and the execution of the sentence directed by the authority competent to order the execution of like sentences in the command to which the person under sentence belongs or in which he may be found; but if the order of suspension be not vacated within one year after the date thereof the suspended sentence shall be held to have been remitted.

"III. PUNITIVE ARTICLES.

"A. ENLISTMENT; MUSTER; RETURNS.

"ART. 56. Fraudulent enlistment.—Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

"ART. 57. Officer making unlawful enlistment.—Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"ART. 58. False muster.—Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll, knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier; or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls; or who knowingly musters as an officer or soldier a person who is not such officer or soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 59. False returns—Omission to render returns.—Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunition, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof, shall be dismissed the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

"B. DESERTION: ABSENCE WITHOUT LEAVE.

"ART. 60. Desertion.—Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 61. Advising or aiding another to desert.—Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death, or such other punishment as a court-martial may direct, and in any other case any punishment, except death, that a court-martial may direct.

"ART. 62. Entertaining a deserter.—Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

"ART. 63. Absence without leave.—Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

"C. DISRESPECT; INSUBORDINATION; MUTINY.

"ART. 64. Disrespect toward the President, Vice President, Congress, Secretary of War.—Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, or the Secretary of War shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any soldier who so offends shall be punished as a court-martial may direct.

"ART. 65. Disrespect toward superior officer.—Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

"ART. 66. Assaulting or willfully disobeying superior officer.—Any person subject to military law who, on any pretense whatsoever, strikes his superior officer, or draws or lifts up any weapon, or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 67. Insubordinate conduct toward noncommissioned officer.—Any soldier who strikes or assaults, or attempts or threatens to strike or assault, or willfully disobeys the lawful order of a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

"ART. 68. Mutiny or sedition.—Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command, shall suffer death or such other punishment as a court-martial may direct.

"ART. 69. Failure to suppress mutiny or sedition.—Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place does not, without delay, give information thereof to his commanding officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 70. Quarrels; frays; disorders.—All officers and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law, and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until their proper superior officer is aquainted therewith. And whosoever, being so ordered, refuses to obey such officer or noncommissioned officer, or draws a weapon upon or otherwise threatens or does violence to him, shall be punished as a court-martial may direct.

"D. ARREST; CONFINEMENT.

"ART. 71. Arrest or confinement of accused persons.—An officer charged with crime or with a serious offense under these articles shall be placed in arrest by the commanding officer, and in exceptional cases an officer so charged may be placed in confinement by the same authority. A soldier charged with crime or with a serious offense under these articles shall be placed in confinement, and when charged with a minor offense he may be placed in arrest. Any other person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest, as circumstances may require; and when charged with a minor offense such person may be placed in arrest. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority Any officer who breaks his arrest or who escapes from confinement before he is set at liberty by proper authority shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest before he is set at liberty by proper authority shall be punished as a court-martial may direct.

"ART. 72. Investigation of and action upon charges.—The charge against any person placed in arrest or confinement shall be investigated promptly by the commanding officer or other proper military authority, and immediate steps shall be taken to try and punish the person accused or to dismiss the charges against him and release him from arrest or confinement. In every case where a person remains in military custody for more than five days without being served with charges upon which he is to be tried a special report of the necessity for the delay shall be made by his commanding officer in the manner prescribed by regulations, and a similar report shall be forwarded every five days thereafter until charges are served or until such person is released from custody; and if the person remains in military custody for more than 30 days without being brought before a court-martial for trial, the authority responsible for bringing him to trial shall render to superior authority a special report of the necessity for the delay. Any officer whose duty it is to make such investigation or to take such steps or to render such report who willfully or negligently fails to do so promptly, and any officer who is responsible for unreasonable or unnecessary delay in carrying the case to a final conclusion, shall be punished as a court-martial may direct: *Provided*, That in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

"ART. 73. Refusal to receive and keep prisoners.—No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

"ART. 74. Report of prisoners received.—Every commander of a guard to whose charge a prisoner is committed shall, within 24 hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report he shall be punished as a court-martial may direct.

"ART. 75. Releasing prisoner without proper authority.—Any person subject to military law who, without proper authority, releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

"ART. 76. Delivery of offenders to civil authorities.—When any person subject to military law, except one who is held by the military authorities to answer for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

"E. WAR OFFENSES.

"ART. 77. Misbehavior before the enemy.—Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons or delivers up any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

"ART. 78. Subordinates compelling commander to surrender.—If any commander of any garrison, fort, post, camp, guard, or other command is compelled by the officers or soldiers under his command, to give it up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death or such other punishment as a court-martial may direct.

"ART. 79. Improper use of countersign.—Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-marial may direct.

"ART. 80. Forcing a safeguard.—Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

"ART. 81. Captured property to be secured for public service.—All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

"ART. 82. Dealing in captured or abandoned property.—Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall on conviction thereof be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 83. Introducing goods into enemy territory.—Any person who takes or causes to be taken into enemy territory, or to any other point to be thence taken into enemy territory; or

"Who transports or sells or otherwise disposes of therein any goods, wares, or merchandise whatsoever, except in pursuance of license and authority of the President as by law provided; or

"Who makes any false statement or representation upon which such license or authority is granted for such transportation, sale, or other disposition; or

"Who under any license or authority willfully or knowingly transports, sells, or otherwise disposes of any other goods, wares, or merchandise than such as are in good faith so licensed and authorized; or

"Who willfully or knowingly transports, sells, or disposes of the same or any portion thereof in violation of the terms of such license or authority, or in violation of any rule or regulation prescribed concerning the same; or

"Who keeps false accounts or makes false returns respectiug operations under such license or authority,

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 84. Relieving, corresponding with, or aiding the enemy.—Whoever relieves the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial or military commission may direct.

"ART. 85. Spies.—Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States or elsewhere shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

"F. MISCELLANEOUS CRIMES AND OFFENSES.

"ART. 86. Military property—Willful or negligent loss, damage, or wrongful disposition of.—Any person subject to military law, who willfully or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

"ART. 87. Waste or unlawful disposition of military property issued to soldiers.—Any soldier who sells or wrongfully disposes of or willfully or through neglect injuries or loses his horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service shall be punished as a court-martial may direct.

"ART. 88. Drunk on duty.—Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

"ART. 89. Misbehavior of sentinel.—Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace he shall suffer any punishment, except death, that a court-martial may direct.

"ART. 90. Personal interest in sale of provisions: Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessaries of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 91. Intimidation of persons bringing provisions: Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessaries to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

"ART. 92. Good order to be maintained and wrongs redressed: All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot, shall be punished as a court-martial may direct. And any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, shall be dismissed from the service, or otherwise punished as a court-martial may direct.

"ART. 93. Provoking speeches or gestures: No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

"ART. 94. Duelling—Attempts to commit suicide: Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who having knowledge of a challenge sent or about to be sent, fails to report the fact promptly to the proper authority, or who attempts to commit suicide, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct, and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

"ART. 95. Murder—Rape: Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

"ART. 96. Various crimes: Any person subject to military law who commits manslaughter, mayhem, arson, burglary, robbery, larceny, embezzlement, perjury, assault with intent to commit any felony, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 97. Frauds against the Government: Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

"Who for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper, knowing the same to contain any false or fraudulent statement; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes, or procures, or advises the making of, any oath to any fact or to any writing or other paper, knowing such oath to be false; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting, of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

"Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

"ART. 98. Conduct unbecoming an officer and gentleman.—Any officer or cadet who is convicted of conduct unbecoming an officer and gentleman shall be dismissed from the service.

"ART. 99. General article.—Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense and punished at the discretion of such court.

"IV. COURTS OF INQUIRY.

"ART. 100. When and by whom ordered.—A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired of.

"ART. 101. Composition.—A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

"ART. 102. Challenges.—Members of a court of inquiry may be challenged by the party whose conduct is being inquired into and by the recorder, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time.

"ART. 103. Oath of members and recorder.—The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. So help you God.' After which the president of the court shall administer to the recorded the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 104. Powers; procedure.—A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

"ART. 105. Opinion on merits of case.—A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so

"ART. 106. Record of proceedings—How authenticated.—Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signatures of the president and the recorder thereof, and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

"V. MISCELLANEOUS PROVISIONS.

"ART. 107. Disciplinary powers of commanding officers.—Under such regulations as the President may prescribe, and which he may from time to time revoke, alter, or add to, the commanding officer of any detachment, company, or higher command may, for minor offenses not denied by the accused, impose disciplinary punishments upon soldiers of his command without the intervention of a court-martial. The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges, extra fatigue, and restriction to certain specified limits, but shall not include forfeiture of pay or confinement under guard. A soldier punished under authority of this article who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment. No soldier shall suffer a disciplinary punishment a second time for the same act or omission. The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"ART. 108. Injuries to persons or property—Redress of.—Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed equally upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted.

"ART. 109. Arrest of deserters by civil officials.—It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

"ART. 110. Soldiers to make good time lost.—Every soldier who deserts the service of the United States, or who without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or who through the intemperate use of drugs or alcoholic liquor, or through disease the result of his own misconduct, renders himself unable for more than one day to perform duty shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of his enlistment.

"ART. 111. Soldiers—Separation from service.—No soldier shall be discharged from the service of the United States without a certificate of discharge in writing signed by an officer having authority, under regulations prescribed by the President, to sign such certificate of discharge; and no certificate of discharge shall be issued to any soldier before the completion of his term of service, except pursuant to the sentence of a general court-martial or by order of the President, of the Secretary of War, or of an officer having authority under regulations prescribed by the President to issue such orders: *Provided*, That no soldier shall, before the completion of his term of service, be discharged by order of the President, of the Secretary of War, or of any officer, unless such discharge be ordered in the interest of the United States or in pursuance of statutes now in force or which may hereafter be enacted.

"ART. 112. Oath of enlistment.—At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, , do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.' This oath or affirmation may be taken before any officer.

"ART. 113. Certain articles to be read and explained.—Articles 1, 2, and 30, 56 to 99, inclusive, and 107 to 112, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once in every six months to every garrison, regiment, or company in the service of the United States.

"ART. 114. Copy of record of trial.—Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of trial.

"ART. 115. Effects of deceased persons—Disposition of.—In case of the death of any person subject to military law, the commanding officer of the place or command will permit the legal representative or widow or next of kin of the deceased, if present, to take possession of all his effects then in camp or quarters; and if no legal representative or widow or next of kin be present, the commanding officer shall direct a summary court to secure all such effects; and said summary court shall have authority to convert such effects into cash, by public or private sale, to collect and receive any debts due decedent's estate by local debtors, and to pay all necessary expenses and debts due from the estate to local creditors; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be

designated in regulations, any balance in cash belonging to decedent's estate, and shall transmit a receipt for such deposit, accompanied by any will or other papers of value belonging to the deceased, an inventory of the effects secured by said summary court, and a full account of his transactions to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of the accounts of deceased officers or enlisted men of the Army; but if in the meantime the legal representative, widow, or next of kin shall present himself to take possession of decedent's estate the said summary court shall turn over to him all effects not sold and any balance in cash belonging to said estate, together with an inventory and account, and make to the War Department a full report of his transactions.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

"ART. 116. Inquests.—Whenever at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his finding as to the cause of the death.

"ART. 117. Authority to administer oaths.—Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the judge advocate or any assistant judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command, shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration.

"ART. 118. Appointment of reporters and interpreters.—Under such regulations as the Secretary of War may from time to time prescribe, the judge advocate of a court-martial or military commission, or the recorder of a court of inquiry, shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission, and may set down the same, in the first instance, in shorthand. Under like regulations the judge advocate of a court-martial or military commission, or the recorder of a court of inquiry, may appoint an interpreter who shall interpret for the court or commission.

"ART. 119. Powers of assistant judge advocates.—An assistant judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the judge advocate of the court.

"ART. 120. Removal of civil suits.—When any civil suit is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States, on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit may at any time before the trial or final hearings thereof be removed for trial into the district court of the United States in the district where the same is pending, in the manner prescribed in section 33 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

"ART. 121. Officers—Separation from service.—No officer shall be discharged or dismissed from the service except by order of the President or by sentence of a general court-martial, and in time of peace no officer shall be dismissed except in pursuance of the sentence of a court-martial or in mitigation thereof, nor discharged except in pursuance of statutes now in force or which may hereafter be enacted, but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

"ART. 122. Rank and precedence among Regulars, militia, and Volunteers.—Officers of the same grade shall rank and have precedence in the following order, without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of the Organized Militia in the service of the United States; and third, officers of the Volunteer forces: *Provided*, That officers of the Regular Army holding commissions in the Organized Militia in the service of the United States or in the Volunteer forces shall rank and have precedence under said commissions as if they were commissions in the Regular Army, but the rank of officers of the Regular Army under their commissions in the Organized Militia shall not, for the purpose of this article, be held to antedate muster into the service of the United States: *And provided further*, That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of any organization thereof, the President may assign the command of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade.

"ART. 123. Command when different corps or commands happen to join.—When different corps or commands of the military forces of the United States happen to join or do duty together the officer highest in rank of the line of the Regular Army, Marine Corps, Organized Militia, or Volunteers there on duty shall, subject to the provisions of the preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President."

Mr. WEEKS. Mr. President, I should like to ask the Senator from Oregon if this matter which has been gone over so rapidly is really the Articles of War of the Army and the same provisions which have already been acted on by the Senate?

Mr. CHAMBERLAIN. Exactly the same, I will say to the Senator.

Mr. SMOOT. Word for word.

Mr. WEEKS. I suppose there has been a board of officers revising the Articles of War.

Mr. CHAMBERLAIN. No; Mr. President, I will say to the Senator that a revision of the Articles of War has been insisted upon by nearly every Judge Advocate General of the Army since 1883 and by others high in military circles.

The revision of the Military Code which is here presented was originally transmitted to the respective chairmen of the Military Committees of the Senate and House of Representatives in April of 1912 by the then Secretary of War. The revision was accompanied by a full exposition of all the changes proposed and a statement also of the necessity for the revision. The measure proposed was promptly introduced in both Senate and House and referred to their respective committees on military affairs. Extensive hearings were held by the House Military Committee during May, 1912, and several amendments were suggested by members of that committee during the progress of the hearings, but Congress adjourned without further action.

In January of 1913 the Secretary of War called to Washington all the general officers of the line for a conference on matters of Army organization. He appointed them a board to consider the revision of the Articles of War. That board reported to him, expressing the opinion that the revision which had been proposed to Congress represented a much-needed improvement, and that its enactment would promote the prompt and efficient administration of military justice. Conditions remained adverse, however, to the consideration of the revision as a whole, but the Senate Military Committee, in February of 1913, in response to this urgent letter of the general officers of the line, reported a bill incorporating 10 of the articles of the proposed revision relating to the constitution, composition, and jurisdiction of courts-martial. This bill was promptly passed by the Senate with some amendments, and was subsequently incorporated in the Army appropriation bill, then pending, and enacted into law as a part of that appropriation bill March 2, 1913. Further than this the revision did not receive attention of either House of Congress during the Sixty-second Congress.

Upon the convening of the Sixty-third Congress the then chairman of the Senate Military Committee, the late Senator Johnston, requesting the Secretary of War to transmit to him a new draft of the revision, incorporating the amendments suggested during the House Military Committee's hearing. The Secretary of War complied with this on April 14, 1913, and on the following day Senator Johnston introduced the revision as Senate bill 1032. It was referred to the Senate Committee on Military Affairs and a subcommittee was appointed to consider the revision. I had the honor to be a member of that subcommittee, and we worked assiduously on the articles in conjunction with the Secretary of War, Lindley M. Garrison, the Chief of Staff, and the Judge Advocate General. The bill was reported out of the full committee favorably and passed the Senate on February 9, 1914. The bill here presented to the Senate is identical with the bill which the Senate has already passed, except as to minor changes necessary to conform it to the more recently enacted volunteer law and to correct certain typographical errors appearing in the original Senate draft.

The necessity for revision is beyond any question. Our Military Code, as a code, has not been revised by Congress, except by piecemeal legislation, since 1806. Eighty-seven of the articles of the code of 1806 survive in the present code of 128 articles without change and many others without substantial change. It goes almost without saying that a criminal code which has not undergone comprehensive revision for more than a century needs the attention of Congress.

The necessity for revision was felt as early as 1818, when Gen. Scott brought the matter to the attention of the then Secretary of War, Mr. Calhoun. Standard military law writers, including O'Brien, writing in 1845, and Winthrop, in 1886 and again in 1896, have recommended extensive revision. In 1888 Secretary of War Endicott convened a board of five officers to consider the general subject of revision of the articles of war, and that board submitted a complete revision. It is true, also, that many officers participating in or responsible for the administration of military justice have repeatedly urged the necessity for revision.

Mr. WEEKS. I understand that this is a unanimous report?

Mr. CHAMBERLAIN. Yes, sir.

Mr. ROOT. Mr. President, I will say to the Senator from Oregon, the chairman of the committee, and the Senator from Massachusetts that this is a very well-considered and much-needed revision of the artices of war.

Mr. WEEKS. I am simply asking for information. It was gone over so rapidly that I have not had time to examine it, and I wanted to know the process which was used in arriving at the conclusions.

Mr. ROOT. It has been very maturely considered, and is a revision for which there has long been need.

Mr. LODGE. It has passed the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. In that connection I desire to have printed in the RECORD the statements of the different judge advocates general since 1883 in advocacy of this very amendment.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The matter referred to is as follows:

RECOMMENDATIONS AS TO THE REVISION OF THE RULES AND ARTICLES OF WAR.

Maj. Goodfellow (1883), judge advocate:

"My observation here (judge advocate, department of the Missouri) has confirmed the impression I have received from an experience of some 18 years as a staff judge advocate, after several years' previous service in the line, that the Articles of War need revision and simplification, so as to eliminate much that is obsolete and surplus in their provisions. * * * It seems to me that the enumeration of offenses might be comprehended in two categories, one of capital offenses and one of those less than capital offenses."

Capt. Claus (1883), later Judge Advocate General:

"The rules and Articles of War, in so far as they relate to criminal procedure; the definition of, and punishment for crimes, have not been materially altered since their original enactment in 1776. The defects and omissions found in them have been pointed out, and their revision urged by abler pens than mine, and I simply desire, by my reference to this subject, to add my humble recommendation for reform in this respect."

Maj. Goodfellow (1884), judge advocate:

"I would renew my recommendation, that an effort should be made by the Judge Advocate General's Department to have a revision of the Articles of War, or rather the enactment of a brief code of military penalties in place of that now contained in the present articles. Together with much that is obsolete, the present Articles of War contain much that relates to the military administration generally rather than to crimes and penalties or to regulation of courts-martial. It would be a great convenience if a short code embracing only these matters could be enacted."

Capt. Baldwin (1885), acting judge advocate:

"During the last year there have been developed examples and cases which, to the most casual observer, warrant the oft-repeated recommendation that our entire system and form of administering military justice should undergo a thorough revision."

Maj. Goodfellow (1885), judge advocate:

"The present Articles of War were enacted, in most part, nearly 80 years ago, and it would seem highly desirable that the military criminal code embraced in them should be revised, simplified, and consolidated. Some of the provisions are almost as antiquated as the provision of section 1628, Revised Statutes, in the chapter relating to the militia, requiring that every citizen, after enrollment, shall be constantly provided with two spare flints for his firelock."

Capt. Ballance (1885), Acting Judge Advocate General:

"There are many inconveniences and defects in the laws and regulations governing courts-martial, among which may be mentioned that the present Articles of War might be improved very materially both in diction and arrangement; obsolete portions left out; the parts treating of crimes and penalties, criminal procedure, and mere administrative regulations should, for convenience, be arranged under appropriate headings and articles."

Judge Advocate General Lieber (1885):

"The Articles of War may be divided into three general classes—the first, the penal code, consisting of 54 articles; the second, those of the remaining 74, which are primarily regulations like the eleventh article, which class should be entirely eliminated; and third, those relating to the Constitution and proceedings of courts-martial or, generally, to the administration of justice through the medium of these courts. This latter class are not properly articles of war, or at least form no part of the penal code, and should be grouped separately. By this process the military penal code would be made to stand by itself, and would become easy to grasp and handle. But the Articles of War seem to me to require revision in a more important particular. It has from time to time been deemed necessary to engraft new principles upon them, and I believe it would be well were this carried out somewhat further. As it is not the object in this place to discuss the subject, I shall refer to but four or five points in illustration. (Then follow specific recommendations.)

"But, without going further into this matter, I feel sure that I am not expressing my opinion alone when I say that the whole subject of the revision of the Articles of War is of sufficient importance to justify the appointment of a board of officers for its consideration."

Judge Advocate General Lieber (1886):

"In my last annual report I took occasion to invite attention to a subject which seems to me particularly to demand it. I refer to the revision of the Articles of War. I still remain of the opinion that their revision is very desirable, and therefore would again ask that the matter may be considered. I take the liberty of extracting from the report of 1885 so much as relates to this subject." (Then follows an extract in full of all that was said on the subject in the report of 1885, including general remarks and specific recommendations.)

Gen. Lieber then adds:

"These particular points were dwelt upon simply as illustrations of a general proposition. To go further (in these specific recommendations) would, perhaps, too nearly have approached the appearance of an effort on the part of this office to submit a revision of its own.

"There are those—although I believe comparatively few—who doubt the advisability of undertaking such a work, fearing perhaps that there may be some danger lurking in it or believing that what has sufficed our wants until now would continue to do so. Yet it is certainly true that no code of laws can be devised suited to all the changing circumstances of a growing nation. The code to which we so tenaciously cling is of English origin and intended to be adapted to English wants and institutions, which in important respects differ from our own. There certainly can be no reason for adhering to a collection of words on the ground of antiquity alone. The English themselves have not done so, having, on the contrary, from time to time engrafted new principles upon their code, thus giving it a new life and satisfying the needs of to-day much better than our own. We have, it is true, made some important additions to our code, but it is very far from being free from faults and beyond improvement.

"The revision of the Articles of War is not, however, a work which can be accomplished in a day, and in the meantime the administration of military justice is apt to be obstructed for want of legislation. To some of the subjects upon which legislation is desirable I have already referred. I shall briefly invite attention to a few more, touching also upon some of the particulars wherein the English military code seems to be in advance of our own."

Secretary of War Endicott (1886):

"I am of the opinion that many of the articles should be changed, and I hope to present to Congress at an early day such changes as may be considered necessary for the present needs of the service. Our present code is of English origin, and we have adhered to it, although the English have made great and essential changes in its provisions."

Judge Advocate General Lieber (1887):

"In the last two annual reports from this office attention was invited to the necessity of revising the Articles of War, so that obsolete and useless matter might be eliminated, the articles be confined to what would properly be a military penal code, a gradation of punishment be adopted, etc. Thoroughly convinced, as I am, of the desirability of such a revision, I take the liberty, at the risk of being considered importunate, to again invite attention to the subject; and I accordingly repeat what I took occasion to say in my last annual report." (Here follows a complete extract of all that was said in the way of general and specific recommendations in the report of 1886, which, it will be remembered, included all that had been said on these subjects in the report of 1885.)

Secretary of War Endicott (1887):

"I would also renew the recommendation * * * for revision of the Articles of War, which have remained substantially unaltered, while in England and elsewhere military codes have been modified in accordance with requirements of modern times. I hope to submit for the consideration of the proper committee of Congress some drafts of enactments dealing with these amendments of the law."

Capt. Ballance, acting judge advocate (1888):

"The necessity of revising the Articles of War is so universally admitted, and attention has been so frequently called to it, that it would seem temerity to again call attention to it."

Col. Barr, judge advocate, later Judge Advocate General (1888):

"The varied questions referred to this office make plain the necessity for legislation upon several vitally interesting subjects. The Articles of War are, in some of their most essential features, vague and indeterminate in their phraseology, while some of them can have no application to our service, having reference solely to the system of administration practiced in the British service from which they were derived. The surplusage of these latter does no harm, but great injury is wrought by the obscurity of the former. The most pressing need of the service is, in my judgment, the adoption of a new code simplifying and making plain all of the present articles essential in their provisions for the government of the Army, and specifying the penalties to be adjudged for clearly defined offenses."

Capt. Ballance, acting judge advocate (1889):

"The necessity for revising the Articles of War has been apparent for years and should be done speedily."

Capt. Bailey, acting judge advocate (1889):

"Many of the Articles of War are mere regulations, having no bearing upon the administration of military justice, and should be eliminated from the code."

Col. Curtis, judge advocate (1889):

"Not a few of our Articles of War need careful revision, for many of them are behind the times."

Adjt. Gen. Kelton (1889):

"One of the most urgent needs of the military service is a revision of the Articles of War that will provide a well-defined penal code (in full accord with modern ideas of justice) for the guidance and government of both courts-martial and commanding officers.

"The present Articles of War are a military anachronism to-day. They, as well as much of what are known as the 'customs of war in like cases' and 'the customs of the service' (the unwritten law of the Army), date back to that time when severe methods were by military men considered absolutely necessary to maintain the kind of discipline they thought the only one to be adapted for the government of bodies of armed men. It seems now desirable to abandon many of the customs of war and of the service handed down to us and adopt those growing out of our own military life and experience.

"The necessity for a revision of the whole military code has long since been presented and several times attempted, but without any results whatever in bringing it in full harmony with modern military sentiments and conditions struggling to find expression and existence in the Army and with the humane laws and enlightened condition of the country. It will be a welcome day for Army administration when the phrase 'customs of war in like cases' is expunged from the oaths of Army courts and judge advocates during times of peace, for surely we should be able in this country to administer military law according to the eternal principles of justice without invoking the aid of the cruel and arbitrary 'customs of war.' Under these 'customs' our military courts habitually impose upon offenders a fine of from $5 to $10 when justice would be satisfied with one ranging from 50 cents to $2. * * * There is far more necessity for limiting by law the power of military courts in peace than that of the judges of our civil courts."

Secretary of War Proctor (1889):

"I recommend the revision of the Articles of War, and that provision be made for the punishment of certain minor offenses, under well-defined restrictions, without the intervention of a court-martial and oftentimes long precedent confinement in a guardhouse."

Capt. Carbaugh, judge advocate (1892):

"In making any remarks or recommendations concerning the administration of military justice one may say that existing practice is not materially defective or ineffectual, though it is quite evident that it does not always conform to existing statutes. This condition is doubtless due to the fact that this administration is being had under 'piecemeal' legislation—made up of Articles of War and isolated statutes relating to subjects included in the articles, a combination which, from a judicial standpoint, appears to be a very imperfect code. A systematic codification of these laws so as to exclude all that is obsolete and contradictory and to include accurate definitions of the powers, obligations, and prohibitions, not only as to individuals but especially as to courts in the military establishment, seems to be necessary."

Capt. Carbaugh, judge advocate (1893):

"The time has come, I believe, for a new codification and reenactment of the Articles of War, whereby, without the use of experimental legislation, military methods in trials and sentence could be improved."

The next amendment was, on page 126, after line 15, to insert as a new section the following:

SEC. 3. That chapter 6, Title XIV, of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"1. The United States Military Prison, Fort Leavenworth, Kans., shall hereafter be known as the United States Military Detention Barracks.

"2. Persons sentenced to confinement upon conviction by courts-martial or other military tribunals of crimes or offenses which, under some statute of the United States or under some law of the State, Territory, District, or other jurisdiction in which the crime or offense may be committed, are punishable by confinement in a penitentiary, including persons sentenced to confinement upon conviction by courts-martial or other military tribuals of two or more acts or omissions, any one of which, under the statute or other law hereinbefore mentioned, constitutes or includes a crime or offense punishable by confinement in a penitentiary, may be confined at hard labor, during the entire period of confinement so adjudged, in any United States, State, Territorial, or District penitentiary, or in any other penitentiary directly or indirectly under the jurisdiction of the United States; and all persons sentenced to confinement upon conviction by courts-martial or other military tribunals who are not confined in a penitentiary may be confined and detained in the United States Military Detention Barracks.

"3. The government and control of the United States Military Detention Barracks and of all offenders sent thereto for confinement and detention therein shall be vested in the Secretary of War, who shall from time to time make such regulations respecting the same as may be deemed necessary, and who shall submit annually to Congress a full statement of the financial and other affairs of said institution for the preceding fiscal year.

"4. The officers of the United States Military Detention Barracks shall consist of a commandant and such subordinate officers as may be necessary, who shall be detailed by the Secretary of War from the commissioned officers of the Army at large. In addition to detailing for duty at said detention barracks such number of enlisted men of the staff corps and departments as he may deem necessary, the Secretary of War shall assign a sufficient number of enlisted men of the line of the Army for duty as guards at said detention barracks and as noncommissioned officers of the disciplinary organizations hereinafter authorized. Said guards, and also the enlisted men assigned for duty as noncommissioned officers of disciplinary organizations, shall be detached from the line of the Army, or enlisted for the purpose; and said guards shall be organized as infantry, with noncommissioned officers, musicians, artificers, and cooks of the number and grades allowed by law for infantry organizations of like strength: *Provided*, That at least one of said guards shall have the rank, pay, and allowances of a battalion sergeant major.

"5. The commandant of the United States Military Detention Barracks shall have command thereof and charge and custody of all offenders sent thereto for confinement and detention therein; shall govern such offenders and cause them to be employed at such labor and in such trades and to perform such duties as may be deemed best for their health and reformation and with a view to their honorable restoration to duty or their reenlistment as hereinafter authorized; shall cause note to be taken and a record to be made of the conduct of such offenders; and may shorten the daily time of hard labor of those who by their obedience, honesty, industry, and general good conduct earn such favors—all under such regulations as the Secretary of War may from time to time prescribe.

"6. The Secretary of War shall provide for placing under military training those offenders sent to the United States Military Detention Barracks for confinement and detention therein whose record and conduct are such as to warrant the belief that upon the completion of a course of military training they may be worthy of an honorable restoration to duty or of being permitted to reenlist; may provide for the organization of offenders so placed under military training into disciplinary companies and higher units, organized as Infantry, with noncommissioned officers, except color sergeants, selected or appointed from the enlisted men assigned to duty for that purpose pursuant to the provisions of paragraph 4 hereof; and may provide for uniforming, arming, and equipping such organizations.

"7. Whenever he shall deem such action merited the Secretary of War may remit the unexecuted portions of the sentences of offenders sent to the United States Military Detention Barracks for confinement and detention therein, and in addition to such remission may grant those who have not been discharged from the Army an honorable restoration to duty, and may authorize the reenlistment of those who have been discharged or upon their written application to that end order their restoration to the Army to complete their respective terms of enlistment, and such application and order of restoration shall be effective to revive the enlistment contract for a period equal to the one not served under said contract.

"8. The Secretary of War may, from time to time, designate any building or structure or any part thereof under the control of the Secretary of War and pertaining to the military establishment as a branch military detention barracks for the confinement and detention of offenders whom it is impracticable to send to the United States Military Detention Barracks at Fort Leavenworth, Kans.; and all branch military detention barracks and all offenders sent thereto for confinement and detention therein shall be subject to the laws respecting the United States Military Detention Barracks at Fort Leavenworth, Kans., and the offenders sent thereto for confinement and detention therein."

The amendment was agreed to.

The next amendment was, on page 130, after line 20, to insert as a new section the following:

SEC. 4. That hereafter the provisions of section 26 of the act of February 2, 1901, as modified for the Ordnance Department by section 2 of the act of June 25, 1906, and by the act of March 3, 1909, shall be held to include the Judge Advocate General's Department: *Provided*, That the board of officers which is to recommend officers for detail in the Judge Advocate General's Department shall be composed of officers of that department: *And provided further*, That acting judge advocates may be detailed for tactical brigades, and when not immediately required for service with geographical departments or tactical divisions or brigades, acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require.

The amendment was agreed to.

The next amendment was, on page 131, after line 10, to insert as a new section the following:

SEC. 5. That the following sections of the Revised Statutes and the following acts and parts of acts are hereby repealed:

(a) Sections 1202, 1203, and 1326 of the Revised Statutes.

(b) That part of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1878, and for other purposes," approved March 3, 1877, which reads as follows:

"*Provided, however*, That hereafter the records of regimental, garrison, and field officers and courts-martial shall, after having been acted upon, be retained and filed in the judge advocate's office at the headquarters of the department commander in whose department the courts were held for two years, at the end of which time they may be destroyed."

(c) Section 3 of an act entitled "An act to amend the Articles of War, and for other purposes," approved July 27, 1892.

(d) Sections 1 and 4 of an act entitled "An act to amend an act entitled 'An act to promote the administration of justice in the Army,' approved October 1, 1890, and for other purposes," approved June 18, 1898.

(e) Section 1 of an act entitled "An act to prevent the failure of military justice, and for other purposes," approved March 2, 1901; and

(f) Section 8 of an act entitled "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903, as amended by section 6 of an act entitled "An act to further amend the act entitled 'An act to promote the efficiency of the militia, and for other purposes,' approved January 21, 1903," approved May 27, 1908.

Also all other sections and parts of sections of the Revised Statutes and acts and parts of acts in so far as they are inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The next amendment was, on page 133, after line 2, to insert as a new section the following:

SEC. 6. That all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the taking effect of this act, under any law embraced in or modified, changed, or repealed by this act, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this act had not been passed.

The amendment was agreed to.

The next amendment was, on page 133, after line 8, to insert as a new section the following:

SEC. 7. That sections 3 and 4 of this act shall take effect at once; and sections 2, 5, and 6 shall take effect January 1, 1916.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. CHAMBERLAIN. There are a number of small amendments I desire to offer, which I do not think will involve any question. I send to the desk an amendment, which I ask to have read.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 12, after the committee amendment in lines 11 to 25, already agreed to, it is proposed to insert:

Provided further, That the President of the United States be, and he is hereby, authorized to detail officers of the Army, active or retired, for duty with the Panama-Pacific International Exposition.

Mr. SMOOT. Mr. President, nothing is said there as to whether or not they shall be paid extra compensation. I think it ought to be provided in the amendment that no extra compensation shall be paid to any officer so detailed.

Mr. CHAMBERLAIN. I have no objection to that, though they could not be paid extra compensation unless provision were made for it.

The VICE PRESIDENT. The Secretary will state the amendment as modified.

The SECRETARY. It is proposed to add to the amendment as read the words "without extra compensation."

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. I simply wish to ask the chairman of the committee, in case a retired Army officer was detailed to this active duty, whether he ought not to get better pay than when retired.

Mr. CHAMBERLAIN. I think the law now is that where he is detailed for active duty he gets the regular compensation.

Mr. SMOOT. Up to the pay of a major.

Mr. BRANDEGEE. But would not this amendment cut that off?

Mr. SMOOT. It is regulated, then, by the law.

Mr. CHAMBERLAIN. That is regulated by the statute as it exists.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 13, line 13, after the words "Revised Statutes," I move to insert a comma.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, line 13, after the words "Revised Statutes," it is proposed to insert a comma.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 16 there is an amendment which is rendered necessary by the action of the Senate in striking out the provision in reference to clerks, and I desire to ask that the amendments which I send to the desk may be adopted.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 16, line 6, it is proposed to strike out "$2,000" and insert "$2,250."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. After line 7, it is proposed to insert:

Two chiefs of division, office of the Chief of Staff, at $2,000 each per annum; one principal clerk, office of the Chief of Staff, at $2,000 per annum.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. In line 8, it is proposed to strike out "15 clerks" and insert "12 clerks."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. Following line 17, it is proposed to insert "one chief messenger, office of the Chief of Staff, at $1,000 per annum."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. In line 18, it is proposed to strike out "two messengers" and insert "one messenger."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. In line 23, it is proposed to strike out "one laborer, at $480 per annum."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BRANDEGEE. In line 18, the word "each" should be stricken out also. There is only one messenger.

The VICE PRESIDENT. That will be done, without objection.

Mr. CHAMBERLAIN. On page 23, lines 4 and 5, I move to transpose the words "during illness" so as to come after the word "care" in line 6. I will send up the amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 23, lines 4 and 5, it is proposed to transpose the words "during illness" so as to come after the word "care," in line 6, so that, if amended, it will read:

And medical care during illness.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. Now I should like to ask the Senate to reconsider the vote by which the amendment on page 23, beginning at line 24, and ending on the next page on line 14, was adopted, in order to make one change in the provision.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered.

Mr. CHAMBERLAIN. Now I move to strike out of the amendment as adopted the words, in line 3, page 24, "under 60 years of age."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 24, line 3, it is proposed to strike out the words "under 60 years of age," so that, if amended, it will read:

Provided, That the President be, and he is hereby, authorized within two years of the approval of this act, by and with the advice and consent of the Senate, to transfer to the active list of the Army all officers who may have been transferred heretofore for physical disability.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. On page 25, line 18, I move to strike out the words "nurses (female)" and insert the words "members of the Nurse Corps."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 18, it is proposed to strike out the words "nurses (female)" and insert the words "members of the Nurse Corps."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 25, line 23, after the word "veterinarians" and the comma, I move to insert the words "members of the Nurse Corps."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 23, after the word "veterinarians" and the comma, it is proposed to insert "members of the Nurse Corps."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 25, line 25, I move to strike out the words "nurses (female) and."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 25, it is proposed to strike out the words "nurses (female) and."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 26, line 2, I move to strike out the words "nurses and."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 26, line 2, it is proposed to strike out the words "nurses and."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 26, line 8, of the committee amendment, I move to insert, after the word "veterinarians" and the comma, the words "members of the Nurse Corps."

The VICE PRESIDENT. That went out on a point of order.

Mr. CHAMBERLAIN. That went out; yes. Of course it all went out, then.

Mr. President, this might be treated as new legislation; but I should like to insert in lieu of the amendment which was stricken out because it was new legislation, having reference to commutation of quarters, and so forth, the following:

Provided further, That hereafter heat and light for the authorized allowance of quarters of commissioned officers, acting dental surgeons, veterinarians, pay clerks, members of the Nurse Corps, and enlisted men, when on duty where there are no public quarters available, if commuted, will be commuted at the following rates.

Then it sets out a table of rates to be charged.

Mr. SMOOT. Mr. President, I make the same point of order against that amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. CHAMBERLAIN. On page 26, line 16, after the word "this," I move to insert "or any other."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 26, line 16, after the word "this" and before the word "act," it is proposed to insert "or any other."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. On page 61, line 23, after the word "concerned" and the comma, I move to insert:

Provided further, That hereafter sections 1222 and 1224, Revised Statutes, shall not apply to officers of the Medical Corps of the Army who shall, with the approval of the President, be detailed or authorized to render professional services for or under the local governments of the insular possessions of the United States.

The VICE PRESIDENT. The amendment will be stated.

The Secretary read the amendment.

Mr. CHAMBERLAIN. That was prepared at the request of Gen. Gorgas as essential to a proper disposition of the service.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I am going to offer an amendment in behalf of the only Army officer in the active service who served during the Civil War. It is for his promotion. He has been passed over time after time and others have been promoted over his head. He retires in a few months, and this is to give him the title of brigadier general. It is the case of Col. Clem.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 72, after line 20, insert:

That any officer now on the active list of the Army who served not less than 100 days in the Regular or Volunteer forces of the United States during the Civil War and prior to April 9, 1865, who was honorably discharged therefrom, and who shall since have served not less than 40 years as a commissioned officer of the Regular Army, shall, at his own request, be placed on the retired list of the Army, with the rank of major general.

Mr. ROOT. Mr. President, I look with great dissatisfaction upon an amendment of this character. I dislike to see our laws loaded up with provisions containing descriptions of this kind.

Mr. CHAMBERLAIN. Mr. President, I will not be insistent about it, but I have felt ever since I have been upon the Committee on Military Affairs that the service of this gallant little officer should be recognized in this way. I believe he is the only man who served during the Civil War who is now on the active list, and I have felt time and again that not only President Taft, but our own distinguished Executive, ought to have promoted him. Yet they have taken up somebody below him every time and put him at the head of the list. He will be compelled to retire on account of age before the next Congress convenes, and this will simply give him that honor before he dies.

Mr. ROOT. I will not make a point of order on it, Mr. President, but I want to vote against it.

Mr. SMITH of Georgia. So do I.

Mr. ROOT. I think it is wrong.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. LODGE. I desire to offer an amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert the following:

Hereafter, for six years from July 1, A. D. 1916, whenever any cadet shall have finished three years of his course at the United States Military Academy, his successor may be admitted to the academy.

Mr. LODGE. The amendment proposes to extend the present law six years longer.

Mr. CHAMBERLAIN. I will say to the Senator that I have no objection to the amendment; I approve it; but my secretary informs me that it is in the Military Academy appropriation bill, which has just passed the other House.

Mr. LODGE. If it is in the Military Academy appropriation bill, I will withdraw it.

Mr. WILLIAMS. Mr. President, I wish to move an amendment, to come in on page 71, after line 9, which I send to the desk. It was introduced some days ago as an amendment to this bill. I ask the attention of the chairman of the committee to it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 71, after line 9, insert:

That the President is hereby authorized, by and with the advice and consent of the Senate, to appoint to the grade of brigadier general on the retired list one lieutenant colonel, who has served continuously for 30 years, with credit and distinction, as a commissioned officer in the Regular Army, and who also served four years in the Confederate Army, with credit and distinction, and is now the only officer on the rolls of the United States Army who had such Confederate service, said lieutenant colonel being recommended by the Secretary of War for said advancement and commended in the highest terms by distinguished general officers under whom he served at various times, in Indian campaigns, in the War with Spain, and at numerous garrison stations, during his years of active duty, and this course with regard to said lieutenant colonel having received the approval of the Senate in a bill passed by the Senate (S. 784) on the 15th of August last without a dissenting voice.

Mr. WILLIAMS. Mr. President, in explanation of the amendment I wish to make this statement: The Senate on August 11 passed a bill placing Lieut. Col. Junius L. Powell on the retired list with the rank of brigadier general. He served for four years in the Confederate service with honor and he served for 30 years after that in the United States Regular Army with distinction and attained the rank of lieutenant colonel. There were very many things in connection with the case that made it one which appealed to the Senate, and it passed unanimously. I have described his service in such a way that it can not possibly touch anyone except him, and the Senate in passing this amendment to the Army appropriation bill would merely repeat its action in passing the bill itself.

Mr. SMOOT. Mr. President, we have just refused by a vote of the Senate to pass such legislation. That being the case, and not desiring a vote, as perhaps there is not a quorum present, I shall feel constrained to make a point of order against the amendment.

Mr. WILLIAMS. There is this distinction between the two cases. The Senate has already passed upon this case and passed upon it favorably and unanimously. It was favorably reported by the Committee on Military Affairs. I am merely attempting to get it on the appropriation bill, so that it will become a law at this session. I am afraid it can not become a law at this session if it has to pass both Houses in a separate bill. I think there is a clear distinction between the two cases.

Mr. SMOOT. There is not any question but that it is general legislation on an appropriation bill, and, having just voted down the other amendment, I feel constrained to make a point of order against it.

The VICE PRESIDENT. The Chair does not see how it can be called general legislation very well.

Mr. ROOT. It is brigadier-general legislation, which is the very worst kind. I think we ought to protect ourselves and our committee against the persistent lobbying that goes on here on the part of retired public servants of various kinds to get privilege and advance and increase of compensation by favor of Members of Congress.

Mr. WILLIAMS. Mr. President, it is seldom that the Senator from New York is facetious in public. Of course he is correct literally in saying it is brigadier-general legislation, or it might be called lieutenant-colonel legislation, the old rank which this man held. But this is the case of a man who served 4 years in one army and then later went into the Federal Army and served 30 years with distinguished mention by the War Department half a dozen times. His case has been passed by this body. It was favorably reported by the Committee on Military Affairs. The legislation was recommended by the War Department. It has everything behind it that deprives it of being a case of special favoritism, as the Senator from New York says. It is a plain case of justice and nothing else.

The VICE PRESIDENT. Is it estimated for?

Mr. WILLIAMS. Not in the general appropriation bill.

The VICE PRESIDENT. The point of order will be sustained on that point.

Mr. HARDWICK. Mr. President, I offer an amendment, to add a new paragraph on page 71, after line 9.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 71, after line 9, insert:

That there is hereby donated to the trustees of the Gordon Institute, located at Barnesville, Ga., 10 condemned cannon, the same being ten 12-pound Napoleon guns now located at the United States Arsenal in Augusta, Ga., and being condemned and not fitted for use by the military forces of the United States; also a suitable outfit of cannon balls; and the Secretary of War is hereby authorized and directed to deliver said 10 Napoleon guns and cannon balls to the trustees of the said Gordon Institute: *Provided*, That no expense shall be incurred or paid by the United States, and that the Secretary of War shall approve of such donation.

Mr. SMOOT. Mr. President, I will say to the Senator from Georgia that we have a regular bill on the calendar granting condemned cannon to different States. Would it not be better for him to allow that amendment to come on the regular bill?

Mr. HARDWICK. Of course, if the Senator cares particularly I will have to do that, but I hope the Senator will not insist on that course for this reason: I am serving an unexpired term here, and I could not get my proposition in the regular bill, and unless I can get it in this bill there will be no chance at all. There is no objection whatever that I know to it.

Mr. SMOOT. There would be no objection to putting it on the regular bill, I will say to the Senator.

Mr. HARDWICK. But I can not get it on that bill now.

Mr. SMOOT. Why so?

Mr. HARDWICK. The regular bill has already been made up.

Mr. SMOOT. No; the regular bill is on the calendar of the Senate.

Mr. HARDWICK. I understand that the regular bill is over in the other House, and I did not have a chance to put it in on that bill. That is the reason why I offer the amendment now.

Mr. SMOOT. I will say to the Senator from Georgia the bill is on the calendar of the Senate now, but I shall not object to the amendment if the chairman of the committee does not.

Mr. JONES. I wish to suggest to the Senator from Georgia that I am afraid he is taking an advantage in this matter. He will be getting 10 of these cannon and we get only 2.

Mr. HARDWICK. Nobody else wants them.

Mr. JONES. Our State wants them, all right.

Mr. FLETCHER. All these cannon are located at the arsenal at Augusta.

Mr. HARDWICK. Nobody else has been applying for them.

The amendment was agreed to.

Mr. WORKS. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After line 20 on page 11 insert:

That the Secretary of War be, and he is hereby, authorized to purchase a suitable tract of land on or near the Bay of San Diego, San Diego County, Cal., for an aviation school and training grounds of the Signal Corps of the United States Army.

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing said tract of land to be used by the Secretary of War, the sum of $200,000, or so much thereof as may be necessary for said purpose, to be available upon such purchase being made.

That there is also appropriated, out of any money in the Treasury not otherwise appropriated, an additional sum of $200,000, or so much thereof as may be necessary for the purpose, for the erection of the

necessary buildings on said tract of land, the same to be expended under the direction of the Secretary of War and to be available when necessary for that purpose.

Mr. WORKS. Mr. President, this matter has been before the Committee on Military Affairs in the form of a bill that was introduced by me and was reported favorably, but it is a matter of urgency. For that reason I am asking to have it included in this bill.

In this connection I should like to have read a letter of the Secretary of War on the subject which will explain the situation.

Mr. SMOOT. Let it be printed without reading.

Mr. WORKS. No; I want to have it read.

The VICE PRESIDENT. The letter will be read.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 18, 1915.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: The department is in receipt of S. 7046, a bill providing for the purchase of lands for an aviation school near San Diego, Cal.

The necessity of a permanent establishment for the aviation section of the Signal Corps is self-evident. The country in the vicinity of San Diego Bay, San Diego, Cal., owing to atmospheric conditions, varied nature of the terrain, and the presence of a large body of water, is better adapted to the establishment of an aviation school than any other part of the United States.

The school is at present located on North Island, where it is a tenant at will through the courtesy of the Coronado Beach Co., and where, owing to the impracticability of obtaining a lease, it has been undesirable to erect any but the most temporary structures.

The department approves this measure and recommends its enactment into law.

Very respectfully, LINDLEY M. GARRISON,
Secretary of War.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from California.

The amendment was agreed to.

Mr. JONES. I offer the following amendment, increasing the amount for bridges and trails in Alaska. I think the amendment will have the approval of the chairman of the committee.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 48, line 25, strike out the numerals "$125,000" and insert "$200,000," so as to read:

Construction, repair, and maintenance, military and post roads, bridges, and trails, Alaska: For the construction, repair, and maintenance of military and post roads, bridges, and trails, Territory of Alaska, $200,000.

The amendment was agreed to.

Mr. BRANDEGEE. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 50, at the end of line 2, insert the following additional proviso:

Provided further, That on and after the passage of this act, no officer, enlisted man of the Army, Navy, and Marine Corps, or a Civil Service employee, shall be required to serve in a single tour of duty over two years in the Philippine Islands, nor more than three years in the Hawaiian Islands, unless a state of war exists, or a threatened invasion of a foreign enemy.

Mr. SMITH of Georgia. That is subject to a point of order as being legislation.

Mr. BRANDEGEE. No; it is not, Mr. President. I do not want to detain the Senate at this late hour in attempting an explanation of the amendment, except to say that the entire Medical Corps of the Army are agreed that the existing tour of three years in the topical climate of the Philippine Islands is too much to impose on white men in the Army. They return with ruined constitutions and there is not necessity for it.

I wish to have printed in this connection a brief memorandum in relation to the foreign service, and I ask the chairman of the committee if he can not find it in line of duty to allow it to go to conference to be considered there?

Mr. CHAMBERLAIN. I shall be very glad to have that done. I think the amendment ought to be adopted as a matter of fact.

The amendment was agreed to.

There being no objection, the statement referred to was ordered to be printed in the RECORD, as follows:

Personal experience is the best evidence of a fact. During the past 16 years of service in the Philippine Islands there has been untold misery and suffering of the soldier's mind and body, by the reason of the inherited conditions of a tropical country, and the statistics will show that the mortality of the American soldier in the Philippine Islands is a question for grave consideration and action by the War Department. It is beyond challenge of the death lists, permanent diseases, and temporary illness of the men in the service in the Philippine Islands. Conditions have improved, yes; but the distance from home has never lessened to the American soldier. If the War Department wants to be fair and desires to decide the length of tour of service by the records of the Medical Corps, then let the record be spread.

Two years takes this inward spirit of the average man out of him, and when it has been increased to three years the extra year largely reduces the spirit of effectiveness of the man, reduces his condition both in mind and body, and instead of being a fighting machine becomes a dissatisfied representative of the American Army. It is not all disease of the body in the Philippine Islands, but it is that knawing, every-day thought of going home. Three years adds to the deterioration of 90 per cent of the officers past the age of 50 years and puts back 50 per cent of the energy of the enlisted man's ambition. Officers are holding on in tropical countries by superhuman nerve at the deadly cost of the milepost. Why not leave this length of tour of duty in tropical countries to the officers of the Army, Navy, and Marine Corps, who are men of honor, men of thought, men of judgment, and men of duty?

When an officer of unusual health wants to have his tour of duty extended, nominate the tour to suit his strength, not his determination.

Investigate the ages of the officers now on the retired list and enlisted men who have seen service in tropical countries, and compare it to the ages of the officers serving on active duty in foreign wars, and the comparison becomes discreditable to our American born. Check the transports of to-day and yesterday, and note the officers who are going home on forced leave by physical disability due to tropical service. The enlisted men are not reenlisting in the Philippine Islands by reason of the extended tour of duty.

Mr. CHAMBERLAIN. I want to be sure that on page 26 the language in lines 3, 4, and 5 has been stricken out.

The VICE PRESIDENT. That amendment was disagreed to, which leaves in the House text.

Mr. CHAMBERLAIN. No; that ought to go out. The subsequent part which was stricken out on a point of order was not a supplement of that particular proviso.

Mr. SMOOT. I called the attention of the Chair to it, and the Chair held it was one amendment, and therefore there was no need of a reconsideration.

The VICE PRESIDENT. It was one amendment. Did the Senator want it out?

Mr. CHAMBERLAIN. I move to strike it out.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Oregon, to strike out those lines.

The amendment was agreed to.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 7 o'clock and 20 minutes p. m., Monday, February 22, 1915) the Senate took a recess until to-morrow, Tuesday, February 23, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 22 (legislative day of February 19), 1915.

MEMBERS OF THE FEDERAL TRADE COMMISSION.

The following-named persons to be members of the Federal Trade Commission, provided for in the act of Congress approved September 26, 1914:

Joseph E. Davies, of Wisconsin, for a term of seven years.
Edward N. Hurley, of Illinois, for a term of six years.
William J. Harris, of Georgia, for a term of five years.
Will H. Parry, of Washington, for a term of four years.
George Rublee, of New Hampshire, for a term of three years.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 22 (legislative day of February 19), 1915.

SECRETARIES OF EMBASSIES OR LEGATIONS.

CLASS 3.

Rutherfurd Bingham to be secretary of embassy or legation.
William Penn Cresson to be secretary of embassy or legation.
Jordan Herbert Stabler to be secretary of embassy or legation.
Frederick A. Sterling to be secretary of embassy or legation.

CLASS 4.

Glenn Stewart to be secretary of embassy or legation.

CONSULS GENERAL.

CLASS 2.

William H. Robertson to be consul general.
John H. Snodgrass to be consul general.

CLASS 3.

John P. Bray to be consul general.
Albert Halstead to be consul general.

CLASS 4.

Joseph I. Brittain to be consul general.
Leo J. Keena to be consul general.
Dominic I. Murphy to be consul general.

CLASS 5.

Maxwell Blake to be consul general.
William Coffin to be consul general.
Philip C. Hanna to be consul general.
Ernest L. Harris to be consul general.
George Horton to be consul general.

Will L. Lowrie to be consul general.
Alexander W. Weddell to be consul general.
Alfred A. Winslow to be consul general.
Edward D. Winslow to be consul general.

CONSULS.

CLASS 2.

Ross E. Holaday to be consul.

CLASS 3.

Frank W. Mahin to be consul.

CLASS 4.

P. Merrill Griffith to be consul.

CLASS 5.

Arminius T. Haeberle to be consul.
Michael J. Hendrick to be consul.
Calvin Milton Hitch to be consul.

CLASS 6.

Marion Letcher to be consul.
Stuart K. Lupton to be consul.
Frederick Simpich to be consul.

CLASS 7.

Clarence Carrigan to be consul.
George C. Cole to be consul.
Henry C. A. Damm to be consul.
Alfred W. Donegan to be consul.
Claude E. Guyant to be consul.
Perry C. Hays to be consul.
William J. Yerby to be consul.

CLASS 8.

Oscar S. Heizer to be consul.
Theodore Jaeckel to be consul.

CLASS 9

Thomas D. Davis to be consul.
Maurice P. Dunlap to be consul.
John R. Silliman to be consul.

UNITED STATES DISTRICT JUDGE.

Harland B. Howe to be United States district judge for the district of Vermont.

MARSHAL OF THE UNITED STATES COURT FOR CHINA.

Paul McRae, of Virginia, to be marshal of the United States Court for China.

PROMOTIONS IN THE COAST GUARD.

Second Lieut. of Engineers Jesse Wilbur Glover to be first lieutenant of engineers.

Third Lieut. of Engineers Francis Clare Allen to be second lieutenant of engineers.

Third Lieut. of Engineers Charles Herman Johnson to be second lieutenant of engineers.

Third Lieut. of Engineers Clinton Philo Kendall to be second lieutenant of engineers.

Third Lieut. of Engineers Kurt Wolfgang Krafft to be second lieutenant of engineers.

Third Lieut. of Engineers Charles Joseph Odend'hal to be second lieutenant of engineers.

Third Lieut. of Engineers Herbert Norton Perham to be second lieutenant of engineers.

Third Lieut. of Engineers Henry Charles Roach to be second lieutenant of engineers.

APPOINTMENTS IN THE COAST GUARD.

George Wheeler Bowley to be district superintendent.
Edgar Chadwick to be district superintendent.
Edwin Emmet Chapman to be district superintendent.
John Stites Cole to be district superintendent.
Arthur Dominy to be district superintendent.
Silas Hatch Harding to be district superintendent.
Jerome Godfrey Kiah to be district superintendent.
Herbert Minot Knowles to be district superintendent.
Gus Brynolf Lofberg to be district superintendent.
Patrick Henry Morgan to be district superintendent.
James Franklin Phillips to be district superintendent.
William Edward Tunnell to be district superintendent.
Otto Gabriel Wellander to be district superintendent.

POSTMASTERS.

NEW YORK.

Charles F. Bergner, Callicoon.
Sidney R. Hooker, Angelica.
Jesse Jacobs, Oxford.
James H. Joy, Fort Ann.
Francis Larkin, Ossining.
Michael J. Manton, Sayville.
David J. McHenry, Granville.
John A. Neafsey, Glen Cove.
W. W. O'Connor, Fort Plain.
Michael J. Spillane, East Syracuse.
Asher C. Stafford, Gowanda.
Maynard A. Thompson, Waverly.
John G. Gibson, Utica.

OHIO.

Welker Besst, West Lafayette.
George O. Canaga, Scio.
Ira A. Deeter, Pleasant Hill.
Charles J. Kessler, New Lexington.
Frank J. Mitchell, Port Clinton.
William P. Moore, Adena.
George F. Parrish, Toledo.
Charles F. Vollmer, Bucyrus.

OKLAHOMA.

Claude Weaver, Oklahoma.

PENNSYLVANIA.

James W. Aikin, Christiana.
Thomas A. Derick, Newville.
Daniel R. Dunkel, Hamburg.
Albert E. Eckert, East Stroudsburg.
Dwight M. Hess, Hellwood.
Harry R. Schneitman, Elizabethtown.
George D. Schoenly, Boyertown.
John W. Warehime, Waynesboro.
Adam Wise, Gap.
Clarence H. Young, Manheim.

WEST VIRGINIA.

John Haynes, Hinton.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 22, 1915.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We praise Thee, Almighty God our heavenly Father, for all the disclosures Thou hast made of Thyself in the material universe, in the written word, in the great men whom Thou hast raised up from time to time, who have left the impress of their characters on their respective ages, and by their deeds advanced the conditions of mankind. Our thoughts turn to-day to our revered Washington, whom we rightly call the "Father of his Country." For in its sacred institutions, its genius, he lives, a beacon light to guide the ship of state ever onward to the betterment of humanity. We thank Thee for what he was, for what he did, for the inspiration which impels to citizenship, patriotic zeal, and Christian manhood. Not only the American people but the liberty-loving people round the world will celebrate in song and story his birth, life, and deeds as a patriot, soldier, statesman. Help us to follow his illustrious example and emulate his virtues; and Thine be the praise, in Jesus' name. Amen.

The Journal of the proceedings of Saturday, February 20, and of Sunday, February 21, 1915, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 19009. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7362. An act authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept relinquishment from the State of Utah of certain other lands in lieu thereof.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 21318. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

Mr. JOHNSON of Kentucky. Mr. Speaker, I reserve all points of order on the two appropriation bills just reported back from the Senate.

Mr. MANN. There are no points of order.

Mr. STAFFORD. This is not the time for reservation of points of order.

The SPEAKER. The gentleman from Kentucky reserves all points of order on the two appropriation bills just sent over from the Senate.

JOSEPH ELIOT AUSTIN.

Mr. PADGETT. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 2642) authorizing the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy, to which there is a Senate amendment; and I ask unanimous consent to disagree to the Senate amendment and ask for a conference.

The SPEAKER. The gentleman from Tennessee asks to take this bill from the Speaker's table, disagree to the Senate amendment, and ask for a conference. Is there objection?

Mr. MANN. I should like two or three minutes on this bill.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. MANN. Mr. Speaker, this is a bill authorizing the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy. The bill was introduced in the House on April 14, 1913, and reported to the House on July 9, 1914. The report to the House did not show that the bill had been referred to the Secretary of the Navy for information or suggestions, although the committee had in its files a letter from the Secretary of the Navy dated December 18, 1913, not only opposing the passage of the bill, but giving rather detailed information concerning it and suggesting that if it were passed a certain amendment ought to be agreed to.

I do not think it is quite fair to the House for one of the committees of the House to have information of this character and suppress it when reporting a bill to the House. It seems to me that when one of the committees refers a bill to a department for information and obtains information from the department, in justice to the House that information ought to be reported to the House instead of being allowed to sleep quietly in one of the pigeonholes of the committee.

Mr. PADGETT. Will the gentleman yield a moment?

Mr. MANN. Certainly.

Mr. PADGETT. I wish to state that I have never seen the report of the committee. I designated one of the members of the committee to report the bill, and he prepared the report. I do not know what is in it or what is left out of it. So that I have no information whatever as to the matter about which the gentleman speaks.

Mr. MANN. I do not know who actually prepared the report, whether it was the clerk of the committee or a member of the committee.

Mr. PADGETT. I do not know myself. I have never seen the report.

Mr. MANN. However that may be, there was information from the Navy Department giving quite a full statement of facts in reference to this matter. The House was informed of facts in direct conflict with the statement of the Secretary of the Navy, without any reference to the letter which the Secretary of the Navy had sent to the committee reporting upon this bill. If the Committee on Naval Affairs or other committees desire to stand in good odor in the House, when they have information reported to them officially from the department they ought to furnish that information to the House instead of concealing it. It never would have been known in the House that there was such a letter if it had not been for the action of the Senate. The Senate committee printed the letter in their report and acted upon it, but the letter from the Secretary to the committee of the House was printed by the Senate instead of being furnished to the House by the House committee.

The SPEAKER. Is there objection?

There was no objection, and the Speaker announced as conferees on the part of the House Mr. WITHERSPOON, Mr. TRIBBLE, and Mr. BUTLER.

PROPOSED EVENING SESSION ON WEDNESDAY.

Mr. POU. Mr. Speaker, I ask unanimous consent that on Wednesday next the House take a recess at not later than 5.30 p. m. until 8 p. m., and that there be a meeting of the House at 8 o'clock to continue not later than 11.30 p. m. for consideration of bills on the Private Calendar which are not objected to, and also for the consideration of bills which have been amended in the Senate, after having been passed by the House by unanimous consent at these night meetings. I ask that the bills be considered in the House as in Committee of the Whole.

I would like to say that there is a part of the Private Calendar that has never been called at all, and at that meeting I shall ask that the calendar be first completed, so that every bill on the calendar have an opportunity to be considered by unanimous consent one time. After the calendar is completed I will ask that the bills which have been amended by the Senate be taken up, after which the entire Private Calendar be taken up. That will give a chance to go over it again and take up such bills as are not objected to.

Mr. PADGETT. Mr. Speaker, I should like to ask the gentleman a question. I did not hear the first part of his request. There is a bill on the Private Calendar reported from the Committee on War Claims which is unfinished business. Is this limited only to claims or does it embrace war claims?

Mr. POU. The entire Private Calendar.

Mr. PADGETT. Then, Mr. Speaker, a parliamentary inquiry. There is a bill that was reported from the Committee on War Claims that is the unfinished business. Would that be unfinished business on the calendar, first to be taken up and disposed of?

Mr. MANN. Mr. Speaker, is the gentleman sure of his facts?

Mr. PADGETT. It is the case of Cheairs.

Mr. MANN. Is not that bill still pending in the Committee of the Whole?

Mr. PADGETT. Yes.

Mr. MANN. And not reported?

Mr. PADGETT. It has not been reported by the Committee of the Whole.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. POU. Yes.

Mr. STAFFORD. I do not think it is quite fair to the membership of the House to stay in session from 11 o'clock in the morning and continue in session until 11.30 o'clock at night for the consideration of these bills. I think it would not be objectionable—at least it would not from my standpoint—if the gentleman should make it from 8 o'clock until 10.30 o'clock at night, but to stay until 11.30 o'clock at night is an undue punishment.

Mr. POU. I said, not later than 11.30 o'clock.

Mr. STAFFORD. I think if the gentleman will put the limit at 10.30 o'clock we would be doing a very good day's work.

The SPEAKER. Does the gentleman change his request to 10.30 o'clock?

Mr. BORLAND. Mr. Speaker, I will ask the gentleman from Wisconsin to yield to me for a minute. This private calendar has not been called at all at this session, and a good many gentlemen are interested in having it called, and if they are willing to stay it seems to me that they ought to have the opportunity. We have had to stay on other matters that long.

Mr. STAFFORD. I will inform the gentleman that only a very few bills on the calendar have not had their day in court. We virtually completed the calendar at the last session when we ran until 11.30 o'clock at night. There were only a handful of Members present at that hour. They were very tired, and I think it is consistent with fair consideration of the bill that Members should not be asked to stay until they become fatigued.

Mr. BORLAND. If the gentleman is right, there will not be a very late session.

Mr. STAFFORD. The gentleman does not understand the proposal, because we could not take up the bills that are objected to.

The SPEAKER. Answering the parliamentary inquiry of the gentleman from Tennessee, it seems to the Chair that that is the first bill to be taken up.

Mr. POU. Mr. Speaker, of course the only opportunity to consider any of these bills will be by unanimous consent, and the only chance to get a night session is by unanimous consent. I will amend the request and make it 11 o'clock, and I hope the gentleman will not object to that.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that on next Wednesday at 5.30 o'clock the House shall stand in recess until 8 o'clock p. m., and have a night session to extend not later than 11 o'clock p. m., for the purpose of considering bills on the Private Calendar that are not objected to, and that the bills shall be considered in the House as in the Committee of the Whole. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman knows that next Wednesday is not Calendar Wednesday, and that the House may be engaged in the consideration of an appropriation bill, not only may be but probably will be, and very likely will want to stay late if Members are willing to stay here in the consideration of appropriation bills. When the gentleman had the night session before it was Calendar Wednesday, a day when they could not consider the appropriation bills. Next Wednesday is not Calendar Wednesday.

Mr. POU. What would the gentleman suggest?

Mr. MANN. I suggest that we do not have that meeting that night, and I object.

Mr. POU. Would the gentleman object to Thursday night?

Mr. MANN. I object to any night at all until we know what we have done with the appropriation bills. I think it is much more important that we finish the business of this session and not have an extra session than it is to pass a few private bills which have no chance of being passed in the Senate in any event.

Mr. POU. Would the gentleman object to to-night? There are a good many gentlemen on both sides of the Chamber who have asked me to make this request.

Mr. MANN. If the gentleman from Kentucky [Mr. SHERLEY] does not object, I do not know what I would do. I should hope that he would object to that.

Mr. POU. It is the last chance the Private Calendar is going to have, in all probability.

Mr. MANN. The gentleman knows that the House bills on the Private Calendar that have been passed now have not very much chance of being considered in the Senate.

Mr. POU. They have some chance.

Mr. MANN. The Senate can not pass one-quarter of the bills that we have sent over to them.

Mr. POU. I will say this, that there are quite a number of bills that have been amended by the Senate, and we want to dispose of those bills first. I suppose there have been a score of gentlemen on both sides of the aisle who have asked that this request be made, and I make it. That is all I can do.

Mr. MANN. I should think most of the House bills with Senate amendments might easily be disposed of without having a night session. I object.

The SPEAKER. The gentleman from Illinois objects.

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21491, the fortifications appropriation bill.

Mr. JOHNSON of Kentucky. Mr. Speaker, this is District day, and I hope that that motion will not prevail.

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the fortifications appropriation bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 66, noes 35.

Mr. JOHNSON of Kentucky. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 179, nays 101, answered "present" 2, not voting 141, as follows:

[Roll No. 84.]

YEAS—179.

Adair	Fergusson	Kirkpatrick	Raker
Allen	Fess	Knowland, J. R.	Rauch
Anderson	FitzHenry	Konop	Reed
Ashbrook	Fordney	La Follette	Reilly, Wis.
Austin	Foster	Lenroot	Roberts, Mass.
Bailey	Frear	Lesher	Rogers
Baker	Gard	Lieb	Rubey
Baltz	Gardner	Lindbergh	Rucker
Bathrick	Gerry	Lloyd	Russell
Beakes	Gillett	Lobeck	Scott
Booher	Gilmore	Logue	Shackleford
Borchers	Goeke	Lonergan	Sherley
Bowdle	Good	McAndrews	Sherwood
Britten	Goulden	McKenzie	Shreve
Brown, N. Y.	Gray	Madden	Sinnott
Brown, W. Va.	Greene, Mass.	Maguire, Nebr.	Slemp
Brumbaugh	Guernsey	Manahan	Sloan
Buchanan, Ill.	Hamilton, Mich.	Mann	Smith, Idaho
Bulkley	Hamilton, N. Y.	Mapes	Smith, J. M. C.
Burke, S. Dak.	Hamlin	Miller	Stafford
Burke, Wis.	Hart	Mitchell	Stephens, Nebr.
Butler	Haugen	Mondell	Stevens, Minn.
Calder	Hawley	Moore	Stevens, N. H.
Callaway	Hayden	Morgan, Okla.	Stone
Campbell	Hayes	Morrison	Stout
Casey	Helgesen	Moss, Ind.	Stringer
Chandler, N. Y.	Helvering	Moss, W. Va.	Sutherland
Clancy	Hill	Mulkey	Switzer
Cline	Hinds	Murdock	Taggart
Connelly, Kans.	Hinebaugh	Neeley, Kans.	Talcott, N. Y.
Cooper	Howell	Neely, W. Va.	Taylor, N. Y.
Cox	Hughes, W. Va.	Nelson	Temple
Cramton	Hulings	Nolan, J. I.	Ten Eyck
Cullop	Humphrey, Wash.	Norton	Thacher
Danforth	Igoe	Padgett	Thomson, Ill.
Davis	Johnson, Utah	Palmer	Towner
Dershem	Johnson, Wash.	Parker, N. J.	Underwood
Dickinson	Kahn	Parker, N. Y.	Volstead
Dillon	Keating	Patten, N. Y.	Walsh
Dixon	Kelley, Mich.	Patton, Pa.	Whitacre
Doolittle	Kennedy, Iowa	Peters	White
Doremus	Kennedy, R. I.	Phelan	Williams
Esch	Kent	Platt	Winslow
Evans	Key, Ohio	Post	Young, N. Dak.
Falconer	Kinkaid	Powers	

NAYS—101.

Abercrombie	Doughton	Hughes, Ga.	Smith, Md.
Adamson	Dupré	Hull	Smith, Tex.
Aiken	Eagle	Humphreys, Miss.	Sparkman
Aswell	Edwards	Jacoway	Stanley
Barkley	Ferris	Johnson, Ky.	Stedman
Bartlett	Fields	Johnson, S. C.	Stephens, Miss.
Barton	Finley	Kitchin	Stephens, Tex.
Beall, Tex.	Flood, Va.	Lafferty	Sumners
Bell, Ga.	Floyd, Ark.	Lazaro	Taylor, Ala.
Blackmon	Gallagher	Lee, Ga.	Taylor, Ark.
Borland	Garner	McKellar	Thomas
Brockson	Garrett, Tenn.	MacDonald	Thompson, Okla.
Broussard	Garrett, Tex.	Moon	Tribble
Buchanan, Tex.	Glass	Murray	Vaughan
Byrnes, S. C.	Godwin, N. C.	Oldfield	Vinson
Byrns, Tenn.	Goodwin, Ark.	Page, N. C.	Watkins
Candler, Miss.	Gregg	Park	Watson
Caraway	Hardy	Pou	Weaver
Carlin	Harris	Quin	Webb
Church	Harrison	Rainey	Whaley
Clark, Fla.	Heflin	Rayburn	Wingo
Collier	Helm	Rothermel	Witherspoon
Crisp	Henry	Rouse	Young, Tex.
Davenport	Holland	Saunders	
Dent	Houston	Sisson	
Dies	Howard	Small	

ANSWERED "PRESENT"—2.

Browning	Hay

NOT VOTING—141.

Ainey	Drukker	Kiess, Pa.	Prouty
Alexander	Dunn	Kindel	Ragsdale
Anthony	Eagan	Korbly	Reilly, Conn.
Avis	Edmonds	Kreider	Riordan
Barchfeld	Elder	Langham	Roberts, Nev.
Barnhart	Estopinal	Langley	Rupley
Bartholdt	Fairchild	Lee, Pa.	Sabath
Bell, Cal.	Faison	L'Engle	Scully
Brodbeck	Farr	Lever	Seldomridge
Browne, Wis.	Fitzgerald	Levy	Sells
Bruckner	Fowler	Lewis, Md.	Sims
Bryan	Francis	Lewis, Pa.	Slayden
Burgess	French	Lindquist	Smith, Minn.
Burke, Pa.	Gallivan	Linthicum	Smith, N. Y.
Burnett	George	Loft	Smith, Saml. W.
Cantor	Gill	McClellan	Steenerson
Cantrill	Gittins	McGillicuddy	Stephens, Cal.
Carew	Goldfogle	McGuire, Okla.	Talbott, Md.
Carr	Gordon	McLaughlin	Tavenner
Carter	Gorman	Mahan	Taylor, Colo.
Cary	Graham, Ill.	Maher	Townsend
Claypool	Graham, Pa.	Martin	Treadway
Coady	Green, Iowa	Metz	Tuttle
Connolly, Iowa	Greene, Vt.	Montague	Underhill
Conry	Griest	Morgan, La.	Vare
Copley	Griffin	Morin	Vollmer
Crosser	Gudger	Mott	Walker
Curry	Hamill	O'Brien	Wallin
Dale	Hensley	Oglesby	Walters
Decker	Hobson	O'Hair	Wilson, Fla.
Deitrick	Hoxworth	O'Shaunessy	Wilson, N. Y.
Difenderfer	Jones	Paige, Mass.	Woodruff
Donohoe	Keister	Peterson	Woods
Donovan	Kelly, Pa.	Plumley	
Dooling	Kennedy, Conn.	Porter	
Driscoll	Kettner	Price	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. LOFT (for Sherley motion) with Mr. Wilson of Florida (against).

Mr. CANTOR (for Sherley motion) with Mr. WALKER (against).

Until further notice:

Mr. DALE with Mr. ROBERTS of Nevada.

Mr. BARNHART with Mr. AINEY.

Mr. BRUCKNER with Mr. AVIS.

Mr. BURGESS with Mr. ANTHONY.

Mr. BURNETT with Mr. COPLEY.

Mr. BYRNS of Tennessee with Mr. BARCHFELD.

Mr. ALEXANDER with Mr. BROWNE of Wisconsin.

Mr. CANTRILL with Mr. BELL of California.

Mr. CAREW with Mr. BURKE of Pennsylvania.

Mr. CARTER with Mr. DRUKKER.

Mr. CONRY with Mr. DUNN.

Mr. COADY with Mr. EDMONDS.

Mr. DECKER with Mr. CARY.

Mr. DONOHOE with Mr. CURRY.

Mr. DOOLING with Mr. FARR.

Mr. DRISCOLL with Mr. FAIRCHILD.

Mr. EAGAN with Mr. FRENCH.

Mr. ESTOPINAL with Mr. WOODS.

Mr. FITZGERALD with Mr. GRAHAM of Pennsylvania.

Mr. FAISON with Mr. GREEN of Iowa.

Mr. GALLIVAN with Mr. GREENE of Vermont.

Mr. GOLDFOGLE with Mr. GRIEST.

Mr. GORDON with Mr. KEISTER.

Mr. GORMAN with Mr. KELLY of Pennsylvania.

Mr. GRAHAM of Illinois with Mr. KIESS of Pennsylvania.

Mr. GRIFFIN with Mr. KREIDER.

Mr. HAMILL with Mr. LANGHAM.
Mr. HENSLEY with Mr. LANGLEY.
Mr. JONES with Mr. LEWIS of Pennsylvania.
Mr. KENNEDY of Connecticut with Mr. LINDQUIST.
Mr. LEWIS of Maryland with Mr. MCGUIRE of Oklahoma.
Mr. LINTHICUM with Mr. MCLAUGHLIN.
Mr. MCGILLICUDDY with Mr. PAIGE of Massachusetts.
Mr. MAHER with Mr. PLUMLEY.
Mr. MONTAGUE with Mr. PORTER.
Mr. MORGAN of Louisiana with Mr. PROUTY.
Mr. OGLESBY with Mr. RUPLEY.
Mr. O'SHAUNESSY with Mr. MARTIN.
Mr. PETERSON with Mr. MORIN.
Mr. PRICE with Mr. MOTT.
Mr. RAGSDALE with Mr. SLOAN.
Mr. REILLY of Connecticut with Mr. SELLS.
Mr. RIORDAN with Mr. SAMUEL W. SMITH.
Mr. SABATH with Mr. VARE.
Mr. SIMS with Mr. WALLIN.
Mr. SLAYDEN with Mr. SMITH of Minnesota.
Mr. SMITH of New York with Mr. STEPHENS of California.
Mr. TALBOTT of Maryland with Mr. STEENERSON.
Mr. TAYLOR of Colorado with Mr. WOODRUFF.
Mr. LEE of Pennsylvania with Mr. WALTERS.
For the session:
Mr. SCULLY with Mr. BROWNING.

Mr. BROWNING. Mr. Speaker, I voted "aye." I have a general pair with my colleague [Mr. SCULLY], who is absent. I wish to withdraw my vote and answer "present."

The name of Mr. BROWNING was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21491, the fortifications appropriation bill, with Mr. HOUSTON in the chair.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 21491) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. SHERLEY. Mr. Chairman, it has been customary for several years past, upon the anniversary of the birthday of Washington to have read his Farewell Address. It is a custom that I am sure all feel should be continued, and I therefore take great pleasure in yielding 30 minutes to the gentleman from Tennessee [Mr. GARRETT] for the reading of Washington's Farewell Address. [Applause.]

WASHINGTON'S FAREWELL ADDRESS.

Mr. GARRETT of Tennessee read as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that while choice and prudence invite me to quit the political scene patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which, and unfrequently, want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which can not end but with my life, and the apprehension of danger natural to that solicitude urge me, on an occasion like the present, to offer to your solemn contemplation and to recommend to your frequent review some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively, though often covertly and insidiously, directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest

even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations, and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern, Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties—that with Great Britain and that with Spain—which secure to them everything they could desire in respect to our foreign relations toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists until changed by an explicit and authentic act of the whole people is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the Nation the will of party, often a small but artful and enterprising minority of the community, and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Toward the preservation of your Government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change from the endless variety of hypothesis and opinion; and remember especially that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable.

Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind—which nevertheless ought not to be entirely out of sight—the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the Government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the Government and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will always be enough of that spirit for every salutary purpose; and there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty it is essential that you should practically bear in mind that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object, which is always a choice of difficulties, ought to be a decisive motive for a candid construction of the conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct. And can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in the place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject. At other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often—sometimes, perhaps, the liberty—of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducements or justifications. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the conces-

sions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils. Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter. Against the insidious wiles of foreign influence—I conjure you to believe me, fellow citizens—the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world—so far, I mean, as we are now at liberty to do it—for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our Nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good—that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated the public records and the other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined as far as should depend upon me to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence, and that, after 45 years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GEO. WASHINGTON.

UNITED STATES, *17th September, 1796.*

FORTIFICATIONS APPROPRIATION BILL.

Mr. SHERLEY. Mr. Chairman, may I inquire how much time the gentleman consumed?

The CHAIRMAN. Fifty minutes have been consumed.

Mr. SHERLEY. Mr. Chairman, I suggest that the gentleman from New York [Mr. CALDER] use some of his time.

Mr. CALDER. Mr. Chairman, I yield 35 minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman, to-day, the anniversary of the birth of the Father of our Country, it seems appropriate to discuss questions vital to the general welfare of the people, in

which he was so deeply interested. It seems fitting to speak of policies of this Government affecting the prosperity of the country, and to discuss the wisdom of certain important legislation. I refer to recent legislation directly affecting the revenues of the Government and indirectly affecting American industry and labor and the happiness of the Nation. It is generally known that revenues at present are not sufficient to meet the running expenses of the Government and that the prosperity of the Nation is at ebb tide. What has brought all this about?

In beginning I wish to say to my Democratic friends that when you differ with me and my associates on this side of the House, the Republican Party, on this great question I wish to give to you credit for being honest and sincere in your belief. I know that I am sincere in mine. I know that other men who believe as I do are sincere in their belief. And with that statement I say that when we differ with you we differ with you in the policies advocated by your party.

On September 4, 1914, in this Chamber, the President of the United States, in a message to Congress urging the immediate enactment of the so-called war-tax measure, called attention to the fact that customs receipts for August, 1914, had fallen far short of customs receipts for the corresponding month one year previous, and said:

> I need not tell you to what this falling off is due. It is due, in chief part, not to the reductions recently made in the customs duties, but to the great decrease in importations, and that is due to the extraordinary extent of the industrial area affected by the present war in Europe.

How much was this "great decrease in importations," to which the President refers? Our imports for August, 1913, amounted to $137,600,000, and our imports for August, 1914, were $129,700,000, or a loss of a little less than $8,000,000, a falling off of 5.8 per cent. Now, let us see what we lost in customs receipts. In August, 1913, customs receipts amounted to $30,930,000. In August, 1914, customs receipts were $19,430,000, or a loss of $11,500,000. In other words, the loss in customs receipts amounted to 37.2 per cent. Let me repeat, comparing August, 1913 (with a Republican tariff law in force) with August, 1914 (with a Democratic tariff law in force), we lost $11,500,000 in customs receipts on a loss of imports amounting to less than $8,000,000. Our total imports decreased 5.8 per cent, and our customs receipts fell off 37.2 per cent, yet our President would have us think this loss of revenue was due to the falling off in imports due "in chief part" to the war in Europe.

Mr. GORDON. Will the gentleman yield?

Mr. FORDNEY. I will, but I have such a limited time I would like if the gentleman would just ask a brief question.

Mr. GORDON. The question is this: Is it not a fact that the revenue-paying imports fell off in a very much greater percentage than those which paid no revenue?

Mr. FORDNEY. No; I do not think the gentleman is right. Under the present law our imports on the free list are 63 per cent. They were upward of 50 per cent under the Payne tariff law. Our total imports decreased 5.8, as I have said, and the customs receipts fell off 37.2. It is true that when wool and other farm products went on the free list under the terms of the Democratic tariff law, revenue-paying imports showed a decline, and when sugar goes on the free list in May, 1916, our revenue-producing imports will suffer an additional serious setback.

Under the Democratic tariff law the Government is collecting approximately 13.35 per cent ad valorem in customs duties on the total imports. A decrease of $8,000,000 in importations at 13.35 per cent ad valorem should cause a loss in customs receipts of $1,040,000; but we lost $11,500,000. That loss in customs receipts was not due in chief part to a decrease in imports, as stated by the President. Such a contention is absurd. Ninety and four-tenths per cent of that loss in customs receipts was due to lower rates of duty, and but 9.6 per cent was due to the decrease in importations.

Some friends of the new tariff law have pointed to the customs receipts for the month of October, 1913, as evidence that the new law was an adequate revenue producer. That was the first month of the life of the Underwood tariff law and customs receipts amounted to a little over $30,000,000. However, the reduced tariff rates on sugar did not go into operation for several months thereafter, and wool did not go on the free list until December, 1913; and the reduced rates of duty on woolen goods became effective January, 1914. Moreover, large quantities of goods imported before October were held in bond until after the new law went into effect and were released that month and duty was paid thereon. Our total imports for October, 1913, amounted to $132,000,000.

In October, 1914—with the war raging in Europe—our imports amounted to $138,000,000, or an actual gain in imports of $6,000,000. How about customs receipts? Comparing October, 1913, and October, 1914, imports increased, as before stated, $6,000,000; but customs receipts showed a loss of $14,000,000. Will anyone contend this loss in customs receipts was due in chief part to a decrease in imports? In October there was no decrease in imports, but imports actually increased; but customs receipts fell off from $30,000,000 to $16,000,000, a loss of $14,000,000. There is but one answer, gentlemen—your tariff rates are too low.

In considering our revenues it is instructive to know the ad valorem rate of duty collected on our total imports under the Payne tariff law and under this new Democratic tariff law. I have taken our total imports and customs receipts for a two-year period ending June 30, 1913. During that period our customs receipts amounted to 18.13 per cent ad valorem of the total imports. That is, the ad valorem rate of duty collected under the last Republican tariff law. I then took the total imports and customs receipts for the 12 months ending December 31, 1914, and find the average ad valorem rate under the present tariff law to be 13.35 per cent.

In arriving at that rate—13.35 per cent ad valorem—under this new law, I deducted from the customs receipts collected for the calendar year of 1914 a portion of the duty collected on sugar for January and February, 1914, amounting to the difference between the rate fixed in the Underwood tariff law and the Payne tariff law, because the duty on sugar in the Underwood tariff law carried the rate fixed by the Payne tariff law to March 1, 1914.

During the calendar year of 1914 imports amounted to $1,789,523,000, on which were collected $238,983,000 in customs receipts. If an ad valorem rate of duty of 18.13 per cent, the rate under the Payne law, had been collected on those imports, it would have produced $324,440,000 in customs receipts, which is no less than $85,457,000 more than you are collecting under the present ad valorem rate of duty.

Mr. WALSH. Will the gentleman yield for a very brief question?

Mr. FORDNEY. Yes, sir.

Mr. WALSH. He stated that under the Payne-Aldrich tariff we would have had $85,000,000 more?

Mr. FORDNEY. Yes, sir.

Mr. WALSH. Is not that an admission that even under the Aldrich tariff we would have had a deficiency?

Mr. FORDNEY. We would have had if we had kept up your extravagant appropriations. [Applause on the Republican side.]

According to the terms of the new tariff law, one year from May 1 next sugar will go on the free list. At present in the neighborhood of $50,000,000 per year is being collected in duty on imported sugar. The Democrats will lose that $50,000,000 per year after April, 1916. At present, notwithstanding the so-called war tax and the corporation and income tax, the Democrats are not obtaining sufficient revenues to meet the running expenses of the Government. What will you do, my friends, next year, when your difficulties are increased by some $50,000,000? It seems to me Democrats in power will be compelled to do one of four things:

First. Enact an additional so-called war-tax measure.

Second. Resort to a bond issue.

Third. Increase rates of duties on imports.

Fourth. Materially reduce the expenditures of the Government.

One of the planks in the platform on which the Democratic Party came into power promised "Freedom from oppressive taxation." You made the people of the country believe they were oppressed by the Republican policy of raising revenue. They are now beginning to realize they did not know what taxation was until the Democrats took control of affairs. The people were allured by your political pledges and promises, but now they are being disillusioned by a realization of Democratic shortcomings.

Mr. SLOAN. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. SLOAN. You suggest four courses to follow by the party now in power to meet the conditions at that time. Might you not suggest a fifth, which will be the one probably taken—the turning of the affairs, fiscal and otherwise, over to a party who knows how and will be able to take care of them?

Mr. FORDNEY. Yes; and I hope to be one of that party.

In recent legislation, it appears to me, the hands at the wheel have been guided by wild ideals, unbalanced theories, poor business training, and an overwhelming desire to satisfy popular clamor.

You promised to reduce the cost of living, and proceeded to enact laws that must necessarily increase the cost of production. Your legislation is stopping the wheels of progress. Every law that adds to the cost of production, by imposing additional

obligations on the producer, increases the necessity for a protective tariff law. When foreign countries prohibit child labor and when foreign countries increase wages and the standard of living of the laboring classes, then, and not until then, can we adopt such laws and hope to prosper under a low-tariff policy. It is absurd to think otherwise.

Of the cost of production of a yard of cotton in a cotton mill in the State of New Jersey, as given by the proprietor of a factory in that State, 60 per cent goes to labor, 34 per cent is paid for raw material, and 6 per cent for overhead charge; but the so-called raw material of the manufacturer is the finished product of the farmer and cotton gin. With transportation charges figured in, at least 80 per cent of the cost of the raw material goes to labor, either on the farm or in transportation. Considering the labor cost in the raw material, labor receives approximately 87 per cent of the total cost of production of a yard of cotton.

The labor cost in the factory, however, receives about 60 per cent of the total cost of production, and in the New Jersey cotton mills this labor received an average of $1.42 per day. The same class of labor in the cotton mills of Japan received but 17¾ cents per day. In other words, the Japanese labor cost is but one-eighth of the labor cost in the State of New Jersey. In cotton costing 10 cents per yard to produce, the labor employed in the factory received 6 cents per yard. That same work in the factories in Japan is done for three-fourths of 1 cent per yard. It will be seen from this that the Japanese manufacturer has an advantage of 5¼ cents per yard in labor cost over the American manufacturer in making cotton goods costing 10 cents per yard to produce. In other words, the Japanese total cost of production of that grade of cotton is more than 50 per cent less than the cost in American mills.

Mr. KELLEY of Michigan. Before the gentleman leaves that question, I should like to ask a question relative to the falling off of revenues since the war began.

Mr. FORDNEY. I will reach that in just a few minutes, if the gentleman will permit. I have that correctly. In the cost of a yard of cotton in this country, measured on a pound weight, let me say to you that in a medium grade of cotton the labor cost is six-tenths of the total cost. Rather, six-tenths of the cost of the production of that yard of cotton is labor cost after the material has reached the factory. That is on a basis, my friends, of an average wage scale paid in the cotton factories north of the Mason and Dixon line of $1.40 a day for the labor employed in the cotton mills. When Japan purchases our raw cotton from us, which she does chiefly as to the cotton used in her cotton mills, she purchases her raw material at practically the same price at which these cotton mills north of the Mason and Dixon line purchase their raw material. The only additional cost to them is the freight by water from the Pacific coast to Japan, which is a trifle. But I have here, my friends, official figures to show that in Japan, according to a report made by an American consul on December 15, 1914, there are 863,000 employees in factories operating machinery which is run by steam or other kind of power.

There are a great many employed in shops where there is no machinery and where less than 10 people are employed; but in those Japanese factories, numbering some 8,000 all told, there are 863,447 employees, according to that report of December 15, 1914, 514,000 of whom are females and but 349,000 are males. Of this total number 60,000, or 7 per cent, are children under 14 years of age. The average wage paid to men in all the factories in Japan is 26.4 cents per day in gold; to female labor in factories in Japan the wage is 13.2 cents per day; and to juvenile labor, boys, the wage is 9½ cents per day, and to girls under 14 years of age the wage is 7½ cents per day, or a total average wage to all employees in all the factories of Japan of 17¾ cents a day.

The other day Democrats of the House almost went into hysteria over a bill presented by the gentleman from Pennsylvania [Mr. PALMER] intended to regulate the employment of certain child labor in this country. To be correct, that bill, if enacted into law, will prohibit the transportation from one State to another of the product of any quarry or factory in the United States in the making of which child labor has been employed to any extent. The fact that such legislation might increase the cost of production in American institutions seems to have been given no consideration whatsoever. It has also been argued that such a law would keep child labor from displacing adult labor. Gentlemen, is your course at this time consistent with other legislation you have enacted? Are you sincere in your desire to protect adult labor from competition with child labor? I think not. I do not want to appear as an opponent to child-labor legislation; quite the contrary; but I strongly oppose your inconsistent course. Consider the enormous amount of child labor abroad and the beggarly wages paid; consider your recent tariff legislation which throws the product of American institutions in competition with the product of child labor in foreign countries, receiving but a small fraction of the wages paid to similar labor in this country. Why do you not protect our labor of all classes from the great mass of products from foreign lands, made by millions of child laborers abroad? [Applause on the Republican side.]

First, you should enact laws that will enable the father to find employment with ample pay, so that he may feed and clothe his child; then child-labor legislation will appear more feasible to me. You should protect the labor of this country from importations of products from abroad, where the price to all labor, both child and adult, is only one-eighth of the wage paid to the average employee in the mills of this country.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Pennsylvania?

Mr. FORDNEY. Yes.

Mr. MOORE. Have we any protection at all under the present tariff conditions in the United States against the products of that Japanese child labor?

Mr. FORDNEY. No; we have not. As an illustration, my friend, on woven cloths, cotton goods produced in Japan, our duty is 30 per cent ad valorem under the Underwood tariff law, and upon a yard of cloth which costs 10 cents per yard as we turn it out at our factories the difference in labor cost is 5¼ cents a yard. Now, I ask, will 3 cents per yard duty give adequate protection to the labor employed in the cotton mills of this country? That tariff duty amounts to only 3 cents a yard, when the Japanese labor cost is 5 cents per yard below our labor cost on such goods. I say, no. There is no protection at all in that. If you wish to drown me, all that is necessary for you to do is to put me under water just 1 inch, and I will drown just as quickly as if you put me 10 feet under water. [Laughter and applause.] Your tariff law is below a protective point.

Mr. MOORE. Our friend from Pennsylvania [Mr. PALMER], who is the author of the child-labor bill, seems to think that we would take care of the labor of the United States if we passed such a law prohibiting the transportation of the products of child labor from one State to another. What protection would such a law give us from goods imported under such a condition from a foreign country?

Mr. FORDNEY. None whatever.

Mr. MOORE. On one or two occasions have not our Democratic friends actually voted down measures designed to protect the labor of this country from competition with the products of child labor imported from abroad?

Mr. FORDNEY. Yes. They voted down an amendment introduced by one of my colleagues from Michigan for that purpose—overwhelmingly voted down that provision which would have prohibited the importation of the products of child labor from abroad.

Mr. BAILEY. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Pennsylvania?

Mr. FORDNEY. Certainly.

Mr. BAILEY. How much competition have we from Japan on this class of work?

Mr. FORDNEY. For the calendar year 1914 we imported, among other things, of three products alone to the value of about $90,000,000 on which child labor was largely used in Japan and China.

Mr. BAILEY. That is not the proposition you really fear, I think.

Mr. FORDNEY. I will tell you what it is. It is silks, hats, and bonnets, things which your wife and my wife and every other man's wife ought to have the privilege of wearing, and mats and mattings. We imported $11,900,000 worth of these goods from China, and the balance of $90,000,000 worth came from Japan. Can you picture a more destructive condition to our labor and capital than that, my friend? Our labor and capital last year came in competition with that $90,000,000 worth of oriental products where labor received but 17¾ cents per day——

Mr. PALMER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Pennsylvania?

Mr. FORDNEY. Yes.

Mr. PALMER. Of course the gentleman's argument breaks down entirely when it is recalled that Japan's cotton goods do not come to this market in competition with ours.

Mr. FORDNEY. Oh, yes they do. During the calendar year 1914 our total exports to Japan were but $41,000,000, while imports from Japan amounted to $105,000,000, an unfavorable

balance of trade with Japan amounting to $64,000,000. Whether this is manufactures of cotton or otherwise, it is the product of that cheap Japanese labor to which I am referring.

Mr. PALMER. What I wanted to ask the gentleman about especially was this matter of child labor, inasmuch as the gentleman has referred to me in his remarks.

Mr. FORDNEY. Yes; with all due courtesy.

Mr. PALMER. I just want to get the gentleman's point of view. Would the gentleman be glad if some statesman would rise in some parliament of Europe and make the same statement about our little children of America that he is making to-day in the American Congress about the children of Japan?

Mr. FORDNEY. I do not quite get the sense of the gentleman's question.

Mr. PALMER. Well, it is pretty plain.

Mr. FORDNEY. It may be plain to you, but it is not plain to me. What I am in favor of is not only protecting child labor in this country, but protecting all American labor from child labor abroad. I endeavor at all times to be consistent. It seems that some men prominent in public life try to take advantage of and ride to political success on every wave of popular clamor that sweeps over this country, but it is mighty difficult for such men even to appear consistent. It is very popular to say "reduce the cost of living"; it is popular to say "shorten the hours of labor"; it is popular to say "let us increase wages"; but if you increase wages, shorten the hours of labor, and enact all manner of legislation placing restrictions on our industrial institutions, you greatly increase the cost of production. This kind of legislation meets with madly enthusiastic support. Each bill taken separately may appear commendable, but taken together they are inconsistent and not practical. To enact all this kind of legislation and at the same time remove the barrier of protection from foreign importations is highly inconsistent. Yet you profess to see no reason why American industries can not compete successfully without tariff protection with foreign industries employing cheap labor and complying with no child-labor laws, workingmen's compensation laws, minimum-wage laws, laws affecting the hours of labor, or laws imposing other restrictions which increase the cost of production. When under such conditions unfavorable to American industries a business depression comes upon us and the wheels of industry are stopped you blame it all on a "state of mind" or "imagination."

Your proposed child-labor law affects only the products of mills and factories, and does not affect farm products. If you are going to be consistent and equitable in your efforts to protect all the poor people and protect the labor of this country, then you must not segregate from the great mass simply the poor people who happen to live in the city engaged in certain kinds of employment and not include in your protection all the others throughout the land.

Mr. PALMER. If that is the gentleman's opinion, he has not read the child-labor law.

Mr. FORDNEY. I have read the proposed child-labor law. You do not include anything that is made on the farm when you exclude from shipment child-labor products from one State to another. You include only the products of the factory or the mines or the quarry.

Mr. PALMER. I thought the gentleman said the contrary.

Mr. FORDNEY. No. You should include all child labor if you wish to be fair to all our people. But in your proposed law you class our industries and our children. Do not understand me that I am in favor of placing this ban on our child labor on our farms; but I say your proposed law is class legislation. Why do you not protect all our laborers against this child labor across the sea? I am criticizing the recent tariff and revenue legislation and the inconsistent course of the Democratic Party.

Mr. PALMER. What I am trying to get from the gentleman is, Does the gentleman approve of this labor of the little children in Japan at 9½ cents a day?

Mr. FORDNEY. No, I do not; but you evidently do.

Mr. PALMER. I do not.

Mr. FORDNEY. You evidently do, because you helped to pass the Underwood tariff law, and by its terms the product of that child labor in Japan and Europe comes into this country, and not only comes in competition with the child labor in this country but comes in competition with the labor of all classes of our people. I voted against that law. You voted for it. You took a prominent part in framing that law, and that tariff law is responsible for heavy imports of foreign-made goods into this country, 63 per cent of which come in free of any duty, practically all of which displaces American labor. Which one of us, then, is the friend of our laborers, you or I? Let the people decide.

Mr. MOORE. If the gentleman will yield, is it not a fact that our friend Mr. PALMER and his colleagues on the Democratic side actually voted against an amendment to keep the product of child labor out of this country when the convict-labor bill was up?

Mr. FORDNEY. They did, and my friend from Michigan [Mr. KELLEY] offered that amendment.

Mr. GILL. I should like to ask the gentleman a question.

Mr. FORDNEY. I will be obliged to the gentleman if he will wait a few minutes. Gentlemen are consuming my time. If I can get more time, I will answer all questions.

Here are official figures just given to me by the Legislative Reference Bureau Saturday last, which show that in Austria 3 per cent of all their employees in their factories are children under 14 years of age, or, in number, 15,521. In England 36,995 children are under 14 years of age and 945,000 of the people employed in the factories of England are under 18, or between 14 and 18 years of age, a total of 19.6 per cent of all the employees in all the factories of England being under 18 years of age.

In Belgium there are 1,710,000 employees over 12 years of age. That is not very definite, but it is reasonable to suppose that a large number are under 14. In France there are 549,000 children, or 18 per cent of all the employees in the factories of France are children. In Germany 440,000 children, or 7.1 per cent of all the factory employees are children. In Italy 228,944, or 10 per cent of all the employees in the factories are under 15 years of age. In Switzerland 51,000 out of 328,000, or 16 per cent of all their employees, are under 18 years of age, chiefly under 14 years of age. There are 2,268,448 children employed in the mills in those countries abroad which I have referred to. Millions upon millions, hundreds of millions of dollars of the products of that labor come into this country annually, and yet you voted to lower the duties on those imports, to throw down the bars, and invite the whole world to come in and bring their products to our market and depress the earnings of the American laboring man. By such legislation, my friends, American labor has been thrown out of employment, as you know and I know; and if I only had the time I would call your attention to the various industries that are to-day laying off and have laid off multitudes of men, till the number now reaches 3,000,000 of idle, unemployed labor in the United States.

Mr. BORLAND. Will the gentleman yield at that point?

Mr. FORDNEY. Just let me conclude this statement. In all these factories in Japan the total daily wages paid to 863,000 employees amount to $153,000 a day, while in 1913 one single great corporation in this country, the United States Steel Corporation, employed 246,000 people and paid an average wage of $2.91, or a total of $715,000 a day, four and one-half times the daily wages paid to all the employees in all the factories in Japan. In other words, one corporation in the United States paid to 246,000 employees four and one-half times the daily wages paid in Japan to 863,000 employees.

Gentlemen, that is a striking illustration. By free trade or a tariff for revenue only you can not lift up the cheap labor of the whole world to our standard of life and living, but you are sure by such laws to bring down to the general level our standard of life and living by free trade, or a tariff for revenue only; because a tariff for revenue law is only the grandmother of free trade. [Applause and laughter on the Republican side.] You would not have any tariff at all, except for the purpose of raising revenue. That is your argument. Now, I yield to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. The gentleman from Michigan is a very able and prominent advocate of a higher tariff, is he not?

Mr. FORDNEY. Higher than the one you have now.

Mr. BORLAND. Yes.

Mr. FORDNEY. I want a protective tariff——

Mr. BORLAND. You want a higher tariff.

Mr. FORDNEY. I want a higher tariff than you and your party do.

Mr. BORLAND. Now let me ask you if it is not true that during the time of the high tariff, which the gentleman helped to frame and voted for, child labor was exploited in this country to a worse extent than it ever was under any other system of revenue, and at the same time were not the wages lower and hours of labor longer for the fathers of these children than they were at any other time?

Mr. FORDNEY. No; the gentleman is entirely wrong.

Mr. BORLAND. Did that high tariff protect either the father or the child?

Mr. FORDNEY. Yes; it did.

Mr. BORLAND. Did your high-tariff law protect either the child or the father?

Mr. FORDNEY. I say, my friend, that a protective tariff law that keeps out of our markets the products of cheap labor, whether it is child labor or adult labor, from any foreign

country in the world is beneficial not only to the children but to the fathers and the mothers of this country. [Applause on the Republican side.]

Mr. BORLAND. Is that argument or fact?

Mr. FORDNEY. That is a fact, and you know it as well as I do.

Mr. BORLAND. No; I know exactly the contrary.

Mr. FORDNEY. Then get your goggles on, look around you, and read; post up on the subject. [Laughter.]

Mr. MOORE. Everybody knows that times were so much better when the Republican system prevailed than they are now that it is useless to argue that question.

Mr. FORDNEY. Why, my friends, right now on Jefferson Avenue in the city of Detroit, a city in the State from which I come and which I have the honor to represent in part, there is a soup house, the first one ever established in that city since God's sun shone down upon that beautiful city. These are Democratic times now, and there is scarcely an important city in this land that has not some sort of establishment doling out something to eat to the unemployed through charity, and you know it.

Mr. J. M. C. SMITH. There are 10,000 in this city to-day.

Mr. FORDNEY. Ten thousand right here at our doors, and I did not know it.

Mr. BORLAND. And nobody else knows it, either.

Mr. J. M. C. SMITH. It was announced yesterday in one of the newspapers.

Mr. CAMPBELL. There are 500,000 in Kansas City, Mo.

Mr. BORLAND. Nobody knows any such thing as that, either.

Mr. CAMPBELL. I should have said 5,000.

Mr. BORLAND. Not even that many, when the gentleman from Kansas cuts it down from 500,000 to 5,000.

Mr. FORDNEY. I know the gentleman will be courteous enough to yield the floor to me.

Mr. BORLAND. I apologize to the gentleman for having aroused this disturbance. [Laughter.]

Mr. RUSSELL. Will the gentleman yield to me for one question?

Mr. FORDNEY. My time is so limited, please be brief.

Mr. RUSSELL. I understand the gentleman to say that imports at this time are less than they were under the former tariff law.

Mr. FORDNEY. Oh, no; I have not said anything of the kind. I say the customs receipts are less. For instance, take the month of December, 1914. Our exports for that month, owing to the great demand for many of our supplies because of the European war, exceeded any month in the history of our country with the exception of four.

Our imports fell off $70,000,000 for December, 1914, as compared with December, 1913; but if the gentleman will give me time I have a statement right here, the official figures, that will give all this kind of information.

The imports into this country for December, 1913, exceeded any month in the history of this country since 1906, and our imports for the month of December, 1914, were the lowest importations in any month in the history of this country since 1906. These months are not a fair comparison.

Our loss of balance of trade for the calendar year of 1914—and it is the only year on which we can correctly figure, because it is the only full year in which the Underwood bill has been in effect—was $369,817,475; and that money which we lost, which we sent abroad to buy products of foreign labor in foreign lands, would have employed at $50 per month more than 610,000 of the unemployed men now seeking employment and begging for something to do in the United States.

I have here a statement showing the condition of wages paid labor on railroads in this country and in Europe as illustrative of the condition of our standard of pay and theirs. The wages paid in 1913, the last year for which I have statistics, to laborers on railroads in this country averaged $14.56 per week. In Canada, just across the border, railroad employees received $12.46 per week. In the United Kingdom they received $5.36 per week. You would bring us in competition with that labor. In Germany they received $7.77 per week, and in France an average of $4.05 per week to all the employees on all the railroads in France.

Germany has Government-owned railroads. Ninety-five per cent of her roads are Government-owned, and it costs more money to build her roads under Government control than it costs to build and equip the finest equipped railroads in the world—the railroads in the United States.

And yet our railroads carried a ton of freight a mile for seventy-two one-hundredths of a cent, while in Germany the charge is 1.42 cents per ton per mile.

My Democratic friends, let me tell you with what you are face to face. You admitted that when you introduced your tariff law in this House that you were going to lose about $70,000,000 in customs receipts each year. You adopted in lieu of that loss which you figured on, the income-tax law, and you increased the tax on corporations; that is to say, you removed the $5,000 limitation provided for in the Payne tariff law, on which no tax was paid, and you adopted in its place a so-called war-tax measure. Let me tell you what your war-tax measure has done. When you passed the bill through this House you estimated that the revenue to be derived from that bill this year would be $107,000,000. The Senate changed the law, and when it came back you estimated the receipts would be about $90,000,000 annually. You have collected in 2 months and 19 days, additional revenue from internal sources amounting to $11,000,000. Credit it all to your war-tax measure and you are going to collect according to this rate less than $50,000,000 this year under the war tax. You are spending more than $100,000,000 in the expenses of this Government over and above the largest amount ever spent by any Republican administration. I am not criticizing you for that, for it may be necessary with the increase of population, but where are you going for revenue for the increased expenditures? The difference in this and the last fiscal year, up to February 19, was $57,906,000.

You have widened the breach between your income and the expenditures of this Government to that amount during this fiscal year.

As I have said, you propose now to put sugar on the free list. Ah, my friends, you will recede from that position within 12 months, or you will do one of the three things I have mentioned—you will reduce the expenditures of the Government, you will have a bond issue, or you must go to the collection of greater sums in the customhouses from imports.

I wish I had time to fully discuss this matter.

Mr. MADDEN. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MADDEN. Does the gentleman know that the postal receipts are falling off at the rate of $20,000,000 a year on account of depression in business and the lack of correspondence?

Mr. FORDNEY. No; I was not aware of that fact.

Mr. MADDEN. And that they are reducing the wages of the men employed in the Postal Department at the rate of $200 a year on account of the lack of funds?

Mr. FORDNEY. I was not aware of that fact, but do not dispute its correctness. On the 3d day of February, I received a letter from Mr. Gary, chairman of the United States Steel Corporation. He said that on the 3d day of January of this year that company had 150,000 at work, whereas in 1913 they employed 246,000 men, which shows their business to be in a chaotic condition.

Mr. TAGGART. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. TAGGART. Did not Mr. Carnegie state before the committee over here that the steel corporation did not want any protective tariff?

Mr. FORDNEY. Oh, yes; Mr. Carnegie has stated that the steel company needed no protection, but Mr. Carnegie is a bondholder and not a manufacturer. I asked Mr. Carnegie the following question when he was before our committee: "My dear sir, when you were in the business in 1870, what rate of protection did you have?" He said, "Oh, puckachee; I never gave it any thought." And yet he at that time had $28.50 per ton protection on steel and gave the question no thought. I believe he did——

Mr. WHITACRE. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. WHITACRE. Is Judge Gary authority for the statement that the cause of the present business depression is that the big business people quit new enterprises, that the railroads refused to make extensions or do any further business for the last year; and do not the figures show that the extension of railroad business so far as freight-car building is concerned is one-half what it was in 1913, and that it is the same way in all other lines?

Mr. FORDNEY. It does not make any difference what Judge Gary said or what I say.

Mr. WHITACRE. Did he say it?

Mr. FORDNEY. Let me tell the gentleman a fact. For the first time since the Civil War there is not a mile of new railroad under contract for construction to-day; not a mile, and since 1880 the average construction of railroad mileage in this country, main lines, has been 5,261 miles per year.

Mr. WHITACRE. Right there will the gentleman from Michigan yield?

Mr. FORDNEY. Wait one moment. There are seven employees per mile on railroads, or in other words, some 40,000 persons per year for the newly constructed railways have been employed in this country for all these years. You, by your legislation, have brought on business depression not only in the steel business, but in every line of industry (that is not directly affected favorably by the war in Europe, such as food supplies and the manufacture of arms and ammunition demanded now by these foreign countries). Business depression extends to nearly every industry all over this land. I am in business. I know. Get into business and find out, my friend. [Applause and laughter on the Republican side.]

Mr. WHITACRE. I am in business and I know, too. Is not this true, according to Judge Gary, that the railroads consume from 40 to 60 per cent of all of the iron and steel, and that they have quit building, and that that accounts absolutely for all of the loss in the iron and steel business for the last year? Is not that a fact?

Mr. FORDNEY. It is not a fact, but is partially responsible for this great business depression. Every great industry has curtailed purchases.

Mr. WHITACRE. Then, show us why.

Mr. FORDNEY. I will tell why.

Mr. WHITACRE. Wait a minute——

Mr. FORDNEY. No; I will not wait another minute.

The CHAIRMAN. The gentleman declines to yield.

Mr. FORDNEY. I am in a small way a purchaser of steel rails, and to-day, in Seattle, Tacoma, Portland, or San Francisco I can purchase German steel rails cheaper than I can buy American steel rails; therefore, I say foreign cheap imports are chiefly responsible for this business depression.

In conclusion, I would say it seems to be the desire of the administration to have the country believe the so-called war tax will be unnecessary as soon as the terrible conflict in Europe is ended; that added customs receipts will make up the deficit. How much would imports have to increase to accomplish this result?

During the 12 months ending June 30, 1913, under a Republican tariff law, customs receipts amounted to $318,142,000, or an average of $26,500,000 per month. These customs receipts were collected on imports amounting to $1,814,000,000 for the year, or an average of $151,000,000 per month.

Under the Democratic tariff law, from January 1, 1914, to August 1, 1914, a period of 7 months wholly unaffected by the war in Europe, $156,500,000 of customs receipts were collected, which is an average of $22,300,000 per month. Imports for these 7 months aggregated $1,141,094,000, or an average of $163,000,000 per month. On increased importations amounting to an average of $12,000,000 per month, customs receipts declined under the new tariff law $4,200,000 per month. For a year it would mean increased importations over the Republican year of $144,000,000, with $50,400,000 lost in customs receipts. For fair argument let us say you have made up this loss in revenue with your income tax, which is giving you the benefit of a serious doubt, and let us say your expenditures exceed Republican expenditures by $100,000,000, which is expressing it mildly. When free sugar becomes effective it will cause an added loss of revenue of $50,000,000 per year and decrease the ad valorem rate of duty collected on all imports; but for fair argument let us say you will collect 13.35 per cent duty on the total importations into this country, as at present. It is evident, if the war is ended in Europe and your so-called war tax abolished, that customs receipts must increase approximately $150,000,000 per year more than the average receipts collected during the first 7 months of 1914, prior to the war in Europe. At 13.35 per cent ad valorem it would be necessary for imports to increase no less than $1,123,000,000 to provide an additional $150,000,000 in revenue.

It is not the war in Europe, gentlemen, that is to blame. Your revenue laws and appropriations are not in harmony. The close of the war in Europe will not end your difficulties, gentlemen, but, on the other hand, it will compel you to admit the responsibility of conditions you delight in attributing to the disturbance across the seas.

No better illustration of the folly of the present administration in dealing with the tariff can be had than is afforded by the range of prices in the sugar market during the past year.

When the refining interest appeared before the Ways and Means Committee of the Democratic House in 1912, and again in 1913, following the last presidential election, they promised that if the duty were lowered so as to enable them to secure cheaper raw sugar they would cheapen the price of the finished product to the consuming public.

There is absolutely no question—

Said their spokesman, Mr. Lowry, of the Federal Sugar Refining Co.—

but that the consumer will get all the benefit from "free sugar" or a reduction in the tariff rate on raw sugar, with a corresponding reduction in the rate on refined sugar.

The American farmers, who were about to be sacrificed to the greed of the sugar refining combine, warned Congress that sugar would be no cheaper; that the farmers of the United States, the Federal Treasury, and the consumers would suffer and that the Sugar Trust would advance prices just as rapidly as it was relieved of domestic competition. The free-trade element in Congress preferred to believe the Sugar Trust rather than the American farmers, just as that element preferred to take the word of the leather manufacturers when they appeared here six years ago and pleaded for free hides.

In both instances the result has been the same. The leather manufacturers made no reduction in the price of their goods, but in the past six years the American farmers and the United States Treasury have lost millions of dollars as a result of the free-hides folly.

In the case of sugar the whole proceeding has been little less than a scandal. When I addressed the House on September 25 I called attention to a resolution I had offered in the Ways and Means Committee when the war-tax bill was being considered which would permit the State of Louisiana to go before the Supreme Court of the United States and test the legality of the sugar duties as now enforced by the Treasury Department.

The difference in the duty collected by the present administration and the rate which many of the ablest lawyers believe should be enforced amounted, from March 1 to December 31, 1914, to the huge sum of $15,946,539. This money which was lost to the Federal Treasury inured solely to the benefit of the sugar-refining combine. The consumer did not receive the benefit of one cent of that colossal sum.

The Secretary of the Treasury wrote a letter in which he said it would be "useless" to try a suit which might recover this large amount of money for the impoverished Federal Treasury and which might save even a larger sum during the current year. Fortunately, the Committee on the Judiciary of this House did not agree with him, and a few days ago ordered a favorable report upon a resolution similar to the one I made an unsuccessful attempt to have incorporated in the war-tax bill.

The Judiciary Committee in its report says:

It is suggested that to refuse this permission, asked for by a sovereign State, may set a precedent harassing to the Republic in moments of stress and dangerous in its consequences.

Your committee, therefore, appreciating that the petitioner is a sovereign State, desirous of asserting a right and anxious to shield itself from loss and injury, and that the United States Government, while incurring neither risk nor inconvience, may as a result derive important benefits, feel constrained to urge that the permission sought be granted by this Congress.

The New York Herald of August 18 last published in conspicuous type an interview with Wallace P. Willett, sugar statistician of New York, dealing with the effect of the European war on the sugar market, in which he was quoted as saying:

The American Sugar Refining Co. on the outbreak of the war adopted a policy of not selling sugar for export at all in order to meet the extraordinary demand, and has kept all of its stock of raw sugar to be refined only and solely for American consumers at prices which up to last Friday were half a cent a pound below the prices of some of the other refiners. That company, in order to avoid undue speculation in sugar by jobbers, retail dealers, and consumers has limited its sales to each purchaser. * * *

If the Government will take steps to stop completely the exportation of sugar to Great Britain and other countries, the present supply and that of 500,000 tons coming in October will reduce prices to somewhere near normal. That is the only way to stop a doubling of the prices of to-day, if the war continues.

The Herald continues:

Inquiry developed the fact that all of the big retail grocery stores, while charging from 7½ to 8 cents a pound for sugar, are limiting their sales to individual customers to from 5 to 25 pounds.

Praise from such a source and the pursuit of a policy so patriotic would seem to entitle the American Sugar Refining Co. to a place among the "good trusts." But instead of keeping its stock "only and solely for American consumers" the public press on January 29 of this year carried a statement sent out from Philadelphia that—

Wholesale grocers and commission men throughout the eastern part of the United States are now paying $1.07 more per hundred pounds for refined sugar than Great Britain is paying for shipments from the same refineries.

This discrimination in favor of foreign buyers, which is made possible under existing laws, is now the practice of all seaboard refineries, according to the information supplied here to-day by a leading distributer.

WOULD HAVE CONGRESS ACT.

Last week, when the domestic trade was paying the refiners $4.851 cash per hundred pounds for sugar, the British Board of Trade was purchasing from American producers large quantities at $3.78.

"It would be exceedingly interesting," said the distributer, "for Congress to demand the production of the books of the American refiners to show the price charged the domestic consumers as against the foreign consumer on the same date, bearing in mind that the refiner in the case of sugar exported is allowed a drawback equal to the amount of the duty previously paid by him for the raw sugar brought into this country.

"QUOTE FIGURES OF REFINERS.

"The present duty on raw sugar from Cuba is approximately $1.02 per hundred pounds. The refiners' price last week was $4.95, less 2 per cent for cash, making the net cost to the wholesalers $4,851. When the refined sugar is exported, however, the Government allows a drawback of $1.01, making the sale price $3.841. The figures seem to have been shaded by the British Board of Trade, which enabled them to contract at $3.78."

The trust was engaged in running up the price of refined sugar at the expense of the consumer in August; it was engaged in the reverse policy of beating down the price of raw sugar at the expense of the farmers two months later. About the middle of October, just as the Louisiana crop was ready for harvest, the Sugar Trust which for years had enjoyed a monopoly of that crop and, as the sole purchaser, had fixed prices to suit itself, announced unexpectedly to the dismayed Louisiana farmers that the American Sugar Refining plant at Chalmette, the largest in the world, would be closed for an indefinite period.

In contrast with its statement issued in August that in view of the threatened shortage sugar would be doled out to the grocers a barrel at a time, the trust now coupled the announcement of the closing down of the Chalmette refinery with the explanation that it was overstocked with sugar. Mr. Charles P. Montgomery, of the American Sugar Refining Co., gave out a statement in New Orleans on October 28 in which he said:

When I came here and read the local papers I was surprised to find that the critics of the company here are so ill informed on the conditions in the sugar markets elsewhere.

In Boston, Philadelphia, New York, and Jersey City, where our company has big plants, there are on hand barrels and barrels of sugar that we can not move. Now even our export chances are cut off. England, you know, has just barred out our sugar in order to keep German beet sugar out of England.

My knowledge of this company dates back three and a half years. I came to it prejudiced because of my activity against it in behalf of the Government when chief of customs. Since that time I have had an intimate knowledge, having been sought by the company to take up its Government business.

It is not generally known that this company has lost heavily since the war broke out. We had contracts calling for the delivery of thousands of sacks of sugar at old prices, and we lived up to these contracts when sugar went to 5.62. We have great stacks of sugar at the Chalmette refinery now that we bought at this high-water price and could sell at about a cent less in the present market.

It is entirely unjust and unfair for the company's critics to attempt to brand it as a "bandit corporation." While such names do the American Sugar Refinery Co. no tangible harm, constant attacks tend to put the company in a bad light before the public. The facts do not warrant these attacks, and the facts are not concealed from the public. Anybody interested may come to us and find out the truth. Anybody interested is invited to come down to Chalmette and see the stacks of sugar laying on our hands.

The Sugar Trust in closing the Chalmette refinery attempted to play its old game of intimidation once too often. The governor of Louisiana and the sugar farmers of Louisiana took no stock in the explanation it made for closing down its refining plant on the eve of the crop movement, and the governor directed the district attorney at New Orleans to bring ouster proceedings in the name of the State against the American Sugar Refining Co., which was characterized as a trust operating in restraint of trade. This litigation has not yet been finally determined.

The sugar farmers of Louisiana have this season for the first time in history converted the bulk of their raw product into white table sugars and have sold it in competition with the trust. If the Democratic free-sugar clause in the tariff bill is repealed before all of the American farmers are forced out of the cultivation of sugar, it seems probable that the cane farmers and the beet farmers will in the future be able to compete with the trust for the domestic sugar market.

The cane-sugar farmers, however, have not been permitted to bid for the grocery trade except at a tremendous struggle. Notwithstanding Mr. Montgomery's statement on behalf of the trust, in which he attributed the tremendous stock of sugar on hand as the reason for the closing of the Chalmette refinery on the eve of the Louisiana cane-grinding season, no sooner had the farmers of that State begun to put their table sugars on the market than the trust rushed additional supplies to their already glutted warehouses at Chalmette. Two cargoes of sugar were shipped from Philadelphia in December and early in January of the present year. The second of these shipments tion in dealing with the tariff can be had than is afforded by the range of prices in the sugar market during the past year.
of this last shipment, says:

This total cargo of some 6,000,000 of pounds of sugar, or 3,000 short tons, was brought out by this steamship from Philadelphia around to New Orleans, in the Mississippi Valley, to supply the trade of the American Sugar Refining Co. for refined sugars. It was unwilling to refine these sugars in New Orleans, and hence brought the sugar from a market where the price for 96 test sugar was about 20 cents per 100 pounds higher than in New Orleans; paid the freight from Philadelphia to New Orleans, and then supplied its trade from New Orleans in the adjacent country and up the river at prices a shade higher than those current in the city of New York. If there were such a god or goddess as Nemesis, or retributive justice, the Sugar Trust in this particular instance has certainly and possibly unconsciously invoked the penalty of that retributive justice upon its own head by this plan of bringing sugars from the North to this market, where there was already an abundant supply both of 96 test sugars and of white granulated sugars, bringing the sugars from a northern center of distribution at an increased cost to a southern center of distribution, and doing it presumably to thwart and interfere with the sale of locally produced white granulated, for which there should be an active demand. In this the trust has added to its many offenses against the sugar industry of Louisiana. This shows a dog-in-the-manger policy of special interference with the white sugar demand that is now reaching all the white sugar producers here, and this 6,000,000-pound cargo of white sugar from Philadelphia comes forward to crush by its competition, if it can, the rapidly growing trade for Louisiana white sugars. * * *

Now, when the hand of the State government is laid upon the Sugar Trust and it feels the criminal halter about its neck, it is driven to every extreme to find some means by which it can justify its course; and yet in bringing white sugars into New Orleans from Philadelphia by the great shipload, instead of accommodating the people of the country in which it makes its living by taking the local sugars, it is really adding insult to injury and is endeavoring as far as it can to prevent the producers of white sugars in Louisiana from getting a fair price for their own product.

The current quotations for 96-test sugar in New Orleans have been held down to about 20 cents per hundred pounds below the New York price, and the freights from Philadelphia to New Orleans aggregate a cost of about 20 cents per hundred pounds for bringing the sugar this way, and thus the Sugar Trust actually pays out 40 cents per hundred pounds, or $8 per ton, or $24,000 for this supreme effort that it is now making to damage the sugar planters of Louisiana by bringing in locally, not coals to Newcastle, but New York sugars into New Orleans, where there now exists a large supply of white granulated sugars entirely adequate for the market.

If the Sugar Trust was concerned in the slightest degree with the good of Louisiana, it could have bought large quantities of 96-test sugar here at the lower price and made its own white granulated, and have come into fair competition with the plantation white-sugar producers.

It shows, instead, the indirect and yet bulldozing desire to flood the market with supplies from Philadelphia, and the great steamship *El Rio*, of the Morgan Line, comes to Louisiana with this cargo here purposely to punish those who have been, and are still, endeavoring to whip the trust.

Unhappily for the Sugar Trust, these schemes will not work in Louisiana. Every such effort gives increasing evidence of the absolute insincerity of all of the allegations of the Sugar Trust in their own defense, and gives increased strength to the spirit of resistance that the Sugar Trust has developed in Louisiana. Our people feel that if they could get rid of this octopus, drive it out of the land, it would be far better for all concerned, and that a healthy growth of the sugar industry, developed by fair competition and not by the grasping hand of this monopoly, would result finally in a living chance for the sugar planters of Louisiana. This $90,000,000 corporation, with its iron hands now endeavoring to strangle the Louisiana sugar industry, with its great sugar refinery at the mouth of the river, ready to take in supplies from Philadelphia rather than from Louisiana at fair competitive prices, should be driven from the land as the common enemy of everyone who loves his State, the land of his birth, or his adopted home.

Notwithstanding the severe blow dealt their industry by the Democratic Party and the machinations of the trust, which is undisturbed under the present supine policy pursued by the Department of Justice, the sugar farmers of this country are making a supreme effort that should meet with the sympathy and support of all fair-minded men. The Louisiana Planter and Sugar Manufacturer, in another recent issue, says:

The Sugar Trust carefully suppressed all efforts to lessen its strangle hold on the sugar industry of Louisiana by boycotting brokers, dealers, and sugar receivers in Louisiana and by notifying distributing brokers throughout the country that to sell their goods they must discontinue all other relations with Louisiana and confine themselves exclusively to the Sugar Trust goods. * * *

The new life that the Louisiana sugar industry is now entering upon probably marks one of the most, if not the most, interesting eras in its history. All of the now great sugar factories of Louisiana can make pure white sugars, can make beautiful yellow crystals, can make fine sirups, and the cane growers of the State can readily produce sugar-cane enough to supply them all, and with these resources a half million long tons of the highest grades of sugar can readily be placed in the Mississippi Valley every year. The beet-sugar people will produce another half million tons, and our own people will then have produced within the limits of the mainland a million tons of sugar, and this can be done with no other effort than that of equalizing the cost of human labor in this country as compared with other countries and as utilized in the sugar industry. We shall hope, and we believe that the good sense of our National Legislature will bring it to the same mind and that even our determined President will be willing to sign a coming sugar-tariff bill which will maintain a schedule of duties equal to those now granted, which duties, we believe, will make our sugar industry permanently survive.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 21161. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes.

FORTIFICATIONS APPROPRIATION BILL.

The committee resumed its session.

Mr. SHERLEY. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, while the echoes of this attack upon American business prosperity is still in the Hall I want to give the gentleman some facts that he has evidently overlooked. I know that he overlooked the facts that I put in the RECORD a few days ago showing the balance of trade was in our favor on an average of nearly $300,000,000 a year, and had been since the 1st of December, 1914. I want now to read the following brief extract from the Baltimore Sun of Wednesday morning, February 10, 1915:

FACTORY WHEELS TO HUM—ROEBLING CO., OF TRENTON, PREPARES FOR BUSY TIMES.

TRENTON, N. J., *February 9.*

"We will begin rebuilding as soon as possible that part of our plant destroyed by fire a few weeks ago," said F. W. Roebling, secretary and treasurer of the John A. Roebling Sons' Co., wire manufacturers, to-day. "When finished, an extra force of men will be put to work at night, so that part of our factory will be running night and day. Things are looking better. There is an improvement."

Mr. Roebling believes that, unless some unforeseen turn in the war takes place, a gradual clearing away of the clouds of depression will start things moving toward normal conditions.

Every manufacturer of automobile tires in Trenton is doing a good business, and orders are increasing. One concern has doubled its output. Another is so pressed that the men are working in three shifts of eight hours each.

Mr. MOORE rose.

Mr. BORLAND. Oh, just one minute. Let me finish this, and then I will yield to the gentleman. I continue:

The Pennsylvania Railroad is about to begin improvements that will cost $200,000.

The heads of the Roebling concern and of a majority of the rubber factories say the future looks brighter than at any time since the war began.

Now, I yield to the gentleman from Pennsylvania.

Mr. MOORE. Does the gentleman mean to say that the great Pennsylvania Railroad is actually going to spend $200,000 in making improvements?

Mr. BORLAND. In one town. The gentleman will probably find they are continuing improvements in other towns in the same way.

Mr. MOORE. If they were going to expend $200,000 in Kansas City, would the gentleman rejoice?

Mr. BORLAND. I certainly would.

Mr. MOORE. Why, that is a mere bagatelle. It does not amount to anything.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. I yield to the chairman of the "sob squad." [Laughter.]

Mr. MOORE. The gentleman has referred to the Roebling Co. Does he not know that the Roebling Co. are making barbed wire for the European war?

Mr. BORLAND. They are making wire. I do not know the class of wire, and I do not know that the gentleman does.

Mr. HUMPHREY of Washington. Mr. Chairman, did the gentleman notice about the 750,000 railroad men who are going to have their wages decreased? Did the gentleman notice that in the newspapers yesterday?

Mr. BORLAND. Yes; and I expect to speak upon that at a later date.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, I would not ask the time of the House at this stage of its proceedings, with so many important measures to be considered in the short time remaining of this session, to make a tariff speech, but so much has been said in this House and in the press of the country about the responsibility of the Underwood tariff law for the depression in business and for the decreased revenues of the Government that I desire to insert in the RECORD an open letter upon that subject written by the editor of the St. Louis Republic to Mr. Walter S. Dickey, a Republican candidate for the United States Senate in Missouri.

This letter, I think, is a complete and a convincing answer to every criticism that has been made of the Underwood law, and I ask permission to insert it in the RECORD as a part of my remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

The letter referred to is as follows:

THE TARIFF AND BUSINESS DEPRESSION—AN OPEN LETTER TO WALTER S. DICKEY.

WALTER S. DICKEY,
Kansas City, Mo.

SIR: At the Lincoln Day Young Republican banquet, held in the city of St. Louis, you said, according to the St. Louis Globe-Democrat of the following morning:

"A majority of the people of the United States are again convinced that experimenting in free trade is disastrous to our people. * * * The voters of the United States will hold the Democratic Party responsible for the widespread prevailing business depression and lack of remunerative employment. This great, rich, new country requires a protective tariff."

We Democrats welcome this expression of opinion from one who is not a political spellbinder, accustomed to deal in unlimited talk and indiscriminate condemnation of the opposite party, but a Republican business man of standing and experience, who expects his words on economic questions to be taken seriously. I have tried in vain to evoke from the Republican press of the Middle West detailed discussion of the relation of the Underwood tariff to the prevailing business depression. I am glad to put to you certain questions, in view of certain facts, and to invite your full and explicit reply.

We have just received from Washington the Monthly Summary of Foreign Commerce for December, giving statistics for the calendar year of 1914. The figures contained in this article are all taken from the publication, and the numbers in parentheses refer to its pages, to aid you in your review of our case.

In 1914, under the Underwood tariff, we imported $28,000,000 worth of manufactures of iron and steel. (I shall use round figures to avoid confusion.) This was $5,000,000 less than our importations in 1913 and $700,000 less than those of 1912 (461). How can Democratic tariff policy with respect to the iron and steel schedule be held "responsible for the widespread prevailing business depression and lack of remunerative employment," in view of the fact that we imported less iron and steel manufactures in 1914 under the Underwood tariff than in either of the two preceding years under the Payne-Aldrich tariff?

Take cotton goods. This schedule is one of the protection strongholds. Last year we bought $60,000,000 worth of manufactured cotton goods abroad (457). But the year before we bought $65,000,000 worth, and the year before that nearly $68,000,000 worth. Now, Mr. Dickey, how can Democratic policy with respect to the cotton schedule be held "responsible for the widespread prevailing business depression and lack of remunerative employment" in view of the fact that we imported less cotton goods last year under the Underwood duties than in either of the two years immediately preceding under the Payne-Aldrich duties?

Look at the returns on chemicals. Under the Underwood law in 1914 we imported chemicals to the value of $101,000,000 (456). This was almost exactly the same as the total for 1912, but it was more than $13,000,000 less than the figures for 1913. How can Democratic policy with respect to the chemical schedule be held "responsible for the widespread prevailing business depression and lack of remunerative employment" in view of the fact that we imported $13,000,000 less chemicals in 1914 under the Underwood act than we did the year before under the Payne-Aldrich Act?

Take Schedule K, wools and woolens. This schedule has been called the "citadel of protection." Here on account of the lowering of rates importations of manufactured goods increased from $17,000,000 in 1913 to $44,000,000, nearly 2½ as much (467). But two facts need to be remembered. One is that raw wool imports under free trade increased almost $30,000,000 worth.

Evidently the American woolen manufacturers could not have been very hard hit or what use would they have had for all this raw material? Nor has the grower suffered. The prices of wool have not fallen on account of free trade; they averaged somewhat higher in 1914 than in 1913. The other fact is that of the 99 sorts of woolens scheduled under the Underwood tariff 16 are taxed at 50 per cent or over, and 60 at 35 per cent or over, while only 17 are lower than 25 per cent, and only 5 lower than 20, this last group containing two duties of 18 per cent and free rags, shoddies, and mungo. (See the Protective Tariff Cyclopedia, p. 145.)

Now, Mr. Dickey, you know the history of the wool and woolen schedule, and you remember how North had a desk in Senator Aldrich's office and what Aldrich said about "the tail going with the hide." Do you believe that the changes in Schedule K are "responsible for the widespread prevailing business depression and lack of remunerative employment"? If so, how do you reconcile the belief with the steady prices for wool and the good demand on the part of American wool manufacturers revealed in import figures?

Let us look at the earthenware, stone and china schedule, a field near akin to that of your own business. Our imports last year were a round million less in value than during the year before and a little less than for 1912 (457). How can Democratic policy with respect to the earthenware, stone and china schedule, be held "responsible for the widespread prevailing business depression and lack of remunerative employment," in view of the fact that we imported less of these goods under the Underwood schedules in 1914 than in either of the two years preceding under the Payne-Aldrich schedules?

Last we come to lumber. Here the Underwood tariff puts us on a free-trade basis. And we imported lumber in 1914 to the value of a few hundred thousand dollars less than in either 1913 or 1912 (466). How can Democratic policy with respect to the lumber schedule be held "responsible for the widespread prevailing business depression and lack of remunerative employment" in view of the fact that we imported less lumber last year under Underwood free trade than in either of the two years before under Payne-Aldrich protection?

Perhaps you feel like exercising at this point the American privilege of questioning your questioner and inquiring how the Republic accounts for the depression in the field of international trade, if the tariff has had nothing to do with it? I make haste to answer. The trouble is that the other fellows quit buying of us. They did not "flood the market" with their goods. They stopped taking ours.

The Republic holds that our business has been depressed because, as shown by the export statistics contained in pages 476–486 of the publication I have been quoting, our over-seas customers took of us in 1914 $13,000,000 less agricultural implements, $12,000,000 less cars and carriages, $2,000,000 less chemicals, $27,000,000 less copper and manufactures of copper, $232,000,000 less cotton, $5,000,000 less manufactures of cotton, $94,000,000 less iron and steel manufactures, and $39,-

000,000 less wool products and manufactures. They took $105,000,000 worth more of foodstuffs and food animals than in the previous year, but they cut down other purchases so tremendously that their total purchases were $377,000,000 less on the year's trade. They demanded our gold instead. They bought of us $278,000,000 less of raw materials for manufacturing than they did the year before, $51,000,000 less of manufactures for further use in manufacturing, and $151,000,000 less of finished manufactures (453).

I do not need to point out to you the fact that this deficiency of $377,000,000 on the year's business in the international field means far more than a loss of income to that amount on the part of the specific industries concerned, grave as such a loss is. As a practical man, you are familiar with the fact that receipts from productive industry go at once into the channels of trade, and that through the loss of nearly $400,000,000 of income from the failure of the foreign buyer to purchase goods we were ready to sell, the United States lost an overturn of a vastly larger amount from its domestic trade.

Now, Mr. Dickey, I ask you as a business man whether you ever heard of a receipt for keeping business good when your customers quit buying of you? I ask you, as a student of the tariff, what possible effect the tariff can have on trade balances, except as it restricts the amount of foreign goods coming into the home market? I ask you, as a fair man, what justification can be found in the detailed statistics for 1914 as embodied in the regular official publications for the supposition that the Underwood tariff has in any way affected general business unfavorably during 1914? And I challenge you, as a critic of the tariff policy of the Democratic Party, to say wherein that policy as embodied in the Underwood Act is wrong and what rule the Republican Party proposes to follow in revising the schedules, if it gets the chance. I do not expect you to suggest detailed schedules, of course; that would be absurd. But, so far as general policy goes, what would you recommend be done with the iron and steel schedule, the cotton schedule, the chemicals schedule, the wool schedule, the china and stone ware schedule, the lumber schedule?

I shall be glad to give space to your reply.

EDITOR OF THE REPUBLIC.

Mr. CALDER. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, apart from the tariff activities of this administration, which have just been discussed, was the passage the other day in the House of a shipping bill which contemplated the taking of $30,000,000 of the people's money to buy foreign ships to discourage American labor. And prior to that a bill was passed, at the instance of the White House, providing that we take $5,000,000 of the people's money to establish a war-risk indemnity company. The bill was rushed through both Houses, and the President signed it, and the war-risk indemnity company is now a fact. I desire, also, to have it noted that a few days ago we had before us a bill which gives American registry to vessels of foreign construction that are wrecked on the shores of the United States.

All these things dovetail together this morning when we read, under sensational headlines, that an American ship, or, rather, a ship flying the American flag, was sunk by a mine while approaching the port of Bremen. Now, I have no special desire to harrow the feelings of the American people upon this subject. I do not believe we should engage in war because this vessel has been sunk. Some gentlemen may become excited over the question, but to me what appears more serious than anything else just now is the method by which a Democratic administration has made it possible for the American people to become embroiled in a foreign war. The vessel that was blown up yesterday was the *Evelyn*, formerly of the port of Philadelphia, a vessel which was allowed to use the American flag, although built in Glasgow, Scotland, 32 years ago; a vessel that sailed under a foreign flag until she was wrecked upon the north Atlantic coast; a foreign tramp steamer that, by reason of her having been wrecked and repaired in the United States, was given American registry and permitted to use the American flag. In consequence of her being wrecked at 14 years of age, she acquired the opportunity to engage in the coastwise trade. She had the advantages of an American ship, entering into the trade along the Atlantic coast and the Gulf. For a time she ran between Philadelphia and New Orleans. She was not a success, so she was put up at auction and sold, this 32-year-old craft, repaired in 1897. Sold with a sister ship, she is said to have produced about $54,000. Then the European war broke out. The demand for American ships in the foreign trade was acute, and because of her American registry a great value was placed upon the *Evelyn*. The ship was worth little; the American flag was worth everything. She was sold to New York parties at a good price. She engaged in the business of carrying conditional contraband abroad. The insurance companies were not willing to insure her cargo, it is said, for less than $400,000. It is a question whether her cargo when she went down was worth $350,000. Her cargo was largely of cotton which some of our friends wanted to get over into the war zone. It was not a question of saving this Nation from war; it was a question of going to a forbidden territory to enable somebody to make money. Those who sold the cotton and those who speculated in it can readily see the advantage of having the President of the United States and the Congress of the United States establish an insurance company, with a capital of $5,000,000 of the people's money, to insure such cargoes when the regular marine insurance companies refuse to do it.

Mr. McKELLAR. Will the gentleman yield?

Mr. MOORE. I have not the time. A ship laden with this conditional contraband——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Will the gentleman give me three minutes to finish this?

Mr. CALDER. I yield the gentleman three minutes.

Mr. MOORE. Here is a ship, rebuilt from a wreck, engaged to go into forbidden territory. She goes there at the risk of whom? Not of the individuals or independent insurance companies concerned, but at the risk of the United States Government. This old ship went over there, backed by the money of the people of the United States, by money taken out of the Treasury of the United States. The gentlemen who own the ship, according to this morning's papers, declined to make any general statement when interrogated last night. As quoted, one of the owners of the vessel says, "This is a risk; a war risk that we take," and he refers all inquiries to Washington. I called up the department this morning to get some information as to this risk, to find out how much the Government is to be mulcted for this loss, but the department and the War Risk Bureau are closed. While we are working in Congress, it is a holiday elsewhere. Meantime we have the word of the owner of the ship who sits calmly in his office in New York and says, "It is a risk we take." Yes; it is a risk—this sending of cargoes where marine insurance companies prefer not to insure. The risk is not so much with the gentlemen who put this risk up to the United States as it is with the Government that went into the war-risk insurance business. The shippers insured their cargo and they are probably all right. It is the people who must pay.

Now, remember, that ship was 32 years old, and wrecked on the Atlantic coast in 1897 and rebuilt. When we begin to purchase ships——

Mr. RAGSDALE. Will the gentleman yield?

Mr. MOORE. I can not. Here is a case in point. It is a loss to the Government of the United States; a money loss to the citizens of the Nation for going into a hazardous business. The question of neutrality, the question whether we shall become involved more seriously than by putting our hands in our pockets and paying this insurance bill, is left for the determination of this administration. I trust the administration will be able to deal wisely with this new war baby of its own creation. [Applause on the Republican side.]

Mr. CALDER. How much time did the gentleman use?

The CHAIRMAN. The gentleman consumed seven minutes.

Mr. CALDER. I yield 45 minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, in the 45 minutes I am going to discuss the question of whether we have enough ammunition for our——

Mr. MOORE. Mr. Chairman, I am going to ask the gentleman to yield to me for a minute.

The CHAIRMAN. Does the gentleman yield?

Mr. GARDNER. I yield.

Mr. MOORE. I may be doing a very discourteous thing, but I hope not, because I am intent upon doing a courtesy. The gentleman who is now about to address the committee ought to have a larger audience. I know of no Member of Congress who has more rightly earned the soubriquet of "a fighting Congressman" than the gentleman from Massachusetts. He has taken up this question of preparedness for war and has maintained it with an ability the like of which has not been excelled in the House. The gentleman has attained a reputation which extends far beyond the ordinary. He has been memorialized by Mr. John O'Keefe in a bit of versification that ought to be preserved. I am going to ask my friend from New York to yield me two minutes.

Mr. CALDER. I will yield to the gentleman two minutes.

Mr. MOORE. Then I ask the Clerk to read this happy introduction of the distinguished gentleman from Massachusetts. It is the tribute of Mr. O'Keefe.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OUTJABBERING THE JABBERWOCK.

The bad bazoo can split the air
And rumple up the sky;
The wild whangdoodle in its lair
Gives yells that terrify.
But we have little fear of those
When, scooting down the way
Upon its twenty thousand toes,
With fire just spouting from its nose,
The growling gussiegardner goes
A-gussying all day!

The proud pazazza makes us pause
Within the side-show tent;
Upon the jabberwock's red jaws
Our eyes in awe are bent.
But what's a mere pazazza's puff
(Although that breath can slay)
When, with its gullet spouting guff
(His larynx being rubber tough),
The growling gussiegardner gruff
Goes gussying all day?

The mad magoozlum roves the main
And swallows up the ships;
The savage squonkus gives us pain
With its one thousand grips.
But they seem Mother Peace's chums
When, with its warlike neigh,
With teeth a-champing in its gums
And ears that beat like muffled drums,
The horrid gussiegardner comes
A-gussying all day!

[Laughter and applause.]

Mr. MOORE. Mr. Chairman, I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, and this is Washington's Birthday, and the gentleman has heard that wonderful Farewell Address so admirably read this morning. That address was originally delivered in the gentleman's [Mr. MOORE'S] own home city of Philadelphia, where liberty was born. Now, Mr. Chairman, if George Washington were to come to life again to-day and were to find that Philadelphia was sending "HAMP" MOORE to Congress, what do you suppose he would think of it? [Applause.] Do you not suppose that he would despair of the future of the country? [Laughter.]

OUR HARBOR DEFENSES MISNAMED COAST DEFENSES.

Mr. Chairman, in the three-quarters of an hour which I have at my disposal I am first going to discuss the question of the ammunition supply which we have for our seacoast defense. Next I am going to discuss the adequacy of the guns in those seacoast defenses, and then if I have any time left I am going to take up the question of the adequacy of the fortifications themselves. I am in hopes that there will not be any dispute about the facts; that I shall be able to come to a framed issue of facts with the gentleman from Kentucky [Mr. SHERLEY], so that the discussion will only be as to whether or not the ammunition, for instance, is sufficient, not as to how much ammunition we have.

SEACOAST AMMUNITION.

Now, as I understand, Mr. Chairman, the situation is this: In 1906 the National Coast Defense Board, known as the Taft Board, recommended that we ought to accumulate before war breaks out enough ammunition to serve all the guns in our seacoast defenses for one hour. The theory was that both coasts would not be attacked at the same time. Therefore it was supposed that it would be possible to transfer ammunition from the Pacific Coast to the Atlantic if we were to go to war with a European power. Conversely it was conjectured that it would be possible to transfer ammunition from the Atlantic to the Pacific Coast if our danger lay in the Pacific Ocean. In other words, the theory was that if there were an equal number of guns on both coasts, then, by this method of transference, instead of one hour's supply, every gun on the threatened coast would have two hours' supply when war came and every gun on the unthreatened coast would be stripped, or practically stripped, of ammunition.

Now, I should be ever so much obliged if the gentleman from Kentucky [Mr. SHERLEY] would follow my statement of the situation, and if he disagrees I wish he would stop me, because I am trying to state the situation fairly. Am I correct so far?

Mr. SHERLEY. I have nothing in which I desire to correct the gentleman's statement.

Mr. GARDNER. I want to get the thing exact, and I am stating it as I understand it. Is that substantially as the gentleman understands it?

Mr. SHERLEY. As far as I caught what the gentleman said, I will not now disagree with him.

Mr. GARDNER. Well, I was in hopes the gentleman would say that I was correct. I read from the New York Sun, of December 10, a speech alleged to have been delivered by the gentleman from Kentucky [Mr. SHERLEY] in New York. He says:

Now, turning to the continental United States, we have still some auxiliaries to the defenses to supply, but the defenses are in splendid condition, and he who would have you believe otherwise is either ignorant or vicious.

Well, I am going to be both ignorant and vicious to-day. First I shall try to persuade you, on the authority of the highest Army officers in the United States, that the ammunition supply is inadequate. I have explained the theory of the ammunition supply laid down in 1906 by the National Coast Defense Board, or Taft Board, as it was called. But the fact is that we have not given our defenses even the minimum ammunition supply which the board recommended.

The Taft Board decreed one hour's supply for every gun in continental United States as the minimum, but we have refused to make this modest, too modest, provision. In all those years we have not given our coast defenses this one hour's supply. We have given them, from time to time, small doses of money, until now they have accumulated a little less than three-quarters of an hour's battle supply of ammunition. We have given them, to be exact, 73 per cent of the ammunition which was ordained as the minimum, and if you pass this bill you will increase that percentage from 73 to 74½. Mind you, this means 73 per cent of the requisite ammunition, not for the whole coast-defense project, but for that part of our seacoast artillery which has already been provided for in appropriations.

Now, Gen. Crozier, whose testimony is a good deal relied on by the people who take the opposite point of view from that which I take, even he testified that we must have 100 per cent of the moderate ammunition estimate of the National Coast Defense Board and that we must have it now. I refer you to this general's evidence, on page 196 of the hearings:

Gen. CROZIER. I think that, considering the fact that the allowance estimated as proper is a very moderate allowance indeed, we ought to have more than 73 per cent of it now. We ought to have 100 per cent of it.

And that, if you please, is Gen. Crozier who is testifying. Let us see what Gen. Weaver, Chief of the Coast Artillery, says about that allowance. I want to show you the character of the company associated with me in my "ignorant and vicious" views.

On page 68 of the hearings I find:

Gen. WEAVER. I have never personally been able to bring myself to think that a one hour's allowance for continental United States, with the understanding that we should shift from one coast to the other, is a reasonable rule. I think that all of our guns should have at the batteries a two hours' allowance.

Now, on page 194 of the hearings is the following:

Gen. WEAVER. I have always felt personally that the assumption that only one coast would be threatened at one time is an unsafe one on which to base such an important item as ammunition for our defense. In my opinion, we ought to contemplate a condition of affairs which might include both coasts being threatened at the same time. * * * Having in mind past experiences during the Civil War and the Spanish War and the excitable nature of our people who live on the coast, a couple of cruisers on one coast would be sufficient to hold intact both the personnel and the matériel on the least threatened coast.

There is that "ignorant and vicious" Gen. Weaver, who says our ammunition is not in proper shape and says that we ought to have two hours' supply, when we have only three-quarters of an hour's supply. Even Gen. Crozier says that we must have an hour's supply, and yet the committee has provided in this bill only 1½ per cent additional ammunition. This munificent largesse will raise the amount of seacoast ammunition on hand from 73 per cent to 74½ per cent of one hour's battle supply for all guns.

I find in a statement made by the gentleman from Kentucky [Mr. SHERLEY] which appears in the Evening Star of December 4, 1914, the following:

"The fortification subcommittee since I have been chairman," said Mr. SHERLEY, in speaking of the matter to-day, "has never held back a single dollar on essentials. It has appropriated every dollar asked for guns and battle necessaries."

Is the gentleman from Kentucky correctly quoted?

Mr. SHERLEY. The gentleman from Kentucky was not fully quoted.

Mr. GARDNER. All right; I will go on. I read:

"We have not appropriated everything asked for, as we thought it best to get the forts and the guns and the ammunition, and then pay attention to frills."

Is he now correctly quoted?

Mr. SHERLEY. Well, without proposing to be cross-questioned as to the reported interview, I desire to say that I have given no written interview to any newspaper at any time. Newspaper men have frequently asked me about matters, and in a general conversation they have gathered impressions and have then printed what they thought was my viewpoint.

Mr. GARDNER. Was this matter which went out to the press on December 10—which went, for example, to the Boston papers—authorized by the gentleman or not at the time of his speech to the Southern Society in New York?

Mr. SHERLEY. I do not know what the matter is that the gentleman refers to.

Mr. GARDNER. Well, does the gentleman say that his committee has given everything the department has asked for in the way of ammunition?

Mr. SHERLEY. The gentleman will give, when we reach that item, the estimates that have been asked and the amounts that have been given.

Mr. GARDNER. Then, in default of a contradiction from the gentleman, I will say that the committee has done nothing of the sort so far as concerns the appropriation for seacoast ammunition last year. I hold in my hand the fortification bill for last year. In that bill I find that the committee fixed the appropriation for seacoast ammunition at $140,000. I find in the estimates last year that Secretary Garrison asked for $400,000 for seacoast ammunition. I notice that Gen. Crozier, on page 195 of this year's hearings, testified that heretofore the seacoast-ammunition estimates had been made too small. But he said: "In some cases they were made under instructions, and in some cases they were made in hopelessness of getting any greater amount than was estimated for." The result is that the ammunition for the seacoast guns is still less than three-quarters of an hour's supply.

Mr. SHERLEY. If the gentleman will permit, if he desires to be correct, the gentleman will find that the ammunition for the guns is not 72 per cent, but in many caliber guns is 100 per cent, and in some over 100.

Mr. GARDNER. Now, let us be accurate about that. On page 198 of the hearings can be found the exact statement. Mind you, in some cases, it is over 100 per cent if you transfer all your ammunition from one coast to another, but it makes a lot of difference which coast you are transferring to and which coast you strip. If you transfer all your ammunition from the Atlantic coast to the Pacific coast, where there are so many less guns, of course there will be over 100 per cent of ammunition for the limited number of guns on the Pacific coast. But suppose the war is on the Atlantic coast. Suppose that all the ammunition provided for the Pacific guns is brought across the continent to supplement the supply for the Atlantic guns. Will those Atlantic guns have their full two hours' supply as contemplated by the Taft board? By no means. Turn to page 198 of the hearings. Here is the evidence of the Chief of Coast Artillery.

Gen. WEAVER. If they were shipped from one coast to the other, the percentage for a two hours' supply would be as follows: For 3-inch guns, 42 per cent; for 4.7-inch guns, 74 per cent; for 5-inch guns, 96 per cent; for 6-inch guns, 42 per cent; for 8-inch guns, 55 per cent; for 10-inch guns, 70 per cent; for 12-inch guns, 71 per cent; and for 12-inch mortars, 34 per cent.

Mr. SHERLEY. That would depend upon what coast they were shipped from?

Gen. WEAVER. Yes.

Mr. SHERLEY. That is, if shipped from the Pacific to the Atlantic?

Gen. WEAVER. Shipped from the Pacific to the Atlantic coast.

Mr. SHERLEY. If, on the other hand, they were shipped from the Atlantic to the Pacific coast, you would have more than 100 per cent in some instances?

Gen. WEAVER. Yes; I can work that out if you desire it. If shipped from the Pacific to the Atlantic coast the percentages would be as I have just read them.

Now, it is true, as the gentleman says, that if we ship all the ammunition from the Atlantic to the Pacific coast, that then for a great many different kinds of guns we shall have more than 100 per cent of the amount requisite for two hours' battle supply.

Mr. SHERLEY. Now, will the gentleman yield?

Mr. GARDNER. Surely.

Mr. SHERLEY. The gentleman will find, without regard to transferring from coast to coast, on the basis of an hour's supply for all the guns, Gen. Crozier testified as follows.

Mr. GARDNER. What page, please?

Mr. SHERLEY. I do not know. I will give it in a moment. I am reading from a part of it—the part that is available. Gen. Crozier says:

The allowance for the 3-inch (15-pounder) guns is 200 rounds per gun, and we have 70 per cent on hand.

The allowance for the 4-inch guns is 150 rounds per gun, and we have 132 per cent on hand.

The allowance for the 4.72-inch guns is 150 rounds per gun, and we have 85 per cent on hand.

The allowance for the 5-inch guns is 125 rounds, and we have 118 per cent on hand.

The allowance for the 6-inch gun is 125 rounds and we have 76 per cent on hand.

The allowance for the 8-inch guns is 90 rounds per gun and we have 91 per cent on hand.

The allowance for the 10-inch guns is 60 rounds per gun, and we have 101 per cent on hand.

The allowance for the 12-inch guns is 45 rounds per gun, and we have 110 per cent of projectiles on hand, but only 85 per cent of powder. The ammunition for the 14 and 16 inch guns is still under manufacture, for the 14-inch guns being 40 rounds, and the 16-inch 35 rounds. The allowance for the 12-inch mortars is 50 rounds, and we have 46 per cent on hand.

Mr. GARDNER. Now, does the gentleman dispute the fact that we have only 73 per cent in value of the ammunition on hand for one hour's battle supply for all our seacoast guns?

Mr. SHERLEY. I do not of guns and mortars; but the gentleman stated that we had only 73 per cent of ammunition for the guns, and in that he was in error.

Mr. GARDNER. Now, let us see. I asked these questions of Gen. Weaver, because the Chief of Staff in his annual report said exactly what I have quoted.

Here is what he said:

According to the report of the Chief of Coast Artillery the amount of ammunition now available and provided for by appropriations is equal to about 73 per cent of this requirement for the guns and 50 per cent for the mortars.

The gentleman from Kentucky [Mr. SHERLEY] interrogated Gen. Weaver, but the exact situation did not develop. Here is the colloquy. It can be found on page 197 of the hearings:

Mr. CALDER. Gen. Weaver, I want to ask you some more of Mr. GARDNER'S questions. I think you have already answered them in a somewhat different form. "Is it a fact that we have only one-half of the mortar ammunition recommended as a minimum by the National Coast Defense Board?"

Gen. WEAVER. For continental United States; yes.

Mr. CALDER. Is it a fact that we have only three-quarters, or 73 per cent, of the coast gun ammunition recommended as a minimum by the National Coast Defense Board?

Gen. WEAVER. No. I answered that question just a moment ago.

Mr. CALDER. What is the percentage we have?

Gen. WEAVER. The percentage is 73 per cent on a money value basis, and then it is approximately——

Mr. SHERLEY (interposing). You do not mean that, General. It is 73 per cent on money valuation of both guns and mortars?

Gen. WEAVER. Yes.

I am correct in saying that the Chief of Staff quotes the Chief of Coast Artillery to the effect that the ammunition supply is 73 per cent for the guns alone, without regard to the mortars. It is quite possible that the Chief of Staff may have made an inexact quotation. But supposing for the sake of argument that it is guns and mortars, not guns alone, which are meant, that does not substantially change the situation. When the gentleman from Kentucky [Mr. SHERLEY] comments on what I am saying I hope he will refer to page 198 of the hearings and take up Gen. Weaver's evidence, wherein we are told what would happen if an attempt were made to shift ammunition from the least threatened coast to the most threatened coast.

THE SEACOAST GUNS.

Let us take up the question of guns. In continental United States there is no gun bigger than a 12-inch gun mounted in any of our fortifications. There are four unmounted 14-inch guns on the Pacific coast. The Panama Canal has two 14-inch guns mounted and eight more which are going to be mounted. Corregidor Island and the Hawaiian Islands have some 14-inch guns, and there is a 12-year old, 16-inch gun that has been lying in the sand up at Sandy Hook which is going down to Panama when they can get a carriage built for it. It is a gun of the old-fashioned, short type, not the type recommended for Cape Henry, for instance.

Mr. HUMPHREY of Washington. I understood the gentleman to say there were no 14-inch guns mounted in this country.

Mr. GARDNER. In continental United States there are none mounted.

Mr. HUMPHREY of Washington. I thought we had some 14-inch guns in the fortifications on Puget Sound.

Mr. GARDNER. I understand from the Secretary of War that the only guns of that caliber in continental United States are the four guns which are to be mounted on the Pacific coast. My impression is that they are destined for the fortifications of San Diego. Undoubtedly the gentleman from New York [Mr. CALDER] can correct me if I am wrong about that.

Mr. CALDER. I think they are for San Pedro.

Mr. GARDNER. Then they are for San Pedro, which is a newer fortification. At all events there are no other 14-inch guns mounted, unmounted, or projected in that part of the United States which is situated in North America.

Mr. TAGGART. Will the gentleman yield for a question there?

Mr. GARDNER. Yes.

Mr. TAGGART. In this European war that has been in progress nearly seven months there has not been a coast-defense gun fired, except perhaps in the Dardanelles, has there?

Mr. GARDNER. Very likely not; but if the gentleman is going to discuss general principles, I hope he will discuss them with somebody else. I want to get down to the facts.

As I have said, there is nothing larger than a 12-inch gun yet mounted in continental United States. Seventy-six out of 105 of those 12-inch guns are mounted on Crozier disappearing carriages and their range is only 13,000 yards. Think of that. On the barbette carriage, on which 29 are mounted, the range is 18,000 yards. How do these 12-inch guns compare with the naval guns mounted on the *Queen Elizabeth* and the *War Spite*

and other modern superdreadnaughts? Those naval 15-inch 45-caliber guns have a range of 21,000 yards, which is 8,000 yards, or over 4 miles, farther than the range of the best guns we have in the United States mounted on the Crozier disappearing carriage. Of our 12-inch guns 29 are mounted on barbette carriages, now considered out of fashion. Twelve-inch guns so mounted have a range of about 18,000 yards, according to the Secretary of War's letter to the Speaker January 15, 1915. But 76 of our 12-inch guns are mounted on Crozier's disappearing carriage. Their range, according to the Secretary, is no more than 13,000 yards.

"Ah, but," says Gen. Crozier, "we will alter those guns by cocking them up in the air so that we will increase the range to 20,000 yards." Very possibly. We used to have a gun that was cocked up at 45° that had a very much longer range still. In fact, the British at one time had guns which were cocked up at 45° and their range was over 45,000 yards. You can get a tremendous range if you cock your gun up high in the air. But how does that help things?

What else must be done to improve the range of our 12-inch guns? Gen. Crozier's annual report and the table on page 206 of the hearings show that you must reduce the weight of the projectile from 1,070 pounds to 700 pounds. What is the weight of the projectile which the enemy's 15-inch guns fire? About a ton—1,950 pounds, to be accurate. That is the projectile with which the attack is armed. Can we meet the situation with made-over 12-inch guns, which fire projectiles of only 700 pounds weight?

After all, these contemplated changes are not as yet made, and the testimony of Gen. Crozier himself was to the effect that it will take a year to make them. Meanwhile gentlemen are talking as if the horizon was a protection to us. The gentleman from Alabama [Mr. DENT] told us the other day that a colonel in the Army had told him that an admiral in the Navy had said that these long ranges were not worthy of any consideration because ships at 20,000 yards distance were well below the horizon.

The fact is that a man about 82 feet above sea level can find the range for an object 21,000 yards away. The top of the masts on our superdreadnoughts is usually about 130 feet above sea level.

Mr. MOORE. Does the gentleman intend to tell us anything about the probability of vessels at sea attacking any of our coast forts successfully?

Mr. GARDNER. I am coming to that. I have read some lectures in which it was asserted that in modern warfare fleets would never go against land fortifications. I was inclined to be convinced until I saw in the paper the day before yesterday that the French and English fleet has, as a matter of fact, attacked the forts at the Dardanelles.

Mr. MOORE. It has been suggested that a city like New York might not be altogether impregnable.

Mr. GARDNER. Attacking forts and coast defenses is one thing, and bombarding a city like New York is an entirely different one. It might sometimes be the case that a ship could not attack fortifications and yet could lie out of range and bombard the city which those fortifications were supposed to protect. In case of war, I doubt whether there would be a direct attack on the New York forts themselves, because I do not see why an admiral with any brains should take that risk, when all he had to do would be to land troops on the coast near by and attack the forts in the rear.

Although under present conditions a foreign admiral might not try to reduce the fortifications of New York, nevertheless I am convinced that to-day the *Queen Elizabeth* and vessels of her type could lie in safety out of range and bombard part of the city.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. MONTAGUE. What is the gentleman's opinion as to the feasibility of landing troops on the ocean coast itself?

Mr. GARDNER. I do not know, except that Admiral Fletcher, on December 9, 1914, testified before the Committee on Naval Affairs that a foreign enemy could land almost anywhere that he had a mind to. I am not an expert. That is the sort of thing which we ought to have looked into by a commission.

Mr. MONTAGUE. Are there any instances which will sustain the statement of Admiral Fletcher?

Mr. GARDNER. He mentioned our landing near Santiago.

Mr. MOORE. With that view, of what use are the fortifications at Pearl Harbor? Why could not they land on the shore as well?

Mr. GARDNER. Many people have doubts whether the defenses of Pearl Harbor are sufficient.

To revert to this matter of the proposed alteration of the 12-inch guns. I am going to read from an article in the North American Review, written by one of the younger Coast Artillery officers. I am going to read from Lieut. Thompson's article, page 263, North American Review, for February, 1915. Here is what he says:

> Should those in charge of gun construction determine to make the army 12-inch guns longer in range, with consequential loss of life to the gun and the great expense involved, it is doubtful whether our present carriages could withstand the strain caused by the additional powder charge and the higher angle of elevation required to make them compare in range with the latest 13, 14, and 15 inch guns of the maritime powers.

Mr. Chairman, the fact is you can not make over one of our 12-inch guns so as to be as good as the modern naval 15-inch guns, and it is folly to lull ourselves into the belief that the thing can be done.

Here is the report of the Breckinridge Board, December 19, 1914, and here is the last sentence:

> The general policy with reference to seacoast defense should be to have an armament there emplaced of greater range and power than any which could be brought against it.

Instead of our armament having greater range and power it has less range and power. That is all there is to it.

WHY WERE THE ESTIMATES SO LOW?

The committee is contending that it has given the Army everything which the Secretary of War has asked for. It is true that Secretary Garrison has been given pretty nearly everything that he has asked for so far as the fortifications bill is concerned. May I call your attention to his reasons for asking for so little? He says, in the first place, that these estimates on which this bill was based were made out for the most part last March and submitted to him last spring. He had acted on practically all of them by June, long before the European war began. The Secretary says, on page 42 of the hearings:

> If I were to make up the estimates now I should ask for more.

Again, on page 44, he says:

> I do not feel now, in view of the state of the public revenue and in view of the state of the public necessities, that I should materially increase these estimates, notwithstanding the fact, as I say, that there has always existed a necessity for more precaution than we have ever taken in this country.

Even if the committee is giving the Secretary all he asked for in the estimates, that does not mean that the Army is being given what the officers have estimated as requisite. Take, for instance, the appropriation for field artillery in this bill. The Secretary's estimate was $1,160,000 and the committee appropriated that amount. But that amount was very much less than Gen. Crozier estimated as necessary. He asked the Secretary of War to request the appropriation of $3,000,000 for field artillery in this bill and $3,000,000 for field artillery in the Army appropriation bill.

Turn to page 172 of the hearings and you will find that my assertion is true. Here is Gen. Crozier's testimony as to the amount of the Field Artillery estimates which he submitted to the Secretary of War:

> Mr. CALDER. What I mean by that is, in presenting your case to the Secretary of War are these the amounts you asked for?
> Gen. CROZIER. $3,000,000 on each bill.

That is what the general asked the Secretary of War to approve. During the economy drought before the war in Europe broke out the estimate was cut to $1,160,000.

SIXTEEN-INCH GUNS NEEDED.

I call the attention of the committee to the fact that before long we must construct fortifications at Cape Henry. Is the War Department asking for those "just-as-good" 12-inch guns? It is not. Gen. Weaver has asked for 16-inch 50-caliber guns, and that is to be the standard of the future. Listen to this passage from the general's report as Chief of Coast Artillery:

> In view of the fact that foreign warships of the latest design are to carry guns larger than 14 inches in caliber and of the highest ballistic power, and in view of the fact that if the defenses of Cape Henry were subjected to a naval attack it would be possible for a naval enemy to bring many battleships carrying 8 to 12 large-caliber guns per ship and to concentrate their fire on the Cape Henry fortifications * * * the Chief of Coast Artillery has recommended that the type gun for the Cape Henry fortifications be a 16-inch 50-caliber gun.

If these 12-inch guns which they are going to make into long-range guns by cocking them up a little higher and reducing the weight of the projectile—if these guns will then be all that Gen. Crozier's fancy paints them, then why is Gen. Weaver asking for 16-inch guns down at Cape Henry, and why are we installing 14-inch guns on the Panama Canal, at Corregidor Island, and in Honolulu?

Mr. KAHN. Mr. Chairman, will the gentleman from Massachusetts yield?

Mr. GARDNER. Yes.

Mr. KAHN. Can the gentleman inform the committee what was the relative range of the forts in the island of Cuba as compared to the range of the American battleships? For instance, the range of the guns in Moro Castle at Habana and at San Juan, P. R., and at Santiago de Cuba?

Mr. GARDNER. Nobody ever tested that. I happened to be at Porto Rico. We landed far away from the forts. Nobody would have been fool enough to land under the guns of the San Juan fortifications when we could land anywhere we wished. As a matter of fact we landed at Ponce and Guyama and Guanica. It was the same way in Cuba. They had plenty of places to land. They picked out Daiquiri and effected a landing there.

Mr. KAHN. But there was an attack on the Moros?

Mr. GARDNER. Oh, pshaw! They bombarded a mule or something or other down there.

Mr. KAHN. That was at Cardenas.

Mr. GARDNER. Yes, at Cardenas.

THE FORTIFICATIONS.

I read from the report made in 1906 by the National Coast Defense Board, which was appointed January 31, 1905:

Strategically, Chesapeake Bay is, as it always has been, of the very first importance. With the entrance, as it is now, unfortified, a hostile fleet, should it gain control of the sea, can establish, without getting under the fire of a single gun, a base on its shores, pass in and out at pleasure, have access to large quantities of valuable supplies of all kinds, and the operation of the great trunk railway lines crossing the head of the bay.

That is what the National Coast Defense Board said nine years ago. That is the way the board pictured the military deficiencies of the sea approaches to Baltimore and Washington. Yet not one spadeful of earth has been turned to remedy that condition; not one spadeful. We have purchased some land at Cape Henry at the mouth of the bay, but further than that we have not gone. However, the ordnance and engineer officers recently presented to Secretary Garrison an estimate of the amount of money necessary to go ahead with the plans for constructing the defenses at Cape Henry. That estimate amounted to $1,750,000 in round numbers. Principally on account of the condition of the Treasury, Secretary Garrison declined to submit this sum to Congress as a supplemental estimate. I admit that it would have been useless to recommend a part of that sum. Unless he recommended the whole million and three-quarters dollars, it was no use recommending anything at all, or so the Army officers said. What the Secretary ought to have done was to recommend every cent of that estimate. In December of 1912, Gen. Leonard Wood, in response to a question by Mr. SHERLEY, in the hearings on the fortifications bill on page 13, December 11, 1912, testified as follows.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CALDER. Mr. Chairman, I yield the gentleman two minutes more.

Mr. GARDNER. Mr. Chairman, I read from the hearings:

Mr. SHERLEY. It has been testified heretofore that so far as the continental United States was concerned we were not only adequately fortified, but in many instances overfortified?

Gen. WOOD. Yes, sir.

Mr. SHERLEY. And you concur in that general proposition?

Gen. WOOD. Yes, sir.

Mind you, it was before the big 15-inch guns were mounted on foreign vessels that Gen. Wood gave that testimony. Moreover, he had no sooner said "Yes, sir," than he gave a long list of works yet to be undertaken in order to complete our necessary fortifications. The whole context shows that what Gen. Wood meant was that in certain places we had more guns than were necessary. He did not go into the question of the quality or range of the guns. The table which he presented that very day shows that he could not have meant that we had all the fortifications that were necessary. I have called attention to Gen. Wood's words because it is on that evidence that our opponents in part rely to confute our claim that more fortifications are imperative.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I understand the gentleman from New York desires to yield some time to the gentleman from Wyoming?

Mr. CALDER. Does the gentleman from Kentucky expect to have several speeches?

Mr. SHERLEY. I doubt whether there will be more than one or two short speeches on this side, with the exception of my own. May I ask the Chair what the status of the time now is?

The CHAIRMAN. The gentleman from Kentucky has 2 hours and 42 minutes remaining.

Mr. SHERLEY. How much has the other side?

The CHAIRMAN. The gentleman from New York has 1 hour and 33 minutes.

Mr. SHERLEY. I can use a little time.

Mr. CALDER. I will use some time if the gentleman wishes.

Mr. SHERLEY. Just as the gentleman pleases.

Mr. CALDER. I yield 30 minutes to the gentleman from Wyoming [Mr. MONDELL].

FORTIFICATIONS.

Mr. MONDELL. Mr. Chairman, the bill now under consideration makes appropriations for the fortification of our continental coasts and our insular possessions. It also carries appropriations for field artillery, for our present organization and for reserve purposes, and for ammunition, supplies, and reserves for coast and field guns of all classes.

The committee recommends the expenditure during the next fiscal year of a little more than $6,000,000 for these purposes, the same being about $130,000 less than the amount of the estimates. I shall support the committee in its recommendation, because I am of the opinion that there is nothing in the present situation warranting an increase above the estimates. I am not, however, fully persuaded that the War Department would not have been justified in increasing its estimates for field artillery in view of its apparently relatively increased importance as a factor of modern war.

This is the last of the supply bills to be passed by the House dealing with military and war establishments, and I congratulate the House on not having been swept off its feet by the clamor and insistence of those who cite the present unfortunate conditions in Europe as a reason or excuse for greatly increased military and war expenditures.

Much as we desire peace, we all realize the necessity of reasonable preparation for war, and we only differ in our view as to what constitutes reasonable preparation under present conditions. I am one of those who believe that while we should not ignore prevailing conditions in the world and while we should take any extra precautions and make any extra provision within reason which that situation may clearly and unmistakably demand, we should by our policy make it very clear that we do not propose to allow the conditions of war abroad to hurry or stampede us into the adoption of a policy of vast and exhaustive military preparation. It is rather our duty in the present crisis to accentuate our position as a nonmilitary peace-loving power.

Whatever may be one's opinion as to the kind of a military establishment we ought to maintain, or the amount of money we should spend upon it, it can not be truthfully said we have been niggardly in our appropriations, having appropriated for those purposes for the years 1905 to 1916, inclusive, $2,754,653,652.17, as follows:

Army (1905–1916)	$1,056,992,311.88
Armories and arsenals (1905–1914)	5,573,725.00
Military posts (1905–1914)	19,108,127.50
Deficiency acts (military establishment, 1905–1914)	24,338,943.67
Naval Establishment (1905–1916)	1,557,063,534.31
Military Academy (1905–1916)	15,838,755.91
Fortifications (1905–1916)	75,738,253.90
Grand total	2,754,653,652.17

Army appropriation acts, fiscal years 1905–1916.

1905	$77,070,300.88
1906	70,396,631.64
1907	71,817,165.08
1908	78,634,582.75
1909	95,382,247.61
1910	101,195,883.34
1911	95,440,567.55
1912	93,374,755.97
1913	90,958,712.98
1914	94,266,145.51
1915	94,241,145.51
1916 (as reported to House)	94,214,173.06
Grand total	1,056,992,311.88

Naval Establishment appropriations, 1905–1916.

1905 (58–3)	$115,420,997.75
1906 (59–1)	104,508,719.83
1907 (59–2)	99,693,298.32
1908 (60–1)	129,974,371.95
1909 (60–2)	139,216,545.02
1910 (61–2)	133,555,552.88
1911 (61–3)	127,026,100.00
1912 (62–2)	123,924,783.27
1913 (62–3)	142,071,725.92
1914 (63–1)	147,212,935.88
1915 (63–2)	145,868,716.61
1916 (63–3) (as reported)	148,589,786.88
Grand total	1,557,063,534.31

Military Academy appropriation acts, fiscal years 1905–1916.

1905	$973,947.26
1906	673,713.38
1907	1,664,707.67
1908	1,929,703.42
1909	845,634.87
1910	2,531,521.33
1911	1,856,249.87
1912	1,163,424.07
1913	1,064,668.26
1914	1,099,302.87
Total	13,802,873.00

1915	$997,899.54
1916 (as reported to House)	1,037,983.37
Grand total	15,838,755.91

Fortification appropriation acts, 1905–1916.

1905	$7,518,192.00
1906	6,747,893.00
1907	5,053,993.00
1908	6,898,011.00
1909	9,316,745.00
1910	8,170,111.00
1911	5,617,200.00
1912	5,473,707.00
1913	4,036,235.00
1914	5,218,250.00
Total	64,050,337.00
1915	5,627,700.00
1916	6,060,216.90
Grand total	75,738,253.90

In detail our appropriation for these purposes, exclusive of armories and arsenals, military posts, and for various military purposes in deficiency acts totaling about $49,000,000 for the period, have been as follows:

Army, Navy, Military Academy, and fortifications appropriations for each year from 1905 to 1916, inclusive (exclusive of sundry civil bill appropriations for armories and arsenals and military posts and deficiency appropriations for Military Establishment amounting to $49,219,786.17).

1905	$200,983,437.89
1906	182,326,957.85
1907	178,230,164.07
1908	217,436,669.12
1909	244,761,167.50
1910	245,453,068.55
1911	229,940,117.42
1912	223,936,670.31
1913	238,131,342.16
1914	247,796,634.26
1915	246,735,461.66
1916 (as reported to House)	249,902,160.21

If we are as unprepared as some would have us believe, it certainly is not because we have not appropriated large sums of money.

BAITING OF JAPAN.

Speaking of preparation for the possibility of misunderstandings with foreign powers, I am reminded that there is one kind of preparation which those who most clamor for vast military and naval establishments seem to hold in light esteem, though in my opinion it is the best of all insurance against and the most effective preventive of war. I refer to the maintenance of open-mindedness and good will, of candor and consideration, of the confidence which begets confidence, in our attitude, not only as a Nation but also as individuals, toward the nations and the peoples of the world.

The Constitution of the United States limits treason to acts of war against the United States or the adherence to and the giving of aid and comfort to its enemies. If it is treason in law to make war against one's country, is it not treason in essence to increase the liability of war by constantly reiterating the possibility and prophesying the probability of war? If it is treason in law to give aid and comfort to the enemies of one's country, is it not treason in substance to constantly proclaim that certain other nations and peoples, who have never given the slightest evidence of hostile intent, are inevitably destined and covertly inclined to engage us in hostilities?

Some of those who, for reasons best known to themselves, indulge in what I am constrained to consider treasonable baiting of foreign peoples make a specialty of continually proclaiming the probability or the certainty, as they put it, of an armed struggle some time in the future, near or remote, between our country and Japan. Such people are fortunately few in number, but what they lack in number they make up in clamor and persistency. In my humble opinion these declarations and those who make them can not be too severely condemned. If their assertion had any basis, their reiteration could serve no good purpose. If a conflict between Japan and this country some time in the future, near or remote, were as inevitable as these alarmists would have us believe, it could not be avoided, and therefore no good purpose would be served by harrowing up men's souls in advance in regard to them.

If the theory of these bellicose and bloodthirsty gentlemen has been that they were performing a public service by attempting to rush the country into feverish and gigantic preparations for the conflict they prophesy, they ought by this time to have become convinced that their efforts and their labors are in vain, for the people have steadily refused to take them seriously or to approve the ambitious plans of military preparation which they seek to promote by alarms which would be shriekingly ridiculous if they were not profoundly mischievous.

We have had, and no doubt will continue to have, problems and questions with the Government and people of Japan, as we have with other Governments and peoples, which are more or less trying and vexatious. But no questions have arisen, none are likely to arise, that can not and will not be settled peacefully by the exercise of a reasonable amount of patience and good judgment by the people and the Governments of the two nations. We have no plans or ambitions for the future—so far as we know Japan has none—which will afford any reason or excuse for a clash of interests that can not be readily adjusted through diplomatic channels. Therefore I fail to see the slightest reason or excuse for the periodical fulminations of the gentlemen who afflict their nightmares on a long-suffering public.

Our people have been so little disturbed by, and have paid so little attention to, these outbreaks of warning against the "yellow peril" that we might all of us treat them with the amused tolerance with which they are ordinarily received if it were not for the fact that this sort of agitation, kept up long enough and reiterated with sufficient frequency, must eventually have some effect, and that harmful and mischievous to the last degree. I have known evil-minded or empty-headed people to get an entire neighborhood by the ears by the wicked or silly magnifying of trifling disagreements or by inflaming latent prejudices. Little Johnnie Jones and Billy Smith, naturally and usually friendly, may by the frequent interference of fools or busybodies be gradually led to magnify their minor differences and disagreements into causes for belligerency and permanent estrangement. The best of neighbors will eventually quarrel if each is sufficiently urged that a quarrel between them is inevitable.

As it is with individuals and communities, so it is with nations. Constant suggestion, frequent assertion, everlasting reiteration by those able to reach the public ear that two nations have aspirations and ambitions, plans and purposes which are irreconcilable and will not admit of adjustment by peaceful means, will eventually create a state of mind among both peoples in which the most trifling incident may light the spark of suspicion thus engendered and embroil nations which have no real inclination, reason, or even excuse for hostility in bloody and disastrous conflicts. It is this possible lamentable effect of the recital of these nightmares of apprehension, these groundless forebodings of hostilities, which take them out of the category of harmless vaporings, to be tolerated with good nature, and render them menaces to the public weal, which, while beyond the reach of statute, should receive condign punishment at the bar of public opinion.

THE ADMINISTRATION'S ATTITUDE TOWARD MEXICO.

Fortunately these utterances have been wholly on individual responsibility. The attitude of our Government, so far as I am advised, has been frank, friendly, and correct. The same can not, I regret to say, be said in regard to the attitude of our Government under this administration toward our neighboring Republic on the south, relative to which I wish to submit a few observations.

On the 27th of this month one year will have elapsed since I made my first speech in the House criticizing the attitude of the administration toward the Government and the people of Mexico. At that time the administration had had a little more than a year in which to determine upon, advance, and carry forward its policy toward our neighboring Republic. That speech, temperate though it was, was roundly assailed on the other side of the Chamber as an impertinent attempt to call into question the acts of the President in exercising his constitutional authority in dealing with foreign affairs; and even on this side there were gentleman who, hoping that by some chance or other the unhappy situation in Mexico might mend, doubted the wisdom of discussing the matter at that particular juncture. Later in the session and at various times, particularly on March 3, April 20, April 27, May 21, July 14 and 15, I addressed myself to various phases of our relations with and policy toward Mexico and the warring factions there.

During the period covered by these addresses it became increasingly apparent to all careful observers and thoughtful students of affairs in Mexico, and the acts and the attitude of our administration toward them, that things were going from bad to worse down there and that the administration's policy and lack of policy were becoming more and more untenable and indefensible. And yet through it all so generous is the attitude of the American people, and properly so, toward the dealings of their Government with foreign powers, so hazy was the public mind with regard to the real situation in Mexico, and the actual facts with regard to our relations to them and to the various factions, and above all so keen was the public hope that in some way or other peace and order would be restored without the necessity of extensive, expensive, or prolonged acts of intervention, that the average citizen was inclined to with-

hold censure of acts and policies that he could not and did not wholly approve.

This was the frame of the public mind when, just before the general elections last fall, with the overthrow of Huerta there came a temporary brief cessation of hostilities on a large scale, followed by the prompt issuance of the Democratic campaign book, with its fervent and flamboyant praise and eulogy of the President for the alleged restoration of peace and order in Mexico. Whether it was due to a promise to try to be good until after our election, or to a satiety of murder and plunder, on the part of those who had been the recipients of the administration's favors and the beneficiaries of its policy, that brought about a brief welcome respite from the more pronounced and flagrant atrocities, I do not know, but, as was inevitable, this break in the saturnalia of bloodletting and rapine was only temporary.

In the last few months the scenes and characters of the tragedy being enacted in Mexico have shifted and changed with bewildering rapidity. Presidents, generalissimos, and first chiefs have appeared in the spot light for a brief moment, to be rudely jostled and displaced by other aspiring candidates for brief and questionable notoriety and authority. Meanwhile the play has been constantly enlivened by a kaleidoscopic succession of scenes of major and minor rapine, pillage, and outrage. Above and over all has echoed and resounded the orchestra accompaniment of infantry and artillery fire and the repeated volleyings of murderous firing squads.

At least four, and nobody knows how many more, individuals are now claiming, as President, first chief, or commander, primacy in this drama of anarchy and chaos, while innumerable lesser villains are valiantly contributing their share to complete the picture of desolation and despair. With industry paralyzed, commerce suspended, homes desolated, cities despoiled, ranches ruined, fields uncultivated, her citizenship plundered, hunted, and terrorized, Mexico lies bleeding in the midst of anarchy, her people menaced by pestilence and facing starvation.

These deplorable conditions in Mexico are at last universally recognized and admitted, and more and more the part which our policy has played in producing them is being realized. From an attitude of a patient tolerance with the blunders of the administration's policy our people have gradually passed through a period of apology for the administration's policy to one of clear and well-nigh universal disapproval and criticism of it. None seek to defend, but few to apologize for what has been done and left undone in our dealings with Mexico, while from every quarter are heard expressions of regret, criticism, or condemnation.

In this state of affairs I am not particularly disposed to further emphasize or accentuate the now well-nigh universal disapproval of the administration's policy toward Mexico. I am not even disposed to assume the attitude of one who with the best of reason might, in the light of the present situation, very properly say, "I told you so." My only object in discussing the Mexican situation at this time is to point out and accentuate the fact that present conditions in Mexico, so far as the attitude of our administration has affected and produced them, is not due to any fluke or mischance of hard luck or adverse fortune, but is the inevitable result and consequence of a policy which was unwise, un-American, vicious, and indefensible from the start. The evil consequences which have followed have merely come as a logical and inevitable effect.

In the address which I made on February 27 last on this subject I expressed regret that my duty, as I saw and understood it, constrained me to criticize the administration in a matter relating to our foreign intercourse and relations. I stated that I was only persuaded to do so because I felt that the policy which the administration was pursuing did not afford "any substantial ground of hope or element of promise of improvement or solution of the conditions and problems" which confronted us in Mexico. I further stated that I was "persuaded that the acts and attitude of our Government have had the effect of prolonging and extending the lamentable condition of appalling disorder and distress which prevail in Mexico; that the continuation of our present policy, or lack of policy, tends to retard indefinitely the establishment of orderly conditions and constitutional government." I further stated on that occasion that as bad as conditions were in Mexico they would, "in my opinion, be infinitely worse if the aims and objects apparently desired by our administration shall be accomplished," and I expressed the belief that under the policy that we were following "the reign of rape and rapine, of plunder and murder that have desolated northern Mexico and set it back a generation in civilization and development will spread all over that fair land."

In a former discussion of the Mexican situation I expressed the opinion that the inevitable outcome in Mexico, owing largely to the attitude and acts of our Government, would be that the country, after being successively devastated by the armies of the different factions, would become the prey of a number of rival leaders, each of whom would, in his own sphere, when not engaged in fighting the others, busy himself with exhausting, for his individual benefit and that of his immediate followers, the accumulations and the resources of the particular territory over which he held brutal and despotic sway. All these things have come true, and yet I am not a prophet or a son of a prophet. I was merely stating in advance the inevitable effect of causes our policy helped set in motion and advanced in the accomplishment of their logical effect. I have no desire to weary the House with a repetition of what I have heretofore said with regard to our policy and its probable result, and I shall only review the matter briefly for the purpose of refreshing your recollection as to certain features of the administration's policies, and again point out their fatal error, in order to emphasize the fact that what has happened is only what could have been reasonably expected.

In an address which I delivered on April 3 last in Philadelphia, before the American Association of Political and Social Science, and which appears on page 350 of the Appendix to the RECORD of last session, I reviewed the historic policy of our Government in dealing with foreign powers, and particularly with other American States, under conditions similar to those which then confronted this administration. I then called attention to the fact that it had ever been our policy in dealing with these nations, while avoiding scrupulously the espousal of the cause of any one faction as against another, to endeavor to maintain correct diplomatic relations with the de facto Government without regard to its character or its personnel.

The very first important act of this administration in its relations "with those exercising authority in Mexico" constituted a complete reversal of our time-honored policy and constituted an affront to the dignity of Mexico as an independent sovereignty. In his demands upon and his communications with "those exercising authority in Mexico" the President early erred in three important particulars—first, in declining to establish regular official relations with the de facto Government in Mexico and in treating with those whom he described as "exercising authority in Mexico" irregularly and personally; second, in demanding the removal of the head of the de facto Government; third, in a variety of ways, officially and unofficially, directly and indirectly, openly and covertly, aiding and encouraging a faction of the forces operating against the de facto Government. The first of these errors substituted personal for official management in our relations with Mexico; the second challenged Mexico's independence and sovereignty; the third was an act of indirect intervention which culminated in war—a little war, it is true, but a war, nevertheless.

It does not excuse our inexcusable policy that it was in all probability drifted into rather than definitely determined upon. Rumor has it that at the beginning of the administration it was assumed, if not determined, in the Department of State that after a sufficient time had elapsed to emphasize the abhorrence and the disapproval of our Government and people of the assassinations which immediately followed the establishment of the Huerta government our Government would, accepting the fact and the situation, recognize the Huerta régime as the de facto authority in Mexico. It was realized and understood that this recognition, if too long delayed, might lead to acts or expressions by those "exercising authority in Mexico" which would embarrass us in extending that recognition.

The situation was one, therefore, demanding close attention and careful and diplomatic treatment. But the crucial moment, so it is said, approached, arrived, and passed while the Secretary of State filled lecture engagements. Observations were made, so it is said, by the head of the de facto government in Mexico and opinions were expressed by him relative to our acts and policy toward that government which did not set well with our Chief Executive, and then and there was determined the purely personal policy of hostility against the head of the de facto government, of interference with the affairs of Mexico, and of indirect intervention in behalf of one of the warring factions.

What has happened is the inevitable, the logical result of the attitude thus assumed, an attitude of insult to the sovereignty of Mexico, an attitude disintegrating and trouble breeding in its effect. Our refusal to deal directly and officially with the de facto government, on the theory that Mexico was independent and sovereign, precludes the possibility of our recognizing, now or in the future, any de facto government that does not subject itself to

or meet the preposterous condition that we, or, rather, our President, shall judge the constitutional character of the de facto government. This policy and attitude deprive any government established in Mexico of that recognition by foreign powers which is a helpful, if not an essential, aid to the establishment of peace and order so long as there are any aspiring chieftains able to retain control of any considerable territory or population in Mexico.

Not only has the policy thus pursued retarded the establishment of peace, but it has rendered us well-nigh helpless in the protection of the persons and property of our citizens. Our policy has likewise rendered us impotent and ineffectual in fulfilling our duties and responsibilities toward other nations and their citizens, duties devolving upon us as Mexico's nearest and most powerful neighbor and solemnly assumed by us under the Monroe doctrine. Hundreds of Americans have lost their lives, thousands have been insulted, despoiled, and outraged, and the property of Americans running into the hundreds of millions has been destroyed or rendered valueless. The nationals of other countries, more particularly those of Spain, who have relied upon us because we assumed responsibility for them, have suffered outrage, indignity, and death. Foreign property, especially that of Spaniards, has been confiscated, looted, or destroyed. We stand before the bar of public opinion of the world condemned for our failure to meet and live up to responsibilities we have ourselves assumed.

The only answer or excuse made or offered on this floor or elsewhere for our failure and dereliction has been in the false claim that the President has preserved peace with Mexico. The President has not maintained peace between the United States and Mexico. He inaugurated and carried on a war which but for the weakness of the de facto government in Mexico would have been long and bloody and which, except for the splendid gallantry and heroism of our soldiers and sailors, was as inglorious as it was brief.

The oft-reiterated declaration on this floor and elsewhere that the President preserved peace with Mexico while the Republicans were clamoring for war is as silly as it is untrue. No one on this floor, no one in a position of responsibility anywhere, so far as I know, has desired or demanded war with Mexico. I certainly have not. I did not approve the little war we had. I have never believed that intervention was necessary or desirable. We might have avoided the loss of $15,000,000 and a score of gallant lives at Vera Cruz or we might have made that sacrifice of some value by holding or extending our control.

There was a way to measurably protect our people and their property in Mexico, and to have reasonably, probably satisfactorily, fulfilled our obligations to other countries and their citizens without intervention and without further expense than that of holding as we have done a considerable body of troops on the Mexican border.

Had we followed our time-honored policy and in due and proper course recognized the Huerta government as the de facto government in Mexico, or merely recognized that government as the government in control of that portion of Mexico, and made no demands upon it other than the protection of the lives and property of our citizens and those of other nations we should have had the good will of that government and the people friendly to it, and the lives and property of our citizens and other foreigners would have been respected and protected. As a matter of fact, Americans and other foreigners were protected in their persons and in their property by that government in spite of our indefensible attitude toward it.

If, further, we had remained neutral toward the warring factions in northern Mexico, had treated them without fear and without favor and laid upon them the single injunction and condition that in their conflict with the Huerta government they must see to it that the persons of our citizens and of other foreigners were respected and their property protected as far as possible under the conditions of war which existed, had we made it clear to Villa and Carranza that any failure to afford this respect and protection would be swiftly followed by the advance of our forces across the border, and that failure to punish promptly outrage or destruction, which might occur in spite of efforts to prevent it, would be followed by a swift and effective blow, we would, in my opinion, have had little reason for complaint.

One time and another the President has said some very extraordinary things about Mexico and his policy in dealing with that country and people, but the most remarkable of all his utterances on the subject are contained in the very peculiar speech which he made at Indianapolis on Jackson Day. Among other things the President said:

> I hold it as a fundamental principle, and so do you, that every people has the right to determine its own form of government.

It is curious that the President had forgotten or overlooked this fundamental principle when he assumed the right to tell the people of Mexico through John Lind what kind of a government they should have. The claim the President then made that he, and not the people of Mexico, had the right to say what sort of a government they should have and who should be at the head of it, was the basis and the beginning of the administration's blunders and errors in Mexico.

The President further uttered the very obvious truth, "The country is theirs. The government is theirs." And then, as though to valiantly ward off some evil-minded intermeddler, he declared with emphasis "and so far as my influence goes while I am President nobody shall interfere with them." Nobody has been interfering with them but the President, and he has interfered with them and with their affairs directly and indirectly and has brought to the support of that interference the Army, the Navy, and all the moral and political influences of a great nation. Probably what the President meant was that he did not intend to have anyone interfere with Mexico but himself. That is evident enough. Persistent rumor has it that our interests in the Panama Canal were put in jeopardy, if not surrendered, in order that the President might have a free hand to interfere with Mexico in just the way he desired.

Perhaps the most extraordinary statement which the President made at Indianapolis was, "If I am strong I am ashamed to bully the weak." This expression leads me to hope that the President is regretting the way he bullied the Huerta government and the people of Mexico who were favorable to that government. Finally, the President said that he thought the Mexicans should have just as long as they wanted for bloodletting and to settle their affairs. To all of which, with certain reservations, we say, "Amen." But why did not the President think about that and take that view of the matter 18 months ago, when he was setting himself up as a dictator over Mexican affairs? Extraordinary as it may seem, the one feature of the situation which is primarily our affair, with regard to which it is our right and our duty to have much to say and to say it with emphasis, the President entirely ignored in his Indianapolis speech. He made no reference whatever to our right and our duty to demand and enforce the protection of our citizens and the citizens of other nations, responsibility for whom we had assumed.

The people of Mexico have a right to the sort of government they desire. They have the right to have at the head of that government whoever they please or whoever they shall tolerate. They have the right to quarrel among themselves as much as they please. These rights which the President now asserts, as though some one else were denying them, he himself denied. On the other hand, we have a right, it is our duty, to demand and secure protection for the persons and property of those for whom we are responsible, but we have failed utterly so to do. For the first time in a large and important affair of our foreign relations the policy adopted and followed has been one of continuous blunders, of profound and lamentable error and bad judgment. We have neither protected our own people nor the people of other nations we were pledged to protect. Every American in Mexico has been disappointed and humiliated by our acts and attitude. Foreign Governments can not help feeling contempt for our failure to perform our duty toward their citizens. If we have a friend or well-wisher left among all the waring factions in Mexico, he has not been heard from. We have finally excluded ourselves in a large measure from even the uncertain and unofficial relationships our Government for a long time maintained with the various factions in Mexico, and are therefore more than ever helpless to extend protection or exercise influence amid the reign of chaos and anarchy. This, then, is the sorry outcome, the sad and lamentable effect, of the policy which our administration and its supporters have so proudly and hopefully proclaimed. [Applause.]

Mr. SHERLEY. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, 35 years ago I went out from a small denominational college in South Carolina. There are other institutions of higher literary standard, but nowhere on this earth is there an institution where the moral and religious atmosphere is better. On the occasion of my graduation from that institution the subject of my discourse was the advocacy of an international court that would try differences between nations as courts in all civilized countries adjust differences between individuals. I live in the hope that the day will come when there will be a great court for all the nations of the earth, presided over by men of such distinguished ability and character that its judgments will be respected and enforced just as the decrees and judgments of the courts of

civilized countries are to-day. I am sorry that at this time the great newspapers and magazines of this country have assumed the attitude they have. If the great metropolitan dailies and the magazines would devote one-half of the space to preaching peace on earth and a higher civilization and Christianity among men that they now devote to trying to scare the American people and the American Congress into great appropriations for the Army and Navy they would render a distinct service to human kind. [Applause.] I looked over one of the great papers this morning and there were three separate articles intended to inflame the minds of the people and to excite the Congress to make larger appropriations.

But, Mr. Chairman, we are making progress. The Congress has not been swept off its feet to the extent some gentlemen hoped, and while our progress to a higher civilization and a higher enlightenment is not as rapid as some of us would like to see it, we are still making progress. There was a time in the history of Massachusetts when the people believed in witches. There was a time when the people lay awake at night studying about plans and methods to protect themselves against the witches, because it was said that the witches could come through the keyholes and get into rooms in all kinds of ways. We have departed from such superstitions as that, and we look back in amazement now that an intelligent people should ever have believed in such nonsense. I can remember when the dueling code was quite the thing. Do gentlemen around me now remember that at one time in our history it was common for public men, when they felt that their dignity and their honor had been assailed, to insist that there was but one way to defend that honor, and that way was to meet their opponent at 10 or 20 paces and shoot it out? We are getting away from that sort of false sense of honor. We are getting away from that sort of civilization. We are getting away from that sort of barbarism; and we live in the hope that the day will come when our people will look back in absolute amazement and astonishment at such arguments as have been made on this floor about war and the preparation for war. I want to embalm in this RECORD my idea of civilization for the benefit of my children and other children who shall come after. It is such speeches as have been made in this House and on the stump, when printed in the newspapers, that are intended to stir people, to excite the people, and they may do incalculable harm. They remind me of telling a child ghost stories in the dark. If you want to make a child perfectly miserable, sit down in the dark hours of the night and tell that child ghost stories, and then tell the child to go to a neighbor's house past a graveyard, or go upstairs and go to bed in the dark.

And these wild speeches that have been made in Congress and out of Congress, as I said a moment ago, are intended to have, and do have, just such an effect on timid people as the telling of ghost stories in the dark has on children. If there ever were a time in the history of this Republic when men ought to be talking peace, and men ought to be talking in favor of reducing these great appropriations for guns and ships, now is the time. [Applause.]

I believe when the war broke out in Europe last August and involved all the great warlike nations, the people were prepared to believe that every argument upon which we had based our previous appropriations for the Army and for the Navy had been proved to be false. We have been making these appropriations ever since I have been in Congress—14 years—upon the basis that preparedness insured peace. The war in Europe has demonstrated what some of us have believed all the time, that that was not true. It is no more true with nations than it is with individuals. A man who carries revolvers in his pocket is the man that gets into shooting scrapes, and not the fellow who does not. It is the nation that prepares for war that gets into war, and not the nations that do not, and that was clearly demonstrated by the war in Europe. The people would have reached that conclusion. Instantly there was such an agitation set up in this country, and such a propaganda as we have never had in your day or mine, in favor of increasing the appropriations. We are utterly unprepared, according to these wild statements that have been made. Then, if we are utterly unprepared, we have wasted untold hundreds of millions in the last 20 years. There is one of two things true, either the Army and the Navy men have squandered the money or have not used it in the proper way, because we have certainly appropriated money enough to put us in a state of defense.

I do not think this country is in any danger of war. It is possible that any man in our presence may be assassinated between this House and his home to-night, but it is so absolutely improbable that such a thing will happen that no man has little enough sense to sit here and worry about it until he gets ready to start for home. So it is in regard to this country getting into war. It is possible, but it is so remotely improbable that nobody need to bother in thinking about it. Certainly not at this time, when all the great powers of the earth have all they can take care of on their hands now. Who is going to fight you now? Who is going to land in New York and actually take charge of the multimillionaires and lay a ransom of $5,000,000,000 upon them? I saw a statement like that printed in a morning paper, taken from some article, book, or magazine written by one of these alarmists. There is no sense in that sort of talk. There are plenty of people in New York who are poor in this world's goods but who have the physical strength to take hold of one of these multimillionaires any day upon the street and rob him; but they do not do it, because this is a law-abiding country. And so no nation is going to try to land an army on our shores. What would they do it for?

Mr. Chairman, I wanted to make this statement, relating somewhat to the bill now under consideration, because I have been hearing speeches ever since this session of Congress began that are so far from my idea of what our duty is in this emergency that I wanted to state what I believe ought to be done. I believe the great American Republic ought to take the lead of all the nations of the world and undertake to establish a higher civilization and a higher Christianity, undertake to establish a great court to settle the differences between the nations as differences between men are settled. [Applause.] I stand for peace in all the world and peace among all mankind. I may be in the minority now, but the doctrine which I preach will stand the test of analysis; it will stand before any tribunal where reason instead of passion and ignorance and superstition controls.

Mr. GARDNER. Will the gentleman yield?

Mr. JOHNSON of South Carolina. And it will stand in the court in the great hereafter when we all appear there.

Mr. GARDNER. Will the gentleman yield before he takes his seat?

Mr. JOHNSON of South Carolina. Certainly.

Mr. GARDNER. Would he submit to that court the question of the Monroe doctrine?

Mr. JOHNSON of South Carolina. Oh, I do not care to discuss the Monroe doctrine. The men who advocated the Monroe doctrine no more preached the kind of doctrine that the gentleman from Massachusetts is preaching than the Savior of the world preached the doctrine that we now hear on this floor. [Applause.]

Mr. SHERLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. LONERGAN].

THE ACHIEVEMENTS OF JOHN FITCH.

Mr. LONERGAN. Mr. Speaker, I desire to call the attention of the House to a subject which is of special interest to Connecticut, and particularly to the first congressional district, which I have the honor to represent. In the interests of historical accuracy there is a strong sentiment in Connecticut in favor of according justice to an inventor whose genius gave mankind one of our most valuable inventions. I refer to John Fitch, a native of Connecticut.

The records compiled by Admiral Bunce Section, Navy League of the United States, Hartford, Conn., and historical works which I have at hand, prove clearly that the discovery, invention, and successful application of steam propulsion of vessels through water—the first in all history—belongs in all justice, honor, and of right to John Fitch, a native of Windsor (now South Windsor), State of Connecticut. Fitch's steamboat invention dates back to April, 1785. His practical drawings and models which showed the screw propeller, as well as paddles, were exhibited the same year to the American Philosophical Society of Philadelphia, Pa.

FITCH IN 1786.

In 1786, upon the petition of Fitch, New Jersey granted him sole and exclusive rights in her navigable waters for a period of 14 years for his steamboat invention. This original petition of Fitch, which was lost for many years, has been found recently—1914—by Adjt. Gen. Wilbur F. Sadler, of New Jersey, and photographic copy of same forwarded to Connecticut.

In 1787 four other States, viz, Delaware, Pennsylvania, Virginia, and New York granted Fitch similar rights in their navigable waters for a period of 14 years for his steamboat invention. These grants to Fitch were made 20 years before Robert Fulton launched his first steamboat, the *Clermont*, on the Hudson River, in 1807.

In 1789 the United States National Government was formed, taking over the control of the navigable waters of the several States.

In 1791 the National Government granted Fitch letters patent for his steamboat invention for a period of 14 years.

In 1796 Fitch also constructed a steamboat out of a ship's yawl, moved by a screw propeller, upon the Collect Pond, New York City.

In 1798, nine years after control of navigable waters of New York had passed over to the National Government and seven years after the National Government had granted Fitch letters patent for his steamboat invention, Chancellor Robert R. Livingston petitioned the then Legislature of New York to repeal the act of 1787 which granted Fitch rights in the navigable waters of his State and to grant him, Livingston, similar rights in the navigable waters of New York. This extraordinary petition of Livingston for a limited period of 20 years was granted, notwithstanding New York had no navigable rights to grant to anybody, they having been passed over to the National Government in 1789.

In 1803, five years later, Livingston again petitioned the then Legislature of New York to extend these so-called rights in the navigable waters of this State to Robert Fulton.

NO "CLERMONT" TILL 1807.

Up to this date, 1803, Livingston's and Fulton's experiments in steam propulsion of vessels through water "had proved fruitless," and they asked this legislature to grant them two years more of time to determine the practicability of their experiments, which was granted, conditioned, however, that "if successful" these experiments should be submitted to a commission. Fulton's *Clermont* was not launched on the Hudson River until 1807.

In 1808 the then Legislature of New York granted Livingston and Fulton confiscatory penalties.

These so-called "rights" were exercised by Livingston and Fulton up to 1812, when they brought suit against Van Ingen and others for infringement of these "rights," and were sustained by the New York courts.

Some time after 1812 these "rights" were assigned to John R. Livingston, and he assigned them to Aaron Ogden, of New Jersey.

Ogden made memorial and petition to the then Legislature of New York of 1814, which was referred to a select committee to hear the controversy between John Fitch and Livingston and Fulton on priority of invention pertaining to steamboats, when claimants appeared by counsel, and on March 8, 1814, this committee reported that the Livingston and Fulton steamboats were in substance the invention of John Fitch, patented to him in 1791 by the National Government of the United States.

Ogden then brought suit against Thomas Gibbons for infringement of these so-called "rights" obtained from Livingston and Fulton, and he—Ogden—was sustained by the New York courts, but which on appeal by Gibbons went to the Supreme Court of the United States and was heard at the February term, 1824. Daniel Webster appeared for the appellant, Gibbons. The United States Supreme Court reversed and annulled all these legislative grants made by New York to Livingston and Fulton, sustaining Mr. Webster's argument, that these legislative grants created a monopoly to Livingston and Fulton with "confiscatory penalties," which were hostile to all the other citizens of New York, hostile to the citizens of all the other States, and hostile to the sovereignty of the United States. This ended the Livingston and Fulton monopoly.

FULTON'S OWN ADMISSIONS.

In addition to the above, Fulton's own declarations are conclusive. In his letter to Lord Stanhope November, 1793, Fulton says:

> In June, 1793, I began the experiments on the steamships. My first design was to imitate the spring in the tail of a salmon. For this purpose I supposed a large bow to be wound up by the steam engine and the collected force attached to the end of a paddle, as in No. 1, let off, would urge the vessel forward."

It was this identical year—1793—that Fulton borrowed from Mr. Vail, our consul at L'Orient, France, Fitch's drawings and specifications of the steamboat Fitch had been running on the Delaware River three, four, and five years before 1793, carrying passengers and making 7 to 8 miles an hour. Such was the beginning of Fulton's crude experiments in steam propulsion of vessels through water—by imitating the spring in the tail of a salmon, by use of a steam engine to wind up a bow attached to the end of a paddle, let off, would urge the vessel forward. And the ending came when in 1814 the select committee reported to the New York Legislature that the Fulton and Livingston steamboats were in substance the invention of John Fitch, patented to him in 1791 by the National Government of the United States.

It seems incredible that the promoters of the Hudson-Fulton celebration, New York City, 1909, should have been ignorant of the facts of record in their own State, and especially that the select committee appointed by the New York Legislature of 1814 on petition of Aaron Ogden, of New Jersey, reported that Livingston and Fulton's steamboats were in substance the invention of John Fitch, patented to him by our National Government in 1791, and, further, that Fulton himself never claimed priority for steamboat invention, and still further that all the grants made by the Legislatures of the State of New York to Livingston and Fulton were reversed and annulled by the Supreme Court of the United States in 1824.

Mr. SHERLEY. Mr. Chairman, may I ask how much time I have remaining?

The CHAIRMAN. The gentleman has now 1 hour and 57 minutes.

Mr. SHERLEY. I do not now see anyone present on the floor to whom I have offered time. If the gentleman from New York desires to yield some time, I shall be glad to have him do so.

Mr. CALDER. I yield 30 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I desire at the outset to ask unanimous consent to extend my remarks in the RECORD for the purpose only of printing a paper prepared some years ago by the Hon. S. D. FESS, of Ohio, giving the inside history of the writing of Washington's Farewell Address.

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] asks unanimous consent to extend his remarks by printing in the RECORD the document indicated by him? Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER. Mr. Chairman, I certainly approach any discussion of military matters with a great deal of diffidence. While military matters have always been attractive to me as to many another citizen and civilian, and probably have received more side study from me than any other subject in which I have ever been engaged, yet my own limitations are so vast that I do not feel like hazarding anything like judgment or expressing very much in the way of an opinion. Therefore I would not on this occasion offer any remarks at all did I not feel it necessary that something be said and that some expression be given to some features of our national defense that it seems never will be allowed to get out. I have no words whatever in the way of criticism of the committee that presents this bill, nor have I any words of criticism respecting the character of hearings which they had. I hope I make that emphatic. But I do think that at this particular time it is unfortunate that there was not had before the committee certain Army and, perhaps, Navy men of great military attainments, to give expression to their viewpoint on these matters of fundamental importance to the Nation. The committee had before it Gen. Weaver, the commanding officer of the Coast Artillery, and a splendid officer, Gen. Crozier, Chief of the Bureau of Ordnance, an officer of the very highest attainments, character, and honor, and the Secretary of War; and that is all. Those were the only ones of military training that were permitted to say a word on our Nation's defenses. It was only, as I assume, and I think I assume correctly, by reason of his battering-ram persistence that the gentleman from Massachusetts [Mr. GARDNER] got before the committee and participated somewhat in the hearings.

Mr. GARDNER. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from Massachusetts?

Mr. MILLER. Certainly.

Mr. GARDNER. The gentleman surely does not think it was on account of not naming officers that should be summoned that this omission to summon officers occurred? The gentleman does not suppose that I failed to furnish this committee with the names of officers that I would like to have summoned, as I did in the other committees?

Mr. MILLER. I am not certain of the facts, and yet it was my impression certainly, that, knowing the gentleman as I do, he made every possible effort——

Mr. GARDNER. I did.

Mr. MILLER (continuing). To have these men summoned and permitted to appear before this committee.

Mr. GARDNER. And I asked to have before this committee the Chief of Staff, Gen. Wood.

Mr. MILLER. Therefore, without posing as a military expert, but simply giving to the House the opinions that these military experts have given me, I offer the few remarks that I do on this occasion.

The first thing I want to speak about is the type of gun carriage with which our coast-defense guns are now mounted. I do not for a moment offer myself in the arena of discussion, often acrimonious, that has been had in years past over the Buffington-Crozier type of disappearing-gun carriage, but I do offer this, that the present type of disappearing-gun carriage in use generally in our coast fortifications is not adapted, and

can not be adapted, to large guns of long range. For certain very well-established reasons, not to mention the complexity of their structure, which is a very incidental feature after all, this type of gun carriage is not adapted to guns of large caliber. By reason of the mechanical nature of their structure—and their essential structure—they can not be made reasonably to cover what is known as all-around fire. I believe there are four or five guns, perhaps a few more, that have been constructed of that kind in our fortifications, but the number is infinitesimally small.

Now, I observe the gentleman from Kentucky [Mr. SHERLEY] smiles. I do not doubt that he smiles. He thinks what I am saying is foolishness. I do not blame him at all, for the reason that he has obtained his knowledge and his information and his opinions from the same channels that have ever led in times past and still lead to the House of Representatives from the Military Establishment. Some of us on the outside have journeyed a little afield and have endeavored to get the information from the men who are serving the guns, from the men who are charged with the responsibility of standing up and shooting and being shot at if the shock of battle ever comes to our land.

In his own hearing Col. Winslow, not a military man, but an engineering officer of high rank, has stated, as the gentleman from Kentucky will recall, that the Crozier-Buffington disappearing gun carriage is not adapted, and his experience and observation and mechanical judgment go to show that it can not be well adapted, to all-around gunfire. Any attempt to construct that kind of an emplacement involves an expenditure of money that runs into enormous figures and practically destroys the safety zone for the men serving the guns. There is not a gun, so far as I know, mounted on our coast fortifications and now ready for use of a greater caliber than 12 inches. Recently, when the big guns of foreign navies were at work, the people of our Nation were aroused over the fact that our coast fortifications were not equipped with guns the equal in caliber and range of guns that might be brought to bear against them—guns that are in foreign navies of the world. I have no doubt but that that idea was accentuated when we read recently of the battle in the North Sea, where the British ship *Lion*, as I recall, or *Tiger*—one or the other—actually made effective hits at a range of 17,000 yards, while the maximum range of our 12-inch guns in our coast fortifications is only 14,000 yards with a projectile such as they call their heaviest or maximum size. From 12,000 to 14,000 yards was the reasonable average maximum distance those guns could be fired with effect.

Recognizing this, we find the recommendation made—and the subcommittee saw fit to act upon it—to make a 15 or 16 inch gun out of the 12-inch gun by pointing it up a little higher in the air. It is not proposed, so far as I understand, to increase the powder charge. If anything, they are going to make the projectile a little lighter in weight, so that it is not that they intend to make a heavier projectile.

Now, everybody knows that the striking force of any object depends upon the speed with which it goes and its weight. Is there any child in America old enough to have studied mathematics at all who thinks that a projectile of a given weight, fired with the same amount of ammunition, when it has traveled 20,000 yards will strike with the same effect and force that it would strike had it been fired at 12,000 yards? Everybody knows that as you increase the distance of the moving projectile you decrease its striking power. Therefore, its velocity being less and the weight of the projectile the same, the concussion is very much reduced.

I was quite amused to note some of the cocksure smugness of certain conversations or statements in the hearings, when it was said that, while we might have some disadvantage in pointing these guns up in the air, yet when the bullet or projectile came down it might strike, instead of on the side of the ship, on the top, and therefore have some of the force of a mortar—the vaporing thought of a man reaching for an excuse! You never can make a 15-inch gun out of a 12-inch gun, and everybody knows that.

I think I know one reason why guns of a larger caliber have not been made in the last two or three years, although we are making some of 14 inch, have mounted some in the insular possessions, and have some ready for the United States, while, in addition, it is proposed now to construct our main coast batteries of guns having 16-inch caliber. I believe it was Gen. Weaver, in the hearings, who said that in his opinion and that of the board that considered the matter recently, guns should be constructed for coast defenses of 16-inch caliber. Evidently none of them thought you could point a 12-inch gun a little higher in the air and thus make a 14, a 15, or a 16 inch gun out of it.

Now, I am not here advocating that we take down all of the 12-inch guns that we have and put in their place 14, 15, and 16 inch guns. Not at all. I am simply advocating that hereafter, in line with what Gen. Weaver has suggested, the guns that we build and hereafter mount shall be of larger caliber; and such guns, I do not believe, can be placed successfully upon a disappearing-gun carriage.

And I can give you in just a moment or two my reasons for that belief. Several years ago, when I visited one of the fortresses of the United States, like anyone would be, I was interested in the big guns. I had a captain of a battery explain them to me somewhat in detail. He was a most efficient officer. I will say to you that this fortification is the strongest in continental United States. I was admiring, with American enthusiasm, the disappearing-gun carriage, and I asked him if it were not superior to all of the other gun carriages in the world, if any other nation had anything like that which we possessed, if this did not give us a superior position over any of the other nations of the world; and he laughed. He said that for a gun no greater than 10 inches it was fine, but that for 12 inches it was far inferior to the barbette type. I thought perhaps he was an isolated individual; that perhaps he was a crank; that possibly he did not express the opinion of his brother officers. So from that day until the present, every time I have visited a fort—and I have visited a great many in the United States and outside in our insular possessions—I have sought out the Coast Artillery officers, and I have asked the question, "For 12-inch and larger guns is the disappearing-gun carriage that we now have better or as good as the barbette or turret type?" I want to say to you that of all the men I have asked I have never found a man who failed to say that the present disappearing-gun carriage is inferior to the barbette or the turret type. They told me that when it comes to the matter of safety to the man, which is one of the important features advocated by those who favor this type of gun carriage, when you come to a gun of the size of 12 inches or greater, the distance the gun is compelled to move back into the emplacement is so great that the safety space is materially lessened, and the protection is probably no greater, if it is as great as in the barbette type.

But to my mind this is the greatest feature of all: They tell me that for a 12-inch gun or gun of larger size the disappearing type is of comparatively slow fire. I was surprised when I heard that, because I had heard it said that one of the great things in favor of the disappearing-gun carriage was that the recoil of the discharge of the gun sent it back right where the ammunition was and that the shell could be rammed in, and by the time the gun got back up it was ready for firing. Now, I have read the essays of several of the Army officers comparing the two types of carriage. There are elements of time saved by both systems, and some of the officers say one about balances the other for the smaller guns. But we are confronted with this fact: The highest speed with which a 12-inch gun has been fired in the history of our fortifications is a little less than two shots a minute—about one and three-quarters a minute—and the maximum speed that is fixed by the Chief of Artillery in the hearings as a basis for the number of rounds for a two-hour engagement is 45 seconds, or two shots in a minute and a half. We are confronted with the fact that in all of the navies of the world, so far as I know, the 12-inch guns are being fired from six to ten times a minute. Therefore one gun with the barbette carriage, with the proper methods of loading it, would be equal to about three of the disappearing type.

I want to confess and admit that in many of the tests that are now had it is shown that by our present system of loading in the barbette type the speed is probably not much greater, if it is as great as with the disappearing carriage. But there has been no change for 30 years in the method of elevating the ammunition to the gun in the barbette type. Every other nation in the world has, by mechanical devices, revolutionized that system, and we can do it ourselves in one month's time if we will but set our minds to it.

I found one thing more. I found that military men in the Coast Artillery Service lamented the fact that the muzzle velocity of our coast artillery has been lowered from 2,550 feet per second, as it was a few years ago, to 2,250 feet per second, as it is now. This is in spite of the fact that all the other nations in the world, in their coast artillery and in their navies, have increased the muzzle velocity of their guns, until now in England it is 3,000 feet per second and in Germany 3,080 feet per second, while we, in the grand old United States of America, have dropped down to 2,250. Food for thought! I inquired why this was. Not all answered. Most said they did not know, but those who did answer said that in their judgment our Ordnance Department was afraid of the disappearing-gun carriage, and that the muzzle velocity had been lowered to save the carriage.

Now, if some of these things are true, if any of them are true, the subject ought to be and ought to have been investigated. These younger men who are actively in the work of manning these fortifications, who are engaged in the actual work of handling these guns, ought to have an opportunity to express their views, which opportunity has not been given in this Congress, and so far as I know has not been given for a great many years past, and the only reason why I say they ought to have been given an opportunity at this session is because the subject is now a live one, more alive perhaps than it has been for a long period of time.

Mr. GREEN of Iowa. Will the gentleman from Minnesota yield?

Mr. MILLER. Certainly.

Mr. GREEN of Iowa. I am very much interested in what the gentleman has said, and I agree with him with reference to the Buffington-Crozier carriage; but I was under the impression that the reason why the muzzle velocity had been lowered was because of the fact that the greater the muzzle velocity the greater the amount of erosion of the rifling of the gun, and that it had been found that the high velocity had resulted in shortening the life of the gun, bringing about its early destruction—that is, bringing about such inaccuracy that after a certain number of rounds it was of no practical value.

Mr. MILLER. I am not certain as to that. I will say, however, that I have heard it stated by the officers in the Coast Artillery Corps that they had been told that the reason why the decrease had been made in the muzzle velocity was because of the erosion, but that they did not believe that was the primary reason.

I think, however, it is natural to assume, and we must admit, that there would be some decrease in the erosion by decreasing the speed at which the projectile is fired. Even a nonmilitary man like myself can recognize that. But if that is the reason, why have all the other nations of the world increased the muzzle velocity of their big cannon? The answer is that efficiency is the supreme test, and apparently we have journeyed far backward in efficiency while other nations have advanced.

Mr. GARDNER. Will the gentleman yield?

Mr. MILLER. I will.

Mr. GARDNER. Is it not a fact that it was Gen. Crozier himself who testified in the hearings that the guns would wear out in much less than 300 shots if they had a higher velocity than 2,250 feet; was it not Gen. Crozier defending his own pieces?

Mr. MILLER. I think that is entirely true. The gentleman from Michigan [Mr. HAMILTON], a short time ago when the gentleman from Massachusetts was speaking, asked him something in reference to mortars, and the gentleman from Massachusetts replied, giving some account of the making of mortars and what the mortar was expected to do; and in response to a further question, he said that in Hawaii it had been found necessary to at least suggest some land defense to protect Pearl Harbor. Now, I am very frank to say that I do not think much of anybody who talks out of school; I do not know whether I am talking out of school or not. I desired to have these matters submitted to the subcommittee in charge of this bill, but for some reason or other opportunity was not given, and this is the only chance I have got, and I am going to use it now.

Mr. SHERLEY. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. SHERLEY. Did the gentleman from Minnesota himself ask to appear before our committee?

Mr. MILLER. Not myself. I asked that military men might be summoned and their testimony had. I would not presume to appear before any committee and give them suggestions in matters military.

Mr. SHERLEY. The gentleman suggested once to me about an artillery officer stationed in Manila, but with that exception did he ever make a request to summon any other officer?

Mr. MILLER. The gentleman is not quite accurate; I suggested that on two occasions. The gentleman may not recall both times. I suggested to him that there were matters of grave importance connected with the insular defenses, and the man who had charge of the construction was in the War College, and I thought he ought to be summoned before the committee and his testimony had. The gentleman from Kentucky on this occasion said that he would consider it. Thereafter when I thought the hearings were about to begin I went over on the Democratic side and made the suggestion again. Now, I am willing to say that the gentleman from Kentucky may have been preoccupied—he may have had something on his mind—but on account of the treatment I then received I thought it was not wise to make the request any further.

Mr. SHERLEY. The gentleman is aware that I said a few moments ago that I was not conscious of any such treatment.

Mr. MILLER. That is true.

Mr. SHERLEY. I say now that my impression is that I spoke about the matter having been sent to the War Department and having been considered there.

Mr. MILLER. I am willing to admit that the gentleman might have been preoccupied, but the reception was not such that I thought it wise to pursue the subject further.

Now, I want to say something about Hawaii. I was in Hawaii in the hour when the Japanese scare was on, and it was a scare, whether rightfully or wrongfully it does not matter. Brig. Gen. Funston had charge of the island as commanding officer. He was very kind to me. He discussed with me in detail the predicament he was in. He was not looking for Japanese troops or the troops of any other nation to land in front of the big guns, in front of the batteries of mortars, twelve 14-inch guns that protected Honolulu and Pearl Harbor, but he was looking to forces that might land anywhere all around the island. He did not want greater guns to keep off the fleet, but land defenses to protect the seacoast fortifications in the rear. Those big guns could beat back the mighty ships of any nation, but the soldiers of any nation could land all around the island, take the batteries from the rear, and then do with the cities as they pleased.

The gentleman's committee recognized that finally, because in the bill of a year ago they carried an appropriation, I think, of nearly $600,000 to complete these very fortifications which that situation had disclosed as being so vitally essential. That gap has been closed, but it is not the only gap. We have them everywhere. We have them in the Philippines and we have them everywhere in continental United States.

The trouble is with the coast fortifications today—and the gentleman's committee is not to blame for it; the trouble is that they can stand off a fleet; they can protect a city from a fleet sailing up and bombarding it; but they can not protect the city from the landing forces, and every military officer in the coast-fortification service knows that. They have admitted frankly that a reasonably small number of troops can land here and there, almost anywhere, put the fort out of business, and then the ships can march gallantly up and bombard the city; and the city of New York stands in that position to-day. So does every other city of the land. Every gun points to the sea—not a gun points to the land—and our guns are not of the all-around fire type. New York feels snug and safe behind Fort Hancock. But any nation, provided it can dispose of our fleet, can then land troops on the Jersey coast, take Hancock in reverse, and march on to New York, with their ships booming along. A fort of the type we have serves to-day only to make certain that an enemy will not land at that particular spot and that our fleet can use that harbor as a rendezvous.

Mr. GARDNER. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. GARDNER. The gentleman says that he feels that the coast defenses are adequate to protect all cities from bombardment, and that that is a different function from protecting from land forces elsewhere. Is the gentleman aware that there was a discussion of that matter which does not appear in the hearings?

Mr. MILLER. I am not.

Mr. GARDNER. Is the gentleman sure that the defenses of Boston, New York, and San Francisco are sufficient to protect the cities as they have grown?

Mr. MILLER. I am not sure of that. I merely assumed that for purposes of discussion. One thing more. I hope the gentleman from San Francisco is here. I saw him here a moment ago. Talking with Gen. Funston about the protection from land attack, he said that he had charge of San Francisco and its fortifications when the great fleet came around on its journey about the world.

This great fleet, the mightiest ever assembled beneath the American flag, was then commanded by one of our heroes of the practical, fighting type. He had served in two wars and in every water of the globe. When his fleet reached San Francisco, in conversation with me, Gen. Funston said:

> I showed him the fortifications defending the harbor of San Francisco, and I said, "Admiral, are they not splendid?" He replied, "Fine; they can beat off the mightest fleet of any nation in the world; but I can land 10,000 men down here near Monterey and I can capture your city within 24 hours"; and I said, "I know you can."

The solution of that, it seems to me, as has been properly expressed by many military men, is that we need a larger personnel in our coast defenses, and that is the emphatic thing stated by Gen. Weaver in the hearings. While we are pretty long on guns at the present we are miserably, contemptibly short of men, and you can not man fortifications anywhere without men. We never will have a real system of coast de-

fense until we have sufficient men to protect the forts, in some degree at least, from land attack. I have but a moment or two left, and I want to speak of the fortifications in the Philippine Islands.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. MILLER. I would like to yield, but I fear I have not the time. How much time have I?

The CHAIRMAN. Five minutes.

Mr. MILLER. I will try to complete what I have to say and then I shall be very glad to yield to the gentleman if I have any time. I want to say a word about the fortifications in the Philippine Islands, all of which I visited and all of which I studied as well as a layman can study such problems. They are certainly a magnificent series of forts. We have spent upward of twelve or thirteen millions of dollars in their construction. The city of Manila lies 30 miles in at the end of the bay, and a series of islands close the mouth to the bay, Corregidor, Caballo, El Fraile, and Carabao. Corregidor is a great fortress. It is 565 feet high, with several magnificent batteries. I recall distinctly when I was at the highest battery I looked over across the water to Meriveles and I said to the man who had constructed the fortifications, "What is to prevent an enemy from landing and placing cannon on that hill yonder and commanding your forts?" He said, "Nothing on earth, and for two years I have reported showing the weakness of this position, urging that something be done to protect us against a land attack." Afterwards I met a distinguished military man and I put that to him and he laughed at it and said, "Why, that hill is so high and it is so difficult to mount guns that you could not get a gun up there that would command Corregidor." So they worked out a war problem there about a year ago. I hope I am not telling any military secrets that ought to be kept dark, but I am going to speak out in meeting. I know what happened. They settled the controversy. An expedition went out. The fort was given an aeroplane, and a mine planter, amply equipped with mines, was made ready. War was declared at a certain hour. The mine planter went to lay the mines. The expedition had gone out to sea. No man knew when it would come back or where it would land.

The mine-planting machine had not one-third of its mines laid before it was physically put out of business. How? By a gun fired from the region of that same hill. They trained the Corregidor guns upon it, but they could not locate the gun, and they never did locate it, but one day was hardly over before every gun in the commanding battery of Corregidor was theoretically silenced. Gentlemen who testified before this subcommittee and others for three years have said that could not be done. The man building the fort said it could be done, and it was done at the first test.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CALDER. I yield the gentleman two minutes more.

Mr. MILLER. So much for Corregidor. I would like to say a word about the others. I can say only a word about Carabao. Upon Carabao is mounted 14-inch guns, with a battery for 12-inch rifled mortars in the center. That island is located up close to the shore. You can stand on the shore and you can look right down in, as you can look down into a hopper, and see your four mortars, and there is nothing on earth to prevent men armed with nothing more than rifles—for the distance is about a thousand yards—landing on the coast yonder and shooting off every gunner you put in the place. That has been reported against constantly and turned down by the board. Furthermore, a series of ridges starting from the shore lead back with constantly increasing height, permitting reverse fire from the opposite side. There is nothing on earth to prevent an enemy from landing a few miles up the coast and coming down those ravines, you do not know which one, and by reverse fire putting out of operation those entire fortifications. That has been reported against vehemently, patriotically, earnestly. What we need in the Philippine Islands is what you finally did in Hawaii—some land protection for your seacoast fortifications.

Mr. GARDNER. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. GARDNER. When the gentleman says those things have been reported against, just what does he mean?

Mr. MILLER. I mean that the men in charge of construction at Corregidor Island have sent in reports stating those conditions and recommending certain changes to remedy the defects, and their recommendations have not received favorable attention.

Mr. GARDNER. To whom have those reports gone?

Mr. MILLER I do not know.

Mr. GARDNER. To somebody in the War Department?

Mr. MILLER. Yes.

Mr. GARDNER. And they have received no attention?

Mr. MILLER. They have not been acted upon.

Mr. GARDNER. That is your understanding?

Mr. MILLER. Yes.

Mr. SHERLEY. The gentleman does not mean to give the opinion that they have not been acted upon. The gentleman means to say that they have not been agreed to.

Mr. MILLER. I do not know——

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. SHERLEY. I yield the gentleman five minutes more.

Mr. MILLER. I thank the gentleman for his courtesy. I think it is fair to say this, that I was informed on high authority that the recommendations had been considered by the board, whatever that is, and that they had been turned down. One word further relative to Corregidor. That is supposed to represent our highest attainment in fort building beneath the American flag. As I say, the highest battery on Corregidor Island, and they are all nearly of the same height, is about 565 feet. The hill which I mentioned a while ago, as I recollect, is 973 feet high.

The distance from Corregidor to this hill is 7 miles, easy rifle shot, and I think it fair to say that the board, in turning down the recommendation of these men in actual operative construction of the fortifications, turned it down because they did not think it possible to get a gun upon that hill of a caliber sufficient to carry 7 miles. They now, by reason of the experience of the recent war, know that that easily can be done. So I assume—and, I think, I correctly assume—they would change their attitude now upon that question. Back of this 973-foot hill, however, is another one, about 10 miles distant from Corregidor, that is over 1,400 feet high. In the region of these hills for many miles each way are mountains, valleys, and gulches, all heavily wooded. It is a simple engineering feat to perfect and complete these fortifications. There must be protection on each wing. Our center is strong, but our wings are open. There must be—and any military man who examines it now will admit—fortifications at the Merivales end protecting there, and fortifications beyond Carabao, at the other end, to protect at that point. You then have a chain of forts and fortifications that will be amply sufficient. Until you have that protection you have not anything more than a chain where two links are lamentably weak. Now, I apprehend the gentleman from Kentucky [Mr. SHERLEY] will say that it is expected to change this condition with respect to Corregidor, a change the Army Board has been convinced is necessary to make by reason of the maneuvers I have mentioned, as they are going to send over four mortars—12-inch mortars—and mount them at Caballo, an island lying just beyond Corregidor which already contains some very heavy guns. These guns are not to control the sea, but to control the region in Merivales. Well, now, the distance from Caballo to the hill I have mentioned is 7 miles. There is not a mortar they are going to send of the four that can fire accurately that distance. There are mortars in the Army that can do it, but they are not the ones that are being sent over. And even if that were true, a group of mortars would be a miserably small protection against the whole region of mountains and valleys and gulleys that extend from the hills I have mentioned miles and miles both east and west. The protection must be on the land, the protection which was finally vouchsafed to Hawaii. You finally had to provide them on the land there, and if you listen to wisdom you will provide them in the Philippines.

One word more relative to Corregidor defenses. For some reason I never could find out our military authorities here sent to equip Corregidor some 20 howitzers and some 20 old siege guns. These are all the short, fat-bellied type that were considered some gun in the days of our grandfathers, but which for a generation have been valuable only to decorate county courthouses and parade grounds. We laughed at the archaic, antiquated, ineffectual guns we found the Spaniards had placed on Corregidor, and yet we have gone them one step further in lunacy by placing these popguns in the forts. The fire of these guns is so slow, so mournfully slow, that one modern gun is equal to about 10 of them in point of number of shots and immeasurably superior in point of efficiency. The worst of it is that these guns have to be manned. A single modern gun crew can fire as many shots as a dozen crews working at these ancient guns. The cost of maintaining these gun crews for a single year is more, much more, than the cost of a new battery of modern guns. Verily, America, where is your boasted genius?

Gentlemen, that is all I desire to say. [Applause.] I yield back to the gentleman any time I have remaining.

The CHAIRMAN. The gentleman yields back one minute.

Mr. SHERLEY. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. One hour and 52 minutes.

Mr. SHERLEY. I yield 20 minutes to the gentleman from Tennessee [Mr. MCKELLAR].

Mr. MCKELLAR. Mr. Chairman, I am not going to talk about the fortifications bill this afternoon. I am heartily in sympathy with the building up of our fortifications, as, according to my notion, that is the best way to defend our country, and I am always for the establishment of a defense. I happen to serve on the Committee on Military Affairs of the House and have served for some time, and in my service there I have learned something about our Military Establishment. I do not believe that it is in the bad condition that it is pictured here by many of our friends. On the other hand, I am not one of those who are silly enough to believe that it needs no improvement. My idea is that it should be safely and sanely built up on practical American lines, on lines of general defense. While I am not going to talk about that general subject this afternoon, I am going to talk about a kindred subject. About 18 months ago I introduced a bill in this House to remedy a very important defect in our system of national defense. In the Revolutionary War, in the War of 1812, in the Mexican War, in the Civil War, and in the Spanish War our great trouble as a Nation was in the lack of officers. We had to train our officers for the most part in all of those wars. Those officers were frequently made of men with no previous military training. They were trained at an immense cost of money and life, because we all recognize that it takes time to train an officer in the Army.

Gen. Washington, in one of his addresses—and I refer to it particularly to-day because of the day it is—urged Congress to prepare a better system of training officers, and West Point was created at that time, when our country was a small country of 4,000,000 or 5,000,000 people, at his suggestion. Remember, now, that West Point trained practically as many officers as it does now at a time when there were only four or five millions of people in this country. Since that time we have done very little toward the training of officers. Several officers' schools and much money has been contributed without much effect upon the military training. There were the land-grant colleges, where there was really no actual military training. In 1861-62 the cry was the dearth of officers. So important was the defect in our system that it was Mr. Morrill who introduced the land-grant-college act and passed it. There was to be a way to educate officers for the Army. It did not have the effect that was expected of it. It was too late for that war. For a short time after that war the subject was talked about a good deal in the newspapers, but nothing was done, and when the Spanish War came on exactly the same result followed—that we were short of officers. It was talked about, but nothing was done. About 18 months ago I introduced a bill which provided as follows: That there should be established in each one of the 48 States a military training academy after the fashion of West Point, to be under the general auspices of the State and the Nation.

After examining into many military schools and finding out the cost of keeping a student there, it was believed that the sum of $400 to each student would be enough to keep him and maintain him at that college during the scholastic year, house him, clothe him, feed him, educate him, and train him for that service, the Government to bear two-thirds of it and the State to bear the rest. The State legislature was to select under the terms of the bill the college or institution that was to receive the benefits of the act. These students were to be selected by counties. The county superintendent of education was to hold the examination just exactly as we Congressmen now hold examinations for selection of students for West Point. And when they were selected and accepted by the institutions, why, they were to be educated and trained, the United States Government furnishing the officers which were to do the military training and the local institutions that had been selected by the State to receive the benefit of the act to furnish the educational training, the college training, as it were, all without cost to the boy, except this, that the boy was to agree in writing that he would serve the Government at any time that he was called upon within a period of seven years after his graduation. In that length of time there would be built up a reserve of young Army officers of about 33,000, and, of course, the matter being a continuing one, why, as the seven years would expire on one set it would come in on the other, and we would have a continuing reserve of about 33,000 of these young officers.

Our military experts state that in the event of trouble about 30,000 officers would be necessary. Now, that is the substance of my bill. It was referred to the War Department, and that department returned on the bill that it was a good one, but the then present War Department had their plans and it would not make any recommendation about it at all. After the war broke out last summer I was sent for by the department and was told that, with certain inconsequential modifications, if the bill were sent back the War Department would recommend it, as it was realized it was just exactly what was wanted under our system. It was sent back. The small changes were made. The Committee on Military Affairs of the House has considered it a number of days, given it the most careful consideration, amended it, reported it to this House, and it is now on the calendar. And it is to that bill I wish to speak.

Now, I am not one of those who believe we are likely to get into war at any time. I am not one of those who are easily thrown off their feet by fear or fright or anything of that kind. But if you gentlemen will consider the terms of this bill you will see that it does two great things. It provides for a reserve corps of officers, which is absolutely necessary in the event of defense. It provides them at a very small cost. It provides them without any interference with our established institutions, either State or National. The State absolutely controls these institutions, except in so far as the military training is concerned. The Federal Government furnishes two-thirds of the money for them, and furnishes the military training.

What would be the result if this bill as recommended by the committee should pass? It would mean that the United States Government and the several State governments would graduate, when they are all in operation, some 30,000 of these young men every year without cost to these young men. It fills a need that is said to exist by our military experts. At the same time it does something that the United States Government has never yet done. It contributes largely to the education of our young men. I say that under no circumstances could this bill if enacted into law be a mistake. In the first place, our military experts say that it is necessary. In the next place, the cost is inconsequential. In the next place, we give one of the best kinds of education to about 15,000 young men every year free of cost. While it is free of cost to them, it is not a gratuity at all, because they have to give something up. What is it? They have got to contract for their services in the event of trouble. Now, is not that—I want to appeal to you gentlemen, and I greatly regret there is not a larger membership here this afternoon, because I think this is a very important matter—is not that a safe and sane way to build up our national defenses? Is it not better than spending immense sums on experimenting, for I want to say to you gentlemen you do not experiment when you educate our youths.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. MCKELLAR. I will, with pleasure.

Mr. TALCOTT of New York. How many instructors does the gentleman think it would require to adequately instruct those 15,000 young men each year?

Mr. MCKELLAR. Well, I imagine there should not be less than one or no more than two of these instructors at each institution.

Mr. SLOAN. Will the gentleman yield?

Mr. MCKELLAR. Certainly.

Mr. SLOAN. I have an interest in what the gentleman is saying; but is it not the practice now in these land-grant institutions to have military discipline and drill and education, and upon the graduation of members of the college to give them a potential rank which would be recognized by the Government in event of war? And does the gentleman know how many of these men are graduated each year and given the status of potential officers, if we may use that term?

Mr. MCKELLAR. Well, practically very few are given the status of potential officers, to use the gentleman's expression. As a matter of fact, these land-grant colleges under the terms of the Morrill Act are very loose military institutions. They drill once or twice a week. They drill just enough to get the appropriation from the National Government. Now, that is all there is in that. By the terms of this bill I do not interfere with those colleges at all, for this reason, that since I have been in this House I have never interfered with any educational project; and as long as the Government is contributing to these land-grant colleges, I look upon it not as a military feature that we ought to uphold but as an educational feature that we ought to uphold. I believe that the Government can do no better under any circumstances than to educate the youth of our land.

Mr. SLOAN. Is it not a fact that the Government does furnish to the institutions concerning which we are talking a representative from the Army to supervise the military education, especially in the larger institutions?

Mr. MCKELLAR. Only in certain of the institutions, because the President is limited only to 30 officers that he can

assign under the law to these colleges; and, of course, you can easily see that these are not sufficient. Now, under the terms of this bill that provision of the law which limits it to 30 is repealed and the President can assign such officers to these colleges that are to be established by the bill that I have introduced as he may see fit.

Now, I want to explain to the gentleman, if he will excuse me a moment or two——

Mr. SLOAN. Yes.

Mr. McKELLAR. I will tell you why these land-grant colleges do not effect the purpose. The National Government has not control of them. If they give one week's pretended effort at military instruction, they are entitled to the appropriation. The Government has no control over them at all, and for that reason our military authorities and the War Department say that they are not a practical benefit.

Now, under the system that we would have, a board composed of three men—the Secretary of War, the Chief of Staff, and a civilian member appointed by the President—would have absolute control of this much of the institution: It would have to come up to the military requirements before they can get the $80,000 that is allotted to it, and for that reason the academics that we seek to establish by this bill are directly interested in meeting the requirements; because, of course, whoever has the purse strings has control of that feature of the institution. The institution that has been selected can not get the appropriation unless it meets the requirements of the Government, in so far as the military training is concerned.

Now, I want to say that this bill has been carefully gone over and——

Mr. HULINGS. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. McKELLAR. I will take pleasure in yielding to my friend.

Mr. HULINGS. Will the gentleman explain the character of the examination that gives eligibility to the appointee and then the character of the curriculum, and say to what extent it is a classical course?

Mr. McKELLAR. I will explain about that. I want to say as to the selection of these boys that they are required to be selected geographically. They are required to be selected from every county in every State in the Union. Of course there will be some States that have fewer counties than others, and there will be more boys from some States on that account than from others; but they must be selected by the local county superintendents, who will hold competitive examinations and give every boy an appointment who meets the requirements. It is not confined to those who may be powerful or rich. The poor boy has an equal chance with the rich boy, and under the terms of this bill the country boy has just as good or even a better chance than the city boy.

It ought to appeal to every Member here who believes in education and who believes in the actual defense of his country. This bill ought to appeal to them.

Now, that is the method of selection. It is purely upon a merit basis. It leaves out no part of our country. It leaves out no part of our people. It is a chance for a deserving, ambitious boy, wherever he may live, to receive a splendid college education.

Now, what was the other question the gentleman asked?

Mr. HULINGS. About the course, the students' course.

Mr. McKELLAR. Well, the local institution provides that, of course. I have no doubt but that in the State of Virginia the Virginia Military Institute would be the one that would probably be selected by that State to receive the benefits of the act. Of course it has its own curriculum and makes its own terms for admission, and, in my judgment, that is one of the attractive features of the scheme, that the local institution of each State prescribes the terms of admission upon which students may be admitted to the college. At the same time its control of the matter is not final or absolute in anything except education, because they have got to train these boys from a military standpoint with the utmost care upon such conditions and attainments and such instruction as the National Government prescribes, because if they do not they can not get the $80,000 as applied to that particular State.

Now, I was much in hope that we could get this bill passed at this session of Congress, where we have had so much discussion about our coast defenses and so many differences about this experiment and that experiment. I have no doubt but that we will be prepared to meet any emergency along that line. We shall have the necessary ammunition if we ever get into trouble. But it is perfectly apparent to anyone who will think of it that we must have trained officers. Here we can get them at small cost. Here we can get them by doing the greatest good to mankind that Congress ever did to the youth of our land. So far as I am concerned, I would a thousand times rather appropriate money to so educate the youth of our land so as to equip them to make good soldiers of themselves and avoid unnecessary suffering than to give pensions indiscriminately to those who sometimes suffer in war for the want of such training. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SHERLEY. Mr. Chairman, I yield 20 minutes to the gentleman from New Jersey [Mr. BAKER].

The CHAIRMAN. The gentleman from New Jersey [Mr. BAKER] is recognized for 20 minutes.

Mr. BAKER. Mr. Chairman, the fortification and the battleship, in proportion to their cost and relative importance in defense and offense, seem to have made a poor figure in the present European war. The fortification is said to collapse, even evaporate, at the touch of a shell from a 42-centimeter gun, and the battleship is reputed to seek a place of safety or to sink from a thrust from under the sea.

In the din of the great amount of talk indulged in here about armies and armaments and the glory of war, the infinite superiority of the instruments and the products of the arts of peace are lost to sight and sense. We all know that war is a disgrace except in self-defense, and then it impeaches the moral status and the sanity of the nation that imposes the necessity for such defense.

We hardly comprehend the gravity of our relation to the war that is now going on. Rome after Cannæ had no worse outlook, and Carthage after Zama had no more fateful prospect than is now held out in the horoscope of civilization. The daily disasters in Europe are only digging deeper the pit in which to bury the happiness of the human race. And yet the sulphurous fumes and the ghastly sights of the battle field seem to exhilarate instead of disgusting men. Physical courage is a good thing, but it is nothing to brag about, for it is common even among the four-footed beasts. Men pretend that we need to have war in order to prove that we are brave. Americans have shown on a thousand fields of carnage that they have courage of the first quality, and they have shown it so well that the world will never forget it. There are nobler fields of action and higher ambitions than to make and conduct human slaughterhouses.

If the worse than wasted wealth that has been thrown away on war had been applied to education in industry, in utilities, in science, and in art, there would not to-day be a single unhappy human being on earth. A statesmanship that can get for the people whose destinies it directs and controls only the arbitrament of the sword and the cannon and the torch is a reflection and a slam on the science of politics and government among men in this age. Here on this floor a fortnight ago a learned, captivating, and martial gentleman, radiating sentiments of Tyrian hue, said luridly and alliteratively that he would a thousand times rather scream with the eagle than pipe with the piping pigeon of peace, or words equally terrifying on the one hand and contemptuous on the other.

Force, reason, and moral susceptibility we all concede are the chief springs and agencies of government. The first, force, is the surest and best where no regard is paid to human rights. The second, reason, is hampered where intelligence is rare and ignorance is general. The third, moral susceptibility, is enfeebled by indifference and paralyzed when the eagle screams.

In the light of these last six months in Europe, civilization does not present an interesting or alluring prospect. The action of the times has the color and the odor and the earmarks of the age of Nero, the Roman Emperor, or of the days of Alaric, King of the Visigoths. How shall we show our appreciation of our situation in regard to this? We talk endlessly and excitedly about war, and about the value of it and the duty of it, but are we equal to what we ought to do now? There are few, if any, of us here in whose veins does not flow the blood of one or another of the nations now involved in the most stupendous conflict that ever reddened and blackened the face of the earth. At such a time it were unworthy to speak of anything other than the hopes and the fears of our stupefied, mystified, horrified race. Well-ordered government obtained in those great States and prevailed so long, the serenest confidence pervaded the civilized world that peace and progress attended them, that the rights and security of their peoples were firmly established, and that they, with us, would lead mankind to the realization of its highest destiny.

There has been a rude awakening from this complacent dream, for Europe is aflame with war and civilization itself is in jeopardy of obliteration. We have learned that to be prepared for war does not insure peace, but rather induces the pre-

cipitation of strife. We seek to know the cause of this fury and persistent rage and devastation. Does it show that our civilization is a mere veneer? Is it a case of reversion to type, as of the well-trained canine to the vulpine pack? Is there a reasonable, tangible, appreciable cause for this shedding of seas of blood and covering a continent with gloom and horror? Men wish to know. Men believe it is the acme of the prejudice, the ambition, and the opportunism which have darkened the world with war from the beginning of time—war that paralyzes progress, that submerges civilization, that yields only death and desolation. The old Roman told it all when he said, "Inter arma silent leges"—in the midst of arms the laws are silent. Not only are the civil laws but all laws are suspended, save those devoted to the concentrated and convulsive energy of destruction. War—the opportunity of the plunderer, of the violator, of the spoiler; the keenest curse and blackest blight that can come to the man who works, for he must pay the cost. He must do the suffering and the dying. It is his family that is dissolved in tears and sunk into poverty and despair. [Applause.] War! You talk of war, that has loaded civilization with fifty thousand million dollars of debt, upon which it is now paying the interest. And yet every Christian nation is in a frenzy of haste to make more arms of precision, engines of destruction, charnel-house battleships, so as to be exquisitely prepared, instantaneously ready, at the turn of the word or the drop of the hat, to maim, mangle, destroy, and desolate their fellow Christians. [Applause.] All are spurred on by the same madness; no nation can hesitate, or it will be trampled; all must keep the quickstep of the gory procession. Ah, what a civilization. It challenges barbarism for folly, fury, and monstrosity. It is a felonious beggar on horseback, crimson with the blood of innocents, livid with the leprosy of injustice—the price of the pride, the arrogance, the hypocrisy, and the mendacity of the age we have the hardihood to boast. [Applause.]

It is not strange that mankind shudders, stumbles, hesitates, recoils, and retreats since it is the policy of the great States to have their strong young men slain or crippled in battle. War feeds on the stalwart, the high spirited, the best, and discards the ruck of the race that can bestow nothing upon posterity but an enfeebled progeny to eke out wretched, paralytic, and hopeless lives. Who will answer for this immolation, who atone for the wreck of nations? What is the philosophy and where is the statesmanship of it? There is none. It is a colossal fraud and a hideous crime. [Applause.] The Modoc, the Malay, and the maniac could do no worse in government than civilization is doing to-day.

Have intelligence and moral sensibility stood still, made no advance since the dire days of Attila? Is the lust for material dominion and despotic control of aliens a sign, a token, an evidence of culture, of mental elevation and equilibrium and of psychic perfection?

Does man differ from the beast of the jungle only in the stronger desire and better facility to inflict pain, perpetrate ruin, and magnify and multiply woe? Must all energy, industry and invention be devoted to armies for defense or to slaughter for conquest? To what baleful, doleful pass has our vaunted progress brought us, and what have our freedom, our schools, and our churches done for us if we must forever burden the people with the necessity to prepare to destroy and to desolate their fellow men? Is it true that "judgment hath fled to brutish beasts and men have lost their reason"? Can not we believe that this unprecedented, this unholy, this world war will result in universal and permanent peace, through exhaustion and the aversion its hecatombs of victims will beget against the massacre of nations? [Applause.]

Can we not hear above the clangor of battle, above the roar of the conflagration of cities, the moans of the aged, the shrieks of violated women, and the screams of orphaned children the voice of reason resounding from the confines of the great Republic?

Will it not inspire a new song that all the world will sing, in which the refrain of the chorus will ring, "Away with class and privilege and war and slaughter. Hail to peace and faith among the nations and the dawn of the reign of common sense." [Prolonged applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDER. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, on last Saturday and again to-day some of my friends on the other side of the aisle have renewed the talk of prosperity. I am not criticizing them for it. In fact, they command my admiration. When I remember that in 1914 there were more business failures than in any other year in the history of the country; that business is further below normal than ever before; that there are more closed mills and factories to-day than ever before; that the difference between the receipts and expenditures are larger to-day than ever before; and that there are more bread lines and soup houses in this country than ever before, we can not but admire our friends when they talk about prosperity.

My distinguished friend from Missouri [Mr. BORLAND] had some remarks to make this morning about prosperity, and I wondered whether his mail is anything like mine. I want to read a few extracts from some things that came to me to-day through the mail. First, I refer to what appeared on the first page of the Washington Post yesterday morning, which reads as follows:

PLAN HUGE WAGE CUT—52 RAILROADS IN THE EAST UNITE FOR THE CAMPAIGN—750,000 MEN ARE AFFECTED—REPLY TO ENGINEER BROTHERHOOD'S THREAT TO DEMAND INCREASE.

NEW YORK, *February 20, 1915.*

The railroads of the eastern territory have entered a campaign for a reduction this spring in the pay of employees from engineers down to trackmen.

This will affect the earnings of about 750,000 men and a pay roll approximating $600,000,000 per annum.

Fifty-two railroads are identified with the movement, and the territory covered by these lines lies east of Chicago, and, roughly, is that for which an increase in freight rates has recently been granted.

Next I desire to read extracts from the Daily Iron Trade, a journal published in Cleveland, Ohio, from the edition of Friday, February 19, 1915:

MUCH SURPRISED AT VOTE'S RESULT—MILL OWNERS AND UNION OFFICERS WERE CHAGRINED—SHEET MILL CONCERNS BY REPRESENTATIVES ARE TALKING OVER SITUATION AT PITTSBURGH.

PITTSBURGH, *February 19.*

Middle western sheet and tin-plate manufacturers are holding a meeting here to-day in the endeavor to solve a complicated situation made so by the unexpected total rejection of the proposed reduced wage schedules by their employees. The proposed rate sanctioned by the officers of the Amalgamated Association, with which these employees are affiliated, provided an 11.2 per cent reduction for sheet-mill men and 6 per cent cut for tin-mill men, based upon sliding scales.

Then, in the same issue of the paper, I read the following:

RECEIVER NAMED—LA FOLLETTE IRON CO. TURNED OVER TO NEIL ROBINSON, OF CHARLESTON.

CINCINNATI, *February 19.*

A receiver has been named for the La Follette Iron Co., La Follette, Tenn., in the person of Neil Robinson, a coal operator of Charleston, W. Va., who has been receiver of the La Follette Coal, Iron & Railway Co. for about one year.

Next I read an extract from the Washington Star of February 20, 1915, which is as follows:

TWO THOUSAND FIVE HUNDRED MEN LOSE JOBS—STEEL MILLS AT GRANITE CITY, ILL., CLOSE FOR INDEFINITE PERIOD.

GRANITE CITY, ILL., *February 20.*

The steel mills here will close to-day for an indefinite period. The order closing the plants will throw more than 2,500 men out of work.

Several days ago a majority of the members of the Amalgamated Association of Steel, Iron and Tin Workers in Granite City voted to accept a cut in wages rather than have the plants closed down. The reduction, however, was not approved by the national organization and the men were ordered to demand their regular wage. This the general manager of the company announced he was not able to pay and issued the closing order.

Then, in order that I may get to all sections of the country, I have here an article from one of the newspapers of the South. I read now a clipping taken from the Gulfport Daily Herald, and I believe that Gulfport is the home of my distinguished friend from Mississippi, Mr. HARRISON. This is an interview with one Hugh McManus, and my correspondent says that he was for many years sheriff of that county. He has just recently visited Birmingham, and here is a report he made when he got home. I suppose it is safe to presume that he is a Democrat, if he has been elected sheriff down there for several terms. The article is as follows:

M'MANUS RETURNS FROM BIRMINGHAM.

After spending three days in Birmingham, Hugh McManus returned home yesterday afternoon. During his meanderings around the city Mr. McManus says he saw vast gatherings of people, and inquiring the reason for such assemblages he was told that they were meeting the train of soup wagons on their rounds, which has been sent out for the benefit of the destitute by the city authorities. It is hard to exaggerate the conditions of the working class in the mineral district of Alabama, declared Mr. McManus, and there are many young men formerly filling clerical positions in the larger stores there who are now cutting wood or performing other menial labor for 75 cents a day.

I suppose, Mr. Chairman, that it is only a state of mind that exists in Birmingham to-day. Next I will go over to the Pacific coast, and in order to give some of my Democratic friends an opportunity to get off that very witty saying about my having the shingles, I am not going to refer to shingles, but I am going to read from a letter which I hold in my hand, from one of the leading lumbermen of the Pacific coast. He calls my attention to a letter which he incloses and from which I will read a sentence or two:

Canadian import tariff effective to-day imposes a duty of 7½ per cent at mill value of lumber, rough and dressed, crossties, switch ties, and other articles. This is an addition to the tariff previously in effect on dressed lumber.

That shows how Canada is taking care of her lumbermen. In commenting upon that my correspondent says:

The attached copy of letter from the general purchasing agent of the Grand Trunk Railway system, with headquarters at Montreal, Quebec, was received in our office this morning, and is self-explanatory.

There never has been any duty on rough lumber from the States into Canada. Heretofore we have enjoyed a fairly lucrative trade with the railways, shipping, of course, rough lumber only, such as ties and timbers. Since the tariff into this country has been removed a great deal of lumber has been shipped from British Columbia into the States, and now, since the Canadian Government sees fit to put a duty on lumber, so as to prevent any possibility of our shipping into their territory, it certainly is doing just what the lumber manufacturer needs in British Columbia. Sad to relate, our Government seems blind to the necessity of the lumbermen of the coast and elsewhere. As you know, it is absolutely impossible now to charter vessels for any cargo trade. This situation, together with the railways being unable to buy any material, has demoralized the lumber industry on the coast beyond description.

Unless the European difficulties are settled within a very short time, the lumber industry here will be bankrupt. We certainly have been unjustly dealt with on the tariff question by the present Congress. I must say this, in spite of the fact that I cast my first presidential vote for Grover Cleveland and my last one for Woodrow Wilson.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. BORLAND. The correspondent of the gentleman must have made a mistake when he said it was impossible to charter vessels. Evidently the gentleman did not read that portion into the RECORD as a part of his remarks.

Mr. HUMPHREY of Washington. Certainly I did; and the reason you can not get cargoes——

Mr. BORLAND. I thought the gentleman was saying that there were more vessels than business.

Mr. HUMPHREY of Washington. Mr. Chairman, I do not want the gentleman, in the language of the street, to "butt in" in the middle of a sentence. I am willing to yield to him at any time in an orderly way.

The reason why you can not get cargoes is that, notwithstanding your party platform—and I was in hopes that you would not say anything about that, so that I would not have to refer to your party platform again, for I have some consideration for your feelings and I do not like to refer to it—the reason is that you forgot your party platform promises about the Panama Canal and have imposed $1.50 a thousand upon every thousand feet of lumber that goes through the Panama Canal to the Atlantic coast from the Pacific. That is the reason why we can not get vessels, and that is what he had in his mind. There would have been American vessels sufficient for this trade if the canal had been left free for them.

Mr. BORLAND. That is not what he said.

The CHAIRMAN. Does the gentleman yield?

Mr. HUMPHREY of Washington. No. If the gentleman will ask me properly, I will yield; but hereafter, if he does not, I shall decline to yield. Although this gentleman is a Democrat, he knows what he is talking about, and I wish I could say that much always about my friend from Missouri when he is talking on the tariff question. I have other articles here—so many that I hardly have the hardihood to read them all—but this one I will read:

WATCH BUSINESS HARD HIT—THE SETH THOMAS CLOCK CO. TO CLOSE GREATER PART OF ITS THOMASTON PLANT.

The Seth Thomas Clock Co., employing 400 hands has closed the greater part of its plant here because, as it states in a posted notice: "Trade conditions in the watch business have been very bad and are steadily growing worse. There is practically no demand for watches," continues the notice, "and we are no longer able to continue the manufacture of watches which we can not sell. We are very sorry to close the greater part of our watch shop until the market conditions improve." To the employees the announcement does not come wholly unexpected, as a large number have been laid off during the past six months and those who have been retained have been working only about 40 hours a week.

Then, turning to another one headed "Tariff to blame," it says:

TARIFF TO BLAME.

The placing of 3,000 employees of the Waltham Watch Co. on short time has resulted from the business depression in the United States induced by the tariff changes, and not because of the interference with the company's foreign business because of the European war, according to Vice President Conover Fitch, of the company. Mr. Fitch is quoted as saying:

"We have been obliged to reduce the number of working hours in our establishment because of the extreme depression in this country. That the depression here in our business is due partly to the effects of the European war is undoubtedly true, but in my opinion it is mainly due to the change in tariff and policies of government and consequent general depression, which was being felt seriously before the outbreak of the European war. It is a fact that Swiss manufacturers are taking advantage of the reduced tariff duties and loss of European markets to flood this country with their products regardless of price."

Then I have one, "Business conditions—Dividend one-third of those in 1913." This gives a long list of the different steel companies and their earnings, as compared with last year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD by inserting some 25 or 30 more illuminating illustrations of the business prosperity we now enjoy.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

BUSINESS CONDITIONS—DIVIDENDS ONE-THIRD THOSE OF 1913.

Net earnings of the Republic Iron & Steel Co., applicable on the $25,000,000 preferred shares, for the fiscal year ended December 31, 1914, were $1,028,748, equivalent to 4.12 per cent, as compared with $3,101,300, or 12.4 per cent, last year. The Republic Co. has experienced its full share of the depression ruling in the iron and steel trade. Chairman John A. Topping, in his remarks to stockholders, states the year was decidedly the worst in the history of the company as to prices and demand, although earnings were considerably above previous periods of depression, due to lower costs as a result of improved facilities and other economic influences. Wages of employees, however, were not reduced. Commenting upon the unsatisfactory condition of the iron and steel business last July, Chairman Topping said: "The earnings of the company for the six months' period ended June 30, 1914, emphasize the general effect on business resulting from tariff reductions and trade hesitation incident to the enactment of new laws and the discussion of radical legislation."

FEBRUARY DIVIDEND PAYMENTS.

According to the Journal of Commerce, the dividend payments for February this year will be $8,164,392 less than those of February, 1914. The decrease in industrial companies will be over $6,000,000. A summary of the February dividends, with comparisons for the same month a year ago, follows:

	1915	1914	Shrinkage.
			Per cent.
Industrials	$25,111,873	$31,778,216	26
Steam railroads	19,938,336	21,323,236	7
Street railways	3,814,363	3,927,512	3
Total	48,864,572	57,028,964	17

SEVERE BUSINESS DEPRESSION.

The severity of the business depression of 1914 is emphasized by the annual reports of the great steel manufacturing plants of the country of their operations during the past year. The United States Steel Corporation reported for the last quarter of the year the smallest earnings of its career and was forced to pass the dividend on its common stock.

The showings made by some of these companies last year are the unanswerable argument against the present low-tariff system. They represent the harvest reaped from the enactment of the many antibusiness laws and the discussion of radical legislation. Net results of several companies, as set forth by the Daily Iron Trade last week, were as follows:

The Cambria Steel Co. earned 4.36 per cent on its outstanding capital in 1914, which was only 31 per cent on its 1913 earnings of 13.8 per cent on its capital. Its November and February dividends were declared payable in scrip.

The Republic Iron & Steel Co. earned 4.12 per cent on its preferred stock, as compared with 12.4 per cent the previous year. It passed its September and December dividends.

The American Iron & Steel Manufacturing Co., Lebanon, Pa., withdrew $206,321 from its undivided profits during the year, according to its balance sheet, which is the only statement it gives out to the public.

The J. G. Brill Co., Philadelphia, car manufacturer, earned 3.47 per cent on its preferred stock, which compares with 19.63 per cent in 1913. Dividends were reduced in November and February from 1¾ per cent to 1 per cent.

The Youngstown Sheet & Tube Co. was the one brilliant exception. In its report for the past six months its earnings were at the rate of 7 per cent on preferred and 8 per cent on common.

The Bethlehem Steel Co. also made a better record than the average for the year.

A summing up of current conditions shows a great deal of ground has been gained in the past two months. The Steel Corporation's works are operating on an average of about 60 per cent of capacity; independent's plant activities range between 45 and 55 per cent. In the first part of December, when the lowest level was touched from the standpoint of operations, prices, and orders, the steel works' operating average dropped to about 25 to 30 per cent.

ACCEPT WAGE CUT.

Reading Iron Co. puddlers, helpers, and muck-mill hands, by vote of February 6, have decided to continue working at the announced wage reduction of 50 cents a ton for puddling, effective next Monday. The company proposes, as soon as market conditions warrant, puddlers' wages will return to the $5-a-ton basis. It is stated other employees of the company will accept a proposed wage reduction.

ANOTHER WAGE REDUCTION.

Sheet and tin-plate workmen employed in a dozen independent mills in the Middle West and affiliated with the Amalgamated Association of Iron, Steel, and Tin Workers, agreed on February 5 to accept a wage reduction from 6 to 11.2 per cent. This agreement affects mills in Pennsylvania, Ohio, West Virginia, Illinois, Indiana, and Missouri. While some of these independent mills have been working at 40 per cent of capacity, it is understood they will add to their working forces immediately.

RAILROAD DEFAULTS IN 1914.

Stocks and bonds of American railroads in receivership were increased by approximately $200,000,000 in 1914, and the total is now, in the aggregate, more than $1,200,000,000. Total trackage now in default in this country amounts to 16,104 miles. Last year 22 railroads went into receivers' hands, according to a compilation of Dow, Jones & Co. Their funded debt amounted to $137,250,300 and their outstanding capital stock totaled $62,321,000, a grand total of $199,571,300.

FAILURES IN JANUARY.

The statistics of commercial failures in the United States for January disclose a business mortality far in excess of normal. "The largest

number of failures ever recorded in any month and the seventh largest aggregate of monthly liabilities are evidences that liquidation of crippled commercial concerns went forward apace in January." Total insolvencies for January, as reported to R. G. Dun & Co., reached the unprecedented number of 2,848, and several defaults of unusual size swelled the aggregate indebtedness to $49,640,575, these figures comparing with 1,857 suspensions for $39,374,347 in the same period of the preceding year, 1,814 for $22,972,769 in 1913, 1,814 in 1912 for only $19,770,530, and but 1,663 four years ago, when the liabilities were $24,090,649.

MORE MEN ACCEPT WAGE CUT.

The plants of the National Enameling & Stamping Co., in Granite City, Ill., and St. Louis, will begin operations next Monday with a full force working full time as the result of a referendum vote of the iron-workers accepting a cut in wages. The vote, taken Saturday, was announced to-day. More than 3,000 workmen will get jobs under the reduced scale.

The wage scale was to be on a sliding basis, varying with the market price of the factories' products. The cut was necessary, the officers said to-day, owing to the inability of the independent factories to compete with the trust companies under the old scale.

The Bank of North America, one of the leading Philadelphia banks, in its February trade letter says: "During the last half of 1914 the shoe manufacturing business of the country was not better than 60 per cent of normal. The leather business, aided even by the foreign demand, was in scarcely more active state."

Nathan T. Folwell, the president of the Manufacturers' Club of Philadelphia, in an interview published in the Philadelphia Public Ledge, February 5, said: "Had there been no European war either there would have been a decided reduction in wages or the mills of my firm, as well as those of other manufacturers similarly situated, would undoubtedly have been forced to shut down as a direct consequence of the tariff reduction put into force by the present Washington administration."

The First National Bank, of Boston, in its New England letter of January 15, 1915, said: "During the past 30 years business sentiment in New England has undergone a change. The optimism which sprang up soon after the outbreak of the war, when it was recognized that the United States had escaped financial disaster, has given way to a less buoyant feeling. Disappointing trade returns furnish ample evidence that in New England general business has gone back in the last few weeks, and the indications are that but little improvement can be expected in the immediate future. The prevailing feeling is that after a few months we can hope for a small and gradual increase in activity, but early relief from the present severe business depression in the shape of anything like normal business is not expected."

Railways operating 228,461 miles of line, or about 90 per cent of all steam railway mileage in the United States, reports operating revenues for the month of November, 1914, amounting to $238,812,430. This amount includes revenues from freight and passenger traffic, from carrying mail and express, and from miscellaneous sources connected with rail and auxiliary operations. Compared with November, 1913, these operating revenues show a decrease of $32,836,569. Total operating revenues per mile averaged $1,023 in November, 1914, and $1,180 in November, 1913, a decrease of $157, or 13.3 per cent.

Imports to the United States under the operations of the Underwood tariff law for 10 months—to July, 1914, before the outbreak of the war—increased $102,478,621, while in the same period duties paid on imports decreased $30,770,070. The increased importations, amounting to over $100,000,000, displaced more than an equal amount of American-made goods, and resulted in heavy losses in employment and wages.

The number of persons sheltered in the municipal lodging houses in New York during the mild January of the present year has been steadily over 2,000 a night, and has risen as high as 2,660. This represents an increase of approximately 50 per cent over January of last year, when the weather was very severe during a great part of the month, while the increase over 1912 is very much greater. For the month of December, 1914, the average number cared for at the lodging houses was 1,288, as compared with 479 in December, 1912.

In a city of about 35,000, near New York, a census of the number of skilled workers out of employment was taken during January, 1915. Out of 147 carpenters in the city it was found that 113, or nearly four-fifths, were out of work. Approximately the same condition prevailed among the other trades canvassed. This was not a city having any large individual establishments where the closing of a single mill might throw a large number out of work, and it may be taken therefore as typical of existing conditions.

For the seven months of the calendar year 1914 up to August 1, or preceding the European war, the imports of cloths and dress goods, as compared with the seven months of the previous year, were in value as follows:

Imports.	1914	1913
Cloth (seven months)	$10,879,813	$2,852,052
Dress goods (seven months)	5,602,943	1,899,275

In the case of cloths this was nearly fourfold and in the case of dress goods threefold the imports of the corresponding months of 1913, which were not much less than the average of the years immediately preceding. The result of the Simmons-Underwood tariff has been to give European manufacturers a greatly increased market in the United States at the expense of American manufacturers without any appreciable reduction in the cost or improvement in the quality of the clothing of the American people. Speaking of the condition of the woolen and worsted industry in New England, the First National Bank of Boston said in one of its New England letters: "Activity in the main New England industries has declined. This is especially true in woolen and worsted manufacturing, nearly one-half of its machinery being now idle, in spite of the receipt of foreign orders. There are two principal reasons for this depressed condition; one is the very great increase in the imports of the foreign goods, which are from two to four times as great as a year ago, and the other factor the large amount of unemployment throughout the country, which affects the ability of the people to buy and wear woolen clothing."

The condition of the steel industry is reflected by the passing by the United States Steel Corporation of its dividend on the common stock for the quarter ending December 31, 1914, the worst three months in the history of the corporation so far as earnings were concerned. Operations of steel plants have been reduced to as low as 40 per cent, and at present are probably not over 55 per cent capacity.

The report of G. M. Haffords & Co. on the earnings of 37 cotton-cloth corporations in Fall River showed an average of 0.903 per cent for the first quarter of 1915—the next to the lowest average on record. The same quarter in 1914 showed an average dividend of 1.23 per cent. The average total dividend for the four quarters of 1914 were 4.239 per cent as compared with 7.29 per cent in 1913 and 10.93 per cent in 1907, the year in which there were also notable stock dividends.

The First National Bank of Boston, in the New England letter of February 16, 1915, says: "While an improvement in sentiment has been developing for several months, it is only within the last few weeks that a betterment in actual trade conditions has been discernible. The advance on the whole is slight, but there have been almost no retrogressions, and distinct progress has been made in sereval important lines. To be sure, the record of failures for January was the worst on record, and the December losses in railroad gross earnings were startling. These losses were not confined to New England, such roads as the Pennsylvania and the New York Central falling off 13 per cent from the preceding year, six typical southern railroads 19 per cent, and five representative western railroads 12 per cent; nevertheless, in New England informal reports for the New Haven Railroad show the number of cars loaded locally since January 1 to be almost up to the figures of a year ago, while the number of cars loaded elsewhere but entering New England show a slight advance over the same month of the preceding year. Again, bank clearings for January, while they show extreme depression, reflect a somewhat greater volume of commercial and industrial activity. Although there is a tendency to exaggerate the real upward trend of the steel industry, the consensus of opinion seems to be that in the last three months the industry has increased its operating rate from a little under 40 per cent to slightly over 50 per cent of capacity; this means that steel has made a moderate recovery from a condition approaching the desperate to one of pronounced depression."

IDLE CARS.

The total surplus of idle cars as of February 1, 1915, was 227,473 cars, compared with 127,325 cars on November 1, 1914, and 211,960 cars on February 1, 1914. It is probable that had reports been received from the same number of roads in February as in November the total number of idle cars would have been increased by approximately 50,000 to a total of two hundred and seventy-seven thousand-odd. Reports as of February 1, 1915, have been received from 159 roads operating 1,854,150 cars, while figures for November 1, 1914, were furnished by 192 roads operating 2,203,414 cars.

SHOWS BIG LOSS.

The Westinghouse Machine Co. reports to the New York Stock Exchange for the nine months ended December 31, 1914, as follows:

Sales billed	$3,576,399
Cost of sales billed, expenses, depreciation, etc	3,631,346
Operating loss	54,947
Other income	67,141
Total income	12,194
Interest charges	347,537
Net loss	335,342

[Editorial from Daily Iron Trade.]

"AIN'T NO SICH ANIMILE NOWHERE."

"It were a journey like the path to heaven
To help you find them."—Milton.

The road to Tipperary is short and easy compared with the path of the real, genuine, true, disinterested patriot
Who poses as a tariff reformer in Congress.
For now comes the Birmingham Age-Herald—
Published right in the home of the man who lent his name to the last misfit tariff measure—
And
It says:
"The Sixty-fourth Congress will be wise if it revises the tariff, and if it does it in such a way as to give just and proper relief, and at the same time not afford to the Republicans an opportunity to make their old-time high-tariff slogan tell in the next campaign."
Right down in "good old Alabam," U. S. A.
Where they have fought previous tariffs as if it were a war for life,
And where there now is open rebellion and positive conviction that the new tariff wrought a huge injustice to the iron, steel, and sugar industries.
They want it revised—
And done quickly—
Before those horrid Republicans get a chance to make a battle cry
And do it again.
What a real job they will have if they undertake to fix up all the inequalities of this Congress's legislation in the next Congress!
And what wonderful speeches will surely be made by the Democrats themselves!
That is
(Of course)
If they don't invoke
The Reed rules or the Cannon rules to prevent debate in this case, as they did last time.
A great number of Democrats are quite frank in pointing out serious errors in the present tariff law,
While no one really has been pleased—
All are apologetic—
All on the defensive—
No one happy
And if anyone desires to locate a loyal, disinterested defender of the Underwood tariff bill
He would have to spend the rest of his life searching in vain.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. BAKER] may also have the privilege of extending his remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman for the gentleman from New Jersey [Mr. BAKER]? [After a pause.] The Chair hears none.

Mr. CALDER. Mr. Chairman, I would like to know how many speeches the other side expects to finish in.

Mr. SHERLEY. There will be but one speech on our side.

Mr. CALDER. Mr. Chairman, we have had a very interesting discussion this afternoon, and I am sure that the Members of the committee who were present were much instructed by some of the speeches that have been made. We had a talk from the gentleman from South Carolina [Mr. JOHNSON] on an international court of peace. I am confident that every man in this House would vote to establish a tribunal that would deal fairly with all the nations of the earth and assure universal peace. The gentleman from South Carolina apparently does not believe in preparedness for war. I am not of that class either, but differ from him in that I strongly favor being prepared against war. [Applause.] We have had a very illuminating address from the gentleman from New Jersey [Mr. BAKER], who discussed civilization, and I am sure when we read his speech in the RECORD to-morrow we will take it home and treasure it as one fit to have a place in our libraries.

We have had speeches on the tariff and the business conditions of the country, and the gentleman from Tennessee [Mr. GARRETT] read Washington's Farewell Address, which seemed almost prophetic of this period of our country's history. We have quite generally followed the advice of Washington in our foreign affairs, and it is well for those who are charged with the responsibility of government to-day to bear in mind this masterly address in dealing with the problems of the moment. And we had two good speeches on our national defense by the gentleman from Massachusetts [Mr. GARDNER] and the gentleman from Minnesota [Mr. MILLER]. As a member of the subcommittee on fortifications of the Committee on Appropriations which prepared this measure, I have no quarrel with either of these gentlemen. I do not agree with them entirely, but I do approve of some of the facts they have stated. Their remarks were very interesting and they imparted some valuable information to the committee. I will not take up all of the subjects they talked about, for I am convinced the very able chairman of the subcommittee on fortifications, the gentleman from Kentucky [Mr. SHERLEY], will make a satisfactory explanation of the bill when the time comes and dispose of any fear on the part of the committee that we have not done our full duty to the country in the report upon this measure. Nobody to-day, except the gentleman from Massachusetts, has discussed any of the items in this measure, and I am going to take the time of the committee for a few moments to explain some of them.

Our coast defenses before the Civil War were in good condition, compared with those of other important nations. The forts were constructed of masonry and were equipped with smoothbore guns. As the result of the Civil War and the war between France and Germany in 1871 many new inventions along the line of armament developed, and, with the improvement in naval vessels both in armor and armament, our fortifications were rendered vulnerable. For many years after the Civil War little was done to better these changed conditions. Boards were appointed by different Secretaries of War, and some improvements were recommended and acted upon, but it was not until the appointment of the Endicott Board in 1885 that a comprehensive investigation of our seacoast defenses was undertaken. As a result of the report of this board a general policy was formulated by the War Department and a report was made to Congress setting forth a scheme of fortifications, which was approved by Congress, and the beginning of the modernizing of the coast defenses was undertaken. The total cost of the fortifications recommended in the report was $126,377,800, exclusive of ammunition. Large sums of money were appropriated and the work was started.

The action of the Endicott Board was modified, however, materially as the result of the findings of the National Coast Defense Board, otherwise called the Taft Board, which reported to Congress on March 6, 1906. This report estimated that the cost of completing the defenses, including $6,571,301 for ammunition, would be $50,879,339. Since the date of the report of the Taft Board there has been appropriated approximately $10,432,800. Subsequently the project was further changed by the War Department. The latest modifications include a change in the armament for the entrance to Chesapeake Bay at Cape Henry, and provide for the defense of San Pedro Harbor, Cal., and somewhat of a reduction in the quality of armament prescribed for other places. The whole seacoast project to date calls for a total of 1,301 guns and mortars of caliber from 3-inch to 16-inch, inclusive, and of this number 91 per cent have been provided for and are now mounted in our fortifications. There remains to be appropriated for 117 guns and mortars. It is estimated that it will require an appropriation of $40,000,000 to complete our seacoast defenses. The basis of the ammunition supply for continental United States is the provision of a sufficient quantity to carry through a two-hour engagement one-half the total number of guns manned in the forts. Of this amount we have on hand 73 per cent.

Mr. GARDNER. Will the gentleman yield for one moment there?

The CHAIRMAN (Mr. CRISP). Will the gentleman from New York yield to the gentleman from Massachusetts.

Mr. CALDER. Yes.

Mr. GARDNER. That is 73 per cent of the supply for the guns already provided for, is it not, and not for the whole project?

Mr. CALDER. I am under the impression, although I may be wrong, that it is 73 per cent of the entire project.

Mr. GARDNER. It is only 66 per cent of the entire project.

Mr. CALDER. Yes; the gentleman is right.

Mr. GARDNER. I have the letter from the Secretary of War.

Mr. CALDER. The amount of ammunition on hand and appropriated for is 73 per cent of the amount required for the guns and mortars now in place; and that does seem a small quantity. The testimony of Gens. Crozier and Weaver before the committee agrees that this is not sufficient, and I am in accord with them. I will say frankly to this committee that if the War Department had asked for a larger appropriation for this item it would meet with my approval. But gentlemen should not be unnecessarily alarmed at the amount of ammunition for our seacoast defenses.

When one stops to consider the extent of our fortifications it can readily be understood that no condition could prevail that would entail but a very small number of our guns being engaged at the same time. No one suggests that we are going to fire all of the guns and mortars in the country on the exact moment. I am sure, however, as the result of the information obtained in the hearings this year and the agitation on the subject, that the War Department will come to Congress in the next session with a request for a substantial increase. Although I will not be a Member of the next Congress, and unable to vote for this increase, I am sure that the fortifications committee will agree that this particular item should be substantially enlarged. In our insular possessions the ammunition supply provided is double the reserve for the United States. Whether or not that is a sufficient amount is a question for the War Department itself to determine. The committee, in presenting this bill this year, has given exactly what the War Department asked for.

Our seacoast defenses generally are in good condition. The gentleman from Massachusetts [Mr. GARDNER] and the gentleman from Minnesota [Mr. MILLER] have in their remarks dealt with the range of the large guns. I agree with them that the range of these guns is not great enough to meet the 15-inch guns on some of the newer superdreadnaughts of England and Germany, which are claimed will reach 21,000 yards. The War Department believes, however, that with the appropriation asked for and recommended by the committee the department will be able to alter the carriage and powder chambers of the 12 and 14 inch guns in both our continental and insular possessions, so that their range will be sufficiently increased to keep off the attack of any of the warships above referred to. I might add that it is the intention of the War Department, in the new fortifications and in any changes in the present fortifications, to locate batteries of 16-inch guns, with a range exceeding that of any warship afloat or contemplated.

Now, our field-artillery ammunition——

Mr. GARDNER. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Massachusetts?

Mr. CALDER. I do.

Mr. GARDNER. Before the gentleman gets off the subject of our coast fortifications I will say that I hold in my hand a clipping from the New York Sun of February 6, in which it is reported that a discussion had arisen in the committee as to whether or not warships could lie off Rockaway Beach and bombard any part of the city of New York. Is it true that there was a general discussion in the committee, which does not appear in the hearings, as to whether or not Boston and New York and San Francisco were safe?

Mr. CALDER. Mr. Chairman, in a committee like the Subcommittee on Fortifications, and I assume sometimes in the Naval and Military Committees, matters are discussed informally that very properly ought not to be disclosed to the public gaze. I often feel in reading over these hearings that we have printed much that should not be published. But it has been the policy of the committees of Congress to quite thoroughly examine witnesses from the Army and Navy and obtain all proper information. In my two years' service on the Fortifications Committee many subjects have been informally discussed by witnesses and members of the committee.

Of course, Mr. Chairman, if we lost all our Navy; if we had no howitzers to place on the beach at Rockaway; if we had no mines to plant to take care of the ships of hostile countries

in time of war; if we broke down completely in our defensive operations and the water off Rockaway Beach proves deep enough to permit a foreign fleet to come within firing range, it would be possible that the menace suggested by the newspaper article referred to by the gentleman from Massachusetts [Mr. GARDNER] might occur. In connection with the statement that the gentleman quotes I am free to say that the possibility of shelling New York City and other cities of the country was discussed. But for my part—and I think I share the opinion of the committee—we felt as the result of our investigations on this subject that the people of New York have no reason to be unnecessarily alarmed.

Mr. GARDNER. Now, I call the attention of the gentleman to Gen. Weaver's evidence, on page 64, where he says:

It is true that there are certain places—very few of them—where it will probably be necessary to provide additional armaments to prevent the distant bombardment of cities.

Is New York one of those places?

Mr. CALDER. The defenses of New York City were referred to. Answering the gentleman's question further, I would say that if we lost control of the sea, if we had no guns to place on Rockaway Beach and had no mines to plant, there would be a risk.

Mr. GARDNER. I see from the newspaper article that the reason given why New York was safe was because the water off Rockaway Beach was so shallow. Now, I have in my hand a map showing the soundings off Rockaway Beach, and I find that within a mile of the beach there is perfectly good water at a depth of from 5¼ to 5½ fathoms. If it is not true that that was the reason why Brooklyn could not be attacked from off Rockaway Beach, then it is not true that it was on account of the shallowness of the water.

Mr. CALDER. If the depth of water off Rockaway is sufficient to permit battleships to come as near the beach as the gentleman indicates, no doubt proper steps would be taken in time of war to protect the city.

Mr. GARDNER. May I ask the gentleman if it is practicable to strew mines along the coast without having any fortifications to reach the mine fields?

Mr. CALDER. Well, I am not an Artillery officer, neither am I a technical expert on the subject of mines; but I will say to the gentleman that as to the possibility of defenses along Rockaway Beach I have not very much fear of New York City being attacked. Even if an attempt were made I doubt if they could seriously injure us.

Now, we are not at war with any great nation, and we are not likely to be, and I feel very confident that long before we could be involved the War Department, which is familiar with this subject, would take the necessary measures in the premises. I have discussed this problem with the officials of the War Department, and I know they have it under serious advisement.

Mr. GARDNER. Now, one moment more. The gentleman is very candid and very lucid. Of course, if there is not going to be any war we need not have any fortifications at all, but if it is all to be as smooth sailing as the gentleman says why was not that whole conversation reported in the hearings?

Mr. CALDER. I repeat. Very often in the Committee on Appropriations, or its subcommittee on fortifications—and I assume in other committees of like character in the House—conversations are held regarding fortifications in different parts of the country.

In preparing this bill at the last session of Congress we discussed very freely the condition of the fortifications in the Philippines and Hawaii without having it recorded in the hearings. I will say frankly to the gentleman that at my solicitation the Secretary of War has taken all of these matters under advisement with reference to the seacoast defenses of New York City, and after a thorough investigation if, in his judgment, it is believed additional fortifications are necessary he has agreed to come to the House at the next session and make such recommendations as he thinks proper. The responsibility now rests with him.

Mr. GARDNER. I thank the gentleman for his courtesy.

Mr. LEVY. Mr. Chairman, will my colleague yield?

The CHAIRMAN. Does the gentleman from New York yield to his colleague?

Mr. CALDER. Yes.

Mr. LEVY. My colleague will not deny that our great Navy, which is the second largest in the world, could amply protect the city of New York, and no other warships could come near enough to bombard that great metropolitan city without being annihilated by our Navy.

Mr. CALDER. I do not doubt it.

Mr. LEVY. I thank the gentleman.

Mr. CALDER. Mr. Chairman, I would like to discuss for a moment the condition of our field-artillery ammunition. In this bill we appropriate $1,160,000. In the Army bill we appropriated $2,900,000 for the purchase of additional field ammunition. These two items together will increase our reserve supply from 31 per cent to 48 per cent of the whole project. When I say the whole project I mean based on a mobile army of 450,000 men, and figuring on 3⅛ guns to every 1,000 infantry and cavalry men. At the present rate of appropriation enough reserve ammunition to provide for this entire project will be on hand within a period of four years. It is estimated it will cost $16,500,000 to manufacture the balance of the ammunition called for.

The appropriation in this bill for our mountain, field, and siege cannon is $450,000. There is also an item of $2,090,000 for field artillery in the Army bill, which makes a total of $2,540,000 appropriated this year for our mountain, field, and siege guns. We have now on hand 1,000 machine guns and 213 batteries equalling 850 guns out of a total of 1,292 guns. It is estimated that this project is within six years of completion. In my judgment, our field artillery and field ammunition are in excellent shape. The Chief of Ordnance testified in the hearings before the committee that when we have this entire project complete, both as to artillery and ammunition, that if we were called upon to place a mobile army of 450,000 or even larger in the field we would have no difficulty in maintaining an ample supply.

Mr. Chairman, there has been much discussion here and other places about the character of our field artillery and ammunition as compared with that of the countries engaged in the European war. We have been repeatedly asked what lesson have we learned from that war. We have read in the newspapers of the terrible havoc of the 42-centimeter guns and the other great armaments of the contending nations. Your committee questioned closely the officers who appeared before us as to what information they had obtained as to the character of the guns and ammunition possessed by the countries engaged. We were advised that the knowledge so far secured would not warrant them in making any modification of their program for the field artillery and ammunition. When the reports of the officers now abroad are made and finally considered it is possible the War Department may desire to make some change in their plans. I would call the attention of the committee to the fact that we have no land fortifications in this country that would require the character of guns used by the contending countries. We are at peace with our neighbor, Canada, on the north, and neither Canada nor the United States have fortifications on the border. Mexico on the south is too weak to cause any concern.

Mr. Chairman, I regret exceedingly that this bill does not deal with the question of the personnel of the Coast Artillery. If it did, I would insist that it carry a provision for a substantial increase in this service. In 1907 Congress fixed the number of Coast Artillery companies at 170, with a total of 701 officers and 19,321 enlisted men. It was estimated that this number was a meager requirement for the defenses of the United States alone. There have, up to the present time, been abstracted from the coast line of the United States proper for manning over-sea fortifications the following:

	Companies.
For the Philippine Islands	11
For Hawaii	8
For the Panama Canal	6
Total	25

In the near future it will be necessary to take additional companies from the United States, making the total number taken:

	Companies.
For the Philippine Islands	24
For Hawaii	13
For Panama	12
Total	49

Leaving in the United States 121 companies. The shortage of Coast Artillery troops for the United States proper is, therefore, at the present time so far below the requirements as to make it deserving of the serious consideration of Congress. The statement I have made above is the testimony of the Chief of Coast Artillery, who also calls attention to the necessity of Congress providing for the authority to increase the enlistment of master electricians, electrician sergeants, engineers, and firemen whose services are necessary in the proper manning of our improved coast defenses. I am sure that it is very important that Congress take up at an early date the question of adding to the Coast Artillery force the men asked for by the chief of this service. We can manufacture guns and ammunition, we can build displacements, but well-trained men thoroughly equipped to handle the delicate mechanism of our guns and mortars can not be obtained at a moment's notice. This is the most impor-

tant branch of the service, and I regret that in passing the Army bill no provision was made to increase this force.

Last week our attention was called to the fact that it was 17 years since the battleship *Maine* was destroyed in Havana Harbor. When war came as a result, it was fought under conditions of unpreparedness that made our concentration camps more deadly to our soldiers than the bullets of the enemy. The system adapted to the needs of an Army of 25,000 broke down utterly as its task was suddenly and unexpectedly increased. The sufferings of our patriotic young men, eager to serve their country in her hour of need, the subsequent scandals, and the revelation of our weakness, I regret, has been forgotten.

Mr. Chairman, in the preparation of this legislation the committee having it in charge has voted to give to the War Department substantially every dollar asked for. If the amount is insufficient, the responsibility is theirs. They are charged with the conduct of this branch of our Government. If they had asked for more, I would have voted to give it to them. We decry expenditures for the national defense, and I agree with gentlemen that because of some useless Army camps and naval stations money is wasted. I would call the attention of the committee, however, to the statement of Chancellor Lloyd George in the British House of Commons on Monday of last week. This speech was a revelation to the world of the stupendous cost of modern war. The statement of the chancellor to the effect that the cost of the war to the allies was $10,000,000,000 a year is startling. What would the opponents of national defense in the United States say to such an expenditure. I do not expect this country to go to war, at least not in the very near future. I believe that the struggle in Europe will leave the contending powers in such a condition that they will have no desire for further trouble. It is true that, judging from the facts surrounding the conditions abroad, our embarrassments are increasing, but I am confident that the common sense of the American people will not tend to create a sentiment that may rush the President off his feet.

I have seldom agreed with the President in his fiscal policies, and not always in his foreign policies, but I shall do what I can to assist him to mollify our people if any efforts are made by unwise men to involve us in this conflict.

Mr. Chairman, I have referred to the $10,000,000,000 expenditure of the allies. The cost of our national defense for this year is barely 2½ per cent of this amount. After all, is it not better for us to keep ourselves in a state of preparedness, to some degree, at least, if, perchance, out of a clear sky we should be involved in unforeseen conflict. [Applause.]

Mr. SHERLEY. Mr. Chairman, may I ask how much time is remaining?

The CHAIRMAN. Sixty-seven minutes.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MANN. It is now nearly 6 o'clock. The gentleman has over an hour remaining, if he consumes it all. It seems to me that under the circumstances that would be running a little too late to-night.

Mr. SHERLEY. Mr. Chairman, in view of the fact that to-morrow when I address the House I hope to have some data that I have not now on my desk, I shall acquiesce in the suggestion of the gentleman from Illinois, and I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOUSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the fortifications appropriation bill (H. R. 21491) and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

DISPOSITION OF USELESS PAPERS.

Mr. TALBOTT of Maryland, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, submitted a report that the files and papers described in the report of the Secretary of Commerce, House Document 1499, Fifty-third Congress, third session, dated January 16, 1915, were not needed in the transaction of the current business of the department and have no permanent value or historical interest, which report (No. 1434) was ordered filed.

LEAVE TO EXTEND REMARKS.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, for the purpose of printing a bill to establish and maintain a military training school at the Indian school at Carlisle.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing a bill to establish and maintain a military training school at the Indian school at Carlisle. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 18745. An act in relation to the location of a navigable channel of the Calumet River in Illinois; and

H. R. 15557. An act for the relief of Anna Miller.

The Speaker announced his signature to enrolled bills of the following titles:

S. 7213. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 6980. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 7402. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind.;

H. R. 17982. An act to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement;

H. R. 17907. An act granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River;

H. R. 17765. An act to regulate details of majors in the Ordnance Department;

H. R. 17122. An act for the relief of John Burrows; and

H. J. Res. 391. Joint resolution authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until Tuesday, February 23, 1915, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GARNER, from the Committee on Ways and Means, to which was referred the bill (H. R. 21009) to make Van Buren, Me., a port through which merchandise may be imported for transportation without appraisement, reported the same without amendment, accompanied by a report (No. 1431), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 21531) to require railway and other carriers of passengers for hire to establish an interstate rate which shall not exceed the combination of local rates; to the Committee on Interstate and Foreign Commerce.

By Mr. FORDNEY: A bill (H. R. 21532) to establish and maintain a fish-hatching station on Saginaw River in the State of Michigan; to the Committee on the Merchant Marine and Fisheries.

By Mr. RAKER: A bill (H. R. 21533) to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the

State of California, and for other purposes; to the Committee on the Public Lands.

By Mr. McKELLAR: Resolution (H. Res. 742) amending section 2 of Rule VIII of the House; to the Committee on Rules.

By Mr. BURKE of South Dakota: Memorial of the Legislature of South Dakota, in the form of a resolution, to accept the benefits of the Smith-Lever Act of Congress approved by the President May 8, 1915; to the Committee on Agriculture.

By Mr. DILLON: Memorial of the legislature of the State of South Dakota, in the form of a resolution, to accept the benefits of the Smith-Lever Act of Congress approved by the President May 8, 1915; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BULKLEY: A bill (H. R. 21534) granting an increase of pension to Thomas Duggan; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 21535) for the relief of the heirs of Peter F. Archer, deceased; to the Committee on War Claims.

By Mr. COX: A bill (H. R. 21536) granting an increase of pension to John R. Webb; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 21537) granting a pension to Lee McKinley; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 21538) for the relief of the heirs of James Turner, late of Marshall County, Tenn.; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Long Island City, N. Y., and members of the American Neutrality League, urging an embargo on war material; to the Committee on Foreign Affairs.

By Mr. ALLEN: Petition of sundry citizens of Findlay, Belmont, and Van Buren, Ohio, and Portland, Oreg., protesting against legislation abridging freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BAKER: Petition of citizens of Atlantic City, N. J., relative to case of Harry K. Thaw; to the Committee on the Judiciary.

By Mr. CANDLER of Mississippi: Papers to accompany a bill for relief of the heirs of Peter F. Archer; to the Committee on War Claims.

By Mr. COOPER: Petition of Peter C. Johnson and others, of Racine, Wis., also Mrs. M. A. Howell and others, of Waukesha, Wis., against House bill 2644, relative to exclusion of certain publications from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of A. B. Seigl, C. M. Ryan, C. R. Emery, and others, of Racine, Wis., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of sundry citizens of Brooklyn, N. Y., favoring strict American neutrality; to the Committee on Foreign Affairs.

By Mr. DONOHOE: Petition of citizens of Philadelphia, Pa., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. DOREMUS: Petitions of Caspar Peitz, jr., A. H. A. Loeber, and several hundred other citizens of Detroit, Mich., favoring passage of resolution to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FINLEY: Petition of Woman's Missionary Society, Upper South Carolina Conference, Methodist Episcopal Church South, favoring amendment to Constitution prohibiting polygamy in the United States; to the Committee on the Judiciary.

By Mr. GOEKE: Petition of E. L. Kattman and others, of State of Ohio, favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of Chamber of Commerce of the United States of America, protesting against the Deitrick amendment to the Army appropriation bill; to the Committee on Military Affairs.

Also, memorial of German-Irish Alliance of Passaic County, N. J., favoring strict American neutrality; to the Committee on Foreign Affairs.

By Mr. LINDQUIST: Petition of F. L. Church and others, of Central Lake, Mich., and vicinity, protesting against the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Memorial of the Evangelical Lutheran St. Paul's Congregation, of Hickory Grove, Nemaha County, Nebr., protesting against export of war material; to the Committee on Foreign Affairs.

By Mr. MAPES: Petition of M. J. Allen, William J. Weiner, and 127 others, of Grand Rapids, Mich., against export of arms; to the Committee on Foreign Affairs.

By Mr. MOORE: Petition of German Veleranen Bund of Philadelphia, Pa., urging passage of law prohibiting export of war material; to the Committee on Foreign Affairs.

By Mr. RAKER: Memorial of American citizens of Paterson, N. J., favoring strict American neutrality; to the Committee on Foreign Affairs.

By Mr. STEPHENS of California: Protest from Chamber of Commerce of Klamath, Oreg., against change in boundaries of Crater Lake National Park; to the Committee on Military Affairs.

Also, resolution of Chamber of Commerce of Santa Ana, Cal., favoring investigation of Victor Valley (Cal.) possibilities by United States Reclamation Service; to the Committee on Expenditures in the Interior Department.

Also, resolution of Shakespeare Club, of Pasadena, Cal., protesting against shipment of American horses to European battle fields; to the Committee on Foreign Affairs.

Also, communications from Woman's Missionary Society, Immanuel Presbyterian Church, Los Angeles, Cal., and from Earl Haydock, favoring Palmer-Owen child-labor bill; to the Committee on Labor.

Also, letters from San Antonia Fruit Exchange, Pomona, Cal.; Board of Education, Oakland, Cal.; Sunset Publishing Co., San Francisco, Cal.; Standard Brick Co., Colton, Cal.; and Southwestern Ornamental Iron Works, Los Angeles, Cal., favoring the issuing of stamped and printed envelopes by the United States Government; to the Committee on the Post Office and Post Roads.

Also, resolution of Chamber of Commerce of Los Angeles, Cal., advocating a naval reserve; to the Committee on Naval Affairs.